

**To:** **COUNCIL**

**Meeting Date:** **07/27/21**

**Subject:** **Recommendation Report – Official Plan and Zoning By-law Amendments, 42 Portland Street, Nadam Investments Inc. – Blair Poole**

**Submitted By:** **J. Matthew Blevins, Manager of Development Planning (A), MCIP, RPP**

**Prepared By:** **Malcolm Duncan, Planner 1, MCIP, RPP**

**Report No.:** **21-199(CD)**

**File No.:** **OR03/21**

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## **Recommendations**

THAT Report 21-199(CD) Recommendation Report – Official Plan and Zoning By-law Amendments, 42 Portland Street, Nadam Investments Inc be received;

AND THAT Cambridge Council adopts Official Plan Amendment No. 46 with a site specific to increase the permitted density from 40 units per hectare to 80 units per hectare on the subject lands within the Low/Medium Density Residential designation;

AND THAT Cambridge Council approves the proposed zoning by-law amendment to rezone the subject property from N1 S.4.1.165 (Institutional) to RM3 S.4.1.414 (Multi Residential);

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

AND FURTHER THAT the by-law attached to Recommendation Report 21-199(CD) be passed.

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## **Executive Summary**

### **Purpose**

- The applicant is proposing to convert the existing place of worship into an apartment building with four (4) residential units. Site specific Official Plan and Zoning By-law amendments are required to facilitate the conversion.

- The proposal requires the maximum permitted density in the City's Official Plan to be increased from 40 units per hectare to 80 units per hectare and the property to be rezoned from N1 S.4.1.165 to RM3 S.4.1.414.
- The site specific will increase the maximum density in the RM3 zone from 75 units per hectare to 80 units per hectare, and accommodate the existing site conditions (i.e. lot frontage, interior side yard setbacks, landscaping)

## Key Findings

- The property currently contains a church that will be converted into a four-unit apartment if this application is eventually approved.
- Site specific Official Plan policy is required to permit increased density from 40 units per hectare (UPH) to 80 UPH.
- Site-specific provisions to the RM3 zone are required as follows.
  - Increased maximum permitted density from 75 UPH to 80 UPH;
  - Reduced minimum lot frontage from 30m (98.43ft) to 13.7m (44.95ft)
  - Reduced minimum interior side yard setbacks:
    - From 3m (9.84ft) to 2.5m (8.2ft) - south
    - From 3m (9.84ft) to 1.5m (4.92ft) - north
  - No landscape buffers for the existing parking area with a 1.5m high solid fence.
- Planning Staff are requesting an RM3 site specific zone rather than the RM1 site specific zone requested to permit the four-unit apartment since the property is not located in the city centre.
- Five parking spaces are proposed, which meets the minimum required parking for a four-unit apartment.
- The proposed tenure is rental and affordable housing is not proposed.
- No additions or exterior alterations to the existing building or site are proposed.
- Staff have recommended the inclusion of a solid fence along the interior lot lines to improve upon the current condition.

## Financial Implications

- Based on a preliminary estimate by Planning Staff:
  - Building Permit: \$7,608;
  - Development Charges: \$45,436;
  - Total: \$53,044.
- Applicable fees may be subject to change.
- Tax implication: As a Place of Worship, the existing property is exempt from taxation.
  - A preliminary estimate was calculated to determine the taxation revenue change from the current assessment to the taxation revenue generated from a four-unit apartment building.
    - The current taxation revenue is \$0;
    - Once the development is complete, pending approval from Council, taxation revenue will potentially be \$5,493;
- Please note, this is an estimate of property taxes only, the estimate is based on limited information. For an accurate estimate, the owner would need to supply the building plans to MPAC for the Current Value Assessment (CVA) to be calculated.

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## Background

The applicant proposes to convert the existing place of worship into a four (4) unit apartment building, with five (5) parking spaces. No site plan application will be required if the Official Plan amendment and Zoning amendment are eventually approved, as no exterior alterations to the existing building or the site (i.e. landscaping, parking area) are proposed.

An Official Plan Amendment is required to permit an increase in density from 40 UPH to 80 UPH, and the property is proposed to be rezoned from N1 S.4.1.165 to RM3 S.4.1.414. Five parking spaces are proposed, which meets the minimum required parking for a four-unit apartment.

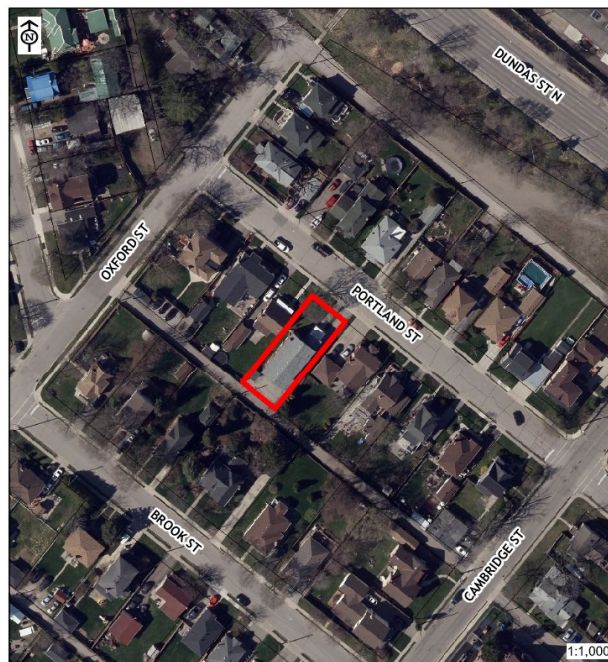
In accordance with the Planning Act, the City held a public meeting on May 25, 2021 to formally consider the requested Official Plan and Zoning By-law Amendments and receive public and Councillor's comments. Comments and questions received are addressed in Attachment No. 1 below.

## Changes after the public meeting:

Staff's review of the application resulted in a change in the proposed zoning from RM1 site specific to RM3 site specific. Staff note that the RM1 zone is for multiple residential within the City Centre, whereas the RM3 zone is for multiple residential outside of the core area. The RM3 zone requires an additional site-specific provision to increase the maximum density from 75 UPH to 80 UPH, the other site-specifics will remain the same. It is the opinion of planning staff that the change is technical and minor and does not require an additional statutory public meeting pursuant to Subsection 34(17) of the Planning Act.

