STAFF REPORT
Planning

Title:	Zoning By-law Amendment Z-22-16, Columbia Hemlock Holdings Inc., 85-89 Columbia St. W. and 300 Hemlock St.
Report Number:	IPPW2023-006
Author:	John Vos
Meeting Type:	Council Meeting
Council/Committee Date:	February 6, 2023
File:	Z-22-16
Attachments:	Map 1 – Location Map Appendix A – Site Specific By-law C251 Appendix B – Public, Agency, and Staff Comments Appendix C – Proposed Site Plan Appendix D – Proposed Building Elevations
Ward No.:	Central-Columbia, Ward 6

Recommendations:

1. That IPPW2023-006 be approved.

2. That Council approve Zoning By-law Amendment Z-22-16, Columbia Hemlock Holdings Inc., 85-89 Columbia Street West and 300 Hemlock Street in accordance with Section 7 of Staff Report IPPW2023-006.

A. Executive Summary

Columbia Hemlock Holdings Inc. (the “Applicant”) is proposing to amend Zoning By-law 2018-050 (“ZBL2018-050”) for the lands addressed as 85, 87, 89 Columbia Street West & 300 Hemlock Street (the “Site”) to permit the development of an eight (8) storey apartment building containing:

- 136 residential units (137 bedrooms)
- 309.6 square metres of commercial floor area
- 77 vehicle parking spaces
- 38 bicycle spaces

The development will also include a new public walkway connecting Columbia Street West to Hemlock Street. This will be dedicated to the City through the Site Plan process.

To facilitate the development, the Applicant is proposing to rezone the Site from (Holding) Residential Northdale Eight ((H)RN-8) to Residential Northdale Eight (RN-8) and from (Holding) Residential Northdale Six ((H)RN-6) to Residential Northdale Six (RN-6) with the following site specific regulations:

- legalize the current lot frontage along Hemlock Street
- permit a tower stepback of 2.0 metres from the podium on the Columbia Street West façade
- permit parking within the front portion of the structure
- permit retaining walls within the side yard

Based on our review of the application, the Planning Division supports Zoning By-law Amendment Application Z-22-16 as set out in Section 7 of this report, for the reasons outlined in Section 6 of this report, and as follows:

- The application is consistent with the 2020 Provincial Policy Statement.
- The application conforms to the 2020 Growth Plan for the Greater Golden Horseshoe.
- The application conforms to the policies of the Regional Official Plan.
- The application, as recommended by staff, conforms to the City of Waterloo Official Plan (2012).
- The intent of the Zoning By-law is maintained, with minor amendments tailored to the development.
- The application is transit-supportive, providing additional density in a walkable area that is well served by public transit.
- The application will result in the creation of a new public walkway connecting Columbia Street West to Hemlock Street.
- The Applicant has fulfilled the requirements for the removal of the holding (H) symbol, including:
    - Verification of sufficient servicing capacity (water, sanitary, and stormwater) to fully service the lands.
    - Verification of sufficient transportation capacity and transportation infrastructure within the surrounding road network affected by the development and/or use of the lands.
    - Verification through conditional support from the Site Plan Review Committee that the development will conform to:
        - the City's Official Plan;
        - the Region's Official Plan; and
        - the City's Urban Design Manual, including the Northdale Urban Design Guidelines.

B. Financial Implications

Staff is not aware of any financial implications to the City with respect to this application. Should the application be appealed, potential costs related to an Ontario Land Tribunal (OLT) hearing may be incurred.

C. Technology Implications

None.

D. Link to Strategic Plan

(Strategic Objectives: Equity, Inclusion and a Sense of Belonging; Sustainability and the Environment; Safe, Sustainable Transportation; Healthy Community & Resilient Neighbourhoods; Infrastructure Renewal; Economic Growth & Development)

(Guiding Principles: Equity and Inclusion; Sustainability; Fiscal Responsibility; Healthy and Safe Workplace; Effective Engagement; Personal Leadership; Service Excellence)

The recommendations in this report support the ‘Economic Growth & Development’ and ‘Healthy Community & Resilient Neighbourhoods’ Strategic Objectives by implementing intensified growth and contributing to the revitalization of Northdale as a vibrant and innovative neighbourhood.

E. Previous Reports on this Topic

IPPW2022-058 (October 3, 2022): Council approved an exemption to the Demolition Control process to permit the Applicant to remove four (4) houses from the lands.

REPORT DASHBOARD: ZONE CHANGE APPLICATION Z-22-16

Zoning Regulations	Residential Northdale Eight (RN-8) (85, 87, 89 Columbia St W)	Residential Northdale Six (RN-6) (300 Hemlock St)	Proposed Development
Lot Area (min.)	1,000 square metres		3,950 square metres
Lot Frontage (min.)	20 metres		**15.7 metres along Hemlock Street** 49.76 metres along Columbia St W
Street Line Setback (min.)	1 metre	3 metre	1.0 metres from Columbia St W 4.67 metres from Hemlock St
Street Line Setback (max.)	At least 75% of the street line building façade shall be within 5 metres of the street line	6 metres	
Side Yard Setback (min.)	3 metres		3.124 metres Note: **Retaining walls are located within the side yard setbacks**
Rear Yard Setback (min.)	7.5 metres		N/A "Through Lot"
Height of First Storey (min.)	4.0 metres		6.5 metres
Building Height (max.)	27.5 metres	21.5 metres	27.5 metres (nearest Columbia St W)
Podium Height (min.)	10.5 metres	N/A	12.4 metres (3 storeys)
Podium Height (max.)	20 metres	N/A	
Building Stepback above Podium (min.)	3 metres	N/A	**2 metres**
Density: (max.)	450 bedrooms per hectare	250 bedrooms per hectare	Total: 346.8 bedrooms per hectare
Number of First Storey Entrances to the Building (min.)	1 per 15 metres of Street Line Building Façade [Columbia St W: 2 entrances are required Hemlock St: 1 entrance is required]		Columbia St W: 4 entrances Hemlock St: 1 entrance
Amenity Area (min.)	3 square metres for the first bedroom and 2 square metres for each additional bedroom in the dwelling unit, 30% of which shall be common amenity area. [Total required: 410 square metres Minimum common amenity: 123 square metres]		Total amenity area: 1514 m^2 Common amenity area: 35.8% (543.34 m^2)

