



STAFF REPORT Planning

Title: Zoning By-law Amendment Z-23-10, University of Waterloo,
155 and 165 University Avenue West
Report Number: IPPW2023-053
Author: Amanda Wyszynski
Meeting Type: Council Meeting
Council/Committee Date: December 11, 2023
File: Z-23-10
Attachments: Map 1 – Location Map
Appendix A – Site Specific By-law C28
Appendix B – Public, Agency, and Staff Comments
Appendix C – Site Plan

Ward No.: Central-Columbia, Ward 6

Recommendations:

1. That Council approve report IPPW2023-053.
2. That Council approve Zoning By-law Amendment Z-23-10, University of Waterloo, 155 and 165 University Avenue West, in accordance with Section 7 of staff report IPPW2023-053.
3. That Council not pass the implementing by-law to lift the holding (H) provision for the proposed development as specified in 2.c.) and 2.d.) above, until written confirmation has been received from the Region of Waterloo and CN Rail confirming that all noise and vibration requirements specified in 3.R.1.2 of Zoning By-law 2018-050 are satisfied.

A. Executive Summary

The University of Waterloo (the “**Applicant**”) is proposing to amend Zoning By-law 2018-050 (“**ZBL2018-050**”) for the lands municipally known as 155 and 165 University Avenue West (the “**Lands**”, as shown on Map 1 hereto) to permit a new 12 storey residence for approximately 500 students. Zoning By-law Amendment Z-23-10 seeks to lift the existing holding provision applied to a portion of the Lands, and to secure site specific zoning amendments to facilitate the construction proposed residence and a pedestrian bridge as designed. The proposed pedestrian bridge extends across the rail

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corridor, connecting to another existing residence (Claudette Millar Hall, 165 University Avenue West). The Applicant is also proposing to connect the new residence to the existing pedestrian bridge that crosses University Avenue West to create a completely enclosed pedestrian path from the residences to the University of Waterloo Main Campus at 200 University Avenue West (the “**Main Campus**”).

The following site specific amendments are being requested by the Applicant for 155 University Avenue West:

1. A reduction in the required minimum Side Yard Setback of 5.0 metres, whereas 0.0 metres is being requested to the rail corridor to permit the proposed new overhead pedestrian bridge.
2. A reduction in the required minimum Street Line Setback of 5.0 metres, whereas 0.0 metres is being requested to the existing pedestrian bridge over University Avenue West, to connect the proposed new residence to the Main Campus.
3. To permit a building, specifically an overhead pedestrian bridge, within 15 metres of the rail corridor.

The following site specific amendments are being requested by the Applicant for 165 University Avenue West:

1. A reduction in the required minimum Side Yard Setback of 5.0 metres, whereas 0.0 metres is being requested to the rail corridor to permit the proposed new overhead pedestrian bridge.
2. To permit a building, specifically an overhead pedestrian bridge, within 15 metres of the rail corridor.

The site specific amendments requested by the Applicant are technical in nature and are only being requested to allow the new residence to connect directly to the existing overhead pedestrian bridge across University Avenue, and to allow a new overhead pedestrian bridge to be constructed above the rail corridor to line the new residence with Claudette Millar Hall, allowing services and amenities to be shared between the residences.

If the proposed residence was a stand alone structure (without the overhead pedestrian bridges), all minimum zoning setbacks would be satisfied. While a zero (0.0) metre street line setback is proposed along University Avenue, the habitable portion of the building is setback approximately 5.5 metres from the street line, whereas a minimum of 5.0 metres is required. The habitable portion of the proposed building is setback at least 15 metres from the side lot line, meeting the minimum 5.0 metre side yard setback and Section 3.R.1.1 of ZBL2018-050 which requires a minimum 15 metre setback from the rail corridor. An amendment to ZBL2018-050 is required to permit the proposed

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overhead pedestrian bridge with a zero (0.0) metre side yard setback, and within 15 metres of the rail corridor, for both sides of the rail corridor (i.e., 155 University Avenue West and 165 University Avenue West).

Section 3.R.1.2 of ZBL2018-050 applies a holding provision to all lands within 75 metres of the rail corridor, requiring applicants to demonstrate there will be:

- i. sufficient buffer from railway operations to dissipate rail-oriented emissions, vibrations, and noise;
- ii. no adverse impacts to the sensitive uses; and,
- iii. a sufficient safety barrier from railway operations and potential derailments

The Applicant is seeking to lift the holding (H) provision. Staff are recommending that Council approve the lifting of the holding provision for the proposed residence and overhead pedestrian bridge only, but not pass the implementing by-law until the City receives a final written clearance from the Region of Waterloo (as owner and operator of the rail corridor, in consultation with CN Rail) in respect of the matters set out in 3.R.1.2 noted above. This approach allows the Applicant to proceed forward with finalizing building permit drawings, to continue to move this development forward towards a Fall 2026 opening. A building permit will not be issued until the City passes the by-law to formally lift the holding (H) provision.

For clarity, the holding (H) provision will remain on the remainder of the Lands. Should future applications be received, they will be evaluated on their own merits.

The Applicant is actively working with the Region and CN Rail to finalize mitigation measures for vibration and noise, and both have confirmed appropriate measures in relation to safety have been addressed.

Staff support the site specific amendments and partial lifting of the holding (H) provisions as set out in Section 7 of this report, for the 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 conforms to the City of Waterloo Official Plan.
- The intent of ZBL2018-050 is maintained, with minor amendments tailored to recognize site conditions and to facilitate the proposed development.
- The application will substantially maintain the University Avenue streetscape.

- The application will facilitate pedestrian access and pedestrian safety.
- The application creates additional purpose built student residences, which contributes to a complete community.
- The application represents good planning.

B. Financial Implications

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

C. Technology Implications

None.

D. Link to Strategic Plan

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

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

The recommendations in this report support the 'Complete Community' Strategic Objective by creating a new student residence for approximately 500 students, which contributes to a diversity of housing options to support current and future residents of the city.

E. Previous Reports on this Topic

None.



Zoning By-law Amendment Z-23-10, University of Waterloo, 155 and 165 University Avenue West IPPW2023-053

SECTION 1 – SUBJECT SITE

Location: 155 University Avenue West* and 165 University Avenue West

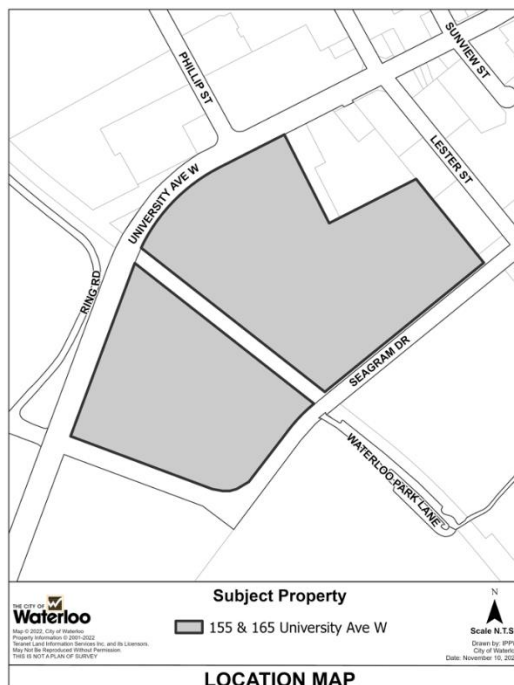
Ward: Central-Columbia, Ward 6

Size: 11.09 hectares

Owner/Applicant: University of Waterloo

Existing Land Use: University Parking Lot (155 University Ave W) and Student Residences (165 University Avenue West)

Proposed Land Use: Student Residence and University Parking Lot (155 University Ave W) and Student Residences (165 University Avenue West)



* These lands are unaddressed, but have a registered address as 155 University Avenue West. For clarity, the Lands subject to Zoning By-law Amendment Z-32-10 are the lands specified on the inset Location Map.

Public Input:

The mechanisms utilized for gathering input in regards to Z-23-10 are as follows:

Mechanism	Date	Results
Agency and Staff Circulation	September 6, 2023	Agency and staff comments are attached as 'Appendix 'B'

Mechanism	Date	Results
Advertise that an application was received	September 19, 2023, as amended on November 08, 2023	Advertised in Waterloo Chronicle and a letter was mailed to all property owners within 120 metres of the subject property
Informal Public Meeting	No informal public meeting.	Staff have waived the requirement for an informal public meeting due to the nature and scope of the application
Advertise Formal Public Meeting	September 19, 2023 & November 16, 2023	Advertised in the Waterloo Chronicle and a letter mailed to all property owners within 120 metres of the subject property
Formal Public Meeting	December 11, 2023	Council's consideration of the application

Site Description and Neighbourhood Context

The Lands are identified on Map 1 attached hereto. The proposed new residence will be located on a portion of the Lands, more specifically on a portion of 155 University Avenue West (shown in Image 1 below and Appendix C to IPPW2023-053).



