

November 29, 2023

**Natalie Hardacre, BES, MCIP, RPP**

Manager, Planning Approvals  
Integrated Planning & Public Works  
100 Regina Street South  
Waterloo, ON  
N2J 4A8

**Re: Request for Pre-Submission Consultation – Application for Official Plan Amendment and Zoning By-law Amendment  
359, 363, 367 & 369 Erb Street West, City of Waterloo**

We are pleased to submit the enclosed request for Pre-Submission Consultation for an Official Plan Amendment (“OPA”) and Zoning By-law Amendment (“ZBA”) application, for the properties known municipally as 359 Erb Street West – owned by 2699847 Ontario Inc., and 363, 367 & 369 Erb Street West – owned by 2296342 Ontario Inc.

In October 2022, IBI Group engaged in a Site Plan Pre-Submission Consultation with the City for the proposed development of 359 & 363 Erb Street West (File No. PC-22-17). At the time, the development proposal consisted of a 6-storey apartment building with an additional penthouse level, containing 140 bedrooms within 103 units, and 121 structured parking spaces (“Previous Development Proposal”). Through the Pre-Submission Consultation, City Staff advised that the required 2.6 metre Regional road widening was not correctly identified, which would impact the size of the site, building footprint and site layout. In addition, it was noted that the Previous Development Proposal did not comply with zoning regulations related to parking, the minimum Erb Street setback, low-rise residential buffer and landscaped open space, as well as encroaching into the Regional Road widening at the corner as noted above.

City Staff strongly encouraged that any development proposal comply with all applicable Zoning By-law provisions, and advised that in the event of any non-compliance, a ZBA application must be advanced before a Site Plan application. Staff also specifically advised that they are not supportive of reduced setbacks along Erb Street.

Since that time, the adjacent parcel known municipally as 367 & 369 Erb Street has been acquired by 2296342 Ontario Inc. Though these two parcels are technically under separate ownership, they will function and effectively be considered as one development site (“Subject Site”), allowing for an enhanced degree of block-level planning for the majority of the frontage on the south side of Erb Street between Culpepper Drive and Roosevelt Avenue. In addition, the updated design for the consolidated development proposal (“Proposed Development”) has been refined in response to the Pre-Submission Consultation comments previously issued by the City. This has resulted zoning compliance in previous areas of deficiency, though a ZBA application will be required in order to address the few remaining zoning deficiencies as well as additional height and density to accommodate affordable housing units. The introduction of affordable units also triggers an Official Plan conformity exercise to permit additional height and density along the Minor



