



STAFF REPORT Planning Approvals

Title: Zoning By-law Review – Addendum Summary
Report Number: IPPW2018-058.2
Author: Joel Cotter
Meeting Type: Committee of the Whole Meeting
Council/Committee Date: September 10, 2018
File: Comprehensive Zoning By-law Review: Z-16-01
Attachments: Attachment 'A' (Zoning By-law)
Ward No.: City-Wide

Recommendations:

1. That Council approve report IPPW2018-056 (Official Plan Amendment 22)
2. That Council approve IPPW2018-058, IPPW2018-058.1 and IPPW2018-058.2 (Comprehensive Zoning By-law Review)
3. That Council endorse the Zoning By-law attached as Schedule 'A' to IPPW2018-058.2
4. That Council pursuant to subsection 34(10.0.0.2) of the Planning Act approves by resolution that lands zone Future Determination (FD) in the Zoning By-law shall not be subject to subsection 34(10.0.0.1) of the Planning Act.

A. Executive Summary

Following the Formal Public Meeting on August 13, 2018, Council deferred its decision on IPPW2018-058 and IPPW2018-058.1, and directed Planning Approvals to consider the submissions made on August 13th and incorporate the recommendations in IPPW2018-058.1 into the proposed new Zoning By-law for Council's consideration on September 10, 2018. A consolidated new Zoning By-law is attached as Schedule 'A' to this memorandum (re: Zoning By-law 2018-050).

B. Financial Implications

There are no financial implications associated with approval of this report. Should the proposed Zoning By-law be appealed, costs related to a Local Planning Appeal Tribunal (LPAT) hearing will be incurred.

C. Technology Implications

None.

2 Integrated Planning & Public Works

D. Legal Considerations

Legal Services is available to advise Council on matters of law.

E. Link to Strategic Plan

(Strategic Priorities: Multi-modal Transportation, Infrastructure Renewal, Strong Community, Environmental Leadership, Corporate Excellence, Economic Development)

Economic Development – facilitates the objectives to bring forward a new comprehensive Zoning By-law.

F. Previous Reports on this Topic

IPPW2018-056: Official Plan Amendment 22

IPPW2018-058: Zoning By-law Review

IPPW2018-058:1 Zoning By-law Review - Addendum

G. Approvals

NAME	SIGNATURE	DATE
Author: Joel Cotter		September 6, 2018
Director: Joel Cotter		September 6, 2018
Commissioner: Cameron Rapp		September 6, 2018
Finance: N/A		
		CAO



Zoning By-law Review – Addendum Summary IPPW2018-058.2



A. Further Consultation

From August 16 to August 31, Planning Approvals staff reviewed the submissions provided on or immediately prior to the Formal Public Meeting, and:

i.) Met with:

- GSP Group
- MHBC Planning
- Prica Group
- Waterloo Region Home Builders Association
- Activa Group
- Municipal Enforcement Services

ii.) Conversed with:

- Stantec Consulting
- Zelinka Priamo Ltd
- Baxter I.C.I. Corp

iii.) Received further correspondence from:

- Weston Consulting (re: 101 Columbia Street West)
- MHBC Planning (re: Westmount Golf Course)
- MHBC Planning (re: INCC – The Boardwalk)
- Mr. & Mrs. Haffner (re: Westhill Drive)
- M. Tweed (re: Westhill Drive)
- Mr. & Mrs. McMenemy (re: Uptown, Intensification, Height Transitioning)
- Labreche Patterson & Associates (re: Committee of Adjustment)
- Stantec Consulting (re: 551 King Street North and proposed C4A zone)
- Ms. Wood (re: Beechwood Drive)
- Mr. Black (re: Tower Separation)

B. Schedule (Map) Changes

The following changes to the schedules (maps) have been made since August 13, 2018:

Schedule 'A'

- a.) Schedule modifications as set out in IPPW2018-058.1 (re: Items #3, 4, 5, 9 and 10)
- b.) West Side Employment Lands (928, 960, 980 Erb Street West and 100 Wilmot Line) – modified from “FD” to “ZC”: development applications received
- c.) 164, 168 King Street South and 8 George Street – modified from “U2-20 and R4” to “ZC”: development applications received
- d.) Stormwater Management Facility west of 308-322 Tealby Crescent – modified from “OS1” to “OS3”
- e.) 191A-219 Erb Street East, 192-220 Allen Street East, 59-65 Ellis Crescent South – modified from “R8” to “R4” to reflect the existing development constructed under the General Residence (GR) zone
- f.) 18-22 Bridgeport Road East and 50 Regina Street North – modified from “U1-60” to “U1-81” (re: Item #17)
- g.) RMU-40 lands on the west side of Regina Street from Elgin Street to Marshall Street to RMU-30, except for 18 James Street which remains RMU-40 (re: Item #12)

Schedule 'A1'

- h.) Lands designated SPA 44 on Schedule A6 of the Official Plan between Columbia Street and Highway 85 identified as “Area F” on the Parking Overlay

Schedule 'C1'

- i.) C206 added to the lands designated SPA 44 on Schedule A6 of the Official Plan between Columbia Street and Highway 85
- j.) C207 added to 295 Northfield Drive East
- k.) C208 added to 179 Lourdes Street
- l.) C209 added to 53 Allen Street East
- m.) C210 added to 564-576 Weber Street North
- n.) C211 added to 600 Weber Street North and 630 Weber Street North
- o.) C212 added to 219, 225, 231, 237, 245 Labrador Drive to carry forward By-law 99-049
- p.) C213 added to 325 Northfield Drive East, 2200-2400 University Avenue East, 2305 University Avenue East, and 2401, 2415 University Avenue East to carry forward By-law 99-047

C. Summary of Modifications

- ITEM (1) Category:** Subsection 34 (10.0.0.1) of the *Planning Act*
- Submission:** Concern regarding the uncertainty around Subsection 34 (10.0.0.1) of the *Planning Act* and the potential for a two-year moratorium on zoning by-law amendment applications. Subsection 34 (10.0.0.1) states:
- Two-year period, no application for amendment**
- (10.0.0.1) If the council carries out the requirements of subsection 26 (9) by simultaneously repealing and replacing all the zoning by-laws in effect in the municipality, no person or public body shall submit an application for an amendment to any of the by-laws before the second anniversary of the day on which the council repeals and replaces them. 2015, c. 26, s. 26 (1).
- Exception**
- (10.0.0.2) Subsection (10.0.0.1) does not apply in respect of an application if the council has declared by resolution that such an application is permitted, which resolution may be made in respect of a specific application, a class of applications or in respect of such applications generally. 2015, c. 26, s. 26 (2).
- Comments:** The new Zoning By-law is a principle-based city-wide by-law. It will not capture every development concept, nor does it zone for unknown site constraints that may encumber a parcel of land. In Planning Approvals opinion, the City should remain open to considering certain amendment applications during the two-year period, as determined on a case-by-case basis in accordance with subsection 34 (10.0.0.2) of the *Planning Act*. It may be necessary and appropriate to amend zoning due to site constraints, for innovation, in response to market shifts, to tailor zoning to unusual parcel configurations, and to accommodate enhanced urban design. In some instances, the two-year moratorium may be used by Council to halt development applications that are undesirable.
- Recommendation:** That IPPW be directed to prepare a guidance document for Council's consideration on processing requests under subsection 34 (10.0.0.2) of the *Planning Act*.

