



STAFF REPORT
Planning

Title: Zoning By-law Amendment Z-21-08, VanLegend Erb LP, for 310, 312, 314, and 316 Erb Street West
Report Number: IPPW2022-027
Author: Rita Szilock
Meeting Type: Council Meeting
Council/Committee Date: May 9, 2022
File: Z-21-08
Attachments: Appendix A – Minutes of Informal Public Meeting
Appendix B – Agency and Staff Comments
Appendix C – Conceptual Site Plan
Appendix D – Perspectives
Appendix E – Elevations
Map 1 – Zoning By-law Amendment Z-21-08
Ward No.: 6 - Central-Columbia Ward

Recommendations:

1. That Council approve Staff Report IPPW2022-027.
2. That Council approve Zoning By-law Amendment Z-21-08, VanLegend Erb LP, for 310, 312, 314, and 316 Erb Street West, in accordance with Section 8 of Staff Report IPPW2022-027.

A. Executive Summary

VanLegend Erb LP (the “Applicant”) submitted Zoning By-law Amendment Z-21-08 for the lands municipally known as 310, 312, 314, and 316 Erb Street West (the “Site”). The Site is a consolidation of four lots, each lot currently contains a single detached dwelling. The Applicant is proposing to redevelop the Site with a 6 storey multi-residential building containing 93 residential units (108 bedrooms), 84 vehicle parking spaces and 58 bike parking spaces.

To facilitate the redevelopment of the Site, the Applicant is proposing to rezone the lands from Residential Mixed-Use 20 (RMU-20) to Residential Mixed-Use 20 (RMU-20) with site specific regulations. The site specific regulations include:

- Reduced parking rate from 113 parking spaces (1.2 spaces/unit) to 84 parking spaces (0.9 spaces/unit).
- Reduced rear yard setback from 7.5 metres to 1.56 metres (to accommodate the exposed wall of the partial underground parking garage).

2 Integrated Planning & Public Works

- Reduced Low Rise Residential Lot Line setback from 10 metres to 3 metres on the east side, and to 1.56 metres on the north side.
- Reduced northerly Low Rise Residential Landscape Buffer from an average width of 3 metres to an average width of 1.71 metres.
- Reduced westerly side yard setback from 3 metres to 1.6 metres (to accommodate a retaining wall along a portion of the westerly lot line).
- Reduce the minimum Landscaped Open Space requirement from 30% to 25.2% and incorporate a 24.8 sq. m. (0.9%) green roof for a combined 26.1%.
- Reduce the height of the first storey from 4.5 metres to 2.3 metres to accommodate the interior floor to ceiling height of the amenity room.

Based on the Planning Division's review of the application, staff support Zoning By-law Amendment Z-21-08 in accordance with Section 8 of IPPW2022-027, 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.
- The intent of Zoning By-law 2018-050 is maintained, with amendments tailored to the proposed development and the lands.
- The proposed development will provide for an efficient use of land, services and infrastructure.
- The proposed development is transit-supportive and walkable, in an area that is well served by public transit.

B. Financial Implications

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

C. Technology Implications

Staff are not aware of any technology implications.

D. Link to Strategic Plan

(Strategic Pillars: 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 supports the 'Economic Growth & Development' pillar of the Strategic Plan through the redevelopment of underutilized properties.

E. Previous Reports on this Topic

N/A

REPORT DASHBOARD

PERSPECTIVE OF PROPOSED DEVELOPMENT



ZONING BY-LAW AMENDMENT Z-21-08

Performance Standards	ZONING BY-LAW 2018-050 RMU-20	APPLICANT'S ORIGINAL PROPOSAL	APPLICANT'S REVISED PROPOSAL	RECOMMENDED BY STAFF
Parking (min)	113 spaces	84 spaces	84 spaces	84 spaces
Rear Yard Setback (min)	7.5 m	1.56 m (to wall of parking structure)	1.56 m (to wall of parking structure)	1.56 m (to wall of parking structure)
Low Rise Residential Lot Line Setback (min)	10 m (half the building height)	3 m (east side) 1.56 m (north side)	3 m (east side) 1.56 m (north side)	3 m (east side) 1.56 m (north side)
Westerly Side Yard Setback (min)	3.0 m	1.6 m	1.6 m	1.6 m (to wall of parking structure/retaining wall)
Low Rise Residential Landscape Buffer (average width)	3.0 m	1.713 m	1.713 m	1.71 m
Landscape Open Space	30%	-	25.2%	25%
First Storey Height (min)	4.5 m	-	2.3 m (associated with amenity room)	2.3 m (associated with amenity room)



**Zoning By-law Amendment Z-21-08, VanLegend Erb LP,
for 310, 312, 314, and 316 Erb Street West
IPPW2022-027**

SECTION 1 – SUBJECT LANDS

Location

310, 312, 314, and 316 Erb St W

Ward

Central-Columbia (Ward 6)

Total Net Lot Area

0.2767 ha (2,767 sq. m.)

Land Owner / Applicant

VanLegend Erb LP

Agent

JV Planning & Development
Consulting

Existing Land Use

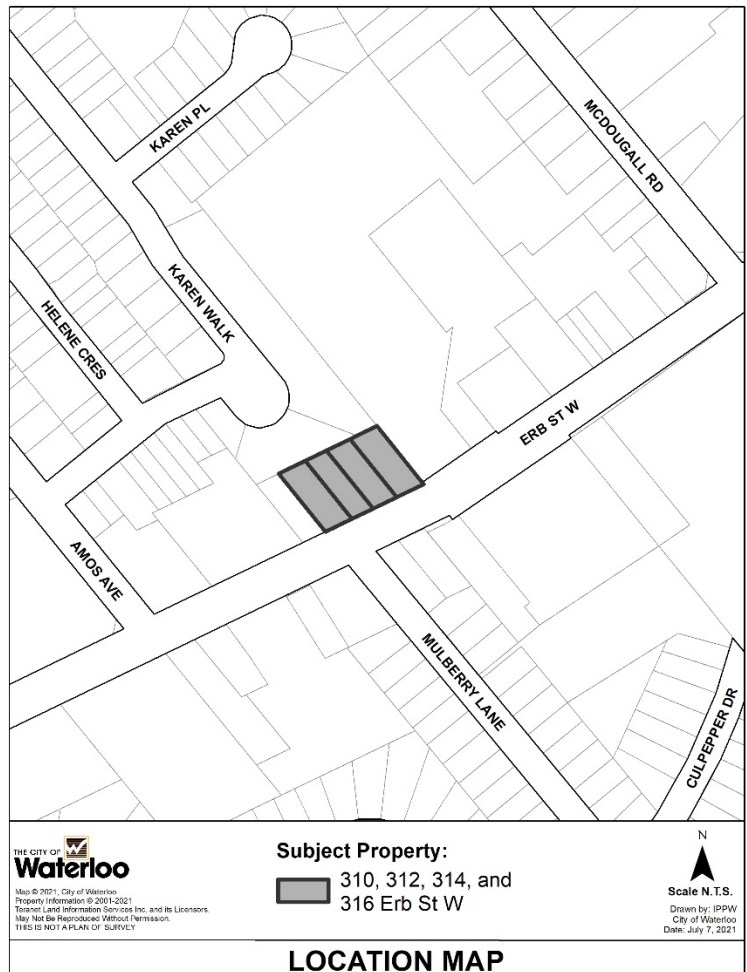
4 single detached dwellings

Proposed Development

Six (6) storey multi-residential
building with 93 units and 108
bedrooms.

Public Input

The mechanisms used to gathering
input in regards to Z-21-08 are as follows:



Mechanism	Date	Results
Agency and Staff Circulation	July 22, 2021 February 23, 2022	Agency and staff comments attached as Appendix B
Informal Public Meeting	September 13, 2021	Informal Public Meeting minutes attached as Appendix A