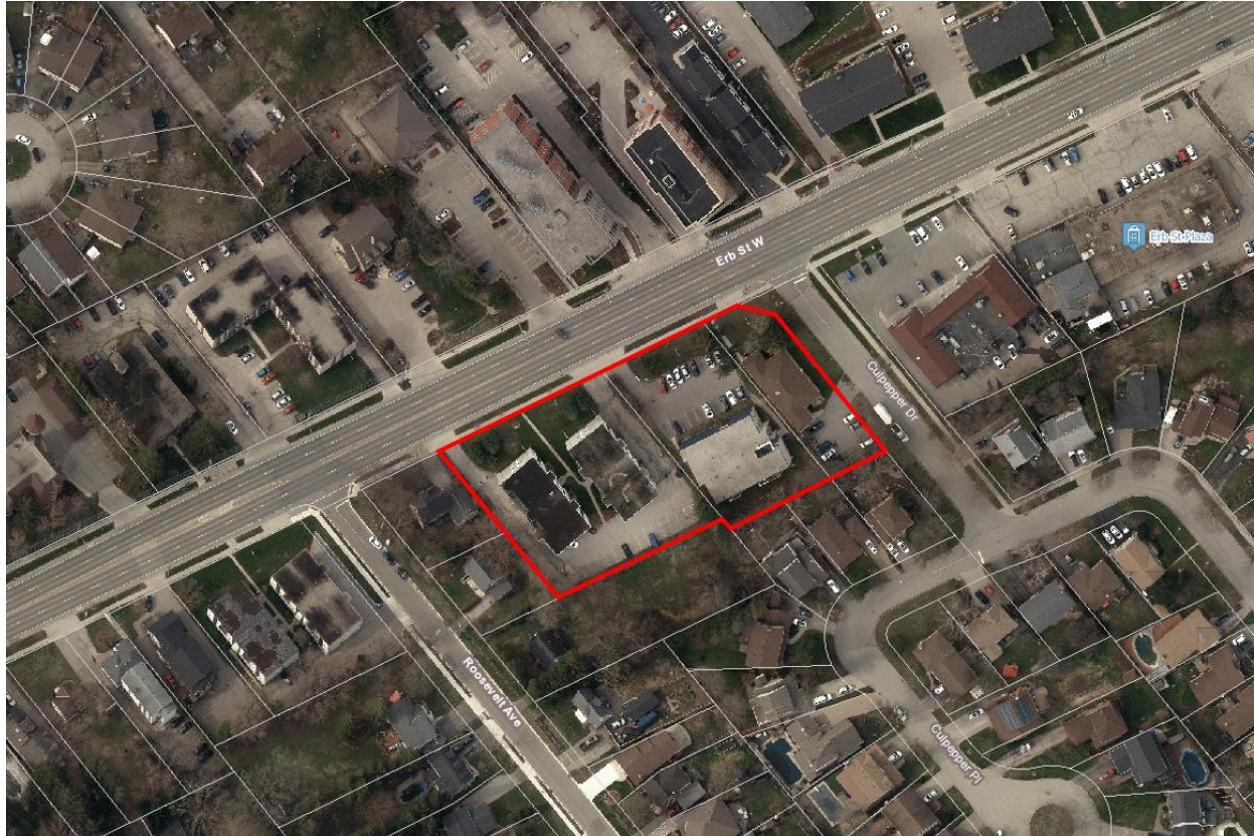
Corridor. As such, we would now like to engage in the required Pre-Submission Consultation for an OPA & ZBA application.

### Existing & Emerging Area Context

The Subject Site is located along the south side of Erb Street West, 400 metres to the east of Fischer-Hallman Road and 650 metres to the west of University Avenue. Erb Street is an important east/west Regional Arterial road that provides direct and convenience access to Uptown Waterloo and other important Regional Arterial roads, such as University Avenue and Fischer-Hallman Road.

Erb Street is well-served by public transit through iXpress route 202, which provides express bus connections between The Boardwalk bus terminal in the west and the Conestoga ION station in the north/east, with intermediate stops and connections at Fischer-Hallman Road (iXpress route 201), the University of Waterloo, and Wilfrid Laurier University. In addition, GRT bus route 5 provides convenient local bus service along Erb Street and Bridgeport Road, connecting to Uptown Waterloo. Erb Street is also part of the City's active transportation network, with lined bike lanes provided within the roadway.

Given these excellent transit connections, Erb Street in the proximity of the Subject Site is planned in the Official Plan for Mixed-Use Medium Density Residential along a Minor Corridor, with building heights permitted up to 20 metres and densities up to 450 bedrooms per hectare. In addition, the City has proactively zoned the Subject Site and surrounding lands along Erb Street as Residential Mixed Use (RMU-20). With this progressive planning framework, Erb Street is a corridor in transition, with a mix of older ground-related housing, older low- and mid-rise apartment buildings, and the emergence of newer mid-rise apartment buildings establishing a compatible form of intensification and urbanized streetscape.





The newer mid-rise apartment buildings generally reflect a more contemporary approach to building and urban design whereby the building and its primary entrances are oriented towards the street, with parking located either underground, in structured parking and/or at the rear of the development site. This generally reflects the urban design approach that the City has sought through detailed building and site design regulations that have been implemented through the City's Zoning By-law, including detailed requirements associated with structured parking.

