

CITY OF WATERLOO

Exception C____	Address 565 Conestoga Road West	Zoning RMU-81 Site Specific, OS1 Site Specific	File Reference By-law 2023-____
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Location: 565 Conestoga Road West as shown on Appendix 'C1' to this BY-LAW.

Site Specific Regulations:

- a) Notwithstanding anything to the contrary, the holding symbol “(H)” shall mean that the lands are zoned as “Holding Provision Area”. Prior to the passing of a BY-LAW to remove the holding (H) symbol, permitted uses on the lands shall be restricted to those uses that actually and lawfully existed on the lands on the day before the passing of this BY-LAW. Prior to passing of a BY-LAW to remove the holding (H) symbol, and prior to issuance of a building permit, the owner of the lands shall:
- Provide written evidence, to the satisfaction of the CITY and REGION that the owner has completed one or more Record of Site Condition(s) to the satisfaction of the REGION and Province
 - Submit a Master Site Plan and Master Servicing Plan with a Detailed Urban Design Guideline demonstrating how the proposed development will be comprehensively redeveloped in accordance with:
 - The regulations of the RMU-81 XXX Zone and the OS-1 XXX Zone
 - Other applicable regulations in this BY-LAW
 - Other CITY Design manuals, guidelines and standards
 - Submit a design for the PRIVATELY OWNED PUBLICLY ACCESSIBLE SPACE to the CITY
 - Submit verification of sufficient servicing capacity (water, sanitary and stormwater) to service any LOT and development thereon
 - Submit verification of sufficient transportation capacity and transportation infrastructure within the surrounding road network affected by the development and for use of any LOT
 - Submit a detailed Noise Study, to the satisfaction of the CITY and the REGION. The study shall evaluate stationary and road traffic noise impacts on the proposed development from surrounding uses and traffic sources. Recommendations of the study shall be incorporated into the detailed BUILDING design and/or the owner shall enter into an agreement (with the CITY and/or REGION, as required) under the provisions of the Planning Act
 - The owner shall enter into an Agreement with the CITY to implement the findings and/or recommendations of the above

Site Specific Regulations to the RESIDENTIAL MIXED-USE (RMU-81) Zone XXX:

- a) Notwithstanding anything to the contrary, the following Residential uses shall be permitted:

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- MULTI-UNIT RESIDENTIAL BUILDING (including APARTMENT BUILDING), in, on and above the FIRST STOREY
 - MIXED USE BUILDING with DWELLING UNITS, in, on and above the FIRST STOREY
 - TOWNHOUSE BUILDING
 - Live-Work Unit: meaning an APARTMENT DWELLING (with or without an interior common corridor system sharing an exit and entrance at GRADE level), within a BUILDING where the units are horizontally and/or vertically separated and where a portion of the BUILDING FLOOR AREA is used for commercial purposes by the PERSON using the DWELLING as their private residence
 - HOME OCCUPATION
- b) Notwithstanding anything to the contrary, the following Non-Residential uses shall be permitted:
- ARTIST STUDIO (Class A)
 - BAKE SHOP
 - CAFÉ
 - CHILD CARE CENTRE
 - COMMERCIAL RECREATION
 - COMMERCIAL WELLNESS
 - COMMUNITY GARDEN
 - CULTURAL FACILITIES, excluding Library, Performing Arts Theatre, Concert Hall
 - DRUG STORE
 - DRY CLEANING AND LAUNDRY DEPOT
 - FOOD STORE
 - FOOD STORE, SPECIALTY
 - HEALTH PRACTITIONER
 - HOME OFFICE
 - MODEL SUITE
 - OFFICE
 - OUTDOOR PATIO
 - OUTDOOR BAKE SHOP PATIO
 - OUTDOOR CAFÉ PATIO
 - OUTDOOR RESTAURANT PATIO
 - OUTDOOR ROOFTOP PATIO
 - PERSONAL SERVICE SHOP
 - RESTAURANT including TAKE-OUT but does not include a DRIVE THROUGH
 - RETAIL STORE
 - TEMPORARY SALES CENTRE
 - VARIETY STORE
- c) Notwithstanding anything to the contrary in this BY-LAW, the following regulations shall apply to the lands identified as Area A:
- i. Density shall be provided at a maximum of 750 BEDROOMS per hectare to a maximum overall density of 5,460 BEDROOMS

