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**RE: Planning Justification Report Addendum – 167-171 King Street South, Waterloo
Zoning By-law Amendment (Z-25-23)
OUR FILE 15202B**

MHBC Planning Ltd. has been retained by our client, VanMar Developments 171 King GP Corp., to prepare this addendum to the Planning Justification Report (July 2025) that was originally submitted in support of the above-noted planning application for the lands municipally addressed as 167-171 King Street South, in the City of Waterloo (hereinafter referred to as the “subject lands”).

This addendum to the planning justification report is intended to address post-circulation comments from City planning staff for the continued processing of the above-noted planning application in support of a mixed-use multi-tower development on the subject lands. This addendum is supported by a comment response matrix.

Summary of Revisions to Concept Plan

Following receipt of the formal post-circulation comments received from agencies and municipal staff, as well as comments heard from the public, our client has reviewed and made revisions to the original conceptual site plan in an effort to address a number of the key concerns that have been raised by City staff and the public alike.

The following is a summary of the main design changes to the proposed multi-tower development, as well as the resulting changes to the building statistics:

Design Changes

- ‘Swapped’ tower heights to make the King Street tower (Tower B) the taller of the two proposed towers.
- Reduced average tower heights to 34 storeys (previously 35 storeys). Tower A is now 30 storeys, and Tower B is 38 storeys.



- Reduced density.
- Removed encroachment into Regional right-of-way for Levels 3-5 along King Street frontage.
- Added delineation of common outdoor area along King Street frontage to meet Zoning By-law requirements.
- Added mid-block walkway connection from Caroline Street to Kuntz Lane/King Street along the western property line.
- Increased commercial floor area along King Street.
- Provision of additional bicycle parking spaces to meet Zoning By-law requirements.
- Further expanded unit mix to add 3-bedroom units.

Revisions to Key Site and Building Statistics as a Result of Design Changes

The below table compares the original proposal with the revised development concept in terms of key building and site stats:

	August 2025 Submission	Revised Plan (April 2026)
Building Height (Tower A) "Caroline Street Tower"	37 storeys 122.35 metres	30 storeys 102.73 metres
Building Height (Tower B) "King Street Tower"	33 storeys 112.9 metres	38 storeys 132.4 metres
Density (Bdrms per Hectare)*	2,250	1,950
Number of Units	834	802
Vehicle Parking Spaces	428	400
Bicycle Parking Spaces	259	499
Commercial Floor Area**	790.68 m ²	815.85 m ²
Common Outdoor Area	Not identified	225 m ²

**Illustrates density requested in Zoning By-law Amendment (additional density requested to allow flexibility in final unit mix).*

Summary of Revisions to Zoning By-law Amendment Request

Following our review of the post-circulation comments and as a result of the above-noted changes to the conceptual site plan, the following is a summary of the revisions to the Zoning By-law Amendment requested:

Site Specifics Revised:

- Lot Line Setback (abutting a Lane) - request that the minimum setback from Kuntz Lane shall be 1.5 metres from the building podium, *and* 1.0 metres from the edge of the walking surface for a single storey covered porch/patio (existing).
- Density (max) – requested density reduced to 1,950 bedrooms per hectare.
- Building Height (max) – revised to 103 metres/30 storeys (including mechanical penthouse) for Tower A, and 133 metres/38 storeys (including mechanical penthouse) for Tower B.
- Height of First Storey (min) – revised to clarify that the reduced first storey height for Tower A (fronting Caroline Street) shall be 3.0 metres, only where residential uses are proposed.
- Parking Area (location) – revised to clarify that structured parking on the first storey shall also be permitted behind building floor area associated with ground floor residential units.

Site Specific Removed:

- Common Outdoor Area (min) – removed as the conceptual site plan now shows ground level common outdoor area along the King Street South frontage. This area meets the minimum area and dimension requirements of the by-law.
- Bicycle Parking (min) – removed as the conceptual site plan now provides sufficient bicycle parking to meet the minimum requirements in the Zoning By-law.

Site Specific Added:

- Tower Stepback above Podium (min) – added to request a tower stepback of 2.6 metres measured from the edge of the balconies, and specified to apply only along the King Street South frontage (Tower B). This is to account for the angled balconies that are proposed, and it is noted that the majority of the balconies and the tower face are stepped back at least 3.0 metres.
- Bicycle Parking Spaces (dimensions) – added table to specify dimensions of bicycle parking spaces in accordance with what is proposed (reflective of industry standard).
- Mechanical Penthouse Height (max) – added to request increased mechanical penthouse height up to 7.0 metres.
- Holding Provision – added to recognize the existing holding provision on the subject lands requiring confirmation from the Province that a Record of Site Condition has been completed and acknowledged by the Ministry of Environment, Conservation and Parks (“MECP”).

A redline version of the updated Draft Zoning By-law Amendment is attached as **Appendix A** to this Planning Justification Report Addendum. A “clean” version is attached as **Appendix B**.

Additional Staff Comments/Considerations

The post-circulation comments package included a number of building design matters that staff have asked the proponent to review and consider, or provide additional justification in support of

the proposed request. The following sections identify the general themes of the matters that staff have requested additional consideration/justification and contain our more detailed responses (in addition to the response contained in the comment response table).