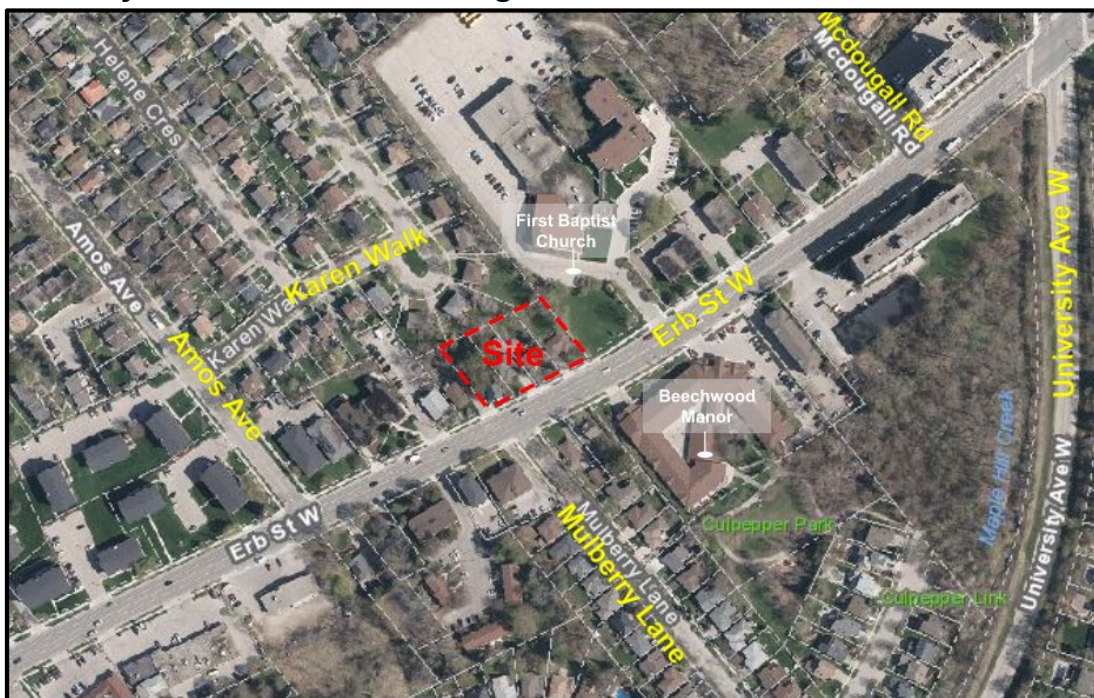
Mechanism	Date	Results
Advertise Formal Public Meeting	April 21, 2022	Advertised in Waterloo Chronicle and notice sent to property owners within 120 metres of the subject property and those who requested notice.
Formal Public Meeting	May 9, 2022	Council consideration of application

1.1 Site Description and Neighbourhood Context

The Site is a consolidation of four (4) lots located within the Beechwood neighbourhood on the north side of Erb Street West between McDougall Road and Amos Avenue. The Site is located on a Minor Corridor, within about a 10 minute walking distance east of a Major Node (Westmount Place) at the northeast corner of Erb Street West and Westmount Road. A number of commercial uses are located within a 5 to 15 minute walking distance of the Site, including those located at Westmount Place, Beechwood Plaza (northwest corner of Erb St W/Fischer-Hallman Rd) and a small scale convenience commercial type plaza on the south side of Erb Street West at Culpepper Drive.

The Site has a gross lot area of 2,981.25 square metres. The Site has a rectangular shape with approximately 67 metres of frontage along Erb Street West and a depth of 45 metres. The Site contains four single detached homes dating back to the 1960's. There is a significant grade change on the property with the front of the Site being significantly higher than the rear. This is especially so on the westerly portion of the site where the front of the property is 2 metres higher than the rear of the property. In addition, there is also a change in grade (approximately 1.25m) across the front of the Site, with the easterly portion of the frontage being lower than the westerly portion.

Figure 1: Subject Site and Surrounding Area



The Site is surrounded by:

- Semi-detached homes to the north
- A spiritual use (First Baptist Church) to the east
- A triplex to the west
- An assisted living facility (Beachwood Manor), low rise residential apartments and single detached homes to the south

There are several parks and parkettes located within a short walking distance of the Site, including Culpepper Park, Karen Walk Parkette and Poets' Green. There are also walking trails nearby (8 min. walk) at Keats Way Woods.

The Site is well served by transit having convenient access too several bus routes along Erb Street West, Westmount Road, Keats Way and Fischer-Hallman Road including two iXpress routes. The closest ION LRT station is located a short bus ride away in Uptown Waterloo.

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

The Applicant is proposing to construct a six (6) storey multi-residential building with 93 units and 108 bedrooms (391 beds/ha). The development will consist of 78 one-bedroom units and 15 two-bedroom units. Eight (8) of the one-bedroom units will contain mezzanines and will have direct access to Erb Street West. The proposed development will also contain 84 vehicular parking spaces, 58 bike parking spaces and 564 sq. m. of amenity area (ground floor amenity, balconies and patios). There are two vehicular access points proposed: (i.) the westerly driveway provides access to the open air parking to the rear of the proposed development; and (ii.) the easterly driveway provides access to the enclosed parking structure located partially underground.

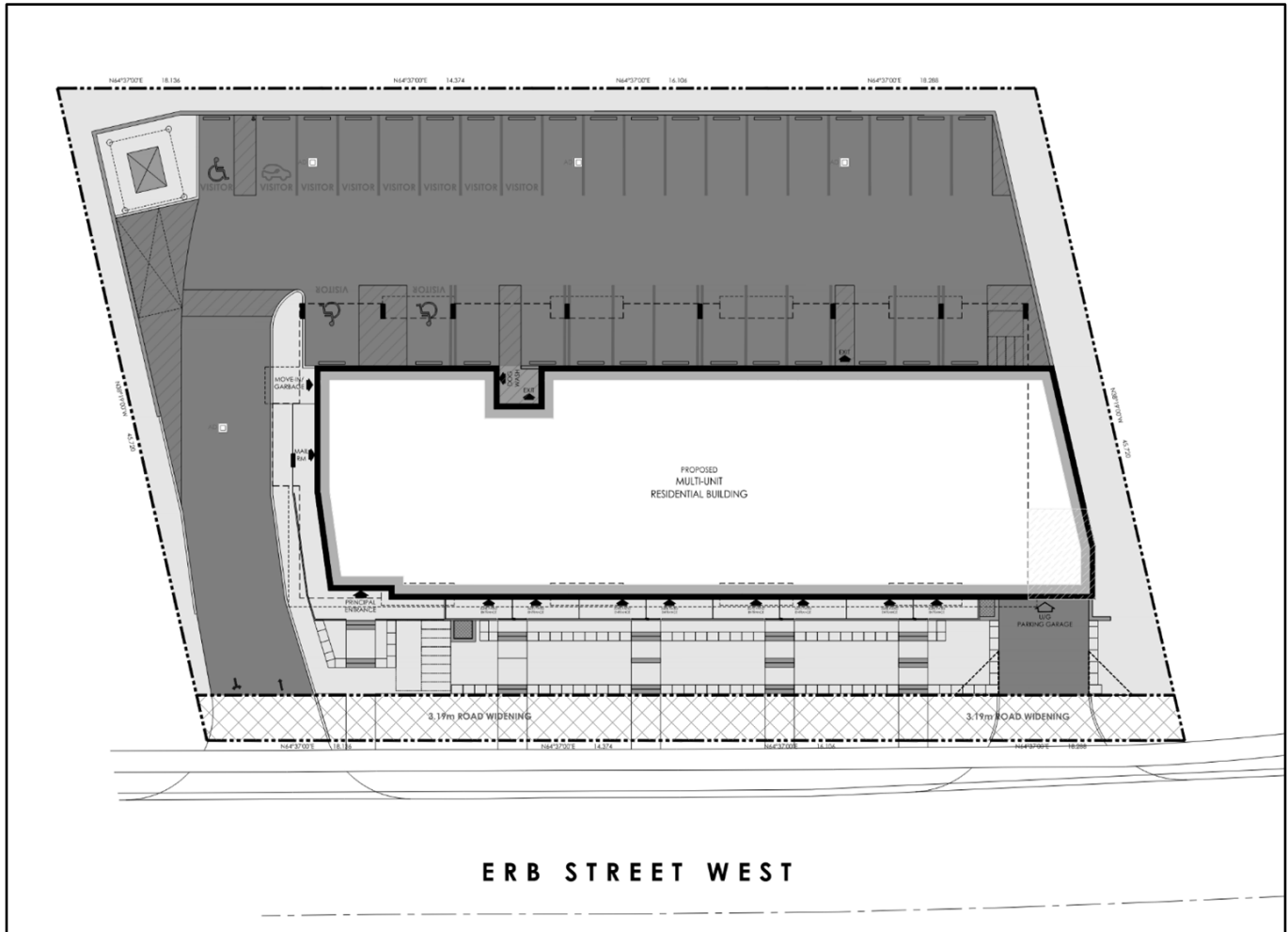
SECTION 3 – APPLICATION DETAILS

To facilitate the redevelopment of the Site, the Applicant is proposing to rezone the lands from Residential Mixed-Use 20 (RMU-20) to Residential Mixed-Use 20 (RMU-20) with the following site specific regulations:

- Reduced residential parking rate from 113 parking spaces (1.2 spaces/unit) to 84 parking spaces (0.9 spaces/unit).
- Reduced rear yard setback from 7.5 metres to 1.56 metres (to accommodate exposed wall of partial underground parking garage).
- Reduced Low Rise Residential Lot Line setback from 10 metres to 3 metres on the east side and to 1.56 metres on the north side.
- Reduced northerly Low Rise Residential Landscape Buffer from an average width of 3 metres to an average width of 1.71 metres.
- Reduced westerly side yard setback from 3 metres to 1.6 metres (to accommodate a retaining wall along a portion of the westerly lot line).
- Reduce the minimum Landscaped Open Space requirement from 30% to 25.2% and incorporate a 24.8 sq. m. (0.9%) green roof for a combined 26.1%.

- Reduce the height of the first storey from 4.5 metres to 2.3 metres to accommodate the interior floor to ceiling height of the amenity room.