Figure 1: 155 University Avenue West

The existing Claudette Millar Hall, a student residence, is located at 165 University Avenue East. An overhead pedestrian bridge is proposed to connect the new residence with Claudette Millar Hall, above the rail corridor.

The 155 University Avenue West lands (the “**155 Lands**”) have an area of ~4.77 hectares, and a frontage of ~232 metres along University Avenue West, north of the Seagram Drive intersection. These lands are immediately north of Waterloo Park, and across University Avenue from the Main Campus. The easterly boundary of the 155 Lands is an active rail corridor, owned and operated by the Region of Waterloo, carrying both light rapid transit (ION) and freight trains (the “**Rail Corridor**”). The surrounding land uses include academic, student residences, commercial, and open space. An existing pedestrian overpass, including a stairwell to access the overpass, is located on the 155 Lands, connecting the lands to the Main Campus.

The 165 University Avenue West lands (the “**165 Lands**”) have an area of ~7.16 hectares, and a frontage of ~236 metres along University Avenue West, north of the Seagram Drive intersection. These lands are immediately north of Waterloo Park and the KW Granite Club, south of the University Shops Plaza, and southeast of the Main Campus. The westerly boundary of the 165 Lands is the rail corridor. The 165 Lands currently contain residences of the University of Waterloo. The surrounding land uses include academic, student residences, commercial, and open space.

SECTION 2 – PROPOSED DEVELOPMENT (see Appendix ‘C’)

The Applicant is proposing to develop a portion of the 155 Lands, which is currently occupied by surface parking and complementary green space, with a new 12 storey residence for approximately 500 students (refer to Figure 2 and Figure 3).



Figure 2: Rendering of Proposed Residence on the 155 Lands, looking southwest along University Ave W (as submitted by Applicant)

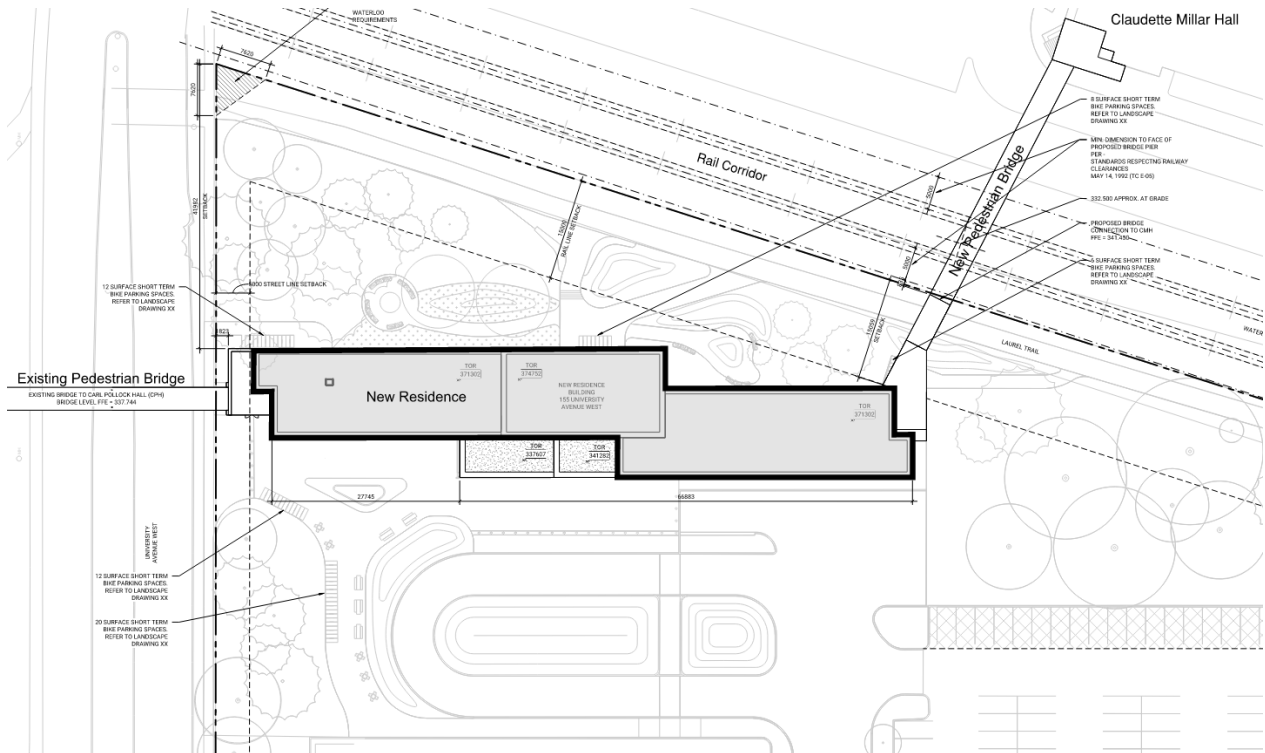


Figure 3: Proposed Site Plan - 155 Lands
(as submitted by Applicant)

The Applicant is proposing to connect the new student residence to the existing overhead pedestrian bridge that connects the 155 Lands to the Main Campus, over University Avenue. The Applicant is also proposing to construct a new overhead pedestrian bridge above the rail corridor to the Claudette Millar Hall residence on the 165 Lands. The new overhead pedestrian bridge will allow for shared amenities and services between the residences, and to create a completely enclosed pedestrian path from the residences to the Main Campus.

The proposed development exceeds the total parking required by ZBL2018-050. The Applicant is proposing a total of 741 vehicular parking spaces, which includes an southeasterly expansion of the existing parking lot on the 155 Lands towards Seagram Drive of 106 vehicular parking spaces (see Figure 4 below).

The Applicant is proposing a total of 124 bicycle parking spaces (58 internal and 66 external), whereas ZBL2018-050 requires a minimum of 117 bicycle parking spaces.

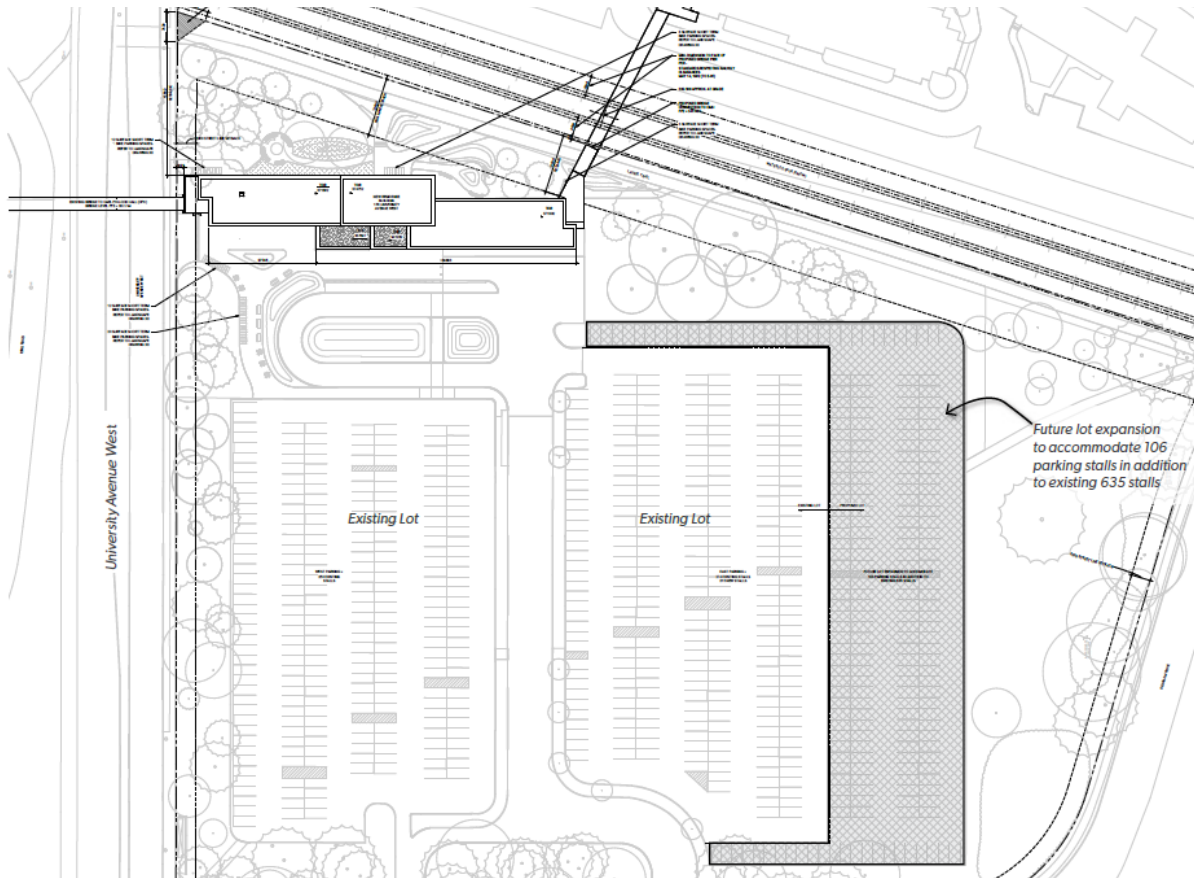


Figure 4: Proposed Parking Diagram - 155 Lands (as submitted by Applicant)