Common Outdoor Area

Within the U2 zone, the Zoning By-law requires the provision of a Common Outdoor Area (at-grade) that is a minimum of 3% of the lot area (for lots with an area greater than 2,000 m²) and where the dimensions must be a minimum of 4.0 metres when in a front or flankage yard.

The site plan has been revised to delineate a Common Outdoor Area along the King Street frontage. The identified Common Outdoor Area exceeds the minimum area requirement and meets the minimum dimension requirements as established in the Zoning By-law. As such, the proposed development now achieves the requirement for the provision of a Common Outdoor Area, and relief from this provision is no longer required. This has been reflected in the updated draft zoning amendment.

Sun/Shadow Study Impacts

An updated Shadow Study has been prepared to address City staff's comments, including reflecting the modifications to the proposed building massing (tower heights) and differentiating the shadows between the portions of the building below and above 30 storeys.

As the proposed massing has been 'swapped' between the two towers to have the taller tower along King Street, the shadows coming from the Caroline Street tower have been reduced and those coming from the King Street tower have been slightly extended. As requested by City staff, the shadow study has also been prepared to distinguish between the portions of the shadows that are generated from the towers up to 30 storeys in height, and the portions that are above 30 storeys in height. As it is only the King Street tower that now exceeds 30 storeys in height, the separately distinguished portion is only shown on one of the towers in the shadow study.

The revised shadow study has been completed for all of the required dates and times noted in the City's Sun/Shadow Analysis Terms of Reference, and ultimately reflects that shadows resulting from the proposed towers are limited on the lands to the south/west of the site, and move quickly from west to east over the course of the evaluated days (March 21, June 21, September 21, and December 21).

Wind Study

A revised Wind Study has been prepared to reflect the revised building massing. The revised wind study reflects positive wind results and a slight improvement when compared to the original wind study. The study recommends that there will be no access to the exterior amenity podium in the winter months to address the area on Level 5 that may exceed target criteria for passive space. Following the typical process, any further mitigation will be explored during site plan approval stage with the wind study updated to reflect the final building design, and any incorporated features required to mitigate wind impacts.

We request that the City remove the request of a peer review study since the wind study has already been updated with the tower height and podium design changes. Comments from the public should not be used as a reason to change the City's standard process for technical study review, especially if the wind study, which has been prepared by an expert, has confirmed that wind safety criterion is met at all locations except on top of the podium (which the consultant has noted can be easily mitigated through thoughtful design interventions that will be further determined at the site plan stage, including closure of this area in winter months).

The City's typical process is to require a preliminary wind study at the zoning stage and an updated detailed wind study at the site plan stage when the final building design, as well as any mitigation measures including landscaping are known. Should the City not be satisfied with the wind study prepared at the site plan stage, this would be the more appropriate time to require a peer review.

Setback from Kuntz Lane

It is noted in staff's comments that in addition to the request for a reduced 1.5 metre setback from Kuntz Lane to the building podium, an additional reduced setback will be required to the relocated heritage house. We confirm that the proposed heritage building itself complies with the required 2.5 metre setback from Kuntz Lane, and rather the site-specific relief is required only to the existing and proposed covered porch addition that are attached to the heritage house.

City staff have stated that the existing covered porch is required to comply with the same 2.5 metre setback as the building, and that this setback is to be measured from the edge of the walking surface or the column. Although we cannot find this specific reference in the Zoning By-law, we confirm that the setback between the edge of the walking surface and the side lot line abutting Kuntz Lane is approximately 1.0 metre at the closest point. Accordingly, we believe that the reduced side lot line setback from both the existing covered porch and the proposed covered porch addition can be justified as these porch features are not unlike other architectural features that are permitted to project/encroach into the required yard setbacks (in accordance with the provisions of Section 3.A.5). Although covered porches themselves are not identified as an architectural feature that is permitted to project into a required yard setback, other architectural features such as balconies, architectural canopies, and cantilevered architectural elements would be permitted to encroach up to 1.5 metres into a minimum building setback and are similar to the type of encroachment requested in the revised zoning by-law amendment.

