



PLANNING JUSTIFICATION REPORT

PREPARED FOR:

**Zoning By-law Amendment
Southside Construction
Management Limited**
75 Blackfriars Street
London, ON N6H 1K8

File no. 16304A

May 2026



PLANNING
URBAN DESIGN
& LANDSCAPE
ARCHITECTURE

Your Vision

Designed | Planned | Realized

MHBC - MacNaughton Hermsen Britton Clarkson Planning Limited
200-540 Bingemans Centre Drive Kitchener, ON N2B 3X9
T: 519 576 3650
F: 519 576 0121
www.mhbcplan.com

Contents

1.0	Introduction.....	3
1.1	Pre-Submission Consultation.....	4
2.0	Context	5
3.0	Proposed Redevelopment	9
4.0	Zoning By-law Amendment	10
5.0	Planning Analysis	11
5.1	Provincial Planning Statement (2024)	11
5.2	Regional Official Plan	13
5.2.1	Urban Areas	13
5.2.2	Major Transit Station Areas	14
5.2.3	Transit – Supportive Development Policies	17
5.2.4	Intensification Targets in Delineated Built-Up Areas	18
5.2.5	Range and Mix of Housing	18
5.3	City of Waterloo Official Plan	19
5.3.1	Nodes and Corridors	26
5.3.2	Mixed-Use Community	26
5.3.3	Major Transit Station Areas	28
5.3.4	City of Waterloo Official Plan – Urban Design Policies.....	28
5.3.5	Summary	37
5.4	Zoning By-law	37
6.0	Technical Reports.....	43
6.1	Functional Servicing Report and Stormwater Management Report.....	43
6.2	Geotechnical Report.....	44
6.3	Traffic Impact Study	44
6.4	Environmental Noise and Vibration Assessment.....	44
6.5	Land Use Compatibility Assessment.....	45
7.0	Public Consultation.....	46
8.0	Conclusion.....	47

Figures

Figure 1: Location Map

Figure 2: Neighbourhood Context Map

Figure 3: Major Transit Station Areas

Figure 4: Waterloo Official Plan Schedule A

Figure 5: Waterloo Official Plan Schedule A1

Figure 6: Waterloo Official Plan Schedule B

Figure 7: Waterloo Official Plan Schedule B1

Figure 8: Waterloo Official Plan Schedule E

Figure 9: Waterloo Official Plan Schedule F

Figure 10: Waterloo Zoning By-law Schedule A

1.0 Introduction

MacNaughton, Hermesen, Britton, Clarkson Planning Limited ("MHBC") has been retained by Southside Construction Management Limited to prepare a Planning Justification Report in support of a Zoning By-law Amendment ("ZBA") application for 153 Union Street East in the City of Waterloo (hereinafter referred to as the "subject lands", "land" or "site").

The site is 0.81 hectares in size and is located on the south side of Union Street East, north of Roger Street and the Spur Line Trail. The lands previously contained a single-storey commercial building, which was demolished in 2023, and are accessed through a shared driveway easement from an adjacent commercial property (139 – 149 Union Street East).

The subject lands are located in the *Built-Up Area* and within a *Major Transit Station Area* in the Regional Official Plan (ROP). The City of Waterloo Official Plan designates the lands *Mixed-Use Community Commercial* and *Medium High Rise 12 storey* while Zoning By-law 2018-050 zones the subject lands (*Holding*) *Mixed-Use Neighbourhood Commercial [(H)C2-40]*.

The ZBA is intended to permit the redevelopment of the property with one 11 storey and one 12 storey building with a total of 244 residential units (356 bedrooms) and 321 square metres of ground floor commercial space. Underground parking serves both buildings, with additional surface parking provided, primarily for the commercial use and for visitors. Access is proposed via a new entrance from Union Street and a new access from Roger Street.

The requested ZBA proposes to rezone the lands from Mixed-Use Neighbourhood Commercial to Mixed-Use Community Commercial to align with the City's Official Plan, as amended by City Official Plan Amendment 58 (OPA 58). Site specific regulations are also proposed to permit the building form and residential units on the ground floor. The ZBA also proposes to lift the Holding provision related to the adjacent railway.

This Planning Justification Report assesses the proposal in the context of the applicable planning framework. In support of the applications, this planning report includes:

- An introduction and general description of the subject lands, surrounding uses and existing conditions, to provide an understanding of the locational context;
- An overview of the proposed redevelopment;
- A description of the overall land use planning and design elements of the proposed redevelopment;
- A description of the proposed Amendments; and,
- A review of existing policy framework in relation to the proposed redevelopment and assessment of provincial and municipal policies.

All required reports have been prepared and are submitted concurrently with the planning applications.

1.1 Pre-Submission Consultation

A Pre-submission Consultation Meeting was held with Region of Waterloo and City of Waterloo staff on January 19, 2023 to discuss the proposed redevelopment. Follow up discussions were held with staff in September and November 2025 to confirm the submission requirements and to discuss the unique site constraints. Staff identified that the following submission materials are required for a complete Official Plan and Zoning By-law Amendment application:

- Planning Justification Report
- Functional Servicing Report
- Preliminary Stormwater Management Report
- Geotechnical Report
- Traffic Impact Study
- Stationary and Environmental Noise and Vibration Study
- Land Use Compatibility Assessment
- Existing Conditions Plan / Survey
- Building Elevations
- Floor Plans
- Salt Management Plan
- Preliminary Grading Plan

2.0 Context

The subject lands are located in south-central Waterloo on the south side of Union Street East, approximately 200 metres west of the intersection of Union Street East and Weber Street South. The location of the subject lands is shown on **Figure 1**.

The site is 0.81 hectares in area with approximately 34 metres of frontage on Union Street East. The property does not fully extend to Roger Street – it is separated from the street by a small parcel owned by the City of Waterloo, which does not appear to form part of the road allowance, but which is otherwise unused.

The lands are currently vacant – they were previously occupied by a one storey commercial building and a surface parking lot, trees and low-level vegetation at the rear of the parking lot and building, and an informal driveway leading to Roger Street. The building was demolished in 2023 as it was vacant for a lengthy period of time – the surface parking lot remains though it is not in use. The trees were removed at the time of site demolition. The lands were previously accessed by a shared driveway with the adjacent commercial property (139 – 149 Union Street East). A railway owned by the Region is located to the southwest of the lands, and alongside this railway, is the Spurline Trail, a major active transportation thoroughfare connecting Waterloo and Kitchener.

The surrounding area is characterized by low density residential to the north, across Union Street East, commercial to the west, employment to the east, and the Spurline Trail and Roger Street to the south (**Figure 2**).

The following provides additional details regarding surrounding uses:

- NORTH:** A low-density residential neighbourhood and the Elizabeth Ziegler Public School are located north of the subject lands across Union Street East. Further north, a commercial centre including a Walmart and Shoppers Drug Mart are located at the intersection of Bridgeport Road East and Weber Street North, approximately a 20 minute (1.2 kilometre) walk from the subject lands. Glen Acres Park is proximate to this commercial centre and is within walking distance of the subject property. The Mary Allen Park is also located a short distance from the subject lands, easily accessible using the Spurline Trail.
- SOUTH:** The subject lands are separated from Roger Street by a small parcel of land owned by the City of Waterloo. The Spurline Trail is located to the south and together with the railway, divides the subject lands from a low-density residential neighbourhood located to the southwest. Light industrial uses are located on either side of Roger Street.
- EAST:** Employment and Commercial uses are located east of the subject lands along Roger Street, Weber Street North and Union Street. Immediately adjacent to the subject lands along the south side of Union Street are several low-rise residential buildings, most of which directly abut industrial uses along Roger Street.
- WEST:** Commercial uses are located west of the subject lands in individual low density plazas with large expanses of surface parking. King Street and Uptown Waterloo are located

further to the west, within an approximate 20-minute walk (1.3 kilometres) including the Allen Station Light Rail Transit stop.

The subject lands are well connected to the arterial road network, existing public transit, and existing active transportation infrastructure. Union Street East is a *Major Collector* road and provides connections to Weber Street South and King Street, both *Regional Arterial* roads. Sidewalks are located along both sides of Union Street East and provide connections to the surrounding active transportation network.

The subject lands are within the *Allen Station Major Transit Station Area*. Union Street East is served by Route 4 of the Grand River Transit system, while Weber Street South is served by Route 8. Multiple iXpress stops are within walking distance of the subject lands.

In summary, the subject lands are located in an established area of the City and are proximate to amenities for daily use, including multiple food stores, commercial uses, and neighbourhood parks. Institutional uses, including the Grand River Hospital, University of Waterloo, Laurier University, and Conestoga College are all easily accessible from the subject lands via public, active, or vehicular transportation, while Elizabeth Ziegler Public School is a short walk from the site.

