

To: SPECIAL COUNCIL

Meeting Date: 9/13/2022

Subject: 22-125-CD – Recommendation Report – 15-17 Barrie Lane – 122559056 Canada Inc. (c/o Hans Madan)

Submitted By: Lisa Prime, Chief Planner

Prepared By: Michael Campos, Intermediate Planner

Report No.: 22-125-CD

File No.: R04/22

Wards Affected: Ward 5

RECOMMENDATION(S):

THAT Report 22-125-CD - Recommendation Report – Zoning By-law Amendment – 15-17 Barrie Lane – 122559056 Canada Inc. – c/o Hans Madan be received;

AND THAT Cambridge Council approves the Zoning By-law Amendment to amend the zoning of the site from the “Commercial – C2” zone to the “Residential – RS1” zone and to establish site-specific provisions for the site to permit the development of a semi-detached dwelling containing two units;

AND THAT Cambridge Council authorizes the Mayor and Clerk to enter into a Section 37 bonusing agreement to secure the improvements to the development being provided in return for the increase in density on the site to the satisfaction of the Chief Planner and City Solicitor;

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 to amend Zoning By-law No. 150-85, included as Appendix G to Report 22-125-CD, be passed.

EXECUTIVE SUMMARY:

Purpose

- The purpose of this report is to provide a recommendation on a Zoning By-law Amendment for the lands municipally known as 15-17 Barrie Lane, which seeks to rezone the subject lands from the “Commercial – C2” zone to the “Residential – RS1” zone to facilitate the development of a semi-detached residential dwelling

containing two residential units. The subject property was previously developed with a legal non-conforming semi-detached residential dwelling that has since been demolished.

Key Findings

- The subject lands are located within the City of Cambridge's Urban Area and in the identified "Built-Up Area". The lands are designated as "Low/Medium Density Residential" under the City of Cambridge Official Plan, which permits the development of semi-detached dwellings. The subject lands are zoned "Commercial – C2". Previously, the site was developed with a semi-detached dwelling that was recently demolished. The previous semi-detached dwelling was permitted in the existing Commercial – C2 zone as the residential use was considered legal non-conforming.
- The proposed development will contribute to the City's objective of providing for a range and mix of housing options. The redevelopment of the site for a semi-detached dwelling is a form of intensification that is encouraged within the Built-Up Area. The City's Official Plan targets a minimum of 45 percent of all residential development to occur within the Built-Up Area. The additional units will attract and house the forecasted growing population of the City of Cambridge.
- The proposed development of the subject lands will transform a currently vacant parcel of land into liveable, attainable residential units in walkable distances from commercial, institutional and recreational amenities.

Financial Implications

- A planning application fee has been paid to the City to process the Zoning By-law Amendment application. Should the Zoning By-law Amendment eventually be approved, a future consent application and associated fee would be required to establish the individually owned lots (total of 2 residential lots).
- City and Regional Development Charge Fees will be collected prior to building permit issuance.
- If approved, the proposed development will contribute additional tax revenue to the City. An estimate of the potential tax revenue is provided further below in this report.
- Any further costs associated with the development of the site are borne by the applicant.

STRATEGIC ALIGNMENT:

- ☐ Strategic Action; or
- ☒ Core Service

Objective(s): PLANNING FOR GROWTH - Provide for a mix of development, uses and amenities in order to meet the needs of a changing and diverse population

Strategic Action: Increase housing options

Program: Land Use Planning

Core Service: Planning

The proposed amendment to the Zoning By-law will facilitate the development of two semi-detached dwelling units on a site that is situated in proximity to existing transit services and supports the City's goal to provide a range and mix of housing within a walkable distance to local amenities. Similar built-form presently exists surrounding the subject property and the proposed semi-detached dwelling is expected to complement the established low/medium density neighbourhood.

BACKGROUND:

Property

The subject lands are municipally addressed as 15-17 Barrie Lane and are legally described as Lot 9, Plan D-10, City of Cambridge, Regional Municipality of Waterloo. The property has an approximate area of 460.5 square metres (4,957 square feet) and provides frontage onto Barrie Lane. The subject property is located approximately 400 metres west of the Galt Core Area.

