



STAFF REPORT
Planning

Title: Zoning By-law Amendment Z-21-07 to Remove the Holding Symbol from 635 Erb Street West & 12 Westhill Drive, LPMR (635 Erb) GP Inc.

Report Number: IPPW2021-054

Author: John Vos

Meeting Type: Council Meeting

Council/Committee Date: September 13, 2021

File: Z-21-07

Attachments: Map 1 – Location Map
Appendix 'A' – Deferral
Appendix 'B' – Concept Plan

Ward No.: Southwest, Ward 1

Recommendations:

1. That Council approve report IPPW2021-054.
2. That Zoning By-law Amendment Z-21-07, for 635 Erb Street West & 12 Westhill Drive, be approved in accordance with Section 5 of IPPW2021-054.

A. Executive Summary

LPMR (635 Erb) GP Inc. (“the Applicant”) is requesting to remove the holding (H) symbol from part of the lands known municipally as 635 Erb Street West and 12 Westhill Drive (the “Lands”). The Applicant has provided verification that:

- Traffic noise and stationary noise impacts on the proposed development will meet the applicable “NPC 300” criteria and/or will be mitigated through recommended implementation measures (i.e., special building components), to be further reviewed and implemented during the detailed Site Plan approval and building design process; and
- Vehicular traffic impacts on the surrounding road network will be minimal, and impacts to adjacent lands (i.e., cut-through traffic) will not occur.

Based on Integrated Planning & Public Works’ review of the application, staff support removal of the holding (H) symbol from the Lands. This will allow the proposed development to proceed, comprising a multi-unit residential development with two (2) thirteen-storey residential buildings, five (5) stacked townhouse blocks, and a two-storey amenity building.

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construct a multi-unit residential development with two (2) thirteen-storey residential buildings and five (5) stacked townhouse blocks, and a two-storey amenity building.

B. Financial Implications

Staff is not aware of any financial implications to the City with respect to the requested application. Only the Applicant has the right to appeal. Should the application be appealed, potential costs related to an Ontario Land Tribunal (OLT) hearing may be incurred.

C. Technology Implications

None.

D. Link to Strategic Plan

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

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

Zoning By-law Amendment Z-21-07 achieves the 'Healthy Community and Resilient Neighbourhoods' strategic objective through the development of a range of residential unit types including townhouse and apartment dwellings.

E. Previous Reports on this Topic

IPPW2019-007 (Official Plan Amendment No. 18 and Zoning By-law Amendment Z-17-21, Bel Communities Partnership Ltd, 635 Erb Street West & 12 Westhill Drive)

F. Approvals

Name	Signature	Date
Author: John Vos		
Acting Director: Natalie Hardacre		
Commissioner: Cameron Rapp		
Finance: N/A		

CAO



Zoning By-law Amendment Z-21-07 to Remove the Holding Symbol from 635 Erb Street West & 12 Westhill Drive, LPMR (635 Erb) GP Inc. IPPW2021-054

SECTION 1 – SUBJECT LANDS

Location:	635 Erb St. W. & 12 Westhill Dr.
Ward:	Southwest, Ward 1
Size:	1.80 hectares
Owner/ Applicant:	LPMR (635 Erb) GP Inc.
Existing Land Use:	Vacant
Proposed Land Use:	Residential



Public Input:

Pursuant to Subsection 36(4) of the Planning Act, notice of the Public Meeting to remove the holding symbol was advertised in the Waterloo Chronicle on August 26th, and mailed to all property owners within 120 metres of the subject property. If Council desires further public consultation prior to making a decision on this application, Council may defer its decision to a subsequent Council meeting using the resolution provided in Appendix 'A'.

SECTION 2 – BACKGROUND & APPLICATION REQUEST

The Applicant is proposing to construct a multi-unit residential development with two (2) thirteen-storey residential buildings, five (5) stacked townhouse blocks, and a two-storey amenity building. Council approved the development concept through Official Plan Amendment No. 18 and Zone Change Application Z-17-21. A holding symbol was applied to the property to address concerns about stationary noise and vehicular traffic impacts as outlined in site specific provision C226. The Applicant has submitted a

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detailed noise study and transportation impact study in support of this application to remove the holding (H) symbol from the Lands.



(Rendering of proposed multi-unit residential development)

SECTION 3 – PLANNING EVALUATION

Prior to removing the holding (H) symbol, the Applicant is required to satisfy two conditions as outlined in site specific provision C226:

1. The detailed Noise Study shall evaluate stationary noise impacts both on the proposed development and emanating from the proposed development. All buildings on the site, and mechanical equipment thereto, shall be acoustically designed to achieve all Ministry of the Environment and Climate Change noise level objectives on- and off-site. The study shall be conducted when grading plans, elevations and floor plans are available. The Owner shall implement the recommendations of the approved study, and shall enter into an agreement (with the City and/or Region, as required) under the provisions of the Planning Act;

Comments:

The Applicant submitted a Noise Impact Study which analyzed potential traffic noise as well as noise from mechanical equipment on adjacent buildings which could impact the residents in the development. The report identified potential for significant road traffic noise from vehicles on Erb Street West. Various mitigation measures such as air conditioning and window design have been recommended which will be included in the building design, along with warning clauses which will be implemented through the future condominium application.