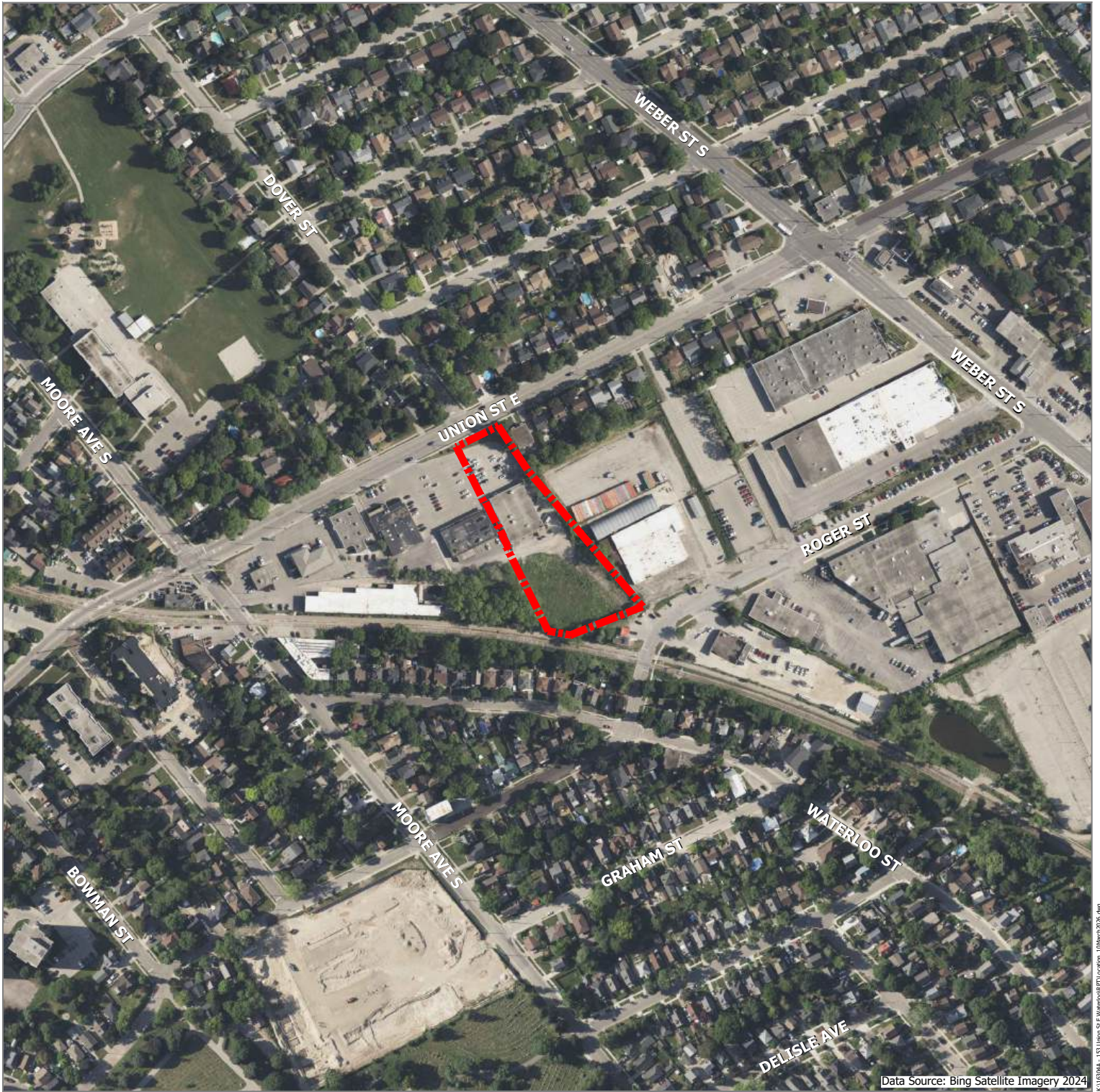


Figure 1 - Location Map

 Subject Lands





Figure 2 - Neighbourhood Context Map

- Subject Lands
- Municipal Boundary
- 400m & 800m Walking Distance
- School
- Park/Open Space
- Trails
- Waterloo Central Railway
- Bus Route
- Bus Stop
- ION Station

3.0 Proposed Redevelopment

The proposed development includes two apartment buildings connected through a shared underground parking structure. Building A, located nearest Union Street East, includes approximately 321 square metres of commercial area within the ground floor. Combined, Buildings A and B include 244 units (356 bedrooms) resulting in a density of 442 bedrooms per hectare.



Image 1: Rendering of the Proposed Development – view from Union Street

Source: Philip Agar Architect Inc.

Balconies are provided for each residential unit, providing private amenity space for residents, while common shared amenity areas are also proposed within each building.

The subject lands are proposed to be accessed from Union Street East and Roger Street via new driveways. A total of 324 parking spaces are provided in two levels of connected underground parking and within a surface parking area between the two buildings and in front of Building A. In addition to the vehicular parking, 152 bicycle parking spaces are also proposed, including 116 secure indoor spaces.

4.0 Zoning By-law Amendment

The subject lands are zoned *Holding Mixed-Use Neighbourhood Commercial* [(H)C2-40]. We note that the City has not updated their Zoning By-law to reflect the changes to the Official Plan framework resulting from OPA 58. Through OPA 58, the Mixed-Use Neighbourhood Commercial Official Plan designation was removed. However, the lands remain zoned C2-40, which permits a wide variety of commercial uses and permits dwelling units above the first storey in a mixed-use building.

A holding provision applies to the lands (as well as many other properties in the City), related to their proximity to a railway right-of-way (all lands within 75 metres of a railway have the same holding provision).

The Zoning By-law Amendment proposes to rezone the lands to the *Mixed-Use Community Commercial* zone (C1-40) to conform to the Official Plan (as amended by OPA 58) and to lift the Holding provision. Site-specific provisions are proposed to establish alternative regulations including:

- Permit residential units on the ground floor;
- Require a minimum of 320 square metres of commercial building floor area on the lands;
- Permit a reduced side yard setback for the exposed underground parking garage of 0.95 metres whereas 3 metres is required;
- Permit a reduced tower separation of 5.0 metres for Building B (one on side) and 0.95 metres for Building A (at its closest point);
- Permit a maximum horizontal tower dimension of 51 metres for Building A; and,
- Permit a maximum tower footprint of 1,200 square metres for Building A.

5.0 Planning Analysis

The following is a review of the applicable land use policy framework for the subject lands, and how the proposal has met or will meet policy considerations.

5.1 Provincial Planning Statement (2024)

The PPS, 2024 is considered a policy statement under Section 3 of the *Planning Act* and applies to all decisions made on or after October 20, 2024. All municipal decisions are required to be consistent with the PPS, 2024. The PPS outlines policies for Ontario's long-term prosperity, economic health, and social well-being. These directives depend on the efficient use of land and development patterns that support strong, sustainable, and resilient communities that protect the environment and public health and safety and facilitate economic growth. One of the key considerations of the PPS is that planning decisions "*shall be consistent with*" the Policy Statement. The following is an analysis of the proposed redevelopment in the context of the policies in the PPS.

Section 2.2 Housing

Policy 2.2.1 states that planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents by, in part, the following:

- permitting and facilitating all housing options required to meet the varying requirements of current and future residents, as well as all types of residential intensification, including new housing options within previously developed areas and redevelopment which results in a net increase of residential uses;
- promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation; and
- requiring transit-supportive development and prioritizing intensification in proximity to transit, including corridors and stations.

The proposed development contributes to the range of housing options available within the neighbourhood, including apartment units of different sizes in a new purpose built rental building, which are not readily available. The development represents residential intensification within an MTSA and provides additional housing choice in an area well served by a wide range of uses within walking distance (including a public school), as well as alternative forms of transportation (the Spurline Trail and ION LRT). The proposed density of the development represents an efficient use of land and existing infrastructure. Lastly, the proposed development will also benefit from existing and future active transportation improvements planned for the Union Street corridor.

Section 2.3.1 General Policies for Settlement Areas

Policy 2.3.1.1 states that within settlement areas, growth should be focused in strategic growth areas (including Major Transit Station Areas) where applicable. The subject lands are located within a Major

Transit Station Area, with the proposed development involving residential intensification of serviced urban land.

Policy 2.3.1.2 states that land use patterns within settlement areas should be based on densities and a mix of land uses which:

- a) efficiently use land and resources;
- b) optimize existing and planned infrastructure and public service facilities;
- c) support active transportation;
- d) are transit-supportive, as appropriate; and
- e) are freight-supportive.

The subject lands are within the Delineated Built-Up Area. The development will intensify existing urban land that is serviced by existing roads, commercial services, and transit service resulting in a more efficient use of land and existing services. The proposed development includes bicycle parking for residents and visitors and is in proximity to a key existing active transportation route (Spurline Trail) and planned cycling infrastructure along Union Street East. A number of supporting commercial services are also located within walking distance of the proposed development (the Bridgeport Plaza) with Uptown Waterloo also located a short walk or bike ride along the Spurline Trail to the northeast.

Policy 2.3.1.3 directs planning authorities to support general intensification and redevelopment to achieve complete communities by:

- planning for a range and mix of housing options; and
- prioritizing investment in the necessary infrastructure and public service facilities.

The proposed development will add to the range and mix of housing along Union Street East through the addition of one, two and three-bedroom units, providing housing for residents in a variety of life stages. The development will also establish additional residents living in close proximity – and in many cases walking distance – to existing commercial uses to meet daily needs, as well as employment opportunities, recreational amenities and amenities, and schools consistent with the intent of a 15-minute neighbourhood. Furthermore, the proposed development will be better connected to the surrounding neighbourhood over time as planned active transportation improvements along Union Street East are completed.

Planning authorities are to identify appropriate locations and promote opportunities for transit-supportive development that accommodates a significant supply and range of housing options through intensification and redevelopment. The proposed redevelopment represents the intensification of residential lands within a Major Transit Station Area and Minor Node, provides for a range of unit sizes to accommodate a variety of households, and will support the use of existing transit options, consistent with this Policy.

Section 2.4.2 Major Transit Station Areas

The subject lands are located within the Allen Street Major Transit Station Area. The proposed development will assist in the achievement of the minimum density target established for the MTSA.

As per Policy 2.4.2.3a), planning authorities are encouraged to promote development and intensification within MTSAs (where appropriate) by, in part, planning for land uses and built form that supports the achievement of minimum density targets. As provided for throughout this Report, the proposed development is of a density that will not only assist in the achievement of established minimum density targets, but will also support transit use given its location in proximity to the ION station at Allen and King Streets.

In our opinion, the proposed Official Plan and Zoning By-law Amendment are consistent with the Provincial Planning Statement.