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- ii. LOTS may exceed the density of 750 BEDROOMS per hectare provided the overall density does not exceed (i) above
 - iii. BUILDINGS shall be a maximum height of 118 metres (35 STOREYS) provided the overall density does not exceed (i) above
 - iv. Minimum Non-Residential GROUND FLOOR AREA shall be 1,625 square metres
 - v. Maximum Non-Residential GROUND FLOOR AREA shall be 4,645 square metres
 - vi. There shall be no FRONT YARD, FLANKAGE YARD, SIDE YARD or REAR YARD setbacks on the Lands with the exception BUILDING LINE setbacks shall apply as follows:
 - a. Northfield Drive and Conestogo Road:
 - 3.0m to all above grade BUILDINGS and STRUCTURES
 - 0.0m to all below grade BUILDINGS and STRUCTURES
 - b. Hydro Corridor (to the south):
 - 3.0m to all above and 0.0m below grade BUILDINGS and STRUCTURES
 - c. Highway No. 85 (Expressway):
 - 14.0m to all above and below grade BUILDINGS and STRUCTURES
 - d. New Municipal Road Allowance:
 - 1.0m to all above and 0.0m below grade BUILDINGS and STRUCTURES
 - vii. ARCHITECTURAL PROJECTIONS, Class C shall be permitted subject to entering into an encroachment agreement with the City
 - viii. Minimum LOT FRONTAGE shall be 20.m
 - ix. Minimum Height of FIRST STOREY for Residential uses shall be 3.0m
 - x. Minimum Height of FIRST STOREY for Non-Residential uses shall be 4.0m
 - xi. Minimum PODIUM Height shall be 6.0m
 - xii. Maximum PODIUM Height shall be 7 storeys and 29.0m
 - xiii. Minimum TOWER separation shall be 22m
 - xiv. Maximum Horizontal TOWER Dimension shall be 49m
 - xv. Maximum TOWER Footprint shall be 1,100 square metres
 - xvi. Minimum LANDSCAPED OPEN SPACE shall be 30% including the PRIVATELY OWNED PUBLICLY ACCESSIBLE SPACE
 - xvii. Minimum TOWER STEPBACK above PODIUM, including balconies shall be 0m for a maximum of 40% with a minimum 1.0m for the remaining percentage (%) of the FRONT BUILDING FACADE
 - xviii. Minimum AMENITY AREA shall be 1.0 square metres per BEDROOM
 - xix. Minimum PARKING SPACE rate for Residential Uses shall be 0.70 PARKING SPACE per DWELLING plus 0.10 PARKING SPACES for Visitors per DWELLING
 - xx. No PARKING SPACE shall be required for Non-Residential uses subject to Transportation Demand Management measures to be implemented through Site Plan Control Application(s)
 - xxi. STRUCTURED PARKING shall be permitted within 55m of the PROPERTY LINE with Highway 85 on the FIRST STOREY
 - xxii. STRUCTURED PARKING shall be permitted within the FIRST STOREY of any BUILDING facing Northfield Drive no closer than 85m to Conestoga Road provided that:

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- a. A minimum twenty-five percent (25%) of the FIRST STOREY shall be comprised of one or more of the following uses:
 - HABITABLE FLOOR SPACE
 - Circulation spaces, such as hallways, elevators, and the like
 - Common indoor AMENITY AREA
 - DWELLING UNIT
 - Non-Residential uses set out above
 - Entrance/foyers
 - Hydro transformer room
 - Management office
 - Lobby, reception area, seating area, and the like
- b. STRUCTURED PARKING shall be located entirely behind the BUILDING FLOOR AREA devoted to uses in section 7.10.10a) of ZBL 2018-050
- c. The BUILDING FLOOR AREA devoted to the uses specified in section 7.10.10a) of ZBL 2018-050 shall abut the entire FRONT BUILDING FAÇADE. For the purposes of this BY-LAW, the façade of any BUILDING facing Northfield Drive and Conestoga Road are not considered to be the FRONT BUILDING FAÇADE
- d. Notwithstanding anything to the contrary, a DRIVEWAY may comprise part of the FRONT BUILDING FAÇADE or FLANKAGE BUILDING FAÇADE
- xxiii. BICYCLE PARKING requirements shall be provided in accordance with section 6.6 of ZBL 2018-050
- xxiv. LOADING SPACE requirements shall be provided in accordance with section 6.9 of ZBL 2018-050
- xxv. Notwithstanding anything to the contrary, every BUILDING shall have a front entrance at GRADE on the FRONT BUILDING FAÇADE and/or FLANKAGE BUILDING FAÇADE

Site Specific Regulations to the PARKS & RECREATION (OS-1) Zone XXX:

- a) Notwithstanding anything to the contrary, in addition to section 11 of ZBL 2018-050, the following additional uses shall be permitted:
 - PRIVATELY OWNED PUBLICLY ACCESSIBLE SPACE
 - UNDERGROUND PARKING
 - BUILDINGS and STRUCTURES to implement sustainable infrastructure
- b) Notwithstanding anything to the contrary in this BY-LAW, the following regulations shall apply to the lands identified as Area B:
 - i. Minimum setback to UNDERGROUND PARKING below grade to the limits of the OS-1 Site Specific Zone shall be 0.0m