



STAFF REPORT
Integrated Planning & Public Works

Report Number: IPPW2019-036
Author: Wendy Fisher
Meeting Type: Council Meeting
Council/Committee Date: May 6, 2019
File: Z-18-07
Attachments: Appendix A – Staff-Proposed Zoning By-law Amendment
Appendix B – Informal Public Meeting Minutes
Appendix C – Agency, Staff, and Public Comments
Appendix D – Summary of Relevant Policies and Guidelines
Appendix E – Conceptual Building Renderings
Appendix F – Conceptual Site Plan

Ward No.: Ward 1, Southwest

Recommendations:

1. That IPPW2019-036 be approved.
2. That Zoning By-law Amendment Z-18-07, submitted by 508 Beechwood Inc., for lands municipally known as 508 Beechwood Drive, be refused.
3. That Council endorse the proposed zoning contained in Appendix A, to bring the zoning applied to 508 Beechwood Drive into alignment with Zoning By-law 2018-050.
4. That IPPW2019-036 be submitted to the Local Planning Appeal Tribunal (LPAT) as Council's position on Zoning By-law Amendment Z-18-07, along with submissions received by the City from interested persons and parties related to this matter.
5. That Council authorize the City Solicitor to retain outside counsel and appropriate staff to attend all LPAT hearing(s) related to this matter on behalf of the City of Waterloo in support of the recommendations set out in this Report.

A. Executive Summary

On April 16, 2018, a Zoning By-law Amendment application submitted by 508 Beechwood Inc. (the “**Applicant**”) for the lands known municipally as 508 Beechwood Drive (the “**Lands**”) was deemed complete by the City’s Planning Division. The Lands are currently zoned Multiple Residence-12 (MR-12) in City of Waterloo Zoning By-law No. 1418 (“**By-law 1418**”) with site specific zoning provisions. The purpose of the application is to amend By-law 1418 by:

- i.) removing site specific zoning provisions applied to the Lands;
- ii.) adding new site specific zoning provisions to the Lands,

to facilitate the construction of a 12 storey, 140-unit residential apartment building to the west of an existing 7 storey, 41-unit residential apartment building.

At the Informal Public Meeting held on June 11, 2018, as well as before and after the meeting, numerous comments were received from the public, all in opposition to the proposed development. Based on the community’s response to the application, Council requested that a neighbourhood meeting be convened to facilitate dialogue between all interested persons and parties. Given that summer holidays were imminent, the meeting was planned for September 2018. The Applicant subsequently revised the development proposal, and appealed the application to the Local Planning Appeal Tribunal (“**LPAT**” or the “**Tribunal**”). The neighbourhood meeting did not take place.

On September 13, 2018, the Applicant submitted a revised development proposal, including modifications to Zoning By-law Amendment Z-18-07. The revised development concept is a 12-storey building with 132 units, 8 units less than originally proposed. The revised development concept consists of a 4-storey podium and an 8-storey tower, with the podium now connected to the west façade of the existing 7-storey building. In order to permit the revised development concept, the Applicant is requesting that the lands be zoned Multiple Residence-12 (MR-12) with the site specific provisions that:

- reduce the front yard, westerly side yard, and rear yard setbacks
- reduce the minimum parking rate
- reduce the amenity area requirements
- increase the maximum permitted building height
- increase the maximum number of dwelling units
- increase the range of permitted land uses.

On September 17, 2018, four days after receiving the Applicant’s revised submission, the Applicant filed an appeal to LPAT based on a lack of decision of the City within the timeframe prescribed by the *Planning Act*. Staff question the appropriateness of an Applicant substantially revising its zoning amendment application, then appealing four days later on the basis of “lack of decision”. It is impossible for a municipality to receive, review, circulate, evaluate, and document (prepare a report) on a revised application within four days of receipt (especially when two of the days are Saturday and Sunday as was the case here), let alone comply with the requirements of the *Planning Act* related to holding and providing notice for a public meeting.

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The City should have been afforded reasonable time to process and evaluate the revised application.

Based on Integrated Planning & Public Works' review of the application, staff recommend refusal of the application for reasons including:

- the application is not consistent with the Provincial Policy Statement (2014)
- the application does not conform to the Growth Plan for the Greater Golden Horseshoe (2017)
- the application does not conform to the Regional Official Plan (2015)
- the application does not conform to the City's Official Plan
- the application does not meet several of the City's Urban Design policies
- the application is not consistent with certain aspects of the City's Urban Design Manual
- the proposed built form and massing is not context sensitive – it does not respect the scale, physical character or context of the existing neighbourhood
- the proposed development does not effectively transition built form.

While the Lands are within a Minor Corridor and designated Mixed-Use Medium High Density Residential, intensification of the Lands must be context sensitive. In staff's opinion, the existing site specific zoning provisions applied to the land that restrict building height, density and control building separation are intended to facilitate context sensitive intensification. Context sensitive development is specifically contemplated through Official Plan Policy 3.4.3, which permits the Zoning By-law to establish more restrictive height and or density provisions compared to the maximums stated in the Official Plan based on considerations that are unique to individual sites or areas. In staff's opinion, the Lands can be reasonably intensified subject to zoning that fosters context sensitive development in accordance with Official Plan Policy 3.4.3 and other applicable policies, recognizing that the surrounding lands have developed at considerably lower heights and densities (re: predominantly comprised of townhouses and stacked townhouses in accordance with site specific zoning by-law applications). The Beechwood West District Plan establishes a maximum building height of 380 metres above sea level, which is secured through the existing site specific zoning applied to the Lands (re: By-law 81-088), and equates to a contemporary ~5 storey residential building. The district planning and site specific zoning (re: By-law 81-088) were established through comprehensive and inclusive planning processes. The zoning framework established in the 1980's was reviewed and retained through the comprehensive Height & Density Policy Study in 2003-2005. In staff's opinion, the existing zoning framework remains appropriate, allowing intensification of the Lands with controlled heights and setbacks to effectively transition built form and massing. The staff recommended zoning is contained in Appendix A, which:

- conforms to applicable policies, plans and development principles
- allows for context sensitive intensification in accordance with Official Plan Policy 3.4.3
- is consistent with and respects area planning
- maintains compatibility with surrounding low-rise developments
- has regard to the significant community feedback received to date, which seeks lower building heights and densities on the Lands.

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B. Financial Implications

Costs incurred in relation to LPAT Case PL180793 will be funded from the Planning Litigation Reserve Fund.

C. Technology Implications

None.

D. Link to Strategic Plan

(Strategic Priorities: Multi-modal Transportation, Infrastructure Renewal, Strong Community, Environmental Leadership, Corporate Excellence, Economic Development)

The City's Strategic Plan promotes inclusive and engaged processes, recognizing that people want to feel included and want opportunities to participate in community building. The Plan supports community engagement. An objective of the Plan is to foster a strong sense of place and identity. The Plan seeks to ensure that new development, redevelopment and intensification preserves and contributes to quality green space. The Plan contemplates managed urban intensification, with a growth management approach that encourages infilling, redevelopment and adaptive reuse.

E. Previous Reports on this Topic

N/A

F. Approvals

Name	Signature	Date
Author: Wendy Fisher		
Director: Joel Cotter		
Commissioner: Cameron Rapp		
Finance: N/A		

CAO



IPPW2019-036

SECTION 1 – SUBJECT LANDS

Location

508 Beechwood Drive

Ward

Southwest (Ward 1)

Total Lot Area

Parcel A - 0.3310 hectares

Parcel B - 0.4062 hectares

TOTAL – 0.7372 hectares

Land Owner and Applicant

508 Beechwood Inc.

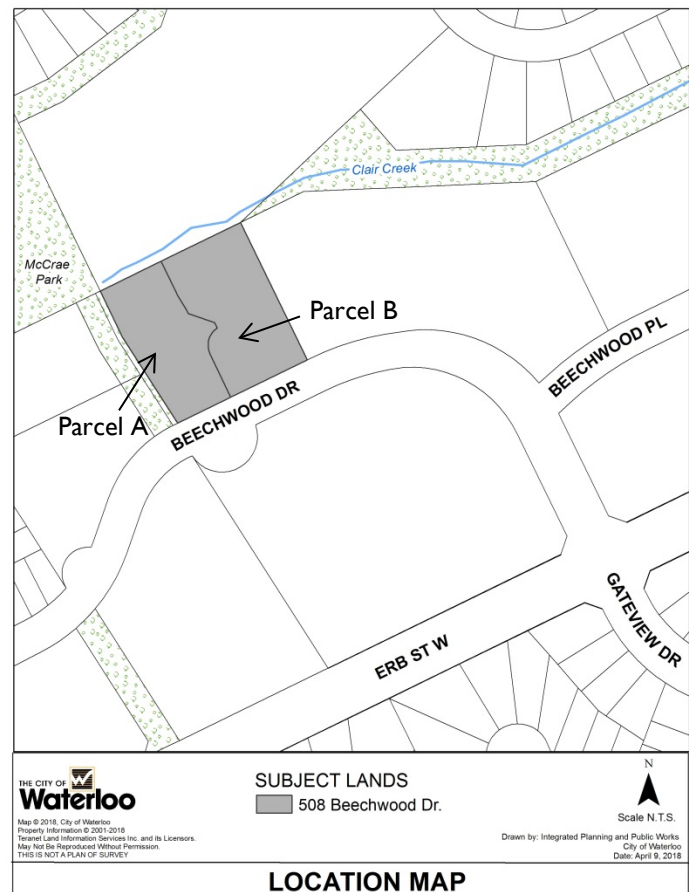
Agent

Labreche Patterson and Associates Inc.

Existing Land Use

Parcel A - underground parking structure, landscaped area, and tennis courts

Parcel B - 7 storey apartment building and at-grade parking area



Proposed Land Use

12 storey apartment building (new) and 7 storey apartment building (existing) with at-grade and underground parking.

Public Input

An Informal Public Meeting was held on June 11, 2018. Minutes of this Meeting are attached as Appendix 'B'. Staff, agency and public comments related to the proposed development are contained in Appendix 'C' and have been considered during the preparation of this report.

1.1 Subject Lands

The Lands are located on the north side of Beechwood Drive and are approximately 0.7372 hectares in size. The Lands were severed in 2002 (through Application B-16/02) and now consists of two separate parcels as shown on the Location Map herein and Figure 1 below:

Parcel 'A' - which occupies the west side of the Lands, is 0.3310 hectares in size, has approximately 34 metres of frontage on Beechwood Drive, and currently contains a parking structure, tennis courts (located on top of the parking structure) and landscaping, all of which serve the tenants within the existing apartment building on Parcel B.

Parcel 'B' - which occupies the east side of Lands, is 0.4062 hectares in size, has approximately 48 metres of frontage on Beechwood Drive and currently contains a 7-storey, 41-unit (70 bedroom) residential building and surface parking area.

A shared driveway is located between the two parcels.

Figure 1: Subject Lands Looking North



1.2 Neighbourhood Context

The Lands are located in a stable, low-rise residential neighbourhood. The surrounding lands primarily contain two-storey single detached and townhouse dwellings. Much of the area was developed in the 1980s, with exception to the lands to the north which were constructed more recently (2012). Specific land uses on the surrounding lands include the following:

- **To the north** is a tributary of Clair Creek which is a regulated watercourse under the Grand River Conservation Authority. North of the creek is a recently constructed (2012) townhouse condominium development, *The Village in Beechwood West*, and two

neighbourhood associations, *Beechwood West I and Beechwood West II*, which primarily consist of single detached dwellings.

- **To the west** is a city-owned walkway that provides pedestrian access to McCrae Park, located northwest of the Lands. West of the walkway is a condominium townhouse complex and a condominium single detached dwelling complex. Low-rise, low-density residential uses are located further west.
- **To the south** is *Beechwood Villas*, a four-plex condominium development constructed in 1981, with dwellings oriented to face a privately-owned amenity area in the centre of the parcel. A regional arterial road (Erb Street West) is further south of these lands.
- **To the east** is *Beechwood Commons*, a four-plex condominium development constructed in 1987, with dwellings oriented to face a privately-owned amenity area in the centre of the parcel. Further east are more multi-unit, low-rise dwellings. To the southeast is a parcel containing two single storey buildings used for office/banking purposes, and a single storey commercial plaza located on the northwest corner of Erb Street West and Fischer-Hallman Road North, approximately 330 metres from the Lands.

Figure 2: Subject Lands and Surrounding Area



SECTION 2 – THE PROPOSED DEVELOPMENT

2.1 Original Submission

The Applicant is proposing to demolish the parking structure and tennis courts contained on Parcel 'A', merge the two parcels, and construct a new 12-storey apartment building. The existing 41-unit apartment building would be retained. As part of the Applicant's original submission (March 2018), the new building was to be located west of and separate from the existing apartment building, and contain 140 dwelling units. Details of this submission are contained in Table 1 below and renderings are contained in Appendix 'E'.

The Applicant is proposing to merge Parcel 'A' and Parcel 'B' by dedicating a small strip of land (1 foot wide) to the City along the westerly lot line, parallel to the public walkway. This conveyance, if accepted by Council, would add land to the City's walkway block and taint severance B-16/02, allowing the parcels to merge. The total lot area of Parcels 'A' and 'B' combined, after the land dedication, would be 0.737 hectares. The proposed development requires the merger of the parcels. It is the City's practice not to accept such conveyances unless Council determines that the proposed development is in the public interest and represents good land use planning and urban design.

2.2 Public Comments and Key Changes

A considerable amount of community feedback has been received before, during, and after the June 11th Informal Public Meeting, as well as from circulating agencies and staff. Numerous comments and petitions specific to the proposed development at 508 Beechwood Drive were also received through the City's Comprehensive Zoning By-law review. To date, all community comments are in opposition to the proposed development. The primary issues of concern are as follows (listed in descending order, from the most to the least frequently identified):

- Building height is too tall, does not fit in with neighbourhood character
- Increase in automobile traffic
- Shadow, wind and lighting impacts on surrounding properties, walkway and park
- Decline in property values
- Site is overbuilt (setbacks too small, building too close to walkways)
- Loss of mature trees and green space
- Impacts on views and aesthetics of neighbourhood
- Increase in noise
- Lack of parking
- Loss of privacy
- Impacts on parkland and local (private) amenities
- Ancillary uses (retail) not needed since stores and services are nearby
- Too much density
- Appearance of existing building
- Impacts during construction
- Nuisance issues (increased trespassing, garbage)

- Lack of access to public transportation
- Increase in congestion in local schools
- Impact on Clair Creek, flooding
- Increased rent (in existing building), units no longer affordable

In response to the questions and comments raised during the Informal Public Meeting, the Applicant submitted a revised development concept (September 13, 2018). Modifications were also made to the Zoning By-law Amendment application in response to the passing of the City's new comprehensive Zoning By-law ("ZBL 2018-050"). At the request of the Planning Division, the revised development concept was further modified (dated December 10, 2018) to add dimensions and a site data chart to allow for the proper evaluation of the modified application. Staff note that the westerly side yard setback was further modified on the December 10, 2018 development concept. A comparison of the original and revised submissions is provided in Table 1:

Table 1: Revisions to the Development Proposed by the Applicant

	ORIGINAL SUBMISSION March 2018	REVISED SUBMISSION September/December 2018	Change
Building Height	12 storeys, 39.8 m (404.2 mASL)	12 storeys, 37.5 m (401.9 mASL)	↓2.3 m
Building Massing	12 storey building (see Proposed Rendering, Appendix 'E')	4 storey podium 8 storey tower (see Proposed Rendering below)	Change
No. of Units	Parcel A (proposed building) - 140 units Parcel B (existing building) - 41 units TOTAL – 181 units	Parcel A (proposed building) - 132 units Parcel B (existing building) - 41 units TOTAL – 173 units	↓8 units
No. of Bedrooms	Parcel A (proposed building) - 237 beds Parcel B (existing building) - 70 beds TOTAL – 307 beds	Parcel A (proposed building) - 220 beds Parcel B (existing building) - 63 beds TOTAL – 283 beds	↓23 beds
Density	245 units/ha 416 bedrooms/ha	235 units/ha 384 bedrooms/ha	↓10 units/ha ↓32 beds/ha
Amenity Area	825 sq. m. (2.5 sq. m. per bedroom)	2881 sq. m. (3.0 sq. m. for first bedroom and 2 sq. m. for additional bedrooms)	↑ 2056 sq.m.
Parking	243 parking spaces (1.34 spaces/unit)	225 parking spaces (1.30 spaces per unit)	↓18 spaces
Surface Parking	45 spaces (18.5% of required parking)	27 spaces (12.5% of required parking)	↓18 spaces
Front Yard Setback	3.5 m	7.0 m	↑ 3.5 m

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Westerly Side Yard Setback	2.7 m	7.2 m*	↑ 4.5 m
Rear Yard Setback	10.51 m proposed building 10.0 m existing building	17.5 m proposed building 10.0 existing building	↑ 6.99 m No change

**After land dedication as described in Section 1.1.*

2.2 Revised Submission

The proposed building remains at 12 storeys, however the actual building height has been reduced by 2.3 metres, to 37.5 metres. The building massing has been modified and now contains a 4-storey podium (as measured from the front building line) with an 8-storey tower above the podium, oriented to Beechwood Drive. The tower is stepped back from the podium:

- 3 metres along the front façade
- 4.7 metres from the west façade
- 25.4 metres along the north façade
- 18.4 metres along the east façade

The new building is proposed to be physically connected to the westerly façade of the existing 7-storey apartment building, and contain 132 dwelling units (220 bedrooms):

- 40 one-bedroom units
- 4 one-bedroom plus den units
- 82 two-bedroom units
- 6 two-bedroom plus den units

The existing 7-storey apartment building will be slightly modified to facilitate the connection – there is no change to the number of units, but there has been a reduction to the total number of bedrooms, from 70 to 63. As proposed in the original submission, parking is to be accommodated underneath and within the new building, with some surface parking located in front of the existing building and along the easterly property line. Vehicular access is to be relocated to the southeast corner of the consolidated parcel.

Combined, the new and existing buildings would provide for:

- 283 bedrooms
- 173 residential units
- 384 bedrooms per hectare (235 units per hectare)
- 255 parking spaces
- 198 parking spaces within and underneath the proposed building
- 27 surface parking spaces, along the easterly property line and in front of the existing building

A rendering of the proposed building is provided below:



Additional renderings of the revised development concept and a rendering of the original development proposal are contained in Appendix 'E'.

SECTION 3 – APPLICATION DETAILS

Since the application was submitted and deemed complete prior to September 10, 2018, when ZBL 2018-050 was passed, the Applicant has requested to amend By-law 1418.

* The Applicant has also appealed ZBL 2018-050, which is not in effect pending a decision on the appeals by LPAT or LPAT issuing an order pursuant to subsection 34(31) of the Planning Act.

In ZBL 2018-050, the Lands are zoned Zone Change Application (ZC). This zoning category recognizes that the Lands are subject to Zoning By-law Amendment Z-18-07, and carries forward the zoning provisions which applied to the Lands on the day before the effective date of the new by-law. The Applicant has appealed ZBL 2018-050 to the Local Planning Appeal Tribunal (LPAT), being one of two appeals filed. Until a decision is made by LPAT or the Tribunal issues an order pursuant to subsection 34(31) of the *Planning Act* to scope the appeals, By-law 1418 and any site specific by-laws continue to remain in effect.