5.2 Regional Official Plan

The Region of Waterloo's Official Plan (ROP) was approved by the Ministry of Municipal Affairs and Housing, with modifications, on December 22, 2010 and approved with amendments by Oral Decision of the Ontario Municipal Board on June 18, 2015. Regional Official Plan Amendment 6 (ROPA 6), which establishes the planning framework for accommodating forecasted population and employment growth within the Region to 2051, has been approved by the Minister of Municipal Affairs and Housing. ROPA 6 established a new policy framework for Chapter 2 – Where and How to Grow of the ROP as well as new housing policies in Section 3.A, among other policy matters. The following is a review of the proposed development with respect to the relevant policies of the Regional Official Plan.

As of January 1, 2025, the ROP became an Official Plan of each of the area municipalities. This means that until the policies in the ROP are repealed or amended, they will continue to apply and be the responsibility of each Area Municipality to enforce. In that sense, the City administers the document including its review and interpretation relative to development applications.

The subject lands are designated as follows in the Regional Official Plan:

- *Urban Area* as per Map 1: Regional Structure
- *Delineated Built-Up Area* as per Map 2: Urban System
- Within the *Allen Station Area* as per Figure 5c (Major Transit Station Areas)

5.2.1 Urban Areas

The subject lands are located within the Urban Area, which is planned to accommodate approximately 90% of the Region's forecasted growth to 2051 as per Policy 2.C.2.1. The majority of growth is to be directed to strategic growth areas within the Urban Area such as Urban Growth Centres, Major Transit Station Areas, Regional Intensification Corridors, Local Centres and Intensification Corridors, as well as other lands within the Delineated Built-Up Area. The subject lands are located in a Major Transit Station Area and local Intensification Centre (Minor Node), as well as the Delineated Built-Up Area.

Policy 2.C.2.2 sets out general policies to guide development within the Urban Area. Generally, development within the Urban Area is to be planned and developed in a manner that: implements the Regional Urban System; advances the community's transition into an energy-efficient, resilient, low-

carbon community; is municipally serviced; protects the natural environment; provides a diverse range and mix of housing options; conserves cultural heritage resources; avoids development and land use patterns that may pose a risk to public health, safety and the environment; improves accessibility for persons of all ages and abilities; ensures the development of high-quality urban form; considers the wellbeing and belonging of all children and youth; and expands residents' access to a range of transportation options, public service facilities, urban greenlands and open spaces, and affordable food options in neighbourhoods.

The proposed development satisfies the Urban Area development policies for the following reasons:

- The proposed development will result in the intensification of residential lands located within the Major Transit Station Area;
- The proposed development will provide for a compact form that accommodates additional residential units in proximity to bus and rapid transit routes, within walking distance of both commercial and recreational amenities (including Mary Allen Park), and with access to active transportation routes (including the Spurline Trail and planned improvements to Union Street);
- The proposed development provides for a range of dwelling unit sizes, which provide housing options for residents at varying life stages (including families) and income levels;
- The proposed development is located in an area well served with a range of commercial uses, recreational opportunities, active transportation and transit. Furthermore, the development is situated east of the Uptown Primary Node, which contains employment, commercial, entertainment, and rapid transit options within walking distance. Generally, the proposed residential development will contribute to the range of housing in the neighbourhood and accommodate additional population close to a range of amenities, services and transportation options – ultimately supporting the establishment of a 15-minute neighbourhood in the Union Street Corridor between King Street and Weber Street.

5.2.2 Major Transit Station Areas

The subject lands are located within the Allen Major Transit Station Area (MTSA) (**Figure 3**). The Allen MTSA is intended to achieve a minimum density of 160 people and jobs per gross hectare as per Table 2 of the Regional Official Plan. As per Policy 2D.2.2, Major Transit Station Areas are to be planned and designed in a manner that addresses the following:

- (a) Achieves the minimum density targets of Table 2;
- (b) Is transit-supportive and supports planned transit service levels, among other initiatives;
- (c) Provides for a diverse mix of uses, including affordable housing where residential uses are permitted, to support existing and planned transit service levels;
- (e) Provides alternative development standards, such as reducing or eliminating minimum automobile parking standards, for uses near transit routes, to maximize intensification opportunities and minimize surface parking areas;

- (f) Prohibits land use and built form that would adversely affect the achievement of the minimum density targets of Table 2; and
- (i) Is consistent with the relevant transit-supportive development policies of Section 2.D.6.

The proposed development provides for a density of 523 persons and jobs per hectare and accommodates 245 new units adjacent to an existing GRT transit route and within close proximity to the Allen ION station.

Density Calculation – People and Jobs per Hectare*			
People	People Per Unit-PPU**	Number of Units	Number of People
One-Bedroom (apartment)	1.25	134	168
Two and Three-Bedroom (Apartment)	2.22	110	244
Total			412
Commercial (@ 3 jobs per 100 square metres)			10
Total People			422
Land Area			0.806 ha
People and Jobs per Hectare			523

The proposed development will assist in achieving the minimum density target set for the Allen MTSA, as well as introduce additional residents into the neighbourhood to support transit service levels and the existing commercial businesses. The addition of new one bedroom, two bedroom and three-bedroom units to the neighbourhood will contribute to the mix of available housing for residents, including for families, to assist in addressing current housing needs.

Special regulations are requested through the proposed Zoning By-law Amendment, which are discussed in detail in this Report, to provide for the development as proposed. As parking minimums are no longer required within Major Transit Station Areas, the development does not propose any reduction in required parking. Although parking is not required from a Zoning By-law perspective, the owner is providing parking in two underground levels, with a small amount of parking at grade, convenient for visitors (residential and commercial visitors). The requested special regulations represent alternative development standards that ultimately facilitate an appropriately scaled development that achieves many of the ROP's planning objectives, including achieving and ideally exceeding the minimum density target for the Allen Station Area.

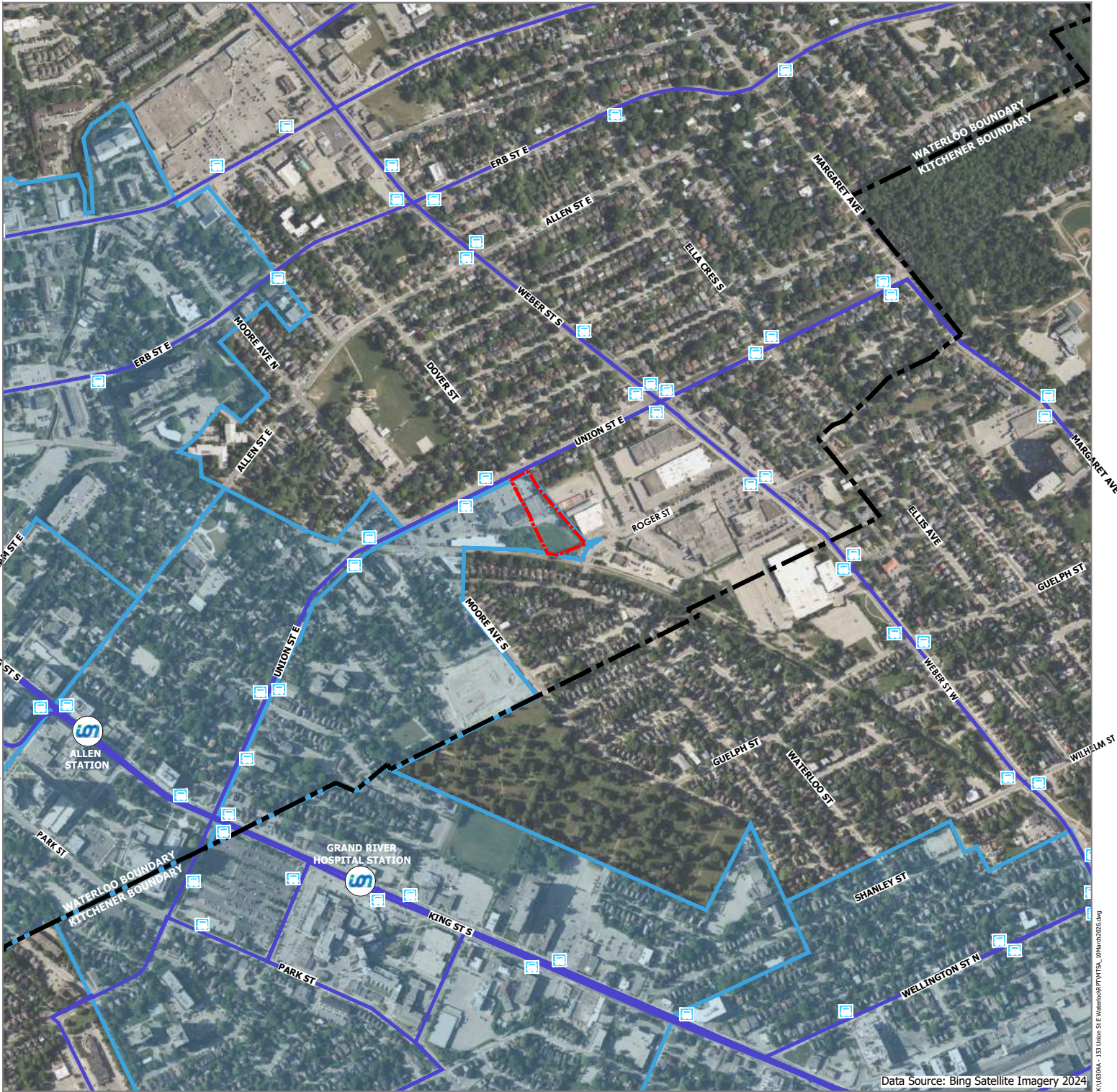


Figure 3 - Major Transit Station Areas

-  Subject Lands
-  Major Transit Station Area
-  Rapid Transit Route
-  Bus Stop
-  ION Station



It is noted that Policy 2.D.2.8 recognizes that despite the Major Transit Station Area policies of the Regional Official Plan, not every property located within an MTSA is necessarily appropriate for major intensification, noting that the appropriate scale and form of development will be subject to the relevant planning policies of the area municipality. We note that the lands are already zoned for twelve storeys (40 metres) and the development is well below the existing permitted maximum density (in the Zoning By-law). The majority of the site specific regulations relate to building placement on the property, which is influenced by the irregular shape of the lot – it becomes narrower closer to Union Street and is effectively a pie shaped lot.

