

May 29, 2019

Rita Szilock, Development Planner  
City of Waterloo Planning Approvals Division  
100 Regina Street South  
PO Box 337, Station Waterloo  
Waterloo, ON N2J 4A8

Dear Ms. Szilock:

**RE: Zoning By-law Amendment Z-18-05  
Addendum to Planning Justification Report for Ground Floor Height  
Summary of other Study Updates  
84-86 Hickory St W and 284-286 Albert St, Waterloo  
OUR FILE 08148FS**

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The purpose of this Addendum Letter is to provide additional justification for a reduction in the minimum required ground floor height for certain units that are oriented to Hickory St W.

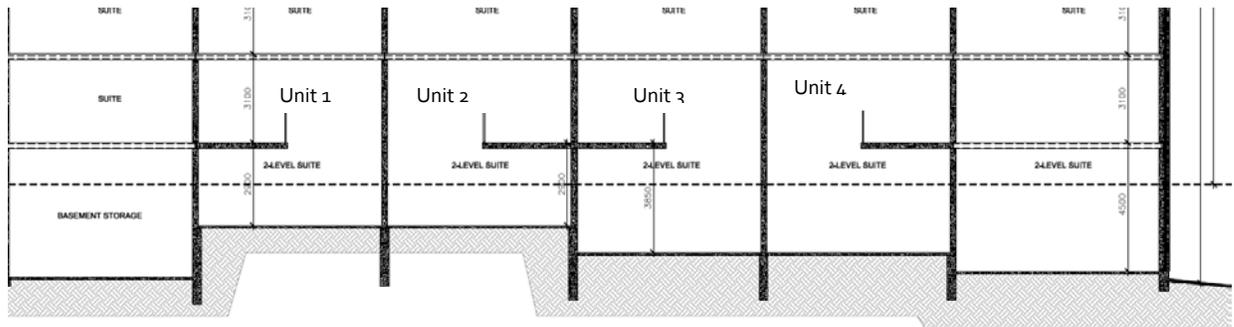
*Northdale Mixed-Use (NMU) Zone*

As you are aware, the proposed development is a 6-storey residential building, located on the north side of Hickory St W, with additional frontage on Albert St and Hemlock St. Access to the vehicular parking is provided from Hemlock St. The property slopes significantly from Albert St towards Hemlock St along Hickory St, such that the Hemlock St portion of the building is located a storey below the Albert St portion of the building.

The NMU Zone identified the Albert St and Hickory St frontages as a “convertible frontage” and the Hemlock St frontage as a “neighbourhood frontage.” For lots with convertible frontage, the NMU zone permits both residential and non-residential uses on the ground floor, however it requires a minimum ground floor height of 4.5 metres in order to allow the ground floor (all or part) to be converted in the future from residential to non-residential uses (if non-residential uses are not included in the initial design).

### Ground Floor Height

As noted above, due to the slope of the property, the ground floor of the proposed building is somewhat unique. If the units located closer to Hemlock St were constructed as single floor units, measured from the at grade entrance to the ceiling height, they would greatly exceed to the minimum 4.5 metre ground floor height, but would contain too high an interior ceiling height for practical use (the ceiling height on the unit closest to Hemlock St would be 7.6 metres). To more practically utilize this large interior height, the units have a small loft/mezzanine, which makes more efficient use of the space, but does not result in the entire first floor having a lower ceiling. The excerpt from the building's cross section as seen from Hickory St is included below (with the Albert St entrance to the left and the Hemlock St frontage to the right):



Of the seven (7) units that face Hickory St, only four (4) of the units do not satisfy the minimum ground floor height requirement. These four units each have a mezzanine that provides a partial second level, but does not result in the ceiling extending across the entire unit. As a result of the interior design, should the occupants wish to convert the space from residential to commercial, the reduced height (which only applies to a portion of the interior of the units) would not prevent such a conversion. Many non-residential uses would be able to make use of the loft/mezzanine space as part of their operation and in many instances, it would be an attractive element of the unit design (e.g. many retail stores have a small mezzanine area for employees or the manager of the store). The following lists the ground floor heights of the four units:

- Unit 1 – 2.9 m to mezzanine floor (6.0 m overall)
- Unit 2 – 2.9 m to mezzanine floor (6.0 m overall)
- Unit 3 – 3.85 m to mezzanine floor (6.95 m overall)
- Unit 4 – 3.85 m to mezzanine floor (6.95 m overall)

As such, the request to reduce the minimum required ground floor height from 4.5 metres to 2.9 metres remains consistent with the By-law objective of creating convertible space facing a public street.