Based on the revised development concept, the Applicant is proposing to amend Zoning By-law 1418 by adding site specific provisions to the existing Multiple Residence-12 (MR-12) zone. The proposed site specific provisions are:

- 1) A reduction in the front yard setback from 7.5 metres to 5.0 metres;
- 2) A reduction in the westerly side yard setback from half of the height of the building (18.75 metres) and no less than 3.0 metres, to 3.0 metres;

- 3) A reduction in the rear yard setback from half the height of the building and no less than 7.5 metres, to 7.5 metres;
- 4) An increase in the maximum building height from 380 metres above sea level, to 40 metres (being 403.8 metres) and 12 storeys;
- 5) A reduction in the minimum amenity area from 50 square metres per unit (38.19 square metres per bedroom), to 3.0 square metres for the first bedroom and 2 square metres for each additional bedroom in the dwelling unit;
- 6) A reduction in the parking rate from 1.5 spaces per dwelling unit, to 1.3 spaces per dwelling unit, inclusive of visitor parking; and
- 7) An increase in the maximum number of dwelling units permitted on the Lands, from 32 units or 100 units per hectare on the westerly parcel and 41 units or 101 units per hectare on the easterly parcel, to 173 units or 235 units per hectare.

As part of the original application, the Applicant also requested that the list of permitted land uses be broadened to align with proposed uses in the draft Residential Mixed Use (RMU) zone.

A number of proposed amendments requested in the original application have been removed and/or modified:

- i.) The proposed reduction in landscape open space, from 30% to 18%, has been removed.
- ii.)
- iii.) Minimum podium height, minimum tower separation and maximum horizontal tower dimension have been removed. The Applicant has determined that the revised development proposal complies with minimum podium height and the maximum horizontal tower dimension regulations in the proposed Residential Mixed Use (RMU) zone in ZBL 2018-050, and the minimum tower separation regulation no longer applies based the revised building configuration. Planning staff note that the podium and tower performance regulations in the RMU zone would not apply under the requested zoning, as the MR-12 zone does not contain such regulations. Planning staff do not support the proposed removal of the podium and tower performance standards for a building taller than 6 storeys.
- iv.) Proposed amendments 1, 2 and 5 (above) have been further amended to mirror the minimum yard setback requirements within the proposed Residential Mixed-Use 40 (RMU-40) zone in ZBL 2018-050.
- v.) Proposed amendment 4 (above) has been further amended, in part, to reflect the maximum 12 storey height limit contain in the proposed RMU-40 zone in ZBL 2018-050.
- vi.) Proposed amendments 6 and 7 (above) have been further amended to reflect the proposed reduction in the number of dwelling units and parking spaces in revised development concept.

It should be noted that the conceptual site plan, dated December 10, 2018, illustrates larger setbacks than what has been requested (re: Proposed amendments 1, 2 and 3).

If Zoning By-law Amendment Z-18-07 is approved prior to the ZBL 2018-050 coming into force and effect on the Lands, two site-specific zoning by-laws will be required:

- one by-law to amend By-law 1418 (currently in effect)
- one by-law to amend By-law 2018-050 which will be retroactive, with an effective date of September 10, 2018

SECTION 4 – POLICY EVALUATION

4.1 Provincial Policy Statement

The 2014 Provincial Policy Statement (the “PPS”) provides policy direction on matters of provincial interest related to land use planning and development in Ontario. Collectively, the policies aim to focus growth within existing settlement areas; promote efficient development and land use patterns to minimize land consumption and servicing costs; support densities that provide for a more compact urban form; and build strong and safe communities.

The PPS recognizes and acknowledges that: “The official plan is the most important vehicle for implementation of this Provincial Policy Statement. Comprehensive, integrated and long-term planning is best achieved through official plans” (Section 4.7).

In staff’s opinion, intensification of the Lands is consistent with many aspects of the PPS, such as:

- The Lands are within a designated settlement area which is planned to accommodate growth through intensification;
- Intensification of the Lands will contribute to a more compact built form;
- The Lands are appropriately located for intensification as they are served by public transit and are within walking distance to commercial uses;
- Additional apartment units will contribute to the diversification of housing stock in the neighbourhood; and
- Intensification of the lands will more efficiently use existing infrastructure and support existing and planned public transit and active transportation infrastructure.

However, the PPS also requires planning authorities to identify appropriate locations for intensification and redevelopment where it can be accommodated taking into consideration existing building stock or areas (Policy 1.1.3.3). The City’s Official Plan contemplates context sensitive intensification and redevelopment in designated Nodes and Corridors. In staff’s opinion, the height and scale of the proposed development is not consistent with the neighbourhood character or context, and as such does not conform to the PPS.

4.2 Places to Grow

The 2017 Growth Plan for the Greater Golden Horseshoe (the “Growth Plan”) provides a framework for managing growth, protecting resources, and promoting economic investments within the Greater Golden Horseshoe to the year 2041. Building on the policy foundation of the

PPS, the Growth Plan provides more specific land use planning policies for managing growth. Some of the key guiding principles include:

- a) building compact and complete communities;
- b) prioritizing intensification and higher densities to optimize the use of existing and new infrastructure to support transit viability; and
- c) capitalizing on new economic and employment opportunities as they emerge.

In staff's opinion, intensification of the Lands conforms to, or does not conflict with, some policies within the Growth Plan, including the following:

- Intensification of the Lands directs growth to the Built-Up Area which is planned to accommodate significant population and employment growth through intensification;
- The Lands are within a comfortable walking distance to various bus stops / routes and active transportation infrastructure, allowing for reduced dependence on the automobile;
- Intensification of the Lands will help the City achieve the minimum target of 50% of all residential development occurring within the Built-Up Area;
- Additional apartment units will provide a broader range of housing options within the neighbourhood; and
- Intensification of the Lands will more efficiently use existing infrastructure and make more efficient use of the Lands.

However, Policy 2.2.2.4(b) of the Growth Plan requires municipalities to achieve the minimum intensification target and intensification in delineated built-up areas by identifying the appropriate type and scale of development and transition of built form to adjacent areas. The City's Official Plan is based on an urban structure (described in Chapter 3) which identifies appropriate intensification areas throughout the city, and contains policies that encourage intensification. While the Lands are designated Mixed-Use Medium High Density Residential and are within a Minor Corridor based on the City's Official Plan, both of which provide for intensification opportunities, the corresponding policies also require that the type and scale of development be compatible and integrate with surrounding land uses, that new buildings relate to the surrounding context, and that building mass and design provide a sense of transition when adjacent to low rise neighbourhoods. In staff's opinion, the proposed development does not represent an appropriate scale of development based on the surrounding context and does not appropriately transition to adjacent properties. As such, the proposed development does not conform to the Growth Plan.

4.3 Regional Official Plan

The Regional Official Plan (ROP) provides a land use policy framework that implements the PPS and Growth Plan in the regional context. The Lands are located within the Built-Up Area as shown on ROP Map 3a, Urban Area. In staff's opinion, intensification of the Lands conforms to several ROP policies, including the following:

- Intensification within the Built-Up Area will make better use of land, existing physical infrastructure, community infrastructure and human services;
- Intensification of the Lands will contribute to a more compact urban environment, to promote the creation of a more sustainable and liveable community;
- Accommodates more growth in the Region through re-urbanization which aids in meeting the re-urbanization targets for the Waterloo Urban Area;
- Intensification of the Lands will promote densities that support active transportation;
- Intensification of the Lands will promote densities that support existing transit, with several bus stops and routes in close proximity.

However, the proposed development does not conform to ROP Policy 2.D.1(f) which requires the Region and/or Area municipalities to ensure that development occurring within the Urban Area is planned and developed in a manner that respects the scale, physical character and context of established neighbourhoods in areas where reurbanization is planned to occur. Since matters relating to urban design within the local context are not typically reviewed by the Region, City staff has completed such an evaluation. The neighbourhood predominantly consists of low-rise single detached and townhouse dwellings that are one to three storeys in height. While there is a small 7 storey apartment building located on Parcel 'B', this building type and scale is an anomaly within the broader neighbourhood. In staff's opinion, the proposed 12 storey apartment building is inconsistent with the scale, physical character and context of the surrounding neighbourhood, and therefore does not satisfy ROP Policy 2.D.1(f).

4.4 City Policy

4.4.1 Background

There has been a considerable amount of planning that has been completed over the last 50+ years which has shaped the Beechwood area. The following table provides a brief chronological history of the planning documents and/or applications that have guided land use for the Lands and the surrounding neighbourhood.

Table 2: Chronological Planning History of the Beechwood Area

DATE	PLANNING DOCUMENTS/APPLICATIONS
1978	Beechwood West Residential District Implementation Plan (Sep. 18, 1978) • Contains detailed policies to regulate land use and development within the Beechwood West District.
1980	Modifications to District Plan • Created a "Core Area" on the northwest corner of Erb Street West and Fischer Hallman Road, intended for high density commercial and residential uses.

	- Added Core Area Policies, including: <i>Transitioning of building form</i> - Policy 3(i)(c) states that the most intense commercial uses will be located on the lands abutting the northwest corner of Erb Street and Hallman Road, and on certain lands abutting Erb Street, and “moving in a northerly and westerly direction, the land uses will become less intense changing from commercial to residential in such a way that the Core Area blends into lower density areas adjacent to it.” <i>Maximum building height</i> - Policy 3(i)(d) limits building heights to 380 metres above sea level (6-8 storeys, depending on elevation), so that buildings will not be visible to eastbound traffic on Erb Street until this traffic has passed over the Rummelhardt Hill and having regard to the planning objectives in Policy 3(i)(c). <i>Maximum density</i> - Policies 3(iv)(b) notes that lands within the “High Density Residential” area will be permitted a density of 75-250 units per hectare, however zoning will restrict density to the lower part of the range, specifically not more than an average of 100 to 150 units per hectare. - The Lands are within the Core Area and are designated High Density Residential in the District Plan.
1981	Subdivision and Zoning Approvals - Draft Plan of Subdivision 30T-79014 and Zone Change Application Z-79-12 approved on March 9, 1981 to implement Core Area policies in the District Plan. - Residential blocks zoned ‘Multiple Residence-100’ (MR-100) and ‘Multiple Residence-150’ (MR-150) to permit apartments up to 100 and 150 units per hectare respectively (Zoning By-law 81-088). - The Lands were zoned MR-100. - Maximum building height: 380 metres above sea level - Beechwood Drive planned and constructed as Collector Road to accommodate anticipated traffic. - Municipal services sized to accommodate expected growth.
1981-1990	Residential Growth and Site Specific Applications Although the Core Area was intended for high density commercial and residential uses, the residential lands were developed at substantially lower heights and densities than envisioned by the District Plan and afforded through zoning. For example (locational map below): (A) 475-499 Beechwood Dr. - Site specific zoning (By-law 81-209) approved to permit townhouses, despite being designated High Density in the District Plan and zoned MR-100. The lands were downzoned to Medium Density.

Maximum Permitted Density: 211 units, 100 units/ha
Actual Density: 13 quadruplex units (52 units), 24.6 units/ha

(B) 450-464 Beechwood Pl. - Site specific zoning (By-law 84-089) approved to permit townhouses, despite being designated High Density in the District Plan and zoned MR-150. Townhouses were permitted subject to the regulations of the Medium Density zone.

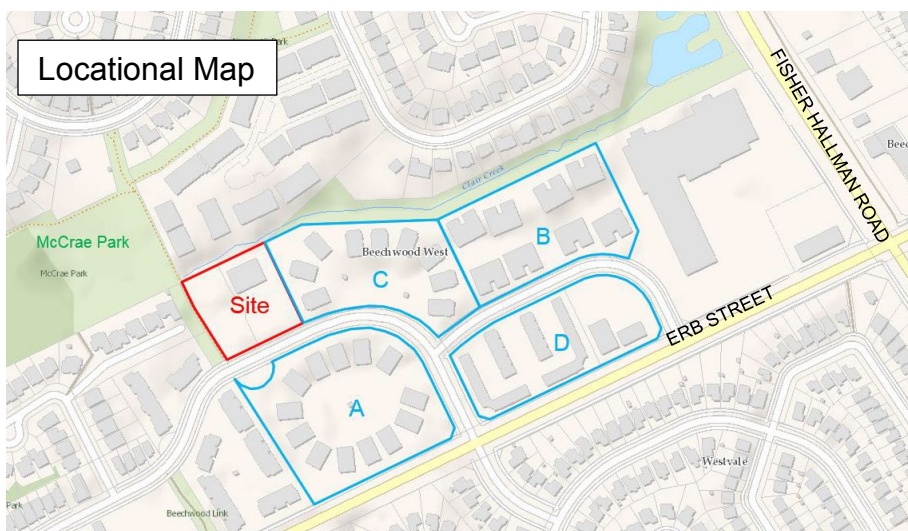
Maximum Permitted Density: 243 units, 150 units/ha
Actual Density: 8 sixplex units (48 units), 29.4 units/ha

(C) 486-502 Beechwood Pl. - Site specific zoning (By-law 86-095) approved to permit townhouses, despite being designated High Density in the District Plan and having split zoning (MR-150 and MR-100). Townhouses were permitted subject to the regulations of the Medium Density zone.

Maximum Permitted Density: 191 units, 100 - 150 units/ha
Actual Density: 9 quadruplex units (36 units), 23.39 units/ha

(D) 459-465 Beechwood Pl. - In response to height concerns expressed by the neighbourhood for an application to construct an 8 storey apartment building and a 3 storey office commercial complex, Council implemented an Interim Control By-law (90-53). Height-related issues were addressed through the Erb Street West Height Study (December 1990) which recommended a maximum height of 4 storeys. Site specific Zoning By-laws (90-138 and 90-159) were approved to permit townhouses and terrace dwellings with a maximum height of 11 metres and commercial buildings with a maximum height of 4 storeys. The western portion of the land contains 70 townhouse and terrace dwellings that are 2 and 3 storeys in height. The eastern portion of the land contains 2 commercial buildings that are 2 storeys in height.

Maximum Permitted Density: 100 units/ha
Actual Density: 70 townhouse and terrace units, 69.3 units/ha



18 Integrated Planning & Public Works

1983	Apartment Building, 508 Beechwood Drive • Site plan approved for 7 storey, 42 unit apartment building, tennis court, shuffleboard courts, underground and surface parking • Project conformed to zoning (MR-100 and By-law 81-088) • Building substantially setback from Beechwood Drive (approximately 53 metres); no dwellings on surrounding properties at the time.
1990	Official Plan (June 28, 1990) • The Lands were designated “High Density Residential” which permits a maximum net density of 250 units/ha • By-law 81-088 (which provides for a maximum height of 380 metres above sea level and a maximum density of 100 units/ha) continued to apply.
2002	Consent Application B-16/02 and Minor Variance Application A-67/02, 508 Beechwood Drive • Approval granted to sever the Lands into two parcels with frontage on Beechwood Drive • Applications were intended to facilitate a 6 storey, 32-unit apartment building to the west of the existing 7 storey apartment building. • Approval granted to: - reduce the number of parking spaces, from 62 required spaces to 58 space for the existing apartment building; - reduce the easterly side yard setback from the proposed apartment building, from the required 10.3325 metres to 4 metres; - reduce the westerly side yard setback for the existing apartment building, from the required 9.97 metres to 4.01 metres; and - increase the density on the parcel containing the existing apartment building from a maximum density of 100 units/ha as permitted to 101 units/ha.
2001-2005	Height and Density Policy Study • Purpose: to determine the most appropriate way to manage growth with a diminishing greenfield land supply in the City • The study identified areas in the City that would be appropriate for intensification and greater height and density, using a nodes and corridors model (where public transit, cycling routes, pedestrian infrastructure, and major roads are accessible).
2003	Official Plan Amendment 54 (September 29, 2003) • Implemented the recommendations of the Height & Density Policy Study in the Official Plan by designating Nodes and Corridors as appropriate areas for intensification • The intent of this growth management model and the implementing policy framework is to preserve established low density residential areas

	by directing intensification to planned Nodes and Corridors, and by effectively transition intensification and redevelopment between low-rise, mid-rise and high-rise development • The Lands were designated “Medium High Density Residential”. This designation is generally directed to the edges of neighbourhoods within the nodes and along corridors.
2005	Zoning By-law 05-067 (April 11, 2005) • Implemented the recommendations of the Height and Density Policy Study through zoning • New Multiple Residence (MR) zones were created: MR-4, MR-6, MR-8, MR-12, and MR-25 - with the numerical suffix denoting height in storeys and in metres (by multiplying the suffix by three). • The Lands were zoned MR-12, however By-law 81-088 (which limits building height to 380 metres above sea level) was knowingly brought forward and remained in effect to respect zoning established through comprehensive and or site specific planning processes. It was determined by Council that most of the existing site specific regulations applied to the Lands, which were more restrictive than the designations and regulations proposed, would continue to take precedence over the parent zoning (i.e. MR-12).
2003-2006	Planning Reforms • The Province, through the Provincial Policy Statement and the Growth Plan for the Greater Golden Horseshoe, mandated greater intensification within the existing boundaries of municipalities in Ontario (the “Built-Up Area”) • New official plans were required to “have regard to” the Provincial Policy Statement, and growth and intensification targets established in municipal Official Plans.
2012	City of Waterloo Official Plan • The plan acknowledges that there is a limited supply of vacant land and that growth is expected to be accommodated through intensification within the Built-up Area. • The Nodes and Corridor policy framework from 2003 formed the basis of growth management in the 2012 Official Plan, continuing to direct context sensitive intensification to Nodes and Corridors, and protecting low-rise stable residential neighbourhoods. • The Plan recognizes that not all lands within designated Nodes and or Corridors will experience the same scale or intensity of development: neighbourhood context, scale and character must be considered for infill development. A detailed review of the City’s Official Plan is provided in Section 4.4.2 of this report.

4.4.2 City of Waterloo Official Plan

The City of Waterloo Official Plan (the “**City OP**”) contains policies for guiding and directing growth within the City to 2031. The Lands are designated in the Official Plan as follows:

- | | |
|---|----------------------|
| • Mixed-Use Medium High Density Residential | <i>Schedule ‘A’</i> |
| • Medium High Density, 40 Metres | <i>Schedule ‘B1’</i> |
| • Minor Corridor | <i>Schedule ‘B’</i> |
| • Minor Collector Road | <i>Schedule ‘E’</i> |
| • City-Wide Cycling and Multi-Use Routes | <i>Schedule ‘F’</i> |
| • 20.0 Metre Ultimate Road Allowance | <i>Schedule ‘G’</i> |

4.4.2.1 Height, Density and Land Use

The subject lands are designated Mixed-Use Medium High Density Residential on Schedule ‘A’ of the Official Plan. Broadly speaking, this designation is intended to provide opportunities for moderate to moderate-high levels of intensification (i.e. densities). Such lands are primarily intended for residential purposes, with multiple unit residential buildings being the predominant use. Limited complementary and ancillary uses are permitted, including assisted living facilities, community uses, long term care facilities, office, medical clinics, convenience retail, restaurants, food stores, child care centres, personal services, and spiritual uses. Any proposed ancillary use must be pedestrian-oriented, contribute to activating the streetscape, and shall not exceed 15% of the total building floor area devoted to residential uses.

While the revised development concept only contemplates residential uses, the Applicant has requested, through the original application, that the proposed site specific zoning include permissions for the full range of uses permitted through the Residential Mixed-Use (RMU) zone in the new comprehensive ZBL 2018-050. This is further discussed in Section 5.1 of this report.

The subject lands are also designated Medium High Density, 40 metres on Schedule ‘B1’ of the Official Plan which contemplates a minimum density of 150 bedrooms per hectare and a maximum density of 600 bedrooms per hectare, and a maximum building height of 40 metres. The proposed development includes 220 new bedrooms combined with 63 bedrooms in the existing building, resulting in a total of 283 bedrooms on the 0.737 hectare site. Therefore, the combined density of the site is 384 bedrooms per hectare. The proposed height of the building is 37.5 metres. As such, the proposed building does not exceed the maximum height or density limits under Schedule ‘B1’.

Policy 3.4.3 of the Official Plan is intended to ensure context sensitive development and appropriate transition in terms of built form. Policy 3.4.3 states that the City may, through zoning, further define or restrict the minimum or maximum height and or density for any property based on considerations that are unique to individual sites or areas. The intent is to manage intensification, considering all applicable policies in the Official Plan and area specific planning based on context, secured through tailored height and or density zoning regulations.