Figure 2: Conceptual Site Plan



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, as recommended by staff, is consistent with the PPS:

- The proposed development will result in the efficient use of land and existing infrastructure.
- The proposed development will be transit-supportive, accommodating additional density in an area that is well served by public transit.
- The proposed development will contribute to a healthy, livable community by introducing additional residential density in an area that is well served by transit and is walkable, located within a short walking distance of various non-residential uses to meet the day-to-day needs of residents.

4.2 Growth Plan for the Greater Golden Horseshoe

The 2020 Growth Plan for the Greater Golden Horseshoe (the “Growth Plan”) provides a framework for managing growth, protecting resources, and promoting economic investments within the Greater Golden Horseshoe to the year 2041. Building on the policy foundations of the PPS, the Growth Plan provides more specific land use planning policies for managing growth. Some 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.
- Prioritize intensification and higher densities to make efficient use of land and infrastructure and support transit viability.

Section 2.2.1.4 of the Growth Plan stipulates that the policies of the Growth Plan will support the achievement of complete communities that:

- feature a diverse mix of land uses, including residential and employment uses, and convenient access to local stores, services and public service facilities;
- provide for a more compact built form and a vibrant public realm, including public open spaces.

In staff’s opinion, the proposed Zoning By-law Amendment, as recommended by staff, conforms to, or does not conflict with, the Growth Plan for the following reasons:

- the proposed development directs growth to the Built-Up Area, and more specifically to an area of the City which is planned to accommodate significant population growth through intensification;
- the proposed development, in its compact form, will efficiently use the Site and will relying on existing municipal services and infrastructure;
- the proposed development will support the existing public transit system by introducing additional density in an area that is well served by transit;
- the proposed development will contribute to a healthy, livable community by introducing additional residential density in an area that has convenient access, within a short walking distance or short transit ride, to non-residential uses that are available to meet the day-to-day needs of residents.

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, as recommended by staff, conforms to the ROP for the following reasons:

- The development proposes intensification within the "Built-Up Area", as delineated on Map 3a of the Region of Waterloo Official Plan, and supports the planned function of the Urban Built-Up Area.
- The proposed development will accommodate intensification within a Minor Corridor, which is planned to accommodate intensification.
- The development proposes intensification in a compact urban form that has regard for the planned physical character of the area.
- The proposed development is transit-supportive in an area that is well served by a number of transit routes.

4.4 City of Waterloo Official Plan

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

Mixed-Use Medium Density Residential	Schedule 'A'
Minor Corridor	Schedule 'B'
Medium Density, 20 metres, 450 beds/ha	Schedule 'B1
Built Up Area	Schedule 'B3'
Wellhead Protection Sensitivity Area - 8 (WPSA – 8)	Schedule 'B4'
Beechwood District	Schedule 'C'
Regional Arterial (Erb St W)	Schedule 'E'
City-Wide Multi-Use Trail and Cycling Route (Erb St W)	Schedule 'F'

The Mixed-Use Medium Density Residential designation applicable to the Site allows for significant intensification in a medium density housing type. The intention is that properties within this designation, with a Minor Corridor, develop primarily for multi-residential purposes, although ancillary non-residential uses are also allowed subject to zoning. Medium density developments are encouraged within this designation, to a maximum of 450 bedroom per hectare and a maximum building height of 20 metres.

Staff are of the opinion that the proposed Zoning By-law Amendment, as recommended by staff, conforms to the policies of the City's Official Plan. It is context sensitive, enables intensification on a site planned for medium density development, and it respects and reinforces the planned physical character of the Erb Street minor corridor.

4.5 City of Waterloo Zoning By-law 2018-050

The Site is zoned Residential Mixed-Use 20 (RMU-20). The RMU-20 zoning permits 6 storey (20 metre) apartment buildings with a maximum density of 450 bedrooms/hectare, which equates to 124 bedrooms on the Site. The proposed 6 storey apartment building containing 93 units (108 bedrooms). It is a permitted use that is in keeping with the intent of the RMU-20 zone.

SECTION 5 – PLANNING EVALUATION OF ZONING BY-LAW AMENDMENT

Staff has evaluated Zoning By-law Amendment Z-21-08 and offer the following summary comments:

5.1 Parking

The Applicant has requested a parking reduction from 113 parking spaces (1.2 spaces/unit) to 84 parking spaces (0.9 spaces/unit). The Applicant's proposal would result in 74 parking spaces (0.79 spaces/unit) being allocated to individual residential units and 10 parking spaces (0.1 spaces/unit) being allocated to visitors. The Site is located within Area F of the parking overlay map in Zoning By-law 2018-050, requiring a residential parking rate of 1.1 spaces per residential unit and a visitor parking rate of 0.1 spaces per unit (combined: 1.2 spaces/unit). As previously discussed, the Site is walkable and well served by transit and commercial uses to meet the day-to-day needs of residents. Staff have no objections to the requested parking reduction in this location, for reasons including:

- the site is well served by transit, having convenient access to several bus routes along Erb Street West, Westmount Rd, Keats Way and Fischer-Hallman Rd including two iXpress routes;
- the reduced parking rate and easy access to multiple transit routes result in a transit-supportive development within a designated Minor Corridor;
- commercial uses to meet the day-to-day needs of residents are located within a short walking distance or short transit ride away;
- 10 visitor parking spaces are provided.

5.2 Reduced Setbacks

a. Rear Yard/Low Rise Residential Setback – northerly lot line

The Applicant has requested to reduce the rear yard setback to 1.56 metres to accommodate the exposed wall of the partial underground parking structure, whereas the by-law requires a minimum 10 metre Low Rise Residential Lot Line setback. The general intent of the Zoning By-law in requiring a Low Rise Residential Lot Line setback of 7.5 metres or half the building height, in this case 10 metres, is to ensure that there is sufficient separation between Low Rise Residential developments and taller, higher density developments generally located within Corridors or Nodes. The reason that the setback requirement is proportional to the building height is to minimize massing impacts and allows for appropriate height transitioning between medium and low density developments. With respect to the proposed development, the 6 storey (20 metre tall) portion of the development will be 14.71 metres from the Low Rise Residential property line to the north (the property line shared with the semi-detached

homes fronting onto Karen Walk). The requested 1.56 metre setback is required to accommodate the partially exposed underground parking structure wall, which ranges in height between 4.04 metres and 3.63 metres above grade, and spans approximately 56 metres along the rear property line.

For Council's information, staff have discussed the height of the parking garage wall at length with the Applicant to explore opportunities to reduce the wall's height. However, due to the high groundwater table on the Site and grades, having completed a detailed hydrogeological analysis of the Site, the Applicant has determined that it is not feasible to lower the building into the groundwater table. The Geotechnical and Hydrogeological Investigation, prepared by Chung & Vander Doelen, confirmed that groundwater table is quite high on the Site, located at surface level or near surface level (between 337.25m and 336.60m above sea level) at the rear of the Site where the ground elevation is low due to grades.

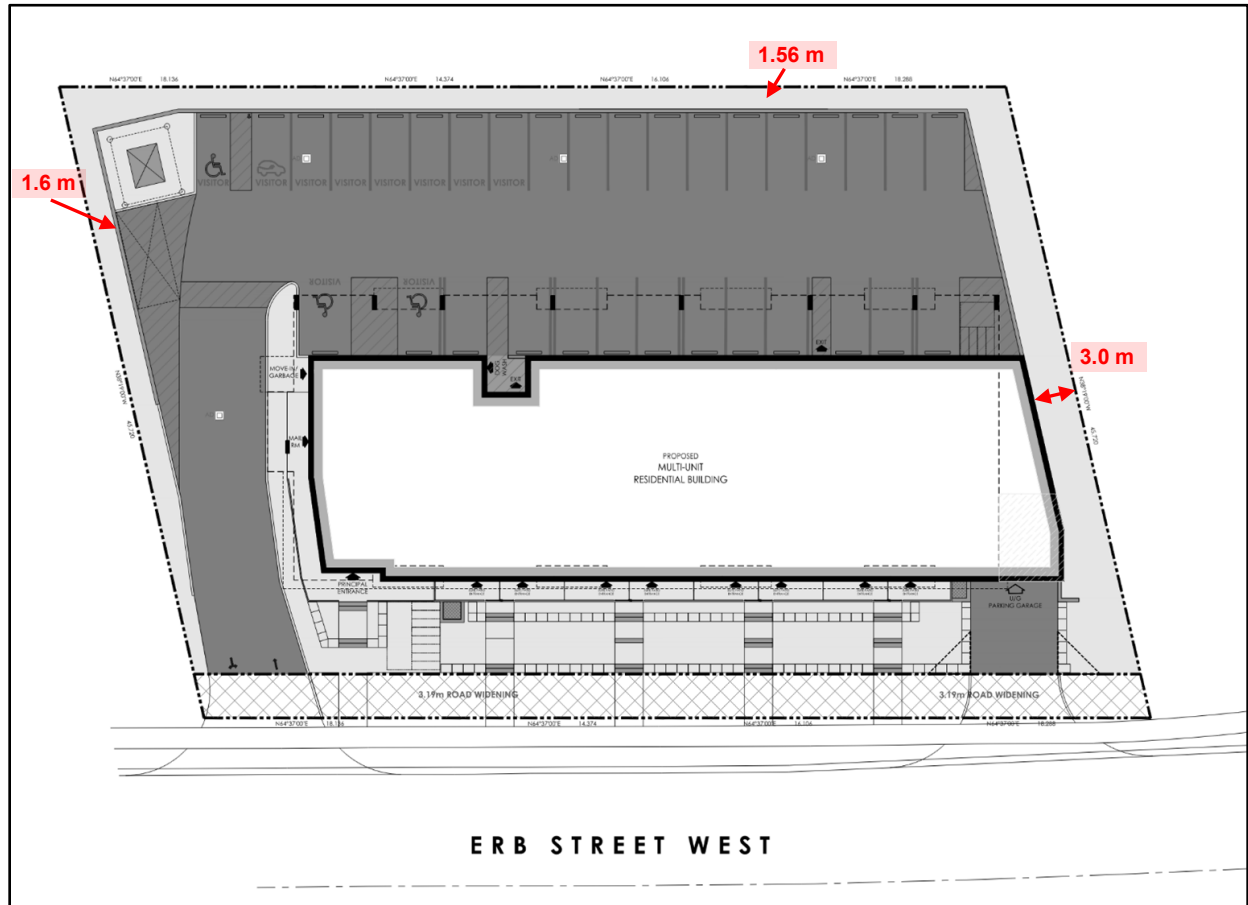
Due to the constraint imposed by the high groundwater table on the Site, in this instance, staff do not object to the requested 1.56 metre rear yard/low rise residential lot line setback from the northerly property line provided what the requested 1.56 metre rear yard setback is limited to the parking structure (with a maximum height of 4.10 metres to allow for construction tolerance) and the 6 storey apartment building maintains the proposed 14.71 metre rear yard setback. Staff note that if the parking structure is limited in height to 4.10 metres, it will be similar in regulated height to accessory structures, such as sheds, that are permitted in rear yards of low rise residential developments to maximum height of 4.0 metres.

