



**STAFF REPORT
Planning**

Title: Zoning By-law Amendment Z-21-12, 535 Quiet Place, Hickory Terraces Limited
Report Number: IPPW2022-010
Author: Max Kerrigan
Council Date: February 14, 2022
File: Z-21-12
Attachments: Appendix A – Minutes of Informal Public Meeting
Appendix B – Agency and Staff Comments
Appendix C – Site Plan
Appendix D – Building Perspective
Appendix E – Conceptual Building Cross-Sections
Map 1 – Subject Site
Map 2 - Zoning By-law Amendment Z-21-12

Ward No.: 3-Lakeshore

Recommendations:

1. That Council approve Staff Report IPPW2022-010.
2. That Council approve Zoning By-law Amendment Z-21-12, 535 Quiet Place, in accordance with Section 8 of Staff Report IPPW2022-010.

A. Executive Summary

Hickory Terraces Limited (the “Applicant”) has submitted Zoning By-law Amendment Z-21-12 for the lands municipally known as 535 Quiet Place (the “Site”). The Site is currently vacant, triangular in shape, with an ION/LRT and freight rail corridor to the west, a multi-use trail to the east, and Quiet Place to the south.

The Applicant is proposing a 12-storey residential development on the lands, containing:

- three 8-storey residential towers on a shared 4-storey podium
- 423 units (735 bedrooms)
- 424 vehicular parking spaces
- 254 bike parking spaces.

2 Integrated Planning & Public Works

To facilitate the proposed development, the Applicant is proposing to amend the City's Zoning By-law No. 2018-050 to remove a Holding (H) prefix applied to the lands due to proximity to the rail corridor, and is requesting site specific regulations tailored to the proposed development and in response to site constraints, more specifically:

- reduce the building setback to the railway corridor from 15 m to 1.5 m for an exposed parking structure only (the 15 m setback will continue to apply to the residential units);
- reduce the parking requirement from 1.0 space per unit to 0.9 spaces per unit;
- modify the definition of landscaped open space to include landscaped open space and amenity areas on the parking deck;
- permit one (1) parking space in the front yard near the main entry for couriers / parcel delivery and pick-up/drop-off;
- increase the permitted height of the parapet to allow the parapet to function as both an architectural feature and a rooftop guard to Ministry of Labour specifications;

The holding (H) symbol applied to the lands is not to be removed or modified until it is demonstrated by a qualified professional engineer that there will be:

- a sufficient buffer from railway operations to dissipate rail-oriented emissions, vibrations, and noise;
- no adverse impacts to the sensitive uses; and,
- a sufficient safety barrier from railway operations and potential derailments, to the satisfaction of the City and any other authority having jurisdiction.

Based on Planning Approval's review of the application, staff support Zoning By-law Amendment Z-21-12 in accordance with Section 8 of Staff Report IPPW2022-010, for reasons including:

- the application is consistent with the 2020 Provincial Policy Statement
- the application conforms to the 2020 Growth Plan
- the application conforms to the policies of the Regional Official Plan
- the application conforms to the City of Waterloo Official Plan (2012)
- the proposed development will provide for an efficient use of land, services and infrastructure
- the application facilitates appropriate development and use of the lands
- the application is minor in nature

3 Integrated Planning & Public Works

- the proposed development is transit-supportive, in an area that is walkable and well served by public transit

B. Financial Implications

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

C. Technology Implications

Staff are not aware of any technology implications.

D. Link to Strategic Plan

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

E. Previous Reports on this Topic

N/A

REPORT DASHBOARD

CONCEPTUAL BUILDING PERSPECTIVE



(View looking northeast along Quiet Place)

ZONING BY-LAW AMENDMENT Z-21-12

Table 1 – Requested Site Specific Provisions

Performance Standard	ZONING BY-LAW 2018-050 (RMU-40)	APPLICANT'S PROPOSAL	RECOMMENDED BY STAFF
Side Yard Setback (Rail Corridor)	3 metres	1.5 metres	1.5 metres
Right-of-Way Side yard Setback - Rail	15 metres	1.5 metres to an exposed parking structure	1.5 metres to an exposed parking structure

5 Integrated Planning & Public Works

Performance Standard	ZONING BY-LAW 2018-050 (RMU-40)	APPLICANT'S PROPOSAL	RECOMMENDED BY STAFF
Building Height	40m (Parapet of 1.2m above 40m permitted.)	39.925m + parapet of 1.835m = 41.76m	40m + 1.85m parapet
Landscape Open Space Definition	Excludes: Parking areas, including parking decks	Remove parking decks exclusion	Remove parking decks exclusion
Residential Parking Space (minimum)	1.0 space per unit	0.9 spaces per unit	0.9 spaces per unit
Parking in front of Front Yard Building Line (Quiet Place)	No parking is permitted in front of the building line.	Permit one (1) parking space in front of the building line	Permit one (1) parking space in front of the building line

Table 2 – Requested Holding Provision for Removal

Policy	ZONING BY- LAW 2018-050 (General Regulations)	APPLICANT'S PROPOSAL	RECOMMENDED BY STAFF
3.R.1 Railways	Holding (h) prefix applied to all lands within 75 m of rail right-of-way	Remove holding (H) symbol from the lands to enable development	Remove holding (H) symbol from the lands to enable development



**Zoning By-law Amendment Z-21-12, 535 Quiet Place, Hickory Terraces Limited
IPPW2022-010**

SECTION 1 – SUBJECT LANDS

Location

535 Quiet Place

Ward

Lakeshore (Ward 3)

Total Lot Area

1.225 hectares (12,252.61 sq. m.)

Land Owner / Applicant

Hickory Terraces Limited

Agent

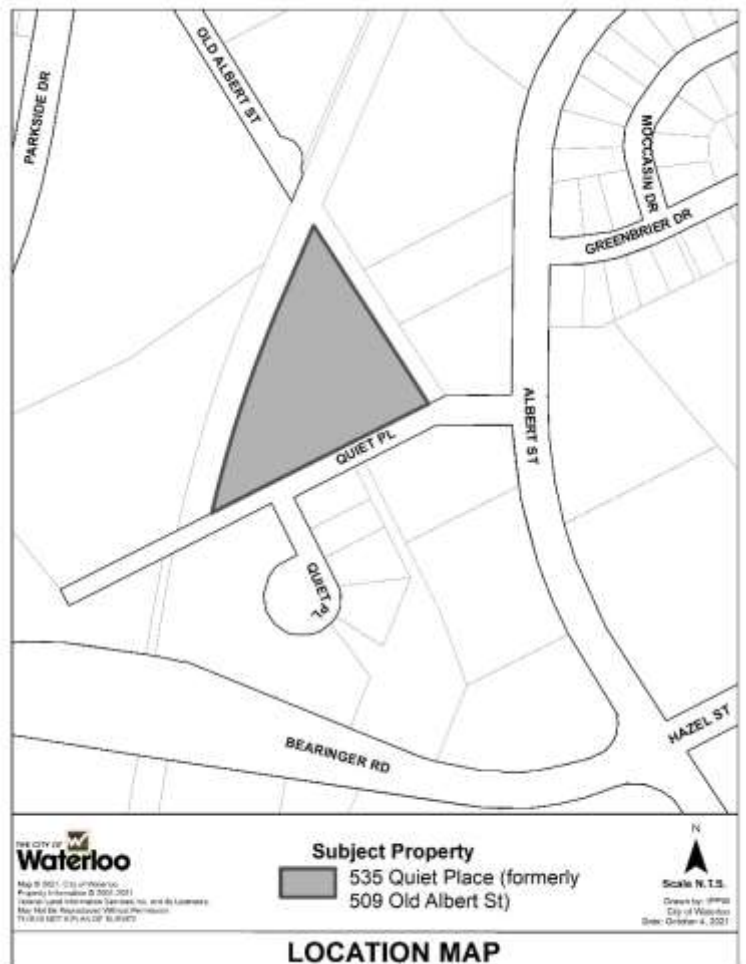
Premier Project Consultants Limited

Existing Land Use

Vacant

Proposed Development

12-storey residential development.



