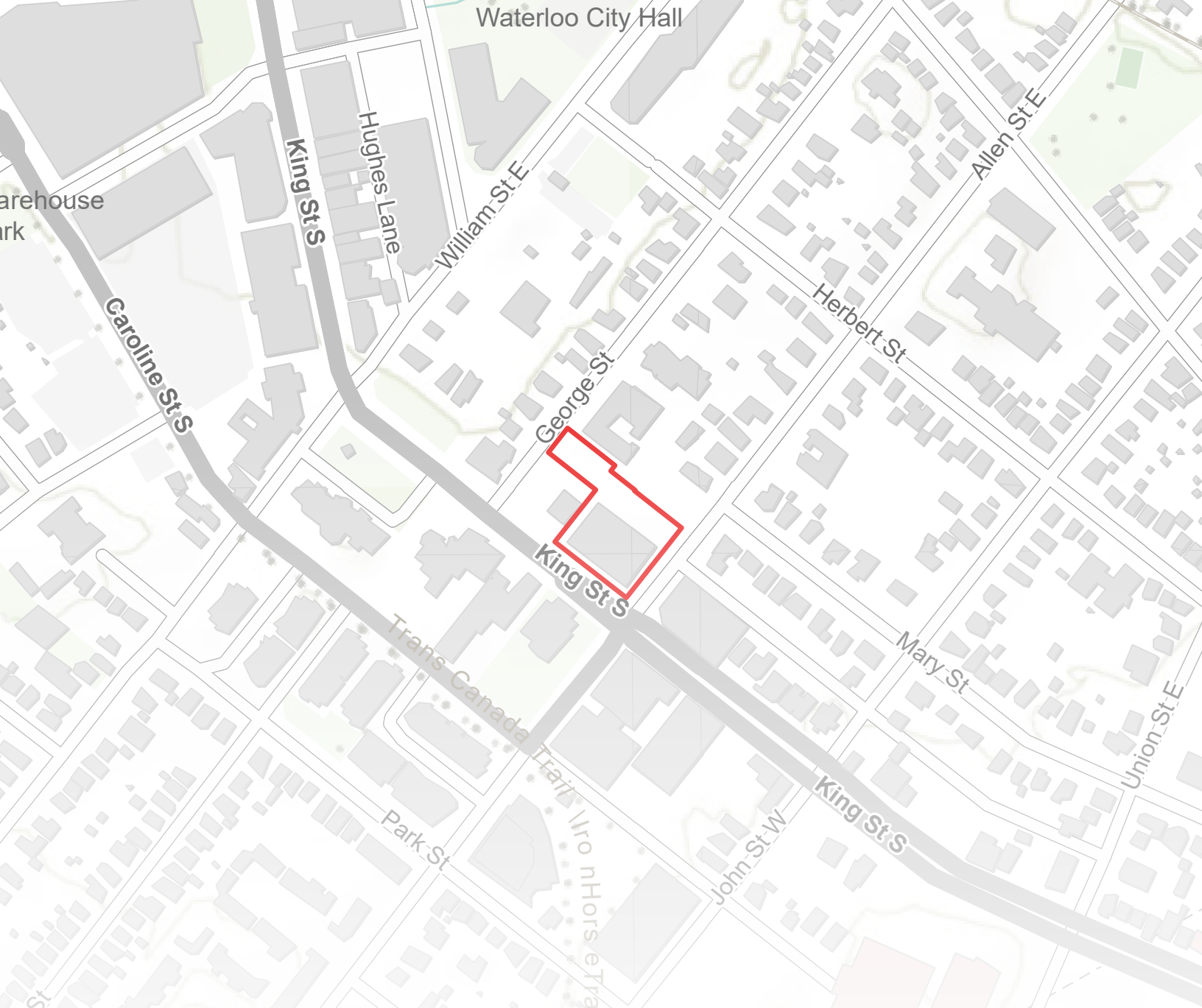


180 KING STREET S
WATERLOO, ON

APRIL
2023

PLANNING JUSTIFICATION REPORT

File No. 22169A

MHBC
PLANNING
URBAN DESIGN
& LANDSCAPE
ARCHITECTURE

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1.0 Introduction

MacNaughton, Hermsen, Britton, Clarkson Planning Limited ("MHBC") hs been retained by 1000237993 Ontario Inc. to prepare a Planning Justification Report in support of a Zoning By-law Amendment application for 180 King Street South in the City of Waterloo (hereinafter referred to as the "subject lands").

The subject lands are 0.43 hectares in size and are located on the northeast corner of the intersection of King Street South and Allen Street East. The subject lands are occupied by a seven-storey office building marketed commercially as "Allen Square".

The subject lands are located in an Urban Growth Centre and the Allen Street Major Transit Station Area in the Regional Official Plan (2023). The City of Waterloo Official Plan designates the subject lands 'Uptown Mixed-Use' , 'Uptown Waterloo Urban Growth Centre' and 'Medium High Density 40 metres ' while Zoning By-law 2018-050 zones the subject lands 'Uptown Mixed Use 30 (U2-30)'.

The application seeks to rezone the subject lands to 'Uptown Mixed Use 40 (U2-40)' with site-specific provisions to facilitate the adaptive reuse of the existing office building for mixed-use residential and ground floor commercial. The site-specific exceptions are primarily requested to recognize the existing 1970's building and to permit ground floor expansions on the north and south facades to introduce a podium to the existing built form.

In addition, the proposed redevelopment adds three storeys to the existing building, for a total height of 10 storeys, resulting in 129 dwelling units with 166 bedrooms along with approximately 1,580 sq. m. of ground floor commercial space.

This Planning Justification Report supports the required application and assesses the proposal in the context of the applicable planning framework. In support of the application, 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 Zoning By-law Amendment; and,
- A review of existing policy framework in relation to the proposed redevelopment and assessment of consistency with the Provincial Policy Statement and conformity with the A Place to Grow: Growth Plan for the Greater Golden Horseshoe and the City of Waterloo Official Plan.

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

1.1 Pre-Submission Consultation

A Pre-submission Consultation Meeting was held with Region of Waterloo and City of Waterloo staff on December 13, 2022 to discuss the proposed redevelopment. City staff identified that the following submission materials are required for a complete zoning by-law Amendment application:

- Property survey or existing conditions plan
- Building elevation drawings and renderings
- Floor plans
- Preliminary grading plan
- Planning Justification Report
- Urban Design Brief
- Functional Servicing Report
- Environmental Noise and Vibration Study
- Stationary Noise Study
- Heritage Impact Assessment
- Notice of Source Protection Plan Compliance

As the site is currently developed in its entirety and the existing grading will not change to accommodate the redevelopment, the existing conditions plan that includes grading is being submitted to satisfy the requirement of the preliminary grading plan.

A Wind Study and Traffic Opinion Letter have been prepared to supplement the submission materials identified by municipal staff. A Shadow Analysis is included in the Urban Design Brief.

All reports, studies and plans are being submitted as part of the zoning Amendment application.

2.0 Context

The subject lands are located along King Street South between George Street and Allen Street East in Uptown Waterloo and are municipally known as 180 King Street South. The subject lands are legally described as Part of Lots 46 and 47, Registered Plan No. 498, City of Waterloo, Region of Waterloo. The location of the subject lands is shown on **Figure 1**.

The subject property is 0.437 hectares in area and has 20.5 metres of frontage on George Street, 60 metres of frontage on King Street South, and 59 metres of frontage on Allen Street East.

The lands are currently occupied by a seven-storey office building marketed commercially as Allen Square (**Figure 2**). The building was constructed in the 1970's and has been primarily leased as a multi-tenant professional office building. The existing development includes a parking structure with at-grade and below-grade parking, accessed from Allen Street East (**Figure 3**). Pedestrian access is provided from King Street South and from the parking area at the rear. There is no access, pedestrian or vehicular, from George Street due to the height of the parking deck.

Figure 2: *View of the existing building from the west side of King Street South* *Source: Loopnet.com*





Figure 1
Location Plan

LEGEND

Subject Lands

DATE: April 17, 2021

SCALE: NTS

FILE: 22169A

DRAWN: CH

north

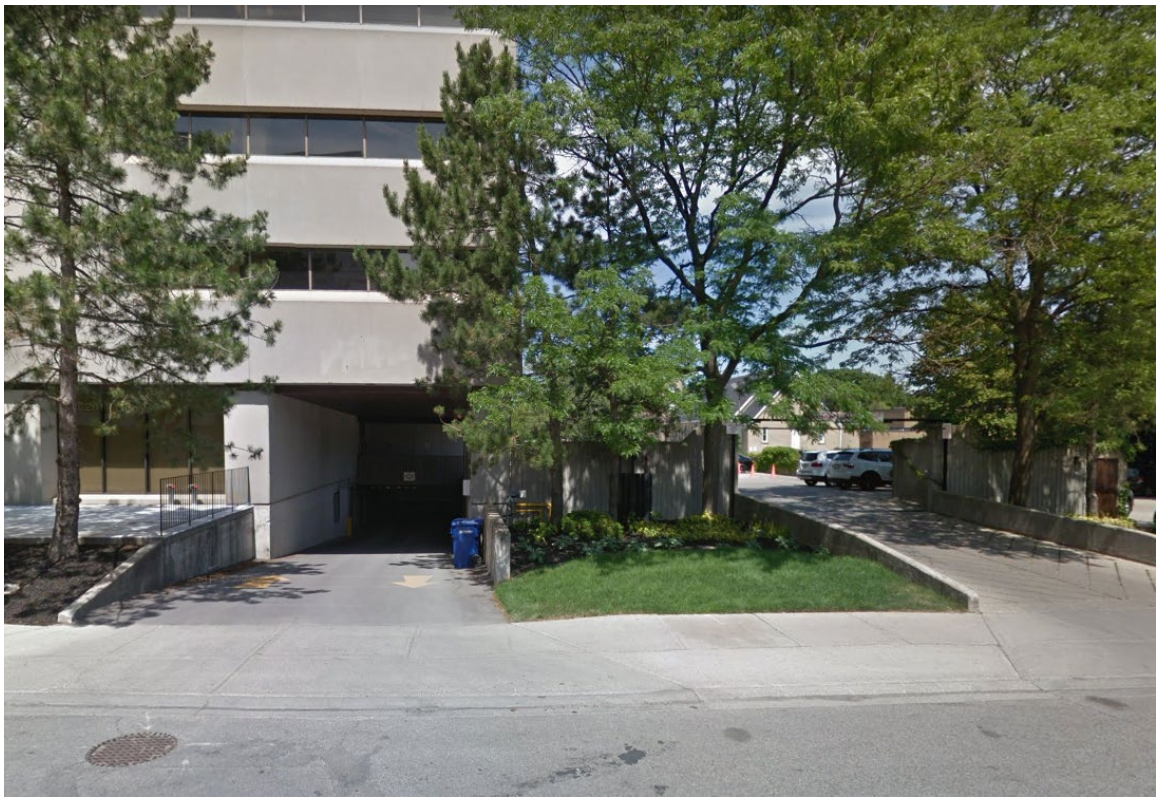
810 King Street South
City of Waterloo
Region of Waterloo

Source: Region of Waterloo, 2019

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Figure 3: *View of the access to the underground and above-grade parking structures from Allen Street East*

Source: google.com



The subject lands are serviced by a municipal water and storm sewer along Allen Street and a sanitary sewer along King Street. The lands are relatively flat and have been graded to direct stormwater towards municipal storm infrastructure.