Landscape Open Space (min.)	30%	30%
Residential Parking (min.)	0.2 per bedroom [28 spaces]	58 spaces
Visitor Parking (min.)	0.05 per bedroom [7 spaces]	9 spaces
Parking Spaces for Non-Residential Uses (min.)	3.0 per 100 square metres of building floor area [10 spaces]	10 spaces
Bicycle Parking for Residential (min.)	0.25 per bedroom [35 spaces]	42 spaces
Bicycle Parking for Non-Residential (min.)	1 per 100 square metres of building floor area [4 spaces]	6 spaces
Number of Driveways per lot	1	1
Floor Area for Ancillary Uses (max.)	Ancillary Uses shall not collectively exceed 15% of the building floor area on the lot or 5,000 square metres, whichever is more restrictive	3.4%
	The maximum building floor area of each retail store, cafe, bake shop or restaurant (including take-out restaurant) shall not exceed 465 square metres	Commercial units range in size from 58.5 m^2 to 115 m^2
Location of Ancillary Uses	Ancillary Uses shall be located on the first storey of a mixed use building	The commercial units are on the first storey
	Ancillary Uses shall abut the front building façade or flankage building facade	One of the four commercial units will abut the side yard and will be limited in the types of permitted commercial uses
Number of Main Buildings per Lot	More than 1	1

Zoning By-law Amendment Z-22-16, Columbia Hemlock Holdings Inc., 85-89 Columbia St. W. and 300 Hemlock St.
IPPW2023-006

SECTION 1 – SUBJECT SITE

Location:	85-89 Columbia Street West & 300 Hemlock Street
Ward:	Central-Columbia, Ward 6
Size:	0.3950 hectares
Owner/ Applicant:	Columbia Hemlock Holdings Inc.
Existing Land Use:	4 single detached dwellings
Proposed Land Use:	8 storey apartment building with ground floor commercial



LOCATION MAP

Public Input:
The mechanisms utilized for gathering input in regards to Z-22-16 are as follows:

Mechanism	Date	Results
Agency and Staff Circulation	November 16, 2022	Agency and staff comments attached as Appendix B
Advertise that an application was received	November 24, 2022	Advertised in Waterloo Chronicle and a letter was mailed to all property owners within 120 metres of the subject property
Signs posted on the property	December 9, 2022	The applicant provided photos of the signs, verifying they were installed

Mechanism	Date	Results
Informal Public Meeting	N/A	Staff waived the requirement for an informal public meeting due to the nature and scope of the application
Advertise Formal Public Meeting	January 12, 2023	Advertised in Waterloo Chronicle and a letter was mailed to all property owners within 120 metres of the subject property, and those who requested to be notified
Formal Public Meeting	February 6, 2023	Council to consider the application

1.1 Site Description and Neighbourhood Context

The Site is located within the Northdale neighbourhood, fronting on to Columbia Street West and on to Hemlock Street. The Site is a consolidation of four lots, each of which contain a single detached dwelling. The Site is generally flat, aside from a sloped section in the middle of the site where the grade falls approximately 1.9 metres towards Hemlock Street. An 8-storey mixed-use building is currently under construction directly west of the Site, and a 6-storey apartment building is being constructed directly south. To the east is an existing 4-storey apartment building, and to the southwest is a 3-storey multi-unit residential building. A new neighbourhood park (Hemlock Park) has being installed at the corner of Hemlock Street and Hickory Street West by the City of Waterloo.



(Figure 1: Subject Lands and Surrounding Area)

SECTION 2 – PROPOSED DEVELOPMENT (see Appendices 'C' and 'D')

The Applicant is proposing to construct an eight storey mixed-use building with 136 residential units (137 bedrooms) and 309.6 square metres of non-residential (commercial) floor area, 77 parking spaces, 42 bicycle parking spaces (including 12 outdoor bicycle spaces). A large common amenity area will be located on the south side of the building which will include a party room, a kitchenette, and a rooftop terrace. Many of the units include balconies or terraces for private passive amenity space.



(Figure 2: Rendering of proposed building as viewed from Hemlock Street)

SECTION 3 – APPLICATION DETAILS

To facilitate the redevelopment of the Site, the Applicant is proposing to remove the holding (H) symbol and rezone the Site within ZBL2018-050 from:

- Holding Residential Northdale Eight ((H)RN-8) zone to Residential Northdale Eight (RN-8) zone for 85, 87 and 89 Columbia Street West
- Holding Residential Northdale Six ((H)RN-6) zone to Residential Northdale Six (RN-6) zone for 300 Hemlock Street
- Add the following site specific regulations to the Site:
    - to permit a lot frontage of 15.7 metres at Hemlock Street (existing condition), whereas a minimum of 20 metres is required;

- for the Columbia St W building façade, to permit a tower stepback of 2.0 metres above the podium, whereas a minimum of 3.0 metres is required;
- to provide an exemption from regulation 7.12.14 which requires parking to be located entirely behind building floor area; and
- to provide an exemption from regulation 3.A.7.4 to allow retaining walls within the side yard setbacks.

The implementing zoning by-law for the Northdale neighbourhood applied a holding (H) symbol to the Site. The holding (H) symbol must be removed prior to the development of the lands. A number of criteria must be satisfied in order to remove the holding (H) symbol, including:

- Verification of sufficient servicing capacity (water, sanitary, and stormwater).
- Verification of sufficient transportation capacity and transportation infrastructure within the surrounding road network affected by the development and/or use of the lands.
- Verification through site plan control that the development will conform to:
  a) the City's Official Plan;
  b) the Region's Official Plan; and
  c) the City's Urban Design Manual, including the Northdale Urban Design Guidelines.

SECTION 4 – POLICY EVALUATION

4.1 Provincial Policy Statement

The 2020 Provincial Policy Statement (the “PPS”) establishes the vision and policy framework for matters of provincial interest related to land use planning and development in Ontario. Collectively, the policies aim to focus growth within existing settlement areas; promote efficient development and land use patterns to minimize land consumption and servicing costs; support densities that provide for a more compact urban form and building strong and safe communities.

In staff’s opinion, the proposed Zoning By-law Amendment is consistent with the PPS:

- The proposed Zoning By-law Amendment will result in the efficient use of land and existing infrastructure.
- The proposed Zoning By-law Amendment will be transit-supportive, accommodating additional density in a walkable area that is well served by public transit.

4.2 A Place to Grow: Growth Plan for the Greater Golden Horseshoe

The 2020 A Place to Grow: Growth Plan for the Greater Holden Horseshoe (the "Growth Plan") provides a framework for managing growth, protecting resources, and promoting economic investments within the Greater Golden Horseshoe to the year 2051. Building on the policy foundation of the PPS, the Growth Plan provides more specific land use planning policies for managing growth. Some of the key guiding principles in section 1.2.1 include:

- *Support the achievement of complete communities that are designed to support healthy and active living and meet people's needs for daily living throughout an entire lifetime.*
- *Prioritize intensification and higher densities to make efficient use of land and infrastructure and support transit viability.*

In staff's opinion, the proposed development conforms to, or does not conflict with, the Growth Plan for the following reasons:

- The proposed development is within a comprehensively planned settlement area with sufficient municipal services and infrastructure.
- The proposed development will efficiently use the subject site while also supporting the existing public transit system.