The image below provides an aerial view of the subject property:

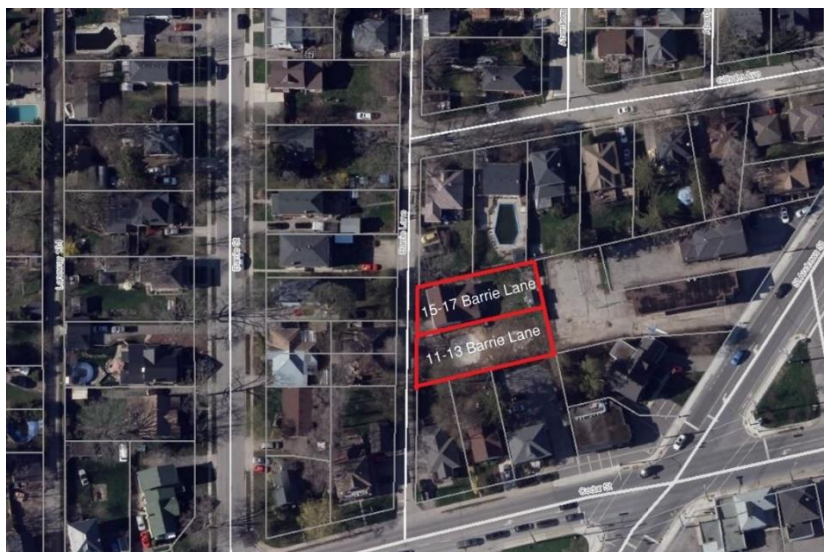


Figure 1: Aerial Image of the Subject Lands

Surrounding Land Uses

The subject lands are located within an existing mature residential neighbourhood comprised of primarily single-detached, semi-detached and converted dwellings that vary in height between one, one and one half and two storeys. To the east of the subject property are commercial uses, whereas to the south, north and west sides of Barrie Lane, there are primarily low-density residential uses. The subject lands are in proximity to schools and parks within a one kilometer walk of the site. Additionally, the subject lands are a short walk from existing transit routes No. 55 and 206.

The surrounding land use context is in keeping with the character of a mixed-use neighbourhood.

Proposal

The proposed development consists of one semi-detached dwelling containing two units. The proposed residential building will be two-storeys in height with a ground floor coverage of 93.3 square metres and a total floor area of 157.5 square metres. Each unit will have a built-in garage that will provide one parking space and a second available parking space in the access driveway. The proposed use and total number of dwellings are similar to the development that had previously existed on this property and was recently demolished.

ANALYSIS:

The purpose of this report is to provide a recommendation on the proposed Zoning By-law Amendment application to facilitate the development of a two-storey semi-detached residential dwelling. The below illustrations depict the front and rear elevation perspectives of the semi-detached dwellings proposed for the property.

Additionally, the site plan shown further below provides a visual of the proposed site layout, including the identical semi-detached dwelling that is proposed on the adjacent property to the immediate south and municipally known as 11-13 Barrie Lane:

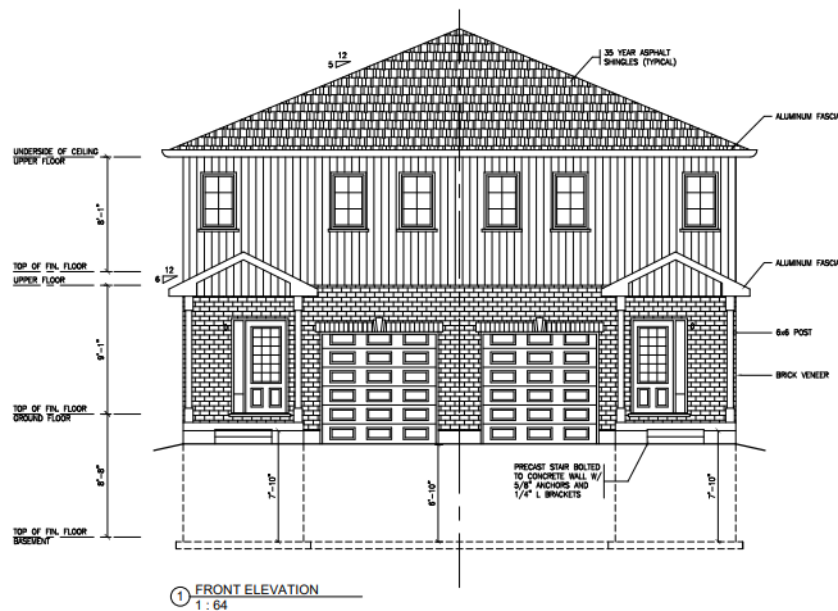


Figure 2: Front Elevation

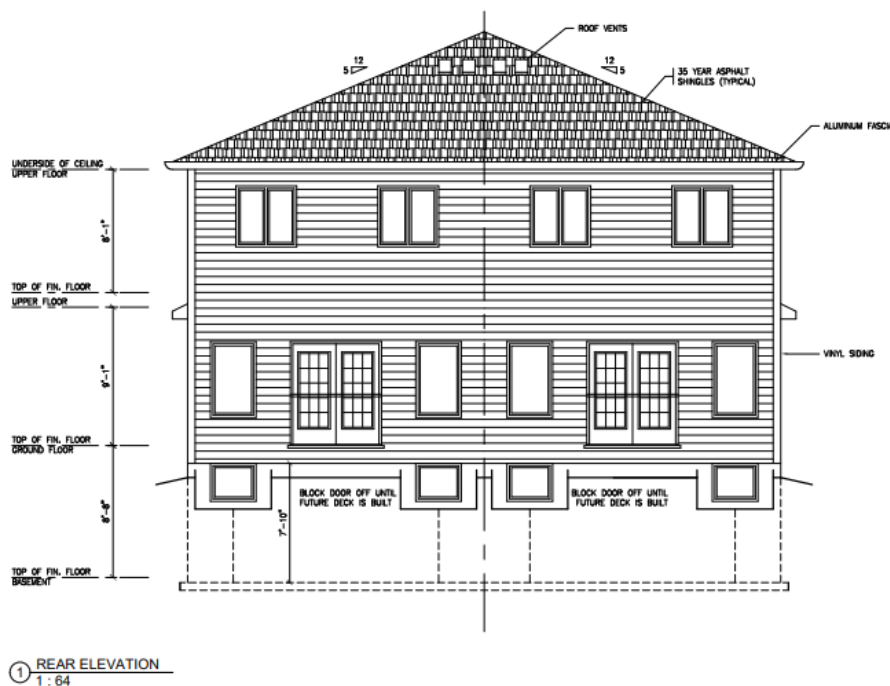