Public Input

Table 3 - The mechanisms used to gather input in regards to Z-21-12 are as follows:

Mechanism	Date	Results
Agency and Staff Circulation	June 10, 2020; May 31, 2021; October 8, 2021	Agency and staff comments attached as Appendix B
Advertise Informal Public Meeting	October 1, 2021	Advertised in Waterloo Chronicle and Waterloo Region Record, notice sent to property owners within 120 metres of the subject property.
Informal Public Meeting	October 18, 2021	Informal Public Meeting minutes attached as Appendix A
Community Information Session	November 2, 2021	Virtual Evening Engagement. Notice provided to Ward 3 - Lakeshore and Ward 6 - Central Columbia Neighbourhood Associations for circulation/notification
Advertise Formal Public Meeting	January 25, 2022	Advertised in Waterloo Chronicle and notice sent to property owners within 120 metres of the subject property.
Formal Public Meeting	February 14, 2022	Council consideration of application

1.1 Site Description and Neighbourhood Context

The Site is located in Ward 3 (Lakeshore), generally north of Bearinger Road and west of Albert Street, at 535 Quiet Place. To the northwest is the Albert McCormick Community Centre (“AMCC”). The lands are triangular in shape, with grades falling to the northwest. The ION/LRT and freight rail line runs parallel with the westerly lot line. A City multi-use trail runs parallel with the easterly lot line, with medium density residential beyond. To the south is medium density residential dwellings consisting of walk-ups and townhouses.

The site is currently vacant. The site is generally surrounded by residential developments except to the northwest which are lands designated “Open Space” (west of the rail corridor), and the AMCC (which includes part of Cedar Creek).

The Site is well served by transit with a number of bus routes running within close proximity, and the ION/LRT running immediately to the west of Site. The R & T ION/LRT Station is approximately 750m away (8 minute walk), and the Northfield Station is 1.4km away (18 minute walk).

Figure 1: Subject Site and Surrounding Area



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

The proposed development consists of:

- a 1-storey parking structure partially exposed on the side and rear facades
- 12-storey residential building:
 - three 8-storey residential towers on a shared 4-storey podium
 - 423 units (735 bedrooms)
 - 111 1-bedroom units
 - 312 2-bedroom units
 - 424 vehicular parking spaces
 - 302 spaces located in the underground parking level
 - 122 spaces located at grade
 - 13 barrier-free parking spaces
 - 13 spaces are proposed for electrical vehicle parking
 - 1 space for couriers / parcel delivery and pick-up/drop-off at the main entrance of the building
 - 254 bike parking spaces
 - 3 loading spaces (one per tower)

The proposed building will be a rental apartment complex.

SECTION 3 – APPLICATION DETAILS

The Applicant submitted a Site Plan Application in June 2020. After considering the initial comments of staff and agencies, the Applicant revised the design to resolve various technical issues. Upon resubmission in May 2021, staff identified that a Holding prefix was applied to the property, as the proposed development is within (75) seventy-five metres of a “Railway” as defined in Zoning By-Law 2018-050. The Applicant submitted Zoning By-law Amendment Z-21-12 to remove the holding (H) symbol applied to the lands, and to request minor site specific amendments tailored to the proposed development as stated in the report Dashboard on pages 4 and 5:

- minor parking reduction (re: from 1.0 space per unit to 0.9 spaces per unit)
- in response to site constraints including the irregular shape of the lands and grading (re: 1.5m setback to the rail corridor for an exposed parking structure, and modified definition of landscaped open space to include landscaped open space and amenity areas on the parking deck)
- in response Ministry of Labour specifications (re: parapet to also function as a rooftop guard)
- for convenience (re: courier / parcel delivery and pick-up/drop-off parking space in the Front Yard)

For lands within seventy five (75) metres of a railway right-of-way, a holding prefix “(H)” is applied in Zoning By-law No. 2018-050. Before the lands can be developed, the holding provision must be removed, contingent upon the owner demonstrating via a qualified professional engineer that there will be:

- sufficient buffer from railway operations to dissipate rail-oriented emissions, vibrations, and noise;
- no adverse impacts to the sensitive uses; and,
- 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; promote efficient development and land use patterns to minimize land consumption and servicing costs; support densities that provide for a more compact urban form; building strong and safe communities; and accommodating a range and mix of residential unit types.

In staff's opinion, the proposed Zoning By-law Amendment is consistent with the PPS:

- transit-supportive, accommodating intensification in an area that is served by transit;
- efficient use of land and existing infrastructure;
- planned to minimize and mitigate potential adverse effects from the rail corridor on sensitive residential land uses;
- rail facilities and sensitive residential land uses are appropriately designed and separated from each other.

4.2 Growth Plan for the Greater Golden Horseshoe

The 2020 Growth Plan for the Greater Golden Horseshoe (the "Growth Plan") provides a framework for managing growth, protecting resources, and promoting economic investments within the Greater Golden Horseshoe to the year 2041. Building on the policy foundation of the PPS, the Growth Plan provides more specific land use planning policies for managing growth. Some of the key guiding principles include the achievement of complete communities, and to prioritize intensification and higher densities to make efficient use of land and infrastructure and support transit viability.

In staff's opinion, the proposed development conforms to, or does not conflict with, the Growth Plan for reasons including:

- the proposed development is located within a short walking distance (750 metres) of the R&T ION Station and is within a short walking distance of a number of bus routes, therefore reducing reliance on the automobile; and,
- the proposed development will efficiently use the lands and will efficiently use existing municipal services and infrastructure.

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 an Urban Designated Greenfield Area (as shown on ROP Map 3a, Urban Area). In staff's opinion, the proposed applications conforms to the ROP for reasons including:

- it represents intensification in a compact urban form that has regard for the planned physical character of the area;

- it is transit-supportive by proposing intensification within a short walking distance of two ION Stations and a number of bus transit stops;
- it fosters walkability;
- it directs growth and intensification to the Urban Area;
- includes direct connections to the community trail and bicycle pathways; and,
- contributes to a diverse mix of housing types in the community.