### Transportation Impact Study Update

In response to comments raised at the Informal Public Meeting, the Traffic Assessment was updated by Salvini Consulting to assess the traffic impacts of the development using Institute of Transportation Engineers (ITE) data, rather than relying on the comparable developments originally reviewed in the November 2017 Assessment.

The revised Assessment evaluates the development under a “blended” scenario, recognizing that the location of the building will be appealing to both students and non-students. Under this scenario, the

development would generate 18 AM and 24 PM Peak Hour trips, which would not result in traffic volumes on Hickory St W that are inappropriate for a local road with the proposed improvements outlined in the Northdale Streetscape Master Plan. Please see the enclosed revised Assessment for a more detailed review.

### Servicing Agreement

The proposed development requires the extension of the municipal watermain on Albert St from its current terminus at the development to the north (288 Albert St). WalterFedy is preparing the necessary plans for submission to the City. The owner is prepared to enter into the required Servicing Agreement at the appropriate time.

### Urban Design Brief

As requested, the Urban Design Brief has been updated to reflect the revised building elevations and site plan. The updated Brief is enclosed with this submission.

### Wind Study

As you are aware, a Pedestrian Wind Assessment was previously prepared and accepted by staff. The Assessment reviewed the proposed (revised) development in the context of pedestrian comfort in the key areas of the development (outdoor amenity) and public realm including sidewalks and the building entrances. The Assessment concluded that wind conditions on the surrounding sidewalks of Albert St, Hickory St and Hemlock St are predicted to be comfortable for sitting or standing throughout the year (including winter, when winds are typically stronger).

As requested by staff, Novus Environmental has prepared a Wind Opinion Letter to assess the wind conditions at the proposed public park at the northeast corner of Hemlock and Hickory Streets. The Letter concludes that the building will in fact provide some shelter for the park from the prevailing westerly winds and the park should experience wind conditions that are suitable for sitting and/or standing year round. These calm wind conditions are considered appropriate for the intended passive uses of a park space.

### Noise Study Update

As discussed at our meeting on May 24<sup>th</sup>, the revised Noise Study will be submitted under separate cover.

### Other Comments from Informal Public Meeting

The following are responses to questions and/or comments received at the Informal Public Meeting:

- Shadow Impacts on the park at the northeast corner of Hemlock St and Hickory St W;
  - A Shadow Impact Analysis was prepared by WalterFedy and submitted with the Site Plan application.
  - In the Spring, there are minimal impacts on the City owned park lands, with small shadows on the west portion of the lands in the afternoon and minor shadow impacts

- in the evening. The park is in full sun throughout the morning and well into the afternoon.
- In the Summer, there are no shadow impacts on the park lands – they are in full sun throughout the day.
  - The Fall is similar to the Spring – with minor shadow impacts from 4-6 pm. The Park is in full sun all morning and well into the afternoon.
  - Finally, in the Winter, even with longer shadows, there are no impacts on the park until 2 pm, when there is a very minor shadow encroachment in the northwest corner of the park.
  - In summary, the proposed development will have very minor shadow impacts on the proposed park, and for the majority of the day in all four seasons, the park will be in full sun.
- Where is the amenity space proposed?
    - Common indoor amenity space is proposed in two separate spaces on the main floor of the building, oriented to the corner of Albert and Hickory Streets and also along Albert Street.
    - Common outdoor amenity space is proposed on the rooftop of the building, on the Albert St side, with appropriate landscape and wind mitigation design to ensure it will be a comfortable gathering space for future residents.
    - Additional common outdoor amenity space is provided at grade on the north side of the building adjacent to Albert St.
  - Will tree planting occur along the streets?
    - A landscape plan was prepared and approved (in principle) by the Site Plan Review Committee. Trees are proposed along all three streets in the public boulevard. We understand that the trees along Hickory St W will be installed through the City's reconstruction project.
  - How many 3-bedrooms units are there?
    - Six (6) three bedroom units are proposed. The building contains a good mix of unit sizes that should appeal to many different demographics, including students and non-students.

#### Density Bonusing and Section 37 Agreement

At our meeting on May 24<sup>th</sup> and in prior correspondence, staff identified four potential recipients of density bonusing funds:

1. Public Art within future Northdale Parks;
2. The University Gateway Project;
3. Affordable Housing Grant Program; and
4. Community Hub in Northdale.