4.3 Region of Waterloo Official Plan

The Regional Official Plan (ROP) provides a land use policy framework that implements the PPS and Growth Plan in the regional context. The lands are located within the Urban Area Boundary and designated Built-Up Area (as shown on ROP Map 3a, Urban Area). In staff's opinion, the proposed zoning by-law amendment conforms to the ROP for the following reasons:

- It proposes intensification within the Built-Up Area and supports the planned function of the Urban Built-Up Area.
- It proposes intensification in a compact urban form that has regard for the planned physical character of the area.
- It is transit-supportive by proposing intensification that is located within a short walking distance of a number of public transit stops.
- It fosters walkability by creating a pedestrian-friendly development that addresses the street, with appropriate 'human scale' that does not overpower the street.

4.4 City of Waterloo Official Plan

The City of Waterloo Official Plan designates the lands as follows:

- Schedule ‘A’ (Land Use Plan)
    - Mixed-Use Medium Density Residential (85-89 Columbia St. W.)
    - Low Density Residential (Northdale) (300 Hemlock St.)
- Schedule ‘A6’ (Specific Provision Areas) – Specific Provision Area 45 (Northdale Neighbourhood)
- Schedule ‘A45a’ (Street Frontage Areas and Streetscape Elements)
    - Columbia is a Convertible Frontage Area and is a Main Street
    - Hemlock is a Neighbourhood Frontage Area and a Residential Street
- Schedule ‘B’ (City Structure) – Minor Corridor (85-89 Columbia St. W.)
- Schedule ‘B1’ (Height and Density)
    - Northdale: Medium Density, 8 storeys (85-89 Columbia St. W.)
    - Northdale: Low Density, 6 storeys (300 Hemlock St.)
- Schedule ‘B3’ (Designated Greenfield Areas) – Built Up Area
- Schedule ‘C’ (District Boundaries) – Columbia
- Schedule ‘E’ (Road Classification System)
    - Columbia St. W. is a City Arterial Road
    - Hemlock St. is a Local Road
- Schedule ‘F’ (Active Transportation Framework)
    - A pedestrian corridor is identified in this area
    - Columbia St. W. is identified as a City-Wide Cycling and Multi-Use Route
- Schedule ‘G’ (Road Allowances) – Columbia St. W. has a 30 metres ultimate road allowance
- Schedule ‘J’ (Station Areas) – located in the University of Waterloo Station Area

The Site is located in the Built Up Area of the City (Schedule ‘B3’ - Designated Greenfield Areas) and more specifically in the Northdale neighbourhood. The City’s Official Plan designates the Northdale Area as Specific Provision Area 45 (Schedule ‘A6’ – Specific Provision Areas).

The lands at 85-89 Columbia St. W. are designated Mixed-Use Medium Density Residential (Schedule ‘A’ – Land Use Plan). The aim of this designation is to encourage medium density, mixed-use, primarily residential development within Minor Corridors. The designation also functions as a transition between lower density and higher density areas. It identifies a maximum net residential density of 450 bedrooms per hectare and a maximum building height of 8 storeys. These properties are located on the edge of the Northdale neighbourhood in a Minor Corridor (Schedule ‘B’ – City Structure) and are also designated Northdale: Medium Density, 8 storeys (Schedule ‘B1’ – Height and

Density). The properties also have a Convertible Frontage Area designation (Schedule 'A45a' - Street Frontage Areas and Streetscape Elements) which requires a taller building ground floor to accommodate non-residential uses.

The property at 300 Hemlock St. is designated Low Density Residential (Northdale) (Schedule 'A' – Land Use Plan). The aim of this designation is to permit a mix of low to mid-rise residential built forms with a 6 storey building height limit. The maximum residential density is 250 bedrooms per hectare. This property is designated Northdale: Low Density, 6 storeys (Schedule 'B1' – Height and Density) and has a Neighbourhood Frontage Area designation (Schedule 'A45a' - Street Frontage Areas and Streetscape Elements) which requires dwelling units located at grade to provide direct access to the street from the main dwelling unit entrance (s.11.1.45(20)(c)(ii)).

The proposed mixed use building has been designed with the highest (8 storeys) portion of the building oriented to Columbia St W, stepping down to a height of 2 storeys for the portion fronting on Hemlock St. The total number of bedrooms (density) within the building conforms to the densities contemplated in the corresponding land use designations. Having completed a detailed review of the development, staff is satisfied that the proposed development conforms to the Official Plan.

4.5 City of Waterloo Zoning By-law 2018-050

The Site is split-zoned with two distinct zone categories as shown in Appendix 'C'. The properties fronting on Columbia Street West are zoned Holding Residential Northdale Eight ((H)RN-8) in ZBL2018-050 which permits a mixed-use building with a maximum height of 27.5 metres and a maximum density of 450 bedrooms per hectare.

The property fronting on Hemlock Street is zoned Holding Residential Northdale Six ((H)RN-6) in ZBL2018-050 which permits a mixed-use building with a maximum height of 21.5 metres and a maximum density of 250 bedrooms per hectare.

ZBL2018-050 allows a building to span multiple zones, subject to specific regulations outlined in regulation 3.S.5. The building must satisfy the regulations within each zone (i.e., building setbacks and height) with the exception of density, amenity area, landscaped open space, parking and loading spaces which can be transferred between the zones.

For example, the lands zoned (H)RN-8 permit a maximum of 107 bedrooms, and the land zoned (H)RN-6 permits a maximum of 30 bedrooms, for a combined total of 137 bedrooms. Twelve (12) bedrooms have been transferred from the portion zoned (H)RN-6 to the portion zoned (H)RN-8 that benefits from additional building height permissions – while still complying with the overall density of 137 bedrooms total.

The proposed building has been designed to predominantly comply with the regulations in each of the (H)RN-8 and (H)RN-6 zones, including building height. However, certain site specific amendments are requested due to the topography and the irregular shape of the Site. These proposed amendments are analyzed in Section 5 of this report.

The Applicant is requesting Council approval to remove the holding (H) symbol from the (H)RN-6 and (H)RN-8 zones. The holding (H) symbol prevents development until a number of criteria are satisfied, including verification of servicing capacity, transportation capacity, and urban design.

Should Council support application Z-22-16, a by-law will be required to amend ZBL2018-050 with site specific provisions as described in Section 7 and Appendix 'A' of this report.

SECTION 5 – PLANNING EVALUATION

Staff offer the following comments on Zoning By-law Amendment Z-22-16:

5.1 Holding Removal

Planning staff have no objection to the removal of the holding (H) symbol. To fulfill the applicable requirements of the holding (H) symbol removal, the Applicant has:

- Demonstrated that sufficient servicing capacity (water, sanitary, and stormwater) will be made available to fully service the lands through the submission of the following:
    a. Fire Flow Analysis;
    b. Sanitary Loading Calculations; and
    c. Functional Servicing and Stormwater Management Report.