## Location:

The subject property is legally described as Part of Lot 96, Plan 447 in the City of Cambridge, Regional Municipality of Waterloo. The property is municipally known as 42 Portland Street and is located on the southwest side of Portland Street, north of Brook Street, east of Oxford Street, west of Cambridge Street and south of Dundas Street N (outlined in red below).



## Existing/surrounding land uses:

The subject property currently contains a place of worship that will be retained if the applications are approved. The property is adjacent to single detached dwellings to the north, east, west and south.

## Proposal:

The applicant is proposing to convert the existing place of worship into a four-unit apartment building, which requires an Official Plan amendment to increase the

maximum permitted density, and the property to be rezoned from N1 S.4.1.165 to RM3 with site specific regulations.

A future site plan application will not be required if the amendments are approved as no exterior alterations to the building or site are proposed. Interior alterations will require the submission of a building permit application if approved.

The applicant has indicated that no affordable units are proposed, but notes that proposed tenure is rental.

The City of Cambridge Zoning By-law requires parking at a rate of 1.25 parking spaces per unit or 5 parking spaces (1.25 x 4 units) and the applicant is proposing 5 parking spaces which meets the minimum requirement.

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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 1.4 Promote, facilitate and participate in the development of affordable, welcoming and vibrant neighbourhoods.

The applicant is proposing to convert the existing place of worship into a four-unit apartment building. The proposed tenure is rental which contributes to greater housing choice within the City of Cambridge. The proposal also presents an opportunity for the intensification of an underutilized property which contributes to creation of complete communities.

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## Comments

The proposed amendments are to facilitate the conversion of a place of worship into a four-unit apartment building. Staff have considered the public, councillor and agency comments that have been received, and reviewed the applicable policies.

The proposed re-development presents an opportunity for the intensification of a greyfield (underutilized) site, infill development, and also respects the existing character of the neighbourhood by utilizing the existing building. The proposal represents the efficient use of existing infrastructure, and would provide greater housing choice within the City of Cambridge. The proposed development supports the intensification objectives of the Growth Plan and supports the creation of a complete community.

The proposed amendment is consistent with the 2020 Provincial Policy Statement, and conforms to the A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020). It conforms to the Region of Waterloo Official Plan as the property is located within the Built-up area, where the creation of complete communities and intensification is encouraged. The proposal conforms to the policies of the City of Cambridge Official Plan in regards to multi-unit residential compatibility and infill compatibility.

If Council does not support the recommendation, the project as planned may not be able to proceed and the property would only be able to be used for institutional uses as per the current zoning. If Council were to decide to not adopt the Official Plan Amendment and not approve the Zoning By-law Amendment, the applicant or anyone else would be able to file an appeal to the Ontario Land Tribunal (OLT) and the decision to adopt the Official Plan Amendment and approve the Zoning By-law amendment would rest with the OLT rather than Cambridge Council.

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## Existing Policy/By-Law

### City of Cambridge Official Plan (2012)

The City of Cambridge Official Plan designates the subject property as 'Low/Medium Density Residential', which permits single detached dwellings, townhouses and/or walk up apartments. Properties within the 'Low/Medium Density Residential Designation' are permitted to be developed for the uses mentioned above up to a maximum density of 40 units per hectare, subject to meeting the residential compatibility criteria set out in Section 8.4.2.

Based on the size of the property (501.25m<sup>2</sup> or 5,395.41ft<sup>2</sup>) a maximum of two (2) residential units is permitted under this density, whereas four (4) residential units are proposed. The Official Plan Amendment is required in order to increase the maximum permitted density from 40 units per hectare to 80 units per hectare.

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

The subject property is currently zoned N1 S.4.1.165, which permits institutional uses such as a place of worship, school, and a correctional facility. Planning staff are recommending to rezone the property from N1 S.4.1.165 to RM3 with site specific provisions to facilitate the proposed four-unit apartment building.

<b>Regulation</b>	<b>Required (RM3)</b>	<b>Proposed (RM3 S.4.1.414)</b>
Minimum lot frontage	30m (98.43ft)	13.7m (44.95ft) - existing
Maximum density	75 units per hectare	80 units per hectare
Minimum front yard	6m (19.69ft)	6.8m (22.31ft)
Minimum interior side yard	3m (9.84ft)	2.5m (8.2 ft) and 1.5m (4.92ft) - existing (with leeway for future improvements)
Minimum gross floor area per unit	50m <sup>2</sup> (538.19ft <sup>2</sup> )	75m <sup>2</sup> (807.29ft <sup>2</sup> )
Minimum amenity area	20m <sup>2</sup> (215.28ft <sup>2</sup> )	30m <sup>2</sup> (322.91ft <sup>2</sup> )
Minimum landscaped open space	30%	30.3%
Planting strips and fencing	1.5m planting strip with a 1.5m high solid fence	0m planting strip with a 1.5m high solid fence - improvement
Parking	5 spaces	5 spaces

Staff have completed a detailed analysis of the Provincial Policy Statement, A Place to Grow: Growth Plan for the Greater Golden Horseshoe, Region of Waterloo Official Plan. The proposed development works towards achieving the intensification goals and is in an area where a greater share of development is to be directed.

Staff have also completed a detailed analysis of the City of Cambridge Official Plan, and are of the opinion that the proposed development conforms. The multi-residential development proposed is consistent with the policies regarding residential compatibility, infill, intensification and redevelopment in existing neighbourhoods and multi-unit residential development.

The proposed development is consistent with the Provincial Policy Statement, conforms to the Provincial Growth Plan, Region of Waterloo and City Official Plan and represents good planning.



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## Financial Impact

- Based on a preliminary estimate by Planning Staff:
  - Building Permit: \$7,608;
  - Development Charges: \$45,436;
  - Total: \$53,044.
- Applicable fees may be subject to change
- Tax implication: As a Place of Worship, the existing property is exempt from taxation.
  - A preliminary estimate was calculated to determine the taxation revenue change from the current assessment to the taxation revenue generated from a four-unit apartment building.
    - The current taxation revenue is \$0;
    - Once the development is complete, pending approval from Council, taxation revenue will potentially be \$5,493;
- Please note, this is an estimate of property taxes only, the estimate is based on limited information. For an accurate estimate, the owner would need to supply the building plans to MPAC for the Current Value Assessment (CVA) to be calculated.