SECTION 3 – APPLICATION DETAILS

The Applicant is proposing to construct a new residence for ~500 students with a mixture of shared suites, private bedrooms and shared bedrooms. The residence is proposed to contain multiple common spaces for recreation and study, laundry, seminar rooms, a multi-faith room and bicycle parking. To facilitate the proposed development, the Applicant is proposing site specific amendments to the existing University College – 81 (UC-81) zone applied to the Lands, and to lift the holding (H) provision for the new residence and a new overhead pedestrian bridge above the rail corridor.

The following site specific amendments are being requested by the Applicant for 155 University Avenue West:

1. A reduction in the required minimum Side Yard Setback of 5.0 metres, whereas 0.0 metres is being requested to the rail corridor to permit the proposed new overhead pedestrian bridge.
2. A reduction in the required minimum Street Line Setback of 5.0 metres, whereas 0.0 metres is being requested to the existing pedestrian bridge over University Avenue West, to connect the proposed new residence to the Main Campus.

3. To permit a building, specifically an overhead pedestrian bridge, within 15 metres of the rail corridor.

The following site specific amendments are being requested by the Applicant for 165 University Avenue West:

1. A reduction in the required minimum Side Yard Setback of 5.0 metres, whereas 0.0 metres is being requested to the rail corridor to permit the proposed new overhead pedestrian bridge.
2. To permit a building, specifically an overhead pedestrian bridge, within 15 metres of the rail corridor.

The holding (H) provision relates to the rail corridor, and states:

3.R.1.2 For lands within seventy-five metres (75m) of a railway right-of-way, a holding prefix “(H)” is hereby applied, meaning the LOT is zoned as a holding provision for which the following applies:

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

to the satisfaction of the CITY and any other authority having jurisdiction.

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 and to create healthy, liveable, and safe communities sustained by accommodating institutional uses to meet the long-term needs of the community.

In staff's opinion, the application is consistent with the PPS for reason including:

- the new residence will contribute to a mixture of housing types in the city
- represents the use of underutilized lands, close to active transportation
- represents an opportunity for intensification
- will contribute to the supply of attainable student housing
- will be designed to contribute to the social well-being of residents
- transit supportive (including in proximity of two ION rapid transit stations)

4.2 A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020)

The 2020 A Place to Grow: 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 2051. The Growth Plan builds on the policy foundation of the PPS.

In staff's opinion, the application conforms to the Growth Plan for reason including:

- the development is located within the designated urban area
- there is sufficient servicing infrastructure
- additional student residences will contribute to achieving a complete community
- represents an opportunity for infill and intensification
- transit supportive (including in proximity of two ION rapid transit stations)
- the residence will contribute to housing choices

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 application conforms to the ROP for reason including:

- represents an opportunity for intensification and transit oriented development
- contribute to the creation of a complete community
- foster active transportation by providing direct pedestrian connections, including by way of the overhead pedestrian bridges

- land use compatibility between the proposed sensitive land use (residence) and the rail corridor will be confirmed prior to lifting of the holding provision in regards to noise and vibration

4.4 City of Waterloo Official Plan

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

Schedule 'A' (Land Use Plan):	Employment
Schedule 'A2' (Employment Areas):	Academic
Schedule 'B' (City Structure):	Major Node
Schedule 'B1' (Height and Density):	High Density Employment, 81 metres
Schedule 'B3' (Designated Greenfield Areas):	Built Up Area
Schedule 'B4' (Source Water Protection Areas):	Wellhead Protection Sensitivity Area 8
Schedule 'C' (District Boundaries):	Central District
Schedule 'E' (Road Classification System):	Regional Arterial (University Ave W) Minor Collector (Seagram Drive)
Schedule 'F' (Active Transportation Network):	City-Wide Cycling & Multi-Use Routes (University Ave W & Seagram Drive)
Schedule 'J' (Station Area):	Waterloo Park

The Lands are designated **Academic** in the City of Waterloo Official Plan (the “**City OP**”). The intent of this designation is to enable post-secondary educational institutions, such as the University of Waterloo. The City OP recognizes that post-secondary educational institutions are major employers in Waterloo’s economy, and community assets in terms of education, innovation, and diversity.

Section 10.3.2.3(3) in the City OP describes how lands designated **Academic** are to be comprised, being a mixture and concentration of post-secondary educational institutional uses, including residences.

The Lands are also located within a Major Node. Section 3.6.1(2) of the City OP describes how Major Nodes are planned as medium-high to high density mixed-use areas that accommodate a range of uses, which may include residential, commercial, employment, social, cultural, recreational and institutional uses.

In staff’s opinion, the application conforms to the City OP for reason including :

- the new residence will contribute to a complete community

- the new residence provides additional housing options for those who attend the University of Waterloo
- represents an opportunity for intensification on underutilized lands
- the proposed building design is unique with two pedestrian bridge connections
- the proposed building will use materials to delineate the podium from the tower
- enhanced landscaping and pedestrian connections will be provided
- location leverages community connectivity, adjacent to the Laurel Trail

4.5 City of Waterloo Zoning By-law 2018-050

The Lands are zoned (Holding) University College – 81 ((H)UC-81), and are located within Floodplain (F suffix), having active frontages along Seagram Drive and University Avenue West, and are adjacent to the rail corridor.

The proposed development is permitted within the University College (UC) zone, subject to minor amendments as requested through application Z-23-10.

Section 9.4.3, Table 9K of ZBL2018-050 speaks to the performance standards for lands zoned as University College – 81 (UC-81):

Provision	Required	Proposed
STREET LINE setback (minimum)	5 metres	0 metres – pedestrian bridge ~5.5 metres - building
SIDE YARD setback (minimum)	5 metres	0 metres – pedestrian bridge min. 15 metres - building
REAR YARD setback (minimum)	7.5 metres	N/A (no rear yard)
LANDSCAPED OPEN SPACE (minimum)	15%	~20%
PARKING SPACE (minimum)	91 spaces	106 spaces
Number of BUILDINGS on a LOT	More than one (1) permitted	1
Bicycle Parking (minimum)	117 bicycle parking	124 bicycle parking

Electric Vehicle Parking	3 parking spaces	3 parking spaces
BUILDING HEIGHT (maximum)	81 metres and 25 STOREYS	42 metres and 12 storeys
Density (maximum)	750 bedroom per hectare	104 bedrooms per hectare
PODIUM Height (maximum)	21 metres and 6 STOREYS	9.5 metres and 2 storeys
TOWER STEPBACK above PODIUM	3 metres	3.29 metres

In addition to the technical relief sought to certain provisions in Section 9.4.3, the Applicant is also seeking relief from:

- a.) 3.R.1.1 (Rail Corridors - Separation) for the overhead pedestrian bridges, as no building is permitted to be located within 15 metres of the rail corridor;
- b.) 3.R.1.2 (Rail Corridor – Compatibility), which applies a holding provision to all lands within 75 metres of the rail corridor as stated in Section 3 of this report.

Should Council support application Z-23-10, a by-law will be required, to amend ZBL2018-050 with site specific provisions as described in Section 7 of this report and Appendix 'A' of this report.

SECTION 5 – PLANNING EVALUATION

Staff have reviewed Zoning By-law Amendment Z-23-10 and provide the following comments:

5.1 Holding Provision

The lands are subject to a holding provision pursuant to ZBL2018-050, section 3.R.1.2.

As part of a complete application, the Applicant completed a Noise and Vibration Impact Study which concluded vibration mitigation measures are required. The proposed mitigation measures are currently being reviewed by the Region of Waterloo and CN Rail. The Region and CN are satisfied that a safety barrier is not required in this location, as the tracks are relatively straight and train speeds are low -- the 15 metre

building setback pursuant to ZBL2018-050 section 3.R.1.1, in addition to a 1.83 metre high chain link fence, is sufficient.