Policy 3.4.3 permits the City to establish site or area specific height and or density performance regulations in the Zoning By-law, including maximums less than the Schedule 'B1' limits.

4.4.2.3 Minor Corridor

The City's Official Plan recognizes that there is a limited supply of vacant land for future urban growth, and that to ensure population and economic growth can be accommodated, land within the City must be used more efficiently. To this end, the Official Plan encourages intensification and redevelopment in designated Nodes and Corridors, areas planned to accommodate future growth through intensification and redevelopment. Nodes and Corridors are intended to accommodate growth the managed intensification, and maintain low-rise residential areas as 'stable neighbourhoods' (i.e.: limited change, character and planned function maintained). Generally, minor corridor policies direct medium and medium-high density development to the edges of neighbourhoods, where impacts can be managed through effective transitions in built form, traffic directed to nearby collector and arterial roads, and density provided in proximity to services such as commercial centres and transit / active transportation infrastructure.

The Lands are designated Minor Corridor on Schedule 'B' of the Official Plan. In general, corridors are major streets or transit routes that link nodes and provide opportunity for intensification and infill. Minor Corridors, as described in Official Plan, are lands that are to consist predominantly of medium to medium high density residential with some limited commercial uses. Underground and structured parking is encouraged, with some surface parking permitted. As well, parking requirements may be reduced where sharing facilities are feasible, public transit is readily available, and bike parking requirements are secured through zoning.

Official Plan Policy 3.6.2(2) specifies that where lands within a Minor Corridor are adjacent to lands designated Low Density Residential, height and or density will be limited as defined by this Plan and the Zoning By-law. The intent of this policy is to ensure an appropriate transition of built form is provided at the interface between new developments and low-rise buildings that are predominant within the Low Density Residential designation. As the adjacent lands north of the subject property are designated Low Density Residential on Schedule 'A' of the Official Plan, and the Low Density Residential lands to the west are effectively adjacent to the Lands save the narrow green space block, maximum heights and densities on the Lands should be reviewed as part of any zoning process to ensure an appropriate transition of built form and context sensitive development.

While intensification is encouraged within Minor Corridors, the Official Plan recognizes that not all lands under this designation will experience the same scale or intensity of development. Policy 3.6.5 requires development within designated Nodes and Corridors to demonstrate compatibility and integration with surrounding land uses. The City's urban design policies provide further direction in assessing 'integration' and 'compatibility', as noted below and discussed in greater detail in Section 5 of this report.

4.4.2.4 Urban Design

Section 3.11 of the Official Plan establishes the urban design policy framework for the City, to ensure that a high standard of urban design is achieved. The proposed development is to address design elements including, but not limited to, the following:

- **Intensification:** Integrate and be compatible with existing buildings and surrounding neighbourhood character and context.
- **Character:** Create and maintain sensitive designs in terms of the planned physical context of the neighbourhood, with particular attention given to coordinated streetscapes and architectural design.
- **Views and Vistas:** Contribute to, protect, and respect important views and vistas.
- **Streetscapes:** Coordinate streetscape design to have a coordinated character, be attractive, green, form complete streets, have pedestrian friendly design, coordinated landscaping and design elements, and contain features that animate the street in the public and private realm.
- **Existing Site Features and Open Space:** Retain and protect prominent features and vegetation on site and on abutting properties through, and promote access to, existing or planned open space.
- **Safety and Security:** Promote safe, comfortable and accessible environments for all users and design spaces to have natural surveillance.
- **Compatible Development:** Complement and enhance the surrounding neighbourhood character and context through design strategies such as building massing, façade design and landscape coordination, and minimize impacts to human comfort and surrounding properties, including outdoor lighting, noise, shadowing, wind, and snow disposition.
- **Human-Scale Development:** Development that reinforces human scale dimensions and proportions through design.
- **Building Design:** Complement and enhance the surrounding character and context, and contribute towards an attractive and coordinated streetscape character with emphasis on street rhythm, compatible building materials and colours, fenestration patterns, vertical and horizontal articulation and architectural expression.
- **Infill Development:** Buildings to be proportionate with the lot size and to fit harmoniously into the surrounding character and context.
- **Built Form and Massing:** Design and mass tall buildings (greater than three storeys) to relate to surrounding context and have human scale dimensions.

The above urban design policies are further supplemented by the City's Urban Design Manual (UDM) which contains a set of urban design objectives, standards, guidelines and technical requirements. The UDM is intended to implement the City's urban design policies and objectives, and facilitate a high standard of urban design in public and private realm projects. A summary of all relevant urban design guidelines from the Urban Design Manual are contained in Appendix D and staff's review of the urban design considerations is discussed throughout Section 5 of this report.

4.4.2.5 Environmental Considerations

A tributary of Clair Creek is located adjacent to and north of the Lands. The Creek is identified as a Perennial Watercourse in the Official Plan. Perennial Watercourses are considered Supporting 'A' Natural Features and are supported by Section 8.2.5 of the Official Plan. Policy 8.2.5.5 establishes that development or site alteration will only be permitted on lands contiguous to Supporting 'A' Natural Features lands if it is demonstrated through an Environmental Impact Study (EIS) or other appropriate study that there will be no adverse environmental impacts on the features or its ecological functions.

In recognition of the urbanized setting and the environmental buffers established on the property to the north (435 Winchester Drive), City staff, in consultation with the GRCA, determined that an EIS would not be required provided that a permanent 10 metre 'no-touch' buffer and an overlapping 15 metre 'no development' buffer were established on the Lands, measured from the centerline of the watercourse axis for Clair Creek. It was also confirmed that the 10 metre 'no-touch' buffer would need to be naturalized. The Applicant opted to establish the required buffers instead of submitting an EIS.

Staff are satisfied with the proposed buffers as shown on the conceptual site plan dated December 10, 2018. To be consistent with the development to the north, staff is recommending that the portion of the Lands comprising the 15 metre "no development" buffer be zoned as open space lands, with the expectation that a portion of the buffer (re: the 10 metre "no-touch" lands) be left in a natural state. The naturalized "no-touch" requirement will be secured through Site Plan Control under subsection 41(7)(6) of the *Planning Act*. Staff notes that, as with any development, further detailed plans will need to be provided to the City and the GRCA for approval as part of a future site plan application which demonstrate that the proposed development will maintain or improve pre-development stormwater conditions, including not contributing additional flows to Clair Creek that may exacerbate flooding issues.

SECTION 5 – PLANNING EVALUATION

A number of amendments to the Zoning By-law have been requested by the Applicant through Application Z-18-07. A summary of Planning Approvals' evaluation is provided in this Section.

5.1 Land Uses

While the proposed apartment building is comprised entirely of residential dwellings, the Applicant originally requested that the proposed site specific zoning by-law for the Lands permit all uses contained in the draft RMU-40 zone at the time, being discussed as part of the comprehensive Zoning By-law Review.

Staff note that the Applicant's revised application, submitted in September 2018, does not contain a request for additional uses. Nonetheless, staff is of the opinion that the uses described in the Mixed-Use Medium High Density Residential designation of the Official Plan should be reviewed and considered as part of this site specific application.

Table 3 below provides a comparison of the uses permitted in the Official Plan, the Multiple Residence Twelve (MR-12) zone, and the site-specific list of uses requested through the original application:

Table 3: Land Use Permissions

Category of Use	Official Plan	Multiple Residence Twelve (MR-12)	Proposed By Applicant (RMU Zone)
Residential	Multiple Unit Residential Buildings	- Apartments - Boarding houses	- Multi-Unit Residential Building (including Apartment Building) - Mixed Use Building with Dwelling Units above the First Storey - Townhouses - Freehold townhouses
Commercial/Recreational	- Office - Medical Clinics - Convenience Retail - Restaurants - Food Stores - Personal Services	- Beauty Salons and Barber Shops - Office and Clinic for a Physician, Dentist, Osteopath, or Chiropractor - Recreational Parks, Playgrounds operated by City	- Café - Commercial Recreation - Commercial Wellness - Drug Store - Food Store - Home Occupation - Medical Clinic - Office - Personal service shop - Restaurant - Take-out Restaurant - Variety Store

Category of Use	Official Plan	Multiple Residence Twelve (MR-12)	Proposed By Applicant (RMU Zone)
Institutional	- Assisted Living Facilities - Community Uses - Long Term Care Facilities - Child Care Centres - Spiritual Uses	- Institutions - Nursery Schools - Private Hospitals - Churches - Church Halls and Sunday Schools	- Government Use - Municipal Recreational Facility - Spiritual Use - Long Term Care Facility - Assisted Living Facility - Child Care Centre

Staff is of the opinion that the proposed residential uses are consistent with the Official Plan and are appropriate for the context of the site.

While the Official Plan contemplates mixed-use buildings and non-residential uses, numerous comments have been received from the public with concerns about increased traffic and noise, lack of parking, and the lack of need since existing commercial facilities are located very close to the site. As previously mentioned, the Lands are surrounded by fully built out properties containing residential uses. The Lands are also more internal to the neighbourhood than lands located within a typical corridor. As well, there are commercial uses in close proximity, on Beechwood Place (approximately 250 metres from the Lands) and at the corner of Fisher-Hallman Road and Erb Street West (approximately 335 metres from the Lands). Based on these circumstances, staff recommend that non-residential uses on the Lands be limited to:

- Café
- Child Care Centre
- Church/Spiritual Use.

The above uses would serve a localized need and would not generate large parking demands. Staff also recommend that a non-residential parking rate of 2.7 spaces per 100 square metres of building floor area be established through the site specific zoning by-law for non-residential uses, as required in the RMU zone in ZBL 2018-050.

5.2 Density

The Applicant is requesting a maximum of 173 units on the Lands, which equates to a density of 384 bedrooms per hectare. The existing building will be modified to facilitate a connection to the new building, resulting in a loss of 8 bedrooms, resulting in 41 units and 63 bedrooms in the existing building. The new building, as proposed, contains 132 units and 220 bedrooms, configured as follows:

- 40 one-bedroom units
- 4 one-bedroom plus den units
- 82 two-bedroom units
- 6 two-bedroom plus den units.

As shown in Table 4, the Official Plan contemplates a minimum density of 150 bedrooms per hectare and a maximum density of 600 bedrooms per hectare for the Lands. As such, the requested residential density is within the density range contemplated by the Official Plan.

Table 4: Density Permissions

Existing Density Permissions			Considered by Staff	
Official Plan	Current Zoning	Proposed by Applicant	New Zoning (RMU-20)	New Zoning (RMU-40)
Min - 150 beds/ha Max - 600 beds/ha	Westerly Parcel 100 units/ha (32 units) Easterly Parcel 101 units/ha (41 units) Combined, equates to 219 beds/ha	235 units/ha 384 beds/ha (173 units)	Min - None Max - 450 beds/ha	Min - 150 beds/ha Max - 600 beds/ha

Based on the current MR-12 zoning and site specific Bylaw 81-088, a maximum density of 100 units per hectare (32 units) is permitted on the westerly parcel. A maximum density of 101 units per hectare (41 units) is permitted on the easterly parcel based on Minor Variance Application A-67/02 which was approved in 2002. Density permissions within the Residential Mixed-Use (RMU) zone in the new Comprehensive Zoning By-law have also been reviewed. As noted above, the Applicant's requested density is consistent with both the RMU-20 and RMU-40 zones in ZBL 2018-050.

In principle, Planning Approvals can support a density of ~384 bedrooms per hectare on the Lands, but only within an appropriate built form (building height and massing) that integrates and is compatible with the context and character of the surrounding neighbourhood. This is discussed further below.

Density of the Westerly Parcel

At the Informal Public Meeting, Council asked what type and scale of residential development could be achieved on the westerly parcel based on existing zoning permissions. As well, the Applicant has suggested that the existing zoning regulations (setbacks and amenity area requirements) and location of the existing building "severely restrict, if not prohibit, the ability for the subject property to conform to the minimum density requirements of the Official Plan", and will not facilitate development in a form or manner that is intended under the City's Official Plan, the ROP, the Growth Plan or the PPS. It is inferred that an increase in building height and less restrictive setbacks are required to achieve the minimum density contemplated by the Official Plan.

Assuming the lands are intensified with an additional apartment building, staff reviewed the development potential of the westerly parcel based on the following zoning requirements and existing conditions:

1. Lot Area: 0.3310 hectares (3,310 square metres)

2. Maximum Building Height: 380 metres above sea level (16.2 m)

Building height is measured from the finished average ground level at the front of the building. The “average ground level” is 363.8 metres above sea level, based on six equally distributed elevation points along the front property line. Height is the difference between the maximum permitted building height and the finished average ground level ($380 - 363.8 = 16.2$ metres).

3. Setbacks:

- **Front yard: 7.5 metres**

- **Easterly side yard: 4 metres**

Established through Minor Variance Application A-67/02

- **Westerly side yard: 8 metres**

Based on a building height of 16.2 metres, the westerly side yard setback, at $\frac{1}{2}$ the height of the building, is determined to be approximately 8 metres.

- **Rear yard: 10 metres**

While the zoning by-law requires the rear setback to be established at half the height of the building (8 metres), there are requirements for the Applicant to provide a 15 metre buffer from the watercourse axis of Clair Creek. When applied, the setback requirement from the property line is approximately 10 metres.

4. Amenity area: 3 square metres for the first bedroom and 2 square metres for each additional bedroom in the dwelling unit

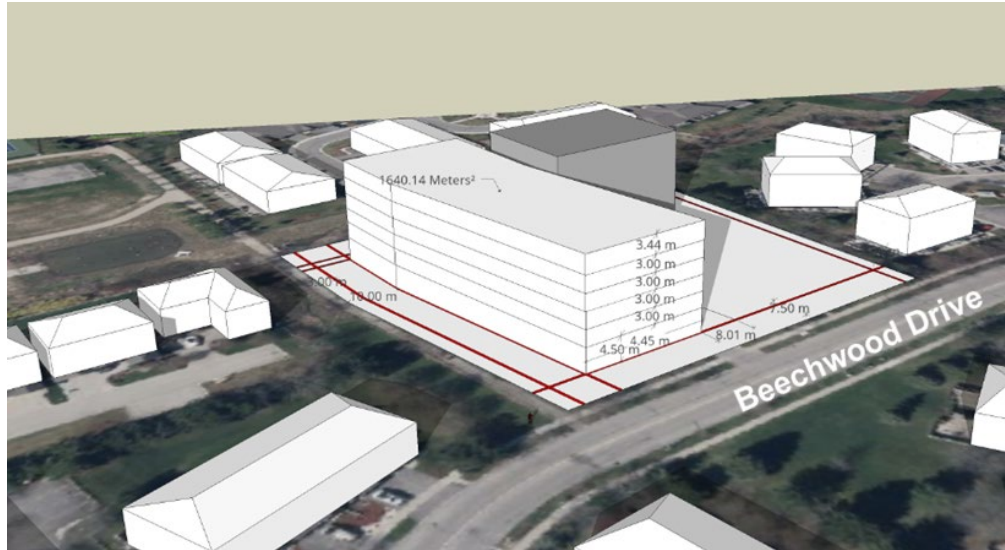
The above-noted amenity area requirements are applicable to the RMU zone under ZBL 2018-050. Staff is of the opinion that these requirements are appropriate for this development, as discussed in Section 5.6.

5. Minimum Height of First Storey: 4.5 metres

A ceiling height of 4.5 metres is required for the first storey under ZBL 2018-050. A ceiling height of 3.0 metres has been applied to all other floors/levels.

Application of the above requirements results in a 5-6 storey building (shown in Figure 3), with 5 storeys on the southern half of the property and 6 storeys on the northern half of the property due to grade changes. The building contains approximately 9,612 square metres (1,706 square metres per level for Levels 1 to 5, and 1,082 square metres of habitable space in the basement).

Figure 3: Building Massing Under Existing Zoning Permissions



A modified version of the Applicant's proposed floor plan was then applied to the building model, with effort made to ensure that the proportion and size of the one-bedroom and two-bedroom units are comparable to the Applicant's proposed concept plan. The size and location of the main floor amenity area was also maintained to the greatest extent possible. The modified concept plan generated by staff is illustrated in Figure 4 and a summary of the unit count (density) is contained in Table 5.

Figure 4: Modified Floor Plan, Westerly Parcel



Table 5: Summary of Units, Bedrooms, and Amenity Area - Modified Floor Plan

	Units	Bedrooms			Amenity Space (sq. m.)
		1-Bedroom Units	2-Bedroom Units	Total Bedrooms	
Basement	5	1	4	9	78
Level 1	10	3	7	17	259
Level 2	12	3	9	21	
Level 3	12	3	9	21	
Level 4	12	3	9	21	
Level 5	12	3	9	21	
Total	63	16	47	110	337+balconies (541) = 887
DENSITY	190 units/ha	332 bedrooms/ha			

Staff have determined that the building envelope permitted under the existing site specific regulations can accommodate an apartment building that conforms to density range contemplated in the Mixed-Use Medium High Density Residential designation of the Official Plan (re: Table 5 – potential new apartment building containing ~63 units and ~110 bedrooms, for an overall density of ~332 bedrooms per hectare). It is acknowledged that while an attempt has been made to maintain the integrity of the building by applying a floor plan that is generally consistent with as the proposed development, the modified floor plan proposed by staff has not been vetted through a qualified professional (architect).

5.3 Building Height and Massing

For the Lands, building height is subject to:

- a maximum of 40 metres, subject to Policy 3.4.3, per the Official Plan, and
- a maximum of 380 metres above sea level (5-7 storeys, depending on site elevation), as regulated by Zoning By-law 81-088.

The Applicant is requesting a maximum building height of 40 metres and 12 storeys, which would exceed the above limits.

As previously noted, the height limit of 380 metres above sea level originated from the District Plan and was established to ensure a mid-rise built form and protect the viewshed from west of Rummelhardt Hill. This planning objective was implemented through site specific Zoning By-law 81-088.

The planning framework in Ontario has evolved since the District Plan, including continued emphasis on inward growth through intensification within the built-up area. Before the Provincial directives, the City was actively planning for intensification, including establishing a 'core area' in the District Plan (1980) as an area for higher densities. With a diminishing greenfield land supply, the City initiated the Height & Density Land Use Study in 2003 to identify and plan for areas in the City that would be appropriate for intensification. The nodes and

corridors approach to intensification recommended by the Height & Density Land Use Study was implemented through comprehensive amendments to By-law 1108 and By-law 1418 in 2005. Zoning By-law 05-067 introduced new Multiple Residence (MR) zones and associated regulations. The lands at 508 Beechwood Drive were zoned MR-12. It is important to recognize that By-law 05-067 knowingly brought forward site specific zoning provisions that existed prior to the passing of the City's Height & Density Zoning By-law Amendment, including By-law 81-088 which limits building height to 380 metres above sea level on the Lands, to respect zoning established through comprehensive and or site specific planning processes.

The Applicant has appeal ZBL 2018-050 to LPAT, and as such site specific by-laws 81-088 and 05-067 (along with the parent Zoning By-law 1418) continue to apply to the Lands.

Intensification is contemplated on the Lands which are part of a Minor Corridor. While the Official Plan contemplates building heights up to 40 metres within the Mixed-Use Medium High Density Residential designation, it also contains various policies that provide direction when evaluating performance regulations related to building height. These including:

1. *Policy 3.6.5*, which states that intensification within Nodes and Corridors shall demonstrate compatibility and integration with surrounding land uses through the utilization of appropriate height, massing, character, setbacks, and siting. A 'compatible development', as described in *Policy 3.11.2(18)*, is a site and or building designed to:
 - a) complement and enhance the surrounding neighbourhood character and context through a variety of design strategies including building massing, façade design and landscape coordination, and
 - b) minimize adverse impacts to human comfort, and surrounding properties including outdoor lighting, noise, shadowing, wind and snow disposition through a variety of design strategies and performance standards.
2. *Policy 3.11.2*, urban design policies, in addition to the City's Urban Design Manual (UDM), collectively require that the design and massing of buildings relate to the surrounding context, street proportions, and human scale dimensions. Specific design considerations include:
 - a) *Transition*: Buildings are to be designed and massed to provide a sense of transition adjacent to low rise neighbourhoods through a graduation in massing or height or sympathetic building design, and a transition in height along and between corridors. Transition may be achieved through different building types, heights and articulated top sections.
 - b) *Human Scale*: Tall buildings (four or more storeys) within Nodes and Corridors are to be designed to have human scale dimensions. The massing of buildings should establish a well-proportioned street enclosure (building height-to-street width ratio) where the height of the building does not overpower the street.