5.2.3 Transit – Supportive Development Policies

Section 2.D.6 of the ROP sets out specific Transit Oriented Development (“TOD”) policies to be considered in the review of a development application on or near existing or planned rapid transit. These policies ensure that development addresses the following objectives:

- Creates an interconnected and multi-modal street pattern that encourages walking, cycling or the use of transit and supports mixed-use development;
- Supports a more compact urban form that locates the majority of transit supportive uses within a comfortable walking distance of the transit stop;
- Provides an appropriate mix of land uses that allows people to walk or take transit to work and provides for a variety of services and amenities;
- Promotes medium and higher density development as close as possible to the transit stop;
- Supports a high quality public realm to enhance the identity of the area and create gathering points; and provides access from various transportation modes to the transit facility; and
- Provides access from various transportation modes to the transit facility including consideration of pedestrians, bicycle parking and where applicable, passenger transfer and commuter pick-up drop off areas.

The proposed development will provide for additional residential dwelling units in a compact urban form within walking distance of the Allen ION rapid transit station and adjacent to an existing GRT bus route and stop. The subject lands are located within a neighbourhood that has immediate access to one of the City’s major active transportation routes, the Spurline Trail, that provides a direct connection to Uptown Waterloo. Future improvements to Union Street will only improve the availability of active transportation infrastructure.

Vehicular and bicycle parking, most of which is indoor and secured bicycle parking, is accommodated within the parking structure. The majority of the parking structure is located underground. Furthermore, the subject lands are located in a mixed-use area of the City, including the Uptown to the west and Bridgeport Plaza to the north, so future residents of the site will have the option to walk or cycle to a range of destinations, including employment opportunities and commercial, recreational and institutional uses. Accordingly, in our opinion, the proposal is consistent with the aforementioned TOD objectives.

5.2.4 Intensification Targets in Delineated Built-Up Areas

Section 2.F establishes the policy framework to achieve the objectives of meeting or exceeding minimum intensification targets to make better use of land and infrastructure and support the gradual transition of existing neighbourhoods into 15-minute neighbourhoods. Area municipalities are to meet or exceed the minimum intensification targets set out in Table 3, which establishes a minimum intensification target of 83% and 19,740 total minimum units in the Built-Up Area to the year 2051 for the City of Waterloo. Policy 2.I.5.1 states that the minimum intensification and density targets are minimum standards and area municipalities are encouraged to go beyond these minimum targets, where appropriate. The proposed development will provide 244 dwelling units on lands that are well supported by transit, an evolving active transportation network, commercial and service uses, an elementary school and recreational amenities in the interest of achieving the intensification target.

5.2.5 Range and Mix of Housing

As per Policy 3.A.2, municipalities are to plan to provide a diverse range and mix of housing options with an overall target of 30% of new housing – both ownership and rental – being affordable to moderate and low income households.

Generally, the proposed development introduces additional apartment housing stock to the neighbourhood while also accommodating a number of family sized dwelling units (including three-bedroom units). The inclusion of one and two-bedroom units in the development further expands the unit mix in the neighbourhood, while offering choice and still maintaining full sized units. Overall, the development provides housing options for a variety of household ages and stages.

With regard to affordable housing, the City has enacted a Community Benefits Charge (CBC) By-law that requires financial contributions for every development over a certain size. The collected CBC funds can be allocated by the City to affordable housing and related programs. Senior levels of government have also announced plans to support affordable housing through various initiatives, which will provide other opportunities.

In the interest of streamlining the development of affordable housing, Policy 3.A.20 encourages the application of alternative development standards 'as-of-right' provided health, safety, servicing and other reasonable standards or criteria can be met. This policy identifies reduced parking standards and setbacks as examples of potential alternative development standards. Due to recent changes to the Planning Act, a minimum amount of vehicular parking can no longer be prescribed by the Zoning By-law. Requested reductions in setbacks to provide for the development as proposed are discussed in Section 5.4 of this Report. Technical reports submitted in support of the development assess servicing, traffic impact, noise, shadow and wind impacts and are summarized in Section 6.0 of this Report.

In summary and in our opinion, the Zoning By-law Amendment conforms to the Regional Official Plan.

5.3 City of Waterloo Official Plan

The City of Waterloo Official Plan ("Official Plan") implements the Regional Official Plan and provides detailed land use policies. The province approved a broad amendment to the Official Plan in December 2025 (OPA 58) – some of the amended policies are directly applicable to the subject lands.

The following table provides an overview of the various designations and policies that apply to the subject lands:

Table 1: Applicable Official Plan Designations

Official Plan Schedule	Designation	Intent
Schedule A: Land Use (Figure 4)	Commercial	Permits a wide range of land uses, including residential
Schedule A1: Commercial Land Use (Figure 5)	Mixed-Use Community	Permits a wide variety of uses including commercial uses, mixed-use buildings and residential buildings subject to certain policies
Schedule B: City Structure (Figure 6)	Minor Node Major Transit Station Area	Planned for medium-high density development Major Transit Station Areas are a planned Strategic Growth Area.
Schedule B1: Height and Density (Figure 7)	Medium High Rise, 12 storeys	Maximum height - 12 storeys Minimum density – 150 bedrooms per hectare
Schedule B3: Designated Greenfield Area	Built Up Area	The majority of the City's growth is directed to the Built-Up Area
Schedule E: Road Classification System (Figure 8)	Union Street East: Major Collector	Designed to facilitate movement of pedestrian, bicycle, and vehicular traffic between Local Streets and the Major Collector Road system. Permits access to abutting properties.
Schedule F: Active Transportation System (Figure 9)	City-wide Cycling and Multi-use Route	Active transportation encouraged
Schedule G: Road Widths	Union Street East: designated road allowance of 20 m and warranted transportation improvements up to 23 m	Union Street is more than 20 metres wide in this location.

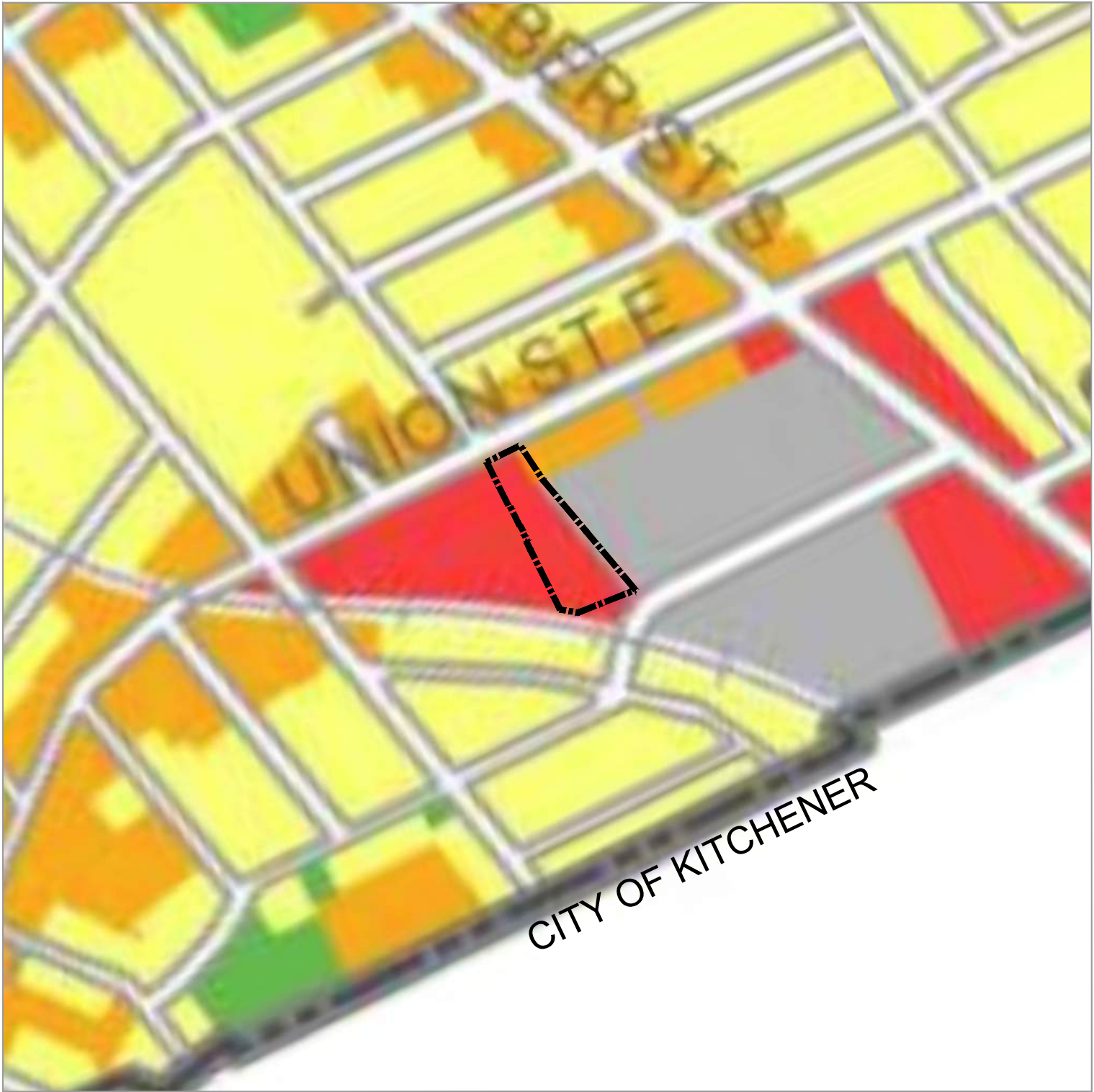


Figure 4 - City of Waterloo Official Plan Schedule 'A': Land Use Plan (October, 2024.)

