



Order under Section 126 Residential Tenancies Act, 2006

File Number: LTB-L-017805-24

In the matter of: 301 Heritage Drive, Kitchener, Ontario, N2B 3R7
315 Heritage Drive, Kitchener, Ontario, N2B 3S1

Between: Killam Apartment Reit Landlord

and

Refer to attached Schedule 2 Tenants

Killam Apartment Reit (the 'Landlord') applied for an order permitting the rent charged to be increased by more than the guideline for one or more of the rental units in the residential complex.

A Case Management Hearing took place by videoconference on April 13, 2026.

The following attended the Case Management Hearing on behalf of the Landlord: Patty Duwyn (Landlord Representative), and Connor Godin (Landlord Agent).

The following Tenants attended the Case Management Hearing: Carmen Frost, Ronald Edwards, Andrey Gabtraupov, Suzanne Varey, Jessica Houston, Wayne Szymkowski, Austin Malleck, Ronald Cherry, Karen Eichhorn-Dunn (accompanied by legal representative Gregory Brimblecombe), Marty VanBekkum, Lisa VanBekkum, Peter Cowie, Bette Cowie, Mike Tinklin, Donna Tinklin, Victoria Nguyen, Sharon Owens, Kim Kucner, Sahar Abdullah, Gurpreet Singh, Dave Decker, Deborah Lindekamp, Natalie Seip, Angeline Falletta, Ute Neugebauer, Nichole (Dietrich) Barnett, John Schilder, Carolyn Davis, Erica Sweezey, Kim Kuehl, Ewa Krol, Mary Ann Bourdeau, Joan Harrington, Gail Giese, Andre Bedard, Christian Horizons (represented by Agent Lisa Cornish from Christian Horizons), Susan Melchin, Bryan Melchin, Ron Labrie, Sarah Pearce (accompanied by Dylan Martz), Glenn Chelsom, Diana Nickel (accompanied by Nigel Milner), Nasr Jiryis, Karen Larocque, Carl Blake, and Vanda Marshall.

The Certificate of Service filed by the Landlord on March 12, 2026, indicates that some rental units listed in the application were not served with the application and notice of hearing. The Board shall therefore amend the application by removing these rental units. As a result, this order for a rent increase above the guideline under section 126 of the Act does not apply to the following units: 301 Heritage Drive, Units 101, 104, 211, 310, 312, 405, 503, 505, and 605. And 315 Heritage Drive, Units 116, 118, 120, 318, 319, 413, 415, 422, 620, 701, 705, 708, 905, and 908.

The Certificate of Service filed by the Landlord on March 12, 2026, indicates that Tenant Wayne Maier of 301 Heritage Drive, Unit 603 was not served with the application and notice of hearing. The Board shall therefore amend the application by removing this Tenant as a party. As a result, this order for a rent increase above the guideline under section 126 of the Act does not apply to Tenant Wayne Maier of 301 Heritage, Unit 603.

At the Case Management Hearing the parties agreed to the following:

1. The agreed above guideline increases are for the following capital expenditures:
 - a. Elevator Modernization;
 - b. Plumbing Fixture Retrofit; and
 - c. Garage Insulation & LED Retrofit.
2. Where the Landlord's application requests an increase of 3.47%, the maximum increase above the guideline for these units is **3.00%**. This increase is to be taken in the first year.
3. Where the Landlord's application requests an increase of 2.47%, the maximum increase above the guideline for these units is **2.00%**. This increase is to be taken in the first year.
4. The weighted useful life for the capital expenditures is 16 years.
5. The first effective date of the rent increase above the guideline is June 1, 2024.

On consent of the parties, it is ordered that:

1. The Landlord may increase the rents charged by the percentage increases and within the time periods set out in Schedule 3.
2. The percentage increase set out in Schedule 3 may be taken in addition to the annual guideline in effect on the increase date for the unit.
3. The Landlord or the Tenants shall pay to the other any sum of money that is owed as a result of this order within 120 days of the date of this order.

June 3, 2026

Date Issued

Isabelle Bouvier

Dispute Resolution Officer, Landlord and Tenant Board

15 Grosvenor Street, Ground Floor
Toronto ON M7A 2G6

If you have any questions about this order, call 416-645-8080 or toll free at 1-888-332-3234.