- c) *Other Design Elements* – Elements such as stepbacks and increased setbacks should be considered to provide a transition in massing and separate more intensive land uses adjacent to residential properties.

The Applicant acknowledges that there are no buildings in the neighbourhood that are similar in scale or built form, however they suggests that the proposed 12 storey building is, or will be, compatible based on the following:

- the use of complementary building material
- the proposed building will not appear out of context for the property given the existing 7 storey building on-site (which itself is currently the tallest building in the neighbourhood)
- the built form addresses the street and improves natural surveillance over the abutting natural/open space features
- the podium contributes to a human-scale public realm
- the point tower, which is to be located at the southwest corner of the building, reduces the visual impact of the building from the dwellings to the north and west
- the building is stepped back and articulated to relate to surrounding context and street proportions.

The Applicant also notes that studies relating to noise and shadows have been submitted which support the 12 storey building, and lighting will be addressed at site plan.

After reviewing the Applicant's submission, staff is of the opinion that:

- a) The proposed development is not consistent with the neighbourhood character and context which is primarily made up of one-, two- and three-storey detached dwellings. The requested building height of 40 metres represents a 300% increase in height over the existing dwellings in the immediately area:
- East (486-502 Beechwood Dr.) – 9.25 metres
 - West (522-524 Beechwood Dr. and 614 Maple Forest Lane) – 5.03 to 8.99 metres
 - North (435 Winchester Dr.) – 8.17 metres
 - South (475-499 Beechwood Dr.) – 9.4 metres.

The proposed podium, at 13.5 metres, exceeds the height of the dwellings on the above-noted properties by 43 to 50%.

- b) Shadow and noise have been satisfactorily addressed by the Applicant (as further discussed below). Balconies will increase exposure and reduce privacy on nearby properties, particularly on the north and west facades. Potential wind and lighting impacts are better addressed through detailed design (i.e. Site Plan Control).
- c) While intensification is contemplated on the Lands per the Mixed-Use Medium High Density Residential designation, not all lands within Minor Corridors are intended to experience the same scale or intensity of development, and built form should effectively transition to low-rise areas, as previously discussed. The Lands and surrounding

properties to the east and south have developed with considerably lower heights and densities in accordance with site specific planning applications as discussed in Table 2. The current built form transitions from 2 and 3 storey townhouses, terrace dwellings and quadruplexes to the south and east, to 1 and 2 storey single detached dwellings north and west of the Lands. While there is a small 7 storey apartment building located on the subject lands, the building is uncharacteristically set back from Beechwood Drive (by 53 metres) with several mature trees lining the street edge, limiting its impacts from the streetscape. The proposed 12 storey building with a 5 metre front yard setback is not consistent with surrounding lands in terms of height and scale transitioning along the corridor (Beechwood Drive), in staff's opinion.

- d) The City's current planning benchmark for compatibility in Minor Corridors is a 1:1 height to street width ratio. Beechwood Drive has a 20 metre road allowance width. Based on a 1:1 ratio, a maximum building height of 20 metres is preferred to ensure human scale development. Additional height may be considered subject to building setbacks, impact analysis and contextual considerations.
- e) Having regard to the City's urban design objectives, and to emphasize the base of the building and maintain a consistent street edge along Beechwood Drive, a transition in massing is recommended along the front façade of the building. An effective design strategy would be to integrate 2-3 storey townhouses (e.g. brownstones) into the building, projecting from the front façade. The enhanced façade design through transitioned massing would foster:
 - sympathetic and context-sensitive building design in terms of massing and character to complement the existing medium density development to the east and west (re: compatible development)
 - coordinated streetscape
 - attractive and animated street
 - human-scale dimensions
 - pedestrian friendly design
- f) The Lands can be significantly intensified under the existing zoning framework (including the maximum building height requirement of 380 metres above sea level) and meet or exceed the minimum density contemplated in the Official Plan of 150 bedrooms per hectare as demonstrated in Table 5 of this report. A maximum building height of 20 metres and 6 storeys will permit context-sensitive intensification and conforms to or is consistent with the City's Official Plan, the ROP, the Growth Plan.

While Planning staff believe that the revised proposal is an improvement over the original application, further reductions in building height and increased setbacks at the front of the building are necessary to satisfy the Official Plan and urban design objectives of the City. Reducing building height would also improve the sky views for the neighbours.

As previously discussed, Policy 3.4.3 of the Official Plan states that the Zoning By-law may define and or restrict the maximum height and or density of any property based on considerations that are unique to individual sites or areas. In other words, Council can tailor height and or density zoning regulations to a parcel of land that are less than the maximums specified in the Official Plan based on context and other site considerations. In the case of 508 Beechwood Drive:

- the surrounding lands are predominantly comprised of townhouses and stacked townhouses / quadruplexes, in accordance with site specific zoning by-laws
- the Official Plan contemplates multiple unit residential buildings on the lands, which could include townhouses and stacked townhouses
- the District Plan establishes a maximum height limit of 380 metres above sea level
- the existing site specific zoning applied to the Lands establishes a maximum height limit of 380 metres above sea level (By-law 81-088)
- the urban design policies and objectives of the City include context-sensitive design, appropriate transitioning of built form, and buildings that harmoniously fit with the character of the surrounding area
- significant community feedback has been provided seeking lower building heights and densities on this property

Considering the above, staff is of the opinion that requested building height of 40 metres and 12 storeys is not appropriate in this location, and that a mid-rise building (maximum 20 metres and 6 storeys) would be more compatible and integrate better with the neighbourhood. Staff also recommends that the proposed building incorporate:

1. two-storey townhouses fronting onto Beechwood Drive that would be structurally attached to and functionally connected with the apartment building and the structured parking, to coordinate the residential streetscape in terms of massing and character, create a human-scale along the street edge, and diversify housing options; and
2. A minimum stepback of 3 metres above the two-storey townhouses on the front building façade, to enhance the façade design through articulation and create a coordinated street edge / streetscape along Beechwood Drive.

The Residential Mixed-Use 20 (RMU-20) zone in ZBL 2018-050 enables the construction of apartment buildings up to 20 metres in height and 6-storeys. The RMU-20 does not incorporate podium and tower performance regulations, which only apply to buildings taller than 6 storeys. If LPAT approves zoning that provides for a building height greater than 6 storeys, the podium and tower performance regulations contained in the RMU zone should be applied for consistency with the comprehensive Zoning By-law Review (re: ZBL 2018-050). For any apartment building on the Lands, the Applicant will be required through Site Plan Control to provide a building with a high standard of architectural design and building materials.

5.4 Setbacks

The Applicant is requesting the following setback reductions:

- 1) *Front yard setback* of 5.0 metres, whereas By-law 05-067 requires 7.5 metres.

- 2) *Westerly side yard setback* of 3.0 metres, whereas By-law 05-067 requires a side yard setback of half the height of the building (18.75 metres based on the revised development concept) and no less than 3.0 metres.
- 3) *Rear yard setback* of 7.5 metres, whereas By-law 05-067 requires a rear yard setback of half the height of the building (18.75 metres based on the revised development concept) and no less than 7.5 metres.

The existing apartment building is set back from the easterly side yard by 14 metres. Staff recommend that this regulation be maintained. Table 7 provides a comparison of the existing setback requirements applicable to the Lands (re: By-law Nos. 05-067 and 2018-050) and the Applicant's requests.

As noted in Section 3.6.5 of the Official Plan, utilizing appropriate setbacks is one of several tools to ensure developments within designated Nodes and Corridors are compatible and integrate with surrounding land uses.

Table 7: Setback Review

Regulation	By-law 05-067	Comprehensive Zoning By-law 2018-050	Applicant's Request
Min. Front Yard Setback	7.5 metres	5 metres*	5 metres
Min. Side Yard Setback	½ the height of the building and no less than 3 metres	3 metres*	3 metres
Min. Rear Yard Setback	½ the height of the building and no less than 7.5 metres	7.5 metres*	7.5 metres

* Applies to RMU-20, RMU-30 and RMU-40

5.4.1 Front Yard Setback

The urban design objectives in the Official Plan are implemented through planning mechanisms including the City's Urban Design Manual (UDM). Of particular relevance to front yard setbacks is Section 2.2.3.2 of the UDM which states that development be designed to "*respect the traditional street line and neighbourhood character*" by locating buildings to maintain a similar or respectful setback with adjacent buildings. Furthermore, Section 3.2.1.5.10 of the UDM encourages increased setbacks (ranging from 5 to 7 metres) within Minor Corridors to allow for more front yard landscaping.

Between the Erb Street West/Beechwood Drive intersection and the Lands, there are three large condominium developments. The dwellings within these condominiums are oriented to face a privately-owned amenity area central to each parcel rather than facing Beechwood Drive. Buildings are setback from Beechwood Drive:

- 6 metres (522, 524 Beechwood Drive, immediately west of the Lands)

- 8 metres (486-502 Beechwood Drive, immediately east of the Lands), and
- 11-15 metres (475-499 Beechwood Drive, across the street from the Lands).

The street line west of the Lands is generally more consistent, with dwellings setback from the street by approximately 6 to 7 metres. Planning staff do not support the requested 5 metres front yard setback based on the foregoing. A 5 metre front yard setback would bring the proposed tall building closer to the street than its neighbours, contrary to the urban design objectives of the City in the UDM.

Based on a site specific review of the Lands, Planning staff recommend a minimum 6 metre front yard setback for reasons including:

- facilitates a more consistent street edge based on adjacent properties
- consistent with the street line setback for the existing development to the east
- respects the City's design objective for enhanced landscaping within the front yard
- provides opportunities larger canopy trees to soften the massing of tall building and enhance the streetscape, and provide respite from the sun
- facilitates the retention of existing mature trees along Beechwood Drive
- is achievable, as shown on the revised conceptual site plan dated December 10, 2018.

5.4.2 *Westerly Side Yard and Rear Yard Setbacks*

The existing site specific side yard and rear yard setbacks are calculated as half the height of the building. This setback approach was taken to minimize potential impacts on surrounding properties (re: buffer), prevent overbuilt sites, provide adequate separation between tall buildings, and ensure developments have enough space to effectively function. These setbacks were reviewed in 2005 as part of the Height & Density Land Use Study and carried forward through Zoning By-law 05-067 on the basis that they represented good planning.

Given the low rise character of surrounding dwellings, staff is of the opinion that the current side yard setback of half the height of the building, which equates to 10 metres if a 20 metre tall building is constructed under the staff recommended RMU-20 zone, remains applicable in the context of this property. The revised conceptual site plan (dated December 10, 2018) shows a westerly side yard that ranges from 7.2 to 10.3 metres. Since there is a 3 metre walkway that is parallel to the westerly side yard, staff can accept 7.2 metres as the minimum setback. A 7.2 metre setback is supported by Section 3.11.1(5) of the Official Plan which provides for opportunities to retain prominent site features and vegetation through sensitive design. There are several mature trees that would likely be impacted by the requested 3 metre setback. In addition, the City's Urban Design Manual (UDM) indicates that development within Corridors is to include enhanced landscape buffers when facing lower density housing.

With respect to the rear yard setback, in addition to the above rationale and as previously discussed, the Applicant opted to establish permanent environmental buffers adjacent to Clair Creek in lieu of submitting an EIS. The 15 metre "no development" buffer, measured from the centre of the creek, extends 10 metres past the rear lot line onto the Lands. Based on

foregoing, staff recommends a minimum rear yard setback of 10 metres instead of the requested 7.5 metres. This setback is also consistent with the existing apartment building on the Lands which is set back from the rear lot line by 10 metres.

5.5 Parking

The Applicant is requesting a reduction to the minimum parking rate of 1.5 spaces per dwelling unit, as required by By-law 81-088, to 1.3 spaces per dwelling unit (inclusive of visitor parking). Based on 173 proposed units, a total of 260 parking spaces are required to comply with zoning, whereas the proposed development accommodates 225 spaces, which is 35 fewer spaces. The Official Plan provides for the consideration of parking reductions within Nodes and Corridors where there is access to transit, the potential for shared parking, the potential for small and or micro spaces, and or other considerations that the City may deem appropriate. In this regard, the Applicant notes that the Lands are well served by Grand River Transit with eight transit stops within 500 metres or approximately a 6 minute walk.

Staff notes that the Applicant originally requested a parking rate of 1.34 spaces per dwelling unit, which was reduced to 1.30 spaces per dwelling unit as part of its revised application.

While proximity to transit provides some rationale for a parking reduction, parking should be provided to meet the demands normally generated by the proposed development. The revised development concept proposes 132 apartment units / 220 bedrooms. If one parking space is allocated to a one-bedroom unit, and two parking spaces are allocated to a two-bedroom unit, 220 parking spaces are required, slightly less than the 225 proposed. Further, staff note that the minimum parking rate in the new Zoning By-law 2018-050 is 1.2 spaces per dwelling unit (re: 1.1 parking spaces per dwelling unit + 0.10 visitor parking spaces per dwelling unit), equating to a requirement of 209 parking spaces (191 residential parking spaces and 18 visitor parking spaces) for the revised development concept whereas 225 are proposed.

Based on the foregoing, Planning staff support:

- 1) a minimum parking rate of 1.1 parking spaces per dwelling unit plus 0.10 visitor parking spaces per dwelling unit;
- 2) bicycle parking requirements of 0.6 spaces per dwelling unit to facilitate active transportation modes of travel; and
- 3) a non-residential parking rate of 2.7 spaces per 100 square metres of building floor area (as required in the RMU zone in ZBL 2018-050) should non-residential uses be proposed, as discussed in Section 5.1 of this report.

The above parking rates align with ZBL 2018-050.

5.6 Amenity Area

Amenity areas contribute to the creation of vibrant built environments, support active and healthy lifestyles, and are important to providing a high quality of life. Based on site specific By-law Nos. 81-088 and 05-067, the Applicant is required to provide 50 square metres of amenity

area per dwelling unit, or a minimum of 8,650 square metres of amenity space for the existing and proposed buildings based on 173 units.

The Applicant is requesting that amenity area be provided at a rate of 3 square metres for the first bedroom and 2 square metres for each additional bedroom per dwelling unit. This rate is consistent with the amenity area requirements in the RMU zone in ZBL 2018-050. Under this requested rate, a minimum amenity area of 761 square metres is required. Based on the revised concept plan, the Applicant has indicated that 2,881 square metres of amenity area (10.2 square metres per dwelling unit) will be provided in the form of private balconies and common amenity rooms within the new building.

Staff supports the requested amenity area regulation of 3 square metres for the first bedroom and 2 square metres for each additional bedroom per dwelling unit, as it aligns with ZBL 2018-050. Further, staff note that immediately northwest of the Lands is McCrae Park.

5.7 Shadow Study

Many residents cited shadow impacts as a concern with respect to the height of the proposed development. The Applicant submitted a Shadow Impact Study with their original submission, which was later updated (February 12, 2019) to reflect the proposed revisions to the building. As previously noted, the proposed building has been designed to consist of a podium and point tower, and the tower is located closer to Beechwood Drive.

Based on the City's Urban Design Manual, a shadow study must demonstrate:

- at least 50% or more of any property should not be shaded for more than two interval times (a four hour equivalency); or
- at least 50% of any property should be in full sun for at least two interval times (a four hour equivalency)

The updated Shadow Study concludes that the revised building will cast shadows on adjacent properties, particularly to the west in the morning hours (10 am) and to the east in the afternoon/evening hours (4 pm and 6 pm). Minimal shadows will be cast by the proposed building over the walkway and no shadows will fall over McCrae Park. Although the proposed structure will generate additional shadows, the shadows meet the criteria established in the City's Urban Design Manual.

5.8 Noise

A Stationary Noise Assessment was submitted by the Applicant, prepared by JJ Acoustic Engineering Ltd., and dated December 18, 2017. The report concludes that potential environmental impacts of on-site and off-site stationary noise sources from on-site/off-site noise receptors are at or below the noise level limits of the Ministry of the Environment, Conservation & Parks' NPC-300 guideline. No mitigation measures are required for this site.

5.9 Traffic

A scoped Transportation Impact Brief (dated November 2017) and supplemental letter (dated December 4, 2017) was prepared by Paradigm Transportation Solutions Limited. The Brief summarizes existing transportation conditions near the Lands, provides estimates of the trips generated by the proposed redevelopment, and identifies the potential traffic impact of the development on the surrounding road network.

The Brief and letter provide the following conclusions and recommendations:

- Currently, all intersections within the study area operate at acceptable levels during the AM and PM peak hours, with no problem movements;
- The addition of 140 units to 508 Beechwood Drive is expected to generate 66 trips in the AM peak hour and 87 trips in the PM peak hour, based on ITE trip generation rates which are conservative. The entrance to the propose development is expected to operate at acceptable conditions for the AM and PM peak hours.
- Sight distance measurements were taken at the proposed relocated driveway connection to Beechwood Drive. The limited intersection sight distance presents a low risk (re: safety) at the entrance to the propose development due to more than adequate stopping distance being available for a design speed of 50-kilometres per hour, the posted speed limit. A stop sign will be required at the exit of the relocated driveway.
- The need for an eastbound left-turn lane on Beechwood Drive was reviewed and is not warranted.

Transportation Services reviewed the Brief and letter and had no significant concerns. Overall, no transportation network improvements are required to accommodate the proposed development that cannot be secured through Site Plan Control.

5.10 Merging the Properties

As previously noted, the Applicant is proposing to merge Parcel 'A' and Parcel 'B' by dedicating a small strip of land (1 foot wide) to the City along the westerly lot line, parallel to the public walkway. This conveyance, if accepted by Council, would add land to the City's walkway block and taint severance B-16/02, allowing the parcels to merge. The proposed development requires the merger of the parcels. The City is not obligated to facilitate this land conveyance. It is the City's practice not to accept such conveyances unless Council determines that the proposed development is in the public interest and represents good land use planning and urban design. If the land conveyance is not supported by Council, the Applicant will be required to find an alternate means of merging Parcel 'A' and Parcel 'B', or revise their development concept and application.

Subject to LPAT supporting the zoning framework recommended in this report, staff would not object to the proposed land conveyance, subject to the Applicant (at its expense) relocating the existing chain link fence that runs parallel to the walkway to 6" inside the revised property line.

SECTION 6 – CONCLUSIONS

Having reviewed the revised application for Zoning By-law Amendment Z-18-07 and submission from interested persons, the Planning Division recommends refusal of the Applicant's request for reasons outlined in IPPW2019-036 including:

- the application is not consistent with the Provincial Policy Statement (2014)
- the application does not conform to the Growth Plan for the Greater Golden Horseshoe (2017)
- the application does not conform to the Regional Official Plan (2015)
- the application does not conform to the City's Official Plan (2012)
- the proposed development is not context sensitive
- the proposed development is not consistent with the neighbourhood character
- the proposed development is not consistent with the City's urban design objectives related to height transitioning, massing, compatibility, human scale development, and other built form considerations.