6 Integrated Planning & Public Works

- ITEM (2) Category:** Bed & Breakfast Establishments
- Submission:** Municipal Enforcement Services (MES) is requesting that the zoning provisions for Bed & Breakfast Establishments be deleted, so as not to conflict with the updated Rental Housing Licensing By-law.
- Comments:** Planning Approvals supports the request from MES. There are a handful of traditional Bed & Breakfast Establishment in the City. Current zoning restricts Bed & Breakfast Establishments to single detached houses. The Rental Housing Licensing By-law will need to determine which housing forms may contain a Bed & Breakfast Establishment, and under what conditions such as the number of parking spaces required and in what configuration (e.g. tandem parking is currently permitted). The new Zoning By-law will contain a prohibition on Bed & Breakfast Establishments in mid-rise and high-rise development, which are not (in most instances) regulated by the Rental Housing Licensing By-law.
- Recommendation:** Delete the permissions and regulations for Bed & Breakfast Establishments from the Zoning By-law, except for a prohibition in apartment buildings and the like.
- ITEM (3) Category:** 66 Noecker Street and 151 Brighton Street
- Submission:** GSP Group advanced a request to delete the unit size restriction of 85 square metres from Site Specific C69 for the above-noted properties.
- Comments:** Planning Approvals staff have no objection to the request.
- Recommendation:** Site Specific C69 has been amended to delete the unit size restriction of 85 square metres.
- ITEM (4) Category:** 551 King Street North, 400 Conestogo Road, C4A Zone (Schlueter)
- Submission:** Stantec Consulting advanced a request to:
- a.) permit a traditional car dealership

7 Integrated Planning & Public Works

b.) expand the range of Active Frontage uses in the Station Area zones to include:

- Alternative Education Centre
- Commercial School
- Cultural Facilities
- Government Use
- Institution
- Training Facility

c.) allow for off-site parking, to allow parking on the adjacent hydro corridor lands

Comments:

Planning Approvals staff have no objections to the expanded range of Active Frontage uses in the Station Area zones, where the use is permitted as a primary or complementary use in the zone. IPPW does not support a traditional car dealership on the lands based in part on the policy framework established through the recent Station Area Planning. A MOTOR VEHICLE RETAIL STORE is permitted under the definition RETAIL STORE, to a maximum 465 square metres in accordance with section 8S.4.11. Planning Approvals staff do not support modifications to By-law 2018-050 to allow for off-site parking – such parking should be secured through Section 40 of the Planning Act if deemed appropriate by Council.

Recommendation: Station Area zones have been updated to including the following as Active Frontage uses in Station Areas:

- Alternative Education Centre
- Commercial School
- Cultural Facilities (except in the E2A and E2B zones)
- Government Use
- Institution (except in the E2A and E2B zones)
- Training Facility

ITEM (5) Category:

65 University Avenue East and 239 Weber Street North

Submission:

MHBC Planning advanced a request to rezone the rear of 239 Weber Street North “C1-81”, or all of 221 Weber Street North “C1-81”, to facilitate the redevelopment of the contiguous properties.

Comments:

65 University Avenue East is proposed to be zoned Mixed Use Community Commercial 81 (C1-81) to

8 Integrated Planning & Public Works

implement the Official Plan. 239 Weber Street North is proposed to be zoned Corridor Commercial 40 (C5-40) to implement the Official Plan. The properties can be redeveloped comprehensively with split zoning, coordinated through site planning. An Official Plan Amendment would be required to rezone all or a portion of 239 Weber Street North "C1-81", which is beyond the scope of the comprehensive Zoning By-law Review.

MHBC Planning states that the owner is not supportive of "C5-40" zoning for 239 Weber Street North because of the limited height permissions and use restrictions. The C5-40 zone implements the Corridor Commercial designation of the Official Plan and the maximum building height specified on Schedule 'B1' of the Official Plan. The C5-40 zone is appropriate, in staff's opinion.

MHBC Planning advances that the parking rate applied to 65 University Avenue East should also be applied to 239 Weber Street North. Planning Approvals disagrees. 65 University Avenue East is located within a Major Node on lands designated Mixed Use Community Commercial. 239 Weber Street North is located within a Minor Corridor with a different planned function as set out in the Corridor Commercial designation (re: auto oriented uses). A high parking rate is appropriate on 239 Weber Street North based on its location and planned function.

Recommendation: No change.

- ITEM (6) Category:** 500 King Street North (Manulife)
- Submission:** MHBC Planning advanced a request to reconsider the proposed 81 metre setback from the low rise residential lot line for high-rise development.
- Comments:** Effective approaches to managing tall building impacts include stepping height through transition zones and establishing angular planes. 500 King Street North abuts single detached homes on Tealby Crescent / Tealby Place, with no transition on Schedule B1. Site Specific C2 on 08.13.2018 proposed an 81 metre wide transition zone to high-rise development (re: 81 metres, 25 storeys), limiting buildings within the transition zone to 20 metres (5-6 storeys), and directing new high-rise development towards King Street. MHBC Planning submits that the approach should be reconsidered,

replacing the transition zone with an angular plane of $\frac{1}{2}$ the height of the building based on the separation principles established through the Height & Density Policy Study. Planning Approvals staff do not object to an angular plane of $\frac{1}{2}$ height of the building provided a larger landscaped buffer (minimum 10 metres) is provided next to the residential lands on Tealby Crescent / Tealby Place. A 10 metre landscape buffer would allow for a double row of trees to provide an enhance vegetated screen and mitigate tall building impacts.

Recommendation: Site Specific C2 for 500 King Street North has been modified to read:

- a) Notwithstanding anything to the contrary, for the lands known municipally as 500 King Street North, the minimum LOW RISE RESIDENTIAL LOT LINE setback shall be $\frac{1}{2}$ height of the BUILDING.
- b) Notwithstanding anything to the contrary, for the lands known municipally as 500 King Street North, there shall be a minimum 10 metre LANDSCAPED BUFFER abutting a LOW RISE RESIDENTIAL LOT LINE.
- c) Notwithstanding anything to the contrary, the LANDSCAPED BUFFER requirement in b) shall not apply to the EXISTING SURFACE PARKING abutting the LOW RISE RESIDENTIAL LOT LINE as illustrated on Image 1 of the Site Specific, provided no BUILDING or part thereof is erected on the EXISTING SURFACE PARKING in whole or in part.

ITEM (7) Category: 6 Dietz Avenue South

Submission: MHBC Planning's email dated September 4, 2018 requests that the 6 metre landscaped buffer requirement in Site Specific C164 be an "average", and that the note be deleted.

Comments: Planning Approvals staff have no objection to the word "average" being added to Clause c) in Site Specific C164, with a slight rewording of the clause for clarity and grammar.