Due to the time sensitive nature of this proposed development, with the proposed residence to open in Fall 2026, staff are recommending that Council approve the lifting of the holding provision for the proposed residence and overhead pedestrian bridge only, but not pass the implementing by-law until the City receives a final written clearance from the Region of Waterloo (as owner and operator of the rail corridor, in consultation with CN Rail) in respect of the matters set out in 3.R.1.2 of ZBL2018-050. This approach allows the University of Waterloo to proceed forward with finalizing building permit drawings. A building permit will not be issued until the City passes the by-law to formally lift the holding (H) provision.

For clarity, the holding (H) provision will remain on the remainder of the Lands. Should future applications be received, they will be evaluated on their own merits.

5.2 Pedestrian Bridge

The Applicant is proposing to construct a new overhead pedestrian bridge above the rail corridor from the new residence to Claudette Millar Hall. The Applicant is also proposing to connect the new residence to the existing overhead pedestrian bridge above University Avenue that connects to the Main Campus (Carl Pollock Hall). These pedestrian bridges will allow for direct and secure pedestrian connections to the University of Waterloo, with users protected from seasonal elements.



Proposed Bridge Connection

Based on information submitted by the Applicant, it is staff's understanding that students from Claudette Millar Hall will not be able to enter the habitable portion of the new residence. Instead, they will be able to access the first and second floors of the proposed residence, which will be comprised of university amenities and services (e.g., residence life co-ordinators and counselling offices) in addition to a large open study space. With the new bridge connection, the new residence will be able to utilize existing services at Claudette Millar Hall, specifically food services, mail room and additional amenity spaces.



Proposed Atrium Rendering (as submitted by Applicant)



Main Entrance Rendering

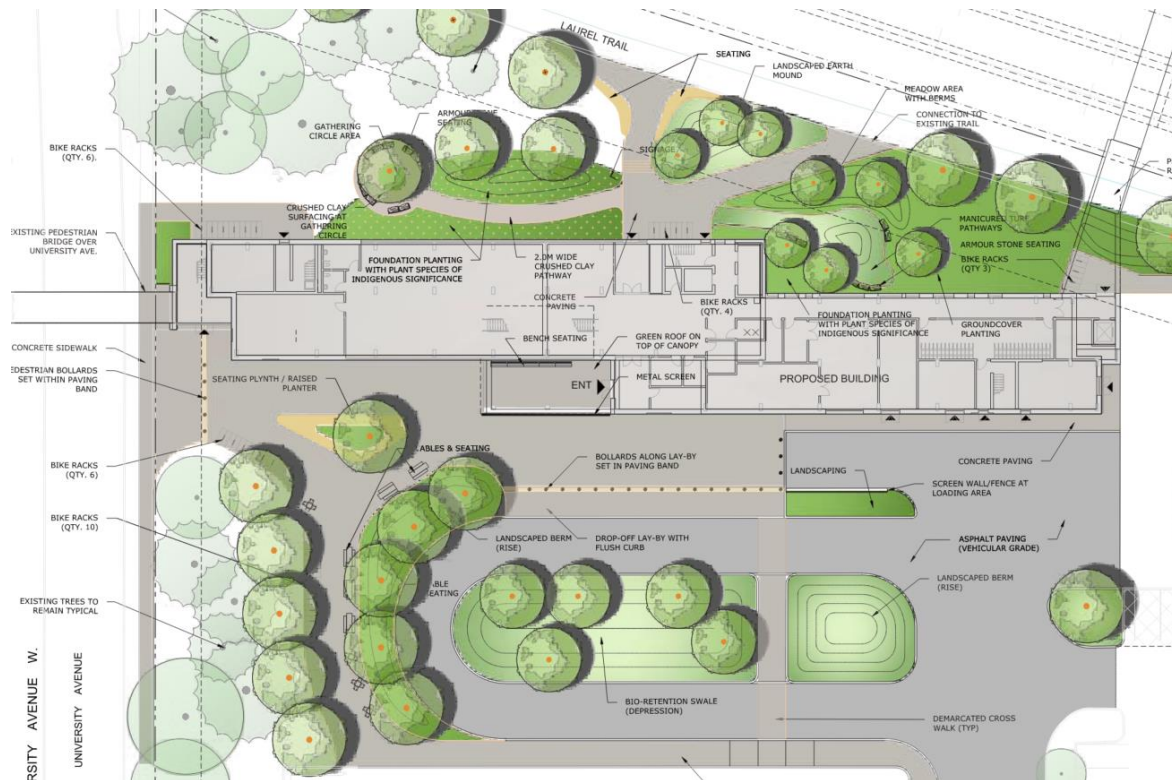
Prior to the issuance of a building permit for the new overhead pedestrian bridge, the University of Waterloo will need to enter into a legal agreement with the Region of Waterloo to use the air space above the rail corridor.

5.3 Side Yard Setback

Lands zoned as UC-81 require a minimum side yard setback of 5.0 metres. The Applicant is proposing a side yard setback of 0.0 metres in order to facilitate the construction of the proposed overhead pedestrian bridge above the rail corridor. The residence building itself is meeting the minimum side yard setback, with a setback of at least 15 metres in accordance with the minimum setback from the rail corridor in 3.R.1.1 of ZBL2018-050.

5.4 Street Line Setback

The Applicant is seeking relief in the minimum street line setback of 5.0 metres, proposing a street line setback of 0.0 metres to enable the new residence to connect to the existing overhead pedestrian bridge above University Avenue. From a pedestrian perspective, the new residence will appear to meet the minimum street line setback requirement, maintaining the street edge / character along University Avenue, with green spaces on both sides of the new residence.



Proposed Landscape Plan Rendering (submitted by Applicant)

5.5 Railway Corridor

The Lands are bisected by the rail corridor, which is owned by the Region of Waterloo who have a shared operating agreement with CN Rail. Due to the proximity of the rail corridor, staff circulated the application to the Region of Waterloo and CN Rail, both of which have provided comments on the application and have been involved throughout the evaluation process.

CN Rail has confirmed a berm or crash wall is not required since this is a spur line, and the required 15 metre setback and a chain link fence is sufficient to address safety concerns.

The Region and CN Rail are currently confirming the proposed mitigation measures for vibration and noise, to ensure they are sufficient. The holding (h) provision will only be lifted for a development that conforms to the accepted vibration and noise mitigation requirements. As final approval from the Region and CN Rail is pending, as discussing in Section 5.1 of this report, staff are recommending that Council approve the lifting of the holding provision for the proposed residence and overhead pedestrian bridge only, but not pass the implementing by-law until the City receives a final written clearance from the Region and CN Rail, for the reasons previously discussed.

5.6 Site Plan Control

The proposed development is exempt from Site Plan Control pursuant to the City's Site Plan Control By-law. It is recommended that the University of Waterloo submit a courtesy site plan submission to the City for review and comment, consistent with our collaborative ethos, and to assist in resolving detailed design issues prior to the issuance of a building permit. The courtesy submission can be run in parallel with the building permit application.

SECTION 6 – CONCLUSION

Based on the Planning Division's review of the application, we support Zoning By-law Amendment Z-23-10 as set out in Section 7 of report IPPW2023-053, 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 conforms to the City of Waterloo Official Plan.

- The intent of ZBL2018-050 is maintained, with minor amendments tailored to recognize site conditions and to facilitate the proposed development.
- The application will substantially maintain the University Avenue streetscape.
- The application will facilitate pedestrian access and pedestrian safety.
- The application creates additional purpose built student residences, which contributes to a complete community.
- The application represents good planning.

