

**To:** COUNCIL

**Meeting Date:** 07/13/2021

**Subject:** Recommendation Report: 1656 & 1660 Blair Road, Zoning By-law Amendment – Alin Dinu

**Submitted By:** Hardy Bromberg, Deputy City Manager – Community Development

**Prepared By:** Michael Campos, Intermediate Planner

**Report No.:** 21-029(CD)

**File No.:** R05/19

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## Recommendations

THAT Report 21-029(CD) 1656 & 1660 Blair Road, Zoning By-law Amendment – Alin Dinu be received;

AND THAT Cambridge Council approve the proposed Zoning By-law Amendment to change the zoning on 1656 Blair Road from “Residential - R1” to “Commercial - C2” s.4.1.397 to permit the expansion of the existing restaurant at 1660 Blair Road and to add site specific permissions to 1656 and 1660 Blair Road to permit a reduction in parking from 36 spaces to 18 spaces;

AND THAT Cambridge Council permit the minimum required setbacks to be those that are legally existing and that have existed prior to the passing of the current Zoning By-law No. 150-85 including a front yard setback of 1.68 metres (5.51 feet); an interior side yard setback of 4.32 m (14.17 feet); and a rear yard setback of 11.62 metres (38.12 feet);

AND THAT Council permit a micro brewery/winery and micro distillery as an accessory use to the restaurant use;

AND THAT the By-law be passed;

AND FURTHER THAT Cambridge Council is satisfied that a subsequent public meeting in accordance with subsection 34(17) of the Planning Act is not required.

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## Executive Summary

### Purpose

- The applicant is proposing to expand the existing restaurant (Easy Pour Wine Bar) within the existing residential building abutting the property at 1656 Blair Road.
- To permit the desired use a rezoning of the property at 1656 Blair Road from Residential (R1) to Commercial (C2) is required.
- Specific regulations across the entirety of the site (1656 Blair Road and 1660 Blair Road) are being requested to allow for a reduction in required parking from 36 spaces to 18 spaces,
- In order to permit, the required setbacks be identified as those that are legally existing and have existed since the passing of the current zoning by-law include a front yard setback of 1.68 metres (5.51 feet); an interior side yard setback of 4.32 m (14.17 feet); and a rear yard setback of 11.62 metres (38.12 feet).
- To permit the addition of a micro-brewery/winery and micro distillery (public beverage making establishment) use to the property as an accessory to the restaurant.
- A reduction in parking from 36 spaces to 18 spaces is requested. Eight spaces currently exist on 1660 Blair Road to support the restaurant use. Eight additional spaces are proposed north of the existing residential unit at 1656 Blair Road. A further two additional spaces are proposed on the eastern side of the existing residence to be used solely as staff parking.
- The applicant is also requesting to permit a micro-brewery/winery and micro distillery (public beverage making establishment) to the property as an accessory use to the existing restaurant for the purpose of brewing small batches of beer and wine to serve customers who visit the restaurant.

### Key Findings

- The subject lands are comprised of two separate properties known municipally as 1660 Blair Road and 1656 Blair Road.
- 1660 Blair Road is currently occupied by a restaurant known as the Easy Pour Wine Bar. An accessory building is located at the rear of the property that is currently used as an office and storage space for the existing restaurant. 1656 Blair Road is currently occupied by an existing vacant single storey residential dwelling.

- The applicant proposes to rezone the property at 1656 Blair Road from residential (R1) to commercial (C2) to permit the expansion of the existing restaurant use at 1660 Blair Road onto the adjacent property, as well as to add site specific permissions to both properties to allow for a reduction in required parking from 36 spaces to 18 spaces, to permit that the required setbacks be identified as those that are legally existing and have existed since the adoption of the current zoning by-law No. 150-85, and to permit the addition of a micro-brewery/winery and micro distillery (public beverage making establishment) use to the properties at 1660 and 1656 Blair Road as accessory to the existing restaurant is required.
- The original proposal which was presented to Council at the Public Meeting on January 14, 2020 also proposed to convert the detached accessory building located at the rear of the property into a short-term rental/secondary dwelling unit. However, since the public meeting, the applicant has revised their application and is no longer proceeding with a proposed secondary unit in the accessory structure. The accessory building will instead remain as storage and as an office space for the restaurant use, and therefore, will not require additional parking. Staff are of the opinion that no additional public meeting is required for this change.
- The applicant has requested a reduction in parking from 36 spaces to 18 spaces. The proposed parking layout illustrated on the submitted site plan proposes eight spaces located on 1660 Blair Road for the use of the restaurant. Eight additional spaces are proposed north of the existing residential unit at 1656 Blair Road. A further two additional spaces are proposed on the eastern side of the existing residence at 1656 Blair Road and are intended to be used solely as staff parking.
- A reduced parking requirement was approved for the existing restaurant at 1660 Blair Road by the Committee of Adjustment through a Minor Variance application submitted in April 2013 (Application No. A12/13), which reduced the minimum required parking spaces at the time from 23 to 10 parking spaces. Its important to note that the proposed parking layout will provide a more efficient parking layout by reducing the total number of spaces at 1660 Blair Road from 10 spaces to 8 spaces, and providing a total of 10 spaces at 1656 Blair Road..
- The conversion of the existing residence to accommodate an expansion of the existing restaurant at 1660 Blair Road will permit an increase in the parking for the restaurant. Presently, a parking ratio of 5.55 spaces are provided per 100 square metres (1,076 square feet) of gross floor area for the restaurant. After the proposed expansion, the parking ratio provided for the restaurant would increase to 6.42 spaces per 100 square metres (1,076 square feet) of gross floor area.
- In addition to the proposed expansion of the restaurant, the applicant is seeking to add a micro-brewery/winery and micro distillery (public beverage making

establishment) to the property as an accessory use to the food services establishment (restaurant). The intent of this use is to brew small batches of beer and wine to serve to customers of the restaurant.

- The proposed zoning amendment also requests that the required setbacks for the subject lands be identified as those that are legally existing. The Commercial – C2 zone requires a minimum front yard of 6 metres (19.68 feet), a minimum interior side yard of 7.5 metres (24.60 feet) and a rear yard of 3 metres (9.84 feet).
- The front yard, interior side yard and rear yard setbacks currently in place have existed since the passing of the current zoning by-law No. 150-85 and since the day of construction of both structures. Built in 1856 (existing restaurant) and 1848 (existing residential dwelling). A Heritage Impact Assessment was not required as there are no concerns with the proposed change of use and expansion of parking area, as the proposal was determined to be in accordance with the Blair Village Heritage Conservation District.

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## Financial Implications

- A planning application fee for the Zoning By-law Amendment in the amount of \$10,500 has been paid to the City to process this application.
- A future Site Plan Amendment application will be required for the lands with an associated fee of \$3,670 made payable to the City to process the application.
- An estimated Building Permit fee of approximately \$1,454 for renovated interior works to the existing and proposed expansion of the restaurant.
- An estimated tax revenue from the expansion of the existing restaurant of approximately \$21,919 (combined for both 1660 and 1656 Blair Road). Please note that the provided estimate is based on the 2020 tax rate, as the 2021 tax rate is not yet available.
- Any further costs associated with the development of the site are borne by the applicant.

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## Background

### Property

The subject lands are comprised of two parcels with areas of 793.3 square metres (8,539 square feet) and 457.5 square metres (4,924.5 square feet), forming a total area of 1,250.8 square metres (13,463.5 square feet) across the entirety of the lands. The subject lands are located on the north side of Blair Road, with the Grand River located steeply downhill further to the north, Fountain Street south to the west, Fallbrook Lane

to the east, and Old Mill Road to the south. The Walter Bean Grand River trailhead is located approximately 50 metres (164 feet) east of the subject lands. From the trailhead, the Walter Bean Grand River Trail runs westerly behind and abutting the subject lands, connects to various points of interest throughout Cambridge, Kitchener and Waterloo, and provides connections to parks and other trails including the Trans Canada Trail.

## Location

The subject lands are located within the Community of Blair and are municipally addressed as 1656 and 1660 Blair Road, and are legally described as:

### 1656 Blair Road:

Lot 4, Block B, on Blair Road Registered Plan 581, Part 1 on Reference Plan 58R8272, City of Cambridge.

### 1660 Blair Road:

Part of Lots 4 to 6, Block B, on Blair Road Registered Plan 581, Parts 1 & 3 on Reference Plan 67R1508, Save and Except Part 1 on Reference Plan 67R3149, City of Cambridge



## **Existing/Surrounding Land Uses**

The subject lands are situated in the western half of the City within the Village of Blair and is surrounded by a mix of existing residential land uses, retail and service commercial uses, small-scale business and/or professional offices, and several institutional uses. Uses that immediately surround the subject lands to the north include the Walter Bean Grand River Trail, and beyond that, the Grand River. North of the Grand River is a large span of open space lands which contains Moyer's Blair Landing. To the west of the subject lands is existing residential uses, service commercial uses such as a day space and dentistry offices, and institutional uses including an assisted living facility. The rare Charitable Research Reserve – Administrative Centre, which is an urban land trust and environmental institute is located to the south of the subject lands. Beyond the rare property, there are existing residential uses and service commercial uses including an auto body shop. Finally, east of the subject lands are existing residential uses and the continuation of Blair Road towards Galt.

## **Proposal**

The purpose of this report is to provide a recommendation on the proposed zoning by-law amendment application that seeks to rezone 1656 Blair Road from its current zoning of "Residential – R1" to "Commercial – C2" to permit the expansion of the existing restaurant at 1660 Blair Road. In addition to the proposed rezoning of 1656 Blair Road to a "Commercial – C2" zone, the applicant is proposing additional site-specific provisions across the entirety of 1656 and 1660 Blair Road that includes a reduction in required parking from 36 spaces to 18 spaces and that the required setbacks applicable to the subject lands be identified as those that are legally existing.

The two existing buildings were constructed in 1856 (existing Easy Pour Wine Bar restaurant) and 1848 (existing residential dwelling). Furthermore, a site-specific provision is sought to permit the addition of a micro-brewery/winery and micro distillery (public beverage making establishment) as an accessory use to the restaurant.

The original proposal which was presented to Council at the Public Meeting on January 14, 2020 also proposed to convert the detached accessory building located at the rear of the property into a short-term rental/secondary dwelling unit. However, since the public meeting, the applicant has revised their application and is no longer proceeding with a proposed secondary unit in the accessory structure. The accessory building will instead remain as storage and as an office space for the restaurant use.

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## Analysis

### Strategic Alignment

PEOPLE To actively engage, inform and create opportunities for people to participate in community building – making Cambridge a better place to live, work, play and learn for all.