10 Integrated Planning & Public Works

The note in C164 reads:

NOTE: A minor variance may be considered to incorporate fixtures, small structures (such as low-impact and compatible below grade garbage containers such as moloks), negligible parking encroachments, retaining walls and the like within the LANDSCAPED BUFFER provided the intent of substantially buffering 8 Dietz Avenue South from the medium density redevelopment is maintained.

The note was added for clarification, but is not required. The proponent is aware that a minor variance application to reduce the landscaped buffer will be evaluated, in part, on maintaining the intent of substantially buffering 8 Dietz Avenue South from the medium density redevelopment.

Recommendation: Clause c) in Site Specific C164 has been amended to read:

- c) Notwithstanding anything to the contrary, there shall be a LANDSCAPED BUFFER with a minimum average depth of 6 metres adjacent to the LOT LINE that abuts 8 Dietz Avenue South. This provision shall not apply to a SINGLE DETACHED BUILDING (with or without a SECOND RESIDENTIAL UNIT) on the Lands.

The note in Site Specific C164 has been deleted.

ITEM (8) Category: Westmount Mall

Submission: MHBC Planning's letter dated August 13, 2018 informs the City that Westmount Mall and related properties has been purchased by Killam Apartment REIT. Killam intends to redevelop the southerly portion of the lands for a mix of residential and commercial uses. MHBC recognizes that the proposed zoning reflects the Official Plan, and advises that applications are pending that will seek some changes to the planning framework for the lands (i.e. Official Plan Amendment and Zoning By-law Amendment). MHBC advances general concerns related to:

- tower and podium provisions
- parking rates applied to the lands
- ability to advance an application relative to ss.34(10.0.0.1) of the *Planning Act* – exemption requested

Comments: Planning Approvals staff agree with MHBC Planning that amendments to the planning framework for Westmount Mall and related lands are best evaluated through a

11 Integrated Planning & Public Works

privately initiated Official Plan Amendment and Zoning By-law Amendment application.

Recommendation: No change. A waiver under ss.34 (10.0.0.2) of the *Planning Act* could be considered once the nature of the proposed intensification is firm. Based on preliminary planning discussions to date, the proposed development represents a good candidate for a waiver under ss.34 (10.0.0.2) in staff's opinion.

ITEM (9) Category: INCC – The Boardwalk

Submission: MHBC Planning advanced a request to permit one small commercial building in Area B of the West Side Mixed-Use Commercial Centre (C6) zone with a low profile so as not to block views to Medical Office 1, whereas the minimum building height in Area B is 15 metres.

Comments: Planning Approvals staff have no objections to the request.

Recommendation: Regulation 8.8.4 in the C6 zone has been amended to read (emphasis added):

Area B

8.8.4 Notwithstanding anything to the contrary, the minimum BUILDING HEIGHT shall be 15 metres for BUILDINGS located in "Area B" as shown on Image 1 to this zone, except one (1) BUILDING which shall be permitted with a minimum BUILDING HEIGHT of 4.5 metres provided said BUILDING contains less than 1,500 square metres of BUILDING FLOOR AREA.

ITEM (10) Category: Southwest Corner of Beaver Creek Road and Conservation Drive

Submission: MHBC Planning's letter dated August 13, 2018 for the lands located at the southwest corner of Beaver Creek Road and Conservation Drive acknowledges that the lands are the subject of development applications and appeals before the Local Planning Appeal Tribunal (LPAT). The letter recognizes the proposed "ZC" category applied to the lands in the final draft Schedule 'A', and that the implementing zoning for the property would be determined by the LPAT to enable the approved subdivision/ condominium. MHBC cites concerns relating to how the zoning approved by the LPAT will be implemented, and that the ZC zone may not maintain the full range of permitted uses in the existing Agriculture (A) zone.

12 Integrated Planning & Public Works

The letter requests that residential and open space zones be applied to the lands to implement the Official Plan, and that the transition provision in the proposed new By-law 2018-050 exclude the subject lands.

Comments: The subject lands are before the LPAT for consideration. Planning Approvals staff support the application of the “ZC” zone to the lands, recognizing the active planning applications. We agree that the implementing zoning for the property will be determined by the LPAT. In Planning Approvals’ opinion, it is premature to zone the lands “residential and open space” in the absence of an accepted development concept, and while components of the Official Plan are under appeal relative to the property.

Recommendation: No change.

ITEM (11) Category: Northeast Corner of Erbsville Road and Conservation Drive

Submission: MHBC Planning’s letter dated August 13, 2018 for the lands located at the northeast corner of Erbsville Road and Conservation Drive recognizes the proposed “FD” category proposed for the lands. The letter requests that residential and open space zones be applied to the lands to implement the Official Plan.

Comments: Planning Approvals staff support the application of the “FD” zone. In Planning Approvals’ opinion, it is premature to zone the lands “residential and open space” in the absence of further land-use planning including district planning and a comprehensive site-specific planning evaluation of the lands.

Recommendation: No change.

ITEM (12) Category: Regina Street - Heights

Submission: Mr. Herzog advanced a request to reconsider height limits on Regina Street between Noecker Street and Elgin Street, and Regina Street in general with the objective of lowering maximum building heights.

Comments: Regina Street (both sides) between Elgin Street and Noecker Street has a low-rise built form. The lands on the east side of Regina Street from Elgin Street to Marshall Street are designated Low Density Residential in the Official Plan with a maximum building height of 10

13 Integrated Planning & Public Works

metres. The lands on the west side of Regina Street from Elgin Street to Marshall Street are designated Medium High Density Residential in the Official Plan with a maximum building height of 40 metres. Schedule 'A' presented to Council on August 13, 2018 reflected the maximums in the Official Plan, with the east side zoned predominantly Residential Four (R4) and the west side zoned Residential Mixed-Use 40 (RMU-40).

Planning Approvals staff agree with Mr. Herzog that a maximum building height of 40 metres on the east side of Regina Street between Elgin Street and Marshall Street is abrupt. In staff's opinion, a 30 metre building height (9 storeys) represents a more appropriate transition in this context, opposite Low Density Residential. For comparison, 14 Princess Street is 28.1 metres in height and 7 storeys, opposite the low-rise heritage district west of Dorset Street. Amending the zoning from RMU-40 to RMU-30 allows for intensification close to King Street and better built form transitioning along Regina Street.

Recommendation: Schedule A is amended, rezoning the RMU-40 lands on the west side of Regina Street from Elgin Street to Marshall Street to RMU-30, except for 18 James Street (re: existing apartment building).

