



Planning & Strategic Initiatives Committee Agenda

Monday, April 22, 2024, 6:30 p.m. - 9:00 p.m.

Council Chambers

City of Kitchener

200 King Street W, Kitchener, ON N2G 4G7

People interested in participating in this meeting can register online using the delegation registration form at www.kitchener.ca/delegation or via email at delegation@kitchener.ca. Please refer to the delegation section on the agenda below for in-person registration and electronic participation deadlines. Written comments received will be circulated prior to the meeting and will form part of the public record.

The meeting live-stream and archived videos are available at www.kitchener.ca/watchnow.

Accessible formats and communication supports are available upon request. If you require assistance to take part in a city meeting or event, please call 519-741-2345 or TTY 1-866-969-9994.

Chair: Councillor P. Singh

Vice-Chair: Councillor D. Chapman

Pages

1. **Commencement**

2. **Disclosure of Pecuniary Interest and the General Nature Thereof**

Members of Council and members of the City's local boards/committees are required to file a written statement when they have a conflict of interest. If a conflict is declared, please visit www.kitchener.ca/conflict to submit your written form.

3. **Consent Items**

The following matters are considered not to require debate and should be approved by one motion in accordance with the recommendation contained in each staff report. A majority vote is required to discuss any report listed as under this section.

3.1 **Private Street Naming – 130 Otterbein Road, DSD-2024-180**

3

4. Delegations

Pursuant to Council's Procedural By-law, delegations are permitted to address the Committee for a maximum of five (5) minutes. All Delegations where possible are encouraged to register prior to the start of the meeting. For Delegates who are attending in-person, registration is permitted up to the start of the meeting. Delegates who are interested in attending virtually must register by 4:30 p.m on April 22, 2024, in order to participate electronically.

4.1 Item 6.1 - Kristen Barisdale, GSP Group

5. Discussion Items

- | | | | |
|-----|--|------|----|
| 5.1 | Corporate Climate Action Plan (CorCAP) 2.0
Pivot: Net-Zero, DSD-2024-074
<i>(Staff will provide a 5-minute presentation on this matter.)</i> | 45 m | 17 |
|-----|--|------|----|

6. Public Hearing Matters under the Planning Act (advertised)

This is a formal public meeting to consider applications under the Planning Act. If a person or public body does not make oral or written submissions to the City of Kitchener before the proposed applications are considered, the person or public body may not be entitled to appeal the decision to the Ontario Land Tribunal and may not be added as a party to a hearing of an appeal before the Ontario Land Tribunal.

- | | | | |
|-----|---|------|-----|
| 6.1 | Official Plan Amendment Application
OPA24/003/L/AP, Zoning By-law Amendment
Application ZBA24/003/L/AP, 15 Laurentian
Drive, Kitchener Waterloo Christian School
Society, DSD-2024-092
<i>(Staff will provide a 5-minute presentation on this matter.)</i> | 15 m | 66 |
| 6.2 | Official Plan Amendment Application
OPA24/002/J/BB, Zoning By-law Amendment
Application ZBA24/002/J/BB, 135-161 Jackson
Avenue and 135 Brentwood Avenue, Sanjiv
Shukla (1000190771 ONTARIO INC.), DSD-
2024-061
<i>(Staff will provide a 5-minute presentation on this matter.)</i> | 90 m | 113 |

7. Information Items

- 7.1 None.

8. Adjournment

**Marilyn Mills
Committee Coordinator**

Staff Report



Development Services Department

www.kitchener.ca

REPORT TO: Planning and Strategic Initiatives Committee

DATE OF MEETING: April 22, 2024

SUBMITTED BY: Garett Stevenson, Director of Development and Housing Approvals,
519-741-2200 ext. 7070

PREPARED BY: Paige Thompson, Student Planner, 519-741-2200 ext. 7078

WARD(S) INVOLVED: Ward 1

DATE OF REPORT: March 27, 2024

REPORT NO.: DSD-2024-180

SUBJECT: Private Street Naming – 130 Otterbein Road

RECOMMENDATION:

That the City of Kitchener acknowledge that MHBC intends to name a private street: “Otterbein Crescent” within a multiple residential development located at 130 Otterbein Road, and further,

That the City’s Legal Services division be directed to proceed with the required advertising, preparation, and registration of the necessary By-law for the naming of “Otterbein Crescent”.

REPORT HIGHLIGHTS:

- The purpose of this report is that the applicant is seeking Council approval to name a private street within the residential development located at 130 Otterbein Road.
- The key finding of this report is that the applicant is proposing to name the private street as “Otterbein Crescent”. Staff are satisfied that the proposed private street name is appropriate and support the street naming request.
- There are no financial implications as there is no impact to the capital or operating budget.
- Community engagement included the information posted to the City’s website with the agenda in advance of the council/committee meeting.
- This report supports the delivery of core services.

BACKGROUND:

MHBC is seeking Council approval to name a private street within the residential development located at 130 Otterbein Road. The proposed multiple residential development received conditional approval of Site Plan Application SP21/084/O/LT for a 49 unit stacked townhouse development in September 2021.

*** This information is available in accessible formats upon request. ***
Please call 519-741-2345 or TTY 1-866-969-9994 for assistance.

REPORT:

The applicant is proposing to name the private street shown on Appendix 'D' "Otterbein Crescent". The naming of the private street will eliminate the need for a Multiple Unit Identification Sign at the entrance to the site, and offers improved site navigation for emergency services, residents, and visitors.

The proposal has been circulated to internal departments and all concerns have been addressed. The dwellings will be addressed in accordance with the City's Street Naming and Addressing Policy. The Region has approved the proposed street name. Staff are satisfied that the proposed private street name is appropriate and support the street naming request.

STRATEGIC PLAN ALIGNMENT:

This report supports the delivery of core services.

FINANCIAL IMPLICATIONS:

Capital Budget – The recommendation has no impact on the Capital Budget.

Operating Budget – The recommendation has no impact on the Operating Budget.

COMMUNITY ENGAGEMENT:

INFORM – This report has been posted to the City's website with the agenda in advance of the council / committee meeting.

PREVIOUS REPORTS/AUTHORITIES:

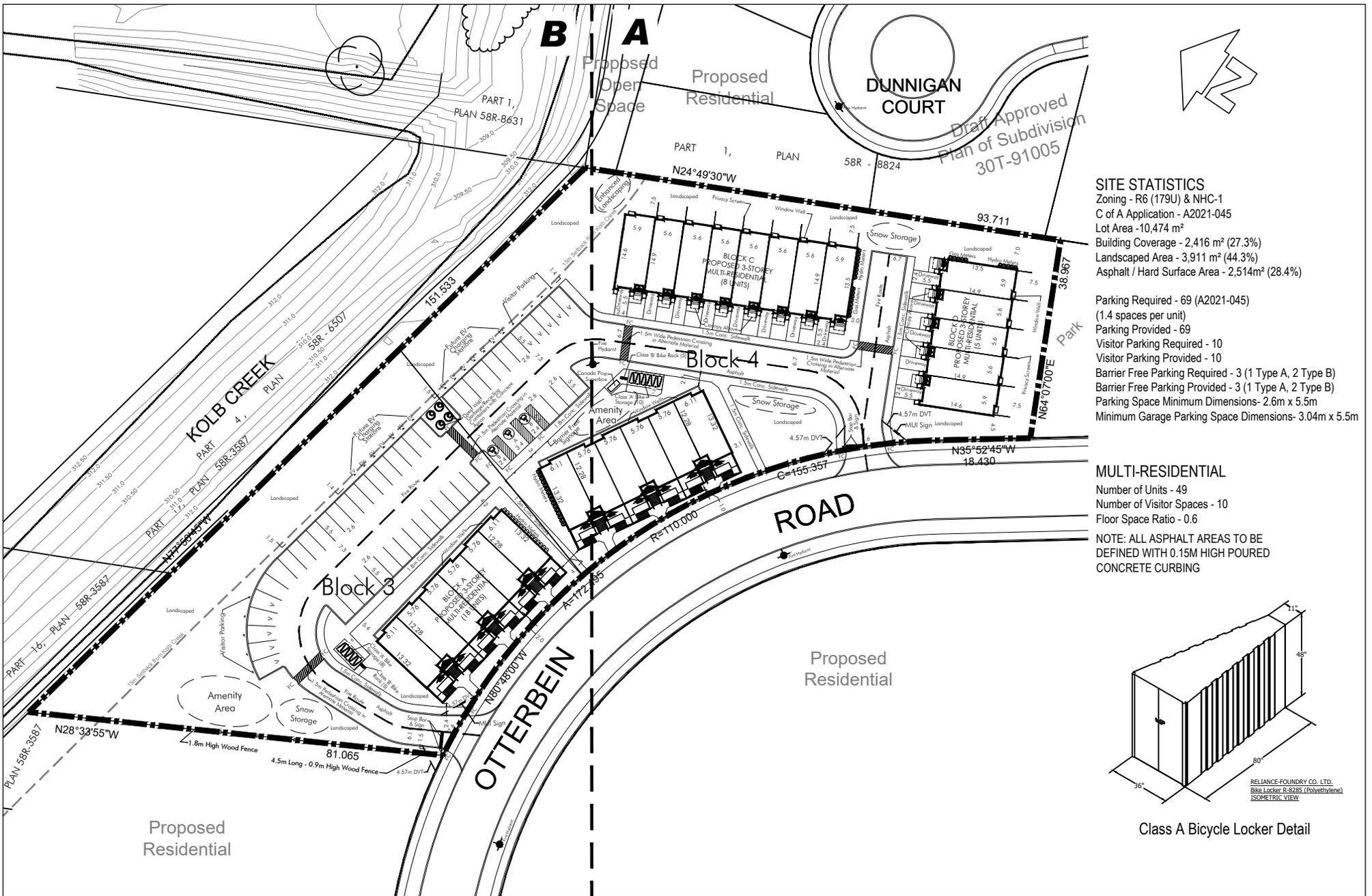
- *Municipal Act, 2001*
- *Planning Act*

REVIEWED BY: Tina Malone-Wright, Manager, Development Approvals

APPROVED BY: Justin Readman, General Manager, Development Services Department

ATTACHMENTS:

- Appendix A – 130 Otterbein Road – Site Plans
- Appendix B – 130 Otterbein Road – Private Street Name Request
- Appendix C – Agency Comments – 130 Otterbein Road
- Appendix D – 130 Otterbein Road – RPLAN (00296 -600)

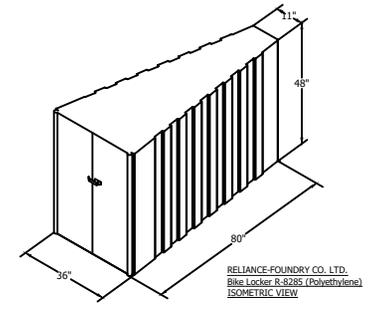


SITE STATISTICS
 Zoning - R6 (179U) & NHC-1
 C of A Application - A2021-045
 Lot Area - 10,474 m²
 Building Coverage - 2,416 m² (27.3%)
 Landscaped Area - 3,911 m² (44.3%)
 Asphalt / Hard Surface Area - 2,514m² (28.4%)

Parking Required - 69 (A2021-045)
 (1.4 spaces per unit)
 Parking Provided - 69
 Visitor Parking Required - 10
 Visitor Parking Provided - 10
 Barrier Free Parking Required - 3 (1 Type A, 2 Type B)
 Barrier Free Parking Provided - 3 (1 Type A, 2 Type B)
 Parking Space Minimum Dimensions- 2.6m x 5.5m
 Minimum Garage Parking Space Dimensions- 3.04m x 5.5m

MULTI-RESIDENTIAL
 Number of Units - 49
 Number of Visitor Spaces - 10
 Floor Space Ratio - 0.6

NOTE: ALL ASPHALT AREAS TO BE DEFINED WITH 0.15M HIGH POURED CONCRETE CURBING

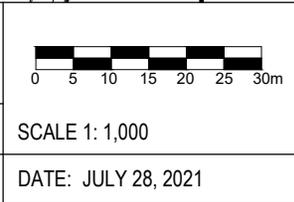


Class A Bicycle Locker Detail

SITE PLAN

KOLB CREEK LAND CORP.

130 OTTERBEIN ROAD



REVISED:
 NOVEMBER 22, 2021
 FEBRUARY 18, 2022
 JULY 6, 2022
 AUGUST 30, 2022
 SEPTEMBER 15, 2022
 OCTOBER 31, 2023

SITE PLAN APPLICATION No. SP21/084/O/LT

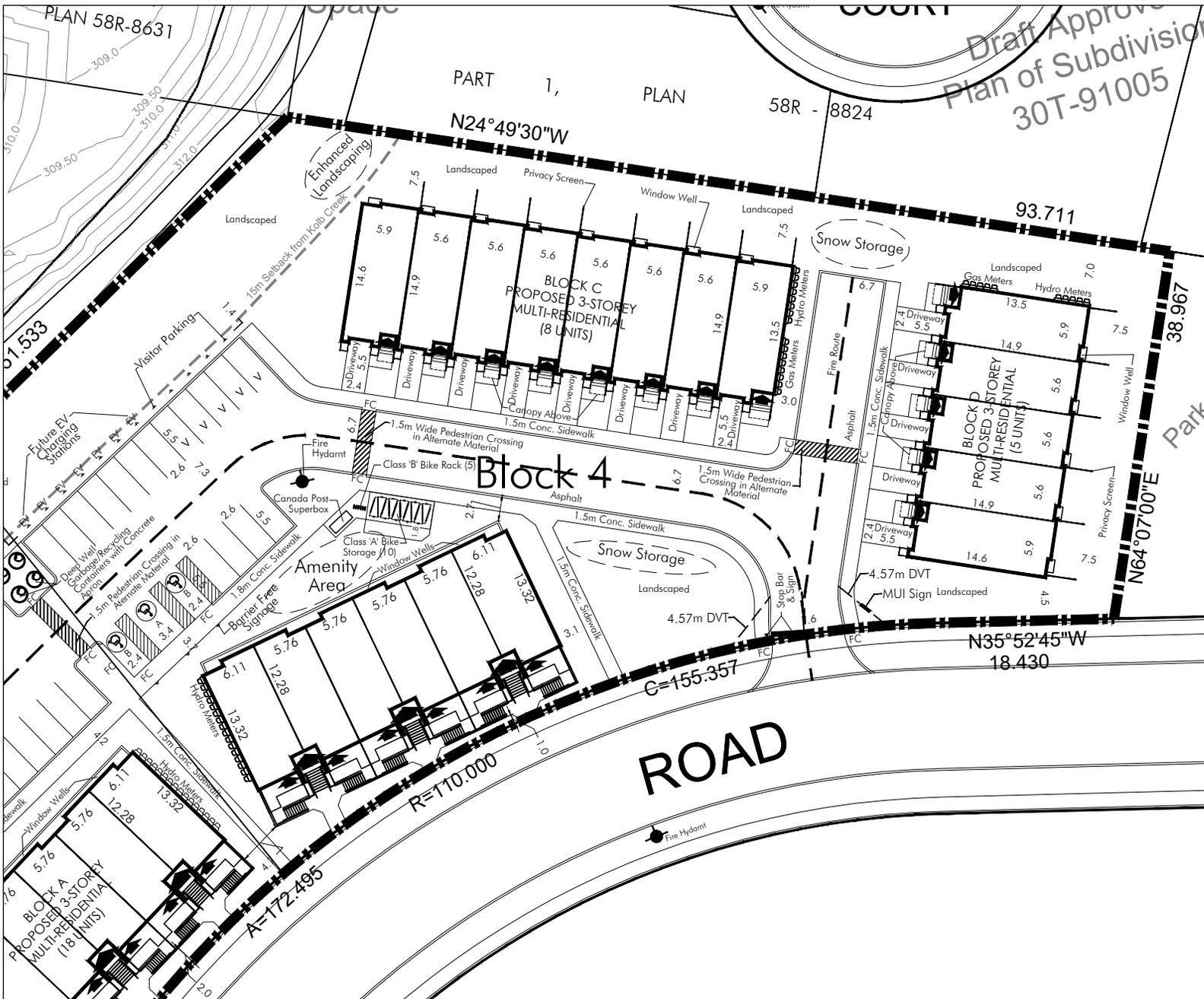
LEGAL DESCRIPTION: BLOCKS 3 & 4, PLAN 58M-654

City of Kitchener

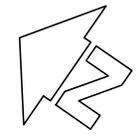
DEVELOPMENT SERVICES DEPARTMENT, PLANNING

CAD FILE: SP.DWG

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Draft Approval
Plan of Subdivision
30T-91005



SITE STATISTICS
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NOTE: ALL ASPHALT AREAS TO BE
 DEFINED WITH 0.15M HIGH POURED
 CONCRETE CURBING

DETAIL A

KOLB CREEK LAND CORP.
 130 OTTERBEIN ROAD



SCALE 1: 1,000
 DATE: JULY 28, 2021

REVISED:
 NOVEMBER 22, 2021
 FEBRUARY 18, 2022
 JULY 6, 2022
 AUGUST 30, 2022
 SEPTEMBER 15, 2022
 OCTOBER 31, 2023

SITE PLAN APPLICATION No. SP21/084/O/LT
 LEGAL DESCRIPTION: BLOCKS 3 & 4, PLAN 58M-654

City of Kitchener
 DEVELOPMENT SERVICES DEPARTMENT, PLANNING

CAD FILE:
 SP.DWG
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February 26, 2024

Mr. Eric Schneider
Senior Planner
City of Kitchener
Planning Division, 6th Floor
200 King Street West,
Kitchener ON, N2G 4G7

Dear Mr. Schneider:

**RE: Request for Private Street Naming
130 Otterbein Road (Blocks 3 and 4, Plan 58M-654, Kolb Creek Subdivision),
Kitchener
OUR FILE 19129D**

On behalf of our client, Kolb Creek Land Corp., please accept this letter as our request for the creation of a private street for the condominium development planned at 130 Otterbein Road, in the City of Kitchener.

We kindly ask that the City consider Nitin Jain Street as the preferred private street name within the site plan. We have confirmed availability of the street name with Amalia Walker of the Region of Waterloo. We ask that City staff also provide confirmation of the acceptability of the proposed street names. A reference plan has been prepared by MTE (OLS) for the purposes of the Street Naming By-law, and is included in this submission.

The following documents are included in this submission to support our request:

- A cheque payable to City of Kitchener in the amount of \$1,375.00 representing the 2024 fee for Private Street Naming.
- A cheque payable to City of Kitchener in the amount of \$1,650.00 representing the legal fees for processing the Private Street Naming Request.
- Reference Plan identifying the limits of the private street (shown as Part 1 and 2), prepared by MTE (OLS) Ltd.
- Copy of current Site Plan for 130 Otterbein Road.
- Correspondence from Regional staff confirming acceptability of proposed street name.

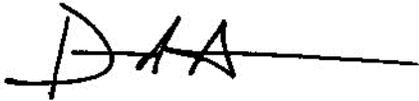
We kindly ask that staff prepare a report, to be presented at the next available Community and Infrastructure Services Committee, to support approval of the creation of the private street. Please contact the undersigned with a confirmed Community and Infrastructure Services Committee date to approve the request.

A hard copy if the above-noted materials will be delivered to the City under separate cover.

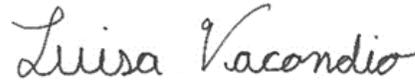
If you require any additional information please contact the undersigned.

Yours truly,

MHBC



**Dave Aston, MSc, MCIP, RPP
Partner**



**Luisa Vacondio, BES, MCIP, RPP
Planner**

cc. *Nitin Jain*
Garett Stevenson

Good Morning Paige and Tara,

We have discussed with our client and they are fine with the proposed private street name of Otterbein Crescent to address Fire Prevention's request. Can you kindly advise on the next steps to bring the private street naming by-law to Council to finalize?

Thank you,
Luisa

LUISA VACONDIO, BES, MCIP, RPP | Planner

MHBC Planning, Urban Design & Landscape Architecture

540 Bingemans Centre Drive, Suite 200 | Kitchener | ON | N2B 3X9 | T 519 576 3650 |
F 519 576 0121 | lvacondio@mhbcplan.com

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From: Paige Thompson <Paige.Thompson@kitchener.ca>
Sent: March-14-24 1:58 PM
To: Dave Aston <daston@mhbcplan.com>
Cc: Tara Zhang <Tara.Zhang@kitchener.ca>
Subject: 130 Otterbein Road - Private Street Name Request

Hello Dave,

I hope this email finds you well. I am reaching out to you regarding your private street name request for 130 Otterbein Road.

We were advised by Fire Prevention staff to change the street name to "Otterbein Crescent" instead of "Nitin Jain Street" as it meets the City's street naming policies and is consistent with the Council's Addressing Policy.

If you have any questions or need further clarification, please feel free to reach out. Thank you for your understanding and cooperation.

All the best,

Paige Thompson

Planning Student | Planning Division | City of Kitchener Paige.Thompson@kitchener.ca

Thanks Derrick, I appreciate it.

The city would prefer to keep with the naming policy, so Otterbein Crescent is advised to the applicant as the street name.

Tara, please let the occupant know when you return.

Thanks,

Jennifer Arends

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

From: Derrick Hambly <DHambly@regionofwaterloo.ca>

Sent: Wednesday, March 13, 2024 10:44 AM

To: Jennifer Arends <Jennifer.Arends@kitchener.ca>; Paige Thompson <Paige.Thompson@kitchener.ca>; Chris Rumig <Crumig@regionofwaterloo.ca>; Dave Seller <Dave.Seller@kitchener.ca>; Beth Bruno <Beth.Bruno@kitchener.ca>; Tara Zhang <Tara.Zhang@kitchener.ca>

Subject: RE: Private Street Naming Request - 130 Otterbein Road

Hi Jennifer,

Thanks for the detailed response.

Our preference is no duplicates at all, although this would probably be a less impactful duplication than some other scenarios I can think of.

Based on your description it sounds like Otterbein Crescent would adhere to the City's street naming policy, and ultimately the City is the authority when it comes to street names.

Regards,
Derrick

Derrick Hambly, GIS Analyst
Region of Waterloo | dhambly@regionofwaterloo.ca

From: Jennifer Arends <Jennifer.Arends@kitchener.ca>

Sent: Wednesday, March 13, 2024 9:45 AM

To: Derrick Hambly <DHambly@regionofwaterloo.ca>; Paige Thompson <Paige.Thompson@kitchener.ca>; Chris Rumig <Crumig@regionofwaterloo.ca>; Dave Seller <Dave.Seller@kitchener.ca>; Beth Bruno <Beth.Bruno@kitchener.ca>; Tara Zhang <Tara.Zhang@kitchener.ca>

Subject: RE: Private Street Naming Request - 130 Otterbein Road

****EXTERNAL ALERT** This email originated from outside the Region of Waterloo. Verify any links or attachments before clicking/opening.**

Hi Derrick,

It's my understanding that our fire crews are trained to identify crescent with the same proper name as the parent street as providing two access points from a parent street with the same proper name. It's Part of the city's street naming policy under 4.2.(b)(iii) that all proposed streets having two connections to a parent street bear the suffix, Crescent. One crescent extending from the parent street should bear the same proper name as the parent street.

Now the clause does say should so it isn't a hard and fast rule – but I believe the suffix Crescent would still be useful for our crews to identify the street as having two connections to a parent street. Under clause iv of the same area of the policy identified that all proposed local roads over than cul-de-sacs and crescents bear the suffix street, drive, avenue or trail – so using the Street suffix wouldn't align with Kitchener's policy.

Let me know your thoughts on using the suffix crescent.

Thank you,

Jennifer Arends

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

From: Derrick Hambly <DHambly@regionofwaterloo.ca>
Sent: Wednesday, March 13, 2024 9:24 AM
To: Jennifer Arends <Jennifer.Arends@kitchener.ca>; Paige Thompson <Paige.Thompson@kitchener.ca>; Chris Rumig <Crumig@regionofwaterloo.ca>; Dave Seller <Dave.Seller@kitchener.ca>; Beth Bruno <Beth.Bruno@kitchener.ca>; Tara Zhang <Tara.Zhang@kitchener.ca>
Subject: RE: Private Street Naming Request - 130 Otterbein Road

Some people who received this message don't often get email from dhambly@regionofwaterloo.ca. [Learn why this is important](#)

Good morning,

The Region would be opposed to Otterbein Crescent, as it is a duplication of the existing Otterbein Road. As a rule, we do not support duplicate street names due to the potential for confusion in an emergency situation.

Regards,
Derrick

Derrick Hambly, GIS Analyst
Region of Waterloo | dhambly@regionofwaterloo.ca

From: Jennifer Arends <Jennifer.Arends@kitchener.ca>
Sent: Wednesday, March 13, 2024 8:44 AM
To: Derrick Hambly <DHambly@regionofwaterloo.ca>; Paige Thompson <Paige.Thompson@kitchener.ca>; Chris Rumig <Crumig@regionofwaterloo.ca>; Dave Seller <Dave.Seller@kitchener.ca>; Beth Bruno <Beth.Bruno@kitchener.ca>; Tara Zhang <Tara.Zhang@kitchener.ca>
Subject: RE: Private Street Naming Request - 130 Otterbein Road

****EXTERNAL ALERT** This email originated from outside the Region of Waterloo. Verify any links or attachments before clicking/opening.**

Hi Tara,

The city street naming policy would dictate that we'd prefer Otterbein Crescent – as this is a crescent off that street and I don't believe there are any existing crescents.

Thank you, let me know if you have any questions.

Jennifer Arends

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

From: Derrick Hambly <DHambly@regionofwaterloo.ca>
Sent: Tuesday, March 12, 2024 1:46 PM
To: Paige Thompson <Paige.Thompson@kitchener.ca>; Chris Rumig <Crumig@regionofwaterloo.ca>; Dave Seller <Dave.Seller@kitchener.ca>; Jennifer Arends <Jennifer.Arends@kitchener.ca>; Beth Bruno <Beth.Bruno@kitchener.ca>
Cc: Tara Zhang <Tara.Zhang@kitchener.ca>
Subject: RE: Private Street Naming Request - 130 Otterbein Road

Some people who received this message don't often get email from dhambly@regionofwaterloo.ca. [Learn why this is important](#)

Hi Paige,

I can confirm that **Nitin Jain Street** has been reserved for this development, so MHBC may go ahead with using that name.

Regards,
Derrick

Derrick Hambly, GIS Analyst
Region of Waterloo | dhambly@regionofwaterloo.ca

From: Paige Thompson <Paige.Thompson@kitchener.ca>
Sent: Tuesday, March 12, 2024 10:02 AM
To: Derrick Hambly <DHambly@regionofwaterloo.ca>; Chris Rumig <Crumig@regionofwaterloo.ca>; Dave Seller <Dave.Seller@kitchener.ca>; Jennifer Arends <Jennifer.Arends@kitchener.ca>; Beth Bruno <Beth.Bruno@kitchener.ca>
Cc: Tara Zhang <Tara.Zhang@kitchener.ca>
Subject: Private Street Naming Request - 130 Otterbein Road

****EXTERNAL ALERT** This email originated from outside the Region of Waterloo. Verify any links or attachments before clicking/opening.**

Hi everyone,

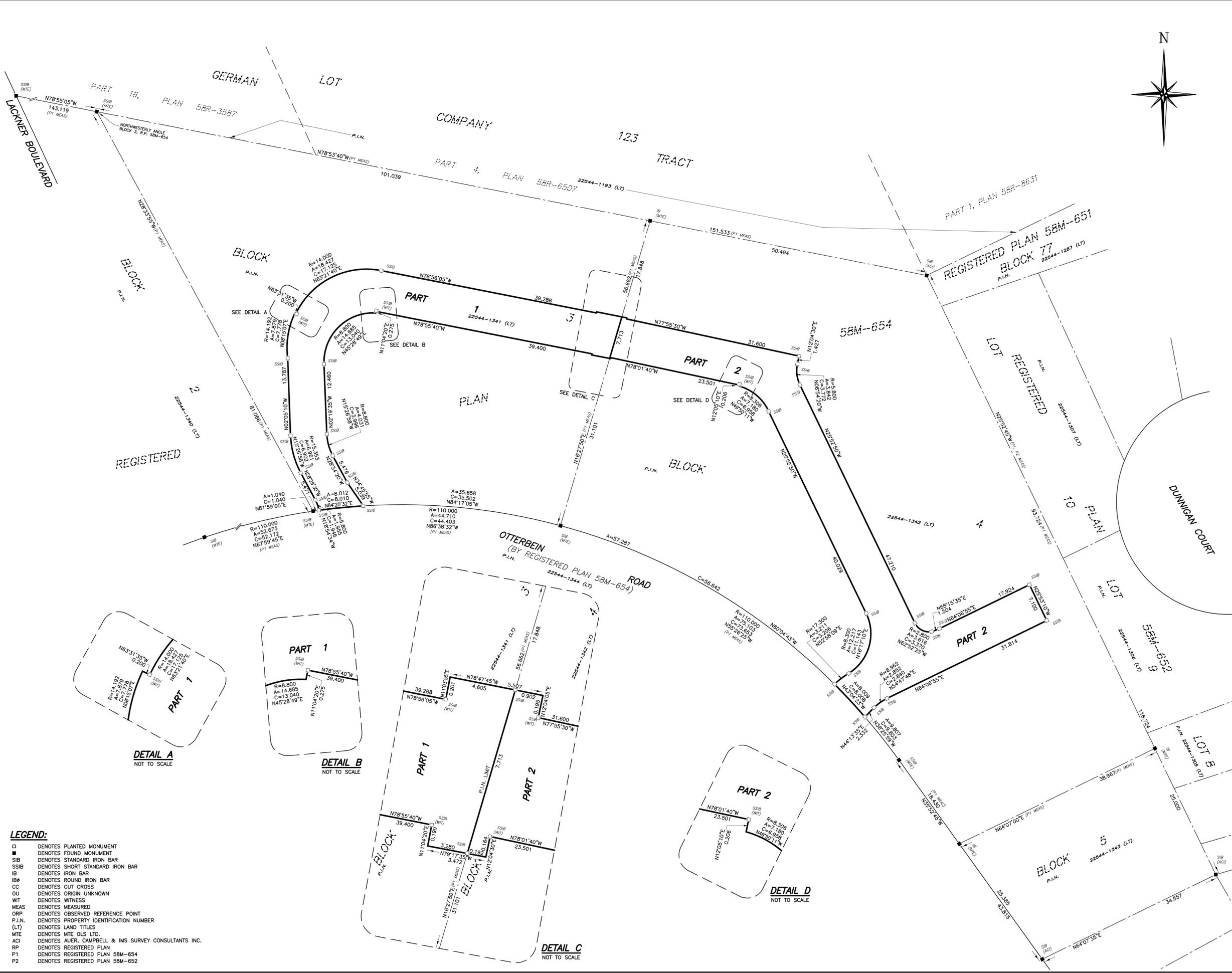
Please see the attached formal request from MHBC seeking a private street naming request for 130 Otterbein Road. See attached for supporting documents and fees.

The letter requests:
Nitin Jain Street

If you have any comments, please advise me and Tara Zhang (tara.zhang@kitchener.ca) by: **March 26, 2024.**

Thank you,

Paige Thompson



I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT

PLAN 58R-
RECEIVED AND DEPOSITED

DATE _____ DATE _____

REPRESENTATIVE FOR LAND REGISTRAR FOR THE LAND TITLES DIVISION OF WATERLOO (No. 58)
TREVOR D.A. McNEIL, O.L.S.

PART SCHEDULE			
PART	BLOCK	PLAN	P.I.N.
1	PART BLOCK 3	REGISTERED PLAN 58M-654	PART OF 22544-1341 (LT)
2	PART BLOCK 4	58M-654	PART OF 22544-1342 (LT)

PART 1 COMPRISES PART OF P.I.N. 22544-1341 (LT)
PART 2 COMPRISES PART OF P.I.N. 22544-1342 (LT)

PLAN OF SURVEY
OF
BLOCKS 3 AND 4
REGISTERED PLAN 58M-654
CITY OF KITCHENER
REGIONAL MUNICIPALITY OF WATERLOO

SCALE 1:300
0 3 6 9 12 15 18 METRES

MTE OLS LTD.
ONTARIO LAND SURVEYORS

METRIC:
DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

NOTES:
BEARINGS ARE UTM GRID, DERIVED FROM GPS OBSERVATIONS USING THE CAN-NET NETWORK AND ARE REFERRED TO UTM ZONE 17, NAD83 (CSRS v7) EPOCH 2010.00.
DISTANCES ON THIS PLAN ARE GROUND DISTANCES AND CAN BE CONVERTED TO GRID DISTANCES BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999589

ALL COORDINATES ARE DERIVED FROM GPS OBSERVATIONS USING THE CAN-NET NETWORK AND ARE REFERRED TO UTM ZONE 17, NAD83 (CSRS v7) EPOCH 2010.00.
COORDINATES TO URBAN ACCURACY PER SEC. 14 (2) OF O.REG. 216/10

POINT ID	NORTHING	EASTING
ORP A	4,811,236.90	545,177.76
ORP B	4,811,100.96	545,378.19

COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN

- LEGEND:**
- DENOTES PLANTED MONUMENT
 - DENOTES FOUND MONUMENT
 - SIB DENOTES STANDARD IRON BAR
 - SSIB DENOTES SHORT STANDARD IRON BAR
 - IB DENOTES IRON BAR
 - IB# DENOTES ROUND IRON BAR
 - CC DENOTES CUT CROSS
 - OU DENOTES ORIGIN UNKNOWN
 - WIT DENOTES WITNESS
 - MEAS DENOTES MEASURED
 - ORP DENOTES OBSERVED REFERENCE POINT
 - P.I.N. DENOTES PROPERTY IDENTIFICATION NUMBER
 - (LT) DENOTES LAND TITLES
 - MTE DENOTES MTE OLS LTD.
 - ACI DENOTES AUER, CAMPBELL & IMS SURVEY CONSULTANTS INC.
 - RP DENOTES REGISTERED PLAN
 - P1 DENOTES REGISTERED PLAN 58M-654
 - P2 DENOTES REGISTERED PLAN 58M-652

SURVEYOR'S CERTIFICATE:
I CERTIFY THAT:
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
2. THE SURVEY WAS COMPLETED ON THE 9TH DAY OF JUNE .2023

TREVOR D.A. McNEIL
ONTARIO LAND SURVEYOR
THIS PLAN OF SURVEY RELATES TO AOLS PLAN SUBMISSION FORM NUMBER:
V-39880

MTE MTE ONTARIO LAND SURVEYORS LTD.
520 BINGEMANS CENTRE DRIVE
KITCHENER, ONTARIO, N2B 3X9
TEL: (519) 743-6500

Drawn: BC/HTY Checked: B/W/MTE / A/ESTROJA / T/McNEIL Project Number: 00296-600-R1.1

REPORT TO: Planning and Strategic Initiatives Committee

DATE OF MEETING: April 22, 2024

SUBMITTED BY: Anna Marie Cipriani, Corporate Sustainability Officer, 519-741-2200 ext. 7322.

PREPARED BY: Anna Marie Cipriani, Corporate Sustainability Officer, 519-741-2200 ext. 7322

Hilary Irving, Sustainability Advisor, 519-741-2200 ext. 7137

Luke Reesor-Keller, Project Manager, Facilities and Energy Management, 519-741-2600 ext. 4610

WARD(S) INVOLVED: Ward(s)

DATE OF REPORT: April 3, 2024

REPORT NO.: DSD-2024-074

SUBJECT: Corporate Climate Action Plan (CorCAP) 2.0 Pivot: Net-Zero

RECOMMENDATION:

That the 2023 City of Kitchener Corporate greenhouse gas (GHG) emissions inventory update be received for information; and,

That Council endorse a corporate 2050 net-zero target; and,

That the second-generation Corporate Climate Action Plan (CorCAP) 2.0 *Pivot: Net-Zero*, Attachment A to DSD-2024-074 be endorsed; and further,

That the Corporate Climate Action Plan (CorCAP) 2.0 *Pivot: Net-Zero*, Attachment A to DSD-2024-074, be submitted to the Federation of Canadian Municipalities, Partners for Climate Protection Program in support of renewed Milestones 1 - 3.

REPORT HIGHLIGHTS:

- Corporate Climate Action Plan (CorCAP) 2.0, *Pivot: Net-Zero* (Attachment A to report DSD-2024-074) provides a progress update to the end of 2023 on City of Kitchener's corporate GHG reduction target. Currently a 5% GHG reduction is noted from 2016-2023. It is uncertain if this reduction will be sustained without continued intentional changes to our operations. There are two promising trends - sustained reduction in GHGs from streetlights and a potential decoupling of growth and GHGs in Corporate Facilities and Fleet and Equipment.
- The report also ushers a second-generation corporate climate action plan for the City of Kitchener and seeks endorsement of a net-zero by 2050 target for the organization.

- The plan strategically focusses on and prioritizes Facilities (Arenas, Administrative Buildings, and Pools) and Fleet and Equipment – areas where the most significant impact can be made in reducing corporate GHGs.
- The three overarching pathways to net-zero are identified as energy efficiency, fuel switching and generating local renewable energy.
- Setting a net-zero target means pivoting our organization. The focus now in our work towards a net-zero 2050 target is in driving down corporate emissions through the three pathways and in the future ensuring that any persisting corporate GHG emissions are removed from the atmosphere.
- There are 47 actions in the plan to 2027 (Attachment B to report DSD-2024-074) that are foundational to further defining the roadmap of our pivot to net-zero; also outlined are action timelines and resourcing.
- Staff intend to report the progress on several indicators yearly near Earth Day (Attachment A to report DSD-2024-074, *Pivot: Net-Zero* Appendix C)
- The financial implications of the organization achieving net-zero are roughly estimated at \$250M in additional capital funding over the next 25 years or \$10M/year.
- Community engagement on the plan included involvement of Kitchener’s Climate Change and Environment Advisory Committee
- This report supports **Cultivating a Green City Together: Focuses a sustainable path to a greener, healthier city; enhancing & protecting parks & natural environment while transitioning to a low-carbon future; supporting businesses & residents to make climate-positive choices.**

BACKGROUND:

Council previously declared a climate emergency. A first-generation corporate climate action plan was endorsed by Council (DSD-2019-094) and closed-out on March 7, 2022 (DSD-2022-072). This is a second-generation corporate climate action plan. *Pivot: Net Zero* (Attachment A) presents 47 actions to be implemented through to 2027 (Attachment B) that are anticipated to position the organization well in a pivot to net-zero emissions by 2050. Actions are focussed on reducing GHG emissions in Facilities, and Fleet and Equipment; as these focus areas offer the greatest opportunity for impact.

If business as usual continues, our community is anticipated to experience a 5°C increase by the 2080s. We are currently at 1.1°C higher and it is anticipated that at 2°C higher than pre-industrial temperatures, the worst impacts of climate change will be experienced. GHG emissions persist in the atmosphere for decades or longer. This underscores the urgency of climate action work and the need for deep, rapid, and sustained GHG emission reductions, achieved by an energy transition and marked by following the pathways of energy efficiency, fuel switching and generating local renewable energy. The magnitude of a pivot from an 8% GHG reduction target to net-zero is significant. The implementation of this second-generation plan will enable this pivot when coupled with significant investment to do so at scale.

In the summer of 2021 through report DSD-2021-94, Kitchener Council endorsed the Community Climate Action Plan (TransformWR). This plan adopted community GHG reduction targets of 50 per cent by 2030 and 80 per cent by 2050. Since these community targets were set in 2018, there has been a growing understanding and global consensus that in order to avoid the worst impacts of climate change we need to achieve net-zero emissions globally by 2050. Despite the 2050 community target being less than net-zero

and less than what is recommended today as best practice; the actions in TransformWR set our community up for success in a net-zero future.

REPORT:

Our existing corporate GHG reduction target is 8% by 2026. From our 2016 baseline, in 2023 we are seeing a 5% decrease in corporate GHG emissions. In order to sustain these reductions, *Pivot: Net-Zero* identifies 47 actions to 2027 strategically focussing on Facilities, and Fleet and Equipment as these focus areas combined generate 90% of our corporate emissions. Fossil fuels play an important role in our facilities (for space heating and domestic hot water). Space heating alone accounts for approximately 80% of natural gas use at facilities. While in our Fleet and equipment – gasoline and diesel are significant. Gasoline is used primarily for lighter duty vehicles and diesel in medium and heavy-duty vehicles.

The carbon intensity of different energy sources differs. Electricity is the source of 46% of our corporate energy in 2023, yet only accounts for 12% of our corporate GHGs. Natural gas by comparison is the source of 43% of our energy used in 2023– yet accounts for 65% of our corporate GHGs. Transitioning to lower carbon energy sources can make a significant impact on our corporate GHGs.

Facilities are responsible for more than half of Kitchener’s corporate GHG emissions (56%). 85% of these GHG emissions are due to natural gas consumption used for space and water heating. Certain facility types emerge as priority areas for making impact including Arenas, Administrative Buildings and Pools (Attachment A – Figure 4). Eight of our top 10 emitting facilities fall into these three categories, including six within the Sport Division (Arenas and Pools) (Attachment A – Figure 5).

The Fleet Division at the City of Kitchener is an integral part to service delivery across many departments. In total, Fleet is responsible for nearly 600 on and off-road vehicles and equipment, and approximately 500 small handheld pieces of equipment. With strong and consistent support across the entire organization to “electrify when and where possible”, fleet has added 14 battery electric vehicles (BEVs) to their fleet of light duty vehicles (LDVs). LDVs include cars, cargo vans, SUVs and smaller pick-up trucks and they make up 40% of our fleet assets but are only responsible for 20% of fleet emissions. The marketplace currently offers electric options for many LDVs, and this vehicle type is most ready to transition to zero-emission options. By contrast, the medium and heavy-duty vehicle marketplace is limited in its offering of zero emissions vehicle options. Vehicles in this category include dump trucks, large pick-up trucks (e.g., Ford 550) and fire trucks. Medium and heavy-duty vehicles represent 35% of our total fleet assets and 63% of our fleet and equipment emissions (Attachment A – Figure 6). Therefore, even by electrifying all of our light-duty vehicles, the majority of emissions from this focus area will persist until viable options present in the marketplace. Making significant and sustained corporate fleet GHG reductions will continue to be a challenge not readily remedied within the next 5 years.

Pivot: Net-Zero seeks Council’s support of a net-zero 2050 target while maintaining our current 2026 target of an 8% reduction from our 2016 baseline. There are 47 actions (Attachment B) identified in the plan from 2024-2027 along with the anticipated year of budget requests, target completion dates and the divisions that will lead and support these actions. These actions are foundational to developing a roadmap that will align net-zero

actions best with multiple priorities across the organization (e.g., deferred maintenance, asset renewal, capital planning), streamlining the most strategic approach to making progress on a new net-zero target. Staff intend to report on progress indicators (Attachment A, *Pivot Net-Zero* Appendix C) yearly near Earth Day. Scaling up and directing funding sources within municipal control to accelerate corporate climate action work is needed in addition to seeking outside support (e.g., through advocacy and grants).

STRATEGIC PLAN ALIGNMENT:

This report supports **Cultivating a Green City Together: Focuses a sustainable path to a greener, healthier city; enhancing & protecting parks & natural environment while transitioning to a low-carbon future; supporting businesses & residents to make climate-positive choices.**

FINANCIAL IMPLICATIONS:

Significant capital investments will be required to sustain deeper corporate GHG reductions. As technological solutions emerge and are deployed across our organization, we may see financial benefits such as decreased capital expenditures and operational savings for instance. It is estimated that \$250M in additional capital funding will be needed over the next 25 years (or \$10M/year) to work towards achieving net-zero GHG emissions by 2050. Such a substantial investment in this corporate focus would likely require the use of several financing options such as pursuing external grant funding opportunities, utilizing ongoing funding from the City's energy reserve fund, potentially issuing debt, and consideration of other funding strategies. For context, a 1% increase to the City's tax rate generates \$1.6M in additional revenue. Ongoing advocacy with other levels of government for funding will be important as the City will not be able to achieve this new target without significant funding being provided from other levels of government.

COMMUNITY ENGAGEMENT:

Throughout the development of the report staff informed and consulted the Climate Change and Environment Committee. Motions from the committee include the following:

January 18, 2024: "That the committee support the City of Kitchener corporate net-zero by 2050 target and incorporate periodic updates to the Climate Change and Environment Committee.

February 15, 2024: "That the committee support the City of Kitchener proposed metrics for annual reporting on progress towards our corporate goal of net-zero carbon emissions by 2050".

March 21, 2024: "That the committee endorse the draft City of Kitchener Corporate Climate Action Plan 2.0 *Pivot: Net-Zero*, with emphasis on the urgent need to assess the potential and value of expanding additional funding sources within our control".

PREVIOUS REPORTS/AUTHORITIES:

- DSD-2024-074

APPROVED BY: Justin Readman

ATTACHMENTS:

Attachment A – *Pivot: Net-Zero*

Attachment B – *Pivot: Net-Zero* Actions by Division (Appendix B)

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1 Introduction

1.1 Climate Change 101 and Local Impacts

Climate change is a global problem being experienced and addressed at the local level in municipalities across the globe. At its core (and the focus of this report), climate change is a result of decades of burning of fossil fuels for energy. When fossil fuels are burned, they release greenhouse gases (GHGs) into the atmosphere – including carbon dioxide (CO₂) and methane (CH₄). This addition of GHGs to our atmosphere keeps radiant heat in, warming the planet through the intensification of the natural greenhouse effect that otherwise helps to regulate earth’s surface temperatures.

Over time, this has resulted in an increase in average global surface temperatures. Recent data shows 2023 as the hottest year on record, with average temperatures nearly 1.5°C higher than pre-industrial (1850-1900) levels. It is anticipated that, at 2°C higher than pre-industrial temperatures, communities across the globe will experience the worst impacts of climate change. At home in Canada, temperatures are rising twice as fast as the global average – and three times as fast in Canadian Arctic communities. Specifically in our region, local climate modelling completed in 2022 predicts warmer, wetter, and wilder weather with more extreme heat and extended heat waves, warmer overnight temperatures and fewer days that fall below -15°C. We have already witnessed the effects of a warming climate by an increase in both frequency and severity of extreme weather events that can damage infrastructure and disrupt services. These events include ice storms, heavy rainfall, severe thunderstorms, prolonged heat waves and droughts. Further to this, these effects disproportionately affect vulnerable communities, exacerbating inequalities and undermining efforts to achieve sustainable development. Mitigation efforts aim to reduce GHG emissions, limit temperature rise, and minimize the severity of climate impacts, thereby safeguarding ecosystems, protecting livelihoods, and ensuring a more resilient and equitable future for all. Given the urgency and scale of the challenge, concerted action at the individual, community, corporate, and governmental levels is essential to mitigate climate change and preserve a habitable planet for current and future generations.

What we have come to know as “business as usual” regarding energy consumption is anticipated to lead towards a 5°C increase in global average temperatures. This underscores the urgency of climate action work and the need for deep, rapid, and sustained GHG emission reductions, achieved by an energy transition off fossil fuels.

1.2 The Context Regarding Net-Zero

1.2.1 Pivoting towards Net-Zero Future

The City is preparing for a net-zero emissions energy future. Achieving net-zero emissions means cutting greenhouse gas emissions from human activities to as close to zero as possible, with any remaining emissions re-absorbed from the atmosphere.

Because most emissions are caused by burning fossil fuels for energy, achieving net-zero emissions is mostly about achieving a clean energy transition, moving our energy use step-by-step off fossil fuels and to other non-emitting forms of energy. Net-zero is a meaningfully different target than common previous commitments, which often had a final goal of producing fewer emissions than are currently being produced in a final target year, using a percentage-based reduction. However, when these kinds of targets are achieved, significant emissions will continue to be produced every year after the target is reached. When additional GHGs are released into the atmosphere, mostly through energy use, those

emissions and their impact remain in the atmosphere for decades, or even centuries. Adding emissions to the atmosphere is like adding water to a bathtub; as long as you are adding more water to the tub than is draining from it, the water in the tub will rise and eventually overflow.

Achieving net-zero and getting emissions as close to zero as possible will mean transitioning the City away from fossil fuel use for energy. This means making systemic changes to our activities and assets, and treating interim emissions reduction targets as a guideline to indicate whether we are on track to achieve the speed and scale of change that is needed to avert the worst impacts of climate change and reach net-zero by 2050.

Climate imperative to achieve net-zero

There are two main reasons for the City to prepare for a net-zero energy future, by undertaking our own transition away from fossil fuels. First the guidance of organizations like the Intergovernmental Panel on Climate Change (IPCC), acknowledges the imperative to achieve net-zero emissions globally by mid-century to avoid the worst impacts of climate change.

The City is far from alone in acknowledging that imperative. There is broad global agreement on the need to achieve net-zero emissions, where we no longer add more GHGs to the atmosphere from human activities, by mid-century. Canada has joined countries around the world that have committed to achieving net-zero carbon emissions by 2050, and to reduce emissions to 40-45% below 2005 levels by 2030. More recently, in December 2023, the COP28 negotiations representing nearly 200 countries, resulted in a consensus statement committing to contribute to global efforts for “transitioning away from fossil fuels in energy systems, accelerating action in this critical decade, so as to achieve net zero by 2050.

Climate change is a global problem with local causes and local solutions. Given these efforts across the world, The City of Kitchener has a responsibility as an organization to do our part by addressing our corporate GHGs - the GHGs that are emitted by way of our service delivery to the community.

Managing risk and preparing for opportunities

The second reason to undertake the City’s energy transition to prepare for a net-zero future is to manage risk and prepare for future opportunities. Energy systems are changing around us, and lower carbon technologies are changing the way we get and use energy. In this context, there are policy and regulatory risks to the City that arise from continuing business as usual, as energy systems change around us. Currently, as is the case in many countries, pollution pricing is in effect across Canada, which highlights the financial risk of inaction regarding an energy transition. The City spent approximately \$654,000 on the federal pollution pricing benchmark in 2023 through its fuel and electricity bills, and this number is currently scheduled to rise over time. These costs are in addition to the volatility associated with fossil fuel prices, which can unexpectedly put pressure on budgets for municipalities.

There is also a social cost to inaction in the energy transition. For every tonne of GHG emitted from our operations, there is additional damage to society felt through the impacts of climate change. According to Environment and Climate Change Canada’s estimate for the social cost of carbon, Kitchener’s GHG emissions for 2023 can be equated to approximately \$2.8 million in societal damages. Conversely, as GHG emissions are reduced (or otherwise removed from the atmosphere), it will be possible to quantify the benefit this has to society.

While specific policy mechanisms may change over time, climate- and emissions-related policies are likely to be a continuing and growing feature of the policy and regulatory landscape in the coming decades. Advancing the City’s corporate energy transition best prepares the City to withstand and prosper under various climate and energy policy initiatives.

Preparing to achieve net-zero will also put the City in the best position to take advantage of clean energy opportunities in the coming decades as the policy and industry environment evolves. Governments at various levels are increasingly investing in and funding the energy transition. Provincial policies and investments enabling the development of clean tech industries, such as EV battery manufacturing, have been increasing as well. Funding opportunities can be linked to specific GHG performance, and it is reasonable to expect that these requirements could become more common for various types of funding. Aligning City capital investments and operating practices to achieve net-zero will put the City in a strong position to remain competitive in the evolving funding and investment landscape.

1.3 Two generations of Climate Action at the City of Kitchener

1.3.1 First Generation

The City of Kitchener has long been committed to taking action against climate change, exemplified by our membership in the Federation of Canadian Municipalities – Partners for Climate Protection (FCM PCP) dating back to its inception in the early 1990s. The PCP program is funded by ICLEI—Local Governments for Sustainability (ICLEI Canada) and the Federation of Canadian Municipalities’ Green Municipal Fund. Kitchener voluntarily reported actions that reduced our corporate GHG emissions starting around 2008.

In 2018, the City established the Sustainability Office, solidifying its commitment to climate action in our corporate structure. In 2019 the office published the inaugural Kitchener Corporate Climate Action Plan (CorCAP 1.0 - DSD-19-094), and reported on its [progress](#).

CorCAP 1.0 set a Corporate GHG reduction target of 8% by 2026 from a 2016 baseline year. The year following its publication, on March 11th, 2020, the World Health Organization declared COVID-19 a Global Pandemic. This declaration brought a swift and significant drop in corporate GHG emissions because of lockdowns that shut down City facilities and enacted work from home orders. What this meant is that in 2020 the City of Kitchener exceeded this 8% GHG reduction target. However, in the years since, corporate GHG emissions have rebounded.

The first generation CorCAP was closed out March 7, 2022 (DSD 2022-072) and the City of Kitchener achieved FCM PCP Milestones 1-5.

1.3.2 Second Generation

This second-generation corporate climate action plan sets out to achieve the same 8% target endorsed in CorCAP 1.0, along with making a much deeper commitment to being net-zero by 2050. The magnitude in shift from an 8% reduction target to net-zero target is significant. Realizing sustained GHG reductions and indeed a net-zero future does not rest on a suite of individual, one-off projects. Kitchener will need to make significant capital investments, strategic, systemic, and deeply integrated changes to corporate processes, business planning and policies along with the willingness to adopt and integrate promising solutions as they become available. This second-generation plan seeks to orient the organization in making sustained GHG reductions and in the direction of progress on this net-zero goal.

1.3.3 CorCAP 2.0 Framework

This report is Part 1 of 3 related bodies of work. Parts 1 and 2 focus on climate change mitigation, with Part 1 focusing on driving down our corporate GHG emissions. Part 2 will focus on decarbonizing our communities energy supply ([Kitchener Utilities Clean Energy Strategy](#)) and reducing our overall community energy demand ([Transform WR](#)). Part 3 will shift focus to climate change adaptation through the City of Kitchener Corporate Climate Adaptation Plan, complemented by the [Region of Waterloo Community Climate Adaptation Plan](#).

1.3.4 Influence and Impact

The City of Kitchener corporate GHG emissions represent less than 1% of our total region-wide community emissions. Nonetheless this 1% of emissions is accepted as our corporate responsibility. Municipalities additionally have influence on over 50% of community GHG emissions and this focus is the work of Phase 2 of this plan which includes Kitchener Utilities' Clean Energy Transition Strategy and TransformWR our community climate action plan.

Strategically focusing effort in areas within our control is the focus of this plan. GHG emissions are commonly classified into three scopes and as under our direct or indirect control. Scope 1 emissions are under our direct control (e.g., corporate fleet and equipment and natural gas combustion in our facilities); whereas scope 2 and 3 are indirect emissions. Indirect emissions are not in our direct control (e.g., emissions from the electricity that is generated offsite that we consume at our facilities).

1.4 Corporate GHG Inventory

The City of Kitchener reports on GHG emissions in five corporate focus areas, presented below in Figure 1. These corporate focus areas are consistent across most if not all municipalities. GHG emissions are calculated based on energy consumption (fuel, electricity, natural gas) and emissions factors from verified sources (these details are further described in Appendix A).

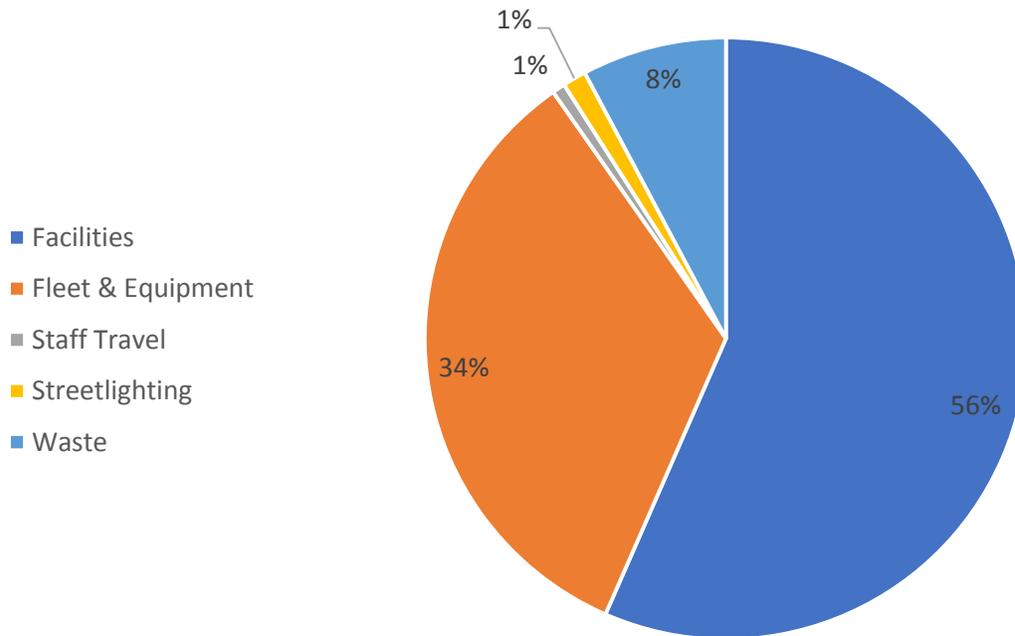


Figure 1 – 2023 Corporate GHG Emissions by Focus Area

In 2023, the City of Kitchener emitted 10,947 tonnes of GHGs (CO₂e). Ninety percent of these emissions came from two corporate focus areas – Facilities (56%) and Fleet & Equipment (34%), which is a typical distribution when looking back over the last several years. When we look at our corporate sources of energy within these two focus areas (Figure 2) particularly the types of fossil fuels we rely on, we see natural gas playing an important role in our facilities (for space heating and domestic hot water). Space heating alone accounts for approximately 80% of facilities natural gas use. While in our fleet & equipment – gasoline and diesel are significant. Gasoline is used primarily for lighter duty vehicles and diesel in medium and heavy-duty vehicles.

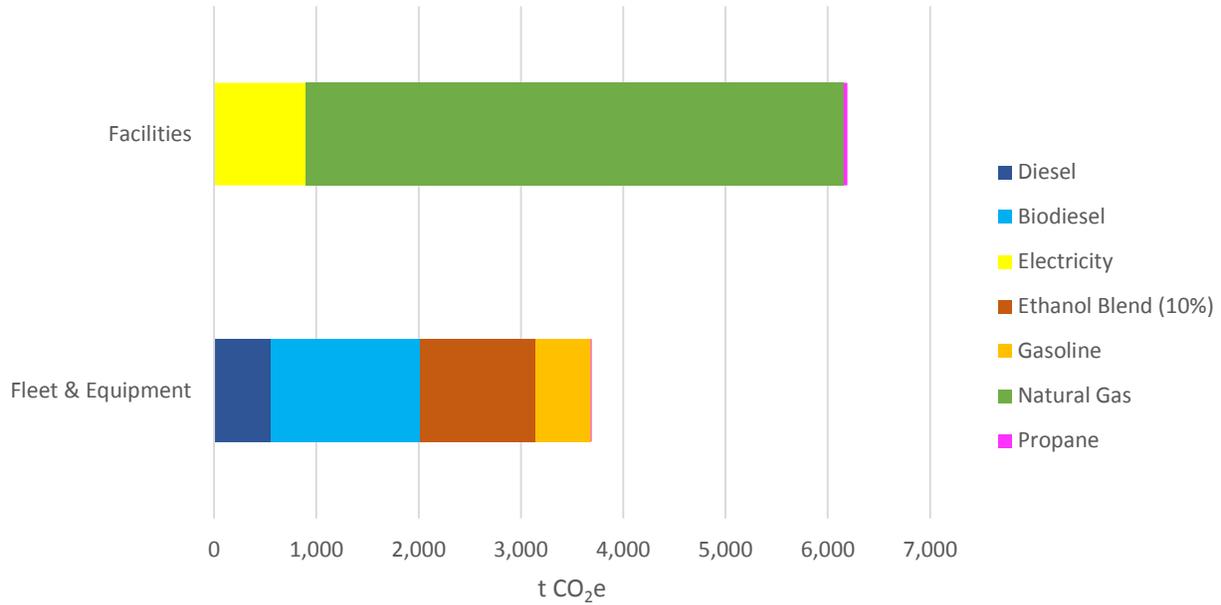


Figure 2 - 2023 Facilities and Fleet & Equipment GHG Emissions by Energy Type

As GHG emissions on their own can be difficult to relate to, utility costs offer an alternative way to look at energy consumption across the City. Table 1 below outlines costs by energy source for both Facilities and Fleet & Equipment focus areas. We can expect to see a shift in the distribution of these costs as the transition away from fossil fuels unfolds, and with the introduction of renewable energy sources. These savings could be used towards various financing mechanisms to support meeting the costs of this transition.

Table 1 - 2023 Utility and Fuel Costs

Energy Source	2023 Cost
Gasoline (includes gasoline and ethanol blend)	\$956,502
Diesel (includes petroleum diesel and biodiesel blends)	\$1,086,535
Propane – fleet & equipment	\$5,137
<i>Fleet Total</i>	<i>\$2,048,174</i>
Propane - facilities	\$14,808
Electricity	\$4,481,485
Natural Gas	\$1,115,797
<i>Facilities Total</i>	<i>\$5,612,090</i>
<i>Grand Total</i>	<i>\$7,660,264</i>

1.4.1 Variations in GHG Intensity

When it comes to GHG emissions, not all energy sources are equal. This becomes clear when comparing energy consumption to GHG emissions for different energy sources (Figure 3). The variation in GHG intensities between different energy sources becomes clear. For instance, electricity is the source for 46% of our corporate energy in 2023, yet only accounts for 12% of our corporate GHGs. Natural gas by comparison is the source of 43% of our energy used – yet accounts for 65% of our corporate GHGs.

Similarly, fleet fuels account for 11% of total corporate energy used, but 22% of corporate GHGs emissions.

This data provides insight into how transitioning to lower carbon energy sources is important, why it is sound for this to be a corporate priority and how a corporate energy transition can make a significant impact on our corporate GHGs and in our corporate journey to net-zero.

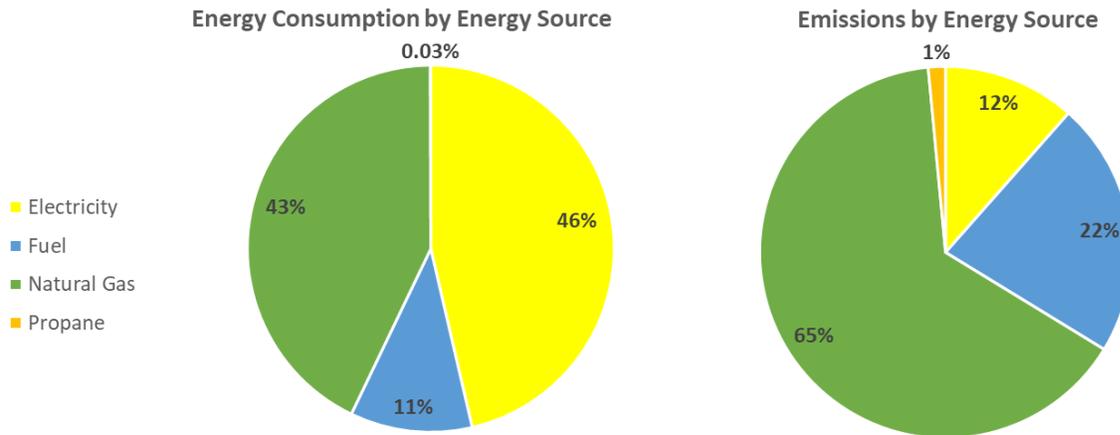


Figure 3 - 2023 Energy Consumption vs Emissions by Energy Source

1.5 Strategic Priorities by Focus Area

1.5.1 Facilities

Facilities are responsible for more than half of Kitchener’s corporate GHG emissions (56%). Eighty-five percent of these GHG emissions are due to natural gas consumption used for space and water heating - equivalent to 48% of total corporate emissions. Looking at the data with both a facility and energy type lens, enables a more granular and strategic understanding of Facilities and their contribution to corporate GHGs. Certain facility types emerge as priority areas for making impact including Arenas, Administrative Buildings and Pools (Figure 4). This is underscored by looking at the corporate Top 10 GHG emitting facilities (Figure 5), 8 of which fall into these 3 categories, including 6 within the Sport Division (Arenas and Pools).

CorCAP 2.0 – Pivot: Net-Zero (2023-2027)

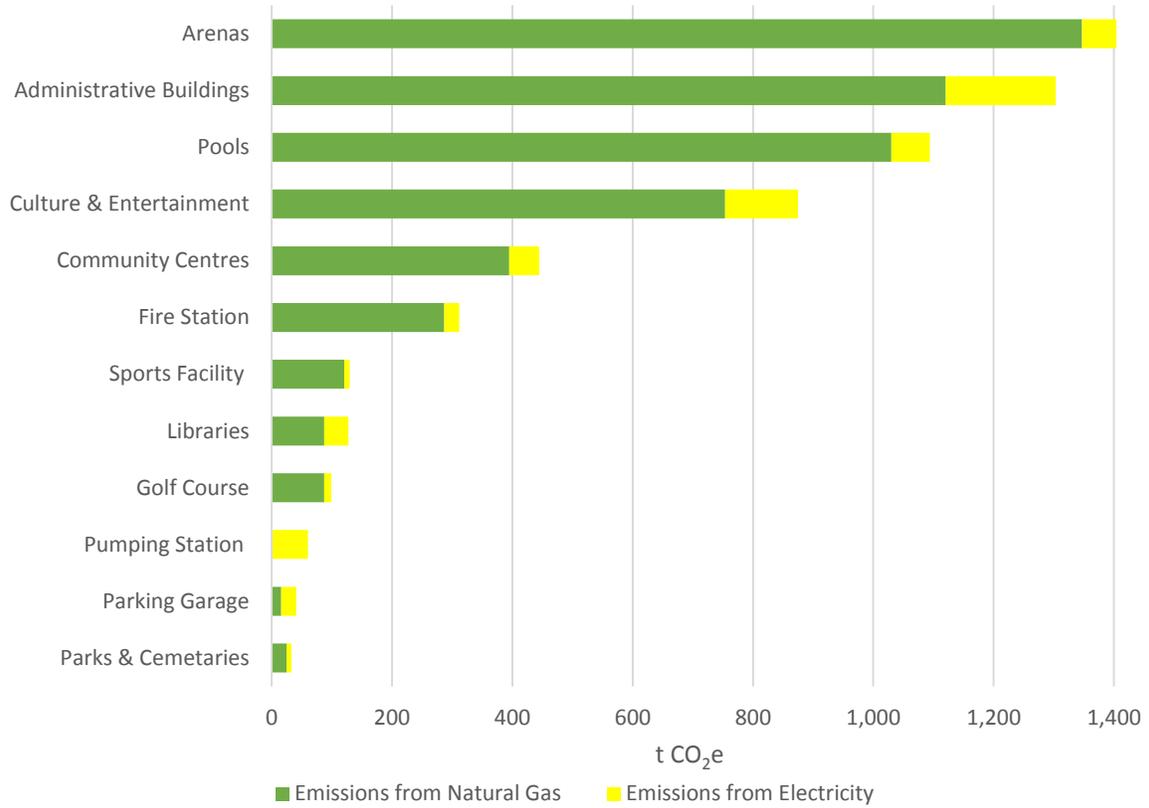


Figure 4 – 2023 Corporate GHG Emissions by Energy Source and Facility Type

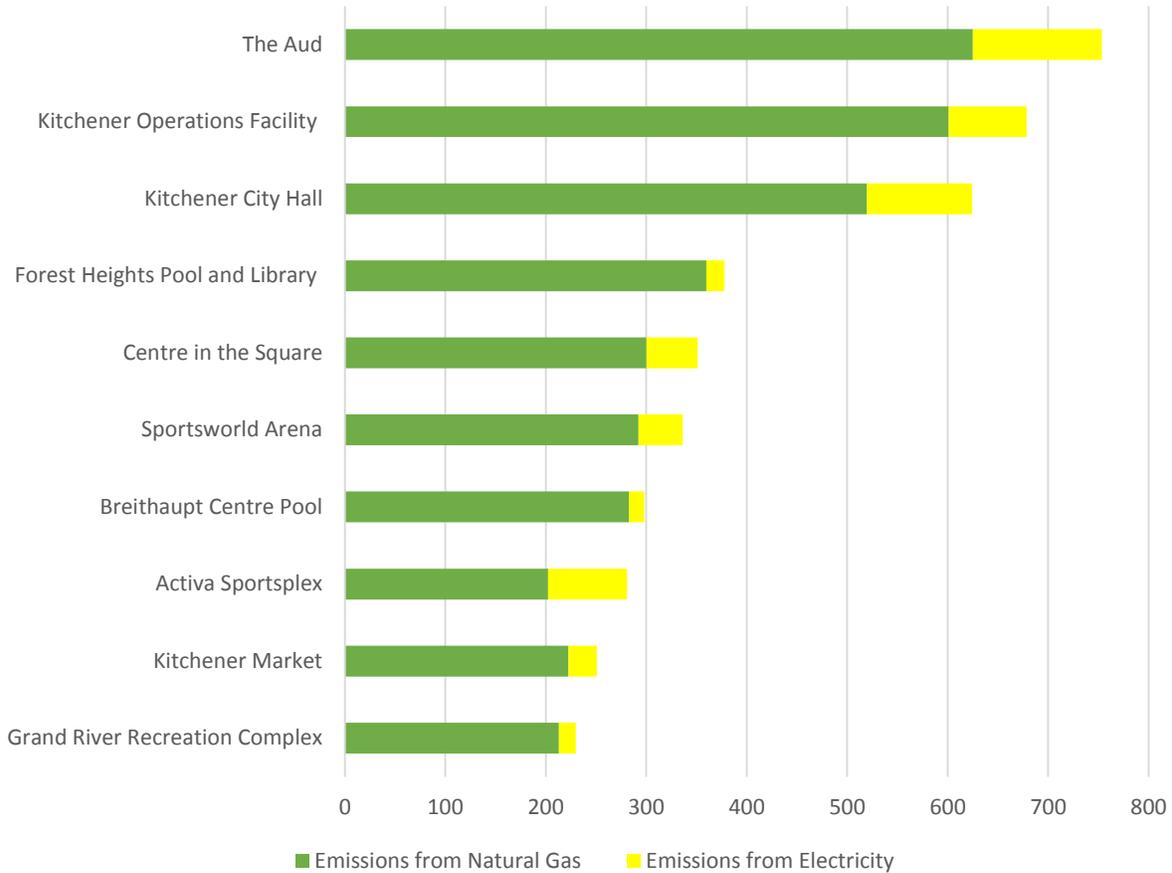


Figure 5 - 2023 Top 10 GHG Emitting Facilities

1.5.2 Fleet & Equipment

The Fleet Division at the City of Kitchener is an integral part to service delivery across many departments. In total, Fleet is responsible for nearly 600 on and off-road vehicles and equipment, and approximately 500 small handheld pieces of equipment.

With strong and consistent support across the entire organization to “electrify when and where possible,” fleet has added 14 battery electric vehicles (BEVs) to their fleet of light duty vehicles (LDVs). LDVs include cars, cargo vans, SUVs and smaller pick-up trucks and they make up 40% of our fleet assets but are only responsible for 20% of fleet emissions (Figure 6). The marketplace currently offers electric options for many LDVs. This vehicle type is most ready to transition to zero-emission options.

By contrast, the medium and heavy-duty vehicle marketplace is limited in its offering of zero emissions vehicle options. Vehicles in this category include dump trucks, large pick-up trucks (e.g., Ford 550) and fire trucks. These two categories represent 35% of our total fleet assets and 63% of our fleet and equipment emissions (Figure 6). Therefore, even by electrifying all of our light-duty vehicles, the majority of emissions from this focus area will persist until viable options present in the marketplace. Making significant and sustained corporate fleet GHG reductions will continue to be a challenge not readily remedied within the next 5 years.

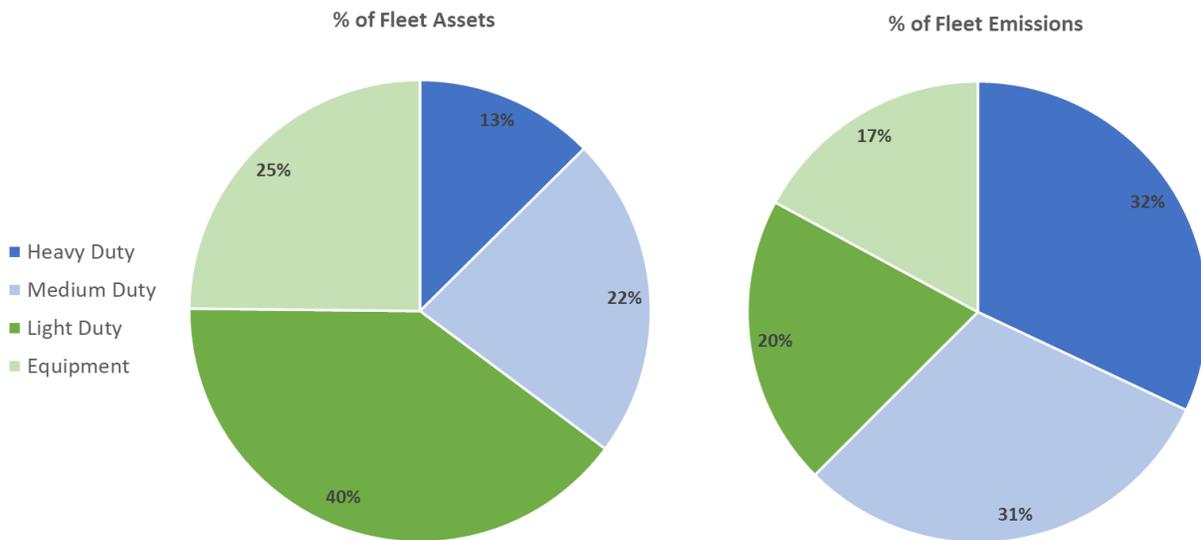


Figure 6 – GHG Emissions by Fleet Vehicle Class, not including Small Equipment

1.5.3 Streetlighting

The City of Kitchener is responsible for a network of approximately 18,325 Cobra Head streetlights and 2,689 decorative post-top lights. Acknowledging the opportunity to reduce GHG emissions from electricity to power lights and for impressive cost savings, in 2017 the City undertook an extensive LED conversion project, converting 15,636 of its Cobra Head streetlights. Cost and energy savings were immediate and significant. In April 2017 (pre-conversion), electricity use for streetlights was approximately 802,000 kWh, and the following April consumption fell to approximately 350,000 kWh. More recently in 2022/2023, a similar project was done for all the City’s decorative post-top lights, with an estimated pay-back period of 10.7 years.

In addition to converting lighting to LED, both projects included the expansion of the City’s adaptive smart network which allows lights to be controlled (e.g., dimmed) and monitored from a remote and central location. The City’s development manual has been updated to require all new subdivisions to include LED lighting fixtures that are equipped with smart nodes for compatibility with the adaptive smart network. Streetlighting is a successful example of achieving significant and sustained GHG emissions.

1.5.4 Staff Travel

Staff travel includes travel for work purposes and does not include how staff commute to/from work. In most GHG reporting frameworks, reporting on staff travel is voluntary and for Kitchener it is a new focus area added to our inventory with CLT support on November 1, 2022. Moving forward, this focus area will be included in our reporting of performance measurement from 2021 and subsequent years of reporting. In this case, staff travel includes vehicle mileage claimed by employees who used a personal vehicle for work purposes only. The main purpose in including it as a focus area, is to provide a more holistic view of staff travel related to service delivery to the community to complement fleet reporting and capture GHGs from service delivery by staff who do not use fleet vehicles.

1.5.5 Corporate Waste

This focus area includes waste generated at City facilities and from street level and park waste receptacles. While waste may appear to be a small part of corporate emissions (6.5%), methane from waste is much more harmful and potent than other GHGs. From 2016 – 2023, GHG emissions from corporate waste have increased by 26%.

1.6 Historical Trends 2016 – 2023

Target setting is a common exercise amongst organizations, ushering in the magnitude and direction of an intended change. In doing so, progress can be tracked against a set baseline year. Figure 7 illustrates this progress. The red dotted line indicates the target for 2026 – which is an 8% reduction from 2016. Comparing 2016 to 2023, we have seen an overall 5% reduction in GHG emissions. While this is a promising trend, it is unknown whether this will be sustained in the coming years, or if it is a matter of both internal and external influences that cause a fluctuation in energy consumption and therefore GHG emissions. Table 2 describes the energy consumption and resultant greenhouse gas emissions over time and shows how corporate GHG reductions overall have not been consistent nor sustained to date. The sections that follow describe important trends seen in our progress during this time period. Appendix A outlines the City of Kitchener corporate GHG inventory, baseline adjustments and calculation methodology.

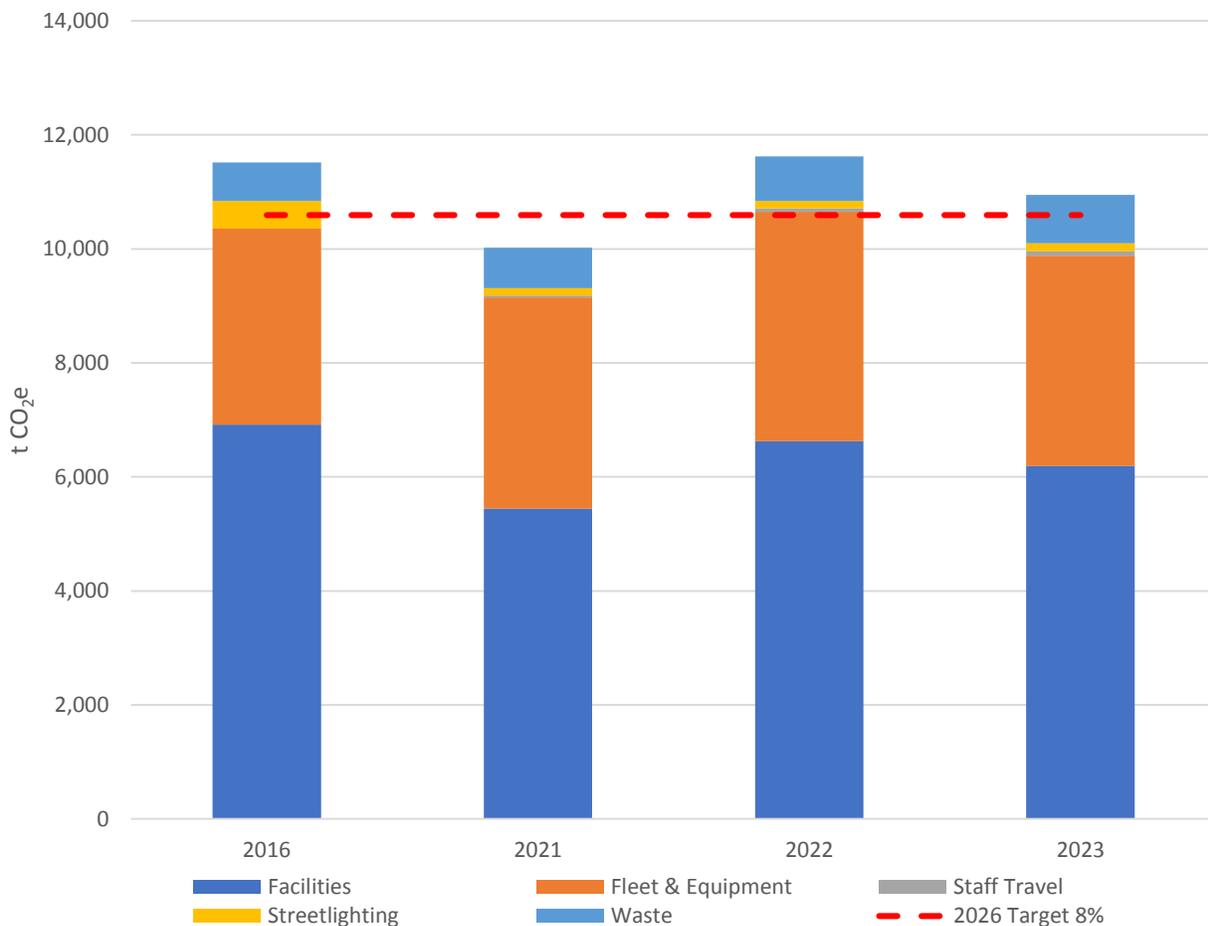


Figure 7 - Corporate GHG Emissions 2016 – 2023

Table 2 - Corporate GHG Emissions vs Consumption by Focus Area

	2016-2021		2016-2022		2016-2023	
	% Change in Consumption	% Change in Emissions	% Change in Consumption	% Change in Emissions	% Change in Consumption	% Change in Emissions
Buildings - Electricity	-24%	-48%	-13%	-41%	-10%	-34%
Buildings - Natural Gas	-15%	-15%	+4%	+4%	-5%	-5%
Fleet & Equipment	-1%	+8%	+9%	+17%	0%	+7%
Staff Travel	NA	NA	NA	NA	NA	NA
Streetlighting	-62%	-74%	-61%	-73%	-61%	-71%
Waste	+5%	+5%	+15%	+15%	+26%	+26%
Grand Total	-	-13%	-	1%	-	-5%

1.6.1 Noteworthy Trends in the data

Sustained GHG reduction in Streetlighting

Significant and sustained GHG reductions are maintained in the Streetlighting focus area. This is due to the extensive, efficiency-focused LED conversion project in 2017 for the cobra head streetlights, and 2022 for decorative post-top lights.