#### Goal #1 - Community Wellbeing

Objective 2.1 Provide a wide range of ways that people can become involved in city decision making.

The proposal will permit the minor intensification/expansion of an existing commercial use (restaurant) of an existing vacant residential dwelling that is presently underutilized. The expansion of the existing restaurant will facilitate a more welcoming and vibrant addition to the neighbourhood by increasing the area of a popular restaurant that welcomes locals and tourists to a fine dining experience in the historic Blair neighbourhood.

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### Comments

A zoning by-law amendment has been submitted for the subject lands to permit the expansion of the existing Easy Pour Wine Bar restaurant at 1660 Blair Road to 1656 Blair Road by rezoning the lands from “Residential – R1” to the “Commercial – C2” zone. In addition to the proposed rezoning of the subject lands, the application seeks site-specific provisions to permit a reduced number of required parking spaces from 36 spaces to 18 spaces, to permit that the required setbacks be identified as those that are legally existing, and to permit the addition of a micro-brewery/winery and micro distillery (public beverage making establishment) as an accessory use to the restaurant. Staff gave consideration to the agency comments that have been received, compatibility with the surrounding neighbourhood amenities, parking requirements and the existing setbacks of the property. The properties will eventually be merged as one property through the future site plan application process. Should this application be approved by Council, it is anticipated that the applicant will move forward with a site plan application soon after. A estimated date has not been provided by the applicant.

The proposed amendment is consistent with the updated 2020 Provincial Policy Statement, which took effect on May 1, 2020 and conforms to the Provincial Growth Plan of 2020. The proposal will result in the efficient use of the land, resources, existing infrastructure and private services. The proposal conforms to the Region of Waterloo’s Official Plan, which allows for the minor intensification of existing commercial uses within the limits of the existing property. The application does not propose any new development and would occupy an existing structure on an existing legal lot of record.

The subject lands are currently serviced by existing private wells and an individual wastewater treatment system, which provides sufficient capacity to accommodate the commercial expansion. The proposal aligns with the policies of the City's Official Plan in regards to compatibility for intensification of the existing and proposed commercial uses on the lands within the existing buildings.

The subject lands are currently zoned "Commercial – C2" and "Residential – R1" in Zoning By-law No. 150-85. The C2 zone permits service commercial uses such as restaurants (food services establishments). The purpose of the proposed Zoning By-law Amendment is to rezone 1656 Blair Road from "Residential – R1" to "Commercial – C2" in order to complement the existing permissions that are applicable to the adjacent lands at 1660 Blair Road, which contains the existing Easy Pour Restaurant. In addition to rezoning the lands, the amendment seeks to establish site-specific provisions on the lands for the following:

- To allow for a reduction in required parking from 36 spaces to 18 spaces:
  - The total required parking for the subject lands to accommodate a proposed restaurant across both 1660 and 1656 Blair Road is 36 parking spaces. Due to the limited amount of space available on the subject lands, the applicant is able to provide a total of 18 parking spaces, where 16 spaces (including one barrier free space) is provided for visitors and two spaces are provided for staff only. In April 2013, the City's Committee of Adjustment approved a minor variance application (Application A12/13) to reduce the minimum required number of parking spaces for the restaurant at 1660 Blair Road from 23 spaces to 10 spaces. This resulted in a parking ratio of 5.55 spaces per 100 square metres (1,076 square feet) of gross floor area. With the proposed expansion of the restaurant to 1656 Blair Road, the approved variance is no longer applicable. Based on the proposed available parking of 18 total spaces, the restaurant is now providing an additional 8 spaces that were not available at the time of the minor variance. The proposed parking ratio for the subject lands would now be provided at 6.42 spaces per 100 square metres (1,076 square feet) of gross floor area, which results in a higher parking ratio than previously approved through the Committee of Adjustment.
  - Given that the property is largely constrained due to the existing heritage buildings and size of lots, it is not possible to provide the total number of parking spaces required by the City's Zoning By-law. However, the proposed Zoning By-law Amendment will allow for an increase in parking spaces that otherwise would not have been possible without the use of the adjacent vacant residential lot. In addition, the Blair Village Community is well-located with respect to transit, having a transit stop located directly in front of the existing restaurant along Blair Road. Furthermore, the subject

lands are located in proximity to available walking trails such as the Walter Bean Trail, which provides convenient access to the restaurant for those who live in the nearby Community and choose to walk or use their bicycle to visit the Village.

- Based on the submitted plans parking layout plan and vehicle turning plan provided by the applicant, it was determined that the subject lands would be capable of accommodating 18 spaces comfortably on the site with the ability to efficiently and safely maneuver into and out of the parking lot from Blair Road.
- To permit that the required setbacks be identified as those that are legally existing:
  - The Commercial – C2 zone, which is proposed to be applied across the entirety of the subject lands should this zoning amendment be approved, requires that the lands provide a minimum front yard setback of 6 metres (19.68 feet); a minimum interior side yard setback of 3 metres (9.84 feet) or 7.5 metres (24.60 feet) if abutting a residential zone; and a minimum rear yard setback of 3 metres (9.84 feet) or 7.5 metres (24.60 feet) if abutting a residential zone. The existing structures on the subject lands were all constructed prior to the establishment of the current zoning by-law No. 150-85 in 1985. As a result, the setbacks in place are considered to be legal non-conforming, which means that the existing setbacks of those structures are permitted, subject to the use or buildings not being altered on the lands. With the proposed expansion of the commercial uses on the subject lands, the legal non-conforming status applied to the lands would no longer be applicable. As a result, the applicant has requested as part of their application that the existing setbacks for the structures that have existed on the property since the 19<sup>th</sup> century be recognized as being legal.

Presently, the existing structures provide the following setbacks:

- A front yard setback of 1.68 metres (5.51 feet), whereas a front yard setback of 6 metres (19.68 feet) is required; and,
- An interior side yard setback of 4.32 metres (14.17 feet), whereas an interior side yard setback of 7.5 metres (24.60 feet) is required.

The existing main buildings on the subject lands are in compliance with the required rear yard setback of 3 metres (9.84 feet), with the exception of the existing accessory structure at the rear of the property, which is located on and partially outside of the rear yard boundary line. The accessory building is also considered legal non-conforming and has

existed on the property prior to the establishment of the current City zoning by-law No. 150-85.

As such, given the existence of these buildings in this same location for over a century, it is staff's opinion that the existing setbacks be legalized and continue to be permitted, particularly considering the historic importance of the structures to Blair Village and their designation under Part V of the Ontario Heritage Act.

- To permit the addition of a micro-brewery/winery and micro distillery (public beverage making establishment) as an accessory use to the property:
  - The proposed micro-brewery/winery and micro distillery is being requested by the applicant as an accessory use to the main restaurant use. It is the intent of the owners to brew small batches of wine and beer to be sold to customers of the restaurant. The intent is not that the micro brewery/winery and micro distillery would be used for the wholesale of the products brewed on site. Presently, the "Commercial – C2" zone does not permit these uses, neither as a principle use or as an accessory use.

The City of Cambridge draft zoning by-law that was released on May 2019 permits a micro-brewery/winery and micro distillery as permitted uses within the Regional Commercial 2 – RC2 zone, Community Commercial 1 – CC1 zone, Community Commercial 2 – CC2 zone, and in the Neighbourhood Commercial – NC zone. The subject lands are expected to be zoned as Village Commercial – VC, which is a commercial zone that applies solely to the core area of the Village of Blair. Given the expected permission for the micro-brewery/winery and micro distillery uses within many of the commercial zones in the anticipated By-law that apply to lands in core areas and areas where the uses would serve the surrounding community, it is the opinion of staff that these uses would be appropriate for the Blair Core Area, particularly as an accessory use to a restaurant that is popular amongst its surrounding neighbours and visitors from across the Region. The proposed commercial uses are compatible with the restaurant use and are typically found in combination with restaurant uses in other parts of the City. As a result, it is the opinion of staff that the introduction of a micro brewery/winery and micro distillery as an accessory to the restaurant on the subject lands would be suitable with the commercial urban fabric of the Blair Core Area.

- It is the opinion of Planning staff that by rezoning the presently underutilized parcel of land at 1656 Blair Road to permit the expansion of commercial uses (restaurant and accessory micro brewery/winery and micro distillery) across the entirety of the subject lands, the uses will complement the existing Blair Village

Community and would meet the intent of the Zoning By-law No. 150-85 which is to allow for compact efficient development with a mixture of residential, commercial and institutional uses. Though this request the intent of Zoning By-law No. 150-85 is maintained and the requested relief is, in staff's opinion considered minor and represents good planning.

- Refer to Attachment 4, for a detailed planning analysis.
- If Council does not support the recommendation, the project as planned may not be able to proceed. If Council were to decide to not approve the amendment to Zoning By-law No. 150-85, the applicant or anyone else would be able to file an appeal to the Local Planning Appeal Tribunal (LPAT) and the decision to amend the Zoning By-law No. 150-85 would rest with the LPAT rather than City of Cambridge Council.

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## Existing Policy/By-Law

### **City of Cambridge Official Plan (2012):**

The 2012 City of Cambridge Official Plan identifies the subject lands as being located within the Countryside area of the City of Cambridge as per Map 1A – Urban Structure of the City's Official Plan. The subject lands are further designated as Rural/Protected Countryside by Map 1B of the City's Official Plan.

Although located within the Countryside of the City of Cambridge, the City's Official Plan provides specific land use mapping for properties located within the area of Blair Village. The Blair Village core is a small and compact, walkable and self-contained village with a central core, with its intent being to promote the interaction of residents and to become the centre of the community containing a mixture of uses including residential, commercial and institutional land uses. The Official Plan further designates the subject property as being within the Blair Core Area on Map 2 of the Official Plan (Attachment 3). Section 2.12.1.1 of the City's Official Plan states that lands designated as Blair Core Area may be used for retail and service commercial uses (excluding motor vehicle repair shops, auto body repair shops, and automobile service stations or gas bars). As such, the proposed zoning by-law amendment to permit the expansion of an existing retail use (restaurant) at 1660 Blair Road and within the Blair Core Area designation is in conformity with the policies of the City of Cambridge Official Plan.

If approved, the proposed zoning amendment will allow the existing vacant residential unit adjacent to the existing restaurant be used for the purposes of expanding the commercial use. The application does not propose any form of new development on the subject lands. The buildings that have existed since the 19<sup>th</sup> century will continue to be used to accommodate the existing and proposed expansion of the Easy Pour Wine Bar restaurant, maintaining the historic identity of the Blair Village community. The proposal conforms to the Official Plan and an amendment is not required.