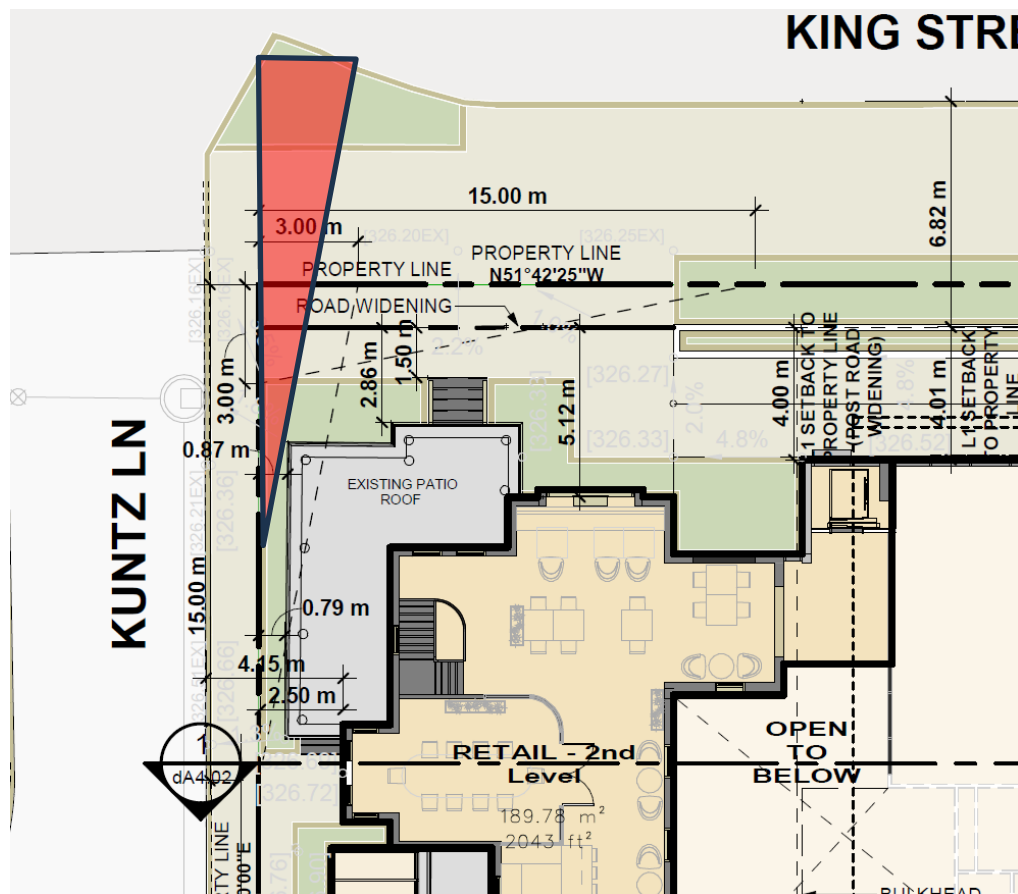
We recognize that this relief will need to be included in the site-specific provisions, and also propose that the wording be made explicit in the by-law to ensure that the proposed relief only applies to a single-storey covered porch/patio. The draft zoning amendment has been revised accordingly for the City's review and is included as an Appendix to this addendum letter.

Daylight Triangles/Driveway Visibility Triangles

Staff comments noted that the relocated heritage building encroaches into the City's daylight triangle at the Kuntz Lane and King Street South intersection. In our further review of this matter, we have found that the City's Zoning By-law definition of a 'daylight triangle' references that it is "*formed by*

two triangles, where the *STREET LINES* form the legs of the triangle". Further, the definition of a 'lane' (such as Kuntz Lane) states that "*a LANE shall not be defined as a STREET*". As such, it is our interpretation that the daylight triangle provisions for street lines does not specifically apply for the corner of King Street South and Kuntz Lane as this is not the intersection of two *STREETS*, but rather a street and a lane. As such, it is our opinion that the development is compliant with the daylight triangle requirement.

If a daylight triangle was to be measured at King Street and Kuntz Lane, it should be measured from further up into the Regional right-of-way as the cars that would drive along Kuntz Lane to turn onto King Street would not be turning at the sidewalk, but rather at the curb line which is more than 7 metres beyond the edge of the property line based on the existing Regional right-of-way and the road widening to be conveyed. If the daylight triangle is pushed up accordingly, the daylight triangle would not conflict with the relocated heritage building and porch (see illustration below).



Driveway visibility triangles have been added to the Caroline Street driveway and are now shown on the revised site plan.

Bicycle Parking

Through the process of revising the conceptual site plan, the bicycle parking on site has been redesigned to include a total of 499 bike parking spaces which exceeds the required bike parking ratio of 0.6 per unit (482 spaces). The floor plans indicate multiple bike rooms to achieve this compliance

with the zoning ratio. The site stats have also been updated to correctly identify which stalls are considered Class A and which are considered Class B.

Exterior bike parking for short term bike parking (Class B bicycle parking) has also been provided outside of the building at both Caroline Street and King Street entrances and is now illustrated on the site plan. It is anticipated that the final locations for Class B bicycle parking will be determined through the site plan approval process.

While relief is no longer required from the number of bicycle parking spaces requested, we are requesting relief from the dimensions for certain types of bicycle parking spaces. The proposed bike rooms and related bike storage dimensions illustrated in the site plan represent industry standards and racks that are available for purchase in the construction market. The dimensions of these available bicycle racks do not comply with all of the dimensions that are identified within the City's recently passed Zoning By-law 2025-078.

As part of the relief for the bicycle parking dimensions, we are also seeking relief from the access aisle widths. At the smallest point, an access aisle of 1.9 metres is provided from some bicycle parking stalls in the large bicycle storage room, however on average an access aisle width of 2.2 metres is provided. This provides sufficient space for access between racks.