b. Low Rise Residential Setback – easterly lot line

The Applicant has requested a 3 metre easterly low rise residential lot line setback for the proposed building, whereas the by-law requires a minimum 10 metre Low Rise Residential Lot Line setback. The general intent of the Zoning By-law in requiring a Low Rise Residential Lot Line setback of half the building height is to ensure that there is sufficient separation between Low Rise Residential developments and taller, higher density developments located within Corridors or Nodes. In this instance, the Low Rise Residential Lot Line to the east abuts lands owned by the First Baptist Church. The Church lands are zoned Residential One (R1) in their entirety and are partially designated as Mixed-Use Medium Density Residential/Minor Corridor in the Official Plan abutting Erb Street, the same designation as the Site. Therefore, the planned intent of the church owned lands adjacent to the Site is to be developed with a Mixed-Use Medium Density Residential built form, notwithstanding the current R1 zoning.

Staff do not have any concerns with the requested 3 metres easterly low rise residential lot line setback as the lands directly to the east of the Site are intended to be developed with a Mixed-Use Medium Density Residential built form similar to the Site. The requested 3 metre easterly low rise residential lot line setback aligns with the minimum side yard setback required within the RMU-20 zone and will not negatively impact any existing low rise residential development.

Figure 3: Site Specific Setbacks from Northerly Lot Line, Easterly Lot Line and Westerly Lot Line



c. Side Yard Setback - westerly lot line

The Applicant has requested a 1.6 metre westerly side yard setback to accommodate a retaining wall that forms part of the building's structure, whereas the by-law requires a minimum 3 metre side yard setback. The height of the retaining wall would range between 3.75 metres and 1.75 meters due to grades. The general intent of the Zoning By-law in requiring a 3.0 metre side yard setback is to establish a consistent building separation along the streetscape, to ensure that there is sufficient space for access, maintenance, and proper drainage. In staff's opinion, the proposed 1.6 metre westerly side yard setback for a 3.75 metre tall retaining wall structure in the side yard of the Site will not have any negative impact on the built form of Erb Street West. Further, staff are of the opinion that the requested 1.6 metre westerly side yard setback should provide sufficient space for the purposes of access, drainage and the maintenance of the proposed retaining wall. Overall, staff do not object to the proposed 1.6 metre westerly side yard setback provided that the retaining wall is limited in height.

5.3 Low Rise Residential Landscape Buffer (northerly lot line)

Planning staff do not object to the request to reduce the northerly Low Rise Residential Landscape Buffer from an average width of 3 metres to an average width of 1.71 metres provided enhance landscaping is planted within the buffer (to be secured through the site plan process). The general intent of the Zoning By-law in requiring an average Low Rise

Residential Landscape Buffer of 3 metres is to ensure that there is sufficient space to grow trees and shrubs to help soften and visually screen the proposed development. In addition to the minimum average 3 metres width, the Zoning By-law also requires that Low Rise Residential Landscape Buffers be no less than 1.5 metres in width and that they contain plant material that forms a visual buffer with a minimum height of 1.5 metres.

Through its resubmission, the Applicant was able to demonstrate by way of a landscape plan and landscape buffer opinion letter prepared by Aboud & Associated Inc., that columnar trees of significant size (Eastern White Cedar) can be accommodated within the proposed northerly Low Rise Residential Landscape Buffer. Given that the requested average Low Rise Residential Landscape Buffer is able to accommodate Eastern White Cedar that can grow up to 10 metres in height in ideal conditions, staff do not object to the requested amendment to reduce the minimum average landscape buffer width. Once established, the proposed Eastern White Cedars will help soften and visually screen the proposed development along the northerly lot line.

5.4 Landscaped Open Space

Planning staff do not object to the request to reduce the minimum Landscaped Open Space at grade from 30% to 25.2% with an additional 24.8 sq. m. (0.9%) proposed as a green roof. Given the Site is located within an urbanized area, designated for intensification and the constraint posed by the high groundwater table, staff can in this instance support a reduction of the minimum Landscaped Open Space provided that the landscaped open space is enhanced across the Site (to be secured through the site plan process). Staff are recommending a site plan directive in this regard. The purpose of the site plan directive is to ensure that appropriate trees and shrubbery are introduced, wherever possible and appropriate, to soften the edges of the development and “green” the property post-development.

With respect to the proposed green roof, staff are of the opinion that it would be a benefit to the proposed development and the surrounding neighbourhood as it will help reduce the urban heat island effect. In reviewing the location of the proposed green roof, staff do question the feasibility of the proposed configuration with access for maintenance purposes through a private residential unit. Staff encourage the Applicant to work with the Site Plan Review Committee to reconfigure the 2nd floor plan to ensure that access to the green roof is through a common corridor.

5.5 First Storey Height

Planning staff have no concerns with the request to reduce the first floor height from 4.5 metres to 2.3 metres to accommodate the interior floor to ceiling height of the amenity room. The general intent of the Zoning By-law in its 4.5 metre first storey height requirement is two-fold:

1. To ensure that the ground floor is tall enough to accommodate non-residential uses should there be a desire to convert some of the ground floor residential units to non-residential in the future; and
2. To ensure that, from an urban design perspective, the ground floor forms a distinguishable base to the proposed building.

Figure 4: Front Elevation with Amenity Room Location



Staff are of the opinion that the requested first storey height reduction meets the intent of the Zoning By-law for the following reason:

- Due to the grade change along Erb Street West, the amenity room would actually be located above the parking garage door without direct access to Erb Street West and this space would not be conducive or desirable to be converted to a non-residential use in the future.
- Based on the design of the building, the base of the building will be distinguishable and the reduced height of the amenity room does not appear to be noticeable from the public view.
- The requested height reduction would only be applicable to the amenity room encompassing 9.08 metres of the total 55 metre front building facade.

SECTION 6 - OTHER CONSIDERATIONS

6.1 Tree Compensation

According to the Vegetation Management Report, prepared by Aboud & Associates Inc., a significant number of trees will have to be removed to accommodate the redevelopment. The City's standard tree compensation rate is to replace all removed trees at 2:1 on the subject lands. In this instance, due to the limited landscaped open space on Site and the large number of trees being removed, there is no opportunity to locate all replacement trees on the Site. The Vegetation Management Report had recommended that if compensation trees cannot be planted on the property, then compensation as a cash-in-lieu payment should be considered at a rate of \$450 for a large-canopy tree species and \$350 for a

small-canopy tree species. Staff concur with the recommendations of the Vegetation Management Report and recommend that, through the Site Plan process, the Site Plan Review Committee work with the Applicant to confirm tree compensation in accordance with the Vegetation Management Report recommendations.

SECTION 7 – CONCLUSION

Based on the Planning Division’s review of the application, we support Zoning By-law Amendment Z-21-08 in accordance with Section 8 of IPPW2022-027, 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.
- The intent of Zoning By-law 2018-050 is maintained, with amendments tailored to the development and the lands.
- The proposed development will provide for an efficient use of land, services and infrastructure.
- The proposed development is transit-supportive and walkable, in an area that is well served by public transit.