A detailed planning analysis is provided in Attachment 4 of this Report.

### **Cambridge Zoning By-law No. 150-85:**

The subject lands are presently zoned “Commercial – C2” (1660 Blair Road) and “Residential - R1” (1656 Blair Road) by the City of Cambridge Zoning By-law No. 150-85. The intent of the C2 zone is to accommodate commercial uses within the Blair centre and strip commercial areas, while the intent of the R1 zone is to accommodate single detached residential dwellings at low density in areas where public water supply and sewage disposal facilities are not generally available. There are currently no existing site-specific zoning provisions applied to the subject lands.

As noted previously, the applicant is requesting to rezone 1656 Blair Road from its current R1 zone to the C2 zone with the intent of establishing similar zoning across the entirety of the subject lands to accommodate the proposed expansion of the existing restaurant use. The R1 zone does not permit commercial uses including restaurants. In addition, the purpose of the proposed zoning by-law amendment is to establish a site-specific exception to permit an additional commercial accessory use on the lands (micro-brewery/winery and micro distillery (public beverage making establishment)), to permit the reduction of the total required number of parking spaces, and to recognize the existing setbacks of the buildings as being legal. In staff’s opinion, the proposed zoning by-law amendment with the site-specific regulations complies with the intent of the City of Cambridge Zoning By-law No.150-85.

A zoning map representing the current zoning of the subject lands has been included as Attachment 2.

Detailed planning analysis is provided in Attachment 4.

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## **Financial Impact**

- A planning application fee for the amendment to Zoning By-law No. 150.85 in the amount of \$10,500 has been paid to the City to process this application.
- A future Site Plan Amendment application will be required for the lands with an associated fee of \$3,670 made payable to the City to process the application.
- An estimated Building Permit fee of approximately \$1,454 for renovated interior works to the existing and proposed expansion of the restaurant.
- An estimated tax revenue from the expansion of the existing restaurant of approximately \$21,919 (combined for both 1660 and 1656 Blair Road). Please note that the provided estimate is based on the 2020 tax rate, as the 2021 tax rate is not yet available. Any further costs associated with the development of the site are borne by the applicant.

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## Public Input

The statutory public meeting required under the Planning Act was held on January 14, 2020 and official notification was provided to the Cambridge Times on December 10, 2019. In addition, notice was provided to all assessed property owners within a 120 metre (393.7 feet) radius of the site and anyone else who requested notice.

The public meeting minutes excerpt is included as Attachment 5. No concerns were raised at the public meeting with respect to the proposed zoning by-law amendment.

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## Internal/External Consultation

The application and supporting information has been circulated to the departments and agencies listed in Attachment 6 and comments received are included in the attachment. There were no objections received from any of the departments and/or agencies circulated on this application.

Development Engineering staff did, however, confirm through their comments that additional information will be required to be submitted as part of a future site plan approval application for the lands with respect to the proposed stormwater management and grading plans.

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## Conclusion

City of Cambridge Development Planning Staff is recommending approval of this application and is of the opinion that the proposed amendment to Zoning By-law No. 150.85 is consistent with the Provincial Policy Statement 2020, conforms with the policies of the Provincial Growth Plan 2020, conforms with the Regional Official Plan, the City of Cambridge Official Plan and meets the general intent and purpose of the City of Cambridge Zoning By-law No. 150.85 and represents good planning. A detailed planning analysis is included as Attachment 4 of this report.

The proposal will provide for the expansion of commercial retail uses at 1660 Blair Road and will utilize an adjacent residential property that is presently vacant. The proposed amendment supports the achievement of providing efficient development and land use patterns by contributing to the range and mix of employment (commercial) within Blair Village. The proposed expansion of commercial uses on the lands will help contribute to a welcoming and vibrant Blair Village Core by reusing existing heritage buildings to accommodate a restaurant that will attract local residents and outside visitors to the area, in accordance with the City's Strategic Plan 2021.

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## Signature

### Division Approval

N/A

**Name:**

**Title:**

Reviewed by the CFO

Reviewed by Legal Services

### Departmental Approval



**Name: Hardy Bromberg**

**Title: Deputy City Manager - Community Development**

### City Manager Approval



**Name: David Calder**

**Title: City Manager**

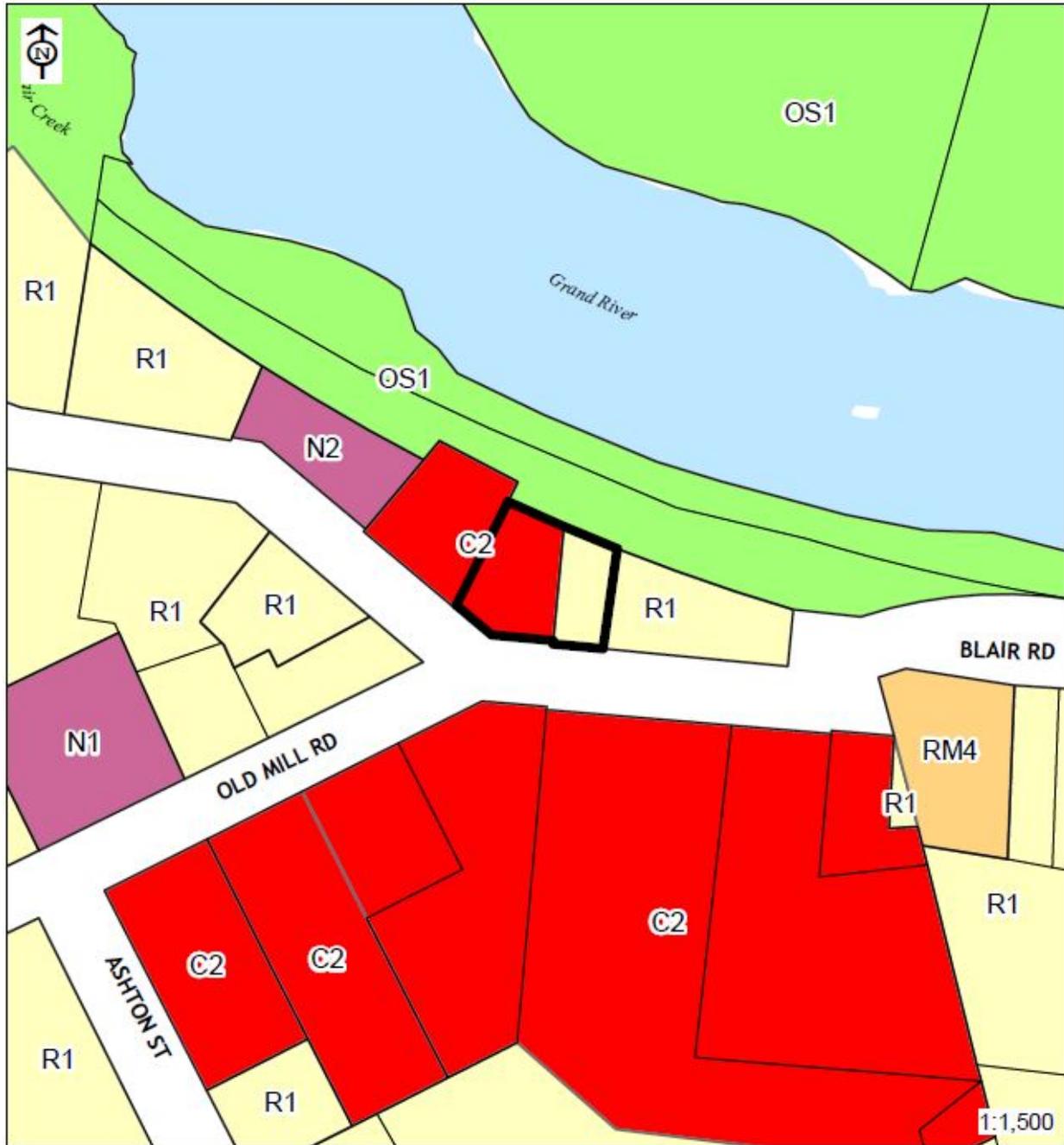
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## Attachments

- Attachment 1 – Proposed Site Plan
- Attachment 2 – Existing Zoning Map
- Attachment 3 – Existing Official Plan Map
- Attachment 4 – Detailed Planning Analysis
- Attachment 5 – Public Meeting Minutes
- Attachment 6 – External/Internal Consultation and Comments
- Attachment 7 – Draft Zoning By-law Amendment



# Attachment 2 – Existing Zoning Map



## EXISTING ZONING

Map 3



SITE

### Zoning Classification

OPEN SPACE

MEDIUM HIGH DENSITY RESIDENTIAL

LOW DENSITY RESIDENTIAL

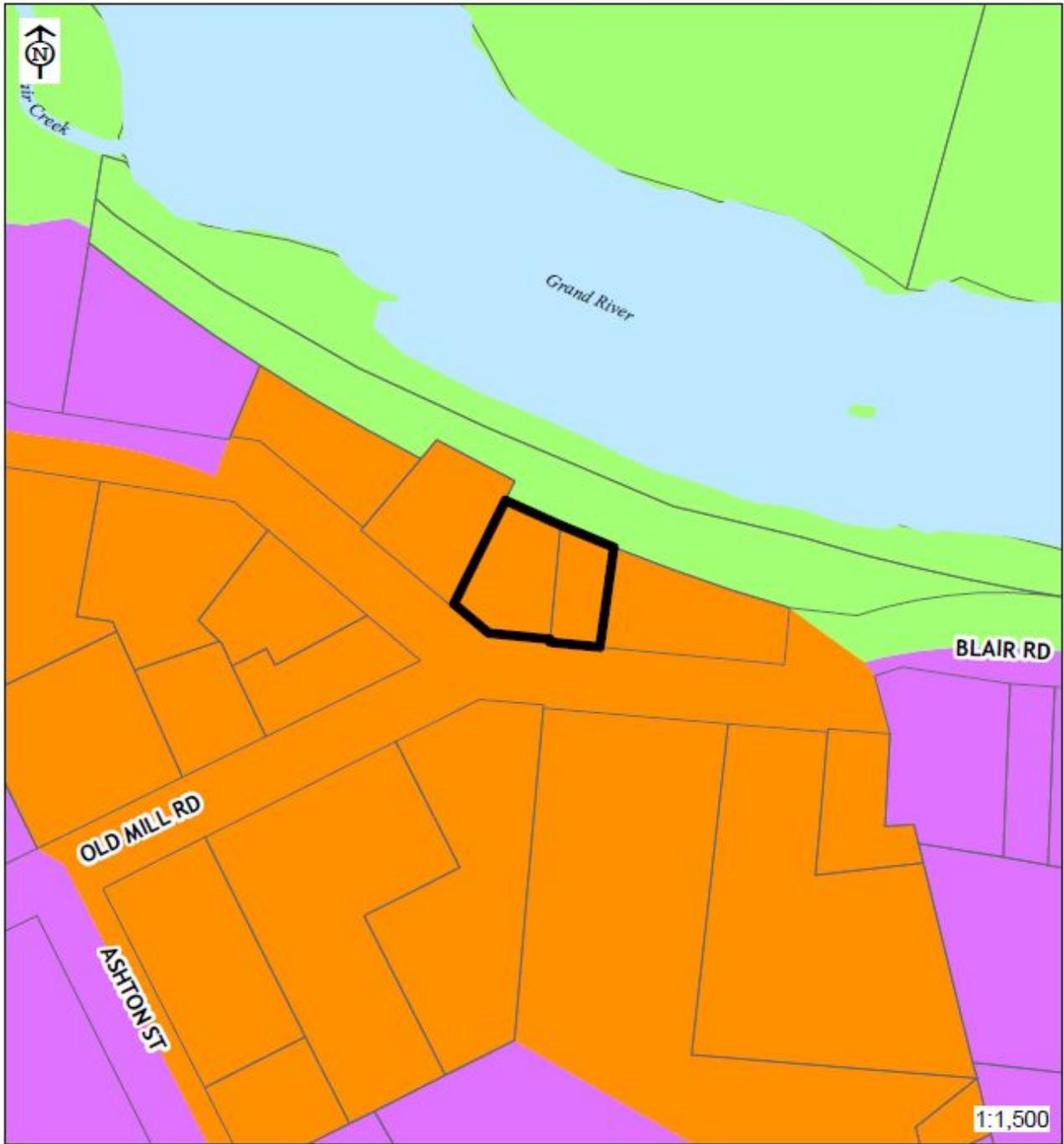
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# Attachment 3 – Existing Official Plan Map