4.4 City of Waterloo Official Plan

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

- Schedule 'A' (Land Use Plan) – Mixed-Use Medium High Density Residential except northern tip which is Open Space
- Schedule 'A4' (Natural System) – Supporting Natural Feature
- Schedule 'B' (City Structure) – Minor Corridor
- Schedule 'B1' (Height and Density) – Medium High Density, 40 metres except northern tip
- Schedule 'B3' (Designated Greenfield Areas) – Built Up Area
- Schedule 'C' (District Boundaries) – Columbia
- Schedule 'E' (Road Classification System) – Quiet Place is a Local Road
- Schedule 'F' (Active Transportation Network) – City-Wide Cycling & Multi-Use Routes identified on and adjacent to property
- Schedule 'J' (Station Areas) – Research and Technology Park

4.4.1 Land Use

The City's Official Plan designates the subject lands as Mixed-Use Medium High Density Residential (Schedule 'A' – Land Use Plan) which contemplates multiple residential buildings as the predominant use of land, up to 40 metres in height with a density range of 150-600 bedrooms per hectare. The proposed apartment is a permitted use under this designation. According to the architectural drawings submitted with the application, the proposal has a building height of 39.925 metres (12 storeys) and a density of 600 bedrooms per hectare which conforms to the Official Plan.

4.4.2 Affordable Housing

At the Informal Public Meeting, questions were posed regarding affordability of the proposed apartment units. Section 10.1.2(12) of the Official Plan states that regard will be given to an adequate mix of rental and ownership units for a variety of household sizes when considering development applications. The proposed apartment is set to have 111 1-bedroom units (comprising 26% of the total units) and 312 2-bedroom units (comprising 74% of the total units). Staff note there is a need for affordable rental units in the community. The Applicant advises that the proposed development will contribute to the availability of attainable and affordable housing. Rental rates have not been set

to confirm whether or not some or all of the proposed units will be affordable according to the PPS and City's Official Plan.

4.4.3 Parking

Section 6.1.5(1) of the Official Plan requires the City to plan for an appropriate amount of bicycle and vehicular parking to accommodate the intended use. Within Nodes and Corridors, including the subject lands, the Official Plan contemplates reduced parking standards through the Zoning By-law where transit services are readily available and where, in the opinion of the City, the reduction is appropriate in the context. In intensification areas, surface parking is to be minimized in favour of underground and structured parking.

4.4.4 Railways

Policy 8.4.4(7) of the Official Plan states that where a sensitive land use is to be located in the vicinity of a railway, a noise study may be required. Further, Policy 8.4.4(10) states:

Where a development application, excluding site plan applications, for a sensitive land use is submitted within 75 metres of a property line for a railway, a vibration study may be required, to the satisfaction of the City. The study must address all sources of vibration affecting the site and include recommendations for mitigation.

These policies, combined with the Guidelines for New Development in Proximity to Railway Operations, May 2013 (developed in collaboration with the Railway Association of Canada and the Federation of Canadian Municipalities), form the basis for Section 3.R.1 in Zoning By-law No. 2018-050:

3.R.1 RAILWAYS

- 3.R.1.1 Notwithstanding anything to the contrary, no PERSON shall erect, enlarge, or reconstruct any BUILDING in whole or in part within fifteen metres (15m) of a railway right-of-way.
- 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.

- 3.R.1.3 Sections 3.R.1.1 and 3.R.1.2 shall not apply to any railway right-of-way or section thereof solely used for REGIONAL Light Rapid Transit (LRT).

SECTION 5 – PLANNING EVALUATION OF ZONING BY-LAW AMENDMENT

Staff have evaluated Zoning By-law Amendment Z-21-12, and provide the following summary comments:

5.1 City of Waterloo Zoning By-law 2018-050

The Site is zoned Residential Mixed-Use 40 (RMU 40) in By-law 2018-050, which permits multiple unit residential developments with a maximum height limit of 40 metres (12 storeys), and a maximum density of 600 bedrooms per hectare.

Built form regulations are applied, to regulate podium heights, tower separation, tower floorplate dimensions, and tower setbacks above the podium, to achieve the City's planning and urban design objectives.

The propose land use conforms to the City's Official Plan and Zoning By-law.

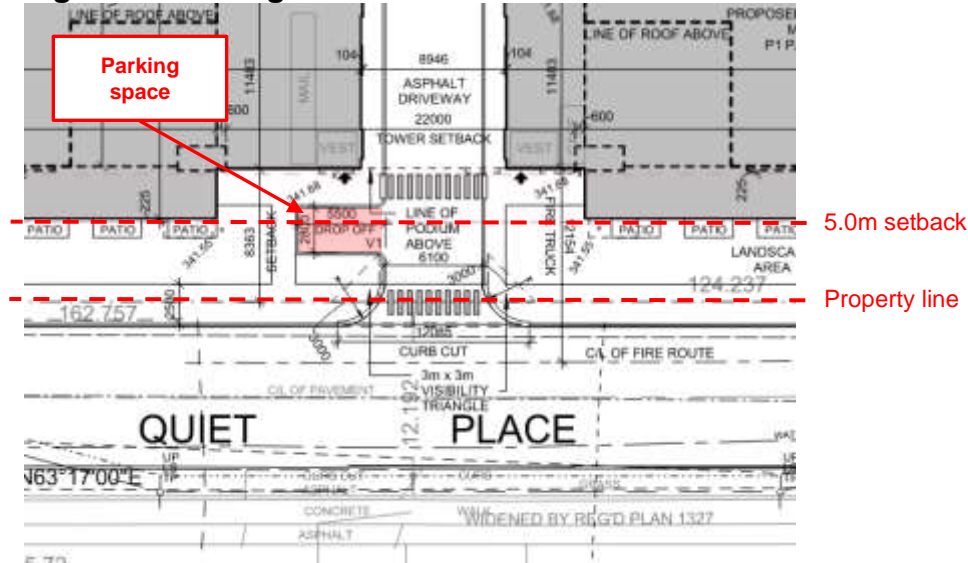
5.2 Parking within Front Yard Building Line

The Applicant is requesting relief from Regulation 6.1.6.2 in ZB2018-050 to permit one parking space within the Front Yard between the Front Building Line and the Quiet

Place right-of-way to accommodate couriers / parcel delivery, food delivery, pick-up/drop-off, etc. on the property. The parking space encroaches into the front yard building line by 1.89m.

The Zoning By-law reads as follows: Section 6.1.6.2 - In residential zones, or for a BUILDING used in whole or in part for residential purposes, all PARKING SPACES shall be located behind the FRONT YARD BUILDING LINE and the FLANKAGE YARD BUILDING LINE.

Figure 2: Parking within Front Yard



This regulation places a low priority on parking, orienting buildings towards the street, thereby encouraging massing to define the character of the streetscape (compact built form) supported by landscaping to enhance the public realm – the objective is, in part, to create a strong relationship between buildings and the street, and in particular the pedestrian realm. Staff are of the opinion that the Applicant has designed the Site to meet the intent of the regulation, with parking facilities either below ground or behind the building face.