SECTION 8 - RECOMMENDATIONS

- A. That Staff Report IPPW2022-027 be approved.
- B. That Council approve Zoning By-law Amendment Z-21-08, VanLegend Erb LP, 310, 312, 314, and 316 Erb Street West, 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 “310, 312, 314, and 316 Erb Street West”, as shown on Map 1 attached hereto, from Residential Mixed-Use 20 (RMU-20) to Residential Mixed-Use 20 (RMU-20) 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 “310, 312, 314, and 316 Erb Street West”:
 - a. Westerly SIDE YARD setback (minimum):
 - i. 3.0 metres
 - ii. Notwithstanding anything to the contrary, for any portion of the BUILDING with a height of 4.10 metres or less, the minimum side yard setback shall be 1.6 metres

- b. REAR YARD setback (minimum):
 - i. 7.5 metres
 - ii. Notwithstanding anything to the contrary, for any portion of the BUILDING with a height of 4.10 metres or less, the minimum rear yard setback shall be 1.56 metres.
- c. Northerly LOW RISE RESIDENTIAL LOT LINE setback (minimum):
 - i. 7.5 metres or half the height of the building, whichever is greater
 - ii. Notwithstanding anything to the contrary, for any portion of the BUILDING with a height of 4.10 metres or less, the minimum northerly LOW RISE RESIDENTIAL LOT LINE setback shall be 1.56 metres.
- d. Easterly LOW RISE RESIDENTIAL LOT LINE setback (minimum):
 - i. 3.0 metres
- e. LANDSCAPED OPEN SPACE (minimum):
 - i. 25.0%
- f. GREEN ROOF (minimum):
 - i. 0.9% (24.8 square metres)
- g. Height of FIRST STOREY (minimum):
 - i. 4.5 metres
 - ii. Notwithstanding anything to the contrary, for 9.5 metres of the easternmost section of the first floor, the minimum FIRST STOREY height shall be 2.3 metres.
- h. Residential Parking Rate (minimum)*:
 - i. 0.79 spaces per dwelling unit

* All other parking rates remain as stated in the RMU-20 zone and By-law 2018-050.
- i. Low Rise Residential Landscape Buffer:
 - i. Notwithstanding anything to the contrary, the minimum width of the LOW RISE RESIDENTIAL LANDSCAPED BUFFER shall be an average of 1.70 metres with no point less than 1.5 metres.

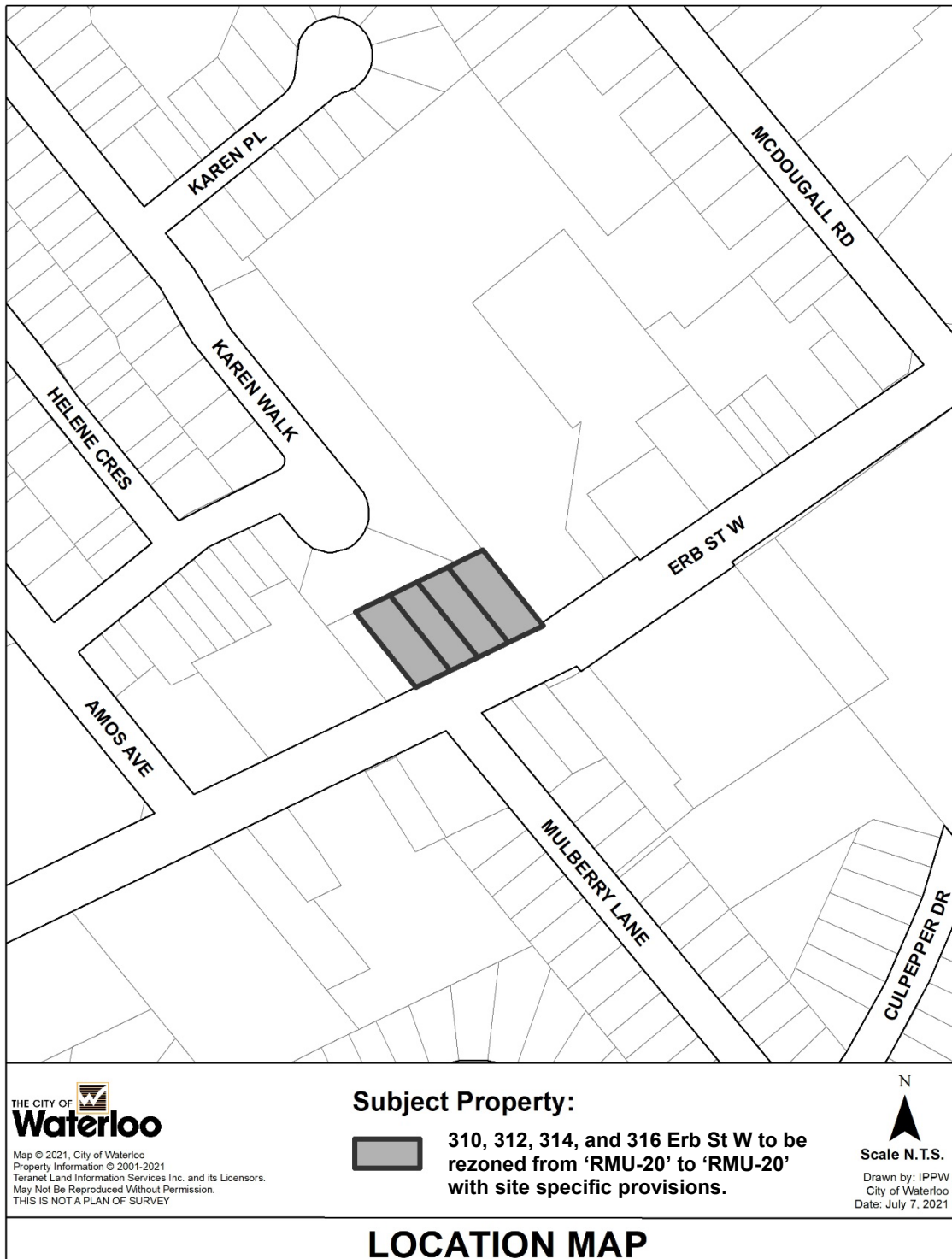
C. That Council support the following site plan and urban design directives for the proposed development:

1. That the landscaped open space shall be enhanced on the entire site. Particular emphasis shall be placed on: (i.) landscape enhancements along the rear Low Rise Residential Landscape Buffer to ensure the proposed development is appropriately screened from the low rise residential lots to the north; and (ii.) the Front Yard, to improve the pedestrian experience along Erb Street West and “green” the streetscape. The enhanced landscaping should incorporate trees and shrubbery, as appropriate, to soften and “green” the edges of the development.

2. That the unenclosed portion of the parking structure be designed to mitigate impacts, including vehicle headlights, on surrounding properties.
3. That the Site Plan Review Committee work with the Applicant to confirm the tree compensation rate (minimum 2:1), considering the Vegetation Management Report's recommendation for financial compensation where 2:1 compensation cannot be achieved on the subject lands, to the satisfaction of the City's Director of Planning.

MAP 1 - ZONING BY-LAW AMENDMENT Z-21-08

This is Schedule 'A' to By-law No. 2022-____ passed this ____ day of ____, 2022



APPENDIX 'A' – Minutes of Informal Public Meeting

COUNCIL MEETING
Monday, September 13, 2021

Informal Public Meeting

Title: **Zoning By-law Amendment Application Z-21-08, 310, 312, 314 and 316 Erb St W**
Prepared By: Rita Szilock
Ward No.: Central-Columbia, Ward 6

Rita Szilock, Planner, gave a brief overview of the item. She then responded to questions of Council.

Jennifer Voss, JV Planning & Development Consulting, gave a brief presentation focusing on the details of the proposal. She went into the history of the proposal, as well as what has changed from their original proposal to their revised proposal. She then responded to questions of Council.

APPENDIX 'B' - Agency and Staff Comments

NO COMMENTS OR CONCERNS:

Waterloo North Hydro

AGENCY COMMENTS:

Region of Waterloo, September 30, 2021

Regional Official Plan

The lands are designated "Urban Area" and "Built-Up Area" in the Regional Official Plan (ROP). These ROP designations permit a full range of urban uses, including residential developments of various unit types and densities. The lands are also located within Wellhead Protection Sensitivity Area 8 as identified on Map 6a of the ROP. In general, the Region supports intensification and redevelopment in Built-Up Areas as long as the proposed development satisfies the general and any specific applicable ROP policies and Regional guidelines.

Hydrogeology and Source Water Protection

The subject lands are within Wellhead Protection Sensitivity Area (WPSA) 8 as designated in the ROP. Regional staff requests that the final Zoning By-law include a provision that prohibits the use of geothermal wells as defined in the ROP, including vertical open and closed loop geothermal energy systems on the subject lands, as a Hydrogeological Assessment in support of such systems has not been submitted with this application.

Further, a provisional Risk Management Plan has been agreed to as part of this Zone Change application, and a Section 59 Notice has been issued.

Stationary Noise

Potential stationary noise sources associated with the proposed development may consists of any proposed HVACs and/or PTACs, emergency generator, or other mechanical roof-top or ventilation equipment.