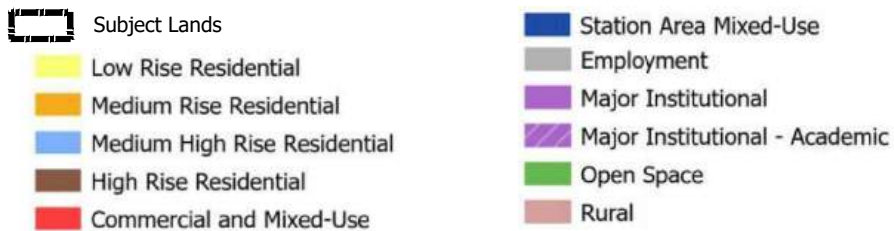




Figure 5 - City of Waterloo Official Plan Schedule 'A1': Mixed-Use Land Uses (October, 2024.)

- | | |
|--|--|
|  Subject Lands |  Mixed-Use Community |
|  Uptown Mixed-Use Core |  Corridor Commercial |
|  West Side Mixed-Use Commercial Centre |  Convenience Commercial |
|  Conestoga Commercial Centre | |



K:\16304A - 153 Union St E Waterloo\877\Waterloo_OP_10Nov2024.dwg



Figure 6 - City of Waterloo Official Plan Schedule 'B': City Structure (October, 2024.)



K:\16304A - 153 Union St E Waterloo\OP - OP\Map\2024.dwg



Figure 7 - City of Waterloo Official Plan Schedule 'B1': Built Form (October, 2024.)



K:\16304A - 153 Union St E Waterloo\87\Waterloo_OP_10N\mb3026.dwg



Figure 8 - City of Waterloo Official Plan Schedule 'E': Road Classification System (October, 2024.)





Figure 9 - City of Waterloo Official Plan Schedule 'F': Active Transportation Framework (February, 2018.)

-  Subject Lands
-  City-Wide Cycling and Multi-Use Routes
-  Proposed City-Wide Cycling and Multi-Use Routes (Conceptual)
-  King Street Corridor
-  Potential Pedestrian Corridor (Conceptual)
-  Active Transportation Connections (Conceptual)
-  Connection to Adjacent Municipality / Lands



K:\16004A - 153 Union St E Waterloo\87\Waterloo_OP_10\Map\2026.dwg

5.3.1 Nodes and Corridors

The subject lands are located within the Weber/Union Minor Node as illustrated in **Figure 5**. This Minor Node is connected to the Uptown Primary Node via the Union Street Minor Corridor and to the Bridgeport/Weber Major Node via the Weber Street Minor Corridor. The development of the lands with one 11—storey and one 12-storey apartment building with ground floor commercial uses in one of the buildings is consistent with the policies for intensification within Minor Nodes.

5.3.2 Mixed-Use Community

The Official Plan designates the subject lands *Mixed-Use Community* on Schedule A1. The lands were previously designated “Mixed-Use Neighbourhood Commercial” – however that designation was removed from the Official Plan by OPA 58. The *Mixed-Use Community* designation is intended to provide for “mixed-use centres that serve as community focal points and commercial destinations for the surrounding community, nearby residential neighbourhoods and/or business areas.” Both commercial and residential uses are permitted. Residential uses are subject to the following specific policies (a response to each policy is also included in *italics*):

Lands designated Mixed-Use Community may be zoned to permit primarily residential buildings provided the ground floor includes active uses as set out in the Zoning By-law, and provided further that:

- (a) Parking required for residential uses will be encouraged to be provided in a parking structure; where feasible, parking should be located underground;
 - a. *The development includes the majority of the parking within a structure, including underground parking*
- (b) The Zoning By-law will define performance standards specific to residential development, including but not necessarily restricted to location, amenity space, density, and parking regulations;
 - a. *The City’s Zoning Bylaw includes a Mixed-Use Community Commercial zone. The subject lands are currently zoned Mixed-Use Neighbourhood Commercial. Both zones include the required performance standards.*
- (c) Freestanding residential uses may be permitted through a comprehensive municipal zoning process or through a site-specific Zoning By-law Amendment application where it is determined by the City through either process that freestanding residential uses are feasible and appropriate and that the commercial planned function of the centre or area will not be adversely impacted. Such residential development shall only be considered where lands are of sufficient size to accommodate multiple buildings, including one or more buildings adjacent to the street devoted primarily to retail, service commercial and/or office commercial uses;
 - a. *The development does include commercial uses on the ground floor in the building closest to Union Street. The lands previously contained a commercial building,*

however the owner was unable to find a tenant for the building for an extended period of time and the building was demolished.

- b. *The lands are located in an area with other existing commercial and industrial uses. More importantly, they are a short walk or bicycle ride from Uptown Waterloo via either Union Street or the Spurline Trail. The Uptown includes a wide range of commercial uses. Furthermore, the lands are within walking distance of the Bridgeport Plaza, which contains two food stores and full range of supporting commercial uses.*
 - c. *In our opinion, this area functions very differently from other areas of the City that are designated Mixed-Use Community (the planned heights and densities are lower, the Regional or Arterial road access is significantly different and these lands are within walking distance of the Primary Node and a Major Node that already satisfy the commercial function for residents and employees that live and work in this area.*
- (d) Where new residential uses are proposed on sites with existing commercial uses, the planned function of the commercial component should be retained. Proponents shall address the retention of the commercial planned function as part of a planning justification report, to the satisfaction of the City;
- a. *As noted, the lands are currently vacant. Historically they did contain a commercial use (medical office) but that building was demolished several years ago. The building planned closest to Union Street does include commercial floor area that can accommodate a small scale use appropriate for the immediate area, which could include office.*
- (e) Where a proposed redevelopment would result in a significant reduction (50% or greater reduction) of commercial space, a commercial market study shall be required to ensure that there will be sufficient commercial/service facilities to support the surrounding community and the commercial planned function is appropriately maintained.
- a. *As the lands have been vacant for several years, this policy does not apply.*

As Council is aware, Union Street slopes upwards travelling east, such that the grade of the road is significantly higher than the grade of the subject lands (the lands previously used a shared access through the adjacent property to the west because of this grade challenge). The ground floor of a new building on the lands would be lower than the street, which presents challenges for tenanted commercial space.

Schedule B1 to the Official Plan designates the subject lands as *Medium High Rise* with a maximum height of 12 storeys and a minimum required density of 150 bedrooms per hectare. The development satisfies both requirements.

5.3.3 Major Transit Station Areas

The subject lands are located within the Allen Major Transit Station Area (MTSA), as identified in both the Regional and City Official Plans (**Figure 3**). Policy 3.8(1) of the Official Plan provides a general policy framework for planning within Major Transit Station Areas. Specifically, in accordance with Policy 3.8(1), MTSA's are to be planned to:

- Achieve, by 2041 or earlier, a minimum gross density target of 160 residents and jobs combined per hectare;
- Accommodate a mix of transit supportive land uses, creating both origins and destinations within the Station Area;
- Serve as focal points for active transportation networks and connect to other destinations;
- Create attractive places for working, learning, living and recreation and support the unique character of each station area;
- Encourage job growth and vitality;
- Support placemaking through public and private realm improvements; and
- Support connectivity, integration and transfers between mobility systems.

As indicated previously, the proposed development will assist in the achievement of the minimum density target established for the Allen MTSA and provide additional residential units near employment, commercial and recreational uses. The subject lands will benefit from existing (Spurline Trail) and planned active transportation improvements (along Union Street) and are currently connected to existing recreational facilities through established pedestrian connections (i.e. Spurline Trail connection to Mary Allen Park). Furthermore, the subject lands are adjacent to an existing GRT bus route, with stops on both sides of the road in close proximity, allowing for a third alternative mode of transportation from the subject lands (in addition to active transportation and the use of private vehicles). Generally, the proposed development aligns with the objectives of focusing development within key Strategic Growth Areas, such as Major Transit Station Areas, while also addressing the framework of Policy 3.8(1).

5.3.4 City of Waterloo Official Plan – Urban Design Policies

Section 3.9 of the Official Plan includes urban design policies that were considered for the proposed development, as set out below.

3.9.3 – General Urban Design Policies

The Official Plan states that the General Urban Design Policies are intended to define the primary design elements and expectations that apply to all development in the City. A response to directly applicable policies is included in *italics*:

Public Realm and Streetscapes

- 1) Development in the City of Waterloo shall consider and align with the following urban design directions with regards to streetscapes and placemaking:
 - a. Streetscapes include the public street, the setbacks, and the building edges, which work together to create the pedestrian environment. Visually interesting streetscapes that imbue a sense of place should be created through variation in building typology, massing, architectural detailing and materiality.

*The façade of Building A which faces Union Street East is proposed to contain an at-grade commercial area with prominent windows and a rooftop amenity area, animating the street and inviting the public into the site. A large canopy and signage are proposed to identify and differentiate this building component, and to create a sense of place and shelter from the elements (see **Figure X** below).*

Due to grade changes between the street and the majority of the site, it is not possible to push the building up closer to the street and still provide vehicular access. The building has also been situated further into the site to provide separation from the residential lands to the east.



Image 2: Front Building Façade of Building A

- b. Streets will be designed to promote active transportation and connection to transit stations, including walking, and cycling, and rolling.

Vehicular and pedestrian paths are separated to provide for movement around the site and into each apartment building. The development includes an access from Roger Street which would be available to pedestrians and cyclists connecting to the adjacent Spurline Trail. Due to fencing requirements associated with the railway a direct connection from the site cannot be provided.