Staff do not object to the Applicant’s request to permit one (1) parking space within the Front Yard Building Line, to provide a dedicated short-term parking space for couriers / parcel delivery and pick-up/drop-off. The proposed parking space will reduce the likelihood of such vehicles occupying the Quiet Place right-of-way or blocking the vehicular entrance to the parking area behind the building face. Substantial landscaping will be required to soften the appearance of the parking space in the front yard, which will be secured through the Site Plan process.

5.3 Parapet Height

The Applicant is requesting an increase to the permitted parapet height from 1.2 metres to 1.85 meters for additional articulation at the top of the towers and to act as a guard that satisfies Ministry of Labour specifications for the rooftops (re: provision of “fall-protection systems”), rather than a standard safety guardrail.

Planning staff do not object to the increased parapet height for this development, to help sculpt the top of the towers architecturally and to supplant the need for a guardrail.

5.4 Parking Reduction

The Applicant is requesting to reduce the residential parking rate from the required 1.0 space per unit to 0.9 spaces per unit, with no alteration to the 0.1 visitor spaces. The proposed reduction would result in 42 fewer parking spaces compared to the standard requirement in the by-law (i.e., 424 spaces proposed, whereas 466 spaces required by ZB2018-050). The breakdown of parking spaces is as follows:

- 290 standard resident spaces below grade
- 78 standard resident spaces at grade
- 6 Type A Barrier Free spaces below grade
- 6 Type B Barrier Free spaces below grade
- 1 Type B Barrier Free space at grade
- 43 visitor spaces at grade

The Applicant has provided local parking data retrieved from comparable residential properties in the local context which provided evidence of an 83-87% uptake in parking spaces, resulting in a 13-17% unused/unrented spaces. The proposed reduction under consideration equates to 10% of the total required parking. The lands that would otherwise be used for parking are replaced with shared amenity spaces for the residents of the development.

Staff are of the opinion that the reduction is reasonable in this context, having regard for:

- comparable local parking data
- proximity to high-order public transit including local bus services as well as two (2) ION/LRT transit stations
- access to multi-use trails and active transportation infrastructure
- irregular shape of the lands, which impacts efficient design
- minor nature of the reduction
- compliance with the 0.1 visitor parking space requirement

Additionally, the Site is situated on lands with a high-water table. As such the Applicant has elected to limit below grade parking to a single level.

5.5 Landscape Open Space Definition

The RMU-40 zone requires Landscaped Open Space equal to a minimum 30% of the lot area, which can be located anywhere on the site (at grade) and can include landscaping and hardscapes (i.e., common outdoor areas and accessory outdoor hardscapes, such as patios).

The specific definition is as follows:

LANDSCAPED OPEN SPACE means a portion of a lot predominantly used for the growth of trees, shrubs, grasses, and or other vegetation. Includes “common outdoor area” and “accessory” outdoor hardscapes such as a surface walkway, patio, or “deck”. Excludes:

- Building and structures (except for a deck);
- parking areas, including parking decks;
- driveways;
- loading spaces;
- covered or enclosed bicycle parking;
- curbs and retaining walls;
- garbage enclosures;
- rooftop amenity areas, rooftop decks, rooftop terraces constructed after the effective date of ZB2018-050;
- stairs and ramps; and,
- utilities.

The Applicant is requesting to modify the definition of Landscaped Open Space for this Site to include common outdoor areas / landscaped space on the parking deck. The parking deck occurs as a result of the underground parking level extending above grade due to the sloping topography of the site. The underground parking level is completely below grade where it interfaced with Quiet Place, however it becomes exposed as the site slopes northward.

Planning staff do not object to the modified definition of Landscaped Open Space for this Site, as the relief is based on:

- topography (grading constraints)
- high groundwater constraints
- intent to provide some landscaping and accessory hardscapes (e.g., patios) accessible from the first storey of the building, subject to sufficient soil volumes being provided to accommodate trees and other vegetation on the parking deck.

5.6 Setback to Rail Corridor

Zoning By-law No. 2018-050 requires a 15 metre building setback from the rail corridor. The Applicant is proposing:

- to reduce the side yard setback from 3m to 1.5m

- to reduce the minimum 15m building setback from the rail corridor to 1.5m to permit the exposed parking structure and rail crash wall

The Applicant designed the site to comply with the 3m side yard setback. However, based on the requirement to provide a railway crash wall, the 3m setback is reduced to 1.5m. In consultation with CN Rail and the Region of Waterloo, no objections were raised in relation to a 1.5m setback to the rail corridor for the exposed parking structure with crash wall. The design of the crash wall will be approved by CN Rail through the site plan process via AECOM. All habitable or other sensitive use space will remain as per the by-law requirement (i.e., minimum setback of 15 metres from the rail corridor).

5.7 Holding “(H)” Provision

In order to develop the lands, the holding provision applied due to proximity to the rail corridor must be removed subject to the acceptance and approval of specific criteria related to noise, vibration, emissions, and safety, among other matters.

The Applicant has submitted a Noise & Vibration Assessment in support of lifting the holding symbol, along with written confirmation from CN Rail that there are no objections to the proposed 1.5m setback to the exposed parking structure subject to the provision of a railway crash wall to the satisfaction of CN Rail via AECOM.

The Region of Waterloo has reviewed the Noise & Vibration Assessment, and are satisfied that impacts to sensitive uses can be mitigated to acceptable levels through the design of the development.

Based on the clearances from CN Rail and the Region of Waterloo, the holding symbol applied to the lands can be removed.

SECTION 6 - OTHER CONSIDERATIONS

6.1 Wetland Development Analysis

With respect to the wetland feature at the northern tip of the Site, a Wetland Development Analysis report was submitted in July 2018 which determined that the wetland meets the criteria set out in Official Plan policy 8.2.5(19) to remove the wetland feature for development and site alteration purposes. Consistent with policy 8.2.5(18), the Schedules of the Official Plan can be updated accordingly through a municipal comprehensive official plan review or a site specific amendment to the Official Plan. Since a municipal comprehensive official plan review is currently underway, it is recommended that the Schedules be updated through that process.

Staff understand that the GRCA issued a permit in July 2021 to enable the removal of the wetland.

6.2 Stormwater Management

Prior to the issuance of a building permit, the Applicant will need to obtain approval for stormwater management from Engineering Services. At this time, there is not capacity in the receiving storm sewer to accommodate the development. Further, the Applicant will be required to attenuate post-development storm flows discharging to Cedar Creek to pre-development levels. As noted by GRCA, Cedar Creek is confirmed habitat for the Black Redhorse, a provincially and federally listed species at risk. The watercourse is therefore covered under general habitat protection for species at risk, and will require review/permission from Fisheries and Oceans Canada (DFO) and the Ministry of the Environment, Conservation and Parks (MECP). The final stormwater management solution will be determined in conjunction with the site plan process.

