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Date: July 19, 2024

Our Ref: 139419

Subject: Second Submission – OPA 51 and Zoning By-law Amendment Z-24-03
Lester Sunview Development Inc.
249-253 Sunview Street, Waterloo

Dear Ms. Wyszynski,

On behalf of our client, Lester Sunview Development Inc., and owner of the subject lands being 249-253 Sunview Street, Waterloo, please accept this letter and the attached submission materials in support of a Second Submission for OPA 51 and Zoning By-law Amendment Z-24-03 for the lands known as 249-253 Sunview Street, Waterloo. These submission materials respond to the comments received from departments and agencies and which is consistent with the information we presented and discussed with you at a meeting on May 10, 2024.

The following items have been provided to you through a secure OneDrive link:

- A PDF copy of the revised Architectural package, prepared by Arcadis and dated July 18, 2024,
- A PDF copy of the revised Civil Engineering package, prepared by Arcadis and dated July 16, 2024, including in separate files the Existing Conditions Plan, the Erosion and Sediment Control Plan, the Grading Plan, the Servicing Plan, the Details Plan, and the Stormwater Management Report,
- A PDF copy of the Domestic Water Demand dated February 21, 2024 and the FUS Calculations dated February 27, 2024 prepared by Arcadis, and a PDF copy of a Letter providing the Hydraulic Model of boundary conditions received from the Region of Waterloo and dated February 26, 2024, which were provided by email to the Region of Waterloo on April 10, 2024 and to City of Waterloo Engineering Services on April 16, 2024,
- A PDF copy of each of the revised Tree Preservation Plan and Landscape Plan, prepared by Arcadis and dated July 17, 2024,
- A PDF copy of each of the revised Environmental Noise Study dated February 23, 2024 and the Response to Peer Review Comments Letter dated February 14, 2024, prepared by JJ Acoustic Engineering Ltd and previously provided by email to the Region of Waterloo on April 10, 2024, and
- A PDF copy of the Comment Matrix, prepared by Arcadis.

One paper copy submission of the above materials along with this Cover Letter will be delivered to the City of Waterloo to your attention by courier.

Second Submission Summary

The development plans have been revised to address in response to comments received in the Post Circulation Letter dated April 16, 2024, where the key issues identified by the City requiring resolution were:

- Encroachment into the Street Line setback from the underground parking hammerhead and associated terrace providing access to grade-oriented units, and
- Landscape open space provision, particularly with respect to maintenance within the rear yard setback and with respect to maximizing useable landscape open space and tree planting opportunities.

We presented a revised conceptual to the City at a meeting on May 10, 2024, where we understood the City to be generally supportive of the following directional changes in development plans:

- Removing of one vehicle parking space, permitting:
 - The elimination of the encroachment of underground parking into the street line setback, and
 - Straightening the rear retaining wall, increasing the rear yard setback to permit maintenance of the landscape area and eliminating the need for an access agreement to be registered on title of the adjoining property to the rear.
- Revising the access for residential units on our first storey (deemed a second storey by the City), permitting:
 - Elimination of the terrace and associated retaining wall, providing instead a joint projecting staircase access to the units,
 - Increased soil volume for growth of tree plantings in the front yard,
 - Maintaining the seat wall as a public realm benefit, subject to further refinement at Site Plan, and
 - Extending the cover over the parking area to provide additional, useable landscape area.

The City further identified a number of additions or revisions to the list of site-specific provisions calculations, which have been accounted for in this submission.

The revised Official Plan and Zoning By-Law Amendments are summarized as follows, with changes from the original complete application submission noted in either **bold underline** (additions) or ~~strikethrough~~ (deletions):

Official Plan Amendment

- To add a 'Specific Provision Area' to the subject property with the following policy:
 - The maximum height shall not exceed 13 storeys.

Zoning By-Law Amendment

- To remove the Holding provision and re-zone the subject property from '(H)RN-12' to 'RN-12 with Site Specific Provisions' as follows:
 - ~~STREET LINE setback (Neighbourhood Frontage of 0.95 metres to the raised terrace and partially underground STRUCTURED PARKING extending above grade,~~
 - SIDE YARD setback to the northerly lot line of 0.5 metres to the partially underground STRUCTURED PARKING extending above grade,
 - REAR YARD setback of ~~0.6~~ **1.0** metres to the partially underground STRUCTURED PARKING extending above grade,
 - PODIUM HEIGHT of 20.5 metres,
 - **BUILDING STEPBACK above PODIUM of 0.7 metres on the FRONT BUILDING FAÇADE to the architectural feature,**
 - **BUILDING STEPBACK above PODIUM of 0.0 metres on the REAR BUILDING FAÇADE,**
 - **STRUCTURED PARKING on the FIRST STOREY shall be permitted to not be located behind BUILDING FLOOR AREA to a maximum of 17.3 metres, provided it is screened from view of Sunview Street,**
 - **Exterior stairs 1.5 metres in height shall be permitted to project into the FRONT YARD**

- TOWER Separation to the southerly INTERIOR LOT LINE of 9.5 metres, and
- LANDSCAPE OPEN SPACE of ~~29.3~~ **27.8**%.

The following sections of this letter briefly review the above changes in site specific provisions. The enclosed Comment-Response matrix provides responses for all comments received from departments and agencies.