The surrounding area is characterized by a wide range of uses consisting of commercial, institutional, and residential. The immediate surrounding context is described in detail below and illustrated on **Figure 4**:

NORTH: 172 King Street South, a one-storey dwelling immediately adjacent to the subject lands, is designated under Part IV of the Ontario Heritage Act. This property has been used for professional offices for many years. There is a surface parking lot behind the building with access off George Street. A new mid-rise mixed use building is currently under construction on the northeast corner of George Street and King Street. Commercial uses and low-rise residential uses are located to the north and northwest of the subject lands.

SOUTH: Commercial and residential uses of varying densities are located to the south of the subject lands. Immediately south of the subject lands, across Allen Street, is 188 King Street South ("Red Condominiums"), a mixed-use residential and

commercial mid-rise development. Low-rise commercial and residential uses are located further south.

EAST: The Waterloo-Kitchener United Mennonite Church and low-rise residential uses are located immediately to the east of the subject lands. The church property includes a surface parking lot adjacent to the subject lands that extends from George Street to Allen Street. Low density residential uses predominate beyond the noted uses.

WEST: Commercial and residential uses of varying heights and densities are located to the west of the subject lands, including the Bauer Buildings mixed-use development. This site includes office, retail, and high-density residential uses. Immediately west of the lands on the opposite side of King Street is 185 King Street South, the former adult recreation community centre that is now a vacant site. When the lands were sold by the City a few years ago, a future office development was proposed at that time (the Perimeter Development site). 181 King Street South is a recently completed mixed-use residential and commercial high-rise development which is adjacent to 185 King Street South (the "Circa 1877 Condominiums").

The subject lands are well connected to the arterial road network, existing public transit, and existing active transit infrastructure. King Street is a Regional Arterial Road and is one of the City's primary north-south routes. The Allen Street ION LRT station is approximately 50 metres from the subject lands and King Street is well served by multiple bus routes. Sidewalks are provided on all street frontages and provide access to the nearby Spur Line Trail and Iron Horse Trail. The main retail hub within Uptown Waterloo is a few block away and provides a wide range of uses.

In summary, the subject lands are well located in an established area of the City and are proximate to amenities for daily use, including groceries, 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. The immediate surrounding area is complemented with uses typical of Uptown Waterloo including residential and mixed-use developments of varying densities.



Figure 4
Context Plan

LEGEND

- Subject Lands
- 5 Minute Walking Distance
- Bus Stop
- Bus Route
- ION Stop
- ION Route
- Multi-Use Trails
- Iron Horse Trail
- Spur Line/Laurel Trail

DATE: April 17, 2023

SCALE: NTS

FILE: 22160A

DRAWN: CH

North

410 Queen St W
City of Cambridge
Region of Waterloo

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3.0 Proposed Redevelopment

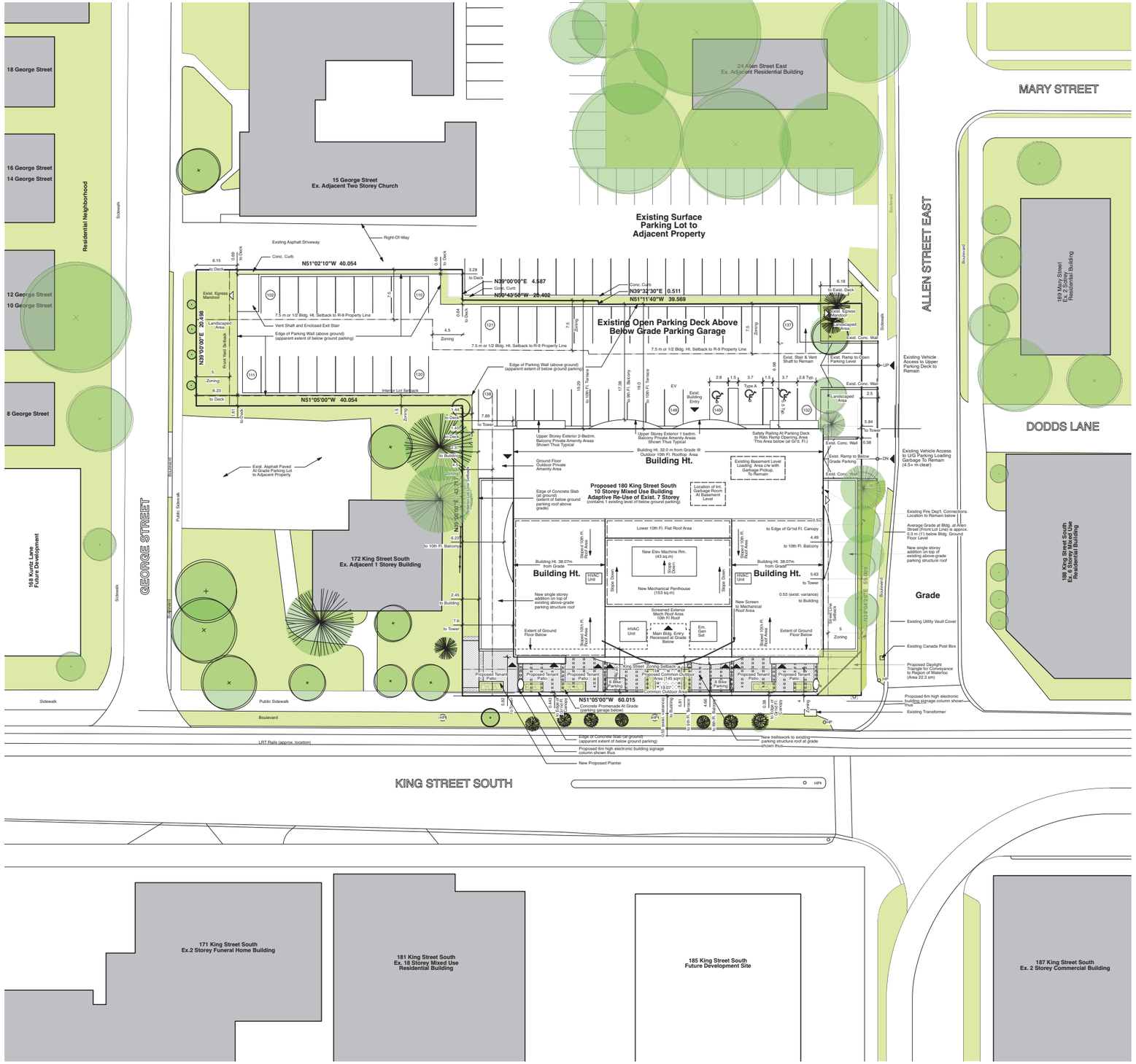
The redevelopment proposes the adaptive reuse of the existing office building. Despite being located in a prime location that is easily accessible from public, active, and vehicular transportation, the existing building has not been fully leased for office use for a considerable time frame. The building was recently sold and the current owner intends to convert the majority of the office space to residential uses while also adding three new floors to the building and two one-storey ground floor additions at the north and south of the building (**Figures 5** and **6**). Both of the ground floor expansions would sit on top of the existing parking garage that extends beyond the building footprint and will create a podium looking from King Street South.

Figure 5: *View of the proposed building from the west, looking towards King Street South*
Source: John MacDonald Architect Inc.



The intent is to lease the ground floor, including the expansions, for active commercial uses such as a restaurant, café, personal services, and other retail type uses that will cater to residents living in the building and surrounding neighbourhood.

The proposed building expansion will add 4,380 sq. m (47,170 sq. ft.) of floor area for a total building area of 15,080 sq. m. (162,340 sq. ft.). As noted, the intent is to convert the majority of office space to residential uses for a total of 129 residential units with 166 bedrooms for a density of 380 bedrooms per hectare. While a condominium framework is proposed for the building, it is anticipated that all residential units will be rental and held in the same ownership.



1 / A121 Proposed Site Plan
1:200

Legend & Site Abbreviations:

- denotes Exit from Floor Area
- denotes Entrance/Access

EM	denotes Electrical Meter
Ex.	denotes Existing
Exist.	denotes Existing
GM	denotes Gas Meter
LF	denotes (exterior) Light Fixture
RWL	denotes Rain Water Leader

180 King St. S. - Site & Building Data	
Property Area	**0.437 ha**
Area Proposed for Daylight Triangle	**0.002 ha**
Net Property Area	**0.435 ha**
Proposed # of Dwelling Units	**129 units**
Proposed # of Bedrooms	**166 bdrms.**
Ex. Building Floor Area (Not including Parking Deck)	**10,700 sq.m** 115,170 sq.ft
New Building Floor Area Addition (Not including Parking Deck)	**4,380 sq.m** 47,170 sq.ft
Total Proposed Building Floor Area	**15,080 sq.m** 162,340 sq.ft
Proposed Non-Residential Building Floor Area (Ground Floor GFA)	1,580 sq.m 17,000 sq.ft
Proposed Building Height from Grade * See Building Elevations	37.525 m 123 ft 1 in.
Proposed # of Parking Spaces	152

*Ht. does not include Mech. Penthouse or Elev. Machine Rm.

