

March 18, 2021

Laura Dewar, BES, MCIP, RPP

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Integrated Planning and Public Works, City of Waterloo
100 Regina Street South
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Waterloo, ON, N2J 4A8

**Re: 36 and 42 Erb Street East and 39 Dupont Street, City of Waterloo
3rd Zoning By-law Amendment Submission**

On behalf of Paramount Development Group, we are pleased to submit the third Zoning By-law Amendment submission for the properties known municipally as 36 and 42 Erb Street East and 39 Dupont Street, within the City of Waterloo (“Subject Site”), in order to permit a mixed-use development with commercial uses at-grade and residential above.

A Zoning By-law Amendment application was filed on September 7th, 2018 to facilitate the development of a 24 storey mixed use building containing 271 bedrooms, and 793 square metres of commercial at grade. A second resubmission was provided on December 18, 2019, which proposed to reduce the height of the building to 19 storeys (59 metres) as was requested by the City in order to align with the new maximum height permission regime established by By-law 2018-050 as well as a number of other refinements to respond to City comments and suggestions. This latest submission further refines the proposed built form and massing to better align with the City’s Urban Design Manual and to address the most recent comments that were received in the 2nd Submission.

The project team has spent a considerable amount of time and several design iterations to refine the design approach to better align the proposal with the applicable Official Plan and urban design policies and guidelines and current zoning. We met with yourself on Frederick Van Rooyen on October 21, 2020 after considerable of fine tuning of the height and massing of the proposal and other site layout and building adjustments as well as continuing to balance the issues related to safe access and the Laurel Creek floodplain. Following our meeting on the revised design, we believe that we have reached an appropriate and balanced solution through our collaboration and engagement with you and Frederick that implements all applicable design initiatives in the City that will capitalize on its landmark location at the eastern gateway of Uptown Waterloo. The materiality remains consistent with our previous submission with a sympathetic masonry finish along the podium levels to fit within the immediate context.

The proposal was presented to Municipal Heritage Committee on December 14th, 2018, with a non-statutory public meeting taking place on January 14th, 2019. We have presented the updated design approach to the Municipal Heritage Committee meeting on December 17th, 2020. We have also



continued to work with ARA to ensure that the proposed development continues to provide an architectural and urban design expression will fit within its surroundings.

We are in receipt of comments dated May 29, 2020 from the City. Our team has expended considerable flexibility, time, care and creativity to perfect design and technical approaches that positively responds to the comments and feedback received by Staff, Municipal Heritage Committee, and at the non-statutory public meeting. In particular, considerable design work by the project team was done to create an agreeable built form approach that balances the current policies of the Official Plan and Urban Design Manual, but also the provisions of the Zoning By-law 2018-050.

DESCRIPTION OF REVISED PROPOSAL

The proposed development has gone through several design iterations to perfect a built form approach that closely aligns with the zone standards established by By-law 2018-050 notwithstanding the application having been made under By-law 1108. A summary of the proposed development statistics of the various iterations of the proposed development and is provided in the Table below.

	1 st submission	2 nd submission	3 rd Submission
Height	24 storeys (75 metres)	19 storeys (59 metres)	21 storeys (66 metres)
<u>Gross Floor Area</u>			
Residential	19,246 sq. m	16,949 sq. m	16,540 sq. m
Commercial	793 sq. m	685 sq. m	554 sq. m
Total	20,039 sq. m	17,791 sq. m	17,271 sq. m
<u>Bedrooms</u>			
One Bedroom	191 bedrooms	185 bedrooms	193 bedrooms
Two Bedrooms	40 bedrooms	47 bedrooms	41 bedrooms
Total	271 bedrooms	279 bedrooms	275 bedrooms*
<u>Vehicle Parking</u>			
Residents (incl. visitor)	219 spaces 33 spaces	166 spaces 33 spaces	145 spaces 33 spaces
Commercial			
Total	252 spaces	199 spaces	178 spaces
<u>Bicycle Parking</u>			
Type A	76 spaces	74 spaces	74 spaces
Type B	29 spaces	85 spaces	90 spaces
Total	105 spaces	159 spaces	164 spaces
Amenity Area	5,817 sq. m	3,639 sq. m	3,668 sq. m