Important Notes:

1. The Landlord may increase the rent charged by the ordered increase within the time period specified if at least 12 months have passed since the last rent increase or since the Tenant moved in, and if the Landlord has given the Tenant at least 90 days proper Notice of Rent Increase. Any part of the ordered increase that is not taken within the time period specified cannot be added to subsequent rent increases in subsequent time periods.
2. If the Landlord has given a Notice of Rent Increase for a rent increase that is less than the ordered increase, the Landlord may only take the rent increase set out in the Notice.
3. If the Tenant's rent is increased pursuant to the percentage increase ordered for capital expenditures and the same Tenant remains in the unit after the expiration of the weighted useful life for capital expenditures, then the rent will be reduced. Refer to Schedule 4 for information about the date and amount of the rent reduction.
4. The annual guideline for 2024 is 2.50%, and for 2025 is 2.50%.

Schedule 1 - Units affected by this Order:**301 Heritage Drive, Kitchener, Ontario, N2B 3R7**

102	208	404	509
103	209	406	510
107	210	407	511
108	212	408	512
109	302	409	601
110	303	410	603
111	304	411	604
201	305	412	606
202	307	501	607
203	309	502	608
204	311	504	609
205	401	506	610
206	402	507	612
207	403	508	

315 Heritage Drive, Kitchener, Ontario, N2B 3S1

112	316	518	709
113	317	519	710
114	320	521	801
115	321	522	803
117	322	613	804
119	414	614	806
213	416	615	807
214	417	616	808
215	418	617	809
216	419	618	810
217	420	619	901
218	421	621	903
219	513	622	906
220	514	702	907
221	515	704	909
313	516	706	
314	517	707	

Schedule 2 - Tenants who are Affected by this Order:

Abdullah, Sahar	Gebremariam, Rahwa
Amaya, Larry	Giese, Gail
Baertschi, Klæ	Golka, Donna
Barnett, Kyle	Goyetche, Gerald
Barnett, Nichole	Goyetche, Lynda
Bedard, Andre	Gray, William
Birmingham, Faye	Gregorio, Agostino
Birmingham, Floyd	Gregorio, Paulina
Bishop-Borosch, Donna	Habtegergish, Desale Brhane
Blake, Carl	Harrington, Joan
Bonnah, Brandon	Harrington, Peter
Bouchard, Eddy	Houston, Jessica
Bourdeau, Mary Ann	Hundt, Bradley
Boyle, Holli	Irvine, Art
Bradley, William	Jiryis, Nasr
Brenneman, Betty Anne	Jiryis, Yasmin
Brewer, Denise	Karamanougian, Yeghia
Brown, Edward	Kilpatrick, Dave
Chelsom, Glenn	Koffi, Beniam
Cherry, Ronald	Krol, Ewa
Christian Horizons	Kucner, Kim
Coleman, Krystal	Kuehl, Kim
Collins, Anne	Labrie, Ron
Cowie, Bette	Lacey, Eleanor
Cowie, Peter	Larocque, Karen
Dale, James	Lauzon, James
Davis, Brian	Lindekamp, Deborah
Davis, Carolyn	Lindekamp, Reynold
Decker, Dave	Lindner, Corey
Dedic, Edin	Lindner, Yorck
Detweiler, Barry	Lloyd, Bruce
Duldhardt, Karen	Lloyd, Inez
Durnin, Karen	Louzecky, Joseph
Edwards, Ronald	Louzecky, Milada
Eichhorn-Dunn, Karen	Lynch, Kayla
Eskiyas, Tesfaldet Habteyohannes	Maier, Shirley
Falletta, Angeline	Malleck, Austin
Felhaber, Christine	Malone, Tony
Finstad, Mark	Marshall, Vanda
Fisher, Kimberly	McClusky, Carmen
Frost, Carmen	McClusky, Fred
Gabtraupov, Andrey	McLaughlin, Maryann
Gault, Paul	Melchin, Bryan
Gebrehiwot, Adis	Melchin, Susan

Merea, Oscar
Milner, Suzette
Morris, John
Mtioustian, Takouhi
Munguia, Cesar
Murphy, Rose
Mustin, Marysue
Neugebauer, Ute
Ngassa, Ivo
Nguyen, Ha
Nguyen, Victoria
Nickel, Diana
O'Driscoll, Art
Okbaziyon, Ksanet
Oking, Chara
Okoronkwo, Esther
Owens, Michael
Owens, Sharon
Paethke, Randi
Paul, Stephen
Paxman, Kevin
Pearce, Sarah
Pelley, Dolly
Post, Brenda
Radatus, Karen
Robinson, Stephen
Rodgers, Gail
Rodriguez, Delmy
Ross, Susan
Ross, Wade
Schilder, John
Schilling, Elizabeth
Schmuck, Barbara
Schmuck, Gerald
Schmuck, Mike
Schmuck, Tammy
Schulman, Debra
Schulman, Stephen
Seip, Natalie
Seip, Sarah