- ITEM (13) Category:** 364 Woolwich Street (Sunvest Development Corp)
- Submission:** IBI Group's email dated August 09, 2018 requests that 364 Woolwich Street be zoned Residential One (R1) to permit the subdivision of the existing parcel into three (3) new lots for single detached homes.
- Comments:** This request was discussed in IPPW2018-058.1 (re: Item #46). The lands are currently zoned Agriculture (A), but are part of an estate residential subdivision. A single detached house exists on the property. Planning staff recommends that the lands be zoned Residential Three (R3), which is a consolidation of the existing SR3 and SR4 zones traditionally applied to estate residential properties. The R3 zone is proposed for Lexington Crescent, Cedarcliffe Drive, and the north side of Woolwich Street abutting Lexington Crescent and Cedarcliffe Drive. The R3 zone would permit the subdivision of the existing parcel into two (2) lots, but not three (3). In recent years, concerns have been expressed by local residents related to land division,

14 Integrated Planning & Public Works

intensification impacts on private services (e.g. private wells), and the need to protect the “heritage tree” on Woolwich Street next to 364 Woolwich Street. More detailed information is required to subdivide the parcel into three (3) lots, coupled with more direct community engagement -- a minor variance and consent application represent appropriate planning mechanisms to consider the foregoing after the new R3 zoning is applied.

Recommendation: No change.

ITEM (14) Category: 151 Weber Street South

Submission: Baxter I.C.I. Corp has requested the following uses be permitted on the lands known municipally as 151 Weber Street South:

- Motor Vehicle Retailer
- Laboratory (reference to manufacturing optical lenses)
- Bottling Works

Comments: Baxter I.C.I. Corp’s request was discussed in IPPW2018-058.1 (re: Item #18). While the uses may have historically existed on the lands, such uses are not contemplated in the Business Employment designation applied to the lands per the Official Plan. Planning Approvals staff advised Mr. Baxter that the *Planning Act* requires zoning to conform to the Official Plan, and because the requested uses do not conform to the Business Employment designation (re: Official Plan), we are not in a position to recommend to Council that the uses be permitted in Site Specific C169 applied to the lands.

Recommendation: No change

ITEM (15) Category: 115 Bridgeport Road East (Schembri Property Management)

Submission: MHBC Planning’s letter dated August 10, 2018 advances the following:

- request to reconsider tower and podium provisions in the by-law
- concerns with the parking rate applied to the property
- ability to advance an application relative to ss.34(10.0.0.1) of the *Planning Act* – exemption requested

Comments: Planning Approvals staff agree with MHBC Planning that amendments to the planning framework for 115 Bridgeport Road East are best evaluated through a privately initiated Zoning By-law Amendment application.

Recommendation: No change. A waiver under ss.34 (10.0.0.2) of the *Planning Act* could be considered once the nature of the proposed intensification is firm.

ITEM (16) Category: 215 Lexington Road

Submission: IBI Group's letter dated August 13, 2018 requests that Site Specific C99 be updated to remove duplication with the RMU-20 zone.

Comments: Planning Approvals' agrees with IBI Group's submission.

Recommendation: Site Specific C99 has been updated to remove duplication with the RMU-20 zone.

ITEM (17) Category: 34 Bridgeport Road East and 52-56 Regina Street North (HIP Developments)

Submission: MHBC Planning's letter dated August 13, 2018 advances the following:

- concern with "downzoned" properties in the Urban Growth Centre
- reconsider tower and podium provisions in the by-law
- built form regulations impacting architectural creativity
- consider reducing the street line setback
- reconsideration of setback requirements for underground parking
- reconsider amenity area provisions
- reconsider the "common outdoor area" requirement

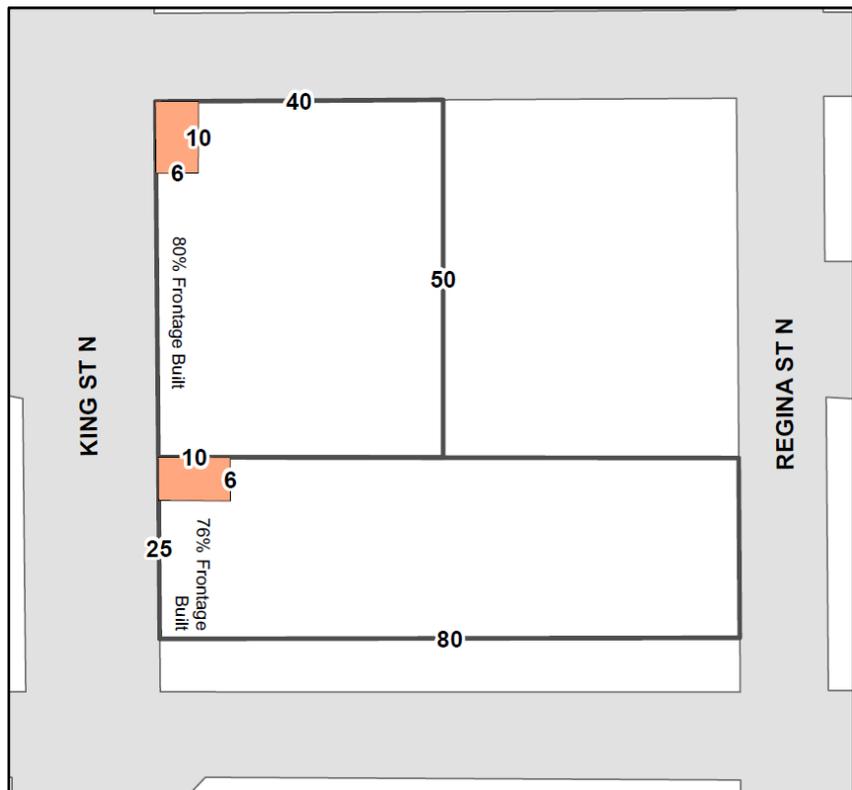
MHBC Planning suggests that tower, podium and built form provisions should be in the Urban Design Manual, not the Zoning By-law.

MHBC Planning requests that the lands at Bridgeport / Regina be zoned to permits heights and densities in accordance with the Official Plan.

Comments: Tower, podium and amenity area provisions were discussed in IPPW2018-058.1, and are further discussed later in this memo.

16 Integrated Planning & Public Works

With respect to Common Outdoor Area, IPPW supports the regulations as drafted, to facilitate better public spaces as properties intensify and redevelop. Common Outdoor Area requirements are limited to large parcels in Station Areas (including Uptown), $\geq 2,000$ square metres in size. For comparison, there are 16 properties in the Urban Growth Centre that are currently $\geq 2,000$ square metres in size, of which 11 are developed / under development. The requirement is minimal at 3% of the Lot Area, and can be used to satisfy part of required Landscaped Open Space. For visual purposes, the orange areas below represent the Common Outdoor Area requirement relative to a conceptual parcel 2,000 square metres in size. Given the potential public realm and design benefits, IPPW support retention of the proposed Common Outdoor Area provision in the new By-law 2018-050.



With respect to the request to implement the maximum heights and densities in the Official Plan at Bridgeport / Regina, Planning Approvals does not object to amending the zoning from U1-60 to U1-81 on the lands municipally known as 18-22 Bridgeport Road East and 50 Regina Street North as the lands are owned by The Corporation of the City of Waterloo and Council can stipulate development standards

17 Integrated Planning & Public Works

through its capital project approvals and or through a sale agreement similar to 185 King Street South (The ARC).

Recommendation: Schedule 'A' has been amended for the lands municipally known as 18-22 Bridgeport Road East and 50 Regina Street North from U1-60 to U1-81.

ITEM (18) Category: Custom Service Shop - Definition

Submission: A local construction contractor business has requested that the definition of Custom Service Shop be clarified to permit a building/construction contractor business.