* Excluding the existing 4 bedrooms in the 39 Dupont House

The proposed development continues to maintain an appropriate relationship to surrounding areas, while achieving the intensification objectives for Uptown Waterloo. In this regard, the revised proposal continues to provide for the preservation of 39 Dupont House in its entirety, the relationship of which is further enhanced through changes made to provide for appropriate setbacks, attractive



landscaping and public realm approaches, and the materiality of the podium for the revised proposal. The low-rise character along Dupont Street and beyond will be maintained with its preservation, while allowing for appropriate intensification along the Erb Street frontages, within walking distance to numerous transit stations for the recently opened ION LRT service.

The optimization of density on the site is consistent with both good planning practice and overarching Provincial and City direction, subject to achieving appropriate built form relationships. In addition, residential intensification will contribute to the achievement of population forecasts in the Growth Plan and the Official Plan. Further, intensification on the site will support transit ridership, assist in reinforcing the role of the Uptown Waterloo as a desirable living area, and allow residents to take advantage of the employment opportunities, education facilities and services in the surrounding area.

The revised proposal has been designed to address all applicable built form and urban design policies of the Official Plan. In particular it responds to Policies 3.11.1, 3.11.2, 3.11.3, and 3.11.4 of the Official Plan as well as, the General City Design Guidelines and Supplemental Design Guidelines. The key planning and urban design related changes are summarized below:

- The ground floor height has been increased from 4.2 metres to a minimum of 4.5 metres to facilitate successful commercial space at grade and to complement the various entrances to the building.
- The setback along Erb has been increased to a minimum of 3.0 metres for the entirety of the building frontage. Previously, the setback along Erb was 3.0 metres at grade and 0.0 metres at the 2nd and 3rd level (cantilevered above the first storey). This increase also provides for sufficient setback distances from existing above ground utility infrastructure along Erb.
- The horizontal tower dimension has been reduced from 41.5 m to 40 m to provide a more slender tower to meet the requirements of the Urban Design Guidelines.
- The proposed podium height has been reduced from 9 storeys (26.4 metres) to 6 storeys (20.4 metres) to establish a better pedestrian scale and compatibility with the existing context.
- The tower height has been increased marginally over the second submission (originally 24 storeys in 1st submission) from 19 storeys (60 metres) to 21 storeys (66 metres). This redistribution of massing from the podium back to the tower element provides for a more attractive overall massing and allows for the proposal to more effectively implement the density policies of the Official Plan.
- The Common Outdoor Area (COA) at grade has been “relocated” to the areas immediately to the south and west of the 39 Dupont House. These areas will amount to 138 sq. m, which will satisfy the By-law requirement of 128 sq. m for this site. This area has been animated by enhanced landscaping, a new walkway to provide legible



connections to the tower, and benches to generate social and passive activities in these areas.

The proposed development establishes an appropriate “aquatic” theme at the corner of Erb Street and Pepler Street, given the Laurel Creek context. This theme is reflected with the building materials and finish at grade as well as the landscape materials, including a skin added to the ground level and custom unit pavers which evoke the look of fish scales. These elements remain an important part of the architectural and public realm expression and provide a distinct focal point at this corner and along the Pepler frontage through the use of special building materials and enhanced landscaping which will effectively create a public art vignette as one passes along or under the building when by-passing the building or travelling along the Laurel Trail. This element will be further displayed and refined through the Site Plan process. Minor refinements have to landscaped “islands” at the entrance along Pepler to provide increased permeability to the retail entrance, enhancing the connectivity to the Laurel Creek trail, and to leave the daylight triangle and Erb and Pepler unobstructed. The proposed public realm will further be complemented by the increased ground floor height of 4.5 metres and will create an inviting streetscape.