The specific dimensions for the proposed bicycle parking spaces and access aisles has been added to the zoning by-law amendment and are included in the following table. Dimensions where relief is requested are shown in **red**:

Type of Bicycle Parking Space	Dimension		
		By-Law Requirement	Requested Amendment
Horizontal BICYCLE PARKING SPACE	Width	0.6 m	0.6 m
	Length Single Side Rack	2.0 m	1.8 m
	Length Double Side Rack	3.0 m	1.8 m
	Vertical Clearance	2.0 m	2.0 m
	Access Aisle Width	1.75 m	1.75 m
Vertical BICYCLE PARKING Space	Width	0.6 m	0.6 m
	Length	1.25 m	1.25 m
	Vertical Clearance	2.0 m	2.0 m
	Access Aisle Width	1.75 m	1.75 m
BICYCLE PARKING (STACKED) Space	Width	0.6 m	0.45 m
	Length	2.0 m	1.93 m
	Vertical Clearance	3.8 m	2.55 m
	Access Aisle Width	2.5 m	1.9 m

Analysis of Additional City of Waterloo OP Policies

As noted in the post-circulation comments, City staff have requested that the applicant provide additional justification for the proposed development through a more detailed analysis of specific policies that were added through the recently approved OPA 58. These comments were provided by

planning and urban design staff. It is noted that at the time the application was submitted these policies were not in fully force and effect. Since the initial submission, the Minister has now approved OPA 58.

Urban Design Policy Comments

The urban design policy review noted several sections of OPA 58, including Section 3.6.1 (Uptown Primary Node Guiding Principles); Section 3.9.1 (City Urban Design Objectives) and Section 3.9.3 (Urban Design Policies). With respect to Sections 3.6.1 and 3.9.1 no specific comments were made and as such, this Addendum provides a summary of how these policies have been addressed. With respect to Section 3.9.3, more specific comments were provided and are addressed herein.

Section 3.6.1 (Retaining Uptown's Sense of Community, Identity and Commercial Vitality) of OPA 58 states that the Uptown Waterloo Primary Node will be planned to achieve balance between meeting growth objectives through intensification and the need to retain Uptown's sense of community and identity. Accordingly, the City will use appropriate implementation tools (including land use designations, the Zoning By-law, site plan control and urban design guidelines) to encourage and facilitate a land use pattern that supports Uptown's intended form and function and to support the following policies:

Pedestrian-Oriented Environment and Public Realm

- 1) Consistent with the Urban Design policies of this Plan, site and building design as well as improvements within the public realm (roads, parks and sidewalks) will support safe and convenient pedestrian movement.*
- 2) The City will plan for land uses that support a pedestrian-oriented environment within the Uptown Primary Node.*
- 3) It is a policy of this Plan that development will support a high quality, safe and attractive public realm and streetscape in the Uptown.*
 - a. Uptown's high quality public realm will include a public square, public art, parks, greenspaces, and a pedestrian and bicycle-friendly environment to facilitate community connections and interactions through special events, festivals, and everyday activities.*
 - b. The City views the 'greening' of Uptown as a critical component of creating high-quality urban open spaces. The City shall promote horticulture and the integration of open space components into and throughout Uptown. Clear and definite connections shall be emphasized between open spaces as well as between Uptown and Waterloo Park.*
 - c. Development within Uptown Waterloo Primary Node will feature high quality, safe and attractive amenity and community space.*

Response: The site has been designed to support safe and convenient pedestrian movement and supports a pedestrian oriented environment. Residents of the proposed development will have direct access to the public sidewalk system. The proposed development is directly across from the Iron Horse Trail that runs along Caroline Street, providing pedestrian access to this major trail system. At the request of City staff, a mid-block pedestrian connection has been added along the west side of the property connecting Caroline Street to King Street. The revised proposal meets the City's bicycle parking requirement and exceeds the minimum ground floor common area requirement. The ground floor common area extends across the King Street frontage of the subject lands.

Architectural Integrity

- 4) *It is a policy of this Plan to encourage, reinforce and improve the architectural integrity of buildings within the Uptown Waterloo Primary Node, particularly those fronting onto King Street through such means as urban design guidelines and the Zoning By-law. In order to maintain and enhance the function of King Street as the City's main street, for buildings that immediately abut King Street within the Uptown Waterloo Primary Node, the Zoning By-law will contain provisions that require minimum and maximum building heights.*
- a. *For properties within the Main Street height limit on Schedule 'B1' – Built Form, minor increases in height beyond 4 storeys may be considered by way of an Amendment to the Zoning By-law, subject to the applicant demonstrating to the City's satisfaction that the planned built form and massing of the streetscape is maintained through an appropriate upper storey façade setback and other massing and supporting design strategies. Applications to exceed 4 storeys shall be accompanied by an urban design study, demonstrating how the proposed height addresses the City's built form and urban design objectives, guidelines and standards to the satisfaction of the City.*

Response: No amendments are proposed to a minimum height requirement in the Zoning By-law. The revised zoning amendment identifies a maximum building height (in storeys and metres) for each of the two towers that are proposed. Under "Architectural Integrity", staff comments note that "*particular attention is given to how buildings interact with King Street*" and that "*Buildings fronting onto King Street should reinforce the street's historic role as a "main street"*". This wording is not included in the "Architectural Integrity" section of Policy 3.6.1, and further the subject lands are located outside of the "Main Street" area identified on Schedule B1.