Performance Standards	Required*	Proposed	Compliance (Y/N)	Notes
Street Line Setback Allen St. (note: 75% street line building facade within 6 m, existing and proposed are in compliance)	5.0m (min) 6.0m (max for 75%)	0.53m as existing, (>75% of facade is within 6 m)	Y	Amendment requested: 0.53 metres for the underground parking structure and to the one storey building addition Note: the existing underground parking structure is setback 0.53 metres from Allen Street. An expansion is proposed on top of the existing underground parking structure.
Street Line Setback King St. (note: 75% street line building facade within 6 m, existing and proposed are in compliance)	4.0 m (min) 6.0m (max) for 75%	0.38m to trellis, 0.55 m to u/g parking building edge as existing (100% of facade is within 6 m)	Y	Amendment requested: 0.38 metres to new trellis 0.55 metres to u/g parking (exist.) 4.66 metres to a building, inclusive of balconies. Note: A-121/05 established a setback of 0.127 metres to King Street for an entrance feature
Street Line Setback George St. (note: 75% street line building facade is not within 6 m, existing and proposed are in not compliance: existing condition to remain)	5.0m (min) 6.0m (max for 75%)	6.15 m as existing, OK, but parkade facade is not within 6 m	N	Parking Structure To George St. Exist. Remains, Minimum Setback Complies, Amendment requested: 0% of the street line building facade within 6 metres of Allen Street (existing condition)
Rear Yard Setback to 172 King St. S.	4.5m (min)	1.44 m & 2.45 m (parking deck and building parking u/g), as existing	N	Amendment requested: 1.44 metres to parking deck (existing condition) 2.45 metres to the one storey building addition (on Existing u/g parking)
Side Yard Setback (adjacent church property)	1.5m (min)	1.5m metres (to 17.38 metres) 17.38 metres to building, inclusive of balconies	N	Amendment requested: 0.64 metre minimum side yard setback for the parking deck (existing condition)
Low-Rise Residential Setback (to Church Parking Lot)	7.5 m or 50% height (min.)	0.64 m (Parking Str. As existing)	N	Amendment requested: Minimum low rise residential setback of 0.64 metres from the parking deck (existing condition)
		From Balcony = 17.38 metres Building = 19.0 m	N	Amendment requested: Minimum low rise residential setback of 17.38 metres from the balconies
Max. Complimentary Use Area (50%)(≤15,080 sq.m) = 7,540 sq.m	7,540 sq.m (max) 81,160 sq.ft (max)	<2,000 sq.m <21,520 sq.ft	Y	for Gr'd. Fl. Uses, Extent TBD
Maximum Ancillary Use Area (20%)(≤15,080 sq.m) = 3,016 sq.m	3,016 sq.m (max) 32,464 sq.ft (max)	<2,000 sq.m <21,520 sq.ft	Y	for Gr'd. Fl. Uses, Extent TBD
Max. Ancillary Use Area Food Service (10%)(≤15,080 sq.m) = 1,508 sq.m	1,508 sq.m (max) 16,232 sq.ft (max)	<1,500 sq.m <16,140 sq.ft	Y	for Gr'd. Fl. Uses, Extent TBD
Common Outdoor Area (3%)(≤4,370 sq.m) = 131.1 sq.m	131.1 sm 1410 sq.ft (min)	145 sm 1, 560 sq.ft	Y	At Grade, Fronting King Street
Common Outdoor Area Dimension	6m (min), or 4 m to Flankage Yard	6.5 m	Y	Width as Proposed
Min. Amenity Area 3 sq.m for 1-beds; 5 sq.m for 2-beds; 7 sm for 3-beds required	3x92 1-bed=276 sm 5x35 2-bed=175 sm 7x2 3-bed=14 sm	4x92=368 sm 7x35=245 sm 10x2=20 sm	Y	Min. Size of unit balconies Min. Size of unit balconies Min. Size of unit balconies
Total Required Amenity Area	479	753		Min. Amenity Area Proposed
Landscape Buffer to Low-Rise Res (Location of Existing Parking Structure will not allow)	U2 (8.2.10, 11, 12)	0 m	Alt.	Proposed Landscape Improvements to George Street Frontage as Alternative
Number of Buildings on a Lot	1	1 + Parking Structure	Y	Existing to remain, incl. Parking Structure
Density - Minimum (150 bedroom/ha. As per U2-40)	66 bedrooms (150 bdrm/ha.)	166 bedrooms (380 bdrm./ha.)	Y	Above U2-40 minimum regulation
Density (600 bedroom/ha. As per U2-40)	262 bedrooms (600 bdrm./ha.)	166 bedrooms (380 bdrm./ha.)	Y	Below U2-40 maximum regulation
Building Height	10.5m (min) 40m & 12 storeys (max)	37.53 m 123.1 ft	Y	below maximum ht. & below storey limit at 10 storeys for U-40 zoning
Height of First Storey	4.5m (min)	4.9 m	Y	Existing condition
Podium Height	10.7 m (min) 14.8 (max)	4.9 m	N	Site specific, Adaptive Re-use Building, Amendment requested: Minimum podium height of 4.9 metres Note: maintains existing floor height for the ground floor additions
Tower Separation	11m (min) to ILL	17.38 m	Y	To Church property which is the Interior Lot line
Horizontal Tower Dimension	40m (max)	46.8m	N	Amendment requested: Maximum horizontal tower dimension of 46.8 metres (existing condition)
Maximum Tower Footprint	1,000 sq.m (max) 10,763.9 sq.ft (max)	1,580 sq.m 17,007 sq.ft	N	Amendment requested: Maximum tower footprint of 1,580 square metres
Tower Stepback Above Podium	3 m (min)	4.5 m	Y	Stepback at 2nd floor
Structured Parking Location	>15 m from King	+/- 40 m	Y	
Surface Parking Location	Shall not comprise more than 25% of the lot frontage within 15 metres of King Street	N/A	Y	No surface parking

Site Statistics:

Zoning (as per By-Law no 2018-050, S.8):
Uptown Mixed-Use (U2-40)

Permitted Uses:
Ex. Use = Major Office with Minor Commercial Wellness

Proposed Uses: Mixed Use Building, Adaptive Re-use

Minor Primary Use Ground Floor: Offices
Complimentary Use Ground Floor: Commercial Wellness (TBD)
Ancillary Uses Ground Floor: Commercial Service, Café, Restaurant, Retail Store, Variety Store, Mix TBD
Primary Use Upper Floors: Residential Uses in a Mixed Used Building

Off-Street Parking & Loading Minimum Requirements				Compliance
	Required	Proposed	Note	(Y/N)
# of Type A Accessible Parking Spaces*	41	100	Proposed Lockable Bike Storage for Residential Use	Y
# of Type B Bicycle Parking Spaces*	41	12	Non-Res and Res Visitor Spaces @ grade, See Site Plan	
# of Parking Spaces for Residential Use**	78	123	80% of req'd spaces EV-Ready	Y
# of Parking Spaces for Residential Visitors***	13	13	Surface, < 49, therefore 1 EV/ charging proposed minimum parking for Non-Residential is 1.0 spaces / 100 sm	Y
# of Parking Spaces for Non-Residential Use****	24	16		
# of Type A Accessible Parking Spaces (Included in Allocations above)	2	3	1 Surface, Visitor, Included in Non-Res spaces; 1 resident, included in Res spaces; to Exist Parking Structure	Y
# of Type B Accessible Parking Spaces (Included in Allocations above)	3	2	1 Surface, Visitor, Included in Non-Res spaces; 2 resident, included in Res spaces; to Exist Parking Structure	
Total # of Vehicle Parking Spaces	115	152		Y
Total # of Loading Spaces	1 Type B	1	As existing, See Site Plan	

* 0.5 per dwelling unit
** 0.6 per dwelling unit
*** 0.1 per dwelling unit
**** 1.0 per 100 sq.m. of non-residential building floor area proposed

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No.	Issued for Purpose	Date	Initial
1	Client & Consult. Release	Apr. 6 '23	JHM
ZC	ZC Submission	Apr. 20 '23	JHM

Preliminary

True North | Project North

No.	Revision	Date	Initial
ZC	ZC Submission Revision	Apr. 24 '23	JHM
1	General	Apr. 6 '23	JHM

Project
180 King Street South
Mixed Use Development
180 King Street South
Waterloo, ON

Approved
Checked
Drawn MW

Drawing Title
Proposed Site Plan

Scale (for 36x48" printing) 1 : 200
Dwg. No. A121

John MacDonald Architect
Public Utilities Commission Building
195 King Street West, Suite 202, Kitchener, ON N2G 1B1
JohnMacDonaldArchitect.ca | (519) 579 1700

A decorative trellis is proposed along the King Street South frontage to create a sense of enclosure for the existing paved area in front of the building and to create additional patio space that is interactive and integrated with King Street South (**Figure 7**). It is anticipated that this patio space will be utilized by ground floor tenants fronting onto King Street South. The trellis differentiates between the private and public realm and provides additional visual separation for the balconies above. Directly underneath the trellis and patio area is the existing underground parking garage.

Figure 7: *View of the proposed promenade along King Street South, looking south*
Source: John MacDonald Architect Inc.



The existing building façade will be updated to a more contemporary design, including the removal of the precast panels and replacement with enlarged windows and new balconies. The new balconies will provide private amenity space for each unit, with units on the ninth floor having access to rooftop terraces. In addition to varying the façade and providing amenity space for residents, the balconies will provide natural surveillance, or "eyes on the street".

Private amenity space will exceed by-law requirements for all unit sizes. At this time, indoor common amenity space has not been finalized, however Uptown Waterloo has a number of personal service uses such as fitness studios, cinemas and restaurants that could also serve residents in this building.

A total of 152 parking spaces are provided within the existing parking structure, of which 16 are proposed for commercial uses and the remainder reserved for residential and residential visitor use. 112 bicycle parking spaces are proposed (100 Type A and 12 Type B). An Amendment is requested to reduce the required commercial parking rate and the rate for Type B bicycle parking spaces to allow for a better allocation according to anticipated usage.

The existing grading and site layout will not change with the exception of the concrete patios surrounding the building. These concrete patios are the top of the existing underground parking structure. As noted, one-storey additions are proposed on top of these slabs at the north and south of the building to create a podium from King Street South while the slab along King Street will be utilized for the promenade.

The existing water service will continue to provide domestic water and fire protection for the redevelopment, with hydrants on King Street continuing to provide additional fire protection. Similarly, the existing storm service for the subject lands will continue conveying flows to the municipal sewer on Allen Street, with no stormwater quantity or quality control required. The sanitary service requires upgrading to a 200 mm diameter connection from the current 150 mm connection.

A Wind Study has been prepared to assess impacts of the proposed increase in height and altered building façade on the surrounding streetscape. The Study concluded that the entrances and at-grade common area and commercial tenant patios are expected to be suitable for year-round use. Similarly, wind conditions on sidewalks, the LRT station, and nearby bus stops are predicted to be suitable. The ninth floor terrace is generally expected to be suitable for year-round use with mitigation available if calmer conditions are desired.

Figure 8 provides a view of the existing building and the proposed redevelopment from King Street South, looking north. The promenade, new cladding, new balconies, and rooftop features are all readily apparent from King Street in both directions.

Figure 8: *View of the existing and proposed conditions from King Street South*
Source: John MacDonald Architect Inc.

Existing



Proposed



4.0 Proposed Application

This section provides an overview of the proposed Zoning By-law Amendment and future planning application(s) required to facilitate the proposed redevelopment.

4.1 Zoning By-law Amendment

The subject lands are zoned 'Uptown Mixed-use (U2-30)' and are subject to a number of minor variances that were previously approved for the office building. The Uptown Mixed-use zone permits a wide range of uses including multi-unit residential, offices, restaurants, and a variety of retail uses.

A Zoning By-law Amendment to a site-specific 'Uptown Mixed-use (U2-40)' zone is required to facilitate the proposed redevelopment and implement the City of Waterloo Official Plan. The U2-40 zone permits the same uses as the U2-30 zone at a height and density that are aligned with the height and density permissions of the Official Plan.

The proposed site-specific Amendments would recognize the existing building and parking structure and address the built form performance standards for towers and podiums that were introduced in the 2018 comprehensive zoning by-law. Specifically, the site-specific Amendments would:

- Recognize existing conditions, including setbacks, landscaped buffers, tower dimensions, parking dimensions, and the existing loading space
- Permit new conditions including setbacks for the podiums, balconies, and trellis, a reduced podium height for the additions that aligns with the existing ground floor height, and reduced commercial parking (1 space per 100 square metres of GFA) and reduced Type B parking (0.09 spaces per dwelling unit).

A draft Zoning By-law is included as **Appendix B.** An analysis of the proposed zoning and site-specific regulations is contained at **5.6** and **Appendix A** of this Report.

4.2 Future Applications

A Draft Plan of Condominium application will be advanced in the future to facilitate the division of ownership within the building and parking structure. At this time, it is anticipated that the residential units will remain in the same ownership and will be offered for rental. However, establishing the condominium framework in advance of occupancy allows for the creation of residential and non-residential units, parking units and common elements. The long term operation and maintenance of the building will then be established through the condominium corporation.

Site Plan Approval will be required and will address detailed design of the proposed redevelopment while also recognizing the existing building footprint and site layout.