Comments: The request aligns with the intent and purpose of the Custom Service Shop use. While a "General Contractor Office" is permitted, staff do not object to a "Building/Construction Contractor" office being added to the definition for clarity.

Recommendation: The definition of Custom Service Shop has be amended to include:

- Building/Construction Contractor specializing in residential and or non-residential construction, and may include the manufacturing and assembly of pre-fabricated building components

ITEM (19) Category: Stormwater Management Facilities

Submission: Community Services as requested that certain stormwater management facilities be zoned Conservation (OS3) where the lands are maintained in a naturalized state rather than as parkland.

Comments: Section 3.S.6.1 currently states that stormwater management facilities are permitted in all zones except the OS3 and ESL2 zones. The reference to OS3 should be deleted.

Recommendation: Section 3.S.6.1 has been amended to read:

3.S.6.1 A stormwater management facility shall be permitted in all zones except:

- the Environmentally Sensitive Landscape Two (ESL2) Zone

- ITEM (20) Category:** Uptown Mixed-Use (U2) - Hotel
- Submission:** Growth Management advises that the Official Plan framework would require a Zoning By-law Amendment to permit a hotel within the Uptown Mixed-Use designation.
- Comments:** In order to conform to the Official Plan framework, section 8.2.1.3 of the Uptown Mixed-Use (U2) zone is amended by deleting the use “hotel”. In order to permit a hotel on lands zoned U2, a Zoning By-law Amendment is required.
- Recommendation:** Section 8.2.1.3 of the Uptown Mixed-Use (U2) zone has been amended to delete the use “hotel”.

- ITEM (21) Category:** Residential Six (R6) – Stair Encroachment
- Submission:** Activa Group has requested clarified wording in the Residential Six (R6) zone applied to Vista Hills for stair encroachments in the garage.
- Comments:** The minimum garage depth in the R6 zone is 6.25 metres, approximately 0.75 metres longer than a minimum parking space. The 0.75 metres is intended to accommodate stairs, blue bins, green bins, storage and the like, protecting the parking space for its intended purpose. The R6 zone states that stairs may encroach a maximum 0.5 metres into the 6.25 metre garage depth. The R6 prohibits stairs from encroaching in the minimum garage width. The minimum garage depth and minimum garage width overlap. The intention is that stairs are prohibited within the minimum garage width, except where there is overlap with the 0.5 metre encroachment.
- Recommendation:** Section 7.6.11.c.) has been amended to read (emphasis added):
- b.) Stairs within the PRIVATE GARAGE may encroach a maximum zero-point-five metres (0.5m) into the minimum PRIVATE GARAGE Depth specified in Table 7K.
 - c.) Stairs within the PRIVATE GARAGE are prohibited within the minimum PRIVATE GARAGE Width specified in Table 7K, except as specified in section 7.6.11.b.).

- ITEM (22) Category:** 28 Westhill Drive (Tweed) and 36 Westhill Drive (Haffner)
- Submission:** The owners of the subject lands request that the Future Determination (FD) zone be maintained. On August 13, 2018, Council requested staff review the proposed zone category to be applied to the 28-36 Westhill Drive, having regard to local residents concerns (re: scope and nature of redevelopment in the area).
- Comments:** The Official Plan designates both properties “Low Density Residential”, establishing the planned function for the lands (re: low-rise residential housing, such as singles, semis, townhouses). The existing Single Residence One (SR1) zone has been replaced with the Residential One (R1) zone in the proposed new By-law 2018-050. If the lands are zoned “R1”, it is likely that a zoning amendment application will be submitted, particularly for 28 Westhill Drive, as the lands east of the Westhaven Street extension should be zoned Residential Four (R4) and Conservation (OS3) to complement the abutting subdivision. The boundaries of the R4 and OS3 zones is unknown until a plan of subdivision is completed for 28 Westhill Drive. Further, grade constraints on the lands present redevelopment challenges. Initial redevelopment concepts identify townhouses near Westhill Drive, with a grade break to single detached houses abutting the Westhaven Street extension. The Future Determination (FD) zone restricts the use of the lands to those that lawfully and actually exist, requiring a zoning amendment application to intensify the property. The FD zone will allow zoning to align with the required plan of subdivision, allow for comprehensive planning of 28-36 Westhill Drive together, evaluate site constraints prior to redevelopment, and ensure the local community is engaged in the planning for the lands with assurances provided in the Official Plan in terms of planned function (re: low-rise residential).
- Recommendation:** 28 Westhill Drive and 36 Westhill Drive be zoned Future Determination (FD).

- ITEM (23) Category:** 508 Beechwood Drive – Adjacent Properties
- Submission:** Labreche Patterson & Associates' letter dated August 13, 2018 requests that amendments to Schedule 'A' near 508 Beechwood Drive (from RMU-40 (2nd Draft) to RMU-20) be reconsidered for reasons including:
- conformity with the Official Plan
 - secure medium to medium-high density development in a minor node
 - no justification to limit the height to 20 metres
 - will result in underdeveloped sites
 - RMU-20 permits townhouses, which are not contemplated in the Official Plan
 - RMU-20 does not contain a minimum density of 150 bedrooms per ha
 - unfavourable situation for the active application at 508 Beechwood Drive
- Comments:** Planning Approvals
- Policy 3.4.3 of the Official Plan permits the Zoning By-law to further restrict the maximum heights and densities in the Official Plan based on context and unique considerations, including the minimum density target of 150 bedrooms per hectare
 - lands are predominantly comprised of townhouses and stacked townhouses, in accordance with site specific zoning by-laws 84-089, 86-095, 90-138 and 90-159
 - the Official Plan contemplates multiple unit residential buildings on the lands, which could include townhouses and stacked townhouses
 - the District Plan establishes a maximum height limit of 380 metres above sea level so that buildings will not be visible to eastbound traffic on Erb Street until the vehicle passes over Rummelhardt Hill
 - the existing site specific zoning applied to the lands includes the 380 metres above sea level height limit established in the District Plan (re: By-law 81-088)
 - significant community feedback has been provided seeking lower building heights and densities in this area
 - the active application for 508 Beechwood Drive will be considered on its merits and based principles of good planning
- Recommendation:** No change

- ITEM (24) Category:** 101 Columbia Street West
- Submission:** Weston Consulting's letter dated August 29, 2018 requests that Site Specific C185 be amended to permit rooftop gardens to count towards satisfying the thirty percent (30%) Landscaped Open Space requirement in the Residential Northdale Eight (RN-8) zone.
- Comments:** Site Specific zoning was recently applied to the lands via By-law 2018-018, tailored to a specific development concept. Under the current NMU-8 zone, rooftop gardens can be counted towards the 30% Landscaped Open Space requirement. Under the proposed RN-8 zone, rooftop gardens no longer count towards Landscaped Open Space; rather rooftop gardens form part of the required Amenity Area. Planning Approvals staff have no objection to the request, to permit the development concept tailored to the site to proceed as recently approved by Council.
- Recommendation:** Site Specific C185 has been amended to permit rooftop terraces and the like to count towards satisfying the Landscaped Open Space requirement in the RN-8 zoning applied to the lands.