6.3 Sustainable Design

In accordance with the City's Strategic Plan goals to address climate change, it is strongly encouraged that the development incorporate sustainable design, construction and operational elements. Specific consideration should be given to the following:

- achieving at least a 15% improvement in energy efficiency above the Ontario Building Code, SB-10, Division 3 (2017)
- designing the building and the site to be solar ready
- partial or full replacement of conventional natural gas space heating with low carbon alternatives like air source heat pump systems, ground source heat pump systems and variable refrigerant flow systems
- maximizing low-carbon transportation measures, including electric vehicle charging stations and/or readiness to enable future charging station installation
- backup power systems that will improve the resilience of the buildings to power outages
- opportunities for district or shared energy

6.4 Tree Planting

At the Informal Public Meeting, questions were posed regarding tree planting on the Site. Through the site plan review process, trees will be required:

- along the Quiet Place streetscape
- along the multi-use trail interface (eastern edge of the Site)
- adjacent to the rail corridor (western edge of the Site), where feasible

- within landscaped areas on the parking deck, where feasible

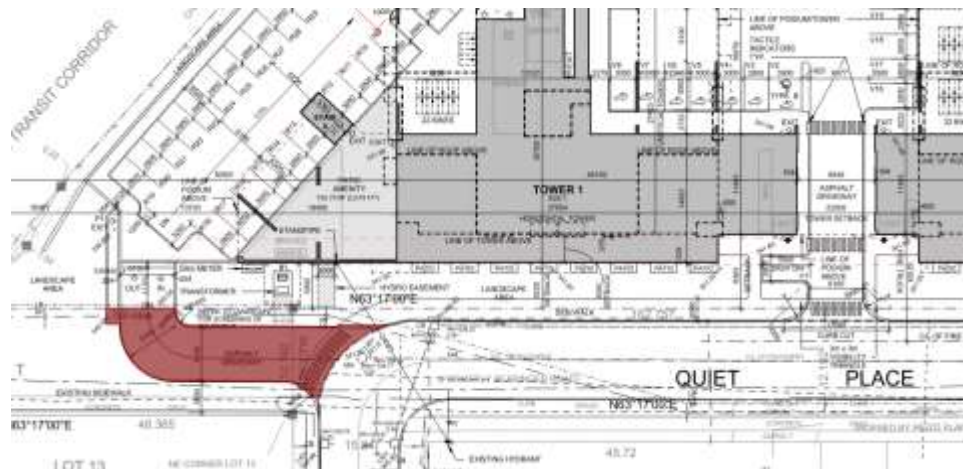
A conceptual planting plan (pre-crash wall) is shown below for the Quiet Place streetscape:



6.5 Access to Underground Parking Level

In order to access the underground parking level, the Applicant requires an easement from the City for a private driveway over a portion of the closed section of the historic Bearer Road (now Quiet Place) – shown in red on the inset site plan excerpt below. The road was closed by By-law 85-186. The easement is supported by staff, subject to:

- site planning acceptable to the City of Waterloo;
- the owner granting an easement in favour of the City for the installation of a sidewalk on the north side of Quiet Place; and
- the owner landscaping (with minor grading as required) the remaining lands within the closed portion of the historic Bearer Road between Quiet Place and the rail corridor, to the satisfaction of the City's Engineering Services Division.



6.6 Hydro Transformers

To accommodate hydro servicing and transformer access, the Applicant is seeking authorization from the City to upgrade the base and surfacing of a small portion of the Old Albert trail abutting the easterly lot line at Quiet Place. Staff support the request, subject to:

- a.) engineering plans acceptable to the City of Waterloo, in consultation with Waterloo North Hydro;
- b.) that the transformers be located entirely on the 535 Quiet Place lands, and shifted northward to increase the separation from Quiet Place;
- c.) that a decorative screen(s) be provided by the owner (at its expense) to screen the transformers from public views. Example of a screen is provided below, from Spruce Street:



6.7 Directives to the Site Plan Review Committee

To facilitate landscaping on the parking deck, and in alignment with the City's climate change mitigation goals and stormwater management objectives, it is recommended that Council support the following site plan directives:

- a. that sufficient soil depths be provided on the parking deck to support trees and landscaping;
- b. that trees be planted at a spacing of eight metres (8m) on centre along the community trail interface (eastern side yard), unless otherwise directed by the City's Director of Planning.
- c. that green roofs be provided wherever feasible on the podium and towers to reduce solar infiltration, and assist in managing stormwater on site.

6.8 Public Comments**Table 4 – Public Concerns and Staff Response**

Summary of Public Concerns	Staff Response
1 On-street parking <i>Concern related to existing on-street parking being exacerbated by this development.</i>	Planning staff are of the opinion that the reduction from 1.0 parking spaces per unit to 0.9 spaces per unit will not cause adverse impacts on Quiet Place with respect to on-street parking. The proposal included (43) forty three visitor parking spaces, allowing visitors to park on-site.
2 Traffic <i>Concern related to traffic impacts at Quiet Place and Albert Street North intersection.</i>	The proposed density is permitted as-of-right by the Zoning By-Law. Development of the lands will increase vehicular volumes on Quiet Place. The proposed parking rate reduction will decrease the number of vehicles associated with the development, thereby lower vehicle volumes on Quiet Place. Increased delays may be experienced for vehicles exiting Quiet Place at peak times.

SECTION 7 – CONCLUSION

Based on Planning Approval's review of the application, we support Zoning By-law Amendment Z-21-12 as set out in Section 8 of Staff Report IPPW2022-010, for reasons including:

- the application is consistent with the 2020 Provincial Policy Statement
- the application conforms to the 2020 Growth Plan
- the application conforms to the policies of the Regional Official Plan
- the application conforms to the City of Waterloo Official Plan (2012)
- the proposed development will provide for an efficient use of land, services and infrastructure
- the application facilitates appropriate development and use of the lands
- the application is minor in nature
- the proposed development is transit-supportive, in an area that is walkable and well served by public transit

SECTION 8 – RECOMMENDATIONS

- A. That Staff Report IPPW2022-010 be approved.
- B. That Council approve Zoning By-law Amendment Z-21-12, 535 Quiet Place, as follows:
 - 1. That Zoning By-law 2018-050 is hereby amended by changing the zoning on the zoning map attached to said By-law 2018-050 as Schedule 'A' for the lands, known municipally as 535 Quiet Place as shown on Map 1 attached hereto from "(H)Residential Mixed Use 40" ((H)RMU-40) to "Residential Mixed Use 40" (RMU-40).
 - 2. That Zoning By-law 2018-050 is hereby amended by adding "C[TBD]" to Schedule 'C' of the said By-law 2018-050 as follows:

Site Specific Regulations (535 Quiet Place):

- a) Notwithstanding anything to the contrary, the following site specific provisions shall apply to the lands identified as "535 Quiet Place" as shown on Map 1 attached hereto:
 - i. One (1) short-duration parking space shall be permitted in front of the FRONT YARD BUILDING LINE for couriers / parcel delivery, pick-up/drop-off, and the like. For the purposes of the foregoing, a "short-duration parking space" shall mean a parking space used and signed/demarcated for limited time parking, being typically less than 15 minutes in duration per occurrence.
 - ii. Notwithstanding anything to the contrary, for the lands known municipally as 535 Quiet Place, the definition of BUILDING HEIGHT shall be:

BUILDING HEIGHT

For a SINGLE DETACHED BUILDING, SEMI-DETACHED BUILDING, FREEHOLD SEMI-DETACHED BUILDING, DUPLEX BUILDING, TRIPLEX BUILDING, TOWNHOUSE BUILDING, FREEHOLD TOWNHOUSE BUILDING, STACKED TOWNHOUSE BUILDING, MAISONETTE BUILDING, and ACCESSORY BUILDING / STRUCTURE, means the vertical distance measured from the finished average ground level abutting the FRONT BUILDING FAÇADE to:

- a.) for a flat roof, the highest point of:

- the roof's surface; or
 - the parapet, where the parapet exceeds 1.2 metres in height, whichever is higher;
- b.) for a mansard roof, the roof deck line;
- c.) for a gable, hipped, cottage, gambrel, or peaked roof, the mid-point measured between the eaves and the ridges.