Extract from Map 2 of the City of Cambridge Official Plan

 SITE

**Land Use**

-  Blair Core Area
-  Rural Residential
-  Natural Open Space System



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## Attachment 4 – Detailed Planning Analysis

### Provincial Policy Statement (2020 PPS)

The Provincial Policy Statement (PPS) provides policy direction on matters of Provincial interest related to land use planning and development. The following is an assessment of the proposed development and relevant policies.

<b>Policy #</b>	<b>Policy</b>	<b>Response</b>
1.1.1	Healthy, liveable and safe communities are sustained by: a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;	The proposed application will permit an expansion of an existing commercial use on a currently underutilized parcel of land, which will provide for a more efficient land parcel over the long-term.
1.1.1	Healthy, liveable and safe communities are sustained by: b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;	The proposed application will contribute to the range and mix of employment (commercial) uses in the Blair Village Core and will promote the neighbourhood by attracting local residents and outside visitors to the area.

<p>1.1.1</p>	<p>Healthy, liveable and safe communities are sustained by:</p> <p>c) Avoiding development and land use patterns which may cause environmental or public health and safety concerns</p>	<p>The proposed amendment does not propose new development but will instead utilize existing structures that have been standing in that location since the 19<sup>th</sup> century and that are considered part of the historic urban fabric of the Blair Core Area. The use of existing structures and private services on the lands will help minimize environmental and public health concerns by reducing new development and promoting reuse of existing buildings and infrastructure.</p>
<p>1.1.1</p>	<p>Healthy, liveable and safe communities are sustained by:</p> <p>e) promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;</p>	<p>The proposed amendment will utilize existing structures and private services, promoting efficient growth management and cost-effective development patterns that minimizes land consumption.</p>
<p>1.1.3.1</p>	<p>Settlement areas shall be the focus of growth and development.</p>	<p>The proposed development is located within a rural settlement area where development is promoted, as per the PPS.</p>

<p>1.1.3.2</p>	<p>Land use patterns within settlement areas shall be based on densities and a mix of land uses which:</p> <ul style="list-style-type: none"> <li>a) efficiently use land and resources;</li> <li>b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;</li> <li>c) minimize negative impacts to air quality and climate change, and promote energy efficiency;</li> <li>d) prepare for the impacts of a changing climate;</li> <li>e) support active transportation;</li> <li>f) are transit-supportive, where transit is planned, exists or may be developed; and</li> <li>g) are freight-supportive.</li> </ul> <p>Land use patterns within settlement areas shall also be based on a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.</p>	<p>The proposed amendment will permit the expansion of commercial retail uses (restaurant and beverage making establishment) on the property that is currently underutilized. The proposed expansion will allow for a more efficient use of land, enhancing an existing vacant residential dwelling to accommodate commercial uses in an area that is intended for a mix of residential, commercial and institutional uses.</p> <p>The proposed expansion will not require additional servicing infrastructure or enhancements to the existing infrastructure to accommodate the proposed commercial uses.</p> <p>The subject lands are located on a Regional Road and are in proximity to transit stops that provide transportation for potential visitors and/or employees. Additionally, the site is in proximity to multi-use trails that permit those seeking active forms of transportation to access the lands.</p> <p>The subject lands will not require major alteration to the site in order to function for its proposed purpose. Some additional paving will be required to accommodate additional parking spaces. As a result, there is little to no negative impacts to air quality or climate expected from the proposed expansion.</p>
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1.1.3.4	<p>Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.</p>	<p>The proposed expansion of commercial retail uses into existing structures promotes a greater efficiency in existing building stock. The proposed expansion will utilize an underutilized and currently vacant residential structure to expand an existing employment use, reducing potential risks to public health and safety.</p>
1.3.1	<p>Planning authorities shall promote economic development and competitiveness by:</p> <ul style="list-style-type: none"> <li>a) Providing for an appropriate mix and range of employment and institutional uses to meet long-term needs;</li> <li>b) Providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;</li> <li>c) Encouraging compact, mixed-use development that incorporates compatible employment uses to support liveable and resilient communities; and,</li> <li>d) ensuring the necessary infrastructure is provided to support current and projected needs.</li> </ul>	<p>The proposed expansion will contribute to the appropriate mix and range of employment (commercial) uses to meet long-term needs by supporting the planned intention for the Blair Core Area. The proposed expansion of commercial uses will result in a greater demand on the current service capacity, resulting in the creation of additional service-related jobs.</p>

<p>1.4.1</p>	<p>To provide for an appropriate range and mix of housing options and densities required to meet projected requirements of current and future residents of the regional market area, planning authorities shall:</p> <p>a) maintain at all times the ability to accommodate residential growth for a minimum of 15 years through residential intensification and redevelopment and, if necessary, lands which are designated and available for residential development;</p>	<p>The proposed amendment will not contribute to the proposed mix of housing options and densities, but will instead support employment uses within the Blair Core Area.</p>
<p>1.4.3</p>	<p>Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by:</p> <p>a) establishing and implementing minimum targets for the provision of housing which is affordable to low and moderate income households and which aligns with applicable housing and homelessness plans. However, where planning is conducted by an upper-tier municipality, the upper-tier municipality in consultation with the lower-tier municipalities may identify a higher target(s) which shall represent the minimum target(s) for these lower-tier municipalities;</p>	<p>The proposed expansion of the commercial uses will support employment uses within the Blair Core Area by expanding into an underutilized vacant structure.</p>

1.4.3	<p>Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by:</p> <p>c) directing the development of new housing locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;</p>	<p>The proposed development will not require further infrastructure or public service facilities and will utilize the services currently in place.</p>
1.4.3	<p>Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by:</p> <p>d) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed;</p>	<p>The proposed development efficiently utilizes the land and infrastructure in transit areas through increased commercial sector employment and increased capacity.</p>
1.6.6.2	<p>Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety. Within settlement areas with existing municipal sewage services and municipal water services, intensification and redevelopment shall be promoted wherever feasible to optimize the use of the services.</p>	<p>The proposed development will continue to use private services that are available on the subject lands.</p>

<p>1.6.6.7</p>	<p>Planning for stormwater management shall:</p> <ul style="list-style-type: none"> <li>a) be integrated with planning for sewage and water services and ensure that systems are optimized, feasible and financially viable over the long term;</li> <li>b) minimize, or, where possible, prevent increases in contaminant loads;</li> <li>c) minimize erosion and changes in water balance, and prepare for the impacts of a changing climate through the effective management of stormwater, including the use of green infrastructure;</li> <li>d) mitigate risks to human health, safety, property and the environment;</li> <li>e) maximize the extent and function of vegetative and pervious surfaces; and</li> <li>f) promote stormwater management best practices, including stormwater attenuation and re-use, water conservation and efficiency, and low impact development.</li> </ul>	<p>As per the comments provided by Development Engineering Staff, a stormwater management plan and grading plan will need to be provided and approved as part of a future site plan approval application for the lands.</p>
<p>1.6.7.4</p>	<p>A land use pattern, density and mix of uses should be promoted that minimize the length and number of vehicle trips and support current and future use of transit and active transportation.</p>	<p>The proposed development is located along a regional transit corridor, providing options for use of available transit. Additionally, the lands are in proximity to multi-use trails that connect the Blair Core Area to other parts of the City.</p>

<p>1.8.1</p>	<p>Planning authorities shall support energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions, and preparing for the impacts of a changing climate through land use and development patterns which:</p> <p>a) promote compact form and a structure of nodes and corridors;</p> <p>b) promote the use of active transportation and transit in and between residential, employment (including commercial and industrial) and institutional uses and other areas;</p>	<p>The subject lands will not require alteration to the site in order to function for its proposed purpose. As a result, there is little to no negative impacts to air quality or climate expected from the proposed expansion.</p> <p>As mentioned previously, the proposed expansion of an existing commercial use on a currently underutilized piece of vacant land will provide for a more efficient use of an existing land parcel.</p> <p>Additionally, the subject lands are located on a Regional road that provides Regional transit options and is located in proximity to a walking trail system allowing for active transportation opportunities.</p>
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The subject application is consistent with Provincial Policies and the Provincial Policy Statement, 2020.

**A Place to Grow – Growth Plan for the Greater Golden Horseshoe (2020)**

A Place to Grow – Growth Plan for the Greater Golden Horseshoe, 2020 (Growth Plan) is a Provincial document that provides long-term land use planning direction for the Greater Golden Horseshoe area of Ontario. The document provides policy guidance in regards to growth management, transportation, intensification, policies to support growth, etc.