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## Public Input

The statutory public meeting required under the Planning Act was held on May 25<sup>th</sup>, 2021.

Official notification was provided in the Cambridge Times on March 23<sup>rd</sup>, 2021. In addition, notice was provided to all assessed property owners within a 120m (393.7ft) radius of the site and anyone else who requested notice.

Written and oral submissions from the public were received by staff. Council had questions regarding the number of units and the proposed parking supply.

Public submissions, questions raised by Council and staff responses have been attached to this report (Attachment No. 1).

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## Internal/External Consultation

The application has been circulated to the departments and agencies listed in Attachment No. 2.



Staff has received comments from the applicable City departments and outside agencies in regards to the proposed Official Plan and Zoning By-law Amendments. There were no objections to the proposed development. The comments are summarized and attached in Attachment No. 1.

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## Conclusion

City of Cambridge Development Planning Staff is recommending approval of these application and is of the opinion that the proposed Official Plan and Zoning By-law Amendments are consistent with the Provincial Policy Statement (2020), conforms with the A Place To Grow: Growth Plan for the Greater Golden Horseshoe 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 represents good planning.

In accordance with the City's Strategic Plan, the proposed development aligns with the goal of community wellbeing by contributing to greater housing choice within the City, and the creation of complete, vibrant neighbourhoods.

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## Signature

### Division Approval

N/A

Reviewed by the CFO

Reviewed by Legal Services

**Name:**

**Title:**

### Departmental Approval



**Name: Hardy Bromberg**

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

## City Manager Approval

A handwritten signature in black ink that reads "David Calder". The signature is written in a cursive, flowing style.

**Name: David Calder**

**Title: City Manager**

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### Attachments

- Attachment No. 1 – Public Meeting Minutes, Public Submissions and Responses
- Attachment No. 2 – External/Internal Consultation and Comments
- Attachment No. 3 – Conceptual Site Plan and Floor Plans
- Attachment No. 4 – Draft Official Plan Amendment
- Attachment No. 5 – Draft Zoning By-law Amendment

## Attachment No. 1 – Public Meeting Minutes, Public Submissions and Responses

AND THAT the applications OR01/21 for 211-215 Queen Street W, Blacks Point Development be referred back to staff for a subsequent report and staff recommendation.

In Favour (7): Councillor Reid, Councillor Devine, Councillor Wolf, Councillor Adshade, Councillor Hamilton, Councillor Ermeta, and Deputy Mayor Mann

Absent (2): Mayor McGarry, and Councillor Liggett

**Carried (7 to 0)**

- 5.2.1 Staff presentation - Malcolm Duncan, Planner 1 Site Development/ Zoning
- 5.2.2 Consultant presentation - Dave Aston, MHBC Planning
- 5.2.3 Delegations
  - 5.2.3.1 Mary Harrison
  - 5.2.3.2 Dr. Derek Coleman
  - 5.2.3.3 David Weber

- 5.3 21-116(CD) Public Meeting Report – Official Plan and Zoning By-law Amendments, 42 Portland Street, Nadam Investments Inc.- Blair Poole

Motion: 21-159

Moved by Councillor Wolf

Seconded by Councillor Adshade

THAT Report 21-116(CD) Public Meeting Report – Official Plan and Zoning By-law Amendments, 42 Portland Street, Nadam Investments Inc be received.

AND THAT the applications OR03/21 for 42 Portland Street, Nadam Investment Inc. be referred back to staff for a subsequent report and staff recommendation.

In Favour (7): Councillor Reid, Councillor Devine, Councillor Wolf, Councillor Adshade, Councillor Hamilton, Councillor Ermeta, and Deputy Mayor Mann

Absent (2): Mayor McGarry, and Councillor Liggett

**Carried (7 to 0)**

- 5.3.1 Staff presentation - Malcolm Duncan, Planner 1 Site Development/  
Zoning
- 5.3.2 Consultant presentation - Andrew Head, Dryden, Smith & Head  
Planning Consultants Ltd.
- 5.3.3 Delegations
  - 5.3.3.1 Shirley Mitchell
- 5.4 21-104(CD) Public Meeting Report – 1134 Hunt Club, 1285 Speedsville  
Rd, West side of 800 Briardean Rd – Official Plan/Zoning By-law  
amendment and proposed draft plan of subdivision 30T-21101 - River Mill  
Development Corporation

Motion: 21-160

Moved by Councillor Reid

Seconded by Councillor Devine

THAT report 21-104(CD) Public Meeting Report – 1134 Hunt Club, 1285  
Speedsville Rd, West side of 800 Briardean Rd – Official Plan/Zoning By-  
law amendment and proposed draft plan of subdivision 30T-21101 - River  
Mill Development Corporation, be received.

AND THAT the application OR08/20 be referred back to staff for a  
subsequent report and staff recommendation.

In Favour (6): Councillor Reid, Councillor Wolf, Councillor Adshade,  
Councillor Hamilton, Councillor Ermeta, and Deputy Mayor Mann

Opposed (1): Councillor Devine

Absent (2): Mayor McGarry, and Councillor Liggett

**Carried (6 to 1)**

- 5.4.1 Staff presentation- Rachel Greene, Senior Planner
- 5.4.2 Consultant presentation- Terri Johns and Diana Morris, T. Johns  
Consulting Group
- 5.4.3 Delegations

## Public Submissions and Responses

Comment/Questions	Response
4 units may be too many – perhaps 3 units would be sufficient for the proposed parking supply.	The proposal contemplates the highest and best use for the property as it exists, and meets the minimum parking requirement for 4 units (5 spaces). 4 units provides greater housing choice to meet the needs of future and current residents of the City.
The proposed parking requires a wide turn and limited maneuverability.	The minimum required aisle width adjacent to a parking stall is 6m to ensure maneuverability, whereas 7.4m is proposed (laneway + parking area). The parking stalls can be moved 1.4m back from the building to provide separation, while also meeting the minimum aisle width requirement.
Snow plowing and salt application.	Snow removal on site will be the responsibility of the owner or tenants however specified in the lease agreement. The applicant has received a Notice of Source Protection Plan Compliance for the application of Road Salt. Since the parking area is for less than 8 spaces it is not subject to Section 57 (Prohibition) or Section 58 (Risk Management Plan) of the Clean Water Act.
Privacy concerns.	No exterior alterations to the existing building are proposed that would increase privacy concerns. The proposed development makes use of the existing conditions. Staff have included the requirement for a solid fence in lieu of the required planting strips.
Traffic.	The proposed development is not considered a major traffic generator, as only 4 units are proposed. The proposed on-site parking meets the City's requirement, the property is within close proximity to Dundas St which is an Arterial Road, has access to multiple bus stops and opportunities for active transportation.