A Stationary Noise Study is required for this application and must be submitted prior to final approval of the zone change application. The Study must address any potential stationary noise impacts from the proposed development on the adjacent residential lots as well as on the proposed residential development/amenity area. The Stationary Noise Study must be prepared in accordance with the requirements of the Ministry of the Environment, Conservation and Parks Publication NPC-300. Please ensure that a signed Owner/Authorized Agent Statement and Consultant Statutory Declaration accompany the study. There is no separate fee for the review of this study if it is prepared in conjunction with the required Traffic Noise Study as per comments below.

Corridor Planning

Traffic Noise Study

At this location, the proposed residential development may encounter environmental noise sources, specifically road noise from the adjacent Regional Road Erb Street West (RR #09). It is the responsibility of the applicant/owner to ensure the proposed development is not adversely affected by anticipated noise impacts. An Environmental Noise Study/Traffic Noise Study is required for this application and must be submitted prior to final approval of the zone change application. The noise level criteria and guidelines for the preparation of the Study are included in

the Region of Waterloo Implementation Guideline for Noise Policies and the Ministry of Environment, Conservation and Parks Publication NPC-300.

The noise consultant must be pre-approved by the Region of Waterloo and is responsible for obtaining current information, applying professional expertise in performing calculations, making detailed and justified recommendations, submitting the Consultant Noise Study Declaration and Owner/Authorized Agent Statement along with an electronic copy of the report to the Region.

The noise consultant preparing the Environmental Noise Study must contact Regional staff for transportation data including traffic forecasts and truck percentages for Regional roads. For the Transportation Planning Noise Assessment Fee Form and Traffic Data request, the applicant/owner must refer to the Region's website <https://rmow.permitcentral.ca/> and select Data Requests option. There is a \$500 fee for this application.

Stormwater Management

Storm sewers within the Regional road right-of-way are generally sized and designed to only accommodate stormwater from the right-of-way and in some instances off road surface drainage under existing conditions. A private stormwater connection to any storm sewer on Erb Street West will be discouraged where an alternate stormwater connection is available, including infiltration if soil conditions and Source Protection under the Clean Water Act permit, or if it is determined that the Erb Street West storm sewer does not have the sufficiency (condition and capacity) to accommodate private stormwater flows from this site. It is the responsibility of the applicant's/owner's engineering consultant to determine an appropriate stormwater outlet from this site and the sufficiency of the receiving storm system if there is no other option available and to include this information in the Stormwater Management Report.

Regional staff have undertaken a cursory review of the proposed Functional Site Grading and Servicing Plan (MTE Consultants Inc., July 16, 2021) and generally, staff have no concern. Under the detailed engineering design and/or future Site Plan application, Lot Grading and Site Servicing Plans, a Stormwater Management Report and/or a Functional Servicing Report will be required for this development.

The site must be constructed and graded in accordance with the approved plans and the Regional Road allowance must be restored to the satisfaction of the Region. Please note that, any new servicing connection(s) from Regional right-of-way would require Regional approval through a separate process of Municipal Consent and Regional Work Permit. A Region of Waterloo Work Permit must be obtained from the Region of Waterloo prior to commencing construction within the Region's right of way. In this regard, the applicant/owner must visit <https://rmow.permitcentral.ca/> for further guidance.

Regional Road Dedication

Regional Road 09 (Erb Street West) has a designated road allowance of 30.480 metres as defined in Schedule A of the ROP. An approximate 3.20 metres as shown road widening would be required along the Erb Street West frontage of the proposed development. The applicant/owner must engage an Ontario Land Surveyor (OLS) to prepare a draft Reference Plan which illustrates the required road allowance widening. Prior to registering the Reference Plan, the OLS should email a draft copy of the plan to the Transportation Planner for review. The land must be dedicated to the Region of Waterloo for road allowance purposes, and must be dedicated without cost and free of encumbrance. This will be deferred to Site Plan.

Access Permit/TIS/Access Regulation

A Regional Access Permit (\$230 fee) will be required for the two proposed accesses to

Regional Road 09 (Erb Street West) <https://forms.regionofwaterloo.ca/ePay/PDLSONline-Payment-Forms/Commercial-Access-Permit-Application>. The access must comply with the Regional Access Policy in design, i.e. minimum width 7.6 metres; 6.0 metres turning radii. A Regional Access Permit (no fee) will be required for the closure of the existing accesses to Regional Road 09 (Bridgeport Road East). <https://forms.regionofwaterloo.ca/Planning-and-Economic-Development/Close-anAccess-Access-Permit-Application>.

This will be deferred to Site Plan.

Site Plan

As part of a future Site Plan Application, a \$300 Site Plan Pre-consultation fee and an \$805 Site Plan Application review fee will need to be paid directly to the Region.

In summary, prior to any approval of the proposed zone change application, the applicant/owner must submit an Environmental Noise Study/Traffic Noise Study, including a Stationary Noise Study to the satisfaction of the Region.

Region of Waterloo, March 23, 2022

Regional staff have reviewed the revised Zone Change Application (February 2022 re-submission) and additional supporting information to permit the development of a six (6) storey apartment building with 93 residential units and 108 bedrooms (391 beds/ha). Specifically, the proposed revisions include:

- Reduction in the minimum Landscaped Open Space required from 30% to 25.2% (698.71 m².) with the incorporation of 24.8 sq. m. (0.9%) green roof for a combined 26.1% Landscaped Open Space to accommodate a regional road widening.
- Reduction in the height of the first storey from 4.5 metres to 2.3 metres to accommodate the interior floor to ceiling height of the second floor amenity room.

Regional staff have no objection to the proposed Zone Change Application. Regional staff offer the following comments for City staff's consideration that will need to be addressed and/or implemented as part of future applications.

Corridor Planning

Noise Study

Corridor Planning staff reviewed the "Noise Feasibility Study" for the Proposed Mixed-Use Development to be located at 310-316 Erb Street West in the City of Waterloo, Ontario dated February 2020, authored by SLR Consulting (Canada) Limited, as it pertains to road traffic noise on Erb Street West. The Study was submitted as part of the Site Plan application for the subject lands.

Façade Sound Levels

The façade roadway sound levels are predicted to exceed 65 dBA and 60 dBA during the daytime and nighttime periods; therefore, an assessment of building components is required. Ontario Building Code glazing (STC 29) is considered adequate for all façades of the development. The glazing requirements above are approximate based on the generic room, façade and glazing dimensions. Once detailed floor plans and façade plans become available, the glazing requirements should be re-assessed and reviewed by an Acoustic Consultant.

Conclusions and Recommendations

Based on the results of this Study, the following conclusions have been reached:

The installation of central air conditioning systems and a double-glazed window and building construction meeting the minimum requirements of the Ontario Building Code will provide adequate sound insulation for the proposed building. Detailed Noise Mitigation Plans are to be reviewed and approved by a qualified Acoustic Consultant and/or municipal building official prior to building occupancy.

A more detailed review/updated Noise Study will need to be completed prior to the submission of a future Draft Plan of Condominium application. At that stage, the mechanical design, equipment selection and installation would be completed. As part of a future Plan of Condominium application, the Owner/Developer will be required to enter into a registered development agreement with the Region of Waterloo to include the following noise warning clause in all agreements of Offers of Purchase and Sale, lease/rental agreements, condominium declarations, for all residential units in the proposed development:

Warning Clause 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."

Stormwater Management

Storm sewers within the Regional road right-of-way are generally sized and designed to only accommodate stormwater from the right-of-way and in some instances off road surface drainage under existing conditions. A private stormwater connection to any storm sewer on Erb Street West will be discouraged where an alternate Stormwater connection is available, including infiltration if soil conditions and Source Protection under the Clean Water Act permit, or if it is determined that the Erb Street West storm sewer does not have the sufficiency (condition and capacity) to accommodate private Stormwater flows from this site. It is the responsibility of the applicant's engineering consultant to determine an appropriate Stormwater outlet from this site and the sufficiency of the receiving storm system if there is no other option available and to include this information in the Stormwater management report.

Regional staff have reviewed the proposed Functional Site Grading and Servicing Plan dated February 14, 2022 and Stormwater Management Report dated February 11, 2022, prepared by MTE Consultants Incorporated. Regional staff have a concern since the post development runoff rates exceed the pre-development runoff rates in the 2 and 5-year storm events. Staff acknowledge receipt of the Lot Grading, Site Servicing Plans and a Stormwater Management Report with the Site Plan Application Stage for the proposed development.

The site must be constructed and graded in accordance with the approved plans and the Regional Road allowance must be restored to the satisfaction of the Regional Municipality of Waterloo. Any new servicing connection(s) from Regional right-of-way would require Regional approval through a separate process of Municipal Consent and Regional Work Permit. A Regional Work Permit must be obtained from the Region of Waterloo prior to commencing construction within the Region's right of way. In this regard, the Owner/Developer should visit <https://rmow.permitcentral.ca/> for further guidance.