In the Planning Division's opinion, the Lands are suitable for context-sensitive intensification. Intensification must respect existing site conditions and neighbourhood character and context. The Planning Division supports the proposed density of 384 bedrooms per hectare, provided that the built form is compatible and integrates with surrounding land uses. Having regard to the City's policy and planning framework for the Lands, in particular those related to building height, massing, transitioning, human scale development, and other design elements, the Planning Division does not support a maximum building height of 40 metres and 12 storeys. Planning staff recommend that Zoning By-law Amendment Z-18-07 for 508 Beechwood Drive be approved as set forth in Appendix 'A' of IPPW2019-036, summarized as:

1. That the Lands be zoned Residential Mixed-Use 20 (RMU-20) as contained in ZBL2018-050, allowing for a maximum density of 450 bedrooms per hectare and a maximum building height of 20 metres and 6 storeys, subject to the following site specific provisions:
 - a. Notwithstanding anything to the contrary, the front building façade of a multi-unit residential building constructed on the Lands after the effective date of this by-law shall contain two-storey townhouses oriented to Beechwood Drive with a maximum height of 7.5 metres.
 - b. Notwithstanding anything to the contrary, there shall be a minimum stepback of 3 metres above the townhouses required in a.) above.
 - c. Notwithstanding a.) above, a lobby and or exit stairs for the multi-unit residential building shall be permitted to comprise a maximum 20 percent of the front building façade.
 - d. Notwithstanding anything to the contrary, there shall be a minimum front yard setback of 6 metres.
 - e. Notwithstanding anything to the contrary, there shall be a minimum westerly side yard setback of 7.2 metres.
 - f. Notwithstanding anything to the contrary, there shall be a minimum easterly side yard setback shall be 14 metres.

- g. Notwithstanding anything to the contrary, there shall be a minimum rear yard setback shall be 10 metres.
- h. Notwithstanding anything to the contrary, there shall be a minimum, non-residential uses shall be limited to:
 - Café
 - Child Care Centre
 - Spiritual Use
- i. Notwithstanding anything to the contrary, the parking regulations for Area F in the RMU-20 zone shall apply.
- j. Notwithstanding anything to the contrary, bicycle parking shall be provided at a minimum rate of 0.6 spaces per bedroom.

SECTION 7 – RECOMMENDATIONS

1. That IPPW2019-036 be approved.
2. That Zoning By-law Amendment Z-18-07, submitted by 508 Beechwood Inc., for lands municipally known as 508 Beechwood Drive, be refused.
3. That Council endorse the proposed zoning contained in Appendix A, to bring the zoning applied to 508 Beechwood Drive into alignment with Zoning By-law 2018-050.
4. That IPPW2019-036 be submitted to the Local Planning Appeal Tribunal (LPAT) as Council's position on Zoning By-law Amendment Z-18-07, along with submissions received by the City from interested persons and parties related to this matter.
5. That Council authorize the City Solicitor to retain outside counsel and appropriate staff to attend all LPAT hearing(s) related to this matter on behalf of the City of Waterloo in support of the recommendations set out in this Report.

APPENDIX A

Staff Recommended Zoning By-law Amendments and Site Plan Directives

A. That Zoning By-law 1418 be amended as follows:

1. That By-law 1418 is hereby amended by adding the Residential Mixed-Use (RMU) zone as contained in By-law 2018-050 to By-law 1418.
2. That By-law 1418 is hereby amended by adding the Conservation (OS3) zone as contained in By-law 2018-050 to By-law 1418.
3. That By-law 1418 is hereby amended by changing the zoning shown on the zoning map attached to By-law 1418 as Appendix 'A' from Multiple Residence-12 (MR-12) to Residential Mixed-Use 20 (RMU-20) and Conservation (OS3) for the lands known municipally as 508 Beechwood Drive as shown on Map 1 attached hereto, provided further that:
 - i. Notwithstanding anything to the contrary, the maximum residential density permitted shall be 450 bedrooms per hectare.
 - ii. Notwithstanding anything to the contrary, the minimum Front Yard setback shall be 6 metres.
 - iii. Notwithstanding anything to the contrary, the minimum westerly Side Yard setback shall be 7.2 metres.
 - iv. Notwithstanding anything to the contrary, the minimum easterly Side Yard setback shall be 14 metres.
 - v. Notwithstanding anything to the contrary, the minimum Rear Yard setback shall be 10 metres.
 - vi. Notwithstanding anything to the contrary, Ancillary Uses shall be restricted to the following Uses:
 - *Café - means a commercial establishment with fifteen (15) or less seats that primarily serves beverages that are non-alcoholic to the general public, and may include ancillary retailing of prepared light snack foods such as pastries, muffins, desserts, fruit, yogurt, confectionery items, and baked goods. Excludes Restaurant.*

- *Child Care Centre* - means *a premises operated by a person licensed under the Child Care & Early Years Act to operate a child care centre for the purpose of providing temporary care to children for a continuous period not to exceed twenty-four (24) hours.*
- *Spiritual Use* - means *a Building or part thereof used by a religious organization as a place of worship and for religious services, ceremonies, and rites. Includes subordinate and incidental accessory uses related to the spiritual use, such as:*
 - *a spiritual leader's residence*
 - *assembly areas for meditation, reflection, social gathering, and the like*
 - *faith-based instruction and teaching*
 - *offices for the administration of the religious organization*
 - *library for the religious organization*
 - *gymnasium.*

A religious organization means a corporation or an association that is charitable according to the laws of the Province of Ontario, and organized for the advancement of a religion.

- vii. Notwithstanding anything to the contrary, the front building façade of a multi-unit residential building constructed on the Lands after the effective date of this by-law shall contain two-storey townhouses oriented to Beechwood Drive with a maximum height of 7.5 metres.
- viii. Notwithstanding anything to the contrary, there shall be a minimum setback of 3 metres above the townhouses required in vii.) above.
- ix. Notwithstanding vii.) above, a lobby and or exit stairs for the multi-unit residential building shall be permitted to comprise a maximum 20 percent of the front building façade.

B. That Zoning By-law 2018-050 be amended as follows:

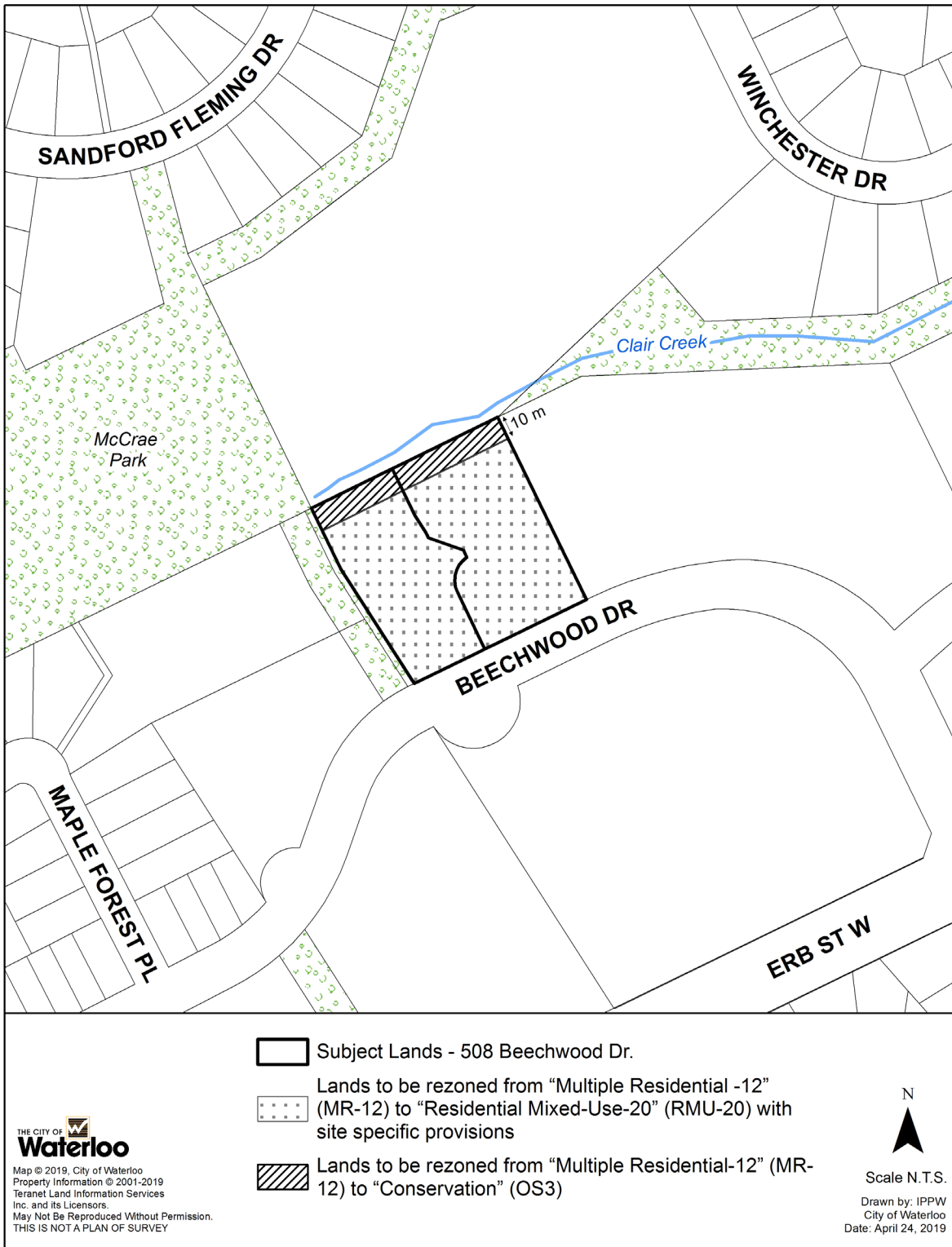
1. That By-law 2018-050 is hereby amended by changing the zoning shown on the zoning map attached to the Zoning By-law 2018-050 as Schedule 'A' from Zone Change (ZC) to Residential Mixed-Use 20 (RMU-20) and Conservation (OS3) for the lands known municipally as 508 Beechwood Drive as shown on Map 2 attached hereto, provided further that:
 - i. Notwithstanding anything to the contrary, the maximum residential density permitted shall be 450 bedrooms per hectare.
 - ii. Notwithstanding anything to the contrary, the minimum FRONT YARD setback shall be 6 metres.
 - iii. Notwithstanding anything to the contrary, the minimum westerly SIDE YARD setback shall be 7.2 metres.
 - iv. Notwithstanding anything to the contrary, the minimum easterly SIDE YARD setback shall be 14 metres.
 - v. Notwithstanding anything to the contrary, the minimum REAR YARD setback shall be 10 metres.
 - vi. Notwithstanding anything to the contrary, Ancillary Uses shall be restricted to the following USES:
 - CAFÉ
 - CHILD CARE CENTRE
 - SPIRITUAL USE
 - vii. Notwithstanding anything to the contrary, the FRONT BUILDING FAÇADE of a MULTI-UNIT RESIDENTIAL BUILDING constructed on the Lands after the effective date of this by-law shall contain two-storey townhouses oriented to Beechwood Drive with a maximum height of 7.5 metres.
 - viii. Notwithstanding anything to the contrary, there shall be a minimum STEPBACK of 3 metres above the townhouses required in vii.) above.
 - ix. Notwithstanding vii.) above, a lobby and or exit stairs for the MULTI-UNIT RESIDENTIAL BUILDING shall be permitted to comprise a maximum 20 percent of the FRONT BUILDING FAÇADE.

C. That the following urban design directives be addressed through the Site Plan Process:

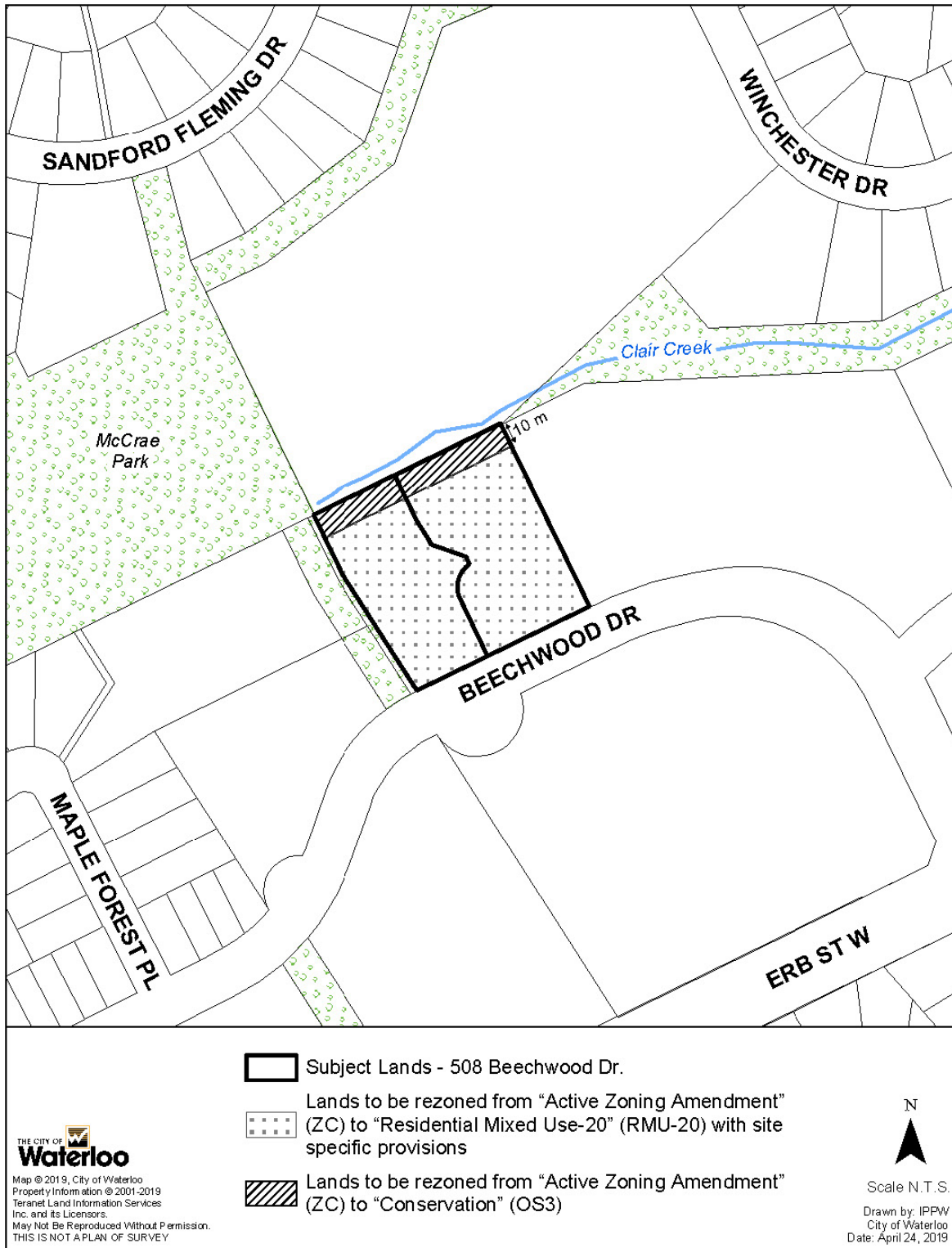
1. That the building be designed:
 - a) to complement and enhance the surrounding neighbourhood character
 - b) to transition height surrounding to low-rise dwellings, and along the Beechwood Drive corridor
 - c) with façade and massing articulations to facilitate human-scale development, reduce the appearance of bulk, create visual interest, and complement surrounding development.
2. That property demarcation posts and signage be installed along the edge of the 10 metre “no-touch” buffer to Clair Creek to ensure it will be maintained in a natural state following construction, and not manicured landscaped open space.
3. That Landscaping Plans be submitted which include:
 - a) a 10 metre “no-touch” naturalized buffer for Clair Creek with native, ecologically appropriate species; and
 - b) an enhanced landscaped buffer within the westerly side yard, to the satisfaction of the City.
4. That a detailed Vegetation Management Plan be provided for the preservation and removal of existing trees and vegetation on and adjacent (within 6m) to the lands. In this regard, the Applicant is:
 - a) Encouraged to preserve as many existing trees as possible, particularly if health and structure are assessed and determined to be in good or better than good condition.
 - b) To preserve and protect existing trees within and adjacent to the public realm, and incorporate new and replacement trees (if required).
5. That sustainable design, construction and operation approaches (e.g. water conservation systems, cool or green roofs, on-site renewable energy, enhanced energy performance construction, etc.) is encouraged.
6. That the Applicant demonstrate that the proposed development will maintain or improve pre-development stormwater conditions, including not contributing additional flows to Clair Creek that may exacerbate flooding issues.
7. That a Conceptual Workspace Management Plan be required to show construction staging, with consideration given to limited (3 hour) on-street parking on Beechwood Drive and Beechwood Place.
8. That rooftop mechanical equipment be appropriately located and screened to minimize stationary noise impacts.

9. That the Applicant provide, to the satisfaction of the Region of Waterloo:
 - a) A revised Salt Management Plan;
 - b) A site plan drawing which identifies the proposed snow storage locations, salt storage locations, and all stormwater drainage controls; and
 - c) An updated Functional Servicing Report which clarifies the source of the runoff proposed for infiltration.
10. That any rooftop terraces be appropriately sited to minimize exposure and privacy impacts to surrounding residential properties.

Map 1



Map 2



Appendix 'B'
Minutes of Informal Public Meeting
June 11, 2018

Informal Public Meeting

**a) Title: Zoning By-law Amendment Z-18-07, 508 Beechwood Drive, Labreche
 Patterson**

Prepared By: Wendy Fisher

The Chair advised that the Informal Public Meeting was the first opportunity to inform Council and the public of the application and emphasized that no decision would be made by Council at this meeting.

Wendy Fisher, Development Planner advised that the applicant is proposing a Zoning By-law Amendment to add site specific provisions to the existing Multiple Residence-12 (MR-12) zone to (a) reduce the setbacks, parking requirements, and open space and amenity requirements, (b) permit an increase in the height and density, and (c) establish new podium and tower regulations, and uses, to align with the City's Comprehensive Zoning By-law that is currently underway.

Meeting recessed: (Time: 7:58 p.m.)

Meeting reconvened: (Time: 8:06 p.m.)

Scott Patterson, Labreche Patterson, on behalf of the applicant, provided an overview of the proposed application and responded to questions from Council.

Glen Reinders, Architect, Reinders & Rieder Ltd., on behalf of the applicant, responded to questions from Council with respect to the sun and shade study and its effect on surrounding and abutting properties to the proposed development.

Jennifer Lieberman, resident, on behalf of 200 homes in the Beechwood area, spoke in opposition to the proposed application citing the long term detrimental effects on the quality of life for surrounding residents including negative impact to neighbourhood aesthetics, blocked sunlight to surrounding homes, lack of parking and public transit bus stops, increased foot traffic impacting privacy and security of surrounding properties. Ms. Lieberman advised there has been a lack of public consultation from the applicant and suggested perhaps developing two-storey, low-rise buildings be considered for this area.

Jerry Huiskamp, President, Board of Directors, WSCC 561, representing the residents of The Village in Beechwood West, spoke in opposition to the proposed application citing concerns with increased pressure on schools as well as construction noise.

As no one else was present to speak to the application, the Chair concluded the Informal Public Meeting and indicated that staff will review the issues and report back to Council at a later date.

APPENDIX 'C' Agency, Staff and Public Comments

NO COMMENTS OR CONCERNS:

- Waterloo North Hydro, June 4, 2018

AGENCY COMMENTS:

Grand River Conservation Authority (May 15, 2018)

- Grand River Conservation Authority (GRCA) staff have no objection to the zone change as proposed; however, we require additional clarification regarding proposed grading in order to confirm whether a GRCA permit is required. Detailed comments have been provided.

GRCA Resource Concerns:

- Information currently available at our office indicates that the subject property is located within 15 metres of a tributary to Clair Creek. The portion of the property located within 15 metres of the creek is regulated by the GRCA under Ontario Regulation 150/06, Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation.