## Attachment No. 2 – External/Internal Consultation and Comments

OR03/21  
Address: 42 Portland Street

Reviewed by: Adam Ripper  
Date: April 19, 2021

### **Development Engineering Action Items** (to be addressed prior to site plan approval)

#### **Servicing**

- There are no external site changes or municipal service upgrades proposed as part of this Development Application.
- If any of the existing municipal services do need to be upgrades then a servicing will be required.
- City records indicate that the following municipal services are located on Portland Street adjacent to the subject property"
  - 100mm watermain
  - 200mm sanitary sewer
  - 200mm storm sewer
- City records indicate that the existing sanitary service is located on the west side of the property and the size of the service is unknown.
- City records indicate that the existing water service is located on west side of the property and is 19mm diameter.
- The Applicant should verify the size, location, and condition of the existing services prior to construction.
- By-Law #146-03 permits only one (1) water service and meter per property. The City does not make provision(s) for sub-metering on a property.
- Any redundant water service is to be capped at the watermain at 100% Owner's expense (works completed by City's Public Works Division).
- A water valve is required at the property line.

### **Development Engineering Comments** (for information purposes)

- The City must approve the optimum water meter size (and its location). Submit water demand calculation sheets for the entire property/development, per the City's Water Customer Data Sheets standard.
- By-Law #146-03 requires the Owner to purchase from the City any water meter larger than 25 mm (1"). Meter fees will be part of the new servicing installation costs.
- All watermain 100 mm (4") and larger require a Watermain Commissioning Plan to be submitted for approval. For City procedures on water quality testing, contact the Engineering Services Division.
- Any servicing work within the road allowance for the proposed development including, but not limited to, installation of services to the property line, and

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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 \$215.00 plus HST.
- 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.
- Under NO circumstance is a connection to the municipal water system to be made without the consent and presence of City of Cambridge Public Works staff. Please note that, per Regulatory requirements, only certified water operators may isolate watermains or reconnect isolated watermains.

#### City of Cambridge Economic Development:

- No comment

#### City of Cambridge Fire Department

- Show Fire Department connection if sprinklered
- A Fire Safety Plan may be required to be approved and implemented prior to occupancy

#### City of Cambridge Planning Department – Environment

- No comment

#### City of Cambridge Transportation Engineering

- No comment



OR03/21 – ZBA  
Date: March 31, 2021  
Location: 42 Portland  
**Action Items:**

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Energy+ Inc., has no objection to the Applicant's proposal for a Zoning By-law Amendment to facilitate the re purpose of the existing dwelling from a church to a 4 unit apartment building with no changes to the exterior of the church. The Applicant may be required to enter into a Service Agreement with Energy+ Inc., to establish the terms and conditions to service the proposed 4 unit apartment building development at 100% cost. The Applicant/Owner will need to contact Energy+ Inc.'s, Service Co ordinator at their earliest convenience.

**Comments:**

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The Owner/Applicant will be responsible for all costs associated with the relocation and/or upgrade of the existing electrical plant, if required as a result of this proposal.  
The Owner/Applicant will be required to grant easements to the satisfaction of Energy+ Inc., if required as a result of this proposal at 100% cost.  
Refer to Energy+ Inc. Residential Spec book at [www.energyplus.ca](http://www.energyplus.ca)  
Hydro poles/guy wires and anchors/padmout transformers/switching units/service pits/street light poles to be 1.5m from driveway entrances/curbs. Relocation at 100% owners' expense.  
All planting near Energy+ owned overhead power lines and padmount equipment must be installed in accordance to <http://www.esasafe.com/assets/image/Tree-Planting.pdf>  
Must maintain required clearances (ESA & Energy+) from existing overhead electrical plant.  
Owner/Applicant may be required to provide ESA clearance calculations to existing overhead electrical distribution equipment. Calculations must be signed off by a P.Eng.  
As per Energy+ Inc, Current Conditions to Service, lastest edition, only one service per property is permitted.  
Additional comments maybe provided when the application is submitted.



PLANNING, DEVELOPMENT  
AND LEGISLATIVE SERVICES  
Community Planning

150 Frederick Street 8th Floor  
Kitchener Ontario N2G 4J3 Canada  
Telephone: 519-575-4400  
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Melissa Mohr 1-226-752-8622  
File: C14-60/1/2103  
D17/40/1/2103  
May 17, 2021

Malcolm Duncan  
Planner 1 – Site Development/Zoning  
City of Cambridge  
50 Dickson St., P.O. Box 669  
Cambridge, ON N1R 5W8

Dear Mr. Duncan,

**Re: Proposed Official Plan and Zoning By-Law Amendment  
OR03/21  
42 Portland Street  
Andrew Head of Dryden, Smith and Head Planning  
Consultants on behalf of Nadam Investments Inc. C/O  
Blair Poole  
CITY OF CAMBRIDGE**

The Region of Waterloo has received a proposed Official Plan and Zoning By-law Amendment Application from the City of Cambridge for review and comment.

The site contains an existing place of worship with at grade parking to the rear of the site (west side of the site). The applicant has proposed to convert the existing place of worship to a 4-unit apartment complex.

The property is designated Low/Medium Density Residential, which permits a maximum density of 40 units per hectare. The property is currently zoned N1 - Institutional (site-specific amendment s.4.1.165). A site-specific amendment was passed in 1997 and permitted a reduction to the required parking, interior side yard setbacks, frontage, coverage and landscaping for the place of worship use.

For the current proposal, an Official Plan Amendment is required to permit a site-specific provision to permit an increase in density on site of 80 units/ha whereas 40 units/ha max. is permitted and a Zoning By-law Amendment is required to rezone the property from the N1 Zone (institutional zoning) to the RM1 Zone (multi-residential zoning).

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Version: 1

Regional staff has reviewed the proposed application and offer the following comments for the City's consideration.