- ITEM (25) Category:** Prica Group Developments
- Submission:** Prica Group provide comments to Planning Approvals on August 29, 2018 regarding the proposed new Zoning By-law 2018-050, advancing the following:
- reconsider tower separation and tower setback provisions, including reducing the 25 metre tower separation in Northdale to 22 metres for consistency with other zones in the by-law
 - reduce bicycle parking rates (excessive)
 - reconsider amenity area provisions, including allowances for commercial areas to count towards satisfying amenity area requirements
 - landscaped open space should include rooftop terraces and amenity areas
 - provide clearer definitions in the by-law
 - Urban Design Manual guidelines should be used to manage built-form rather than Zoning By-law
- Comments:** Planning Approvals supports the inclusion of amenity area requirements in intensification areas, including Northdale. As

discussed in IPPW2018-058.1 (Item #32), amenity area is important to quality of life. Amenity areas promote a high quality built environments that supports a more vibrant, active lifestyle with opportunities for recreation and to relax, socialize, and build “community”. Prica Group believes that the incorporation of amenity areas will take up limited floor area, thereby reducing unit sizes and increasing costs contrary to affordable housing objectives. Given the merits of providing amenity area for residents and tenants of buildings, while having regard to floor area limitations, Planning Approvals support a tower separation requirement of 22 metres in Northdale (reduced from 25 metres), allowing a slightly larger building envelope to accommodate amenity spaces and more creative designs.

Planning Approvals staff do not support:

- reductions to the bicycle parking rates
- allowances for commercial space to be counted towards satisfying amenity area requirements
- permitting rooftop terraces and the like to be counted towards both Landscaped Open Space and Amenity Area
- directing all built-form provisions to the Urban Design Manual for reasons discussed in IPPW2018-058.1.

Planning staff support the Amenity Area provisions as discussed in IPPW2018-058.1.

The definitions in the by-law have been refined, with the objective of providing better clarity to the reader.

Recommendation: The tower provisions in the Residential Northdale (RN) zone [all suffixes] has been amended to reduce the tower separation requirement from 25 metres to 22 metres between towers on the same lot, and 12.5 metres to 11 metres from towers to an interior lot line.

ITEM (26) Category: 14 Princess Street

Submission: MHBC Planning’s letter dated August 10, 2018 identifies concerns with the proposed U1-40 zone for 14 Princess Street. The current zoning on the property would allow for a 75 metre tall building. The proposed U1-40 represents a 35 metre reduction in building height.

Comments: Planning Approvals support the U1-40 zoning for 14 Princess Street, for reasons including:

- built-form transitioning to the low-rise heritage district

23 Integrated Planning & Public Works

- reflects the development recently constructed on the lands
- existing building is 28.1 metres in height (re: Site Plan), well below the maximum 40 metre height in the U1-40 zone

Recommendation: No change

ITEM (27) Category: 415 Phillip Street, 419 Phillip Street, 564-576 Weber Street North, 600 Weber Street North, 97-103 Randall Drive

Submission: MHBC Planning's letter dated August 10, 2018 requests reconsideration of the floor area limitation to complementary uses in the E1 zone and E2A zone, more specifically the 25% cap on repair, servicing, and warehouse operations related to Advanced Tech.

Comments: Prestige offices and advanced tech companies are contemplated as primary uses. The principle use of the lands should not be repair, servicing or warehouse – such operations should be ancillary to the primary land uses, in staff's opinion. IPPW support the provisions as drafted.

Recommendation: No change

ITEM (28) Category: 564-576 Weber Street North

Submission: MHBC Planning's letter dated August 10, 2018 requests that the use "Custom Service Shop" be permitted, as it exists on the lands.

Comments: Planning staff support a site specific to permit "Custom Service Shop" on the lands.

Recommendation: Site Specific C210 has been added to Schedule 'C'.

ITEM (29) Category: 600 Weber Street North

Submission: MHBC Planning's letter dated August 10, 2018 requests that the use "Major Office" be permitted, as it exists on the lands.

Comments: Planning staff support a site specific to permit "Major Office" on the lands, as well as 630 Weber Street North.

Recommendation: Site Specific C211 has been added to Schedule 'C'.

- ITEM (30) Category:** 449 Brentcliffe Drive and 672 Erbsville Road
- Submission:** MHBC Planning's letter dated August 10, 2018 advances the following:
- that the entirety of 449 Brentcliffe Dr be zoned R1
 - that the existing 10.5 building height be maintained
 - minimum lot area in the R8 zone be reduced from 185 sq.m. to 165 sq.m.
- Comments:** The lands known municipally as 449 Brentcliffe Drive are currently zoned Single Residence Two (SR2). The Official Plan designates the property Low Density Residential and Open Space. The final draft Zoning By-law identified the lands as Residential One (R1) and Conservation (OS3), based on Schedule 'A' of the Official Plan. MHBC Planning is concerned that the boundary of the OS3 zone is being applied in the absence of an environmental study and field verification. Planning Approvals agrees that there is insufficient information available at this time to accurately delineate the natural feature and apply the OS3 zone – as such, staff recommend that the lands be zoned Future Determination (FD), allowing the property to continue to be used as a single detached lot until planning applications are advanced with supporting studies to more accurately delineate the residential lands from the environmental lands.
- The existing SR2 and MD3 zones permit a maximum building height of 10.5 metres. MHBC Planning is requesting that the 10.5 metres be maintained. However, the Official Plan establishes a maximum building height in Low Density Residential areas at 10 metres. The new Zoning By-law 2018-050 reflects the 10 metres height limit in the Official Plan, as required by the Planning Act.
- MHBC Planning requests that the minimum Lot Area requirement in the Residential Eight (R8) zone for Freehold Townhouses be reduced from 185 square metres to 165 square metres. MHBC Planning submits that a standard lot depth is 30 metres, which multiplied by the minimum lot frontage of 5.5 metres equals 165 square metres. Planning Approvals agrees with MHBC Planning.

25 Integrated Planning & Public Works

Recommendation: 449 Brentcliffe Drive has been amended from “R1” and “OS3” on Schedule ‘A’ to “FD”.

The minimum Lot Area requirement in the Residential Eight (R8) zone for Freehold Townhouses has been reduced to 165 square metres.

ITEM (31) Category: 210-220 King Street North and 258 King Street North.

Submission: MHBC Planning’s letter dated August 10, 2018 requests that the street line setback be reduced from 5 metres to 2 metres to facilitate a more urban streetscape and more efficient utilization of land.

Comments: Planning Approvals staff do not support the requested street line reduction for reasons including:

- enhanced public realm
- minimum 5 metre setback from the overhead hydro is required
- greening the streetscape, such as tree planting
- maintains the general character of the streetscape

MHBC Planning requested confirmation that the holding provision applied to 210-220 King Street, through Site Specific C174, only requires a Record of Site Condition for a University / College use. Planning Approvals staff confirm that the holding provision applied through C174 only applies to a University / College use, in accordance with Specific Provision Area 20A in the Official Plan.