Regional Road Dedication

Regional Road 09 (Erb Street West) has a designated road allowance of 30.480 metres as identified on Schedule A of the Regional Official Plan. An estimated 3.20 metres (approximately) as shown road widening would be required along the Erb Street West frontage of the proposed development. The Owner/Developer must engage an Ontario Land Surveyor (OLS) to prepare a

draft Reference Plan which illustrates the required road allowance widening. Prior to registering the Reference Plan, the OLS should submit a draft copy of the plan to the Transportation Planner for review. An electronic copy of the registered plan is to be emailed to the Region of Waterloo. The land must be dedicated to the Region of Waterloo for road allowance purposes, and must be dedicated without cost and free of encumbrance. This requirement will need to be satisfied as part of the Site Plan application.

Access Permit/TIS/Access Regulation

A Regional Access Permit is required for the proposed accesses (two accesses) to Regional Road 09 (Erb Street West) and Regional Staff acknowledge receipt of Access Permit Applications (closing existing accesses and for new accesses) for this development as part of the Site Plan application.

Waterloo Catholic District School Board, August 18, 2021

The Waterloo Catholic District School Board has reviewed the above application and based on our development circulation criteria have the following comment(s)/condition(s):

A) That any Education Development Charges shall be collected prior to the issuance of a building permit(s).

B) That the developer and the Waterloo Catholic District School Board reach an agreement regarding the supply and erection of a sign (at the developer's expense and according to the Board's specifications) affixed to the development sign advising prospective residents about schools in the area.

C) That the developer shall include the following wording in the site plan agreement to advise all purchasers of residential units and/or renters of same:

"In order to limit liability, public school buses operated by the Student Transportation Services of Waterloo Region (STSWR), or its assigns or successors, will not travel on privately owned or maintained right-of-ways to pick up students, and potential busing students will be required to meet the bus at a congregated bus pick-up point."

D) That the developer enter into an agreement with the City of Waterloo to be registered on the title to the Property that provides:

"All agreement of purchase and sale or leases for the sale or lease of a completed home or a home to be completed on the Property must contain the wording set out below to advise all purchasers of residential units and/or renters of same."

"In order to limit liability, public school buses operated by the Student Transportation Services of Waterloo Region (STSWR), or its assigns or successors, will not travel on privately owned or maintained right-of-ways to pick up students, and potential busing students will be required to meet the bus at a congregated bus pick-up point."

Waterloo Region District School Board, August 5, 2021

The Waterloo Region District School Board (WRDSB) has reviewed the above-noted Zone Change Application that proposes to amend the City of Waterloo's Zoning By-law No. 2018-050 by rezoning the lands from RMU- 20 to RMU-20 with site-specific regulations. The application is intended to advance the development of a six-storey apartment building with 93 units. The WRDSB does not have any concerns regarding the Zone Change Application; however, we offer the following comments regarding student accommodation.

Student Accommodation

At this time, the subject lands are within the current boundaries of the following WRDSB schools:

- Keatsway Public School (Junior Kindergarten to Grade 6);
- Centennial Public School (Grade 7 to Grade 8); and
- Waterloo Collegiate Institute (Grade 9 to Grade 12).

Student accommodation pressures currently exist at all of the abovementioned schools. The WRDSB's 2020-2030 Long-Term Accommodation Plan projects long-term over-utilization at these facilities. Interim student accommodation measures, including portable classrooms, are on-site and may be required until an alternative accommodation solution is in place. Alternatively, the WRDSB may conduct a boundary study or designate this property as a "Development Area" and assign it to Holding Schools before occupancy or sales.

Education Development Charges

The WRDSB's Education Development Charges By-law, 2021, or any potential successor thereof, imposes education development charges (EDCs) on land undergoing residential or non-residential development or redevelopment within the geographical limits of the Region of Waterloo. Residential demolition credits may only be applied for the replacement building if the building permit is issued less than two (2) years after demolition permit issuance. The applicant is advised they may be required to pay EDCs before building permit issuance.

CITY OF WATERLOO STAFF COMMENTS

Engineering Comments - Development Engineering, August 16, 2021

Development Engineering has reviewed the Zone Change Application Z-21-08 for the proposed development at 310 – 316 Erb Street West

The following items were reviewed:

- Planning Justification Report
- Functional grading and servicing plan
- Conceptual Site Plan
- Geotechnical investigation

It is our understanding the applicant is proposing to amend the City's Zoning By-law No. 2018-050 by rezoning the lands with site specific regulations. Engineering Services does not have any significant concerns with the application, however, we would like to provide the following comments based on a review of the submission:

1. A Servicing Feasibility Study should be completed to confirm the municipal infrastructure is sized to accommodate the additional density from the development.

2. Development Engineering is not in support of the west driveway design. The minimum off set from the side yard lot line should be maintained along the full length. No part of the apron or turning design should encroach the adjacent property.
3. The road widening should be shown on the engineering drawings and a maximum 4% grade is maintained within the road widening.
4. If the proposed setbacks are accepted as a site specific regulation the proposed grading in the area shall not exceed 10% in order to permit ease of maintenance in the area.

In review of the submission we would like to provide the following comments to assist in further submissions:

Development Engineering

1. Grading and Drainage from the site is to be designed such that overland flows do not negatively impact adjacent properties. The major overland flow route from this property should be directed to the right of way and not to the adjacent property.
2. At the detailed design stage a SWM report evaluating runoff flows and volumes from the development for the 2-yr, 5-yr and 100-yr storm event will be required. A plan showing the 2-yr 5-yr and 100-yr ponding limits (if any) should also be included with the SWM brief.
3. Engineering Services will only permit one water service per property. A detailed water distribution analysis evaluating fire flow and domestic flows will be required at the detailed design stage.
4. Confirmation on the underground parking structure elevation should be noted on the site plan and if dewatering will be required.

Engineering Comments - Development Engineering, March 7, 2022

No further comments on resubmission.

Landscape Comments - Development Engineering, September 23, 2021

It is our understanding that the applicant is proposing a rezoning application for a 6 storey residential building situated on the north side of Erb Street West, west of the intersection of Erb Street West and University Avenue West.

General comments for the application are outlined below.

1. Include a Vegetation Management Plan and Landscape Plan with the next submission.
2. Provide landscape design that will enhance and strengthen the streetscape quality along Erb Street West, including but not limited to street trees, enhanced planting and paving, furnishings, etc. Staff appreciate the sidewalk connections to the street facing units.
3. Rear Yard Landscape Buffer:
 - a. The proposed minimum rear yard setback of 1.56m may not allow sufficient room for vegetation to grow, especially considering the proposed height of the parking structure wall at ~3.5m. As this property limit is adjacent to existing low rise residential homes, a landscape buffer is very important.

- b. Per the City's of Waterloo's Urban Design Manual and for zoning compliance, *the buffer width shall be average 3m, and at no point less than 1.5m. The plant materials provided will form a visual screen and will not be less than 1.5m in height. Buildings, structures, enclosures, parking areas, driveways, retaining walls, ramps, and impervious areas shall be prohibited within the buffer.* For this specific location, it is likely that additional space would be required beyond the minimum 3m, given the height of the proposed parking garage wall to adequately address safety/entrapment concerns, encourage visibility, allow for maintenance access, to be sufficient for plant growth and health, to visually screen the new development, and more. Sufficient space to include all-season planting to provide a year-round buffer is required.
 - c. The slope in this rear yard buffer is noted as 3:1 max. This slope should be greatly reduced to allow for maintenance and encourage vegetation growth.
 - d. Please provide landscape plan and rationale for the landscape buffer treatment proposed, including how maintenance is to be performed.
 - e. Provide cross sections in multiple locations of the proposed rear yard landscape buffer from property line to parking garage/wall including existing fencing, proposed landscaping, dimensions, etc.
4. It appears that many existing large trees will be removed due to redevelopment of the site. Staff have concerns that if trees cannot be realistically incorporated into the landscape buffer, this site will not meet the City standard 2:1 compensation rate. The significant overhead hydro lines along Erb Street also restrict the provision of large shade trees. The lack of natural shade to be provided for the largely impervious site is of concern.
 5. It appears that 30% landscaped open space has not been achieved for the overall site. Please confirm how this was calculated and what was included.
 6. It is noted that no outdoor amenity area has been provided.

Landscape Comments - Development Engineering, March 11, 2022

It is our understanding that the applicant is proposing a rezoning application for a 6 storey residential building situated on the north side of Erb Street West, west of the intersection of Erb Street West and University Avenue West. Upon reviewing submission items received December 24th, 2021 and February 16, 22, general comments relating to the application are outlined below.

Landscaped Open Space

1. The Zoning By-law definition of Landscape Open Space **excludes** rooftop amenity areas, rooftop decks and rooftop terraces. The green roof space provided is only accessible through a private unit and balcony located on the second storey, and is only visible to approximately 5 units from their balcony space.
2. The Planning Justification Addendum Letter #3, argues that the area around the proposed Transformer should be considered landscape as "The area in question is a future easement required around the transformer to ensure unimpeded access for future maintenance. It does not contain any part of the utility."
 - i. The proposed landscape plan indicates the Transformer will be installed on a concrete pad to that appears to extend within the future easement area referenced in the Planning Justification Addendum Letter #3.