Cultural Heritage Resources

- 5) *Development within the Uptown Waterloo Primary Node will be considered in conjunction with the Heritage policies of this Plan, as found in the Arts, Culture, Heritage, Recreation and Leisure Chapter. In consultation with the Municipal Heritage Committee, the City will identify and/or designate properties and districts with cultural heritage value or interest and support owners to restore and maintain built heritage resources and cultural heritage landscapes;*
- 6) *The City will Plan for and encourage the identification, description and interpretation of cultural heritage resources for educational and tourism purposes.*
- 7) *A portion of the MacGregor/Albert Heritage Conservation District is located within the Uptown Waterloo Primary Node. It is a policy of this Plan that these lands will be generally planned to permit low rise residential land uses that are characteristic of the Heritage Conservation District designated in accordance with policy 4.7.7(1), subject to the Area Specific policies included as part of this Plan.*

Response: The subject lands contain a designated heritage resource and as such, a fulsome Heritage Impact Study has been prepared in support of the proposed development. The proposed development includes restoration and adaptive reuse of the heritage resource as part of the overall development. The subject lands are not within the MacGregor/Albert Heritage Conservation District.

Community Destination for Major Arts and Cultural Facilities and Events

- 8) *The City supports the Uptown Waterloo Primary Node as a community focal point for arts and culture, including cultural businesses, and will plan for and encourage:*
- a. The concentration of major arts and cultural facilities in the Uptown; and,*
 - b. The programming of major festivals and community gathering events in the Uptown.*

Response: This is a general policy referring to the Primary Node as a whole. The proposed development does not result in the removal of any arts or cultural facilities.

Open Space

- 9) *It shall be a policy of this Plan to encourage the development of the Laurel Creek open space and greenway system in conjunction with the park and institutional open space corridor formed by Waterloo Park through the University of Waterloo lands and including the Laurel Creek Conservation Area.*

Response: The subject lands are outside of the Laurel Creek open space and greenway system.

Commercial Vitality

- 10) *This Plan supports a strengthened commercial centre, with continued retail and commercial services market growth in the Uptown Waterloo Primary Node. The Uptown Waterloo Primary Node will continue to expand its commercial vitality and any planning for future commercial space throughout the City must ensure that sufficient market support is available to demonstrate compliance with this policy.*

Response: The proposed development includes commercial uses along the ground floor of the King Street frontage, including commercial space associated with the adaptive reuse of the heritage building. Commercial units will have direct access out to the public sidewalk system that runs along King Street.

Section 3.9.1 of OPA 58 identifies the Urban Design objectives and design policies to establish the general design vision for the City and inform the design criteria for the City to evaluate new development proposals subject to the provisions of the Planning Act and Council direction. The Urban Design objectives for the City include the following:

Design Excellence

It is a priority for the City that built form reflects design excellence to recognize the important role that built form has in defining the City's quality of life, appeal, and image. The policies of this Plan aim to guide the successful growth and development of the city through urban design by focusing on built and natural environments.

This Plan strives for design excellence reflected through high-quality materials, sustainable building design and construction, considerate use of resources, thoughtful consideration of buildings' impacts on the urban fabric, and attention to human-scaled design that considers people of all ages and abilities.

Creating a Sense of Place

Site and building design are intended to foster a distinct sense of place with particular attention to coordinated streetscapes, without limiting architectural design, innovation or creativity. Development can present design opportunities for key areas throughout the city such as the Uptown Primary Node and other strategic growth areas within the City Structure to form an area-specific identity, with emphasis on coordinated building materials and colours, architectural style, public art and landscaping.

Connectivity

The policies of this Plan seek designs that promotes connectivity with emphasis on pedestrian and non-vehicular safety, direct and convenient access to transit routes, amenity spaces, building entrances and public streets. Barrier-free access, where feasible, will be provided to building entrances from the public street, particularly along transit routes.

Streetscaping and Street Activity

The design quality of building elements closer to the street, particularly the podium or street wall, should be emphasized over the taller components of buildings, due to their inherent impact on the pedestrian experience. Good streetscapes integrate the public right of way and the private development that frames it. The design of the streetscape is encouraged to include landscaping, resting spaces and gathering spaces. Development should address the interaction between public and private spaces.

The policies of this plan seek developments that promote street activity and animate the public realm by locating building entrances towards the street, providing windows along the street frontage, encouraging mixed-use development, and promoting outdoor amenity spaces along the street or between buildings.

Enhancing the Pedestrian Experience

The pedestrian experience at the street level is a key measure of good urban design. A pedestrian-friendly environment can be established at the neighbourhood level through the implementation of an efficient, safe and logical street pattern, smaller block sizes, an interconnected public realm network, and active uses along the primary street edge; it can be further reinforced at the streetscape level through human-scale street wall heights, building and facade articulation, frequent entrances, transparency, and a consistent rhythm of streetscape elements and street trees. Together, these elements work to create walkable environments that are safe, attractive and welcoming for people of all ages and abilities. The streetscape network is an important component of a complete community and the public realm as a whole, tying together housing, employment, commercial, and community uses in a cohesive framework that promotes walkability, accessibility and convenience.

Response: The proposal provides design excellence through the use of high-quality materials, attractive architectural design, meaningful integration of a heritage resource, and activated street frontages. Barrier-free access is provided to building entrances from the public street. In addition to the public sidewalks along King Street and Caroline Street, an additional mid-block pedestrian connection has been added to provide increased connectivity.