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 Policy Statement (2020)

The Provincial Policy Statement (2020) (the "PPS") applies to planning decisions made on or after May 1, 2020. As a result, the 2020 PPS is applicable to the proposed redevelopment.

The PPS outlines policy 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 1.0 – Building Strong and Healthy Communities

One of the key themes of the PPS is building strong, healthy communities and achieving efficient and resilient development patterns. Section 1.0 of the PPS address where development is directed, land use compatibility, employment, housing, public spaces (including parks), infrastructure, long-term economic prosperity, and climate change.

Section 1.1.1 of the PPS provides that healthy, liveable and safe communities are sustained by: promoting efficient development and land use patterns; accommodating an appropriate range and mix of uses and housing types; avoiding development which may cause environmental or public health and safety concerns; avoiding development and land use patterns that would prevent the efficient expansion of settlement areas; and, promoting cost effective development patterns to minimize land consumption and servicing costs. Section 1.1.3 directs development to settlement areas to efficiently use land, resources, infrastructure, and public service facilities while supporting active and public transportation and minimizing impacts to climate change. A range of uses and densities is promoted, including through redevelopment and intensification.

Section 1.4 of the PPS provides policy direction with respect to housing in Ontario. Section 1.4.3 of the PPS identifies that planning authorities shall provide for an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents of the regional market area.

Section 1.6 of the PPS provides policy direction for infrastructure and establishes a servicing hierarchy where growth is to be accommodated with municipal sewage and water services within settlement areas, where available. Stormwater is to be managed to minimize contaminant loads, erosion, and changes in water balance while mitigating risks to human health, safety, and the

environment. A primary focus of the PPS is cost-effective development by focusing the majority of development to settlement areas where infrastructure is existing or planned.

Consistency

The subject lands are within the Built-up Area of the City of Waterloo, an urban settlement area. The proposed redevelopment facilitated by the application provides a range of one and two bedroom units on full municipal services and is at a density that supports transit. Impacts to climate change are reduced through the adaptive reuse of an existing building, the proposed compact form, and proximity to transit. Stormwater is appropriately managed and the extension of municipal services is not required, as confirmed through the Functional Servicing Report.

Section 2.0 – Wise Use and Management of Resources

Another key component of the PPS is the wise use and management of resources including natural heritage, water, agriculture, minerals and petroleum, mineral aggregate resources, and cultural heritage and archaeology.

Consistency

In this case, the subject lands are in a Primary Node within the Uptown Waterloo Urban Growth Centre in the City of Waterloo. There are no natural heritage features on or adjacent to the subject lands and resource extraction is not an efficient use of land within settlement areas intended for intensification.

A Heritage Impact Assessment has been prepared to assess impacts of the proposed redevelopment on 172 King Street, which is adjacent to the subject lands and is designated under Part IV of the Ontario Heritage Act. The Assessment concludes that the redevelopment adequately considers the adjacent heritage resource.

Section 3.0 – Protecting Public Health and Safety

The PPS directs development away from natural and human-made hazards to protect human health and safety. This includes directing development away from flood, erosion, and dynamic beach hazards as well as lands that are contaminated or affected by lands that have been previously used for resource extraction but have not yet been rehabilitated.

Consistency

The subject lands are not subject to any natural hazards and a Phase One and Two Environmental Site Assessment has confirmed that the subject lands are not contaminated through historical use.

Conclusion: The proposed application is consistent with the PPS

Based on the above, it is our conclusion that the proposed Zoning By-law Amendment is consistent with the Provincial Policy Statement.

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

The 2020 A Place to Grow – Growth Plan for the Greater Golden Horseshoe ("A Place to Grow") came into effect on August 28, 2020. This Plan is the framework for implementing the Provincial Government's initiative to plan for growth and development in a way that supports the economic prosperity, protects the environment, and helps communities achieve a high quality of life.

The Growth Plan is based on the principles of building compact, vibrant and complete communities; economic competitiveness; protecting natural heritage resources and employment areas; wise use of land and resources; optimizing infrastructure and transit and directing growth to and intensifying existing Built-up Areas.

Section 2.0 – Where and How to Grow

The Growth Plan establishes population and employment forecasts for member communities to 2051 and identifies Built-up Areas / Greenfield Areas, Urban Growth Centres, and priority transit corridors and requires the delineation of Major Transit Station Areas. The Growth Plan establishes a density target of 200 residents and jobs combined per hectare for the Uptown Waterloo Urban Growth Centre.

Like the PPS, the Growth Plan directs the majority of growth to Built-up Areas, with a minimum of 50% of residential development within Waterloo required to occur within the Built-up Area. Complete communities are to be achieved through the promotion of a diverse mix of land uses, improved social equity, the provision of a range and mix of housing types and affordable housing, access to transportation and community services, compact building form, and low impact development and adaptation to climate change. Development that is supports active and public transit is encouraged.

The Growth Plan requires municipalities to plan to diversity their overall housing stock and consider the range and mix of housing options and densities of existing housing stock. Municipalities are also required to maintain at all times land with servicing capacity sufficient to provide at least a three year supply of residential uses, which may include lands suitably zoned for intensification and redevelopment.

Conformity

The subject lands are within the Built-up Area of Waterloo and are within the Uptown Waterloo Urban Growth Centre, which has a target density of 200 residents and jobs combined per hectare. The proposed redevelopment will reuse an existing building within a Major Transit Station Area, adding 129 apartment units to the City's housing stock, diversifying the range and mix of housing types available within Waterloo. With a density of 380 bedrooms per hectare, the redevelopment contributes to achieving the City's housing targets. The proposed redevelopment is compact, accessible to community services, and is well connected to the City's active and public transportation networks.

Section 3.0 – Infrastructure to Support Growth

The Growth Plan promotes compact built form to minimize infrastructure costs and requires municipalities to provide sufficient infrastructure capacity to accommodate growth in accordance with the Growth Plan. Stormwater management is to incorporate low impact development and green infrastructure.

Conformity

The subject property is well serviced by existing active and public transportation services. The Functional Servicing Report confirms that the proposed redevelopment can be fully municipally serviced with existing municipal infrastructure and that stormwater will be appropriately managed.

Section 4.0 – Protecting What is Valuable

The Growth Plan requires the protection of natural heritage features, prime agricultural land, and areas and cultural heritage resources and prohibits development within such areas. Development on lands that include or are proximate to such features are required to demonstrate that there are no negative impacts to the features or functions of the resource.

Municipalities are encouraged to develop a system of publically-accessible parkland, open space, and trails and to create a culture of conservation where energy efficiency is prioritized.

Conformity

The subject lands do not include and are not adjacent to natural heritage features. A Heritage Impact Assessment concluded that the proposed redevelopment will not impact the adjacent designated heritage building.

The proposed redevelopment is well integrated with King Street and is connected to the surrounding active transportation. Bicycle parking is provided in accordance with the zoning by-law and the subject lands are within a Major Transit Station Area, with convenient access to the Region's light rail and bus transit systems.

Conclusion: The Zoning By-law Amendment conforms to the Growth Plan

Based on the above, it is our conclusion that the Zoning By-law Amendment conforms to the Growth Plan for the Greater Golden Horseshoe.

5.3 Regional Official Plan

The Region of Waterloo adopted Official Plan Amendment 6 to update the Regional Official Plan on August 18, 2022. The updated ROP was approved by the Minister on April 11, 2023 with modifications.

2.0 – Where and How to Grow

Development within Urban Areas is to be serviced with municipal water and wastewater, contribute to the creation of complete communities, protect the natural environment and culture heritage, be transit-oriented, and respect the scale and physical character of established neighbourhoods where reurbanization is to occur.

The updated ROP brings the Region's planning forecast to 2051 and implements the updated policies of the PPS, Growth Plan, and the Greenbelt Plan. Intensification continues to be the preferred approach to accommodating residents and jobs, with the City of Waterloo forecasted to grow to a population of 185,000 with 114,900 jobs by 2051. Uptown Waterloo continues to be delineated as an Urban Growth Centre, which is intended to be the region's primary business, civic, commercial, and culture centre and is to accommodate a significant share of the region's growth with a minimum gross density target of 200 residents and jobs combined per hectare by 2031.

The updated ROP now includes delineated Major Transit Station Areas ("MTSA"), and identifies the subject lands as being within the Willis Way MTSA and proximate to the Allen Station MTSA. Major Transit Station Areas are lands located within 600 to 800 metres of a rapid transit station and are planned to accommodate mixed-use development at increased densities that support rapid transit service levels. The Willis Way MTSA has a minimum density target of 160 combined residents and jobs per hectare. Within MTSAs a diversity of uses at intensified densities is encouraged, as well as alternative development standards (such as reduced parking).

The ROP requires Noise Studies for development applications for a sensitive land use proximate to an existing Regional road and requires a Record of Site Condition for development applications for certain sites.

Conformity

The application facilitates the intensification and redevelopment of a property within an Urban Growth Centre and within an MTSA. The proposed redevelopment has a density of 380 bedrooms per hectare, contributing to the minimum density target of 200 residents and jobs combined per hectare established for the Urban Growth Centre. The subject property supports transit use through proximity to the light rail transit and bus rapid transit routes. The proposed redevelopment will occur on full municipal services.

A Noise Study was prepared in support of the application and determined that the redevelopment can proceed with air conditioning provided to each residential unit and warning clauses regarding noise.

A Record of Site Condition has been issued for the current office use. An application for a Record of Site Condition has been submitted to the MECP for the proposed residential uses and is

expected to be issued prior to final approval of the proposed redevelopment. It is understood that residential occupancy will not be permitted prior to an issuance of a residential Record of Site Condition.

Section 3.0 – Liveability in Waterloo Region

The ROP supports a range and mix of housing, including a range of form, tenure, density, and affordability. Design that promotes walking and cycling is encouraged, as is Transportation Demand Management. Energy conservation is encouraged through the development of compact, mixed-use development, reurbanization, local sourcing of materials, and other tools to reduce greenhouse gas generation and improve air quality.

The updated ROP continues to support mixed-use, compact growth that supports transit and active transportation. 15-minute neighbourhoods are identified as an objective, where mixed land uses provide the opportunity for residents to meet their daily needs for goods, services, and employment within a 15-minute trip through active transportation.

The updated ROP encourages a range and mix of housing and establishes an affordability target of 30% for new ownership and rental units.

Cultural heritage resources are to be conserved, with Cultural Heritage Impact Assessments required for proposed development that includes or is adjacent to a designated property.

Conformity

The application provides a range of one- and two-bedroom rental units within a MTSA and utilizes an existing building within an Urban Growth Centre, in conformity with the ROP's goals of providing a range of housing types in a form that reduces greenhouse gas generation. While the proposed development does not include affordable housing as defined by the Official Plan, it does provide rental units of varying sizes in a location that does not require car ownership to accommodate daily needs. The subject lands are well served by public transit and are connected to the surrounding active transportation network.

A Cultural Heritage Assessment was prepared to assess impacts on the adjacent heritage structure and concludes that the proposed redevelopment can proceed without negatively impacting the heritage dwelling.

