

November 15, 2019

Rita Szilock, Senior Development Planner
City of Waterloo Planning Approvals Division
100 Regina Street South
PO Box 337, Station Waterloo
Waterloo, ON N2J 4A8

Dear Ms. Szilock:

**RE: Planning Opinion Letter
Official Plan Amendment No. 25 and Z-18-18
Updated Building Elevations and Site Plan
164-168 King St S and 8 George St, Waterloo
OUR FILE 1716B**

In response to staff and agency feedback received through written comments and in multiple meetings, including Site Plan pre-consultation, we have amended the Concept Site Plan and Building Elevations. The following provides a summary of the updated plans, related changes and provides justification for any required amendments to the Zoning By-law. The previously submitted Planning Justification Report should be read in conjunction with this letter, as it provides justification for the concurrent Official Plan Amendment.

Background

The subject lands are located on the northeast corner of King St S and George St, with additional frontage on the adjacent Unnamed Lane. Staff advised that the Lane is in fact King St S and treated as a street – it is contiguous parcel that also includes Heritage Green. Although the Official Plan (Table 5-2 under Section 5) and the Zoning By-law (Section B.3 in Schedule 'B' to the By-law) considers it as a Lane, and refers to it as an "Unnamed Lane", we have included any required amendments to the Zoning By-law, as per staff direction, as though it was a "street" (hereafter referred to as "internal King St S.")

The lands are currently developed with a surface parking lot (164 King St S), a mixed-use building containing the YNCU (168 King St S) and a vacant single detached dwelling (8 George St). The area around the site contains a broad mix of uses, including commercial uses and the Heritage Green park

along the internal King St S, a funeral home and high rise mixed use building (under construction) on the opposite side of King St and office, spiritual, apartment and low rise residential housing along George St. The area is experiencing new development, with recent redevelopments along King St S including the Circa 1867 building, the recent sale of the ARC for a multi-storey office building and recent mid-rise buildings constructed on the east side of King St, south of Allen St. The Allen Square building one property to the south is approximately 26 metres tall.

Policy Framework

The lands are designated “Commercial (Uptown Mixed-Use)” and “Low Density Residential” in the City’s Official Plan. The Uptown Mixed-Use designation permits a range of commercial and residential uses, either in standalone or mixed-use buildings. The King St lands are located within the Primary Node, while the George St lot is outside of the Node. Similarly, the King St lands are designated “Medium High Density, 40 Metres” while the George St property is designated “Low Density, 10 Metres”.

The Official Plan Amendment seeks to bring 8 George St into the same planning framework as 164-168 King St S to facilitate the coordinated development of the lands, with the further addition of a Specific Provision Area policy to limit height on 8 George St to 6 storeys / 20 metres to facilitate a transition in planned built form from King St towards to the low rise neighbourhood to the east (though no building is proposed on 8 George St). Please refer to the previously submitted Planning Justification Report for an analysis of the Official Plan Amendment.

The Zoning By-law Amendment application was submitted prior to the approval of the City’s Comprehensive Zoning By-law (2018-050). As such, the By-law identifies the lands as “Zone Change (ZC)” recognizing the active zone change application. The Zoning By-law Amendment (ZBA) seeks to amend the zoning on the lands to effectively bridge the divide between the Commercial Two (C2) zone that applied to the King St lands under By-law 1108 and the new Uptown Mixed-Use zone (U2) that would now apply. Site specific performance standards are proposed, and discussed in greater detail below.

Proposed Development

In response to the aforementioned meetings with staff we have modified the plan. The proposed development includes the demolition of the existing structures and the redevelopment of the lands with an 8 storey mixed-use building. In total the building will contain 2 floors of commercial/employment uses totalling up to 600 square metres and 6 floors of residential uses totalling 34 units and 44 bedrooms. The 8th floor also contains both outdoor and indoor amenity space. The outdoor amenity space will allow the façade of the building to be recessed from the top of the 7th floor (particularly along the King St S façade).