Section 28 of the Conservation Authorities Act (Ontario Regulation 150/06):

- Development or site alternation within a GRCA regulated area requires prior issuance of a permit pursuant to Ontario Regulation 150/06.
- It is our understanding that two buffers have been applied to the Clair Creek tributary as per a previous Environmental Impact Study completed for adjacent lands. The 10 metre buffer is “no-touch”, meaning that no development, including grading, is permitted within the buffer. The 15 metre buffer has been designated as “no development, suggesting that minor grading associated with construction could occur within the outer 5 metres.
- Based on the Site Plan (Reinders + Rieder Ltd., March 7, 2018) provided, we are satisfied that the 10 metre buffer has been respected. However, it is unclear whether any minor grading may be required in the outer 5 metres of the 15 metre buffer. Please clarify, as this will determine whether the GRCA permit is required for this development.

Section 3.1 of the Provincial Policy Statement:

- As a Conservation Authority, the GRCA has delegated responsibility on behalf of the Province to review *Planning Act* applications for consistency with Section 3.1 of the Provincial Policy Statement (i.e. natural hazards). We note that there are no hazardous lands present on the subject property; therefore, the application can be considered consistent with Section 3.1.

Stormwater Management:

- The Functional Servicing Report (Reinders + Rieder Ltd., December 8, 2017) indicates that the existing storm sewer network does not have adequate capacity to accept storm flows for the proposed development. As such, a new storm sewer network is proposed.

- It appears that outlet for the storm network will not be directed toward the Clair Creek tributary. As such, GRCA staff did not complete a detailed review of the proposed stormwater management strategy. We trust the City will ensure that stormwater management for the site is handled properly and adequately for the scope of development.

Planning Opinion Report:

- Page 43 states that “any new development or site alteration on the subject property will require a permit from the GRCA”. This statement is incorrect. Only development or site alteration within the GRCA regulated area (i.e. 15 metres from the creek) would require a GRCA permit.

Plan Review Fees:

- GRCA applies Plan Review Fees for Planning Act applications located within GRCA areas of interest. This application is categorized as minor, therefore the applicable fee is \$400. With a copy of this correspondence, the applicant will be invoiced in the amount of \$400.
- A separate fee would be required for a GRCA permit application.

Grand River Conservation Authority (December 27, 2018)

- Based on a review of the revised application, GRCA staff advised that their previous comments (dated May 15, 2018) continue to apply.

Region of Waterloo (June 8, 2018)

- Regional staff have no objection to the subject applications.

Hydrogeology and Source Water Protection

- Staff have reviewed the Salt Management Plan (SMP) authored by Reinders and Rieders Ltd, dated 8 December 2017, for the proposed residential development. Staff would recommend a different format be submitted for the SMP and request that the applicant fill in the attached Worksheet titled ‘Risk Management Plan Worksheet Winter Maintenance New Activities’ authored by the Region of Waterloo, Water Services and submit it for review.
- Regional Staff require the applicant to provide a site plan which shows proposed snow storage locations, salt storage locations, and all stormwater drainage controls.
- In addition, staff have reviewed the Functional Servicing Report authored by Reinders and Rieder Ltd, dated 8 December 2017, for the proposed residential development. This report indicates that runoff will be infiltrated at the site. Staff would support the infiltration of clean roof top runoff, however, we do not support the infiltration of runoff from paved surfaces that receive road salt application.
- Regional Staff will require the following at site plan approval:
 - a) A revised Salt Management Plan
 - b) A site plan drawing which identifies the proposed snow storage locations, salt storage locations, and all stormwater drainage controls for HSW staff to review.
 - c) That the applicant submits an updated Functional Servicing Report for HSW to clarify the source of the runoff proposed for infiltration.

Stationary Noise

- Regional Staff have reviewed the Stationary Noise Impact Study authored by JJ Acoustic Engineering Ltd., dated 18 December 2017. The report concludes that potential environmental impact of on-site and off-site stationary noise sources on on-site/off-site noise receptors are at or below noise level limits of the Ministry of the Environment and Climate Change NPC-300 guideline. No mitigation measures are required for this site.

Region of Waterloo (January 10, 2018)

- Regional staff have no objection to the subject applications, as revised.
- As per the August 8, 2018 version and September 10, 2018 version of the City of Waterloo's Comprehensive Zoning By-law, the subject property is proposed to be zoned "Zone Change Zone" to recognize that the property is subject to a Zoning By-law Amendment application.
- The revised proposed development complies with all of the RMU-40 regulations proposed as part of the September 10, 2018 approved version of the Comprehensive Zoning By-law.
- The owner/applicant is also requesting site specific provisions.

Hydrogeology and Source Water Protection

- Regional comments dated June 8, 2018 continue to apply.

Water Services

- Regional Staff have no concerns with the provided fire flow calculation presented in the Functional Servicing Report authored by Reinders and Rieder Ltd., dated December 2017, for the proposed residential development. However, Staff advise that the subject property is located in Waterloo Zone 6 with a static hydraulic grade line of 427 mASL. Any development with a finished road elevation below 370.8 mASL will require individual pressure reducing devices on each water service in accordance with Section B.2.4.7 of the Design Guidelines and Supplemental Specifications for Municipal Services for January 2019.

Stationary Noise

- Regional comments dated June 8, 2018 continue to apply.

CITY OF WATERLOO STAFF COMMENTS:

Development Engineering (May 14, 2018)

- The City of Waterloo does not guarantee that sufficient servicing capacity is available in existing infrastructure to provide adequate servicing capacity for a proposed development.
- A sanitary sewer design based on MOE Design Guidelines must be completed by the engineer using the proposed development flows to confirm that sufficient capacity is available in the municipal system.
- A fire hydrant flow test should be carried out to confirm the available pressure and flow to support the calculated peak flow for the development.
- City standards with respect to water services includes, one water service must be provided per property. The water service cannot cross property boundaries.

- A bulk water meter is required. The bulk water meter must be enclosed in a mechanical room within one of the buildings and an exterior access door should be included in the design.
- A detailed water distribution analysis is required to confirm the existing diameter water service is sufficient enough for both the domestic and fire flow proposed for the development.
- The owner's engineering consultant preparing the site servicing design must field verify the location of the municipal infrastructure available to the property (including pipe invert elevations, MH, valves and other infrastructure) prior to finalizing the design.
- The owner's mechanical engineer and civil engineer must coordinate servicing requirement to ensure internal sewer drains correspond with building sewers.
- All land development is subject to stormwater management practices in accordance with City of Waterloo design criteria and provincial stormwater management guidelines. A detailed SWM report will be required at the design stage and include the following:
 - Water Quantity (post to pre development water balance) – Major overland flow route must be directed to the municipal road allowance.
 - Water Quality
 - Groundwater (Protection/Recharge-Discharge conditions)
 - Sediment and Erosion Control
 - Infiltration of roof top stormwater where soil conditions are suitable
- A geotechnical investigation must be completed as part of the development design and included in the complete engineering submission. The investigation should include at a minimum, subsurface soil conditions, groundwater conditions, include comments and recommendations for, but limited to, excavations and shoring, foundation design, underground parking garage design, site servicing including complete road design, soil characteristics in support of infiltration measures, and groundwater elevations.
- The geotechnical controls designed to construct the underground parking garage require the use of the municipal right of way, an encroachment agreement with the City of Waterloo will be required.

Landscaping (May 14, 2018)

- There are existing mature trees on site, and abutting the site. Will require a detailed vegetation management plan that indicates plans for preservation and removal of existing trees on site as well as existing on the abutting properties (within 6m).
 - c) Encourage the preservation of as many existing trees as possible (particularly if health and structure are assessed in good or better than good condition).
 - d) Preserve and protect existing trees in the public boulevard, and incorporate new and replacement trees (if required) in the boulevard into the site plan submission.
 - e) Additional information on this topic will be provided through site plan review.
- A detailed landscape plan submission will be required through site plan review. Additional information will be provided at that time.

Building Standards (May 18, 2018)

- The currently available information (drawings P2, P8 and P9) is not sufficient to perform a high level overview (such as the one during site plan process), future more detailed review might reveal other items.
 1. Spatial Separations to comply with Subsection of 3.2.3. of Ontario Building Code, Div. B.
 2. Exiting to comply with Section 3.4. of Ontario Building Code, Div. B.
 3. Building Matrix is required for high level overview.

Active Transportation (May 31, 2018)

- Bicycle parking should be provided. Minimum target of 10% bike parking for all required parking spaces or 0.6 bike parking for 1 residential unit.
- Indoor secure cycling storage facilities are beneficial to the residents, employees and the customers of the proposed development.
- The applicant has indicated that the owner will convey 1 foot of land along the entire length of the westerly property boundary to the City to be added to the public walkway. The developer may wish to consider making improvements to the public walkway. This could benefit the neighbouring property owners and new residents of the proposed development.

Integrated Planning & Public Works – Growth Management (June 7, 2018)

- Growth Management staff are of the opinion that the proposal generally conforms to the Official Plan. The majority of the design of the site appears to meet the intent of the Official Plan with the building oriented to the public street and the urban design appears appropriate for the adjacent area. Specific site design issues can be improved through the Site Plan process. The environmental considerations should be addressed as part of the Zoning by-law consideration. Planning Approvals staff should be satisfied that the built form and in particular, the various proposed modifications to the setback requirements, are appropriate given the site's context.
- The subject lands are currently designated Mixed-Use Medium High Density Residential on Schedule 'A' of the Official Plan. The site is identified as 'Medium High Density, 40 metres' on Schedule "B1" Height and Density. The subject lands are also identified as a 'Minor Corridor' on Schedule 'B' of the Official Plan.

Density, Height and Land Use

- The maximum permitted density and height for the Mixed-Use Medium High Density Residential designation is 600 bedrooms per hectare and 40 metres in height, as per policy 10.1.5 (3) of the Official Plan.
- The proposed development includes 237 new bedrooms combined with 70 bedrooms in the existing building, resulting in a total of 307 bedrooms on the 0.737 ha site. Therefore, the combined density of the site is 416.5 bedrooms per hectare, which is consistent with the Official Plan designation. The building is proposed to be 39.8 metres, which is consistent with the Official Plan.
- The predominantly residential uses on the site are consistent with the Mixed-Use Medium High Density Residential designation. Limited ancillary residential uses are permitted within the designation. While ancillary uses are not currently included in this development, the

proponent has sought to allow some ancillary uses as part of the Zoning By-Law amendment. Should ancillary uses be included in the future, ancillary use must not exceed 15% of the building floor area and should be pedestrian oriented and contribute to activating the streetscape. Additional provisions for ancillary uses are detailed, in policy 10.1.5 (5) of the Official Plan.

Minor Corridor

- The subject lands are identified as a Minor Corridor on Schedule “B” City Structure Map. Corridors are locations in the City where intensification and infill development are directed by the Official Plan. The subject lands were identified as a Minor Corridor through the 2004 height and density study, though the site was already considered for higher density development (see District Plan Comments below). The City structure of nodes and corridors was part of the previous Official Plan and maintained in the 2012 Official Plan.
- Policy section 3.6.2 of the Official Plan “Minor Corridors” directs that these areas are to consist predominantly of medium-to-medium-high density residential uses. The proposed development meets the Official Plan policy intent. In addition, the subject land serves as a transition area between medium density residential uses and adjacent to low density residential areas, consistent with policy 3.6.2 (2).
- The subject lands are part of the ‘Built-Up Area’ as identified on Schedule ‘B3’ of the Official Plan. Therefore, this proposed development is considered intensification as per Policy 3.3 and meets of the objectives of the Official Plan.

Parking

- The proponent has proposed structured parking as part of the development. Policy 3.6.6(2) of the Official Plan encourages parking in Nodes and Corridors to be underground and in structures. Therefore, the proposed development is consistent with the Official Plan. Planning Approvals should ensure that the amount of parking provided is appropriate given the location, nature, and scale of the development.

Beechwood West District Plan

- The subject lands are part of the Beechwood West District Plan area and designated as ‘High Density Residential’ on Map 1 - Concept Plan. The subject lands are also part of the ‘Core Area’ as shown on Map 1. The density range for High Density Residential uses in the District Plan is 75-250 units per hectare, though policy 3. iv. b) states the zoning will restrict density to the lower end of the range. Height in the District Plan is measured by 3. i. d) which states: “All buildings within the Core Area shall be subject to a height limitation, so that buildings in the Core Area will not be visible to eastbound traffic on Erb Street until this traffic has passed over the Rummelhardt Hill. The maximum height of any building shall not exceed three hundred and eighty (380) metres above sea level.”
- The height and density in the Official Plan take precedence over the District Plan; the District Plan has not been updated subsequent to the adoption of the new Official Plan.
- If Council approves the proposed Zoning By-Law amendment, the existing District Plan should be updated to reflect the proposed changes.

Environmental Considerations

- In recognition of the urbanized setting and the environmental buffers established on the property to the north, it was confirmed through pre-submission consultation that an Environmental Impact Statement (EIS) would not be required provided a permanent 10 metre 'no-touch' buffer and an overlapping 15 metre 'no development' buffer were established from the watercourse axis. It was also confirmed that the 10 metre 'no-touch' buffer would need to be naturalized. Based on the Existing Conditions drawing included in the Functional Servicing Report (C01), the two buffers, as shown on Site Plan P2, have been taken from the centreline of the creek rather than the watercourse axis. Provided the requirement to naturalize the 10 metre 'no-touch' buffer remains, staff are satisfied with the proposed buffers.
- To be consistent with the development to the north, the watercourse buffer should be placed in an appropriate protective zoning category. The lands to the north were zoned G1. For those lands, the full 15 metre buffer was zoned G1. The same could be done for the subject property, or, as an alternative, to make enforcement more manageable, the zoning limit could correspond to the 7.5 metre rear yard setback (if 7.5 metres is deemed appropriate for a rear yard setback). Using the rear yard setback would allow the zoning limit to be normalized (i.e. straightened) and would remove the encumbrance from the existing building. While it would also mean the outer ~2 metres of the 15 metre buffer would be zoned MR-12, it is anticipated this narrow strip would be mowed for building access and maintenance purposes.
- Property demarcation posts should be installed along the edge of the 10 metre 'no-touch' buffer to ensure it will be maintained in a natural state following construction. The placement of the demarcation posts can be confirmed at the site plan stage, along with the landscaping plans to naturalize the 10 metre 'no-touch' buffer with native, ecologically appropriate species. The applicant should also confirm that no-grading associated with construction will occur within the 10 metre 'no-touch' buffer.
- Based on the Functional Servicing Report, it appears that stormwater will be managed via municipal storm sewer and not directed to the creek. When the zone change application (Z-10-06) for 435 Winchester Drive was being processed in 2010-2011, area residents raised significant concerns about creek flooding. To address the concerns, the proponent of that application needed to modify their stormwater strategy and demonstrate their development would not exacerbate flooding issues. It is anticipated that area residents will raise similar flooding concerns for this application. Accordingly, the Applicant should confirm that the proposed development will not contribute additional flows to the creek.
- The incorporation of sustainable design, construction and operation approaches are strongly encouraged (e.g. water conservation systems to retain and reuse water, cool or green roofs, on-site renewable energy, enhanced energy performance, etc.).

Integrated Planning & Public Works – Growth Management (April 17, 2019)

- **Note:** These policy related comments replace previous policy comments provided by Growth Management, dated June 7, 2018. Comments relating to "Environmental Considerations" from June 7, 2018 continue to apply and have not been updated.

- The Applicant is proposing to develop a 12-storey multiple unit residential building located at 508 Beechwood Drive. A development application was submitted to the City in March 2018. Subsequently the development proposal has been revised and updated. The revised 12-storey building will include a 4-storey podium and will be connected to the existing 7-storey building located on site.
- The subject lands are currently designated Mixed-Use Medium High Density Residential on Schedule 'A' of the Official Plan. The site is identified as 'Medium High Density, 40 metres' on Schedule "B1" Height and Density. The subject lands are also identified as a 'Minor Corridor' on Schedule 'B' of the Official Plan.

Density, Height and Land Use

- The maximum permitted density and height for the Mixed-Use Medium High Density Residential designation is 600 bedrooms per hectare and 40 metres in height, as per policy 10.1.5 (3) of the Official Plan. However, it is recognized that these heights and densities are considered maximum standards. The Official Plan includes provisions for the Zoning By-Law to further define or restrict permitted height and density ranges as outlined in policy 3.4 (3) which states "The Zoning By-Law may further define or restrict the minimum or maximum height or density for any property based on considerations that are unique to individual sites or areas." A primary intent of Policy 3.4 (3) is to facilitate context sensitive development.
- The revised development proposal includes 220 new bedrooms in addition to 63 bedrooms in the existing building for a combined 283 bedrooms on the 0.737 ha site. Therefore, the total density of the site is 384 bedrooms per hectare, which is less than the maximum permitted limit in the Official Plan designation. The revised building height is proposed to be 37.5 metres, which is taller than any of the surrounding buildings. Planning Approvals staff should satisfy themselves that the proposed height and density are appropriate for this site and area.
- The proposed residential uses on the site are consistent with the Mixed-Use Medium High Density Residential designation. Limited ancillary uses are contemplated within the designation, subject to being permitted in the Zoning By-law. While ancillary uses are not currently included in this development, the proponent has sought to allow some ancillary uses as part of the Zoning By-Law Amendment. Should ancillary uses be included in the future, ancillary use must conform to the policies of the Official Plan including parking requirements and not exceed 15% of the building floor area and should be pedestrian oriented and contribute to activating the streetscape. Additional policies for ancillary uses are detailed in policy 10.1.5 (5) of the Official Plan.

Minor Corridor

- The subject lands are identified as a Minor Corridor on Schedule "B" City Structure Map. Corridors are locations in the City where intensification and infill development are directed by the Official Plan. The subject lands were identified as a Minor Corridor through the 2004 Height and Density study. The District Plan also identifies the site for higher density (see District Plan Comments below). The City structure of Nodes and Corridors was part of the previous Official Plan and maintained in the 2012 Official Plan.

- Policy section 3.6.2 (2) of the Official Plan “Minor Corridors” directs that these areas are to consist predominantly of medium, to medium-high density residential uses. However, policy 3.6.2 (2) also states, “Where lands within a Minor Corridor are adjacent to lands designated Low Density Residential, height and/or density will be limited as defined by this plan and the Zoning by-law.” The subject lands are adjacent to lands designated Low Density Residential. Planning Approvals staff should satisfy themselves that the proposed height and density of the development is appropriate within the context of the surrounding lands.
- The subject lands are part of the ‘Built-Up Area’ as identified on Schedule ‘B3’ of the Official Plan. Development on this site is considered intensification as per policy 3.3 and addresses the intensification objectives of the Official Plan.

Urban Design

- Section 3.11.2 of the Official Plan outlines Urban Design policies for development within Nodes and Corridors. In particular, Policy 3.11.2 (4) of the Official Plan relates to infill development within nodes and corridors and states
- “Design buildings to be in proportion with the lot size and to fit harmoniously into the surrounding character and context. The design of the site and buildings shall be compatible with the surrounding character and context.”
- Further, policy 3.11.2 (6) states:
- “Locate buildings to establish an urban street enclosure and to frame street intersections. The design and massing of tall buildings (greater than three storeys) shall relate to the surrounding context, as well as, to the street proportions (buildings height to street width ratio) and to human scale dimensions. The design of high-rise buildings shall be designed to reduce adverse impacts related to wind shadowing, visual impacts and to reduce the appearance of bulk through a variety of design and massing strategies.”
- Given the policies noted above, and other policies of the Plan, careful consideration should be given to the scale, design, location, massing of the proposed building to ensure that it is appropriate in relation to the lot size, street proportions, and surrounding context.

Parking

- The proponent has proposed structured parking as part of the development. Policy 3.6.6 (2) of the Official Plan encourages parking in Nodes and Corridors to be underground and in structures. Therefore, the proposed development meets the intent of the Official Plan in this regard. Planning Approvals should ensure that the amount of parking provided is appropriate given the location, nature, and scale of the development.