Service growth and GHGs

Expansion of service has not increased GHG emissions in facilities and fleet focus areas. Kitchener is among the fastest growing communities in Canada and likewise City of Kitchener service delivery is expanding. We see growth in both facilities and fleet whose inventory of assets have both grown. Facilities has acquired new buildings as the City seeks to expand services to the community and since 2017, fleet has expanded its pool by 100 vehicles (an increase of nearly 20%). This decoupling of growth and GHG emissions is promising and can be sustained into the future by implementing Pivot: *Net Zero* actions.

COVID-19 Pandemic impacts on GHGs

The pandemic had significant impacts on service delivery. During this time fleet emissions increased slightly (3%) due to restrictions that limited one staff member per fleet vehicle. This resulted in workers driving alone in additional vehicles. In 2022, when operations returned to normal and the same restrictions were still in place, fleet emissions rose 17%. By 2023 the restrictions had been removed and fleet GHG emissions fell back down to pre-pandemic levels. By contrast, the facility shutdowns resulted in a significant reduction in electricity and natural gas consumption and an overall decrease in corporate GHG emissions of 19% (2020) and 13% (2021). Perhaps the biggest learning from Covid-19 and this body of work is that organizations can make swift and impactful decisions that impact corporate GHGs.

Electricity Grid

Ontario's Electricity Grid is known for being "clean," with nearly 90% of electricity coming from zero emissions sources, it currently has one of the lowest carbon intensity factors in the world. Since 2016

the grid has continued to improve – exemplified by a 30% reduction in its emissions factor between 2016 and 2023. This can clearly be seen in the City’s GHG emissions from electricity (Table 2). Between 2016 and 2023, our electricity consumption fell by 10%, however emissions fell by 34%. It is important to note the potential risks and benefits associated with changes in the carbon intensity of the electricity grid. Such changes are largely out of our control.

Heating Degree Days

Heating degree days (HDD) is a way of quantifying energy demand to heat buildings based on outside temperatures. During colder winters with more heating degree days, it is anticipated that energy consumption for space heating (i.e., natural gas), and the associated GHG emissions, would be higher. There were 2,142 HDD in the first quarter of 2022 and (Table 2) Kitchener notes a 4% increase in natural gas consumption and emissions. By comparison there were 1,179 HDD in the first quarter of 2023 and a 5% decrease in natural gas consumption and emissions.

Corporate and Community Emissions

Neither corporate nor community GHG emissions have experienced sustained reductions since their baselines. Both plans are entering second generation plans. Kitchener will need to make significant capital investments, strategic, systemic, and deeply integrated changes to corporate processes, business planning and policies along with the willingness to adopt and integrate promising solutions as they become available to make sustained GHG reductions. This second-generation plan seeks to orient the organization in the direction of making progress on a net-zero goal.

2 The Plan – Pivot: Net-Zero

2.1 Corporate priority pathways

In line with our Community Climate Action Plan called [TransformWR](#) there are three pathways to sustained GHG reduction that emerge as best bet pathways and as corporate priorities:

1. **Energy conservation/efficiency** - use less energy/demand less energy and use energy more efficiently
2. **Fuel switching** – shift to lower carbon energy sources, transition off fossil fuels
3. **Generate renewable energy** – generate energy from renewable sources

The plan of actions that follow seeks to prioritize these three pathways in City of Kitchener Facilities and Fleet & Equipment focus areas in order to best orient the organization towards a net-zero goal by mid-century. These actions and reporting on them covers the near, short, and medium term of 2024-2027. Actions are summarized in table format in Appendix B.

2.2 Facilities Focus Area

City facilities contribute the largest portion of Corporate GHG emissions while providing vital programming space and services to the community. Facilities account for 56% of Kitchener’s total corporate GHG emissions. These emissions represent the largest opportunity for GHG emissions reduction within City capital planning and operations. The magnitude of the pivot from an 8% corporate reduction target to net-zero facilities is significant. Sustained GHG reduction in facilities will be critical to reaching 2026 and 2050 targets.

The portfolio of the facilities focus area includes more than 60 major facilities spanning arenas, pools, community centers, libraries, performance spaces, office, and maintenance facilities. Most of these facilities are over thirty years old (average age approximately 42 years). Minimizing GHGs was not a priority at the time these facilities entered service. Facilities were designed almost exclusively to rely on fossil fuels for energy, especially natural gas for space heating, domestic hot water needs, arena refrigeration, and pool heating. Further to this, building insulation standards were not as efficient at that time. Fossil fuel reliance has been the default and most economical design choice in our community. The consideration of GHG emissions during facility design, construction and refurbishment is a newer practice for both the City and the building industry. Energy systems are continuing to change. The costs of carbon are anticipated to increase. Lower carbon technologies are increasingly being understood as important to ensure municipal service delivery is resilient in the face of climate change.

2.2.1 Defining a Net-Zero building

The challenge is to bring the portfolio of facilities in line with the emissions reduction goals of the City of Kitchener. A Net-Zero Energy building is one which produces at least as much energy as it consumes annually. The strategy for achieving Net-Zero Energy is to reduce building operational energy as much as possible through an efficient building envelope, mechanical and electrical systems and then to install the required on-site renewable energy generation such as solar photovoltaic arrays to offset the remaining loads. A strategic approach which leverages policy, process, and planning, is required to develop the best path to GHG reductions within the City’s portfolio of facilities and make progress towards net-zero buildings.

2.2.2 Facilities Energy Management Program

Organizations often pursue energy efficiency, sustainability, and reduced carbon emissions because they are valued as the “right thing to do.” Financial impacts and long-term viability often determine which initiatives are pursued, including those for energy management. The benefits of improved energy management and energy performance in facilities will be monitored and communicated to enable data informed decision-making across the organization.

Energy Management Practices

Successful energy management requires vertical and horizontal involvement and commitment across an organization. Every level of the organization is responsible and can be accountable for ensuring continuous improvement and ongoing effectiveness of the energy management program. Staff are exploring ways to formalize and standardize our energy management practices. One possibility is following the process laid out by Natural Resources Canada’s 50001 Ready Navigator Canada. This free, on-line program provides step-by-step guidance on implementing an energy management system and building a culture of structured energy improvement that are anticipated to lead to deeper and sustained savings without requiring external audits or certifications.

Energy Management Policy

To support the integration of best energy management practice and integrating data into decision making, an energy management policy is proposed. This policy is intended to formally define the energy data collected, targets and objectives for energy use, and provide direction on data driven energy decision making.

Energy Management Monitoring System

The collection and use of corporate utility data is cumbersome, especially for facilities. Facilities Management and Sustainability Office staff will lead the development of a corporate energy management monitoring system. In this way all energy consumption across the organization can be brought together, monitored, and analyzed to support more integrated and informed decision making across the organization. The GIS team is well positioned to improve the current monitoring. The goal will be to streamline this data collection across City facilities and provide a central database where this data can be reviewed on a regular basis to provide up to date reporting on the performance of City facilities and support informed decision-making.

Facilities Energy Management Technical Advisory Committee

The Facilities Energy Management Committee consists of facilities staff who support strategic planning and implementation of GHG reduction in facilities. The goal is to reduce the GHG emissions of City facilities with cost-effective, safe, practical, and maintainable technologies. The committee seeks to provide a forum for feedback between facilities design and operations/maintenance groups, provide input and ideas on facilities energy (HVAC, Electrical) projects, comment on design options for planned projects, identify new projects/opportunities for improvement, discuss risks and rewards of new technologies.

2.2.3 Corporate Green Building Standard

The development and implementation of a Corporate Green Building Standard will provide clear guidance to City projects including new buildings and existing building retrofits. Setting specific targets for energy efficiency and sustainability goals will help ensure new projects and renovations are

contributing to corporate GHG emissions reduction goals. The project will engage a consultant to develop this standard and to provide financial implication information to allow for energy performance targets within this standard to be identified and achieved. Funding for this body of work was approved in 2024 budget.

A community green development standard is currently in development across our region led by WRCommunity Energy. Best practice when implementing a community standard is that the municipality first enacts a more stringent internal standard. The internal standard development intends to coordinate with the community standard development to demonstrate City leadership in this area.

2.2.4 GHG Reduction Pathway Development

A suite of City of Kitchener’s highest GHG emitting facilities (across the portfolio of Kitchener Arenas, Administrative Buildings and Pools) will be grouped together to identify a strategic sequence of GHG reduction measures called “the GHG reduction pathway.” This will expedite corporate GHG reduction while supporting the management of capital costs and reducing operating costs. It is anticipated that the recommended measures will be replicable to other City facilities within the same facility type across the facilities’ portfolio. This work is essential to integrate energy and GHG reductions into longer-term Facilities’ capital planning. The goal is the development of a long-range capital asset management plan (AMP) for each facility to achieve GHG reductions. The development of these plans will be a multi-year project.

Staff intend to work with a consultant (funds allocated in 2024 budget) to prepare application to FCM’s Community Buildings Retrofit (CBR) initiative/ GMF GHG Reduction Pathways grants. Bundling the studies on these facilities would maximize grant funding eligibility and provide the most actionable information to the City for the least investment.

2.2.5 Arenas Strategy

This strategy is intended to inform, and guide integrated and informed strategic action in Kitchener’s existing arenas. Energy, asset management, community service delivery needs, and programming will be integrated into this strategy. This is the top immediate priority due to the GHG emission per square foot of facility and the relatively simple payback period.

2.2.6 Pool Strategy

Like arenas, pools are heavy energy consumers and given their unique systems and functionality, will require special attention to strategize their best path(s) towards net-zero. In doing so, a similar approach to the Arenas Strategy described above should be employed, with a target completion date of 2026.

2.2.7 Facility Acquisition & Decommissioning Policy

Existing buildings can prove extremely challenging to retrofit whether the focus is GHGs or related to other priorities such as accessibility, programming needs and new legislation. As part of a more strategic, integrated, and coordinated asset management plan of our facilities, the development of a Facility Acquisition Policy, and a Facility Decommissioning Policy is recommended. This is expected to support more informed decision-making in prioritizing investment in facilities.

2.2.8 Solar Strategy

Photovoltaic solar panels are a robust, mature technology for the generation of local renewable energy. In 2011 the City installed its first (and only) solar array at the Kitchener Operations Facility under the feed-in tariff (FIT) program developed to encourage and promote the use of renewable energy in Ontario. In 2023 the 2,660-panel array generated 615,126 kWh of electricity, all of which was exported back into the grid, resulting in approximately \$390,605 of revenue. The FIT program ended in 2016 and it is anticipated that future arrays will not generate as much revenue. Current regulations allow for net-metering at the facility level (generating credits for each unit of electricity a facility produces and exports to the grid and debits for grid electricity used reducing the overall facility consumption).

To expand the use of solar at City facilities, the proposed Energy Management Program includes provision for the development of a solar strategy by a consultant (funds approved in 2024 budget). This body of work will include a high-level scan of City facilities to identify and rank the best Kitchener facilities and locations (e.g., roof mount, ground mount, over-parking canopy) to deploy solar panels. The highest ranked locations would then receive further design and investigative work including panel layout, costing, grid connection investigation, and structural sign-off, and timing with other capital improvements (e.g., roof membrane or asphalt replacement). The end product will identify the best projects for the City to pursue, well defined, costed, and ready for implementation. Locations at other facilities would be ranked to provide a roadmap for future implementation. Outcomes would inform a future funding request to support implementation.

2.2.9 HVAC fuel switching modelling

2024-2027 HVAC projects are currently in the design phase, with both BAU (Business As Usual) and energy upgrade options being costed in preparation for tender in 2024-2027. It is expected that the HVAC equipment being replaced now will be in use for up to 25 years, making the timing for energy upgrades optimal. Approved in the 2024 budget is funding for energy modelling consulting work to provide information on HVAC upgrade options. This will support decision making on energy and GHG reduction investments in our facilities, through an informed, data driven and cost-effective process.

2.2.10 Ice Resurfacing Pilot

A pilot program is underway exploring the use of mechanical de-aeration for ice resurfacing water. This has the potential to significantly reduce the GHG emissions of arenas as the use of cooler water for resurfacings saves energy by reducing the amount of water heating needed and a reduced load on the refrigeration plant. Currently this is being trialed at one location. If the pilot is successful, this will be implemented at other arenas.

2.2.11 HVAC Fuel Switching

Several facilities throughout the City are undergoing a conversion of their Heating, Ventilation and Air Conditioning (HVAC) systems from natural gas to heat pump systems. These replacements are made when equipment is scheduled to be replaced. Fire Headquarters and Forest Height Community Centre are locations where conversions are underway. These facilities will serve as pilot projects to explore the installation costs, maintenance requirements and any challenges to conversion.

2.3 Fleet and Equipment

In this focus area, the same pathways to net-zero apply. The City is focusing on fuel efficiency, transitioning away from fossil fuels, and seeking to integrate renewable energy generation and energy storage to support this transition.

2.3.1 Fleet Asset Management Plan

The most recent Fleet Asset Management Plan was completed in 2018 and is due to be updated based on a 5-year revision timeline. This work will offer a holistic view of fleet and its assets and position fleet well to make decisions regarding reducing GHGs as a priority.

Updating the AMP will provide the opportunity to capture EVs within the AMP, along with their estimated service lives and document any operations and maintenance activities. The AMP would do well to also include a longer-term replacement forecast with estimates for what/when certain vehicles may transition to electric, or other zero-emissions options (e.g., hydrogen). This exercise would help to define an infrastructure replacement gap and position the fleet division well in seeking additional capital funds or other means of financing as needed. This work would also support the establishment of a well-defined asset inventory. This work is currently underway and will be complete by the end of 2024.

2.3.2 Fleet Efficiency

Fleet Telematics

One hundred percent of City of Kitchener on-road fleet vehicles are equipped with telematics devices that provide valuable data on fleet fuel consumption and driving behaviors including excessive idling, harsh acceleration, harsh breaking and speeding – all of which can result in increased fuel consumption and GHGs. With this data in hand, fleet supervisors can identify and support improving these behaviors on a driver-by-driver basis.

Fleet Users Working Group

The fleet users working group (FUWG) meets monthly and includes management from different divisions that use fleet vehicles and equipment for service delivery. This provides the opportunity for common issues amongst fleet users to be brought forward and discussed with input from multiple divisions at the same time. Considering Fleet’s responsibility to reduce GHG emissions from vehicles, the FUWG is an excellent existing conduit to support discussing fleet related matters including energy use and reducing GHG emissions from fleet.

Corporate Fuel Efficiency Policy

The Corporate Fuel Efficiency Policy (#316) is in place to educate and outline the responsibilities and obligations of employees who drive or operate City of Kitchener vehicles and equipment, with respect to optimizing fuel efficiency. For instance, the policy states that vehicles shall not idle for more than 10 seconds, shall not exceed a maximum road speed of 90km/hr., and that harsh braking and cornering shall be minimized. The policy also includes guidelines for vehicle and equipment acquisition. Currently, the policy indicates that the City will purchase hybrid vehicles whenever possible. Staff intend to review the policy in 2024 and update this to electric, to align with the approach to “electrify where and when possible”.

Fleet Driver Training & Corrective Procedures

The Fleet Safety and Compliance team is responsible for the delivery and preparation of the Defensive Driver training course which all fleet users are required to complete at onboarding and every 3 years during their tenure with the City. This course discusses driving behaviors that can increase fuel consumption and helps to enforce the corporate fuel efficiency policy. For instances where driver behaviors are not meeting expectations, fleet developed a Guidelines for Addressing Unacceptable Driving Behaviors, to be used to ensure corrective measures are taken in a fair and consistent manner for all drivers.

Additional free training resources exist including the SmartDriver training program offered by the federal government. These resources could be used to supplement existing training or as a remedial action for drivers whose behaviors are not improving with other interventions.

To improve the outcomes of training and to have better adherence to the Corporate Fuel Efficiency Policy, the fleet user working group will consider strategies to improve driver behaviors for each relevant behavior (e.g., ways to further reduce idling).

Right-sizing

An effective way to reduce fuel consumption is by ensuring the right vehicle is being used for the right job. There are currently some fleet vehicles in use that are over-sized for their use. Staff intend to complete an audit of these vehicles to identify which ones may be replaced with smaller alternatives. It is anticipated the Sustainability Office will support this work with Fleet as lead in 2024.

Efficient Route Planning

Efficient route planning saves both time and fuel. Fleet, in collaboration with the fleet user groups, can assess opportunities for route optimization.

Fleet Equipment Review Process

The Fleet Equipment Review is an annual process that is followed to identify which fleet vehicles and equipment need to be replaced, which can be deferred for replacement and where any fleet vehicles need to be added. The process also identifies vehicles that could be replaced with a smaller unit (i.e., right-sizing) and identifies which units that have been flagged for replacement can be replaced with an electric or hybrid equivalent.

2.3.3 Fuel Switching

While electricity is a key energy source in our fleet's energy transition, it is not the only one expected to supply our fleet and equipment with lower carbon energy solutions. Evaluating shifting to transitional fuels is part of the fuel switching pathway especially for vehicle types where the marketplace does not offer ready options. Examples of transition fuels currently in use include propane, biodiesel 5 and 20.

Electrifying vehicles and equipment

Since 2017, 14 battery electric (BEV) cars and two battery electric cargo vans have been added to the City of Kitchener fleet, resulting in a 75% reduction in operations and maintenance costs when comparing BEV cars and their traditional internal combustion engine (ICE) counterparts. This year (2024) the City plans to transition several cargo vans and two ice-resurfaces to electric. These efforts continue to contribute to the City's progress in achieving Transform WR action 2.1.2 to "Plan and begin to implement a transition to zero-emission vehicles for municipal fleets, working towards a goal of at least

half of municipal vehicles being zero emissions by 2030”. When considering only cars in the fleet, this goal has already been achieved, however when looking at all passenger fleet vehicles, only about 4% are electric or zero-emissions.

There is also a concerted effort to electrify small hand tools and equipment, turf maintenance equipment, as well as utility vehicles as these are widely available and there is budget to procure them. Like vehicles, there are some limitations to electrifying smaller equipment, particularly battery life – which is not long enough to support some crews for an entire shift (e.g., parks and forestry). Staff will continue to seek options and opportunities to remove this barrier (e.g., through seeking opportunities for more integrated and mobile charging solutions).

EV Charging Infrastructure

Along with BEVs, the City owns 45 EV Charging Stations at various locations throughout the City. Most of these stations are fleet facing only with a small number available for public use. Twenty of these stations were added to the network through the Zero Emissions Vehicle Infrastructure Program (ZEVIP) funded by Natural Resources Canada which the City received in 2021. There is one level 3 charger at the Kitchener Operations Facility, and the remaining ports are for level 2 charging.

EV Charging Station Asset Management Plan

While fleet vehicles are not new corporate assets, the charging infrastructure to support them is relatively new. Installing, owning, and managing EV chargers is a new responsibility within the organization. The development of an asset management plan for this infrastructure will support the management, maintenance, and decision-making about the future charging infrastructure system. Decisions such as sizing, capacity, and geographic spread of the stations, creating a forecast for replacements, further deployment and to enable more integrated charging systems with solar and battery potential on location. This work will be supported by the Sustainability Office, Fleet, GIS, and Asset Management and is anticipated to be complete in 2025.

Zero Emissions Vehicle (ZEV) Transition Strategy / Sustainable Fleet Strategy

Building on the work of the Fleet AMP and EV Station AMP, a ZEV Transition Strategy will help to position fleet to both electrify fleet vehicles and look forward to implementing other zero-emissions technologies as they become available. This will also help prepare for Provincial and Federal targets for ZEV sales with more models anticipated. In December 2023, the Federal Government put in place a sales mandate to ensure at least 20% of new light-duty vehicles sales will be ZEV by 2026, at least 60% by 2030 and 100% by 2035. Also outlined are goals for medium and heavy-duty vehicles – including a 100% sales target by 2040 for a subset of vehicle types based on feasibility. Fleet has already exemplified their commitment to electrifying vehicles and equipment where currently feasible, this strategy can provide the opportunity to explore solutions for user groups facing operational constraints to electrification.

Another key component of this work will be to assess infrastructure needs (EV Charging Station) as the electrified fleet expands. Attention will be given to the capacity of our network of charging stations, and also the electricity grid. This work will need to engage with Enova and other local energy stakeholders to ensure the pace we electrify is in line with the power supply. This project will be completed by an external consultant in 2025 and managed by Fleet with support from the Sustainability Office.

Alternative Fuels

Lower Carbon Fuels

Acknowledging the limitations heavier-duty vehicles have when it comes to zero-emissions options, alternative fuels can be an effective and simple way to reduce emissions in this vehicle category. Drop-in fuels, or those that can be used one-for-one without having to make changes to a vehicle are particularly attractive given the simplicity in implementing them. The fuels listed below are examples of temporary emission reduction measures until zero-emission options are available across the entire fleet.

Biodiesel 5, Biodiesel 20, and Ethanol Blend 10%

Since 2011 fleet has been using biofuel blends to replace traditional petroleum diesel and gasoline. These have mostly included Biodiesel 5% and Ethanol Blend 10%, replacing the majority of traditional diesel and gasoline, respectively. In addition to having a slightly lower emissions factor compared to their full petroleum counterparts, the biodiesel or biofuel components are made from renewable sources (e.g., vegetable oil), are biodegradable and are generally less toxic. A Biodiesel 20% blend (which has lower emissions than a 5% blend), is used instead of Biodiesel 5% in the summer months (May – October). It can only be used during this time as it is less stable than Biodiesel 5% and does not perform well in colder temperatures.

Renewable Diesel

One limitation to biodiesel blends is that higher concentration blends are not stable in colder temperatures. An alternative that performs better in colder climates is renewable diesel. Like biodiesel, renewable diesel can be made from feedstocks such as vegetable oil, however it is processed in a different way resulting in a product that does not have the same limitations as traditional biodiesel blends. Further to this, renewable diesel does not need to be blended with petroleum diesel, resulting in an even lower emission factor up to 70-80% below traditional petroleum diesel.

Propane

Fleet has also introduced the use of propane by retrofitting existing diesel vehicles to run on propane – which has an emission factor approximately 30% lower than diesel. Propane will continue to be relied on as a temporary emission reduction measure until other opportunities present.

Compressed Natural Gas

Compressed natural gas (CNG) is another lower-emission alternative that has a similar emission factor to propane. In the past City of Kitchener has used CNG for fleet fueling, however it has not been used in more recent years. Staff intend to assess the re-introduction of CNG as a fleet fuel based on the upfront cost to install fueling stations, retrofit new and existing vehicles, GHG reductions, and the operational costs/savings (fuel, maintenance, etc.) over the lifetime of a vehicle.

Zero Tailpipe Emission Fuels

Hydrogen

There is potential for hydrogen to play a role in many sectors as they move towards a net-zero future. The Province of Ontario and Government of Canada alike have Hydrogen strategies that outline its importance for decarbonizing several industries, including transportation. Considering Ontario's relatively "clean" electricity grid, it is well positioned to produce and store green hydrogen which uses electricity at off-peak times to separate pure hydrogen gas (H₂) from water (H₂O). The City of Kitchener

has already proven its interest in hydrogen by partnering with the University of Waterloo on a feasibility study to produce and store hydrogen within the City.

In the context of the City's fleet, hydrogen may be a more realistic zero-emissions solution for heavier-duty vehicles that face limitations to electrification (vehicle size, climate, etc.). Hydrogen-fuel cell electric vehicles (FCEV) that use hydrogen to produce electricity on board are fairly limited in supply, but more are becoming available. Another option may be to use hydrogen-diesel co-combustion which involves retrofitting existing diesel vehicles with a conversion kit, allowing hydrogen to supplement diesel usage. Staff will continue to assess the feasibility of piloting this emerging technology.

2.3.4 Fleet Integrated Renewable Energy & Storage Systems

As the electrified fleet continues to expand, attention will need to be given to the impact this will have on the wider electricity grid. This challenge can provide a chance to explore innovative solutions with Enova and other local energy stakeholders. These include Energy Storage, Vehicle to Grid Initiatives and Integrated Energy Systems.

All these solutions rest on the same idea – to supplement on-peak electricity demand and provide a load displacement opportunity. For instance, the Kitchener Operations Facility already has 25 EV charging stations. Another large influx of chargers and thus demand on the electricity grid may pose some issues when it comes to supply. On-site solutions for energy storage (batteries to store electricity generation during off-peak times), or energy generation (solar to charge BEVs, excess stored in batteries or put back into the grid), can position the City well to confidently expand their electrified fleet.

2.4 Streetlights

Streetlights have completed an extensive retrofit to LED lighting. Annually, approximately 50% of the utility cost avoidance from the Streetlight LED Light Retrofit Management Project is directed to the energy reserve fund. More recently ornamental street lighting was also converted to LED and once debt is paid off, it is anticipated that 50% of these energy savings will transfer to the Energy Reserve Fund as well.

2.5 Staff Travel

This new focus area offers a more wholistic view of staff travel to deliver service to the community by including personal vehicle use. The City of Kitchener is a member of TravelWise, an internationally recognized workplace program available to employers across Waterloo Region. The program aims to encourage employees to take transit, cycle, walk and carpool to work instead of driving alone. This program supports staff using active transportation for work-related purposes, including a corporate GRT Transit Pass, carpool matching software and reimbursement for emergency rides home.

2.6 Corporate Waste

Waste generated within City facilities and in public spaces including parks and at road-level is collected by varying City divisions and third-party haulers before making its way to local transfer stations. Waste generated outside facilities and waste generated inside facilities will require different approaches when it comes strategies to reduce waste production.

The City is legislated under Ontario Regulation 102/94: Waste Audits and Waste Reduction Workplans to conduct an annual waste audit for City Hall. This report not only estimates annual waste production and

diversion rates at City Hall but makes recommendations for a waste reduction work plan. Some specific recommendations of the Waste Reduction Work Plan in the 2022 Audit include:

- Consider targets for diversion rates for different waste streams including mixed recyclables (95%), compostable fibers (85%), food/organic waste (90%)
- Education and promotion regarding waste reduction

Conducting a Corporate Waste Assessment is a next step for the organization in gathering a wholistic view of corporate waste management ahead of identifying opportunities and strategies for reduction and diversion.

2.7 Implementation

2.7.1 Capacity Building, Readiness and Timing

The timing and deployment of actions can depend on internal and external factors. Internally these may include resource capacity related to finances, staffing and staff literacy. External factors include market readiness (e.g., zero-emission vehicles options), partner availability and legislative requirements. Staff will continue to build capacity and support readiness to accelerate action implementation.

Corporate Climate Change Literacy Modules

Staff are working to develop a literacy module to be delivered via the City of Kitchener's Learning Management System (LMS). The introductory module is designed to inform staff on the impact of burning fossil fuels, local impacts of climate change, our sources of Corporate GHG emissions and pathways to net-zero. Participants will be more aware and more likely to consider climate action not only in their work, but also at home.

Upon the successful roll-out of Module #1, staff will work to develop additional modules to introduce specific work the City has done to reduce GHGs and to develop an internal conduit to deliver content to ensure staff across the organization are aware of and up to date on matters of sustainability within a municipal setting.

2.7.2 Partners and Engagement

Project Teams and Staff

All actions in this plan rely on collaboration across departments and some also benefit or rely on cross organization and/or sectoral collaboration in the community. Staff will continue to identify and bring the right people to the table to accelerate and implement the work.

Kitchener Climate Change and Environment Advisory Committee

In August 2022, the Terms of Reference for this long-standing environmental-related advisory committee was expanded to include supporting and advising Council on implementing climate change goals and policies. Staff will continue to engage this advisory committee on implementation of this and other related work.

Community

Staff will seek to engage the public in this work. It is important that the community and facility patrons understand the contribution our facilities and services make to corporate GHGs and the kinds of changes that will support GHG reduction. Community members are partners in this work.

Data holders

Kitchener Utilities, Kitchener Fleet Systems Specialists, local School Boards and Enova hold key utilities consumption data in support this work. There is a need to continue to prioritize support for the systems and staff capacity that maintain and share this data.

For City facilities that are operated by another party and there is utilities cost recovery or sharing arrangement in place, staff will seek third party utilities data sharing arrangements for The Museum, Kitchener Public Library, Centre in the Square, Conrad Centre for Performing Arts, Homer Watson Gallery House, and the Gymnastics / Judo Centre.

Enova

Staff will continue with quarterly meetings with Enova staff to ensure continued information sharing as we continue to electrify and expand our renewable energy production including solar power generation.

SWR

Sustainable Waterloo Region (SWR) is a social enterprise nonprofit. The City of Kitchener is a pledging member of its Impact Network (formerly Regional Sustainability/Carbon Initiative). Their program offerings focus on organizational sustainability practices and target setting, commuting options, regenerative building practices, community greenhouse gas impacts, and electric vehicle adoption.

City of Kitchener will continue:

- To maintain its membership and revise its corporate target within the Impact Network with Council support of this report,
- Yearly reporting in SWR's Annual Member Survey,
- Its membership in Travelwise,
- To leverage the Drive Zero program building corporate literacy and support for net zero vehicle adoption.

Research and Innovation Partners

Staff will continue to work with universities, colleges, and local business/innovation sector to accelerate climate action.

2.7.3 Funding Net-Zero

Expanding existing Funding Sources within our control

Climate action as described in this plan is an investment. Municipalities are scaling up and directing funding sources within their control to accelerate corporate climate action work. For the City of Kitchener to be successful in moving towards net-zero by mid-century, funding for the work must be prioritized. It is estimated that \$250M in additional capital funding is needed over the next 25 years or \$10M/year. For context, a 1% increase to the City's tax rate generates \$1.6M in additional revenue. There is an urgent need to assess the potential and value of establishing additional funding from sources within our direct control.

Energy Management Reserve Fund

The total current asset replacement value (CRV) of City-owned facilities equals \$1,950 million. Facilities receive annual average funding of \$12.3 million, significantly less than the 2016 Canadian Infrastructure Report Card (CIRC) recommended reinvestment rate of 1.7%-2.5% of CRV, which would maintain

facilities in a state of good repair. This funding difference results in a significant annual funding gap, and the addition of GHG reduction measures will further increase this gap. However, as asset management practices mature organizationally, and strategies that prioritize and align capital renewals with GHG reduction pathways are employed, it is expected that the funding gap can be reduced while also achieving GHG reduction targets. Currently this reserve fund invests in work that supports the net-zero facilities pivot along with other related works across the organization.

Due to progress made across our assets, projects with a short-term ROI, often called “low hanging fruit” are now limited across the organization. Considering this and in preparation to support the necessary framework and projects of CorCAP2.0, a second-generation Reserve Fund Policy FIN-RES-2036 was endorsed by CLT with an administrative policy update on November 22, 2023. The priority focus for project funding from the Reserve Fund is to support projects that enable:

- a. Energy conservation (using less energy, using energy more efficiently)
- b. Fuel switching (conversion to lower carbon energy sources)
- c. Generating renewable energy (local renewable energy for corporate use)
- d. Funding consultancy to support projects that are anticipated to enable a, b, c, or e.
- e. Identify and provide matching funds for related grant applications /external funding opportunities to enable a, b, c, or d.

Facilities-related projects seeking funding will be evaluated by prioritizing projects resulting in the greatest reduction in GHG emissions. Any projects with a short-term ROI (1-5 years) will also be prioritized to accelerate available funds in the reserve and continued progress. Projects with a longer ROI will not be excluded.

The Funding sources for the Reserve Fund have expanded to include:

1. Streetlight LED Light Retrofit Management Project utility cost avoidance (annual transfer of approximately 50% of total cost avoidance)
2. FM utility accounts (water, natural gas, electricity, and propane) (annual transfer target at 75% of total cost avoidance)
3. Budget adjustment from FM utility accounts (permanent budget reallocation)

These new funding sources support accelerating the most impactful projects anticipated to result in reducing corporate GHG emissions. An SOP and project evaluation form will complement the policy. The policy is set for review in November 2026.

Fleet Replacement Reserve Fund

The entire City of Kitchener fleet is valued at approximately \$75 million and average annual funding of approximately \$7.5 million is used for vehicle replacements and additions to the fleet. Fleet replacements and additions are funded by the Fleet & Equipment Replacement Reserve Fund which is financed by fleet user groups based on straight line depreciation of their vehicles. In other words, every year user groups pay into the reserve an amount equivalent to the yearly depreciation of their vehicles. Acknowledging the higher upfront costs of EVs (approximately 20% higher than traditional ICE vehicles), and the capital investment needed for infrastructure to support them (e.g., EV charging stations); each year a portion of the Reserve Fund (\$50,000) is allocated to support initiatives for greening the City fleet. Despite this, the Reserve is still underfunded due to inflationary pressures across the entire new vehicle market in addition to higher up-front costs to replace ICE vehicles with BEVs. These factors have combined to accelerate the annual spending against the Reserve which is now anticipated to fall into a

deficit by 2026 including an annual greening the fleet funding gap of approximately \$200,000. To address this, the 2024 budget has approved \$320K from Fleet Capital Reserves for upgrades to fleet vehicles projected to have a GHG reduction of 38 t CO₂e compared to the ICE equivalent. However, this is a one-time influx of funds, and thought must be given to other funding mechanisms to help close this funding gap over the longer term.

Grants

Grants while not a sustainable source of funding have and do play an important role in accelerating corporate climate action work. It is supportive to continue to prioritize corporate administrative support for grant applications.

Advocacy

In addition to pursuing funding opportunities through government grants, advocacy efforts will be important at all levels of government. The City's efforts to reduce GHG emissions ladder up to Canada's Agenda 2030 and its commitment to reach net-zero greenhouse gas emissions by 2050. Advocacy will include communicating our goals and progress to government. Communicating with policy makers will help to connect mutual priorities clearly and purposefully.

2.7.4 Future Considerations

Refrigerant Fugitive Emissions

Direct (Scope 1) fugitive emissions from the leakage of refrigerants are a future work consideration. Refrigerants are used for arena ice-making and facility HVAC systems. Use of refrigerants in our facilities is expected to increase over the coming years as additional heat pump systems are installed. The Global Warming Potential (GWP) of proposed refrigerants should be reviewed and lower GWP refrigerants should be selected where available. Future work could include the addition of reporting of these emissions in Scope 1 and creation of standards for directions of refrigerant selection.

Embodied Carbon

Embodied carbon factors in the carbon emissions resulting from the raw materials, manufacturing and transportation associated with building materials and supplies. As transparency in the supply chain of materials improves, more opportunities are anticipated to emerge that will enable bringing embodied carbon into decision-making. How to calculate/incorporate the embodied carbon of procured products, how the supply chain can enable increasing transparency and tools that can enable embodied carbon to be more easily factored into product procurement decisions is recommended for future consideration as it is anticipated that over time industry will enable this level of transparency and accountability to be possible. The procurement bylaw may be a place to include such considerations in the future. Staff propose reporting on an embodied carbon indicator for new construction as this is achievable when included as part of the scope of work for any new build.

Offset Policy

Carbon offsets can either be bought or sold by an organization – acting as a mechanism to reach emission reduction goals when additional absolute reductions become difficult to achieve or be used as a source of revenue. In the case of the City of Kitchener, offsets may be considered as a final option, bridging the gap between “as close to zero as possible,” (through efficiency, fuel switching and generating renewable energy) and net-zero. Offsets are beyond the scope of Pivot: Net-Zero, however

the City should be positioned to integrate them in future emission reduction strategies (or revenue streams).

2.7.5 Informed and Integrated Decision Making

Policy Alignment

Moving beyond the actions listed in this report, the organization will continue to seek ways to embed into every decision, the climate action direction set by Council.

Strategic Planning, Business Plans and Budgets

Business plans, workplans and budgets across the organization will invest in and accelerate high priority GHG emission reduction and renewable energy opportunities.

2.7.6 Accountability and Reporting

External Reporting Frameworks

Legislated

For municipalities in Ontario, sustainability and climate change planning and reporting remain voluntary, except for O Reg 507/18, which was revoked in 2023 and replaced by O Reg 25/23: Broader Public Sector: Energy Reporting and Demand Management Plans. The regulation defines what public agencies (including all municipalities) must report on regarding energy usage in their facilities, including a summary of annual greenhouse gas emissions, and a description and results of any energy saving activities. The next mandatory reporting cycle is July 2024.

Voluntary

The City of Kitchener currently reports into two voluntary reporting frameworks – Partners for Climate Protection facilitated by the Federation of Canadian Municipalities (PCP) and Sustainable Waterloo Region's (SWR) Impact Network.

The PCP program has five milestones from creating a baseline emissions inventory to monitoring and reporting results – this report is intended to fulfil milestones 1 – 3.

SWR's Impact Network involves yearly reporting to SWR on GHG emissions and reduction targets, as well as projects the City would like to highlight. This provides the opportunity to benchmark ourselves against local peer municipalities.

Internal Reporting Frameworks

Carbon Budgets

A carbon budget is a lagging indicator and difficult to measure. It is not anticipated to meaningfully drive decision making and therefore is not a focus for our organization. Broadly the overall trend towards net-zero over time is an important lagging indicator to follow. Staff intend to report the most recent year's data around Earth Day (April 22) each year, as outlined in the following section.

Reporting on Progress towards Net-Zero

There is a growing commitment to measure climate action progress and impact. The CorCAP 2.0 seeks to develop and establish an evolutionary practice to drive the direction we want to join. Some indicators presented below will look back at whether the intended result was achieved. They are not predictive, but such indicators do clarify and confirm patterns that are occurring over time and may be in progress

(lagging indicators). By contrast other indicators look ahead, anticipate trends, can be predictive and relevant to our objectives, informing direction towards or away from objectives. These indicators (leading indicators) can evolve over time as the organization's needs change and the work matures.

Currently there is useful data being collected regarding our fossil fuel use and our progress towards net-zero. To date, the data has not been analyzed, integrated, or utilized to inform corporate decision making. This is the intent of this second-generation CorCAP. Indicators currently available to the organization which support gauging progress include corporate and division (even facility and equipment level) information. Strategically aligning and integrating reporting across the organization will serve our progress monitoring well. Yearly, for the most recent year of data in time for Earth Day the Sustainability Office will report on the following corporate indicators:

Corporate

- Total Consumption by Energy Source (GJ)
- Total corporate electricity costs (\$)
- Total corporate natural gas costs (\$)
- Total corporate propane costs
- Total gasoline costs (\$)
- Total diesel costs (\$)
- Total GHG emissions by Energy Source (Tonnes CO₂e)
- Total GHG emissions by Corporate Focus Area (Tonnes CO₂e)
- Renewable Energy generated (solar kWh)
- % of Energy consumption from fossil fuel sources
- City of Kitchener New Construction as designed Embodied Carbon (Tonnes CO₂e)
- Corporate Spending on Carbon Pollution Pricing
- Social cost of emissions from annual City energy usage (\$)

Focus Areas

At the next level of granularity, Indicators at the divisional level that complement this work and will be reported annually include:

Fleet

- Total Energy Use by Fuel Type (unit) – by fleet vehicle type
- Energy/GHG per km
- % ZEV fleet and equipment
- % of Zero emissions light duty vehicles

Facilities

These indicators will be reported in the Facilities Asset Management Planning in Levels of Service annual reporting.

- Utility cost (Annual cost of energy \$, Energy Cost per Intensity \$/m²)
- Annual building energy consumption (all fuels) (GJ)
- Annual GHG emissions by facility (Tonnes CO₂e)
- Annual GHG emission intensity by facility (kgCO₂e/m²)
- Cost/Energy/GHGs by facility per hour of operation (arenas, community centres)

CorCAP 2.0 – Pivot: Net-Zero (2023-2027)

- Renewable Energy Generated (kWh)

Project Level Indicators

To aid in decision making at a project level, where possible the following indicators may be included:

- Return on Investment (years)
- GHG Reductions / \$ spent

Reserve Fund Indicators

Reserve fund indicators are reported on annually by finance as part of the Budget process.

2.8 Conclusion

In summary, these recommended actions position the City of Kitchener to pivot in the direction of net-zero. Across the entire organization we will strategically advance actions that enable the City of Kitchener to be more energy efficient, fuel switch and generate renewable energy while working towards a net-zero future for our organization.

3 APPENDIX A – Corporate GHG Inventory, Baseline Adjustments & Methodology

3.1 Methodology

GHG emissions have been calculated using consumption data collected from utility bills for electricity and natural gas, and from FLINT for fleet fuels. Table 3 below outlines the emission factors used to convert consumption data into GHG emissions for 2023. The most up to date emission factors published by the Governments of Canada and Ontario have been used. For staff travel, an average emission factor based on a variety of makes and models was used.

Table 3 - Emission Factors

Energy Source	Unit	Emission Factor (g CO ₂ e /unit)
Electricity	kWh	0.03
Natural Gas	m ³	1.93
Biodiesel 5	L	2.70
Diesel	L	2.71
Ethanol Blend (10%)	L	2.24
Gasoline	L	2.32
Propane	L	1.54
Electricity	L	0.03
Staff Travel	km	0.19
Waste	mt	481.70

3.2 Assets in the GHG Inventory

To track and report on our Corporate GHG emissions consistently from year to year, it is important to have a well-defined inventory of assets and sources that are included and updated in corporate GHG reporting. Table 4 below outlines the assets and sources reported on in each focus area.

Table 4 - Assets and Sources included in GHG Inventory

Focus Area	Sources
Facilities	85 facilities
Corporate Fleet & Equipment	All on-road heavy, medium, and light duty vehicles and off-road equipment (loaders, backhoes etc.) that use 6 different types of fuel. Given the process by which small handheld equipment is re-fueled, it is difficult to accurately track their fuel consumption and therefore handheld equipment is not included in the GHG inventory for fleet.
Streetlights	Outdoor Streetlights
Waste	Waste collected from city facilities and street level / park waste receptacles including large Moloks.
Staff Travel	Staff mileage claims for work-related, personal-vehicle use

3.2.1 2016 Baseline Adjustment

The Facilities Inventory that was used in the 2016 GHG Inventory (our baseline year) omitted several buildings when compared to the 2022 inventory. This omission makes it difficult to make a fair comparison and track progress on our current target of an 8% reduction by 2026, net-zero by 2050 and any interim targets yet to be set.

To address this challenge the 2016 Baseline year has been adjusted using the subset of emissions from buildings *not* in the 2016 inventory, but that were in the 2022 inventory, when the criteria for inclusion was formerly endorsed and applied to this reporting. Only buildings that were under the City’s ownership/control in 2016 and therefore would have met the Facilities Inclusion Criteria, were used. In certain cases where major renovations or retrofits were identified that would have impacted energy consumption, data from before the work took place was used. Considering this, eighteen buildings were used in the adjustment calculation. The sum of their 2022 (or earlier) emissions was simply added to the facility GHG emissions initially reported on in 2016.

- 44-50 Gaukel Street Commercial
- 79 Joseph Street Commercial
- Bridgeport Child Care Centre
- Cameron Heights Pool
- **Centre in the Square**
- Downtown Community Centre
- Grand River Recreation Complex
- Gymnastics/Judo Centre
- Harry Class Pool Pumphouse
- Homer Watson House and Gallery
- Huron Natural Area Comfort Station
- **Kitchener Public Library**
- The Boathouse
- The Registry Theatre
- The Museum
- Victoria Park Comfort Station Jubilee
- Victoria Park Machine Shop
- Victoria Park Pavilion

The 2 facilities in bold above are buildings that were added to the inventory between 2020 and 2021, based on the Facilities Inclusion Criteria (outlined below), a third building, the Conrad Centre for the Performing Arts, was also added based on the criteria, however it was not owned by the City in 2016 and therefore not included in the baseline adjustment. The remaining sixteen buildings were added to the inventory around 2019/2020, but it is unclear why they had not been included in previous years.

This now means that our GHG baseline is 12,3330 tCO₂e, and thus our target absolute GHG emissions for 2026 is 11,343 tCO₂e, as outlined in Table 5 below.

Table 5 - Previous vs Adjusted Baseline and Target

	Previous (tCO₂e)	Adjusted (tCO₂e)
2016 Emissions Baseline	10,191	11,514
2026 Absolute Emissions Target	9,376	10,593

3.2.2 Facilities Inclusion Criteria

On October 27th, 2022, CLT approved the inclusion criteria listed below. Based on these criteria and from this date onward, the City of Kitchener corporate GHG inventory includes facilities that meet these criteria.

1. SFU scale rank – include facilities that rank SFU 3, 4 or 5

The Supporting Functional Use (SFU) scale is used as a best practice in asset management to rate buildings critical to City operations. On this scale, facilities ranked 1 are low and those ranked 5 are the most critical to City operations and

2. Ownership status – include facilities for which:

- i. the City owns and operates the facility, or
- ii. the City owns the facility, and it is operated by another party, or
- iii. the City rents/leases from another party and

3. Utility bill payment responsibility - include facilities where:

- i. the City pays for utilities, or
- ii. the City has some cost recovery/sharing arrangement in place with the facility operator, or
- iii. there is direct payment of utility bills by the operator (no cost sharing)

4 Appendix B – Summary of CorCAP 2.0: *Pivot Net-Zero* Actions by Division

Please see Attachment B to the Council Report.

5 Appendix C – Annual Progress Reporting

Staff intend to report progress on the following indicators yearly around Earth Day.

Type	Metric	Data Sources
Corporate	Total Annual Consumption by Energy Source (GJ)	Utility (Gas and Electricity) Bills provided by utility, Fuel consumption provided by Fleet Systems Specialist pulled from FLINT.
Corporate	Total Annual GHG Emissions by Energy Source (t CO ₂ e)	Consumption data by energy source multiplied by applicable emission factor from verified source.
Corporate	Total Annual GHG Emissions by Corporate Focus Area (t CO ₂ e)	Consumption data by focus area multiplied by applicable emission factor from verified source.
Corporate	Annual Renewable Energy Generated (kWh)	Metered by Enova
Corporate	% of Annual Energy Consumed from Fossil Fuels	Energy consumed (GJ) from fossil fuels (natural gas, fleet fuels, propane) divided by total energy consumed (GJ) x 100.
Corporate	Annual Total Utility Cost	Total cost of electricity, natural gas, propane, diesel, and gasoline for the assets included in GHG inventory.
Corporate	Corporate Spending on Carbon Pollution Pricing	Annual Fleet and Facilities GHG emissions (tonnes CO ₂ e) x minimum national carbon price for reporting year (Carbon Pollution Pricing)
Corporate	Social Cost of Carbon	GHG emissions from all sources (tonnes CO ₂ e) x Environment and Climate Change Canada's yearly estimate for social cost of carbon (\$/tonne) (ECCC Social Cost of GHGs)
Fleet & Equipment	Total Energy Use by Fuel Type	Fuel Quantities x applicable conversion factor (L x GJ/L)
Fleet & Equipment	GHG Per KM	Total Fleet GHGs / total KM driven (for on-road passenger vehicles)
Fleet & Equipment	% of fleet and equipment that are zero emissions	# of ZEV emission vehicles & equipment / total fleet assets (all categories)
Fleet & Equipment	% of Light-duty fleet that is zero-emissions	# of ZEV emission vehicles / Light-duty vehicles (cars, SUVs, Van & Chassis > 4,500 kg)
Fleet & Equipment	Annual Fuel Cost	Total annual cost of all fleet fuels (gasoline, ethanol 10, diesel, biodiesel blends, propane) – from Fleet Systems Specialist via Flint

Type	Metric	Data Sources
Facilities	Annual Utility Costs	Total cost of electricity, natural gas and propane associated with Facilities in GHG inventory via utility bills
Facilities	Energy Use by Facility	Utility consumption x applicable conversion factor (unit of energy x GJ/unit of energy)
Facilities	GHGs by Facility	-
Facilities	Energy use by Facility Type	-
Facilities	GHGs by Facility type	-

Appendix B Summary of CorCAP 2.0:Pivot Net-Zero Actions by Division

Note: L = lead • = support

Action	Budget	Status /Target completion date	Offices of CAO + Mayor Council	Community Services	Bylaw Enforcement	Corporate Customer Service	Fire	Neighbourhood Prgm + Svcs	Sport	Corporate Services	Comms and Marketing	EARRI	HR	Legal	Legislated	Tech Innovation	Development Services	Building	Dev. + Housing Approvals	Economic Development	Engineering	GM Office - Sustainability	Planning and Housing Policy	Transportation	Financial Services	Financial Operations	Fin. Planning + Asset Mng	Fin Rep + ERP Solutions	Revenue	Infrastructure Services	Facilities Mng	Fleet	Fleet User Working Group	Gas and Water utilities	Operations – Roads + Traffic	Park + Cemeteries	Sani + Stormwater utilities
1. Design and Implement a Corporate Energy Management Program	n/a	2027														•						•										L	•				
2. Continue to build out and integrate corporate energy management practices and team	n/a	2027																				L									L	•					
3. Assess NRCAN 50001 Ready Navigator	n/a	In progress																				•									L						
4. Develop Energy Management Policy	2025	2027														•						•									L	•					
5. Establish an Energy Management Monitoring System	n/a	2024														•						•									L						
6. Establish a Facilities Energy Management Technical Advisory Committee	n/a	In progress																													L						
7. Develop a Corporate Green Building Standard	2024	2025																													L						
8. Complete a facilities GHG reduction pathway for a suite of high priority facilities	2024	2025							•													•				•	•				L						
9. Develop an Arenas Strategy	2024	2025							L													•									•						
10. Develop a Pools Strategy	2026	2026							L													•									•						

Action	Budget	Status /Target completion date	Offices of CAO + Mayor Council	Community Services	Bylaw Enforcement	Corporate Customer Service	Fire	Neighbourhood Prgm + Svcs	Sport	Corporate Services	Comms and Marketing	EARRI	HR	Legal	Legislated	Tech Innovation	Development Services	Building	Dev. + Housing Approvals	Economic Development	Engineering	GM Office - Sustainability	Planning and Housing Policy	Transportation	Financial Services	Financial Operations	Fin. Planning + Asset Mng	Fin Rep + ERP Solutions	Revenue	Infrastructure Services	Facilities Mng	Fleet	Fleet User Working Group	Gas and Water utilities	Operations – Roads + Traffic	Park + Cemeteries	Sani + Stormwater utilities	
11. Develop a Facilities Acquisition Strategy	2025	2027					•	•	•											•			•									L						
12. Develop a Facilities Decommissioning Strategy	2025	2027					•	•	•											•			•									L						
13. Develop a Corporate Solar Strategy	2024	2025																									•					L						
14. Monitor and assess expanding Cold Water Ice Pilot	2024	In progress							L													•									L							
15. HVAC Fuel Switching modelling	2023	In progress																													L							
16. Complete legislated O.Reg 25/23 Reporting	N/A	2024																													L							
17. Update Fleet Asset Management Plan	2024	2024																				•										L						
18. Continue to leverage fleet telematics data and support drivers	ongoing	ongoing																															•	L				
19. Continue Fleet User Working Group	ongoing	ongoing																														L						
20. Revise and update Corporate Fuel Efficiency Policy (#316)	n/a	2024																														L						
21. Continue to support efficient fleet driver behaviors	n/a	ongoing																																L				
22. Advance right-sizing efforts	n/a	ongoing																																	L			
23. Continue to explore further route optimization	2025	2026																															•	L				
24. Continue Fleet Equipment Review Process	ongoing	ongoing																															L					

Action	Budget	Status /Target completion date	Offices of CAO + Mayor Council	Community Services	Bylaw Enforcement	Corporate Customer Service	Fire	Neighbourhood Prgm + Svcs	Sport	Corporate Services	Comms and Marketing	EARRI	HR	Legal	Legislated	Tech Innovation	Development Services	Building	Dev. + Housing Approvals	Economic Development	Engineering	GM Office - Sustainability	Planning and Housing Policy	Transportation	Financial Services	Financial Operations	Fin. Planning + Asset Mng	Fin Rep + ERP Solutions	Revenue	Infrastructure Services	Facilities Mng	Fleet	Fleet User Working Group	Gas and Water utilities	Operations – Roads + Traffic	Park + Cemeteries	Sani + Stormwater utilities		
36. Continue corporate membership in TravelWise Program	ongoing	ongoing																					L																
37. Develop Corporate Climate Change Literacy Modules	ongoing	ongoing																				L																	
38. Continue partner relations and explore new opportunities	ongoing	ongoing	•																			L																	
39. Continue to implement new climate change inclusive TOR for Advisory Committee	n/a	ongoing																				L	L																
40. Update City's Impact Network Commitment	n/a	2024																				L																	
41. Continue annual reporting into SWR's Annual Member Survey	n/a	2024																				L																	
42. Continue to report to into FCM PCP																						L																	
43. Continue Corporate Reporting on Progress to Net-Zero	n/a	2024																				L		•								•	•						
44. Assess expanding opportunities within our control to fund the Net-0 anticipated funding gap	n/a	2025	•																			•				L						•	•						
45. Review Energy Management Reserve Fund Policy	n/a	2027																				L					•					•							

Action	Budget	Status /Target completion date	Offices of CAO + Mayor Council	Community Services	Bylaw Enforcement	Corporate Customer Service	Fire	Neighbourhood Prgm + Svcs	Sport	Corporate Services	Comms and Marketing	EARRI	HR	Legal	Legislated	Tech Innovation	Development Services	Building	Dev. + Housing Approvals	Economic Development	Engineering	GM Office - Sustainability	Planning and Housing Policy	Transportation	Financial Services	Financial Operations	Fin. Planning + Asset Mng	Fin Rep + ERP Solutions	Revenue	Infrastructure Services	Facilities Mng	Fleet	Fleet User Working Group	Gas and Water utilities	Operations – Roads + Traffic	Park + Cemeteries	Sani + Stormwater utilities
46. Continue corporate admin grants support	n/a	ongoing	•																			•						┌				•	•				
47. Continue advocacy for climate action	n/a	ongoing	L																			•															

Staff Report



Development Services Department

www.kitchener.ca

REPORT TO: Planning and Strategic Initiatives Committee

DATE OF MEETING: April 22, 2024

SUBMITTED BY: Garett Stevenson, Director of Development & Housing Approvals,
519-741-2200 ext. 7070

PREPARED BY: Andrew Pinnell, Senior Planner, 519-741-2200 ext. 7668

WARD INVOLVED: Ward 6

DATE OF REPORT: April 5, 2024

REPORT NO.: DSD-2024-092

SUBJECT: 15 Laurentian Drive
Official Plan Amendment Application OPA24/003/L/AP
Zoning By-law Amendment Application ZBA24/003/L/AP
Owner: Kitchener Waterloo Christian School Society

RECOMMENDATION:

That Official Plan Amendment Application OPA24/003/L/AP for Kitchener Waterloo Christian School Society be adopted, in the form shown in the Official Plan Amendment attached to Report DSD-2024-092 as Attachment 'A' and, accordingly, forwarded to the Regional Municipality of Waterloo for approval; and

That Zoning By-law Amendment Application ZBA24/003/L/AP for Kitchener Waterloo Christian School Society be approved in the form shown in the Proposed By-law and Map No. 1, attached to Report DSD-2024-092 as Attachment 'B'.

REPORT HIGHLIGHTS:

- The purpose of this report is to evaluate and provide planning recommendations regarding the Official Plan Amendment (OPA) and Zoning By-law Amendment (ZBA) Applications requested by Kitchener Waterloo Christian School Society for the subject property, addressed as 15 Laurentian Drive. It is Planning staff's recommendation that the OPA be adopted and the ZBA be approved.
- The proposed amendments would permit future expansion options for the abutting Laurentian Hills Christian School, located at 11 Laurentian Drive, which is under the same ownership. The subject property may be used for an expansion of the existing surface parking area or to accommodate additional outdoor play space for students.
- Community engagement included:
 - Circulation of a preliminary notice letter to property owners within 240 metres of the subject property;
 - Installation of a notice sign on the property;
 - Virtual neighbourhood meeting held on January 30, 2024;

*** This information is available in accessible formats upon request. ***
Please call 519-741-2345 or TTY 1-866-969-9994 for assistance.

- Postcard advising of the statutory public meeting was circulated to all property owners and occupants within 240 metres of the subject property and those who responded to the preliminary circulation;
- Notice of the public meeting was published in The Record on March 28, 2024.
- This report supports the delivery of core services.
- These applications were deemed complete on January 20, 2024. The Applicant can appeal these applications for non-decision after May 19, 2024.

EXECUTIVE SUMMARY:

The owner of the subject property is requesting to change the land use designation from 'Low Rise Residential' to 'Institutional' in the City of Kitchener Official Plan and to change the zoning from 'Low Rise Residential Two Zone (RES-2)' to 'Neighbourhood Institutional Zone (INS-1)' with Site Specific Provision (391). These amendments would permit future expansion options for the abutting Laurentian Hills Christian School, which is under the same ownership. The property may be used for an expansion of the existing surface parking area or to accommodate additional outdoor play space for students. The Region of Waterloo has requested the site specific provision to prohibit geothermal wells. Planning staff recommends that the Official Plan Amendment be adopted, and the Zoning By-law Amendment be approved.

BACKGROUND:

Kitchener Waterloo Christian School Society has made applications for an Official Plan Amendment (OPA) and a Zoning By-law Amendment (ZBA) for the property addressed as 15 Laurentian Drive, shown in Figure 1. These applications will permit future expansion options for the abutting Laurentian Hills Christian School (private school) located at 11 Laurentian Drive, which is under the same ownership.

Through a separate, future planning application, the owner also is considering the possibility of an expansion of / renovation to the existing school building that would occur on the 11 Laurentian Drive property only (not the subject property). This proposal may involve changes to the north side of the existing school building and an update to the surface parking area. After the OPA and ZBA have been decided, the applicant may submit a Site Plan Application to clarify the details of how 15 Laurentian Drive would function with the overall changes to the school site.

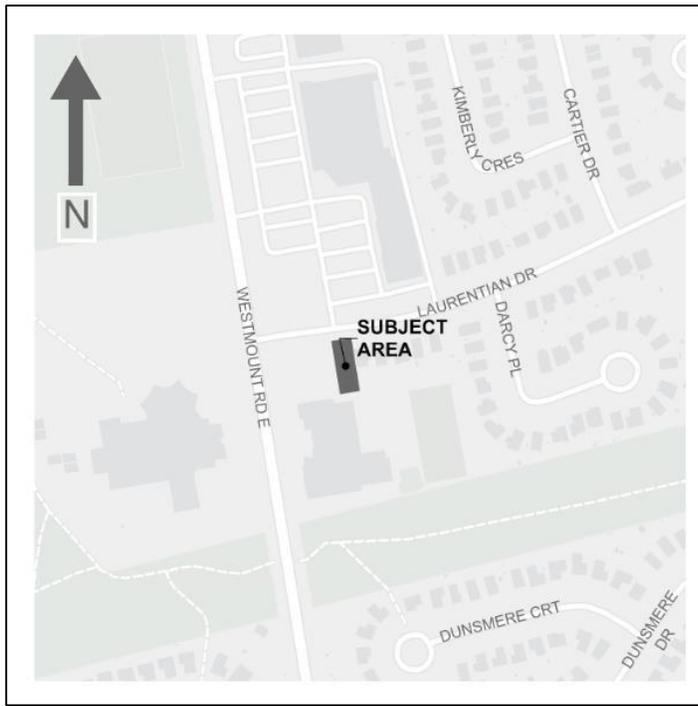


Figure 1 – 15 Laurentian Drive (“Subject Area”).

The subject property is presently designated “Low Rise Residential” in the 2014 Official Plan and is zoned “Low Rise Residential Two Zone (RES-2)” in By-law 2019-051.

The RES-2 Zone permits primarily low density residential uses: Single Detached Dwelling, Attached Additional Dwelling Units, Detached Additional Dwelling Units, Hospice, Small Residential Care Facility, and Home Occupation.

Site Context

The subject property has approximately 13.7 metres of frontage on the south side of Laurentian Drive, east of Westmount Road East, within the Laurentian Hills Planning Community. The property is approximately 522 square metres in area and is located immediately north and east of Laurentian Hills Christian School (private school). The property contains a single detached dwelling that was constructed in approximately 1971 as part of the low rise residential subdivision to the east.

The subject property is located close to several other schools:

- Laurentian Public School (WRDSB) – located 70 metres to the west, on the opposite side of Westmount Road East;
- Trillium Public School (WRDSB) – 225 metres to the east; and
- Monsignor Haller Catholic School (WCDSB) – 520 metres to the east.

Laurentian Hills Plaza (including, for example, Freshco, Remax, Anytime Fitness) and a recently constructed commercial building (pharmacy / drug store and professional offices) are located on the opposite side of Laurentian Drive.

The lands south of Laurentian Hills Christian School are used as a 60-metre-wide hydro corridor and community path. A low density residential neighbourhood is located further to the south.

The property was purchased by the current owners in 2015 and is being rented for residential purposes. The current tenants were advised in early November 2023 that they would be required

to relocate by June 30, 2024. At this time, no formal offers have been made by the school with respect to assisting with the move.

Planning staff has confirmed that 15 Laurentian Drive (subject property) and 11 Laurentian Drive (abutting school property) have merged under the Planning Act and are legally considered one property. However, for the purposes of this report and for simplicity, these are referred to as individual properties.

REPORT:

The owner is requesting an Official Plan Amendment (OPA) and a Zoning By-law Amendment (ZBA) to permit future expansion options for the abutting Laurentian Hills Christian School located at 11 Laurentian Drive, which is under the same ownership. The property may be used for an expansion of the existing surface parking area or to accommodate additional outdoor play space for students. A conceptual plan showing an outdoor play space for school students is provided below (Figure 2). However, it should be noted that the owner is still exploring all options for expansion. Accordingly, the purpose of the subject OPA and ZBA is to change the overall permitted land use to institutional and to provide expansion options, not to facilitate a specific development proposal / site concept. In any event, the owner intends to ultimately demolish the existing single detached dwelling at some future point in time.

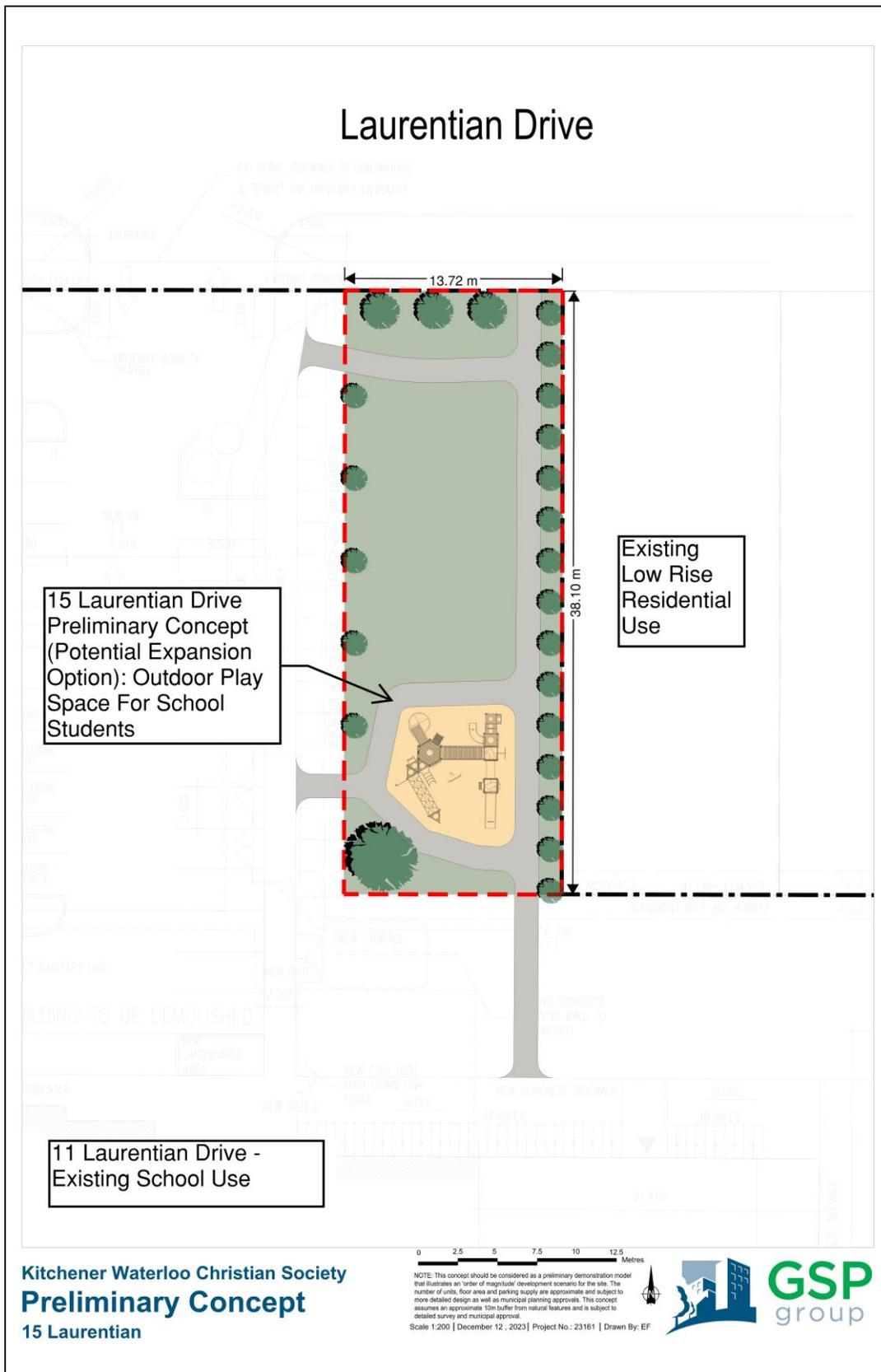


Figure 2 – Preliminary Concept (Potential Expansion Option): Outdoor Play Space for School Students

Planning Analysis:

Planning Act, R.S.O. 1990, c. P.13 25.

Section 2 of the Planning Act establishes matters of provincial interest and states that the Minister, the council of a municipality, a local board, a planning board and the Tribunal, in carrying out their responsibilities under this Act, shall have regard to, among other matters, matters of provincial interest such as (*emphasis added*):

- d) The conservation of features of significant architectural, cultural, historical, archaeological or scientific interest;
- f) The adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;
- g) The minimization of waste;
- h) The orderly development of safe and healthy communities;
- i) The adequate provision and distribution of educational, health, social, cultural and recreational facilities;
- j) The adequate provision of a full range of housing, including affordable housing;
- p) The appropriate location of growth and development;
- q) The promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians;
- r) The promotion of built form that,
 - (i) Is well-designed,
 - (ii) Encourages a sense of place, and
 - (iii) Provides for public spaces that are of high quality, safe, accessible, attractive and vibrant;
- s) The mitigation of greenhouse gas emissions and adaptation to a changing climate.

These matters of provincial interest are addressed and are implemented through the Provincial Policy Statement, 2020. The City's Official Plan is the most important vehicle for the implementation of the Provincial Policy Statement, 2020 and to ensure Provincial policy is adhered to.

The Ministry of Municipal Affairs and Housing is proposing an integrated province-wide land use planning policy document, potentially replacing the Provincial Policy Statement and A Place to Grow: Growth Plan for the Greater Golden Horseshoe, with a singular Provincial Planning Statement (PPS) which is in draft form and not in effect at the time this report was prepared.

Provincial Policy Statement, 2020:

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. Policy 1.1.1 of the PPS states that healthy, livable, and safe communities are sustained by several means including, "accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), *institutional* (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs." (*emphasis added*)

The PPS promotes efficient development and land use patterns, as well as accommodating an appropriate mix of land uses, while supporting the environment, public health and safety. Provincial policies promote the integration of land use planning, growth management, transit-supportive development, intensification, and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs.

To support Provincial policies relating to the optimization of infrastructure, transit and active transportation, the requested Official Plan designation and zoning facilitate the expansion of institutional use; the subject property is located near bus transit (including iXpress service and local GRT routes); and the proposal makes use of both existing roads and active transportation networks. The property is serviced and is in proximity to parks, trails and other community uses.

In addition, Policy 1.3.1 of the PPS states that, “Planning authorities shall promote economic development and competitiveness by: a) providing for an appropriate mix and range of employment, *institutional*, and broader mixed uses to meet long-term needs”.

Planning staff is of the opinion that the requested amendments will increase the viability of an existing institutional use and enhance the mix of uses within the community, thereby promoting economic development and competitiveness. It should be noted that the expansion of land for institutional use is rare, and the subject applications represent a unique opportunity to add to the City’s institutional land inventory. Moreover, no new public roads or services would be required for the proposal.

Based on the foregoing, staff is of the opinion that this proposal is in conformity with the PPS.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020 (Growth Plan):

The Growth Plan supports the achievement of complete communities that are designed to support healthy and active living and meet people’s needs for daily living throughout an entire lifetime, and feature a mix of land uses, convenient access to stores, services, and public service facilities. Making efficient use of land and infrastructure, providing for a range, and mix of housing types, jobs, and services, at densities and in locations which support transit viability and active transportation is important.

Policy 2.2.1.4 states that applying the policies of the Growth Plan will support the achievement of complete communities that (*emphasis added*):

- a) *feature a diverse mix of land uses*, including residential and employment uses, and convenient access to local stores, services, and public service facilities;
- b) improve social equity and overall quality of life, including human health, for people of all ages, abilities, and incomes;
- c) provide a diverse range and mix of housing options, including additional residential units and affordable housing, to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes;
- d) expand convenient access to:
 - i. a range of transportation options, including options for the safe, comfortable and convenient use of active transportation;
 - ii. public service facilities, co-located and integrated in community hubs;
 - iii. an appropriate supply of safe, publicly-accessible open spaces, parks, trails, and other recreational facilities; and
 - iv. healthy, local, and affordable food options, including through urban agriculture;
- e) provide for a more compact built form and a vibrant public realm, including public open spaces;
- f) mitigate and adapt to the impacts of a changing climate, improve resilience and reduce greenhouse gas emissions, and contribute to environmental sustainability; and
- g) integrate green infrastructure and appropriate low impact development.

The subject lands are located within the City’s delineated Built-Up Area. Planning staff is of the opinion that the requested amendments will assist in achieving a complete community by expanding the existing, viable institutional use. The impact of losing one residential unit is

negligible considering the thousands of dwelling units that have been approved and not yet built or are within the planning phase.

Planning staff is of the opinion that the requested amendments conform to the Growth Plan.

Regional Official Plan (ROP):

Urban Area policies of the ROP identify that the focus of the Region's future growth will be within the Urban Area. The subject lands are designated Built-Up Area in the ROP. Growth is directed to the Built-Up Area of the Region to make better use of infrastructure that can assist in transitioning the Region into an energy efficient, low carbon community.

The proposal assists the gradual transition of existing neighbourhoods within the Region into 15-minute neighbourhoods with a broad mix of land uses where people can meet their daily needs for goods, services, and employment within a 15-minute trip by walking, cycling, and rolling, and where other needs can be met by taking direct, frequent, and convenient transit. 15-minute neighbourhoods include an appropriate mix of jobs, local stores, and services, a full range of housing, transportation options and public service facilities. They are also age-friendly places and may take different shapes and forms appropriate to their contexts.

The requested amendments will increase the land area devoted to an institutionally designated and zoned property, thereby facilitating the expansion of an existing institutional use. Such increases are rare, and allocation of new institutional land typically occurs only during the initial application of small pockets of land through secondary and community planning exercises. The expansion may also increase the usability / functionality of the school use.

Development in the Built-Up Area is intended to provide gentle density that assists in providing opportunities for residents to use alternative forms of transportation (e.g., walking, rolling, strolling). The school is adjacent to an existing transit route (Route 12/Westmount) and is located adjacent to Regional and City roads where sidewalks and trails are located, facilitating walking to/from the existing school.

Section 2.F of the Regional Official Plan establishes policies for intensification targets within the Delineated Built-Up Area, which is set at 60% annually for the City of Kitchener. It is not intended that the 60% target would apply to individual developments, but rather that it is to be achieved over the entire Built-Up Area. Planning staff advises that many other development opportunities exist to achieve the intensification target.

The Region of Waterloo has indicated it has no objections to the proposed application, subject to site specific provision in the Zoning By-law prohibiting geothermal wells (see Attachment 'D'). The Region prohibits geothermal energy systems within wellhead protection sensitive areas because they have the potential to contaminate ground water – the region's main source for drinking water.

Planning staff is of the opinion that the applications conform to the Regional Official Plan.

Requested Official Plan Amendment to City of Kitchener Official Plan, 2014:

The applicant is requesting to change the land use designation of the subject property from *Low Rise Residential* to *Institutional*. No other changes to the Official Plan are requested. Planning staff commentary regarding applicable Official Plan policies and the details of the requested amendment are below.

The City of Kitchener Official Plan (OP) provides the long-term land use vision for Kitchener. The vision is further articulated and implemented through the guiding principles, goals, objectives, and

policies which are set out in the Plan. The vision and goals of the OP strive to build an innovative, vibrant, attractive, safe, complete and healthy community.

Urban Structure

The subject property is identified as *Community Areas* on *Map 2 – Urban Structure* of the Official Plan. The planned function of this Urban Structure Component is to provide for residential uses and non-residential supporting uses intended to serve the immediate residential areas. Policy 3.C.2.51 states, “Within areas identified as *Community Areas* on *Map 2* the applicable land use designation may include Low Rise Residential, Medium Rise Residential, High Rise Residential, Open Space, *Institutional* and/or Major Infrastructure and Utilities as shown on *Map 3* and detailed in Sections 15.D.3, 15.D.7, 15.D.10 and 15.D.11” (*emphasis added*). The applicant is not requesting a change to the urban structure.

Land Use Designation

The subject property is currently designated Low Rise Residential on *Map 3 – Land Use* of the City of Kitchener Official Plan. The Low Rise Residential land use designation is intended to accommodate a full range of low density housing types, including single detached dwellings, additional dwelling units, semi-detached dwelling, street townhouse dwellings, cluster townhouses, low-rise multiple dwellings, special needs housing, and other forms of low density residential use.

The current designation permits a maximum Floor Space Ratio of 0.6, but site-specific increase up to 0.75 may be considered where it can be demonstrated that the increase is compatible and meets the general intent of the Official Plan. The maximum height limit in the Low Rise Residential designation is 3 storeys or 11 metres, though heights may be increased to 4 storeys or 14 metres in certain circumstances. Within this designation, the predominant land use is residential. However, it is intended that complementary non-residential land uses be integrated, subject to locational criteria and zoning.

As aforementioned, the applicant is requesting to change the land use designation of the subject property from *Low Rise Residential* to *Institutional*. No other changes to the Official Plan are requested. The Official Plan states that the primary use of land designated *Institutional* is for institutional uses that are of a community or regional nature (e.g., secondary and post-secondary educational facilities, long-term care facilities, and social, cultural and administrative facilities). This designation also includes small-scale institutional uses that are compatible with nearby uses such as public and private elementary schools, libraries, day care centres, and places of worship.

It should be noted that the City’s institutional land inventory is vulnerable to attrition through conversion because residential development tends to yield higher property values than institutional uses. Accordingly, Policy 15.D.7.3 states that, “The City may designate small scale institutional uses as *Institutional* in order to protect areas for institutional use and ensure their continued contribution to supporting a complete community.” This policy highlights the importance of protecting institutional uses and ensuring their continuation. It also highlights the valuable contribution that institutional lands make in achieving complete community.

Policy 15.D.7.5 provides direction for considering an OPA for new institutional uses. Although the subject OPA is not for a new institutional use, but rather an expanded institutional use, this policy nonetheless provides useful guidance. Under this policy, the City is to have regard to the following considerations:

Policy Number	Consideration	Planning Staff Response
a)	The lands are within walking distance to existing or planned public transit.	The subject property is on the GRT local route #12 and within 680m of iXpress route #201.
b)	The location would contribute to creating and maintaining a walkable and complete community.	The proposal would expand an existing, viable institutional use, thereby supporting the planned function and complete community.
c)	The lands can incorporate a strong focus on the creation of links for pedestrians and cyclists with surrounding uses.	The proposal may strengthen the existing institutional use, which may support use of existing active transportation networks that are in the neighbourhood.
d)	The compatibility of the proposed community institutional use with surrounding height, massing and scale of other community institutional uses or adjacent residential buildings.	The subject lands are likely to be used for play space or parking area to support the existing institutional use. No buildings are proposed on the subject property. The Site Plan Approval process would review physical changes to the site and assist with ensuring compatibility.
e)	Whether the lands are of an appropriate size to accommodate such use, buffering as necessary to ensure compatibility with adjacent uses, recreational amenities as necessary and sufficient on-site parking.	The lands would expand the existing institutional use, including the possibility of an enlarged parking area. Any institutional use on adjacent low rise residential development would be buffered or mitigated through the site plan process, fencing, and zoning (e.g., setbacks).
f)	The location of community institutional uses to form neighbourhood focal points and to facilitate and encourage the sharing of complementary facilities.	The applicant advises that while there are no formal agreements in place, the existing surface parking facility and playground/play fields are regularly used informally by the surrounding community; it is expected that this will continue. In addition, the gym is regularly rented out to several community sports groups and organizations; it is expected that this practice will also continue. Also, the subject applications would increase the size of the existing institutional hub, noting there are 4 existing schools in the area.
g)	The adequacy of municipal infrastructure.	The City's Engineering Services advises that it has no concerns with the subject applications, regarding infrastructure or otherwise.
h)	For large sized institutional uses, the lands are located on a Regional Road, Arterial Street or Major Community Collector Street.	The abutting private school is not considered a large-sized institutional use. Notwithstanding, while Map 11 identifies Laurentian Dr as a Minor Neighbourhood Collector Street, Westmount Rd (which the subject property would have frontage on via consolidation) is identified as a Regional Road.