Conclusion: The Zoning By-law Amendment conforms to the Regional Official Plan

The proposed redevelopment intensifies a property within the Urban Growth Centre and a Major Transit Station Area, assisting with achieving the reurbanization target. The development is mixed-use and increases the number of units within the Urban Growth Centre, contributing to a complete community and supporting transit use (**Figure 9**). Appropriate studies have been prepared and conclude that the proposed development can occur on full municipal services without negatively impacting the adjacent designated heritage property and noise mitigation measures will be implemented, where required, during site plan control.

Figure 9: *View of the proposed building from Allen Street West, facing King Street South*

Source: John MacDonald Architect Inc.



5.4 City of Waterloo Official Plan

The City of Waterloo Official Plan ("Official Plan") was approved by City Council in 2012, approved by the Region of Waterloo in 2012, and finally approved by the Ontario Municipal Board in 2019. The Official Plan implements the Regional Official Plan and provides detailed land use policies.

The following table provides an overview of the various designations and policy layers that the Official Plan applies to the subject lands:

Table 1: Applicable Official Plan Designations

Official Plan Schedule	Designation	Intent
Schedule A: Land Use	Commercial	Permits a wide variety of uses
Schedule A1: Commercial Land Use	Uptown Mixed-Use	Permits a wide variety of uses including medium and high density residential

Schedule B: City Structure	Primary Node, Uptown Waterloo Urban Growth Centre	Minimum density target = 200 persons and jobs per hectare by 2031
Schedule B1: Height and Density	Medium High Density, 40 metres	Density target = 150-600 bedrooms per hectare Maximum height = 40 metres
Schedule B2: Uptown Urban Growth Area	Uptown Complementary Transition Area	Intended to accommodate a wide variety of uses with a built form that transitions between high density along King Street and the surrounding lower density neighbourhoods
Schedule B3: Designated Greenfield Area	Built Up Area	The majority of growth is directed to the Built-Up Area
Schedule B4: Sourcewater Protection Area	WSPA-4	Medium sensitivity area with a two year time of travel to a municipal drinking-water supply well. Underground parking is proposed to remain as-is
Schedule C: District Boundaries	Central	Planning Districts are intended to accommodate the majority of daily uses to minimize required travel
Schedule E: Road Classification System	King St: Regional Arterial Allen St E: Minor Collector George St: Local Road	Regional Arterial roads are designed to accommodate multi-modal transportation
Schedule F: Active Transportation System	King Street Corridor Allen St E: City-wide Cycling and Multi-use Routes	Active transportation encouraged
Schedule G: Road Widths	Allen St E: 20 metres	Allen Street is 20 metres proximate to the subject lands

Schedule J: Station Areas	King St S: ION LRT Route	Intensification is directed to properties with higher-order public transportation, including the subject property

Chapter 3.0 – City Form

This section of the Official Plan implements the Growth Plan and Region's growth strategy and directs the majority of growth to the Uptown Waterloo Urban Growth Centre, other designated nodes and corridors, and Major Transit Station Areas.

The Official Plan designates the subject lands "Medium High Density". Section 3.4 establishes that this designation contemplates a density between 150 and 600 bedrooms per hectare and a maximum height of 40 metres.

Schedule B identifies the subject lands as being within a "Primary Node" and within the "Uptown Waterloo Urban Growth Centre". Section 3.6 of the Official Plan explains that the Uptown Waterloo Urban Growth Centre is the Primary Node within the City and is planned to accommodate a wide range of uses to serve as a destination within the community. Section 3.7.5 establishes a minimum gross density target of 200 persons and jobs per hectare for the Uptown Waterloo Urban Growth Centre by 2031, and any development applications with a lower density require planning justification.

Schedule B2 identifies the subject lands as being within the 'Uptown Complementary Transition Area', which is planned to accommodate medium to high density mixed-use that includes predominately residential and office uses. Retail uses are permitted in mixed-use buildings. Development in the 'Uptown Complementary Transition Area' is intended to transition the intensive urban uses of the Uptown Commercial Core to the surrounding lower density residential neighbourhoods, provide opportunities for residential and office uses in mixed-use developments close to the Uptown Commercial Core, be pedestrian-oriented, and accommodate conservation of the MacGregor/Albert Heritage Conservation District (not applicable to the subject lands).

Schedule C identifies the subject lands as the 'Central' District. In accordance with Section 3.9.1, districts are intended to contain a range of community infrastructure that will meet the daily needs of residents, employees, and visitors to Waterloo. Access to healthy food is an identified priority, and links to neighbourhood focal points and access to public and active transportation is encouraged.

Conformity

The requested Amendment conforms to the City Form policies of the Official Plan. The subject lands are proximate to community resources and are well served by light rail and bus rapid transit, as well as the surrounding active transportation network. At a density of 380 bedrooms per hectare, 1,580 square metres of ground floor non-residential floor space, and a height of ten stories, the proposed redevelopment exceeds the intensification targets of the Official Plan and contributes to the creation of a complete community.

At ten storeys and 40 metres, the proposed redevelopment is within the permitted height of the 'Medium High Density' designation and appropriately transitions to the surrounding low density residential neighbourhood (**Figure 10**).

Figure 10: *View of the existing and proposed conditions from the low density residential neighbourhood to the east*

Source: John MacDonald Architect Inc.

Existing **Proposed**



Section 4.0 – Arts, Culture, Heritage, Recreation, and Leisure

Section 4.7.3.1 of the Official Plan requires a Heritage Impact Assessment for all proposed development applications that include or are adjacent to a protected heritage property. The Assessment considers, among other items, the impacts of the proposed development on the heritage property.

Conformity

172 King Street, which is adjacent to the subject lands, is designated under Part IV of the *Ontario Heritage Act*. In conformity with the Official Plan, a Heritage Impact Assessment was prepared in accordance with the City's Terms of Reference. The Assessment concludes that the proposed redevelopment can proceed without negatively impacting the heritage dwelling.

Section 6.0 – Transportation

The Official Plan promotes transit-oriented development and active transportation through the promotion of a compact, mixed-use urban form and the City's public transportation services. Parking for bicycles and transportation demand management are encouraged, and large surface parking lots are discouraged within Nodes, Corridors, and Major Transit Station Areas.

Conformity

The Amendment conforms to the Transportation policies of the Official Plan through the development of a mixed-use, compact building with access to the ION light rail and bus rapid transit systems, adequate bicycle and vehicular parking, and integration into the surrounding active transportation network.

Section 7.0 – Economy

A strong, sustainable economy that features efficient land use patterns is promoted in the Official Plan by encouraging a mix of uses within Nodes and Corridors, the development of a rapid transit system, planning for commercial land uses, and applying minimum density targets.

Conformity

The first floor of the proposed redevelopment will be primarily non-residential, providing approximately 1,500 square metres of floor space for non-residential uses on a property designated "Uptown Mixed-Use" and located within the Uptown Waterloo Urban Growth Centre. The proposed development will contribute to the availability of commercial uses on a property well served by rapid transit, in conformity with the Official Plan.

It is recognized that the proposed redevelopment would remove existing office space from the Uptown Waterloo Urban Growth Centre through the proposed conversion. As an office building, the existing building has, historically, been difficult to lease, with the reduced office demand being absorbed by modernized office buildings with contemporary features. To that end, the building has been listed for sale in the past and did not sell until recently. While office space will be reduced through the proposed redevelopment, it is anticipated that the increase of residential units will assist with providing a complete community and bolster the commercial viability of non-residential uses within Uptown Waterloo. The net result will be adaptive re-use and expansion of an existing building that will ensure its long term viability in the City.

Section 8.0 – Environment and Energy

The Official Plan requires the protection of natural heritage and water resources and directs development away from natural hazards and contaminated sites.

Section 8.4.3.1 requires development that is proposed on, or adjacent to, a known or potentially contaminated site, a Record of Site Condition will be required. Sensitive land uses in the vicinity of roads or other noise generators are required to comply with applicable noise guidelines.

Energy conservation is promoted through the promotion of: compact city form; transit and active transportation; the design of structures for energy efficiency; encouraging waste reduction; and the adaptive reuse of existing buildings.

Conformity

The subject lands are located outside of natural heritage features and natural hazard areas and a Stationary Noise Study and Environmental Noise Study have assessed noise impacts and concluded that the provision of air conditioning and warning clauses are sufficient to address noise concerns.

A Record of Site Condition has been issued for the current office use. An application for a Record of Site Condition has been submitted to the MECP for the proposed residential uses and is expected to be issued prior to final approval of the proposed redevelopment. It is understood that residential occupancy will not be permitted prior to an issuance of a residential Record of Site Condition.

As an adaptive reuse of an existing structure that is served by higher-order public transit, the proposed redevelopment is a prime example of energy conservation and sustainability.

Section 10 – Land Use Policies

The Official Plan designates the subject lands "Commercial" on Schedule A and "Uptown Mixed-Use" on Schedule A1. The Uptown Mixed-use designation is denoted as a Regional-Serving Centre in Section 10.2.1 of the Official Plan.

A variety of residential and non-residential uses are permitted within the Uptown Mixed-use Designation, including medium and high density residential and office, restaurant, and retail uses.

Affordable housing is encouraged throughout the Official Plan, primarily through the provision of a range and mix of housing types and regulatory incentives that may include financial relief, or the fast-tracking of applications that include an affordable housing component.

Conformity

The proposed redevelopment conforms to the land use policies of the Official Plan as all proposed uses are permitted within the Uptown Mixed-use designation. While the proposed redevelopment does not include affordable housing as defined by the Official Plan, it does provide rental units of varying sizes in a location that does not require car ownership to accommodate daily needs.

Conclusion: The Amendment conforms to the City of Waterloo Official Plan

The requested Amendment facilitates the adaptive reuse of a building for residential and commercial uses that are permitted in the Uptown Mixed-use designation at a height and density permitted by the Official Plan. With a density of 380 bedrooms per hectare, the proposed redevelopment supports transit and assists with meeting the City's density and intensification targets.

At a height of ten storeys with a building setback of over 19 metres to the adjacent church, the proposed redevelopment acts as a transition from high density uses on King Street to the low density neighbourhood to the west, in conformity with the Uptown Complementary Transition Area.

The subject lands are well served by public and active transportation and are integrated into the surrounding built form. Parking is provided underground and within an above-grade structure that is shielded from King Street by the proposed building. As discussed in the Urban Design Brief, the proposed development is in conformity with the Official Plan's urban design policies.

Appropriate technical studies have been prepared and confirm that the proposed redevelopment will be adequately serviced, stormwater will be appropriately managed, noise will be properly managed, and heritage resources will be conserved and protected.

5.4.1 *Updated City of Waterloo Official Plan*

The City of Waterloo is currently reviewing the Official Plan to incorporate updates to Provincial and Regional planning requirements. The updated Official Plan is anticipated to include mapping

of Major Transit Station Areas, update population and employment growth targets, and address Inclusionary Zoning.

A draft of the updated Official Plan has not yet been released for comment or consideration with regards to the requested Amendment, however, the proposed redevelopment conforms to the Regional Official Plan update that is expected to form the basis of the updated Waterloo Official Plan.

5.5 Uptown Public Realm Strategy

The Uptown Public Realm Strategy (2019) is a document that guides development within Uptown Waterloo, specifically how intensified development could be accommodated within the Urban Growth Centre to reach density targets established by the Province.