Beechwood West District Plan

- The subject lands are part of the Beechwood West District Plan area and designated as ‘High Density Residential’ on Map 1 - Concept Plan. The subject lands are also part of the ‘Core Area’ as shown on Map 1. The density range for High Density Residential uses in the District Plan is 75-250 units per hectare, though policy 3. iv. b) states the zoning will restrict density to the lower end of the range. Height in the District Plan is measured by 3. i. d) which states:
 - (d) All buildings within the Core Area shall be subject to a height limitation, so that buildings in the Core Area will not be visible to eastbound traffic on Erb

Street until this traffic has passed over the Rummelhardt Hill. The maximum height of any building shall not exceed three hundred and eighty (380) metres above sea level.

- Planning Approvals staff should satisfy themselves that the policies and planning objectives on the District Plan are satisfied.

Conclusions

- Residential land uses are appropriate and the Official Plan contemplates intensification on this site. As outlined, the Official Plan also provides a policy framework that speaks to assessing the appropriateness of development (height, density, built form and design) within the context of the site and surrounding area.
- Growth Management comments noted above identify various policies that should be considered by Planning Approvals in its evaluation of the revised application. Planning Approvals staff should satisfy themselves that the revised development proposal are in conformity of the Official Plan especially in regards to design and context and compatibility considerations.

Transportation Services (October 1, 2018)

- Sufficient parking should be provided on-site to meet the regular demands of the residents and visitors without reliance on municipal on-street parking.
- Construction staging for this site will be challenging, as there is limited 3 hour on-street parking on Beechwood Drive and Beechwood Place. A Conceptual Workspace Management plan should be provided to show how this will be managed.
- Sight lines at the proposed driveway location would be limited due to the existing fence.
- On-street parking is permitted on the east/north side of the street. Parked cars in the “curve” area will also hamper vehicles exiting the proposed driveway.
- Vehicles travelling westbound would be at the proposed driveway quickly, limiting those exiting the site to do so in a safe manner. The existing driveway is situated between the curves to maximize sight lines.

COMMITTEES:

Waterloo Advisory Committee on Active Transportation (July 12, 2018)

- The committee supports the following comments regarding the zone change application for 508 Beechwood Dr.:
 - The proposed front yard setback and westerly side yard setback is insufficient to provide an appropriate public realm and compromises safety and security along the public trail.
 - The applicant needs to demonstrate that the snow clearing along the sidewalk within the proposed front yard does not impact the existing on road cycling infrastructure.
 - Bike parking is critically important and needs to be considered as part of the development application not the site plan.
 - Bike parking needs to be indoor and secured for both the residents and tenants of the property but also the general public.

PUBLIC COMMENTS

Staff received a considerable amount of community feedback in the form of emails, letters, and petitions with respect to 508 Beechwood Drive. All comments received have expressed opposition to either the development proposal or the proposed zoning (the site specific zoning proposed by the Applicant and the Residential Mixed-Use 40 (RMU-40) zone that was shown for the Lands in earlier drafts of the comprehensive Zoning By-law Review*). As many as 208 comments have been received through the site specific Zoning By-law Amendment application, while another 70 comments have been submitted to the City as part of the Comprehensive Zoning By-law review. The primary concerns cited included the following:

* Note: The early drafts presented as part of the comprehensive Zoning By-law Review were for discussion purposes only, initiating the zoning conversation with the community. The early drafts did not incorporate site specific or area specific planning reviews, and had no legal or operative status – as such, the early drafts should not be given weight other than as an initial stage of the comprehensive review process. Weight should only be given to Zoning By-law 2018-050 passed by Council on September 10, 2018.

	TOTAL	TOTAL	
	Through Site Specific By-law (Z-18-07)	Through Comprehensive Zoning By-law	COMBINED TOTAL
Objection to development proposal	205	3	208
Objection to RMU-40 zone		70	70
Height does not align with character of the neighbourhood	200	70	270
Increased traffic	196	68	264
Shadow, wind and lighting impacts	195	67	262
Decline in property value	177	1	178
Site is overbuilt (setbacks too aggressive)	159		159
Loss of mature trees, green space	23	68	91
Impacts views aesthetics of neighbourhood	21	67	88
Increased noise	19	67	86
Lack of parking	18	67	85
Loss of privacy	18	67	85
Impact on parkland and local amenities	17	67	84
No need for retail uses	4	68	72
Too much density	3	69	72
Appearance of existing building (increase in unwanted cell phone towers, exterior façade)	20	1	21
Impacts during construction- dust, noise, parking demand	17	1	18
Nuisance issues, increase in trespassing, garbage	15		15
Lack of access to public transportation	14		14
Impact on school	5	1	6
Impact on Clair Creek/flooding	2	1	3

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Impact on rents (increase)	2		2
OTHER			
delayed notice of application	2		2
sets a precedent		2	2
lack of public engagement	1		1
RMU zone not in effect yet	15	1	16

APPENDIX 'D' Planning Policy and Guidelines Excerpts

The following is a summary of relevant planning policies and guidelines that have been considered in the review of Zoning By-law Amendment Application Z-18-07.

Provincial Policy Statement, 2014

- 4.7** (Excerpt): The official plan is the most important vehicle for implementation of this Provincial Policy Statement.
- 4.7** (Excerpt): Official plans shall identify provincial interests and set out appropriate land use designations and policies.
- 1.1.1.(a)** Healthy, liveable and safe communities are sustained by promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term.
- 1.1.1.(b)** (Excerpt): Healthy, liveable and safe communities are sustained by accommodating an appropriate range and mix of residential uses.
- 1.1.1.(c)** Healthy, liveable and safe communities are sustained by avoiding development and land use patterns which may cause environmental or public health and safety concerns;
- 1.1.1.(e)** Healthy, liveable and safe communities are sustained by promoting cost-effective development patterns and standards to minimize land consumption and servicing costs.
- 1.1.2** (Excerpt): Sufficient land shall be made available to accommodate range and mix of land uses to meet projected needs for a time horizon of up to 20 years.
- 1.1.3.1** Settlement areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted.
- 1.1.3.2.(a)(1)** Land use patterns within settlement areas shall be based on densities and a mix of land uses which efficiently use land and resources.
- 1.1.3.2.(a)(2)** Land use patterns within settlement areas shall be based on densities and a mix of land uses which are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion.
- 1.1.3.2(a)(4)** Land use patterns within settlement areas shall be based on densities and a mix of land uses which support active transportation.

- 1.1.3.2.(a)(5)** Land use patterns within settlement areas shall be based on densities and a mix of land uses which are transit-supportive, where transit is planned, exists or may be developed.
- 1.1.3.2.(b)** Land use patterns within settlement areas shall be based on a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.
- 1.1.3.3** Planning authorities shall identify appropriate locations and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.
- 1.1.3.4** Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.
- 1.4.3.(b)(2)** Planning authorities shall provide for an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents of the regional market area by permitting and facilitating all forms of residential intensification, including second units, and redevelopment in accordance with policy 1.1.3.3.
- 1.4.3.(d)** Planning authorities shall provide for an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents of the regional market area by promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed.
- 1.4.3.(e)** Planning authorities shall provide for an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents of the regional market area by establishing development standards for residential intensification, redevelopment and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety.
- 1.7.1.(d)** Long-term economic prosperity should be supported by encouraging a sense of place, by promoting well-designed built form and cultural planning, and by conserving features that help define character, including built heritage resources and cultural heritage landscapes.

Growth Plan for the Greater Golden Horseshoe, 2017

- 1.2.1** (Guiding Principles - Excerpt): The policies of this Plan regarding how land is developed, resources are managed and protected, and public dollars are invested are based on the following principles:
- Prioritize intensification and higher densities to make efficient use of land and infrastructure and support transit viability.
 - Support a range and mix of housing options, including second units and affordable housing, to serve all sizes, incomes, and ages of households.
- 2.1** (Excerpt): This Plan is about accommodating forecasted growth in complete communities. These are communities that are well designed to ... provide ... a full range of housing to accommodate a range of incomes and household sizes.
- 2.1** (Excerpt): Building compact and complete communities.
- 2.1** (Excerpt): Better use of land and infrastructure can be made by directing growth to settlement areas and prioritizing intensification.
- 2.1** (Excerpt): Supporting a more diverse range and mix of housing options.
- 2.1** (Excerpt): Direction to plan for a range and mix of housing options, including second units and affordable housing and, in particular, higher density housing options that can accommodate a range of household sizes in locations that can provide access to transit and other amenities.
- 2.1** (Excerpt): Compact built form and intensification efforts go together with more effective transit and active transportation networks and are fundamental to where and how we grow.
- 2.1** (Excerpt): This Plan's emphasis on optimizing the use of the existing urban land supply represents an intensification first approach to development and city-building, one which focuses on making better use of our existing infrastructure and public service facilities, and less on continuously expanding the urban area.
- 2.2.1.2.(a)** Forecasted growth to the horizon of this Plan will be allocated based on the following: the vast majority of growth will be directed to settlement areas.
- 2.2.1.2.(c)** Forecasted growth to the horizon of this Plan will be allocated based on the following: within settlement areas, growth will be focused in: (i.) delineated built-up areas; (ii.) strategic growth areas; (iii.) locations with existing or planned transit, with a priority on higher order transit where it exists or is planned; and (iv.) areas with existing or planned public service facilities.
- 2.2.1.3.(c)** Upper- and single-tier municipalities will undertake integrated planning to manage forecasted growth to the horizon of this Plan, which will provide

direction for an urban form that will optimize infrastructure, particularly along transit and transportation corridors, to support the achievement of complete communities through a more compact built form.

- 2.2.1.4.(c)** Applying the policies of this Plan will support the achievement of complete communities that provide a diverse range and mix of housing options, including second units and affordable housing, to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes.
- 2.2.1.4.(e)** Applying the policies of this Plan will support the achievement of complete communities that ensure the development of high quality compact built form, an attractive and vibrant public realm, including public open spaces, through site design and urban design standards.
- 2.2.2.4.(a)** All municipalities will develop a strategy to achieve the minimum intensification target and intensification throughout delineated built-up areas, which will encourage intensification generally to achieve the desired urban structure.
- 2.2.2.4.(b)** All municipalities will develop a strategy to achieve the minimum intensification target and intensification throughout delineated built-up areas, which will identify the appropriate type and scale of development and transition of built form to adjacent areas.

Regional Official Plan, 2015

- 2.C.2** Area Municipalities will establish policies in their official plans and other supporting documents to ensure that by 2015 and each year thereafter a minimum of 45 per cent of all new residential development occurring annually within the region as a whole will be constructed within the Built-Up Area.
- 2.D.1(a)** In preparing or reviewing planning studies, or in reviewing development applications or site plans, the Region and/or Area municipalities will ensure that development occurring within the Urban Area is planned and developed in a manner that support the Planning Community Structure as described in the ROP;
- 2.D.1(b)** In preparing or reviewing planning studies, or in reviewing development applications or site plans, the Region and/or Area municipalities will ensure that development occurring within the Urban Area is planned and developed in a manner that is serviced by a municipal drinking-water supply system and a municipal wastewater system.
- 2.D.1(c)** In preparing or reviewing planning studies, or in reviewing development applications or site plans, the Region and/or Area municipalities will ensure that

development occurring within the Urban Area is planned and developed in a manner that contributes to a complete community with development patterns, densities and an appropriate mix of land uses that support walking, cycling, and the use of transit.

- 2.D.1(d)** In preparing or reviewing planning studies, or in reviewing development applications or site plans, the Region and/or Area municipalities will ensure that development occurring within the Urban Area is planned and developed in a manner that protects the natural environment, and surface water and groundwater resources.
- 2.D.1(f)** In preparing or reviewing planning studies, or in reviewing development applications or site plans, the Region and/or Area municipalities will ensure that development occurring within the Urban Area is planned and developed in a manner that respects the scale, physical character and context of established neighbourhoods in areas where reurbanization is planned to occur.

City of Waterloo Official Plan, 2012

- 1.1 (Excerpt)** This Official Plan contains principles, objectives, and policies designed to direct the form, extent, nature and rate of growth and change within the municipality to the year 2031.
- 1.4 (Excerpt)** City Council is responsible for interpreting all portions of this Official Plan.
- 1.4 (Excerpt)** Permitted land uses identified in the policies of this Plan are intended to illustrate the range of activities contemplated in each respective land use designation and do not denote a complete list of permitted uses. A full list of permitted uses will be defined in the City's Zoning By-law.
- 2.1 (Excerpt)** A community of vibrant neighbourhoods and a range of housing options.
- 2.3(1)** There is a limited supply of vacant land for future urban growth. To ensure that population and economic growth can be accommodated, land within the City must be used more efficiently. A significant proportion of the City's population and employment growth is expected to be accommodated through intensification within the existing Built-up Area, resulting in changes to height and density in existing areas. Focal points for intensification include the Uptown Waterloo Urban Growth Centre, Major Transit Station Areas and other designated Nodes and Corridors.
- 2.3(4)** Waterloo will be planned as a *complete community* that provides opportunities for people at all stages of life to live, work, learn, shop, and play in close proximity. Planning for compact, *mixed-use* communities helps to reduce

infrastructure and service duplication costs, preserves rural lands, encourages social interaction and a greater sense of community, supports alternative transportation modes, and reduces travel needs and commuting times.

- 2.3(5)** A high standard of urban design supports a memorable, attractive, and livable city. To achieve this, policies of this Plan define key urban design elements to be applied generally across the City and more specifically within the Uptown Waterloo Urban Growth Centre and other designated Nodes and Corridors.

Ch 3 (Excerpt) Some of this growth will occur outside of the existing Built-Up Area in *Designated Greenfield Areas*. However, because Waterloo's supply of *Designated Greenfield Areas* is limited, they are expected to be fully utilized over the life of this Plan.

Ch 3 (Excerpt) As urban development reaches the Urban Area Boundary as shown on Schedule 'A' – Land Use Plan, growth will be increasingly accommodated through *intensification* within the existing Built-Up Area in key *reurbanization areas* including: the Uptown Waterloo Urban Growth Centre, other designated Nodes and Corridors and *Major Transit Station Areas*. To support this direction, the policies of this Plan: (i) Incorporate density targets that will regulate densities to be achieved in the Uptown Waterloo Urban Growth Centre and *Designated Greenfield Areas*; and, (ii) Define a minimum amount of residential *intensification* that will be directed to the existing Built-Up Area.

Ch 3 (Excerpt) Waterloo is transforming from a low-rise suburban community to a more compact urban form, particularly within the Uptown Waterloo Urban Growth Centre, other designated Nodes and Corridors and *Major Transit Station Areas*. To support this *intensification*, the objectives and policies of this chapter place emphasis on achieving a high standard of urban design for public and private development throughout the City by using a range of implementation tools, including urban design guidelines. It is anticipated that the interpretation and implementation of the policies within this chapter will lead to a series of well-designed, vibrant, accessible and well-connected neighbourhoods that contribute to Waterloo as a *complete community*.

3.1(1) It is the Objective of the City to:

(1) Plan for growth that:

- (a) Accommodates future growth within the existing Urban Area Boundary through *intensification* primarily within designated Nodes and Corridors, Uptown Waterloo Urban Growth Centre, *Major Transit Station Areas* and through the development of appropriate vacant lands, including *Designated Greenfield Areas*;

- 3.1(1)** It is the Objective of the City to:
- (2) Develop an urban form that:
 - (b) Provides for compact urban growth ...
 - (d) Promotes high quality architecture and landscape;
 - (3) Plan for neighbourhoods that:
 - (b) Have a range and mix of housing types, sizes, costs and tenure;
 - (c) Facilitate interaction and social connections between residents and foster a sense of community and belonging;
 - (i) Are planned and designed to complement the existing or planned neighbourhood character.
 - (4) The City's urban design objectives are:
 - (a) To promote a high standard of urban design that results in an attractive, human-scale city.
 - (b) To respect site context and enhance sense of place that results in compatible development and fosters a sense of identity.

3.2 (1) The City of Waterloo shall plan to accommodate a population of 137,000 people (excluding post-secondary students who reside temporarily in the Region) and employment of 88,000 jobs by the year 2029, as outlined in the Regional Official Plan. The City will continue to cooperate with the Region to generate population and employment estimates in the future based on changing trends and the City's unique growth characteristics. [DEFERRED NO. 3]

3.3 (Excerpt) RESIDENTIAL INTENSIFICATION

As Waterloo's supply of land within *Designated Greenfield Areas* diminishes, it is anticipated that a greater proportion of overall growth will be accommodated through *intensification*. *Intensification* will be concentrated within the Built-up Area which, as illustrated on Schedule 'B3' – Designated Greenfield Areas, includes all lands within the *built boundary* of the City of Waterloo as of June 16, 2006.

Within the Built-up Area, *intensification* will occur, for the most part, in a series of designated Nodes and Corridors described further in policy 3.6 of this chapter and referred to throughout this Plan.

3.3(1) Provide for residential *intensification* opportunities within the Uptown Waterloo Urban Growth Centre, other designated Nodes and Corridors and *Major Transit Station Areas*. *Intensification* opportunities will be planned for within these locations as set out in policies 3.6, 3.7 and 3.8 of this chapter. Minimum and maximum residential densities will be applied as set out in Section 3.4 of this Plan.

- 3.3(6)** Monitor growth within the Built-up Area and *Designated Greenfield Areas* and, if necessary, stage the development of *Designated Greenfield Areas* to ensure that growth within the Built-up Area appropriately supports the achievement of the *intensification* target of this Plan.

3.4 PERMITTED HEIGHT & DENSITY

Schedule B1 – Height and Density outlines the maximum permitted heights and densities in order to guide built form within Waterloo’s varied neighbourhoods. The intent of the height categories is to standardize permitted heights throughout the City in order to provide predictability for all stakeholders on the heights that can be anticipated.

- (1) The categories of maximum permitted heights are:
 - (a) Main Street, minimum 6 metres, being 2 full storeys, and a maximum height of 16 metres, subject to policy 3.7.2 (4);
 - (b) Low Density, with a maximum height of 10 metres;
 - (c) Medium Density, with a maximum height of 20 metres;
 - (d) Medium Density Employment, with a maximum height of 27 metres;
 - (e) Medium High Density, with a maximum height of 40 metres;
 - (f) Medium High Density Employment, with a maximum height of 40 metres;
 - (g) High Density, with a maximum height of 81 metres; and
 - (h) High Density Employment, with a maximum height of 81 metres.

- (2) Where the Official Plan permits residential uses within a land use designation, the applicable height and density category on Schedule ‘B1’ – Height and Density shall dictate the minimum and maximum density permissions as follows, subject to provisions as may be set out in individual land use designations:
 - (a) Main Street, maximum 750 *bedrooms* per hectare;
 - (b) Low Density, maximum 150 *bedrooms* per hectare;
 - (c) Medium Density, maximum 450 *bedrooms* per hectare;
 - (d) Medium High Density, minimum 150 *bedrooms* per hectare and maximum 600 *bedrooms* per hectare; and,
 - (e) High Density, minimum 150 *bedrooms* per hectare and maximum 750 *bedrooms* per hectare.

- (3) The Zoning By-Law may further define or restrict the minimum or maximum height or density for any property based on considerations that are unique to individual sites or areas.

3.6 DESIGNATED NODES AND CORRIDORS

This Plan identifies a hierarchy of designated Nodes and Corridors that are anticipated to accommodate a significant proportion of the City's population and employment growth over the life of this Plan. Designated Nodes and Corridors are shown on Schedule 'B' – City Structure. Planned heights and densities of designated Nodes and Corridors are shown on Schedule 'B1'.

3.6.2 (Excerpt) Hierarchy of Designated Corridors

Corridors are major streets or transit routes that link Nodes and provide opportunities for *intensification* through the application of high, medium high and medium density land use designations.