Shelton, Diane
Sherratt, Aaron
Simon, MaryAnyiek
Singh, Gurpreet
Snow, David
Stoyan, Solomiya
Sweezey, Erica
Sweezey, Trent
Swinston, Douglas
Swinston, Sherryl
Szymanski, Colleen
Szymkowski, Wayne
Taylor, Hilda
Taylor, Keith
Tenant
Thorne, Jennifer
Tiffin, Christine
Tinholt, Josie
Tinklin, Donna
Tinklin, Mike
Tomko, Theresa
Turi, Karin
Turi, Rebecca
VanBekkum, Lisa
VanBekkum, Marty
Varey, Suzanne
Vasey, Lorna
Voisin, Steve
Vossen, Jared
Wagner, Howard
Wagner, Karen
Welwood, Karen
White, Peggy
Wicks, Claudia
Wightman, Donald
Wightman, Jenny
Wolff, Laura
Yemane, Amlosom Tesfay
Ziegler, Arthur
Ziegler, Laura-Lynn

Schedule 3 - Ordered Rent Increase Above the Guideline**First Effective Date of Rent Increase in this Order is June 1, 2024**

The Landlord may increase the rent charged for the units affected by this order by the total percentages set out below and within the time periods set out below. These percentage increases may be taken in addition to the annual guideline in effect on the increase date for the unit.

	For the Period of June 1, 2024 to May 31, 2025			
Rental Unit Address	% inc for Cap Exp (Max 3%)	Total Increase (Excludes Guideline)	Weighted Useful Life	Total % for Cap Exp
102, 301 Heritage Drive	3.00%	3.00%	16	3.00%
103, 301 Heritage Drive	3.00%	3.00%	16	3.00%
107, 301 Heritage Drive	3.00%	3.00%	16	3.00%
108, 301 Heritage Drive	3.00%	3.00%	16	3.00%
109, 301 Heritage Drive	3.00%	3.00%	16	3.00%
110, 301 Heritage Drive	3.00%	3.00%	16	3.00%
111, 301 Heritage Drive	3.00%	3.00%	16	3.00%
201, 301 Heritage Drive	3.00%	3.00%	16	3.00%
202, 301 Heritage Drive	3.00%	3.00%	16	3.00%
203, 301 Heritage Drive	3.00%	3.00%	16	3.00%
204, 301 Heritage Drive	3.00%	3.00%	16	3.00%
205, 301 Heritage Drive	3.00%	3.00%	16	3.00%
206, 301 Heritage Drive	3.00%	3.00%	16	3.00%
207, 301 Heritage Drive	3.00%	3.00%	16	3.00%
208, 301 Heritage Drive	3.00%	3.00%	16	3.00%
209, 301 Heritage Drive	3.00%	3.00%	16	3.00%
210, 301 Heritage Drive	3.00%	3.00%	16	3.00%
212, 301 Heritage Drive	3.00%	3.00%	16	3.00%
302, 301 Heritage Drive	3.00%	3.00%	16	3.00%
303, 301 Heritage Drive	3.00%	3.00%	16	3.00%
304, 301 Heritage Drive	3.00%	3.00%	16	3.00%
305, 301 Heritage Drive	3.00%	3.00%	16	3.00%
307, 301 Heritage Drive	3.00%	3.00%	16	3.00%
309, 301 Heritage Drive	3.00%	3.00%	16	3.00%
311, 301 Heritage Drive	3.00%	3.00%	16	3.00%
401, 301 Heritage Drive	3.00%	3.00%	16	3.00%
402, 301 Heritage Drive	3.00%	3.00%	16	3.00%
403, 301 Heritage Drive	3.00%	3.00%	16	3.00%