In summary, Planning staff is of the opinion that the requested OPA satisfies the considerations of Policy 15.D.7.5. The requested *Institutional* land use designation will assist in achieving a complete community by expanding an existing, viable institutional use. The subject property and proposal are close to transit, do not require servicing upgrades, and support and strengthen the use of existing active transportation networks within the neighbourhood.

Proposed Official Plan Amendment Conclusions:

The Official Plan Amendment Application requests that the land use designation as shown on *Map 3 – Land Use* of the 2014 Official Plan be changed from *Low Rise Residential* to *Institutional* to permit future expansion options for the abutting Laurentian Hills Christian School. The subject property may be used for an expansion of the existing surface parking area or to accommodate additional outdoor play space for students. Based on the above noted policies and analysis, Planning staff is of the opinion that the requested OPA represents good planning and recommends that it be adopted in the form shown in Attachment 'A'.

Requested Zoning By-law Amendment to Zoning By-law 2019-051:

The subject lands are currently zoned *Low Rise Residential Two Zone (RES-2)* in Zoning By-law 2019-051. The existing zoning permits a variety of low density residential land uses, as follows:

- Single Detached Dwelling,
- Additional Dwelling Units (both Attached and Detached),
- Hospice,
- Small Residential Care Facility, and
- Home Occupation.

The applicant is requesting an amendment to change the zoning from *Low Rise Residential Two (RES-2)* to *Neighbourhood Institutional (INS-1)* under By-law 2019-051. The Institutional zoning provisions state that, "The Institutional zones apply to lands designated Institutional in the Official Plan." Accordingly, the requested 'INS-1' Zone appropriately implements the Institutional land use designation of the Official Plan. The 'INS-1' Zone permits a wide variety of institutional uses, as follows:

- Adult Education School
- Artisan's Establishment
- Cemetery
- Community Facility
- Continuing Care Community
- Cultural Facility
- Day Care Facility
- Elementary School
- Funeral Home
- Health Clinic
- Hospice
- Hospital
- Large Residential Care Facility
- Place of Worship
- Post-Secondary School
- Secondary School

- Small Residential Care Facility
- Social Service Establishment

A comparison of the current 'RES-2' Zone and requested 'INS-1' Zone is provided below, along with a comparison / commentary by Planning staff:

Regulation	Current RES-2 Zone (Regulations for Single Detached Dwellings)	Requested INS-1 Zone	Planning Staff Comparison / Comment
Min Lot Area	411 square metres	N/A	No comment.
Min Lot Width	13.7 metres	15 metres	The subject property is only 13.75m wide. However, Planning staff have confirmed that the subject property has merged on title with the abutting school property and, therefore, the width is greater than 15 metres. Accordingly, this issue has been resolved.
Min Front Yard Setback	Minimum front yard shall be the established front yard minus one metre (Appendix D)	6 metres	If the school building was to expand in the future, the minimum setback would be reasonably consistent with the Laurentian Drive street wall, which is estimated to have an average setback of 7.5 metres.
Max Front Yard Setback	The maximum front yard shall be the established front yard plus one metre (Appendix D)	N/A	No comment.
Minimum Interior Side Yard Setback	1.2	3 metres	This setback would be superseded by the below regulation (i.e., <i>minimum yard setback to a lot with a low rise residential zone</i>).
Minimum yard setback abutting a lot with a low rise residential zone	N/A	7.5 metres	This 7.5m will provide an adequate buffer to the adjacent single detached dwelling should the school building expand in the future. The existing single detached dwelling will become legal non-conforming until its expected future demolition.
Minimum Rear Yard Setback	7.5 metres	7.5 metres	No comment. The setbacks are the same.
Maximum Lot Coverage	55%	N/A	No comment.
Maximum Building Height	11.0 metres	14 metres	Building height in INS-1 is a full storey higher, however, the

			setback to low rise residential is also greater (7.5 m), and a 14 m building height is still considered low rise. Planning staff has no concerns.
Maximum Floor Space Ratio	N/A	1	The subject property has merged with 11 Laurentian Dr, which ensures that compliance will be maintained in the event of any future building expansion.
Minimum Landscaped Area	N/A	20%	No comment.
Maximum number of storeys	3	N/A	Building height in INS-1 is regulated though the maximum building height regulation which limits the height to 14 m.

In addition, as discussed in the Regional Official Plan section of this report, the Region has requested that a site specific provision be applied to prohibit geothermal wells. Both Planning staff and the applicant are agreeable to the application of this provision.

Proposed Zoning By-law Amendment Conclusions:

Based on the above zoning review, Planning staff is of the opinion that the requested ZBA represents good planning. The requested zoning would properly implement the Official Plan designation requested through the corresponding OPA and would permit the enlargement of the institutional land use as well as the institutional expansion options contemplated by the applicant. In this regard, Planning staff recommends that the ZBA be approved in the form shown in Attachment 'B'.

Department and Agency Comments:

Preliminary circulation of the OPA and ZBA applications was undertaken on January 16, 2024 to applicable City departments and other review authorities. All concerns were satisfactorily addressed through the application review. At the request of the Region, Planning staff is recommending a site specific provision to prohibit geothermal wells. Department and Agency comments have been included as Attachment 'D'.

The following reports, documents, and plans were considered as part of this requested OPA and ZBA applications:

- Planning Justification Letter
Prepared by: GSP Group, December 13, 2023
- Notice of Source Protection Plan Compliance
Prepared by: GSP Group, December 13, 2023
- Preliminary Concept Plan
Prepared by: GSP Group (as amended by City staff), December 12, 2023
- Surrounding Uses Map
Prepared by: GSP Group, December 2023

WHAT WE HEARD



140 households (occupants and property owners) were circulated and notified



2 people/households provided comments



A City-led Neighbourhood Meeting was held on January 30, 2024

In response to community circulation related to the proposed applications, Planning staff received written responses from 2 households. These are found in Attachment ‘E’. All comments that staff received from the community regarding the proposal, along with staff responses, are noted below:

What Staff Heard from the Community	Staff Response
<p><u>Proposed Play Space:</u> Support for the school getting a green space.</p>	<p>Planning staff must clarify that the purpose of the OPA / ZBA is to permit future expansion options for the abutting school. The property may be used for an expansion of the existing surface parking area or to accommodate additional outdoor play space for students. The exact usage of the parcel of land is not yet determined.</p>
<p><u>Student Safety:</u> Is the field in front of the play structure going to be fenced / gated? There is a traffic safety concern that play space is located close to the pick-up and drop off areas that the school students’ parents use on Laurentian Drive and the parking lot of the commercial development on the opposite side of Laurentian Drive.</p> <p>The school’s priority should be to use the land for additional parking space. Currently, although the by-law states no on-street parking between 8:30-4pm in the school zone, school students’ parents still park on the street to drop-off and pick-up. There is a concern that school students will continue to dart onto the street, between parked cars</p>	<p>Transportation Services staff notes that there is a provision in City’s Traffic and Parking By-law to prohibit stopping adjacent to the school property, along Laurentian Drive. If parents are dropping off on Laurentian Drive, community members may contact By-law Enforcement. Through any future Site Plan process for a play space, parking area, or otherwise, City staff will evaluate whether a fence / gate is warranted and should be installed.</p>

Planning Conclusions

In considering the foregoing, Planning staff recommends that the Official Plan Amendment be adopted, and the Zoning By-law Amendment be approved. Staff is of the opinion that the subject

applications are consistent with policies of the Provincial Policy Statement, and conform to Growth Plan for the Greater Golden Horseshoe, the Regional Official Plan, and the City of Kitchener Official Plan. Moreover, the proposal represents good planning.

STRATEGIC PLAN ALIGNMENT:

This report supports the delivery of core services.

FINANCIAL IMPLICATIONS:

Capital Budget – The recommendation has no impact on the Capital Budget.

Operating Budget - *Bill 109, More Homes for Everyone Act, 2022* introduced a requirement for a municipality to refund planning application fees if a decision is not made within a prescribed timeframe. Decisions on Zoning By-law Amendments, when combined with an Official Plan Amendment, are required within 120 days to retain planning application fees, for applications received after July 1, 2023. A decision must be made by Council prior to May 19, 2024 or the Planning Division must issue an application fee refund of \$12,800.00, being 50% of the \$25,600.00 Major Zoning By-law Amendment Application fee. The Development and Housing Approvals Division does not have a funding source or budget for refunding planning application fees.

COMMUNITY ENGAGEMENT:

INFORM – This report has been posted to the City’s website with the agenda in advance of the Committee / Council meeting. A notice sign was posted on the subject property and information regarding the application was posted to the City’s website in January 2024. Following the initial circulation referenced below, an additional postcard advising of the Neighbourhood Meeting was sent by mail. A third postcard was mailed with notice of the statutory public meeting was circulated to all owners and occupants within 240 metres of the subject property and those who responded to the preliminary circulation. Notice of the Statutory Public Meeting was also posted in The Record on March 28, 2024 (a copy of the Notice is attached as Attachment ‘C’).

CONSULT – The requested OPA and ZBA were originally circulated to property owners within 240 metres of the subject property on January 19, 2024. In response to this circulation, staff received written responses from 2 households, which are paraphrased as part of this staff report and attached as Attachment ‘E’. A virtual neighbourhood meeting was held on January 30, 2024, notice for which was sent via postcard to all owners and occupants within 240 metres and those who responded to the original circulation notice.

PREVIOUS REPORTS/AUTHORITIES:

- Planning Act, R.S.O. 1990, c. P.13
- Provincial Policy Statement, 2020
- A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020
- Regional Official Plan, Regional Municipality of Waterloo, 2015
- City of Kitchener Official Plan, 2014
- City of Kitchener Zoning By-law 2019-051

REVIEWED BY: Tina Malone-Wright – Manager, Development Approvals

APPROVED BY: Justin Readman – General Manager, Development Services

ATTACHMENTS:

- Attachment 'A' – Proposed Official Plan Amendment
- Attachment 'B' – Proposed By-law and Map No. 1
- Attachment 'C' – Newspaper Notice
- Attachment 'D' – Department and Agency Comments
- Attachment 'E' – Community Comments

AMENDMENT NO. __ TO THE OFFICIAL PLAN
OF THE CITY OF KITCHENER

CITY OF KITCHENER
15 Laurentian Drive

AMENDMENT NO. __ TO THE OFFICIAL PLAN
OF THE CITY OF KITCHENER

CITY OF KITCHENER
15 Laurentian Drive

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APPENDICES

APPENDIX 1	Notice of the Meeting of Planning & Strategic Initiatives Committee of April 22, 2024
APPENDIX 2	Minutes of the Meeting of Planning & Strategic Initiatives Committee
APPENDIX 3	Minutes of the Meeting of City Council

SECTION 1 – TITLE AND COMPONENTS

This amendment will be referred to as Amendment No. xx to the Official Plan of the City of Kitchener (2014). This amendment is comprised of Sections 1 to 4 inclusive.

SECTION 2 – PURPOSE OF THE AMENDMENT

The purpose of the Official Plan Amendment is to amend Map 3 – Land Use by redesignating the portion of lands identified on Schedule 'A' from Low Rise Residential to Institutional.

SECTION 3 – BASIS OF THE AMENDMENT

Planning Analysis:

Planning Act, R.S.O. 1990, c. P.13 25.

Section 2 of the Planning Act establishes matters of provincial interest and states that the Minister, the council of a municipality, a local board, a planning board and the Tribunal, in carrying out their responsibilities under this Act, shall have regard to, among other matters, matters of provincial interest such as (*emphasis added*):

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The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. Policy 1.1.1 of the PPS states that healthy, livable, and safe communities are sustained by several means including, “accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), *institutional* (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs.” (*emphasis added*)

The PPS promotes efficient development and land use patterns, as well as accommodating an appropriate mix of land uses, while supporting the environment, public health and safety. Provincial policies promote the integration of land use planning, growth management, transit-supportive development, intensification, and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs.

To support Provincial policies relating to the optimization of infrastructure, transit and active transportation, the requested Official Plan designation facilitates the expansion of institutional use; the subject property is located near bus transit (including iXpress service and local GRT routes); and the proposal makes use of both existing roads and active transportation networks. The property is serviced and is in proximity to parks, trails and other community uses.

In addition, Policy 1.3.1 of the PPS states that, “Planning authorities shall promote economic development and competitiveness by: a) providing for an appropriate mix and range of employment, *institutional*, and broader mixed uses to meet long-term needs”.

Planning staff is of the opinion that the requested amendments will increase the viability of an existing institutional use and enhance the mix of uses within the community, thereby promoting economic development and competitiveness. It should be noted that the expansion of land for institutional use is rare, and the subject applications represent a unique opportunity to add to the City’s institutional land inventory. Moreover, no new public roads or services would be required for the proposal.

Based on the foregoing, staff is of the opinion that this proposal is in conformity with the PPS.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020 (Growth Plan):

The Growth Plan supports the achievement of complete communities that are designed to support healthy and active living and meet people’s needs for daily living throughout an entire lifetime, and feature a mix of land uses, convenient access to stores, services, and public service facilities. Making efficient use of land and infrastructure, providing for a range, and mix of housing types, jobs, and services, at densities and in locations which support transit viability and active transportation is important.

Policy 2.2.1.4 states that applying the policies of the Growth Plan will support the achievement of complete communities that (*emphasis added*):

- a) *feature a diverse mix of land uses*, including residential and employment uses, and convenient access to local stores, services, and public service facilities;
- b) improve social equity and overall quality of life, including human health, for people of all ages, abilities, and incomes;

- c) provide a diverse range and mix of housing options, including additional residential units and affordable housing, to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes;
- d) expand convenient access to:
 - i. a range of transportation options, including options for the safe, comfortable and convenient use of active transportation;
 - ii. public service facilities, co-located and integrated in community hubs;
 - iii. an appropriate supply of safe, publicly-accessible open spaces, parks, trails, and other recreational facilities; and
 - iv. healthy, local, and affordable food options, including through urban agriculture;
- e) provide for a more compact built form and a vibrant public realm, including public open spaces;
- f) mitigate and adapt to the impacts of a changing climate, improve resilience and reduce greenhouse gas emissions, and contribute to environmental sustainability; and
- g) integrate green infrastructure and appropriate low impact development.

The subject lands are located within the City's delineated Built-Up Area. Planning staff is of the opinion that the requested amendments will assist in achieving a complete community by expanding the existing, viable institutional use. The impact of losing one residential unit is negligible considering the thousands of dwelling units that have been approved and not yet built or are within the planning phase.

Planning staff is of the opinion that the requested amendment conforms to the Growth Plan.

Regional Official Plan (ROP):

Urban Area policies of the ROP identify that the focus of the Region's future growth will be within the Urban Area. The subject lands are designated Built-Up Area in the ROP. Growth is directed to the Built-Up Area of the Region to make better use of infrastructure that can assist in transitioning the Region into an energy efficient, low carbon community.

The proposal assists the gradual transition of existing neighbourhoods within the Region into 15-minute neighbourhoods with a broad mix of land uses where people can meet their daily needs for goods, services, and employment within a 15-minute trip by walking, cycling, and rolling, and where other needs can be met by taking direct, frequent, and convenient transit. 15-minute neighbourhoods include an appropriate mix of jobs, local stores, and services, a full range of housing, transportation options and public service facilities. They are also age-friendly places and may take different shapes and forms appropriate to their contexts.

The requested amendments will increase the land area devoted to an institutionally designated property, thereby facilitating the expansion of an existing institutional use. Such increases are rare, and allocation of new institutional land typically occurs only during the initial application of small pockets of land through secondary and community planning exercises. The expansion may also increase the usability / functionality of the school use.

Development in the Built-Up Area is intended to provide gentle density that assists in providing opportunities for residents to use alternative forms of transportation (e.g., walking, rolling, strolling). The school is adjacent to an existing transit route (Route 12/Westmount) and is located adjacent to Regional and City roads where sidewalks and trails are located, facilitating walking to/from the existing school.

Section 2.F of the Regional Official Plan establishes policies for intensification targets within the Delineated Built-Up Area, which is set at 60% annually for the City of Kitchener. It is not intended that the 60% target would apply to individual developments, but rather that it is to be achieved over the entire Built-Up Area. Planning staff advises that many other development opportunities exist to achieve the intensification target.

The Region of Waterloo has indicated it has no objections to the proposed application, subject to site specific provision in the Zoning By-law prohibiting geothermal wells. The Region prohibits geothermal energy systems within wellhead protection sensitive areas because they have the potential to contaminate ground water – the region’s main source for drinking water.

Planning staff is of the opinion that the application conforms to the Regional Official Plan.

Requested Official Plan Amendment to City of Kitchener Official Plan, 2014:

The applicant is requesting to change the land use designation of the subject property from *Low Rise Residential* to *Institutional*. No other changes to the Official Plan are requested. Planning staff commentary regarding applicable Official Plan policies and the details of the requested amendment are below.

The City of Kitchener Official Plan (OP) provides the long-term land use vision for Kitchener. The vision is further articulated and implemented through the guiding principles, goals, objectives, and policies which are set out in the Plan. The vision and goals of the OP strive to build an innovative, vibrant, attractive, safe, complete and healthy community.

Urban Structure

The subject property is identified as *Community Areas* on *Map 2 – Urban Structure* of the Official Plan. The planned function of this Urban Structure Component is to provide for residential uses and non-residential supporting uses intended to serve the immediate residential areas. Policy 3.C.2.51 states, “Within areas identified as Community Areas on Map 2 the applicable land use designation may include Low Rise Residential, Medium Rise Residential, High Rise Residential, Open Space, *Institutional* and/or Major Infrastructure and Utilities as shown on Map 3 and detailed in Sections 15.D.3, 15.D.7, 15.D.10 and 15.D.11” (*emphasis added*). The applicant is not requesting a change to the urban structure.

Land Use Designation

The subject property is currently designated Low Rise Residential on Map 3 – Land Use of the City of Kitchener Official Plan. The Low Rise Residential land use designation is intended to accommodate a full range of low density housing types, including single detached dwellings, additional dwelling units, semi-detached dwelling, street townhouse dwellings, cluster townhouses, low-rise multiple dwellings, special needs housing, and other forms of low density residential use.

The current designation permits a maximum Floor Space Ratio of 0.6, but site-specific increase up to 0.75 may be considered where it can be demonstrated that the increase is compatible and meets the general intent of the Official Plan. The maximum height limit in the Low Rise Residential designation is 3 storeys or 11 metres, though heights may be increased to 4 storeys or 14 metres in certain circumstances. Within this designation, the predominant land use is

residential. However, it is intended that complementary non-residential land uses be integrated, subject to locational criteria and zoning.

As aforementioned, the applicant is requesting to change the land use designation of the subject property from *Low Rise Residential* to *Institutional*. No other changes to the Official Plan are requested. The Official Plan states that the primary use of land designated Institutional is for institutional uses that are of a community or regional nature (e.g., secondary and post-secondary educational facilities, long-term care facilities, and social, cultural and administrative facilities). This designation also includes small-scale institutional uses that are compatible with nearby uses such as public and private elementary schools, libraries, day care centres, and places of worship.

It should be noted that the City’s institutional land inventory is vulnerable to attrition through conversion because residential development tends to yield higher property values than institutional uses. Accordingly, Policy 15.D.7.3 states that, “The City may designate small scale institutional uses as Institutional in order to protect areas for institutional use and ensure their continued contribution to supporting a complete community.” This policy highlights the importance of protecting institutional uses and ensuring their continuation. It also highlights the valuable contribution that institutional lands make in achieving complete community.

Policy 15.D.7.5 provides direction for considering an OPA for new institutional uses. Although the subject OPA is not for a new institutional use, but rather an expanded institutional use, this policy nonetheless provides useful guidance. Under this policy, the City is to have regard to the following considerations:

Policy Number	Consideration	Planning Staff Response
a)	The lands are within walking distance to existing or planned public transit.	The subject property is on the GRT local route #12 and within 680m of iXpress route #201.
b)	The location would contribute to creating and maintaining a walkable and complete community.	The proposal would expand an existing, viable institutional use, thereby supporting the planned function and complete community.
c)	The lands can incorporate a strong focus on the creation of links for pedestrians and cyclists with surrounding uses.	The proposal may strengthen the existing institutional use, which may support use of existing active transportation networks that are in the neighbourhood.
d)	The compatibility of the proposed community institutional use with surrounding height, massing and scale of other community institutional uses or adjacent residential buildings.	The subject lands are likely to be used for play space or parking area to support the existing institutional use. No buildings are proposed on the subject property. The Site Plan Approval process would review physical changes to the site and assist with ensuring compatibility.
e)	Whether the lands are of an appropriate size to accommodate such use, buffering as necessary to ensure compatibility with adjacent uses, recreational amenities as necessary and sufficient on-site parking.	The lands would expand the existing institutional use, including the possibility of an enlarged parking area. Any institutional use on adjacent low rise residential development would be buffered or mitigated through the site

		plan process, fencing, and zoning (e.g., setbacks).
f)	The location of community institutional uses to form neighbourhood focal points and to facilitate and encourage the sharing of complementary facilities.	The applicant advises that while there are no formal agreements in place, the existing surface parking facility and playground/play fields are regularly used informally by the surrounding community; it is expected that this will continue. In addition, the gym is regularly rented out to several community sports groups and organizations; it is expected that this practice will also continue. Also, the subject applications would increase the size of the existing institutional hub, noting there are 4 existing schools in the area.
g)	The adequacy of municipal infrastructure.	The City's Engineering Services advises that it has no concerns with the subject applications, regarding infrastructure or otherwise.
h)	For large sized institutional uses, the lands are located on a Regional Road, Arterial Street or Major Community Collector Street.	The abutting private school is not considered a large-sized institutional use. Notwithstanding, while Map 11 identifies Laurentian Dr as a Minor Neighbourhood Collector Street, Westmount Rd (which the subject property would have frontage on via consolidation) is identified as a Regional Road.

In summary, Planning staff is of the opinion that the requested OPA satisfies the considerations of Policy 15.D.7.5. The requested *Institutional* land use designation will assist in achieving a complete community by expanding an existing, viable institutional use. The subject property and proposal are close to transit, do not require servicing upgrades, and support and strengthen the use of existing active transportation networks within the neighbourhood.

Proposed Official Plan Amendment Conclusions:

The Official Plan Amendment application requests that the land use designation as shown on *Map 3 – Land Use* of the 2014 Official Plan be changed from *Low Rise Residential* to *Institutional* to permit future expansion options for the abutting Laurentian Hills Christian School. The subject property may be used for an expansion of the existing surface parking area or to accommodate additional outdoor play space for students. Based on the above noted policies and analysis, Planning staff is of the opinion that the requested OPA represents good planning and recommends that it be adopted in the form shown in Schedule 'A'.

SECTION 4 – THE AMENDMENT

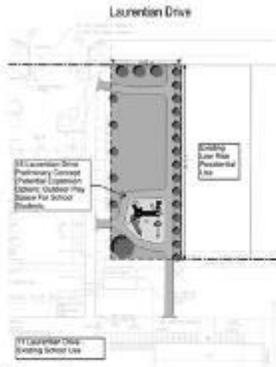
The City of Kitchener Official Plan (2014) is hereby amended as follows:

- a. Amend *Map No. 3 – Land Use* by designating the lands municipally addressed as 15 Laurentian Drive as *Institutional* instead of *Low Rise Residential*, as shown on the attached Schedule 'A'.

NOTICE OF PUBLIC MEETING

for a development in your neighbourhood
15 Laurentian Drive





Concept Drawing



From Low Rise Residential
to Institutional Use

Have Your Voice Heard!

Planning & Strategic Initiatives Committee

Date: **April 22, 2024**

Location: **Council Chambers,
Kitchener City Hall
200 King Street West
or Virtual Zoom Meeting**

Go to [kitchener.ca/meetings](https://www.kitchener.ca/meetings)
and select:

- Current agendas and reports
(posted 10 days before meeting)
- Appear as a delegation
- Watch a meeting

To learn more about this project, including
information on your appeal rights, visit:
**[www.kitchener.ca/
PlanningApplications](https://www.kitchener.ca/PlanningApplications)**
or contact:
Andrew Pinnell, Senior Planner
andrew.pinnell@kitchener.ca
519.741.2200 x7668

The City of Kitchener will consider applications for Official Plan and Zoning By-law amendments to redesignate the property from "Low Rise Residential" to "Institutional" in the Official Plan and to rezone the property from Low Rise Residential Two Zone "RES-2" to Neighbourhood Institutional Zone "INS-1". The property is proposed to be redesignated and rezoned to permit future expansion options for the school located at 11 Laurentian Drive. The lands may be used for an expansion of the existing surface parking area or to accommodate additional outdoor play space for students.

APPENDIX 2: Minutes of the Planning & Strategic Initiatives Committee Meeting (April 22, 2024)

APPENDIX 3 - Minutes of the Meeting of City Council (April 29, 2024)

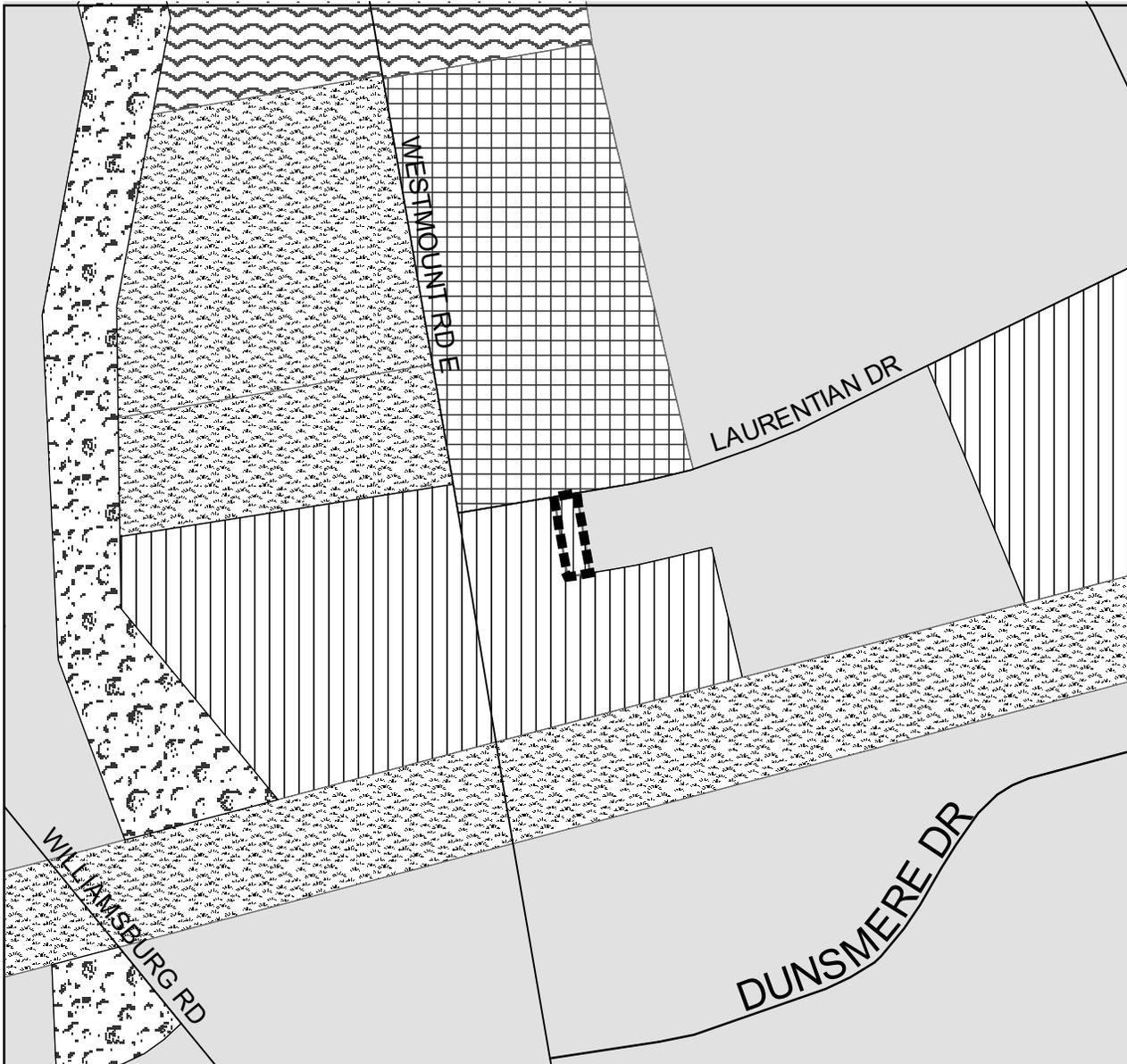
**CITY OF KITCHENER
OFFICIAL PLAN
AMENDMENT TO MAP 3
LAND USE**



-  Low Rise Residential
-  Mixed Use
-  Commercial
-  Institutional
-  Natural Heritage Conservation
-  Open Space

Area of Amendment

-  From Low Rise Residential
To Institutional



SCHEDULE 'A'

KITCHENER WATERLOO CHRISTIAN
SCHOOL SOCIETY

15 LAURENTIAN DR



SCALE 1:4,000

DATE: FEBRUARY 28, 2024

REVISED:

OFFICIAL PLAN AMENDMENT OPA24/003/L/AP

ZONING BY-LAW AMENDMENT ZBA24/003/L/AP

City of Kitchener

DEVELOPMENT SERVICES DEPARTMENT, PLANNING

FILE:
OPA24003LAP_MAP3
.mxd

PROPOSED BY – LAW

_____ 2024

BY-LAW NUMBER ____

OF THE

CORPORATION OF THE CITY OF KITCHENER

(Being a by-law to amend By-law 2019-051, as amended, known as the Zoning By-law for the City of Kitchener

– Kitchener Waterloo Christian School Society – 15 Laurentian Drive)

WHEREAS it is deemed expedient to amend By-law 2019-051 for the lands specified above;

NOW THEREFORE the Council of the Corporation of the City of Kitchener enacts as follows:

1. Zoning Grid Schedule Numbers 90 and 91 of Appendix “A” to By-law Number 2019-051 are hereby amended by changing the zoning applicable to the parcel of land specified and illustrated as Area 1 on Map No. 1, in the City of Kitchener, attached hereto, from Low Rise Residential Two Zone (RES-2) to Neighbourhood Institutional Zone (INS-1) with Site Specific Provision (391).
2. Zoning Grid Schedule Numbers 90 and 91 of Appendix “A” to By-law Number 2019-051 are hereby further amended by incorporating additional zone boundaries as shown on Map No. 1 attached hereto.
3. Section 19 of By-law 2019-051 is hereby amended by adding Site Specific Provision (391) thereto as follows:
“(391). Within the lands zoned INS-1 and shown as being affected by this subsection on Zoning Grid Schedule Numbers 90 and 91 of Appendix “A”, Geothermal Energy Systems shall be prohibited.”
4. This By-law shall become effective only if Official Plan Amendment No. ____ (15

Laurentian Drive) comes into effect, pursuant to Section 24(2) of The Planning Act, R.S.O. 1990, c. P. 13, as amended.

PASSED at the Council Chambers in the City of Kitchener this day
of , 2024.

Mayor

Clerk

DRAFT



SUBJECT AREA(S)



**AMENDMENT TO BY-LAW 2019-051
AREA 1 -
FROM LOW RISE RESIDENTIAL TWO ZONE
(RES-2)
TO NEIGHBOURHOOD INSTITUTIONAL ZONE
(INS-1)
WITH SITE SPECIFIC PROVISION (391)**

BY-LAW 2019-051
COM-2 GENERAL COMMERCIAL ZONE
INS-1 NEIGHBOURHOOD INSTITUTIONAL ZONE
MIX-3 MIXED USE THREE ZONE
NHC-1 NATURAL CONSERVATION ZONE
OSR-2 OPEN SPACE: GREENWAYS ZONE
RES-2 LOW RISE RESIDENTIAL TWO ZONE
RES-3 LOW RISE RESIDENTIAL THREE ZONE
RES-4 LOW RISE RESIDENTIAL FOUR ZONE
RES-5 LOW RISE RESIDENTIAL FIVE ZONE

-  FLOODING HAZARD
-  ECOLOGICAL RESTORATION

ZONE GRID REFERENCE
SCHEDULE NO. 67 AND 68
OF APPENDIX 'A'
KITCHENER ZONING BY-LAW 85-1 AND 2019-051
 ZONE LIMITS



MAP NO. 1

KITCHENER WATERLOO CHRISTIAN
SCHOOL SOCIETY
15 LAURENTIAN DR



SCALE 1:4,000
DATE: FEBRUARY 28, 2024

ZONING BY-LAW AMENDMENT ZBA24/003/L/AP
OFFICIAL PLAN AMENDMENT OPA24/003/L/AP

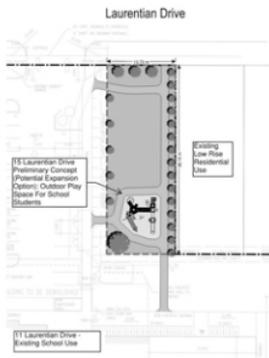
City of Kitchener
DEVELOPMENT SERVICES DEPARTMENT, PLANNING

FILE:
ZBA24003LAP_MAP1
.mxd

NOTICE OF PUBLIC MEETING

for a development in your neighbourhood

15 Laurentian Drive



Concept Drawing



From Low Rise Residential
to Institutional Use

The City of Kitchener will consider applications for Official Plan and Zoning By-law amendments to redesignate the property from "Low Rise Residential" to "Institutional" in the Official Plan and to rezone the property from Low Rise Residential Two Zone "RES-2" to Neighbourhood Institutional Zone "INS-1". The property is proposed to be redesignated and rezoned to permit future expansion options for the school located at 11 Laurentian Drive. The lands may be used for an expansion of the existing surface parking area or to accommodate additional outdoor play space for students.

Have Your Voice Heard!

Planning & Strategic Initiatives Committee

Date: **April 22, 2024**

Location: **Council Chambers,
Kitchener City Hall
200 King Street West
or Virtual Zoom Meeting**

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To learn more about this project, including
information on your appeal rights, visit:

**[www.kitchener.ca/
PlanningApplications](https://www.kitchener.ca/PlanningApplications)**

or contact:

Andrew Pinnell, Senior Planner
andrew.pinnell@kitchener.ca
519.741.2200 x7668

Andrew Pinnell

From: Barbara Steiner
Sent: Friday, February 9, 2024 3:02 PM
To: Andrew Pinnell
Subject: City Envl Planning RE: 15 Laurentian Drive (OPA/ZBA)

Andrew:

There are no natural heritage features or functions of local, Regional, Provincial or national significance known to be located on, or adjacent to, the subject property. Treed vegetation subject to the City's *Tree Management Policy* is limited and restricted to planted, landscaping elements.

We have no concerns with the OPA or ZBA.

At the time of revision to the Site Plan for 11 Laurentian Drive to incorporate this lot, a Tree Preservation / Enhancement Plan (TPEP) should be completed as part of a complete application for review by Urban Design staff. In that regard, we can further advise that a search of historic records does not indicate that there is a condition / requirement to retain trees at **15 Laurentian Drive** associated with a previous development approval. HOWEVER, please note the TPEP should confirm that no tree species regulated / protected under the Ontario *Endangered Species Act* will be impacted. The only tree species that occurs in Kitchener that are so protected are the Butternut / White Walnut and Black Ash, and the Province's Ministry of Environment, Conservation and Parks (MECP) should be consulted if these species are found. It is very unlikely that either of these species is present.

Barbara Steiner

Senior Environmental Planner | Planning | City of Kitchener
519-741-2200 X7293 | TTY 1-866-969-9994 | barbara.steiner@kitchener.ca



Andrew Pinnell

From: Deeksha Choudhry
Sent: Wednesday, February 14, 2024 4:44 PM
To: Andrew Pinnell; Jessica Vieira; Mike Seiling
Subject: Re: Circulation for Comment - 15 Laurentian Drive (OPA/ZBA)

Hello,

Yes, heritage planning staff have no comments or concerns.

Thanks!

Kind Regards,

Deeksha Choudhry, MSc., BES
Heritage Planner | Planning Division | City of Kitchener
200 King Street West, 6th Floor | P.O. Box 1118 | Kitchener ON N2G 4G7
519-741-2200 ext. 7602
Deeksha.choudhry@kitchener.ca

Andrew Pinnell

From: Jason Brule
Sent: Wednesday, January 17, 2024 2:43 PM
To: Andrew Pinnell
Subject: RE: Circulation for Comment - 15 Laurentian Drive (OPA/ZBA)

Hi Andrew,

Engineering has no concerns for this application. Thank you.

Regards,

Jason Brûlé, C.E.T.
519-741-2200 ext.7419

Andrew Pinnell

From: Dave Seller
Sent: Friday, January 19, 2024 9:13 AM
To: Andrew Pinnell
Subject: TS comments: OPA/ZBA 15 Laurentian Drive

City of Kitchener

Application Type: Official Plan Amendment OPA24/003/L/AP
Zoning By-law Amendment ZBA24/003/L/AP

Project Address: 15 Laurentian Drive

Comments of: Transportation Services

Commenter's name: Dave Seller

Email: dave.seller@kitchener.ca

Phone: 519-741-2200 ext. 7369

Date of comments: January 18, 2024

Development proposal

The owner is proposing to redesignate and rezone the subject property to permit future expansion options for the school located at 11 Laurentian Drive. The lands may be used for an expansion of the existing surface parking area or to accommodate additional outdoor play space for students, including a new play structure.

Parking supply analysis

If additional vehicle parking is provided within 15 Laurentian Drive that the following, be provided:

- Update parking count within the site statistics.
- Site plan be updated with new vehicle parking area.
- Proper vehicle drive aisles are provided within the parking area.

Parallel parking dimensioning be noted on the site plan.

- Interior spaces 2.4 m in width and 6.7 m in length
- End spaces 2.4 m in width and 5.5 m in length

Typical parking drive aisle widths be noted on the site plan.

- 7.3m double loaded parking
- 6.7m single loaded parking
- 6.1m with no parking on either side of the drive aisle.

Conclusion

Based on the plans submitted, Transportation Services have no concerns with the proposed application to accommodate additional outdoor play space for students, including a new play structure.

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

Andrew Pinnell

From: Jennifer Arends
Sent: Tuesday, January 16, 2024 1:22 PM
To: Andrew Pinnell
Subject: FW: Circulation for Comment - 15 Laurentian Drive (OPA/ZBA)
Attachments: 15 Laurentian Dr_Dept Agency Circ Letter.pdf

No concerns with this one.

Thank you.

Jennifer Arends

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

City of Kitchener
Zone Change / Official Plan Amendment Comment Form

Address: 15 Laurentian Dr
Owner: Kitchener Waterloo Christian School Society
Application: OPA24/003/L/AP and ZBA24/003/L/AP

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

Date of Comments: Jan 17 2024

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

1. Documents Reviewed:

I have reviewed the documentation noted below submitted in support of an OPA and ZBA to change the land use designation from Low Rise Residential to Institutional and to change the zoning from 'Low Rise Residential Two Zone (RES-2)' to 'Neighbourhood Institutional Zone (INS-1)' in Zoning By-law 2019-051 to permit an expansion of the existing surface parking area or to accommodate additional outdoor play space for students, including a new play structure.

GSP Group - Preliminary Concept Plan; completed applications; Agency circulation letter.

2. Site Specific Comments & Issues:

Parks and Cemeteries has no concerns with the proposed Official Plan and Zoning Bylaw amendments and can provide clearance for these applications to proceed.

ADVISORY COMMENT:

The municipal boulevard in front of 15 Laurentian Dr has sufficient soil volumes to support a new street tree and tree protection measures and/or required new plantings will be addressed through a required future development application.

3. Policies, Standards and Resources:

- Kitchener Official Plan
- City of Kitchener Park Dedication Bylaw 2022-101 and Park Dedication Policy
- City of Kitchener Development Manual
- Cycling and Trails Master Plan (2020)
- Chapter 690 of the current Property Maintenance By-law
- Places & Spaces: An Open Space Strategy for Kitchener
- Multi-Use Pathways & Trails Masterplan
- Urban Design Manual

Andrew Pinnell

From: Mike Seiling
Sent: Wednesday, February 14, 2024 9:40 PM
To: Andrew Pinnell; Jessica Vieira; Deeksha Choudhry
Subject: Re: Circulation for Comment - 15 Laurentian Drive (OPA/ZBA)

Building has no comments or concerns for play ground area.

Thanks

Mike

Mike Seiling
Building Division
519.741.2200 Ext. 7669



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 1-226-752-8622
File: D17/2/24003
C14/2/24003
February 13, 2024

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

Dear Mr. Pinnell,

**Re: Proposed Official Plan Amendment OPA 24/03 and
Zoning By-law Amendment ZBA 24/03
15 Laurentian Drive
GSP Group (C/O Kristen Barisdale) on behalf of
Kitchener Waterloo Christian School Society/Laurentian
Hills Christian School
CITY OF KITCHENER**

GSP Group has submitted a site-specific Official Plan Amendment and Zoning By-law Amendment Application for a development proposal at 15 Laurentian Drive (referred to as subject lands) in the City of Kitchener.

The Owner is proposing to redesignate and rezone the subject lands to permit the future expansion of the school located at 11 Laurentian Drive in Kitchener. The lands may be used for an expansion of the existing surface parking area or to accommodate an additional outdoor play space for students including a new play structure.

The subject lands are located in the Urban Area and designated Built Up Area in the Regional Official Plan. The site is designated Low Rise Residential in the City of Kitchener Official Plan and zoned Low Rise Residential Two (RES-2) Zone in the City of

Document Number: 4603735

Version: 1

Kitchener Zoning By-law. The applicant has requested an **Official Plan Amendment** to redesignate the subject lands from the Low Rise Residential to the Institutional Designation and a **Zoning By-law Amendment** to rezone the subject lands from the Low Rise Residential Two Zone (RES-2) zone to the Neighbourhood Institutional (INS-1) Zone.

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

Regional Comments

Consistency with Provincial Legislation and Regional Official Plan Conformity

The subject lands are designated “Urban Area” and “Delineated Built Up Area” on Map 2 of the Regional Official Plan (ROP) and the site is designated Low Rise Residential in the City of Kitchener Official Plan. The site is adjacent to an institutional use and the proposal is to facilitate the expansion of the adjacent institutional use (Laurentian Hills Christian School).

Built Up Area Policies:

Section 1.6 of the Regional Official Plan establishes the overview of the Regional Planning Framework and Section 2.B.1 and 2.C establish policies for the Urban System. Section 2.F of the Regional Official Plan establishes policies for intensification targets within the Delineated Built-Up Area, which is set at 60% annually for the City of Kitchener. Furthermore, development in the Built Up Area is intended to provide gentle density that’s assists in providing opportunities for residents to use alternative forms of transportation (e.g. walking, rolling, strolling). The school is adjacent to an existing transit route (Route 12/Westmount) and is located adjacent to Regional and City Roads where sidewalks and trails are located; facilitating walking to/from the existing school.

Regional staff have the following technical comments relating to the proposal:

Region of Waterloo International Airport:

The development is located within the Airport Zoning Regulations, with a maximum allowable height of 511m ASL.

Should a construction crane be required as part of the construction process for the development, a Land Use Application must be submitted to NAV Canada. The application can be found here: <https://www.navcanada.ca/en/aeronautical-information/land-use-program.aspx>

Further to the above, the development may be subject to noise and the presence of flying aircrafts. As part of a future consent application (if applicable), the following noise-

warning clause shall be required to be implemented through a registered development agreement with the Owner/Developer and the Regional Municipality of Waterloo:

“This parcel of land is 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.”

Stationary Noise:

As there are commercial land uses north of the subject lands and the school and proposed playground are considered a sensitive land use, Regional staff recommend that the following noise warning clause be implemented through a registered development agreement between the owner/applicant and the City of Kitchener through a future consent application (if applicable):

"Please be advised that due to the proximity of the adjacent commercial plaza, noise from the commercial plaza may at times be audible."

Hydrogeology and Water Programs/Source Water Protection

In accordance with Regional Council's position relating to geothermal energy, a prohibition on Geothermal Wells as defined in Chapter 8 of the Region Official Plan shall be implemented within the site specific Zoning By-law amendment, including vertical open and closed loop geothermal energy systems. The required wording for the prohibition is:

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

The Regional Municipality of Waterloo will require a salt management plan to be prepared to the satisfaction of the Regional Municipality of Waterloo as part of a future site plan application. Regional staff encourage the Owner/Developer to incorporate the following design considerations with respect to salt management into the design of the site and within the salt management plan:

- Ensuring that cold weather stormwater flows are considered in the site design. Consideration should be given to minimize the transport of meltwater across the

parking lots or driveway. This also has the potential to decrease the formation of ice and thereby the need for de-icing.

- Directing downspouts towards pervious (i.e. grassy) surfaces to prevent runoff from freezing on parking lots and walkways.
- Locating snow storage areas on impervious (i.e. paved) surfaces.
- Locating snow storage areas in close proximity to catchbasins.
- Using winter maintenance contractors that are Smart About Salt™ certified.
- Using alternative de-icers (i.e. pickled sand) in favour of road salt.

The proponent is eligible for certification under the Smart About Salt™ program for this property. Completion of the SMP is one part of the program. To learn more about the program and to find accredited contractors please refer to:

<http://www.smartaboutsalt.com/>. Benefits of designation under the program include cost savings through more efficient use of salt, safe winter conditions by preventing the formation of ice, and potential reductions in insurance premiums.

Please be advised that the Region does not support infiltration of chloride laden runoff from parking lots.

Fees:

Please be advised that the Region is in receipt of the Official Plan Amendment review fee of \$7,000.00 and the Zoning By-law Amendment Review fee of \$3,000.00 (total \$10,000) deposited January 25, 2024.

Conclusions:

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

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

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

Next Steps:

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

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

Yours truly,

Melissa Mohr, MCIP, RPP
Senior Planner

- C. GSP Group Inc. C/O Kristen Barisdale (Applicant), Kitchener Waterloo Christian School Society (Laurentian Hills Christian School) C/O Carolyn Van Zwol (Owner)

Andrew Pinnell

From: Planning <planning@wcdsb.ca>
Sent: Thursday, February 1, 2024 3:29 PM
To: Andrew Pinnell
Subject: RE: Circulation for Comment - 15 Laurentian Drive (OPA/ZBA)

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

Good Afternoon Andrew,

The Waterloo Catholic District School Board has reviewed the subject application and has no comments to add.

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

Andrew Pinnell

From: Heidi Stroeder [REDACTED]
Sent: Tuesday, February 6, 2024 11:29 AM
To: Andrew Pinnell
Subject: Regarding proposed 15 Laurentian

[REDACTED]

Hi Andrew,

This is Heidi Miller [REDACTED]
[REDACTED]

I would have loved to have joined the zoom meeting on January 30, however, I was out of the country.

I am excited that the school is getting a green space, it will make the neighbourhood that much nicer.

Just had a few questions with the continuing development of this property.

Is the development site address 15 Laurentian Dr one of the existing home properties or multiple existing home properties?

Is the field in front of the play structure going to be fenced/gated ?

I do worry about that play space being close to the pick up and drop off areas that the school's parents use on Laurentian drive and in 720/750 Westmount shopping and professional centres parking lots. Are the children potentially in harms way of this vehicle traffic?

I look forward to hearing from you Andrew, and can't wait to see how the proposal will beautify the area!

Heidi

Sent from my iPhone

Andrew Pinnell

From: Laurie Griffith [REDACTED]
Sent: Sunday, February 4, 2024 10:27 AM
To: Andrew Pinnell
Subject: 15 LaurentianDrive

[REDACTED]

Andrew

Was away from work and couldn't be around for the meeting Jan 30th for the proposal for 15 Laurentian Drive.

If anything my opinion would be to make that land into additional parking space. Right now , although the by-law states no parking between 8:30-4pm in the area of the school, parents of the school still park on the street to drop their children off and pick them up. My concern is the children as I have witnessed and been involved in the kids darting out onto the street in between the cars parked both at drop off and pickup. The school has plenty of land to build playgrounds and or add to the existing one currently there, that really should not be their priority.

Thank you for taking your time to read this email

Laurie Griffith

Staff Report



Development Services Department

www.kitchener.ca

REPORT TO: Planning and Strategic Initiatives Committee

DATE OF MEETING: April 22, 2024

SUBMITTED BY: Garrett Stevenson, Director of Development & Housing Approvals,
519-741-2200 ext. 7070

PREPARED BY: Brian Bateman, Senior Planner, 519-741-2200 ext. 7869

WARD(S) INVOLVED: Ward 10

DATE OF REPORT: March 22, 2024

REPORT NO.: DSD-2024-061

SUBJECT: 135-161 Jackson Avenue and 135 Brentwood Avenue
Official Plan Amendment Application OPA24/002/J/BB
Zoning By-law Amendment Application ZBA24/002/J/BB Sanjiv
Shukla (1000190771 ONTARIO INC.)

RECOMMENDATION:

That Official Plan Amendment Application OPA24/002/J/BB for 1000190771 ONTARIO INC. be adopted, in the form shown in the Official Plan Amendment attached to Report DSD-2024-061 as Attachment 'A', and accordingly forwarded to the Region of Waterloo for approval;

That Zoning By-law Amendment Application ZBA24/002/J/BB requesting to amend Zoning By-law 2019-051, for 1000190771 ONTARIO INC. be approved in the form shown in the Proposed 'Proposed By-law', and 'Map No. 1' attached to Report DSD-2024-061 as Attachment 'B'; and further;

That the Urban Design Brief, prepared by MHBC and attached to Report DSD-2024-061 as Attachment 'C', be adopted, and that staff be directed to apply the Urban Design Brief through the Site Plan Approval process.

REPORT HIGHLIGHTS:

- The purpose of this report is to evaluate and provide a planning recommendation regarding Official Plan and Zoning By-law Amendment applications for the properties located at 135-161 Jackson Avenue and 136 Brentwood Avenue.
- It is Planning staff's recommendation that these applications be approved. The proposed applications represent an opportunity to redevelop lands with 120 units, where the majority of the lands (135-161 Jackson Avenue) are presently zoned 'RES-5', a zone which already permitting multiple dwelling (i.e. stacked townhouse units).
- An Official Plan Amendment is requested for increased building height and Floor Space Ratio in the Low Rise Residential land use designation.
- The owner is requesting a site-specific regulation to allow for a building height of 12.5 metres, a maximum Floor Space Ratio (FSR) of 1.0, and minimum interior southerly side yard

*** This information is available in accessible formats upon request. ***
Please call 519-741-2345 or TTY 1-866-969-9994 for assistance.

setback of 7.5 metres, a reduced rear yard setback of 6 metres, and a parking rate of 1.02 parking spaces per dwelling unit.

- The increased building height is a result of the owner wishing to raise the basement level an additional 1.5 metres (5 feet) in elevation to be able to provide more natural lighting into basement units.
- Through the review of the applications, changes were made to the development proposal in response to community and staff comments:
 - A tree savings area has been increased in size as a result of increasing side yard setback and shifting/ re-orientation of one of the townhouse blocks, proposed along Jackson Avenue, away from an existing wooded area along the northern property boundary.
 - The setback from the rear lot line of adjacent Brentwood properties has been increased from 3 metres as-of-right to 7.5 metres, and by further 1.8 metre step back has been incorporated for the top level to further mitigate overlook, height, and massing concerns.
 - Six (6) existing detached dwellings are proposed to be demolished. Renters have long term leases and have been made aware of the proposed re-development.
 - Total dwelling unit numbers have decreased from 121 to 120.
- Community engagement included:
 - circulation of a preliminary notice to property owners within 240 metres of the subject site;
 - installation of a large billboard notice sign on the property;
 - a neighbourhood meeting held in February 2024;
 - an informal meeting with residents on March 10, 2024;
 - an on-site meeting with residents on March 26, 2024;
 - follow up one-on-one correspondence with members of the public who responded to the circulation or saw the billboard sign;
 - notice advising of the statutory public meeting was circulated to all property owners within 240 metres of the subject site, and those who responded to the preliminary circulation; and
 - notice of the public meeting was published in The Record on March 28, 2024.
- This report supports the delivery of core services.
- These applications were deemed complete on January 10, 2024. The Applicant can appeal these applications for non-decision after May 9, 2024.

EXECUTIVE SUMMARY:

1000190771 Ontario Inc. is seeking Official Plan and Zoning By-law Amendments to grant site specific amendments that would allow for increased building height and Floor Space Ratio (FSR), increased side yard setbacks, a decreased rear yard setback and a reduction in number of required parking spaces to allow the development of 118 multiple dwellings (stacked townhomes) and two street fronting townhouses with 121 surface parking spaces on six existing lots within the Eastwood Neighbourhood. These are addressed municipally as 135-161 Jackson Avenue and 136 Brentwood Avenue. Two vehicular accesses are proposed: one off Jackson Avenue and a second one is required for an emergency service access off Brentwood Avenue. Full municipal services will be provided to service the development proposal through the Brentwood Avenue connection.

The subject property is identified as 'Community Areas' on the City's Urban Structure (Map 2 - City of Kitchener Official Plan) and designated as 'Low Rise Residential' (Map 3 - City of Kitchener Official Plan). The lands addressed as 135-161 Jackson Avenue are zoned 'Low Rise Residential Five Zone (RES-5)' and the lands addressed as 136 Brentwood Avenue are zoned 'Low Rise Residential Four Zone (RES-4)' in Zoning By-law 2019-051. The existing 'RES-5' zoning already permits multiple dwellings (stacked townhomes) as-of-right. These lands have been zoned to permit multiple dwellings, cluster or stacked townhouses, since 1994. Staff recommends that the applications be approved.

REPORT:

The subject lands are irregularly shaped and comprise six (6) consolidated parcels of land each containing a single detached dwelling and accessory structures, resulting in a total area of 11,337.5 m² (1.13 ha) in a predominantly low rise residential neighbourhood. They are located north-east of the intersection of Brentwood Avenue and Jackson Avenue, with approximately 95 metres of frontage along Jackson Avenue and approximately 15.25 metres of frontage along Brentwood Avenue. There is a significant grade change of approximately 5 metres across the site. For zoning purposes, Jackson Avenue is considered the front lot line, the opposite lot line closest to Montgomery Road is the rear lot line and all other lot lines are considered interior lots lines. The location of the subject lands is illustrated in Figure 1.



Figure 1 – Aerial Photo of Subject and Surrounding Lands

The surrounding area is characterized by a mix of low rise residential uses including single detached, semi-detached and three-storey multiple dwellings. Eastwood Collegiate Institute is located to the south, as are commercial uses along Weber Street, while Montgomery Park and the Conestoga Parkway are located to the east.

The proposed development (Figure 2) that was submitted with the application to the City included the construction of five (5) stacked townhouse blocks with 118 units and two (2) street townhouse units, resulting in a total of 120 units. Building heights are proposed at 12.5 metres (3.5 storeys) at the highest grade elevation and 13.75 metres (4 storeys) at the lowest grade elevation opposite the rear of the Brentwood properties. The owner has requested a height increase to raise the

basement level an additional 1.5 metres (5 feet) in elevation to be able to provide more natural lighting into basement units. Due to an increase in height and the slope of the land, more above ground building area is exposed, resulting in an increased Floor Space Ratio to 1.0 (a measure of all floor area above grade on a lot). It is important to note that the requested increases in height and FSR do not translate in additional units being proposed that could otherwise be built if the basement level was lowered and height met the as-of-right regulation of 11 metres. Moreover, given the slope, at the lowest grade elevation building height can be 12.1 metres within 3 metres of the common property line with Brentwood properties under the as-of-right regulations in the 'RES-5' zone. Building Height means, "the vertical distance between the highest elevation of the finished ground immediately surrounding the perimeter of the building and the uppermost point of the building. For all uses except a single detached dwelling with or without additional dwelling unit(s) (attached), at no point shall the vertical distance between the lowest elevation of the finished ground immediately surrounding the perimeter of the building and the uppermost point of the building exceed 110% of the maximum building height in the applicable zone".



Figure 2 – Initial Conceptual Site Plan, January 2024

Through the circulation of the application there has been several positive revisions made to plan (see Figure 3) in response to both staff and resident comments. These include:

- Upper storey step backs provided to transition the built form into the neighborhood.
- Street fronting townhouse typology without individual driveway access points provide a complimentary built form with very few disruptions to the Jackson Avenue streetscape.
- Built form is facing Jackson Avenue to activate the street front and reduce visibility to internal surface parking.

- Building façades complimentary to the neighborhood while remaining modern in appearance. Materials such as red brick masonry and a warm colour palette are proposed to be utilized.
- Lower-level storeys sunken into grade to decrease building height appearance at grade.
- Functioning rear yard setbacks sufficient to provide sensitive transition, particularly to Brentwood properties, and landscaping/tree planting between property lines and buildings.
- Parking is serviced well with pedestrian connections adjacent which lead in and out of the site.
- An on-site amenity space on site strategically placed to maximize tree preservation, centrally located with oversight from adjacent buildings and is appropriate in size based on urban design manual calculation requirement.
- Landscape areas sufficient to provide required plantings adjacent to the street, offset property lines and within amenity area.

A second access off Brentwood Avenue is proposed. This access splits vehicle movements to/from the site, allows for a servicing connection, and ensures a secondary emergency access in the event of one of roads are closed. Both sanitary and storm connections are also required through the Brentwood access to service the development.

The owner will be required to obtain Site Plan Approval to facilitate the development of a multiple residential proposal. Final site details will be reviewed through the site plan process.

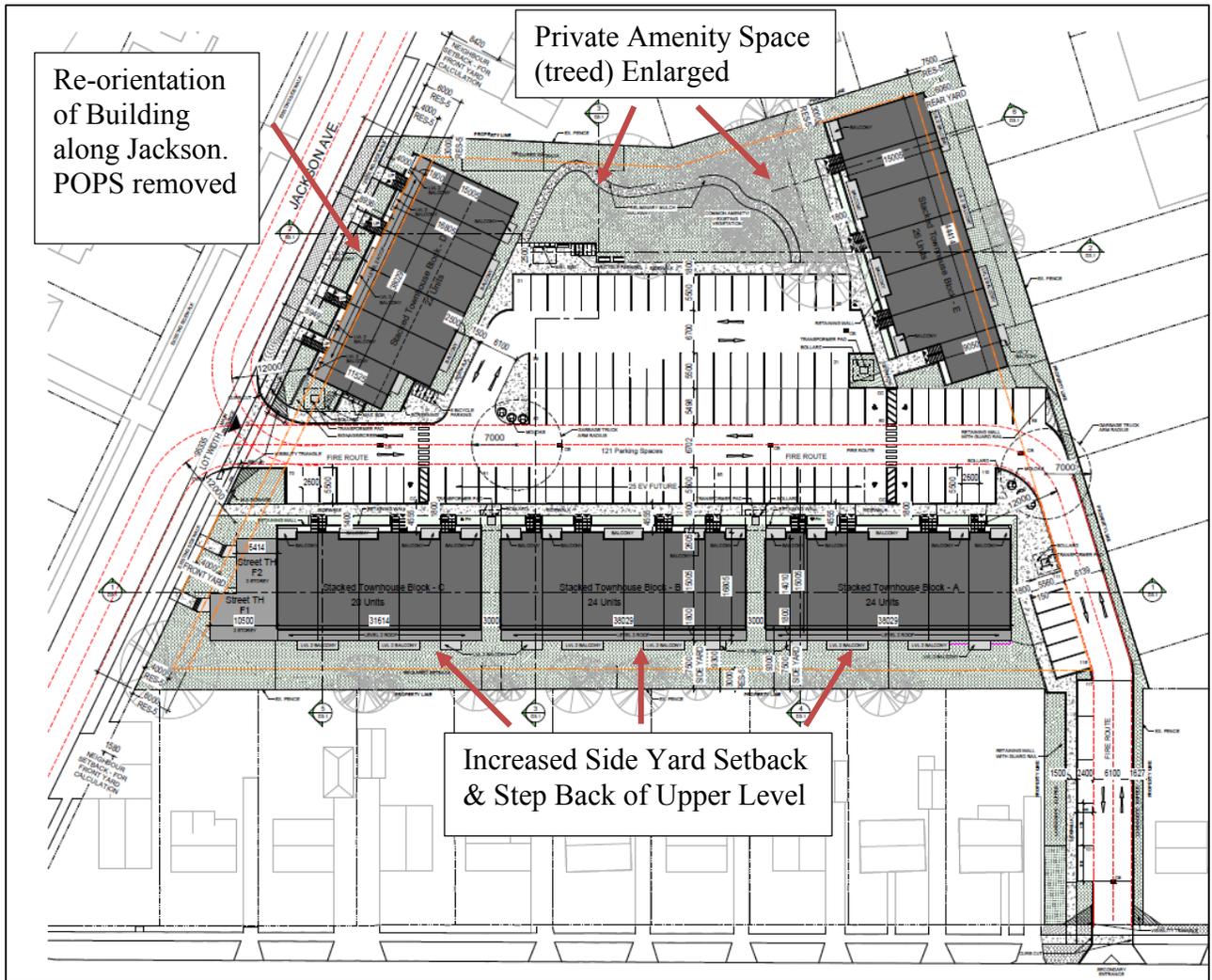


Figure 3 – Revised Conceptual Site Plan, March 2024



Figure 4 – Proposed Renderings (Brentwood view)
Note – 1.8m step back of upper level with no patios

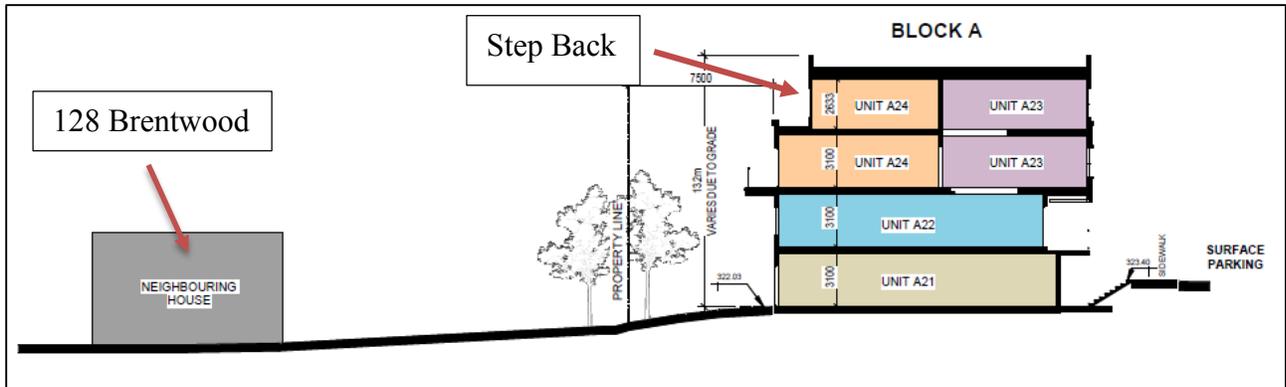


Figure 5 – Cross-Section Showing Relationship of the Proposed Building to Brentwood Homes (Note: Step back of the top level)

As noted earlier and to reiterate, building height is measured from the highest grade elevation. For purposes of the by-law attached to this report, a maximum building height is noted from both the highest and lowest grade elevation of the property.

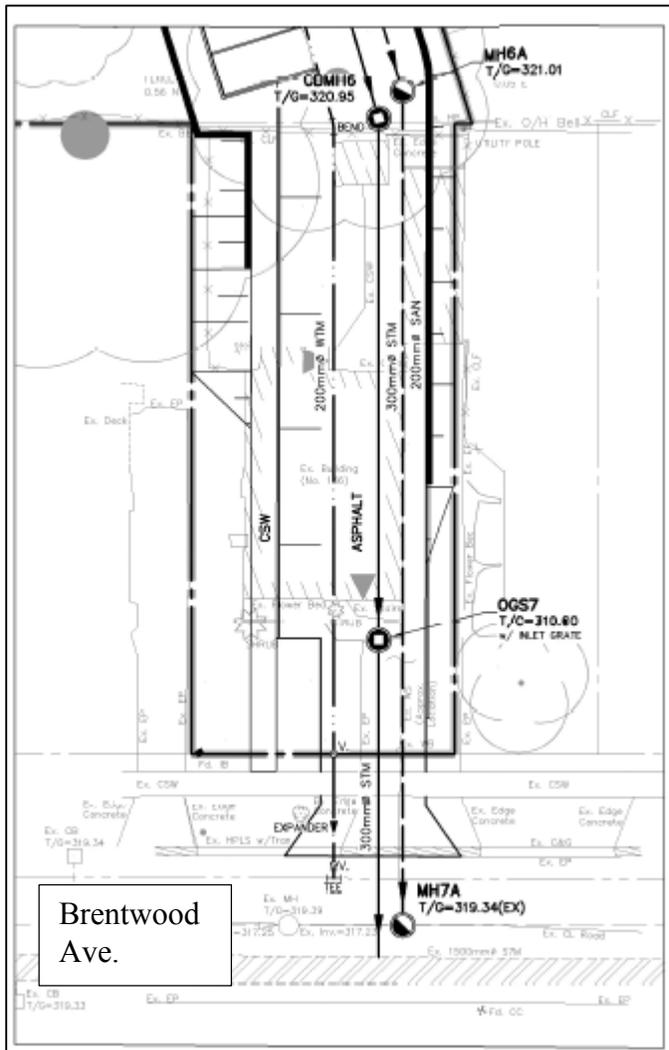


Figure 6 – Proposed Servicing through 136 Brentwood Avenue

Planning Analysis:

Proposed Official Plan Amendment

To accommodate the proposed development, an amendment to the Official Plan is being requested to allow an increase in the maximum permitted Floor Space Ratio (FSR) and building height in the 'Low Rise Residential' land use designation.

In this designation, the City's Official Plan states that the maximum permitted FSR is 0.6. Policy 15.D.3.11 states that site-specific increases to allow up to a maximum FSR of 0.75 may be considered without the need for an OPA, where it can be demonstrated that the increase is compatible and meets the general intent of the policies of the Official Plan.

Building height in the OP is capped at 11 metres and 3 storeys for lands not having frontage on a Regional Road or City Arterial Street.

- 15.D.3.12. No building will exceed 3 storeys or 11 metres in height, at the highest grade elevation. Relief from the building height may be considered for properties with unusual grade conditions and for buildings and/or structures with increased floor to ceiling heights and architectural features provided the increased building height is compatible with the built form and physical character of the neighbourhood.
- 15.D.3.13. Notwithstanding Policy 15.D.3.12, a maximum building height of 4 storeys or 14 metres, at the highest grade elevation, whichever is the lesser, may be permitted on lands having primary frontage on to a Regional Road or City Arterial Street.

Given the sloping nature of the lands and grade change across the site and the proposed increase of building height, the redevelopment of the subject lands will require an OPA to permit a FSR of 1.0, and a building height greater than 11 metres. It is important to note that the OPA is not requesting a change of land use but rather seeking a site-specific policy to permit an increase in both FSR to 1.0 from 0.6 and height to 12.5 metres from 11 metres.

Provincial, Regional, and City planning policy provide guidance that must be considered when evaluating changes in land use permissions as discussed below.

Planning Act, R.S.O. 1990, c. P.13 25.

Section 2 of the Planning Act establishes matters of provincial interest and states that the Minister, the council of a municipality, a local board, a planning board and the Tribunal, in carrying out their responsibilities under this Act, shall have regard to, among other matters, matters of provincial interest such as,

- d) The conservation of features of significant architectural, cultural, historical, archaeological or scientific interest;
- f) The adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;
- g) The minimization of waste;
- h) The orderly development of safe and healthy communities;
- j) The adequate provision of a full range of housing, including affordable housing;
- p) The appropriate location of growth and development;
- q) The promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians;
- r) The promotion of built form that,
 - (i) Is well-designed,
 - (ii) Encourages a sense of place, and

- (iii) Provides for public spaces that are of high quality, safe, accessible, attractive and vibrant;
- s) The mitigation of greenhouse gas emissions and adaptation to a changing climate.

These matters of provincial interest are addressed and are implemented through the Provincial Policy Statement, 2020. The City's Official Plan is the most important vehicle for the implementation of the Provincial Policy Statement, 2020 and to ensure Provincial policy is adhered to.

The Ministry of Municipal Affairs and Housing is proposing an integrated province-wide land use planning policy document, potentially replacing the Provincial Policy Statement and A Place to Grow: Growth plan for the Greater Golden Horseshoe, with a singular Provincial Planning Statement (PPS) which is in draft form and not in effect at the time this report was prepared.

Provincial Policy Statement, 2020

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. Section 1.4.3 (d) of the PPS promotes densities for new housing which efficiently use land, resources, infrastructure, and public service facilities. The PPS sets out a policy framework for sustainable healthy, liveable, and safe communities. The PPS promotes efficient development and land use patterns, as well as accommodating an appropriate mix of affordable and market-based residential dwelling types with other land uses, while supporting the environment, public health, and safety. Provincial policies promote the integration of land use planning, growth management, transit-supportive development, intensification, and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs.

Planning staff is of the opinion that the proposed applications will contribute to an appropriate mix of low rise housing types within the context of the surrounding neighbourhood. The subject lands are within an existing neighbourhood with adequate servicing capacity, road network capacity, and other required infrastructure and therefore represents a cost-effective infill project that minimizes land consumption and servicing costs. There are a variety of low-rise residential uses throughout the immediate areas. Multiple dwellings are currently permitted in the Official Plan and Zoning By-law for these properties. Based on the above, staff is of the opinion that this proposal is in conformity with the PPS.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020 (Growth Plan):

The Growth Plan supports the development of complete and compact communities that are designed to support healthy and active living, make efficient use of land and infrastructure, provide for a range, and mix of housing types, jobs, and services, at densities and in locations which support transit viability and active transportation.

Policy 2.2.6.1(a) Municipalities will support housing choice through the achievement of the minimum intensification and targets in this plan by identifying a diverse range and mix of housing options and densities, including additional residential units and affordable housing to meet projected needs of current and future residents.

Policy 2.2.1.4(c) This plan will support the achievement to provide a diverse range and mix of housing options within the city.

The proposed multiple dwelling residential development will provide a greater mix of housing types in the neighbourhood. Planning staff is of the opinion that the development proposal conforms to the Growth Plan.

Regional Official Plan (ROP):

The subject lands are located in the “Urban Area” and designated “Built-Up Area” on Schedule 3a of the Regional Official Plan (ROP). Permitted uses of the Urban Area and Built-Up Area in the ROP include residential uses among others. In addition, the subject lands are designated ‘Low Rise Residential’ in the City of Kitchener Official Plan. The Low Rise Residential designation permits residential uses.

The ROP outlines a hierarchy of development based on Strategic Growth Areas, which include Urban Growth Centres, Major Transit Station Areas, Urban Corridors and Urban Nodes followed by gentle intensification within the Built-Up Area. The subject lands are located in the Built-Up Area.

On April 11, 2023, the Minister of Municipal Affairs and Housing (MMAH) approved the Region of Waterloo’s Regional Official Plan Amendment (ROPA) No. 6 with modifications. Section 1.6 of the Regional Official Plan establishes the overview of the Regional Planning Framework and Section 2.B.1 and 2.C establish policies for the Urban System. Section 2.F of the Regional Official Plan establishes policies for annual intensification targets within the delineated Built-Up Area, which is set at 60% for the City of Kitchener. Furthermore, development in the Built-Up Area is intended to provide gentle density and other missing middle housing options that are designed in a manner that supports the achievement of 15-minute neighbourhoods.

An Environmental Noise report entitled “Road Traffic and Stationary Noise Impact Study, 135-161 Jackson Avenue, Kitchener” prepared by JJ Acoustic Engineering Ltd., dated October 30, 2023 has been received. The Region is requesting a Holding Provision until the updates to the noise study have been received and accepted by the Region.

Staff have incorporated this wording as part of a Holding provision in the Zoning By-law.

Regional comments are provided in Attachment ‘E’.

City of Kitchener Official Plan:

Urban Structure

The subject lands are identified as a ‘Community Areas’ in the City’s Urban Structure (Map 2). The planned function of Community Areas is to provide residential uses as well as non-residential supporting uses intended to serve the immediate residential areas. Community Areas may have limited intensification with development being sensitive and compatible with the character, form, and planned function of the surrounding context.

Land Use Designation & Proposed Site-Specific Amendment

The subject lands are designated ‘Low Rise Residential’ in the City’s Official Plan (Map 3). Low Rise Residential areas are intended to accommodate a full range of low-density housing types including single detached, semi-detached, townhouse, and low-rise multiple dwellings (i.e., stacked townhouses). The Low Rise Residential designation states that the City will encourage and support the mixing and integrating of innovative and different forms of housing to achieve and maintain a low-rise built form. No buildings shall exceed 3 storeys or 11 metres in height. However, policy 15.D.3.12 supports an increase in building height due to unusual slopes providing it is compatible with surrounding lands. An Official Plan Amendment is required to add a Specific Policy Area to permit a maximum Floor Space Ratio (FSR) of 1.0 and a maximum height of 12.5 metres, prior to any development occurring on the lands. To assess this request, Policy 15.D.3.3 of the Official Plan requires that re-development and/or intensification take into consideration the following:

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

- d) adequate and appropriate amenity areas and landscaped areas are provided on site.

Provincial, Regional and City policy support the integration of ‘missing middle’ forms of housing (i.e. low rise multiples) in established residential areas. Kitchener has been a leader in that regard by having policies in its Official Plan since 1994 that encourage integrating various forms of low rise housing within its residential neighbourhoods. The majority of the subject lands, 135-161 Jackson Avenue, are already currently zoned ‘RES-5’ which already permit multiple dwellings up to 3 storeys and 11 metres in height. A multiple dwelling is therefore a compatible building form presently supported by policy and zoned accordingly. The use of the property is already established. The amendment proposes additional building height and FSR to improve the quality and compatibility of the built form with increased basement heights to allow for more natural light into the units and an increased setback and step back from the adjacent residential properties to support an appropriate transition. The re-design incorporates two key design elements to improve the scale and design and reduces the impact of height and massing. These are increased side yard setbacks and building step backs. For these reasons, the proposal satisfies the “compatibility” test.

The proposal is for multiple dwellings with a building height of 12.5 metres. Additional height is being requested to raise the basement level above grade so that natural light can penetrate basement units. By raising the height and due to the slope of the property, more above ground building floor area is exposed thus resulting in an increase Floor Space Ratio to 1.0. This triggers an application and public process. This allows staff the opportunity to assess the proposal for scale, massing and design. To that end, an increased side yard setback along with a step back of the top floor have been proposed. Buildings are oriented along Jackson Avenue to better address the streetscape. These measures are captured in the Urban Design Brief and will be implemented by zoning through the application of a Site Specific Provision.

As this is infill within an established neighbourhood, the relationship of the proposal to existing buildings is very important, particularly to existing one and one and half storey detached dwellings situated along Brentwood Avenue. These properties will directly interface with the development and be exposed to four storeys in their rear yards due to the slope of land. The owner has proposed a 6.9 metre side yard setback. Staff has assessed this request and has suggested that, given the height and massing proposed adjacent to affected Brentwood properties, the setback should be increased to 7.5 metres (typical rear yard setback) and a step back be incorporated as part of the building design.

Increasing the setback and incorporating a step back of the 4th floor will result in; improved building separation to better achieve a 45 degree angular plane which is an accepted design ‘best practice’; mitigating overlook into back yards and reducing building massing; and enhanced tree-savings as buildings are further away from root zones of existing trees situated along that edge thereby increasing their survivability. It should be recognized that the as-of-right zoning requires only a 3 metre side yard setback for a building height of 11 metres. Therefore, a 7.5 metre setback is a considerable improvement over the as-of-right condition. Staff is of the opinion a positive building relationship has been achieved with the latest re-design.

The owner is proposing 121 spaces for 120 dwelling units in addition to providing 130 Class ‘A’ and ‘B’ bicycle spaces. The area is served by several bus routes. Surface parking is situated internal to the site away from existing surrounding properties to minimize impact. Two vehicular access points are proposed to split the traffic entering/existing the site and to also allow access for emergency vehicles in event one of the accesses is blocked. For these reasons, staff is of the opinion that “adequate and appropriate” parking test is satisfied.

The owner had originally proposed a Privately Owned Park Space (POPS) adjacent to Jackson Avenue. Through the review, it was determined a POPS was not the preferred approach of Parks

staff. Alternatively, a private amenity space is now proposed internal to the site. It has a dual function of providing passive recreation for occupants while incorporating a many existing trees that are of intrinsic value to the neighbourhood. Staff is therefore satisfied there is appropriate amenity space provided on site.

As such, Planning staff is of the opinion that the requested Official Plan Amendment proposing an increase in height and FSR will facilitate a housing form that conforms with the Low Rise Residential land use designation in the City's Official Plan for reasons stated above.

Urban Design

The City is committed to achieving a high standard of urban design, architecture, and place-making to positively contribute to quality of life, environmental viability and economic vitality. Urban design is a vital component of city planning and goes beyond the visual and aesthetic character of individual buildings and considers the functionality and compatibility of development as a means of strengthening complete communities.

Urban Design policies in the 2014 Official Plan support creating visually distinctive and identifiable places, structures and spaces that contribute to a strong sense of place and community pride, a distinct character and community focal points that promote and recognize excellence and innovation in architecture, urban design, sustainable building design and landscape design.

The City requires a high-quality urban design of development applications. The subject lands have been designed in accordance with the policies in the Official Plan and with the principles of the Urban Design Manual. These are outlined in the attached Urban Design Brief and will be used to direct the development through a future site plan application. Some of the key highlights are high quality design and construction, transit supportive development, positive streetscape edge and enhanced landscape design. The proposed development requires site plan approval and will be subject to further review.

Housing

The City's primary objective with respect to housing in the Official Plan is to provide for an appropriate range, variety and mix of housing types and styles, densities, tenure, and affordability to satisfy the varying housing needs of our community through all stages of life. This low-rise multiple dwelling proposal is a "missing middle" housing type and provides an option that bridges the gap between high density residential towers and single detached dwellings. The proposed housing type is an important segment in Kitchener's housing continuum.

Policy 4.C.1.8 states that where special zoning regulations are requested, proposed, or required to facilitate residential intensification or a redevelopment of lands, the overall impact of the special zoning regulations will be reviewed, but not limited to the following to ensure, that:

- a) Any new buildings and any additions and/or modifications to existing buildings are appropriate in massing and scale and are compatible with the built form and the community character of the established neighbourhood.
- b) Where front yard setback reductions are proposed for new buildings in established neighbourhoods, the requested front yard setback should be similar to adjacent properties and supports and maintain the character of the streetscape and the neighbourhood.
- c) New additions and modifications to existing buildings are to be directed to the rear yard and are to be discouraged in the front yard and side yard abutting a street, except where it can be demonstrated that the addition and/or modification is compatible in scale, massing, design, and character of adjacent properties and is in keeping with the character of the streetscape.

- d) New buildings, additions, modifications, and conversions are sensitive to the exterior areas of adjacent properties and that the appropriate screening and/or buffering is provided to mitigate any adverse impacts, particularly with respect to privacy.
- e) The lands can function appropriately and not create unacceptable adverse impacts for adjacent properties by providing both an appropriate number of parking spaces and an appropriate landscaped/amenity area on the site.

Policy 4.C.1.9 states that residential intensification and/or redevelopment within existing neighbourhoods will be designed to respect existing character. A high degree of sensitivity to surrounding context is important in considering compatibility.