## **Regional Comments**

### **Consistency with Provincial Legislation and Regional Official Plan Conformity**

The subject lands are located in the "Urban Area" of the Region of Waterloo and designated "Built-Up Area" on Schedule 3a of the Regional Official Plan (ROP). Permitted uses of the Urban Area and Built-Up Area in the ROP include residential uses among others and that the proposed density shall contribute to the density within the Built-Up Area of the Region of Waterloo. Regional staff have no objection to the development proposal.

In addition to the above, the Region wishes to advise the City of Cambridge of the following technical comments related to the proposal:

### **Corridor Planning**

#### *Environmental Noise*

The subject lands are located within 300 metres of the Canadian Pacific Railway (CPR). Therefore, it is recommended that the Owner enter into an agreement **with the City of Cambridge** through a future Consent and/or Plan of Condominium Application and the following clause be included in the Condominium Declaration and all offers of Purchase and Sale, Lease/rental agreements for the dwelling units (should a condominium be proposed in the future):

*WARNING: Canadian Pacific Railway (CPR) or its assigns or successors in interest has or have a right-of-way within 300 metres of the land subject hereof. There may be alterations to or expansions of the railway facilities on such rights-of-way in the future including the possibility that the railway or its assigns or successors as aforesaid may expand its operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwelling(s). CPR will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid rights-of-way.*

### **Water Services**

Regional Water Services has no objection to the Official Plan and Zoning By-law Amendment Application, but wishes to advise the applicant that the subject site is currently located in the Cambridge Zone 1 pressure zone (CAM1), with an existing HGL of 332 mASL.

Please be advised CAM1 will be undergoing adjustments to the HGL. As such, the applicant should account and design for the future expected hydraulic grade line of 323.5 mASL for the ultimate design of the site. The anticipated timeline for the HGL adjustment is by end of 2023.

**Housing Services:**

The Region supports the provision of a full range of housing options, including affordable housing. The Region's 10-Year Housing and Homelessness Plan contains an affordable housing target for Waterloo Region. The target is for 30% of all new residential development between 2019 and 2041 to be affordable to low and moderate income households. Staff recommend that the applicant consider providing an affordable housing unit on the site.

For the purposes of evaluating the affordability of an ownership unit (based on the definition in the Regional Official Plan), the purchase price is compared to the least expensive of:

Housing for which the purchase price results in annual accommodation costs which do not exceed 30 percent of gross annual household income for low and moderate income households	\$368,000
Housing for which the purchase price is at least 10 percent below the average purchase price of a resale unit in the regional market area	\$487,637

\*Based on the most recent information available from the PPS Housing Tables (2020).

In order for an owned unit to be deemed affordable, the maximum affordable house price is \$368,000.

For the purposes of evaluating the affordability of a rental unit (based on the definition of affordable housing in the Regional Official Plan), the average rent is compared to the least expensive of:

A unit for which the rent does not exceed 30 per cent of the gross annual household income for low and moderate income households	\$1,420
A unit for which the rent is at or below the average market rent (AMR) in the regional market area	Bachelor: \$863 1-Bedroom: \$1,076 2-Bedroom: \$1,295 3-Bedroom: \$1,359 4+ Bedroom: \$1,359

\*Based on the most recent information available from the PPS Housing Tables (2020).

In order for a unit to be deemed affordable, the average rent for the proposed units must be at or below the average market rent in the regional market area, as listed above.

**Fees**

By copy of this letter, the Region of Waterloo acknowledges receipt of the Official Plan and Zoning By-law Amendment review fee of \$6,900.00.

Document Number: 3663538

Version: 1



**General Comments**

Based on the above, the Region has no objection to the Official Plan and Zoning By-law Amendment.

Please note that 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.

In addition, please accept this letter as our request for a copy of the decision pertaining to this application. Should you have any questions, please do not hesitate to contact me.

Yours truly,



Melissa Mohr, MCIP, RPP  
Principal Planner

C. Andrew Head/Dryden, Smith and Head Planning Consultants Ltd. (Agent)  
Nadam Investments Inc. C/O Blair Poole (Owner)

**The Grand River Conservation Authority**

- No comment

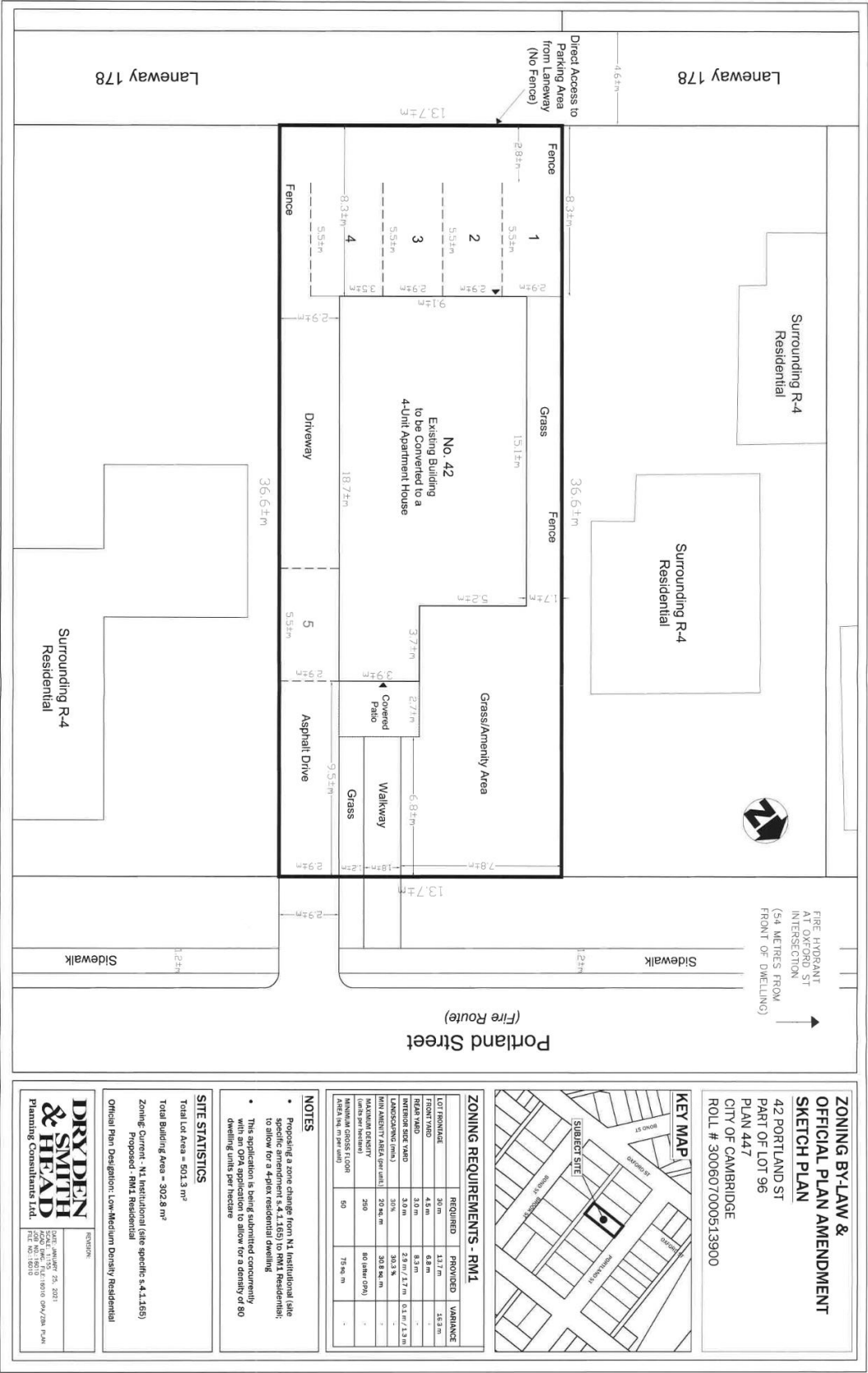
**Waterloo Regional District School Board**