Figure 3: Rear Elevation

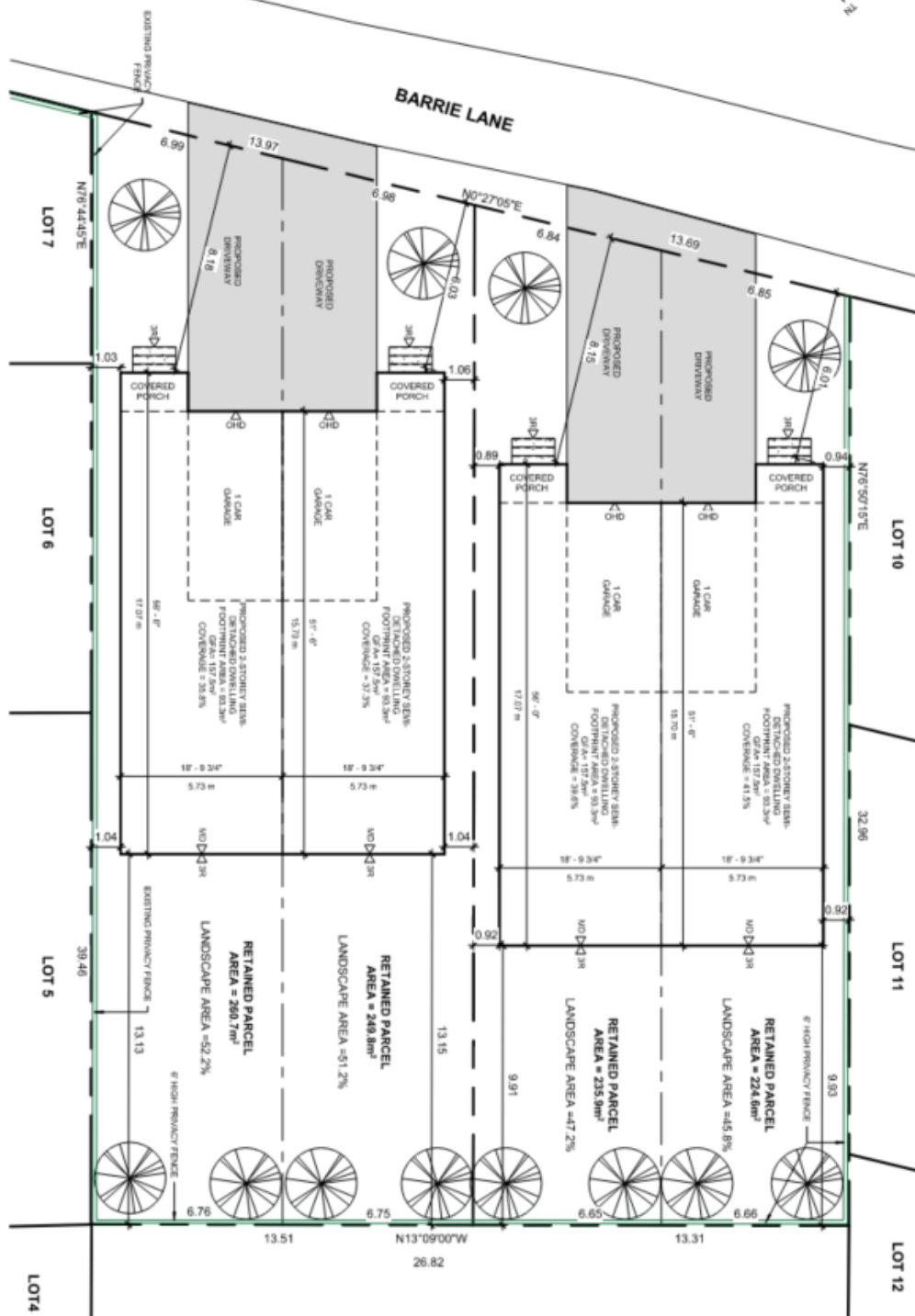
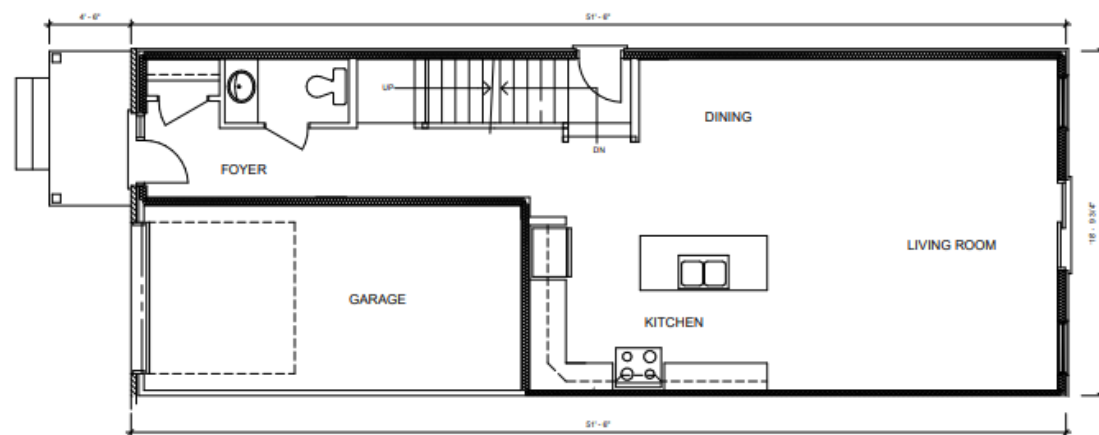