Through discussions with City staff, and comments provided by the Region of Waterloo the inclusion of a basement level (not parking) would require the submission of a hydrogeological assessment. The Region proposes to utilize a Holding ‘H’ provision to require the study, at a future date. We understand the Study could be scoped based on preliminary discussions with Regional staff. Although YNCU is supportive of the inclusion of a basement level, due to requirements imposed by Waterloo North Hydro and the location of the hydro transformer that results in the loss of two parking spaces, a basement will not be pursued. We respectfully request that any hydrogeological assessment required in support of

building footings/elevator pit be required through the Site Plan process, implemented through a staff recommendation, rather than through the use of a Holding provision (we are aware that new buildings constructed immediately adjacent to the subject lands have basements and no 'H' was applied to those lands). We have no objection to submitting the scoped review as part of a future site plan application, however are concerned with the added time and cost associated with the use a Holding provision when no basement is even proposed.

The plan includes 34 surface parking spaces (see comments in this letter regarding the hydro transformer), some located under a cantilevered portion of the building. Vehicular entrances to the development are provided from the internal King St S and George St. Due to the irregular configuration of the property, multiple entrances are required to access the parking spaces. Pedestrian entrances are separated; the commercial entrance is located at the corner of King St S and the internal King St S, while the residential entrance is located on George Street.

Zoning By-law Amendment

The revised building and site design requires site specific performance standards, as well as the implementation of the U2-30 Zone. A site data chart is also included in this letter report to provide you with sufficient detail to complete your staff report.

Building Height

The revised building is 8 storeys in height, and measures 28 metres (29.15 m to the top of the parapet). We recommend that the lands be zoned U2-30, which would conform to the Official Plan designation for 168 King St S (where the building is physically located) and 164 King St S. The easterly portion of the lands (8 George St) could be zoned U2-20, consistent with our recommended Specific Provision Area policy.

The building has been situated on the site to provide greater physical separation from the lands to the east (10 George St), such that the separation complies with the By-law (Low Rise Residential setback) and no amendment is required. In our opinion, the building is an appropriate height for this property, in its context. There are buildings of comparable height one block away, as well as buildings with significantly greater height directly across the street.

Connection to 17/23 William St E

As previously discussed, the challenge with the walkway location is the grade of the lands. The lands slope from west to east, such that the Region's lands are at a lower elevation. As a result, retaining walls would be required between the surface parking and the walkway. The alternate solution advanced by staff, for an easement over the parking area and allowance for a connection at the eastern end of the parking area is agreeable to the owner, subject to further resolution of the easement details. We understood that the City would be agreeable to adjusting the grading on 17 William St E to ensure barrier free access is maintained and that drainage of the parking lot would be consistent with the requirements of the Region. Accordingly, we have adjusted the site plan to remove the dedicated walkway and to shift the parking area to the north.

Public Sidewalk

Staff noted that the previous site plan did not include a sidewalk along the internal King St S frontage. The revised plan now more clearly shows the public sidewalk within the internal King St S allowance

adjacent to the subject lands. In this regard, those parking at 164 King St S and at 8 George St can use the public sidewalk to access the building.

Hydro Transformer

Waterloo North Hydro has advised that service connection will require a connection to William St E, along the internal King St S. They have recommended a preferred location for the required hydro transformer within the parking area on 164 King St S. The transformer location and associated easement results in the loss of two (2) parking spaces. Other locations will be explored with Waterloo North Hydro to avoid the loss of two parking spaces, however it may not be possible. As such, we are requesting a site specific parking rate, which is discussed below.

Street Line Setback

The U2 zone requires a minimum 4.0 metre setback from King St S and 5.0 metres from George St. The development complies with the requirement for King St, but alterations to the site design has resulted in a small reduction in the Street Line setback for George St. The articulation of the building along the George St façade, the intention to provide cover for some of the parking and the potential to include architectural details along the internal King St S façade, as well as a prominent step back along George St all justify a minor reduction in the setback to 4.0 metres. There remains sufficient physical separation between the building and the street to provide landscaping to further screen the parking, and to create an attractive streetscape.