Recommendation: No change

ITEM (32) Category: 230 Regina Street North

Submission: MHBC Planning’s letter dated August 10, 2018 requests that the lands be changed from “Area E” to “Area A” on Schedule ‘A1’ (Parking Overlay).

Comments: The subject lands are located within a Major Node (Area E) where intensification is contemplated, with the potential for shared parking in mixed-use developments, are transit accessible, and good walkability. As such, a 20% reduction has been applied in the new Zoning By-law 2018-050 to the existing parking rates.

Lands within Uptown and 400 metres or less of an ION-LRT station are designated Area A on Schedule ‘A1’, with parking rate adjustments to implement the planned

function of the Urban Growth Centre. The lands are not within the Uptown, or proximal to an ION-LRT station. Planning Approvals staff do not support the requested amendment.

IPPW2018-058 contains further information on parking.

Recommendation: No change

ITEM (33) Category: 203-207 King Street South and 10-16 John Street West

Submission: GSP Group's letter dated September 4, 2018 requests site specific regulations be applied to the above-noted lands, exempting the lands from the tower separation requirement and street line setbacks proposed in the Uptown Mixed-Use (U2) zone. If Council is not supportive of the proposed exemption, a waiver pursuant to subsection 34 (10.0.0.2) of the Planning Act is requested to allow a zoning by-law amendment application to be submitted on the property.

Comments: The comprehensive Zoning By-law Review is not intended to evaluate the planning merits of proposed development applications nor establish site specific regulations for conceptual developments that have not proceeded through a planning process. It would be premature to take a position on the planning merits of the conceptual development by establishing exemptions to base zoning regulations. Further, it is staff's understanding that not all lands are owned or under contract, as the City owns the lands (former lane) dividing 203-207 King Street South and 10 John Street West – Council would need to declare the former lane surplus and sell it to the proponent to allow the proposed development to proceed. The request is premature, in staff's opinion.

Recommendation: No change. A waiver under ss.34 (10.0.0.2) of the *Planning Act* could be considered once the nature of the proposed development is firm and the lands are consolidated under a single ownership. Based on preliminary planning discussions to date, the proposed development represents a good candidate for a waiver under ss.34 (10.0.0.2) in staff's opinion.

- ITEM (34) Category:** Underground Hydro Services
- Submission:** Engineering Services and Waterloo North Hydro advise that maximum building setbacks / maximum street line setbacks are problematic in relation to the burial of hydro services.
- Comments:** Underground hydro vaults and vista require a 6-7 metre clearance from the street line. Certain *maximum* building setbacks / *maximum* street line setbacks (to orient buildings to the street to active the street edge) are less than 6 metres, conflicting with the installation of underground hydro services/infrastructure. Overhead hydro wireline conductor setbacks may also conflict. A general provision is required to create flexibility for hydro servicing where *maximum* building / street line setbacks are applied.
- Recommendation:** Section 3.H.5 has been added, as follows:

3.H.5 HYDRO SERVICES – MAXIMUM SETBACKS

- 3.H.5.1 Notwithstanding anything to the contrary, a maximum BUILDING setback in this BY-LAW may be increased to permit the installation of underground and or overhead hydro services/infrastructure and related appurtenances.
- 3.H.5.2 Notwithstanding anything to the contrary, a maximum STREET LINE setback in this BY-LAW may be increased to permit the installation of underground and or overhead hydro services/infrastructure and related appurtenances.

- ITEM (35) Category:** Underground Parking Setbacks
- Submission:** To permit underground parking structures to be constructed to the street line (re: front lot line and flankage lot line).
- Comments:** Underground parking is briefly discussed in IPPW2018-058. IPPW maintains support for Sections 6.2.1 and 6.2.2 in the proposed new Zoning By-law 2018-050:
- 6.2.1 Notwithstanding anything to the contrary, UNDERGROUND PARKING shall comply with the FRONT YARD BUILDING LINE setback and FLANKAGE YARD BUILDING LINE setback in the zoning category applied to the LOT.
 - 6.2.2 Notwithstanding anything to the contrary, UNDERGROUND PARKING shall be permitted to extend to the SIDE LOT LINE and the REAR LOT LINE.

In other words, underground parking must respect the street line setbacks applied in the applicable zone, but may be extended to the side and rear yard. This zoning framework was established through the Height & Density Policy Study. In staff's experience over the past 10+ years, only a small number applications have been advanced to reduce the street line setback for underground parking structures, which were evaluated on a case-by-case basis.

In IPPW's opinion, underground parking should comply with the front yard building line setback and the flankage yard building line setback, for reasons including:

- protects corridors for projected needs (e.g. future expansion)
- enhances the character of the streetscape (e.g. provision of trees)
- allows for the accommodation of infrastructure and services
- reduces municipal costs for works in the abutting road allowance
- reduces the complexity of municipal works in the road allowance
- minimizes the need for tiebacks in the road allowance
- allows for at-source groundwater infiltration and stormwater management

New development proposed on lands adjacent to existing or planned transportation corridors and servicing corridors should not preclude or negatively affect the use of the corridor for its intended purpose(s), and should be designed to avoid, mitigate or minimize negative impacts on the corridor. New development should be compatible with and supportive of the long-term planning for such corridors.

The encroachment of underground parking structures into the front yard or flankage yard should be evaluated on a case-by-case basis, to evaluate impacts based on context.

Recommendation: No change

ITEM (36) Category: Tower Provisions

Submission:

Various parties* have requested:

- the reconsideration of Tower Separation provisions
- the reconsideration of Tower Stepback provisions
- preference that tower and podium provisions be managed through the Urban Design Manual, not the Zoning By-law

General concerns include:

- all towers are treated the same – “one size fits all”
- mid-rise buildings differ from high-rise buildings (sliding scale)
- provisions are the same for residential and non-residential towers
- regulations will limit architectural creativity

Request to modify Tower Provisions as follows:

- 12 storeys: 15 metres from a tower on the same lot, 7.5 metres from an interior lot line
- 13-18 storeys: 17.5 metres from a tower on the same lot, 8.75 metres from an interior lot line
- 19 storeys or more: 20 metres from a tower on the same lot, 10 metres from an interior lot line

Comments:

Tower provisions are discussed in IPPW2018-058 (re: Section 7). Throughout the comprehensive Zoning By-law Review, many individuals expressed concerns about maximum building heights and the impacts of tall buildings on adjacent properties and neighbourhood character. As discussed in IPPW2018-058, municipalities are directed to develop intensification strategies that identify the appropriate type and scale of development, and transition built form to adjacent areas (Policy 2.2.2.4.b. of the Growth Plan 2017).

A tall building review was undertaken of select municipalities, which concluded a benchmark of:

- minimum tower stepback: 3 metres
- minimum tower separation to interior lot line: 12.5 metres
- minimum tower separation between towers on the same lot: 25 metres
- maximum tower footprint: 750 square metres

- maximum horizontal tower dimension: 35 metres,

Similar regulations were established for Northdale through a comprehensive planning and design review, with the exception of a maximum tower footprint of 800 square metres.