Policy 4.C.1.12 notes that the City favours a land use pattern which mixes and disperses a full range of housing types and styles both across the city as a whole and within neighbourhoods.

Policy 4.C.1.22 encourages the provision of a range of innovative housing types and tenures such as rental housing, freehold ownership and condominium ownership including common element condominium, phased condominium, and vacant land condominium, as a means of increasing housing choice and diversity.

Staff is of the opinion this proposal satisfies Section 4 Housing policies. The re-development proposal incorporates appropriate vegetation buffers and has an enhanced side yard setback to affected Brentwood Avenue properties to improve compatibility and mitigate impacts associated with proposed site-specific regulations for height and FSR.

Natural Heritage

The subject property is not of natural heritage significance and therefore do not require the submission of an Environmental Impact Statement. The subject properties do however contain trees and vegetation that are subject to the City's Tree Management policies. In that regard, an Arborist's report and Tree Management Plan were submitted and has been reviewed and accepted by staff. A tree savings area is proposed.

Transportation & Parking

As a parking reduction is being sought and are therefore subject to several policies such as: 1. To ensure adequate parking standards and regulations are in place and enforced; and 2. The City may consider adjustments to parking requirements for properties within an area or areas, where the City is satisfied that adequate alternative parking facilities are available, where developments adopt transportation demand management (TDM) measures or where sufficient transit exists or is to be provided and 3. To reduce parking space demand in support of active transportation and transit and potential redevelopment of surface parking lots especially in intensification areas.

In the opinion of staff, these lands are in walking distance to several public bus routes located on Weber Street, King Street and Ottawa Street. In addition to having access to public transportation, the applicant is proposing to add 124 Class 'A' and 6 'B' bicycle spaces providing alternate modes of transportation besides a vehicle. As such, staff is of the opinion the intent of the aforementioned policies are being achieved with this development proposal supporting a minor reduction from 1.1 to 1.02 parking spaces per dwelling unit.

Policy Conclusion

The proposed use of land is permitted in the Low Rise Residential land use designation in the Official Plan. The proposed amendment is more a function of ensuring the design is appropriate and compatible, serviceable and any impacts associated with increased FSR/height can be mitigated. The conceptual plan is functional and serviceable. Compatibility has been achieved with a 7.5 metre side yard setback to increase separation and incorporating of a step back to break up the massing and improve compatibility. Therefore, Planning staff are of the opinion that the

proposed Official Plan Amendment Application is consistent with policies of the Provincial Policy Statement, conforms to the Growth Plan for the Greater Golden Horseshoe, the Regional Official Plan, and the City of Kitchener Official Plan, and represents good planning.

Proposed Zoning By-law Amendment:

The majority of the subject lands, 135-161 Jackson Avenue, are currently zoned ‘Low Rise Residential Five Zone (RES-5)’. Multiple dwellings are a permitted use. The owner is requesting a Site Specific amendment for additional height and FSR permissions. This is reflected as Site-Specific Provision (339) in the By-law attached to this report.

The table below illustrates the zoning, parking, and bicycle regulations and whether the proposal complies. Justification is provided where a regulation is not being met and why. These are in bold.

Provision	RES-5	Proposed	Justification
Minimum Lot Area	495 m ²	2.4ha	Complies
Minimum Lot Width	19.0 m	147 m	Complies
Minimum/max. Front Yard Setback	*4.0 m/6.0m	6.0m	Complies
Minimum Interior Side Yard Setbacks	**3.0 m	Northerly Property Line: 3.0 m Southerly Property Line: 7.5 m	Complies and exceeds what would be required as-of-right
Minimum Rear Yard Setback	7.5 m	6.0m	<i>Site Specific Regulation Required</i> – given deep backyards of affected Montgomery Road properties that are zoned RES-5 and the fact this backs onto several existing 3 storey multiple dwellings, impact is considered minimal.
Maximum Height	***11.0 metres from highest grade to 12.1 to the lowest grade (definition of <i>height</i> allows for up to a 10% increase due to slope conditions)	12.5 metres from the highest grade and approximately 13.7 metres to the lowest grade – due to slope of property	<i>Site Specific Regulation Required</i> – see justification provided in the section of this report titled, Land Use & Proposed Site - Specific Amendment
Maximum Floor Space Ratio	0.6	1.0	Site Specific Regulation Required - additional above ground floor area due to increased height and slope of land contribute to an increase in FSR. To address the impact, the owner is proposing to increase the southerly side

			yard setback and incorporate building step backs. The effect is improved separation and relationship, reduced overlook and reduced massing.
Maximum Number of Storey's	3	3.5-4.0	Site Specific Regulation Required - see above
Minimum Landscaped Area	20%	32%	Complies
Minimum Combined resident & visitor Parking Rate	1.1	1.02 / unit	<i>Site Specific Regulation Required</i> – given proximity to several public transit routes and provision of 130 Class A & B bicycle spaces, staff can support a minor reduction at this location.
Maximum Parking Rate	1.4 / unit	1.03/ unit	Complies – does not exceed maximum
Total Parking Required	130	121	See parking rate above
Barrier Free Parking Rate	1+3% of required spaces	2 spaces	Complies
Class A Bicycle Space Requirement	0.5 spaces/dwelling unit = 59	130	Exceeds the requirements as part of TDM measures proposed
Class B Bicycle Space Requirement	6	6	Complies

*As per Residential Intensification in Established Neighbourhoods Study (“RIENS”), the front yard setback of development / redevelopment is the average of the abutting front yard or exterior side yard setback plus or minus 1-metre. For the frontage along Jackson Avenue, the abutting sites are 90 Brentwood Avenue and 171 Jackson Avenue. 90 Brentwood Avenue has a minimum exterior side yard setback of approximately 1.8 metres at its closest point from its primary dwelling; 171 Jackson Avenue has a front yard setback of approximately 8.2 metres. The average of the two setbacks is approximately 5.0 metres, providing a flexible front yard setback range of 4.0 metres to 6.0 metres

**Regulation 4.19 of By-law 2019-051 does not apply in this instance. The intent of this regulation is to ensure transition occurs from development along major roadways to abutting low rise residential properties and not from low rise residential to low rise residential.

***The established height is 11m because the height of dwellings on abutting lots along Jackson Ave, are one and two storeys in height.

Holding Provision (84H)

A Holding Provision has been added requiring the owner to complete the Noise Study submitted with the application to the satisfaction of the Region of Waterloo.

Planning Conclusions:

In considering the foregoing, staff are supportive of the Zoning By-law Amendment Application. Staff is of the opinion that the subject application is consistent with policies of the Provincial Policy Statement, conforms to Growth Plan for the Greater Golden Horseshoe, the Regional Official Plan, and the City of Kitchener Official Plan and represents good planning. Staff recommends that the Zoning By-law Amendment Application be approved. The proposed application represents an opportunity to provide 'missing middle' housing that addresses a need in our community.

WHAT WE HEARD



55 people provided written comments

One (1) Neighbourhood Meeting was held February 21, 2024, One (1) meeting was held by Councillor Stretch on March 10, 2024 and One (1) on-site meeting was held by staff on March 26, 2024

309 households were circulated and notified. Ad posted in the Record on March 28, 2024. Supporting documentation with updates posted on City's website

Department and Agency Comments:

Preliminary circulation of the Zoning By-law Amendment Application was undertaken in February 2024 to applicable City departments and other review authorities. No major concerns were identified by any commenting City department or agencies. Copies of the comments are found in Attachment 'E' of this report.

The following reports and studies were considered as part of this proposed Official Plan and Zoning By-law Amendments:

- Completed Application Form and Fees for Applications for an Official Plan Amendment and Zoning By-law Amendment
- Planning Justification Report
- Notice of Source Protection Plan Compliance (Valid Section 59 Notice)
- Urban Design Brief / Neighbourhood Character Analysis (Updated)
- 3D Massing Model (Updated)
- Conceptual Site Plan (Updated)
- Existing Conditions Plan
- Tree Management Plan and Arborist Report (Updated)
- Sustainability and Energy Conservation Report
- Preliminary Building Elevation Drawings
- Preliminary Floor Plans

- Preliminary Grading Plan
- Functional Servicing Report (FSR)
- Water Distribution Report
- Truck Turning Templates
- Transportation Impact Study

Community Input and Staff Response:

Staff received written responses from fifty-five (55) residents with respect to the proposed development. These can be found in Attachment 'F'. A summary of what was heard, and staff responses are noted below.

What We Heard	Staff Comment
<p>Traffic & Parking Concerns</p> <ul style="list-style-type: none"> • Will Create too much traffic • Streets are narrow • Traffic impact not evaluated comprehensively • Pedestrian safety concerns • Not enough parking proposed • Spillover of visitor parking onto neighbouring streets • Why the need for two access points? • Will Brentwood access have buffering/fencing to screen views? 	<p>The majority of the lands are already zoned 'RES-5' in By-law 2019-051 which allows the use of multiple dwellings. Regardless, of whether this application is approved or not, multiple dwellings can be built as-of-right. Consequently, additional traffic will occur. A Traffic Impact Study was completed, however, and it shows that expected peak hour traffic entering and leaving the subject lands is approximately 1 car per minute. This is well within acceptable levels as there are multiple street connections in and out of the neighbourhood. Transportation staff do monitor traffic volumes on many city streets to collect volume and speed data. Concerns expressed around pedestrian safety and traffic in the neighbourhood have been provided to Transportation staff to see if any of the streets would qualify for formal or informal traffic calming measures - Traffic calming - City of Kitchener.</p> <p>The owner has requested a reduction in the required parking spaces from 1.1 spaces (inclusive of visitor) to 1.02 spaces (inclusive of visitor) per dwelling unit. This amounts to a reduction of 9 spaces. To offset the requested decrease, the owner is providing 130 Class A and 6 Class B bicycle spaces to encourage alternate modes of transportation. This, combined with the fact the site is within walking distance to several Regional roadways where public transit is provided, a reduction can be supported in accordance with policy directives.</p> <p>Visitor parking will be provided on site; however, there may be instances where a visitor may choose or must park on surrounding streets. Parking is permitted on City streets in accordance with by-laws and posted regulations. Any infractions should be directed to By-law Enforcement.</p> <p>The owner is requesting to provide a secondary access to Brentwood Avenue to service the development and split</p>

	<p>the traffic entering and existing the site. This is typical for a development of this size. It would also allow Emergency Service vehicles into the site in event Jackson is closed.</p> <p>Staff do not have any major concerns with the access but do recognize the impact it can have on adjacent properties. To mitigate, a number of design measures can be implemented such as fencing in combination with vegetation screening. This will be examined in more detail at the Site Plan review stage.</p>
<p>Compatibility & Intensification Concerns</p> <ul style="list-style-type: none"> • Too dense • Too high (height) • Too much development in the surrounding area • Doesn't fit with surrounding character • Overlook • Buildings too close to Brentwood properties • Shadow • Massing • Exceptions to height & massing should not be allowed • More people/more noise • Fencing 	<p>Multiple dwellings are a permitted use in the existing RES-5 zone. The stacked townhouse building form used in the proposal is considered a compatible building form within established residential areas.</p> <p>The request is for an increase in the allowable building height by 1.5 metres and a corresponding increase in floor space ratio of 1.0. <u>This request does not increase the unit count that could otherwise be achieved through meeting the as-of-right zoning for height and lowered FSR.</u> Staff must consider if the proposed increase in height and FSR create additional adverse impacts over and above what is already allowed as-of-right. A design-based approach was used to examine the massing, scale and relationship of the proposal with existing adjacent development to achieve design compatibility and to mitigate impacts. To achieve this given the proposed height and FSR, several measures have been incorporated including increasing the southerly side yard setback to 7.5 metres from the Brentwood properties and incorporating a building step back of 1.8m for the top level. As-of right, the owner could locate an 11 metre high (12.1 metre due to the slope) building with no step back to within 3 metres of the Brentwood properties. Step backs are used to break up building massing and add visual interest while reducing overlook onto neighbouring properties. In addition, the townhouse block closest to 171 Jackson has been re-oriented to along Jackson Ave. This design change eliminates the overlook concerns of the previous design to 171 Jackson and saves more mature trees along the northerly property boundary. Buildings will not create shadow impact. Overall, the unit count has decreased to 120 dwelling units and 121 parking spaces.</p> <p>The requested increase in building height would allow the basement level to be raised 1.5 metre further above grade allowing natural light into basement units. This would create a better and more desirable living environment for occupants in their basement. From this standpoint, exceptions should be considered and are allowed under legislation. What this does however is trigger a public review and decision-making process to</p>

	<p>determine whether it is acceptable to Council. Under as-of-right zoning there isn't that mechanism for public involvement and Council decision. Having to go through a public process allows for review and potential improvements with an opportunity for the public to weigh in.</p> <p>The City does not assess nor regulate noise generated from people.</p> <p>Fencing will be explored during the Site Plan review stage of the development approvals process.</p>
<p>Servicing Concerns</p> <ul style="list-style-type: none"> • Capacity issues • Electricity • Parks • Crime 	<p>Full municipal services exist within the Jackson and Brentwood Avenue rights-of-way. Engineering and Enova staff have not identified any servicing and/or capacity issues with existing municipal services and electricity for this proposal. A thorough review of servicing, grading, storm water management and electricity will occur at the detailed design phase of the project. All servicing costs from the street into the site are borne by the developer.</p> <p>Parks staff has indicated there is sufficient parks space for the Eastwood community and will therefore be asking for cash-in-lieu of parkland dedication through the Site Plan Application Approval process. Upgrades to Montgomery Park are planned for the near future. A private amenity space is proposed on-site.</p> <p>There is no evidence to suggest this development proposal will lead to an increase in crime.</p>
<p>Environmental Impacts</p> <ul style="list-style-type: none"> • pond • Wooded area • Goose Impact Study • perimeter trees and vegetation • Air quality • Effect on streams 	<p>These properties are not identified as having any cultural or natural heritage significance that would initiate the preparation of air, wildlife, bird, reptile, or other environmental impact studies.</p> <p>The site does however contain a number of trees and vegetation that are subject to the City's Tree Management Policy. An Arborist's report and Tree Plan have been prepared in accordance with that policy which has been reviewed and accepted by staff. Many of the perimeter trees along the common property boundaries are proposed to be retained. Additional trees and vegetation plantings will be required through the Site Plan Application Approval process.</p> <p>Any surface run-off from development within the City is subject to the City's Storm Water Management Policies for water quality and quantity. This will be evaluated by Engineering staff in the detailed design phase of the project.</p>

<p>Heritage</p> <ul style="list-style-type: none"> Property should be protected 	<p>These properties are not listed on the heritage register. Therefore, heritage policies do not apply.</p>
<p>Construction & Dust</p> <ul style="list-style-type: none"> Hours of operation Dust 	<p>The City has by-laws and regulations around construction hours of operations and dust control. Construction hours allowed are 7 days a week from 7am-7pm. Dust control is a requirement of the Site Plan Agreement.</p>
<p>Noise Concerns/impacts</p>	<p>A Noise study was submitted in accordance with the Ministry of the Environment and Climate Change (MOECC) guideline called Environmental Noise Guideline - Stationary and Transportation Sources - Approval and Planning (NPC-300). The review and approval of this study lies with the Region of Waterloo who has delegated approval authority. Through correspondence received and attached to this report, Regional staff have advised City staff that they have no concerns with the findings of the study and that recommendations to mitigate noise are to be implemented through a Section 51 agreement with the Region.</p>
<p>Property Values Impacts</p>	<p>Planning staff are not able to predict the impact of a new development on property values. For assessment purposes, which is used to calculate taxes, MPAC assesses property based on up to 200 different factors including the size of lot and house, the quality of construction, as well as many others. The assessed value usually differs from the market value of a property, and market value is influenced by numerous factors as well.</p>
<p>RIENS</p>	<p>The report was approved by council on March 20, 2017. Since that time, staff has completed the following:</p> <ul style="list-style-type: none"> Public information and awareness - A educational guide has now been published to provide more information on the development process and how citizens can provide feedback. Paper copies are available at City Hall, 6th Floor, Planning Division or check out the online version. Process enhancements – new Signs are now posted on the property and Postcard circulation to residents within 240 metres of the subject lands. New zoning rules for the location of garages, heights of buildings and front yard setbacks are now in effect. Urban Design Guidelines have been updated. <p>All of these measures have been used for this proposal.</p>

Schools	School planning and enrollment responsibility falls with County's School Boards. No issues were identified with the proposal.
Tenure <ul style="list-style-type: none"> • Condo or Rental • No. of bedrooms • Regulations for non-owner occupancy 	<p>According to the owner, this will be a condominium development.</p> <p>The City does not regulate the number of bedrooms, whether it can be rented or owner occupied or who can live there. That would be considered people zoning violating the Human Rights Code.</p>
Meeting Format & Circulation Notice	Was done in accordance with the City's engagement policies as approved by Council. The City's circulation requirements significantly exceed all requirements in the Planning Act.

STRATEGIC PLAN ALIGNMENT:

The recommendation of this report supports the achievement of the City's strategic vision through the delivery of core service.

FINANCIAL IMPLICATIONS:

Capital Budget – The recommendation has no impact on the Capital Budget.

Operating Budget - *Bill 109, More Homes for Everyone Act, 2022* introduced a requirement for a municipality to refund planning application fees if a decision is not made within a prescribed timeframe. Decisions on Zoning By-law Amendments, when combined with an Official Plan Amendment, are required within 120 days to retain planning application fees, for applications received after July 1, 2023. A decision must be made by Council prior to May 9, 2024 or the Planning Division must issue an application fee refund of \$12,800.00, being 50% of the \$25,600.00 Major Zoning By-law Amendment Application fee. The Development and Housing Approvals Division does not have a funding source or budget for refunding planning application fees.

COMMUNITY ENGAGEMENT:

INFORM – This report has been posted to the City's website with the agenda in advance of the Council / Committee meeting. A large billboard notice sign was posted on the property and information regarding the application was posted to the City's website. Following the initial circulation referenced below, an additional courtesy notice of the public meeting was circulated to all property owners within 240 metres of the subject lands, those responding to the preliminary circulation and Notice of the Public Meeting was posted in the Waterloo Region Record on March 28, 2024 (a copy of the Notice in Attachment 'D').

CONSULT – The proposed Zoning By-law Amendment was originally circulated to property owners within 240 metres of the subject lands in February 2024. In response to this circulation, staff received written responses from 55 residents, which are included in Attachment 'F'. A Neighbourhood Meeting was held on January 19, 2023, Councillor Stretch held a meeting with residents on March 10, 2024, and a follow up on-site meeting attended by 5 residents with staff/Councillor Stretch on March 26, 2024.

PREVIOUS REPORTS/AUTHORITIES:

- *Zoning By-law 2019-051*
- *Official Plan, 2014*
- *Regional Official Plan, 2010 and ROPA 6*
- *Provincial Policy Statement, 2020*
- *Planning Act, 1990*
- *A Place to Grow Growth Plan, 2020*

REVIEWED BY: Tina Malone-Wright, Manager of Development Approvals, Development and Housing Approvals Division

APPROVED BY: Justin Readman - General Manager, Development Services

ATTACHMENTS:

Attachment A - Proposed Official Plan Amendment
Attachment B - Proposed By-law and Map No. 1
Attachment C - Urban Design Brief
Attachment D - Newspaper Ad
Attachment E - Department and Agency Comments
Attachment F - Community Consultation Comments

AMENDMENT NO. _____ TO THE OFFICIAL PLAN

OF THE CITY OF KITCHENER

135, 139, 147, 153 and 161 Jackson Avenue and 136 Brentwood Avenue

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SECTION 4	THE AMENDMENT

APPENDIX 1	Notice of the Meeting of Planning & Strategic Initiatives Committee of April 22, 2024
APPENDIX 2	Minutes of the Meeting of Planning & Strategic Initiatives Committee – April 22, 2024
APPENDIX 3	Minutes of the Meeting of City Council – April 29, 2024

AMENDMENT NO. TO THE OFFICIAL PLAN
OF THE CITY OF KITCHENER

SECTION 1 – TITLE AND COMPONENTS

This amendment shall be referred to as Amendment No. XX to the Official Plan of the City of Kitchener 2014 Official Plan. This amendment is comprised of Sections 1 to 4 inclusive and Schedule 'A'.

SECTION 2 – PURPOSE OF THE AMENDMENT

The purpose of this amendment is to add a Specific Policy Area to the text of the 2014 Official Plan to increase the maximum Floor Space Ratio and maximum building height permitted on the subject lands and to also amend Map 5: Specific Policy Areas.

SECTION 3 – BASIS OF THE AMENDMENT

The subject lands are located at 135, 139, 147, 153 and 161 Jackson Avenue and 136 Brentwood Avenue. The subject lands are located within the Urban Area and Built-Up Area. The Urban Area is intended to accommodate most of the City's Growth. The Built-Up Area is intended to contribute to the Region's 2022-2051 minimum intensification target and minimum total unit development count of 60% and 31,660 units, respectively, for the City of Kitchener.

The subject lands are further identified as being within the 'Community Areas' of the City's Urban Structure. The planned function of Community Areas is to provide for residential uses as well as non-residential supporting uses intended to serve the immediate residential areas. Limited intensification may be permitted within Community Areas in accordance with the applicable land use designation on Map 3 and the Urban Design Policies in Section 11. The proposed development must be sensitive to and compatible with the character, form and planned function of the surrounding context.

The subject lands are designated 'Low Rise Residential' in the City's Official Plan (Map 3). Low Rise Residential areas are intended to accommodate a full range of low-density housing types including single detached, semi-detached, townhouse, and low-rise multiple dwellings (i.e., stacked townhouses). The Low-Rise Residential designation states that the City will encourage and support the mixing and integrating of innovative and different forms of housing to achieve and maintain a low-rise built form. No buildings shall exceed 3 storeys or 11 metres in height. However, policy 15.D.3.12 supports an increase in building height due to unusual slopes providing it is compatible with surrounding lands.

The Low-Rise Residential designation permits a maximum Floor Space Ratio (FSR) of 0.6 with permissions up to a maximum FSR of 0.75, without an Official Plan Amendment, where it can be demonstrated that the increase in FSR is compatible and meets the general intent of the Official Plan policies.

The subject lands are proposed 118 multiple dwelling units with a Floor Space Ratio approximately 0.99, and a height of approximately 12.5 metres at the highest grade elevation. The proposed development will introduce a total of 118 additional residential units, which will contribute towards the growth targets for the Built-Up Area of the City of Kitchener, provide for appropriate intensification, and support transit and active transportation uses in an area well serviced by existing and planned transit. In turn, in order to implement this development an Official Plan Amendment is necessary.

An Official Plan Amendment is required to add a Specific Policy Area to permit a maximum Floor Space Ratio (FSR) of 1.0 and a maximum height of 12.5 metres.

To assess this request, Policy 15.D.3.3 of the Official Plan requires that re-development and/or intensification take into consideration the following:

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

Provincial, Regional and City policy support the integration of ‘missing middle’ forms of housing (i.e.. low rise multiples) in established residential areas. In that regard, Kitchener has been a leader by having policies in its Official Plan that encourage integrating various forms of low rise housing within neighbourhood. These policies have been in place since the 1990’s and existing properties pre-zoned in anticipation of future re-development. The subject properties, these lands, are currently zoned ‘RES-5’ which already permits multiple dwellings up to 3 storeys and 11 metres in height. A multiple dwelling is therefore a compatible building form already supported by policy and zoned accordingly. The proposal is for multiple dwellings with a building height of 12.5 metres. Additional height is being requested to raise the basement level above grade so that natural light can penetrate basement units. By raising the height and due to an existing slope, additional above ground building floor area is exposed thus resulting in having to increase the Floor Space Ratio to 1.0 beyond the 0.6 policy threshold. This allows staff the opportunity to assess the proposal for scale, massing and design. To that end, an increased side yard setback along with a step back of the top floor have been proposed. These measures are captured in the Urban Design Brief and implemented by zoning through Site Specific Regulation Provision .

The re-design incorporates two key design elements that improve the scale and design and reduces the impact of height and massing. These are increased side yard setbacks and building step backs. For these reasons, the proposal satisfies the “compatibility” test.

Because this is infill within an established neighbourhood, the relationship of the proposal to existing buildings is important, particularly to existing one to one and half storey detached dwellings situated along Brentwood Avenue. These properties directly interface with the development and are exposed to four storeys due to the slope of land. The owner has proposed a 6.9 metre side yard setback. Staff has assessed this request and has suggested that, given the height and massing proposed adjacent to affected Brentwood properties, the setback should be increased and a step back incorporated as part of the building design. Increasing the setback and incorporating a step back of the 4th floor will result in: 1. Improved building separation to better achieve a 45 degree angular plane which is an accepted design ‘best practice’; 2. Mitigating overlook into back yards and reducing building massing; and 3. Enhanced tree-savings as buildings are further away from root zones of existing trees situated along that edge thereby increasing their survivability. It should be recognized that the as-of-right zoning requires only a 3 metre side yard setback for a building height of 11 metres. Therefore, a 7.5 metre setback is a considerable improvement over the as-of-right condition. Staff is of the opinion a positive building relationship has been achieved with the latest re-design.

The owner is proposing 121 spaces for 118 units in addition to providing 130 Class ‘A’ and ‘B’ bicycle spaces. The area is served by several bus routes. Surface parking is situated internal to the site and away from existing surrounding properties to minimize impact. A minor reduction in parking is proposed but given location and TDM measures, a reduction can be supported. Two vehicular access points are proposed to split the traffic entering/exiting the site and to also allow access for emergency vehicles in event one of the accesses is blocked. For these reasons, staff is of the opinion the “adequate and appropriate” parking test is satisfied.

The subject lands are located within a 5-10 minute walk from the Weber Street East and King Street East Existing Transit Corridors, and are surrounding by a variety of residential uses, including single-unit and multiple-unit dwellings, that range from 1-storey to 3-storeys in height. The proposed development includes a medium intensity residential development at a low-density and with a low parking rate to support transit usage and active transportation modes. The site will include a variety of transportation demand management measures in order to encourage the use of alternative modes of transportation including public transit.

The maximum Floor Space Ratio, building height, rear-yard setbacks for the building, as well as on-site parking will be regulated in the site-specific amending zoning by-law to ensure urban design elements are implemented and on-site constraints are addressed.

As such, Planning staff is of the opinion that the requested Official Plan Amendment proposing an increase in height and FSR will facilitate a housing form that conforms with the Low-Rise Residential land use designation in the City's Official Plan for reasons stated above.

The proposal is consistent with the Provincial Policy Statement, conforms to the Growth Plan and complies with the Regional Official Plan, as it promotes walkability, is transit-supportive, provides missing middle housing, maximizes the use of existing and new infrastructure, and assists in development of this area as a compact and complete community. The proposed development is compatible and implements the redevelopment vision for the Low-Rise Residential designation and Built-Up Area as prescribed in the Official Plan and is, therefore, good planning.

SECTION 4 – THE AMENDMENT

1. The 2014 City of Kitchener Official Plan is hereby amended as follows:

- a) Section 15.D.12 Area Specific/Site Specific Policy Area is amended by adding new 15.D.12.73 thereto as follows:

“15.D.12.73. 135, 139, 147, 153 and 161 Jackson Avenue and 136 Brentwood Avenue

Notwithstanding the Low Rise Residential land use designation and policies, on lands municipally known as 135, 139, 147, 153 and 161 Jackson Avenue and 136 Brentwood Avenue:

- a) The maximum permitted *Floor Space Ratio* will be 1.0; and,
- b) Generally no building will exceed 12.5 metres and 3.5 storeys in height at the highest grade elevation and 13.7 metres and 4 storeys in height at the lowest grade elevation.
- b) Map 5 – Specific Policy Areas is amended by adding Specific Policy Area No. 73 to the lands municipally known as 135, 139, 147, 153 and 161 Jackson Avenue and 136 Brentwood Avenue, as shown on the attached Schedule 'A'.

NOTICE OF PUBLIC MEETING for a development in your neighbourhood 135-161 Jackson Ave. & 136 Brentwood Ave.



Concept Drawing

Have Your Voice Heard!

Planning & Strategic Initiatives Committee

Date: **April 22, 2024**

Location: **Council Chambers,
Kitchener City Hall
200 King Street West
or Virtual Zoom Meeting**

Go to kitchener.ca/meetings
and select:

- Current agendas and reports (posted 10 days before meeting)
- Appear as a delegation
- Watch a meeting

To learn more about this project, including information on your appeal rights, visit:

[www.kitchener.ca/
PlanningApplications](http://www.kitchener.ca/PlanningApplications)

or contact:

Brian Bateman, Senior Planner
brian.bateman@kitchener.ca
519.741.2200 x7869



Floor Space Ratio of 1.0



Maximum 12.5 Metre Building Height



Rear Yard Setback of 6.1 Metres

The City of Kitchener will consider applications to amend the City's Official Plan and Zoning By-law that would allow for an increased Floor Space Ratio (FSR), building height, reduced parking requirements and a reduced rear yard setback to allow for the development of 5 stacked townhome buildings, having 118 dwelling units, on lands currently zoned for multiple dwellings.

APPENDIX 2

Minutes of the Meeting of Planning & Strategic
Initiatives Committee – April 22, 2024

**CITY OF KITCHENER
OFFICIAL PLAN
AMENDMENT TO MAP 5
SPECIFIC POLICY AREAS**



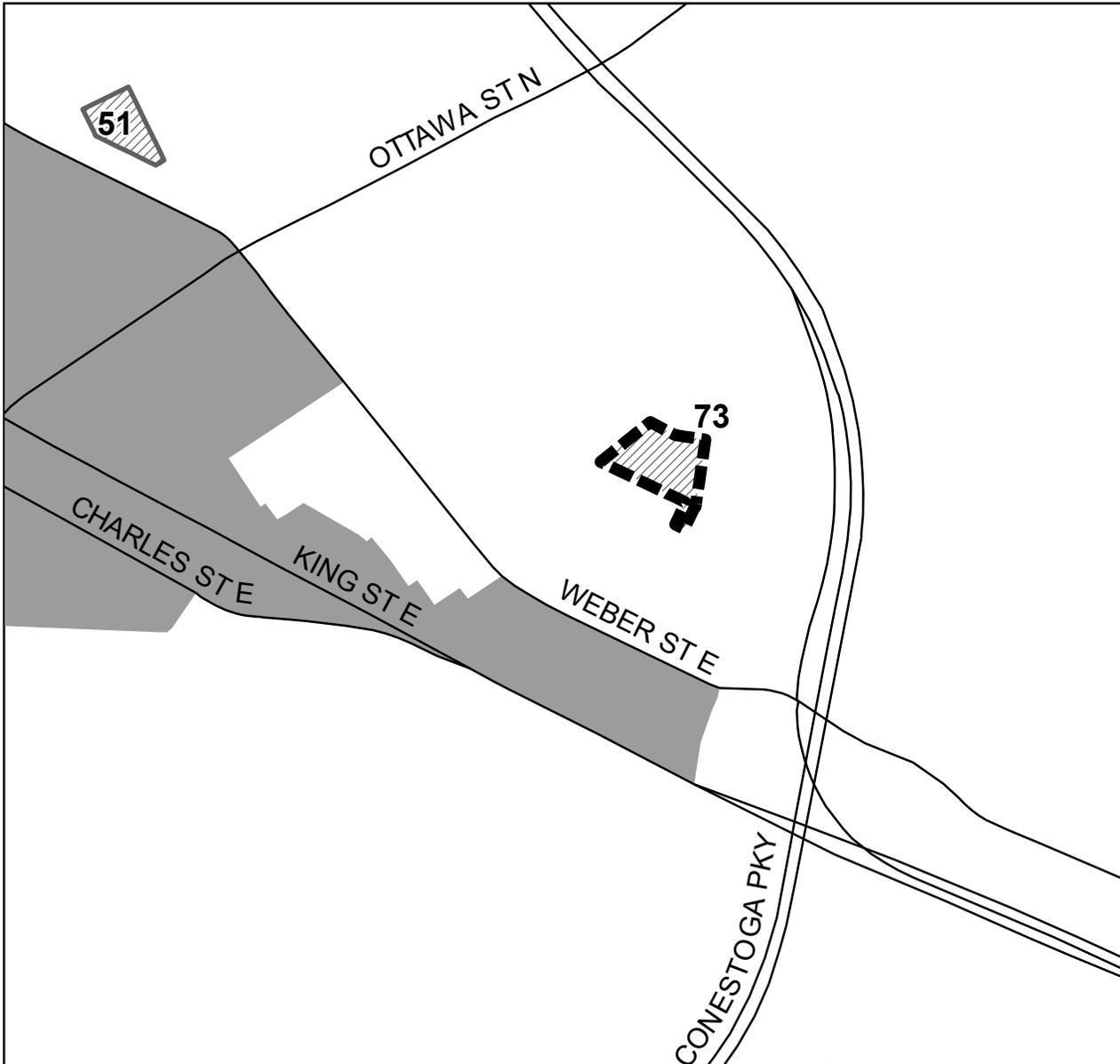
Specific Policy Areas

 51. 155 & 169 Borden Ave N

 Refer to Urban Growth Centre and Secondary Plans for details

Area of Amendment

 To Add Specific Policy Area
73. 135 Jackson Ave



SCHEDULE 'A'

APPLICANT: 1000190771 ONTARIO INC.

135-161 JACKSON AVE; 136 BRENTWOOD AVE



SCALE 1:10,000

DATE: MARCH 15, 2024

REVISED:

OFFICIAL PLAN AMENDMENT OPA24/002/J/BB

ZONING BY-LAW AMENDMENT ZBA24/002/J/BB

City of Kitchener

DEVELOPMENT SERVICES DEPARTMENT, PLANNING

FILE:
OPA24002JBB_Map5
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BY-LAW NUMBER _____

OF THE

CORPORATION OF THE CITY OF KITCHENER

(Being a by-law to amend By-law No. 2019-051, as amended, known as the Zoning By-law for the City of Kitchener – 135, 139, 147, 153 and 161 Jackson Avenue, and 136 Brentwood Avenue)

WHEREAS it is deemed expedient to amend Zoning By-law 2019-051;

NOW THEREFORE the Council of The Corporation of the City of Kitchener enacts as follows:

1. Schedule Number 174 of Appendix “A” to By-law 2019-051 is hereby amended by changing the zoning applicable to the parcel of land specified and illustrated as Area 1 on Map No. 1 attached hereto, from Low-Rise Residential Five Zone (RES-5) to Low-Rise Residential Five Zone (RES-5) with Site Specific Provision (393) and Holding Provision (84H).
2. Schedule Number 174 of Appendix “A” to By-law 2019-051 is hereby amended by changing the zoning applicable to the parcel of land specified and illustrated as Area 2 on Map No. 1 attached hereto, from Low-Rise Residential Four Zone (RES-4) to Low-Rise Residential Five Zone (RES-5) with Site Specific Provision (393) and Holding Provision (84H).
3. Zoning Grid Schedule Number 174 of Appendix “A” to By-law Number 2019-051 is hereby further amended by incorporating additional zone boundaries as shown on Map No. 1 attached hereto.
4. Schedule 19 to By-law 2019-051 is hereby amended by adding Site Specific Provision (393) thereto as follows:

“(393) Notwithstanding Tables 5-5, 7-6, Section 7.5 and Section 7.6 of this By-law, for the lands zoned RES-5 and shown as being affected by this subsection on Zoning Grid Schedule Number 174 of Appendix “A” the following regulations shall apply:

- i) The maximum *floor space ratio* shall be 1.0;
- ii) The maximum permitted *building height* shall be 12.5 metres and 3.5 storeys at the highest grade elevation and 13.7 metres and 4 storeys at the lowest grade elevation;
- iii) The minimum *setback* from lots abutting those properties municipally addressed on Montgomery Road shall be 6.0 metres;
- iv) The minimum *setback* from lots abutting those properties municipally addressed on Brentwood Avenue shall be 7.5 metres;
- v) Despite the maximum *building height* of 13.7 metres at the lowest grade elevation, the *building height* shall not exceed 11.0 metres within 9.3 metres of a RES-4 zone;
- vi) Steps may encroach within the required *front yard setback*;
- vii) The minimum required combined residents and visitor parking rate shall be 1.02 combined resident and visitor parking spaces per unit; and
- viii) Geothermal Wells are prohibited on site. A geothermal well is defined as a vertical well, borehole or pipe installation used for geothermal systems, ground-source heat pump systems, geo-exchange systems or earth energy systems for heating or cooling; including open-loop and closed-loop vertical borehole systems. A geothermal well does not include a horizontal system where construction or excavation occurs to depths less than five meters unless the protective geologic

layers overlaying a vulnerable aquifer have been removed through construction or excavation.”

5. Section 20 of By-law Number 2019-051 is hereby amended by adding Holding Provision (84H) thereto as follows:

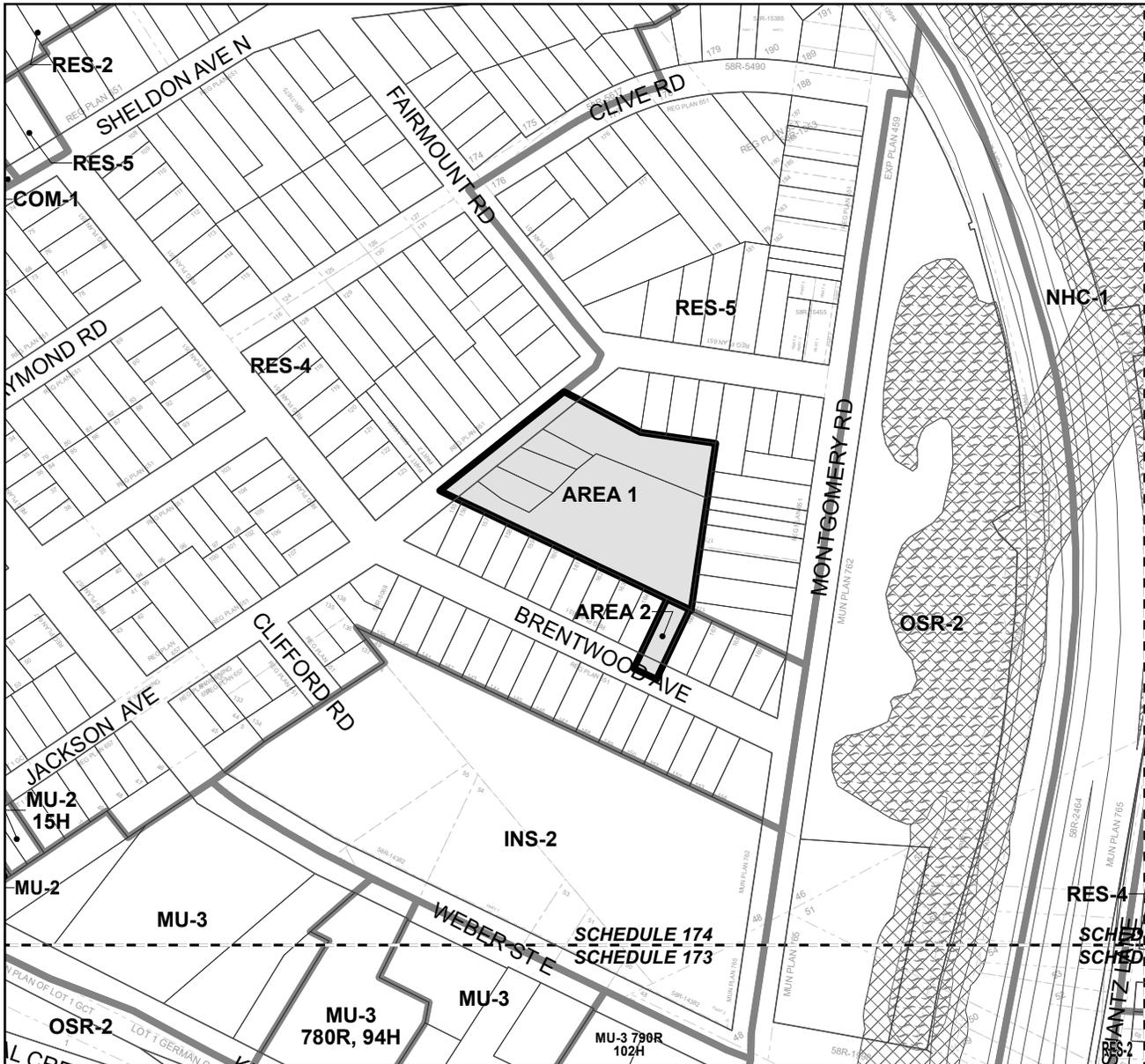
“(84H) Notwithstanding Section 7 of this By-law, within the lands zoned RES-5 and shown as being affected by this subsection on Zoning Grid Schedule Number 174 of Appendix “A”, only those uses that lawfully existed on the date of passing of this By-law shall be permitted until such time as a Noise Study has been completed and implementation measures addressed to the satisfaction of the *Region*. The detailed stationary noise study shall review the potential impacts of noise (e.g. HVAC systems) on the sensitive points of reception and the impacts of the development on adjacent noise sensitive uses.”

6. This By-law shall become effective only if Official Plan Amendment No. ___, 135, 139, 147, 153 and 161 Jackson Avenue, and 136 Brentwood Avenue comes into effect, pursuant to Section 24(2) of The Planning Act, R.S.O. 1990, c. P.13, as amended.

PASSED by Council this ___day of_____ 2024.

Mayor

Clerk



SUBJECT AREA(S)



AMENDMENT TO BY-LAW 2019-051

AREA 1 -
 FROM LOW RISE RESIDENTIAL FIVE ZONE (RES-5)
 TO LOW RISE RESIDENTIAL FIVE ZONE (RES-5)
 WITH SITE SPECIFIC PROVISION (393)
 AND HOLDING PROVISION (84H)

AREA 2 -
 FROM LOW RISE RESIDENTIAL FOUR ZONE (RES-4)
 TO LOW RISE RESIDENTIAL FIVE ZONE (RES-5)
 WITH SITE SPECIFIC PROVISION (393)
 AND HOLDING PROVISION (84H)

BY-LAW 85-1
 MU-2 MEDIUM INTENSITY MIXED USE CORRIDOR ZONE
 MU-3 HIGH INTENSITY MIXED USE CORRIDOR ZONE

BY-LAW 2019-051
 COM-1 LOCAL COMMERCIAL ZONE
 INS-2 MAJOR INSTITUTIONAL ZONE
 NHC-1 NATURAL CONSERVATION ZONE
 OSR-2 OPEN SPACE: GREENWAYS ZONE
 RES-2 LOW RISE RESIDENTIAL TWO ZONE
 RES-4 LOW RISE RESIDENTIAL FOUR ZONE
 RES-5 LOW RISE RESIDENTIAL FIVE ZONE

-  FLOODING HAZARD
-  ECOLOGICAL RESTORATION AREAS
- ZONE GRID REFERENCE
- SCHEDULE NO. 174
- OF APPENDIX 'A'
- KITCHENER ZONING BY-LAW 85-1 AND 2019-051
-  ZONE LIMITS

MAP NO. 1
 1000190771 ONTARIO INC.
 135-161 JACKSON AVE; 136 BRENTWOOD AVE

0 50 100
 METRES
 SCALE 1:4,000
 DATE: MARCH 15, 2024

ZONING BY-LAW AMENDMENT ZBA24/002/J/BB
OFFICIAL PLAN AMENDMENT OPA24/002/J/BB
City of Kitchener
 DEVELOPMENT SERVICES DEPARTMENT, PLANNING

FILE:
 ZBA24002JBB_MAP1
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135-161 JACKSON AVE & 136 BRENTWOOD AVENUE KITCHENER

URBAN DESIGN BRIEF

April 2024 | File No. 22184A

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1.0 INTRODUCTION

MacNaughton Hermsen Britton Clarkson Planning Limited (“MHBC Planning”) has been retained by Sanjiv Shukla (the “Owner”) to prepare an Urban Design Brief in support of the proposed development at 135, 139, 147, 153 and 161 Jackson Avenue, and 136 Brentwood Avenue in the City of Kitchener (herein referred to as the “subject lands” or the “site”). The intent of the Urban Design Brief is to provide an evaluation of how the proposed development achieves high quality urban design, a comfortable pedestrian experience, appropriate height and transitions to the surrounding context, conformity with the City’s Official Plan, and alignment with the City’s Urban Design Manual.

The subject lands consolidate six (6) individual lots containing single-detached dwellings each and are located north-east of the intersection of Jackson Avenue and Brentwood Avenue in the City of Kitchener. The lands are approximately 1.13 hectares in area and are situated within a 5-minute walking distance from major bus routes.

The applicant is proposing to redevelop the site with a multiple dwelling built-form containing two (2) street townhouses and 118 stacked townhouses, for a total of 120 units, with at-grade and private balcony amenity spaces and 121 surface parking spaces (see Figure 1.1). A Floor Space Ratio (FSR) of 1.0 is proposed for the entire site. A reduced parking rate is proposed to encourage transit-usage. 118 in-unit bicycle parking spaces and 12 outdoor bicycle spaces are proposed to encourage active transportation.

To facilitate the Proposed Development, Official Plan Amendment (“OPA”) and Zoning By-law Amendment (“ZBA”) applications are required. An Urban Design Brief was identified as one of the application requirements during pre-submission consultation. This Urban Design Brief has been prepared according to the guidelines provided by City of Kitchener staff in the Formal Consultation Comments document and includes the following topics:

- An analysis of site conditions, neighbourhood analysis, and contextual fit;
- An overview of the applicable policy context and design requirements as they relate to the City of Kitchener Official Plan and Urban Design Manual;
- An analysis of the proposed design features as they relate to the applicable urban design policies and guidelines; and,
- A summary of the conclusions regarding the proposed redevelopment of the subject lands.

This Urban Design Brief has considered, and must be read in conjunction with, the following plans and studies supporting the applications for an Official Plan Amendment and a Zoning By-law Amendment:

- Planning Justification Report, prepared by MHBC Planning, dated November, 2023 and revised by March 22, 2024 cover letter
- Architectural Drawing Package, prepared by SRM Architects, revised March 21, 2024
- Tree Management Plan, prepared by Hill Studio Inc., revised March 20, 2024
- Preliminary Grading Plan, prepared by MTE Consultants, revised March 15, 2024
- This Design Brief recommends a revised preferred concept plan that will be further refined through the more detailed Site Plan Approval process.



Figure 1.1 - Proposed concept plan



2.0 EXISTING SITE CONDITIONS

The subject lands are irregularly shaped and have a total area of approximately 1.13 hectares with approximately 95 metres of frontage along Jackson Avenue and approximately 15.3 metres of frontage along Brentwood Avenue (see Figure 2.1). The subject lands are comprised of six (6) individual lots, each containing a single detached dwelling with accessory structures, consolidated into one (1) large lot that can be accessed from Jackson Avenue and Brentwood Avenue.

2.1 EXISTING CONDITIONS

Five (5) of the former individual lots have trapezoidal-shapes and include dwellings that vary in street line setback from approximately 7.5 metres to 13.0

metres. The built-forms of these five lots directly front their respective streets and have access via paved driveways. One (1) of the former individual lots is irregularly shaped and is located internal to the block. This lot includes a pond and a long, paved driveway leading to a large house located central to the site and block, and is setback at a distance of approximately 58.5 metres from the street line along Jackson Avenue.

The dwellings range in height from 1- to 2-storeys and generally utilize brick and vinyl for building material with brown and grey shingles for their roofs. The roofs are pitched / open gable and front entrances and porches are generally canopied or recessed, with some variety in built-form and articulation.



Figure 2.1 - Location of the subject lands at Jackson Avenue and Brentwood Avenue

2.2 EXISTING VEGETATION AND TOPOGRAPHY

The site is hilled and contains significant grade changes (approximately 5m across the site), as illustrated on Figure 2.2. The subject lands slope upwards towards the north and west boundaries of the site, and have the lowest elevation at the south and east boundaries of the site.

The subject lands contain grassed lawns, shrubs and bushes, and large and mature trees throughout the site with a cluster of mature trees existing on the north portion of the property, within the rear yard of the former lot at 161 Jackson Avenue. A row of mature street trees are located along Jackson Avenue with mowed lawns, mature trees, and shrubs, bushes or other plantings existing on the front lawns (see Figures 2.3 and 2.4).

The existing building and structures are proposed to be demolished to facilitate the proposed development. Mature trees are proposed to be retained to the extent feasible, as illustrated on the Tree Management Plan prepared by Hill Design Studio Inc.

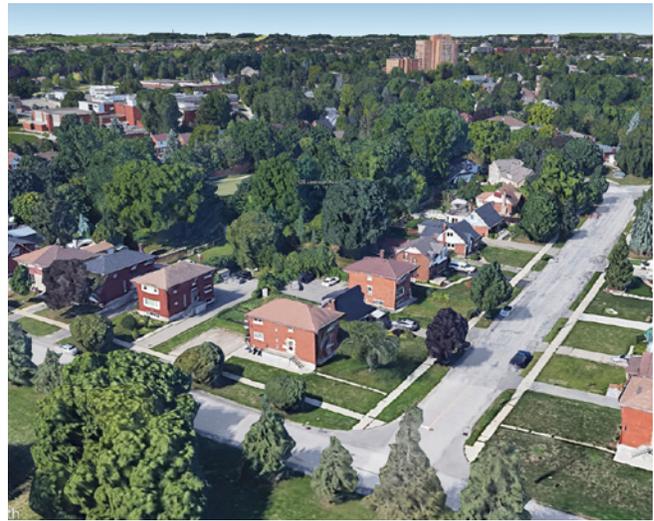


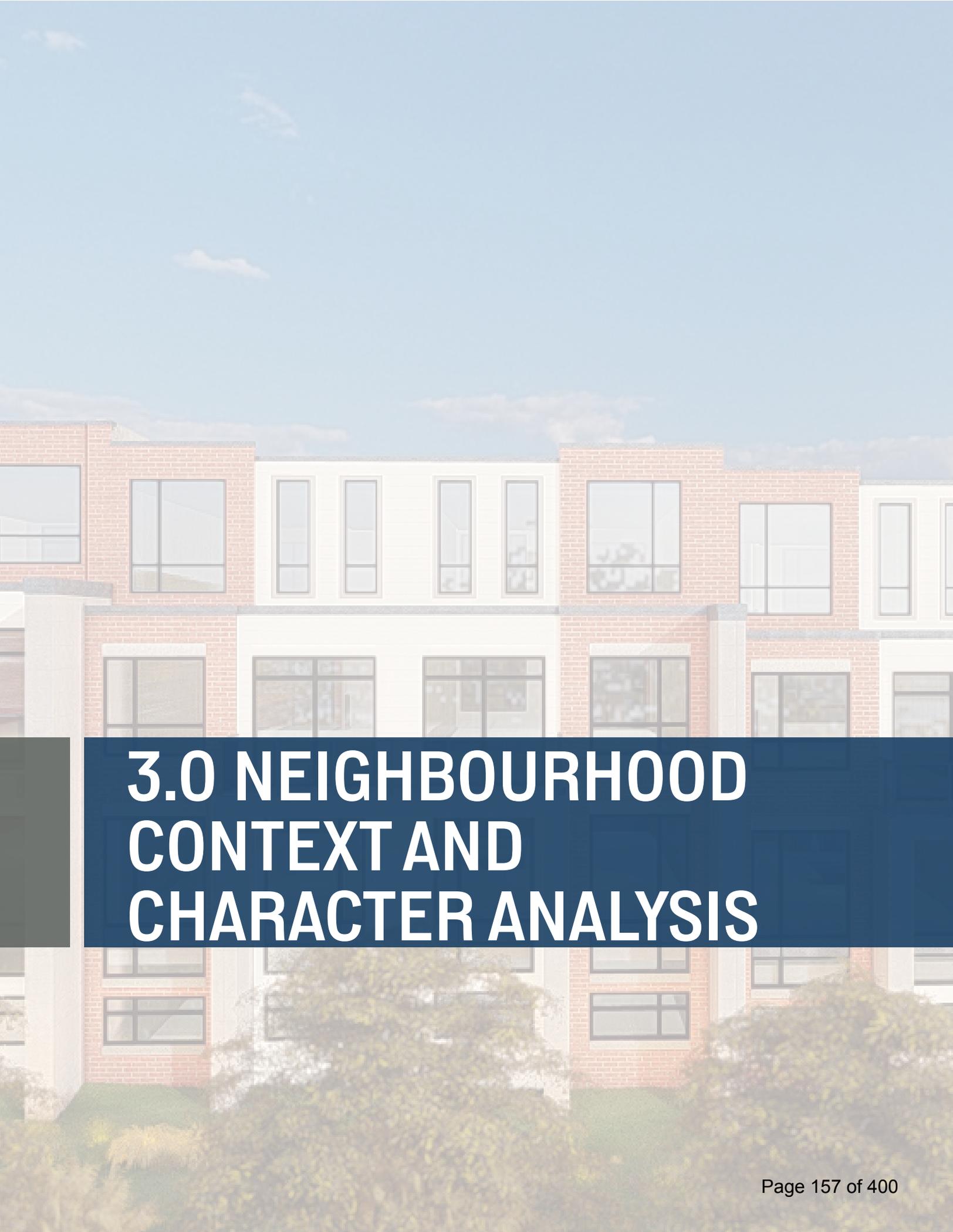
Figure 2.2 - Site grading towards North and West boundaries



Figure 2.3 - Existing vegetation on Jackson Avenue



Figure 2.4 - Existing row of mature trees on Jackson Ave



3.0 NEIGHBOURHOOD CONTEXT AND CHARACTER ANALYSIS

3.1 IMMEDIATE CONTEXT

The subject lands are located on a large residential block along a local road at the periphery of the Eastwood neighbourhood that is underutilized and has access to existing infrastructure and services. The block includes a mix of residential uses, including single-detached dwellings and low-rise multiple-unit building forms, such as triplexes and six-plexes. The surrounding blocks also includes low-rise residential uses. The block to the east of the subject lands contains Montgomery Park. Figures 3.1 to 3.5 below illustrate the subject lands and immediate surroundings.

The immediate neighbourhood includes a mix of residential and open space / parks uses, as described below:

NORTH: North of the subject lands are single-detached dwellings that transition to multi-unit building forms, such as triplexes and four-plexes, across the street and as Fairmount Road approaches Montgomery Road. Dwellings vary in height from 1-storey to 3-storeys, and lots are slightly wider, providing room for larger building footprints. Dwellings utilize red-brick, multi-coloured brick, beige stone-work, and white or beige vinyl. Entrances for the single-detached dwellings are canopied, recessed or designed for visual enhancement.

EAST: To the east of the subject lands are multi-unit built forms, including triplexes and six-plexes, that range in 2.5-storey to 3 storeys in height. The built-forms include red brick and beige stone-work, large bay windows, wood balconies to the sides of the buildings, and hipped roofs with grey shingles. Site design includes long driveways to the sides of the buildings that connects to surface parking in the rear.



Figure 3.1 - Aerial photograph showing Immediate Site Context



Figure 3.2 - Residential dwellings along Fairmount Road (North)



Figure 3.3 - Triplexes and six-plexes along Montgomery Road (East)

SOUTH: To the immediate south of the subject lands are single-detached 1- to 2-storey post-war housing, largely characterized by red-brick and white-vinyl dwellings, large windows, driveways to the side of the dwellings, and open gable roofs with some articulation.

WEST: Directly to the west of the subject lands is a residential block consisting of single-detached and semi-detached building forms. Newer development to the west of the site invites contemporary, yet compatible, development into this area of the Eastwood neighbourhood. Building forms, styles and material are consistent with the remainder of the neighbourhood, except for the new semi-detached development.

The immediate neighbourhood is characterized by lots with large front yards and large rear yards. Front yard setbacks are generally long and consistent along each road, but vary in the neighbourhood, from 8-metres to 20 metres. Front yard setbacks taper along the east side of Jackson Avenue where the subject lands are located. Rear yards also vary in size from 10 metres to 60 metres. Side yard setbacks are shorter and vary from 2 metres to 6 metres. Overall, lots are characterized as long and narrow.

The immediate neighbourhood also contains large and mature coniferous and deciduous trees that are located in front yards, rear yards and along the street line.



Figure 3.4 - Single-detached dwellings along Brentwood Avenue (South)



Figure 3.5 - Single-detached dwellings along Jackson Avenue (West)

3.2 SURROUNDING CONTEXT

The subject lands are located within the Eastwood Neighbourhood, which is situated within the central area of Kitchener and extends from King Street East to the south, Highway 7 to the north, Highway 7 and Highway 8 to the east, and Ottawa Street North to the west. This neighbourhood is in proximity to the King Street East neighbourhood, which contains Light Rail Transit stations.

Built Form/Uses

The Eastwood neighbourhood contains a range of established residential, institutional, commercial, open space, and park uses (see Figures 3.6 to 3.12). Residential uses include a mix of single detached, semi-detached, low-rise multiple dwelling forms (including triplexes and six-plexes), and mid to high-rise apartment buildings. The mid to high-rise dwelling forms are generally located on or near the periphery of the neighbourhood, approaching King Street East,

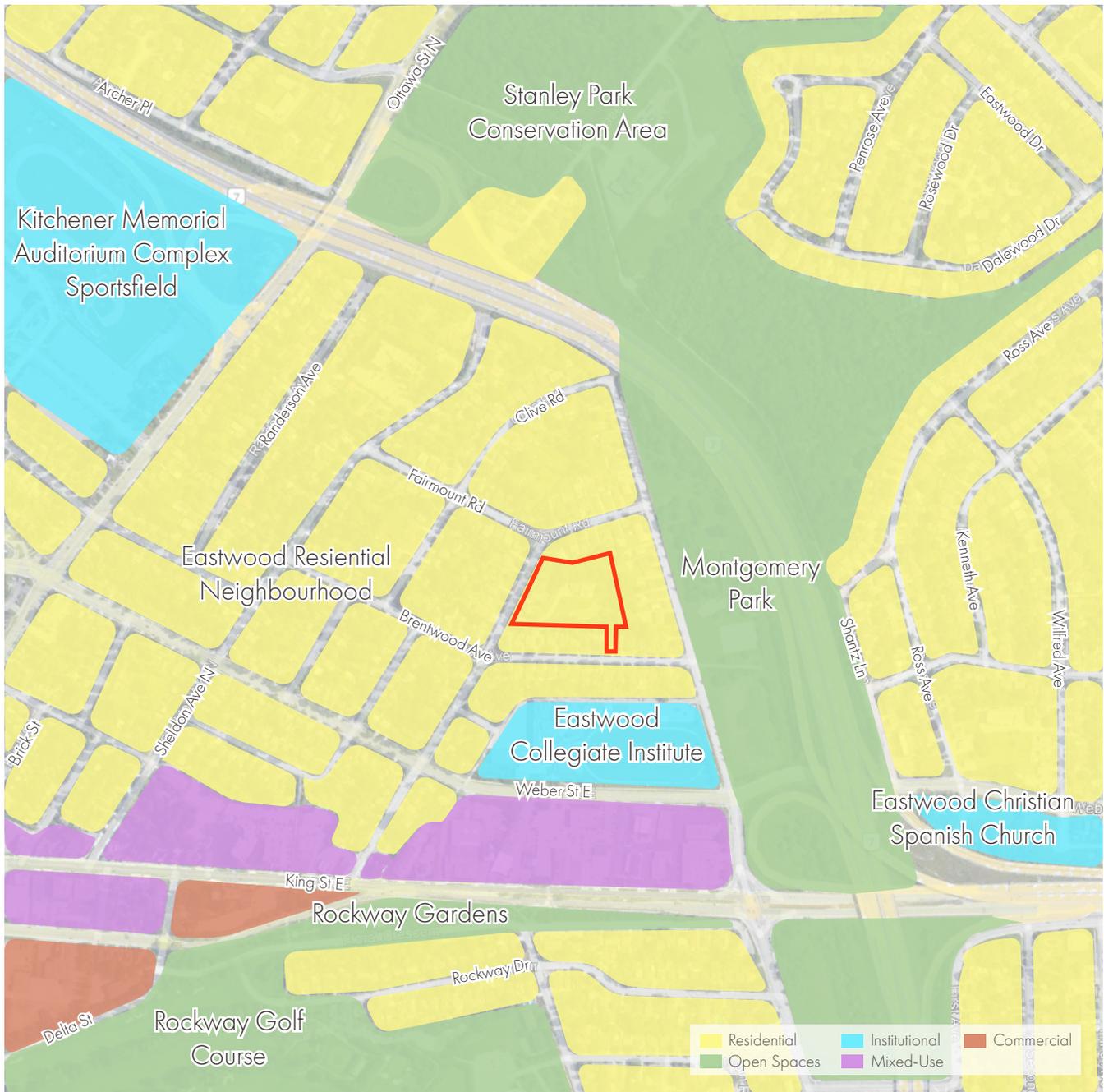


Figure 3.6 - Existing land uses

Ottawa Street North, and towards the Downtown Core. Several mixed-use, high-rise building forms are proposed along King Street East, to the north of or immediate south of Ottawa Street North. Commercial uses are located along King Street East and Weber Street East, with minimal small-scale commercial and at-home businesses existing throughout the neighbourhood and the nearby vicinity.

The neighbourhood was developed in the 1940s-1970s and predominantly contains post-war and mid-century styles and forms of development, with certain pockets including newer development. Lots are generally rectangular or trapezoidal-shaped. Building shapes and sizes are small in scale and are situated on lots that have deep lot depths with lot widths that range from 40 to 50 feet. Low-rise housing ranges in height from 1-storey to 3-storeys and largely contains high-pitched and gable roofs with canopied and recessed entrances and porches, and brown and grey roof shingles. Building materials include brick and vinyl. Garages vary in location and applicability. Garages may be attached, detached, located to the sides of buildings or located to the sides of the buildings in the rear yards within in separate structure. Driveways are paved, long and located to the sides of the dwellings leading to attached or detached garages, and/or resulting in outdoor parking.

Newer development within the neighbourhood offers contemporary designs that represent current architecture, building materials, details, colours and textures. A recently developed semi-detached dwelling across the street from the site, at 130 and 132 Jackson Avenue offers a contemporary beige palette including stonework with beige-coloured vinyl siding and cladding for the second (2nd) storey (see Figure 3.9). The roof is long pitched, uses warm-brown shingles, and provides for additional articulation of the roof through projection, recesses and boxed gable style of roofing above the second-storey windows, providing distinction and visual variety between the semi-detached units. The garages are attached, extend beyond the first-storey front building façade, are located toward the front lot line, and are designed with an open gable roof that



Figure 3.7 - High-rise apartment dwellings at 1414 King Street E



Figure 3.8 - Commercial plaza at Montgomery and King Street E



Figure 3.9 - Recently developed dwelling along Jackson Avenue

connects the two units. The condition with the garage projecting beyond the front building façade (snout house) is not typical of the neighbourhood, despite the site’s conformance with zoning regulations at the time of construction.

The neighbourhood also contains a secondary public school, known as the Eastwood Collegiate Institute. The School includes a wide, L-shaped built-form that measures 3-4 storeys in height and provides for variation in massing through façade articulation, the use of various materials, step-backs, protruding walls, and recessing windows. The school’s massing respects the existing grading of the neighbourhood and results in varying heights throughout the built-form. The school’s building materials include red brick, light grey cement cladding, and metal. Additional schools, such as Sunnyside Public School, Rockway Mennonite Collegiate and Franklin Public School are located in close proximity and service the residents of the neighbourhood.



Figure 3.10 - Multi-unit dwellings along Montgomery Road



Figure 3.11 - Eastwood Collegiate Institute



Figure 3.12 - St Anne Catholic school

Circulation

The Eastwood neighbourhood is bound by major roads, including:

- Highway 7 – a Provincial Highway to the north and west;
- Highway 8 – a Provincial Highway to the west;
- King Street East – a Regional Road and an Existing Transit Corridor to the south; and,
- Ottawa Street North – a Regional Road and an Existing Transit Corridor to the east.

Ottawa Street North is also identified as a Cycling Route and provides access to the GRT iXpress bus route. The neighbourhood also contains Weber Street East, which is another Regional Road and Planned Transit Corridor. The interior of the neighbourhood consists of a modified grid of local streets, with connections to the surrounding Regional Roads and Provincial Highways (see Figures 3.13 and 3.14).

The neighbourhood is well serviced by local and regional bus routes, with direct connection the Downtown Core, major retail hub of Fairview Mall, and the City of Waterloo. The Borden iON station is located within walking distance from the neighbourhood, cycling distance from the site, and just beyond the intersection of Charles Street and Borden Avenue. The Borden iON station provides eastbound/westbound access to the remainder of the City and extends into Waterloo, further improving access to the remainder of the City and the Region.

The neighbourhood also includes an established sidewalk network (see Figure 3.15) that provides walkable access to various parks, commercial uses and institutional uses in and near the neighbourhood.

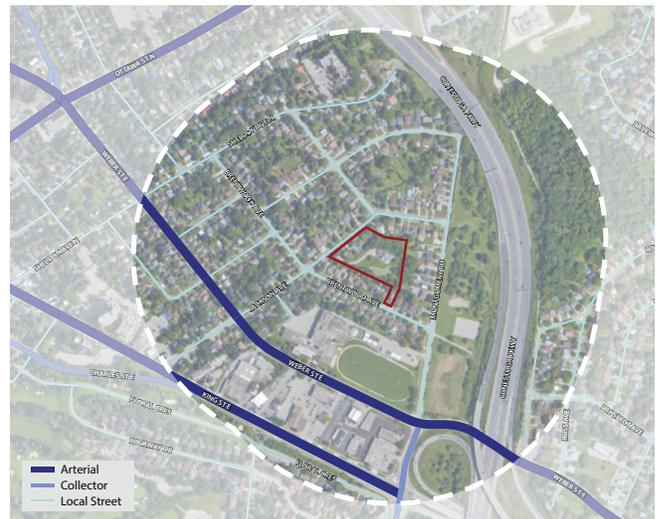


Figure 3.13 - Existing vehicle circulation



Figure 3.14 - Existing transit routes



Figure 3.15 - Existing pedestrian and cycling routes

Open Space/Parks and Natural Heritage

The Eastwood neighbourhood and site have access to nearby open spaces, parking and trails, including Montgomery Park, Rockway Gardens and Rockway Golf Course, Iron Horse Trail, Schneider Creek Greenway, the Aud Neighbourhood Leash Free Dog Park and Skate Park, and Stanley Park Conservation Area. Montgomery Park is situated within the neighbourhood and offers a larger open field, with a playground, basketball courts, and disc golf amenities (see Figures 3.16 and 3.17). A trail that is located along the periphery of Rockway Golf Course is located within a 10-minute walk distance from the site. The trail connects with the Iron Horse Trans / Canada Trail along the Schneider Creek Greenway. The Iron Horse Trans / Canada Trail which is a Primary Multi-Use Pathway / Connection that connects Downtown Kitchener to Uptown Waterloo (see Figure 3.18). The open space context plan graphic, Figure 3.19, illustrates parks and open spaces in the broader surrounding context.

Summary

The Eastwood community is an established neighbourhood that is well suited for intensification based on the current mix of land uses and building forms, proximity to existing and planned transportation networks, access to existing and planned infrastructure, and abundant open spaces.



Figure 3.16 - Montgomery Park



Figure 3.17 - Rockway Gardens



Figure 3.18 - Iron Horse/Trans-Canada Trail



Figure 3.19 - Existing parks and open spaces



4.0 DESCRIPTION OF PROPOSED DEVELOPMENT

4.1 PROPOSED SITE DESIGN

The site has been designed to provide a low-density residential development that will provide a compact built form, complement the surrounding residential neighbourhood and establish prominent street frontage along Jackson Avenue, enhance the public realm while remaining compatible with the established front yards of the neighbourhood. The site has a total gross floor area (GFA) of 10,811 m2.

The proposed development consists of street townhouse block (2 units) and five (5) blocks of stacked townhouses (118 units), totaling a proposed unit count of 120 units (see Figure 4.1). The site layout provides a 3 storey built form with a step back on the upper floors for blocks

A,B,C, and D, which provide for a transition in height and massing along Jackson Avenue and along the common property line with the lots fronting Brentwood Avenue, creating a stepped form that responds to the existing low-rise buildings in the surrounding neighbourhood and respects the natural grading of the site to the extent feasible (see Figures 4.2).

The two street townhouses as well as a 22 unit Block D front Jackson Avenue. Four remaining stacked townhouse blocks are located along the site’s perimeter. Three blocks of stacked townhouses located along the southern property line have been stepped back and have been positioned to provide for a 7.5m side yard to provide for additional separation and minimize overlook conditions to rear yards of the Brentwood

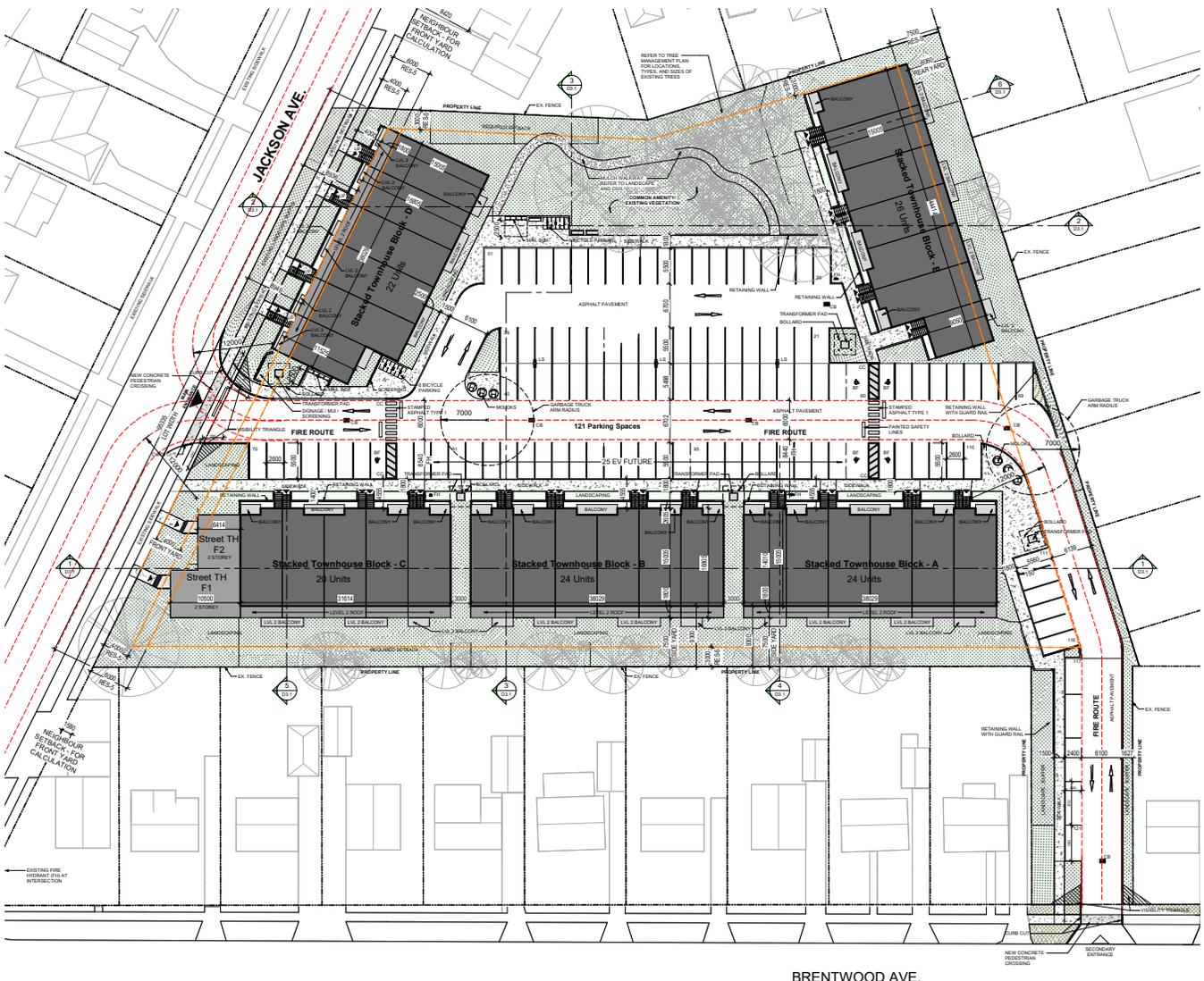


Figure 4.1 - Proposed Site Plan (SRM Architects + Urban Designers, March 21, 2024)

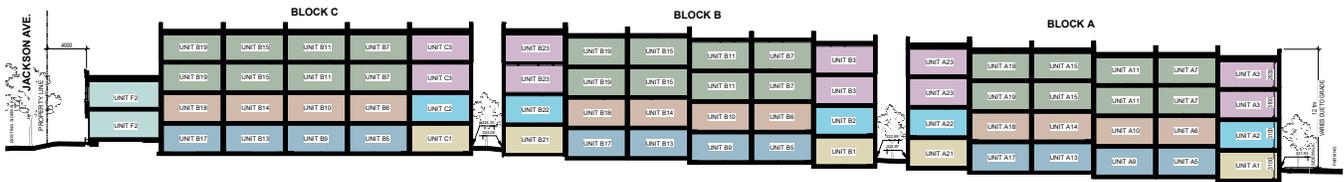


Figure 4.2 - Stepped building form follows site grading (SRM Architects + Urban Designers, March 21, 2024)

Avenue properties. One stacked townhouse Block E located at the rear of the site and backing onto the rear lots along Montgomery Street have been modified to provide for internal sidewalk connections. A drive-aisle surface parking and common amenity area occupy the spaces between the buildings. The stacked townhouse Block D and the 2 Street town houses are setback between 4.0 metres and 6.0 metres from Jackson Avenue, which respects the established streetscape, while providing transitioning of setbacks between the abutting site and facilitating sufficient space for a landscaped boulevard. The stacked townhouse Block E provides a 3.0 metres setback from the adjacent residential properties along the north property line. These stacked townhouses to the rear of the site are setback 6.0 metres from the adjacent residential properties, which have an average rear yard ranging from approximately 36-40m.

An amenity space is proposed to be located central to the site adjacent to the mature trees that are being protected along the northern property line. This space will include a playground, seating and grassed area that is sensitive to the surrounding protected trees, thus providing a space for intimate gathering on the site alongside an active amenity space.

Pedestrian entrances to the site are provided from Jackson Avenue and Brentwood Avenue. Pedestrian circulation is provided through the site providing access to the stacked townhouses, amenity spaces and

surface parking, and providing for safe and accessible circulation throughout the site (see Figure 4.3). Walkways connect to the existing public infrastructure located along Jackson Avenue and Brentwood Avenue. The individual entrances and walkways to the stacked townhouses enhance the pedestrian realm and walkability.

Vehicular entrances are proposed from two points of entry/exit along Jackson Avenue and Brentwood Avenue. The accesses connect to an internal drive aisle that provides access to the multiple dwelling built forms and the 121 surface parking spaces located central to the site and along the drive aisle near to Brentwood Avenue. The multiple dwellings are located closest to the limits of the site to reduce visual impacts of the proposed surface parking from the public realm along Jackson Avenue.

Bicycle parking is located on the site for both residents and visitors. 118 Type 'A' bicycle parking spaces are within the 118 units, meeting the bicycle parking rate of 1.0 Type 'A' spaces per unit. 12 Type 'B' bicycle spaces are proposed behind Block D and adjacent to the proposed mailboxes proximate the outdoor amenity area along the northern property line.

Other site design considerations, such as lighting and signage, will be determined through the detailed design and addressed through subsequent Site Plan Approval applications.

4.2 BUILDING DESIGN

The proposed development employs a contemporary style regarding the selection and application of materials (see Figure 4.4). The stacked townhouses create a low-rise massing that is similar in height and function to the adjacent properties. Lower level storeys are sunken into the grade to decrease building height at grade, while offering sufficient daylight to lower units. Street fronting stacked townhouse typology without individual driveways provide a complementary built form with very few disruptions to the streetscape. The 2 street townhouses along Jackson Avenue provide for a 'semi-detached' style of building form along the street interface that is similar in size and scale as the surrounding neighbourhood.

The colour palette is comprised of a combination of red brick, white and beige panels which are alternated

on the three levels, to create distinction between the three storeys and each unit. Massing articulation and wall projections are used between the units to create distinction between each unit. Building facades are complimentary to the neighbourhood, while remaining modern in appearance. Front entrances are canopied and platform steps are used to provide for a porch-style front entrance. The 3-storey stacked townhouses have also been stepped back on the top level to minimize overlook and reduce the massing, and the appearance and impact of the proposed building height. Balconies are provided on the first, second and third floors along Jackson Avenue, providing private amenity space for use by residents. Balconies and windows use a clear glass to maximize access to sunlight throughout the year. The street fronting stacked townhouse typology facing Jackson Avenue helps activate the street front and reduces the visibility into the parking areas.



Figure 4.4 - Proposed material palette of red brick and white and beige panel (SRM Architects + Urban Designers, March 21, 2024)

Blocks A, B, C which back onto the rear lots along the Brentwood properties, do not have balconies on the third floor, so as to minimize overlook. The upper units are 2 storey units that have been stepped back to reduce the massing impact and overlook. The stacked townhouses taper in height, as they respect the natural grading of the site. In addition, the stacked townhouse blocks employ flat terraces to minimize visual impacts on the surrounding neighbourhood. Balconies and windows use a clear glass to maximize access to sunlight throughout the year.

The proposed development has been designed with consideration to the existing built form context consisting of low-rise developments (see Figure 4.5). The use of building materials, massing orientation, step-backs, and amenity space, in collaboration with the natural grading assist in creating a human scale of development that complements the surrounding neighbourhood and creates a comfortable and engaging pedestrian environment. The building design demonstrates a contemporary architectural expression and utilizes high quality materials.

Building materiality may be subject to change through the detailed design process during Site Plan Approval.



Figure 4.5 - Upper floor stepbacks to increase privacy (SRM Architects + Urban Designers, March 21, 2024)

4.3 LANDSCAPE DESIGN

Trees and plantings will be provided throughout the site to provide screening from adjacent properties, to minimize visual impacts on the surrounding neighbourhood, and to integrate with the landscaping of the surrounding neighbourhood. Existing and mature trees are proposed to be retained to the extent feasible and the amenity space is located adjacent to the mature trees creating an enhanced central amenity area for the residents.

The site's landscape design will be further refined through the detailed design process at Site Plan.



Figure 4.6 - Proposed common amenity area next to existing vegetation (SRM Architects + Urban Designers, March 21, 2024)



5.0 RESPONSE TO POLICIES & GUIDELINES

The Planning Justification Report (submitted concurrently with this report) provides a comprehensive analysis of the Provincial, Regional and City planning policies. The following section discusses the City's Urban Design policies and how the proposed development has achieved the City's design objectives.