A Servicing Report was prepared by KWA Site Development Consulting and submitted to the Engineering Services Division in November 2020 and updated in July 19, 2022. The report includes an analysis of the fire flow requirements and verification that adequate capacity is available. Engineering Services has reviewed the report and is satisfied with the analysis and conclusions. Engineering Staff have no concerns with application Z-22-16.

- Demonstrated that there is sufficient transportation capacity and transportation infrastructure within the surrounding road network affected by the development and/or use of the lands.

The Transportation Services Division has reviewed the Transportation Impact Brief prepared by Paradigm Transportation Solutions Limited and are satisfied with the analysis and conclusions, and therefore do not object to the removal of the holding (H) symbol.

- Submitted a complete Site Plan application to the City. Through the Site Plan Control process the Applicant shall demonstrate that the proposed development will conform to:
    a. the City's Official Plan;
    b. the Region's Official Plan; and
    c. the City's Urban Design Manual, including the Northdale Urban Design Guidelines.

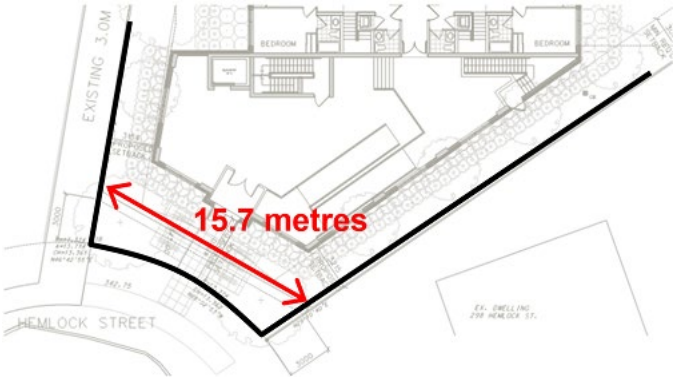
The Site Plan Review Committee (SPRC) is supportive of the plans, studies, and supporting materials submitted with the Site Plan application (SP-21-32), and has recommended formal acceptance to the Director of Planning subject to conditions. Similarly, Planning staff are of the opinion that the proposed development is appropriate given the site's context and scale, and is consistent with the Northdale Plan.

Planning staff note that other criteria for removal of the holding (H) symbol are not applicable to the Site, being the Record of Site Condition, Density Bonusing Agreement, Block Plan, and Provincial D-6 Guidelines.

5.2 Lot Frontage along Hemlock Street

The RN-6 zone requires a minimum frontage of 20 metres to ensure the lot is wide enough for an apartment building. 300 Hemlock Street is 'pie-shaped' and has a frontage of 15.7 metres measured along the front yard building line as shown on Figure 3.

A 6-storey apartment building is currently under construction on the adjacent lands to the southeast (290-298 Hemlock Street), and to the west is a partial walkway owned by the City. There is no surplus land on either side of the Site. However, the building has been designed to fit within the existing lot frontage while still providing the required front yard and side yard setbacks thereby maintaining the intent of the zoning regulation. Staff have no concerns recognizing the existing condition through a site specific zoning regulation.

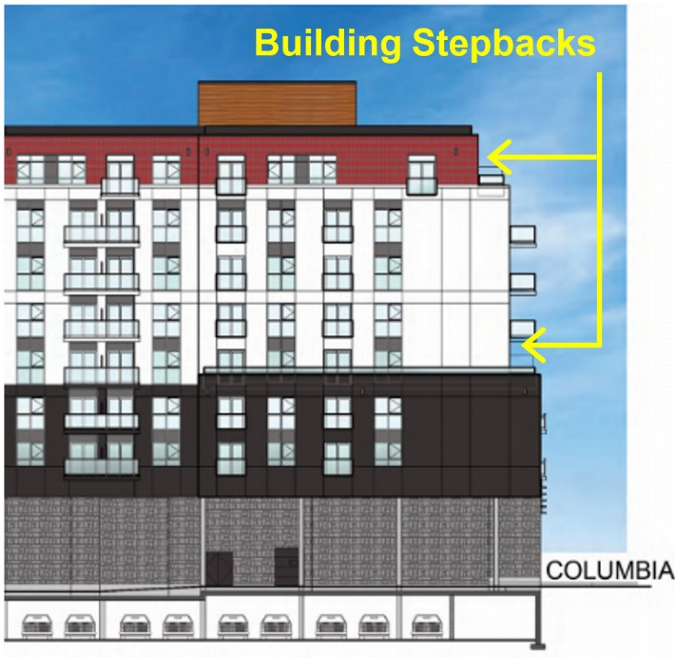


(Figure 3: Lot Frontage along Hemlock Street)

5.3 Building Stepback

The RN-8 zone requires the tower to stepback 3.0 metres from the podium to mitigate the building massing impacts along the street edge, among other considerations. The proposed building will stepback 2.0 metres from the podium on the north (front) and the east (side) façades, but will not stepback along the west façade (adjacent to the new public walkway). The 8th storey will stepback an additional 2.0 metres along the front façade as shown on Figure 4.

The proposed building design maintains the intent of the zoning by stepping the building twice along the front façade. This adds to the tiered design of the building overall by locating the bulk of the building mass internal to the Site, thereby creating a 'human scale' podium and reducing impacts on adjacent properties.



(Figure 4: East elevation showing the building stepbacks from the podium)

Note: Balconies on the 5th, 6th, and 7th storey are permitted to project into the building stepback per regulation 3.A.5(c) in ZBL2018-050.

5.4 Location of Parking

Ten (10) parking spaces are proposed on the ground floor of the building and are intended for the commercial units, while visitor and residential parking will be located in the underground parking level. Regulation 7.12.14(b) in ZBL2018-050 requires structured parking to be located entirely behind building floor area devoted to residential or commercial uses. This ensures the front of the building has active uses along the street to create a vibrant streetscape and visibility for pedestrian safety.

The front façade along Columbia Street West will include three commercial units and the primary residential entrance. A fourth commercial unit is located on the west side façade, adjacent to the new public walkway. These units have been strategically located to activate both the front façade and side façade along the walkway, while the remainder of the frontage will be a driveway, landscaping, and the ten parking spaces.

The parking spaces will extend into the side yard to reduce the impact on building floor area, and enhanced landscaping will be provided between the parking area and the street to screen public views of the parking spaces. These design details will help to activate impacts while ensuring the commercial parking is accessible to staff and customers.

5.5 Retaining Walls

The topography rises gradually from Columbia Street West to the middle of the Site and then steeply slopes down towards Hemlock Street with an elevation difference of approximately 2.0 metres. The proposed development has been designed to reduce the need for retaining walls by lowering the finished floor elevation to ensure the underground parking level is below grade wherever possible. However, two retaining walls are proposed in the side yards.