Additional Planning Justification

The City requested planning justification was required for the following additional site-specific provisions identified through the development review process based on the development proposal:

- BUILDING STEPBACK above PODIUM on the FRONT and REAR BUILDING FAÇADES, and
- STRUCTURED PARKING on the FIRST STOREY not located behind BUILDING FLOOR AREA

Building Stepbacks

To support good urban design principles, the line of balconies extending from the designed 3rd floor to 12th floor (technically the 4th to 13th floor) is enclosed with an architectural feature to break up the mass of the building. This feature encroaches into the otherwise provided 3.0 metre building stepback above the podium on the front building façade by 2.25 metres, providing for a technical 0.75 metre street line building stepback above the podium. Comments received from the City's Urban Designer indicate support for the design approach of the building. In our opinion, the relief requested supports good urban design.

The rear building façade is articulated, providing a building stepback above the podium of 3.00 metres for approximately 50% of the rear building façade to break up the mass of the building. In this location, the rear façade faces a parking area and the rear façades and parking areas of buildings abutting to the west, and so the absence of a building stepback does not negatively impact the public realm. The wind study submitted with the original complete application also demonstrates no adverse effects. Notwithstanding that the Northdale zoning regulations requiring a 3 metre building setback above on all building façades, it is common in the surrounding neighbourhood for no building stepback above the podium to be provided along rear building façades for buildings constructed after adoption of the Northdale zoning regulations, including at 250 Lester Street (abutting the subject property to the rear), 258A and 258B Sunview Street (across Sunview Street from the subject property), and 222, 228, and 246 Albert Street (one block to the east of the subject property). In our opinion, the relief requested is reasonable in the context of the site and is consistent with the range of design approaches taken within the neighbourhood that were approved by the City.

Structured Parking

Due to the grade change across the site, the northerly portion of the structured parking is only partially underground and so is technically deemed to be the first storey where it forms the front building façade (17.3m) requiring a site-specific provision. The designed first storey in this location contains two residential units with direct access to the street through projecting exterior stairs, and the entirety of the front yard in this location will be landscaped and will contain a seat wall abutting the front lot line, softening and screening the structured parking so that its presence should be imperceptible from the public realm. In our opinion, the site specific provision requested is technical in nature and is further mitigated through the proposed landscape design which screens the portion of the façade with structured parking from view.

Other Site-Specific Provisions

Exterior Stair Projection

The revised building design removed the encroachment of the partially enclosed structured parking into the front yard, eliminating the requested site-specific provision. However, exterior stairs are still required to access the two grade-oriented residential units to meet the intent of the Northdale zoning regulations. Given the grade of the site, the exterior stairs are a maximum of 1.5 m in height, which exceeds the maximum height permitted under Section 3.A.7.3 of the Zoning By-law being less than 0.6m. The stairs have been designed as a landscape element rather than a structural element in a manner consistent with the recommendation of the City's Urban Designer.

Rear Yard Setback

The revised building design also reduced the encroachment of the partially enclosed structured parking into the rear yard, now providing for between 1.09m and 1.79m. The result is that will be sufficient room to maintain the retaining wall without the need for an access easement to be registered on the abutting property in favour of the subject lands, while also improving the maintainability of the landscape open space, addressing concerns raised by the City's landscape architect.

Landscape Open Space

The useability of the landscape open space provided on the site has been enhanced, with additional soil volumes over a consistent landscape strip in the front yard supporting the growth of trees and with the increased landscape open space in the rear yard enabling easier maintenance and supporting outdoor amenity use. The increase in relief requested to permit 27.8% of landscape open space is a result of applying the revised calculation of landscape open space consistent with the revised definition of landscape open space adopted by Council on June 26, 2023 through Z-23-01, as this removed a number of areas from the calculation that had satisfied the requirements at the time Site Plan Application SP-22-14 was made for the proposed development.

Notably, the City commissioned and subsequently received the "[Built Form Review Study](#)" from SvN dated October 2023 under the Streamline Development Approval Fund, which made recommendations about landscape open space requirements in Residential Mixed Use and Northdale zones. The study recommended in Section 4.6.5 that landscape open space requirements "should not typically be applied to more urban and intensifying sites" and so regulations should "focus on high quality streetscapes and public realm" which could be achieved by requiring landscape strips in the front yard. If the City were to desire a minimum percentage of landscape open space, the report identified "10-15% is more appropriate."

In our opinion, the site-specific provision regarding landscape open space in the proposed development represents a minor reduction and the revised design is consistent with the direction provided by the noted study, supporting a high-quality streetscape and public realm.

Residential Parking

To resolve the key issues identified by the City through the above noted design changes, one parking space was removed and the structural supports for the building were adjusted. As discussed in the Planning Justification Report, the subject lands are well served by public transit, the existing and planned active transportation network, and the road network within an existing 15-minute neighbourhood, including access to LRT and local, express, and intercity buses within walking, cycling, and rolling distance.

While Bill 185 has rendered the minimum parking rates within the City's Zoning By-law of no force and effect and so no site-specific regulation is required, it is noted that this parking space reduction maintains the City's preferred minimum visitor parking rate, which should mitigate additional pressure on limited on-street parking. Moreover,

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were the City's preferred minimum residential and visitor parking rates to be calculated together rather than separately, the proposed development would still meet the Northdale requirements, as the deficiency comes from rounding up both the residential and visitor rates by a combined 1.25 parking spaces.

Conclusion

We trust the materials provided in this submission address the comments received from departments and agencies from the circulation of the original complete application submission and as further discussed with you on May 10, 2024. Should you require anything further, please do not hesitate to contact the undersigned.

Sincerely,

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cc: Xiang (Hebert) Zhang, Lester Sunview Development Inc.