- No comment

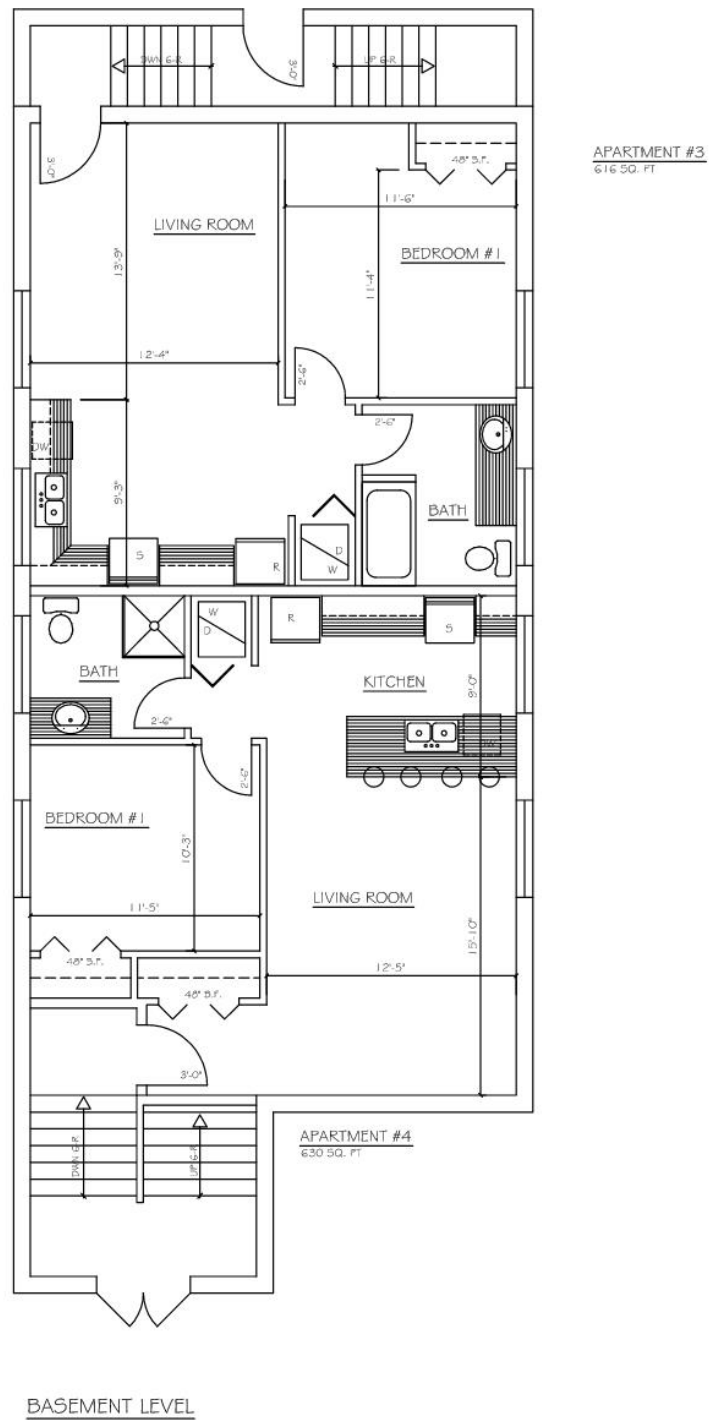
**Waterloo Catholic District School Board**

- That Education Development Charges shall be collected prior to the issuance of a building permit.