As the internal King St S is now a “street” rather than a Lane, a different setback applies. The King St street line setback of 4.0 m would apply, however the building was designed to comply with the Lane setback (as per the By-law), which was 2.5 m. As such, a site specific amendment is required to recognize the setback of 2.5 m. Similarly, the supporting columns for the second floor (and above) project beyond the main building façade towards the north and south. The southerly column, closest to George St is 2.8 m from the lot line, but is only 60 cm wide. The north column is set back 1.3 m from the internal King St S lot line.

As noted above, the Region of Waterloo requires daylight triangles at both King/George Streets and King St S/internal King St S. Once the daylight triangles are dedicated to the Region, the new lot lines will be closer to the building than the remainder of the Street Line. The specific daylight triangle setbacks are noted below:

- 1.35 metres from King St/internal King St S; and
- 0.7 metres from King St/George St

While the setbacks are less than those required in the U2 Zone, the building is not getting any closer to the street, sightlines are maintained and there is sufficient space to provide hard and soft landscaping to enhance the streetscape. We note that all canopy treatments are located outside of the road allowance.

Landscape Buffer (easterly lot line)

In response to staff requests for a building step back along the front (and flankage) facades, the building mass was shifted slightly to the east. This resulted in alterations to the columns that support the building above the ground level parking, which in turn, resulted in the surface parking moving a short distance to the east. The Zoning By-law requires a minimum landscape buffer along the easterly property line, not less than 1.5 metres in width and an average of 3.0 metres. The easterly portion of

the lot consists of surface parking. The configuration of the lot is such that there is a limited amount of depth (west-east) in which to locate the building (in compliance with the King St setback), include step backs above the podium, and sufficient parking.

The owner intends to construct a fence along this property line to provide visual screening and ensure the car headlights do not shine into the adjacent property. The lands are located within a very urban context, with the ION LRT line running on the east side of King St S, adjacent to the lands. While every effort has been made to maximize landscaping on the site (an average landscape width of 1.1 metres is proposed), due to other competing objectives (e.g. step backs), the landscape buffer will be reduced. As such, while there will be an opportunity for some smaller scale landscaping, the fence will serve as the primary visual barrier.

Parking

With the above noted reduction in building height, the corresponding number of residential units has decreased from 36 to 34. With the reduction in the number of units, the required parking has also been reduced. The following table outlines the previously required parking, and the revised required parking:

Previous Plan	Required Parking (By-law 2018-050)	Revised Plan	Required Parking
36 units	22 spaces (residents) 4 spaces (visitors)	34 units	21 spaces (residents) 4 spaces (visitors)
600 m ² Commercial Floor Area	9 spaces (at 1.5 sp/100 m ²)	600 m ² Commercial Floor Area	9 spaces (at 1.5 sp/100 m ²)
Total Required Parking	35 spaces	Total Required Parking	34 spaces
Total Provided Parking	34 spaces	Total Provided Parking	32 spaces

As noted earlier, Waterloo North Hydro’s preferred location for the hydro transformer results in the loss of two parking spaces. Had the transformer been able to be located along George St as originally intended, no loss of parking would have occurred and the development would have complied with the By-law (2018-050).

While we recognize that the By-law has made allowances for a reduced parking rate in the Uptown due to available transit, the By-law does not allow for the sharing of visitor and commercial parking. In this case, the Credit Union will occupy all of the commercial floor space. Their operation, as well as their business hours are known - the peak demands for visitors (to the residential units) will generally be in the evenings and on weekends, outside of the peak times for customers to the Credit Union (the Credit Union is closed on weekends and at 4:30 pm on Monday through Wednesday). Furthermore, the Credit Union will have control over the employee parking on site and will regulate its distribution. Staff working at the facility will know whether they do, or do not, have an assigned parking space, similar to many other employees that work in the Uptown. In this manner, the use of visitor and employee parking can be efficiently managed to avoid an oversupply.

In our opinion, the reduction in the commercial parking requirement from 1.5 spaces/100 m² (9 spaces) to 1.16 spaces/100 m² (7 spaces) is appropriate for this unique context. The occupant of the commercial floor space is known and the management of the employee and visitor parking can effectively make better use of the supply. We understand that staff may prefer that the uses are scoped to reflect the

intended use of the site, as described above. We recommend that the lower parking rate apply only to the following uses:

- Financial Services
- Office

Revised Zoning Request

As a result of the changes made to the building design, the height, the reduced number of units and the site design, the corresponding required amendments to the U2 zone have also changed. The following chart provides an updated comparison of the C2 Zone, U2 Zone and proposed zoning regulations. Where an amendment is required to the U2-30 Zone, the item has been noted in **bold**. Where an amendment is required to the C2-12 Zone, the item has been noted in *italics*.