5.1 CITY OF KITCHENER OFFICIAL PLAN

Section 11 of the City of Kitchener Official Plan contains Urban Design policies. It is intended that the urban design policies will provide guidance and direction as the city grows, develops, and evolves. The proposed development meets the City's urban design objectives by achieving a high standard of urban design. The following is a summary of how the proposal meets the relevant design policies from Section 11 (Urban Design) of the current Official Plan in response to specific policies:

- 11.C.1.1 – The proposed development employs a high quality of urban design that complements present-day architecture and the surrounding neighbourhood.
- 11.C.1.11 – The proposed development supports the character of the street by providing sufficient landscaping, low-rise built-forms and functional design complementing the surrounding neighbourhood. The proposed front yard setbacks provide sufficient space for a landscaped boulevard. The street facing stacked townhouse built-form complements the low rise development located across the street along Jackson Avenue and present a 2 1/2 storeys in height and provide step-backs to the 3rd-storey of the attached low-rise built form, facilitating a pedestrian-oriented environment and reducing the massing along the streetscape.
- 11.C.1.13 – Sufficient human-scaled lighting and circulation spaces will be provided throughout the site. Lighting will be further investigated through the detailed design process during the Site Plan Approval stage.
- 11.C.1.15 – Vehicular access will be provided from Jackson Avenue and Brentwood Avenue. Accesses and the proposed drive-aisle are designed to facilitate emergency vehicular movement. All buildings and units will be designed and constructed to meet the requirements of the Ontario Building Code and other applicable regulations. Parking is well serviced with pedestrian connections which lead in and out of the site.
- 11.C.1.16 – The proposed development includes five (5) barrier-free parking spaces and has been designed to provide accessible circulation for all users of the site. Private and common amenity spaces are provided throughout the site, five barrier-free parking spaces are located nearest to the multiple dwellings, and the proposed site design uses hard-surface materials to provide safe and universally accessible circulation through the site. The site design and barrier-free parking spaces will be designed and constructed to meet the requirement of the Ontario Building Code and other accessibility related legislation and regulations.
- 11.C.1.22 – A Shadow Study was not required, but has been included in this report for information purposes only. The Shadow Study, attached as Appendix A, demonstrates that unacceptable adverse impacts are not generated by the proposed development and associated site design; minimal shadowing occurs on the surrounding residential properties during the summer, spring and autumn seasons; and, shadowing impacts adhere to the City of Kitchener guidelines (see Figure 5.1). Further, the site design and proposed landscaping throughout the site provides shade and protection from sun exposure, and mitigates the potential urban island heat effect. Building massing and design provides opportunity for independent applications of tools to reduce energy demands. The proposed development is considered to be appropriate with regards to its shadowing context.



Figure 5.1 - Selected June shadow study results (SRM Architects + Urban Designers, March 21, 2024)

- 11.C.1.26 & 11.C.1.29 – The subject lands are well serviced by existing infrastructure that supports additional density within the neighbourhood.
- 11.C.1.27 – The subject lands are located proximate to two Existing Transit Corridors and one Planned Transit Corridor, and have access to local, regional and provincial bus routes within a 5- to 10-minute walking distance. The proposed development proposes a reduced combined resident and visitor parking rate of 1.03 spaces per unit, and provides for modest intensification with a transit-supportive density and design.
- 11.C.1.28 – The proposed infill development offers a low-rise massing height and built-form, and a front yard setback that is consistent with the established front yard along the streetscape. The proposed development is compatible with the surrounding neighbourhood.
- 11.C.1.27 & 11.C.1.31 – The proposed development includes bicycle parking and pedestrian connections throughout the site to encourage active transportation usage. The proposed development also applies height transitioning and divides building massing through articulation and upper storey step backs to activate the streetscape and provide for a pedestrian-oriented, safe, accessible, and functional relationship to the street.
- 11.C.1.33 – The proposed development utilizes a high standard of urban design and a creative and responsive form, façade and style that is compatible with and complements the surrounding neighbourhood. The site has been designed to minimize adverse impacts on the adjacent properties and public realm by providing the following: appropriate interior side yard, rear yard and front-yard setbacks; landscaping elements for screening, and a low-rise form that respect the natural grading of the site, to be complementary of the roof lines of the block, to the extent feasible.

5.2 CITY OF KITCHENER URBAN DESIGN MANUAL

The City's Urban Design Manual contains detailed guidelines that apply to all development within the City. The Urban Design Guidelines contained within the Manual represent a framework for establishing Kitchener's future urban form. It sets out a number of design principles that should be followed in the design of new communities, sites and buildings. The purpose of the Guidelines is to ensure the new development is consistent with the City's Vision for urban design. Below is an analysis of how the proposed development, associated site design and landscaping design considers the City-Wide guidelines, Central Neighbourhood guidelines, and Low-Rise Multi-Residential guidelines within the City of Kitchener Urban Design Manual.

Site Design

The street interface of the site has been designed to be pedestrian-oriented and minimize the massing along the frontage by stepping back the upper floor of the stacked townhouse block and through building articulation and variations in colour palette. This provides a neighbourhood-style development that contributes to the sense of place and local character of the Eastwood neighbourhood.

The site has been designed with active uses, including a central amenity space internal to the site and well situated adjacent to the mature trees so as to maximize tree retention. The building design of the street facing elevations incorporates architectural details that support a human-scaled public realm.

The setbacks proposed provide appropriate buffering and distance from the adjacent residential properties. The UDM guidelines encourage a rear yard setback of 10 metres for unit blocks with more than 2 storeys. The intent of this provision is to provide appropriate distance from adjacent residential uses. The residential properties to the rear contain rear-yard setbacks that range from 27 metres to 43 metres from the dwellings. The proposed rear-yard setback for the proposed development is 6 metres. This provides distance of

between 35 metres to 49 metres between the stacked townhouses proposed at the rear of the site and the built forms located to the rear of the site. Based on the foregoing, appropriate buffering and distance is provided from the adjacent residential uses. Additionally, for the units proposed along the common property line with the lots fronting Brentwood Avenue, a 7.5m side yard has been provided whereas a 3.0m side yard is required as the blocks of stacked townhouses present as a rear yard although this is a side yard. Also the third storey is stepped back and no balconies are facing these lots on the third storey in order to provide further separation and reduction in massing which minimizes overlook.

Vehicular parking spaces and circulation are located largely central to the site, providing opportunity for natural surveillance, and are screened from the public realm.

Building Form & Design

The City of Kitchener Urban Design Manual guides new development to be contemporary in nature, whilst being respectful and complementary of the neighbourhood character. The proposed development will be designed in a contemporary fashion, meaning that the building represents present-day architecture, with varied details, materials, colours and textures. This is in keeping with proposed developments within the surrounding area and the eclectic character of the neighbourhood as a Central Neighbourhood in the City of Kitchener.

The development proposes a transition in height from 3-storeys at the street interface to 3 1/2-storeys internal to the site, and provides for an appropriate front yard setback that provides yard transition from the abutting sites and meets the intent of the established front yard setbacks of the Residential Intensification of Established Neighbourhoods Study (REINS).

The proposed development introduces additional housing options to the neighbourhood through the development of street townhouses and stacked townhouses. Stacked townhouses are a type of missing middle housing that provide attainable housing options

in desired neighbourhoods.

The proposed development includes 3-storey stacked townhouses along the Jackson Avenue frontage, creating a compatible street interface. The proposed development also proposes fencing, landscaping and plantings along the boundaries of the site and throughout the site to further screen the development from the surrounding properties.

Massing techniques are incorporated into the building design, including building articulations such as upper storey step backs, projections and recesses, which when combined with variations in colour, materials, and texture, aid in the reduction and diversification of the building massing and enhance the streetscape.

All building elevations will be designed to provide transparency, architectural continuity, visual interest, and contextual sensitivity. No blank walls are proposed. Through the inclusion of proposed windows and balconies, there will be sufficient natural surveillance onto the surrounding public streets without creating overlook situations.

Minimal shadowing impacts are anticipated on the surrounding residential neighbourhood, as demonstrated by the Shadow Study prepared by SRM Architects Inc.

Sustainability & Landscaping

The development proposes to retain as many existing and mature trees located on the site to the extent feasible. The development also proposes to apply additional landscaping and plantings throughout the site to meet the neighbourhoods landscaping character and to support the existing landscaped street interface. The proposed landscape areas are sufficient in size to provide required plantings adjacent to the street, offset property lines and within amenity areas.

Energy efficient light fixtures will be used, and over-lighting will be avoided throughout the development.

Circulation

Pedestrian walkways are provided throughout the site, are continuous across driving aisles and accesses, and connect to the multiple dwellings on the site and to the surrounding land uses to improve connectivity, encourage active transportation and to create an efficient, safe and intuitive pedestrian network.

The site has been designed with modest reductions in parking to reduce the demand of private automobiles and to encourage active modes of transportation. The site incorporates convenient and secure options for bicycle parking.

Vehicle circulation is contained within the site interior. Access is provided from two points of entry/exit and connect to an internal drive-aisle. The drive aisle is flanked by walkways that allow additional pedestrian access to buildings' entrances.

Other Considerations

The site details for screening services and utilities, coordination of waste and recycling, and snow storage will be considered through the site plan review process and prior to final site plan approval.

Other sections of the City-wide guidelines, including Services and Utilities, Waste and Recycling, and Snow Storage will be considered through the detailed site plan review process and prior to final site plan approval.

6.0 SUMMARY

This Urban Design Brief concludes that the Proposed Development incorporate a high-quality of urban design through the following:

- Creating a compact, low-rise built form that provides additional housing options for residents, respects the local eclectic character of the neighbourhood, and minimizes impacts on the surrounding neighbourhood;
- Providing a transition of height, massing and setbacks from the surrounding residential uses, with changes in height and articulation that respect the existing grading and sloping challenges of the site;
- Complementing the surrounding residential post-war to mid-century eclectic character through material palette, front yard setbacks, and street-oriented forms;
- Encouraging transit-usage and active transportation through parking reductions and on-site bicycle parking; and,
- Implementing appropriate landscaping and fencing to minimize impacts on the pedestrian realm and adjacent properties.

It is our opinion that the proposed Official Plan Amendment and Zoning By-law Amendment applications respect the intent, policies and guidelines of the City of Kitchener Official and the city-wide objectives of the City of Kitchener Urban Design Manual. Based on the assessment in the Urban Design Brief, the proposed development is appropriate and reflects good urban design.

Respectfully submitted,



Trevor Hawkins, M. Plan, MCIP, RPP

Partner



Juliane vonWesterholt, B.E.S, MCIP, RPP

Associate

APPENDIX A



MHBC
P L A N N I N G
U R B A N D E S I G N
& L A N D S C A P E
A R C H I T E C T U R E

NOTICE OF PUBLIC MEETING

for a development in your neighbourhood
135-161 Jackson Ave. & 136 Brentwood Ave.



Concept Drawing



Floor Space
Ratio of 1.0



Maximum
12.5 Metre
Building Height



Rear Yard
Setback of
6.1 Metres

Have Your Voice Heard!

Planning & Strategic Initiatives Committee

Date: **April 22, 2024**

Location: **Council Chambers,
Kitchener City Hall
200 King Street West
or Virtual Zoom Meeting**

Go to **[kitchener.ca/meetings](https://www.kitchener.ca/meetings)**
and select:

- Current agendas and reports
(posted 10 days before meeting)
- Appear as a delegation
- Watch a meeting

To learn more about this project, including
information on your appeal rights, visit:

**[www.kitchener.ca/
PlanningApplications](https://www.kitchener.ca/PlanningApplications)**

or contact:

Brian Bateman, Senior Planner
brian.bateman@kitchener.ca
519.741.2200 x7869

The City of Kitchener will consider applications to amend the City's Official Plan and Zoning By-law that would allow for an increased Floor Space Ratio (FSR), building height, reduced parking requirements and a reduced rear yard setback to allow for the development of 5 stacked townhome buildings, having 118 dwelling units, on lands currently zoned for multiple dwellings.

City of Kitchener - Comment Form

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

Application Type: OPA and ZBA

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

Commenter's name: Gaurang Khandelwal

Email: Gaurang.khandelwal@kitchener.ca

Phone: 519-741-2200 x 7611

Written Comments Due: NA

Date of comments: February 8, 2024

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

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

2. Comments & Issues:

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

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

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

3. Policies, Standards and Resources:

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

4. Advice:

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



PLANNING, DEVELOPMENT
AND LEGISLATIVE SERVICES
Community Planning
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 1-226-752-8622
File: D17/2/24002
C14/2/24002
February 13, 2024

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

Dear Mr. Bateman,

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

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

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

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

Document Number: 4603969

Version: 1

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

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

Regional Comments

Consistency with Provincial Legislation and Regional Official Plan Conformity

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

Built Up Area Policies:

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

Region of Waterloo International Airport:

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

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

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

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

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

Environmental Noise (Road and Stationary Noise) Study:

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

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

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

Corridor Planning:

Official Plan Amendment and Zoning By-law Amendment Stage:

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

Hydrogeology and Water Programs/Source Water Protection

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

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

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

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

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

- Ensuring that cold weather stormwater flows are considered in the site design. Consideration should be given to minimize the transport of meltwater across the parking lots or driveway. This also has the potential to decrease the formation of ice and thereby the need for de-icing.
- Directing downspouts towards pervious (i.e. grassy) surfaces to prevent runoff from freezing on parking lots and walkways.
- Locating snow storage areas on impervious (i.e. paved) surfaces.
- Locating snow storage areas in close proximity to catchbasins.
- Using winter maintenance contractors that are Smart About Salt™ certified.
- Using alternative de-icers (i.e. pickled sand) in favour of road salt.

The proponent is eligible for certification under the Smart About Salt™ program for this property. Completion of the SMP is one part of the program. To learn more about the program and to find accredited contractors please refer to:

<http://www.smartaboutsalt.com/>. Benefits of designation under the program include cost savings through more efficient use of salt, safe winter conditions by preventing the formation of ice, and potential reductions in insurance premiums.

Housing Services

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

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

The Region supports the provision of a full range of housing options, including affordable housing. Should this development application move forward, staff recommend that the applicant consider providing a number of affordable housing units on the site, as defined in the Regional Official Plan. Rent levels and house prices that are considered affordable according to the Regional Official Plan are provided below in the section on affordability.

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

Staff further recommend meeting with Housing Services to discuss the proposal in more detail and to explore opportunities for partnerships or programs and mechanisms to support a defined level of affordability.

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

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

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

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

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

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

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

Housing for which the purchase price results in annual accommodation costs which do not exceed 30 percent of gross annual household income for low and moderate income households	\$418,100
Housing for which the purchase price is at least 10 percent below the average purchase price of a resale unit in the regional market area	\$679,300

*Based on the most recent information available from the PPS Housing Tables (2022).

In order for an owned unit to be deemed affordable, the maximum affordable house price is \$418,100.

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

A unit for which the rent does not exceed 30 per cent of the gross annual household income for low and moderate income renter households	\$1,960
--	---------

A unit for which the rent is at or below the average market rent (AMR) in the regional market area	Bachelor: \$1,075 1-Bedroom: \$1,245 2-Bedroom: \$1,469 3-Bedroom: \$1,631 4+ Bedroom: n/a
--	--

*Based on the most recent information available from the PPS Housing Tables (2022)

In order for a rental unit to be deemed affordable, the average rent for the proposed units must be at or below the average market rent in the regional market area as shown above.

Fees:

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

Conclusions:

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

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

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

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

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

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

Next Steps:

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

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

Yours truly,



Melissa Mohr, MCIP, RPP
Senior Planner

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

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

Hi Brian,

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

Thanks,

Christine Goulet, C.E.T.

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



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

You don't often get email from ricardo.ruiz@enovapower.com. [Learn why this is important](#)

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

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

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

Brian Bateman, MCIP, RPP

Senior Planner

City of Kitchener

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



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

You don't often get email from ricardo.ruiz@enovapower.com. [Learn why this is important](#)

Hi Brian,

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

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

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

Office Number: 519-745-4771 Ext. 6304

Mobile Number: 519-497-6221

ricardo.ruiz@enovapower.com

www.enovapower.com

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

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

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

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

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Hi Ricardo,

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

Brian Bateman, MCIP, RPP

Senior Planner

City of Kitchener

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



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

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

To: MTO - Jeremiah Johnston (Jeremiah.Johnston@ontario.ca) <jeremiah.johnston@ontario.ca>;
DL#_DSD_Planning <DSD-PlanningDivision@kitchener.ca>; Bell - c/o WSP <circulations@wsp.com>;
Carlos Reyes <Carlos.Reyes@kitchener.ca>; Darren Kropf <Darren.Kropf@kitchener.ca>; Dave Seller
<Dave.Seller@kitchener.ca>; David Paetz <David.Paetz@kitchener.ca>; Ellen Kayes
<Ellen.Kayes@kitchener.ca>; Enova Power Corp. - Greig Cameron <greig.cameron@enovapower.com>;
Enova Power Corp. - Shaun Wang <shaun.wang@enovapower.com>; Fire Prevention (SM)

<FirePrevention@kitchener.ca>; French Catholic School Board <planification@cscmonavenir.ca>; GRCA - Planning (planning@grandriver.ca) <planning@grandriver.ca>; Landuse Planning <landuseplanning@hydroone.com>; Jim Edmondson <Jim.Edmondson@kitchener.ca>; Justin Readman <Justin.Readman@kitchener.ca>; Katherine Hughes <Katherine.Hughes@kitchener.ca>; Mike Seiling <Mike.Seiling@kitchener.ca>; Ontario Power Generation <Executivevp.lawanddevelopment@opg.com>; Park Planning (SM) <Park.Planning@kitchener.ca>; Region - Howard Chang (SChang@regionofwaterloo.ca) <SChang@regionofwaterloo.ca>; Planning Applications <planningapplications@regionofwaterloo.ca>; Property Data Administrator (SM) <PropDataAdmin@kitchener.ca>; Robert Morgan <Robert.Morgan@kitchener.ca>; Steven Ryder <Steven.Ryder@kitchener.ca>; Sylvie Eastman <Sylvie.Eastman@kitchener.ca>; UW-WUSA (Feds) (pres@wusa.ca) <pres@wusa.ca>; Viamonde School Board - Daniel Stojc <stojcd@csviamonde.ca>; WCDSB - Planning <planning@wcdsb.ca>; WRDSB - Board Secretary (elaine_burns@wrdsb.ca) <elaine_burns@wrdsb.ca>; WRDSB - Planning <planning@wrdsb.ca>
Subject: Circulation for Comment - 135-161 Jackson Ave. & 136 Brentwood Ave. (OPA/ZBA)

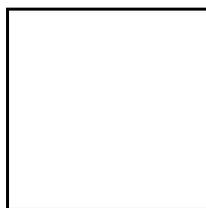
Please see attached. Additional documentation can be found in AMANDA folders 24-100398 & 24-100402 (City staff) and [ShareFile](#) (external agencies). Comments or questions should be directed to **Brian Bateman**, Senior Planner (brian.bateman@kitchener.ca; 519-741-2200 x7869).

Christine Kompter

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



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<https://enovapower.com/disclaimer>

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

Hi Brian,

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

Thank you,

Jennifer Arends

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

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

From: Christine Kompter <Christine.Kompter@kitchener.ca>
Sent: Thursday, January 18, 2024 3:00 PM
To: MTO - Jeremiah Johnston (Jeremiah.Johnston@ontario.ca) <jeremiah.johnston@ontario.ca>;
DL#_DSD_Planning <DSD-PlanningDivision@kitchener.ca>; Bell - c/o WSP <circulations@wsp.com>;
Carlos Reyes <Carlos.Reyes@kitchener.ca>; Darren Kropf <Darren.Kropf@kitchener.ca>; Dave Seller
<Dave.Seller@kitchener.ca>; David Paetz <David.Paetz@kitchener.ca>; Ellen Kayes
<Ellen.Kayes@kitchener.ca>; Enova Power Corp. - Greig Cameron <greig.cameron@enovapower.com>;
Enova Power Corp. - Shaun Wang <shaun.wang@enovapower.com>; Fire Prevention (SM)
<FirePrevention@kitchener.ca>; French Catholic School Board <planification@cscmonavenir.ca>; GRCA -
Planning (planning@grandriver.ca) <planning@grandriver.ca>; Landuse Planning
<landuseplanning@hydroone.com>; Jim Edmondson <Jim.Edmondson@kitchener.ca>; Justin Readman
<Justin.Readman@kitchener.ca>; Katherine Hughes <Katherine.Hughes@kitchener.ca>; Mike Seiling
<Mike.Seiling@kitchener.ca>; Ontario Power Generation <Executivevp.lawanddevelopment@opg.com>;
Park Planning (SM) <Park.Planning@kitchener.ca>; Region - Howard Chang
(SChang@regionofwaterloo.ca) <SChang@regionofwaterloo.ca>; Planning Applications

<planningapplications@regionofwaterloo.ca>; Property Data Administrator (SM)
<PropDataAdmin@kitchener.ca>; Robert Morgan <Robert.Morgan@kitchener.ca>; Steven Ryder
<Steven.Ryder@kitchener.ca>; Sylvie Eastman <Sylvie.Eastman@kitchener.ca>; UW-WUSA (Feds)
(pres@wusa.ca) <pres@wusa.ca>; Viamonde School Board - Daniel Stojc <stojcd@csviamonde.ca>;
WCDSB - Planning <planning@wcdsb.ca>; WRDSB - Board Secretary (elaine_burns@wrdsb.ca)
<elaine_burns@wrdsb.ca>; WRDSB - Planning <planning@wrdsb.ca>

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

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

Christine Kompter

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



From: Christine Kompter
Sent: Thursday, January 11, 2024 9:41 AM
To: Brian Bateman
Subject: FW: Circulation for Comment - 135-161 Jackson Avenue & 136 Brentwood Avenue (OPA/ZBA)

Christine Kompter

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



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

Good Morning Christine,

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

Have a great day!

Ashley Gallagher

Engineering & Planning Services Technical Assistant
Grand River Conservation Authority

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

From: Christine Kompter <Christine.Kompter@kitchener.ca>
Sent: Wednesday, January 10, 2024 2:41 PM
To: _DL_#_DSD_Planning <DSD-PlanningDivision@kitchener.ca>; Bell - c/o WSP <circulations@wsp.com>; Carlos Reyes <Carlos.Reyes@kitchener.ca>; Darren Kropf <Darren.Kropf@kitchener.ca>; Dave Seller <Dave.Seller@kitchener.ca>; David Paetz <David.Paetz@kitchener.ca>; Ellen Kayes <Ellen.Kayes@kitchener.ca>; Enova Power Corp. - Greig Cameron <greig.cameron@enovapower.com>; Enova Power Corp. - Shaun Wang <shaun.wang@enovapower.com>; Fire Prevention (SM) <FirePrevention@kitchener.ca>; French Catholic School Board <planification@cscmonavenir.ca>; Planning <planning@grandriver.ca>; Landuse Planning <landuseplanning@hydroone.com>; Jim Edmondson <Jim.Edmondson@kitchener.ca>; Justin Readman <Justin.Readman@kitchener.ca>; Katherine Hughes <Katherine.Hughes@kitchener.ca>; Mike Seiling <Mike.Seiling@kitchener.ca>; Ontario Power Generation <Executivevp.lawanddevelopment@opg.com>; Park Planning (SM) <Park.Planning@kitchener.ca>; Region - Howard Chang (<Schang@regionofwaterloo.ca> <Schang@regionofwaterloo.ca>); Planning Applications <planningapplications@regionofwaterloo.ca>; Property Data Administrator (SM) <PropDataAdmin@kitchener.ca>; Robert Morgan <Robert.Morgan@kitchener.ca>; Steven Ryder <Steven.Ryder@kitchener.ca>; Sylvie Eastman <Sylvie.Eastman@kitchener.ca>; UW-WUSA (Feds) (<pres@wusa.ca> <pres@wusa.ca>); Viamonde School Board - Daniel Stojc <stojcd@csviamonde.ca>; WCDSB - Planning <planning@wcdsb.ca>; WRDSB - Board Secretary (<elaine_burns@wrdsb.ca> <elaine_burns@wrdsb.ca>); WRDSB - Planning <planning@wrdsb.ca>
Cc: Brian Bateman <Brian.Bateman@kitchener.ca>
Subject: Circulation for Comment - 135-161 Jackson Avenue & 136 Brentwood Avenue (OPA/ZBA)

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

Christine Kompter

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



From: Johnston, Jeremiah (MTO) <Jeremiah.Johnston@ontario.ca>
Sent: Thursday, January 18, 2024 4:03 PM
To: Brian Bateman
Subject: RE: Circulation for Comment - 135-161 Jackson Ave. & 136 Brentwood Ave. (OPA/ZBA)

Very well,

MTO maintains the same position on permits as previously provided.

Thank you,

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

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

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

Brian Bateman, MCIP, RPP

Senior Planner

City of Kitchener
519-741-2200 x7869, TTY 1-866-969-9994



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

Good afternoon Brian,

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

Thank you,

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

From: Christine Kompter <Christine.Kompter@kitchener.ca>
Sent: January 18, 2024 3:00 PM
To: Johnston, Jeremiah (MTO) <Jeremiah.Johnston@ontario.ca>; _DL_#_DSD_Planning <DSD-PlanningDivision@kitchener.ca>; Bell - c/o WSP <circulations@wsp.com>; Carlos Reyes <Carlos.Reyes@kitchener.ca>; Darren Kropf <Darren.Kropf@kitchener.ca>; Dave Seller <Dave.Seller@kitchener.ca>; David Paetz <David.Paetz@kitchener.ca>; Ellen Kayes <Ellen.Kayes@kitchener.ca>; Enova Power Corp. - Greig Cameron <greig.cameron@enovapower.com>; Enova Power Corp. - Shaun Wang <shaun.wang@enovapower.com>; Fire Prevention (SM) <FirePrevention@kitchener.ca>; French Catholic School Board <planification@cscmonavenir.ca>; GRCA - Planning <planning@grandriver.ca> <planning@grandriver.ca>; Landuse Planning <landuseplanning@hydroone.com>; Jim Edmondson <Jim.Edmondson@kitchener.ca>; Justin Readman <Justin.Readman@kitchener.ca>; Katherine Hughes <Katherine.Hughes@kitchener.ca>; Mike Seiling <Mike.Seiling@kitchener.ca>; Ontario Power Generation <Executivevp.lawanddevelopment@opg.com>; Park Planning (SM) <Park.Planning@kitchener.ca>; Region - Howard Chang <SChang@regionofwaterloo.ca> <SChang@regionofwaterloo.ca>; Planning Applications <planningapplications@regionofwaterloo.ca>; Property Data Administrator (SM) <PropDataAdmin@kitchener.ca>; Robert Morgan <Robert.Morgan@kitchener.ca>; Steven Ryder <Steven.Ryder@kitchener.ca>; Sylvie Eastman <Sylvie.Eastman@kitchener.ca>; UW-WUSA (Feds) <pres@wusa.ca> <pres@wusa.ca>; Stojc, Daniel <stojcd@csviamonde.ca>; WCDSB - Planning <planning@wcdsb.ca>; Elaine Burns <elaine_burns@wrdsb.ca>; WRDSB - Planning <planning@wrdsb.ca>
Subject: Circulation for Comment - 135-161 Jackson Ave. & 136 Brentwood Ave. (OPA/ZBA)

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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
Zone Change / Official Plan Amendment Comment Form

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

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

Date of Comments: Jan 11 2024

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

1. Documents Reviewed:

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

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

2. Site Specific Comments & Issues:

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

Zone Change / Official Plan Amendment Comment Form

3. Comments on Submitted Documents

1) **Parkland Dedication**

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

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

Calculation:

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

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

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

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

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

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

Zone Change / Official Plan Amendment Comment Form

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

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

- Kitchener Official Plan
- City of Kitchener Park Dedication Bylaw 2022-101 and Park Dedication Policy
- City of Kitchener Development Manual
- Cycling and Trails Master Plan (2020)
- Chapter 690 of the current Property Maintenance By-law
- Places & Spaces: An Open Space Strategy for Kitchener
- Multi-Use Pathways & Trails Masterplan
- Urban Design Manual

5. **Anticipated Fees:**

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

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

City of Kitchener
Zoning By-law Amendment Comment Form

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

File Number: OPA2024/02/J/BB

ZBA2024/02/J/BB

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

Comments Of: Transportation Services

Commenter's Name: Steve Ryder

Email: steven.ryder@kitchener.ca

Phone: (519) 741 2200 x 7152

Date of Comments: January 22, 2024

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

1. Recommendation of Commenting Division:

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

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

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

TRAFFIC IMPACT OF PROPOSED DEVELOPMENT:

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

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

Hi Brian,

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

Thanks,

Steve

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

Hello Steve,

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

Brian Bateman, MCIP, RPP

Senior Planner

City of Kitchener

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



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

Hi Steve,

Attached is the latest revised plan for your information.

Brian Bateman, MCIP, RPP

Senior Planner

City of Kitchener

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



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

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

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



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

Hi Katey, Lenore & Steve,
Juliane from MHBC has provided me with a response matrix to staff comments and is attached for your consideration. Can you kindly review and advise me if your concerns have been addressed satisfactorily by March 12, please and thank you. Katey/Sandro – I would kindly ask that, given the concerns/questions of residents particularly around the Urban Design Guidelines, could you provide me with a detailed response on how this proposal meets the Guidelines so I can include it in my report and be able to answer any questions that will arise at Committee. Steve – if you could provide me with a paragraph or two regarding traffic, that would also be appreciated. Please reach out if you have any questions in the meantime.
P.S. – Juliane said to me before she left on vacation, that the updated site plan is coming but it needs to be matched up with the grading plan. I am hoping it is available shortly. My understanding is they have agreed to the changes that Katey proposes but on working on the setbacks.

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



From: Juliane vonWesterholt <jvonwesterholt@mhbcplan.com>

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

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

Subject: comment summary tables Jackson Ave

Hi Brian,

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

Sincerely,

Juliane von Westerholt

JULIANE von WESTERHOLT BES, MCIP, RPP
Associate

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

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Brian.,

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

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

Best,

Katey

Katey Crawford, OALA, CSLA

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



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

Hi Katey,

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

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

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

Brian Bateman, MCIP, RPP

Senior Planner

City of Kitchener

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



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

Hi Katey/Sandro,

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

Brian Bateman, MCIP, RPP

Senior Planner

City of Kitchener

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



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

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

Subject: revised site plan and engineering plans

Hi Brian,

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

Sincerely,

Juliane von Westerholt

JULIANE von WESTERHOLT BES, MCIP, RPP
Associate

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

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Good Morning Brian,

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

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

B) That the developer and the Waterloo Catholic District School Board reach an agreement regarding the supply and erection of a sign (at the developer's expense and according to the Board's specifications) affixed to the development sign advising prospective residents about schools in the area. A sign specifications document can be found at the bottom of the board's planning department web page (<https://www.wcdsb.ca/about-us/cs/planning/>).

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

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

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

Thank you,

Jordan Neale

Planning Technician, WCDSB

480 Dutton Dr, Waterloo, ON N2L 4C6

519-578-3660 ext. 2355

From: Christine Kompter <Christine.Kompter@kitchener.ca>
Sent: Thursday, January 18, 2024 3:00 PM
To: MTO - Jeremiah Johnston (Jeremiah.Johnston@ontario.ca) <jeremiah.johnston@ontario.ca>;
DL#_DSD_Planning <DSD-PlanningDivision@kitchener.ca>; Bell - c/o WSP <circulations@wsp.com>;
Carlos Reyes <Carlos.Reyes@kitchener.ca>; Darren Kropf <Darren.Kropf@kitchener.ca>; Dave Seller
<Dave.Seller@kitchener.ca>; David Paetz <David.Paetz@kitchener.ca>; Ellen Kayes
<Ellen.Kayes@kitchener.ca>; Enova Power Corp. - Greig Cameron <greig.cameron@enovapower.com>;
Enova Power Corp. - Shaun Wang <shaun.wang@enovapower.com>; Fire Prevention (SM)
<FirePrevention@kitchener.ca>; French Catholic School Board <planification@cscmonavenir.ca>; GRCA -

Planning (planning@grandriver.ca) <planning@grandriver.ca>; Landuse Planning <landuseplanning@hydroone.com>; Jim Edmondson <Jim.Edmondson@kitchener.ca>; Justin Readman <Justin.Readman@kitchener.ca>; Katherine Hughes <Katherine.Hughes@kitchener.ca>; Mike Seiling <Mike.Seiling@kitchener.ca>; Ontario Power Generation <Executivevp.lawanddevelopment@opg.com>; Park Planning (SM) <Park.Planning@kitchener.ca>; Region - Howard Chang (SChang@regionofwaterloo.ca) <SChang@regionofwaterloo.ca>; Planning Applications <planningapplications@regionofwaterloo.ca>; Property Data Administrator (SM) <PropDataAdmin@kitchener.ca>; Robert Morgan <Robert.Morgan@kitchener.ca>; Steven Ryder <Steven.Ryder@kitchener.ca>; Sylvie Eastman <Sylvie.Eastman@kitchener.ca>; UW-WUSA (Feds) (pres@wusa.ca) <pres@wusa.ca>; Viamonde School Board - Daniel Stojc <stojcd@csviamonde.ca>; Planning <planning@wcdsb.ca>; WRDSB - Board Secretary (elaine_burns@wrdsb.ca) <elaine_burns@wrdsb.ca>; WRDSB - Planning <planning@wrdsb.ca>
Subject: Circulation for Comment - 135-161 Jackson Ave. & 136 Brentwood Ave. (OPA/ZBA)

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

Christine Kompter

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



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From: Emily Bumbaco <emily_bumbaco@wrdsb.ca>
Sent: Wednesday, January 31, 2024 10:04 AM
To: Brian Bateman; Planning
Subject: Re: [Planning] Circulation for Comment - 135-161 Jackson Ave. & 136 Brentwood Ave. (OPA/ZBA)

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**PLANNING
DEPARTMENT**

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

January 31, 2024

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

File No.: OPA24/002 ZBA24/002

Municipality: Kitchener

Dear Brian,

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

Student Accommodation

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

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

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

Student Transportation

The WRDSB supports active transportation, and we ask that pedestrians be considered in the review of all development applications to ensure the enhancement of safety and connectivity. WRDSB staff are interested in engaging in a conversation with the City of Kitchener, and applicant to review the optimization of pedestrian access to public transit, and municipal sidewalks so students may access school bus pick-up points.

Student Transportation Services of Waterloo Region (STSWR)'s school buses will not travel privately owned or maintained rights-of-way to pick-up/drop-off students. Transported students will be required to meet the bus at a congregated bus pick-up point. STSWR may have additional comments about student pick-up point(s) placement on municipal rights-of-way.

WRDSB Conditions

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

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

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

Please be advised that any development on the subject lands is subject to the provisions of the WRDSB's [Education Development Charges By-law, 2021](#) or any successor thereof and may require the payment of Education Development Charges for these developments prior to issuance of a building permit.

The WRDSB requests to be circulated on any subsequent submissions on the subject lands and reserves the right to comment further on this application.

If you have any questions about the comments provided, don't hesitate to contact the undersigned.

Sincerely,

Emily Bumbaco
Senior Planner



Waterloo Region District School Board

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

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

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

Christine Kompter

Administrative Assistant | Planning Division | City of Kitchener
200 King Street West, 6th Floor | P.O. Box 1118 | Kitchener ON N2G 4G7

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



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From: Renee Richards [REDACTED]
Sent: Sunday, February 4, 2024 4:28 PM
To: Brian Bateman; Stephanie Stretch

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I would really like to know how this can happen? A pre-selling units 135 Jackson Ave townhomes! I just saw that...

""It 'appears' as though city councillors and the possibly the mayor *may have been* making side deals: <https://www.livabl.com/kitchener-on/135-jackson-avenue-townhomes> (credit Frank and Helen for a heads up) I suggest that everyone directly question all city councillors and the mayor directly *before* the meeting about how the developer in any way feels confident enough to be pre-selling units when the consultation phase has not even occurred. ""

Thank you

Renee Richards

From: Robert Young [REDACTED]
Sent: Thursday, February 1, 2024 1:20 PM
To: Brian Bateman
Subject: N2H 2E1 Proposed Development

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Hello Mr. Bateman,

I have some questions about the development as I have a property beside 136 Brentwood. When would be a good time to contact you?

Thank you,
Best regards,
Sent from my iPhone

From: Jim Laturney [REDACTED]
Sent: Tuesday, February 6, 2024 9:53 AM
To: Brian Bateman; Mayor; Stephanie Stretch
Subject: 135 Jackson Variance Request
Attachments: 135 Jackson response to CofK Building .pdf

Follow Up Flag: Follow up
Flag Status: Completed

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Brian Bateman, Senior Planner

City of Kitchener

Brian this will forward to the mayor, Stephanie Stretch and posted the Eastwood Neighbourhood Association Facebook page

I come from a background in the electrical industry and Health and Safety, in both these areas there is a set of minimum standards not to be crossed.

We all know that this site will be rezoned for the project it is just a matter of getting it to fit the City of Kitchener standards.

I have to assume the City of Kitchener Planning department and council spent time and money on establishing our minimum standards for building in Kitchener to maintain the quality of life for adjacent residents and new residents alike. I also assume these minimum standards were not kept secret so the developer, engineers and architects had all these standards when developing a plan for this site, and chose to ignore them.

FSR: The floor space ratio is requested to be increased by 166% from .6 to 1 so they can put more building on the 1.13 hectare lot.

Building Height: The increase from 9 m to 12.5 m is a 138% increase in height. These buildings will tower over the adjacent properties with direct nightlines into their backyards and homes.

Set Back: From 7.5m to 6m is 80% of what it should be. At 6m there is barely room to move construction equipment around the buildings without encroaching on the adjacent properties. 7.5 is an adequate space for construction and leisure use when completed.

Parking: Parking should be 1.1 / unit to allow for visitor and owner's parking. The parking space #s should not include the 4 garage parking spots or the 6 Handicap spots. So 127 parking spaces + 6 Handicap = 133 (not including the townhouse garage spots)

To all the variances in this case I would say No

EV Charging: The city should require at least 5% of the parking spots have access to a charging station this would be 6 - 7 charging stations. These can be user pay charging stations. The equipment provided by the developer and the cost of electricity and capital should be paid by the user of the EV charger.

Trees: Save or replace 10% more trees scheduled to be removed as listed 103,104, 402, 403, 405, 421, 422, 423, 424, 425, 426, 427, 472, 495 and 496 be saved. This will be about an extra 10%. I find it puzzling in section 3.1 of the Arborist Report that trees on adjacent lots are listed in Good condition while the subject site they are listed as Fair. Before construction starts the trees should be pruned, fertilized and protected at least as far as the drip line. The owner should be required to have the remaining trees and trees on adjacent property impacted by

their construction taken care of for 5 years. If a tree were to die or have to be removed it must be replaced by a tree with at least a 5" diameter.

Site Fencing: An 8' privacy fence (at the developers expense) should be installed around the subject site prior to start of construction to prevent construction waste and workers from encroaching on the adjacent properties.

Road Conditions and Construction Traffic: The contractor under the Highway Traffic Act is required to keep the roadway clear of mud and debris (the roadway should be cleaned at least twice a day during construction) until the lot is paved. There should be **No Construction traffic** signs posted on Mackenzie, Sheldon, Raymond, Edmund, Jackson and Fairmont. All construction traffic must use Montgomery to Brentwood the Brentwood to 136 for entry to the site.

Dust Control: The constructor must have a dust control plan in place before construction starts. Such as listing that the site will be watered as required to prevent dust enveloping the adjacent properties. The adjacent properties should not have to suffer living in a dust bowl because of construction. This site is literally in the middle of a neighbourhood.

Building Permit: The developer wants to do this in 2 phases. Build the 3 units that back on to the Brentwood properties and 105 parking spaces. This implies to me that they don't have the money or unwilling to spend the money to build this out all at the same time. We do not want this to end up like the building on Fergus Ave. in Kitchener, bankrupt not complete or even enclosed from the weather left to rot. The project must be built out in a single phase with a timeline of 2.5 years from when the first home is demolished to occupancy permits issued for all the units. If this goes in 2 phases the construction timeline may be 5 years, not fair to the neighbouring property owners. All the buildings scheduled for demolition should be taken down at the same time, so we don't have abandon houses to attract problems. This site should be built out completely before Kitchener allows occupancy.

There should also be an adjusted work time for the site This is in the middle of a neighbourhood work should only be permitted from **08:00 to 17:00 Monday to Friday**. The only work allowed on the weekends or statutory holiday is interior work on an enclosed building.

The constructor must be required to provide off street parking for construction vehicles and workers. These streets have been narrowed during street reconstruction and the extra on street parking will cause problems for the area residents as well as emergency vehicles.

As stated before that this is literally in the middle of a neighbourhood completely surrounded by houses.

Traffic Patterns and Parking: Fire Routes must be established on Brentwood, Jackson, Fairmount and Montgomery surrounding the project should be in place before construction starts.

The city should put a 4 way stop at Jackson and Brentwood. Along with 3 way stops at Brentwood and Edmund and Brentwood and Raymond to discourage traffic from the complex

using Brentwood to Sheldon to Mackenzie to Ottawa. The traffic should be encouraged to go Brentwood to Montgomery to Weber.

Thank you:
Jim Laturney

From: Frank Smeding [REDACTED]
Sent: Sunday, February 4, 2024 10:36 AM
To: Brian Bateman
Cc: Internet - Council (SM)
Subject: 135-161 JACKSON AVE application

Some people who received this message don't often get email from [REDACTED] [Learn why this is important](#)

Good morning so I can properly comment & prepare for the meeting
Please advise the following

Are the 120 plus units going to be rental units or individually purchased

When approved when will the demolition/construction begin

Thanks Frank

From: Christine Liebig [REDACTED]
Sent: Thursday, February 8, 2024 4:30 PM
To: Brian Bateman
Subject: 135-161 Jackson Ave & 136 Brentwood Ave

You don't often get email from [REDACTED] [Learn why this is important](#)

Hello Brian,

Appreciate being asked to share concerns, albeit truly bemused as to why – when the development is already advertising its listings, according to some resident who have suffered themselves to look into the matter.

Moreover, after reviewing the robust development plans online, it's hard to see how anything will impact the project from moving forward. So again, merely a (with respect) bureaucratic exercise to "check the boxes".

Having said that, I will voice the following:

1. This neighbourhood, in which I have had the privilege of living in for the past 14 yrs is a gem that the city has long overlooked and underappreciated. A family-focused, inclusive, old-forested neighbourhood close to the core that is truly one-of-a-kind and an exemplar of urban living, and represents a beautiful and authentic example of what "a community" actually means.
2. In recent years, many neighbours have voiced safety, as well as other concerns to the City & Councillors and received mere platitudes. So regrettably our trust in the sincerity of the City asking for feedback is low.
3. Community upgrades (recent) positioned as democratically chosen to benefit residents are, by far the majority, used only by those driving by car from other areas and have disrupted our greenspace - Montgomery Park - to the point where very few, if any, local residents walk through there any more.
4. Finally, and most relevant to this call for feedback: There are **3** developments going up in three blocks (Sheldon, Clive & Jackson) in the next 1-3 years, which, instead of including underground parking, will bring over 300 new cars (1 per unit) to the area, as well as, most assuredly, at least $\frac{3}{4}$ that many more in co-habitants vehicles. My question is, where will they park? In the streets? How will the intersections (at Brentwood, Montgomery, Sheldon & Weber) and snowplowing accommodate the added load & congestion - particularly when added to Eastwood Collegiate traffic?

Obviously, we are all well aware of the housing crisis. And I'm not a "not in my back yard" proponent. But if the City truly had vision, there is plenty of commercial land available in Kitchener to accommodate these "flat and wide" developments that are closer to, or even in the midst of, amenities suited for 1-2 bedroom units, rather than so profoundly disrupting the fabric of a quiet, family-residential neighbourhood, because a developer has slowly and meticulously purchased one single-family homes after another, under different guises.

Thankfully, some people have choices - to stay or to leave. Others, who have chosen this neighbourhood as a quiet urban oasis, close to schools for their young families, and seniors who have lived here for decades are not as flexible, will suffer the brunt of the developments you have chosen to support.

It's regrettable that the city views its citizens as tokens to appease with a postcard and a virtual meeting - which is not accessible to many - rather than take responsibility and telling us this development(s) is coming, whether we want it to or not.

Respectfully,
C.A. Liebig

Christine A. Liebig

Mentor | Brand Story & Strategy



(formerly Innovation Guelph)

Office:

Mobile:

Web: BoundlessAccelerator.ca

Email:

361 Southgate Drive, Guelph, ON N1G 3M5

This message has been sent as a part of a discussion between Christine A. Liebig and the addressee whose name is specified above. Should you have received this message by mistake, please inform us. We also ask that you kindly delete this message from your mailbox and do not forward it (in whole or in part) to anyone else, as the information may be privileged. Thank you for your cooperation and understanding.

From: Dennis &/or Barb [REDACTED]
Sent: Tuesday, February 6, 2024 9:40 AM
To: Brian Bateman
Subject: 135-161 Jackson Ave & 136 Brentwood

Follow Up Flag: Follow up
Flag Status: Completed

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Mr. Bateman,

My family and I are residents of the Brentwood and Jackson area for over 30 years and are opposed to this proposed development of the as we call it the Mansion Site. The original owner of this site was refused development on the following basis:

- ruin the character of the neighbourhood established by Architect Schwartz you would not do this on Lydia St.
- Hydro services are over 50 years old and cannot accommodate this development. Area fed from 5TS from Enova on feeder 5M13 which is maxed out, who would be paying for new hydro services to the area? Or have you even considered this
- Sewar, water infrastructure in the area was updated about 15 years ago and to add this type of development who is paying for upgrade to accommodate.
- Kitchener landfill was only good for approximately 15 more years for the current population this is irresponsible to add this many residents.
- With the new proposed apartment in the same area on King St the schools in the area cannot already handle the areas students, Shepard PS, Saint Anne CS, Sunnyside Middle School, and Eastwood CI with all these new families.
- What about the traffic? You add over a hundred cars to our quiet neighbourhood?
- They are also proposing tearing down Mr. Silver's house for a driveway in the middle of Brentwood; all I going and outgoing traffic will shine lights continually into Dave's, Carl's, Margurite's and Sue's house. As you can see this is not just a neighborhood we all know each other and watch out for the seniors out area.
- This developer has been buying up homes in our neighborhood and renting them out to students to the total destruction of these homes. They do not clean their snow, rake leaves, leave garbage all over the place to chase residents from our area which we have maintained for over 30-50 years. This development is not an improvement it is a destruction of the architectural character of our neighbourhood.
- I am not sure how you plan but this is not a good one.
- Infrastrurure, schools, traffic, hydro, gas restriction would destroy our mature trees, increase traffic for residents and students to unsafe levels.
- This is a neighbourhood of people who built Kitchener: John Wynn's KW Transport School, numerous Schneider Foods retirees, Minister at St. Paul's, numerous ATS employees, employees at Google, etc
- We have a quiet neighbourhood of friends which this development will destroy.

From: Denise Fischer [REDACTED]
Sent: Wednesday, February 7, 2024 1:59 PM
To: Brian Bateman
Subject: 135-161 Jackson Ave 136 Brentwood

[You don't often get email from [REDACTED]. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

Hi Brian I have lived on Sheldon Ave for the past 44 years. We are a tight knit community. I have concerns about the number of units being built on Jackson/Brentwood. We are losing so many trees, adding increased vehicle traffic and changing our neighborhood. We already have several other building projects that are increasing the population of our small community. The increased water & hydro consumption is worrisome. My water pressure fluctuates from the buildings at the top of Sheldon. And the increased traffic on Sheldon is already upsetting . There are already issues with the narrowing of both Mckenzie & Sheldon.
Regards, Denise
Sent from my iPhone

From: Jim Laturney [REDACTED]
Sent: Wednesday, January 31, 2024 11:39 AM
To: Brian Bateman
Subject: 135-161 Jackson Ave Kitchener
Attachments: [135-161 Jackson.pdf](#)

You don't often get email from [REDACTED]. [Learn why this is important](#)

Jim Laturney

Response To Proposed Development 135 - 161 Jackson Ave. Kitchener

The Eastwood neighbourhood has been dealing with the fallout from the homeless shelter at 1668 King St.E. for a few years now. We have had cars broken into, property damage and theft, a large portion of which can be attributed to the presences of the homeless shelter.

The existing area has about 275 single family houses, 16 apartment building (3 floor walkups) consisting of about 80 units and a condo complex at 260 Sheldon Ave.N. consisting of 94 units for a total of about 470 living units or between 940 and 1880 residents.

The City of Kitchener must look at a neighbourhood as a whole before approving new housing complexes in existing neighbourhoods. With the scheduled influx of residents we are looking at the population of the area bounded by Montgomery, Weber St., Ottawa St. and the expressway to be **134%** of existing. This does not even consider the possibility of 4000-7000 new residents of the apartment tower complex planned for King St.E., Montgomery and Weber. According to Census Canada Breslau only had about 5000 residents as of 2021.

In late 2023 the Threshold Group opened their expanded group home and affordable housing units at 290 Sheldon Ave. N.. This complex has 24 units this will bring up to 75 new residents in the area. Again only 1 access from Sheldon Ave. N. at the dead end.

There is another housing development approved and scheduled for 295 Sheldon Ave. N., a 40 unit complex with 2 buildings and only 44 parking spaces and only 1 point of access Sheldon Ave. N. at the dead end. This can bring in between 80 and 160 new residents to this project.

Where about 15 people lived in 3 houses we now have a possibility of 235 residents added to the end of the street (only 1 access from Sheldon Ave. N. at the dead end).

Now the city of Kitchener wants to approve a 120 unit complex to the neighbourhood with only 124 parking spaces. We can expect 240-480 new residents. If this development is approved this complex should not be allowed to have a cellular antennas on the building. This will cause increased exposure to RF radiation in the area residents. With the push toward electric vehicles I have not seen any requirement for EV chargers in the complex, there should be a requirement for 10% of the parking space to have access to EV charging or 13 EV charging stations. All E-bike storage must be stipulated to be outside due to the number of fires caused by Lithium-Ion batteries, there should be some sort of charging station in this area so residents will not need to take these units inside to charge.

With this development in the middle of an existing neighbourhood the construction times should be changed from 7 am to 8 am Monday to Friday. **No** excavation, concrete pouring or paving like work is to be done on the weekends. There needs to be strict dust controls during construction, this needs to be monitored and enforced. To protect the existing residents, this should be done by a third party consultant paid for by the developer with authority to shut down construction if the dust controls are not working or not being used. The roads must be kept clear of mud etc..

Parking is a large concern with up to 480 residents. With 124 parking spaces are not enough. This will lead to on street parking. The streets have been narrowed as they were rebuilt and any parking on the street causes problems for traffic and emergency services. The streets surrounding the complex should become **Fire Routes** so there is only parking on 1 side of the roadway at times the bylaws permit. Brentwood, Montgomery, Jackson and Fairmount should have these designations and enforced. Sheldon Ave.N. from Fairmount to the dead end should also be designated as a **Fire Route** due to the number of vehicles that will be at the dead end. This should be done before construction begins as the area will get clogged with construction vehicles during the build. **As part of the permit process the developer should be required to provide off street parking for construction vehicles.**

I have concerns about the availability of services for the influx of residents to the neighbourhood (bounded by Montgomery, Weber St., Ottawa St. and the expressway). Is there enough Hydro, water, sewage capacity, natural gas, park space, schools and of course Police, Fire and Ambulance services. If the infrastructure needs to be increased this causes a disturbance in the community with roads being dug up, most of which having just been rebuilt in the last 5-7 years.

There must be controls in place to prevent any or all of these developments ending up like the condo complex on Fergus Ave. Kitchener with worked stopped the building not completed or weathered in and the purchasers of the condos are without a place to live or their money. There should be as part of the building permit a time line to start and a max of 3 years to full occupancy (or allowed occupancy of every unit in the complex). If the buildings are not complete within 3 years from the start date the building permit expires and they must stop work and apply for a new building permit with a cost which should be 50% higher than the original building permit.

The developer must be able to prove they have the finances to complete the project on time.

Just because the City of Kitchener can does not mean you must build on any open lot or redundant building. You must consider the neighbourhood you are looking at and what effect this will have on the existing residents. Remember you work for us the tax payer of the City of Kitchener and not for the province or the federal governments.

Jim Laturney

From: Barb Hergott [REDACTED]
Sent: Wednesday, February 7, 2024 8:57 AM
To: Brian Bateman
Subject: 135-161 Jackson Ave and 136 Brentwood Ave, Kitchener

You don't often get email from [REDACTED] [Learn why this is important](#)

There is much concern in our lovely neighbourhood about all of this development.

Do you really care/want to hear our concerns?? So many neighbours are not going to reach out because there is a general feeling that you will do what ever you want to do to make money for the city, with no real concerns for the residents already here.

We bought houses here and spent hard earned money, thought, and time to create homes for our families. Now with the economy the government created, many can not afford to move, many do not want to move.

But the increased traffic, people and problems will take away the sense of community in this neighbourhood. And the height of these buildings overlooking what is now back(and front) yards with a sense of privacy enjoyed daily by all of us. Would you want this done to your neighbourhood, and your home value??

What are you thinking?? Please consider our concerns.

Barb Hergott

From: Stella [REDACTED]
Sent: Friday, February 9, 2024 4:04 PM
To: Brian Bateman; Internet - Council (SM)
Subject: 135-161 Jackson Ave and 136 Brentwood Ave

Some people who received this message don't often get email from [REDACTED]. [Learn why this is important](#)

Hello Brian and Councillor,

I am submitting my concerns regarding 135-161 Jackson Ave and 136 Brentwood Ave.

When the single family home across the street from me was converted to a rental duplex we were originally told by the building department that the occupancy limit was 8. Inquiries were made when neighbours noticed more people and suddenly we were told the occupancy limit was 10. There are currently more than 10 people residing in that duplex but the building department or the city does not monitor or do anything about it.

1. Who is going to monitor the occupancy limit of the units being proposed?
2. How many of the units are rentals?
3. The increase to the number of people living in the area will negatively impact the neighbourhood. This proposed development is too large.
4. The current greenspace available to local people is already too small for the current population of the neighbourhood. No one from the city regularly monitors Montgomery Park; perhaps if it were monitored vehicles would not illegally park on and ruin the grass by the tennis courts.
5. The increase in traffic will negatively impact the neighbourhood.
6. This neighbourhood has already seen an increase in traffic do to the city approving zoning changes and development even though over 99% of the residents were opposed; who is representing the people who live here?
7. Are there other rental properties in the neighbourhood owned by this developer? If so, are the properties maintained to Kitchener Property Standards?
8. In the last few years many single family homes that have sold in the area have become slum rentals; garbage on the properties, parking on front lawns, no one shovelling the sidewalks, etc. How can we trust the city to look after the current residents interests when nothing is currently being done to protect our property values and standards.
9. I would like to see less than half dwelling units proposed and more outdoor green space on the development property for its future residents.
10. A huge decline in the number of toads has occurred surrounding the proposed development area. This has taken place since the development properties were purchased. Has anyone from the city checked into toad or other species decline in the area after this land was purchased?

From: Stephanie Patten [REDACTED]
Sent: Saturday, January 20, 2024 7:28 AM
To: Brian Bateman
Subject: 135-161 Jackson Ave. & 136 Brentwood Avc. Development

You don't often get email from [REDACTED] [Learn why this is important](#)

Good morning,

I am a neighbour in the Eastwood neighbourhood who lives on Brentwood ave, right across the street from where this proposed development "might" be built. I am so incredibly upset by this plan that I have been having trouble finding the correct words to express my concerns.

I do not understand the necessity of ruining our small neighbourhood with this monstrosity. We already have 6-8 large scale condominiums going up within a 2-3km radius from our home. Why are these additional units also helpful?

What I can see happening is increased crime, increased car accidents due to the new 200+ neighbours and their guests, increased utility usage - does this mean our water pressure will be affected? Can our sewer system handle this? Our power system? Internet lines? Will the neighbours who have worked their butts off to purchase their home be forced to compensate for this new development ?

The developer who purchased and is destroying this land, do they or have they ever even lived in our neighbourhood so they could know what damage they are causing? My neighbours all along Brentwood and fairmount are distraught. We will be forced to not only live in the thick of construction for now many years? But will have our entire living arrangements changed because of this development.

I know I'm not alone when I say our household was hit hard with depression since the pandemic, a lot of my neighbours have had the same struggles going on. And being able to step outside of our homes and see sky and sun is important. The thought of walking out my front door and all I can see are these buildings blocking the sunshine is depressing so far beyond comprehension. I can't even fully explain the negative implications this will certainly have.

The land would be better used for something our neighbourhood could actually benefit from. A community centre and large park for the kids? A new sports field or place for a skating rink for our budding athletes in the neighbourhood. Or just keep the incredible maple pond mansion the way it is! No one even knew it was for sale!

Do we even have any chance fighting this thing? Or has the plan been accepted and the city just wants to think we have a voice in this?

I appreciate your time.
Thank you
Stephanie Patten

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From: Rachel Ostrander [REDACTED]
Sent: Friday, February 9, 2024 6:20 PM
To: Brian Bateman; Internet - Council (SM)
Subject: 136-161 Jackson and 136 Brentwood - concerns and

Some people who received this message don't often get email from [REDACTED] [Learn why this is important](#)

Hello Brian,

I am emailing you about the proposed development on 136-161 Jackson and 136 Brentwood. I am a resident of the eastwood neighborhood and live on Brentwood.

Firstly, I would like to make it clear I am absolutely against this proposed development and rezoning to minimize the rear setback limit and increase building height.

While typically development can be great for KW this particular proposal is not moving the needle of progress in a way that creates overall benefit to the City and its residents. Additionally, the lot selected for development is not suited to a development in general given its completely enclosed by residential houses.

I have many questions and concerns, the following are some just a few of my key questions:

1. Has a gap capacity assessment been completed assessing the existing utility supply and the incremental demand placed on the area by this proposal and other developments? I would like to see this assessment and any supporting recommendations. We frequently have issues with sewage backstops and other utility infrastructure and this proposal will only exacerbate current issues.
2. The existing pond and mature trees provide important ecological habitats to wildlife in the neighbourhood. Has there been an assessment completed on the species of wildlife in the area and how they will be impacted when these habitats are removed ?
3. 120 units will greatly impact the traffic in the area by almost doubling the number of cars in the neighborhood. There are only a handful of entries and exits and the impact on traffic will be significant . i would be concerned for the number of children and elderly who live in the area. please comment on how traffic's impacts will be managed ?
4. I would like to see a more detailed assessment on impacts to water drainage. Paving over porous soil and removal of trees will certainly increase flood risks in the area . The proposed lot for the development has grading such that surrounding lots already have flooding issues. this will only be amplified with the current proposal.
5. The land was built by the gentleman who originally developed eastwood neighbourhood . the current structure is a neighbourhood landmark and the neighbourhood itself was established in the 1940s . Has the city considered the heritage that it would be demolishing and what's its formal response ?
6. The "playground" currently proposed is minuscule and does nothing to compensate for the neighborhood for the lost biodiversity and green space. Please comment on how the city plans to push back to the developer to incorporate more green space than is currently proposed to preserve mature trees while achieving its objectives ?

Look forward to hearing the responses to some of these concerns and will attend the meeting on Feb 21st.

Best Regards,

From: Thomas van der Hoff [REDACTED]
Sent: Saturday, January 20, 2024 8:29 AM
To: Brian Bateman
Subject: Application #ZBA24/002/J/BB - 135 Jackson Ave

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

Hi Brian,

Sharing a perspective for consideration by the City in regard to parkland at the proposed development at 135 Jackson Ave. As a resident of the neighbourhood, my family frequents the park on Montgomery Rd. In reviewing the development application, it appears parkland has been included. Considering the development is within the assumed 400 metre Parks Master Plan standard for proximity to the nearest neighbourhood playground (100 metres from the park), there is opportunity for the City to receive cash-in-lieu of parkland dedication, allocating these funds to the existing park which is in much need of replacement and expansion of the existing playground.

The existing playground equipment is of significant vintage, and is primarily focused on the older age range. The Eastwood neighbourhood is seeing a turnover of older residents with an influx of younger families in recent years, and replacement of the existing playground would not only serve the new residents but those who currently live here. A larger playground would be warranted as well, considering the number of new residents who will be visiting the park.

This re-allocation of development lands also provides further opportunity for adding additional units and/or parking.

Food for thought. Thanks Brian!

Thomas van der Hoff
Deputy Director
Recreation and Community Services
Office: [REDACTED]



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This email may contain confidential information. If you received this email in error, please notify the sender and delete the email. Please consider the environment before printing.

From: Amber Elliott [REDACTED]
Sent: Saturday, January 20, 2024 8:44 AM
To: Brian Bateman
Subject: Application Number: ZBA24/002/J/BB

[You don't often get email from [REDACTED]. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

Hello Brian,

I am an Operations Coordinator for a major specialty deep foundation construction company in the KW area. I wanted to reach out as I, as well as, the community have some major concerns for this build. I live in the area, right behind where this development is being proposed and I would urge you to take consideration of many things.

1. This area has had a growth in property damage and theft. (My cousin in an office for KW and has been to many calls and can duly this) Do with this information what you wish, but more people means more foot traffic, and more required security.
2. The parking is a huge situation for EVERYONE in this area. The township already didn't listen to the outstanding no's we had for the park being turned into a disk golf course. So appropriate parking numbers need to be established. One parking per unit is absolutely ridiculous for any complex. The money coming from this development, the parking should be expanded. (Parking garage) 3. Those of use to back onto the property, highly suggest that a proper and well designed fence be established around the entire property. We will not permit residence to come on to our property and use the parking we have in front of our streets to then walk the "easy way" through our lots and then into their building. Law enforcement will be called.
4. This area has a large amount of long time home owners, and we have gotten use to the new to here members that are joining this area, but there needs to be defined rules and processes that members follow. My expectations are that this is not an owner built apartment building and that these units will be sold and resold. My hope is that members of the sales area take consideration that those who are buying will need to be told and reminded the community expectations. We do not take kindly to those who disrupt the lives we have created. Human nature really. We have a very active community watch, and security setup ourselves. We demand respect to our community and properties.

I reviewed the documents, and I will mentioned that you do not appear to have a geotechnical investigation completed. This is something that you are going to need to take into consideration. If you already have, I believe that it is important to share that document with the public. As I mentioned I work for a deep foundations company, and this property, with how it sits, and its required structure, I suggest taking into consideration the soils and sampling. We do lots of ICI work, high rise buildings and small residential projects, and geotech information is always an high recommendation, especially for city planned work.

I write this to you, not to urge you to stop the production and halt growth to the area, but to bring forth the overwhelming concerns that the community has, and some advice on how to correct and follow through. Operations and preparedness is my speciality, so I appreciate you taking the time to review this email and request that you take this information with high consideration. You will be going to the meeting taking place tomorrow. So be prepared to have a lot of feedback, as this community won't hold back. Please let us now everything, so we can be best prepared.

Thank you for your time and consideration,

Amber Elliott

From: Natalie Sebastian [REDACTED]
Sent: Sunday, February 4, 2024 12:22 PM
To: Brian Bateman; Internet - Council (SM)
Cc: Stephanie Stretch
Subject: Below is a letter from 152 Jackson (the owner doesn't have internet or does email ,I have agreed to write her letter)

You don't often get email from [REDACTED] [Learn why this is important](#)

Millie Eckert

Just got notice they want to go ahead with a big development on our street.
I know we need more housing BUT this development does not belong in a small neighborhood like ours.

We had a nice quiet family neighborhood until a big developer came in and bought up 5 family homes. Now he wants to tear them down and put a townhouse complex for 120 units plus parking for 124 cars. Our small street cannot handle all that traffic. What about the sewers?

This street is not the place for a big complex. These developers do not live in our city, but come in here and ruin our nice quiet neighborhoods. I'm sure the city councillors would not want it on their street..

WHY CAN WE NOT HAVE A MEETING FACE TO FACE!

Mildred Eckert

Kindest regards,

Natalie

www.enpointeandjustdance.ca

On Friday, February 2, 2024 at 03:07:25 p.m. EST, Internet - Council (SM) <council@kitchener.ca> wrote:

Dear Natalie,

I am sharing your comments with the Planner that is overseeing this application at 135 Jackson, Brian Bateman. I have also sent your comments to Cllr Stephanie Stretch.

There will be a neighbourhood information session held. Details to join are in the link below and, by way of this email, I am asking you be added to the list for updates. [https://app2.kitchener.ca/AppDocs/OpenData/AMANDADataSets/701880_POSTCARD%20\(NOTICE%20&%20NIM\)%20\(135%20Jackson\).pdf](https://app2.kitchener.ca/AppDocs/OpenData/AMANDADataSets/701880_POSTCARD%20(NOTICE%20&%20NIM)%20(135%20Jackson).pdf)

Following that, staff will consolidate the feedback in order to finalize a recommendation to be considered by Planning Committee and City Council.

Then Council's decision will be communicated back to the residents who participated in the information session.

Elizabeth Leacock

Constituency Assistant to Council | Office of the Mayor and Council | City of Kitchener

519.741.2200 x7792 | TTY 1-866-969-9994 | elizabeth.leacock@kitchener.ca



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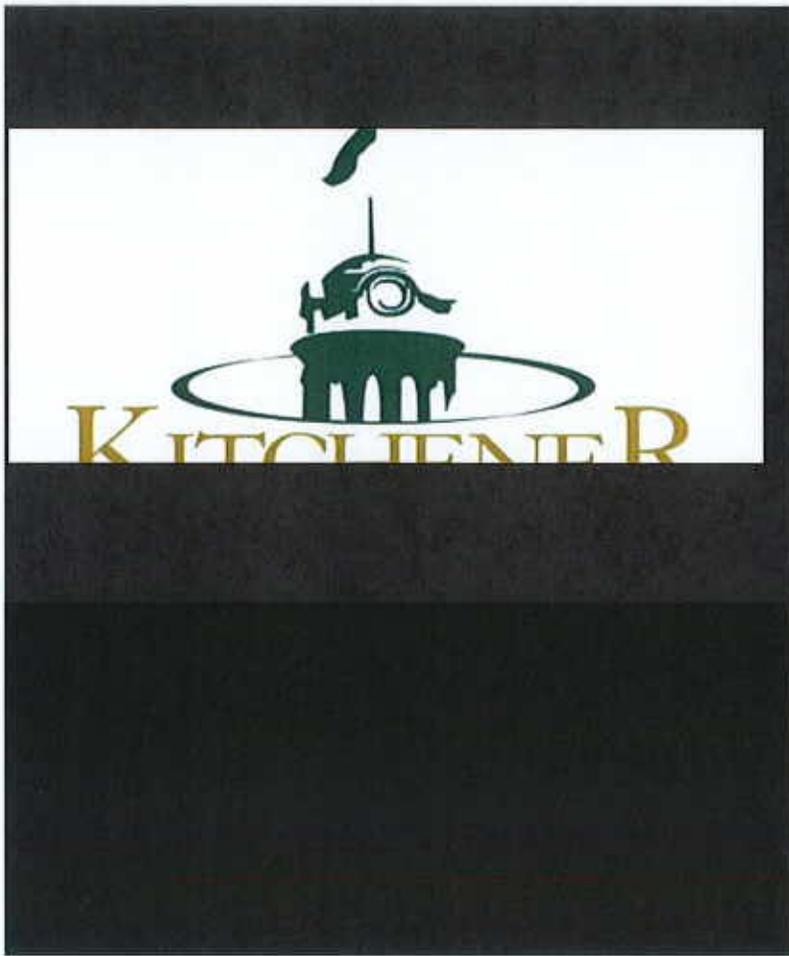
From: Natalie Sebastian <na...>
Sent: Thursday, January 25, 2024 3:58 PM
To: Internet - Council (SM) <council@kitchener.ca>
Subject: Proposed Development in your Neighbourhood - Jackson & Brentwood !

You don't often get email from [redacted] [Learn why this is important](#)

I am writing as a private citizen of the Ward 10 property located at [redacted] in Kitchener N2H 3P7 to express my vehement opposition to the proposal redevelopment per planning application 135-161 Jackson & 136 Brentwood Ave.

I am unclear why Kitchener paid thousands of dollars for this and we completely ignore this.

[Residential intensification in established neighbourhoods study](#)



Residential intensification in established neighbourhoods study

Policy and regulation review of developments in established communities.

The Eastwood neighbourhood within which I live is a quiet and serene older wartime neighbourhood consisting of mainly single-family dwellings, which is the primary motivating factor in my decision to purchase my home here. This neighbourhood would be severely impacted by not only the visual uglification of the surrounding neighbourhood by way of impositions of tall structures on the skyline, but also by the unwanted population intensification which will manifest itself in many ways, including but not limited to:

- Increased intensity of traffic in, out and through the community, in an area where traffic enforcement is already lacking in its effectiveness to establish safe travel speeds and compliance with road safety regulations.
- Increased traffic noise, again in an area where traffic enforcement is already lacking in its effectiveness to ensure that vehicles operated in and around the community meet established legislated vehicle noise emission standards, resulting in further worsening of street noise already above a reasonable level due to traffic both along Highway 7 and within the community's own streets.
- Increased general noise directly caused by the population intensification in an area already plagued by noise not only from the aforementioned lack of enforcement of established legislated vehicle noise emission standards, but by increased air traffic in and out of the municipal international airport (YKF).
- Increased disruption by construction activities as the developer would implement planned facility.
- Increased crime due to the intensification of population in the community that this project will cause.
- Erosion of our voices as voters and as property owners within the physical boundaries of this neighbourhood.

I ask that the City of Kitchener to:

1. Deny this application and prevent the project from going forward,
2. Withhold from use any funds from the tax base at the municipal, regional, provincial, and federal levels into which our community residents contribute, saving those funds from being diverted away from the neglected community standards enforcement already plaguing this community to further enhance profitability of the commercial interests of this property owner and commercial entities working with them.
3. Reject this application with prejudice so as to set a precedence to not further entertain applications of this nature in this community going forward by this applicant or by other applicants.
4. Not prove the ineffectiveness of democratic process by reviewing and subsequently ignoring this request.
5. BE BETTER in its proactive and EFFECTIVE informing of residents affected by proposals such as these (all residents, at least within a 1km radius of proposed project sites).

Sincerely,
Natalie Sebastian

From: Megan Bailey [REDACTED]
Sent: Thursday, February 8, 2024 10:09 PM
To: Brian Bateman
Subject: Comments - 135-161 Jackson Ave

You don't often get email from [REDACTED] [Learn why this is important](#)

Hello Brian,

I live at [REDACTED] immediately adjacent to Block D of the proposed development.

My first comment is that having the written comment period before the meeting seems problematic. I do not know entirely what I am supposed to be commenting on. There also could be something that comes up at the meeting that I would like the comment on but can't because it appears the only written comment period is before the meeting, and I have no idea how much time would actually be available for verbal comments.

I'm also not sure if I am only providing comments on the adjustments that the developer wants to the zoning, or if I am to be commenting on the actual project itself.

Overall, this does seem like a reasonable development, and probably a good location for a townhouse development. But, I do have some complaints, and as this appears to be the only time to make written comments I am going to make them, even if they don't end up being relevant.

Existing Fence – at least part of the 'existing fence' along the north side of the development and 171 Jackson probably won't survive construction.

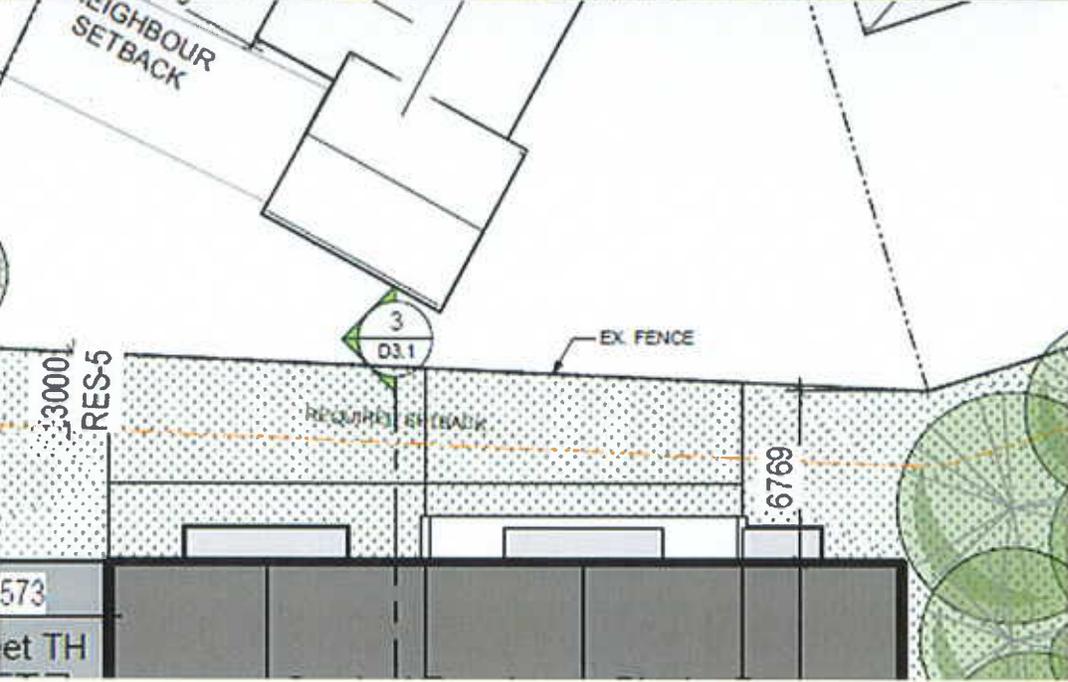
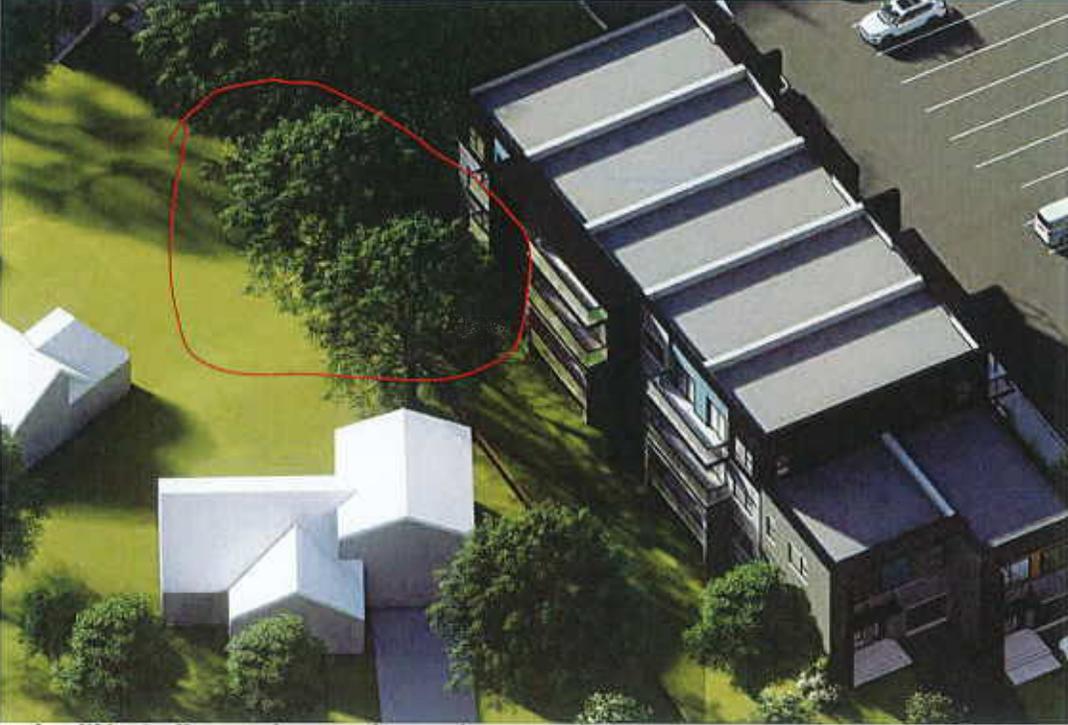
Stop signs at Jackson and Fairmount, and Jackson and Brentwood – many, many vehicles run these stop signs every day. This development would obviously result in more cars and more pedestrians, I am concerned someone is going to get hurt, though I do not know how to improve these stops.

Weber St. – I already see pedestrians attempting to cross Weber St at Jackson Ave every morning that I wait at the bus stop. It seems very unsafe with the blind bend for cars heading downtown. It would be nice if this development is approved for there to either be some sort of pedestrian island added, or at a minimum, an additional safe crossing point on Weber St somewhere between Ottawa and Eastwood Collegiate, which google maps says is about 750m without a crossing.

'Backyards'/'Sideyards' – it's not clear to me what is going behind these buildings. Is this just free green space or are they backyard belonging to units on lower floors of the buildings.

Trees – it's nice that some trees are going to be kept from the existing forested area, but a lot of larger trees that are in decent shape are going to be cut down which is disappointing. It also seems like a lot of the preserved trees are mostly being preserved because of it being on someone else's property. My other concern is that the document called "701880_23057_2023-11-29_135-

161 Jackson Ave_OPA-ZBA Set” seems to imply additional trees exist which don’t actually exist?



This is the same area on the map (including the backyard of my house), and there are no trees there. The plan does not show any trees being planted or maintained on that side of the building. It seems to be implying to me that it’s going to be more private than it is. If the developer wanted to put a tree on

that side of the fence I wouldn't complain, and I feel like it would also be better for whomever ends up living there too.

Parking – there doesn't seem to be any/much visitor parking, which isn't a huge deal as there is street parking around barring any snow events, but I do have some concerns regarding street parking, at least on Jackson between Brentwood and Fairmount. I'm pretty sure street parking is currently allowed on both sides of the street, though it is currently nighttime so I am not going to go out and confirm that, which if both sides were to be full of parked cars, navigating up and down the hill could be perilous. It could be good to limit parking to one side of the street.

Privacy – it isn't great going from a bungalow on the one side, even if the current garage and edge of the house at 161 Jackson are currently closer than the new development, to a taller/3 story building with balconies looking down into your backyard. I get that we need more housing in the area for sure, it's just unfortunate that the backyard surrounded by trees is going to be mostly gone.

I would also like to request that if any of my comments are to become public, please refrain from using my full name with my address, as I work in a position where that information has the potential to put my safety at risk.

Thanks!

Megan Bailey and Wesley Sadgrove

From: Kimm Kay [REDACTED]
Sent: Wednesday, January 31, 2024 3:39 PM
To: Brian Bateman
Subject: Concerned Home Owner - Ward 10 - Sheldon Ave. N.
Attachments: Response To Proposed Development in Jackson Ave., Kitchener - Ward 10.pdf

You don't often get email from [REDACTED] [Learn why this is important](#)

Dear Brian,

I trust this message finds you well. I sure that you may have already received input from various residents in our locality, but I believe it's crucial for you to hear from the collective voice of our community.

Residing on Sheldon Ave. N. for the past 8 years with my husband and three daughters (ages 8, 6, and 4), I cannot express enough how deeply disappointed I am with the current state of our once-beautiful mature neighborhood. The challenges we face extend beyond the existing issues, such as the presence of a large group home at the dead end of Sheldon, where recent incidents have involved a SWAT team addressing a man wielding a knife. This, unfortunately, is just one of many unsettling occurrences.

The prospect of constructing 40 stacked townhouses at the end of our street without adequate parking raises concerns about the potential impact on our community. Furthermore, the proposed development of a substantial apartment/townhouse complex on Jackson Ave., encompassing Maple Pond and the charming historic houses in its vicinity, is alarming.