The policies of the Growth Plan centre on the key themes of directing growth to settlement areas and prioritizing intensification, with a focus on strategic growth areas, including urban growth centres and major transit station areas, as well as brownfield sites and greyfields. The built-up area remains the focus of growth in settlement areas. However, the subject lands are not located within a delineated built-up area but instead is located within a rural settlement area. The Growth Plan defines Rural Settlement as follows:

“Existing hamlets or similar existing small settlement areas that are long-established and identified in official plans. These communities are serviced by individual private on-site water and/or private wastewater systems, contain a

limited amount of undeveloped lands that are designated for development and are subject to official plan policies that limit growth. All settlement areas that are identified as hamlets in the Greenbelt Plan, as rural settlements in the Oak Ridges Moraine Conservation Plan, or as minor urban centres in the Niagara Escarpment Plan are considered rural settlements for the purposes of this Plan, including those that would not otherwise meet this definition.”

Section 2.2 of the Growth Plan sets out the parameters for where and how growth will be allocated in the Greater Golden Horseshoe. The policies in this section direct that the vast majority of growth will be directed to settlement areas. The proposed amendment is not proposing growth, but instead, a more efficient utilization of land through the expansion of a restaurant and the adaptive reuse of existing building stock.

Section 2.2.9 of the Growth Plan relates to rural areas within the Greater Golden Horseshoe. Policy 2.2.9.1 states that “municipalities are encouraged to plan for a variety of cultural and economic opportunities within rural settlements to serve the needs of rural residents and area businesses”. The proposed amendment will permit that the existing commercial use and the reuse of an existing residential dwelling for a new commercial use in a rural settlement area planned to accommodate a range and mix of residential, commercial and institutional uses will serve the needs of rural residents within the Blair Core Area. Furthermore, the proposed amendment would help contribute to additional economic opportunities within a rural settlement and help serve the needs of rural residents, while attracting visitors to the historic area.

The subject application is consistent and conforms with Provincial Plans including the Growth Plan, as it will provide an opportunity for expansion of existing commercial retail uses to an underutilized vacant property within a rural settlement area where a range and mix of residential, commercial and institutional uses are intended.

### **Region of Waterloo Official Plan (2015)**

The Regional Official Plan (“ROP”) was approved by the Ministry of Municipal Affairs and Housing with modifications on December 22, 2010, and later on, approved, with amendments, by the Ontario Municipal Board on June 14, 2015. The ROP outlines a vision for growth and development within the Region and establishes a number of policies to plan and manage growth and implement provincial land use policy.

The subject lands are identified within the ROP as being located outside of the urban area boundary and are designated as both “Protected Countryside” and “Rural Areas” on Map 7 of the Official Plan. Lands designated as “Protected Countryside” are intended to permanently protect environmental features and agricultural lands surrounding the north, west and south sides of the Urban Area designation from urban development, while providing for the continued use of lands for agriculture, environmental and other appropriate rural uses.

The proposed uses on the subject lands are subject to Section 6.C of the ROP, which provides for General Policies. The policies of this section apply to the Prime Agricultural Area and Rural Area designations.

Policy 6.C.5 states the following:

“Minor intensification of existing industrial, commercial, recreational and/or institutional uses, including minor changes to the uses thereof, may be permitted within the limits of the existing property”.

The submitted application proposed to permit the expansion of an already established commercial use within an underutilized vacant residential dwelling within the limits of an existing legal lot of record located within the Protected Countryside and Rural Area designation. Based on Policy 6.C.5 above, the expansion of these uses would be permitted.

Policy 6.G.6 allows development within Rural Settlement Areas to be approved provided that any new lots can be appropriately serviced by private wells and individual wastewater treatment systems. The proposed amendment and restaurant expansion does not propose any form of new development on the subject lands. The restaurant expansion will occupy an existing structure. Both existing structures are already serviced by private wells and an individual wastewater treatment system, which according to the information submitted by the applicant and reviewed by City Staff, has capacity to service the proposed commercial expansion.

Chapter 7 of the ROP provides policy direction relating to the Greenlands Network. The Greenlands Network, and the ecological functions it provides, contribute to maintaining the environmental health of the Region of Waterloo and the Grand River Watershed. The subject lands are identified on Map 4 of the ROP as being within an Environmentally Sensitive Landscape. Policy 7.B.7 of the ROP states that development may be considered within the Rural Settlement Areas located within Environmentally Sensitive Landscapes, and those lands designated to permit urban development within the Blair Village Special District as designated in the Cambridge Official Plan. The proposed amendment seeks to expand commercial uses within an existing underutilized structure in the Blair Core Area. The proposed amendment is in keeping with the above ROP policy.

Policy 7.B.9 states that:

“Within the Environmentally Sensitive Landscapes designation, development applications submitted in accordance with the policies in Chapter 6 to:

- a) establish or expand recreational and tourism uses or rural institutional uses;

- b) create a new lot, or permit a lot addition, for a recreational and tourism uses or rural institutional use;
- c) permit the minor intensification of existing industrial, commercial, recreational and/or institutional uses, including minor changes in the uses thereof;
- d) permit new agriculture-related uses or secondary uses;

may be considered for approval subject to the following addition criteria:

- i. There will be no adverse environmental impacts on environmental features and ecological functions, enhancement/restoration areas, existing corridors and linkages, watercourses, or the quality and quantity of groundwater within or contiguous to the Environmentally Sensitive Landscape resulting directly from the proposed development or through increases in traffic or development of required servicing infrastructure;
- ii. Disturbance of existing natural vegetation will be minimized;
- iii. The development will be buffered from existing natural features by an appropriate width of natural vegetation, and will otherwise facilitate the enhancement or restoration of new areas and/or corridors and linkages; and;
- iv. All natural landscape features, required buffer strips and enhancement or restoration areas on the subject property are given appropriate zoning in the zoning by-law of the respective Area Municipality and/or protected through a Conservation Easement acceptable to the Region.”

The proposed amendment seeks to permit the minor intensification of an existing commercial use through the expansion of the established use onto an adjacent, underutilized vacant legal lot of record, within an Environmentally Sensitive Landscape designation. The proposal does not intend to construct and new forms of development and proposes to use existing building stock and private services that are already available on the subject lands with the capacity to accommodate the proposed expansion. Based on this, it is not anticipated that the proposed expansion will cause any adverse environmental impacts, nor will there be any disturbance to existing natural vegetation as a result of the proposed amendment and commercial use expansion.

According to Map 6a of the ROP, the subject lands are not located within a Regional Source Water Protection Area, and therefore, the policies of Chapter 8 of the ROP are not applicable to the subject lands.

The proposed amendments to permit the expansion of commercial uses on the subject lands are in conformity to the policies of the Regional Official Plan.

### **City of Cambridge Official Plan (2012)**

One of the main objectives of the City's Official Plan is to plan for compact urban development that maintains a balanced land supply, including residential, employment and commercial uses, and promotes mixed-use, transit-oriented development.

The subject lands are located within the "Protected Countryside Area" of the City of Cambridge as identified on Map 1A – Urban Structure of the City's Official Plan. The Official Plan further designates the lands as "Rural/Protected Countryside" on Map 1B of the City's Official Plan.

According to section 2.9 of the Official Plan, lands outside the urban area boundary are predominately designated to reflect their agricultural and natural features and functions. Lands within the Protected Countryside designation are regulated in accordance with the underlying policies of Prime Agricultural, Rural, or Landscape Level System designations of the City and Regional Official Plans.

Although located within the Protected Countryside, the subject lands are also designated as "Blair Core Area" in the City's Official Plan. Lands designated as such are located within the boundary area of Blair Village, which is a small and compact, walkable and self-contained village with a central core in the north western side of the City. Blair Village is designed to promote the interaction of residents and become the centre of a community intended to contain a mixture of residential, commercial and institutional uses.

Lands designated as "Blair Core Area" by the City's Official Plan permit the following uses:

- i. Mixed-use residential;
- ii. Limited multi-unit residential including bed and breakfast establishments;
- iii. Retail and service commercial uses (excluding motor vehicle repair shops, auto body repair shops, and automobile service stations or gas bars);
- iv. Public or private institutional uses including outdoor educational facilities and their accessory uses; and,
- v. Small scale business or professional offices supporting Blair Village.

Commercial uses are identified in section 8.6 of the Official Plan as generally consisting of retail uses such as: department stores; food stores; drug stores; home improvement stores; warehouse membership clubs; specialty retail stores service uses such as restaurants, banks, entertainment facilities, and offices.

The proposed amendment intends to expand an existing commercial use (restaurant) within the “Blair Core Area”, which is in line with the permitted uses of the designation. The proposed expansion of the commercial uses would contribute to development that helps maintain a balanced land supply of commercial uses within Blair Village.

Chapter 3 of the City’s Official Plan provides policies pertaining to natural heritage and environmental management. The subject lands are identified as being located within the Blair-Bechtel-Cruickston Environmentally Sensitive Landscape on Map 9 of the Official Plan. Permitted uses within the Environmentally Sensitive Landscape includes minor intensification of existing industrial, commercial, recreational and/or institutional uses.

The City’s Official Plan requires that an Environmental Impact Statement be submitted to the satisfaction of the Region, in consultation with the City and Grand River Conservation Authority, when development or site alteration is proposed on lands within or contiguous to an Environmentally Sensitive Landscape. Given that the proposed expansion of commercial uses will utilize existing building stock, which is already serviced by two existing private wells and an individual wastewater treatment system that has capacity to service the commercial expansion, no adverse impact is anticipated on the environmental system. There is no proposal to alter the site or to construct new development. As a result, no Environmental Impact Statement was required to accompany the submitted application.

Chapter 4 of the City’s Official Plan provides policy direction with regard to cultural heritage resources and seeks to support the conservation, restoration and prominence of the City’s built heritage as a key identifying feature of the community. It also seeks to maintain and support the rehabilitation of the Heritage Conservation Districts, located in the Galt City Centre, Blair Village and the City-owned lands in West Galt and to consider the establishment of additional districts. The Official Plan supports and requires where feasible, the identification, cataloguing, adaptive re-use, analysis and relocation of cultural heritage resources, and in some cases the preservation of sites containing resources.

The subject lands are protected under Part V of the Ontario Heritage Act, via the Blair Village Heritage Conservation District Plan. The proposed amendment seeks to allow a minor expansion of commercial uses on the subject lands within existing designated heritage buildings. The proposed expansion does not seek to alter or demolish any of the existing structures to accommodate the proposed commercial uses. There are also no additions proposed to the existing structures as part of this proposal. The proposed work would not impact the ongoing conservation of the heritage resources on the subject lands, nor the intent of the Blair Village Heritage Conservation District Plan.

The proposed amendment seeks to adaptively reuse an existing underutilized vacant residential structure through internal renovations to transform it into a vibrant restaurant for use by local residents and visitors.