164-168 King Street South and 8 George Street, Waterloo, Ontario				
Regulation	C2-12 Requirement	Proposed	U2-30 Requirement	Proposed
Minimum Front Yard (m)	5 m	<i>4 m (King St) 1.3 m from daylight triangle (King St/internal King St S)</i>	4m King St	4 m (King St) 1.3 m from daylight triangle (King St/internal King St S) 1.3 m to supporting column (internal King St S)
Minimum Flankage Yard (m)	5 m	<i>4.0 m (George St) 0.7 m from daylight triangle (King St/George St) 2.5 m from Internal King St S 1.3 to supporting column (internal King St S) 2.8 m to supporting column (George St)</i>	5 m George St	4.0 m (George St) 0.7 m from daylight triangle (King St/George St) 2.8 m to supporting column (George St) 2.5 m to internal King St S
Minimum Side Yard	1.5 m	1.5 m	1.5 m	1.5 m
Minimum Rear Yard	1.5 m (for corner lots)	4.5 m	4.5 m	4.5 m
Minimum Low Rise Residential Area Yard Setback	½ Height of the building or 7.5 m (min)	½ height of the building (14.57 m approx.)	½ Height of the building or 7.5 m (min)	½ height of the building (14.57 m approx.)

Average Depth of Landscape Buffer	Average depth of 3.0 m and no less than 1.5 m	<i>Average depth of 1.0 m and no less than 0.9 m</i>	Average depth of 3.0 m and no less than 1.5 m	Average depth of 1.0 m and no less than 0.9 m
Amenity Area	25 m ² per unit = 850 m ²	<i>3 m² per for the first bedroom and 2 m² for each additional bedroom in the unit = 124 m²</i>	3 m ² per for the first bedroom and 2 m ² for each additional bedroom in the unit = 124 m ²	403 m ²
Street Line Building Façade	75% of the Street Line Building Façade within 6.0 m of the Street Line	75%	75% of the Street Line Building Façade within 6.0 m of the Street Line	75%
Height				
Maximum Permitted Height	36 metres	30.0 m	30 m / 9 storeys	30.0 metres / 8 storeys
Density				
Density	200 units/ha	173 units/ha	525 beds/ha	222 beds/ha
Parking				
Commercial parking	3.0 sp/100 m ² = 18 spaces	<i>1.16 sp/100 m² = 7 spaces</i>	1.5 sp/100 m ² = 9 spaces	1.16 sp/100 m² = 7 spaces
Residential parking	1 sp/unit	<i>0.73 sp/unit (the C2 zone does not require visitor spaces – the 4 visitor spaces have been counted towards the residential requirement)</i>	0.6 sp/unit + 0.1 sp/unit for visitors 25 spaces	25 spaces
Shared parking	4 spaces provided to satisfy a requirement for residential uses may be considered to equal one parking space required to satisfy a parking requirement for a	25/4 = 6 spaces could be shared with commercial uses	N/A	N/A

	commercial use			
Bicycle Parking	N/A	28 spaces	0.3 Type A spaces/unit = 11 spaces 0.3 Type B spaces/unit = 11 spaces 40% of the required motor vehicle parking (for non-residential uses) = 3 spaces	34 Type A spaces for residential use 7 Type B spaces for non-residential use
Structured Parking Above Grade	N/A	N/A	Structured Parking above Grade is prohibited within 15 m of King St	None proposed
Surface Parking and King St	N/A	N/A	Surface Parking shall not comprise more than 25% of the Lot Frontage within 15 of King St	The total King St frontage (including internal King St S) = 78 m (approx.) Surface parking = 11.1 m or 14%
Tower Regulations				
Height of First Storey (min)	N/A	N/A	4.5 m	4.5 m
Podium Height (min)	N/A	N/A	10.7 m	8.75 m
Podium Height (max)	N/A	N/A	14.3 m	14.3
Tower Separation (min)	N/A	N/A	11 m	11 m
Horizontal Tower Dimension (max)	N/A	N/A	40 m	30 m
Tower Footprint (max)	N/A	N/A	1,000 m ²	690 m ²
Tower Step back above Podium (min)	N/A	N/A	3 m	King St S – 1.4 m to face of balcony, 2.0 m to building façade