The consolidated Subject Site has a consistent frontage along Erb Street, with a 2.6 metre road widening to be dedicated to the Region as noted above. To the rear, the Subject Site has a staggered rear lot line condition whereby the eastern half extends approximately 3.6 metres further to the south. In this area, the Subject Site has a rear lot line to rear lot line condition, backing onto existing lots of single detached dwellings along Culpepper Place. On the western half, the Subject Site has a rear lot line to side lot line condition, backing onto a much larger and significantly longer residential lot off of Roosevelt Avenue. This creates a unique context in the evaluation of the relationship of the Subject Site and Proposed Development to these adjacent properties and conditions.

The Subject Site benefits from and will optimize its relatively large size for a corridor development site, measuring 5,882 square metres, excluding the required road dedication to the Region and with over 100 metres of frontage along Erb Street. This presents a valuable opportunity to accommodate a comprehensive development plan that utilizes the large frontage to provide for a varied built condition along Erb Street. It also provides an excellent opportunity to accommodate substantial density and provide an abundance of new housing, while generally maintaining the intent of the maximum height and density limits.

### **Proposed Development**

The Proposed Development consists of two 8-storey apartment buildings, that combined will accommodate 235 units, comprised of 157 one-bedroom units (67%), 65 two-bedroom units (28%), and 13 three-bedroom units (5%). Of these units, 10% are proposed as affordable housing. These residential units will be supported by a robust amenity program that includes communal indoor amenity spaces, private balconies, private patios, and communal terrace and rooftop amenity areas that utilizes much of the available roof area. The two primary building entrances are provided along Erb Street, set at the minimum building setback (5 metres) in order to create an urban and pedestrian-friendly condition. The front and flankage yard areas provide space for private patios associated with townhouse style units, which will reinforce the residential character of Erb Street in this area while also providing enhanced activation with each of the grade related units having a direct entrance to the street.

Further promoting the urban condition and pedestrian-friendly environment, parking is relegated underground, within the building and to the rear of the Subject Site, effectively screening these internal parking areas, especially from Erb Street. Two vehicular entrances are proposed to the parking area: one from Erb Street and one from Culpepper Drive. By minimizing the number of vehicular entrances despite the large size of the Site, this will serve to concentrate vehicular activity and minimize potential conflicts with pedestrians while providing traffic relief from the local street.

Whereas one larger building may have provided a more efficient floor layout, in response to the large frontage of the Subject Site and more sensitive residential forms to the rear, the Proposed Development has been interestingly designed with two connected L-shaped buildings that present a broken up and varied built condition along Erb Street. This is further enhanced through the variation in building height along Erb



Street, with a 2-storey central portion providing relief and working to effectively divide the combined building massing along Erb Street. This response through design is also provided at the rear, where a break in massing and reduced building height along the larger building portion demonstrate consideration of the more sensitive residential uses.

While building design details will be further established at the Site Plan stage, the Proposed Development illustrates the inclination towards a contemporary building design, with the use of textured balcony screens to provide additional visual interest and further reduce the perceived mass and onlook of the building.

Overall, the Proposed Development generally reflects the scale of development, site layout, and urban design conditions that are desirable and planned for the area by the City's Official Plan and Zoning By-law. In addition, the Proposed Development will deliver a substantial scale of new housing, including affordable units, in an area that is well-served by public transit and proximate to retail/commercial amenities. This will support the City and Region in accommodating their respective population forecast and achieving their respective intensification targets, and will also help the City to meet its 2031 housing pledge.

### **Official Plan Review**

The Mixed Use Medium Density Residential designation is intended to facilitate the development of medium density housing types and is generally coupled with the Minor Corridors designation, recognizing that they serve as intensification corridors between medium high and high density areas while buffering impacts to low density areas.