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Noise sources from adjacent buildings (i.e., mechanical equipment) meet the daytime and nighttime noise limits so no additional mitigation measures are required. However, the report did not analyze the noise levels generated from the adjacent Tim Hortons restaurant. The acoustical engineer has since provided a letter outlining their professional opinion that the noise levels will be within the permitted sound levels.

The report also did not analyze the noise impacts generated from the development (i.e., mechanical equipment) because the detailed building design has not been completed yet. The report notes that noise impacts from the site are not expected to be significant, and that an addendum report will be completed once the buildings' mechanical equipment has been designed. This addendum report will be secured through the Site Plan Agreement which will include a condition requiring an updated noise study, the results of which will be implemented prior to issuance of a building permit. This will ensure that any necessary mitigation measures are included in the final building/site design.

City Staff and the Region of Waterloo have accepted the conclusions of the initial noise study and do not object to the removal of the holding symbol with the understanding that the Applicant will enter into an agreement with the City to ensure the Applicant updates the noise study as noted above.

2. The detailed Scoped Transportation Impact Study shall evaluate transportation impacts from the development, including vehicular traffic impacts on surrounding lands and road networks, and active transportation impacts and demands, to the satisfaction of the City of Waterloo in consultation with the Regional Municipality of Waterloo. The study shall be based on updated traffic counts that reflect existing and planned conditions (including the proposed development), and forecasted conditions under a minimum 10 year horizon. Without limiting the foregoing, the study shall include an analysis of:
 - a) Transportation impacts on surrounding low rise residential lands and streets;
 - b) Safety related to active transportation infrastructure in proximity to the site;
 - c) The driveway for the site relative to Westhill Drive;
 - d) Impacts on 7 Westhill Drive (including the Westhill Drive driveway, internal private road network, and emergency access); and
 - e) Pedestrian connections to the north side of Erb Street West.

The development plans shall be confirmed prior to undertaking the scoped Transportation Impact Study. The Owner shall demonstrate how the recommendations of the study will be implemented to the satisfaction of the City.

Comments:

The Applicant submitted a Transportation Impact Study which thoroughly analyzes each of the items listed above and provides the following conclusions:

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- a) Intersections within the study area are currently operating with acceptable levels of service, except for the roundabout at Ira Needles Boulevard/Erbsville Road and Erb Street West.
- b) The development is forecast to generate 137 and 161 trips during the AM and PM peak hours, respectively.
- c) The main access to the site will be on Westhaven Street, south of the intersection at Westcroft Drive. A secondary access is proposed onto Westhill Drive where retractable bollards will be used to restrict access for emergency vehicles only. Vehicles on the site will not have access to Westhill Drive, so the developments at 7 & 25 Westhill Drive will not experience impacts due to traffic generated by the proposed development.
- d) The driveway through the site will be designed as a pedestrian oriented street ('woonerf') to reduce vehicular speed on the site and promote pedestrian connectivity and safety.
- e) New sidewalks will be installed along the Westhill Drive and Westhaven Street frontages. These sidewalks and walkways internal to the site will provide pedestrian connections to nearby destinations. Access to the north side of Erb Street West is provided at the roundabout and at the intersection of Erbsville Court/Erb St W which is controlled with traffic lights.
- f) An analysis of traffic conditions forecast for 2030 confirmed that nearby intersections will continue to operate at a similar level of service as currently exist. The review included traffic generated from the proposed development as well as the extension of Westhaven Street, a proposed apartment building at 28 Westhill Drive, and the full development of the West Side Employment Lands (928, 960, 980 Erb Street West and 100 Wilmot Line).
- g) A left-turn lane is not warranted on Westhaven Street based on the 2030 total traffic volumes during the AM and PM peak hours.

City Staff accept the conclusions of the Transportation Impact Study which confirms that the proposed development will not have a significant impact on adjacent properties or the surrounding road network.

SECTION 4 – CONCLUSIONS

It is the opinion of Integrated Planning & Public Works staff that the Applicant has satisfied the requirements for removal of the holding (H) symbol from the Lands.

SECTION 5 – RECOMMENDATIONS

A. That IPPW2021-054 be approved.

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- B. That Council approve Zoning By-law Amendment Z-21-07, submitted by LPMR (635 Erb) GP Inc., to remove the holding (H) symbol from the lands municipally known as 635 Erb Street West and 12 Westhill Drive.

Submitted by:

John Vos
Planner, Planning Approvals

Appendix 'A' – Deferral

If Council desires further technical evaluation and or public consultation related to this application, Council may defer its decision using the resolution below:

Resolution

Recommendations:

1. That IPPW2021-054 be deferred; and
2. That Council direct staff to further evaluate the application and consult local residents / stakeholders.

Appendix 'B' – Concept Plan