Although the City's Height and Density Bonusing Guidelines have not yet been approved by Council, we understand that a report brought forward in February 2018 outlines a general framework. As part of the process, an appraisal of the lands is commissioned by the City, which evaluates the "uplift" in the value of the lands as a result of the amendment to increase the permitted density. As staff is aware, the

appraisal has already been completed and the uplift valued at \$1,980,000. The draft Height and Density Bonus Guidelines suggest that the city receive 40-60% of the uplift value as community benefits, though no parameters or criteria are provided to clarify how the percentage is ultimately determined. In our meeting on May 24<sup>th</sup>, it was suggested that the impact of the development determines the percentage of the uplift that will need to be provided and that staff determines the impact. In that regard, and as discussed, the massing of the building is not changing and complies with the by-law. The only setback that is not satisfied relates to a larger setback on Hemlock St due to the hydro switchgear. Similarly, the height of the building complies with the By-law. The impacts associated with additional density have been evaluated through the Traffic Analysis and Servicing Report. The Traffic Analysis concludes that the minor increase in vehicles is appropriate for the surrounding road network. The Servicing Report indicated that the existing services are adequate to provide services to the subject lands, except for the extension of a watermain on Albert St, which the owner will pay for through the separate Servicing Agreement. As such, the impact is minor.

Furthermore the development has gone through several redesigns to accommodate hydro infrastructure unrelated to the development itself, and primarily related to providing underground servicing along Hickory St W for the entire community (as part of the future reconstruction of that road). Additional hydro works were required along Hemlock St to bury hydro and provide a second transformer to provide services to other lands further to the north.

In consideration of the above, we are of the opinion that a 40% uplift is appropriate for the subject lands. It remains greater in value than previous projects in the same neighbourhood (a 10% increase) and is consistent with the Draft Guidelines. A 40% uplift would equate to \$792,000, or \$11,000 per extra bedroom. Consistent with the suggestions provided by staff, we are agreeable to contributing towards the four initiatives, as discussed below.

The public art initiative is supported by the owner, as it represents a tangible benefit to the community, and it can be more appropriately linked to the area around the subject lands. As you know, there is a proposed public park directly across the street that will serve the broader community. Locating public art within this park is consistent with the Height and Density bonus policies and will provide a community benefit to the surrounding area.

The proposed Community Hub is also geographically proximate and would benefit the Northdale Neighbourhood. The owner has no objections to providing funds towards that initiative. However, as the Community Hub project is not yet approved or funded, we recommend that a clause be included in the Section 37 Agreement that allows for the funds to be reallocated within a set timeframe (3-5 years) if the project does not proceed. The owner's preference is that the funds be reallocated towards other public art initiatives in the neighbourhood and surrounding area, within public spaces. The owner is concerned that if the Community Hub does not proceed, the funds would either remain in an account for an indefinite amount of time, or be spent on other initiatives, without any prior consideration or direction provided in the Section 37 Agreement.

The University Gateway project, which appears to be in its early stages, spans a substantial portion of the road, large sections of which are a significant distance from the subject lands. We do not object in principle to providing funding for this project, however we note that both the Community Hub and public art within Northdale parks have a much stronger geographic link to the immediate area surrounding the proposed development. As the timing and funding for the University Gateway project

remain unknown, we recommend including a clause in the Section 37 Agreement that would reallocate the funding within a set timeframe (3-5 years) towards public art and affordable housing initiatives.

Finally, the owner has no concerns with providing funds towards the City's affordable housing grant program. We ask that the City provide us with the parameters of the program so that the owner has a better understanding of how the funds will be used and what projects would be able to apply for the grant funding.

### Conclusion

In our opinion, the reduction in ground floor height for a small number of units is reflective of the site's unique grade challenges. However, despite those challenges, the interior design of the four affected units allows for the future conversion from residential to non-residential (if desired) and as such, remains consistent with the intent of the Zoning By-law. We ask that you consider our addendum request as part of your final review of the application and preparation of your staff report.

In summary, the development has been modified to address staff and agency comments. The proposed building will not negatively impact the planned public park on the northeast corner of Hemlock and Hickory Streets and the unit mix, high quality design and indoor and outdoor amenity space will result in a building that appeals to a range of future residents, both students and non-students. Should you have any questions regarding the request, please contact the undersigned.

Yours truly,

**MHBC**



Trevor Hawkins, M.PL, MCIP, RPP  
Associate

cc. Fei Wei  
LeHome Ltd.