Attachment No. 3 – Conceptual Site Plan and Floor Plans

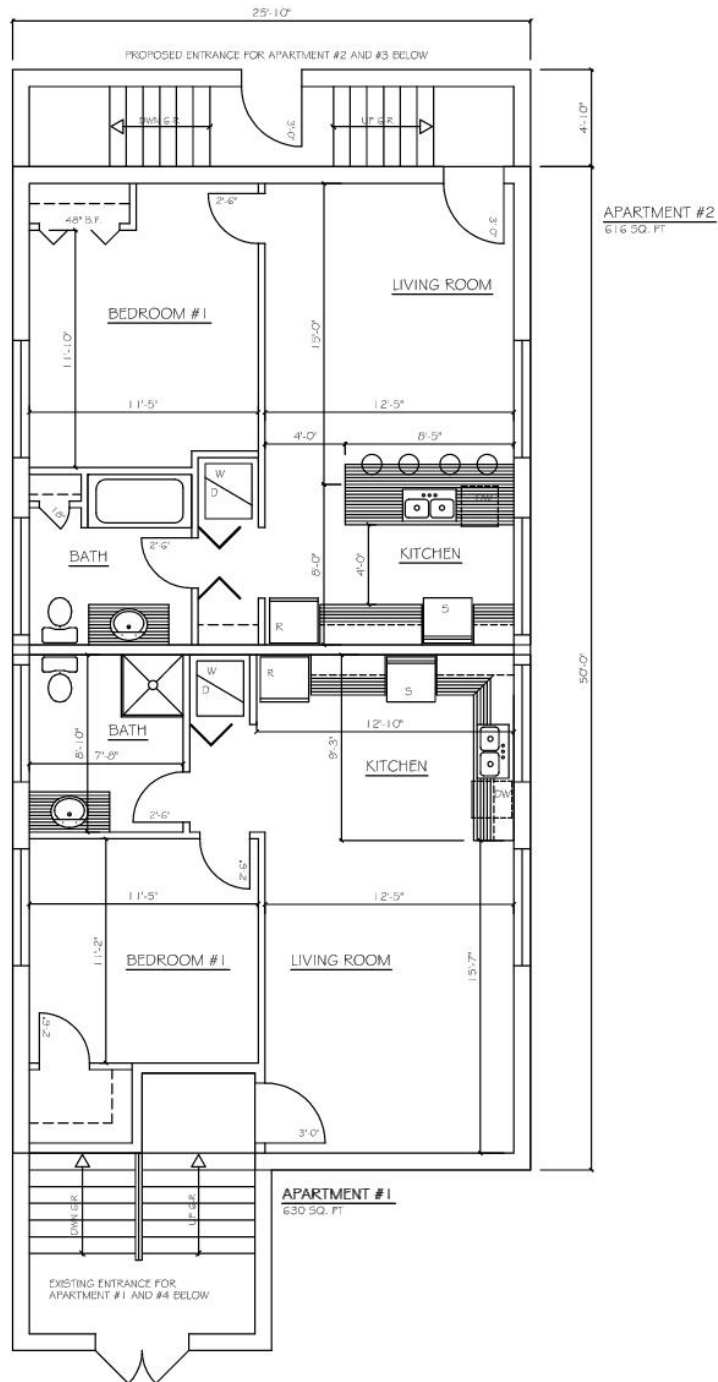


# Concept Floor Plan 1





## Concept Floor Plan 2



UPPER LEVEL

## Attachment No. 4 – Draft Official Plan Amendment



BY-LAW. XXX-21

OF THE

CITY OF CAMBRIDGE

Being a By-law of the Corporation of the City of  
Cambridge to adopt Amendment No. 46 to the  
City of Cambridge Official Plan (2012), as amended  
(42 Portland St)

Whereas sections 17 and 22 of the *Planning Act* R.S.O. 1990 c. P. 13, as amended empower the City of Cambridge to adopt an Official Plan and make amendments thereto;

Now Therefore the Municipal Council of the Corporation of the City of Cambridge enacts as follows:

1. That Amendment No. 46 to the City of Cambridge Official Plan (2012) applies to land legally described as LOT 95, PT LOT 94; LOT 96 PLAN 447, City of Cambridge and Regional Municipality of Waterloo.
2. The Amendment No. 46 to the City of Cambridge Official Plan (2012) as amended, consisting of the text and attached map, is hereby adopted.
3. That the Clerk is hereby authorized and directed to make application to the Regional Municipality of Waterloo for approval of the aforementioned Amendment No. 46 to the City of Cambridge Official Plan (2012), as amended.
4. That this By-law shall come into full force and effect upon the final passing thereof.

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

\_\_\_\_\_

Mayor

\_\_\_\_\_

Clerk

## Purpose and Effect of Official Plan Amendment No. 46

City File No. OR03/21 – 42 Portland St

**The Purpose and Effect** of this Official Plan Amendment No. 46 to the City of Cambridge Official Plan (2012), as amended, is to increase the maximum permitted density in the Low/Medium Density Residential designation to 80 Units Per Hectare for the lands legally described as LOT 95, PT LOT 94; LOT 96 PLAN 447, City of Cambridge and Regional Municipality of Waterloo, and municipally known as 42 Portland Street.

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## **Amendment No. 46 to the City of Cambridge Official Plan**

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1. Chapter 14, Map 2A of the City of Cambridge Official Plan is hereby amended by adding Figure 84 as shown on Schedule 'A' attached hereto;
2. Chapter 16 of the City of Cambridge Official Plan is hereby amended by adding figure 84 as shown on Schedule 'A' attached hereto;
3. Section 8.10 of the City of Cambridge Official Plan is hereby amended by adding the following subsection thereto:

### **8.10.84**

1. Notwithstanding policy 8.4.6.3(a) of this Plan, the land designated as Low/Medium Density Residential on Map 2 of this Plan, located at 42 Portland street and more particularly shown on Figure 84 shall permit a maximum residential density of 80 Units Per Hectare.

### **Basis of Amendment**

An Official Plan Amendment was submitted in conjunction with a Zoning By-law Amendment application in December 2020. The applications were supported by a number of reports that were requested at the pre-consultation meeting. The applications were processed in a comprehensive manner and were the subject of a statutory public meeting. Consultation has also occurred with the review agencies, internal departments and the public,

The proposed development is within the Urban Area Boundary and Built-Up area of the City of Cambridge, where residential intensification is encouraged and redevelopment is anticipated. The proposal is supported by municipal infrastructure and is consistent with the criteria for multi-unit residential and land use compatibility policies of the Official Plan.



**Figure 84**  
**42 Portland St**



**Legend**

- Low / Medium Density Residential
- Subject Lands

Monday, June 18, 2019 10:01 AM  
G:\CDMP\10180002\_01\_00\Information Products\Office Plans\Fig 84\_Fig 84.dwg

## **Attachment No. 5 – Draft Zoning By-law Amendment**

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

42 Portland Street

**The Purpose** of this by-law is to amend the zoning or the parcel of land legally described as LOT 95, PT LOT 94; LOT 96 PLAN 447 in the City of Cambridge, Regional Municipality of Waterloo and municipally known as 102 Spruce Street.

The following site specific provisions have been added for added density, and to acknowledge the existing site conditions:

- Minimum lot frontage: 13.7m
- Maximum density (dwelling units per net residential hectare: 80
- Minimum westerly interior side yard setback: 1.5m
- Minimum easterly interior side yard setback: 2.5m
- No planting strip or fencing is required along the interior lot lines

**The Effect** of this by-law will permit the conversion of a place of worship into a four-unit walk-up apartment building.