Whereas a height limit of 20m and density limit of 450 bedrooms per hectare generally applies (S. 10.1.4(3)), height/density bonusing policies are provided in Section 12.3.1 to authorize increases in height/density in return for community benefits that support the objectives of Official Plan in creating a vibrant and welcoming City. This incentive is intended to apply to lands located within a designated Node or Corridor and well serviced by existing or planned transit, such is the case for the Subject Site. A long list of community benefits which may be contemplated as part of a development proposal to potentially authorize the municipal incentive is provided, including "developments that include an affordable housing component", which comprises a majority of the excess height and density permissions.

It is understood and has been considered in the design of the Proposed Development that the authorization of the height/density bonusing will be evaluated in accordance with the other applicable policies of this Section. For example, as required in Section 12.3.1(8) to minimize the impact of the increased height on adjacent low density area, sensitivity to the immediate context has been demonstrated through the lowering of building height at the rear portion of the west building where there is a more direct and impactful relationship to a low density residential lot.

### **Zoning Review**

Appended to this letter is a Preliminary Zoning Matrix that we have prepared for the Proposed Development in order to determine zoning compliance. Notably, compared to the Previous Development Proposal, the Proposed Development now complies within the minimum street line setback requirement, which was specifically noted as an important priority to rectify for City staff through the earlier Pre-submission Consultation. The Proposed Development also continues to comply with most of the built form regulations of the Zoning By-law, including minimum and maximum street line and side yard setbacks, building entrance locations, and structured parking location requirements.



Based on our review, the required ZBA application has been scoped to address the following zoning provisions:

- Maximum Building Height

**Required:** 20m & 6 storeys

**Provided:** 26.6m & 8 storeys

The Proposed Development has been designed to provide a balance between different zoning requirements while considering the urgent need to increase the City's housing supply, particularly affordable housing units. Given the Site's significant frontage along a Regional Arterial road and land use designations mentioned above, the proposal therefore contemplates a modest increase to the maximum permitted building height to optimize the Subject Site and accommodate additional units in the form of affordable housing while keeping within the mid-rise typology. The proposed height change results in a modest increase of 6.6m and 2 storeys above 20m and 6 storeys limit.

Though the additional height will contain affordable housing units, this is considered with sensitivity towards the local context, mainly the low rise single detached housing forms at the rear of the Site. To appropriately minimize the potential impacts and ensure a compatible form, the buildings have been designed to reduce building height to the present height limit of 20m & 6 storeys where the larger portion of the L-shaped building addresses the low rise residential lot to the rear.

- Maximum Density

**Required:** 450 bedrooms per hectare (264 bedrooms)

**Provided** 554 bedrooms per hectare (326 bedrooms)

In our view, it is important that the density of the developments be flexible to the extent practical in order to optimize the Subject Site and increase the scale of housing, including affordable housing, provided. This is reflected in the Proposed Development, which provides for a total of 326 bedrooms, which is over the maximum density permitted by the Zoning By-law (264 bedrooms). The Site has been designed to operate in an efficient and appropriate way despite the increase in density. For example, where an increase in density may impact functions such as traffic circulation, the additional units will mainly be accommodated through improvements to active transportation facilities (ie. oversupply of bicycle parking and reduced vehicular parking rates) and encouraged to support the public transit system as to not adversely contribute to planned local traffic forecasts.

- Minimum Landscaped Open Space

**Required:** 30%

**Provided:** 20%

In order to accommodate the optimized appropriate density while not significantly exceeding the maximum permitted height, the two buildings make effective use of the site area. In addition, in order to provide a reasonable parking supply that the owners understand reflects actual parking demand, structured and surface parking utilizes portions of the interior and rear areas of the Site. This focuses landscaping in the remaining areas



that in ideal locations along Erb Street, Culpepper Drive, the interior side lot line, and a portion of the rear lot line.

Though there is a reduced amount of landscaped open space (20%) that does not meet the Zoning By-law requirements, the street and flankage yards have been designed with an attractive landscape condition that complies with minimum yard requirements. In addition, nearly all of the available terrace and roof space for the buildings are provided as rooftop amenity space to serve residents and visitors. This will include landscaping that will have the desired effect of “greening” the Site, with the dual-benefit of providing an ample, attractive amenity options.