	For the Period of June 1, 2024 to May 31, 2025			
Rental Unit Address	% inc for Cap Exp (Max 3%)	Total Increase (Excludes Guideline)	Weighted Useful Life	Total % for Cap Exp
404, 301 Heritage Drive	3.00%	3.00%	16	3.00%
406, 301 Heritage Drive	3.00%	3.00%	16	3.00%
407, 301 Heritage Drive	3.00%	3.00%	16	3.00%
408, 301 Heritage Drive	3.00%	3.00%	16	3.00%
409, 301 Heritage Drive	3.00%	3.00%	16	3.00%
410, 301 Heritage Drive	3.00%	3.00%	16	3.00%
411, 301 Heritage Drive	3.00%	3.00%	16	3.00%
412, 301 Heritage Drive	3.00%	3.00%	16	3.00%
501, 301 Heritage Drive	3.00%	3.00%	16	3.00%
502, 301 Heritage Drive	3.00%	3.00%	16	3.00%
504, 301 Heritage Drive	3.00%	3.00%	16	3.00%
506, 301 Heritage Drive	3.00%	3.00%	16	3.00%
507, 301 Heritage Drive	3.00%	3.00%	16	3.00%
508, 301 Heritage Drive	3.00%	3.00%	16	3.00%
509, 301 Heritage Drive	3.00%	3.00%	16	3.00%
510, 301 Heritage Drive	3.00%	3.00%	16	3.00%
511, 301 Heritage Drive	3.00%	3.00%	16	3.00%
512, 301 Heritage Drive	3.00%	3.00%	16	3.00%
601, 301 Heritage Drive	3.00%	3.00%	16	3.00%
603, 301 Heritage Drive	3.00%	3.00%	16	3.00%
604, 301 Heritage Drive	3.00%	3.00%	16	3.00%
606, 301 Heritage Drive	3.00%	3.00%	16	3.00%
607, 301 Heritage Drive	3.00%	3.00%	16	3.00%
608, 301 Heritage Drive	3.00%	3.00%	16	3.00%
609, 301 Heritage Drive	3.00%	3.00%	16	3.00%
610, 301 Heritage Drive	3.00%	3.00%	16	3.00%
612, 301 Heritage Drive	3.00%	3.00%	16	3.00%
112, 315 Heritage Drive	3.00%	3.00%	16	3.00%
113, 315 Heritage Drive	3.00%	3.00%	16	3.00%
114, 315 Heritage Drive	3.00%	3.00%	16	3.00%
115, 315 Heritage Drive	3.00%	3.00%	16	3.00%
117, 315 Heritage Drive	3.00%	3.00%	16	3.00%
119, 315 Heritage Drive	3.00%	3.00%	16	3.00%
213, 315 Heritage Drive	3.00%	3.00%	16	3.00%
214, 315 Heritage Drive	3.00%	3.00%	16	3.00%
215, 315 Heritage Drive	3.00%	3.00%	16	3.00%

	For the Period of June 1, 2024 to May 31, 2025			
Rental Unit Address	% inc for Cap Exp (Max 3%)	Total Increase (Excludes Guideline)	Weighted Useful Life	Total % for Cap Exp
216, 315 Heritage Drive	3.00%	3.00%	16	3.00%
217, 315 Heritage Drive	2.00%	2.00%	16	2.00%
218, 315 Heritage Drive	3.00%	3.00%	16	3.00%
219, 315 Heritage Drive	3.00%	3.00%	16	3.00%
220, 315 Heritage Drive	3.00%	3.00%	16	3.00%
221, 315 Heritage Drive	3.00%	3.00%	16	3.00%
313, 315 Heritage Drive	3.00%	3.00%	16	3.00%
314, 315 Heritage Drive	3.00%	3.00%	16	3.00%
316, 315 Heritage Drive	3.00%	3.00%	16	3.00%
317, 315 Heritage Drive	3.00%	3.00%	16	3.00%
320, 315 Heritage Drive	3.00%	3.00%	16	3.00%
321, 315 Heritage Drive	3.00%	3.00%	16	3.00%
322, 315 Heritage Drive	3.00%	3.00%	16	3.00%
414, 315 Heritage Drive	3.00%	3.00%	16	3.00%
416, 315 Heritage Drive	3.00%	3.00%	16	3.00%
417, 315 Heritage Drive	3.00%	3.00%	16	3.00%
418, 315 Heritage Drive	3.00%	3.00%	16	3.00%
419, 315 Heritage Drive	3.00%	3.00%	16	3.00%
420, 315 Heritage Drive	3.00%	3.00%	16	3.00%
421, 315 Heritage Drive	3.00%	3.00%	16	3.00%
513, 315 Heritage Drive	3.00%	3.00%	16	3.00%
514, 315 Heritage Drive	3.00%	3.00%	16	3.00%
515, 315 Heritage Drive	3.00%	3.00%	16	3.00%
516, 315 Heritage Drive	3.00%	3.00%	16	3.00%
517, 315 Heritage Drive	3.00%	3.00%	16	3.00%
518, 315 Heritage Drive	3.00%	3.00%	16	3.00%
519, 315 Heritage Drive	3.00%	3.00%	16	3.00%
521, 315 Heritage Drive	3.00%	3.00%	16	3.00%
522, 315 Heritage Drive	3.00%	3.00%	16	3.00%
613, 315 Heritage Drive	3.00%	3.00%	16	3.00%
614, 315 Heritage Drive	3.00%	3.00%	16	3.00%
615, 315 Heritage Drive	3.00%	3.00%	16	3.00%
616, 315 Heritage Drive	3.00%	3.00%	16	3.00%
617, 315 Heritage Drive	3.00%	3.00%	16	3.00%
618, 315 Heritage Drive	3.00%	3.00%	16	3.00%
619, 315 Heritage Drive	3.00%	3.00%	16	3.00%