The retaining wall within the west side yard (adjacent to the walkway) will range in height from 0.42 metres to 1.05 metres at the highest point. This retaining wall is not connected to the building or structure. The retaining wall within the east side yard is attached to the underground parking structure and ranges in height from 1.1 metres to 1.82 metres.

Regulation 3.A.7.4 of ZBL2018-050 states that any retaining wall with a height greater than 0.6 metres above grade and is attached to or forms part of the building or structure, shall be deemed to be part of the building. This means the retaining wall in the east side yard forms part of the building and is subject to all building regulations including setbacks.

The retaining wall in the east side yard will be setback 1.0 metres from the side lot line, whereas the RN-6 and RN-8 zones require a minimum side yard setback of 3 metres. The reduced side yard setback will only apply to the retaining wall and underground parking level, while the rest of the building will comply with (or exceed) the 3.0 metre setback requirement.

5.6 Dens

The building density, amenity area, and parking rates are all calculated based on the total number of bedrooms within the building. The majority of the 136 units will contain one (1) bedroom, aside from a single unit on the 8th storey which will have two (2) bedrooms. 89 of the units will also contain a den which will provide additional living area or a home office within the unit. Staff have reviewed each den to ensure they do not meet the definition of ‘bedroom’ as provided in ZBL2018-050.

If the dens are used as bedrooms, the density would increase to over 572 bedrooms per hectare and the building would not comply with the parking or amenity regulations. Such a development would require an Official Plan Amendment and Zoning By-law Amendment. Dens must not be converted to bedrooms without the prior written consent of the City of Waterloo.

Staff note that reliance letters were submitted from both the Applicant and their Consultant with their confirmation that rooms labelled as “Dens” on the Site Plan shall not be used as a bedroom or converted to a bedroom without the written consent of the City of Waterloo. This requirement will also be identified on the Site Plan, Building Permit, and future Condominium Declaration.

5.7 New Walkway

A new three metre (3.0m) wide walkway along the westerly side lot line will be dedicated to the City through the Site Plan process. This is a requirement of the Official Plan (Schedule ‘F’ – Active Transportation Framework) which identifies a Potential Pedestrian Corridor in this location. The new walkway will connect to an existing incomplete walkway at Hemlock Street which was constructed and dedicated to the City as part of the development of 338 Albert Street (Ivy Towns III).

SECTION 6 – CONCLUSION

Based on our review of the application, the Planning Division supports Zoning By-law Amendment Z-22-16, in accordance with Section 7 of Staff Report IPPW2023-006, for reasons including:

- The application is consistent with the 2020 Provincial Policy Statement.
- The application conforms to the 2020 Growth Plan for the Greater Golden Horseshoe.
- The application conforms to the policies of the Regional Official Plan.
- The application, as recommended by staff, conforms to the City of Waterloo Official Plan (2012).
- The intent of the Zoning By-law is maintained, with minor amendments tailored to the development.
- The proposed development is transit-supportive, in an area that is walkable and well served by public transit.
- The application will result in the creation of a new public walkway connecting Columbia Street West to Hemlock Street.
- The Applicant has fulfilled the requirements for the removal of the holding (H) symbol, including:
    - Verification of sufficient servicing capacity (water, sanitary, and stormwater) to fully service the lands. A minor extension of the municipal watermain is required to service the development. The Applicant will enter into a site servicing agreement with the City prior to the passing of the by-law to lift the holding (“H”) symbol.

- Verification of sufficient transportation capacity and transportation infrastructure within the surrounding road network affected by the development and/or use of the lands.
- Verification through support from the Site Plan Review Committee that the development will conform to:
  - the City's Official Plan;
  - the Region's Official Plan; and
  - the City's Urban Design Manual, including the Northdale Urban Design Guidelines.

SECTION 7 – RECOMMENDATIONS

A. That Staff Report IPPW2023-006 be approved.

B. That Council approve Zoning By-law Amendment Application Z-22-16, Columbia Hemlock Holdings Inc., 85-89 Columbia Street West and 300 Hemlock Street, as follows:

1. That By-law 2018-050 is hereby amended by changing the zoning on the zoning map attached to Zoning By-law 2018-050 as Schedule ‘A’ for the lands known municipally as “85-89 Columbia Street West”, as shown on Map 1 attached hereto, from Holding Residential Northdale Eight ((H)RN-8) to Residential Northdale Eight (RN-8);
2. That By-law 2018-050 is hereby amended by changing the zoning on the zoning map attached to Zoning By-law 2018-050 as Schedule ‘A’ for the lands known municipally as “300 Hemlock Street”, as shown on Map 1 attached hereto, from Holding Residential Northdale Six ((H)RN-6) to Residential Northdale Six (RN-6);
3. That Zoning By-law 2018-050 is hereby amended by adding “C251” to Schedule ‘C’ of said By-law 2018-050 as set forth in Appendix ‘A’ to report IPPW2023-006;
4. That Zoning By-law 2018-050 is hereby amended by adding “C251” to the zoning map attached to the said By-law 2018-050 as Schedule ‘C1’ for the lands identified as “85, 87, 89 Columbia St W” and “300 Hemlock Street” on Map 3 attached hereto.

Submitted by:

John Vos
Planner, Planning Approvals

Map 1 – Location Map



Appendix A – Site Specific By-law

Exception	Address	Zoning	File Reference
C251	85-89 Columbia Street West & 300 Hemlock Street	RN-6 and RN-8	Z-22-16

Location: 85-89 Columbia Street West & 300 Hemlock Street
as shown on Schedule 'C1' to this BY-LAW.

Site Specific Regulations:

a) Notwithstanding anything to the contrary, the following site specific regulations shall apply:

i. LOT FRONTAGE (minimum): 15.7 metres along Hemlock Street
ii. BUILDING STEPBACK above the PODIUM (minimum):
    a) 2.0 metres from the FRONT BUILDING FAÇADE (north) and the easterly building façade
    b) 0.0 metres along the westerly building façade
    c) For clarity, a BUILDING STEPBACK above the PODIUM shall not be required for the southerly building facade
iii. PARKING behind BUILDING FLOOR AREA: Regulation 7.12.14 shall not apply to the east of a DRIVEWAY to/from Columbia Street West
iv. SIDE YARD SETBACK (minimum): 1.0 metre for a retaining wall and UNDERGROUND STRUCTURED PARKING within the easterly SIDE YARD

Appendix B – Public, Agency and Staff Comments

PUBLIC COMMENTS

No comments were received from the public.