The proposal conforms to the City of Cambridge Official Plan, 2012 in regards to the proposed expansion of commercial uses within the Blair Village Core.

### **Blair Village Heritage Conservation District Plan (1999)**

The Blair Village Heritage Conservation District Plan provides for the conservation and preservation of the significant heritage attributes of the community and ensures the protection of heritage resources in Blair. The existing buildings on the subject lands are listed as “very historic” in the Plan, as both the existing restaurant and residential structure were constructed in the 19<sup>th</sup> century.

The proposal seeks to use the existing structures to accommodate the proposed commercial expansion for a restaurant use. There is no new development or site alteration proposed as part of the subject application. The only proposed changes are with respect to interior renovations.

The application was reviewed by the City’s Senior Heritage Planner to determine whether there were any concerns with respect to the proposed expansion. According to the comments provided by the Senior Heritage Planner, there is no heritage concerns with the proposed change of use or the expansion of commercial uses on the subject lands. The proposal is in keeping with the Blair Village Heritage Conservation District vision for the Village core as the centre of the community.

### **City of Cambridge Zoning By-law No. 150-85, as amended**

The subject lands are currently zoned “Commercial – C2” (1660 Blair Road) and “Residential – R1” (1656 Blair Road) by Zoning By-law No. 150-85. The intent of the C2 zone is to accommodate commercial uses in the Blair centre and strip commercial areas, while the intent of the R1 zone is to accommodate single detached dwellings at low density in areas where public water supply and sanitary sewage disposal facilities are not generally available.

The Commercial - C2 zone permits the following uses:

- Any retail commercial establishment in which not more than 300 square metres (3,229 square feet) of gross leasable commercial floor area is provided;
- A hairdressing establishment;
- Any business and professional office;
- A food services establishment including a cart;
- A laundry or dry cleaner’s establishment but not a dry-cleaning plant;
- A hotel or motel;
- A funeral home;
- Any other service commercial establishment;
- A place of amusement except an amusement arcade;
- A recreation centre;

- An auto service mall;
- An establishment for the fabrication and sale of cemetery monuments;
- A day nursery or day care centre;
- A use permitted in all zones in accordance with section 2.1.1; and,
- A use, building or structure accessory to a permitted use.

The Residential – R1 zone permits the following uses:

- A single detached dwelling;
- A residential special care facility (subject to section 3.1.1.3 (b));
- A use permitted in any zone in accordance with section 2.1.1; and,
- An accessory use, building or structure in accordance with section 2.1.11.

The purpose of the proposed Zoning By-law Amendment is to rezone 1656 Blair Road from “Residential – R1” to “Commercial – C2” in order to complement the existing permissions that are applicable to the adjacent lands at 1660 Blair Road, which contains the existing Easy Pour Restaurant. In addition to rezoning the lands, the amendment seeks to establish site-specific provisions on the lands for the following:

A zoning by-law amendment has been submitted for the subject lands to permit the expansion of the existing Easy Pour Wine Bar restaurant at 1660 Blair Road to 1656 Blair Road by rezoning the lands from “Residential – R1” to the “Commercial – C2” zone. In addition to the proposed rezoning of the subject lands, the application seeks site-specific provisions to permit a reduced number of required parking spaces from 36 spaces to 18 spaces, to permit that the required setbacks be identified as those that are legally existing, and to permit the addition of a micro-brewery/winery and micro distillery (public beverage making establishment) as an accessory use to the restaurant. Staff gave consideration to the agency comments that have been received, compatibility with the surrounding neighbourhood, parking requirements and the existing setbacks of the property. The properties will eventually be merged as one property through the future site plan application process.

The proposed amendment is consistent with the updated 2020 Provincial Policy Statement, which took effect on May 1, 2020 and conforms to the Growth Plan 2020 as it will result in the efficient use of the land, resources, existing infrastructure and private services. The proposal conforms to the Region of Waterloo’s Official Plan, which allows for the minor intensification of existing commercial uses within the limits of the existing property. The application does not propose any new development and would occupy an existing structure on an existing legal lot of record. The subject lands are already serviced by existing private wells and an individual wastewater treatment system, which provides sufficient capacity to accommodate the commercial expansion. The proposal aligns with the policies of the City’s Official Plan in regards to compatibility for

intensification of the existing and proposed commercial uses on the lands within the existing buildings.

The subject lands are currently zoned “Commercial – C2” and “Residential – R1” in Zoning By-law No. 150-85. The C2 zone permits service commercial uses such as restaurants (food services establishments). The purpose of the proposed Zoning By-law Amendment is to rezone 1656 Blair Road from “Residential – R1” to “Commercial – C2” in order to complement the existing permissions that are applicable to the adjacent lands at 1660 Blair Road, which contains the existing Easy Pour Restaurant. In addition to rezoning the lands, the amendment seeks to establish site-specific provisions on the lands for the following:

- To allow for a reduction in required parking from 36 spaces to 18 spaces.
  - The total required parking for the subject lands to accommodate a proposed restaurant across both 1660 and 1656 Blair Road is 36 parking spaces. Due to the limited amount of space available on the subject lands, the applicant is able to provide a total of 18 parking spaces, where 16 spaces (including one barrier free space) is provided for visitors and two spaces are provided for staff only. In April 2013, the City’s Committee of Adjustment approved a minor variance application (Application A12/13) to reduce the minimum required number of parking spaces for the restaurant at 1660 Blair Road from 23 spaces to 10 spaces. This resulted in a parking ratio of 5.55 spaces per 100 square metres (1,076 square feet) of gross floor area. With the proposed expansion of the restaurant to 1656 Blair Road, the approved variance is no longer applicable. Based on the proposed available parking of 18 total spaces, the restaurant is now providing an additional 8 spaces that were not available at the time of the minor variance. The proposed parking ratio for the subject lands would now be provided at 6.42 spaces per 100 square metres (1,076 square feet) of gross floor area, which results in a higher parking ratio than previously approved through the Committee of Adjustment.
  - Given that the property is largely constrained due to the existing heritage buildings and size of lots, it is not possible to provide the total number of parking spaces required by the City’s Zoning By-law. However, the proposed Zoning By-law Amendment will allow for an increase in parking spaces that otherwise would not have been possible without the use of the adjacent vacant residential lot. In addition, the Blair Village Community is well-located with respect to transit, having a transit stop located directly in front of the existing restaurant along Blair Road. Furthermore, the subject lands are located in proximity to available walking trails such as the Walter Bean Trail, which provides convenient access to the restaurant for those

who live in the nearby Community and choose to walk or use their bicycle to visit the Village.

- Based on the submitted plans parking layout plan and vehicle turning plan provided by the applicant, it was determined that the subject lands would be capable of accommodating 18 spaces comfortably on the site with the ability to efficiently and safely maneuver into and out of the parking lot from Blair Road.
- To permit that the required setbacks be identified as those that are legally existing.
  - The Commercial – C2 zone, which is proposed to be applied across the entirety of the subject lands should this zoning amendment be approved, requires that the lands provide a minimum front yard setback of 6 metres (19.68 feet); a minimum interior side yard setback of 3 metres (9.84 feet) or 7.5 metres (24.60 feet) if abutting a residential zone; and a minimum rear yard setback of 3 metres (9.84 feet) or 7.5 metres (24.60 feet) if abutting a residential zone. The existing structures on the subject lands were all constructed prior to the establishment of the current zoning by-law in 1985. As a result, the setbacks in place are considered to be legal non-conforming, which means that the existing setbacks of those structures are permitted, subject to the use or buildings not being altered on the lands. With the proposed expansion of the commercial uses on the subject lands, the legal non-conforming status applied to the lands would no longer be applicable. As a result, the applicant has requested as part of their application that the existing setbacks for the structures that have existed on the property since the 19<sup>th</sup> century be recognized as being legal.

Presently, the existing structures provide the following setbacks:

- A front yard setback of 1.68 metres (5.51 feet), whereas a front yard setback of 6 metres (19.68 feet) is required; and,
- An interior side yard setback of 4.32 metres (14.17 feet), whereas an interior side yard setback of 7.5 metres (24.60 feet) is required.

The existing main buildings on the subject lands are in compliance with the required rear yard setback of 3 metres (9.84 feet), with the exception of the existing accessory structure at the rear of the property, which is located on and partially outside of the rear yard boundary line. The accessory building is also considered legal non-conforming and has existed on the property prior to the establishment of the current City zoning by-law.

As such, given the existence of these buildings in this same location for over a century, it is of our opinion that the existing setbacks be legalized and continue to be permitted, particularly considering the historic importance of the structures to Blair Village and their designation under Part V of the Ontario Heritage Act.

- To permit the addition of a micro-brewery/winery and micro distillery (public beverage making establishment) as an accessory use to the property.
  - The proposed micro-brewery/winery and micro distillery is being requested by the applicant as an accessory use to the main restaurant use. It is the intent of the owners to brew small batches of wine and beer to be sold to customers of the restaurant. The intent is not that the micro brewery/winery and micro distillery would be used for the wholesale of the products brewed on site. Presently, the “Commercial – C2” zone does not permit these uses, neither as a principle use or as an accessory use.

The City of Cambridge draft zoning by-law that was released on May 2019 permits a micro-brewery/winery and micro distillery as permitted uses within the Regional Commercial 2 – RC2 zone, Community Commercial 1 – CC1 zone, Community Commercial 2 – CC2 zone, and in the Neighbourhood Commercial – NC zone. The subject lands are expected to be zoned as Village Commercial – VC, which is a commercial zone that applies solely to the core area of the Village of Blair. Given the expected permission for the micro-brewery/winery and micro distillery uses within many of the commercial zones in the anticipated By-law that apply to lands in core areas and areas where the uses would serve the surrounding community, it is of our opinion that these uses would be appropriate for the Blair Core Area, particularly as an accessory use to a restaurant that is popular amongst its surrounding neighbours and visitors from across the Region. The proposed commercial uses are compatible with the restaurant use and are typically found in combination with restaurant uses in other parts of the City. As a result, it is of our opinion that the introduction of a micro brewery/winery and micro distillery as an accessory to the restaurant on the subject lands would be suitable with the commercial urban fabric of the Blair Core Area.

It is the opinion of Planning staff that by rezoning the presently underutilized parcel of land at 1656 Blair Road to permit the expansion of commercial uses (restaurant and accessory micro brewery/winery and micro distillery) across the entirety of the subject lands, will complement the existing Blair Core Area and would meet the intent of the Zoning By-law which is to allow for compact efficient development with a mixture of residential, commercial and institutional uses. The intent of the By-law is maintained

and the requested relief is, in staff's opinion considered minor and represents good planning.