	For the Period of June 1, 2024 to May 31, 2025			
Rental Unit Address	% inc for Cap Exp (Max 3%)	Total Increase (Excludes Guideline)	Weighted Useful Life	Total % for Cap Exp
621, 315 Heritage Drive	3.00%	3.00%	16	3.00%
622, 315 Heritage Drive	3.00%	3.00%	16	3.00%
702, 315 Heritage Drive	3.00%	3.00%	16	3.00%
704, 315 Heritage Drive	3.00%	3.00%	16	3.00%
706, 315 Heritage Drive	3.00%	3.00%	16	3.00%
707, 315 Heritage Drive	3.00%	3.00%	16	3.00%
709, 315 Heritage Drive	3.00%	3.00%	16	3.00%
710, 315 Heritage Drive	3.00%	3.00%	16	3.00%
801, 315 Heritage Drive	3.00%	3.00%	16	3.00%
803, 315 Heritage Drive	3.00%	3.00%	16	3.00%
804, 315 Heritage Drive	3.00%	3.00%	16	3.00%
806, 315 Heritage Drive	3.00%	3.00%	16	3.00%
807, 315 Heritage Drive	3.00%	3.00%	16	3.00%
808, 315 Heritage Drive	3.00%	3.00%	16	3.00%
809, 315 Heritage Drive	3.00%	3.00%	16	3.00%
810, 315 Heritage Drive	3.00%	3.00%	16	3.00%
901, 315 Heritage Drive	3.00%	3.00%	16	3.00%
903, 315 Heritage Drive	3.00%	3.00%	16	3.00%
906, 315 Heritage Drive	3.00%	3.00%	16	3.00%
907, 315 Heritage Drive	3.00%	3.00%	16	3.00%
909, 315 Heritage Drive	3.00%	3.00%	16	3.00%

Schedule 4 - Rent Reduction related to Capital Expenditures

A. Date of Rent Reduction

If the Tenant's rent is increased based on capital expenditures during the period 2024 then:

The date of the rent reduction will be the day before:

- the date of the Tenant's first rent increase under this order, plus
- the number of years for the weighted useful life for capital expenditures for the unit (set out in Schedule 3).

Example:

If the Tenant's rent was increased on June 1, 2021 and the weighted useful life for capital expenditures is 10 years, then the rent will be reduced on May 31, 2031.

If the Tenant's rent was *not* increased based on capital expenditures during the period 2024 but was increased during the later periods set out in the order then:

The date of the rent reduction will be the day before:

- the First Effective Date of Rent Increase in this order, plus
- the number of years for the weighted useful life for capital expenditures for the unit (set out in Schedule 3).

Example:

If the first effective date of increase in this order is April 1, 2021 and the weighted useful life for capital expenditures is 10 years, then the rent will be reduced on March 31, 2031.

B. Amount of Rent Reduction

If the Tenant's rent is increased by the total percentage increase set out in this order then:

The rent must be reduced by the total percentage increase set out in this order for capital expenditures.

If the Tenant's rent is *not* increased by the total percentage increase set out in this order then:

The rent must be reduced by an amount determined in accordance with the prescribed rules which may be equal to or less than the total percentage increase set out in this order for capital expenditures.