STAFF AND AGENCY COMMENTS

No Concerns:

- City of Waterloo Fire Department – Fire Prevention Division
- Grand River Conservation Authority
- Ministry of Transportation
- Waterloo Region District School Board
- Waterloo Catholic District School Board
- Waterloo Advisory Committee on Active Transportation

City of Waterloo Transportation Services (December 2, 2022)

Transportation Services has reviewed the provided Transportation Impact Brief; there are no remedial measures proposed as a result of this development. We are not concerned with the removal of the holding provision.

City of Waterloo Development Engineering (January 18, 2023)

Development Engineering has reviewed Zoning By-law Amendment Application Z-22-16 for the proposed development at 85-89 Columbia Street West & 300 Hemlock Street.

The following items were submitted for our review:

- Servicing Report, by KWA Site Development Consulting Inc., dated July 19, 2022.

Engineering Services does not have any significant concerns with Z-22-16. However, further details may be required during the Site Plan process and detailed design stage for review and acceptance from the Engineering Division.

City of Waterloo Engineering Infrastructure (December 8, 2022)

The proposed flow of 3.34 L/s was accounted for in the MH U7-108 flows, the closest downstream manhole. The 2029 projected ‘post-development’ modelling results indicate that the sanitary sewer on Columbia Street downstream of the proposed development appears to have available capacity under wet weather modelling scenarios.

Enbridge Gas Inc. (November 17, 2022)

It is Enbridge Gas Inc.'s request that as a condition of final approval that the owner/developer provide to Enbridge the necessary easements and/or agreements required by Enbridge for the provision of gas services for this project, in a form satisfactory to Enbridge.

[Note: These easements will be secured through the Site Plan process]

Region of Waterloo (December 23, 2022)

The subject lands are designated "Built-Up Area" in the Regional Official Plan (ROP). This ROP designation permits a full range of urban uses, including higher density mixed use residential developments. The subject lands are also within a Major Transit Station Area.

Region staff have reviewed the report entitled 'Planning Justification Brief 85, 87, 89 Columbia Street West & 300 Hemlock Street, Waterloo' dated October 10, 2022 and authored by MHBC Ltd.

In accordance with Section 7.14.17 of the City's Zoning By-law (2018-050), the holding (h) provision for the subject lands can be removed once the following information is provided:

a) Verification of sufficient servicing capacity (water, sanitary, and stormwater) to fully service the lot and development thereon.

Regional Water Services staff have reviewed the submitted Functional Servicing Report and have no comments nor concerns with lifting the Holding Provision.

b) Verification of sufficient transportation capacity and transportation infrastructure within the surrounding road network affected by the development and or use of the lot.

Region Staff have no comments on the submitted Transportation Brief as it was not requested for Regional review at the pre-submission consultation.

c) For known or suspected contaminated sites as identified by the Region, verification from the Region and or the Province of Ontario that the owner has completed a Record of Site Condition.

Region staff have confirmed that an RSC is not required for the subject development.

d) Where an increase in building density is proposed pursuant to Section 37 of the Planning Act, the completion and registration of an agreement pursuant to subsections 37.3 and 37.4 of the Planning Act between the owner and the City.

The applicant has noted that no increase is density is proposed. Region Staff have no comments.

e) A Block Plan has been prepared in accordance with the Block Plan policies of the Official Plan for the Northdale Neighbourhood Specific Provision Area, where applicable.

The applicant has noted that this item was confirmed as not applicable and as such Region Staff have no comments.

f) Verification through Site Plan Control endorsement that the lot and development thereon will conform to:
    a. the Official Plan;
    b. the Region's Official Plan; and
    c. the City's Urban Design Manual in effect, including the Northdale Urban Design Guidelines.

Region staff have no comments, and understand that Conditional Endorsement of the Site Plan was received on July 5, 2022.

g) Demonstrate compliance with the Provincial D-6 Guideline "Compatibility Between Industrial Facilities and Sensitive Land Uses" where there are potential land use compatibility issues associated with existing and or planned industrial uses operating in proximity to residential or other sensitive land uses.

The applicant has noted that this item was confirmed as not applicable. Region staff note that there appear to be no industrial facilities within 300m of the subject lands and as such have no comments. Regional comments on stationary noise associated with the development itself are provided below.

Record of Site Condition (RSC)

Region staff note that an RSC is not required according to the Region's guideline.

Hydrogeology and Water Programs

Please note that Regional Staff do not support permanent active or passive dewatering controls for below-grade infrastructure, including foundations, slabs, parking garages, footings, piles, elevator shafts, etc. Below-grade infrastructure requiring dry conditions should be waterproofed.

If surface parking or driveway areas greater than 200m^2 are proposed, Regional Staff would require the owner/applicant to complete a Salt Management Plan as part of the Site Plan Control/future draft plan of condominium application. As part of the plan, Regional Staff would encourage the owner/applicant to incorporate design considerations with respect to salt management, including:

- Ensure that cold weather stormwater flows are considered in the site design. Consideration should be given to minimize the transport of meltwater across the parking lots or driveway. This also has the potential to decrease the formation of ice and thereby the need for de-icing.
- Directing downspouts towards pervious (i.e. grassy) surfaces to prevent runoff from freezing on parking lots and walkways.
- Locating snow storage areas on impervious (i.e. paved) surfaces in close proximity to catch basins.
- Using winter maintenance contractors that are Smart About Salt™ certified.
- Using alternative de-icers (e.g. pickled sand) in favour of road salt.

The owner/applicant is eligible for certification under the Smart About Salt™ program for this property. Completion of the Salt Management Plan is one part of the program. To learn more about the program and to find accredited contractors please refer to: http://www.smartaboutsalt.com. Benefits of designation under the program include cost savings through more efficient use of salt, safe winter conditions by preventing the formation of ice, and potential reductions in insurance premiums.

Regional Staff request that a prohibition on geothermal wells be written in the Zoning By-law for the subject lands.

Cultural Heritage

Region staff have reviewed the submission and have no comments.

Economic Development

Region staff have reviewed the submission and have no comments.

Water Services

Region staff have reviewed the Functional Servicing Report and have no comments, and no objection to the removal of the holding provision.

Housing Services

The Region supports the provision of a full range of housing options, including affordable housing. Rent levels and house prices that are considered affordable

according to the Regional Official Plan are provided below in the section on affordability. Should this application move forward, staff recommend that the applicant consider providing a number of affordable (as defined in the Regional Official plan) housing units on the site.

In order for affordable housing to fulfill its purpose of being affordable to those who require rents or purchase prices lower than the regular market provides, a mechanism should be in place to ensure the units remain affordable and establish income levels of the households who can rent or own the homes.

Staff further recommend meeting with Housing Services to discuss the proposal in more detail and to explore opportunities for partnerships or programs and mechanisms to support a defined level of affordability.