Long and short-term bicycle parking is provided for residents and visitors of the proposed development.

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

The proposed buildings are located to establish an urban street to the extent possible – the unique grading and shape of the site reduce the viability of locating the Building A closer to Union Street East. The building has been designed to mitigate this through the inclusion of at-grade commercial which faces Union Street East and invites the public into the site.

The design and massing of the buildings relate to the surrounding context, street proportions, and human scale dimensions through building location / setbacks and consideration for impacts on surrounding uses and the public realm (example: limited shadow impacts on the Spurline Trail).

- d. The City will promote an attractive and coordinated approach to streetscape design with emphasis given to green and complete streets; pedestrian, cyclist and rolling friendly design; and coordinated landscape and building design elements that animate the street in the public and private realm, through a cohesive visual identity.

The proposed development provides active transportation connections to Union Street and to Roger Street, which provides a direct connection to the Spurline Trail.

- e. Along primary streets and where active uses are located on the ground floor, building design is encouraged to feature frequent entrances, high transparency, well-articulated facades, and a rhythm of pedestrian-scaled architectural bays or modules along the street that provide variety and visual interest.

*The proposed development includes at-grade commercial space facing Union Street East, with large windows and a prominent canopy. This single-storey commercial area is distinct from the residential portions of the building and appropriately addresses the street (see **rendering** on the following page). The large windows promote permeability between the public and private realms and is visually appealing from the street. A direct pedestrian connection is provided from Union Street to the building entrance.*



Image 3: View of Building A from Union Street East

- f. Street trees contribute to urban infrastructure as they help reduce urban heat island effects, mitigate wind impacts, improve stormwater management function, support urban habitat and biodiversity, and contribute to improved human health and well-being. In addition, street trees beautify the urban environment and contribute to the attractiveness of the public and private realms. Trees are strongly encouraged on both sides of all streets (within the road allowance, and within front and flankage yards) wherever feasible, such that they form a continuous canopy at maturity.

Detailed landscape design will be provided as part of Site Plan Approval. Landscape design will consider both streetscapes while complementing and beautifying the proposed development. There is sufficient space along the site frontage for street trees.

- g. 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.

The majority of vehicular parking is provided underground, with supplementary surface parking. Long-term bicycle parking is located underground with temporary bicycle parking provided at grade on top of the underground structure. A combination of site design, grading and landscaping will be utilized to minimize the visual impact of parking.

- h. 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.

*The majority of parking is provided underground. Due to grading, a portion of the parking garage is above-grade at the rear of Building B (please see the **rendering** below). This portion of the site is separated from Roger Street by other lands and buildings.*



Image 4: View of Building B from Roger Street

Built Form and Building Typologies

- 2) Well-designed and sculpted buildings help contribute to a high standard of design, enhancing neighbourhood identity and improving the broader pedestrian environment. The built form of new development should contribute to an overall safe, accessible, and visually interesting environment. Development in the city will consider and align with the following key built-form design directions:
 - a. New development including infill should be located and organized to fit harmoniously within the existing and planned context to support streets, lanes, parks and open spaces, enabling the creation of a vibrant and safe public realm. The following policies apply:
 - i. Buildings should be sited, and oriented to frame adjacent streets and public spaces with good street proportion, helping to create a high-quality pedestrian realm.

The proposed development is oriented to Union Street East and is proportionate to the site area. Main entrances, signage, a canopy, and landscaping work together to address Union Street East. Building B overlooks the public Spurline Trail.

Building utilities are accessed from the interior of the site: loading areas are provided along the southwest side of Building A, adjacent to the at-grade garbage

and move-in rooms, and along the south of Building B, adjacent to the same. This ensures these features are not visible from the pedestrian realm while remaining convenient for residents and servicing.

Additionally, mechanical areas will be positioned on the rooftop to limit their visibility from the public realm (see rendering below).



Image 5: View of the mechanical penthouses

- ii. Buildings will be designed with prominent building entrances to face primary streets or areas of high pedestrian movement. Access from sidewalks, other pedestrian facilities and public open spaces to primary building entrances shall be clearly visible, convenient and direct, with minimum changes in grade, and will be accessible and barrier-free.

Building A features a prominent podium element with a canopy and signage that identify the commercial and residential entrances to the building. The proposed signage is complementary to the building's size and architectural features and would be visible from Union Street East and the interior of the site. Outdoor lighting, which will be detailed during Site Plan Approval, will ensure that entrances will be well lit in compliance with City guidelines.

Vehicular and pedestrian paths are separated. Where crossing parking areas is necessary, crosswalks will be identified through paint or a change in materials. Barrier-free access is provided to all required entrances, and barrier-free parking is provided proximate to building entrances and elevators.



Image 6: View of Building A from Interior of Site

- iii. Infill development should be compatible with existing and planned context and character. Compatibility is to be demonstrated, with regard for the characteristics that define the streetscape.

The proposed development has been designed to implement the Official Plan while accommodating the changing grades and unique shape of the site. The lands have been planned and zoned for 12-storeys for many years and no increase in height is proposed.

Compatibility with the adjacent commercial and industrial uses was considered and evaluated in technical reports. The 11-storey building has been moved further into the site to provide separation from the adjacent residential building to the east (which is planned for 6-storeys).

- b. New development including infill shall provide appropriate built form transitions between areas of different heights and/or intensity of uses. The following policies apply:
 - i. Transition in scale is to be appropriately implemented at the site, block and neighbourhood level.

It is anticipated that surrounding residential and commercial land uses will transition over time to higher heights/densities, as contemplated in the Official Plan. The building has been situated on the site to provide greater separation from Union Street, which will allow for a mid-rise building on the lands to the east to be developed closer to Union Street and further from Building A.

- ii. Development should incorporate measures that foster built form transition, which may include but are not limited to, setbacks to upper levels, vertical and

horizontal recesses and projections, façade articulation, architectural detailing and changes in plane, materiality, texture and colour to break visual impact.

Building A includes a prominent podium base element that projects from the balance of the building, closer to Union Street. The façade of the buildings create a cohesive, themed development with projections and recessions which add visual interest. Large windows at grade create an inviting ground floor element intended to draw pedestrians and vehicles into the site from Union Street.



Image 7: View of Building B from Interior of Site

- iii. Shadowing onto public realm, parks and open spaces is strongly discouraged. In general, shadows should be mitigated to the extent possible.

Shadow studies may be provided as part of a future Site Plan Approval application.

- c. Tall buildings are described as any building taller than 11 storeys in height measured from average grade. Building A is 11 storeys and Building B is 12 storeys. As such, the following policies only apply to Building B:
 - 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.

Building B complies with the majority of zoning regulations, with justification for non-compliance addressed in Section 5.4 of this Report. The majority of non-compliance is due to the irregular shape of the subject lands.

- ii. The profile of tall buildings should ensure that massing contributes to pedestrian scale, reduces the appearance of bulk, and that shadows do not unduly shadow the public realm, amenity space, and neighbouring properties.

Building B is situated at the rear of the site and does not abut or directly address a public street. While a shadow study was not identified as a submission requirement, the project architect did consider potential shadow impacts in the building's orientation on the site. As the lands abut industrial and commercial development, except for at the very front of the site, there are very limited shadow impacts on surrounding residential properties.

- iii. Tall buildings should employ a series of methods to mitigate wind impact on the public realm and amenity spaces, and enable a safe and comfortable pedestrian and user experience.

A combination of setbacks from Union Street and Roger Street and a prominent podium element on Building A are intended to mitigate any wind impacts on the public realm. There is no amenity area proposed on top of either Building A or B. A wind study can be prepared as part of a future site plan application.

Major Transit Station Areas

- 3) The design of urban areas around Major Transit Station Areas as identified on Schedule 'B' - City Structure plays an important role in supporting urban vibrancy and public life. In addition to helping to facilitate direct and convenient access and movement within and around transit facilities, Major Transit Station Areas have the ability to support a transit-oriented context, encourage street-level activity animation and contribute to broader place making objectives. The urban design of Major Transit Station Areas should include:

- a. A station plaza near ION LRT stops. Plazas can be modest in size but should have good building definition, active uses along adjacent property frontages, and multiple access points. Station plazas should feature a mix of hard and softscaping to support both functional and aesthetic objectives.

The subject lands are not located immediately adjacent to the Allen Street station platform

- b. Wayfinding features and strategies which provide a sense of direction, and orientation for all users of all ages and abilities. These features will help users easily navigate to and from the transit station through the use of signage and identification which is fully visible and accessible from the public street.

The City employs wayfinding signage along the Spurline Trail and can consider additional signage through the future reconstruction of Union Street.

- c. Parking within Major Transit Station Areas, where provided, shall be designed and organized to not detract from the public realm or hinder other forms of mobility. Design of parking areas shall:
 - i. Limit new surface parking lots within 100 metres of a Light Rail Transit Stop.

- ii. Locate parking to the side or rear of buildings where surface parking is proposed, to enable a continuous street edge and the creation of attractive urban spaces.
- iii. Screen parking structures.
- iv. Provide active uses on the ground floor wherever feasible.
- v. Require the perimeters of surface parking lots to be landscaped with trees and other appropriate planting materials.

The majority of parking is provided underground, with supplementary surface parking located on top of the structure, close to or at grade. The future landscape plan required as part of a site plan application can explore opportunities to plant trees and other soft vegetation around the perimeter of the site.

5.3.5 Summary

In summary and in our opinion, the Zoning By-law Amendment conforms to the Official Plan.

5.4 Zoning By-law

The subject lands are zoned *(Holding) Mixed-Use Neighbourhood Commercial [(H)C2-40]* (**Figure 10**). The C2-40 zone permits a range of commercial uses and permits dwelling units above the first storey in a mixed-use building as a primary use. We note that through OPA 58, the Mixed-Use Neighbourhood Commercial land use designation was removed from the Official Plan. In this regard, the C2 zone no longer implements the Official Plan.