The above standards were modified for Waterloo, generally to provide flexibility in design, considering existing development in the community and to shape the skyline moving forward, and minimizing negative impacts of tall buildings:

- minimum tower setback: 3 metres
- minimum tower separation to interior lot line: 11 metres (except abutting lands zoned OS1)
- minimum tower separation between towers on the same lot: 22 metres
- maximum tower footprint: 1,000 square metres
- maximum horizontal tower dimension: 40 metres

To create further design flexibility, section 3.T.5.2 in the proposed new Zoning By-law 2018-050 is intended to allow one (1) interior side lot line (tower separation) to be reduced to 6 metres provided both interior side lot line setbacks for the tower combined equal a minimum 22 metres.

As discussed in IPPW2018-058, negative impacts of tall buildings could include:

- “canyon” effect and loss of sky views if buildings are not appropriately massed and adequately spaced apart
- creating uncomfortable active transportation realms
- shadowing and restricted access to sunlight
- wind impacts
- poor fit / compatibility / transition with adjacent buildings
- poor fit / compatibility / transition with the public realm
- overlook and loss of privacy when buildings are constructed too close to one another
- interruption of landmark views and vistas

Through the comprehensive Zoning By-law Review, one message was clear – take measures to avoid duplication of the canyon effect created on King Street between Hickory Street and Columbia Street, which have tower separations of ~16, 19 and 22 metres. In staff’s opinion, tower separations less than 22 metres should be evaluated on a case-by-case basis relative to context and other planning considerations.

Planning Approvals staff further reviewed the tower provisions for mid-rise residential buildings, between 7-12 storeys (20-40 m). Planning Approvals continues to support the staff recommended tower provisions for mid-rise residential buildings given the potential for negative impacts, particularly for taller mid-rise buildings (10-12 storeys) and the limited number of smaller mid-rise properties (7-9 storeys) most of which are developed. Staff recommend that the tower provisions for mid-rise residential buildings be monitored as new developments are constructed, after which refinements to the zoning framework could be considered.

Planning Approvals staff further reviewed the tower provisions for mid-rise employment buildings. The Official Plan established a maximum building height of 27 metres for mid-rise employment buildings, to allow 6 storey office buildings with taller floor-to-ceiling heights (~4.5 metres). For comparison, a maximum building height of 20 metres was applied for 6 storey residential buildings, based on a ~3 metre floor-to-ceiling height. In order to protect the 6 storey planned function in employment areas at 27 metres, Planning Approvals staff have amended the tower provisions in the Employment Zones to take effect after 27 metres.

Recommendation: Employment zones have been amended so that tower provisions take effect after 27 metres.

- * MHBC Planning's letter dated August 13, 2018 for 567-571 King Street North
- MHBC Planning's letter dated August 10, 2018 for 20 Erb Street West
- MHBC Planning's letter dated August 10, 2018 for 14 Princess Street
- MHBC Planning's letter dated August 10, 2018 for 415 Phillip Street
- MHBC Planning's letter dated August 10, 2018 for 419 Phillip Street
- MHBC Planning's letter dated August 10, 2018 for 564-576 Weber Street North
- MHBC Planning's letter dated August 10, 2018 for 600 Weber Street North
- MHBC Planning's letter dated August 10, 2018 for 115 Northfield Drive West
- MHBC Planning's letter dated August 10, 2018 for 97-103 Randall Drive
- MHBC Planning's letter dated August 10, 2018 for 449 Brentcliffe Drive and 672 Erbsville Road
- MHBC Planning's letter dated August 10, 2018 for 2-4 King Street North
- MHBC Planning's letter dated August 10, 2018 for 1-3 Regina Street North
- MHBC Planning's letter dated August 10, 2018 for 24 King Street North / 28A-B King Street North
- MHBC Planning's letter dated August 10, 2018 for 65 University Avenue East and 239 Weber Street North
- MHBC Planning's letter dated August 10, 2018 for 210-220 King Street North and 258 King Street North
- MHBC Planning's letter dated August 10, 2018 for 230 Regina Street North
- MHBC Planning's letter dated August 10, 2018 for 26-28 Dorset Street and 7 Princess Street West
- MHBC Planning's letter dated August 10, 2018 for 209-217 King Street South
- GSP Group's letter dated September 4, 2018 for 203-207 King Street South / 10-16 John Street West

- ITEM (37) Category:** Amenity Area Provisions
- Submission:** Various parties have requested:
- the reconsideration of Amenity Area provisions
 - recommend 3 sq.m. for the first bedroom, and 2 sq.m. for each additional bedroom
- General concerns include:
- the amount of Amenity Area required
 - the cost to provide Amenity Area, impacting affordability
 - duplication with landscaped open space requirements
 - introduction of an Amenity Area requirement into Northdale
- Comments:** As discussed in IPPW2018-058.1, amenity area is important to quality of life and the wellbeing of residents / tenants of buildings. Amenity areas promote a high quality built environment that supports a more vibrant, active lifestyle with opportunities for recreation and to relax, socialize, and build “community”. Amenity area requirements are not new to Waterloo, existing in the following zones today:
- C1 zone: 15 square metres per dwelling unit
 - C2 zone: 25 square metres per dwelling unit
 - C6 zone: 25 square metres per dwelling unit
 - C7 zone: 15 square metres per dwelling unit
 - C8 zone: 5 square metres per dwelling unit
 - MXR zone: 11 square metres per dwelling unit
 - MXE zone: 11 square metres per dwelling unit
- For comparison purposes, based on available information, “amenity area” is provided in the following developments (exclusive of landscaped open space):
- Icon (330 Phillip Street): 3.81 sq.m. / bedroom
 - 133 Park (133 Park Street): 4.50 sq.m. / bedroom
 - Sage II (318 Spruce Street): 6.23 sq.m. / bedroom
 - The 42 (42 Bridgeport Road East): 7.02 sq.m. / bedroom
 - 144 Park (144 Park Street): 9.54 sq.m. / bedroom
 - Bauer (191 King Street South): 10.50 sq.m. / bedroom
 - Red Condos (188 King Street South): 11.83 sq.m. / bedroom
 - Cortes (222 King Street South): 12.53 sq.m. / bedroom
- Section 3.A.4.4 of the proposed new Zoning By-law 2018-050 allows a maximum 20% of the requirement amenity area to be outdoor rooftop amenity space located more than 22 metres above grade.

The proposed amenity area requirement of 3 square metres per bedroom is reasonable, in staff's opinion. However, to incent the construction of more 2-bedroom and 3-bedroom units in the community for families, Planning Approvals would not object to an amenity area requirement of 3 square metres for the first bedroom and 2 square metres for each additional bedroom. This would equate to 5 square metres for a 2-bedroom unit in the core, consistent with the existing requirement in the Commercial Eight (C8) zone.

Recommendation: Amenity area requirements in the by-law have been amended to *"3 square metres for the first bedroom and 2 square metres for each additional bedroom in the DWELLING UNIT"*.

Submitted by:

Joel Cotter, MCIP, RPP
Director, Planning Approvals

Attachment 'A'

Zoning By-law 2018-050