Affordability

For the purposes of evaluating the affordability of an ownership unit, based on the definition in the Regional Official Plan, the purchase price is compared to the least expensive of:

Housing for which the purchase price results in annual accommodation costs which do not exceed 30 percent of gross annual household income for low and moderate income households	$385,500
Housing for which the purchase price is at least 10 percent below the average purchase price of a resale unit in the regional market area	$576,347

*Based on the most recent information available from the PPS Housing Tables (2021).

In order for an owned unit to be deemed affordable, the maximum affordable house price is $385,500.

For the purposes of evaluating the affordability of a rental unit, based on the definition of affordable housing in the Regional Official Plan, the average rent is compared to the least expensive of:

A unit for which the rent does not exceed 30 per cent of the gross annual household income for low and moderate income renter households	$1,470
A unit for which the rent is at or below the average market rent (AMR) in the regional market area	Bachelor: $950 1-Bedroom: $1,134 2-Bedroom: $1,356 3-Bedroom: $1,538 4+ Bedroom: $3,997

*Based on the most recent information available from the PPS Housing Tables (2021)

In order for a rental unit to be deemed affordable, the average rent for the proposed units which have fewer than 3 bedrooms must be at or below the average market rent in the regional market area as shown above. For proposed units with three or more bedrooms, the average rent for the units must be below $1,470.

Please do not hesitate to contact JMaanMiedema@regionofwaterloo.ca should you have any questions or wish to discuss in more detail.

Corridor Management

Region staff note that per the Region's Pre-submission Consultation comments, an updated Stationary Noise Study was required as part of a complete application. An updated Stationary Noise Study was not provided with the submission. As such, the comments provided at the time of Pre-submission Consultation continue to apply and have been provided again below.

Environmental Noise:

Corridor Planning staff have reviewed the report entitled "Noise Impact Study for the Proposed Mixed Use Development (8 Storey building) at 85, 87, & 89 Columbia Street West and 300 Hemlock Street, Waterloo, Ontario Prepared for Columbia Hemlock Holdings Incorporated", dated 02 November 2021, authored by J. E. Coulter Associates Limited, as it pertains to road traffic noise on Columbia Street West and Albert Street and stationary noise from the development itself and nearby industrial and commercial facilities.

Transportation Noise:

As the sound levels exceed 65 dBA during the daytime, indoor sound levels have also been reviewed. The analysis indicates the indoor sound levels are expected to be met through the use of standard glazing at the loudest point of the development. The indoor

guidelines will be met at all other areas. Standard window glazing consists of two layers of 6mm glass separated by a 13mm air space and is rated to achieve STC 35.

Outdoor Living Area Receptor:

The terraces on the south side are well shielded from the major roadway noise. The presence of a standard 1.2m solid safety screen is sufficient to meet the MECP criteria of 55 dBA. The solid safety screen must be continuous with no gaps or cracks with a minimum surface density of 20kg/m^2.

Stationary Noise Assessment:

There are no major stationary noise sources nearby that would affect the future occupants of the proposed condominium. However, the condominium does include mechanical equipment that will need to be reviewed for its impact on nearby residences as well as the future residences of the development itself. The developer will ensure that any mechanical or electrical equipment associated with that development will meet the criteria at this proposed development.

The proposed condominium itself will have the following mechanical equipment that warrant consideration:

- Parking garage exhaust fans
- Cooling tower
- Make-up air units

A mechanical design has not yet been completed. Estimates of mechanical equipment and associated sound levels have been made in the absence of a detailed design.

The parking garage exhaust shaft is located on the southeast corner of the development. It is typically serviced by fans run on a carbon monoxide monitor and only run intermittently. The typical sound power level for the overall garage exhaust fans would be 95 dBA Lw. Please note that staff are not in concurrence with the statement that parking garage fans do not typically operate during the nighttime. Since the parking garage fans operate with sensors, it is not uncommon that those fans operating at nighttime (prior to 7am). Please assess parking garage fans for nighttime operation.

Hence, the parking garage shaft may require mitigation. Please provide detail of the mitigation if required.

An air-cooled chiller is proposed on the roof. These sources are tonal and noisy. A sound power level of 100 dBA Lw is used. Please confirm tonal adjustment have been applied to the assessment.

Please provide noise impact assessment from this rooftop mechanical units and garage exhaust fans to nearby sensitive receptors (residential dwellings other than the development itself).

Corridor Planning staff generally concur with the conclusions and recommendations of the environmental noise impact study, as they pertain to transportation noise. As the detailed design was not yet known at the time of the study's completion, an update to the noise study with respect to stationary noise will be required prior to approval of the Zoning By-law Amendment.

[Note: The Region has subsequently confirmed that the updated noise study can be submitted with the future Condominium Application, thereby allowing the current Zoning By-law Amendment application to proceed.]

Conclusions:

The analysis indicates modest noise impacts for the development due to the close proximity to Columbia Street. The development's mechanical equipment has the potential to generate some impact on the occupants of the development itself. Preliminary estimates indicate that there is the potential to exceed the guideline levels at the nearest windows and there will probably be a need to quiet some of the equipment. As a result, noise control measures may be required in the final mechanical design to ensure that the mechanical equipment meets the sound criteria.

As the detailed design has yet to be known, an update to the noise study will be required that includes details relating to floor plans, building elevations, mechanical drawings, and equipment selections. Furthermore, the equipment selected shall comply with the Ministry of Environment, Conservation and Parks (MECP) NPC-300 Noise Guideline.

Finally, the detailed noise study shall assess the impact of noise from the development itself and to the other residential buildings in the neighborhood.

To implement the study's recommendation related to transportation noise, the owner/developer will be required to enter into a registered agreement with the Region of Waterloo and/or City of Waterloo for all units in the proposed development and the following warning clauses shall be included in agreements of Offers of Purchase and Sale, lease/rental agreements, condominium declarations as part of a future draft plan of condominium application:

Noise Warning Clauses:

Type A:

> *"Purchasers/tenants are advised that sound levels due to increasing road traffic may occasionally interfere with some activities of the dwelling occupants as the sound levels exceed the sound level limits of the Municipality and the Ministry of the Environment, Conservation and Parks."*

Type B:

> *"Purchasers/tenants are advised that despite the inclusion of noise control features in the development and within the building units, sound levels due to increasing road traffic may on occasions interfere with some activities of the dwelling occupants as the sound levels exceed the sound level limits of the Municipality and the Ministry of the Environment, Conservation and Parks."*

Type D:

> *"This dwelling unit has been supplied with a central air conditioning system which will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the sound level limits of the Municipality and the Ministry of the Environment, Conservation and Parks."*

Type E:

> *"Purchasers/tenants are advised that due to the proximity of the adjacent roof-top units, parking garage exhausts, commercial and industrial facility, noise from the adjacent roof-top units, parking garage exhausts, commercial and industrial facility may at times be audible."*

Summary of Recommendations:

To meet the current noise guidelines of the Ministry of the Environment and Climate Change and the Region of Waterloo, the following recommendations are proposed:

1. All units in the condominium are to be provided with central air conditioning.

2. All units in the condominium are to be provided with Warning Clauses "A", "B", "D" and "E" in the Agreements of Purchase and Sale or Lease and Rental Agreement, condominium declarations.