Past attempts to voice our concerns in meetings have often been met with responses suggesting that we should be grateful for the 'buffer' between our neighborhood and the highway. However, this approach does not consider the sustainability of such **irresponsible and shortsighted growth in our community.**

I sincerely hope you will listen at the upcoming virtual meeting on Feb 21 that is planned to discuss the newly proposed developments. Additionally, I urge you to re-think the rezoning for the proposed development. Our community can no longer bear the consequences of unchecked growth, which is leading to increased dangers on our streets and making our neighborhood unsafe for our children to play. Many residents are becoming frustrated and feel compelled to relocate, feeling as if we are being forced out of our homes. How would you like it if it was right next to you and your family? I don't think you would.

Best regards, Kim

From: Jamie Bester [REDACTED]
Sent: Wednesday, January 31, 2024 12:54 PM
To: Stephanie Stretch; Brian Bateman
Subject: Eastwood Neighbourhood Proposal

[You don't often get email from [REDACTED]. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

Good afternoon,

As a concerned citizen and resident of this direct community for over 20 years, I would like to present the following concerns:

Response To Proposed Development
135 - 161 Jackson Ave. Kitchener

The Eastwood neighbourhood has been dealing with the fallout from the homeless shelter at 1668 King St.E. for a few years now. We have had cars broken into, property damage and theft, a large portion of which can be attributed to the presences of the homeless shelter.

The existing area has about 275 single family houses, 16 apartment building (3 floor walkups) consisting of about 80 units and a condo complex at 260 Sheldon Ave.N. consisting of 94 units for a total of about 470 living units or between 940 and 1880 residents.

The City of Kitchener must look at a neighbourhood as a whole before approving new housing complexes in existing neighbourhoods. With the scheduled influx of residents we are looking at the population of the area bounded by Montgomery, Weber St., Ottawa St. and the expressway to be 134% of existing. This does not even consider the possibility of 4000-7000 new residents of the apartment tower complex planned for King St.E., Montgomery and Weber. According to Census Canada Breslau only had about 5000 residents as of 2021.

In late 2023 the Threshold Group opened their expanded group home and affordable housing units at 290 Sheldon Ave. N.. This complex has 24 units this will bring up to 75 new residents in the area. Again only 1 access from Sheldon Ave. N. at the dead end.

There is another housing development approved and scheduled for 295 Sheldon Ave. N., a 40 unit complex with 2 buildings and only 44 parking spaces and only 1 point of access Sheldon Ave. N. at the dead end. This can bring in between 80 and 160 new residents to this project.

Where about 15 people lived in 3 houses we now have a possibility of 235 residents added to the end of the street (only 1 access from Sheldon Ave. N. at the dead end).

Now the city of Kitchener wants to approve a 120 unit complex to the neighbourhood with only 124 parking spaces. We can expect 240-480 new residents. If this development is approved this complex should not be allowed to have a cellular antennas on the building. This will cause increased exposure to RF radiation in the area residents. With the push toward electric vehicles I have not seen any requirement for EV chargers in the complex, there should be a requirement for 10% of the parking space to have access to EV charging or 13 EV charging stations. All E-bike storage must be stipulated to be outside due to the number of fires caused by Lithium-Ion batteries, there should be some sort of charging station in this area so residents will not need to take these units inside to charge.

With this development in the middle of an existing neighbourhood the construction times should be changed from 7 am to 8 am Monday to Friday. No excavation, concrete pouring or paving like work is to be done on the weekends. There needs to be strict dust controls during construction, this needs to be monitored and enforced. To protect the existing residents, this should be done by a third party consultant paid for by the developer with authority to shut down construction if the dust controls are not working or not being used. The roads must be kept clear of mud etc..

Parking is a large concern with up to 480 residents. With 124 parking spaces are not enough. This will lead to on street parking. The streets have been narrowed as they were rebuilt and any parking on the street causes problems for traffic and emergency services. The streets surrounding the complex should become Fire Routes so there is only parking on 1 side of the roadway at times the bylaws permit. Brentwood, Montgomery, Jackson and Fairmount should have these designations and enforced. Sheldon Ave.N. from Fairmount to the dead end should also be designated as a Fire Route due to the number of vehicles that will be at the dead end. This should be done before construction begins as the area will get clogged with construction vehicles during the build. As part of the permit process the developer should be required to provide off street parking for construction vehicles.

I have concerns about the availability of services for the influx of residents to the neighbourhood (bounded by Montgomery, Weber St., Ottawa St. and the expressway). Is there enough Hydro, water, sewage capacity, natural gas, park space, schools and of course Police, Fire and Ambulance services. If the infrastructure needs to be increased this causes a disturbance in the community with roads being dug up, most of which having just been rebuilt in the last 5-7 years.

There must be controls in place to prevent any or all of these developments ending up like the condo complex on Fergus Ave. Kitchener with worked stopped the building not completed or weathered in and the purchasers of the condos are without a place to live or their money. There should be as part of the building permit a time line to start and a max of 3 years to full occupancy (or allowed occupancy of every unit in the complex). If the buildings are not complete within 3 years from the start date the building permit expires and they must stop work and apply for a new building permit with a cost which should be 50% higher than the original building permit.

The developer must be able to prove they have the finances to complete the project on time.

Just because the City of Kitchener can does not mean you must build on any open lot or redundant building. You must consider the neighbourhood you are looking at and what effect this will have on the existing residents. Remember you work for us the tax payer of the City of Kitchener and not for the province or the federal governments.

Thank you for your time and considering those that this is directly affecting. Looking forward to hearing from you.

Jamie

From: Jim Laturney [REDACTED]
Sent: Tuesday, February 6, 2024 1:14 PM
To: Brian Bateman; Mayor; Stephanie Stretch
Subject: Eastwood area developments

Some people who received this message don't often get email from [REDACTED] ca. [Learn why this is important](#)

Brian:

I have just been in contact with someone who has a handle on the developments proposed for this area.

1770 King St. E.	503 units
1668 King St. E	616 units
1253 King St. E.	403 units
295 Sheldon Ave. N.	40 units
Clive	40 units
(Between Montgomery and Fairmount)	
135 Jackson	120 units
Charles and Borden	2 towers?
King, Charles, Ottawa and Borden	2 towers?
20 Ottawa St. N.	2 towers?

as well as
Corner Delroy and Weber St.
Fergus Ave. beside the Beer Store

These developments can bring in between 6000 - 12,000 more residents to the area. When will the City say no more in this area. 12,000 is about 2.5 times the size of Breslau from the 2021 Census.

Some of these will have to be stopped before we get overwhelmed. As I wrote to mayor before if I wanted to live in Mississauga I would have moved there.

Jim Laturney

From: Elizabeth Leacock on behalf of Internet - Council (SM)
Sent: Friday, February 2, 2024 3:07 PM
To: Brian Bateman; [REDACTED]
Cc: Stephanie Stretch
Subject: FW: Proposed Development in your Neighbourhood - 135 Jackson & Brentwood !

Dear Natalie,

I am sharing your comments with the Planner that is overseeing this application at 135 Jackson, Brian Bateman. I have also sent your comments to Cllr Stephanie Stretch.

There will be a neighbourhood information session held. Details to join are in the link below and, by way of this email, I am asking you be added to the list for updates. [https://app2.kitchener.ca/AppDocs/OpenData/AMANDADataSets/701880_POSTCARD%20\(NOTICE%20&%20NIM\)%20\(135%20Jackson\).pdf](https://app2.kitchener.ca/AppDocs/OpenData/AMANDADataSets/701880_POSTCARD%20(NOTICE%20&%20NIM)%20(135%20Jackson).pdf)

Following that, staff will consolidate the feedback in order to finalize a recommendation to be considered by Planning Committee and City Council.

Then Council's decision will be communicated back to the residents who participated in the information session.

Elizabeth Leacock

Constituency Assistant to Council | Office of the Mayor and Council | City of Kitchener
519.741.2200 x7792 | TTY 1-866-969-9994 | elizabeth.leacock@kitchener.ca



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Sent: Thursday, January 25, 2024 3:58 PM
To: Internet - Council (SM) <council@kitchener.ca>
Subject: Proposed Development in your Neighbourhood - Jackson & Brentwood !

You don't often get email from [redacted] [Learn why this is important](#)

I am writing as a private citizen of the Ward 10 property located at [redacted] in Kitchener N2H 3P7 to express my vehement opposition to the proposal redevelopment per planning application 135-161 Jackson & 136 Brentwood Ave.

I am unclear why Kitchener paid thousands of dollars for this and we completely ignore this.

[Residential intensification in established neighbourhoods study](#)



Residential intensification in established neighbourhoods study

Policy and regulation review of developments in established communities.

The Eastwood neighbourhood within which I live is a quiet and serene older wartime neighbourhood consisting of mainly single-family dwellings, which is the primary

motivating factor in my decision to purchase my home here. This neighbourhood would be severely impacted by not only the visual uglification of the surrounding neighbourhood by way of impositions of tall structures on the skyline, but also by the unwanted population intensification which will manifest itself in many ways, including but not limited to:

- Increased intensity of traffic in, out and through the community, in an area where traffic enforcement is already lacking in its effectiveness to establish safe travel speeds and compliance with road safety regulations.
- Increased traffic noise, again in an area where traffic enforcement is already lacking in its effectiveness to ensure that vehicles operated in and around the community meet established legislated vehicle noise emission standards, resulting in further worsening of street noise already above a reasonable level due to traffic both along Highway 7 and within the community's own streets.
- Increased general noise directly caused by the population intensification in an area already plagued by noise not only from the aforementioned lack of enforcement of established legislated vehicle noise emission standards, but by increased air traffic in and out of the municipal international airport (YKF).
- Increased disruption by construction activities as the developer would implement planned facility.
- Increased crime due to the intensification of population in the community that this project will cause.
- Erosion of our voices as voters and as property owners within the physical boundaries of this neighbourhood.

I ask that the City of Kitchener to:

1. Deny this application and prevent the project from going forward,
2. Withhold from use any funds from the tax base at the municipal, regional, provincial, and federal levels into which our community residents contribute, saving those funds from being diverted away from the neglected community standards enforcement already plaguing this community to further enhance profitability of the commercial interests of this property owner and commercial entities working with them.
3. Reject this application with prejudice so as to set a precedence to not further entertain applications of this nature in this community going forward by this applicant or by other applicants.
4. Not prove the ineffectiveness of democratic process by reviewing and subsequently ignoring this request.
5. BE BETTER in its proactive and EFFECTIVE informing of residents affected by proposals such as these (all residents, at least within a 1km radius of proposed project sites).

Sincerely,
Natalie Sebastian

Kindest regards,

Natalie

www.enpointeandjustdance.ca

From: Elizabeth Leacock on behalf of Internet - Council (SM)
Sent: Friday, January 26, 2024 11:07 AM
To: Stephanie Stretch; Brian Bateman
Subject: FW: Proposed Development in your Neighbourhood - Jackson & Brentwood !

Good morning Brian and Stephanie,

Brian, I see that you are the planning contact for this site plan application. Would you take a look at the email below, and comment on the list of asks/suggestions by the resident to assist Stephanie in responding to the resident please.

I also believe there is a Virtual Zoom Meeting for the public on February 21st at 7pm. To join go to www.zoom.us/join, enter meeting ID# 82817583252 or participate by phone dial 1.647.558.0588 and enter meeting ID# 828 1758 3252

Specific question can be submitted to the planner at brian.bateman@kitchener.ca r 51-741-2200 x7869

Thanks so much,

Elizabeth Leacock

Constituency Assistant to Council | Office of the Mayor and Council | City of Kitchener
519.741.2200 x7792 | TTY 1-866-969-9994 | elizabeth.leacock@kitchener.ca



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strictly prohibited. If you are not the intended recipient, or have otherwise received this message by mistake, please notify the sender immediately by replying via email, and destroy all copies of this original correspondence (including any attachments). Thank you for your cooperation.

From: Natalie Sebastian
Sent: Thursday, January 25, 2024 3:58 PM
To: Internet - Council (SM) <council@kitchener.ca>
Subject: Proposed Development in your Neighbourhood - Jackson & Brentwood !

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[. Learn why this is important](#)

I am writing as a private citizen of the Ward 10 property located at _____ in Kitchener N2H 3P7 to express my vehement opposition to the proposal redevelopment per planning application 135-161 Jackson & 136 Brentwood Ave.

I am unclear why Kitchener paid thousands of dollars for this and we completely ignore this.

[Residential intensification in established neighbourhoods study](#)



Residential intensification in established neighbourhoods study

Policy and regulation review of developments in established communities.

The Eastwood neighbourhood within which I live is a quiet and serene older wartime neighbourhood consisting of mainly single-family dwellings, which is the primary motivating factor in my decision to purchase my home here. This neighbourhood would be severely impacted by not only the visual uglification of the surrounding neighbourhood by way of impositions of tall structures on the skyline, but also by the unwanted population intensification which will manifest itself in many ways, including but not limited to:

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- Increased general noise directly caused by the population intensification in an area already plagued by noise not only from the aforementioned lack of enforcement of established legislated vehicle noise emission standards, but by increased air traffic in and out of the municipal international airport (YKF).
- Increased disruption by construction activities as the developer would implement planned facility.
- Increased crime due to the intensification of population in the community that this project will cause.
- Erosion of our voices as voters and as property owners within the physical boundaries of this neighbourhood.

I ask that the City of Kitchener to:

1. Deny this application and prevent the project from going forward,
2. Withhold from use any funds from the tax base at the municipal, regional, provincial, and federal levels into which our community residents contribute, saving those funds from being diverted away from the neglected community standards enforcement already plaguing this community to further enhance profitability of the commercial interests of this property owner and commercial entities working with them.
3. Reject this application with prejudice so as to set a precedence to not further entertain applications of this nature in this community going forward by this applicant or by other applicants.
4. Not prove the ineffectiveness of democratic process by reviewing and subsequently ignoring this request.
5. BE BETTER in its proactive and EFFECTIVE informing of residents affected by proposals such as these (all residents, at least within a 1km radius of proposed project sites).

Sincerely,
Natalie Sebastian

From: Stephanie Stretch
Sent: Tuesday, February 13, 2024 4:03 PM
To: [REDACTED]
[REDACTED]
Attachments: image002.png

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Brian,
Can you follow up with Gabriele? And cc me?

Thank you,

Stephanie Stretch

Councillor, Ward 10 | Office of the Mayor and Council | City of Kitchener
[519-741-2786 ext.2786](tel:519-741-2786) | TTY [1-866-969-9994](tel:1-866-969-9994) | Stephanie.Stretch@Kitchener.ca



Customers can now connect with the City of Kitchener anytime by calling the [24/7 Corporate Contact Centre at 519-741-2345](tel:519-741-2345)

From: Gabriele [REDACTED]
Sent: Tuesday, February 13, 2024 2:24 PM
To: Stephanie Stretch <Stephanie.Stretch@kitchener.ca>
Subject: Re: Development on Jackson

Hello Stephanie,
I'm unable to meet before the meeting, as well as unable to attend the meeting. Please let me know what considerations have been given in regards to height/towering over properties on Brentwood and Fairmount. How will you deal with increased traffic considering the other developments happening in the area? Remember parents stop and wait to pick up students from school using Jackson all the way up the hill as well as along Brentwood and Montgomery What has been done to reduce the traffic. What about runoff into the lower yards on Brentwood. How much greenspace excluding Montgomery park and Eastwood's soccer field has been included in the development? What about the trees at 161? Take them down for a small fine? What about a parking garage or hidden driveway? Rental or ownership? What percentage is affordable? No 'flop housing' please as the current landlord is practising. This has resulted in an unstable and unsafe neighbourhood. What about sewer capacity and water pressure, how will that affect the area? With our property values going down, will we see a reduction in taxes? Where can we see an actual plan? The diagram on the sign and the postcards do not do justice to the magnitude of the undertaking. Will you be sending out emails with the minutes of the meeting? If so please include me.

Regards
Gabriele

On Thu., Feb. 1, 2024, 4:11 p.m. Stephanie Stretch, <Stephanie.Stretch@kitchener.ca> wrote:

Hi Gabriele,

Leave this with me for a few days and I'll see what I can do. Maybe a hybrid meeting in person with others joining on line? I'll get back to you once I know what's possible.

Thanks

Stephanie Stretch

Councillor, Ward 10 | Office of the Mayor and Council | City of Kitchener
519-741-2786 ext.2786 | TTY 1-866-969-9994 | Stephanie.Stretch@Kitchener.ca



Customers can now connect with the City of Kitchener anytime by calling the 24/7 Corporate Contact Centre at 519-741-2345

From: Gabriele
Sent: Thursday, February 1, 2024 3:10 PM
To: Stephanie Stretch <Stephanie.Stretch@kitchener.ca>
Subject: Re: Development on Jackson

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[Learn why this is important](#)

Several households are not into zoom. Now that the pandemic is behind us, I feel a gathering at a public space would be less discriminating. The telephone suggestion does not allow for visual content.

On Tue., Jan. 30, 2024, 4:35 p.m. Stephanie Stretch, <Stephanie.Stretch@kitchener.ca> wrote:

Hi Gabriele,

Yes, absolutely that is possible. What works best for you? Phone or in person? I am happy to connect but also encourage you to contact Brian Bateman. He is the lead planner on this file and will be able to answer any questions you might have. If you are able, please attend the Neighbourhood Meeting on Feb 21 @ 7pm via zoom where you can ask any questions you might have of staff and/or the applicant/owner. No decisions will be made at the meeting.

I have also included Brian Bateman in this email so that he can help answer any questions you may have, as he is the lead planner on this file.

Please share this meeting information with neighbours as your feedback is important and crucial at this time.

Virtual Zoom Meeting for the public on February 21st at 7pm.

To join go to <http://www.zoom.us/join>, enter meeting ID# 82817583252 or participate by phone dial 1.647.558.0588 and enter meeting ID# 828 1758 3252

Specific question can be submitted to the planner at brian.bateman@kitchener.ca r 51-741-2200 x7869

Thank you and let me know how you would like to connect.

Stephanie Stretch

Councillor, Ward 10 | Office of the Mayor and Council | City of Kitchener
519-741-2786 ext.2786 | TTY 1-866-969-9994 | Stephanie.Stretch@Kitchener.ca

Customers can now connect with the City of Kitchener anytime by calling the 24/7 Corporate Contact Centre at 519-741-2345

-----Original Message-----

From: noreply@kitchener.ca <noreply@kitchener.ca> On Behalf Of Gabriele

Sent: Tuesday, January 30, 2024 11:03 AM

To: Stephanie Stretch <Stephanie.Stretch@kitchener.ca>

Subject: Development on Jackson

[You don't often get email from
<https://aka.ms/LearnAboutSenderIdentification>]

Learn why this is important at

There is a new development in the works on Jackson Ave -135 -161. The neighbourhood has many questions, and concerns. Personally I would like to speak with you regarding the development. Would that be possible?

Thanks

Gabriele

Origin: <https://www.kitchener.ca/en/council-and-city-administration/councillor-stephanie-stretch.aspx>

This email was sent to you by Gabriele
<https://www.kitchener.ca/>.

through

From: Natalie Sebastian [REDACTED]
Sent: Tuesday, February 6, 2024 4:12 PM
To: Stephanie Stretch; Brian Bateman
Subject: Jackson Ave

You don't often get email from [REDACTED] [Learn why this is important](#)

Stephanie and Brian
Why is this listed on the developers site ?
I thought this was a proposal!!!!

<https://www.livabl.com/kitchener-on/new-homes/page-2>
in Kindness,
Natalie

From: Kelly Karges [REDACTED]
Sent: Sunday, February 4, 2024 5:27 PM
To: Brian Bateman
Subject: Jackson Development

[You don't often get email from [REDACTED]. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

Hello,

I reside on Brentwood Avenue directly behind the site of the proposed development. I will be sending a follow up email with feedback requested by the City as it relates to this project. Today I am reaching out as a neighbour just informed us (and all others in the area) that this development is already being advertised on livabl.com. I am wondering why the city is holding a meeting with those affected by this development, when it seems as though the developer is confident that these plans will come to fruition despite the fact that there may be extensive concerns of those that will be impacted. At this stage- according to the card I was sent in the mail-the council has not finalized its decision and needs to complete the process outlined on the card. It is clear that this developer is eager to get through this phase and begin turning a profit. Is the city of Kitchener holding this meeting to placate the residents of Brentwood and Jackson Ave or will our feedback actually be considered? I feel as though it is in bad faith to allow advertising of this development to commence at this stage. The message that is being relayed is that this project will proceed as planned despite those spearheading it having to go through the motions as outlined. I would request that the City of Kitchener kindly ask the developer to remove all advertising pertaining to this project until a formal decision has been reached. The neighbourhood is asking for the respect and platform to be able to provide feedback as outlined, and to feel as though this information is being considered on some level by those receiving it.

Thank you,
Kelly Karges

From: Doug Wilson [REDACTED]
Sent: Tuesday, February 13, 2024 9:08 AM
To: Brian Bateman
Subject: Proposed Development 135 - 161 Jackson Avenue

You don't often get email from [REDACTED] [Learn why this is important](#)

Hello Brian,
We own a residence on Brentwood Avenue.

Regarding this proposed development, can you tell me if the developer has already submitted an application for an Official Plan Amendment? Would the developer also need an amendment to the Regional Official Plan?

Thanks,
Doug Wilson

Doug Wilson
President,
Cambridge Butterfly Conservatory
2500 Kossuth Road
Cambridge, ON
N3H 4R7

From: Robert Young [REDACTED]
Sent: Thursday, February 8, 2024 8:39 PM
To: Brian Bateman; Internet - Council (SM); Hailey Young
Subject: Proposed Development In My Neighborhood.

I have a property on Brentwood - 132 next to 136, I have concerns regarding

- * the number of vehicles that would be coming and going throughout the day and night idling beside my house, the headlights on my windows day and night. Potential for 124 vehicles??
- * the increase in pollution to the air quality.
- * Will the property be level with my property or will it be higher and casting a shadow?
- * Will there be privacy?
- * Snow removal at my driveway and property line?

Councillor Stretch, what are my options as a resident and property owner?

I am slowly renovating 132 Brentwood; when my Daughter is finished University I was going to give it to her, she was born in Kitchener and raised in this house, She is excited to raise her family there. Does not look like it will be a quiet wooded area now. Concrete jungle.

From: Karen Reed [REDACTED]
Sent: Thursday, February 8, 2024 9:17 AM
To: Brian Bateman; Internet - Council (SM)
Cc: Stephanie Stretch
Subject: Proposed Development Jackson Ave., Kitchener

You don't often get email from [REDACTED]. [Learn why this is important](#)

To whom this concerns,

I am writing to express some thoughts with respect to the above mentioned development. I expect you are hearing from many in this neighbourhood and are aware that we are not certain that our voices matter. I am sure you know that there is 'pre-sales' advertised for that development that there are questions about the relevancy of the online meeting. Is there a reason that the meeting is online? Clearly an online meeting is much less impactful and effective than in person. It also excludes those that are not adept with the 'tech approach' and are then excluded.

I think something not mentioned but is hopefully implied is the impact this kind of development will have on the mental health of those in the neighbourhood. You may not take that concern seriously. However, anyone who moved to this neighbourhood chose it for what it already was. We were an **established** quiet family oriented community, not an "up and coming neighbourhood" as was described in one real estate ad. Sadly, a number of homes have been bought by 'investors' who have turned them into rentals which already has had an impact on the community. I am not in opposition to rental homes but am against anything that has a negative impact on the neighbourhood. I live beside one such property and am stressed over the disregard for properties, neighbours, sense of community etc... At this point and as described in one of the paragraphs below, the neighbourhood as we once knew it, appears to be dissolving. I didn't move here because I wanted to live in a big overgrown, overpopulated, metropolis. If you take into consideration all of the developments underway here, this is what this small neighbourhood is becoming. I guess if someone came along with an offer I couldn't refuse, in light of what appears to be transpiring to my neighbourhood, I would be gone. I moved approximately 20 years ago because of what this area was and am distressed to see how we are being infringed upon. This development, by the very nature of what is being proposed, will not blend in to the current area.

The best expression of concerns that have been made in great detail come from our neighbour Jim Laturney, of whom you have already heard from but I shall include is information again: If I could be so thorough and come from his background/experience, I would be covering the same details :
d

"Brian Bateman, Senior Planner

City of Kitchener

Brian this will forward to the mayor, Stephanie Stretch and posted the Eastwood Neighbourhood Association Facebook page

I come from a background in the electrical industry and Health and Safety, in both these areas there is a set of minimum standards not to be crossed.

We all know that this site will be rezoned for the project it is just a matter of getting it to fit the City of Kitchener standards.

I have to assume the City of Kitchener Planning department and council spent time and money on establishing our minimum standards for building in Kitchener to maintain the quality of life for adjacent residents and new residents alike. I also assume these minimum standards were not kept secret so the developer, engineers and architects had all these standards when developing a plan for this site, and chose to ignore them.

FSR: The floor space ratio is requested to be increased by 166% from .6 to 1 so they can put more building on the 1.13 hectare lot.

Building Height: The increase from 9 m to 12.5 m is a 138% increase in height. These buildings will tower over the adjacent properties with direct nightlines into their backyards and homes.

Set Back: From 7.5m to 6m is 80% of what it should be. At 6m there is barely room to move construction equipment around the buildings without encroaching on the adjacent properties. 7.5 is an adequate space for construction and leisure use when completed.

Parking: Parking should be 1.1 / unit to allow for visitor and owner's parking. The parking space #s should not include the 4 garage parking spots or the 6 Handicap spots. So 127 parking spaces + 6 Handicap = 133 (not including the townhouse garage spots)

To all the variances in this case I would say No

EV Charging: The city should require at least 5% of the parking spots have access to a charging station this would be 6 - 7 charging stations. These can be user pay charging stations. The equipment provided by the developer and the cost of electricity and capital should be paid by the user of the EV charger.

Trees: Save or replace 10% more trees scheduled to be removed as listed 103,104, 402, 403, 405, 421, 422, 423, 424, 425, 426, 427, 472, 495 and 496 be saved. This will be about an extra 10%. I find it puzzling in section 3.1 of the Arborist Report that trees on adjacent lots are listed in Good condition while the subject site they are listed as Fair. Before construction starts the trees should be pruned, fertilized and protected at least as far as the drip line. The owner should be required to have the remaining trees and trees on adjacent property impacted by their construction taken care of for 5 years. If a tree were to die or have to be removed it must be replaced by a tree with at least a 5" diameter.

Site Fencing: An 8' privacy fence (at the developers expense) should be installed around the subject site prior to start of construction to prevent construction waste and workers from encroaching on the adjacent properties.

Road Conditions and Construction Traffic: The contractor under the Highway Traffic Act is required to keep the roadway clear of mud and debris (the roadway should be cleaned at least twice a day during construction) until the lot is paved. There should be **No Construction traffic** signs posted on Mackenzie, Sheldon, Raymond, Edmund, Jackson and Fairmont. All construction traffic must use Montgomery to Brentwood the Brentwood to 136 for entry to the site.

Dust Control: The constructor must have a dust control plan in place before construction starts. Such as listing that the site will be watered as required to prevent dust enveloping the

adjacent properties. The adjacent properties should not have to suffer living in a dust bowl because of construction. This site is literally in the middle of a neighbourhood.

Building Permit: The developer wants to do this in 2 phases. Build the 3 units that back on to the Brentwood properties and 105 parking spaces. This implies to me that they don't have the money or unwilling to spend the money to build this out all at the same time. We do not want this to end up like the building on Fergus Ave. in Kitchener, bankrupt not complete or even enclosed from the weather left to rot. The project must be built out in a single phase with a timeline of 2.5 years from when the first home is demolished to occupancy permits issued for all the units. If this goes in 2 phases the construction timeline may be 5 years, not fair to the neighbouring property owners. All the buildings scheduled for demolition should be taken down at the same time, so we don't have abandon houses to attract problems. This site should be built out completely before Kitchener allows occupancy.

There should also be an adjusted work time for the site This is in the middle of a neighbourhood work should only be permitted from **08:00 to 17:00 Monday to Friday**. The only work allowed on the weekends or statutory holiday is interior work on an enclosed building.

The constructor must be required to provide off street parking for construction vehicles and workers. These streets have been narrowed during street reconstruction and the extra on street parking will cause problems for the area residents as well as emergency vehicles.

As stated before that this is literally in the middle of a neighbourhood completely surrounded by houses.

Traffic Patterns and Parking: Fire Routes must be established on Brentwood, Jackson, Fairmount and Montgomery surrounding the project should be in place before construction starts.

The city should put a 4 way stop at Jackson and Brentwood. Along with 3 way stops at Brentwood and Edmund and Brentwood and Raymond to discourage traffic from the complex using Brentwood to Sheldon to Mackenzie to Ottawa. The traffic should be encouraged to go Brentwood to Montgomery to Weber.

Thank you:

Jim Laturney"

or:

The Eastwood neighbourhood has been dealing with the fallout from the homeless shelter at 1668 King St.E. for a few years now. We have had cars broken into, property damage and theft, a large portion of which can be attributed to the presences of the homeless shelter.

The existing area has about 275 single family houses, 16 apartment building (3 floor walkups) consisting of about 80 units and a condo complex at 260 Sheldon Ave.N. consisting of 94 units for a total of about 470 living units or between 940 and 1880 residents.

The City of Kitchener must look at a neighbourhood as a whole before approving new housing complexes in existing neighbourhoods. With the scheduled influx of residents we

are looking at the population of the area bounded by Montgomery, Weber St., Ottawa St. and the expressway to be 134% of existing. This does not even consider the possibility of 4000-7000 new residents of the apartment tower complex planned for King St.E., Montgomery and Weber. According to Census Canada Breslau only had about 5000 residents as of 2021.

In late 2023 the Threshold Group opened their expanded group home and affordable housing units at 290 Sheldon Ave. N.. This complex has 24 units this will bring up to 75 new residents in the area. Again only 1 access from Sheldon Ave. N. at the dead end.

There is another housing development approved and scheduled for 295 Sheldon Ave. N., a 40 unit complex with 2 buildings and only 44 parking spaces and only 1 point of access Sheldon Ave. N. at the dead end. This can bring in between 80 and 160 new residents to this project.

Where about 15 people lived in 3 houses we now have a possibility of 235 residents added to the end of the street (only 1 access from Sheldon Ave. N. at the dead end).

Now the city of Kitchener wants to approve a 120 unit complex to the neighbourhood with only 124 parking spaces. We can expect 240-480 new residents. If this development is approved this complex should not be allowed to have a cellular antennas on the building. This will cause increased exposure to RF radiation in the area residents. With the push toward electric vehicles I have not seen any requirement for EV chargers in the complex, there should be a requirement for 10% of the parking space to have access to EV charging or 13 EV charging stations. All E-bike storage must be stipulated to be outside due to the number of fires caused by Lithium-Ion batteries, there should be some sort of charging station in this area so residents will not need to take these units inside to charge.

With this development in the middle of an existing neighbourhood the construction times should be changed from 7 am to 8 am Monday to Friday. No excavation, concrete pouring or paving like work is to be done on the weekends. There needs to be strict dust controls during construction, this needs to be monitored and enforced. To protect the existing residents, this should be done by a third party consultant paid for by the developer with authority to shut down construction if the dust controls are not working or not being used. The roads must be kept clear of mud etc..

Parking is a large concern with up to 480 residents. With 124 parking spaces are not enough. This will lead to on street parking. The streets have been narrowed as they were rebuilt and any parking on the street causes problems for traffic and emergency services. The streets surrounding the complex should become Fire Routes so there is only parking on 1 side of the roadway at times the bylaws permit. Brentwood, Montgomery, Jackson and Fairmount should have these designations and enforced. Sheldon Ave.N. from Fairmount to the dead end should also be designated as a Fire Route due to the number of vehicles that will be at the dead end. This should be done before construction begins as the area will get clogged with construction vehicles during the build. As part of the permit process the developer should be required to provide off street parking for construction vehicles.

I have concerns about the availability of services for the influx of residents to the neighbourhood (bounded by Montgomery, Weber St., Ottawa St. and the expressway). Is there enough Hydro, water, sewage capacity, natural gas, park space, schools and of course Police, Fire and Ambulance services. If the infrastructure needs to be increased this causes a disturbance in the community with roads being dug up, most of which having just been rebuilt in the last 5-7 years.

There must be controls in place to prevent any or all of these developments ending up like the condo complex on Fergus Ave. Kitchener with worked stopped the building not completed or weathered in and the purchasers of the condos are without a place to live or

their money. There should be as part of the building permit a time line to start and a max of 3 years to full occupancy (or allowed occupancy of every unit in the complex). If the buildings are not complete within 3 years from the start date the building permit expires and they must stop work and apply for a new building permit with a cost which should be 50% higher than the original building permit.

The developer must be able to prove they have the finances to complete the project on time.

Just because the City of Kitchener can does not mean you must build on any open lot or redundant building. You must consider the neighbourhood you are looking at and what effect this will have on the existing residents. Remember you work for us the tax payer of the City of Kitchener and not for the province or the federal governments.

*****Please also note how the many developments are going to impact the area: (reliable information as collected by a member of our neighbourhood, Jim L)*****

1770 King St. E. 503 units

1668 King St. E 616 units

1253 King St. E. 403 units

295 Sheldon Ave. N. 40 units

Clive 40 units

(Between Montgomery and Fairmount)

135 Jackson 120 units

Charles and Borden 2 towers?

King, Charles, Ottawa and Borden

2 towers?

20 Ottawa St. N. 2 towers?

as well as

Corner Delroy and Weber St.

Fergus Ave. beside the Beer Store

These developments can bring in between 6000 - 12,000 more residents to the area. When will the City say no more in this area. 12,000 is about 2.5 times the size of Breslau from the 2021 Census.

Some of these will have to be stopped before we get overwhelmed. As I wrote to mayor before if I wanted to live in Mississauga I would have moved there.

***And this is also something that should be considered** (again, the brilliant work of Jim L.)**

The high point in this project is 161 Jackson Ave. and all the run off water runs toward Montgomery and Brentwood.

Storm Water Management this area has been a storm water sink for at least 50 yrs most of the houses in the area were built in the 50's and 60's. From my rough calculations this property is about 165,000 sq. ft. or 15329 sq. m. it is going from 98% green space with a retention pond to 98% hardscape. This will allow aprox. 2690 litres / hour run off with a 25mm/hr rain fall. With an all day rain it will shed about 21520 litres in and 8 hour period (equivalent to filling your car 269 times). Where is all this water going to go? Is there a retention system underground on the property to hold and slowly dissipate the storm water run off or will the houses on Montgomery and Brentwood take the brunt of the run off in their yards and basements. Has any consideration been given to an underground storage tank? The water can then be used to flush toilets and water the landscaping. This will save on the

storm water management, water usage and sewage charges on bill from the Kitchener
Utilities

If you have gotten this far, thank you for reading this email.

Sincerely,

~Karen

From: Kelly Karges [REDACTED]
Sent: Tuesday, February 20, 2024 9:03 PM
To: Brian Bateman; Internet - Council (SM)
Subject: Proposed Development Jackson Avenue

You don't often get email from [REDACTED] [Learn why this is important](#)

Hello,

I hope this email finds you well. I am writing to provide feedback ahead of tomorrow's information session. I am the homeowner at 124 Brentwood Avenue, and reside directly behind the proposed development. I have reviewed the documents available on the city's website. There has been much discussion occurring among those who would be affected by this plan. Although I am absolutely not opposed to development and housing, I am very much opposed to the plan put forth by the Jackson Avenue owner.

Although the property of 135 Jackson Avenue occupies a large space quite literally in the centre of the block, this should not equate to the new owner/developers having the bulk of authority and free rein to do whatever they please. They most certainly should not be granted permission to skirt existing zoning laws. It is unsettling to think that the developers can simply buy up properties in a mature neighbourhood and create upheaval to maximize upon a business venture.

There are many aspects of this plan that do not seem feasible. I will list some of them.

1. The space is simply too small. The developers would like to cram several buildings into this area. It is not realistic and it infringes upon all the surrounding neighbours who encompass the full perimeter of this proposed development. The parking alone will not realistically support all the residents within the units.
2. The proposed buildings will be too close to the existing property lines
3. The proposed height of the buildings are unacceptable and will obliterate privacy.
4. The owner plans to demolish the wall that separates 135 Jackson from the surrounding properties. Why?
5. Having two entrances via the demolition of homes on Brentwood and Jackson is disruptive to the neighbourhood and will create major traffic congestion, increased parking on the road (often utilized by residents of Brentwood as the majority of homes utilize tandem parking due to narrow driveways). Traffic studies need to be prolonged and repeated at different times of the year. I know a traffic study has been submitted. I do not believe it is thorough enough.
6. People choose to live in mature, established neighbourhoods to avoid development such as this.
7. Approving this proposal would be prioritizing the financial gains of a developer. This does not appear to be affordable housing. This level of development is not necessary here in this space.
8. Concerns that construction will drive displaced rodents/rats into surrounding homes.
9. High-rise construction to commence on King/Montgomery-there are ongoing efforts to address housing issues-the development on 135 Jackson appears opportunistic and unnecessary.
10. Any development on that property would need to be scaled down extensively and should consider how it integrates into an established neighbourhood. This developer is attempting to completely reconfigure and dismantle the block to accommodate an over ambitious project.

We are prepared to convene with neighbours and seek litigious advice should this development be approved as is.

Thank you for your time,
Kelly Karges

From: Melanie Cameron [REDACTED]
Sent: Wednesday, January 31, 2024 3:26 PM
To: Brian Bateman
Cc: Marguerite Love; Internet - Council (SM)
Subject: Query re Proposed Development at 135-161 Jackson Ave and 136 Brentwood Ave

You don't often get email from [REDACTED]. [Learn why this is important](#)

Hello, Brian.

I'm the daughter of Marguerite (Love) Cameron (cc'ed in here, along with Ward 10 Councillor, Stephanie Stretch).

Marguerite owns and resides at 140 Brentwood Ave, located immediately to the right of 136 Brentwood Ave.

We plan to attend the February 21 meeting to learn more about this proposal. In the meantime, we have several questions and are wondering if you're able to answer these.

1/ We see the proposal outlines a rear yard setback of 6.1 metres. What is the proposed setback from the side lot-line of 140 Brentwood Ave?

2/ Is there fencing / a barrier proposed between what is now 136 Brentwood and 140 Brentwood, to help mitigate impact of traffic noise of the some 124 vehicles, plus bicycles, that would now be passing immediately along the 140 Brentwood side lot-line?

3/ Presumably, proceeding with this proposal would greatly impact quality of life in the 140 Brentwood residence, as well as significantly lessen resale value of the 140 property. Does the developer or City have a proposal for how to recompense the current owner of 140 Brentwood Ave?

Thank you for your time with our questions. We look forward to hearing from you.

Melanie Cameron,
on behalf of Marguerite (Love) Cameron

From: Dennis &/or Barb [REDACTED]
Sent: Tuesday, February 6, 2024 3:58 PM
To: Brian Bateman
Subject: RE: 135-161 Jackson Ave & 136 Brentwood

You don't often get email from [REDACTED]. [Learn why this is important](#)

Brian,

Your legal department can send me directly the paperwork me as head of our action commitee; as we have three individuals in our neighbourhood who are representing all of us and themselves in this matter we will be meeting before this Zoom.

Please send paperwork to 159 Brentwood Avenue Kitchener On N2H2C9

Regards,
Barbara Maslanko and Dennis Gibson

From: Brian Bateman <Brian.Bateman@kitchener.ca>
Sent: February 6, 2024 3:49 PM
To: 'Dennis &/or Barb' [REDACTED]
Cc: Garrett Stevenson <Garrett.Stevenson@kitchener.ca>
Subject: RE: 135-161 Jackson Ave & 136 Brentwood

Thank you for the request. I can have the City's Legal Dept. send it directly to your lawyer. Please send me his name and contact information at your earliest convenience.

Brian Bateman, MCIP, RPP

Senior Planner

City of Kitchener

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



From: Dennis &/or Barb [REDACTED]
Sent: Tuesday, February 6, 2024 12:03 PM
To: Brian Bateman <Brian.Bateman@kitchener.ca>
Subject: Re: 135-161 Jackson Ave & 136 Brentwood

You don't often get email from [REDACTED]. [Learn why this is important](#)

Mr. Bateman,

Before the meeting the neighbours' lawyer has ask for the paperwork when this area was rezoned. Over 30 years ago we have the documentation and the original owner told us all he was not allowed to build his proposed 3 storey apartments so he built the mansion. We have been asked by counsel to get the documentation of when the City of Kitchener rezoned our area, paperwork, and Mayor in office. We

would also need how a driveway is zoned; proposed building plan is removing a residential dwelling to install a roadway; is this legal?

We all look forward to your prompt response and our lawyer for the neighbourhood will acting on our behalf.

Regards,
Barbara Maslanko and Dennis Gibson

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From: Brian Bateman <Brian.Bateman@kitchener.ca>
Sent: Tuesday, February 6, 2024 11:37:08 AM
To: 'Dennis &/or Barb'
Cc: Garrett Stevenson <Garrett.Stevenson@kitchener.ca>; Stephanie Stretch <Stephanie.Stretch@kitchener.ca>
Subject: RE: 135-161 Jackson Ave & 136 Brentwood

Hello Dennis & Barb,
I wanted to acknowledge receipt of your email and voicemail noting concerns to the development proposal. They will be taken under consideration in the staff report. A virtual Neighbourhood Meeting has been arranged for February 21, 2024, at 7 pm. No decisions will be made and it's an opportunity to be informed of the process, the proposal and ask questions of staff and/or the applicant/owner. Hope you can attend. If not, it will be recorded and posted on the City's website for viewing later. See attached for meeting details.

Brian Bateman, MCIP, RPP

Senior Planner

City of Kitchener
519-741-2200 x7869, TTY 1-866-969-9994



From: Dennis &/or Barb
Sent: Tuesday, February 6, 2024 9:40 AM
To: Brian Bateman <Brian.Bateman@kitchener.ca>
Subject: 135-161 Jackson Ave & 136 Brentwood

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Mr. Bateman,

My family and I are residents of the Brentwood and Jackson area for over 30 years and are opposed to this proposed development of the as we call it the Mansion Site. The original owner of this site was refused development on the following basis:

- ruin the character of the neighbourhood established by Architect Schwartz you would not do this on Lydia St.
- Hydro services are over 50 years old and cannot accommodate this development. Area fed from 5TS from Enova on feeder 5M13 which is maxed out, who would be paying for new hydro services to the area? Or have you even considered this
- Sewer, water infrastructure in the area was updated about 15 years ago and to add this type of development who is paying for upgrade to accommodate.
- Kitchener landfill was only good for approximately 15 more years for the current population this is irresponsible to add this many residents.
- With the new proposed apartment in the same area on King St the schools in the area cannot already handle the areas students, Shepard PS, Saint Anne CS, Sunnyside Middle School, and Eastwood CI with all these new families.
- What about the traffic? You add over a hundred cars to our quiet neighbourhood?
- They are also proposing tearing down Mr. Silver's house for a driveway in the middle of Brentwood; all I going and outgoing traffic will shine lights continually into Dave's, Carl's, Margurite's and Sue's house. As you can see this is not just a neighborhood we all know each other and watch out for the seniors out area.
- This developer has been buying up homes in our neighborhood and renting them out to students to the total destruction of these homes. They do not clean their snow, rake leaves, leave garbage all over the place to chase residents from our area which we have maintained for over 30-50 years. This development is not an improvement it is a destruction of the architectural character of our neighbourhood.
- I am not sure how you plan but this is not a good one.
- Infrastrurure, schools, traffic, hydro, gas restriction would destroy our mature trees, increase traffic for residents and students to unsafe levels.
- This is a neighbourhood of people who built Kitchener: John Wynn's KW Transport School, numerous Schneider Foods retirees, Minister at St. Paul's, numerous ATS employees, employees at Google, etc
- We have a quiet neighbourhood of friends which this development will destroy.

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From: Stephanie Stretch
Sent: Monday, February 5, 2024 12:37 PM
To: Andy Kheir
Cc: Anita Zapletan Csonti; Elizabeth Leacock; Brian Bateman
Subject: RE: Development and our Neighbourhood

Hello Mr. Andy Kheir,

I am hearing from many constituents about the 135 Jackson proposal. I wanted to pass on some information I have learned and wanted you to keep encouraging neighbours to attend the Feb 21st meeting and formally write the file manager Brian Bateman and myself with their questions and their comments so that they can be captured in a meaningful and useful way.

If you aren't aware of this link to new developments for more info, see [here](#).

You can also refer to the process [here](#). We are currently at stage one and moving into [REDACTED] 21 with the meeting. Please keep encouraging people to attend.

Brian do you have anything else to add?

Thank you,

Stephanie Stretch

Councillor, Ward 10 | Office of the Mayor and Council | City of Kitchener
519-741-2786 ext.2786 | TTY 1-866-969-9994 | Stephanie.Stretch@Kitchener.ca



Customers can now connect with the City of Kitchener anytime by calling the 24/7 Corporate Contact Centre at 519-741-2345

From: Andy Kheir [REDACTED]
Sent: Sunday, February 4, 2024 3:43 PM
To: Stephanie Stretch <Stephanie.Stretch@kitchener.ca>
Subject: Development and our Neighbourhood

You don't often get email from [REDACTED] [Learn why this is important](#)

Hi Stephanie,

I notice that you are not active in our neighbourhood conversations, especially with development projects.

I think you may benefit from seeing the conversation online:
<https://www.facebook.com/groups/EastwoodNAKitchener>

I think everyone in the Eastwood neighbourhood is getting fed up with the decisions from the city that are PRE-MADE before consultation and being imposed on us.

As our representative, you *should be* part of the regular discussions.

BTW - Almost everyone HATES the 135 Jackson proposal! How is this being pre-sold already??? We haven't even had the consultation meeting? Has this been decided before the process began??

Regards.

Andy Kheir

From: Stephanie Stretch
Sent: Tuesday, January 30, 2024 4:35 PM
To: Gabriele
Cc: Brian Bateman
Subject: RE: Development on Jackson

Hi Gabriele,

Yes, absolutely that is possible. What works best for you? Phone or in person? I am happy to connect but also encourage you to contact Brian Bateman. He is the lead planner on this file and will be able to answer any questions you might have. If you are able, please attend the Neighbourhood Meeting on Feb 21 @ 7pm via zoom where you can ask any questions you might have of staff and/or the applicant/owner. No decisions will be made at the meeting.

I have also included Brian Bateman in this email so that he can help answer any questions you may have, as he is the lead planner on this file.

Please share this meeting information with neighbours as your feedback is important and crucial at this time.

Virtual Zoom Meeting for the public on February 21st at 7pm.

To join go to

[Specific question can be submitted to the planner at \[brian.bateman@kitchener.ca\]\(mailto:brian.bateman@kitchener.ca\) r 51-741-2200 x7869](https://can01.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.zoom.us%2Fjoin&data=05%7C02%7CBrian.Bateman%40kitchener.ca%7Cbe46fcab8ac14b1bf70508dc21db5e67%7Cc703d79153f643a59255622eb33a1b0b%7C0%7C0%7C638422473263567948%7CUnknown%7CTWFpbGZsb3d8eyJWlloiM C4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6IklhaWwiLCJXVCi6Mn0%3D%7C0%7C%7C%7C&sdata=Va9CvDrU mQg3TfCmzSAIvePwyhTq4up6Mq6u6JgkHac%3D&reserved=0, enter meeting ID# 82817583252 or participate by phone dial 1.647.558.0588 and enter meeting ID# 828 1758 3252</p></div><div data-bbox=)

Thank you and let me know how you would like to connect.

Stephanie Stretch

Councillor, Ward 10 | Office of the Mayor and Council | City of Kitchener
519-741-2786 ext.2786 | TTY 1-866-969-9994 | Stephanie.Stretch@Kitchener.ca

Customers can now connect with the City of Kitchener anytime by calling the 24/7 Corporate Contact Centre at 519-741-2345

-----Original Message-----

From: noreply@kitchener.ca <noreply@kitchener.ca> On Behalf Of Gabriele
Sent: Tuesday, January 30, 2024 11:03 AM
To: Stephanie Stretch <Stephanie.Stretch@kitchener.ca>
Subject: Development on Jackson

[You don't often get email from
<https://aka.ms/LearnAboutSenderIdentification>]

Learn why this is important at

There is a new development in the works on Jackson Ave -135 -161. The neighbourhood has many questions, and concerns. Personally I would like to speak with you regarding the development. Would that be possible?

Thanks
Gabriele

Origin:

<https://can01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.kitchener.ca%2Fen%2Fcouncil-and-city-administration%2Fcouncillor-stephanie-stretch.aspx&data=05%7C02%7CBrian.Bateman%40kitchener.ca%7Cbe46fcab8ac14b1bf70508dc21db5e67%7Cc703d79153f643a59255622eb33a1b0b%7C0%7C0%7C638422473263576020%7CUnknown%7CTWFpbGZsb3d8eyJWljoiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6I6k1haWwiLCJXVCi6Mn0%3D%7C0%7C%7C%7C&sdata=I3riEJJUuVZxcy8kcEDr7dCqspTnXNPeaBNHOodjYOQ%3D&reserved=0>

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<https://can01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.kitchener.ca%2F&data=05%7C02%7CBrian.Bateman%40kitchener.ca%7Cbe46fcab8ac14b1bf70508dc21db5e67%7Cc703d79153f643a59255622eb33a1b0b%7C0%7C0%7C638422473263582131%7CUnknown%7CTWFpbGZsb3d8eyJWljoiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6I6k1haWwiLCJXVCi6Mn0%3D%7C0%7C%7C%7C&sdata=pVCdncKE3AwnUUkrBLwskUPzd34R7zt%2BJtUtqIsaxms%3D&reserved=0>.

From: Thomas van der Hoff [REDACTED]
Sent: Tuesday, February 6, 2024 11:22 AM
To: Lenore Ross; Brian Bateman
Cc: Stephanie Stretch
Subject: RE: [EXT] RE: Application #ZBA24/002/J/BB - 135 Jackson Ave

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Thanks again for the detailed response, Lenore.

Looking forward to the playground replacement at Edmund Green, and I know the community and frequent pickleball users will appreciate the court lining.

Have a great week.

Thomas van der Hoff
Deputy Director
Recreation and Community Services
Office:



Woolwich.ca | [EngageWR](#) [REDACTED]

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From: Lenore Ross <Lenore.Ross@kitchener.ca>
Sent: Tuesday, February 6, 2024 10:41 AM
To: Thomas van der Hoff ; Brian Bateman <Brian.Bateman@kitchener.ca>
Cc: Stephanie Stretch <Stephanie.Stretch@kitchener.ca>
Subject: RE: [EXT] RE: Application #ZBA24/002/J/BB - 135 Jackson Ave

Good morning Thomas,

The City's Parkland Dedication Bylaw and Parkland Dedication Policy do not currently allocate the funds collected from a specific development application to park improvements or park acquisition within the subject Planning Community or neighbourhood; the funds are utilized across the City based on priorities and identified needs.

The play equipment at Montgomery Park was installed in 1994 and our typical playground life cycle is about 25 years. We inspect all playgrounds regularly for safety and compliance and prioritize playground replacements where we can no longer get replacement parts or the equipment is not compliant with current standards. Although Montgomery Park playground is past typical life expectancy it is still in good and safe condition and will likely be renewed within the next 5 years.

This year we have plans to resurface and repaint the existing courts at Montgomery Park and to include pickleball facilities along with some parking upgrades. The Neighbourhood Development Office (NDO) also has some place making projects planned with the community, including additions to the disc golf course at Montgomery Park; this work is planned over the course of the next year or so.

While we currently have no park or facility improvement plans for Knollwood Park, we are looking to upgrade the playground at Edmund Green within the next 2 years and will be including accessible pathways at the same time.

Finally, we are reviewing the amenities and condition of recreation facilities at the Aud – including the skate park – to determine future needs and projects.

Regards,

Lenore

From: Thomas van der Hoff

Sent: Sunday, February 4, 2024 8:06 AM

To: Lenore Ross <Lenore.Ross@kitchener.ca>; Brian Bateman <Brian.Bateman@kitchener.ca>

Cc: Stephanie Stretch <Stephanie.Stretch@kitchener.ca>

Subject: Re: [EXT] RE: Application #ZBA24/002/J/BB - 135 Jackson Ave

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Thanks Lenore,

One additional comment and question. If the City does opt to receive cash in lieu of parkland, it would be nice to see a portion reinvested into the neighbourhood, which would be warranted by the additional residents, and age and size of the playground. The other amenities within Montgomery Park are in fine condition, however many parents in the neighborhood opt to forgo the playground to visit other parks.

Possibly a question for the department that oversees asset management, but does the City have a useful life assigned to playground assets, and if so what is the age? Outside of part replacements (swing seating, etc.), much of the playground equipment in the area (Knollwood Park, Edmund Green, Montgomery Park) appears to be twenty five plus years old. Do you know if any of these playgrounds are in the ten year capital forecast for replacement?

Thanks,

Thomas van der Hoff

Deputy Director
Recreation and Community Services
Township of Woolwich

From: Thomas van der Hoff
Sent: Friday, February 2, 2024 1:46:29 PM
To: Lenore Ross <Lenore.Ross@kitchener.ca>; Brian Bateman <Brian.Bateman@kitchener.ca>
Cc: Stephanie Stretch <Stephanie.Stretch@kitchener.ca>
Subject: RE: [EXT] RE: Application #ZBA24/002/J/BB - 135 Jackson Ave

Thanks Lenore!

Have a wonderful weekend.

Thomas van der Hoff
Deputy Director
Recreation and Community Services
Office:



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From: Lenore Ross <Lenore.Ross@kitchener.ca>
Sent: Friday, February 2, 2024 1:37 PM
To: Thomas van der Hoff <tvanderhoff@woolwich.ca>; Brian Bateman <Brian.Bateman@kitchener.ca>
Cc: Stephanie Stretch <Stephanie.Stretch@kitchener.ca>
Subject: RE: [EXT] RE: Application #ZBA24/002/J/BB - 135 Jackson Ave

Hello Thomas and Councilor Stretch,

The site is within the Eastwood Planning Community and through Places and Spaces – An Open Space Strategy for Kitchener, this community has been identified as well served with active neighbourhood park space and the development site is within the recommended walking distance to existing active neighbourhood park space; acquiring additional public parkland in this location is not a priority and parkland dedication as cash in lieu of land is recommended.

Link to Places and Spaces webpage <https://www.kitchener.ca/en/strategic-plans-and-projects/parks-strategic-plan.aspx? mid =25203>

Link to Spaces document – **it is**

large! <https://www.kitchener.ca/en/resourcesGeneral/Documents/INS PARKS Places and Spaces Spaces.pdf>

The parkland dedication requirement will be deferred at the Official Plan Amendment/Zoning By-law Amendment applications and assessed at a future Site Plan Application. Parkland dedication will be assessed based on the land use classes, residential units and density approved through the OPA and ZBA and required as a condition of final Site Plan Approval.

The developer has proposed that the area at the front of the site be developed as a POPS (Privately Owned Publicly Accessible Space). If this is considered by the City, full public access easements would be required to be registered on title and all maintenance responsibilities would remain with the developer and the future residents/condominium corporation. The Planning Act and City's Park Dedication Bylaw 2022-101 and Park Dedication Policy permit the City to consider such arrangements and allow a partial credit of 25% of the POPS land area towards the required park dedication requirements. Any built features or landscaping within the POPS are not eligible for parkland dedication credits. If the POPS is pursued by the developer and considered by the City, Parks in conjunction with Urban Design would review and approve the proposed POPS.

The City has additional site design guidance for multi-residential developments that relate to the provision of private onsite amenity spaces and the conceptual design and renderings of the amenity space and POPS provided with the OPA/ZBA submission and the Urban Design Brief can be used to help guide that design at the site plan stage.

Regards,

Lenore

Lenore Ross MSc, MCIP, RPP

Parks Planning and Development Project Manager

Development and Housing Approvals | Development Services | City of Kitchener
519-741-2200 ext 7427 | TTY 1-866-969-9994 | Lenore.Ross@Kitchener.ca

Discover nature in the city: www.kitchener.ca/parks

A City for Everyone ~ Working Together ~ Growing Thoughtfully ~ Building Community



From: Thomas van der Hoff

Sent: Thursday, February 1, 2024 8:14 PM

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

Cc: Stephanie Stretch <Stephanie.Stretch@kitchener.ca>; Lenore Ross <Lenore.Ross@kitchener.ca>

Subject: RE: [EXT] RE: Application #ZBA24/002/J/BB - 135 Jackson Ave

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Thanks Brian. Happy to discuss Lenore.

Thomas van der Hoff

Deputy Director
Recreation and Community Services
Office: 519-514-7024



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From: Brian Bateman <Brian.Bateman@kitchener.ca>
Sent: Thursday, February 1, 2024 10:21 AM
To: Thomas van der Hoff
Cc: Stephanie Stretch <Stephanie.Stretch@kitchener.ca>; Lenore Ross <Lenore.Ross@kitchener.ca>
Subject: [EXT] RE: Application #ZBA24/002/J/BB - 135 Jackson Ave

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Hello Thomas,

Thank you for the parkland comments as it relates to the development proposal. I have copied Parks so they have an opportunity to view your comments and respond in kind. I have received a few comments so far related to parkland. Hope you are able to attend the Neighbourhood Meeting on February 21 starting at 7pm.

Brian Bateman, MCIP, RPP

Senior Planner

City of Kitchener

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



From: Thomas van der Hoff
Sent: Saturday, January 20, 2024 8:29 AM
To: Brian Bateman <Brian.Bateman@kitchener.ca>
Subject: Application #ZBA24/002/J/BB - 135 Jackson Ave

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Hi Brian,

Sharing a perspective for consideration by the City in regard to parkland at the proposed development at 135 Jackson Ave. As a resident of the neighbourhood, my family frequents the park on Montgomery Rd. In reviewing the development application, it appears parkland has been included. Considering the development is within the assumed 400 metre Parks Master Plan standard for proximity to the nearest neighbourhood playground (100 metres from the park), there is opportunity for the City to receive cash-in-lieu of parkland dedication, allocating these funds to the existing park which is in much need of replacement and expansion of the existing playground.

The existing playground equipment is of significant vintage, and is primarily focused on the older age range. The Eastwood neighbourhood is seeing a turnover of older residents with an influx of younger families in recent years, and replacement of the existing playground would not only serve the new residents but those who currently live here. A larger playground would be warranted as well, considering the number of new residents who will be visiting the park.

This re-allocation of development lands also provides further opportunity for adding additional units and/or parking.

Food for thought. Thanks Brian!

Thomas van der Hoff
Deputy Director
Recreation and Community Services
Office: 519-514-7024



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From: Christine Liebig [REDACTED]
Sent: Tuesday, February 20, 2024 9:46 AM
To: Brian Bateman
Subject: Re: 135-161 Jackson Ave & 136 Brentwood Ave

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Good morning Brian,

Thank you for the invitation. However, I regret I am unable to attend tomorrow's meeting.

If I may, I'd like to add one additional item/concern (over and above the parking congestion issue) as "food for thought".

If not for this project, then perhaps the next in another Kitchener neighbourhood...

In a nutshell....

Obviously, the Eastwood Neighbourhood's R4 zoning designation opened the doors to such a development...

And again, the housing crisis in Kitchener (as everywhere in Canada) notwithstanding...

However, please do consider that developments such as the one proposed, buy up (for the most part) perfectly sound, **affordable** single-family **homes** in residential neighbourhoods.

As such, developments such as the one proposed render core urban areas with easy access to schools and amenities **inaccessible** to middle income families with more than one child by **removing availability and choice**.

For example, a single teacher with a family of 3 can afford to live in our Eastwood neighbourhood (and many do). They cannot afford to live in Westmount nor Deer Ridge (and often not even subdivisions in-and-around New Hamburg) and so must consider emerging communities such as Listowel and then face a lengthy commute.

This has a significant structural and societal impacts in the long term, which I'm sure you as planners can (and do) appreciate.

Thank you, Brian. I appreciate the opportunity to voice my concerns as a resident of the Eastwood Neighbourhood in question and as someone born and raised in this city.

Respectfully,
Christine

From: Brian Bateman <Brian.Bateman@kitchener.ca>
Sent: February 9, 2024 9:33 AM
To: Christine Liebig [REDACTED]
Subject: RE: 135-161 Jackson Ave & 136 Brentwood Ave

Hi Christine,

Thank you for your comments. They will be considered as part of the staff report. Hoping you can make it on February 21, 2024 at 7 pm to the Neighbourhood Meeting. No decisions will be made.

Brian Bateman, MCIP, RPP

Senior Planner

City of Kitchener

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



From: Christine Liebig

Sent: Thursday, February 8, 2024 4:30 PM

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

Subject: 135-161 Jackson Ave & 136 Brentwood Ave

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Hello Brian,

Appreciate being asked to share concerns, albeit truly bemused as to why – when the development is already advertising its listings, according to some resident who have suffered themselves to look into the matter.

Moreover, after reviewing the robust development plans online, it's hard to see how anything will impact the project from moving forward. So again, merely a (with respect) bureaucratic exercise to "check the boxes".

Having said that, I will voice the following:

1. This neighbourhood, in which I have had the privilege of living in for the past 14 yrs is a gem that the city has long overlooked and underappreciated. A family-focused, inclusive, old-forested neighbourhood close to the core that is truly one-of-a-kind and an exemplar of urban living, and represents a beautiful and authentic example of what "a community" actually means.
2. In recent years, many neighbours have voiced safety, as well as other concerns to the City & Councillors and received mere platitudes. So regrettably our trust in the sincerity of the City asking for feedback is low.
3. Community upgrades (recent) positioned as democratically chosen to benefit residents are, by far the majority, used only by those driving by car from other areas and have disrupted our greenspace - Montgomery Park - to the point where very few, if any, local residents walk through there any more.
4. Finally, and most relevant to this call for feedback: There are **3** developments going up in three blocks (Sheldon, Clive & Jackson) in the next 1-3 years, which, instead of including underground parking, will bring over 300 new cars (1 per unit) to the area, as well as, most assuredly, at least $\frac{3}{4}$ that many more in co-habitants vehicles. My question is, where will they park? In the streets? How will the intersections (at Brentwood, Montgomery, Sheldon & Weber) and snowplowing accommodate the added load & congestion - particularly when added to Eastwood Collegiate traffic?

Obviously, we are all well aware of the housing crisis. And I'm not a "not in my back yard" proponent. But if the City truly had vision, there is plenty of commercial land available in Kitchener to accommodate these "flat and wide" developments that are closer to, or even in the midst of, amenities suited for 1-2 bedroom units, rather than so profoundly disrupting the fabric of a quiet, family-residential neighbourhood, because a developer has slowly and meticulously purchased one single-family homes after another, under different guises.

Thankfully, some people have choices - to stay or to leave. Others, who have chosen this neighbourhood as a quiet urban oasis, close to schools for their young families, and seniors who have lived here for decades are not as flexible, will suffer the brunt of the developments you have chosen to support.

It's regrettable that the city views its citizens as tokens to appease with a postcard and a virtual meeting - which is not accessible to many - rather than take responsibility and telling us this development(s) is coming, whether we want it to or not.

Respectfully,
C.A. Liebig

Christine A. Liebig

Mentor | Brand Story & Strategy



(formerly Innovation Guelph)

Office:

Mobile:

Web: BoundlessAccelerator.ca

Email: Christine. _____
361 Southgate Drive, Guelph, ON N1G 3M5

This message has been sent as a part of a discussion between Christine A. Liebig and the addressee whose name is specified above. Should you have received this message by mistake, please inform us. We also ask that you kindly delete this message from your mailbox and do not forward it (in whole or in part) to anyone else, as the information may be privileged. Thank you for your cooperation and understanding.

From: Dennis &/or Barb [REDACTED]
Sent: Wednesday, February 7, 2024 6:35 PM
To: Brian Bateman; Internet - Council (SM)
Subject: Re: 135-161 Jackson Ave & 136 Brentwood

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Brian,

We will also require from your legal department the following:

- installation of new roadway in existing neighbourhood by removing residential dwelling.
- Traffic study results for the addition of 120 unit min 120 cars to 240 cars.
- If new roadway can be installed that inflicts detriment to neighbours well being who will be effected by vehicular lights.
- Environmental study results on Montgomery Park stream and wildlife for increase in human population and traffic.
- Need results of sewer and water capacity currently and if new infrastructure has to be installed.
- There is no indication were visitors to the proposed buildings are parking; concern as Brentwood is emergency road if there is an issue on Weber St are they parking on Jackson and Brentwood.
- Again, we will need confirmation on Hydro supply.
- Height of the buildings are in a migratory path of Canada geese; was there a study done we need results.
- Concern they are only designing for Single car households; according to Census Canada most Ontario workers commute between 25-85 Km and most partners do not work in the same place. That means Two car households. There is no space for 240 cars, visitors cars etc. For example the house they propose to tear down currently has 5 cars in its driveway? What is the solution proposed for these issues.
- Oro-medonte will not adjust height bylaws ever; this is from experience had to change the engineering plans for a garage by 1.5" to meet their bylaws.

We would appreciate again all the responses to these statements above to prepare for the meeting.

All parties have been blind copied on these emails and sent you updates.

Regards,
Barbara Maslanko and Dennis Gibson

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From: Brian Bateman <Brian.Bateman@kitchener.ca>
Sent: Wednesday, February 7, 2024 5:00:00 PM
To: 'Dennis &/or Barb'
Subject: RE: 135-161 Jackson Ave & 136 Brentwood

Zoning bylaw - City of Kitchener – By-law 2019-051, Zoning Schedule 174 lists the zoning of the subject property and you can find permitted uses and regulations therein in the ZB. The previous ZB was By-law 85-1. My understanding is most of the subject lands in By-law 85-1 were zoned R-6 since approximately 1994 but will dig up that information.

Brian Bateman, MCIP, RPP

Senior Planner

City of Kitchener

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



From: Dennis &/or Barb <>
Sent: Tuesday, February 6, 2024 3:58 PM
To: Brian Bateman <Brian.Bateman@kitchener.ca>
Subject: RE: 135-161 Jackson Ave & 136 Brentwood

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Brian,

Your legal department can send me directly the paperwork me as head of our action committee; as we have three individuals in our neighbourhood who are representing all of us and themselves in this matter we will be meeting before this Zoom.

Please send paperwork to

Regards,
Barbara Maslanko and Dennis Gibson

From: Brian Bateman <Brian.Bateman@kitchener.ca>
Sent: February 6, 2024 3:49 PM
To: 'Dennis &/or Barb' <>
Cc: Garrett Stevenson <Garrett.Stevenson@kitchener.ca>
Subject: RE: 135-161 Jackson Ave & 136 Brentwood

Thank you for the request. I can have the City's Legal Dept. send it directly to your lawyer. Please send me his name and contact information at your earliest convenience.

Brian Bateman, MCIP, RPP

Senior Planner

City of Kitchener

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



From: Dennis &/or Barb
Sent: Tuesday, February 6, 2024 12:03 PM
To: Brian Bateman <Brian.Bateman@kitchener.ca>
Subject: Re: 135-161 Jackson Ave & 136 Brentwood

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Mr. Bateman,

Before the meeting the neighbours' lawyer has ask for the paperwork when this area was rezoned. Over 30 years ago we have the documentation and the original owner told us all he was not allowed to build his proposed 3 storey apartments so he built the mansion. We have been asked by counsel to get the documentation of when the City of Kitchener rezoned our area, paperwork, and Mayor in office. We would also need how a driveway is zoned; proposed building plan is removing a residential dwelling to install a roadway; is this legal?

We all look forward to your prompt response and our lawyer for the neighbourhood will acting on our behalf.

Regards,
Barbara Maslanko and Dennis Gibson

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From: Brian Bateman <Brian.Bateman@kitchener.ca>
Sent: Tuesday, February 6, 2024 11:37:08 AM
To: 'Dennis &/or Barb' >
Cc: Garrett Stevenson <Garrett.Stevenson@kitchener.ca>; Stephanie Stretch <Stephanie.Stretch@kitchener.ca>
Subject: RE: 135-161 Jackson Ave & 136 Brentwood

Hello Dennis & Barb,
I wanted to acknowledge receipt of your email and voicemail noting concerns to the development proposal. They will be taken under consideration in the staff report. A virtual Neighbourhood Meeting has been arranged for February 21, 2024, at 7 pm. No decisions will be made and it's an opportunity to be informed of the process, the proposal and ask questions of staff and/or the applicant/owner. Hope you can attend. If not, it will be recorded and posted on the City's website for viewing later. See attached for meeting details.

Brian Bateman, MCIP, RPP

Senior Planner

City of Kitchener

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



From: Dennis &/or Barb
Sent: Tuesday, February 6, 2024 9:40 AM
To: Brian Bateman <Brian.Bateman@kitchener.ca>
Subject: 135-161 Jackson Ave & 136 Brentwood

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Mr. Bateman,

My family and I are residents of the Brentwood and Jackson area for over 30 years and are opposed to this proposed development of the as we call it the Mansion Site. The original owner of this site was refused development on the following basis:

- ruin the character of the neighbourhood established by Architect Schwartz you would not do this on Lydia St.
- Hydro services are over 50 years old and cannot accommodate this development. Area fed from 5TS from Enova on feeder 5M13 which is maxed out, who would be paying for new hydro services to the area? Or have you even considered this
- Sewar, water infrastructure in the area was updated about 15 years ago and to add this type of development who is paying for upgrade to accommodate.
- Kitchener landfill was only good for approximately 15 more years for the current population this is irresponsible to add this many residents.
- With the new proposed apartment in the same area on King St the schools in the area cannot already handle the areas students, Shepard PS, Saint Anne CS, Sunnyside Middle School, and Eastwood CI with all these new families.
- What about the traffic? You add over a hundred cars to our quiet neighbourhood?
- They are also proposing tearing down Mr. Silver's house for a driveway in the middle of Brentwood; all I going and outgoing traffic will shine lights continually into Dave's, Carl's, Margurite's and Sue's house. As you can see this is not just a neighborhood we all know each other and watch out for the seniors out area.
- This developer has been buying up homes in our neighborhood and renting them out to students to the total destruction of these homes. They do not clean their snow, rake leaves, leave garbage all over the place to chase residents from our area which we have maintained for over 30-50 years. This development is not an improvement it is a destruction of the architectural character of our neighbourhood.
- I am not sure how you plan but this is not a good one.
- Infrasturure, schools, traffic, hydro, gas restriction would destroy our mature trees, increase traffic for residents and students to unsafe levels.
- This is a neighbourhood of people who built Kitchener: John Wynn's KW Transport School, numerous Schneider Foods retirees, Minister at St. Paul's, numerous ATS employees, employees at Google, etc
- We have a quiet neighbourhood of friends which this development will destroy.

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From: propertyappraisals [REDACTED]
Sent: Friday, February 9, 2024 6:02 PM
To: Brian Bateman
Subject: Re: 135-161 Jackson Avenue and 136 Brentwood Avenue

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In regards to the proposed development I submit my following concerns:

- 1) Do to the large size of the proposed development (120 dwelling units) the increased traffic will negatively affect neighbourhood property values (increase noise along with pedestrian safety).
- 2) Since, the majority of new builds are purchased by investors for rentals I am concerned the units will be overcrowded (exceed occupancy limits) which results in lack of maintenance and garbage accumulation.
- 3) Existing community/neighbourhood infrastructure and park space (greenspace) is not adequate to house such a large multi-residential development
- 4) Do to the size of this development it should have incorporated a designated kids playpark/greenspace, since these types of units are typically purchased/rented by young families or immigrants.
- 5) Environmental Assessments and Traffic Studies need to be completed to rule out negative impacts of this neighborhood development.
- 6) Recently, large scale residential developments have had financial difficulties resulting in work not being completed on schedule or not at all. Who will me monitoring to make sure this development does not end up incomplete which will negatively impacts the community.

Warm Regards,

Steven

Sent from my Bell Samsung device over Canada's largest network.

From: Andy Kheir [REDACTED]
Sent: Monday, February 5, 2024 1:34 PM
To: Stephanie Stretch; Mayor
Cc: Anita Zapletan Csonti; Elizabeth Leacock; Brian Bateman
Subject: Re: Development and our Neighbourhood

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Thank you for the reply, but what developments are you speaking of? (information you have learned) You do not list them/it.

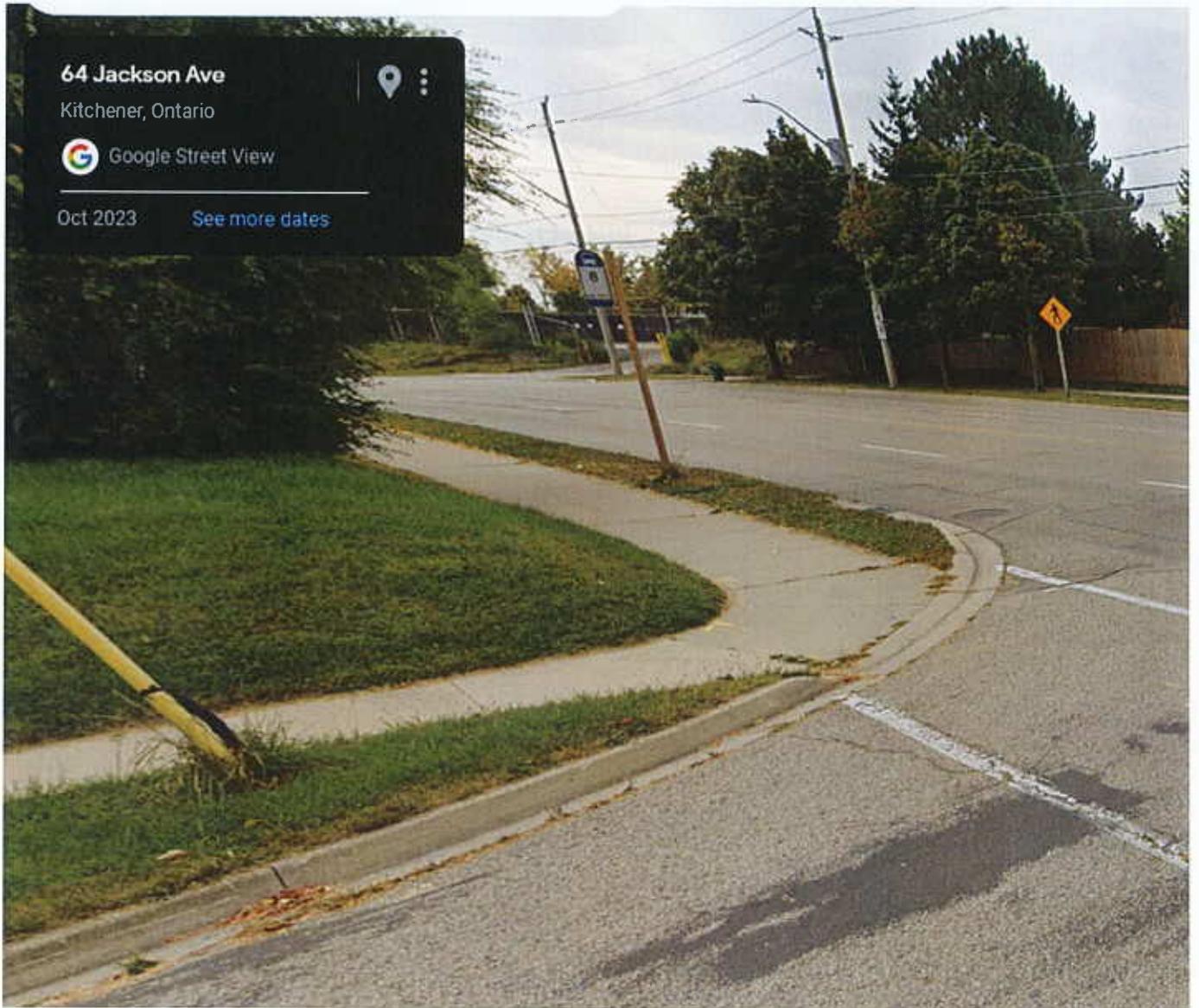
As well, perhaps someone, anyone, can explain the traffic assessment to us:

- It does NOT have an impact assessment for Sheldon Ave. N and McKenzie - everyone in the neighbourhood uses McKenzie to get to the highway. Absolutely a fact - it was either not foreseen or covered up.
- It does NOT address the poor visibility from Jackson to Weber St. for exiting - almost impossible to do safely during normal hours (see Google Earth for visibility - it doesn't take a genius on this one).

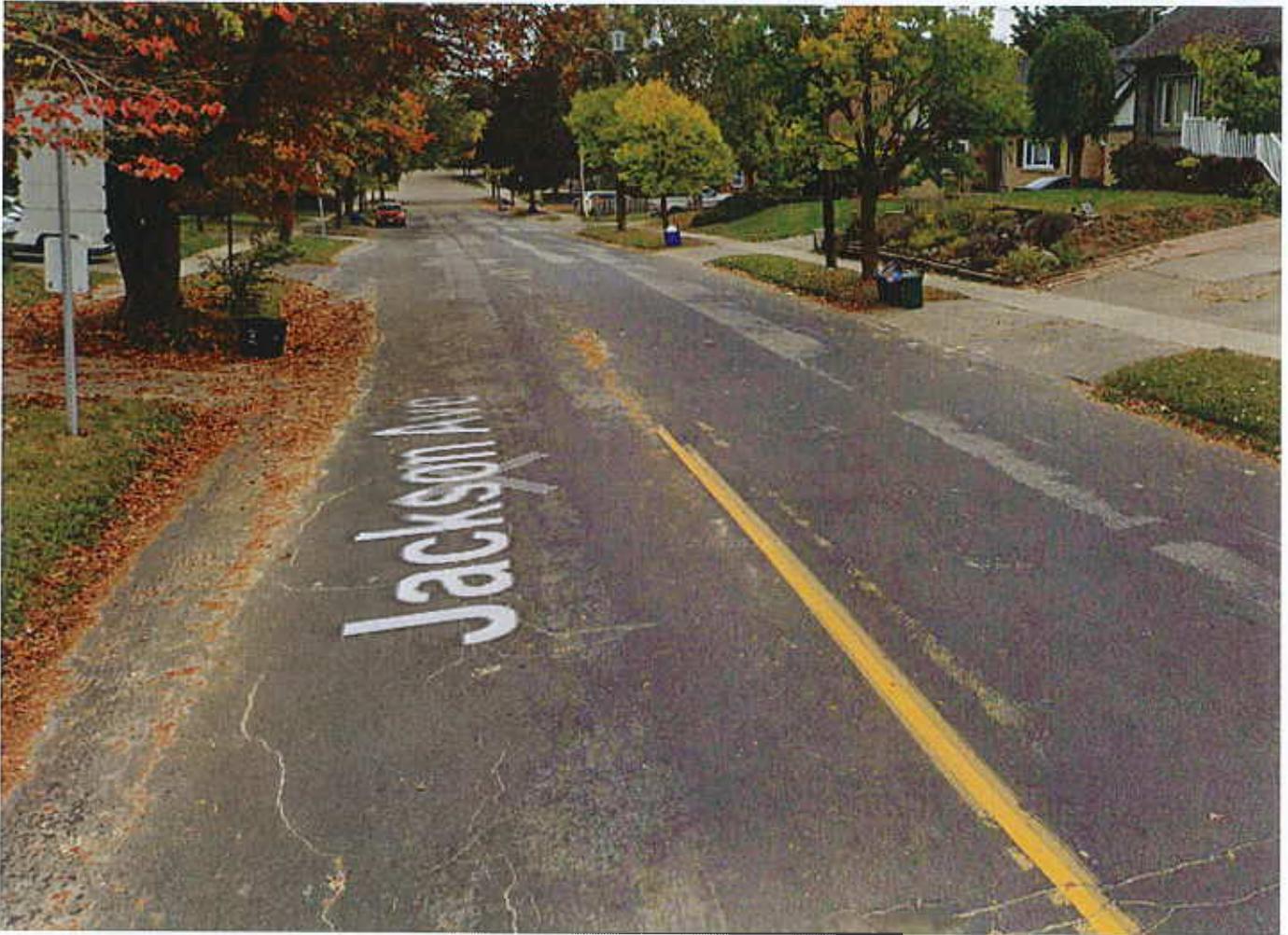
[64 Jackson Ave - Google Maps](#)

- It does NOT address the narrow width of Jackson Ave for traffic. BTW - It doesn't even have curbs!... that is how low the density and traffic is on that street now! You'll have to remove any parking on Jackson, BTW... there is no room to pass otherwise!
- It does NOT address the impact on school safety (doubles traffic flow around the high school alone)
- It flatly states an incorrect JUDGMENT/OPINION - that a DOUBLING of traffic is 'moderate' and that it 'will not be significantly impacted' - HOW?? It doubles them! It ignores usage patterns!