For all other BUILDINGS and STRUCTURES, means the vertical distance from the finished ground level abutting the FRONT BUILDING FAÇADE, measured as the average of five (5) points equally spaced apart adjacent to the entire FRONT BUILDING FAÇADE to:

- a.) for a flat roof, the highest point of:
- the roof's surface; or
 - the parapet, where the parapet exceeds 1.85 metres in height, whichever is higher;
- b.) for a mansard roof, the roof deck line;
- c.) for a gable, hipped, cottage, gambrel, or peaked roof, the mid-point measured between the eaves and the ridges.

The following shall be disregarded when calculating BUILDING HEIGHT:

- chimney
- church spire, church steeple, church belfry, and the like
- rooftop mechanical, ventilation, electrical, utility and service equipment not exceeding four metres in height
- enclosed stairwell roof access not exceeding four metres in height
- elevator penthouse not exceeding six metres in height
- rooftop architectural feature (see section 3.A.5)
- mechanical and service equipment noise barriers
- elevator penthouse
- stairway structure
- non-habitable and unenclosed rooftop amenity structures
- safety guards
- ornamental domes, skylights, and cupolas
- telecommunication equipment

- iii. Notwithstanding anything to the contrary, for the lands known municipally as 535 Quiet Place, the following minimum PARKING SPACE regulations shall apply, except as specified in Table 6A:

Minimum Parking Rate

Residential	Use	0.90	Per Dwelling Unit
Residential	Visitor	0.10	Per Dwelling Unit

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Total 1.00 Per Dwelling Unit

- iv. Notwithstanding anything to the contrary, for the lands known municipally as 535 Quiet Place, the definition for LANDSCAPED OPEN SPACE shall be amended to include areas on the upper floor of a parking deck that are used for:
 - a.) the growth of trees, shrubs, grasses, and or other vegetation
 - b.) COMMON OUTDOOR AREA
 - c.) ACCESSORY outdoor hardscapes such as surface walkway, patio, or DECK
- v. Notwithstanding anything to the contrary, for the lands known municipally as 535 Quiet Place, there shall be a minimum setback of 1.5 metres from the westerly LOT LINE to STRUCTURED PARKING.
- vi. Notwithstanding anything to the contrary, including provision 3.R.1.1 for the lands known municipally as 535 Quiet Place, the minimum SIDE YARD setback from the westerly LOT LINE shall be 1.5 metres.

In all other respects the provisions of By-law No. 2018-050 shall apply.


- 3. That Zoning By-law 2018-050 is hereby amended by adding “C[TBD]” to the zoning map attached to the said By-law 2018-050 as Schedule ‘C1’ for the lands described as “Subject Property” (535 Quiet Place) as shown on Map 1 attached hereto.
- C. To facilitate landscaping on the parking deck, and in alignment with the City’s climate change mitigation goals and stormwater management objectives, that Council support the following site plan directives:
- a. that sufficient soil depths be provided on the parking deck to support trees and landscaping;
 - b. that trees be planted at a spacing of eight metres (8m) on centre along the community trail interface (eastern side yard), unless otherwise directed by the City’s Director of Planning.
 - c. that green roofs be provided wherever feasible on the podium and towers to reduce solar infiltration, and assist in managing stormwater on site.


MAP 1 – SUBJECT SITE



THE CITY OF 
Waterloo

Map © 2021, City of Waterloo
Property Information © 2001-2021
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May Not Be Reproduced Without Permission.
THIS IS NOT A PLAN OF SURVEY

Subject Property
 535 Quiet Place (formerly
509 Old Albert St)

N

Scale N.T.S.
Drawn by: IPPW
City of Waterloo
Date: October 4, 2021

LOCATION MAP

MAP 2 - ZONING BY-LAW AMENDMENT Z-21-12

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

APPENDIX 'A' – Minutes of Informal Public Meeting

COMMITTEE OF THE WHOLE MEETING

Monday, October 18, 2021

Informal Public Meeting

Title: Zoning By-law Amendment Application Z-21-12, 535 Quiet Place.

Prepared By: Max Kerrigan

The Chair advised that the Informal Public Meeting was the first opportunity to inform Council and the public of the application and emphasized that no decision would be made by Council at this meeting.

Max Kerrigan, Development Planner advised that the applicant is proposing to amend the City's Zoning By-law No. 2018-050 to remove a Holding (H) prefix, and permit site specific regulations. The site specific provisions include:

- Reduce the required parking from 113 parking spaces (1.2 spaces/unit) to 84 parking spaces (0.9 spaces/unit).
- Reduce the building setback to the railway corridor from 15 m to 1.5 m for an exposed parking structure. Residential components comply with 15 metre setback.
- Minor reduction to the parking requirement
- Relief from the definition of landscaped open space to include landscaped open space and amenity areas upon the parking deck.
- Allow one (1) parking space in the front yard near the main entry (re: for couriers / parcel delivery, food delivery, pick-up/drop-off, etc.)
- Increase the permitted height of the parapet to meet Ministry of Labour specifications

Kristin Barisdale, GSP Group provided additional details on the proposal with respect to proximity to high-order transit, unit mix, built form, parking provisions. Indicated that the proposal had already undergone extensive Site Plan Review Committee review.

Kristin Barisdale responded to various questions from Council.

As no one else was present to speak to the application, the Chair concluded the Informal Public Meeting and indicated that staff will review the issues and report back to Council at a later date.

APPENDIX 'B' - Agency and Staff Comments

NO COMMENTS OR CONCERNS:

City of Waterloo Fire Department – Fire Prevention Division
City of Waterloo – Economic Development
Waterloo Advisory Committee on Active Transportation
Waterloo North Hydro
Waterloo Region District School Board
Waterloo Catholic District School Board

AGENCY COMMENTS:

Note: The Region of Waterloo and CN Rail identified issues with respect to noise and vibration as a result of permitted freight traffic on the adjacent railway corridor. The Applicant provided a solution which was subsequently accepted by CN Rail.

The Region of Waterloo deferred to CN Rail with respect to acceptance of Noise and Vibration, as it pertained to freight traffic and not the ION.

CN Rail

Noise and Vibration Assessment

All issues related to noise and vibration were satisfactorily addressed by the Applicant

Crash Wall Design

1. Proposed safety mitigation is compliant with CN and RAC/FCM guidelines including:
 - a. setbacks from property line to sensitive uses is 15m or more as required for branch lines
 - b. minimum dimensions including height, thickness, and depth of wall are met;
 - c. wall is structurally independent;
 - d. returns are provided to prevent entry of a train that derails on approach from entering the setback area;
 - e. security fencing provided to prevent trespassing or debris from being thrown onto the track.