3.6.5 (Excerpt) Intensification within Nodes and Corridors

Intensification will be encouraged within Nodes and Corridors through the application of land use designations that permit medium to high density uses. The maximum permitted heights on properties within Nodes and Corridors range from 20 metres to 81 metres (6 stories to 25 stories), as shown on Schedule 'B1' – Height and Density. Development within designated Nodes and Corridors shall demonstrate compatibility and integration with surrounding land uses and contribute to an animated streetscape through the utilization of appropriate height, mixing of uses, massing, architectural design, character, setbacks, siting and landscaping, parking, public spaces ...

3.6.5(6) In addition to general urban design policies that apply city-wide, area- specific urban design policies for designated Nodes and Corridors shall also apply, as found in policy 3.11.2 of this chapter.**3.9 (Excerpt) WATERLOO AS A COMPLETE COMMUNITY**

A *complete community* is one that includes a broad range of housing, a mix of jobs, a broad range of commercial establishments and services, *community infrastructure* including schools, parks and recreation sites, cultural and social facilities/services that are well connected by a system of networks.

3.9.2(3) The City will plan for the provision of an appropriate range and mix of housing types, sizes, costs and tenure within neighbourhoods by:
(a) Encouraging *intensification* and infill within designated Nodes and Corridors, and *Major Transit Station Areas*;**3.9.2(4) (Excerpt)** The City will plan for neighbourhoods that foster a sense of community and identity by:
(a) Planning for development that is consistent with the urban design policies set out in this chapter, ensuring coordinated development and a high standard of

design that enhances neighbourhood identity and improves the *pedestrian* environment.

3.11 URBAN DESIGN

Urban design is the design, analysis and process of city building. The City of Waterloo supports and encourages a high standard of urban design for public and private sector projects that contributes toward a memorable, attractive and livable city - a city designed for people with a strong and coherent *sense of place*.

3.11.1 General Urban Design Policies

The following General Urban Design policies are intended to support the design objectives established in policy 3.1(4) of this chapter and define the primary design elements and expectations that will apply to all development in the City in the public and private realm:

(1) *Intensification*: In decisions to consider *intensification*, the City of Waterloo shall address the integration, compatibility and relationship of new development to existing buildings and to the surrounding neighbourhood character and context, based on the principles of good urban design practice. Policies outlined in this Section may be further augmented through supplemental design policies and guidelines.

(2) *Character*: To reinforce and maintain the architectural, visual, and thematic integrity of structures, streetscapes, neighbourhoods and planned development by planning and designing new sites, buildings and additions that create and maintain sensitive designs in terms of the planned physical context into which such development is located and through the coordination of design elements. The physical design of the public and private realm shall be coordinated to fit within the existing character and context.

(4) (Excerpt) *Streetscapes*: Streetscape design is the combination and coordination of physical elements that give character to the street which includes the built form, façade treatment, landscaping and street furnishings within the public and private realm.

(18) *Compatible Development*: Site and building design that complements and enhances the surrounding neighbourhood character and context through a variety of design strategies including building massing, facade design and landscape coordination. The design of sites and buildings shall also minimize adverse impacts to human comfort, and surrounding properties including outdoor lighting, noise, shadowing, wind and snow disposition through a variety of design strategies and performance standards.

(19) Human-Scale Development: Development that reinforces human scale dimensions and proportions through design.

(20) Building Design: Design architecturally well composed buildings that complements and enhances the surrounding neighbourhood character and context. Building design shall also contribute towards an attractive and coordinated streetscape character and towards a sense of place with opportunity for architectural innovation and expression through a variety of design techniques such as architectural features, building materials, colour and other design elements. Buildings shall be designed with prominent building entrances and include strategies to screen roof top equipment from public and residential views. The City will support high quality durable building materials and discourage materials that may fade or deteriorate over time or does not fit within the neighbourhood character or context. The City shall generally discourage flat blank walls and may require specific massing and design strategies that result in a well composed building design, articulated façade design, interesting skyline and compatible development.

3.11.2

Urban Design within Nodes and Corridors

In addition to the policies set out in Section 3.11.1, the following Urban Design policies apply to development within Nodes and Corridors and are further implemented through the Supplemental Guidelines in the Urban Design Manual:

(2) Interest: Design which results in visual interest and interesting and active spaces.

(4) Infill Development: Design buildings to be in proportion with the lot size and to fit harmoniously into the surrounding character and context. The design of the site and buildings shall be compatible with the surrounding character and context.

(5) Building Design: The design of buildings shall contribute to a high quality and coordinated streetscape character and context. Buildings should generally have their principle building façade and entrance to face the primary public street particularly along transit routes or transit station areas and be designed with articulated building facades.

(6) Built Form and Massing: Locate buildings to establish an urban street enclosure and to frame street intersections. The design and massing of tall buildings (greater than three storeys) shall relate to the surrounding context, as well as, to the street proportions (building height to street width ratio) and to human scale dimensions. The design of high rise buildings shall be designed to reduce adverse impacts related to wind, shadowing, visual impacts and to reduce the appearance of bulk through a variety of design and massing strategies.

(7) Skyline: Design tall buildings with interesting roof designs, articulated massing and supporting architectural features that create an interesting and recognizable skyline coordinated with other surrounding tall buildings from many views and vantage points. Encourage opportunities to integrate roof top equipment into the roof design and to promote a sculpted roofline.

3.11.5 Urban Design Implementation

(1) Decision Making: The City shall integrate urban design considerations into all decisions regarding development in order to assist in achieving the Urban Design objectives outlined in policy 3.1(4) and other policies of this Plan.

(2) (Excerpt) Implementation: The Urban Design objectives and design policies contained in this Plan establish the general design vision for the City and establish design criteria for the City to evaluate new development proposals subject to the provisions of the Planning Act and Council direction. The City's Urban Design objectives and policies may be further specified through more detailed Urban Design Guidelines and processes. The Urban Design objectives and policies found within this Plan provide the design vision for the City and legal authority to undertake various actions to implement the design vision. The Urban Design objectives and policies will be implemented through studies, plans and other City documents, including but not limited to:

(a) Implementing Zoning By-Laws.

6.3(2) The transportation network will support the development of designated Nodes, Corridors and *Major Transit Station Areas* as compact *mixed-use* areas that serve as focal points for *intensification* and facilitate reduced reliance on automobile travel.

6.3(2)(b) Development in such areas will be subject to the urban design policies included in section 3.11 of this Plan, placing emphasis on the creation of *pedestrian*, bicycle and transit -friendly streetscapes and *infrastructure* and incorporating elements of *sustainable design*.

6.5.1 Active Transportation

(5) The City will plan for the development of buildings, sites and streetscapes that are safe, attractive, well maintained and provide for the convenient and comfortable movement of *pedestrians* and cyclists. Consistent with the Urban Design policies of this Plan as further implemented by the City of Waterloo Urban Design Manual, such measures may include consideration of:

(a) Site Organization and Design – Includes elements such as building placement, ...
(c) Building Design and Orientation ...

10.1 RESIDENTIAL LAND USE POLICIES

Vision

(Excerpt) The City will plan for a full range of residential neighbourhoods that meet the needs of the City's residents. The City's residential neighbourhoods vary significantly in their planned function, context, and intensity of land use.

(Excerpt) Medium to high density residential land uses are generally directed to designated Nodes and Corridors. The Nodes and Corridors are planned to have convenient access to transit, be *pedestrian* supportive through design, and are anticipated to accommodate a significant portion of Waterloo's growth to 2031.

This Plan contemplates the conservation of low-density neighbourhoods outside of designated Nodes and Corridors, with limited change to the existing residential character of such neighbourhoods. These areas are designated Low Density Residential in this Plan. *Intensification* within low-density neighbourhoods is restricted by policies that are intended to maintain the character and land use intensity of such neighbourhoods.

All residential development will be consistent with the City's urban design objectives and policies as set out in this Plan and supporting implementation documents.

10.1.1(3) The City shall use various tools and processes at its disposal to implement the residential land use policies of this Plan, including but not necessarily limited to zoning, *site plan* control, determination of complete *development* applications, excluding *site plan* applications, and property standards.

10.1.1(6) (Excerpt) High Quality and Innovative Design - The City encourages innovation in the design of residential areas and in the design and construction of residential units, where such innovation will:

(c) Maintain compatibility with surrounding land uses and complement the existing character of the surrounding neighbourhood;

10.1.1(10) (Excerpt) This Plan is intended to guide development in terms of character, scale and intensity of use and built form. In addition, this Plan provides a framework for the City to plan for *infrastructure* requirements over the long-term, ensure properties develop at appropriate densities for the property size, and foster land use compatibility.

10.1.1(11) Detailed residential densities may be reflected through District Planning, and further defined in the Zoning By-Law, provided the densities are in conformity with the policies of this Plan.

10.1.2 (Excerpt) Supporting a Range of Housing

- (1) This Plan recognizes that access to a range of housing contributes to the quality of life within a City.

10.1.5 Mixed-Use Medium High Density Residential Designation

Vision

The Mixed-Use Medium High Density Residential designation is a category in which multiple residential buildings are the predominant use of land. This designation is intended to provide opportunities for substantial levels of *intensification*. Properties are to be developed primarily for residential purposes, although complementary and *ancillary* uses are also permitted. The aim of this designation is to encourage medium high density, *mixed-use*, primarily residential development in Minor Nodes and Corridors and well as the Uptown Waterloo Urban Growth Centre. This designation also functions as a transition between lower density and higher density areas.

Land Use

- (1) Lands designated Mixed-Use Medium High Density Residential as shown on Schedule 'A' - Land Use Plan will be designated to permit multiple unit residential buildings.

- (2) In addition to the permitted use above, lands designated Mixed-Use Medium High Density Residential may be zoned to permit the following complementary uses, subject to the provisions of this Official Plan, provided they do not impact the ability of the designated Mixed-Use Medium High Density Residential area to achieve the vision and policies in this designation:

- (a) *Assisted Living Facilities*;
- (b) *Community uses*;
- (c) *Long Term Care Facilities*.

- (3) The height and density of uses within the Mixed-Use Medium High Density Residential designation shall be limited as shown on Schedule 'B1' - Height and Density and as set out in section 3.4. For clarity, the following regulations apply:

- (a) The minimum net residential density on any one site shall be 150 *bedrooms* per hectare, and the maximum net residential density permitted on any one site shall not exceed 600 *bedrooms* per hectare.
- (b) The maximum height of any building shall not exceed 40 metres.

- (4) To ensure properties are of sufficient size to accommodate additional height and density, lands designated Mixed-Use Medium High Density Residential shall have adequate frontage and/or flankage. The implementing Zoning By-Law may contain minimum frontage and/or flankage requirements.

(5) Lands designated Mixed-Use Medium High Density Residential may be zoned to permit offices, medical clinics, *convenience retail*, restaurants, *food stores*, child care centres, personal services, and *spiritual uses* as *ancillary uses*, subject to the following policies:

- (a) Any proposed *ancillary use* identified in this policy shall be located in a *mixed-use* building, within a designated Node or Corridor, and not exceed fifteen percent (15%) of the total building floor area devoted to residential uses, excluding any parking areas and/or structures; 183
- (b) The Zoning By-law shall limit retail commercial uses to 5,000 square metres of *gross leasable area*. Proposals including more than 5,000 square metres of *gross leasable area* of retail commercial uses shall only be considered by way of an amendment to the Zoning By-law and such proposal shall be subject to the complete *development* application policies included in 10.2.3 (2) of this Plan;
- (c) *Ancillary uses* shall be oriented to the street or other *pedestrian* environment, with a design that activates the streetscape; and, (d) Further definition of uses, associated performance standards, restrictions on the scope of any *ancillary uses* and associated floor space caps, and permitted locations for *ancillary uses* shall be regulated through the implementing Zoning By-Law.

12.2.2 Zoning By-Laws

(1) Zoning By-Laws will be used to regulate the use of land and the character, location and use of buildings and structures in accordance with the provisions of the Planning Act.

(2) Within three years of the approval of, or any future *municipal comprehensive review* of this Plan, the existing Zoning By-Laws shall be reviewed and amended, or a new Zoning By-Law prepared and approved, to conform to the policies of this Plan.

Bedroom – A room other than:

- (a) Common area open to all occupants of the unit;
- (b) Areas occupied by mechanical equipment, such as furnaces, hot water heaters and laundry equipment; and,
- (c) Areas used for sanitary (such as a washroom) or cooking purposes. For the purposes of this definition, a bachelor, bachelorette or studio unit shall be calculated to contain one *bedroom*.

Complete Community – A community that meets people’s needs for daily living throughout an entire lifetime by providing convenient access to an appropriate mix of employment, local services, a full range of housing and *community infrastructure* including *affordable* housing, schools, recreation and open space for their

residents. Convenient access to public transportation and options for safe, non-motorized travel is also provided. In Waterloo, Planning Districts and the City as a whole will be planned to for uses that support a *complete community*.

Complete Streets – A *road* network which is planned, designed, operated and maintained to enable users of all ages and abilities – *pedestrians*, cyclists, transit riders and motorists – to interact and move safely along and across City streets.

Development - The creation of a new lot, a change in land use, or the construction of buildings and structures, requiring approval under the Planning Act. Development does not include: (1) activities that create or maintain *infrastructure* authorized under an *environmental assessment* process; (2) works subject to the Drainage Act.

Intensification – The *development* of a property, site or area at a higher density than currently exists through:

- (a) Redevelopment, including the reuse of *brownfield* sites;
- (b) The *development* of vacant and/or underutilized lots within previously developed areas;
- (c) Infill *development*; and,
- (d) The expansion or conversion of existing buildings.

Mixed-Use – *Mixed-use* facilitates the provision of a wide range of complementary uses, such as residential, employment, institutional, social and recreational uses, within close proximity to each other. *Mixed-Use* development may include a mix of compatible land uses within the same structure, parcel or on adjacent lands and the policies of this Plan may further define requirements or expectations regarding the mix of uses permitted within individual land use designations.

Reurbanization Areas – Lands that are anticipated to accommodate a significant share of *intensification* over the life of this plan.

Sense Of Place – Characteristics that make a place special or unique, often fostering a sense of authentic human attachment and belonging.

Transit Oriented Design – Building and site design that is transit supportive, contributes to transit-oriented streetscapes as well as public spaces.

Urban Design Manual, 2009

Human-Scale Development –

- 2.1.2.1** Establish a well-proportioned street enclosure (building height-to-street width ratio) where the height of the building does not overpower the street.
- 2.1.2.2** Implement strategies to reduce the scale of building height and bulk...

Compatible Development –

- 2.1.3.2** Provide enhanced landscaping buffers abutting residential properties...
- 2.1.3.5** Design sites and buildings to mitigate noise conflict with priority given to reducing impacts to surrounding properties.
- 2.1.3.10** Design all site lighting to locate lamps and glare away from public view and sensitive uses.
- 2.1.3.12** Design and mass buildings to minimize adverse impacts on adjacent properties, outdoor amenity space and public spaces with respect to sunlight access, wind tunneling effect, noise attenuation and snow disposition.
- 2.1.3.14** Design buildings, including their massing and rooflines, to respect the surrounding built form and contribute to a coordinated and pedestrian-friendly streetscape.
- 2.1.3.16** Design buildings to minimize views into surrounding residential properties. Encourage upper storey stepbacks and coordinate window locations to minimize views into surrounding properties where possible.
- 2.1.3.17** Integrate balconies into façade design through recessed or partially recessed balconies to reduce exposure and privacy impacts to surrounding residential properties and to create a more elegant building design.
- 2.1.3.18** Design buildings to architecturally complement and enhance the surrounding character.

Safety and Security –

- 2.1.4.1** Apply the basic concepts of Crime Prevention Through Environmental Design (CPTED) in all projects...
- 2.1.4.3** Design visible sight lines and direct pedestrian access...

Building Design –

- 2.1.6.2** Design buildings with articulated massing to create interesting building forms, complementary streetscape rhythm, as well as, to establish human-scale dimensions, compatible development and interesting skyline...
- 2.1.6.25** Design the shape of the building (it's massing) to respect the surrounding built form and context with emphasis on buildings located in the Uptown, adjacent to heritage buildings and abutting stable neighbourhoods. Primary techniques include upper storey step-backs, stepped building forms and podium structures.

- 2.1.6.29** Select architectural styles and elements that complement and enhance the surrounding character and context particularly near heritage properties and low-rise neighbourhoods...

Landscape Design –

- 2.1.8.2** Provide a substantial and effective landscape buffer to separate different or more intensive land use(s) adjacent to residential properties...

Character –

- 2.2.3.2** Respect the traditional street line and neighbourhood character. Locate buildings to maintain a similar or respectful setback with adjacent buildings.
- 2.2.3.3** Design buildings to promote a human-scale rhythm that complements the surrounding context. Attempt to match or respect existing floor heights, fenestration details and proportions.
- 2.2.3.4** Preserve and enhance the residential character of local residential streets, particularly within or near heritage districts. Design facades to be sympathetic to the surrounding context.
- 2.2.3.5** Select building colours that complement and enhance the existing neighbourhood character.

Tall Buildings –

- 3.1.4.1** Design tall buildings with a defined base, middle and top section to emphasize human scale dimensions, reduce appearance of bulk and to create an interesting skyline.
- 3.1.4.3** Design tall building mass to minimize shadowing and wind impacts to surrounding properties, public spaces and outdoor amenity spaces...
- 3.1.4.8** Emphasize the base/podium section. Provide façade step-back between base and middle section to create human scale dimension and transition in massing.
- 3.1.4.9** Encourage transition in massing adjacent to low-rise buildings. Design taller building massing and height to step down toward adjacent low rise buildings or incorporate measures such as prominent cornice to create a physical transition between buildings.
- 3.1.4.10** Provide adequate separation distance between high rise infill to provide light, view and privacy. Encourage visual privacy by offsetting new windows from neighbours' windows and variation in building height.

Nodes and Corridors, General –

- 3.2.1.3.1** Locate buildings close to the street to establish urban street enclosure based on a minimum height to width ratio of 1:4 and a maximum height to width ratio of 1:1...
- 3.2.1.3.2** As a general principle, locate buildings close to the street with some variation in setback to establish a consistent built form and unified character.

- 3.2.1.3.3** Design and mass buildings to provide a sense of transition adjacent to low rise neighbourhoods through a graduation in massing or height or sympathetic building design. Where possible, graduate taller building massing and height to the primary streets and intersections away from low rise buildings. Provide additional measures, such as building step-backs, to promote human-scale development.

Corridor Guidelines –

- 3.2.1.5.6** Locate the greatest height and density towards the primary street frontage and street corners. Encourage perimeter block buildings on corner lots and establish a transition in height along and between corridors. Transition may be achieved through different building types, heights and articulated top sections. Building heights should be designed to achieve a recognizable skyline rather than an ad-hoc or inconsistent assembly.
- 3.2.1.5.8** Encourage tower forms for high rise buildings to minimize shadow impacts in surrounding properties and to reduce bulk along corridors. Consider a variety of building forms along a corridor with emphasis on tower forms, podium buildings and smaller slab buildings.
- 3.2.1.5.10** ...Provide increased setbacks for development located in minor corridors ranging between 5.0 to 7.0 metre setbacks to allow more front yard landscaping.
- 3.2.1.5.12** Encourage increased setbacks for high-rise buildings located along corridors to create greater space for front yard landscaping, outdoor amenity space and setback relied...
- 3.2.1.5.15** Design facades to create a consistent streetscape character and compatible rhythm...
- 3.2.1.5.16** Emphasize the base section to create a human scale form of development with a 1-3 storey based on Minor Corridors...
- 3.2.1.5.17** Provide enhanced landscape buffers facing lower density housing...
- 3.2.1.5.25** Encourage parking to be incorporated into proposed buildings in above grade or underground parking structures.

APPENDIX 'E'
Conceptual Building Renderings

REVISED CONCEPT (September 2018)



East Façade (proposed building on the left, existing building on the right)



West Façade (parallel to walkway)



North Façade (existing building on the left, proposed building on the right)

ORIGINAL CONCEPT (March 2018)



South Façade (existing building on the right, proposed building on the left)

APPENDIX 'F'

Conceptual Site Plan