"Based on the existing volumes on the surrounding roadways and the moderate increases due to the Site Traffic, the study area roadways will not be significantly impacted by the proposed development."



- Poor visibility - Jackson to Weber - where is the exit to a busy road??



- Narrow road - 120 units?? That is conservatively 240 - 500 residents.

BTW:

- Where is the environmental impact study? Old growth trees replaced by saplings is NOT an environmental impact study.
- Where is the water run off plan?
- Where is the crime increase assessment?
- Where is folded impact from high-rise development on Weber St./King St. at Montgomery that is already approved?
- Where is the folded impact from the development at the end of Sheldon Ave N? (how did this ever get approved?)
- Where is the folded impact from the possible development on Clive? (where were the full consultations for the zoning change on this one??? - single unit dwelling to ... what is it - 40 units?? How? Gentle densification?? NOT FOR US!)

Taking ONE project, perhaps - but ALL of these projects together? What is the FULL impact of them together? Nothing about infrastructure for the whole. No full traffic

impact for all projects. No full environmental impact of taking over half of the green-space in a neighbourhood.

The city is ruining neighbourhoods by piecemeal! When you only assess one project at a time, it looks like a good idea - but the area has FAR too much development already planned - this is ridiculous!

An answer to these questions would be appreciated before the meeting so that we can have discussion!

On Monday, February 5, 2024 at 12:36:57 p.m. EST, Stephanie Stretch <stephanie.stretch@kitchener.ca> wrote:

Hello Mr. Andy Kheir,

I am hearing from many constituents about the 135 Jackson proposal. I wanted to pass on some information I have learned and wanted you to keep encouraging neighbours to attend the Feb 21st meeting and formally write the file manager Brian Bateman and myself with their questions and their comments so that they can be captured in a meaningful and useful way.

If you aren't aware of this link to new developments for more info, see [here](#).

You can also refer to the process [here](#). We are currently at stage one and moving into stage two on Feb 21 with the meeting. Please keep encouraging people to attend.

Brian do you have anything else to add?

Thank you,

Stephanie Stretch

Councillor, Ward 10 | Office of the Mayor and Council | City of Kitchener
519-741-2786 ext.2786 | TTY 1-866-969-9994 | Stephanie.Stretch@Kitchener.ca



Customers can now connect with the City of Kitchener anytime by calling the 24/7 Corporate Contact Centre at 519-741-2345

From: Andy Kheir
Sent: Sunday, February 4, 2024 3:43 PM
To: Stephanie Stretch <Stephanie.Stretch@kitchener.ca>
Subject: Development and our Neighbourhood

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Hi Stephanie,

I notice that you are not active in our neighbourhood conversations, especially with development projects.

I think you may benefit from seeing the conversation online:

<https://www.facebook.com/groups/EastwoodNAKitchener>

I think everyone in the Eastwood neighbourhood is getting fed up with the decisions from the city that are PRE-MADE before consultation and being imposed on us.

As our representative, you *should be* part of the regular discussions.

BTW - Almost everyone HATES the 135 Jackson proposal! How is this being pre-sold already??? We haven't even had the consultation meeting? Has this been decided before the process began??

Regards.

Andy Kheir

From: DoubleA Mcl [REDACTED]
Sent: Tuesday, February 20, 2024 9:09 AM
To: Brian Bateman
Cc: Garrett Stevenson; Lenore Ross; Sandro Bassanese; Stephanie Stretch
Subject: Re: FW: Response To Proposed Development 135 - 161 Jackson Ave. Kitchener
Attachments: image002.png

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[Learn why this is important](#)

Good morning,

For the public record this is Aaron McLaughlin of

Thank you.

On Tue, Feb 20, 2024, 6:50 a.m. Brian Bateman <Brian.Bateman@kitchener.ca> wrote:

Hi,

I just wanted to acknowledge receipt of your detailed comments but would kindly ask that you provide your name and address for the public record. Thank you in advance.

Brian Bateman, MCIP, RPP

Senior Planner

City of Kitchener

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



From: DoubleA Mcl [REDACTED]
Sent: Monday, February 19, 2024 9:56 AM
To: Mayor <mayor@kitchener.ca>; Stephanie Stretch <Stephanie.Stretch@kitchener.ca>; Internet - Council (SM) <council@kitchener.ca>; Brian Bateman <Brian.Bateman@kitchener.ca>
Subject: Response To Proposed Development 135 - 161 Jackson Ave. Kitchener

Some people who received this message don't often get email from doubleamcl@gmail.com. [Learn why this is important](#)

The Eastwood area of Kitchener is a gem. Originally developed three quarters of a century ago it is a stunning example of the simple urban beginnings and cultural history of the City of Kitchener. The modest predominantly red brick homes speak of a better time before the single family home became oversized, overbuilt, over designed, and crammed together without regard for privacy, space, or livability.

The neighbourhood covers only approx 0.6 square kilometres (excluding Montgomery park) and is made up of a mix of residential building types. These include close to 300 properly spaced 1.5-2 storey single family homes with desirable front, rear, and side yards, less than 20 detached low rise (2.5 storey walkups) apartment buildings on spacious lots, and a mid rise condo complex tucked away in a quiet corner of the neighbourhood against the expressway.

This amounts to approximately 470 living units providing housing for between 940 and 1880 residents, and a population density of approximately 1,400-2,685 residents per square kilometre.

The neighbourhood was originally designed for this density and having resided here for the past 15 years, I'd say it has worked well, making it a consistently desirable and sought after place to live.

However, recent construction developments on Sheldon Ave N have already been added/ approved, resulting in 24 & 40 new units and between 64 and 235 new residents where there was previously around 15 in single detached homes. With a single point of access on Sheldon at the dead end and no published provisions for a respective increase in infrastructure to support the influx of vehicular and pedestrian/ transit traffic.

Furthermore the City has gone ahead and changed the surrounding zoning between Weber & King to allow the conversion of existing single storey retail space into high rise residential towers. These buildings mark a significant departure from any attempt to 'fit into' the surrounding neighbourhoods of Eastwood and Rockway and will add 503, 616, and 403 units respectively.

Altogether these projects amount to adding a grand total of between 4000-7000 new residents to the immediate area. This will be an increase of 250-300% resulting in a population density of around 6666-11,666 residents per square kilometre.

Not only are these projects entirely contrary to building within the existing atmosphere of the area, but the City has yet to publish how they plan to improve the existing infrastructure and local amenities to support this new population, while maintaining the quality of life in the surrounding areas for the existing taxpayers.

Now the City of Kitchener wants to approve yet another complex of 120 units to be crammed literally into the centre of an existing neighbourhood block.

We understand that the property owner wants to develop and sell properties on this site, and we recognise that the City may need to approve development here at some point, but the currently proposed design is simply unacceptable given the location.

Approving intensification around the perimeter of an existing neighbourhood with proper provisions for increased infrastructure, managing the construction process, and the increased traffic is one thing. Building in the centre of a block of long term occupied residences is a different endeavour altogether. Because there are existing residents living directly adjacent to this site on all sides, it becomes a much more complex proposition that entails greater responsibility and requires special consideration and sensitivity.

This could also mean it is more work for the City and less profitable for the owner/developer, but to do this properly some concessions will need to be made.

Any development of this land should have to maintain compatibility with the surrounding aesthetic and only enhance the functionality, quality, and ideally value of living here overall. It needs to work with the existing building standards/ spacing/ heights/ styles/ features.

The purpose of the application & consultation process and the planning department itself is to safeguard the interests of residents in existing communities that already work, by being realistic, judicious, and creative about how things like population growth are integrated.

In this case that means approving only proposals that work with the existing zoning, building type, style, & standards of the community, in a complimentary way.

Good planning is never a permanent downgrade.

The proposed design shows no respect or consideration for these site specific or communal aspects, nor does the aesthetic fit or compliment the surrounding homes in any way.

To the contrary the design purposefully shirks the established zoning bylaws in an effort to stack as **many new residents into the space as possible without providing for the minimum design standards.**

The developer seems to be operating on the presumption that the City of Kitchener will approve the project anyway even with these deficiencies.

If the developer seeks variations and zoning changes, this should require approval by City Council. City Council decisions should be subject to appeal. Beyond the municipal level the existing residents should have the opportunity to take the case to the Ontario Land Tribunal. Depending on the resistance and objection of the community, this should be the process before any changes are made to this site.

The City must consider the outward appearance of allowing a complex of modern, long, flat roofed, buildings to be built more than twice all tall as the surrounding single row of charming private 1.5 storey residences on the block. It shouldn't look like a juxtaposition of opposite ideas.

The internal implications of building 2.5 storeys taller than the originally/ intentionally private backyards surrounding it is the most problematic of all. Such structures would directly impact the quality of life in all abutting residences, blocking an extreme proportion of the otherwise consistent low 1.5 storey neighbourhood skylines, the natural light and sightlines, while simultaneously eliminating any and all privacy in both backyards and rear facing doors and windows. This would be felt especially by the residents on Brentwood as the proposed finished grade is also significantly uphill. This part of the proposal is insulting. It shows an audacity, disregard, and almost contempt for the privacy and standard of living of the existing residents and incoming residents alike. Such an arrangement could only serve to destabilize property values in both the short and long term while destroying forever the longstanding positive reputation of the area.

Exacerbating the situation, in order to allow as much parking as possible on the interior, the plans have the buildings placed such that they encroach on the property lines around the perimeter. This makes their height effectively even taller for the surrounding residents. Yet the plans still fail to provide inadequate parking for the new residents as well as no provision for visitor or service parking. This will only result in parking overflowing onto sidestreets throughout the neighbourhood. Considering this added traffic and congestion the City should then also allow for front yard parking (driveway widening) and be responsible for widening all the existing boulevard driveways and curb openings so residents have an option besides tandem parking.

Not only are the building placed too close to the property boundaries, but it shows no provisions for visual or physical separation between the new walkout patios (and three galleries of balconies above)

and the existing private backyards, for security and/or privacy. Where an existing berm and masonry wall has separated a single residence on the estate for the past three decades, the surrounding homeowners seem to be left with the responsibility of keeping a whole housing complex of new population and their pets from entering their yards. Some of the neighbouring properties have no firm of fencing at all.

The plans show no provisions for runoff from the developed grade and the impermeable surfaces of roofs and parking lot that will be introduced. Where there is now a retention pond and berm keeping water from running downhill into backyards and basements, the plans show a consistent downward slope into neighbouring properties on Brentwood.

The plans show a fictitious depiction of the existing trees around the perimeter of the property which have been neglected since the property changed hands. Some have expired and others that were damaged by the windstorm of 2022, have been left standing. The development will require the destruction of the other trees on the property. The plans make no provision for the full or partial replacement of any of the mature trees on or around the property.

Beyond the details of this particular proposal, any development of this site will require special measures so as not to cause undue inconvenience, disturbance, or stress for the existing residents who will have to live through the demolition and construction process.

Site Fencing:

An 8' privacy fence (at the developers expense) should be installed around the subject site prior to start of work to prevent debris and workers from encroaching on the adjacent properties.

Finished Fencing:

The fence bylaw height is 8ft based on level properties of 1.5-2 storey construction. If there is an immediate grade upwards after the property line the fence height should be allowed to rise appropriately to compensate. In some cases the grade is too steep and the grade becomes the privacy and this site already has that feature on the downhill side.

However the construction of structures taller than the surrounding residences (within or beyond the original zoning), should entail a matching increase in the allowable fence and privacy screen heights for neighbouring properties. In either case construction of this property barrier should be the responsibility of the developer such that it be consistent in style and construction (be it timber or masonry or a combination).

Road Conditions and Construction Traffic:

The contractor under the Highway Traffic Act is required to keep the roadway clear of mud and debris (the roadway should be cleaned at least twice a day during construction) until the lot is paved. There should be No Construction traffic signs posted on Mackenzie, Sheldon, Raymond, Edmund, Jackson and Fairmont. All construction traffic must use Montgomery to Brentwood the Brentwood to 136 for entry to the site.

Dust Control:

The constructor must have a dust control plan in place before construction starts. Such as listing that the site will be watered as required to prevent dust enveloping the adjacent properties. The adjacent properties should not have to suffer living in a dust bowl because of construction. This site is literally in the middle of a neighbourhood.

Building Permit:

The developer must be able to prove they have the finances to complete the project on time.

The developer wants to do this in 2 phases. Build the 3 units that back on to the Brentwood properties and 105 parking spaces. This implies to me that they don't have the money or unwilling to spend the money to build this out all at the same time. We do not want this to end up like the building on Fergus Ave. in Kitchener, bankrupt not complete or even enclosed from the weather left to rot. The project

must be built out in a single phase with a timeline of 2.5 years from when the first home is demolished to occupancy permits issued for all the units. If this goes in 2 phases the construction timeline may be 5 years, not fair to the neighbouring property owners. All the buildings scheduled for demolition should be taken down at the same time, so we don't have abandon houses to attract problems. This site should be built out completely before Kitchener allows occupancy.

Adjusted noise bylaw:

There should also be an adjusted work time for the site. This is in the middle of a neighbourhood work should only be permitted from 08:00 to 17:00 Monday to Friday. The only work allowed on weekends should be on Saturdays only and only for interior work once the buildings are enclosed.

The constructor must be required to provide off street parking and accommodation if necessary for construction vehicles and workers. These streets have been narrowed during street reconstruction and the extra on street parking will cause problems for the area residents as well as emergency vehicles. As stated before this is literally in the middle of a neighbourhood completely surrounded by houses.

Traffic Patterns and Parking:

Fire Routes must be established on Brentwood, Jackson, Fairmount and Montgomery surrounding the project should be in place before construction starts.

The city should put a 4 way stop at Jackson and Brentwood. Along with 3 way stops at Brentwood and Edmund and Brentwood and Raymond to discourage traffic from the complex using Brentwood to Sheldon to Mackenzie to Ottawa. The traffic should be encouraged to go Brentwood to Montgomery to Weber.

Provisions for Wildlife:

Another thing to consider is the environmental fallout of eliminating a greenspace that has existed for nearly 3/4 of a century and an ecosystem of mature trees, woodland animals, waterfowl, and amphibians that has existed since the pond was built approx 30 years ago. All residents here can attest to the diverse flora and fauna that will be missed. The existing animals should be relocated before construction begins rather than simply displaced by destruction of habitat. Displacement would only serve to overload the surrounding areas and burden the surrounding community with having to witness the struggling and death.

Any future development should also include provisions for the replacement of existing trees.

For many of the existing residents who have worked hard to live here and continue to work hard to improve their homes, to make the neighbourhood better, this could be their forever home or family legacy. Your responsibility is to those people.

From: Eastwood Neighbourhood Association Kitchener <hello@enak.ca>
Sent: Friday, January 19, 2024 5:52 PM
To: Christine Kompter
Cc: Internet - Council (SM); _DL_#_COR_Office-of-the-Mayor-&-Council-Staff;
Justin Readman; Garett Stevenson; Tina Malone-Wright; Brian Bateman
Subject: Re: Notice of Proposed Development & Neighbourhood Meeting - 135-161
Jackson Ave. & 136 Brentwood Ave.
Attachments: image010.jpg

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

Thanks shared with neighbour social media.

Matt

www.enak.ca

On Thu, Jan 18, 2024, 3:42 PM Christine Kompter <Christine.Kompter@kitchener.ca> wrote:

For your information – the attached postcard will be circulated to property owners and occupants within 240m of the subject property. If you have any questions please contact **Brian Bateman**, Senior Planner (brian.bateman@kitchener.ca; 519-741-2200 x7869).

Christine Kompter

Administrative Assistant | Planning Division | City of Kitchener
200 King Street West, 6th Floor | P.O. Box 1118 | Kitchener ON N2G 4G7

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



From: Courtney Smith [REDACTED]
Sent: Friday, February 9, 2024 6:32 PM
To: Brian Bateman
Subject: Re: Proposed Development - 135-161 Jackson Ave and 136 Brentwood Ave

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Thanks Brian. Can you specify which document relates to each question? I am not as familiar with each type of consultant or study.

Much appreciated!

On Fri, Feb 9, 2024 at 4:25 PM Brian Bateman <Brian.Bateman@kitchener.ca> wrote:

Thanks, Courtney, for your comments. They will be taken under consideration. Here is the list of studies that were required of the developer and under review: [sUPPORTING DOCUMENTS \(kitchener.ca\)](#). Hope you can attend the meeting on Feb. 21 at 7 pm.

Brian Bateman, MCIP, RPP

Senior Planner

City of Kitchener

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



From: Courtney Smith [REDACTED]
Sent: Friday, February 9, 2024 3:52 PM
To: Internet - Council (SM) <council@kitchener.ca>; Brian Bateman <Brian.Bateman@kitchener.ca>
Subject: Proposed Development - 135-161 Jackson Ave and 136 Brentwood Ave

Some people who received this message don't often get email from [REDACTED]. [Learn why this is important](#)

Hi there

I am looking forward to the meeting on Feb 21 about the above mentioned proposed development. I am hoping to learn more and get some answers to some of the questions I have as a neighbour in the area.

Some questions that come to mind are:

- **Affordability** - has thought been given to what amount of these dwellings will be affordable? Will there be social housing or affordable rental units available to help support the need in the community?

- **Environmental** - what studies have been conducted around the environmental impact of this development? This will take away from the natural landscaping and replace it with structures/pavement. Has a study been conducted? What will the impact be to the local creek nearby?

- **Water flow** - along the same lines, what studies have been done around the flow of water? Natural landscape and several trees will be replaced with blacktop and wondering what the impact will be to storm water systems and to the neighbouring houses. There has been water damage to houses in the area and this is a high concern as it could create further water flow issues and also impact house insurance for the area.

- **Local infrastructure** - with the addition of 120 new dwellings and potentially more people to the area, there will be increased needs in terms of amenities in the area (i.e. grocery stores, doctors, gas stations/charging stations, child care, etc). The local stores and other amenities appear to be at capacity - has thought been put into how might new stores and amenities be added into this area to support more people? Has a child care centre been thought of to add to this space? Is there capacity for local police and ambulances to care for this addition of people? Further to this, there has been an increase in vandalism to private property - will police be able to respond to more calls related to this with more buildings in the area?

- **Traffic** - with adding 124 new vehicles to the area, I have concerns about safety for pedestrians and local bikers. How will the flow of traffic be managed and monitored? Will traffic flow change? What will the impact be to our streets with more vehicle traffic and will that impact property taxes?

- **Historical site** - what has been done to ensure that this is not a historical site?

- **Decision** - has the decision already been made around this site? Or is there an opportunity for adjusting plans based on the feedback from the meeting?

I know this is a lot - and studies have probably been conducted. I am hoping to have this information shared and understood at the meeting on Feb 21.

Thank you for taking the time to read and hopefully respond to these questions.

-Courtney

--

From: Natalie Sebastian [REDACTED]
Sent: Wednesday, January 31, 2024 9:12 AM
To: Stephanie Stretch
Cc: Brian Bateman
Subject: Re: Proposed Development in your Neighbourhood - Jackson & Brentwood !

Follow Up Flag: Follow up
Flag Status: Flagged

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Good Morning Stephanie & Brian,

Thank you both for your speedy response. Yes I plan on attending the meeting and am encouraging as many neighbours as possible to attend.

Brian Can you tell me ahead of time if the Eastwood Neighbour hood is still zoned as a R-6 zone as discussed with yourself & email Sept 9 2019 @ 4:19?

Stephanie can you tell me the current rules & by- laws that are "still " being followed by RIENS study for this neighbourhood? Our last councilor Sarah Marsh was "sometimes" able to help us navigate around the wording and understanding.

Brian Planning Department has approved the build? If they have approved it - will it go to the Planning & Strategic Initiatives Committee for review/approval before it goes to Council?

I understand that purely based on "intensification", privacy or shade this is a mute point. The provincial government has mandated that all cities must intensify rather than build outside the city. However is I would like to make sure our neighbours know what the City's rules for intensification are in this historically older neighbourhood?

- a. Zoning – is this plot of land currently zoned for intensification? what is allowed in the area? A meeting held at Rockway Centre 4 years ago by city planner (yourself) it was explained the R6 to about 50 neighbours and that the building height could only be 3 stories. The plans presented don't indicate that.
- b. RIENS – Residential Intensification in Existing Neighbourhoods. This City document outlines what can be built in existing neighbourhoods including how far away new builds have to be from existing neighbours etc. special attention to the height restrictions. Does this expensive study paid by Kitchener council no longer matter?
- c. Urban Design Guidelines - Where can I find this document? this document will tell explain what type of buildings should look like, what the traffic flow should be etc. etc. This document was being updated by the City as well – there are sections for the entire city as well as specific sections for specific neighbour hoods.

Thank you for your time in answering these questions ahead of meeting I do not want to waste anyone's time if I am bringing up points that are mute. Time and time again we have been disappointed with concerns being brought up and it doesn't seem to matter. There is quite a bit of apathy amongst many of us.

Stephanie, our neighbourhood is small and older. Many do not have means to "zoom" this presents a barrier for our older neighbours. I would love to discuss with you a means to reach out further other than "phoning in a meeting"

Kindest regards,

Natalie

www.enpointeandjustdance.ca

On Tuesday, January 30, 2024 at 04:17:16 p.m. EST, Stephanie Stretch <stephanie.stretch@kitchener.ca> wrote:

Hi Natalie,

Thank you so much for your detailed feedback. I hear you and acknowledge that you are vehemently opposed to the proposal. I have forwarded your concerns on to Brian Bateman the file planner so they will be considered as part of the process. You will also find his contact information below. He will be able to answer any questions you might have.

I also strongly encourage you to attend the Neighbourhood Meeting on Feb 21 @ 7pm via zoom where you can continue to add your concerns to the process and ask any questions you might have of staff and/or the applicant/owner. No decisions will be made at the meeting.

Please share this meeting information with neighbours as your feedback is important and crucial at this time.

Virtual Zoom Meeting for the public on February 21st at 7pm.

To join go to www.zoom.us/join, enter meeting ID# 82817583252 or participate by phone dial 1.647.558.0588 and enter meeting ID# 828 1758 3252

Specific question can be submitted to the planner at brian.bateman@kitchener.ca
r 51-741-2200 x7869

Thank you,

Stephanie Stretch

Councillor, Ward 10 | Office of the Mayor and Council | City of Kitchener
519-741-2786 ext.2786 | TTY 1-866-969-9994 | Stephanie.Stretch@Kitchener.ca



Customers can now connect with the City of Kitchener anytime by calling the 24/7 Corporate Contact Centre at 519-741-2345

From: Natalie Sebastian
Sent: Thursday, January 25, 2024 3:58 PM
To: Internet - Council (SM) <council@kitchener.ca>
Subject: Proposed Development in your Neighbourhood - Jackson & Brentwood !

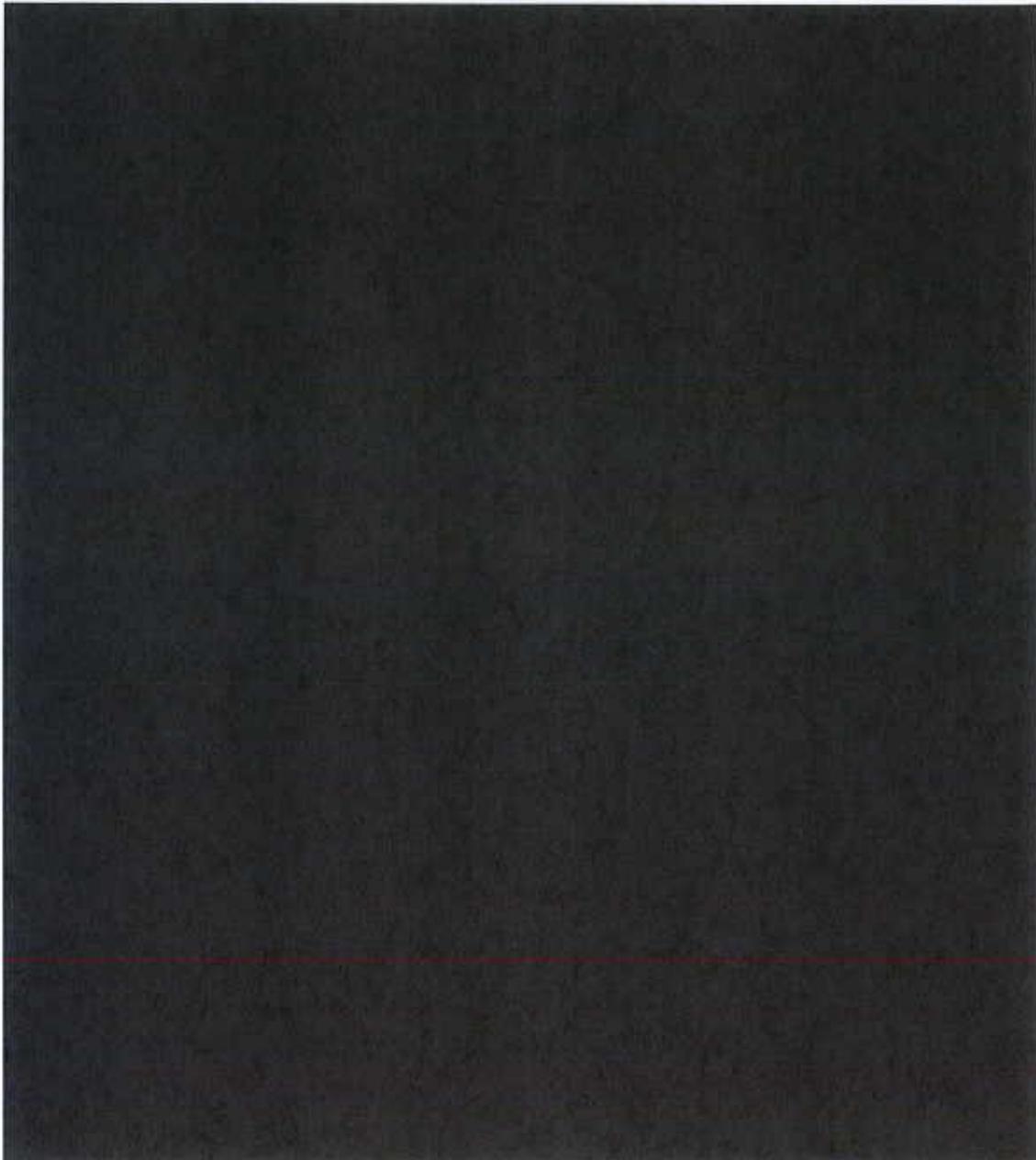
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I am writing as a private citizen of the Ward 10 property located at _____ in Kitchener N2H 3P7 to express my vehement opposition to the proposal redevelopment per planning application 135-161 Jackson & 136 Brentwood Ave.

I am unclear why Kitchener paid thousands of dollars for this and we completely ignore this.

[Residential intensification in established neighbourhoods study](#)





Residential intensification in established neighbourhoods study

Policy and regulation review of developments in established communities.

The Eastwood neighbourhood within which I live is a quiet and serene older wartime neighbourhood consisting of mainly single-family dwellings, which is the primary motivating factor in my decision to purchase my home here. This neighbourhood would be severely impacted by not only the visual uglification of the surrounding neighbourhood by way of impositions of tall structures on the skyline, but also by the unwanted population intensification which will manifest itself in many ways, including but not limited to:

- Increased intensity of traffic in, out and through the community, in an area where traffic enforcement is already lacking in its effectiveness to establish safe travel speeds and compliance with road safety regulations.

- Increased traffic noise, again in an area where traffic enforcement is already lacking in its effectiveness to ensure that vehicles operated in and around the community meet established legislated vehicle noise emission standards, resulting in further worsening of street noise already above a reasonable level due to traffic both along Highway 7 and within the community's own streets.
- Increased general noise directly caused by the population intensification in an area already plagued by noise not only from the aforementioned lack of enforcement of established legislated vehicle noise emission standards, but by increased air traffic in and out of the municipal international airport (YKF).
- Increased disruption by construction activities as the developer would implement planned facility.
- Increased crime due to the intensification of population in the community that this project will cause.
- Erosion of our voices as voters and as property owners within the physical boundaries of this neighbourhood.

I ask that the City of Kitchener to:

1. Deny this application and prevent the project from going forward,
2. Withhold from use any funds from the tax base at the municipal, regional, provincial, and federal levels into which our community residents contribute, saving those funds from being diverted away from the neglected community standards enforcement already plaguing this community to further enhance profitability of the commercial interests of this property owner and commercial entities working with them.
3. Reject this application with prejudice so as to set a precedence to not further entertain applications of this nature in this community going forward by this applicant or by other applicants.
4. Not prove the ineffectiveness of democratic process by reviewing and subsequently ignoring this request.
5. BE BETTER in its proactive and EFFECTIVE informing of residents affected by proposals such as these (all residents, at least within a 1km radius of proposed project sites).

Sincerely,
Natalie Sebastian

From: Renee Richards [REDACTED]
Sent: Sunday, February 4, 2024 4:44 PM
To: Brian Bateman; Stephanie Stretch
Subject: Worried

Some people who received this message don't often get email from [REDACTED] [Learn why this is important](#)

Good day

Re:135 Jackson townhomes project

This is our back yard that is going to be destroyed! All those trees to be cut down, what with our clean air? What will happen to the wildlife living there and have been living there forever? So many species of birds and migratory birds. All the bees that we so desperately need. The squirrels, the rabbits, etc. How about the foxes? What will happen to all of them?

What about all traffic that this will create? The noise in the neighborhood will be unreal. We understand the need for housing but that is too huge for that area. If that was in your backyard how would you feel???

Thank you

Renee & Malcolm Richards

From: Gina Georgiou [REDACTED]
Sent: Thursday, February 22, 2024 1:10 PM
To: Brian Bateman
Subject: 135 Jackson Ave Meeting

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Good Morning Brian.

I missed last nights meeting, and I cant seem to find it on the portal.
Could you please send me the link at your earliest convenience?

Thank you
Gina

From: Jim Laturney [REDACTED]
Sent: Thursday, February 22, 2024 9:45 AM
To: Brian Bateman
Subject: 135 Jackson Ave.

You don't often get email from [REDACTED] [Learn why this is important](#)

Brian:

The storm water management was addressed to my satisfaction with the installation of underground surge tanks.

The height even at 11 m gives me problems as the property is 2m higher than the Montgomery properties. This will mean the buildings are already at 13 m above the adjacent properties on Montgomery. At 12.5 m they will be at 14.5 m (47.5') is a 5 story building.

I got some answers from the meeting last night but I'm left with a few more questions.

- 1 - What is EV charger ready? as opposed to having chargers installed
- 2 - Is the parking calculation way off? They include parking spaces in front of the townhouses facing Jackson (these are private parking) and the Handicap spaces as public parking removing these the parking is at 0.95 not at 1.03 as they state.
- 3 - Because the address is on Jackson are property lines toward Fairmont and Brentwood considered as the side of the property so the set back will only be 3m? Or will the set back be considered as a rear yard as the homes on Fairmont and Jackson their rear yards meet the property under development?

Jim Laturney

From: Scot Cameron [REDACTED]
Sent: Thursday, February 22, 2024 8:37 AM
To: Brian Bateman
Cc: Melanie Cameron; Mark Morton; heather Cameron
Subject: 135 Jackson Ave

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Dear Mr. Bateman,

I trust this message finds you well. My name is Scot Cameron, and I am writing to you as the concerned son of a long-time resident at [REDACTED]. I attended the meeting last night where various zoning issues were discussed, and while I acknowledge that the project aligns with existing zoning regulations, I am compelled to express my serious reservations about the potential ramifications of this development.

Foremost among my concerns is the glaring inadequacy of the parking ratio, especially in light of the possibility that a percentage of units might be used for multi-tenant rentals. It is imperative that this issue be thoroughly addressed, either by increasing the available parking spots or revisiting the number of units proposed.

Furthermore, I am deeply troubled by the potential misuse of the development, given the current rental market trends. The dismissive response to these concerns, asserting that the municipality does not regulate people and issues must be directed to bylaw only after occupancy, strikes me as shortsighted. Addressing such concerns during the zoning process for condominium developments seems not only logical but also a proactive measure that prevents unnecessary burdens on residents.

While the encroachment of the development on adjacent properties is a general concern, my particular worry centers on the impact on 132 and 140 Brentwood. The proposed changes threaten to render their side yards unsightly and unusable, exposing them to constant vehicular and pedestrian traffic. The resultant noise and disruption, including headlights flashing into their homes, are significant issues that should not be overlooked. Transforming these homes into de facto corner lots will undoubtedly affect their value, and the assertion that financial impact is not a concern for approval raises questions about the fairness of the process, especially when contrasted with the city's financial gains from parks and recreation projects as well as potential taxes.

It is disheartening to witness meticulous attention given to details such as trees and rooflines while overlooking the profound psychological and financial impact on the affected residents. My mother, now in her 80s, has contemplated selling her home

annually, and the current circumstances only intensify these considerations. Unfortunately, the value of her property will undoubtedly be negatively impacted by this development. The prevailing attitude that meeting regulations suffices falls short, especially when it appears to favor the developer's interests over the well-being of the community.

I ask you to carefully reconsider these aspects and ensure that the concerns of long-standing residents are given the attention they deserve. Balancing development with the welfare of the community is paramount, and I trust that your commitment to fairness and equity will guide the decision-making process.

Thank you for your time and consideration.

Sincerely, Scot Cameron

From: Heather Cameron [REDACTED]
Sent: Sunday, February 25, 2024 7:45 PM
To: Brian Bateman
Subject: 135 Jackson Development Proposal - Post Planning Meeting Concerns

You don't often get email from [REDACTED] [Learn why this is important](#)

Dear Mr. Bateman,

I trust this letter finds you well. Thank you for the opportunity to hear about the proposed development at 135 Jackson at the Neighborhood Planning Meeting.

I am writing to bring attention to certain issues and seek clarification regarding the proposed residential development. I appreciate the city's commitment to responsible and transparent development, and I am hopeful that addressing the following concerns and the concerns raised during the planning meeting will contribute to the overall success and sustainability of the project.

1. **Parking:** A major point of concern at the neighborhood meeting was parking as it relates to both the allowance for reduced number of parking spaces for the proposed development and the potential impact on the neighborhood. The responses during the meeting did not alleviate concerns that appropriate studies had been done to justify the amendment and raised a further concern that if spaces weren't enough on the site, residents would have to reactively manage the issue themselves by contacting bylaw. A few follow-up questions and requests for data are below:

- When was the ratio of 1.3 spots per dwelling unit established? Is there ongoing assessments to understand whether this ratio is reasonable given the current state of car-dependency in the region? This is critical given that recent data from Statistics Canada shows that Waterloo region has the second highest rate of car-dependency in Canada, and that the rate of vehicle registration is on the rise. While the council clearly noted that they were not in the business of regulating people and that people who have more than one car could opt not to purchase a unit, it seems most responsible to acknowledge the likelihood of these issues so that they can be addressed proactively.
- What data is available to support the appropriateness of the current parking ratio regulations in similar builds in the city? It would be ideal to have some case studies to understand whether the tenants of such dwellings do in fact only have 1 vehicle per unit or whether they create any additional burden on neighborhood streets.
- It would seem prudent to ensure that the existing regulation is indeed excessive before making any concessions to lower the ratio. Alternatively, it would be appropriate to limit the number of dwellings.
- As was noted in the meeting, it is crucial that overall plan the parking amendment are not approved in isolation but are considered in the context of planned and ongoing development projects on shared roadways and nearby neighbourhoods, ensuring that any approvals and concessions align with the broader context of healthy and sustainable neighborhood growth.

- o The provision of reports illustrating the impact of similar developments on neighborhood parking burden, the appropriateness of the current ratio, and data-driven rationale for justifying an amendment would be useful to inform decision-making for council and to potentially alleviate concerns from residents.

2. **Noise:** The noise study included in the plans and reports for this project appears to be focused solely on the impact of existing neighborhood noise upon the planned site. Is there also a study being conducted to assess the impact of the planned site on the existing neighborhood, both in terms of the planned building amenities, people density, and increased vehicular traffic? Such a study would be important to understand the impact of the planned development and to inform approvals and any mitigation measures. Such a study should also consider that the new building site will primarily be hard surfaces. Importantly, the new development will also eliminate a significant portion of the existing greenspace which plays a positive role in reducing noise (and pollution).

3. **Building Timeline:** At the community meeting, it was noted that development could potentially begin in early 2025 if approved. As the building plan includes 5 phases, is it possible to share the potential duration of development or any details on the phasing?

4. **Type of Development (Condos or Townhouses):** It was unclear based on the response on behalf of the developer whether the proposed residential development will consist of condominiums or townhouses.

5. **Regulations for Non-Owner Occupancy:** Could you provide information on the regulations that will be enforced concerning non-owner occupancy within the proposed development?

6. **Number of Sleeping Spaces per Unit:** It would be beneficial to understand the proposed number of sleeping spaces per unit. This information is vital in understanding the potential population density and its implications on local services, parking needs, and community resources.

7. **Assurances Regarding Approval Process:** As the approval process progresses, we seek assurances that decisions made regarding the issues above will be taken into due consideration during the subsequent phases, especially when reviewing building plans for occupancy. Understanding that the current phase focuses on zoning issues, it is essential that the community is assured that decisions in future phases are part of a holistic approach to development that considers all relevant factors.

I appreciate your dedication to maintaining an open dialogue with the community, and I look forward to receiving more information and clarification on these matters. Your efforts to address these concerns will undoubtedly contribute to a collaborative and successful development process.

Sincerely,

Dr. Heather Cameron

From: Natalie Sebastian [REDACTED]
Sent: Monday, February 26, 2024 12:15 PM
To: Stephanie Stretch; Mayor; Brian Bateman
Subject: Development in Eastwood neighbourhood

You don't often get email from [REDACTED] [Learn why this is important](#)

Stephanie

I attended the Zoom meeting on Feb. 21 concerning the proposed development of 135 Jackson Ave. To say the least I'm angry at the pro developer attitude I sensed from the City of Kitchener staff at the meeting. If this meeting was to ally the fears and concerns about this project it did not work in fact it probably made the neighbourhood residents more concerned.

My mother in law who lives directly across from this [REDACTED] Was not able to phone in !! That was suppose to be an an alternative.

What could she possibly have gotten from the images or questions presented ?

If appears this is a done deal and the meeting was a smoke screen because it was probably required to happen. Just like last time for 102 Clive Rd.

The meeting convener never pushed any one from the developer's people or Kitchener staff to fully answer a question. All the questions posed at the end of the meeting were not answered. There was never an end time published for the meeting I expected the meeting to continue until all the questions were answered.

AFTER discussion in the neighbourhood Many individuals in this neighborhood Stopped their meeting . I know that this site will be developed but it should conform to neighbourhood and City standards.

There are certain rules and regulations in place concerning zoning for RES5 if the developer submits non-conforming plans they should have been sent back for revisions. With their request for 12.5 m tall building an

d the property being 2 m higher than the adjacent properties on Montgomery it will appear to be a 5 story building in their back yard. The height for RES5 is 11m If anything this is too high compared to existing properties, 9m would be more acceptable .I'm sure someone has already submitted this!.The Neighbourhood Assc. have suggested an in person meeting on the site at 135 Jackson with you, councilor Stretch and any from the planning department who may add information. This will put everything we have been talking about in real life not an abstract set of drawings. For example the drawing presented showed 7 cars on the 124 parking space. This is what 75 looks like ! BE HONEST

A response from you would be appreciated concerning our concerns and a possible meeting time and date.

Natalie Sebastian

in Kindness,
Natalie

From: Allison Rawlins [REDACTED]
Sent: Monday, March 18, 2024 11:46 AM
To: Brian Bateman
Subject: Development on Jackson & Bentwood

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Hi Brian, as a neighbour of the Development at the above area , we are not in support of allowing the amendment to the by-law regulations, to increase the height of buildings by 1.5m (5 feet) over what is allowed.

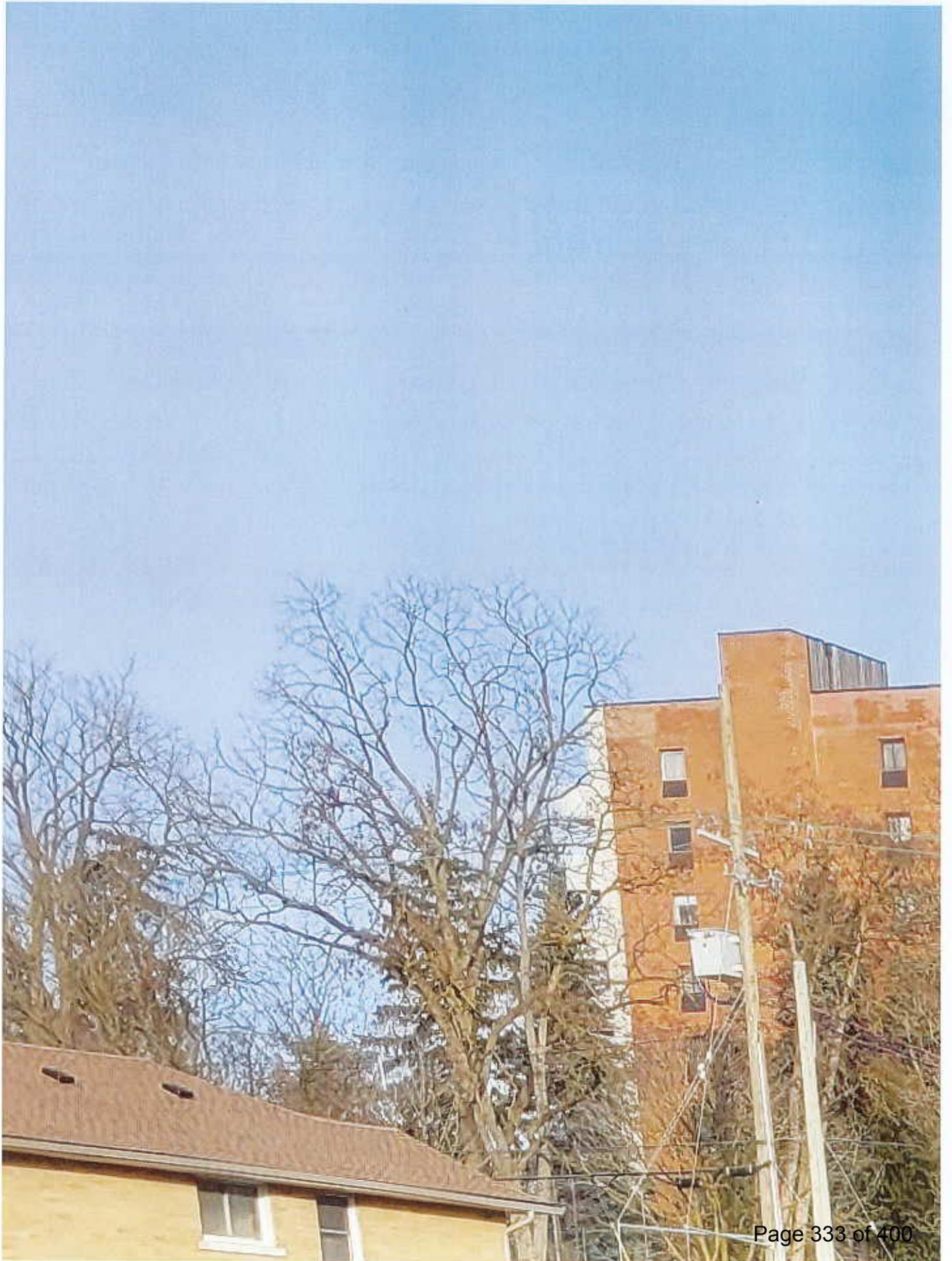
We feel in an established neighborhood like Eastwood it's not fair for owners who love there yards and privacy, to be subjected to someone building houses that now peer into these yards and houses over and above what is allowed.

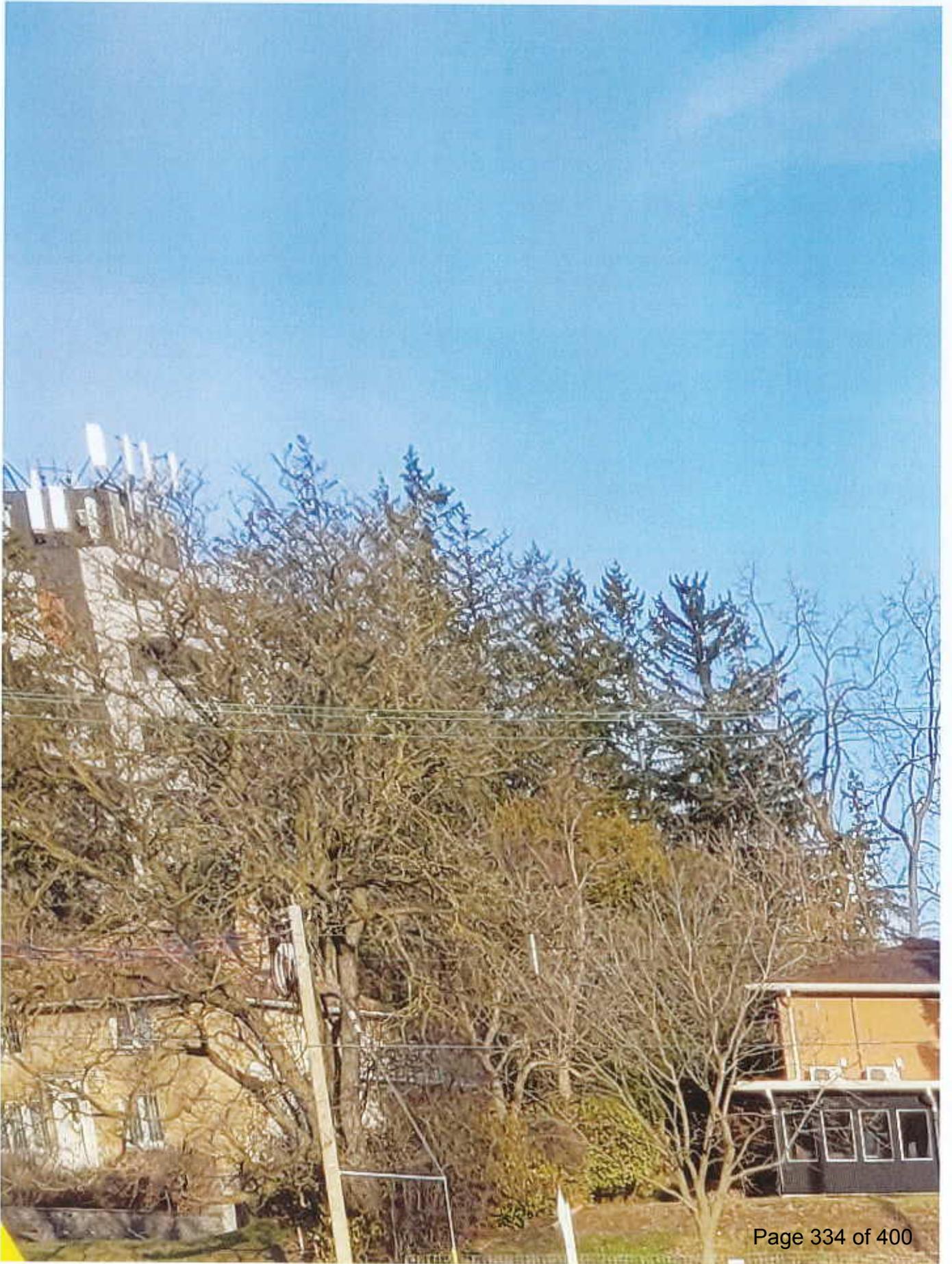
I also would suggest that if and when the building starts that someone supervises the reins suggested portion and not wait until it's too late to ask the builder to comply.
Thank you

Allison & Jeff Rawlins

From: Natalie Sebastian [REDACTED]
Sent: Tuesday, March 12, 2024 2:16 PM
To: Brian Bateman; Stephanie Stretch
Subject: Development on Jackson & Brentwood

You don't often get email from [REDACTED] [Learn why this is important](#)





Good morning Brian,

We had a meeting Sunday March 10/24 with councillor Stephanie Stretch where she explained the process. As a group we are not opposed to development of this property but still have several questions.

We are looking for respect during the planning and construction phases of this project. At the end of construction the developer and construction crews are gone and what is left behind will be there for 50 years.

At this time developers do not respect Kitchener's zoning criteria because every project presented to Kitchener has a request for variances usually parking or height. If the city agrees to these and the project moves ahead. Then you get push back after the project is complete due to lack of parking or the high cost due to less parking than required i.e.: Victoria St. S. near Bramm St.

During the meeting Traffic was brought up with every single neighbor that attended the meeting. At the Zoom meeting , the traffic consultant brought in completely dismissed this.

How is this possible?

My question to you . Has anyone from the city ever been on any of these streets at 8:15 am? 2:30? When Eastwood school is starting or finishing?

Has anyone from the city ever been on any of these streets during football season on the weekends? (from mid July- mid October)

Has anyone from the city ever been on any of these streets on a Friday night during the Ranger game?(September until end of March)

Has anyone seen the parking situation at 206 Montgomery Road when a variance was allowed to take down the city trees , allow the front lawn to be completely concrete and parking is now 14 cars and on weekends more on the street (which by the way you said would never be allowed)

Many people at the meeting were concerned about the questions that were not answered on the Zoom meeting.

Brian respectfully I ask you to take some of the concerns and how building 120 units in addition to the units being built on Sheldon and eventually on Clive will change the landscape of this older neighborhood. Above is a picture of Sheldon where there were over 50 trees.

The plan for this development on Jackson is proposing 154 trees will be cut down from the 167. Even with "softscape " planting. This will take years . Less than 4 years ago Sarah Marsh city councillor said that the city of Kitchener is committed to keeping our green space.

What is the city going to take into consideration??

Kindest regards,

Natalie

www.enpointeandjustdance.ca

From: Renee Richards [REDACTED]
Sent: Monday, February 26, 2024 2:40 PM
To: Brian Bateman; Mayor; Stephanie Stretch
Subject: Eastwood neighborhoods

Some people who received this message don't often get email from [REDACTED] [Learn why this is important](#)

Good afternoon

As the rest of this great neighborhood we are opposed to this big development in the middle of our block. Fairmount, Sheldon, Montgomery & Brentwood.

We understand that housing is needed but not that many. People will be stacked up like sardines. Too many units, too high, not enough parking space, too noisy, too much traffic, etc.

We would want a in person meeting before you make any decisions. Questions were NOT answered in the Zoom meeting. Thank you.

Renee & Benny Richards

From: Stephanie Stretch
Sent: Thursday, February 22, 2024 12:21 PM
To: Elizabeth Leacock; Anita Zapletan Csonti
Cc: Berry Vrbanovic; Brian Bateman
Subject: FW: 135 Jackson Ave.

fyi

From: Jim Laturney [REDACTED]
Sent: Thursday, February 22, 2024 10:04 AM
To: Mayor <mayor@kitchener.ca>; Stephanie Stretch <Stephanie.Stretch@kitchener.ca>
Subject: 135 Jackson Ave.

Some people who received this message don't often get email from [REDACTED] [learn why this is important](#)

Mr. Mayor:

The area to email the councillors only has 2000 characters I have more than that to say. I would appreciate if you would forward this to all the councillors.

Mayor of the City of Kitchener and Councillors:

If the City deems neighbourhoods are essential to the life of the city why have Eastwood and Rockway been singled out for destruction.? The area residents are dealing with the fallout from the Homeless Shelter at 1668 King St. E.. There has been an increase in crime in the area as well as now due to insurance claims for theft and damage the area residents insurance rates will be increasing.

The process of infill housing needs to respect the existing residents adjacent to the infill site as wells existing residents in the area. This has not been accomplished for this project proposed for 135 Jackson Ave.

This project is unlike most other infill projects, on other projects you may have 3 adjacent properties with this project there are 28 adjacent family homes.

I accept that there will be a housing project on this site, but it must conform to City specifications (Official Plan)

I realize that with the Federal, Provincial and Regional governments **take no prisoners** attitude for more housing with no direction confuses me. The building of condos is not building affordable housing. Building rental units is where this should start with geared to income (30% of gross family income for rent).

The City of Kitchener must look at a neighbourhood as a whole before approving new housing complexes in existing neighbourhoods, the developers only look at their lot and how much money they can make from it. With the scheduled influx of residents we are looking at the population of the area bounded by Montgomery, Weber St., Ottawa St. and the expressway to be **134%** of existing. This does not even consider the possibility of 4000-7000 new residents of the apartment tower complex planned for King St.E., Montgomery and Weber. According to Census Canada Breslau only had about 5000 residents as of 2021.

Within a 10 minute walk from the corner of Weber St. N. there are 4359 units proposed for development. These are the proposals I know of. I know they all have reports saying there is enough services at their location. With 3 proposals within 2 blocks, 322 Charles E., 50 Borden and 534 Charles E. there may be enough services for their project but is there cumulatively enough services in the area?

Most of the proposed projects with reduced parking and also reduced set backs from adjacent properties (according to the written proposal to the city)

322 Charles St E (between Stirling and Pandora)	<u>163 units</u>
1 tower 17 stories	
50 Borden (Charles and Borden)	1224 units
2 towers 57 & 51 stories	
534 Charles St E (King, Charles, Ottawa and Borden)	850 units
3 towers 32, 27 & 15 stories	
20 Ottawa St. N.	400 units
4 towers 22, 6, 6 & 4 stories	
1253 King St. E. (at Sheldon)	403 units
1668 King St. E (presently the homeless shelter)	616 units
1770 King St. E.	503 units
291 - 295 Sheldon Ave. N.	40 units
101 Clive	40 units
135 Jackson	<u>120 units</u>
	4359 units

I come from a background of the Electrical industry and Health and Safety. Each of these has a set of standards. These are minimum standards, there is no "lets make a deal". If you go below the standard you have to go back and do it again to meet or surpass the standards.

I have to assume that the City of Kitchener spent time and money on establishing their Official Plan (minimum standards) and these are available to the public and developers.

With respect to the variances requested for 135 Jackson Ave. project they come no where near the city specifications for:

	Specs	Request
Floor Space Ratio	.6	1
Set Back	7.5 m	6 m
Height	11 m	12.5 m
Parking	1.3	1.1

Set Back: You need 5m to get construction machinery between the building and the property line. If the building is concrete block there will not be enough room for scaffolding and a forklift to service the brick layers. At no time should construction equipment extend beyond the property line.

Height: With the proposed buildings being 12.5 meters high all the adjacent houses are single story, 2 story or 3 floor walk up apartments. This summer you can be in your back yard with friends and relatives having a B B Q in relative privacy. Next summer there will be a building looming over your backyard with sight-lines into your yard as well as your house. On Montgomery the buildings will be 14.5 above the back yards. The property at 135 Jackson is 2m higher than the properties on Montgomery.

Parking: The parking for this project is 124 spaces this includes 6 Handicapped and 4 driveway spaces for the Townhouses on Jackson Ave. in reality it is 114 parking spaces or .95 instead of 1.3

Storm Water: According to the design company they will be installing underground storage tanks for storm water run off.

Tree Management: The proposal calls for 154 trees to be removed. At least 10% of these trees are not in a building footprint and should be replaced with native species trees at least 5" diameter. According to the plan these trees should be replaced as listed 103,104, 402, 403, 405, 421, 422, 423, 424, 425, 426, 427, 472, 495 and 496. The trees on adjacent properties affected by the development should be looked after by the developer so that they will not die off because of trauma caused by construction.

Property Fencing: Before construction commences an 8' wood privacy fence should be installed on the property line at the developer's expense to keep out construction waste and trespassing.

Dust Control: During construction this site will be very dusty unless a dust control plan is in place, to water the property and onsite roadways. This site is surrounded by existing houses and they must be protected from dust etc during construction.

On site construction parking: There must be on site parking for construction vehicles and workers. The streets are too narrow to allow all day parking and will impede the local residents ability to leave or return to their driveways. As well as emergency vehicle need access to the area.

Road Conditions and Construction Traffic: The contractor under the Highway Traffic Act is required to keep the roadway clear of mud and debris (the roadway should be cleaned at least twice a day during construction) until the lot is paved. There should be **No Construction traffic** signs posted on Mackenzie, Sheldon, Raymond, Edmund, Jackson and Fairmont. All construction traffic must use Montgomery to Brentwood the Brentwood to 136 for entry to the site.

Demolition: Demolition of 136 Brentwood and 135 - 161 Jackson Ave. must happen at the same time, not in stages as in the proposal. If any of these houses are left abandoned they will attract squatters as the homeless shelter is almost within sight.

Building Permit: The developer wants to do this in 2 phases. Build the 3 units that back on to the Brentwood properties and 105 parking spaces. This implies to me that they don't have the money or unwilling to spend the money to build this out all at the same time. We do not want this to end up like the building on Fergus Ave. in Kitchener, bankrupt not complete or even enclosed from the weather left to rot. The project must be built out in a single phase with a timeline of 2.5 years from when the first home is demolished to occupancy permits issued for all the units. If this goes in 2 phases the construction timeline may be 5 years, not fair to the neighbouring property owners. All the buildings scheduled for demolition should be taken down at the same time, so we don't have abandoned houses to attract problems. This site should be built out completely before Kitchener allows occupancy.

There should also be an adjusted work time for the site This is in the middle of a neighbourhood work should only be permitted from **08:00 to 17:00 Monday to Friday**. The only work allowed on the weekends or statutory holiday is interior work on an enclosed building.

As stated before that this is literally in the middle of a neighbourhood completely surrounded by houses.

Is there any guarantee that is project does not end up like the Condo building on Fergus Ave.? Work stopped, building not complete or even weathered in. The building is left to rot.

Traffic Patterns and Parking: Fire Routes must be established on Brentwood, Jackson, Fairmount and Montgomery surrounding the project should be in place before construction starts.

Will the area streets, Montgomery, Brentwood, Jackson, Edmund, Raymond, Sheldon and McKenzie able to carry the increased traffic? There is already a traffic jam on Montgomery in the morning and afternoon for drop off and pick up of Eastwood students. They don't tend to pay attention to the no exit sign in Eastwood parking lot on to Montgomery.

The city should put a 4 way stop at Jackson and Brentwood. Along with 3 way stops at Brentwood and Edmund and Brentwood and Raymond to discourage traffic from the complex using Brentwood to Sheldon to Mackenzie to Ottawa. The traffic should be encouraged to go Brentwood to Montgomery to Weber.

One of my biggest concerns is after housing is approved for all the open space in the city when will someone turn to the city parks for space, Cherry Park, Breithaupt Park and even Montgomery Park, this housing at all costs is going to change Kitchener into Mississauga and I don't want to see that.

In closing I just ask that you follow the present Zoning regulations regarding this project and keep the requirements as stated in the plan. Just a reminder you work for the taxpayers in the City of Kitchener not the Federal, Provincial or Regional governments.

I will gladly discuss any and all of this if anyone wishes.

Jim Laturney

From: Stephanie Stretch
Sent: Monday, February 26, 2024 1:53 PM
To: Brian Bateman
Subject: FW: Jackson Avenue Development

Did you get this one?

From: patti blue [REDACTED]
Sent: Thursday, February 22, 2024 9:23 AM
To: Stephanie Stretch <Stephanie.Stretch@kitchener.ca>
Subject: Jackson Avenue Development

You don't often get email from [REDACTED]. [Learn why this is important](#)

Good morning Stephanie,

I attended the meeting that was held last night and very disappointed with the response received from the traffic survey!!

When this was completed did anyone take into account the narrowing of McKenzie Avenue?

Already it has become an issue with parking allowed on one side of the road

I welcome all councilors to try to drive down the street when there are events being held at the Auditorium!

With the increase of traffic as the result of this new development it will be an accident waiting to happen, as this is the shortest route for cars to access the expressway.

As it is when there are cars parked on the street and another car is coming from Sheldon Ave. and feel they have the right away and there is certainly no common courtesy anymore, you have to try to pull over with little room.

To add to this frustration I followed a Amazon driver one day as I came home for lunch as he blocked the street to do a delivery and then got back in his van and moved up 2 houses to repeat exactly the same thing.

Imagine this happening with more cars trying to get to Ottawa street it will cause frustration and accidents!

I live on the corner of Brentwood and Sheldon Ave and already witness the speed that cars drive on Sheldon Ave.

When they narrowed Sheldon a few years ago we asked for speed bumps and it was turned down as 911 calls are frequent to the Condominium at the end of Sheldon.

They are now going to development more housing units at the end of Sheldon which will now increase the volume even more.

Further more cars come down Montgomery from Weber to Fairmont to access the expressway quicker as there is only 1 stop sign.

They fly down Fairmount and Sheldon which I witness all the time when I am out walking!

I truly understand that we need more housing however, is it not bad enough that we have had an increase of crime because of One Roof and then the Homeless Shelter and now this?

The city has made our beautiful neighbourhood full of crime and now they want to cause accidents, and what will it take to open their eyes. A lost of life?

Patti Blue

From: Stephanie Stretch
Sent: Monday, February 26, 2024 1:26 PM
To: Brian Bateman
Subject: FW: Jackson street development

-----Original Message-----

From: Cathy Timmerman [REDACTED]
Sent: Saturday, February 24, 2024 5:02 PM
To: Stephanie Stretch <Stephanie.Stretch@kitchener.ca>
Subject: Jackson street development

[You don't often get email from [REDACTED] Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

Sent from my iPad

This development is much too large for the site and will fundamentally change the very nature of our neighbourhood. I am in favour of infills but this is much too large and we already have many proposals for developments in our neighbourhood.

From: Stephanie Stretch
Sent: Friday, February 23, 2024 11:49 AM
To: Brian Bateman
Subject: Fwd: 135 Jackson Ave.

...

Stephanie Stretch

Councillor, Ward 10 | Office of the Mayor and Council | City of Kitchener
[519-741-2786 ext.2786](tel:519-741-2786) | TTY [1-866-969-9994](tel:1-866-969-9994) | Stephanie.Stretch@Kitchener.ca



Customers can now connect with the City of Kitchener anytime by calling the [24/7 Corporate Contact Centre at 519-741-2345](tel:519-741-2345)

From: Jim Laturney
Sent: Friday, February 23, 2024 10:34:57 AM
To: Mayor <mayor@kitchener.ca>; Stephanie Stretch <Stephanie.Stretch@kitchener.ca>
Subject: 135 Jackson Ave.

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[Learn why this is important](#)

Mr. Mayor:

I attended the Zoom meeting on Feb. 21 concerning the proposed development of 135 Jackson Ave. To say the least I'm appalled at the pro developer attitude I sensed from the City of Kitchener staff at the meeting. If this meeting was to ally the fears and concerns about this project it did not work in fact it probably made the neighbourhood residents more concerned. If appears this is a done deal and the meeting was a smoke screen because it was probably required to happen.

The meeting convener never pushed any one from the developer's people or Kitchener staff to fully answer a question. All the questions posed at the end of the meeting were not answered. There was never an end time published for the meeting I expected the meeting to continue until all the questions were answered. I know that this site will be developed but it should conform to neighbourhood and City standards.

When city staff say they are negotiating with the developer on certain aspects of the project it makes me crazy. There are certain rules and regulations in place concerning zoning for RES5 if the developer submits non-conforming plans they should have been sent back for revisions. With their request for 12.5 m tall building and the property being 2 m higher than the adjacent properties on Montgomery it will appear to be a 5 story building in their back yard. The height for RES5 is 11m If anything this is too high compared to existing properties, 9m would be more acceptable I will include a rendered drawing about the height. The Neighbourhood Assc. have suggested an in person meeting on the site at 135 Jackson with you,

councilor Stretch and any from the planning department who may add information. This will put everything we have been talking about in real life not an abstract set of drawings.

A response from you would be appreciated concerning our concerns and a possible meeting time and date.

Jim Laturney

From: Barb Hergott [REDACTED]
Sent: Monday, February 26, 2024 9:13 AM
To: Brian Bateman
Subject: Jackson Ave Project

You don't often get email from [REDACTED] [Learn why this is important](#)

Good morning.

I am still not understanding why there needs to be so many units in a lot in the middle of a quaint neighbourhood block. With not enough parking spaces. Residents/visitors/holiday etc gatherings there is just setting up parking issues in and around the neighbourhood. Bike parking? What are you trying to attract? We are "central" Kitchener NOT downtown Kitchener.

Front page of the paper Friday February 23, 2024: "Kitchener exceeds housing target". Why are you allowing this cramming in as many units as you can into a quiet, well established neighborhood, that clearly was already planned with apartment buildings (that fit in) for extra housing, as well as a high rise condo at the end of Sheldon Ave.

Why are single dwelling townhouses that would fit in the hood, not being considered? Something for Canadian families that desperately want to own a home and raise their families. Not more "units" to be bought, and rented causing more issues for everyone and by law (whose hands are clearly tied most of the time)

And why are buildings planned around the property, instead of in the middle part of the property, thus providing more space, privacy and noise control for already existing homes, that have been well established and here for a long time? No one answered the question about whether the existing brick wall can be left as is.

From the February 21st meeting, the traffic flow fellow..he spoke a lot without saying much, and certainly not answering questions. The Montgomery/Weber St intersection is very busy now, especially when Eastwood Collegiate is active. This is a main entry/exit(and only traffic light controlled) to our neighbourhood. How can he even suggest that the extra traffic will only create a "moderate" impact???

Please do not ruin our hood.

Barb Hergott

From: Barb Hergott [REDACTED]
Sent: Monday, February 26, 2024 12:01 PM
To: Brian Bateman
Subject: Jackson Avenue

You don't often get email from [REDACTED]. [Learn why this is important](#)

I forgot to add another huge point:

If nicer townhouse units went in there, also the elderly and disabled demographic could have nice housing options and perhaps remain in their beloved neighbourhood and community.

Why does everything have to be higher density than fits the space and neighbourhood??

This area has certainly done our part in diverse housing options.

Barb Hergott

From: Andy Kheir [REDACTED]
Sent: Saturday, February 24, 2024 3:27 PM
To: Mayor; Brian Bateman; Stephanie Stretch
Subject: Jackson Development Meeting

You don't often get email from [REDACTED] [Learn why this is important](#)

Hello All,

Just to let you know, the sentiment from almost everyone in the neighbourhood is that the meeting was highly highly unproductive and biased.

The fact that Brian was already in talks with the developer PRIOR to the meeting to resolve issues proved this to many people - the city had already made a decision prior to the meeting. This violates the city's OWN rules regarding development - the public session is the FIRST discussion that should occur.

As said, the overwhelming majority of the residents believe that this development was pre-approved, and comments frequently used such as "which is very close" did not help.

At a minimum, the zoning variances are wholly opposed by almost everyone here. We also believe that the city is NOT listening to its OWN mandates. See attached.

Of specific concern (though there are MANY more) would be questions that were deliberately side stepped:

- How can the studies include non-real world hypothetical measurements? A 10 minute walk has NOTHING to do with the zones indicated in the meeting. The majority of the 10 minute zone cannot be walked in 45 minutes - REAL WORLD. This impacts mass transit usage extrapolation, parking usage, and traffic usage in the neighbourhood.
- Why is a RAISED ground (it was raised for the current building) being used as the baseline for the building height? This should be the common level.. i.e. - the level of the houses on Brentwood and Montgomery. Either the builder needs to re-level the land to common height, or lower the buildings accordingly. The ground was ARTIFICIALLY raised by a previous developer. As such, the maximum height should NOT be gauged from the artificially raised level - never addressed.
- How does this development FIT WITH the neighbourhood? - this IS in the bylaws - it should NOT be simply ignored because other items are spelled out.
- How are building scale bylaws/regulations/guideline being conformed to? This does NOT comply with RIENS guidelines AT ALL, but side-stepped because OTHER regulations comply - this is NOT how the city should make decisions ... this is like saying that your allowed to drive on a road, so driving backwards is just a technicality - breaking guidelines and regulations should NOT be overlooked! The city seems to be whatever it wants, with complete disregard to its OWN regulations and guidelines - READ THE RIENS REPORT - READ THE GUIDELINES! We never voted for this type of development!!! No one would approve ruining established neighbourhoods at the whim of out of town developers!

Everyone I have spoken to is fed up with the city doing whatever it wants with complete disregard to its own regulations, bylaws, and guideline!

Brian - we never voted for you, but you work for the CITY that represents the RESIDENTS, not out of town developers!.

Barry - we voted for you - you represent US!

Stephanie - you were appointed to REPRESENT US - not the developer.

I think that the OVERWHELMING sentiment here is that the meeting was structured to accomplish the developer's goals, and NOT to fulfill the real reason for having public consult - we should have A REAL meeting addressing proper concerns! No PRE-DISCUSSIONS with the developer! It should be in-person and MUCH longer! I know dozens have emailed regarding the abysmal attitude of the meeting - including the dismissive nature that Brian took!

This MASSIVE development INSIDE the neighbourhood proper is NOT wanted, not NEEDED (we can review the numbers! - I can prove it!), and will result in a citizen revolt against all counsellors and the mayor. Most people in this neighbourhood have a massive amount of connections with other people in the city (they have been here up to 80 years, with their parents owning the house previously!).

This is not going to be the easy 'let's slide this development in' project that you are hoping for.

Let's have a REAL meeting with OUR mayor and OUR counsellor to discuss our real and valid concerns properly!

Stephanie and Mayor Barry - ruining neighbourhoods is NOT a good mandate to run a city.

Andy Kheir

From: Dan Scott [REDACTED]
Sent: Thursday, February 22, 2024 2:46 PM
To: Brian Bateman
Subject: Proposed Jackson/Brentwood Development

You don't often get email from [REDACTED]. [Learn why this is important](#)

Good afternoon Brian,

My name is Dan Scott. I live at [REDACTED] Ave in Kitchener. About a block away from the proposed project.

I understand and agree with the need to increase density within the city for better, more sustainable urban environments.

From 2017 to 2021 I was the site supervisor for a 66 unit, multiple building, medium density development in Woodstock that shares many similarities with this proposed project. Drawing on that experience I would like to make a few comments and concerns with the proposal.

1. I sincerely hope the artistic rendering of the playground remains. The development in Woodstock was a block away from the nearest park however the kids were not permitted to venture that far and would find inappropriate/dangerous places to play within the complex. Damaged buildings, belongings, running in front of cars, and thus resentment from many parties to the kids hurt the community.

2. The number of parking spots to duelling units is concerning. The Woodstock project had 66 units and >100 parking spaces (5 visitor incl). The city had trouble dealing with the spill over of the parking onto neighboring streets. Congestion and winter night parking was the big issues. With the price of housing, even one bedrooms are often shared by two young professionals which have their own vehicles. The vast proximity to the LRT, the distance to many places of work, and the expressway close by create a trifecta of commuter vehicle demands. I would rather see taller buildings and more parking spots for such a development. The Woodstock development also included handicap parking spots; I have never seen them utilized due to the nature of the building layout and architecture.

3. Traffic flow management seems to be very poor for this development. Entrances and exits are within the neighborhood when the development is next to a less developed road, Montgomery, doesn't optimize traffic flow. Improving this aspect will definitely help fend off resistance from the closest neighbours. I understand the developer doesn't have direct access, however I hope this can be rectified to benefit everyone.

4. Fence height. While I don't have a dog in this one whatsoever, helping the neighbours keep their privacy with a taller fence should help fend off local resistance as well.

I'm sorry if there have been amendments to the plan that were discussed last night with the zoom meeting. I was unable to attend the event.

If you want to speak further on this issue, my cell is [REDACTED]

Cheers,

From: DoubleA Mc [REDACTED]
Sent: Wednesday, March 6, 2024 11:17 AM
To: Brian Bateman
Subject: Questions for March 10 unofficial meeting
Attachments: Questions for March 1024 unofficial meeting.pdf

You don't often get email from [REDACTED] [Learn why this is important](#)

Good morning Mr Bateman.

For your records please find the attached questions submitted to Councillor Stretch for the March 10 meeting.

A.

Questions for March 10/24 unofficial meeting-Proposed Development 135-161 Jackson
& 136 Brentwood Ave. Kitchener

Feb 5/24

From Neighbourhood meeting:

Next Steps

- 1. If you haven't provided comments yet, please email or call Brian Bateman with your comments.*
- 2. City staff will evaluate feedback from this meeting.*
- 3. Staff will discuss outstanding issues and possible solutions with the applicant.*
- 4. City Staff will prepare a report and recommendation that will consider community feedback, for the Planning & Strategic Initiative Committee's consideration at the statutory public meeting.*
- 5. City council will decide the Zoning By-law Amendment and The Region will decide the official plan Amendment*

What is the purpose of the Urban Design Manual?

Which 'City Staff' are evaluating our feedback?

Which issues are being discussed with the applicant?

What revisions are being recommended?

Will there be a revised design?

Will we have access to the 'City Staff' report?

Who is on the Planning & Strategic initiative Committee?

Will they walk around the neighbourhood before voting on April 22/24?

When is City Council voting on the zoning bylaw?

When is Regional Council voting on changes to the Official Plan?

Will they walk around the neighbourhood before voting on the amendments?

Does the proposal need to pass votes by all three groups in order to be built?

Please provide examples of similar development projects and how they were shaped by the voice of the existing residents?

What strategies are most effective in facilitating these changes?

Please outline the appeal process for City Council decisions?

Please outline the appeal process for Region of Waterloo decisions?

What can we do now to prepare for the appeal process for both Civic and Regional votes?

How long does an appeal to the Ontario Land Tribunal take?

Will the community have time to organize and seek an OLT appeal before construction begins?

How does a community typically handle splitting the associated costs of an appeal?

Would the developer consider expanding the project to include the houses on Fairmount & Brentwood? Or the entire block for that matter?

From: Stella [REDACTED]
Sent: Thursday, February 22, 2024 12:48 PM
To: Brian Bateman
Subject: RE: 135-161 Jackson Ave and 136 Brentwood Ave

You don't often get email from [REDACTED] [Learn why this is important](#)

Hi Brian,

I was not able to attend the zoom meeting.

Is there a list of answers to the questions residents submitted?

Warm regards,
Stella

On Feb 12, 2024 10:52 a.m., Brian Bateman <Brian.Bateman@kitchener.ca> wrote:

Thank you for your comments. They will be taken under consideration. Hope you can attend the Neighbourhood Meeting on the 21st.

Brian Bateman, MCIP, RPP

Senior Planner

City of Kitchener

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



From: Stella <[REDACTED]>
To: Brian Bateman <Brian.Bateman@kitchener.ca>; Internet - Council (SM) <council@kitchener.ca>
Subject: 135-161 Jackson Ave and 136 Brentwood Ave

Some people who received this message don't often get email from [REDACTED] [Learn why this is important](#)

Hello Brian and Councillor,

I am submitting my concerns regarding 135-161 Jackson Ave and 136 Brentwood Ave.

When the single family home across the street from me was converted to a rental duplex we were originally told by the building department that the occupancy limit was 8. Inquiries were made when neighbours noticed more people and suddenly we were told the occupancy limit was 10. There are currently more than 10 people residing in that duplex but the building department or the city does not monitor or do anything about it.

1. Who is going to monitor the occupancy limit of the units being proposed?
2. How many of the units are rentals?
3. The increase to the number of people living in the area will negatively impact the neighbourhood. This proposed development is too large.
4. The current greenspace available to local people is already too small for the current population of the neighbourhood. No one from the city regularly monitors Montgomery Park; perhaps if it were monitored vehicles would not illegally park on and ruin the grass by the tennis courts.
5. The increase in traffic will negatively impact the neighbourhood.
6. This neighbourhood has already seen an increase in traffic do to the city approving zoning changes and development even though over 99% of the residents were opposed; who is representing the people who live here?
7. Are there other rental properties in the neighbourhood owned by this developer? If so, are the properties maintained to Kitchener Property Standards?

8. In the last few years many single family homes that have sold in the area have become slum rentals; garbage on the properties, parking on front lawns, no one shovelling the sidewalks, etc. How can we trust the city to look after the current residents interests when nothing is currently being done to protect our property values and standards.

9. I would like to see less than half dwelling units proposed and more outdoor green space on the development property for its future residents.

10. A huge decline in the number of toads has occurred surrounding the proposed development area. This has taken place since the development properties were purchased. Has anyone from the city checked into toad or other species decline in the area after this land was purchased?

Warm regards,

Stella

From: Brian Bateman
Sent: Tuesday, March 12, 2024 4:06 PM
To: 'Cathy Scott'
Subject: RE: infill development in the Eastwood neighbourhood

Hi Cathy,

Thank you for your comments. They will be recorded for the file and be taken under [REDACTED]. Please note that the subject lands are zoned RES-5 which allows the use of multiple dwellings (since 1994) and therefore the owner could develop these lands with townhouses through a Site Plan Approval process only. This would not require Council's approval or public input since it would comply with zoning. What he is asking for requiring Council's approval however is not increased unit density or a different use, but a change to the zoning regulations to allow for an increase in building height from 3 to 3.5 storeys (11m-12.5m) and a corresponding increase in above ground building floor space ratio from 0.6 to 1.0. This is being requested so that the basement level can be raised 5 feet above ground level to allow natural light into basement units. To try and put this into perspective, if the basement level was fully underground, the building height and floor space ratio would less meaning this development would likely comply with the zoning regulations with no change in use, building form and layout or building massing from what is being proposed. In other words, the number of units could be similar in a stacked townhouse building form under the as-of-right zoning scenario. Given this, the question from Planning's perspective is, "does raising the building height 1.5 metres and a corresponding increase in building area create any further impacts than what would already be allowed as-of-right through the zoning that's in place"? That is what is being assessed and it will require Council's approval with public input. Hope this information sheds some understanding of this application.

Brian Bateman, MCIP, RPP

Senior Planner

City of Kitchener

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



From: Cathy Scott [REDACTED]
Sent: Tuesday, March 12, 2024 2:09 PM
To: Brian Bateman <Brian.Bateman@kitchener.ca>
Subject: infill development in the Eastwood neighbourhood

You don't often get email from [REDACTED]. [Learn why this is important](#)

Hello, Mr. Bateman

I am becoming increasingly concerned at the amount of development that is being approved within, and adjacent to, this residential neighborhood, which is bounded by Ottawa St., the Expressway, Weber St. E., and Montgomery Ave.

One developer is buying houses in this neighbourhood whenever they come up for sale, to assemble land in three areas of the neighbourhood, and is proposing to add three townhouse developments, totalling 181 stacked townhouses.