The proposed development promotes street activity and animates the public realm by locating building entrances towards the street, providing windows along the street frontage, providing mixed-use development, and promoting outdoor amenity spaces along King Street. The proposed development considers the pedestrian experience at the street level through the design of the building podium.

Section 3.9.3 of OPA 58 contains the general urban design policies which are intended to support the design objectives established in Policy 3.9.1 and define the primary design elements and expectations that will apply to all development in the City in the public and private realm. Staff comments indicate that the proposed development complies with many of the urban design policies, but suggested that the following specific policies merit particular attention:

Policy 3.9.3 (1)(d)

(1) Development in the City of Waterloo shall consider and align with the following urban design directions with regards to streetscapes and placemaking:

d. Development is encouraged to contribute to a continuous street wall along its street frontage and will contribute to a human scale streetscape.

Response: The development includes a continuous street wall along both the King and Caroline Street frontages. This is interrupted only where required for setbacks or driveway access. The development contributes to a human scale streetscape but employing a podium and tower design; by including ground floor active uses along both King Street and Caroline Street; by including large ground floor windows and individual commercial accesses out to the street, and by providing residential units above the ground floor commercial uses along the King Street frontage to provide for additional “eyes” on the street. The proposed overhang of the parking podium provides for weather protection and a human scale at the ground floor. Through the site plan process, and in consultation with the Region, site amenities and landscaping along the street frontages will be determined.

Policy 3.9.3 (5)

(5) This Plan places a greater emphasis on urban design compared to density.

Response: The requested increase in density is required in order to realize the increased height that was already approved for the site via OPA 58. In our opinion, the proposed development can, and does, include both increased density and a high level of urban design. A well thought-out and high-quality design is proposed as illustrated in the renderings submitted as part of the application. In referencing this policy, the staff comments note that “*attention should be given to how the building interacts with the King Street frontage, with the objective of maintaining a high degree of architectural integrity.*” While we believe this has been achieved, it is noted that this language is not contained within Policy 3.9.3 (5) and is instead staff’s interpretation of a policy that is intended to apply generally and City wide.

Policy 3.9.3 (2)(c)(i)

(c) Tall buildings are described as any building taller than 11 storeys in height measured from average grade. The following policies apply:

- i. Tall buildings will provide appropriate separation distances as outlined by the Zoning By-law, to limit negative impacts to the public realm, other tall buildings on the same site, and neighbouring properties, including sky view, access to sunlight, and privacy for building occupants.*

Response: This policy puts the focus on the Zoning By-law to identify appropriate separation distances for towers. The proposed development meets the minimum tower separation distance requirements of the Zoning By-law, including the minimum tower separation required between towers on the same site, and the minimum tower separation to property lines. Tower A has been shifted as far away as possible from the abutting tower on the adjacent site. Tower B has shifted as far from the abutting tower as possible without compromising the heritage building. Both towers have been oriented to limit balconies and units that face the abutting tower.

Policy 3.9.3(1)(f)

(1) Development in the City of Waterloo shall consider and align with the following urban design directions with regards to streetscapes and placemaking:

- f. Development is encouraged to integrate small-scale publicly-accessible open spaces where possible, in the form of mid-block connections, sliver parks, forecourts, courtyards, mews and other micro spaces, in order to enhance pedestrian experience and movement.*

Response: The subject lands are adjacent to an existing publicly accessible open space (Brewmeister Green Park). In response to staff comments, a mid-block pedestrian connection has been added along the west side of the proposed development, connecting Caroline Street to King Street.

Policy 3.9.3(2)(f)(ii)

- f) As part of new development, opportunities for public art and site amenities are encouraged, especially for larger sites, and development within designated Nodes, Corridors and Major Transit Station Areas. Consideration to be given to the following:*
 - i. Public art should contribute to a sense of place, meaning or local context.*
 - ii. Within the Uptown Waterloo Primary Node and near transit stops, the integration of urban site amenities such as landscaped outdoor spaces, urban seating areas, and public art is encouraged. A variety of other site amenities may be considered and incorporated into intensification projects that animate the street, contributes towards sustainable design, and enhances the quality of life for its users and visitors.*

Response: There may be opportunities for public art which could be explored through the site plan approval process. As suggested by staff, a mid-block connection has been added as a public realm improvement. In addition, the developer will be engaging the Region of Waterloo to determine streetscape opportunities within the Region's ROW along both King Street and Caroline Street.

Policy 3.9.3(1)(i)(j)

(1) Development in the City of Waterloo shall consider and align with the following urban design directions with regards to streetscapes and placemaking:

- i. Parking areas and structures will be located and designed to limit their visual impact on the public realm. Where feasible, underground parking is encouraged for intensification projects, particularly residential or mixed-use development. Surface parking in planned intensification areas is generally discouraged.*
- j. Where above-grade parking structures are proposed, they are strongly encouraged to be wrapped by permitted active uses fronting the street, with additional measures taken to screen any parking which is visible from public view through the use of landscaping or other design strategies. On primary streets, above-grade parking structures are strongly discouraged; where they exist, they should be wrapped by active uses such as residential units, retail, commercial or institutional uses on all podium levels. On secondary streets, above-grade parking structures shall be required to be wrapped by active uses at-grade and are encouraged to include active uses above the ground floor.*

Response: All of the proposed parking is considered “structured” parking. There are no surface parking lots proposed. Underground parking is not proposed given the significant cost, and the high ground water table (which would allow for limited parking underground). The parking has been designed in a manner that limits its visual impact on the public realm. The above grade parking has been fully integrated into the architectural design and does not read as parking and as such has been “screened” as encouraged by the policy. Along King Street, parking is wrapped by active uses and residential units on the ground floor and 2nd storey. It is not possible to wrap the upper levels of the podium with active uses while still achieving efficient design. Along Caroline Street, parking on the ground floor is wrapped behind active uses which include ground floor residential units and lobby area.