SECTION 7 – RECOMMENDATIONS

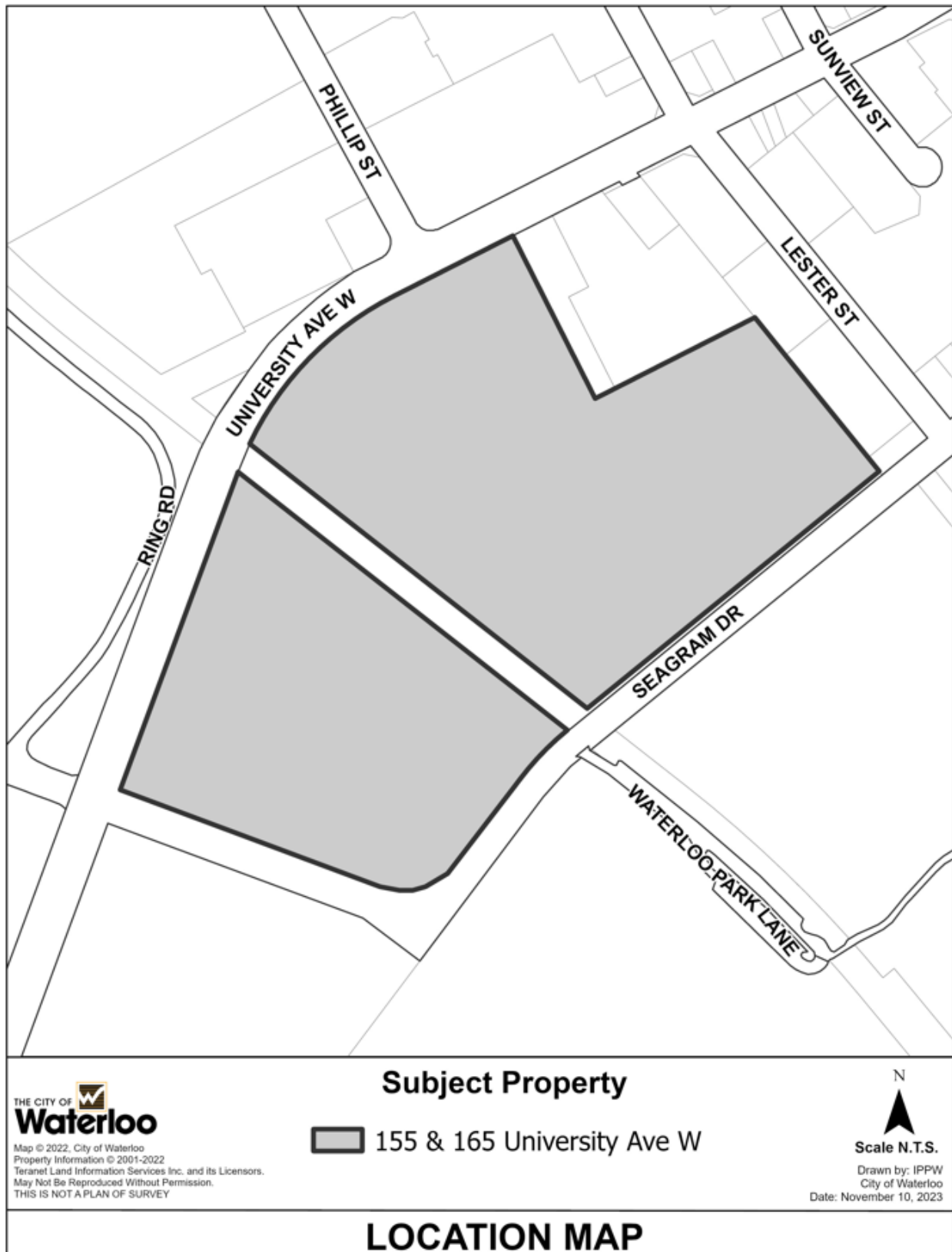
1. That Council approve staff report IPPW2023-053.
2. That Council approve Zoning By-law Amendment Z-23-10, University of Waterloo, for 155 University Avenue West and 165 University Avenue West as shown on Map 1 to report IPPW2023-053 (the “Lands”), as follows:
 - a.) that Zoning By-law 2018-050 is hereby amended by adding Exemption “C255” to **Schedule C – Site Specific Zoning** of said By-law 2018-050, as set out in Appendix A to report IPPW2023-053, for the Lands (155 University Avenue West and 165 University Avenue West);
 - b.) that Zoning By-law 2018-050 is hereby amended by adding Exemption “C255” to **Schedule C1 – Site Specific Zoning** of said By-law 2018-050, for the Lands (155 University Avenue West and 165 University Avenue West);
 - c.) that the holding (H) provision in section 3.R.1.2 be lifted for one (1) twelve storey residence building on 155 University Avenue West within 75 metres of the rail corridor that is compliant with applicable rail noise and rail vibration requirements and mitigation measures as approved by the Regional Municipality of Waterloo and CN Rail, as specified in the by-law lifting the holding (H) provision;
 - d.) that the holding (H) provision in section 3.R.1.2 be lifted for an overhead pedestrian bridge(s) above the rail corridor and within 75 metres of the rail corridor that is compliant with applicable rail noise and rail vibration requirements and mitigation measures as approved by the Regional Municipality of Waterloo and CN Rail, as specified in the by-law lifting the holding (H) provision;
 - e.) that the holding (H) provision in section 3.R.1.2 shall remain in effect on 155 University Avenue West and 165 University Avenue West, except as specified in c.) and d.) above.
3. That Council not pass the implementing by-law to lift the holding (H) provision for the proposed development as specified in 2.c.) and 2.d.) above, until written confirmation has been received from the Region of Waterloo and CN Rail confirming that all noise and vibration requirements specified in 3.R.1.2 of Zoning By-law 2018-050 are satisfied.

Submitted by:

A handwritten signature in dark ink, appearing to read "Amanda Wyszynski". The signature is fluid and cursive, with the first name "Amanda" written in a larger, more legible script than the last name "Wyszynski".

Amanda Wyszynski, BATech, MES(PI), MCIP, RPP
Senior Development Planner, Development Planning

Map 1 – Location Map



Appendix A – Site Specific By-law

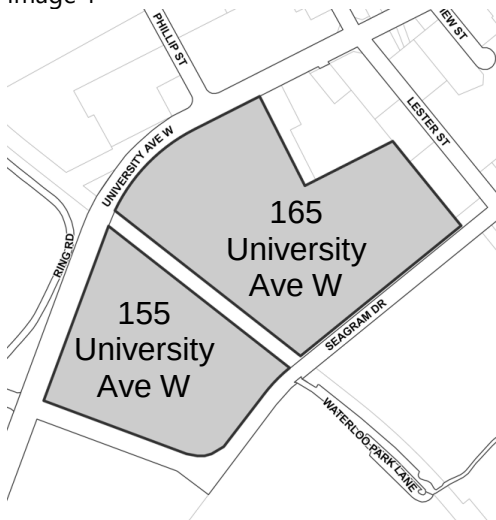
Exception	Address	Zoning	File Reference
C255	155 & 165 University Avenue West	(H)UC-81	Z-23-10

Location: 155 & 165 University Avenue West,
as shown on Schedule 'C1' to this BY-LAW.

Site Specific Regulations:

- a) Notwithstanding anything to the contrary, the following site specific provisions shall apply to the lands identified as 155 University Avenue West on Image 1 below:
 1. SIDE YARD setback (minimum): 0.0 metres, applicable only to an overhead pedestrian bridge (including appurtenant building floor area to connect to a BUILDING) that traverses the adjacent railway corridor.
 2. STREET LINE setback (minimum): 0.0 metres, applicable only to an overhead pedestrian bridge (including appurtenant building floor area to connect to a BUILDING) that traverses University Avenue West.
 3. Notwithstanding section 3.R.1.1, that an overhead pedestrian bridge(s) (including appurtenant building floor area to connect to a BUILDING) shall be permitted within 15 metres of the adjacent railway corridor, subject to the lifting of the holding (H) provision in section 3.R.1.2.
- b) Notwithstanding anything to the contrary, the following site specific provisions shall apply to the lands identified as 165 University Avenue West on Image 1 below:
 1. SIDE YARD setback (minimum): 0.0 metres, applicable only to an overhead pedestrian bridge (including appurtenant building floor area to connect to a BUILDING) that traverses the adjacent railway corridor .
 2. Notwithstanding section 3.R.1.1, that an overhead pedestrian bridge (including appurtenant building floor area to connect to a BUILDING) shall be permitted within 15 metres of the adjacent railway corridor, subject to the lifting of the holding (H) provision in section 3.R.1.2.

Image 1



Appendix B – Public, Agency, and Staff Comments

PUBLIC COMMENTS

One comment was submitted through the project webpage on EngageWR:

“Glad to see that vehicle access will be off parking lot A and not University Ave, and that removed trees will be replaced. Appreciate that there is a main entrance directly off the multi-use trail, and that indoor bike parking is located on the main floor and not underground. Good to see 'protected' routes created with the addition of a new elevated passageway between the residences. This will hopefully make the walk to/from campus easier during the winter, rainstorms or hot days. I would prefer to see no expansion of the existing surface parking lot - this residence is located in an area that is highly accessible on foot, or by bus/LRT/bike. I would like to see the university revisit how many cars are in these lots at peak times, particularly with new post-COVID expectations of how often students are on campus - if the lot is never full currently, then we should not be providing more spaces, particularly as the lot expansion would be only be 100m away from the Waterloo Park LRT station.”