### **Conclusion**

Staff is of the opinion that the proposed Zoning By-law amendment is consistent with the Provincial Policy Statement, 2020, conforms with the policies of the Growth Plan 2020, conforms with the Regional Official Plan, the City of Cambridge Official Plan and meets the general intent and purpose of the City of Cambridge Zoning By-law and is considered good planning.

## **Attachment 5 – Public Meeting Minutes**

### **Public Meeting A: Public Meeting Report – 1656 & 1660 Blair Road, Zoning By-law**

#### **Amendment – Alin Dinu (Ward 1)**

#### **Presentations**

1. Matthew Blevins, Senior Planner, re: Public Meeting A - Public Meeting Report – 1656 & 1660 Blair Road, Zoning By-law Amendment – Alin Dinu (Ward 1)

Using a PowerPoint presentation, Mr. Blevins is in attendance to speak to Public Meeting A: Public Meeting Report – 1656 & 1660 Blair Road, Zoning By-law Amendment – Alin Dinu (Ward 1). A copy of the presentation is available in the Clerk's Division.

#### **Delegations**

1. Dan Currie, MHBC Planning, re: Public Meeting A - Public Meeting Report – 1656 & 1660 Blair Road, Zoning By-law Amendment – Alin Dinu (Ward 1)

Using a PowerPoint presentation, Mr. Currie is in attendance to speak to Public Meeting A: Public Meeting Report – 1656 & 1660 Blair Road, Zoning By-law Amendment – Alin Dinu (Ward 1). A copy of the presentation is available in the Clerk's Division.

The Chair asked if there was anyone present that would like to speak regarding Public Meeting A.

2. Tom Woodcock, re: Public Meeting A - Public Meeting Report – 1656 & 1660 Blair Road, Zoning By-law Amendment – Alin Dinu (Ward 1)

Mr. Woodcock is in attendance to speak to Public Meeting A: Public Meeting Report – 1656 & 1660 Blair Road, Zoning By-law Amendment – Alin Dinu (Ward 1) .

No further persons came forward requesting to speak.

Cambridge Planning and Development Committee

Tuesday, January 14, 2020

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Moved By: Councillor Mann

Seconded By: Councillor Devine

THAT Report 20-007(CD), re: Public Meeting Report – 1656 & 1660 Blair Road, Zoning By-law Amendment – Alin Dinu (Ward 1) be received;

AND THAT the application R05/19 for 1656 & 1660 Blair Road be referred back to staff for a subsequent report and staff recommendation.

CARRIED

The Chair declared Public Meeting A closed at 7:27 p.m.

## Attachment 6 – External/Internal Consultation and Comments

### List of Supporting Studies

- Planning Justification Report and Parking Study
- Assessment of Existing On-Site Wastewater Design Capacity
- Concept Plan
- Vehicle Turning Diagrams
- Cover Letter
- Record of Pre-Submission Consultation

### City and Agency Comments

**FIRE DEPARTMENT – Mark Yantha, Captain Fire Prevention Division**  
[yantham@cambridge.ca](mailto:yantham@cambridge.ca) 519-623-1340 ext. 2225

- No comments.

**ENVIRONMENT – Kathy Padgett, Senior Planner Environmental**  
[padgettk@cambridge.ca](mailto:padgettk@cambridge.ca) 519-623-1340 ext. 4826

- The proposed use of the existing outbuilding located to the rear of 1660 Blair Road for a short-term rental unit would not require a Record of Site Condition (RSC) to be completed. If the existing outbuilding were to be used as a permanent residence (e.g., rental unit), an RSC acknowledged by the Ministry of the Environment, Conservation and Parks would be required.

Please note that comments relating to a residential unit in the accessory building at the rear are no longer applicable as the applicant is no longer proposing a residential secondary unit in the building. The building will be used as an office and storage space for the restaurant use.

**TRANSPORTATION ENGINEERING DIVISION – Julianna Petrovich, Transportation Engineering Technologist** [petrovichj@cambridge.ca](mailto:petrovichj@cambridge.ca) 519-623-1340 ext. 4766

- No comments

**ENERGY + (HYDRO) – Helen Robinson, Legal Co-ordinator Engineering**  
[hrobinson@energyplus.ca](mailto:hrobinson@energyplus.ca) 519-621-3530 ext. 2444

- No comments

**REGIONAL MUNICIPALITY OF WATERLOO – Sylvia Rafalski-Misch, MCIP RPP, Principal Planner** [SRafalskiMisch@regionofwaterloo.ca](mailto:SRafalskiMisch@regionofwaterloo.ca) 519-575-4400 ext. 3114

- The subject lands located at 1656 and 1660 Blair Road are currently zoned C2 (Commercial) and R1 (Single Detached Residential) in the City's Zoning By-law. The purpose of the proposed Zoning By-law Amendment is to rezone the subject lands to C2 (Commercial) with site specific provisions to:
  - Permit conversion of the existing dwelling at 1656 Blair Road to commercial for expansion of the restaurant located at 1660 Blair Road.
  - To permit a residential unit for short term accommodation in the existing accessory structure, and,
  - Add public beverage making establishment as an accessory use to the expanded restaurant.

The effect of the proposed amendment is to permit an expansion of the existing Easy Pour Wine Bar. Regional staff has reviewed the proposed zone change application and offers the following comments.

The subject lands are designated Blair Village and Blair Core Area in the City of Cambridge Official Plan and Rural Areas, Protected Countryside and Blair-Bechtel-Cruickston Environmentally Sensitive Landscape in the Regional Official Plan. Regional staff understand that the proposed uses/ restaurant expansion are within the existing buildings on the subject lands, which are privately serviced via private wells and a holding tank. Regional staff trusts that the City of Cambridge will ensure the proposed uses/restaurant expansion can be adequately serviced in accordance with the Ontario Building Code.

### **Regional Road Dedication**

The Regional Official Plan (ROP) designates Regional Road #42 (Blair Road) in this area as a 66 feet wide road allowance. As part of a future Site Plan application, a road widening will be required. An Ontario Land Surveyor (OLS) will have to determine the exact road widening to the satisfaction of the Region. In this case, it is recommended that the exact road widening may impact the proposed application.

The applicant must engage an OLS to prepare a draft reference plan which illustrates the required road allowance widening. Prior to registering the reference plan, the OLS should submit a draft copy of the plan to the Transportation Planner for review. The land must be conveyed to the Region of Waterloo for road allowance purposed and must be conveyed without cost and free of encumbrance.

### **Access Permit/TIS/Access Regulation**

As part of a future Site Plan, Regional Staff will review the proposed access and its location.

## **Stormwater Management/Site Grading**

As part of a future site plan, a detailed site grading and drainage control plan(s) and site servicing plan(s) along with a stormwater management report will be required.

Staff notes that the Grand River Conservation Authority has requested preliminary Grading/Drainage Plans and Stormwater Management Report prior to the approval of this application. Please circulate the Region with any preliminary plans and report, if received as part of this application.

**In summary, the Region has no objection to the approval of this application.**

## **Fees**

Regional staff acknowledges receipt of the required Zone Change application fee of \$1,150.00. A Site Plan review fee of \$805.00 will be required for the review and approval of a future Site Plan application.

## **General Comments**

Any future development on the lands subject to the above-noted application will be subject to the provisions of Regional Development Charge By-law 19-037 or any successor thereof.

Please accept this letter as our request for a copy of the decision and Zoning By-law pertaining to this application. Should you have any questions, please do not hesitate to contact me.

**GRAND RIVER CONSERVATION AUTHORITY – John Brum, Resource Planner**  
[jbrum@grandriver.ca](mailto:jbrum@grandriver.ca) 519-621-4945 ext. 2233

- No comments

**WATERLOO REGION DISTRICT SCHOOL BOARD – Shawn Callon, Principal**  
Planner [shawn\\_callon@wrdsb.ca](mailto:shawn_callon@wrdsb.ca) 519-570-0003 ext. 4308

- No comments

**WATERLOO CATHOLIC DISTRICT SCHOOL BOARD – Jordan Neale, Planning**  
Technician [Jordan.Neale@wcdsb.ca](mailto:Jordan.Neale@wcdsb.ca) 519-578-3660 ext. 2355

- No comments

**SANITARY CAPACITY ASSESSMENT – Steven Huckabone, Senior Civil**  
Engineering Technologist II [huckabones@cambridge.ca](mailto:huckabones@cambridge.ca) 519-623-1340 ext. 4304

- No Comments.

**SUSTAINABLE TRANSPORTATION – Lisa Chominiec, Sustainable Transportation Coordinator [chominiecl@cambridge.ca](mailto:chominiecl@cambridge.ca) 519-623-1340 ext. 4619**

- Sustainable Transportation has completed a review and has no comments at this stage; however, bicycle parking may be a requirement at the Site Plan stage.

**PARKS, RECREATION & CULTURE DIVISION (PRCD) – Paul Willms, Sustainability Planner [wilmmsp@cambridge.ca](mailto:wilmmsp@cambridge.ca) 519-623-1340 ext. 4262**

- No comments

**ECONOMIC DEVELOPMENT – Trevor McWilliams, Manager of Business Development [mcwilliamst@cambridge.ca](mailto:mcwilliamst@cambridge.ca) 519-623-1340 ext. 4800**

- No Comments

**DEVELOPMENT ENGINEERING DIVISION – Adam Ripper, Project Engineer [ripper@cambridge.ca](mailto:ripper@cambridge.ca) 519-623-1340 ext. 4778**

As requested, Development Engineering Staff has completed a review of the proposal for the 1656 Blair Road development. Based on our review of the application, Staff has no issues/concerns with the Zoning By-law Amendment.

No grading or SWM Brief/Letter was provided with the Zoning By-law Amendment application as such as part of the forthcoming Site Plan Application these will be required.

The following action items and comments are provided in anticipation of a complete Site Plan Application:

**Stormwater Management**

- The City's water quality control requirement is to provide Level 1 (enhanced) treatment levels as per the MOECC SWM Practices Planning and Design Manual (2003).

**Servicing**

- No municipal services are present in Blair Road.

**Grading**

- No sheet flow from any impervious areas is allowed to be discharged directly onto the ROW.
- Provide centerline of road elevations for full frontage.
- Provide existing geodetic elevations of adjacent properties along property lines for a minimum of 10 metres (32.80 feet) off the applicant's property line.
- Use drainage arrows to indicate existing surface drainage of abutting properties along property lines.

- Drainage swales/ditches must have capacity for up to the 100-year flows from respective tributary areas. Indicate minimum side slopes and depth of all drainage swales/ditches in a cross-sectional detail and provide hydraulic calculations.