				George St – 2.0 m to face of balcony, 2.7 m to building façade
Other				
Common Outdoor Area (min)	N/A	N/A	N/A – lot is less than 2,000 m ²	N/A
Common Outdoor Area dimensions (min)	N/A	N/A	N/A – lot is less than 2,000 m ²	N/A
Structured Parking			<p>A minimum of 25% of the First Storey shall be comprised of specific uses (listed in Section 8.2.18)</p> <p>The parking must be located entirely behind the building floor area devoted to the uses listed in 8.2.18. For a corner lot, the building floor area devoted to the uses listed in 8.2.18 shall abut the entire length of the Front Building Façade or the Flankage Building Façade</p>	32%

In addition to the above chart, there are other regulations contained in Section 6 of By-law 2018-050 discussed below:

- All parking spaces shall be located behind the Building Line
 - The Building Line along George St (as per the request above) is 4.28 m, whereas the hammerhead associated with the surface parking on the easterly portion of the lands is located 4.19 m from the flankage lot line. The By-law is not clear that a hammerhead would count, as it is not a parking space.

- Structured Parking shall be screened from exterior view from the Street and or Lane.
 - In our interpretation of the site, there are 6 parking spaces within the parking structure
 - Landscaping and building mass combined will be utilized to screen the parking spaces. The By-law is not clear as to the manner of the screening required.
- A minimum of 80% of Structure Parking spaces for a mixed-use building shall be Designed Electric Vehicle Parking Spaces
 - Similar to the above, in our interpretation, there are 6 spaces within the parking structure. The By-law requires that 80% (or 5) of these spaces be designed as electric vehicle parking spaces. The development will comply with this requirement.

We note as well that Section 6.9 of the by-law (which contains the regulations for loading spaces) does not apply to the U2 zone, and as such, we have not noted it in the table.

Cross Section

As per your request, we have prepared cross-sections showing the angular plane of the building as seen from the adjacent King St S and George St sidewalks. The plan indicates that pedestrians would not be able to see the top of the building from King St S or internal King St S, even if they looked upwards. On George St, if a pedestrian looked directly upwards, they would be able to see they very top portion of the glazed 8th floor. A pedestrian walking along any of the three public sidewalks looking at their normal visual height (i.e. not looking directly upwards) would not see the top of the building.

Conclusion

In our opinion, the revisions to the building design and concept site plan address staff's comments with regard to the design of the building. We believe the building represents a high level of design and will be a positive addition to the Uptown. The transition from King St S through the site towards 10 George St has been considered and properly addressed. The building addresses all three streets with active uses on the ground floor, as well as the second floor of the podium and the inclusion of a prominent building base. The proposed building is of an appropriate scale and height given its context and represents good planning.

We have discussed the Region's comments with respect to the Functional Servicing and Stormwater Management Report and they have advised they are satisfied with regard to the OPA/ZBA application.

As per your request, enclosed herewith are:

- Eight (8) copies of the Planning Addendum Letter
- Eight (8) copies of the Concept Site Plan, Floor Plans and Building Perspectives (11x17)
- Two (2) copies of the Site Plan in larger format
- Eight (8) copies of the street view cross-section
- The previously provided Functional Servicing Report addressed the Region's comments and no changes to that report were required.
- One (1) digital copy of the resubmission materials.

We ask that you consider our resubmission in response to the staff and agency comments and that a Formal Public Meeting be scheduled as soon as possible.

Yours truly,

MHBC

A handwritten signature in cursive script that reads "Trevor Hawkins".

Trevor Hawkins, M.PL, MCIP, RPP
Associate

cc. Gord Harrison
Dan Currie