STAFF AND AGENCY COMMENTS

No comments or concerns:

- City of Waterloo Engineering Services
- City of Waterloo Fire Department – Fire Prevention Division
- City of Waterloo Economic Development
- Ministry of Transportation
- Waterloo Region District School Board
- Waterloo Catholic District School Board
- Waterloo Advisory Committee on Active Transportation
- Enova

GRCA:

- The GRCA has reviewed this application under Ontario Regulation 686/21, acting on behalf of the Province regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS, 2020), as well as in accordance with Ontario Regulation 150/06 and GRCA's Board approved policies.
- Information currently available at our office indicates that the subject lands may be adjacent to the Laurel Creek floodplain. This reach of the floodplain is designated as the Laurel Creek Special Policy Area (SPA).

- We have reviewed the topographical survey provided by the applicant, and compared it with applicable regulatory floodplain elevations. Contrary to our mapping, we are satisfied that the subject lands, as well as Seagram Drive and its intersection with University Avenue West, are not affected by the regulatory floodplain.
- As per subsection 2(3) of Ontario Regulation 150/06, the topographical survey results prevail over our mapping, and the subject lands are not regulated by the GRCA. The GRCA has no further comments on this or future planning applications, and no GRCA permit is required for construction.

CN Rail:

It is noted that the subject site is adjacent to a Branch rail corridor on which CN operates. CN encourages the municipality to pursue the implementation of the following criteria as conditions of an eventual project approval:

- The Owner shall install and maintain a chain link fence of minimum 1.83 metre height along the mutual property line, and maintain a 15 metre setback.
- To review proposal for the pedestrian bridge that will connect to the existing residence, CN engineering requires detailed engineering and architectural drawings illustrating the details of the structure. CN engineering will provide comments on the acceptability of the proposal once their review is completed.
- The attached report on vibration does not have a satisfactory conclusion. The report concludes that a detailed assessment should be undertaken to confirm if the appropriate vibration criteria will be met without any vibration mitigation in place.
- CN requires for the following noise mitigation measures listed in the Thornton Tomasetti, Noise report dated July 17, 2023 to be implemented as an eventual condition of municipal approval of the project:
 - Mandatory central air conditioning is for all west-facing residence units and northeast corner residence units, according to the requirements in Table 2, and Type D warning clause.
 - Building components to respect the requirements in Table 8 and Table 9 and Table 10 of the Thornton Tomasetti, Noise report dated July 17, 2023.11.02
 - Exterior Wall Construction of STC-42, for the northeast corner residence units.
 - STC 35 rating for the glazing for the northeast corner residence units.
 - The following CN warning clause:
“Warning: Canadian National Railway Company or its assigns or successors in interest has or have a rights-of-way within 300 metres from the land the subject hereof. There may be alterations to or expansions of the railway facilities on such rights-of-way in the future including the possibility that the railway or its assigns or successors as aforesaid may expand its operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and

vibration attenuating measures in the design of the development and individual dwelling(s). CNR will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid rights-of-way.”

- CN is completing a review of the proposed site drainage and we will get back to shortly with our comments.
- CN will no longer require a registration of environmental easement if the inclusion of CN warning clause will be implemented as a condition by the municipality.

Canada Post:

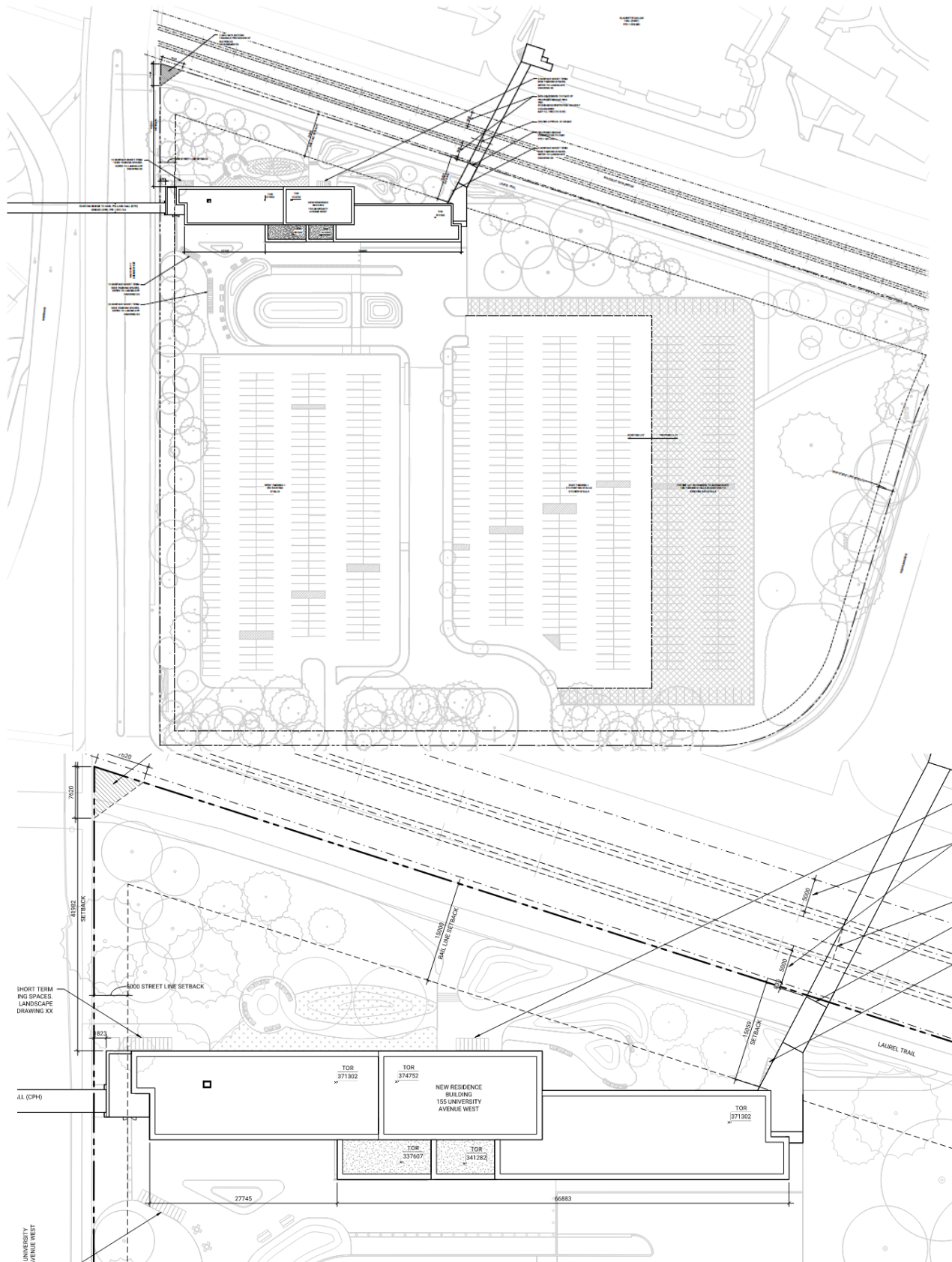
- Canada Post has reviewed the proposal for the above noted Development Application and has determined that the project adheres to the multi-unit policy and will be serviced by developer/owner installed Lock Box Assembly.
- Multi-unit buildings and complexes (residential and commercial) with a common lobby, common indoor or sheltered space, require a centralized lock box assembly which is to be provided by, installed by, and maintained by the developer/owner at the owner’s expense. Buildings with 100 units or more MUST have a rear loading Lock Box Assembly with dedicated secure mail room.

City of Waterloo – Transportation Services:

- There is an existing easement on the subject site along the Laurel Trail. The City requests that the easement parcel be conveyed to the City to allow for the City to maintain the trail and fund infrastructure improvements (ex. Lighting).

Region of Waterloo

- See Appendix D.



Appendix D – Region of Waterloo Comments



PLANNING, DEVELOPMENT
AND LEGISLATIVE SERVICES

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www.regionofwaterloo.ca

Monika Oviedo
File: C14-60/4/Z-23-10
November 24, 2023

Ms. Amanda Wyszynski
Senior Development Planner/ Urban Designer
Integrated Planning and Public Works
City of Waterloo
100 Regina Street S.
Waterloo, ON N2J 4A8
Email: amanda.wyszynski@waterloo.ca
(VIA EMAIL)

Dear Ms.Wyszynski:

**Re: Post-Circulation Comments (Submission #1)
Zone Change Application Z-23-10
GSP Group (C/O Caleb Miller) on behalf of University of Waterloo
155 University Avenue West
CITY OF WATERLOO**

The Region has prepared the following post circulation comments for the above-noted application. The purpose of these comments is to identify any items that need to be addressed prior to any decision on the proposed application.

The subject lands are currently a university parking lot and open space. The applicant is proposing a Zoning By-law Amendment (ZBA) to facilitate development of a new student residence to house approximately 510 students. The proposed development will include a pedestrian bridge over the ION Light Rail Transit corridor to provide access to another student residence (Claudette Millar Hall).