As noted above, the lands are subject to a holding provision as they are within 75 metres of a railway right-of-way, and the application proposes to permit a sensitive land use. In accordance with Section 3.R.1.2:

For lands within seventy-five metres (75m) of a railway right-of-way, a holding prefix "(H)" is hereby applied, meaning the LOT is zoned as a holding provision for which the following applies:

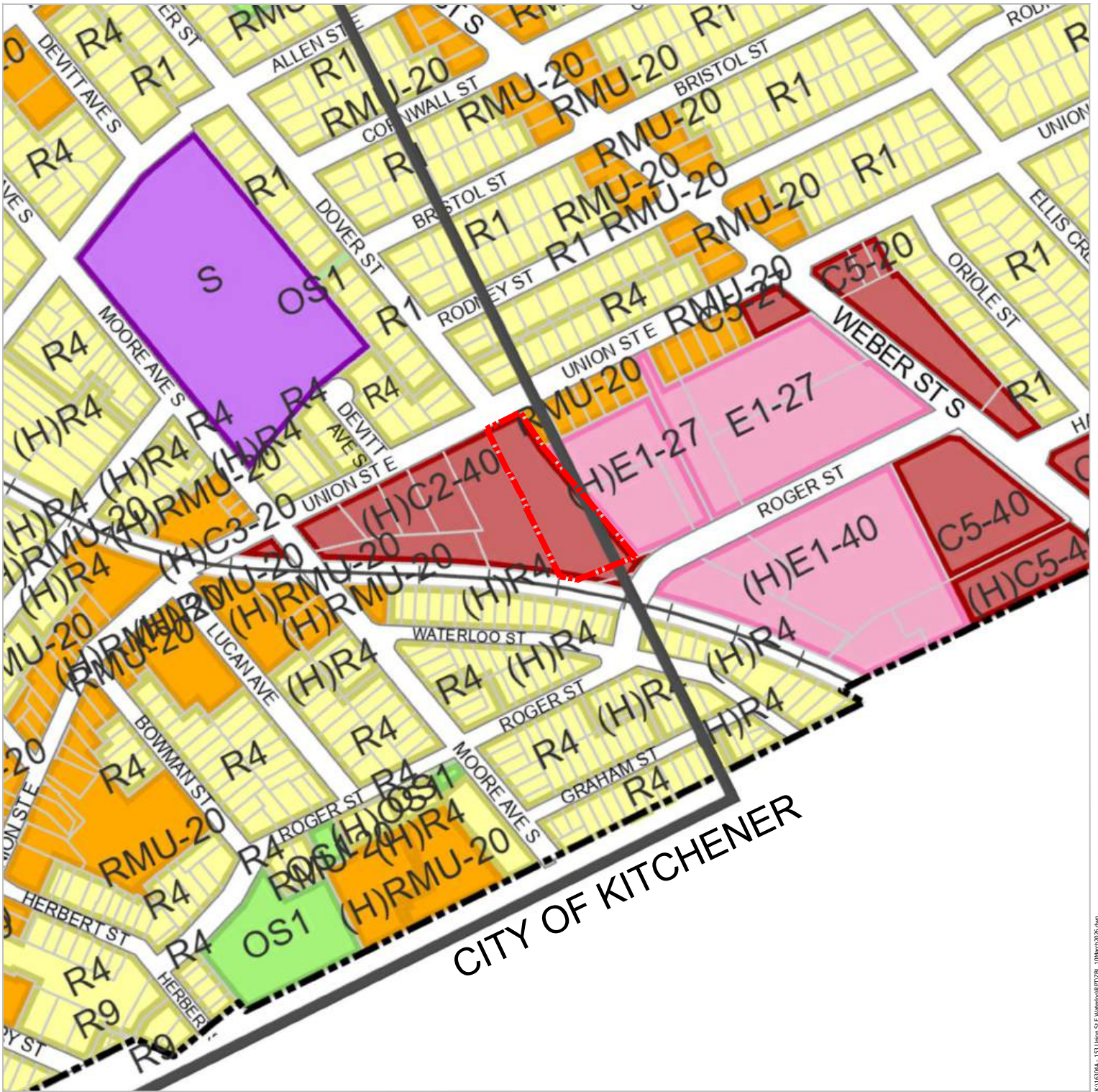
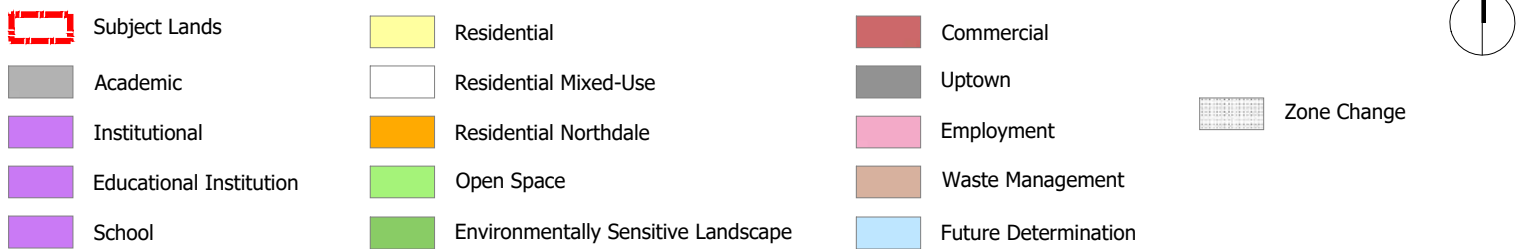


Figure 10 - City of Waterloo Zoning By-law 2018-050 Schedule 'A'



- a) *No PERSON shall erect, enlarge, or reconstruct any BUILDING containing a SENSITIVE USE in whole or in part within seventy-five metres (75m) of a railway right-of-way.*
- b) *The holding provision as it applies to the LOT shall not be removed or modified until it is demonstrated by a qualified professional engineer that there will be:*
 - i. *sufficient buffer from railway operations to dissipate rail-oriented emissions, vibrations, and noise;*
 - ii. *no adverse impacts to the SENSITIVE USES; and,*
 - iii. *a sufficient safety barrier from railway operations and potential derailments, to the satisfaction of the CITY and any other authority having jurisdiction.*

Because City OPA 58 removed the Mixed-Use Neighbourhood Commercial designation from the Official Plan, and designated the lands "Mixed-Use Community" an amendment to the Zoning By-law is required to conform to the new designation. The Zoning By-law Amendment proposes to rezone the lands to the Mixed-Use Community Commercial (C1-40) zone, to lift the Holding provision and to establish site-specific provisions, including:

- Permit residential units on the ground floor;
- Require a minimum of 320 square metres of commercial building floor area on the lands;
- Permit a reduced side yard setback for the exposed underground parking garage of 0.95 metres whereas 3 metres is required;
- Permit a reduced tower separation of 5.0 metres for Building B (one on side) and 0.95 metres for Building A (at its closest point);
- Permit a maximum horizontal tower dimension of 51 metres for Building A; and,
- Permit a maximum tower footprint of 1,200 square metres for Building A.

The following provides a rationale for the site-specific provisions requested for the C1-40 zone:

Residential Units on the Ground Floor

As previously discussed, the owner experienced significant challenges in leasing the building that previously existed on the lands and it was demolished in 2023. The redevelopment proposes residential development, with some ground floor commercial, however the amount of commercial proposed is reflective of the limited market for commercial uses in this area and the difficulties the owner had in leasing the previous commercial building.

To efficiently utilize the entirety of the building, residential units are proposed on the ground floor. All of those units are located behind the commercial space at the front of Building A, which is closest to Union Street. As such, the ground floor residential units would not be directly visible from Union Street. The building would appear as a mixed-use building, with ground floor commercial and residential units above from Union Street.

Reduced Side Yard Setback

The subject lands are an irregular lot – wider at the rear (near Roger Street) and becoming progressively narrower towards Union Street. Building B complies with the side yard setbacks, as it is located on the wider portion of the lot.

Building A complies with the westerly side yard setback and complies with the easterly side yard setback for the majority of the building's east façade, except for at the front of the building, where the lot becomes narrowest. In this one area of the building, it is 0.97 metres at its closest point. This corner of the building is to the rear of the dwellings along Union Street (planned for 6-storeys) and adjacent to industrial lands. There is still sufficient space beside the building to allow for soft landscaping, stormwater management and fencing to provide physical separation at grade. The views from the building are generally directed north towards Union Street or directly east towards Weber Street such that they do not look directly into the rear yard of the adjacent residential property.

The underground parking structure is partially above grade, due to the slope of the property from Union Street to Roger Street. In the east side yard, it is also 0.97 metres from the side lot line. In the west, the apartment buildings are setback a considerable distance from the westerly side lot line. However a portion of the underground parking structure is located above grade due to the slope of the lands. This above grade portion is set back 1.4 metres from the west lot line which contains a commercial building and surface parking.



Image 8: View of the proposed development from Union Street East

The parking structure is 1.4-1.5 metres from the two adjacent property lines but is only partially exposed above grade and will have minimal impact on the two adjacent properties. As the Functional Servicing Report demonstrates, the lands are able to manage stormwater appropriately.

Reduced Tower Separation

The By-law requires a tower separation distance of 11 metres from the interior side yard, or for an internal lot a combined total of 22 metres, provided no one side is less than 6 metres. Building B has a combined setback of 21.5 metres (at its narrowest point), with the nearest corner of the building being

5.1 metres from east lot line. Measured from any other point along the façade, it would comply with the By-law. As such, in our opinion, this is a very minor reduction largely due to the shape of the lot, and the requirement to achieve a minimum 15 metre setback from the railway, which abuts the subject lands at an angle, requiring an equivalent angled setback.