- ii. It is not clear how the sodded area proposed adjacent the transformer pad will be implemented as the area is bounded by concrete walls, building structure, and hardscape. Adequate soil volumes have not been demonstrated or specified to support planting on the current landscape plan. Staff question the long-term survival of plant material without thorough consideration in regards to soil volumes, water availability and exposure which can be expected at this location. It is recommended that the area be considered similar to a raised planter and include plant material taller than sod to provide some screening of the utility. Per the City of Waterloo Urban Design Manual, Section 4.13 SPS.2 I) Waterloo North Hydro typically requires the following minimum landscape buffer: 1.75m from transformer structure (not base) with 1.2m deep root barrier (100mm from edge of granular A).

Buffers

1. The rear lot (north) landscape buffer does not meet the average width requirement of 3m and is provided at just over 1.5m width across the site.
 - o Staff acknowledge that the proposed Cedars are sufficient in height, but the proposed Alpine Current groupings do not meet the minimum height requirement to achieve a visual buffer of one-point-five metres (1.5m) per the Zoning By-Law 3.L.6. It is intended that the 1.5m height be provided at the time of installation and not at maturity. Alpine Current typically has an expected mature height of up to 1.8m (where ideal growing conditions are provided). Staff recommend providing the proposed Eastern White cedars through the extent of the reduced buffer to provide all season screening and achieve the height requirement. The proposed cedars will also readily accept pruning if growth needs to be maintained.
 - o Staff have concerns about how the proposed Boston Ivy proposed to grow up the “vegetative wall” will be maintained/controlled beyond the noted two-year maintenance period noted on the landscape plans. The selected species (as well as most other species of shade-loving vines) will grow both horizontally and vertically. The limited buffer width and proximity of the vine plantings to adjacent properties could result in the vines establishing themselves as a groundcover and potentially becoming a nuisance to adjacent properties if spread is left unchecked.
2. The width of the provided buffers (with the requested reduced setback requirements) do not permit enough room or soil volume to support large canopy tree growth, especially where parking structure/driveway ramp is adjacent at the north and west property boundaries. This makes new tree planting to offset tree removal from site a challenge.

Development Impact to Existing Trees

1. The proposed site works including the parking structure and site grading will result in impacts to trees on adjacent properties. A total of 19 trees on adjacent properties have been identified to be preserved with potential root injury due to the proposed development works.
 - a) The Vegetation Management Plan and Report specify that an ISA Certified Arborist will oversee all work within the Tree Protection Zone of trees to be preserved, but the extent of injury/impact may require further removal of trees on adjacent properties if structural integrity is compromised. Please outline a process of actions/notifications that is to occur in the event that the structural integrity of any tree identified to be

preserved that is located on an adjacent property (including within the City right-of-way) is compromised as a result of the development works.

2. A total of 65 trees are recommended to be removed due to the proposed development, with 12 of these trees already in poor condition. Based on the limited landscape space available and the reduced landscape buffers provided, minimal tree planting can occur to replace the existing tree canopy being removed resulting in a net loss of quantity of trees and canopy coverage from pre to post development site conditions.
3. In regards to the Vegetation Management Report, Section 4 – Compensation: Please note that the City of Waterloo typically recommends that tree removals are compensated at a rate of 2:1 with planting provided on site. Please provide a detailed compensation strategy for the significant amount of trees which will be removed due to the proposed development works.

Building Standards, July 22, 2021

Wanted to flag that due to the increased building height by raising the foundation out of the ground, this *may* affect: Building height, first storey and possibly applicable 3.2.6. Measures. Please note that grading calculations will be required with building permit submission.

Building Standards, March 21, 2022

At the detailed design stage please address the following:

H. *Submit average grade calculations to clarify the number of storeys based on the Ontario Building Code definitions. The terms “first storey” and “grade” are defined in Div. A – 1.4.1.2.*

Item not addressed. Provide an OBC matrix and average grade calculations based on the requirements and definitions in the Ontario Building Code. Please note that if the building exceeds 6 storeys in building height under the Ontario Building Code it may impact design items such as combustible vs. noncombustible construction being permitted and 3.2.6. high rise requirements being applicable to the design of the building.

Additional Items:

N. Provide vestibules between the covered parking area (parking garage) and the exit stairs on the ground floor as required by Articles 3.3.5.4. and 3.3.5.7.

O. Maintain headroom in the parking garage in compliance with Article 3.3.5.4. (see storm pipe on detail 2/A2.1)

Waterloo Fire Rescue - Fire Prevention Division, July 22, 2021

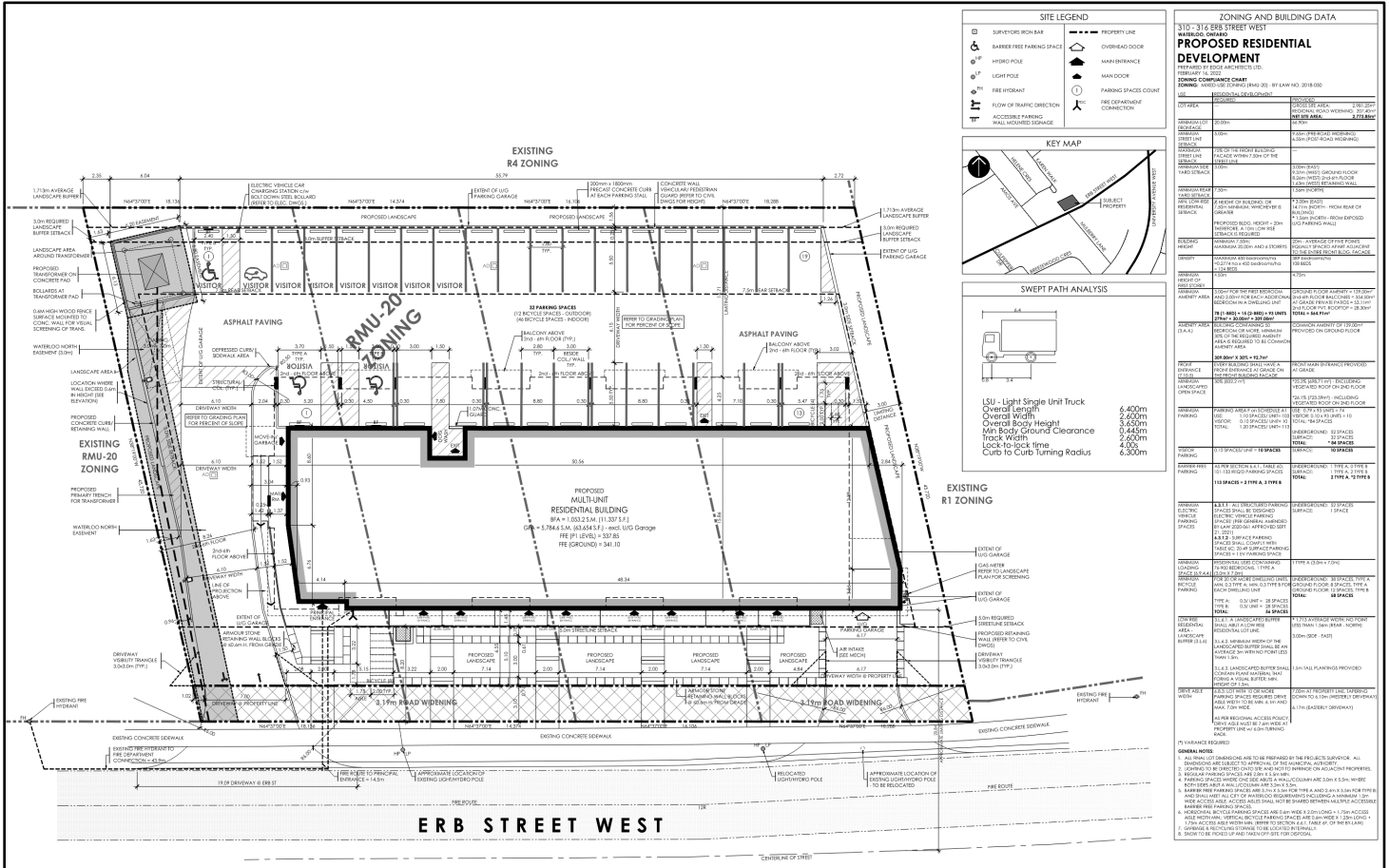
The FPD expects that all fire safety legislation, codes and standards are complied with should the development be permitted. The FPD does not speak on matters related to fire operations/suppression.

Transportation Services, August 12, 2021

Transportation services did not have any concerns with the requested parking rate reduction.

Bicycle parking has also been deemed adequate by Transportation Services. The only requested made by Transportation Services is that the sidewalk be moved back closer to the new property line after the widening and that the sidewalk be minimum 1.8 metres in width.

APPENDIX 'C' – Site Plan



APPENDIX 'D' – Building Perspectives



1
5.1

SOUTH WEST PERSPECTIVE



4
5.1

SOUTH EAST PERSPECTIVE



2 NORTH WEST PERSPECTIVE
5.1



3 NORTH EAST PERSPECTIVE
5.1

APPENDIX 'E' – Elevations



1 SOUTH ELEVATION

1/108



1 NORTH ELEVATION

1/108