BY-LAW. XXX-21  
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  
42 Portland Street

WHEREAS Council of the City of Cambridge has the authority pursuant to Sections 24(2), 34 and 36 of the Planning Act, R.S.O. 1990, c. P. 13, as amended to pass this By-law;

AND WHEREAS the Council of the City of Cambridge has deemed it advisable to amend Zoning By-law No. 150-85, as amended, and therefore implement Official Plan Amendment No. 46 to the City of Cambridge Official Plan (2012), as amended,

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 May 25<sup>th</sup>, 2021, 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 the lands described as LOT 95, PT LOT 94; LOT 96 PLAN 447 in the City of Cambridge, Regional Municipality of Waterloo and is shown on Schedule 'A' attached hereto and forming part of this by-law; and,
2. THAT the City of Cambridge Zoning By-law, being Schedule 'A' to By-law No. 150-85, is hereby amended by changing the zoning classification of the lands shown outlined by a heavy black line on Schedule 'A' attached hereto from N1 S.4.1.165 to RM3 S.4.1.414; and,

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:

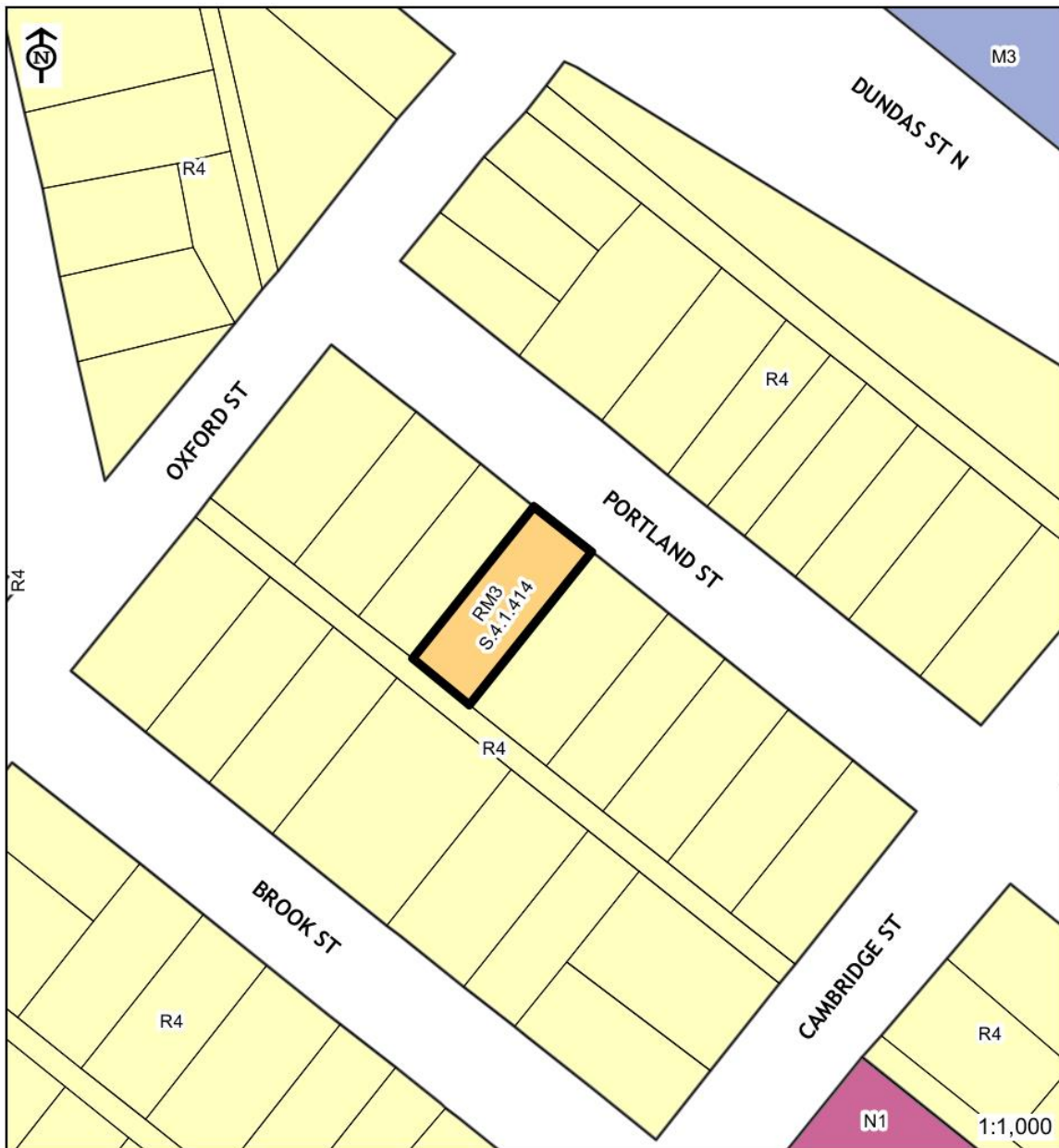
“4.1.414 – 42 Portland Street, legally described as LOT 95, PT LOT 94; LOT 96 PLAN 447 in the City of Cambridge, Regional Municipality of Waterloo:

1. Notwithstanding 2.4.2.3, no planting strip is required along the interior lot lines where a 1.5m high solid fence is provided
2. Notwithstanding 3.1.2.4 (a, b & e), the following regulations shall apply:
  - a) Minimum lot frontage: 13.7m
  - b) Maximum density (dwelling units per net residential hectare): 80
  - c) Minimum interior side yard: 1.5m along the westerly interior lot line and 2.5m along the easterly interior lot line
4. THAT this By-law shall come into force and effect on the date it is enacted subject to Official Plan Amendment No. 46 coming into effect pursuant to Subsection 24(2) of the *Planning Act*, R.S.O., 1990, c. P. 13, as amended.

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

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk



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



Lands affected by the by-law

**Zoning Classification**

- MEDIUM HIGH DENSITY RESIDENTIAL
- LOW DENSITY RESIDENTIAL

- INSTITUTIONAL
- INDUSTRIAL
- COMMERCIAL



Thursday, June 24, 2021 12:30:12 PM

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