Taking into account the area of the proposed rooftop amenity, there is effectively landscaped open space delivered value to 36.9%.

- Minimum Residential Parking Rate

**Required:** 1.1 spaces/unit

**Provided:** 0.77 spaces/unit

The construction of parking, particularly structured parking, is widely recognized as a significant burden affecting the cost and affordability of new development, as well as both an indirect and direct contributor to additional greenhouse gas emissions. Recognizing the significant public transit services and active transportation elements that exist in the area, the Proposed Development has been designed to provide a reasonable supply of parking that will reflect actual demand from future residents, which can be confirmed through a future Traffic Impact and Parking Study.

Specifically, the Proposed Development complies with the minimum visitor parking requirement, while proposing to reduce the minimum resident parking requirement from 1.1 spaces/unit to 0.77 spaces/unit. In addition to existing and future public transit services as well as the City’s continuous improvements to the active transportation network, this proposed reduction will be supported by other site specific Transportation Demand Management measures that will be detailed through the ZBA application, including an increased supply of bicycle parking (142 required vs. 160 proposed).

- Bicycle Parking

As noted above, the Proposed Development significantly exceeds the bicycle parking requirement, providing 160 bicycle parking spaces whereas only 142 are required. Notwithstanding this, the ZBA proposes to refine administrative zoning regulations in order to permit the use of stacked bicycle parking spaces, which maximizes the supply of bicycle parking areas while optimizing interior building space more efficiently for other beneficial uses, and in order to permit a revised ratio of Type A to Type B spaces, in order to increase the supply of secure bicycle parking spaces for residents.



- Low Rise Residential Area Landscape Buffer & Minimum Low Rise Residential Lot Line Setback

As previously noted, the Subject Site features a staggered rear lot line condition, which makes it more difficult to accommodate a standardized parking layout at the rear of the Site. In order to better optimize the use of the Site, the Proposed Development incorporates a landscape buffer along the eastern half of the rear lot line, but is challenged to do so on the western half due to its shallower depth. In addition, as noted earlier, the adjacent property at the westerly rear lot line of the Site is a large residential lot that is oriented in an east/west direction, providing for a rear yard to side yard condition.

Despite this, in our view, the proposed relationship to the adjacent properties is enhanced by the additional level of design attention provided. The Zoning By-law requires a minimum rear yard setback that is half the height of the building, or 13.3m, whereas 11.9m is provided. Up to the 6<sup>th</sup> storey, a setback of 11.9 metre setback is proposed, providing for enhanced separation, exceeding the minimum separation that the By-law requires for tower development within the 20m (6 storey) component and offsets the buffer reduction by approximately 1.9m. However, above the 6<sup>th</sup> storey, the two buildings have been stepped back significantly from the low rise residential lot lines to exceed the minimum setback dimension from the increased height portion of the buildings.

The Proposed Development will also not have any shadow impacts on the adjacent property given that it is located to the south of the Subject Site.

### Next Steps

We believe that the Proposed Development represents a significant improvement from the Previous Development Proposal in rectifying certain deficiencies and achieving planning and urban design objectives, including supporting the Region and City in their attempts to accommodate new housing opportunities while maintaining the intent of the medium density designation that is planned through the City's Official Plan and Zoning By-law. The OPA and ZBA application is required in order to optimize the appropriate development density of the Site, provide affordable housing, and support public transit services while meeting intensification targets and the City's housing pledge.

We look forward to meeting with and reviewing preliminary feedback from the City and other commenting agencies, and to working with City Staff to advance this important mid-rise housing project. Please contact the undersigned at [bsimon@planpart.ca](mailto:bsimon@planpart.ca) if you have any questions or require any additional information.

Sincerely,

A handwritten signature in blue ink that reads "Brandon Simon". The signature is written in a cursive, flowing style.

Brandon Simon, BES, MCIP, RPP, Associate