My concerns are as follows:

- One of these developments is being added to the end of Sheldon Ave., a dead-end street, at the end of which are presently an eight storey condo building and a multi-storey rental building. Sheldon Ave. is the primary entrance/exit road for these buildings. The future development, already underway, will add at least 35 cars to the traffic on this street, as well as street parking, since there is limited parking on the property of the townhouse development. Parking and traffic are concerns about this development, particularly in view of the other two developments which are proposed
- Two of these developments would be added to areas in the middle of residential blocks, between the backyards of existing houses. One concern is that these are areas that accommodate underground water, which flows from higher land west of Ottawa St. These areas currently absorb water run-off, as they are low-lying areas which receive run-off from the higher area west of Ottawa St. I am concerned that this water will have nowhere to go, but will back up underground and into the yards and basements of the surrounding houses. I asked about this at the online meeting with the developer and city staff. The developer's engineer did not seem aware of the presence of underground water, but said there would be a 'tank' underground to collect run-off. There is currently a pond on the property, which collects water. I am concerned that an underground tank will be inadequate to avoid problems with run-off, particularly in anticipation of more severe weather events, associated with climate change.
- I am concerned that the development currently pending approval (on Jackson and Brentwood Sts.) will build 124 townhouses on 2.8 acres, which is higher than the allowed density, and it will pave over most of the property for parking lot. There are insufficient parking spots for residents' and visitors' parking, which I anticipate will spill out onto the surrounding streets. The density of this development, the concentration of traffic, and increased noise will reduce privacy, quality of life and property values of the surrounding residences.
- Another major concern is that the developer is proposing only one-bedroom and two-bedroom units in all these developments, which do not allow for family accommodation, but does allow the developer to maximize profits, at the expense of loss of greenspace and quality of the neighbourhood. Most alarming is the lack of any deeply affordable housing.

I want to assure you that I am very much in favour of increasing the housing supply in Kitchener, and in favour of infill development rather than sprawling onto farm land and other environmentally sensitive lands. I strongly oppose the Ford government's careless approach to increasing our housing supply. I am aware of the pressure they are exerting on municipalities and of the frustration of dealing with the Ontario Land Tribunal.

However, this level of intensity for a small neighbourhood must be reconsidered in view of the many highrise projects planned for the adjacent lands on Weber St., Ottawa St. and King St., all of which are within half a kilometre of the Eastwood Neighbourhood. Several highrises are planned for Montgomery Ave. between Weber St., and King St., as well as the land of the former Schwaben Club. There are highrises planned for three corners of King and Ottawa, which will fill the blocks along Ottawa St., from Charles St. to Weber St. Further highrises are planned for King and Borden, Charles and Sydney, and, most recently, for King and Sydney. Surely there must be some consideration for preserving some greenspace, some sense of community and quality of residential life. I think that the City of Kitchener can increase housing supply with gentler density, without turning the centre of the city into the concrete jungle that exists in downtown Toronto.

I urge you, the planning department and City Council to give mine and my neighbours' concern the weight they deserve, to avoid these detrimental effects on the quality of our neighbourhood, which, I believe, can be avoided.

Catherine Scott

From: Andy Kheir [REDACTED]
Sent: Saturday, February 24, 2024 3:31 PM
To: Mayor; Brian Bateman; Stephanie Stretch
Subject: Re: Jackson Development Meeting
Attachments: DSD_PLAN_UD_10_Multiple_Residential.pdf;
DSD_PLAN_Urban_Design_Manual.pdf

You don't often get email from [REDACTED]. [Learn why this is important](#)

... including attachments for review

On Saturday, February 24, 2024 at 03:26:37 p.m. EST, Andy Kheir <andykheir@rogers.com> wrote:

Hello All,

Just to let you know, the sentiment from almost everyone in the neighbourhood is that the meeting was highly highly unproductive and biased.

The fact that Brian was already in talks with the developer PRIOR to the meeting to resolve issues proved this to many people - the city had already made a decision prior to the meeting. This violates the city's OWN rules regarding development - the public session is the FIRST discussion that should occur.

As said, the overwhelming majority of the residents believe that this development was pre-approved, and comments frequently used such as "which is very close" did not help.

At a minimum, the zoning variances are wholly opposed by almost everyone here. We also believe that the city is NOT listening to its OWN mandates. See attached.

Of specific concern (though there are MANY more) would be questions that were deliberately side stepped:

- How can the studies include non-real world hypothetical measurements? A 10 minute walk has NOTHING to do with the zones indicated in the meeting. The majority of the 10 minute zone cannot be walked in 45 minutes - REAL WORLD. This impacts mass transit usage extrapolation, parking usage, and traffic usage in the neighbourhood.
- Why is a RAISED ground (it was raised for the current building) being used as the baseline for the building height? This should be the common level.. i.e. - the level of the houses on Brentwood and Montgomery. Either the builder needs to re-level the land to common height, or lower the buildings accordingly. The ground was ARTIFICIALLY raised by a previous developer. As such, the maximum height should NOT be gauged from the artificially raised level - never addressed.
- How does this development FIT WITH the neighbourhood? - this IS in the bylaws - it should NOT be simply ignored because other items are spelled out.
- How are building scale bylaws/regulations/guideline being conformed to? This does NOT comply with RIENS guidelines AT ALL, but side-stepped because OTHER regulations comply - this is NOT how the city should make decisions ... this is like saying that your allowed to drive on a road, so driving backwards is just a technicality -

breaking guidelines and regulations should NOT be overlooked! The city seems to be whatever it wants, with complete disregard to its OWN regulations and guidelines - READ THE RIENS REPORT - READ THE GUIDELINES! We never voted for this type of development!!! No one would approve ruining established neighbourhoods at the whim of out of town developers!

Everyone I have spoken to is fed up with the city doing whatever it wants with complete disregard to its own regulations, bylaws, and guideline!

Brian - we never voted for you, but you work for the CITY that represents the RESIDENTS, not out of town developers!.

Barry - we voted for you - you represent US!

Stephanie - you were appointed to REPRESENT US - not the developer.

I think that the OVERWHELMING sentiment here is that the meeting was structured to accomplish the developer's goals, and NOT to fulfill the real reason for having public consult - we should have A REAL meeting addressing proper concerns! No PRE-DISCUSSIONS with the developer! It should be in-person and MUCH longer! I know dozens have emailed regarding the abysmal attitude of the meeting - including the dismissive nature that Brian took!

This MASSIVE development INSIDE the neighbourhood proper is NOT wanted, not NEEDED (we can review the numbers! - I can prove it!), and will result in a citizen revolt against all counsellors and the mayor. Most people in this neighbourhood have a massive amount of connections with other people in the city (they have been here up to 80 years, with their parents owning the house previously!).

This is not going to be the easy 'let's slide this development in' project that you are hoping for.

Let's have a REAL meeting with OUR mayor and OUR counsellor to discuss our real and valid concerns properly!

Stephanie and Mayor Barry - ruining neighbourhoods is NOT a good mandate to run a city.

Andy Kheir

Cover Letter

**Maps showing approved developments within 1 km of the
Rockway Centre**

**My concerns about project and requirements for building the
project**

Neighbourhood concerns and posts

**Section 7 Residential zones City Of Kitchener as of March
21/22**

135 - 161 Jackson & 136 Brentwood

Ward 10 City Councillor Stephanie Stretch:

This is my opinion and in no way do I speak for the Eastwood Neighbourhood Association or area residents.

By no means is this project an altruistic endeavour to add more housing stock in Kitchener. This project is to maximize the developers Return on Investment, this is not necessarily a bad thing but not on the backs of the residents on the adjacent properties. Any Return on Investment should come from the people who buy these units. First if this was altruistic the design would have been to city specifications with 4 3 floor walk up rentals placed in the centre of the lot with parking around but it's not.

If the developer designed the project to RES5 design criteria the zone change would have gone thru and there could have been shovels in the ground this April. They want to squeeze an extra floor per block meaning an extra 40 units meaning approximately 16 million dollars in sales at the cost of the neighbours privacy.

The residents on the adjacent properties are the ones going to pay for this by loss of privacy in their own back yards.

In the past few years I do not believe that any project has been approved without variances to the zoning regulations or change to the Official Plan. It may be parking at less than 1.1 / unit, FSR greater than .6, height allowance to be taller and set backs reduced. How can Handicap parking spaces and the 4 at the Jackson Ave. town houses be included as they are not "public" parking. The City of Kitchener and by extension its council is to blame for all this coming to pass. Part of the planning team for the developer on this project includes a relatively recent City of Kitchener Planning Department employee. She should have known or have known where to find the RES5 zoning specs so I assume they just decided to ignore the specs, they are shown on the drawings.

The part of 135 Jackson Ave. backing on to Montgomery is 3 m higher than the ground level for the residences on Montgomery. The developer's design team said they would reduce this to 2 m during construction this means the units backing on to Montgomery will only be 14.5 m above the rear yards. This is equivalent to a 5 story building looming over them. Even at 11 m which is the max height for RES5 it will be 13 m. There are 24 balconies overlooking the adjacent properties with a height of at least of 5 m above their yards. If block E was turned and connected to block D it would fit with a 6 m set back on the west side of the lot. To reduce overview on to the adjacent lots on Fairmont intense evergreen planting to give everyone privacy.

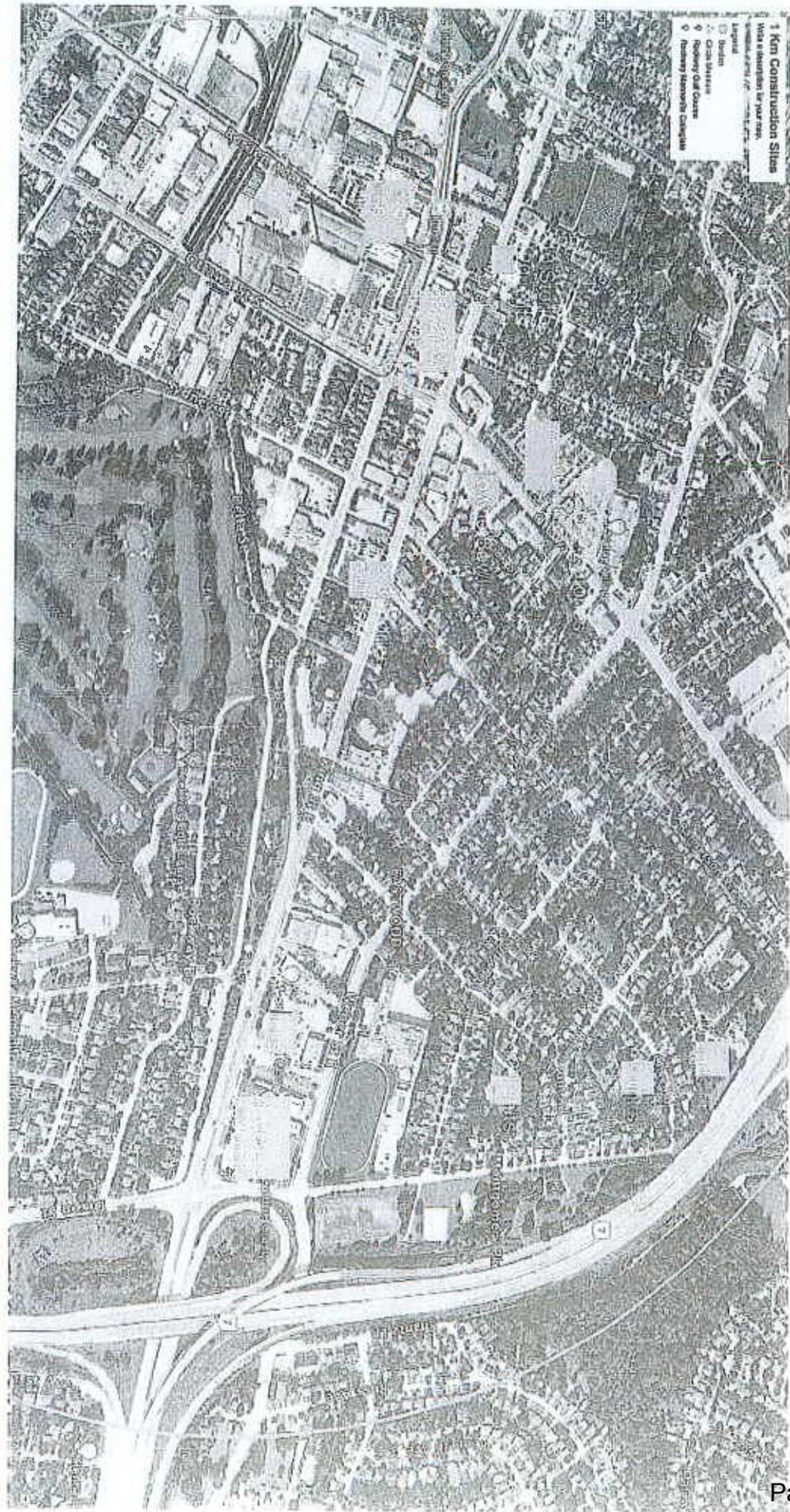
Blocks A, B and C meet the required set backs, the elevation of Block C is 13.220 m as per drawing D3.3 this is even outside of the 12.5 m request. To reduce overview of

adjacent yards on Brentwood I would suggest intensive evergreen planting of trees at least 6 m in height.

To approve this project it should conform to all of the RES5 design criteria and heavily plant evergreen trees of 6 m around the property to reduce overview of adjacent properties.

This is an infill build it should have more controls on the design and building than a new build in a large open area.

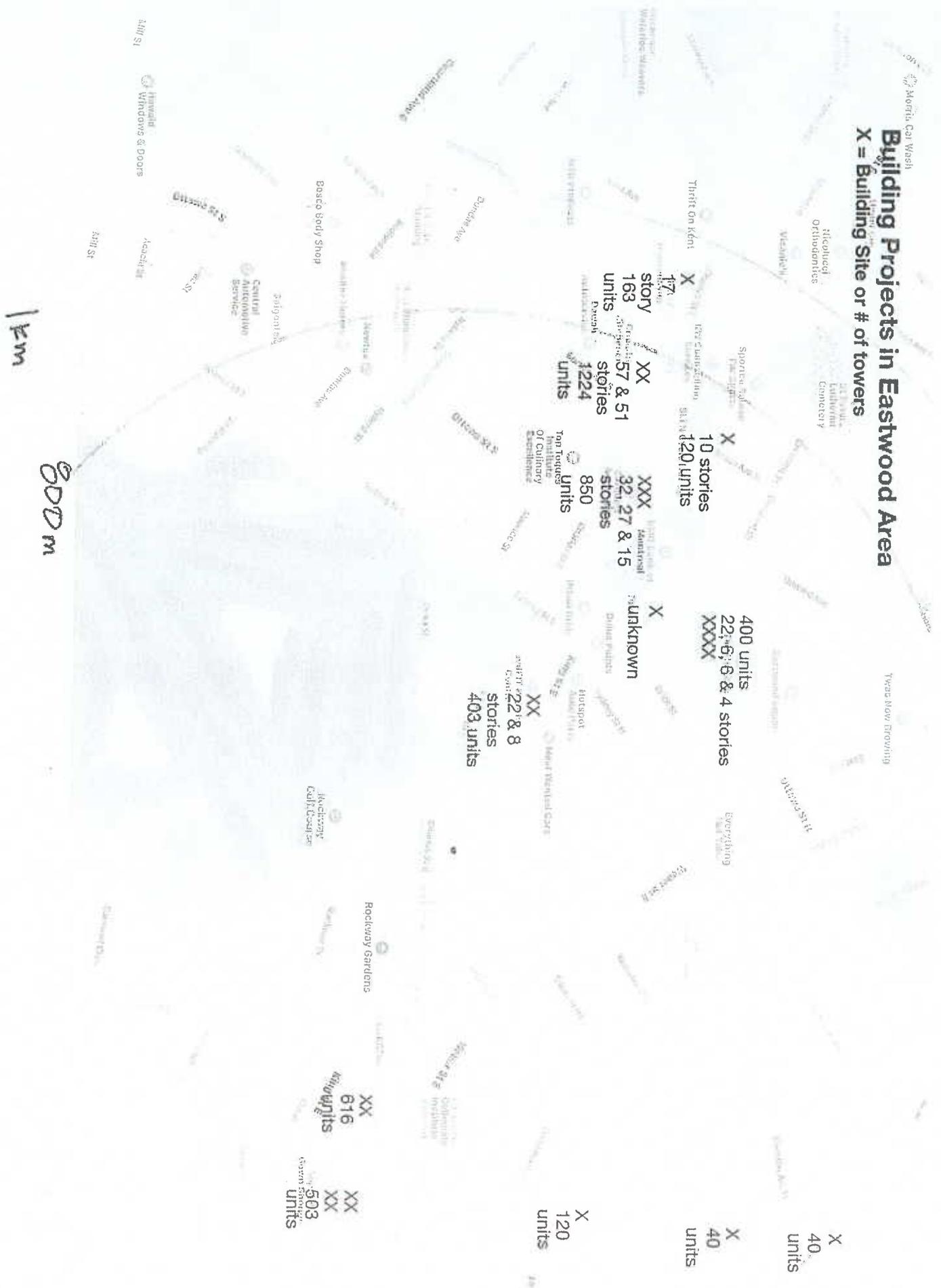
Jim Laturney



Morita Cal Wash

Building Projects in Eastwood Area

X = Building Site or # of towers



1 km

800 m

135-161 Jackson Ave. & 136 Brentwood Ave.

Does everyone at this meeting wish this development was not going to happen? Yes
Everyone at the meeting realize there is going to be some sort of development at this site may not this one but development no less.

Our purpose is to have this done in manner that will blend in with the neighbourhood and respect the privacy and land use of adjacent properties not be overshadowed with a complete loss of privacy.

All we want is the developer and the City of Kitchener to follow the zoning rules they established in 2022.

The Federal, Provincial, Regional and Municipal governments all have been pushing for more housing at all costs. All branches of government have pulled a number for new housing out of the air and are pushing to meet his at all costs, there will be a Federal election soon. Even if the City of Kitchener did not allow the project it is a good bet that it would be appealed and get a Ministers exemption (like the Amazon building in Blair).

Definitions

Cluster Townhouse – means a multiple dwelling divided vertically into three or more townhouses by common walls which prevent internal access between units. This shall not include a street townhouse.

Multiple Residential – a building containing three or more dwelling units.

Standards

- For Multiple Residential buildings the setback should be 10.0m for anything above 2 storeys tall, regardless of height, and especially when adjacent to single detached properties.*
- The proposed design does achieve the bare minimum of 3.0 m (<10 feet) between apartment buildings.*
- Max height should be limited to 11.0 m.*
- The preferred number of dwelling units should range between 4-6 units within a block. Additional units to a maximum of 8 units per block may be considered subject to providing appropriate enhanced design details.*
- Increase rear yard set-back to 10 metres for 3 storey units backing onto single detached properties.*

Performance Bond

The developer should be required to submit a performance bond to the City of Kitchener of the project cost plus 10%. This will ensure the project will be completed in a timely manner and not left unfinished like the project on Fergus Ave. Kitchener.

Trees

Save 10% more trees as listed 103,104, 402, 403, 405, 421, 422, 423, 424, 425, 426, 427, 472, 495 and 496 be saved. This will be about an extra 10%. I find it puzzling in section 3.1 of the Arborist Report that trees on adjacent lots are listed in Good condition while the subject site they are listed as Fair. Before construction starts the trees should be pruned, fertilized and protected at least as far as the drip line. The owner should be required to have the remaining trees and trees on adjacent property

impacted by their construction taken care of for 5 years. If a tree were to die or have to be removed it must be replaced by a tree with at least a 5" diameter.

Fencing

The existing brick fence to remain and be kept in good condition. Any new fencing installed is to match the existing brick fence and comply to city by-law concerning fencing. The property is to be fenced where it meets adjacent properties.

Demolition

When demolition occurs all structures must be removed at the same time as soon as the house is unoccupied. This is to prevent squatters and campers from setting up. If the structures are not removed as soon as they become unoccupied the owner must supply security to prevent squatters and campers.

On-site Parking

The developer/contractor should be responsible to have on site parking not on street parking for workers and construction vehicles.

Road Conditions

The Contractor by law (Highway Traffic Act) is responsible to keep the streets clean of mud etc. make sure this is enforced. The street should be cleaned at least once a day more if required.

Parking

124 parking spots are not enough there should be at least 128 to accommodate the 116 units in the blocks, families with 2 cars and visitors. The parking plan includes 4 parking spaces in front of Jackson Ave. townhouses unless these are public spaces they should not be included or the 6 Handicap spaces

Set Back

According to section 10 of the City of Kitchener Urban Design Manual if more than 2 stories the set back should be 10m not the 6m proposed.

Is the set back to the houses on Brentwood Ave. considered side or rear set back as the address is 135 Jackson Ave. or a rear set back as it is the rear of the 3 blocks.

Building Height

The proposed height of 12.5m is above the 9m in the Manual. At 11 m the buildings will tower over the adjacent homes as the property under development is considerably higher. This property is 320 m above sea level and the adjacent properties are 317 m. City of Kitchener RES5 zoning maximum height is 11 m and a max of 3 stories. Zoning Section 7 Table 7-6.

Dust Control

A dust control policy and plan must be in place before construction or site preparation starts. This site is surrounded by housing and their properties and health must be

respected and protected. This needs to be enforced by Kitchener By-law enforcement officers.

Fire Routes

Fire Routes on Brentwood, Jackson, Fairmount and Montgomery surrounding the project should be in place before construction starts.

Traffic Control

We should press the city to put a 4 way stop at Jackson and Brentwood. Along with 3 way stops at Brentwood and Edmund and Brentwood and Raymond to discourage traffic from using Brentwood to Sheldon to Mackenzie to Ottawa. The traffic should be encouraged to go Brentwood to Montgomery to Weber.

Building Permit

This is in the middle of a neighbourhood work should only be permitted from 08:00 to 17:00 Monday to Friday. The only work allowed on the weekends or statutory holiday is interior work on an enclosed building. There should be a time limit on the permit to ensure of timely construction. ie: 2.5 years demolition to every unit having an occupancy permit.

The developer wants to do this in 2 phases. Build the 3 units that back on to the Brentwood properties and 105 parking spaces. This implies to me that they don't have the money or unwilling to spend the money to build this out all at the same time. We do not want this to end up like the building on Fergus Ave. in Kitchener, bankrupt not complete or even enclosed from the weather left to rot. This site should be built out completely before Kitchener allows occupancy.

Overlook of Adjacent Properties

The developer/designers must be required to mitigate the overlook of adjacent properties.

This property is 2 - 3 m higher than existing properties on Brentwood, even at 11 m the building will appear to be a 5 story building with views into the back yards and homes of the adjacent properties.

Ontario Disabilities Act

Are the ground floor units accessible under the ODA. Is this not a requirement? Why have 6 Handicap spaces and no access to the units.

City of Kitchener Urban Design Manual

Our problems started when the city planning department received the drawings and did not follow the manual. They should have checked them and then returned the drawings to the developer with a note. "This project does not meet the existing requirements of the zoning. Please make adjustments and re file if you desire."

Definitions

Cluster Townhouse – means a multiple dwelling divided vertically into three or more townhouses by common walls which prevent internal access between units. This shall not include a street townhouse.

Multiple Residential – a building containing three or more dwelling units.

Standards

- For Multiple Residential buildings the setback should be 10.0m for anything above 2 storeys tall, regardless of height, and especially when adjacent to single detached properties.
- The proposed design does achieve the bare minimum of 3.0 m (<10 feet) between apartment buildings.
- Max height should be limited to 11.0 m.
- The preferred number of dwelling units should range between 4-6 units within a block. Additional units to a maximum of 8 units per block may be considered subject to providing appropriate enhanced design details.
- Increase rear yard set-back to 10 metres for 3 storey units backing onto single detached properties.

From: <https://www.kitchener.ca/.../development.../urban-design.aspx>

https://www.kitchener.ca/.../DSD_PLAN_Urban_Design_Manual...

Section 10

Mid-Rise Buildings (4-8 storeys)

10.2.1 COMPATIBILITY

Massing & Placement

Provide massing that responds to the existing and planned context of the area, including concentrating height and mass toward more intensive adjacent areas, and responding to the character and rhythms of low rise adjacent areas.

Scale & Transition

Complement adjacent built form through compatible height, scale, building length, massing, and materials.

Sensitively transition to surrounding urban contexts, accounting for both the existing context and the planned vision for an area.

Implement design cues (materials, architectural features, colours, rhythms) from good surrounding built form.

Implement Setbacks (from property lines) and Stepbacks (from the edge of the base to upper-level storeys) to help achieve good transitions.

Mid-rise buildings are to have a human-scaled relationship to the public realm.

In areas with existing or planned tall and/or mid-rise buildings, Relative Height, Separation, Overlook and Orientation should all be considered as factors contributing to good compatible design, not just on an individual site but throughout an area.

Base Design

Integrate above ground structured parking into the base design and place it behind active uses along street edges. Refer to the Design for Structured Parking section of this manual.

Where it is not feasible to integrate service/utility/parking activities underground or within the building mass, use high-quality architectural elements and landscape design to screen these activities from public view and limit unwanted activity.

Maintain established or planned setbacks to create continuous street walls.

Building Design

Separation refers to the physical and perceived space between a tower and its surroundings. Achieving adequate separation requires a unified design approach covering the following interdependent considerations; Physical Separation and Tower Overlook.

Physical Separation is the measured setback in metres from a tall building tower's faces to its side and rear property lines, or to the centre line of an abutting lane, trail or easement.

Physical Separation is calculated by multiplying the building's Height by the tower Length and dividing by 200.

When adjacent towers are on the same site, the total Separation between towers is to be calculated as the sum of each individual Physical Separation.

Overlook

Mitigate the actual and perceived massing impacts of a mid-rise building by breaking up the mass horizontally and vertically, through the creative incorporation of changes in materials, balcony and floor plate design, architectural features and unit/amenity locations.

Provide setbacks for upper storeys where a mid-rise building is taller than the existing or planned streetline height for that area.

Provide rear and side setbacks for upper storeys to provide contextually appropriate transitions from mid-rise buildings to lower-rise surrounding neighbourhoods.

Provide side setbacks for upper storeys where appropriate to create space between neighbouring mid-rise buildings, increasing skyview and sunlight access.

Integrate mechanical penthouses with the overall architectural expression of the building. Where visible, screen with high-quality materials and consider surrounding with a green roof and/or rooftop amenity space.

Avoid placing telecommunication equipment on mid-rise buildings.

Provide consistent, clean, contemporary massing and materials. Mid-rise buildings do not necessarily benefit from extensive decorative elements or frequent changes in colour, material or forms. Smaller mid-rise buildings in particular can quickly become too 'busy' visually.

Additional Information: It is understood that requiring setbacks on multiple or all sides of a building can be impractical. In some cases, the intent of a setback may be met through greater setbacks instead.

10.3.5 CULTURAL & NATURAL HERITAGE

Many of Kitchener's most highly valued cultural heritage resources are mid-rise in form. Many others are low-rise, but feature additions which create new hybrid mid-rise forms. New mid-rise buildings and additions to existing heritage resources are to be respectful and complementary to Kitchener's established cultural heritage assets and landscapes. This consideration should extend to existing buildings without cultural heritage designations that may nevertheless have architectural or historical value, including the appropriate conservation of styles and eras that may not currently be in favour (such as brutalist, mid-century or late modernist, international-style, post-modernist, etc.)

Did You Know? Kitchener has been fortunate in that many of its cultural heritage assets have been preserved. This has contributed enormously to Kitchener's eclectic, vibrant identity. The ongoing conservation of all building types, styles, and eras will be tremendously important in perpetuating this identity as development accelerates.

10.3.6 SITE FUNCTION

Vehicular Access & Parking

Locate parking at the rear of buildings or underground, wherever possible. Some surface parking may be provided to the side of buildings where necessary to meet minimum parking requirements, but that

parking must be set back further than the related buildings, be visually screened from the public realm and shared spaces, and not cause conflicts of any kind with pedestrian or cyclist movement.

Locate structured parking entrances to the rear or side of buildings. Where garage access is provided along a street frontage, ensure that it does not pose a pedestrian safety risk and that it is attractively and positively integrated into the architectural design of the building.

Screen parking areas from the public realm and shared spaces with landscaping, low screening walls, berms, and other well designed site features.

Provide secure, indoor bicycle parking, located for the convenience and safety of cyclists.

Design all site circulation for cyclists and pedestrians as well as motorists, including alternate materials and colours for pedestrian crossings and sharrow markings where cyclists need to use drive aisles to property access and move through a site. Cyclist and motorist circulation routes should be separated wherever possible, favouring the safety and convenience of cyclists.

Sites should be limited to one vehicular access driveway wherever possible.

Servicing & Utilities

Incorporate all private, on-site servicing, meters and utility elements into the design of the building and show on building elevation drawings as part of the site plan approvals process. Where possible, locate these elements away from public view. Otherwise, screen these elements visually with landscaping and architectural features that are integrated into the building design as a whole.

Waste & Recycling

Provide adequate space for waste vehicles and containers. Locations of waste containers should not block fire routes, parking or sidewalks.

Waste and recycling storage areas are to be fully enclosed and placed where they are not visible from the public realm.

Provide safe, weather protected areas for the sorting of recyclables. Include options for organic materials wherever possible.

Where facilities are located outside, provide safe, continuous pedestrian access such that the use of these is not frustrated by motorists (parking or driving) or snow storage locations, and that they can be accessed without requiring passage through shared amenity spaces.

Low-Rise Multi-Residential

11.1.1 TOWNHOUSES & LOW-RISE MULTI-RESIDENTIAL SITES

Introduction

Low-rise multi-residential buildings and townhouses provide important housing options for Kitchener residents. Well designed low-rise multi-residential buildings help add density to new and established neighbourhoods at a compatible, complementary scale. They help diversify communities, improve housing variety and increase affordability.

It is important that townhouses and low-rise multi-residential buildings integrate into their neighbourhoods and that the people who live there are made to feel like they belong. This includes having an active and direct relationship with the public realm, sidewalks, trails and open spaces. It means designing low-rise multi-residential buildings for urban life and a human experience; to be designed for pedestrians, cyclists and transit users.

What is a Low-Rise Multi-Res Building?

Townhouses and Low-rise multi-residential buildings exist in many forms. These typologies are listed below. Low-rise multi-residential buildings are three storeys or fewer, except along arterial roads, where they may be up to four storeys in height.

Typologies

Low Rise Hybrid Buildings Low rise hybrid buildings are typically 3 to 4 storeys in height and share side and back walls and have units stacked vertically. Ground level units have direct access whereas upper units gain access through a shared entrance.

A Vision for Low-Rise

Townhouses and Low-rise multi-residential buildings are important as they help create a transition between mid-and-high-rise buildings and lower density neighbourhoods. They can bring activity and continuity to the streetscape when designed as an integrated, unified part of their neighbourhood. Low-rise multi-residential buildings are also a valuable alternative to taller forms when seeking to achieve greater densities in established or new low-rise neighbourhoods.

Low-rise multi-residential buildings are to be designed with a rational and specific architectural intent. This means that whatever their visual style, buildings are to be massed, clad, articulated and detailed authentically, such that they reflect the needs, behaviours and tendencies of both occupants and community members. Architectural elements are to be integrated rather than decorative. They are to be complementary of neighbourhood character but not direct replications of existing features, particularly where a change in typology (such as taking a characteristic from a single detached house and applying it to an apartment building) would render those features out of scale, awkward or inappropriate.

11.2.1 COMPATIBILITY

Massing & Placement

All built-form elements visible from the public realm or shared spaces are to be designed to a high level of quality that is consistent with the architectural expression of the project as a whole.

Minimize the visual impact of parking through the thoughtful placement, orientation and articulation of built form as well as garage, parking structure and surface parking design.

Provide appropriate visual variety in massing, materials, colours and articulation both within the elements of an individual unit and between units. Avoid repetition that hinders wayfinding or creates a homogeneous built form, while also avoiding visual clutter.

For stacked townhouses, apartment buildings and hybrid buildings, a contemporary architectural style is generally preferred.

Design unit accesses to be clearly defined, consistent, easy to identify and without adding unnecessary visual clutter to a building's elevations.

Site buildings to face and activate the public realm. Buildings should occupy a minimum of 75% of a site's street frontage. Front doors should directly address the street and public realm.

Provide direct building access from a public sidewalk to maintain visibility and connectivity. Limit townhouse block length and provide greater articulation for longer blocks.

Design all building elevations facing any streets, parks, trails and open spaces to appear and function as fronts, including features such as porches, front doors and large windows.

New buildings should be consistent with the existing neighbourhood setback pattern.

Site buildings such that units in opposing blocks are consistently facing front-to-front and/or back-to-back. Avoid back-to-front facing relationships.

Provide a minimum facing separation distance between buildings or blocks of units of 12m for P 2-storey buildings and 15m for 3 or 4-storey buildings.

All available space between the street and the building is to be landscaped, including street trees and entry features.

Avoid any situation in which a back yard fronts onto a public street.

Where a functional 'back yard' is provided in an interior yard, a minimum 7.5m interior yard setback should be provided. Additionally, a landscaped setback between the property line and the back yard should be provided to allow for privacy screening.

Do not allow driveways to be a dominant front-yard feature. Place to the rear of buildings wherever possible. Otherwise, minimize their impact through site layout and landscape design.

Did You Know? Good compatibility requires a good faith, collaborative effort from all to understand and respond to neighbourhood strengths and weaknesses and site-specific opportunities and constraints.

Scale & Transition

Provide articulated vertical and horizontal massing elements which give a building or block of buildings visual and spatial depth and variety while maintaining a human-scaled experience.

For stacked townhouse blocks, apartment or hybrid buildings longer than 35m, provide stepbacks for upper storeys where appropriate, to add diversity and amenity to the urban fabric. Consider stepbacks for buildings of 3-4 storeys adjacent to 1-2 storey buildings.

For sites adjacent to commercial and/or employment uses, use additional transition measures such as increased setbacks, enhanced landscape screening and building organization and orientation that is designed intentionally to provide enhanced compatibility.

Consider the massing, height, length, depth, roof design, materials and rhythms of neighbouring buildings when designing for compatibility. Avoid direct replication of elements, particularly of historical building styles that cannot be replicated authentically with contemporary materials and construction practices.

11.2.2 BUILDING COMPONENTS

Porches, Balconies & Patios

Organize porches, balconies and patios to reduce overlook onto other private spaces.

11.3.4 SHARED SPACES

Landscaping

Respect and enhance the existing landscape design of streets and neighbouring properties.

Preserve and integrate existing trees, vegetation and natural landscape features into the landscape design of new development.

Minimize impervious surfaces by reducing driveway and surface parking areas and providing permeable or semi-permeable surface materials as alternatives to concrete or asphalt.

Preserve natural drainage flow and incorporate vegetated swales where appropriate.

Employ native, non-invasive vegetation and drought-tolerant species.

Consider green roofs on buildings or structured parking.

Provide soft landscape distributed throughout the site, including tree cover over parking areas, sidewalks, laneways, driveways and other hard surfaces.

11.3.5 SITE FUNCTION

Vehicular Access & Parking

Locate parking at the rear of buildings or underground, where possible. Where parking is provided in front of a building, limit driveway widths and use shared driveways to minimize the frequency of curb cuts, increasing space for on-street parking and reducing pedestrian/vehicle conflicts.

Separate pedestrian, cyclist and motorist circulation where possible to maximize safety and comfort.

Where routes are shared between modes, include alternate materials and colours for pedestrian crossings and markings for cyclists using drive aisles to navigate a site.

Minimize the visual impact of front garages by limiting their width to less than 50% of the facade, encouraging single-car garages in tandem parking with front yard landscaping.

Limit driveway widths to provide greater area for landscaping, particularly to incorporate stormwater management and opportunities for low-impact development.

For townhouse units less than 6 metres wide, avoid individual front garages. Avoid the creation of basement garages that require sloped front driveways.

Use landscaping, building placement, low screening walls and other site features to conceal views of parking areas from the street and neighbouring properties.

Locate parking areas and their access points away from street corners. Garages should not project ahead of the front facade of the building.

Provide convenient and accessible bicycle parking. For apartments, provide secure, indoor bicycle parking. Ensure that sites and neighbourhoods are designed to accommodate cyclists.

Servicing & Utilities

Integrate all private servicing, meters, HVAC equipment and utility elements into the design and minimize their visual impact, particularly from the public realm and on-site shared spaces.

Waste & Recycling

Provide adequate space for waste vehicles and containers. Locations of waste containers should not block fire routes, parking or sidewalks and should be adequately separated from shared spaces such that their functionality does not impact shared spaces users or activities.

Waste and recycling storage areas are to be fully enclosed and screened from public view, first through their location, placement and orientation, then through passive screening elements such as landscaping, and finally through enhanced enclosures where no other option exists.

The Eastwood area of Kitchener is a gem. Originally developed three quarters of a century ago it is a stunning example of the simple urban beginnings and cultural history of the City of Kitchener. The modest predominantly red brick homes speak of a better time before the single family home became oversized, overbuilt, over designed, and crammed together without regard for privacy, space, or livability.

The neighbourhood covers only approx 0.6 square kilometres (excluding Montgomery park) and is made up of a mix of residential building types. These include close to 300 properly spaced 1.5-2 storey single family homes with desirable front, rear, and side yards, less than 20 detached low rise (2.5 storey walkups) apartment buildings on spacious lots, and a mid rise condo complex tucked away in a quiet corner of the neighbourhood against the expressway. This amounts to approximately 470 living units providing housing for between 940 and 1880 residents, and a population density of approximately 1,400-2,685 residents per square kilometre.

The neighbourhood was originally designed for this density and having resided here for the past 15 years, I'd say it has worked well, making it a consistently desirable and sought after place to live.

However, recent construction developments on Sheldon Ave N have already been added/ approved, resulting in 24 & 40 new units and between 64 and 235 new residents where there was previously around 15 in single detached homes. With a single point of access on Sheldon at the dead end and no published provisions for a respective increase in infrastructure to support the influx of vehicular and pedestrian/ transit traffic.

Furthermore the City has gone ahead and changed the surrounding zoning between Weber & King to allow the conversion of existing single storey retail space into high rise residential towers. These buildings mark a significant departure from any attempt to 'fit into' the surrounding neighbourhoods of Eastwood and Rockway and will add 503, 616, and 403 units respectively. Altogether these projects amount to adding a grand total of between 4000-7000 new residents to the immediate area. This will be an increase of 250-300% resulting in a population density of around 6666-11,666 residents per square kilometre.

Not only are these projects entirely contrary to building within the existing atmosphere of the area, but the City has yet to publish how they plan to improve the existing infrastructure and local amenities to support this new population, while maintaining the quality of life in the surrounding areas for the existing taxpayers.

Now the City of Kitchener wants to approve yet another complex of 120 units to be crammed literally into the centre of an existing neighbourhood block.

We understand that the property owner wants to develop and sell properties on this site, and we recognise that the City may need to approve development here at some point, but the currently proposed design is simply unacceptable given the location.

Approving intensification around the perimeter of an existing neighbourhood with proper provisions for increased infrastructure, managing the construction process, and the increased traffic is one thing. Building in the centre of a block of long term occupied residences is a different endeavour altogether. Because there are existing residents living directly adjacent to this site on all sides, it becomes a much more complex proposition that entails greater responsibility and requires special consideration and sensitivity.

This could also mean it is more work for the City and less profitable for the owner/developer, but to do this properly some concessions will need to be made.

Any development of this land should have to maintain compatibility with the surrounding aesthetic and only enhance the functionality, quality, and ideally value of living here overall. It needs to work with the existing building standards/ spacing/ heights/ styles/ features.

The purpose of the application & consultation process and the planning department itself is to safeguard the interests of residents in existing communities that already work, by being realistic, judicious, and creative about how things like population growth are integrated.

In this case that means approving only proposals that work with the existing zoning, building type, style, & standards of the community, in a complimentary way.

Good planning is never a permanent downgrade.

The proposed design shows no respect or consideration for these site specific or communal aspects, nor does the aesthetic fit or compliment the surrounding homes in any way.

To the contrary the design purposefully shirks the established zoning bylaws in an effort to stack as many new residents into the space as possible without providing for the minimum design standards. The developer seems to be operating on the presumption that the City of Kitchener will approve the project anyway even with these deficiencies.

If the developer seeks variations and zoning changes, this should require approval by City Council. City Council decisions should be subject to appeal. Beyond the municipal level the existing residents should have the opportunity to take the case to the Ontario Land Tribunal. Depending on the resistance and

objection of the community, this should be the process before any changes are made to this site.

The City must consider the outward appearance of allowing a complex of modern, long, flat roofed, buildings to be built more than twice as tall as the surrounding single row of charming private 1.5 storey residences on the block. It shouldn't look like a juxtaposition of opposite ideas.

The internal implications of building 2.5 storeys taller than the originally/ intentionally private backyards surrounding it is the most problematic of all. Such structures would directly impact the quality of life in all abutting residences, blocking an extreme proportion of the otherwise consistent low 1.5 storey neighbourhood skylines, the natural light and sightlines, while simultaneously eliminating any and all privacy in both backyards and rear facing doors and windows. This would be felt especially by the residents on Brentwood as the proposed finished grade is also significantly uphill. This part of the proposal is insulting. It shows an audacity, disregard, and almost contempt for the privacy and standard of living of the existing residents and incoming residents alike. Such an arrangement could only serve to destabilize property values in both the short and long term while destroying forever the longstanding positive reputation of the area.

Exacerbating the situation, in order to allow as much parking as possible on the interior, the plans have the buildings placed such that they encroach on the property lines around the perimeter. This makes their height effectively even taller for the surrounding residents. Yet the plans still fail to provide inadequate parking for the new residents as well as no provision for visitor or service parking. This will only result in parking overflowing onto sidestreets throughout the neighbourhood. Considering this added traffic and congestion the City should then also allow for front yard parking (driveway widening) and be responsible for widening all the existing boulevard driveways and curb openings so residents have an option besides tandem parking.

Not only are the buildings placed too close to the property boundaries, but it shows no provisions for visual or physical separation between the new walkout patios (and three galleries of balconies above) and the existing private backyards, for security and/or privacy. Where an existing berm and masonry wall has separated a single residence on the estate for the past three decades, the surrounding homeowners seem to be left with the responsibility of keeping a whole housing complex of new population and their pets from entering their yards. Some of the neighbouring properties have no form of fencing at all. The plans show no provisions for runoff from the developed grade and the impermeable surfaces of roofs and parking lot that will be introduced. Where there is now a retention pond and berm keeping water from running downhill into

Response to Proposed Development 135-161 & 136 Brentwood Ave. Jackson Ave, Kitchener

backyards and basements, the plans show a consistent downward slope into neighbouring properties on Brentwood.

The plans show a fictitious depiction of the existing trees around the perimeter of the property which have been neglected since the property changed hands. Some have expired and others that were damaged by the windstorm of 2022, have been left standing. The development will require the destruction of the other trees on the property. The plans make no provision for the full or partial replacement of any of the mature trees on or around the property.

Beyond the details of this particular proposal, any development of this site will require special measures so as not to cause undue inconvenience, disturbance, or stress for the existing residents who will have to live through the demolition and construction process.

Site Fencing:

An 8' privacy fence (at the developers expense) should be installed around the subject site prior to start of work to prevent debris and workers from encroaching on the adjacent properties.

Finished Fencing:

The fence bylaw height is 8ft based on level properties of 1.5-2 storey construction. If there is an immediate grade upwards after the property line the fence height should be allowed to rise appropriately to compensate. In some cases the grade is too steep and the grade becomes the privacy and this site already has that feature on the downhill side.

However the construction of structures taller than the surrounding residences (within or beyond the original zoning), should entail a matching increase in the allowable fence and privacy screen heights for neighbouring properties. In either case construction of this property barrier should be the responsibility of the developer such that it be consistent in style and construction (be it timber or masonry or a combination).

Road Conditions and Construction Traffic:

The contractor under the Highway Traffic Act is required to keep the roadway clear of mud and debris (the roadway should be cleaned at least twice a day during construction) until the lot is paved. There should be No Construction traffic signs posted on Mackenzie, Sheldon, Raymond, Edmund, Jackson and Fairmont. All construction traffic must use Montgomery to Brentwood the Brentwood to 136 for entry to the site.

Dust Control:

The constructor must have a dust control plan in place before construction starts. Such as listing that the site will be watered as required to prevent dust

enveloping the adjacent properties. The adjacent properties should not have to suffer living in a dust bowl because of construction. This site is literally in the middle of a neighbourhood.

Building Permit:

The developer must be able to prove they have the finances to complete the project on time.

The developer wants to do this in 2 phases. Build the 3 units that back on to the Brentwood properties and 105 parking spaces. This implies to me that they don't have the money or unwilling to spend the money to build this out all at the same time. We do not want this to end up like the building on Fergus Ave. in Kitchener, bankrupt not complete or even enclosed from the weather left to rot. The project must be built out in a single phase with a timeline of 2.5 years from when the first home is demolished to occupancy permits issued for all the units. If this goes in 2 phases the construction timeline may be 5 years, not fair to the neighbouring property owners. All the buildings scheduled for demolition should be taken down at the same time, so we don't have abandon houses to attract problems. This site should be built out completely before Kitchener allows occupancy.

Adjusted noise bylaw:

There should also be an adjusted work time for the site. This is in the middle of a neighbourhood work should only be permitted from 08:00 to 17:00 Monday to Friday. The only work allowed on weekends should be on Saturdays only and only for interior work once the buildings are enclosed.

The constructor must be required to provide off street parking and accommodation if necessary for construction vehicles and workers. These streets have been narrowed during street reconstruction and the extra on street parking will cause problems for the area residents as well as emergency vehicles. As stated before this is literally in the middle of a neighbourhood completely surrounded by houses.

Traffic Patterns and Parking:

Fire Routes must be established on Brentwood, Jackson, Fairmount and Montgomery surrounding the project should be in place before construction starts.

The city should put a 4 way stop at Jackson and Brentwood. Along with 3 way stops at Brentwood and Edmund and Brentwood and Raymond to discourage traffic from the complex using Brentwood to Sheldon to Mackenzie to Ottawa. The traffic should be encouraged to go Brentwood to Montgomery to Weber.

SECTION 7 – Residential Zones (RES)

The Residential Zones apply to lands designated Low Rise Residential, Medium Rise Residential and High Rise Residential in the Official Plan.

7.1 APPLICABLE ZONES

RES-1: Low Rise Residential One Zone – the purpose of this *zone* is to accommodate limited dwelling types in areas with an estate character and/or limited municipal services in low rise areas.

RES-2: Low Rise Residential Two Zone – the purpose of this *zone* is to accommodate a limited range of low density dwelling types on larger lots than the RES-3 Zone in low rise areas.

RES-3: Low Rise Residential Three Zone – the purpose of this *zone* is to accommodate a limited range of low density dwelling types on smaller *lots* than the RES-2 Zone in low rise areas.

RES-4: Low Rise Residential Four Zone – the purpose of this *zone* is to accommodate a range of low density dwelling types that allow up to four dwelling units on a range of *lot* sizes in low rise areas.

RES-5: Low Rise Residential Five Zone – the purpose of this *zone* is to accommodate the widest range of low density dwelling types on the widest range of *lot* sizes in low rise areas.

RES-6: Medium Rise Residential Six Zone – the purpose of this *zone* is to accommodate medium density dwelling types and some complementary non-residential uses in medium rise residential areas.

RES-7: High Rise Residential Seven Zone – the purpose of this *zone* is to accommodate high density dwelling types and a range of complementary non-residential uses in high rise residential areas.

7.2 PERMITTED USES

No person shall, within any Residential Zone *use* or permit the *use* of any *lot* or erect, alter or *use* any *building* or *structure* for any purpose other than those permitted *uses* within Table 7-1 below.

Table 7-1: Permitted Uses within the Residential Zones

Use	RES-1	RES-2	RES-3	RES-4	RES-5	RES-6	RES-7
Residential Uses							
Single Detached Dwelling	✓	✓	✓	✓	✓		
Additional Dwelling Units (Attached)(1)	✓	✓	✓	✓	✓		
Additional Dwelling Units (Detached)(2)	✓	✓	✓	✓	✓		
Semi-Detached Dwelling			✓	✓	✓		
Townhouse Dwelling – Street				✓(3)	✓(4)		
Townhouse Dwelling – Cluster					✓(4)	✓	
Multiple Dwelling				✓(3)	✓	✓	✓
Lodging House				✓	✓	✓	✓
Continuing Care Community					✓	✓	✓
Hospice		✓	✓	✓	✓	✓	✓
Residential Care Facility, Small		✓	✓	✓	✓	✓	✓
Residential Care Facility, Large					✓	✓	✓
Non-Residential Uses							
Artisan's Establishment (5)						✓	✓
Community Facility (5)						✓	✓
Convenience Retail (5)						✓	✓
Day Care Facility (5)						✓	✓
Financial Establishment (5)							✓
Health Office (5)							✓
Home Occupation (6)	✓	✓	✓	✓	✓	✓	✓
Office (5)						✓	✓
Personal Services (5)							✓
Studio (5)						✓	✓

Additional Regulations for Permitted Uses Table 7-1

- (1) Shall be permitted in accordance with 4.12.1 and 4.12.2.
- (2) Shall be permitted in accordance with 4.12.3.
- (3) The maximum number of *dwelling units* in a *dwelling* shall be 4.
- (4) The maximum number of *dwelling units* in a *dwelling* shall be 8.
- (5) Permitted non-residential uses must be located within a *multiple dwelling* (despite the definition of *multiple dwelling* in Section 3) and are limited in size in accordance with the regulations in Table 7-6.
- (6) Shall be permitted in accordance with 4.7.

7.3 REGULATIONS

The regulations for *lots* in a *residential zone* are set out in Tables 7-2 through 7-7 below.

Table 7-2: For Single Detached Dwellings

Regulation	RES-1 (5)	RES-2 (5)	RES-3 (5)	RES-4 (5)	RES-5 (5)	RES-6	RES-7
Minimum Lot Area	929m ² (1)	411m ²	288m ²	235m ²	235m ²		
Minimum Lot Width	24.0m(2)	13.7m	10.5m	9.0m	9.0m		
Minimum Corner Lot Width	24.0m(2)	15.0m	13.8m	12.8m	12.8m		
Minimum Front Yard or Exterior Yard Setback	6.0m (3)	4.5m(3)	4.5m(3)	4.5m(3)	4.5m(3)		
Maximum Front Yard Setback	(3)	(3)	(3)	(3)	(3)		
Minimum Interior Side Yard Setback	3.0m	1.2m	1.2m	1.2m	1.2m		
Minimum Rear Yard Setback	7.5m	7.5m	7.5m	7.5m	7.5m		
Maximum Lot Coverage	55%(4)	55%(4)	55%(4)	55%(4)	55%(4)		
Maximum Building Height	11.0m(6)	11.0m(6)	11.0m(6)	11.0m(6)	11.0m(6)		
Maximum number of storeys	3	3	3	3	3		

Additional Regulations for Single Detached Dwellings Table 7-2

- (1) The minimum *lot area* shall be 0.4 hectares on *lots* without full municipal services.
- (2) The minimum *lot width* shall be 30.0 metres on *lots* without full municipal services.
- (3) For lands identified in Appendix D – Established Neighbourhoods Area, the minimum and maximum front yard shall be in accordance with Section 7.6.
- (4) A combined total of 55 percent for all *buildings* and *structures* on the *lot*. *Accessory buildings* or *structures*, whether attached or detached, and *additional dwelling units (detached)* shall not exceed 15 percent.
- (5) The regulations within Table 7-2 shall not apply to an *existing single detached dwelling* on an *existing lot* with or without one *existing additional dwelling unit (attached)*.
- (6) For lands identified in Appendix C – Central Neighbourhoods, the maximum building height shall be in accordance with Section 7.5.

Table 7-3: For Semi-Detached Dwelling Unit

Regulation	RES-1	RES-2	RES-3 (3)	RES-4 (3)	RES-5 (3)	RES-6	RES-7
Minimum Lot Area			260m ²	210m ²	210m ²		
Minimum Lot Width			9.3 m	7.5m	7.5m		
Minimum Corner Lot Width			12.0m	12.0m	12.0m		
Minimum Front Yard or Exterior Yard Setback			4.5m (1)	4.5m(1)	4.5m(1)		
Maximum Front Yard Setback			(1)	(1)	(1)		
Minimum Interior Side Yard Setback			1.2m	1.2m	1.2m		
Minimum Rear Yard Setback			7.5m	7.5m	7.5m		
Maximum Lot Coverage			55%(2)	55%(2)	55%(2)		
Maximum Building Height			11.0m(4)	11.0m(4)	11.0m(4)		
Maximum number of storeys			3	3	3		

Additional Regulations for Semi-Detached Dwelling Unit Table 7-3

- (1) For lands identified in Appendix D – Established Neighbourhoods Area, the minimum and maximum front yard shall be in accordance with Section 7.6.
- (2) A combined total of 55 percent for all *buildings and structures* on the *lot*. *Accessory buildings or structures*, whether attached or detached, and *additional dwelling units (detached)* shall not exceed 15 percent.
- (3) The regulations within Table 7-3 shall not apply to an *existing semi-detached dwelling* on an *existing lot* with or without one existing *additional dwelling unit (attached)*.
- (4) For lands identified in Appendix C – Central Neighborhoods, the maximum building height shall be in accordance with Section 7.5.

Table 7-4: For Street Townhouse Dwelling Units

Regulation	RES-1	RES-2	RES-3	RES-4 (4)	RES-5 (4)	RES-6	RES-7
Minimum Lot Area				148m ²	135m ²		
Minimum Lot Width (Internal Unit)				6.0m	5.5m		
Minimum Lot Width (External Unit)				10.0m	9.5m		
Minimum Corner Lot Width				12.0m	11.5m		
Minimum Front Yard or Exterior Yard Setback				4.5m(1)	4.5m(1)		
Maximum Front Yard Setback				(1)	(1)		
Minimum Interior Side Yard Setback				2.5m	2.5m		
Minimum Rear Yard Setback				7.5m	7.5m		
Rear Yard Access				(2)	(2)		
Maximum Lot Coverage				55%(3)	55%(3)		
Maximum Building Height				11.0m(5)	11.0m(5)		
Maximum number of storeys				3	3		

Additional Regulations for Street Townhouse Dwelling Units Table 7-4

- (1) For lands identified in Appendix D – Established Neighbourhoods Area, the minimum and maximum front yard shall be in accordance with Section 7.6.
- (2) Each dwelling unit shall have an unobstructed access at grade or ground floor level, having a minimum width of 0.9 metres, from the front yard to the rear yard of the lot either by:
 - a) direct access on the lot without passing through any portion of the dwelling unit; or,
 - b) direct access through the dwelling unit without passing through a living or family room, dining room, kitchen, bathroom, bedroom, or recreation room or any hallway that is not separated by a door to any such room; or,
 - c) access over adjacent lands which, if the lands are not owned by the City or the Region, is secured by a registered easement.
- (3) A combined total of 55 percent for all buildings and structures on the lot. Accessory buildings or structures, whether attached or detached, and additional dwelling units (detached) shall not exceed 15 percent.
- (4) The regulations within Table 7-4 shall not apply to an existing street townhouse dwelling on an existing lot with or without one existing additional dwelling unit (attached).
- (5) For lands identified in Appendix C – Central Neighbourhoods, the maximum building height shall be in accordance with Section 7.5.

Table 7-5: For Cluster Townhouse Dwelling Units

Regulation	RES-1	RES-2	RES-3	RES-4	RES-5 (3)	RES-6 (3)	RES-7
Minimum Lot Area					525m ²	525m ²	
Minimum Lot Width					19.0m	19.0m	
Minimum Front Yard or Exterior Yard Setback					4.5m (5)	3.0m	
Minimum Interior Side Yard Setback					4.5m	4.5m	
Minimum Rear Yard Setback					6.0m	4.5m	
Minimum Landscaped Area					20%	20%	
Minimum Floor Space Ratio						0.6(1)(4)	
Maximum Floor Space Ratio					0.6	2.0(1)	
Minimum Building Height						7.5m	
Maximum Building Height					11.0m (6)	25.0m	
Maximum Number of Storeys					3	8	
Minimum Number of Dwelling Units						5	
Private Patio Area					(2)	(2)	

Additional Regulations for Cluster Townhouse Dwelling Units Table 7-5

- (1) Combined total *floor space ratio* of all uses on the lot.
- (2) For each *dwelling unit* located at ground floor level, a private adjacent to the *dwelling unit* with direct access to such *dwelling unit* shall be provided.
- (3) The regulations within Table 7-5 shall not apply to an *existing cluster townhouse dwelling* on an *existing lot*.
- (4) Individual *buildings* will not be required to achieve the minimum *floor space ratio* where there is an approved Urban Design Brief that includes a Master Site Plan that demonstrates the overall development can achieve the minimum *floor space ratio*.
- (5) For lands identified in Appendix D – Established Neighbourhoods Area, the minimum and maximum *front yard* shall be in accordance with Section 7.6.
- (6) For lands identified in an Appendix C – Central Neighbourhoods, the maximum *building height* shall be in accordance with Section 7.5.

Table 7-6: For Multiple Dwellings and Non-Residential Uses

Regulation	RES-1	RES-2	RES-3	RES-4 (6)	RES-5(6)	RES-6 (6)	RES-7 (6)
Minimum Lot Area				495m ²	495m ²		
Minimum Lot Width				15.0m	19.0m(1)	30.0m	30.0m
Minimum Front Yard or Exterior Yard Setback				4.5m (8)	4.5m (8)	3.0m	3.0m
Minimum Interior Side Yard Setback				3.0m	3.0m	4.5m	4.5m (5)
Minimum Rear Yard Setback				7.5m	7.5m	7.5m	7.5m (5)
Minimum Landscaped Area				20%	20%	20%	20%
Minimum Floor Space Ratio						0.6 (2)(7)	2.0 (2)(7)
Maximum Floor Space Ratio				0.6	0.6	2.0 (2)	4.0 (2)
Minimum building height						11.0 m	14.0 m
Maximum Building Height				11.0m (9)	11.0m (9)	25.0m	(5)
Maximum number of storeys				3	3	8	
Minimum number of dwelling units						5	5
Maximum number of dwelling units				4			
Private Patio Area				(3)	(3)	(3)	(3)
Maximum Gross Floor Area of Individual Non-Residential Use						600m ² (4)	600m ² (4)

Additional Regulations for Multiple Dwellings and Non-Residential Uses Table 7-6

- (1) A multiple dwelling up to 4 dwelling units shall have a minimum lot width of 15.0 metres.
- (2) Combined total Floor Space Ratio of all uses on the lot.
- (3) For multiple dwellings with 4 dwelling units or more, each dwelling unit located at ground floor level shall have a patio area adjacent to the dwelling unit with direct access to such dwelling unit.
- (4) The total gross floor area of all non-residential uses shall not exceed 25% of the total gross floor area on a lot.
- (5) The maximum building height shall be 25 metres within 15 metres of a lot with a (RES-6) Medium Rise Residential Six Zone.
- (6) The regulations within Table 7-6 shall not apply to an existing multiple dwelling on an existing lot.

- (7) Individual *buildings* will not be required to achieve the minimum *floor space ratio* where there is an approved Urban Design Brief that includes a Master Site Plan that demonstrates the overall development can achieve the minimum *floor space ratio*.
- (8) For lands identified in Appendix D – Established Neighbourhoods Area, the minimum and maximum *front yard* shall be in accordance with Section 7.6.
- (9) For lands identified in Appendix C – Central Neighbourhoods, the maximum *building height* shall be in accordance with Section 7.5.

Table 7-7: Lodging House, Hospice, Continuing Care Community, Small Residential Care Facility and Large Residential Care Facility

Regulation	RES-1	RES-2	RES-3	RES-4	RES-5	RES-6	RES-7
Regulations		(1)	(1)	(1)	(1)	(1)	(1)

Additional Regulations for Table 7-7

- (1) Where permitted in Table 7-1, shall be in accordance with the regulations of the RES Zone and *dwelling type* in which the *lodging house, hospice or small residential care facility* is located. Where permitted in Table 7-1, a *large residential care facility and continuing care community* shall be in accordance with the regulations of the RES zone for *multiple dwellings*.

7.4 OUTDOOR STORAGE

No *outdoor storage* shall be permitted in a RES zone.

7.5 LANDS LOCATED IN APPENDIX C – CENTRAL NEIGHBOURHOODS

- a) For permitted *uses* subject to this regulation, the maximum *building height* shall be 9.0 metres for *new buildings* and additions to *existing buildings* that would increase the *building height* by more than 1.0 metres, where the *height* of the two *principal buildings* on both abutting *lots* is less than 6.5 metres. Where there are vacant *lot(s)*, abutting the affected *lot*, the *height* of the two *principal buildings* on the next adjacent *lot* with a *low-rise residential zone* are considered.

7.6 LANDS LOCATED IN APPENDIX D – ESTABLISHED NEIGHBOURHOODS AREA

- a) For permitted *uses* subject to this regulation, the minimum *front yard* shall be the *established front yard* minus one metre. In all other cases, the minimum *front yard* shall be in accordance with the regulations table for the permitted *use*. Despite the foregoing, no part of any *building* used to accommodate off street parking shall be located closer than 6 metres to the *street line*; and,
- b) The maximum *front yard* shall be the *established front yard* plus one metre. In all other cases there is no maximum *front yard*.

7.7 OTHER APPLICABLE REGULATIONS AND SECTIONS

For other applicable regulations and sections see Section 3: Definitions, Section 4: General Regulations and, Section 5: Parking, Loading, and Stacking.

From: DoubleA Mcl [REDACTED]
Sent: Monday, February 26, 2024 3:06 PM
To: Mayor; Stephanie Stretch; Internet - Council (SM); Brian Bateman
Subject: Re: Response To Proposed Development 135 - 161 Jackson Ave. Kitchener

Some people who received this message don't often get email from [REDACTED] [Learn why this is important](#)

Good afternoon,

I am writing to follow up on this email as I have yet to receive any form of response other than receipt confirmation from the mayor's office and Mr Bateman.

I'd like someone to reply before I send my second email response to the public meeting.

Thank you, Aaron McLaughlin

On Mon, Feb 19, 2024 at 9:55 AM DoubleA Mcl [REDACTED] wrote:

The Eastwood area of Kitchener is a gem. Originally developed three quarters of a century ago it is a stunning example of the simple urban beginnings and cultural history of the City of Kitchener. The modest predominantly red brick homes speak of a better time before the single family home became oversized, overbuilt, over designed, and crammed together without regard for privacy, space, or livability.

The neighbourhood covers only approx 0.6 square kilometres (excluding Montgomery park) and is made up of a mix of residential building types. These include close to 300 properly spaced 1.5-2 storey single family homes with desirable front, rear, and side yards, less than 20 detached low rise (2.5 storey walkups) apartment buildings on spacious lots, and a mid rise condo complex tucked away in a quiet corner of the neighbourhood against the expressway.

This amounts to approximately 470 living units providing housing for between 940 and 1880 residents, and a population density of approximately 1,400-2,685 residents per square kilometre.

The neighbourhood was originally designed for this density and having resided here for the past 15 years, I'd say it has worked well, making it a consistently desirable and sought after place to live.

However, recent construction developments on Sheldon Ave N have already been added/ approved, resulting in 24 & 40 new units and between 64 and 235 new residents where there was previously around 15 in single detached homes. With a single point of access on Sheldon at the dead end and no published provisions for a respective increase in infrastructure to support the influx of vehicular and pedestrian/ transit traffic.

Furthermore the City has gone ahead and changed the surrounding zoning between Weber & King to allow the conversion of existing single storey retail space into high rise residential towers. These buildings mark a significant departure from any attempt to 'fit into' the surrounding neighbourhoods of Eastwood and Rockway and will add 503, 616, and 403 units respectively.

Altogether these projects amount to adding a grand total of between 4000-7000 new residents to the immediate area. This will be an increase of 250-300% resulting in a population density of around 6666-11,666 residents per square kilometre.

Not only are these projects entirely contrary to building within the existing atmosphere of the area, but the City has yet to publish how they plan to improve the existing infrastructure and local amenities to

support this new population, while maintaining the quality of life in the surrounding areas for the existing taxpayers.

Now the City of Kitchener wants to approve yet another complex of 120 units to be crammed literally into the centre of an existing neighbourhood block.

We understand that the property owner wants to develop and sell properties on this site, and we recognise that the City may need to approve development here at some point, but the currently proposed design is simply unacceptable given the location.

Approving intensification around the perimeter of an existing neighbourhood with proper provisions for increased infrastructure, managing the construction process, and the increased traffic is one thing. Building in the centre of a block of long term occupied residences is a different endeavour altogether. Because there are existing residents living directly adjacent to this site on all sides, it becomes a much more complex proposition that entails greater responsibility and requires special consideration and sensitivity.

This could also mean it is more work for the City and less profitable for the owner/developer, but to do this properly some concessions will need to be made.

Any development of this land should have to maintain compatibility with the surrounding aesthetic and only enhance the functionality, quality, and ideally value of living here overall. It needs to work with the existing building standards/ spacing/ heights/ styles/ features.

The purpose of the application & consultation process and the planning department itself is to safeguard the interests of residents in existing communities that already work, by being realistic, judicious, and creative about how things like population growth are integrated.

In this case that means approving only proposals that work with the existing zoning, building type, style, & standards of the community, in a complimentary way.

Good planning is never a permanent downgrade.

The proposed design shows no respect or consideration for these site specific or communal aspects, nor does the aesthetic fit or compliment the surrounding homes in any way.

To the contrary the design purposefully shirks the established zoning bylaws in an effort to stack as many new residents into the space as possible without providing for the minimum design standards. The developer seems to be operating on the presumption that the City of Kitchener will approve the project anyway even with these deficiencies.

If the developer seeks variations and zoning changes, this should require approval by City Council. City Council decisions should be subject to appeal. Beyond the municipal level the existing residents should have the opportunity to take the case to the Ontario Land Tribunal. Depending on the resistance and objection of the community, this should be the process before any changes are made to this site.

The City must consider the outward appearance of allowing a complex of modern, long, flat roofed, buildings to be built more than twice as tall as the surrounding single row of charming private 1.5 storey residences on the block. It shouldn't look like a juxtaposition of opposite ideas.

The internal implications of building 2.5 storeys taller than the originally/ intentionally private backyards surrounding it is the most problematic of all. Such structures would directly impact the quality of life in all abutting residences, blocking an extreme proportion of the otherwise consistent low 1.5 storey neighbourhood skylines, the natural light and sightlines, while simultaneously eliminating any and all privacy in both backyards and rear facing doors and windows. This would be felt especially by the residents on Brentwood as the proposed finished grade is also significantly uphill. This part of the proposal is insulting. It shows an audacity, disregard, and almost contempt for the privacy and

standard of living of the existing residents and incoming residents alike. Such an arrangement could only serve to destabilize property values in both the short and long term while destroying forever the longstanding positive reputation of the area.

Exacerbating the situation, in order to allow as much parking as possible on the interior, the plans have the buildings placed such that they encroach on the property lines around the perimeter. This makes their height effectively even taller for the surrounding residents. Yet the plans still fail to provide inadequate parking for the new residents as well as no provision for visitor or service parking. This will only result in parking overflowing onto sidestreets throughout the neighbourhood. Considering this added traffic and congestion the City should then also allow for front yard parking (driveway widening) and be responsible for widening all the existing boulevard driveways and curb openings so residents have an option besides tandem parking.

Not only are the building placed too close to the property boundaries, but it shows no provisions for visual or physical separation between the new walkout patios (and three galleries of balconies above) and the existing private backyards, for security and/or privacy. Where an existing berm and masonry wall has separated a single residence on the estate for the past three decades, the surrounding homeowners seem to be left with the responsibility of keeping a whole housing complex of new population and their pets from entering their yards. Some of the neighbouring properties have no firm of fencing at all.

The plans show no provisions for runoff from the developed grade and the impermeable surfaces of roofs and parking lot that will be introduced. Where there is now a retention pond and berm keeping water from running downhill into backyards and basements, the plans show a consistent downward slope into neighbouring properties on Brentwood.

The plans show a fictitious depiction of the existing trees around the perimeter of the property which have been neglected since the property changed hands. Some have expired and others that were damaged by the windstorm of 2022, have been left standing. The development will require the destruction of the other trees on the property. The plans make no provision for the full or partial replacement of any of the mature trees on or around the property.

Beyond the details of this particular proposal, any development of this site will require special measures so as not to cause undue inconvenience, disturbance, or stress for the existing residents who will have to live through the demolition and construction process.

Site Fencing:

An 8' privacy fence (at the developers expense) should be installed around the subject site prior to start of work to prevent debris and workers from encroaching on the adjacent properties.

Finished Fencing:

The fence bylaw height is 8ft based on level properties of 1.5-2 storey construction. If there is an immediate grade upwards after the property line the fence height should be allowed to rise appropriately to compensate. In some cases the grade is too steep and the grade becomes the privacy and this site already has that feature on the downhill side.

However the construction of structures taller than the surrounding residences (within or beyond the original zoning), should entail a matching increase in the allowable fence and privacy screen heights for neighbouring properties. In either case construction of this property barrier should be the responsibility of the developer such that it be consistent in style and construction (be it timber or masonry or a combination).

Road Conditions and Construction Traffic:

The contractor under the Highway Traffic Act is required to keep the roadway clear of mud and debris (the roadway should be cleaned at least twice a day during construction) until the lot is paved. There

should be No Construction traffic signs posted on Mackenzie, Sheldon, Raymond, Edmund, Jackson and Fairmont. All construction traffic must use Montgomery to Brentwood the Brentwood to 136 for entry to the site.

Dust Control:

The constructor must have a dust control plan in place before construction starts. Such as listing that the site will be watered as required to prevent dust enveloping the adjacent properties. The adjacent properties should not have to suffer living in a dust bowl because of construction. This site is literally in the middle of a neighbourhood.

Building Permit:

The developer must be able to prove they have the finances to complete the project on time.

The developer wants to do this in 2 phases. Build the 3 units that back on to the Brentwood properties and 105 parking spaces. This implies to me that they don't have the money or unwilling to spend the money to build this out all at the same time. We do not want this to end up like the building on Fergus Ave. in Kitchener, bankrupt not complete or even enclosed from the weather left to rot. The project must be built out in a single phase with a timeline of 2.5 years from when the first home is demolished to occupancy permits issued for all the units. If this goes in 2 phases the construction timeline may be 5 years, not fair to the neighbouring property owners. All the buildings scheduled for demolition should be taken down at the same time, so we don't have abandon houses to attract problems. This site should be built out completely before Kitchener allows occupancy.

Adjusted noise bylaw:

There should also be an adjusted work time for the site. This is in the middle of a neighbourhood work should only be permitted from 08:00 to 17:00 Monday to Friday. The only work allowed on weekends should be on Saturdays only and only for interior work once the buildings are enclosed.

The constructor must be required to provide off street parking and accommodation if necessary for construction vehicles and workers. These streets have been narrowed during street reconstruction and the extra on street parking will cause problems for the area residents as well as emergency vehicles. As stated before this is literally in the middle of a neighbourhood completely surrounded by houses.

Traffic Patterns and Parking:

Fire Routes must be established on Brentwood, Jackson, Fairmount and Montgomery surrounding the project should be in place before construction starts.

The city should put a 4 way stop at Jackson and Brentwood. Along with 3 way stops at Brentwood and Edmund and Brentwood and Raymond to discourage traffic from the complex using Brentwood to Sheldon to Mackenzie to Ottawa. The traffic should be encouraged to go Brentwood to Montgomery to Weber.

Provisions for Wildlife:

Another thing to consider is the environmental fallout of eliminating a greenspace that has existed for nearly 3/4 of a century and an ecosystem of mature trees, woodland animals, waterfowl, and amphibians that has existed since the pond was built approx 30 years ago. All residents here can attest to the diverse flora and fauna that will be missed. The existing animals should be relocated before construction begins rather than simply displaced by destruction of habitat. Displacement would only serve to overload the surrounding areas and burden the surrounding community with having to witness the struggling and death.

Any future development should also include provisions for the replacement of existing trees.

For many of the existing residents who have worked hard to live here and continue to work hard to improve their homes, to make the neighbourhood better, this could be their forever home or family legacy. Your responsibility is to those people.

From: DoubleA Mcl [REDACTED]
Sent: Monday, March 4, 2024 6:24 PM
To: Brian Bateman
Subject: Response to Neighbourhood Meeting-Proposed Development 135-161 Jackson & 136 Brentwood Ave. Kitchener
Attachments: Response to Neighbourhood Meeting-Proposed Development 135-161 Jackson & 136 Brentwood Ave. Kitchener.pdf

You don't often get email from [REDACTED]. [Learn why this is important](#)

Hello Mr Bateman,

Your email was omitted from my original send.

Sending the attached PDF on to you now such that it might be added to the report and public record.

Thanks.

From: janice hamalainen [REDACTED]
Sent: Tuesday, February 27, 2024 4:55 PM
To: Brian Bateman
Subject: development slated for 135-161 Jackson
Attachments: kitchenerplanning135JacksonFebruary2024.docx

You don't often get email from janice.hamalainen@bell.net. [Learn why this is important](#)

I have attached a letter regarding my concerns for the development of 135-161 Jackson Av. Kitchener. Thank you for your attention to this matter.

Janice Hamalainen

N2H2C9

February 26, 2024

Dear Mr. Bateman

I am writing to you with regard to the proposed development for properties listed as 135-161 Jackson and 136 Brentwood. I have many concerns with this development and I will highlight three in this letter.

First is the proposed height of the 5 Town House blocks. The developer proposes 3.5 stories for the five blocks which are not to exceed 12.5m. in height. At the present time the height restriction is 11m. Although the additional height of the complex buildings seems minimal the fact that the lowest part of the land in question rises 2m above the abutting backyards on Brentwood puts the total additional height at 14.5m above the surrounding properties. The complex will tower over the properties on the north side of Brentwood. With balconies facing onto the neighbouring backyards and homes, any privacy and enjoyment of backyards will be jeopardized. Keeping the development to 2.5 stories will fit in with the existing apartment buildings on Montgomery and Fairmount.

Second, if during construction the steep embankment that faces the backyards on Brentwood is destabilized a landslide would bring all this earth into these backyards. Although actions may be taken to mitigate this, there is no guarantee the embankment will remain stable.

Third, although the Transportation study advised there will not be a large affect on the volume of traffic in the neighbourhood, with the addition of 120 cars in a small space that does not seem possible. Both Jackson and Brentwood will see many more cars on the street, especially when individuals go out and return from work. It will add to the volume of traffic already experienced when Eastwood Collegiate opens and closes for classes.

Approximately 65 years ago a developer made a proposal to develop this land. There was a housing crises because of the many young families that were started after the second world war. Even with consideration for the need for housing the proposal was turned down because it was considered detrimental to the existing neighbourhood. It is unfortunate that we are now in the same position and must advocate for our neighbourhood.

Thank you for your attention.

Yours truly

Janice Hamalainen

From: Marguerite Love [REDACTED]
Sent: Sunday, February 25, 2024 9:26 AM
To: Brian Bateman; Internet - Council (SM)
Subject: neighbourhood development

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Hello,

My name is Marguerite Cameron. I am the owner and resident at Kitchener. This summer I will have lived in this friendly, quiet, family oriented neighbourhood for 25 years. I am concerned about the proposed roadway into the development behind me. My house and the one on the other side of 136 Brentwood Avenue will be very much affected by this roadway. These houses will become corner houses with traffic regularly coming in and out of the development. Generally corner houses have a buffer from the roadway of a boulevard, sidewalk and several feet of property to the perimeter of the house. Because of the width of the 136 Brentwood Avenue property this would not be possible. Therefore, cars using the roadway would be very close to the perimeter of these two houses. This is not acceptable. There will be traffic noise, backed up traffic waiting to enter Brentwood Avenue and, at night, lights reflecting into the houses. Has the builder considered this at all?

Also, when the house and garage at 136 Brentwood Avenue are demolished, my back yard will be totally open to the public. Has the builder considered this at all? What is he proposing as a solution?

Thank you for your consideration of my concerns,
Marguerite Cameron

Sent from [Mail](#) for Windows

From: Cheryl Geiger [REDACTED]
Sent: Monday, March 25, 2024 6:09 PM
To: Brian Bateman
Subject: Brentwood/Jackson Development Proposal

Follow Up Flag: Follow up
Flag Status: Flagged

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To Whom It May Concern,

RE: New Development in the Eastwood Neighbourhood

We understand that there is a proposal for a development at the corner of Jackson and Brentwood. Our family have been long time residents in this community. We welcome new families to the neighbourhood as that is what keeps our community vital and growing. We would, however, like to make sure that the proposal meets the city's current building guidelines so as to retain the integrity of this pleasant neighbourhood. We ask for the following considerations:

1. All present regulations from the City of Kitchener be followed for design, size, height and placement of the buildings as well as parking spaces required to allow this development.
2. Require the developer mitigate the sight lines into adjacent yards and homes.
3. Request the developer keep as many of the trees as possible especially those on the Brentwood side to reduce the sight lines and preserve the embankment in the backyards of those houses on Brentwood. Add landscaping to reduce the impact of the trees removed.
4. The existing brick fence remains and is kept in good condition, any other fencing match the existing fencing and city bylaws be followed.
5. The development be completed in one phase with a dead line for completion from demolition to full occupancy permitted. If possible add a penalty for not meeting the deadline. It is not acceptable to have another development that is stalled mid project as the Weber St and Fergus Ave Kitchener development has.
6. Demolition for the houses to be removed to occur immediately following the last tenant moving out to prevent squatters and campers. If not demolished the owner will be required to have security to prevent squatters and campers. We don't need another uncontrolled encampment started.
7. Work times should be 08:00-17:00 Monday to Friday with no weekend work on the site unless it is inside finishing.
8. On site parking for the construction workers to be provided to keep the streets clear and passable.
9. Roads to be kept clean and free of debris by the developer as per the Highway Traffic Act.
10. A dust control plan implemented with a penalty for failure to comply.
11. The city needs to establish Fire routes around the project before construction starts. A four way stop at Jackson and Brentwood, with 3 way stops at Brentwood and Edmund and Brentwood at Raymond to deter use of Brentwood to Sheldon to Mackenzie to Ottawa.

Thank you in advance for your consideration in this matter.

Sincerely,
The Geiger family

From: [REDACTED]
Sent: Wednesday, March 20, 2024 10:37 AM
To: Brian Bateman
Cc: Stephanie Stretch
Subject: Jackson/Brentwood Development

Follow Up Flag: Follow up
Flag Status: Flagged

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Note to Brian Bateman – Senior Planner

RE: the Jackson/Brentwood proposed development

I recently attended a neighborhood meeting on March 19, 2024, at the Rockway Centre and was informed that March 27 was the last day you will be collecting information for report.

As a long-time resident of the nearby area, I would like to add my comments for your consideration. The proposed development is too large and out of context with nearby houses. It will negatively affect the quality of life for those nearby for many reasons discussed at the meeting. It should be significantly reduced in size or reconfigured altogether. The concerns of the people at the meeting are legitimate. I will not list them here since they appear to be well documented, and I believe they have been (or will be) communicated to you.

James Buschert

[REDACTED]
[REDACTED]