Similarly, the majority of Building A would also meet the required combined setback, except for the northeast corner which is situated where the lot becomes narrower. As the site-specific regulation would only apply to one corner of each building, in our opinion, the intent of the regulation is being met, notwithstanding that neither of the adjacent properties to the east can be developed with a residential tower. The greatest separation is provided from the property to the west, which would be permitted to develop a tower with residential uses.

Increased Tower Footprint and Horizontal Tower Dimension

The intent of the tower footprint provision is to ensure the massing of buildings is appropriate and the resulting building is not visually imposing from the street or that it negatively impacts the pedestrian realm. Building B complies with both regulations. The site-specific regulations are for Building A, which is perpendicular to Union Street. Building A's length is 50.25 metres and its footprint is 1,200 square metres.

As noted above, the adjacent lands to the east are not planned for residential towers (lots along Union Street), or for any residential uses (lots along Roger Street). The subject lands are a deep lot – the positioning of the building perpendicular to Union Street takes advantage of the depth of the lot, which will reduce the visual appearance of the building from the public street. Furthermore, the lower grade of the lands relative to Union Street will also reduce the visual impact of the minor increase in building length and footprint.

Lifting of Holding Provision

The lands are subject to a holding provision as they are within 75 metres of a railway right-of-way, are proximate to industrial uses, and the application proposes to establish a sensitive land use on lands previously used for commercial purposes. The intent of these provisions is to prohibit development until it has been demonstrated that the subject lands are safe for residential use, that proximity to the railway has been considered, and that the proposed development will not negatively impact employment uses.

It is understood that a Record of Site Condition will be required prior to a residential building permit. In this regard, the owner has already obtained a Record of Site Condition, which is included with the submission.

With regard to proximity to the railway, the minimum required setback of 15 metres has been accommodated within the development. The same setback applies to other recent developments along this rail corridor (e.g. the stacked townhouse development at Union/Moore).

A Noise and Vibration Study was prepared and considers noise and vibration generated by the railway. The Study determined that the proposed development was anticipated to be compatible with the surrounding land uses from an environmental noise and vibration perspective and recommended the inclusion of warning clauses.

A Land Use Compatibility Study was also prepared to assess impacts of the proposed development on the viability of the adjacent employment area. The Study concludes the site is anticipated to be compatible with surrounding land uses from an air quality perspective and will not affect the ability for industrial facilities to obtain or maintain compliance with applicable provincial environmental policies, regulations, approvals, authorizations and guidelines.

In summary, in our opinion, the requirements to lift the Holding provision have been met.

6.0 Technical Reports

The following is a summary of the technical reports that have been prepared in support of the Amendments.

6.1 Functional Servicing Report and Stormwater Management Report

MTE Consultants Inc. prepared a Functional Servicing and Stormwater Management Report to review opportunities and constraints for the subject lands with regard to servicing.

The Report identifies the following existing conditions:

- There is an existing 150mm diameter municipal watermain along Union Street East and a water service extended from the watermain to the adjacent property to the west. This service provides water to both the subject lands and the adjacent commercial lands via a servicing easement.
- There are existing 250mm diameter municipal sanitary sewers draining west along Union Street East and flowing west on Roger Street. The Roger Street service is assumed to provide servicing to the subject lands.
- An existing 200 – 250mm diameter storm sewer is located on Union Street East, draining west. There are existing private storm sewers and at least one structure within the existing north parking lot of the site. The storm sewer drains west to existing private storm sewers on the adjacent commercial property. Additionally, there is a 600mm diameter municipal storm sewer on Roger Street, and a 1200 – 1500 mm diameter municipal storm sewer in the Spur Line Trail right-of-way.

Proposed servicing for the site is as follows:

- A new connection to the watermain along Roger Street is proposed, as well as a private on-site hydrant.
- A new sanitary service connecting to an existing manhole on the sanitary sewer between Roger Street and the Spur Line Trail right-of-way is proposed.
- A private storm sewer is proposed to collect rooftop runoff from the buildings and runoff from the driveway and parking areas. This runoff will be directed to an oil and grit separator near the southwest of the site and subsequently to the municipal storm sewer on the Spur Line Trail right-of-way.

For a full analysis, please refer to the Report prepared by MTE.

6.2 Geotechnical Report

A Geotechnical Investigation was completed for the Site by Stonecairn Consulting using borehole and test pit information collected by LDS Consulting. A total of nine boreholes were advanced to depths ranging in depth from 1.4m to 14.5m. In general, soils underneath the surface asphalt and topsoil were found to consist of fill overlying native sand and silt.

Monitoring wells were installed in five of the boreholes, and groundwater levels were measured at depths ranging from 1.2m to 12m below the ground surface, corresponding to elevations ranging from approximately 318.m to 331.5m. The observed groundwater elevations are expected to fluctuate seasonally and in response to weather events. It is anticipated that dewatering will be required during construction. Subfloor drains connected to sump pumps may be required to address shallow groundwater, as well as waterproofing for the parking garage.

6.3 Traffic Impact Study

Paradigm Transportation Solutions Limited prepared a Transportation Impact Study to assess transportation conditions in accordance with approved terms of reference. The Study concludes that:

- The development is forecast to generate approximately 68 and 54 net external trips (to and from the site) in the AM and PM peak hours, respectively.
- In the Total Traffic Condition (background traffic and the proposed development), intersections in the Study Area are forecast to operate at acceptable levels of service similar to background traffic conditions with the same critical movements as currently exist.
- Although a left turn lane is technically warranted at the northern site access (from Union Street), installation of the turn lane is not recommended.

Based on the findings above, Paradigm recommends that the development be considered for approval with no conditions related to exterior improvements. Paradigm recommends that the City continue to monitor the need for a pedestrian crossover at the Spur Line Trail crossing along Roger Street.

6.4 Environmental Noise and Vibration Assessment

SLR prepared an Environmental Noise and Vibration Assessment Report, focusing on transportation noise from roadways and the rail line, rail induced vibration, and stationary noise from nearby commercial and industrial operations. The Assessment also evaluated impacts of the development on itself and the surrounding area and concluded:

- Upgraded windows are expected to be required at certain facades of Building B to meet indoor noise guidelines due to road and rail traffic. Wall and window STC requirements

should be reviewed and refined at a later stage when detailed architectural drawings (suite layouts and elevation plans) are available.

- *A provision for central air conditioning is recommended for residential suites for Building A.*
- *Mandatory central air conditioning is recommended for residential suites for Building B.*
- *A Type A Warning Clause is required for the ground floor patios of Building A.*
- An assessment of stationary noise has been completed, as outlined in Section Stationary Source Noise Assessment. Noise impacts from off-site noise sources onto the development meet the applicable MECP noise criteria limits for a Class 1 area.
- Impacts of the proposed development on the surrounding area are anticipated to be negligible and can be adequately controlled by following the design guidance outlined in the Report.
- Impacts of the proposed development on itself are anticipated to be negligible and can be adequately controlled by following the design guidance outlined in the Report.

6.5 Land Use Compatibility Assessment

SLR prepared a Compatibility Mitigation Study, to assess the impacts of nearby industrial facilities on the proposed development in terms of air quality, odour, and dust. The Study concluded that the development is anticipated to be compatible with the surrounding land uses from an air quality perspective and will not affect the ability for industrial facilities to obtain or maintain compliance with Provincial environmental policies, regulations, approvals, authorizations and guidelines.

7.0 Public Consultation

The Planning Act (specifically O. Reg. 544/06, amended by O. Reg. 178/16) requires that applicants submit a proposed strategy for consulting with the public. This section summarizes the proposed Public Consultation Strategy.

The public consultation process for the proposed Official Plan and Zoning By-law Amendment application includes the following points of public consultation:

- An Informal Public Meeting at City Council where the application will be presented to Council and the public for review and input.
- Direct written responses to City staff in response to comments raised through the public consultation process for staff's review and consideration in the preparation of their Report to Council.
- Preparation of a City staff Report, with the Report to be available to the public in advance of City Council's consideration of the applications.
- A Formal Public Meeting at City Council, at which time the staff Report, all available information, and public input will be considered in Council's final decision.

The consultation strategy, which will be coordinated with City staff, will provide members of the public with opportunities to review and comment on the proposed application.

8.0 Conclusion

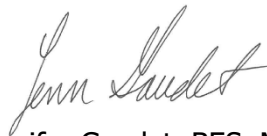
This Planning Justification Report concludes that the proposed Zoning By-law Amendment to permit the proposed residential development, which includes a range of unit sizes, is in the public interest and represents good planning for the following reasons:

- I. The Zoning By-law Amendment is consistent with the *Provincial Planning Statement*;
- II. The Zoning By-law Amendment conforms the *Region of Waterloo Official Plan* and provides for appropriate residential intensification within a Major Transit Station Area;
- III. The Zoning By-law Amendment conforms to the City's Official Plan, as amended by OPA 58 and implements the Mixed-Use Community designation;
- IV. The proposed development represents intensification of a vacant property on lands that are well located with respect to active public transit, and community amenities;
- V. The development achieves many of the City's objectives, including intensification with the Built-Up Area and within a Major Transit Station Area (MTSA);
- VI. The inclusion of family sized units, within an MTSA provides much needed housing in areas well served by transit and within close proximity to many key amenities (shopping, employment, Mary Allen Park, Spurline Trail and Elizabeth Ziegler Public School); and,
- VII. The proposed redevelopment will contribute to the intensification of the Union Street Minor Corridor.

Respectfully submitted,
MHBC



Trevor Hawkins, M.PL, MCIP, RPP
Partner



Jennifer Gaudet, BES, MCIP, RPP
Associate



PLANNING
URBAN DESIGN
& LANDSCAPE
ARCHITECTURE