#### Erosion & Sediment Control

- A \$5,000 erosion control security deposit will be required as part of any subsequent Site Plan Approval to ensure compliance with the approved erosion (and siltation) control measures.
- Provide silt/erosion control fencing for control of siltation/erosion to abutting properties and ROW.

#### General

- All proposed site works adjacent to Regional Roads require Regional Municipality of Waterloo (RMOW) approval(s). The Applicant is required to obtain Municipal Consent from the Region for any works within the Region's right-of-way.
- Grading and drainage require G.R.C.A. approval.
- All servicing work within the road allowance for the proposed development including, but not limited to, installation of services to the property line, and relocation of services, will be completed by the City's Public Works Division at 100% Owner's expense.
- Cost estimates for work by the City within the road allowance are prepared by City Staff upon receipt of the estimate fee of \$210.00 plus HST.
- The Contractor will be responsible to obtain an Access Permit to complete all surface works within the boulevard, including, but not limited to; curb cuts, installation of curb and gutter, entrance aprons, sidewalk, and reinstatement / restoration of finished surfaces (vegetation, asphalt, etc.).
- No alteration of grading is permitted on site until the applicant enters into a site plan or subdivision servicing agreement with the City. Grading of site is subject to Grading Control By-Law No. 160-09.

If you have any questions, or require further details, please do not hesitate to contact us.

## **Attachment 7 – Draft Zoning By-law Amendment**

### **Purpose and Effect of By-law No. 21-XXX**

1656 Blair Road & 1660 Blair Road

**The Purpose** of the By-law is to amend the zoning for the lands legally described as Part of Lots 4 to 6, Block B, on Blair Road Registered Plan 581, Parts 1 & 3 on Reference Plan 67R1508, Save and Except Part 1 on Reference Plan 67R3149 and Lot 4, Block B, on Blair Road Registered Plan 581, Part 1 on Reference Plan 58R8272 in the City of Cambridge, Regional Municipality of Waterloo and municipally known as 1660 Blair Road and 1656 Blair Road (“subject lands”). The proposal is to permit the rezoning of 1656 Blair Road from “Residential – R1” to “Commercial – C2” with site specific provisions across the entirety of the subject lands to allow for the expansion of existing commercial uses (restaurant) and new commercial uses (micro brewery/winery and micro distillery) on the subject lands within the existing buildings (existing restaurant and single detached residential building). The expansion of the restaurant considers the use of the existing underutilized and vacant residential dwelling immediately adjacent to the restaurant. Furthermore, the proposal seeks to permit a parking reduction from 36 spaces to 18 spaces, as well as to permit a front yard setback of 1.68 metres (5.51 feet) and an interior side yard setback of 4.32 m (14.17 feet). The subject lands will eventually be merged on title.

**The Effect** of the By-law will permit the expansion of the existing restaurant known as the Easy Pour Wine Bar to the entirety of the subject lands, as well as to introduce a micro brewery/winery and micro distillery as an accessory use to the restaurant.



BY-LAW. 21-XXX  
OF THE  
CITY OF CAMBRIDGE

Being a By-law of the Corporation of the City of Cambridge to amend Zoning By-law No. 150-85, as Amended with respect to land municipally known as 1660 Blair Road and 1656 Blair Road (R05/19)

WHEREAS Council of the City of Cambridge has the authority pursuant to Section 34 of the Planning Act, R.S.O. 1990, c. P. 13, as amended to pass this By-law;

AND WHEREAS this By-law conforms to the City of Cambridge Official Plan, as amended;

AND WHEREAS Council deems that adequate public notice of the public meeting was provided and adequate information regarding the Amendment was presented at the public meeting held January 14<sup>th</sup>, 2020, and that further public meeting is not considered necessary in order to proceed with this Amendment;

NOW THEREFORE BE IT RESOLVED THAT the Corporation of the City of Cambridge enacts as follows:

1. THAT this by-law shall apply to a portion of the lands described as Part of Lots 4 to 6, Block B, on Blair Road Registered Plan 581, Parts 1 & 3 on Reference Plan 67R1508, Save and Except Part 1 on Reference Plan 67R3149 and Lot 4, Block B, on Blair Road Registered Plan 581, Part 1 on Reference Plan 58R8272 in the City of Cambridge, Regional Municipality of Waterloo and is shown on Schedule 'A' attached hereto and forming part of this by-law;
2. THAT Schedule 'A' to By-law No. 150-85, as amended, is hereby further amended by changing the zoning classification of the lands shown outlined in heavy black in the attached Schedule 'A' to this By-law from C2 and R1 to C2 s.4.1.397 in accordance with the attached Schedule 'A' to this By-law
3. THAT the aforesaid City of Cambridge Zoning By-law No. 150-85, as amended, is hereby further amended by adding the following subsection to 4.1 thereof:

“4.1.397 – 1660 Blair Road and 1656 Blair Road, legally described as Part of Lots 4 to 6, Block B, on Blair Road Registered Plan 581, Parts 1 & 3 on Reference Plan 67R1508, Save and Except Part 1 on Reference Plan 67R3149 and Lot 4, Block B, on Blair Road Registered Plan 581, Part 1 on Reference Plan 58R8272 in the City of Cambridge, Regional Municipality of Waterloo, the following regulations shall apply to the lands in the C2 zone to which reference “s.4.1.397 is made on Schedule A and located at 1660 Blair Road and 1656 Blair Road:

1. Notwithstanding sections 2.1.15.6 and 3.3.3.1, the required minimum setbacks be those that legally exist on the subject lands and that have existed as of the date of adoption of this by-law including a front yard setback of 1.68 metres (5.51 feet) and an interior side yard setback of 4.32 m (14.17 feet) .
2. Notwithstanding section 2.2.1.2 the required parking is equal to 6.42 spaces per 100 square metres (1,076 square feet) of gross floor area.
3. In addition to section 3.3.3.1, a micro brewery/winery and micro distillery be permitted as an accessory use to the restaurant.
4. That this By-law shall come into force and effect on the date it is enacted and passed by Council of the Corporation of the City of Cambridge, subject to notice hereof being circulated in accordance with the provisions of the Planning Act and Ontario Regulation 545/06

Read a First, Second and Third Time, Enacted and Passed this \_\_ day of July, 2021.

PASSED AND ENACTED this \_\_\_ day of \_\_\_\_\_ 2021

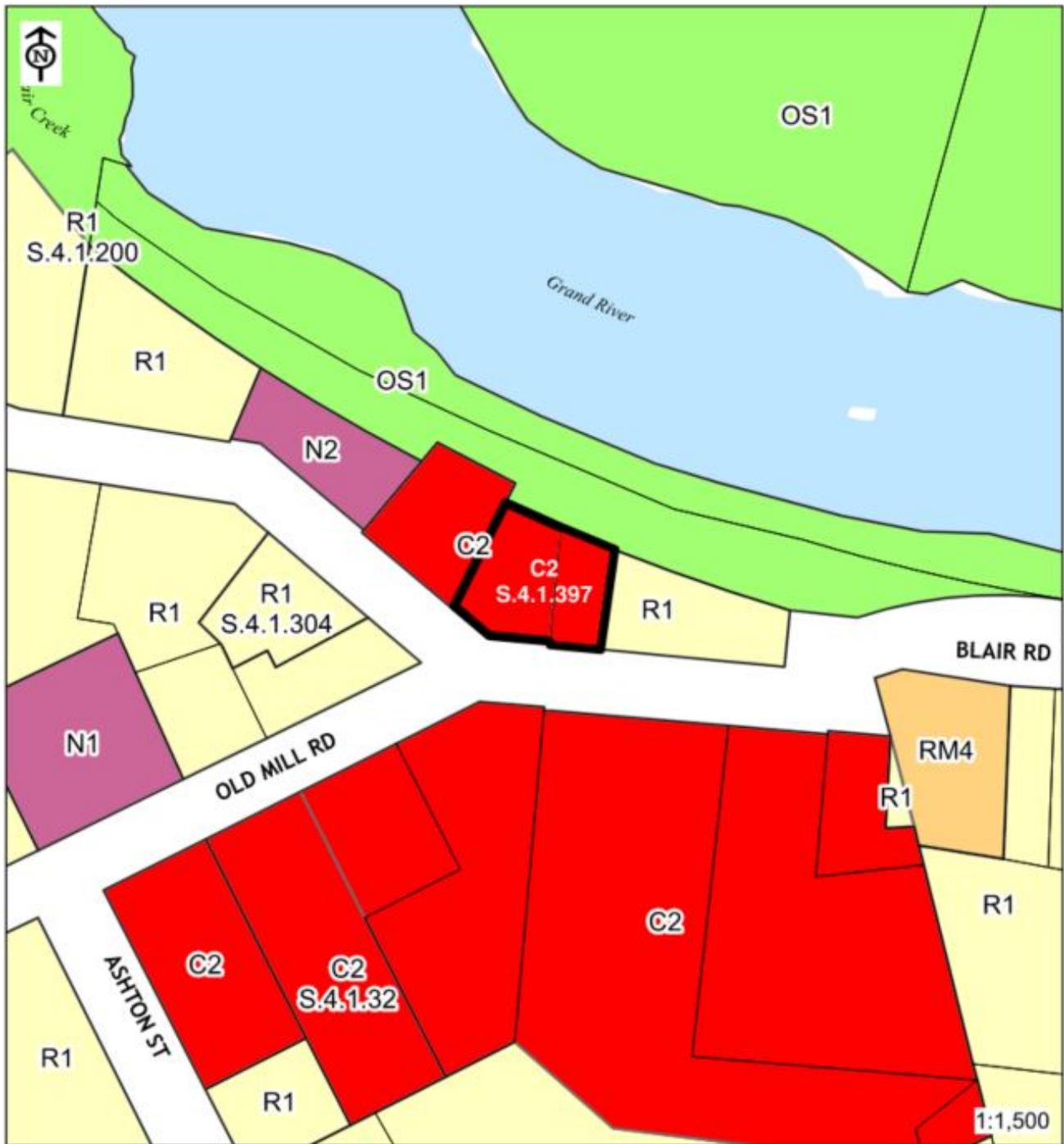
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Mayor

\_\_\_\_\_

Clerk

# Schedule A – Proposed Zoning Map



This is Schedule A attached to and forming part of By-law



Lands affected by the by-law

**Zoning Classification**

- OPEN SPACE
- MEDIUM HIGH DENSITY RESIDENTIAL



LOW DENSITY RESIDENTIAL



INSTITUTIONAL



COMMERCIAL



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