The materiality of the base building continues to make use of a district mix of masonry materials and massing to emulate the area’s history and some of the existing masonry warehousing found in the area along Regina, as well as throughout Uptown Waterloo. An updated heritage assessment letter has been provided with this submission and confirms that the proposed development is compatible and in keeping with the 39 Dupont House, adjacent heritage resources and the surrounding area character. Several design refinements suggested by ARA including new landscaping and connections and minor revisions to the colonnades at grade have been made to further enhance the compatibility of the building to its surroundings and will be further refined through site plan approval.

As a result of the design refinements, the number of the amendments to the Zoning By-law have been reduced to better align with the current Zoning regime. The number of Amendments has been greatly reduced, and the majority of the remaining Amendments relate to the implementation of the proposed height, density requirements, and setbacks. As a result of the changes noted above, the proposal no longer requires Amendments for Horizontal Tower Dimensions, Podium Height, and First Storey Height. We have prepared the additional supplemental planning rationale at the request of Staff to support each of the remaining amendments. We have included this supplemental planning rationale in this resubmission package.

Shadow Impact Statement

In accordance with the City’s Guidelines, a Shadow Study must demonstrate that:

- At least 50% or more of any property should not be shaded for more than two interval times (a four hour equivalency); or,
- At least 50% of any property should be in full sun for at least two interval times (a four hour equivalency).



The Proposed Development provides an incremental increase in shadows in the neighbourhood, which are minor in nature and short in duration. The shadow impacts to the neighbouring residential areas to the north are minor, and short in duration during the months of March, June and September, and do not appear to exceed 2 hours in duration. Throughout these months, the shadows cast during the 2 pm and 6 pm interval times will be least impactful, with the majority of shadows/shading occurring over adjacent streets (i.e., Erb Street and Pepler Street). The revised proposal has been appropriately designed in accordance with the City's Urban Design Guidelines to mitigate potential impacts.

Shadows are longest in the December, when the sun is very low in the sky. The shadows produced by the proposed development are consistent with the City's Urban Design Manual. The winter analysis shows that the building will cast shadow to the north of the site at the 10 am, 12 pm, and 2 pm intervals. The shadow impacts in December are not a product of the building design, but rather the orientation of the site in relation to the adjacent properties within the block. Notwithstanding these factors, the proposed development appropriately mitigates these impacts in December through a slender tower form, reduced podium height and significant setbacks from properties along Dupont Street.

It remains our opinion that the originally proposed and revised development and applications are both appropriate and represented good planning. The refinements and adjustments that have been made to the proposal through the 3rd submission through an ongoing and active discussion with staff have been achieved in a highly collaborative way and we appreciate the time and commitment of staff as well as the flexibility of our client to produce what we believe is a much further enhanced development proposal. As a result of this work and the consensus achieved, we are proud to hopefully bring this to Council for their consideration in the very near future.

Resubmission Package

The following materials are included within this application submission package:

1. Comment Response Matrix;
2. Architectural Package prepared by RAW Design;
3. Shadow Study prepared by RAW Design;
4. Functional Grading and Servicing Report and Stormwater Management Report prepared by SCS Consulting Group Ltd;
5. Heritage Assessment Letter prepared by ARA Ltd;
6. Parking Dimensions Review prepared by Paradigm Transportation Solutions Ltd;
7. Draft Zoning By-law Amendment By-law 2018-050 prepared by The Planning Partnership;
and,
8. Supplemental Planning Rationale prepared by The Planning Partnership;
9. Landscape Plan and Amenity Landscape Plan prepared by The Planning Partnership, and,



10. Survey by McKechnie Surveying.

We look forward to continue to work through the approvals process with the City and to moving forward with this important intensification project. Please contact the undersigned if you have any questions or require any additional information.

Sincerely,

A handwritten signature in black ink that reads "Bruce Hall". The signature is fluid and cursive, with a long horizontal stroke at the end.

Bruce Hall, BES, MCIP, RPP, Partner