Note that CN has confirmed this track can be designated a branch line.

2. Please submit/provide the Crash Wall Design for the further Review including load design calculations. Following detailed design, future submissions will be reviewed to confirm the design impact load, wall resistance, and how the geotechnical resistance to impact is to be achieved. Note that if Method 2 is selected, the single car load

cases must be applied as a pair of loads at the design impact to represent two cars in succession in an accordion style of derailment.

Grand River Conservation Authority (GRCA)

Note: The following comments were issued in October 2021. Subsequent coordination work has taken place between the Applicant GRCA and City of Waterloo Development Engineering Staff to alleviate the concerns identified. Any additional modifications will take place through the Site Plan process.

Resource Issues:

Information currently available at our office indicates that the subject lands contain and are adjacent to wetlands. We also understand that a stormwater management (SWM) outlet to Cedar Creek may be proposed, which has an associated floodplain.

2. Legislative/Policy Requirements and Implications: Due to the presence of the wetlands, the GRCA regulates a portion of the property under Ontario Regulation 150/06 (Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation). A future SWM outlet is also likely to be within a regulated area associated with the watercourse and floodplain. Any future development within a regulated area (as shown in yellow on the attached map) will require a permit from the GRCA pursuant to Ontario Regulation 150/06.

The proposed development will remove the 0.11 hectare wetland present on the site. The applicant has submitted a wetland development analysis (NRSI, June 2018) and a scoped hydrogeological assessment (Chung and Vander Doelen Engineering, March 2018) demonstrating the removal meets the criteria set out in GRCA Policy 8.4.4. We subsequently issued a GRCA permit (621/21) for the wetland removal.

The applicant submitted a SWM report (Meritech, April 2021) demonstrating a similar pre- to post-development drainage quantity and pattern towards the creek and wetlands off site, with the excess flows being discharged to a City storm sewer. We now understand that the existing City storm sewer is undersized, and the SWM strategy must be revised. Given this uncertainty, we did not approve the proposed SWM elements of the applicant's GRCA permit at this time.

The applicant has asked the GRCA if SWM discharge to Cedar Creek is permitted beyond pre-development levels. The proposed site plan would make the site 83% impervious, creating a significant amount of runoff compared to pre-development conditions. We have concerns about the potential impacts that additional SWM discharge could have on Cedar Creek due to erosion, as well as ecological / hydrologic impacts to the creek's natural heritage.

To maintain the site's recharge function and reduce runoff to Cedar Creek, we recommend that the applicant revises the site plan to reduce imperviousness and improve on-site control. We will request the following in support of the zoning by-law amendment (ZBA), as well as subsequent planning and GRCA permit applications:

- Site plan illustrating the extent of the proposed development;
- Grading and drainage plan;
- Revised SWM plan, including any outlet details;

If additional SWM volume or discharge rates in excess of pre-development levels are still proposed to Cedar Creek, we will also require the following studies, or equivalent work through revisions to the SWM report:

- Scoped environmental impact study;
- Erosion threshold analysis of Cedar Creek.

3. Advisory Comments to the Applicant:

Cedar Creek is confirmed habitat for the Black Redhorse (*Moxostoma duquesnei*), a provincially and federally listed species at risk. Therefore the watercourse is covered under general habitat protection for species at risk, and will require review /permission from Fisheries and Oceans Canada (DFO) and the Ministry of the Environment, Conservation and Parks (MECP). The Federal Recovery Strategy specifically references stormwater run-off. We highly recommend that the applicant consults with DFO and the MECP as soon as possible to determine SWM and water balance requirements.

Region of Waterloo

The Region of Waterloo concerns relied on GRCA and CN clearances. As such, the Region had no additional comments or concerns following GRCA and CN satisfaction.

CITY OF WATERLOO STAFF COMMENTS

Building Standards

1. Building permit application will not be accepted until the site plan has been approved and signed by the General Manager of Development Services.
2. Drawings for permit application are to note they have been coordinated and are in compliance with the approved site plan drawings.
3. Provide OBC matrix including spatial separation calculations.

4. All drawings (including the site plan) must be stamped by the Architect and / or Professional Engineer depending on which is required by the OAA and / or PEO.
5. Verification of clearance to electrical conductors as required by OBC 3.1.19.1. is required prior to building permit issuance. More specifically, provide the following information as it pertains to the Quiet Street façade.
 - (a) the voltage in the hydro wires along the specified façade(s),
 - (b) the horizontal clearance proposed from the building (including balconies, fire escapes, flat roofs, or other accessible projections) to the closest hydro wire, and
 - (c) the swing in the hydro wires.This information can be obtained from Waterloo North Hydro.
6. Demonstrate compliance with OBC 3.2.5.5.(4) for the proximity of access routes where a portion of a building is completely cut off from the remainder of the building. (see service spaces)
7. Identify barrier free parking area and path of travel to barrier free entrance. Ensure exterior walks comply with OBC 3.8.3.2.
8. Identify the number and location of barrier free dwelling units designed to comply with OBC 3.8.2.1.(5).
9. Demonstrate how upper levels 1 and 12 are in compliance with OBC 3.2.1.1., or clarify if they are being designed as storeys.
10. Design dead end corridors in compliance with OBC 3.3.1.9. (specifically upper level 1)
11. Dimension the minimum distance between exits to show compliance with OBC 3.4.2.3.
12. Demonstrate how the location of exits complies with the travel distance limits in OBC 3.4.2.5. (see parking garage)
13. Demonstrate how the raised parking area complies with OBC 3.3. and 3.4. for means of egress and exiting.

Additional Comments:

14. Demonstrate compliance with applicable law.
 - a. Obtain approval from the GRCA.
15. Clarify how exiting from the building (including but not limited to the parking garage and raised parking deck) will be maintained in the event of a flood as required by Article 3.1.1.3. Please also indicate the water depth and water velocity at all exit locations from the building based on a hundred year storm.

16. Please note that on January 1, 2022 changes to the Ontario Building Code requirements (including but not limited to the stair requirements in Subsections 3.4 and 9.8) will come into effect and will be applicable to all building permits applied for on or after this date. Please note that building permit applications that have not been issued within 6 months of the code changes coming into effect on January 1, 2022, or have not had construction commence within 6 months of the building permit issuance date may be cancelled.

Transportation Services, October 29, 2018

- The City of Waterloo is currently planning improvements for Albert Street which may be impacted as a result of this development.