The subject lands are along the 'Civic Common' Priority Initiative, which is a transformative project for public spaces. The Civic Common project is intended to link existing public spaces with a new public space at the Regional Waterworks site with improved streetscapes to connect to the Allen Street LRT station.

The Strategy aims to create and connect public spaces throughout Uptown Waterloo through active transportation connections, open space connections, and the promotion of high quality, pedestrian-oriented urban design.

Figure 11: *View of the building from Uptown Waterloo, looking south*
Source: John MacDonald Architect Inc.



Consideration

The proposed redevelopment considers the Uptown Public Realm Strategy. The street frontage along King Street will be enhanced to promote connectivity with the public realm, and a Wind Study has been prepared by the proponent to consider impacts of the proposed increased height on the surrounding sidewalks. The proposed redevelopment has a high-quality, pedestrian-oriented design (**Figure 11**).

5.6 Zoning By-law Analysis

The subject lands are zoned 'Uptown Mixed-use (U2-30)' and are within Parking Area A. The Uptown Mixed-use zone permits a wide range of uses including multi-unit residential, offices, restaurants, and a variety of retail uses.

The subject lands have a number of approved minor variances, as described below:

- A-101/05 – permits a reduction in the flankage yard setback of 0.127 metres whereas 5 metres is required. Continues to apply.
- A-83/15 – legalizes the existing building's location and parking, however the variances apply to the existing building only and will no longer apply if redeveloped.
- A-22/18 – permits reduced parking for a restaurant, provided a building permit was obtained prior to April 17, 2019. No longer applies.
- A-15/20 – permits 154 parking spaces for the existing total building floor area as of July 21, 2020, whereas the by-law requires 160 parking spaces. Continues to apply if redeveloped.

The Amendment proposes to rezone the subject lands to the 'Uptown Mixed-use (U2-40)' zone, which has the same permitted uses as the U2-30 zone with increased height and density permissions that conform to the Official Plan's maximum height and density established in Schedule B1.

Site-specific regulations for the U2-40 zone are required to establish appropriate regulatory standards for the proposed redevelopment. For ease of use, the aforementioned minor variances that would continue to apply have been included in the site-specific exceptions. Distinctions between the existing building, one storey additions, balconies, and trellis are addressed separately in the proposed by-law to provide certainty that the redevelopment will be constructed as proposed.

The following site-specific regulations are requested:

- Recognize the following existing conditions:
    - STREET LINE setback (minimum): 0.55 metres to King Street South for underground parking structures

- STREET LINE setback (minimum): 0.53 metres to Allen Street for underground parking structures
- STREET LINE setback (maximum): 0% of the street line building façade along George Street.
- SIDE YARD setback (minimum): 0.64 metres for parking structures to 15 George Street.
- REAR YARD setback (minimum): 1.44 metres to 172 King Street South for parking structures
- LOW RISE RESIDENTIAL LOT LINE setback (minimum): 0.64 metres from 15 George Street to a parking structure
- LANDSCAPED BUFFER ADJACENT TO RESIDENTIAL LOT LINE (minimum): 0.64 metres adjacent to 15 George Street.
- Horizontal TOWER Dimension (maximum): 46.8 metres.
- TOWER Footprint (maximum): 1,580 square metres.
- PARKING SPACE Dimensions: As existing on the effective date of this By-law
- LOADING SPACE Requirement: As existing on the effective date of this By-law

- Permit the following new conditions:
  - STREET LINE setback (minimum): 0.38 metres to King Street South for a trellis, and 4.66 metres to King Street South for a building, inclusive of balconies.
  - STREET LINE setback (minimum): 0.53 metres to Allen Street for a one storey building addition.
  - REAR YARD setback (minimum): 2.45 metres to 172 King Street South for a one storey building addition.
  - LOW RISE RESIDENTIAL LOT LINE setback (minimum): 17.38 metres from 15 George Street to a balcony.
  - PODIUM Height (minimum): 4.9 metres.
  - Non-residential PARKING SPACE requirement: 1.0 PARKING SPACES per 100 square metres of non-residential BUILDING FLOOR AREA.
  - TYPE B BICYCLE PARKING space requirement: 0.09 spaces for each dwelling unit.

The following provides a rationale for the site-specific provisions requested for the U2-40 zone:

Existing Conditions

The majority of requested site-specific provisions seek to legalize the location of the existing building and the parking structure and to provide exceptions to the by-law's requirements related to podiums and towers. The dimensions of the existing parking spaces and recognition of the existing loading space as the only required loading space are additionally requested.

The building was originally constructed in the 1970's and was facilitated through a zoning by-law Amendment application (Z-79-7) which rezoned the subject property to Commercial and facilitated the current parking structure and number of parking spaces. Since that time, a number of minor variances have been advanced and approved to recognize the form of the existing building, however some only apply to the existing building and no longer apply if the structure is modified, as is proposed. Additionally, the modification of the existing building means the existing building no longer enjoys legal non-conforming status and requires legalization through the approval of site-specific provisions that recognize existing conditions.

It is not anticipated that the legalization of the existing building and parking structure through the requested Amendment will have any negative impact on the surrounding neighbourhood. The building has been a part of the Central District and Uptown Waterloo since its construction in the 1970's, with the existing setbacks and built form responding to and forming part of the street fabric of the neighbourhood. The proposed redevelopment seeks to modernize the existing façade through enlarged windows, new balconies, and an enhanced King Street amenity area, all of which will minimize the visual impacts of the existing reduced setbacks and other non-complying provisions. The legalization of the existing structure through the proposed Amendment facilitates the adaptive reuse of the building and minimizes construction nuisance on the surrounding neighbourhood and sensitive uses.

While it is not possible to reuse the existing structure and comply with all of the built form provisions related to towers and podiums, the proposed redevelopment includes ground floor additions at the north and south of the building along King Street South. These additions are intended to create a podium and provide additional street activation along King Street South while adding commercial gross floor area to the Urban Growth Centre and a Major Transit Station Area, in conformity with the Official Plan.

New Conditions

Rear Yard Setback (adjacent to 172 King Street South, the heritage structure)

In addition to the additional three storeys proposed in building height, one storey ground floor additions are proposed adjacent to 172 King Street South and Allen Street East. As discussed above, the additions are proposed to create a podium for the redevelopment and are on top of the current concrete patio which is the uppermost part of the underground parking structure.

The proposed addition nearest 172 King Street is on top of a shaded patio area adjacent to King Street that is not presently used. While the setback to the parking structure is proposed to be

recognized as an existing condition, the addition on top of the underground parking structure requires a new exception, being a reduction in the rear yard setback for a one storey addition from 4.5 metres to 2.45 metres to 172 King Street South.

The requested reduction is appropriate as it facilitates an urban form that is promoted in the Official Plan and meets the intent of the zoning by-law's tower and podium provisions. A Heritage Impact Assessment has examined potential impacts on 172 King Street South and determined that the proposed one storey addition will have no negative impacts. As a result, the proposed rear yard reduction is appropriate and implements the Official Plan. Notwithstanding that the zoning bylaw has classified this lot line as a rear yard, the space between the two buildings functions as a side yard and the requested setback would comply in this context.

Street Line Setback

Reductions to the required street line setbacks are requested for Allen Street East and King Street South.

With regard to Allen Street East, the reduced street line setback would facilitate the proposed one storey building addition on top of the existing patio that is part of the underground parking structure.

For King Street South, the reductions would facilitate the inclusion of balconies and the construction of a trellis and are similar to approved minor variance A-101/05, which facilitated a reduced setback for an entry feature along King Street South.

In both cases, the exceptions would facilitate the creation of the podium and promenade which seek to activate King Street South in conformity with the Official Plan and the intent of the Zoning By-law's built form standards regarding podiums and towers.

Low Rise Residential Setback

A reduction in the minimum low rise residential setback is requested to accommodate balconies facing east. The encroachment of the balcony to 17.38 metres from the required 18.77 metres facilitates the provision of adequate private amenity space for residents.

The intent of the low rise residential setback that is tied to height is to ensure that the impact of taller structures on surrounding low rise neighbourhoods is reduced. In this case, the property immediately adjacent to the subject lands is occupied by a church and parking lot. The church building is well beyond the required low rise residential setback as are the existing residential dwellings along Allen Street. Additionally, a Shadow Study and Wind Study have been prepared and have determined that the proposed redevelopment will have limited impacts on the low rise residential neighbourhood.

Podium Height

A reduction in minimum podium height from 10.7 metres to 4.9 metres is requested to facilitate the proposed one storey building additions on the north and south of the building which act as a podium.

The requested height of 4.9 metres matches the existing height of the first floor, creating a uniform built form while maintaining the intent of the Zoning By-law, which is to create animated podiums that are human-scaled (**Figure 12**).

Figure 12: *Preliminary Massing Model*
Source: John MacDonald Architect Inc.



Non-residential Parking Rate

A reduction in the required non-residential parking rate to 1.0 spaces per 100 square metres of gross floor area is requested, which represents a reduction from 24 parking spaces to 16 parking spaces. The reduction recognizes that the subject lands are located within a MTSA and Uptown Waterloo, with many amenities within walking distance or accessible via public transit. Additionally, the proposed commercial uses are intended to cater to tenants and the surrounding residents.

As the parking is within an underground parking structure and above ground parking deck, opportunities to expand the amount of parking is constrained. It is preferred to allocate a higher percentage of the available parking to the residential uses, which form the predominate use of the building.

Type B Parking Rate

The Zoning By-law requires 0.3 Type A and 0.3 Type B bicycle parking spaces per residential dwelling unit, as well as 40% of the required vehicular parking provided as either Type A or Type B spaces. In total, the residential requirement is 39 Type A spaces and 39 Type B spaces, while 46 Type A or Type B spaces are required for the non-residential uses.

The proposed redevelopment provides 100 Type A bicycle spaces within the underground parking structure, meeting the requirements of the residential Type A spaces and the entirety of the non-residential bicycle parking rate. Twelve Type B bicycle spaces are proposed to be located adjacent to the main building entrance along King Street South, requiring a reduction for the amount of Type B bicycle parking spaces to 0.09 spaces per dwelling unit.

Opportunities to provide Type B bicycle spaces in an appropriate area are limited on the subject lands. The majority of the promenade will be leased to commercial tenants, with only the area proximate to the main building entrance available for bicycle parking. It is anticipated that bicycle parking provided along other street frontages, away from the commercial uses and main building entrance, are unlikely to be utilized as only the promenade along King Street South provides ample natural surveillance to discourage bicycle theft.

The proposed reduction recognizes the constraints associated with the reuse of an existing building. It is anticipated that overflow outdoor bicycle parking will be accommodated by visitors

to the subject lands bringing their bicycle with them to the unit they are visiting or, for commercial tenants, by utilizing street infrastructure or the patios for short-term bicycle parking.

Conclusion: Based on the foregoing, the proposed Zoning By-law Amendment and site-specific regulations are considered to be appropriate for the efficient redevelopment of the subject lands and conform to the Official Plan.

6.0 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 with respect to an application as part of the 'complete' application requirements. This section summarizes the proposed Public Consultation Strategy.