The Minister of Municipal Affairs and Housing approved Regional Official Plan Amendment No. 6 (ROPA 6) with modifications on April 11, 2023. The proposed development is within the Laurier- Waterloo Park Station Major Transit Station Area (MTSA) as shown on Figure 5a of the ROP. The subject lands are designated Built-Up Area in the Regional Official Plan (ROP). The subject lands are designated 'Academic' in Schedule A2- Employment Areas of the City's Official Plan.

The applicant is proposing to construct a 12-storey building containing primarily residential dwelling units for students between the third and twelfth storeys, with a range

of ancillary uses and common amenities on the first two storeys of the building. Vehicular parking will be provided through a lot expansion of the existing surface parking area in order to provide for the required 106 vehicular parking spaces. In terms of bicycle parking, 124 bicycle parking spaces are being provided as part of the proposed building as a combination of indoor and outdoor bicycle parking.

The subject lands are zoned University College (H)(UC-81). The applicant is proposing to amend the City's Zoning By-law law No. 2018-050 to remove a Holding (H) prefix, and permit site specific regulations. The site specific provisions include:

- SIDE YARD setback (minimum): 0.0 metres to the rail corridor to permit an overhead pedestrian bridge where a minimum of 5.0 metres is permitted; and,
- TOWER STEPBACK above PODIUM where a BUILDING FAÇADE is within 15 metres from the STREET LINE: 0.00 metres where a minimum of 3.0 metres is permitted.

Region staff have no objection to the reduced side yard setback to permit for the overhead pedestrian bridge. Region staff advise that the ultimate design of the bridge will be required to proceed prior to building permit issuance, and that the University will be required to enter into legal agreements with the Region.

Region staff have no comments on the proposed reduction to tower step-back above the podium.

Provision 3.R.1.2 in the City's Zoning By-law states that for lands within seventy-five metres (75m) of a railway right-of-way, a holding prefix (H) is hereby applied, meaning the LOT is zoned as a holding provision for which the following applies:

- a) No PERSON shall erect, enlarge, or reconstruct any BUILDING containing a SENSITIVE USE in whole or in part within seventy-five metres (75m) of a railway right-of-way.
- b) The Holding provision as it applies to the lands shall not be removed or modified until it is demonstrated by a qualified professional engineer that there will be:
 - i. Sufficient buffer from railway operations to dissipate rail-oriented emissions, vibrations, and noise;

Regional staff understand that there are ongoing discussions with CN Railway (CNR) regarding the submitted noise study and vibration impact assessment letter, and Region staff are awaiting further clarification from CNR. At this time, Region staff do not accept the conclusions of the submitted noise and vibration study and vibration impact letter. CNR has advised that the report and letter do not have a satisfactory conclusion as they conclude that a detailed assessment should be undertaken to confirm if the appropriate vibration criteria will be met without any vibration mitigation in place.

If required by CNR, the Owner must update the vibration assessment in accordance with CNR's criteria, as provided in the 'CN Railway Conditions' section below (page 7).

- ii. No adverse impacts to the sensitive uses; and,

Regional staff understand that there are ongoing discussions with CNR regarding the submitted noise study and vibration impact assessment letter, and Region staff are awaiting further clarification from CNR. At this time, Region staff do not accept the conclusions of the submitted noise and vibration study and vibration impact letter. CNR has advised that the report and letter do not have a satisfactory conclusion as they conclude that a detailed assessment should be undertaken to confirm if the appropriate vibration criteria will be met without any vibration mitigation in place.

If required by CNR, the Owner must update the vibration assessment in accordance with CNR's criteria, as provided in the 'CN Railway Conditions' section below (page 7).

- iii. A sufficient safety barrier from railway operations and potential derailments, to the satisfaction of the City and any other authority having jurisdiction.

Regional staff advise that CNR requires that the Owner install and maintain a chain link fence of a minimum 1.83 meter height along the mutual property line. The minimum 15-metre setback as shown on the submitted plans is also required.

REGIONAL COMMENTS

The following planning matters were evaluated by Regional staff based on Provincial and Regional policies, and detailed comments with respect to each matter and/or study that was submitted in support of the proposed applications are provided below.

Community Planning

Region staff have reviewed the report entitled "Planning Justification Report: 200 University Avenue W, City of Waterloo, Diamond +Schmitt Architects Inc. Zoning By-law Amendment", dated July 2023, and authored by GSP Group.

Consistency with Provincial Legislation

The proposed development is subject to A Place to Grow: Growth Plan for the Greater Golden Horseshoe and the Provincial Policy Statement (PPS). The proposed residential development aims to make efficient use of an urban parcel to create more residential density and a greater mix of units in this area. Given the site is within the Built Up Area as identified in the Growth Plan, and within a Major Transit Station Area, with good access to transit and public service facilities, the proposed development aligns with the policy direction of the Provincial Policy Statement and Provincial Growth Plan.

Regional Official Plan

The subject lands are designated 'Built-Up Area' in the Regional Official Plan (ROP). This ROP designation permits a full range of urban uses, including higher density residential developments. The Region supports intensification and redevelopment in 'Built-Up Areas' as long as the proposed development satisfies the general and any applicable specific ROP policies and Regional guidelines. Region staff note that Policy

2.F of ROPA 6 establishes a minimum intensification target of 83% in the Built-Up Area of the City of Waterloo.

The proposed development will contribute to the achievement of this target.

ROP policy 2.G.1.2 provides key objectives that includes an approach to accommodate the forecasted growth within 15-minute neighbourhoods, which are compact, well-connected places where the everyday needs of residents for goods, services and employment can be met. A well-designed 15-minute neighbourhood will contain a mix of land uses that provide for a variety of incomes and household sizes. The development densities will support a range of services and high quality public spaces. Developments are to be planned to prioritize walking, cycling and rolling in addition to establishing a street network with frequent connections and pathways to surrounding areas.

15-minute neighbourhood is defined in the ROP as:

“Compact, well-connected places such as mixed-use neighbourhoods or other areas within the Urban Area and Township Urban Areas. They are places that offer support and opportunities for people of all ages and abilities and at all times of year to conveniently access the necessities for daily living with a 15-minute trip by walking, cycling, and rolling, and where other needs can be met by taking direct, frequent, and convenient transit, wherever possible. 15-minute neighbourhoods include an appropriate mix of jobs, local stores, and services, a full range of housing, transportation options and public service facilities. They are also age-friendly places and may take different shapes and forms appropriate to their contexts.”

The proposed development is well served by a range of land uses, active transportation and transit, and will contribute to the available student-oriented housing in the existing neighbourhood.

Major Transit Station Area (MTSA)

The proposed development is within the Laurier-Waterloo Park MTSA as shown on Figure 5a of the ROP. Through ROPA 6, the Laurier-Waterloo MTSA has been delineated and a minimum density target of 95 people and jobs per hectare has been established. Per ROP policy 2.D.2.2 Area municipalities will undertake detailed planning and establish official plan policies and zoning by-laws to ensure that MTSA's are planned and designed, in a manner that achieves the minimum density targets and are transit-supportive, supports planned transit service levels, and prioritizes access to the station area and connections to any nearby major trip generators by providing connections to regional and provincial transit services to support transit service integration, and mobility networks for walking, cycling, and rolling, including sidewalks, bicycle lanes, and secured bicycle parking (ROP Policy 2.D.2.2a-b).

Further, per ROP Policy 2.D.2 c - h, MTSA's shall be planned and designed in a manner that:

- c) provides for a diverse mix of uses, including additional residential units and affordable housing, where residential uses are permitted, to support existing and planned transit service levels;
- d) fosters collaboration between public and private sectors, such as joint development projects;
- e) provides alternative development standards, such as reducing or eliminating minimum automobile parking standards, or providing maximum parking standards, for uses near transit routes, to maximize intensification opportunities and minimize surface parking areas;
- f) prohibits land uses and built form that would adversely affect the achievement of the minimum density targets set out in Table 2;
- g) protects existing significant employment uses by ensuring land use compatibility with adjacent new development;
- h) supports the implementation of inclusionary zoning by identifying:
 - i. the authorized uses of land in the station area and of buildings or structures on lands in the area; and
 - ii. the minimum densities that are authorized with respect to buildings and structures on lands in the station area; and
- i) Is consistent with the relevant transit-supportive development policies of Section 2.D.6

The proposed development will contribute to the achievement of the MTSA density target and conforms to the ROP policy direction for development within MTSA's.

Record of Site Condition (RSC)

Region staff have no concerns and offer no comments on the submission.

Hydrogeology and Water Programs (HWP)

Region staff have no concerns and offer no comments on the submission.