Policy 3.9.3(2)(d)(i)(ii)

(2) Development will sympathetically conserve, respect and complement the cultural heritage resources of the city as a whole, and the Uptown Waterloo Primary Node in particular. The following policies apply:

- i. The City will seek to retain, conserve, and/or rehabilitate cultural heritage resources in their original locations where possible. Where it is not possible to retain the original uses, adaptive reuse of heritage buildings shall be encouraged.*
- ii. New development will achieve a compatible relationship with cultural heritage resources and heritage districts in their context through consideration of elements such as urban scale, building height, massing, materiality, profile and architectural features.*

Response: The cultural heritage resource is being retained and incorporated within the overall development. While the resource is proposed to be moved, it will remain on the same property and will retain the relationship with King Street. Adaptive reuse of the heritage building is proposed with a commercial (restaurant) use envisioned for the end user. The HIA has provided an in-depth review

of the proposed development and the compatibility with the heritage resource. The adjacency of podium parking to the heritage resource does not impact the heritage attributes of the building. An updated HIA and response to City heritage comments is included as part of this resubmission.

Additional Height/Density and Community Benefits Policies

Policy 3.4(6) of the Official Plan (OPA 58) identifies matters that are to be considered where increased heights are requested beyond what is permitted in the Official Plan. Although Area Specific Policy 93 of OPA 58 grants this site permission for a maximum height of 38 storeys, it must still be demonstrated that the proposed increased heights have regard for policies 3.4(6) and 3.4(8). An analysis of these policies was provided in the original Planning Justification Report. Further commentary with respect to Policy 3.4(6) is included herein in response to City comments, the comments related specifically to 3.4(6)(b) and (c). The analysis with respect to Policy 3.4(8) in the original PJR remains valid.

Policy 3.4(6) states:

Development applications proposing heights above the maximums contemplated in this section, any applicable land use designation, or any area-specific planning document, will be considered based on the following and any other consideration deemed appropriate by the City:

- a) Lands are located within a designated Node, Corridor or Major Transit Station Area and satisfy all relevant policies of the City Form Chapter;*

Response: The subject lands are within a Major Transit Station Area and within a designated Node.

- b) The proposed built form is deemed appropriate for the site and neighbourhood, has minimal impact on neighbouring land uses, and achieves an appropriate built form transition and buffer from lands designated Low Rise Residential;*

Response: The proposed development is appropriate for the land use designation and location within the Major Transit Station Area and within the Primary Node. The subject lands do not immediately abut any designated Low Rise Residential lands and impacts on neighbouring land uses are minimal and/or can be appropriately mitigated. The 'swapping' of the height/density of the two towers achieves a more appropriate built form between the proposed development and the low rise form of development on the opposite side of Caroline Street (lands designated Medium Rise Residential). Tower B continues to meet the zoning by-law requirements for tower separation. Pushing this tower further to the west would compromise the heritage house.

- c) There is a demonstrated benefit to the surrounding community associated with granting the increase in building height beyond that of accommodating additional population in the context of Waterloo's population forecast and the supply / capacity of lands within existing designated Nodes, and Corridors, and Major Transit Station Areas;*
 - i. positive benefits noted in 3.4(6)(c) may include but are not limited to a broader mix of multi-bedroom units, enhanced active transportation connections, conservation of cultural heritage, enhanced sustainable design, increased parkland, and sustainable building features;*

Response: In the circulation comments provided by the City, staff noted they did not agree with the justification in the original PJR that the proposed development provides benefits to the surrounding community. It was suggested that the applicant consider benefits such as a broader range of units, affordable units, car share spaces / vehicle within the development, public art, and/or a pedestrian connection from Caroline St S to Kuntz Lane. It was also suggested that conservation of the Kuntz-Labatt House is already required under the Ontario Heritage Act and as such is not over and above what a developer is required to provide.

In response to the City's comments, a broader range of units are now included, including 3 bedrooms suites. The proposal also includes a car sharing parking model (which allows for public parking). A sidewalk connection from Caroline to Kuntz Lane to King Street has now been incorporated along the west side of the subject lands.