The public consultation process for the proposed Zoning By-law Amendment application is anticipated to follow the Planning Act statutory requirements. The following points of public consultation are proposed:

- An Informal Meeting at which time all available information, and public input will be received.
- Direct written responses to comments raised through the public consultation process will be provided to City Staff for their review and consideration in the preparation of a City Staff Report.
- 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 Council Meeting with a statutory Public Meeting, at which time the City Staff Report, all available information, and public input will be considered in Council's final decision.

The consultation strategy proposed will provide members of the public with opportunities to review understand and comment on the proposed Zoning By-law Amendment application. The consultation strategy will be coordinated with City Staff and additional opportunities for consultation will be considered and may be warranted based on the input received.

7.0 Conclusion

The purpose of this Planning Justification Report is to evaluate the proposed Zoning By-law Amendment that is required to facilitate the redevelopment of the subject lands. This report has assessed the redevelopment in the context of existing land use policies and regulations, including the Provincial Policy Statement, A Place to Grow Growth Plan for the Greater Golden Horseshoe, the Regional Official Plan, the City of Waterloo Official Plan and the City of Waterloo Zoning By-law. The analysis contained in this report demonstrates that the proposed Zoning By-law Amendment is in the public interest and represents good planning for the following reasons:

I. The proposed redevelopment is consistent with the Provincial Policy Statement and conforms to the A Place to Grow Growth Plan for the Greater Golden Horseshoe and represents intensification in the Built-Up Area and Urban Growth Centre;

II. The proposed redevelopment conforms to the City of Waterloo Official Plan through the adaptive reuse of a building in Uptown Waterloo at a height and density permitted by the Official Plan;

III. The proposed redevelopment provides for the intensification and redevelopment of an underutilized site in Uptown Waterloo on lands that are well located with respect to transportation and community resources;

IV. The proposed redevelopment will contribute to the range of residential building types and commercial floor space within the Central District; and

V. The proposed redevelopment will optimize the use of existing infrastructure within the developed portion of the lands and can be adequately serviced through connections to existing infrastructure.

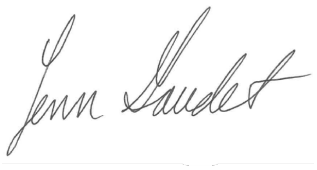
Based on these conclusions, it is our opinion that the application for Zoning By-law Amendment is appropriate and should be considered for approval.

Respectfully submitted,

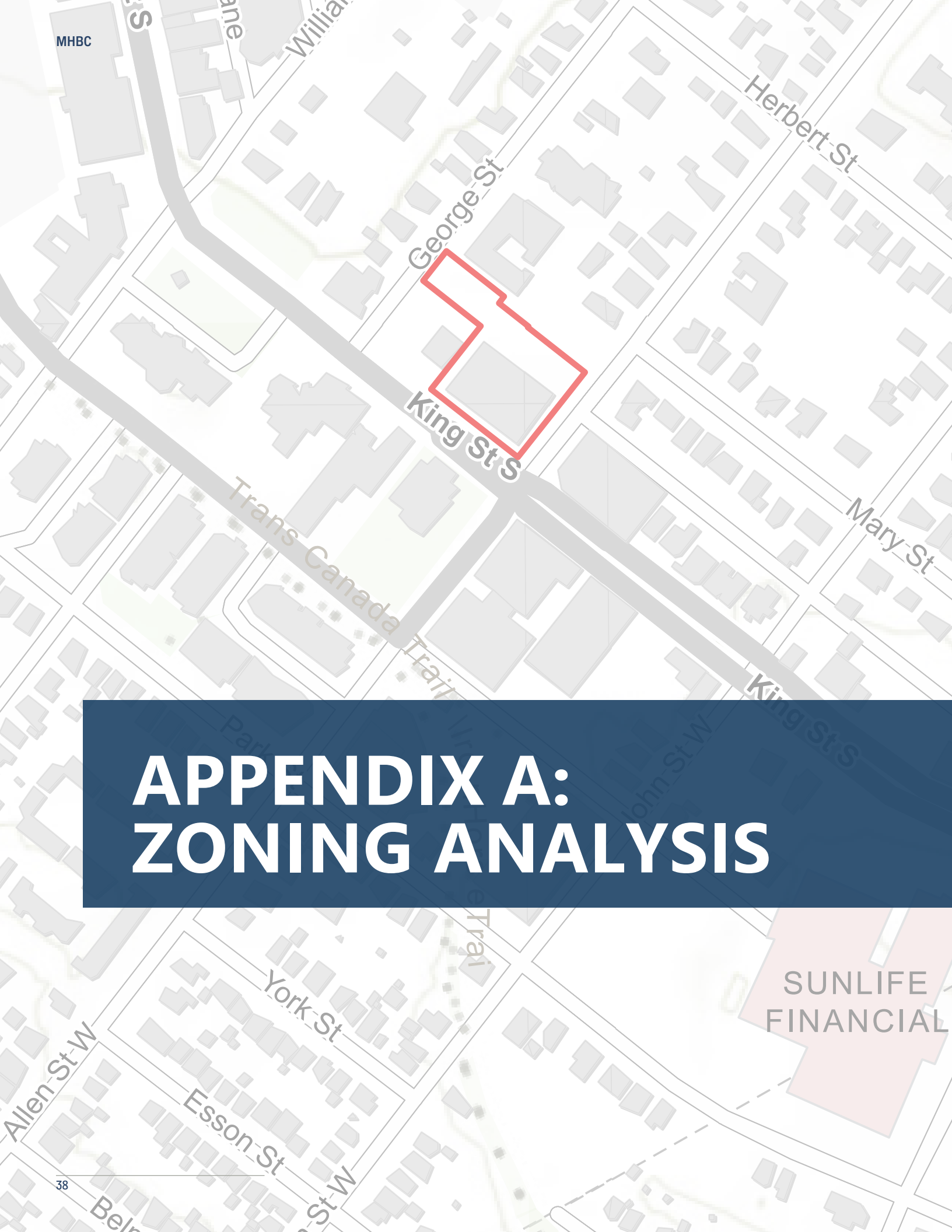
MHBC



Carol Wiebe, BES
Partner



Jennifer Gaudet, BES, MCIP, RPP
Senior Planner



APPENDIX A: ZONING ANALYSIS

APPENDIX A

Zoning Analysis Table

Provision	Required (U2-40)	Provided	Compliance
Minimum Street Line Setback	King Street = 4 metres	0.38 metres to trellis 0.55 metres to underground parking 4.66 metres to building (incl. balconies)	Amendment requested: 0.38 metres to a trellis 0.55 metres to underground parking (existing) 4.66 metres to a building, inclusive of balconies *Note: A-101/05 established a setback of 0.127 metres to King Street for an entrance feature*
	Allen Street = 5 metres	0.53 metres	Amendment requested: 0.53 metres for the underground parking structure and to the one storey building addition *Note: the existing underground parking structure is setback 0.53 metres from Allen Street. An expansion is proposed on top of the existing underground parking structure.*
	George Street =	6.15 metres	Yes

Provision	Required (U2-40)	Provided	Compliance
	5 metres		
Maximum Street Line Setback	75% of the street line building façade within 6 metres of the street line	King: 100%	King: Yes
		Allen: >75%	Allen: Yes
		George: 0%	Amendment requested: 0% of the street line building façade within 6 metres of Allen Street (existing condition)
Minimum Side Yard Setback **(adjacent to church)**	1.5 metres	0.64 metres (to parking deck) 17.38 metres to building, inclusive of balconies	Amendment requested: 0.64 metre minimum side yard setback for the parking deck (existing condition)
Minimum Rear Yard **(adjacent to 172 King Street South)**	4.5 metres	1.44 metres to parking deck 2.45 metres to proposed one storey addition	Amendment requested: 1.44 metres to parking deck (existing condition) 2.45 metres to the one storey building addition
Minimum Low Rise Residential Setback **(to church property)**	7.5 metres or 50% of building height, whichever is greater = 18.76 metres	Parking structure = 0.64 metres From Balcony = 17.38 metres	Amendment requested: Minimum low rise residential setback of

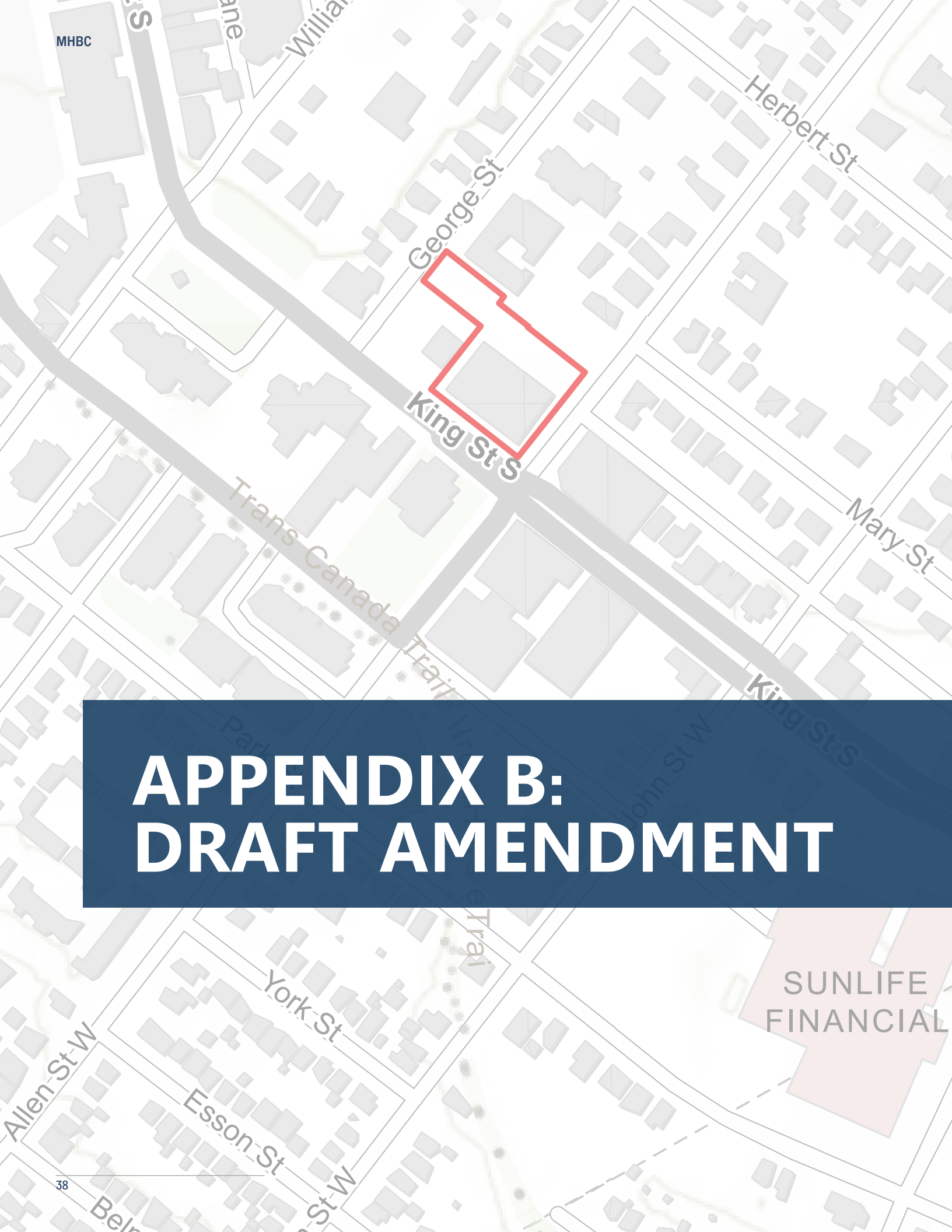
Provision	Required (U2-40)	Provided	Compliance
		Building = 19.0 m	0.64 metres from the parking deck (existing condition) Minimum low rise residential setback of 17.38 metres from the balconies
Maximum Complementary Uses	Shall not exceed 50% of the building floor area = 7,540 square metres	Under 1,000 square metres	Yes
Maximum Ancillary Uses	Shall not collectively exceed 20% of the building floor area = 3,016 square metres	Under 1,000 square metres	Yes
	Building floor area devoted to bake shops, cafes and restaurants combined not to exceed 10% of the building floor area = 1,580 square metres		
Location of Ancillary Uses	Located on the first storey of a building containing one or more of the permitted uses specified in Sections 8.2.1.1 and 8.2.1.2	First storey	Yes
Number of Buildings on a Lot	One	One	Yes
Landscaped Buffer	3 m average depth along a low rise residential lot line with planted materials not less	0.64 m	Amendment requested: Minimum landscaped buffer of