Integrated Planning & Public Works – Engineering Services

Landscape Site Plan Comments:

1. There are previous site plan comments that have not been addressed and additional detailed comments, such as concrete walkway to parking garage for bicycle parking access being right on the curved vehicular ramp into the underground parking being a safety concern. Will these be addressed through a future site plan submission?
2. Open space calculation observations
 - a. Does the grass strip between the parking and ION lands really count toward landscape open space?
 - b. Should not include sidewalks within the parking area (dark green in Figure 8 of PJR) or the bike parking spaces (shown in pink on Figure 8 in the PJR).
 - c. The “outdoor patio amenity” is also partially under the above building.
3. The southwest and north amenity space corners – improvements to this area compared to the previous submission including removed some parking from right near the seating spaces, and some of the space will have access to sunlight
4. It is highly recommended to incorporate trees on podium structure, especially as these spaces are going to be the main outdoor amenity spaces. Given the very small setback proposed of 1.5m off the rail line, the parking structure, and the retaining wall, there are no real large canopy shade trees proposed, except for along Quiet Place.
5. Encourage making the pedestrian circulation route to the central amenity space for direct. This stood out to me as awkward, but is likely more of a site plan stage comment anyway.
6. Good opportunity for passive activities like sitting, but no real outdoor space for dogs or kids.
7. I didn't notice any rooftop gardens or green roofs, but would definitely encourage those where possible. There will be a lot of people in these buildings that need an outdoor place to go.

Development Engineering

Stormwater

1. The applicant's consultant has determined that there is no available capacity within the existing storm system on Quiet Pl. and Albert St.; as such, post development storm flows discharging to Cedar Creek shall be attenuated to pre-development levels. If this cannot be met, the applicant will be required to modify the scope of the SWM report and/or undertake additional analysis (e.g. Erosion Threshold Analysis) to ensure additional flows can be accommodated by Cedar Creek.
2. The GRCA has noted that Cedar Creek is confirmed habitat for the Black Redhorse, a provincially and federally listed species at risk. The applicant should consult with DFO and the MECP as soon as possible to determine any SWM and water balance requirements.

Sanitary

The Functional Engineering Report (Report) for the application notes that the proposed development will have a sanitary discharge of 10.5 L/s. As per the provided Letter, the proposed sanitary flow rates are as summarized in Table 1.

Table 1 – Sanitary Servicing anticipated maximum peak flow rates:

Source	Peak Flow (L/s)	Peak Flow (m ³ /s)
Proposed Site	10.5	0.0105

2029 Modelling Scenario

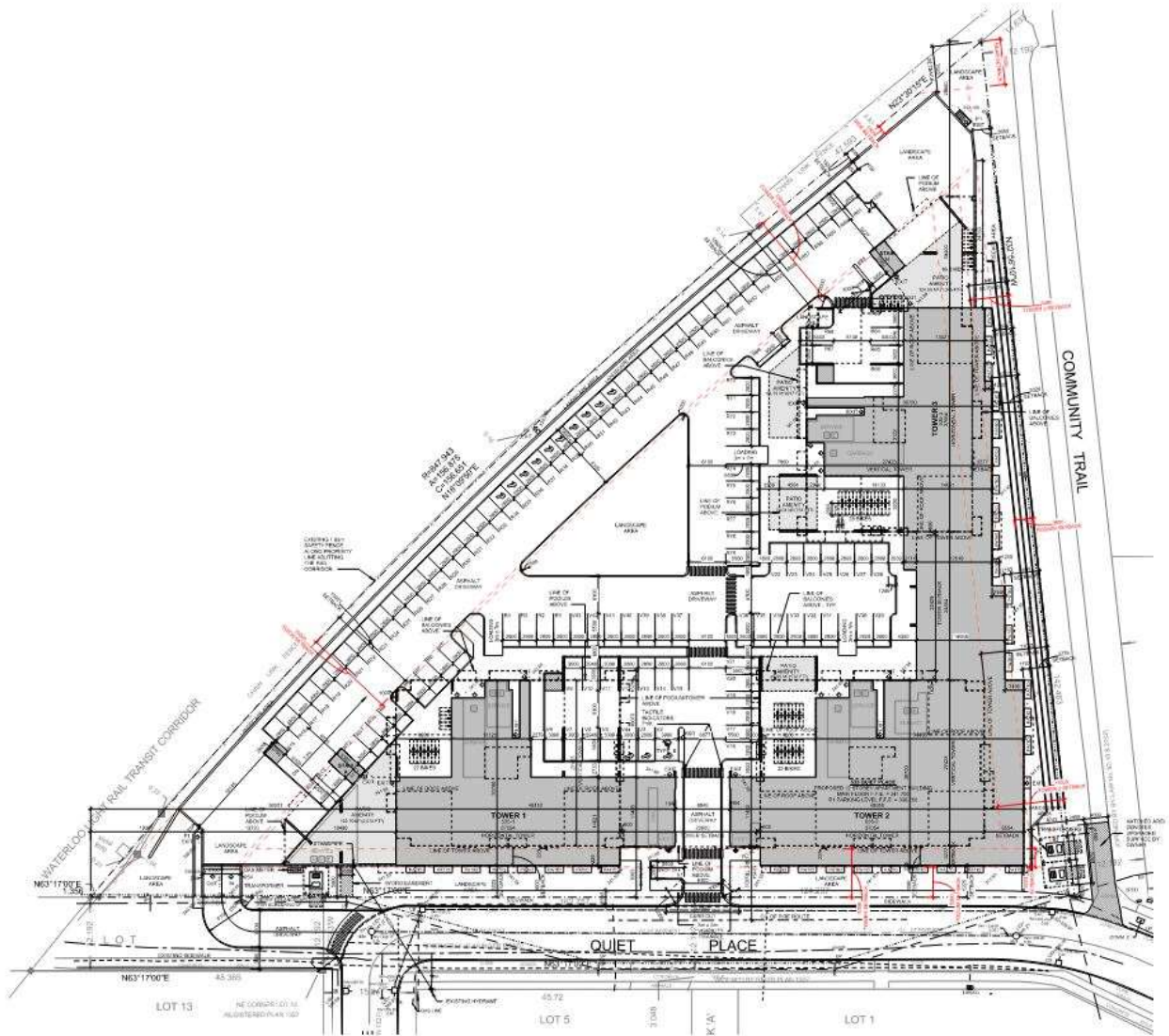
The future conditions PCSWMM sanitary sewer model includes loading rates that are projected to reflect 2029 conditions. Although the projected 2029 model should include the projected flows from the proposed development, evidence of this was not readily apparent in the 2029 model. To be conservative, the flows resulting from the proposed development were added to the sanitary sewer model flows to determine the effects of the proposed development on the sanitary sewer system. The analysis was carried out for the wet weather modelling scenario as it is more conservative.

Cedar Creek Trunk System

1. The proposed flow of 10.5 L/s was accounted for in MH C6-5 flows, as noted in the Report. The 2029 projected 'post-development' modelling results indicate that the sanitary sewer on Albert Street immediately downstream of the proposed development appears to have available capacity under wet weather modelling scenarios, reaching a depth of 75% full, as shown on the figure below. The model

indicates that the sewer system further downstream on Albert Street appears to be at capacity for the projected 2029 flows (but not surcharging). This system will be analyzed in greater detail in the upcoming 2021/2022 Sanitary Master Plan update along with all apparently at-capacity sewers in the City.

APPENDIX 'C' – Site Plan



Site Plan submitted by Premier Project Consultants (10/01/2021)

APPENDIX 'D' – Landscape Plans

Original Proposal (May 2021)
Submitted by Premier Project Consultants



Revised Draft Proposal (October 2021)
Submitted by Premier Project Consultants