Notice of Source Protection Plan Compliance (Section 59 Notice)

Region staff advise and reiterate the following presubmission comments: staff note that the property falls within a WHPA D-4 and chloride Issue Contributing Area (ICA). A Section 59 Notice is required to be submitted as part of a complete ZBA application. In order to be valid, the notice must reference the ZBA, and must be signed by both the owner/applicant and the Region's Risk Management Official.

Region staff understand that the Region's Risk Management Official and the applicant are coordinating an amendment of the University of Waterloo's existing Risk Management Plan in order to obtain a valid Section 59 Notice. **Prior to final approval of the ZBA, the Section 59 Notice must be completed and submitted to the Region's satisfaction.**

Water Services

Region staff have no concerns and offer no comments on the submission.

Housing Services

Region staff have no concerns and offer no comments on the submission.

Corridor Management

Environmental Noise and Rail Vibration

Corridor Planning staff have reviewed the report entitled University of Waterloo, Student Residence Building, Waterloo ON, dated July 17, 2023 and prepared by Thornton Tomasetti Canada Incorporated and provide the following comments regarding transportation noise. The report indicates that the transportation noise sources include Regional Road #57 (University Avenue West) and the Canadian National Railway (CNR).

The report indicates that the railway is within 75 metres. A ground-borne vibration impact assessment was requested by CNR staff per the CNR conditions below. As noted above, Regional staff defer to CNR to provide detailed comments on the review of this vibration assessment.

The report notes that no stationary noise sources were identified.

The report indicates that the acoustical impacts are above acceptable levels and mitigation, including central air conditioning, brick exterior façade constructions, and noise warning clauses are required to ensure indoor noise levels do not exceed acceptable levels noted in NPC-300 and NPC-216.

The report indicates that all units in the proposed development will be supplied with central air conditioning. The location, installation and sound ratings of the air conditioning devices should comply with NPC-300.

The report notes that the exterior walls should have a minimum of STC 42, the Fixed Glazing a minimum of STC 35 and Operable Glazing a minimum of STC 32. The report indicates that dwellings units with north and east walls will require brick veneer or masonry equivalent wall construction. Exterior wall assemblies that meet the Ontario Building Code (OBC) will provide sufficient sound insulation for dwelling units on the south and west facades.

Since the noise source, University Avenue, is a roadway under the jurisdiction of the Region of Waterloo, an agreement with the Region of Waterloo to implement the recommendations of the noise study would be required to implement a Type D noise warning clause. The report recommends the following noise warning clause be registered on title for all dwelling units. Should a future development application for a condominium and/or a consent to sever application be received, then the owner will be required to enter into an agreement with the Region of Waterloo and the following clauses would be included in agreements of Offers of Purchase and Sale, lease/rental agreements and condominium declarations:

All Dwelling Units

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.

Prior to the issuance of any building permits, a Professional Engineer qualified to provide acoustical engineering services in the Province of Ontario shall certify that the noise attenuation measures, including the provision of central air conditioning, are properly incorporated in the building plans. Upon completion of construction, a Professional Engineer qualified to provide acoustical engineering services in the Province of Ontario shall certify that the dwelling units have been constructed accordingly.

CN Railway Conditions

The Owner shall install and maintain a chain link fence of minimum 1.83 meter height along the mutual property line.

Ground-borne vibration transmission should be evaluated in a report through site testing to determine if dwellings within 75 meters of the railway rights-of-way will be impacted by vibration conditions in excess of 0.14 mm/sec RMS between 4 Hz and 200 Hz. The monitoring system should be capable of measuring frequencies between 4 Hz and 200 Hz, ± 3 dB with an RMS averaging time constant of 1 second. If in excess, isolation measures will be required to ensure living areas do not exceed 0.14 mm/sec RMS on and above the first floor of the dwelling.

The following clause should be inserted in all development agreements, offers to purchase, and agreements of Purchase and Sale or Lease of each dwelling unit within 300m of the railway right-of-way:

“Warning: Canadian National Railway Company or its assigns or successors in interest has or have a rights-of-way within 300 metres from the land the subject hereof. There may be alterations to or expansions of the railway facilities on such rights-of-way in the future including the possibility that the railway or its assigns or successors as aforesaid may expand its operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwelling(s). CNR will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid rights-of-way.”

Region staff advise that the Region does not have a mechanism through which to implement the CNR warning clause. In lieu of the warning clause and per CNR’s comments, the Owner shall be required to grant CNR an environmental easement for operational noise and vibration emissions, registered against the subject property in favour of CNR.

The storm water management facility must be designed to control storm water runoff to pre-development conditions including the duration and volume of the flow and accordingly have no impacts on CN right of way, including ditches, culverts and tracks. Any proposed alterations to the existing drainage pattern affecting railway property must

receive prior concurrence from CNR and be substantiated by a drainage report to the satisfaction of the Railway.

Regional Road Dedication (Advisory Comment)

The applicant is advised that should there be a future Planning Act application (i.e. consent to sever and/or Condominium application) a Regional Road widening would be required. At this location, Regional Road #57 (University Avenue West) has a designed road allowance width of 30.480m, as designated in the Region of Waterloo Official Plan (ROP), we estimate there is no further road widening required at the frontage of the proposed development, however a 7.6m daylight triangle will be required at the intersection of University Avenue West and Seagram Drive and 7.6m daylight triangle will be required at the intersection of University Avenue West and the Region's rail right of way. An Ontario Land Surveyor (OLS) would have to determine the exact road widening.

It is recommended that the OLS contact Region staff to discuss the road widening prior to preparing the Reference Plan. The land must be dedicated to the Region of Waterloo for road allowance purposes and must be dedicated without cost and free of encumbrance. All land dedications should be identified on the Site Plan.

The Owner/Applicant must engage an 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 Transportation Planner. Further instructions will come from the Region's Legal Assistant with regard to document preparation and registration.

Condition of Approval for Future Municipal Consent:

Lot Grading, Functional Servicing Report, Storm Water Management and any necessary legal agreements (e.g. encroachment agreement) for the pedestrian bridge will be required prior to municipal consent approval.

Stormwater Management & Site Grading

Staff have received the Functional Grading Plan (Drawing C2.1) dated July 21, 2023, and the Functional Servicing Report and Stormwater Management Brief dated July 21, 2023, prepared by MTE Consultants Inc. The site must be graded in accordance with the approved plan, and the Regional Road allowance must be restored to the satisfaction of the Regional Municipality of Waterloo. Please be advised that all alterations to the Regional Road Allowance will require Regional approval through a separate process of Municipal Consent. Further information in this regard can be provided by contacting Jim Ellerman:

Jim Ellerman, A. Sc. T.
Supervisor, Corridor Management
Transportation Services
Region of Waterloo
C: 519-577-0133
jellerman@regionofwaterloo.ca

Other

The Region's 2023 Transportation Capital Program identifies this section of University Avenue West for reconstruction and major rehabilitation in 2032 and includes resurfacing from Albert Street to Westmount Road North.

Proposed Pedestrian Bridge over Waterloo Spur

Regional staff generally support the proposed pedestrian bridge structure over the Waterloo Spur. However, the proponent is advised that any costs associated with the design and construction of the structure will be at their own expense. In addition, the structure will be required to conform to all applicable standards and specifications, including freight rail and light rail transit requirements. The design and construction process, including the required legal agreements, can be lengthy for this type of infrastructure, so the proponent is encouraged to coordinate a kickoff meeting with the staff identified below as soon as possible as these will need to be in place prior to building permit issuance.

Jim Ellerman, A. Sc. T.
Supervisor, Corridor Management
Transportation Services
jellerman@regionofwaterloo.ca

Tanikia Kinear
Transportation Planner
Corridor Planning
TKinear@regionofwaterloo.ca

David Girodat
Manager, Light Rail Transit Operations
Transportation Services
DGirodat@regionofwaterloo.ca

Josh Graham
Manager, Corridor Planning
Corridor Planning
jgraham@regionofwaterloo.ca

Regional Fees

Regional staff confirm receiving and depositing the required Zoning By-law Amendment Application Fee.

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

General Comments and Next Steps

Please accept the above as comments from the Region on the proposed Zoning By-law Amendment application. **The Region does not support the lifting of the existing holding provision at this time, as the applicant has not demonstrated that the conditions of the holding provision have been met. Specifically, the noise and vibration study must be updated to the satisfaction of the Region and CN Railway.**

Additionally, prior to final approval of the ZBA, a Section 59 Notice must be submitted to the Region's satisfaction.

Please provide a copy of your staff report and draft by-laws once they become available.

Should you have any questions, please do not hesitate to contact the undersigned.

Yours Truly,

A handwritten signature in black ink, appearing to read 'M Oviedo', with a stylized flourish at the end.

Monika Oviedo
Senior Planner

Cc: Caleb Miller (agent) - Via Email