3. Glazing achieving an STC 35 rating should be used throughout the development. This rating can typically be achieved through the use of two layers of 6mm glass separated by a 13mm airspace.

4. The detailed plans are to be reviewed and approved by a qualified acoustic consultant and/or municipal building official prior to building permit issuance.

5. Private balconies or terraces greater than 4m in depth will not be included on the north, east, or west façades of the development without appropriate noise control measures.

6. The private terraces on the south side should have a 1.2m high safety screen that can double as a noise barrier. With such a screen in place, the sound levels are predicted to meet the MECP limit of 55 dBA. The solid safety screen must be continuous with no gaps or cracks with a minimum surface density of 20kg/m^2

7. The mechanical/electrical systems of the building are to be reviewed, to confirm that the guidelines will be met at nearby residential buildings and the condominium itself.

Implementation:

The Acoustical Consultant for the proposed development shall prepare an updated noise study and confirm that mechanical equipment sound emissions comply with MECP Guideline NPC-300 at the development.

Prior to the issuance of building permits for this development, a Professional Engineer qualified to perform acoustical engineering services in the Province of Ontario should review the mechanical drawings and specifications for the proposed mechanical equipment to certify that the MECP sound levels will be met at all onsite and offsite noise sensitive receptors.

Prior to the issuance of occupancy permits for this development, the Municipality's building inspector or a Professional Engineer qualified to provide acoustical engineering services in the Province of Ontario to certify that the suggested noise control measures have been properly installed and constructed.

The owner/developer will be required to address the concerns/comments pertaining to stationary noise assessment as stated above prior to adoption of the Zoning By-law Amendment/Lifting of the Holding Provision.

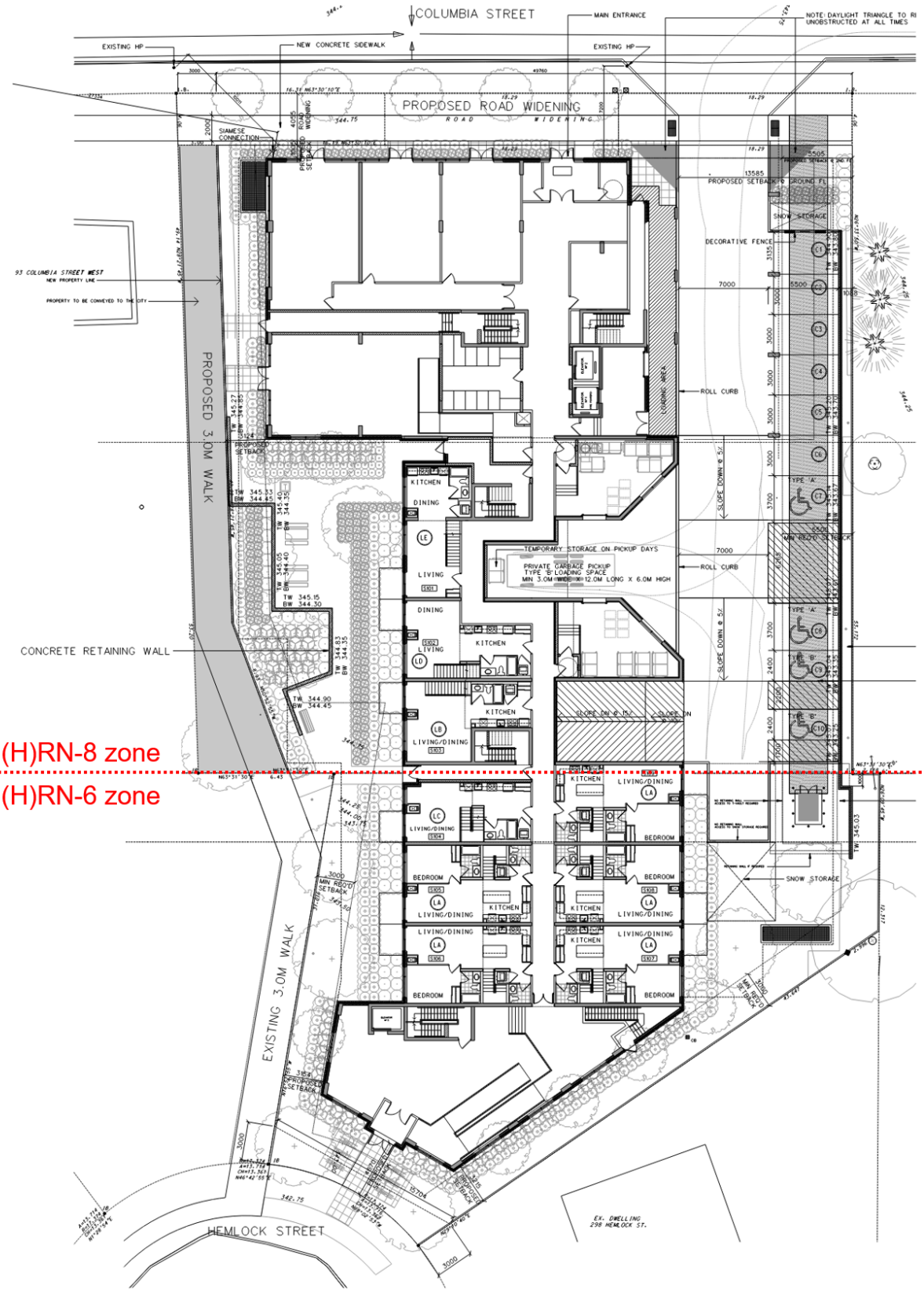
Concluding Comments

Prior to adoption of the Zoning By-law Amendment, Regional staff request that the owner/applicant address the comments raised above with respect to the stationary noise study through the submission of an updated noise study [Note: deferred to the Condominium Application], and request that the City includes a prohibition on geothermal wells in the Zoning By-law amendment [Note: such a prohibition already exists as regulation 3.W.1.1 in ZBL2018-050, and therefore not needed].

Regional staff acknowledge the submission of the required ZBA application review fee of $3,000 in accordance with the Regional Fees and Charges By-law.

Any future development on the lands subject to the above-noted applications will be subject to the provisions of Regional Development Charges By-law 19-037 or any successor thereof.

Appendix C – Proposed Site Plan



Appendix D – Proposed Building Elevations



(Figure 5: North Elevation along Columbia Street West)



(Figure 6: South Elevation along Hemlock Street)



(Figure 7: West Elevation)



(Figure 8: East Elevation)