In our opinion, the adaptive re-use of the Kuntz-Labatt House remains a community benefit. When redeveloping sites that are designated under the Ontario Heritage Act there are a range of outcomes including: preservation, commemoration, facadification; and, in some instances demolition. Further, there is no requirement under the Ontario Heritage Act that would require the adaptive reuse of the heritage building. It could have been included within the development as private amenity space or other private uses such as the building is being used today. Instead, the development concept includes adaptive reuse of the building to a commercial/restaurant use which will allow broader community access to the heritage building. Further, under the previous Section 37 Bonusing scheme, the City of Waterloo Official Plan identified a full list of facilities, services or matters that could be incorporated to authorize increases in height and density. Adaptive reuse of a cultural heritage resource was included in this list. Stating that adaptive reuse is not a community benefit discourages rather than encourages future adaptive reuse projects.

d) There are limited adverse impacts to the surrounding area(s) in relation to sun, shadow, wind, significant views, transportation, compatibility, and emissions (including noise);

Response: Supporting technical reports (Sun/Shadow Study, Wind Study, Noise Study) have been prepared and provided as part of this resubmission which confirm that there are no adverse impacts to the surrounding area. These studies have been updated to reflect the revised development.

e) The site is well served by existing or planned transit;

Response: The Subject Lands are within a Major Transit Station Area and are directly on the LRT Route, with Allen Station being within walking distance to the east along King Street.

f) The proposal does not require significant relief from standard regulations including landscaping, amenity space and other site-specific requirements;

Response: No relief is requested from landscape or amenity requirements.

g) Surface parking is minimized in favour of more intensive forms of parking, including underground parking where feasible;

Response: No surface parking is proposed as part of the development. Rather, parking has all been internalized in the form of structured parking.

h) Cultural heritage resources are conserved;

Response: The Kuntz-Labatt House (a designated heritage building) is proposed to be conserved and adaptively reused as part of the proposed development.

i) The proposal demonstrates a high standard of urban design in accordance with the City's Urban Design standards and guidelines and any other relevant urban design policies set out in this Plan;

Response: As previously stated, it remains our opinion that a high standard of urban design has been incorporated into the proposed development.

j) The proposal identifies and implements any required transportation improvements, with a particular focus on transportation demand management measures;

Response: No transportation improvements were recommended through the preparation of the TIS report. TDM measures in the form of secure bicycle parking are provided (which meet the City's Zoning By-law requirements). Additional TDM measures can be further explored/discussed at the detailed site plan review stage.

k) Medium to high rise residential uses are located with direct vehicular access to arterial or collector roads to the extent possible. Where such access is deemed by the City to be undesirable or not feasible, vehicular access may be provided by local streets if traffic is directed to the nearest arterial or collector road via a route that minimizes vehicular travel within the low-rise residential neighbourhood;

Response: The primary access is from Caroline Street. The access to the Kuntz Lane is intended for short-term parking/deliveries.

l) Infrastructure capacity is not exceeded;

Response: A Functional Servicing report has been prepared and confirms capacity is not exceeded. Detailed design will occur through the future site plan approval stage.

m) Community services, infrastructure and transportation impact issues are adequately addressed, as applicable. A Transportation Impact Study, Servicing Report, and any other relevant supporting information may also be required. All relevant supporting information may require, at the City's request, examination of off-site impacts;

Response: All relevant supporting information was provided as part of the initial submission and has been updated where required to reflect the revised development proposal.

n) If applicable, safe access, flood protection and geotechnical stability is achieved to the satisfaction of the City and the Grand River Conservation Authority, and any other authority having jurisdiction;

Response: N/A

o) Emergency response is determined feasible, and emergency access is provided, to the satisfaction of the City; and,

Response: Emergency response is feasible and can be provided via King Street and Caroline Street. No concerns were raised with respect to emergency access.

p) The proposal satisfies all other applicable policies, including the policies of this Official Plan.

Response: All applicable policies have been satisfied and an Official Plan Amendment has not been requested.

Revised Technical Reports/Plans

In addition to the preparation of this Addendum Letter to the Planning Justification Report, the following reports/plans/studies have been revised to reflect the updated conceptual site plan, and to address specific comments from the post-circulation comment package, where applicable:

- Architectural Design Package
- Sun/Shadow Study
- Functional Servicing and Stormwater Management Report
- Preliminary Civil Engineering Plans
- Heritage Impact Assessment
- Noise Impact Study
- Wind Study

Response to Public Comments

Following the informal Neighbourhood Meeting hosted by the developer in late November 2025, we compiled a summary of all the public comments that had been received to date (including the public comment package provided by City staff) and prepared and distributed a response letter to members of the public that had provided us with their contact information. The intent of the response letter was to provide clarity on the main themes that emerged in our review of the comments and to correct any misunderstandings.

As this response letter was distributed before the revisions to the conceptual site plan had been completed, there would have been some responses that could not address some of the comments with certainty. With the revised concept plan now available and forming part of this resubmission, a number of the main concerns/comments from the public have been addressed. Brief responses to the

summary of the comments provided in staff's post-circulation comment package have been provided in the comment/response table included with the resubmission.

Summary

We look forward to working with Staff such that this application can be brought forward to Council for a decision in the near future. We would be pleased to meet with Staff to review the revised development proposal and the updated Zoning By-law Amendment attached herein.

Yours truly,

MHBC

A handwritten signature in black ink, appearing to read "Andrea Sinclair", with a long horizontal stroke extending to the right.

Andrea Sinclair, MUDS, MCIP, RPP
Partner

A handwritten signature in black ink, appearing to read "Luisa Vacondio", in a cursive script.

Luisa Vacondio, BES, MCIP, RPP
Senior Planner