Provision	Required (U2-40)	Provided	Compliance
	than 1.5 metres in height		0.64 metres (existing condition)
Density	150 – 600 bedrooms / hectare = 66 – 262 bedrooms	166 bedrooms	Yes
Building Height	10 .5 m – 40 metres maximum of 12 storeys	37.53 metres, 10 storeys	Yes
Minimum Height of First Storey	4 metres	4.9 metres	Yes
Podium Height	10.7 – 14.8 metres	4.9 metres	Amendment requested: Minimum podium height of 4.9 metres *Note: maintains existing first floor height for the ground floor additions*
Tower Separation	22 m between towers on the same lot, 11 metres from an interior lot line	17.38 metres (to church property which is the interior lot line)	Yes
Maximum Horizontal Tower Dimension	40 metres	46.8 metres	Amendment requested: Maximum horizontal tower dimension of 46.8 metres (existing condition)
Maximum Tower Footprint	1,000 square metres	1,580 square metres	Amendment requested: Maximum tower footprint of 1,580 square metres

Provision	Required (U2-40)	Provided	Compliance
Tower Stepback	3 metres	4.5 metres	Yes
Minimum Common Outdoor Area	3% at grade = 131.1 square metres	145 square metres	Yes
	Dimensions = 6 metres, except where located in the front yard or flankage yard where one dimension shall not be less than 4 metres	6.5 metres	Yes
Minimum Amenity Area	1 bedroom = 3 2 bedroom = 5 3 bedroom = 7 = 479 square metres	1 bedroom = 4 2 bedroom = 7 3 bedroom = 10	Yes *Note: minimum private amenity area will exceed requirements for each bedroom type*
Vehicular Parking (Parking Area A)	Residential = 0.6 + 0.1 visitor / unit 129 units = 78 + 13 visitor = 91	123 + 13 visitor = 136 residential	Yes *Note: A-15/20 recognized 153 parking spaces for the existing floor space of the building*
	Non-residential = 1.5 / 100 m2 1,580 m2 = 24	Non-residential: 1/100 m2 = 16 spaces	Amendment requested: Non-residential parking rate of 1 space per 100 square metres of GFA

Provision	Required (U2-40)	Provided	Compliance
	Accessible Parking = 2 Type A = 3 Type B	3 Type A 2 Type B	Yes
	Designed Electric Vehicle spaces: for 49 surface spaces = 1 EV space *Note: Electric vehicle parking requirements only apply to structured and surface parking spaces constructed after the effective date of the by-law*	80% of spaces to be EV ready, 1 EV space provided	Not applicable as the parking was constructed prior to the effective date of the by-law
	Dimensions – 2.8 x 5.5 metres, 3.0 x 5.5 metres when one side abuts a wall or column 3.2 x 5.5 metres when both sides abut a wall or column	Existing	Amendment requested: Incorporate A-15/20 into the by-law for clarity, which recognized the existing shape, size, and number of parking spaces as well as the width for parking spaces abutting a column.
Bicycle Parking	Type A (secure, indoor) = 0.3 / unit = 39	Type A = 100	Yes
	Type B = 0.3 / unit = 39	Type B = 12	Amendment Requested: Type B bicycle parking at a rate of 0.09 per residential unit

Provision	Required (U2-40)	Provided	Compliance
	Non-residential = 40% of required motor vehicle spaces, may be satisfied as Type A or Type B = 46	Type A = 100 (39 residential + 46 non-residential = surplus of 15 Type A spaces)	Yes
Structured Parking above Grade Location	Prohibited within 15 metres of King Street	+/- 40 metres to parking deck	Yes
Surface Parking Location	Shall not comprise more than 25% of the lot frontage within 15 metres of King Street	N/A	Yes
Loading Spaces	1 Type A 1 Type B	1 existing	Amendment Requested: One existing loading space is required (existing condition)



APPENDIX B: DRAFT AMENDMENT

APPENDIX B

Draft Zoning By-law Amendment

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 '180 King Street South', as shown on map 1 attached hereto, from Uptown Mixed-use 30 (U2-30) to Uptown Mixed-use 40 (U2-40) with site-specific provisions.

2. Notwithstanding anything to the contrary, the following site-specific provisions be applied to the lands shown on Schedule 'A' attached hereto as '180 King Street South':

    a. STREET LINE setback (minimum): 0.38 metres to King Street South for a trellis, 0.55 metres to King Street South for underground parking structures, and 4.66 metres to King Street South for a building, inclusive of balconies.

    b. STREET LINE setback (minimum): 0.53 metres to Allen Street for underground parking structures, 0.53 metres to Allen Street for a one storey building addition.

    c. STREET LINE setback (maximum): 0% of the street line building façade along George Street.

    d. SIDE YARD setback (minimum): 0.64 metres for parking structures to 15 George Street.

    e. REAR YARD setback (minimum): 1.44 metres to 172 King Street South for parking structures, 2.45 metres to 172 King Street South for a one storey building addition.

    f. LOW RISE RESIDENTIAL LOT LINE setback (minimum): 0.64 metres from 15 George Street to a parking structure, 17.38 metres from 15 George Street to a balcony.

    g. LANDSCAPED BUFFER ADJACENT TO RESIDENTIAL LOT LINE (minimum): 0.64 metres adjacent to 15 George Street.

    h. PODIUM Height (minimum): 4.9 metres.

    i. Horizontal TOWER Dimension (maximum): 46.8 metres.

    j. TOWER Footprint (maximum): 1,580 square metres.

    k. Non-residential PARKING SPACE requirement: 1.0 PARKING SPACES per 100 square metres of non-residential BUILDING FLOOR AREA.

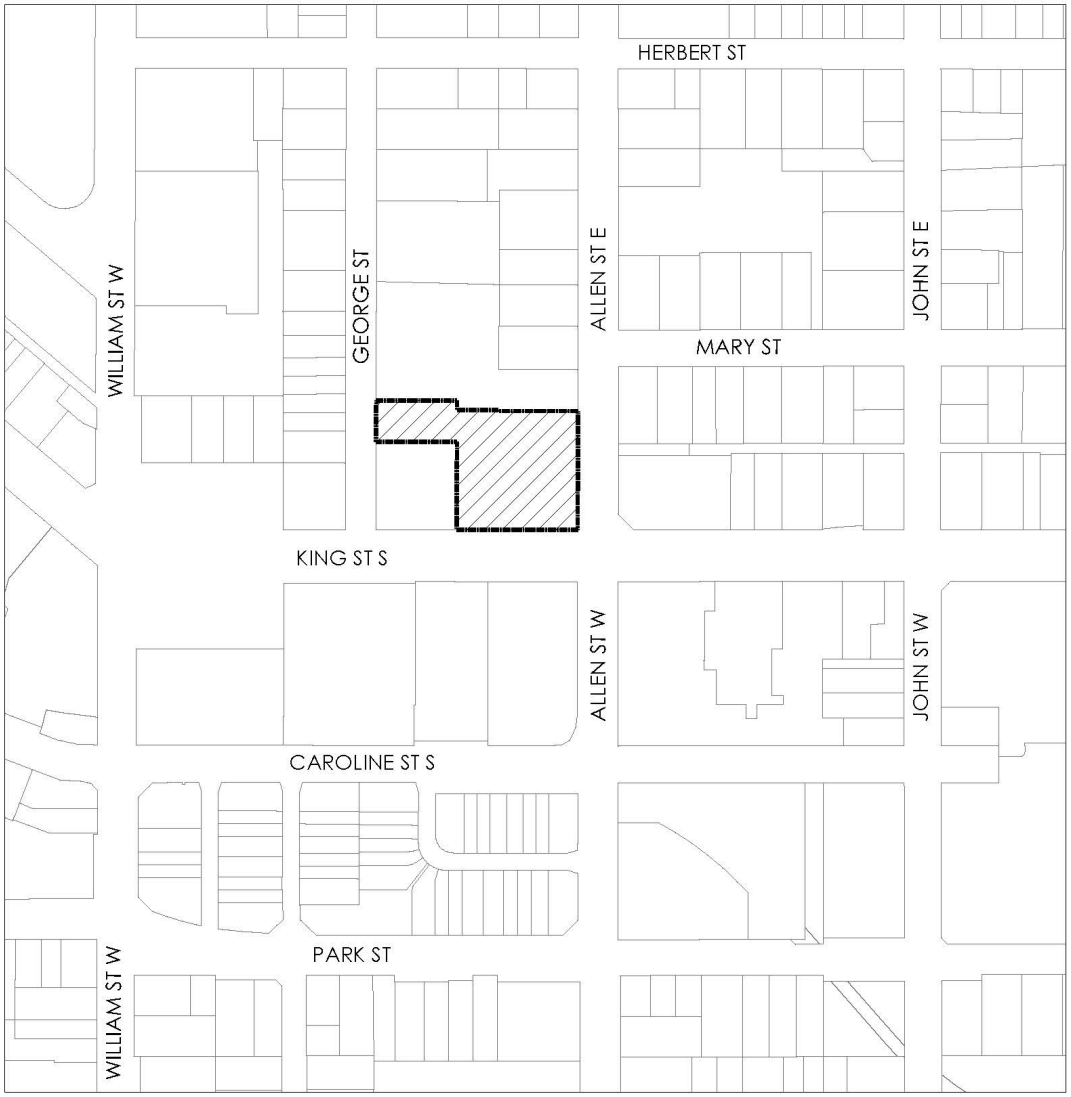
    l. PARKING SPACE Dimensions: As existing on the effective date of this By-law

m. TYPE B BICYCLE PARKING space requirement: 0.09 spaces for each dwelling unit.

n. LOADING SPACE Requirement: As existing on the effective date of this By-law

Map 1 – Zoning By-law Amendment Z-23-XX

This is Schedule 'A' to By-law No. 2023-____ passed this _____ day of _____, 2023



SCHEDULE 'A'

Lands to be re-zoned from U2-30 Zone to U2-40(XXX) Zone

north

MHBC

PLANNING
URBAN DESIGN
& LANDSCAPE
ARCHITECTURE