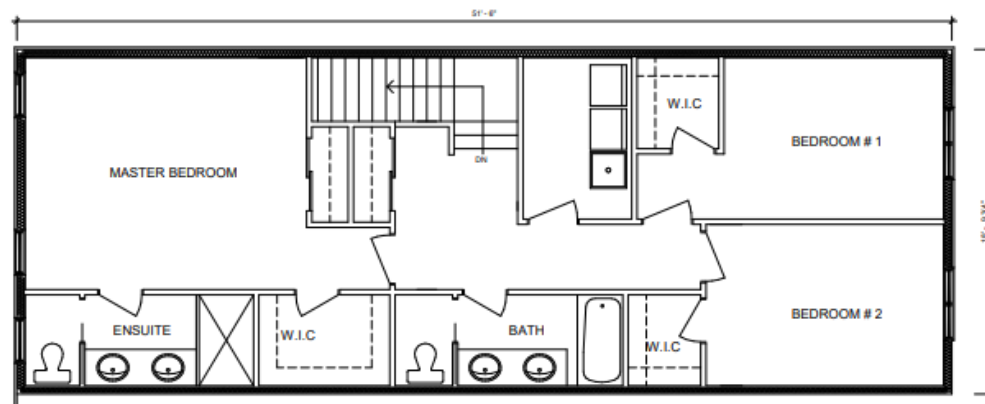
Figure 4: Proposed Site Plan

The proposed residential building provides frontage onto Barrie Lane to the west of the subject lands. The proposed dwelling will provide access to Barrie Lane via a shared driveway access. Two available parking spaces are planned and provide sufficient area to accommodate a modern-day vehicle. The provided garage and driveway spaces exceed the minimum parking stall size requirements set by the City's Zoning By-law No. 150-85, as amended.

The proposal has exceeded the minimum number of parking spaces required per unit in a semi-detached residential building, which requires that parking be provided at a rate of one space for the first four bedrooms in the unit. The proposed development provides three-bedrooms, as is seen below in the proposed floor plans:



① GROUND FLOOR PLAN
1 : 64



② SECOND FLOOR PLAN
1 : 64

Figure 5: Proposed Floor Plans

Official Plan

The City of Cambridge Official Plan (2012) designates the subject lands as “Built-Up Area” on Map 1A and “Low/Medium Density Residential” on Map 3 (included in this

report as Appendix B). The Low/Medium Density Residential designation permits semi-detached dwellings up to a maximum density of 40 units per hectare. With a proposed density of approximately 43 units per hectare, the proposed development exceeds the maximum allowable density of the Low/Medium Density Residential Designation of the City's Official Plan.

Section 2.8.3.4 provides that the City may permit a higher maximum height and/or density, without amending the Official Plan through the height and density bonusing provisions of Section 10.16.

Section 10.16 states that development standards may be incorporated into a Zoning By-law to permit bonusing through an increase in height and/or density of development where such increase provides public benefits, and the increase implements the goals and objectives of the Official Plan; constitutes good planning; is consistent with the Urban Design policies in Chapter 5 of the Official Plan; and is consistent with the Official Plan.

The proposal improves the subject property's compatibility with existing land uses as it redevelops a previously existing run-down residential use with a modern building and landscaped property that will enhance the visual appearance of Barrie Lane positively, thereby removing a vacant parcel of land that has been unkept for several years. The applicant has proposed to landscape the site with several trees within the front and rear yard. They will also install a rear privacy fence to separate the uses from the commercial properties to the east. Sufficient buffering has also been provided between surrounding properties to the north and south. The subject lands, while being zoned for commercial uses, has previously been used for residential, similarly to those properties to the immediate south. Commercial uses along Barrie Lane is not likely to be achieved on this site, and instead this proposal brings the site into further compatibility with the existing uses of the surrounding area, which is primarily for residential purposes.

It is the opinion of Staff that the site is suitable for the minor increase in density as the proposed development seeks to establish a comfortably sized dwelling onto a lot that has existed for decades. The proposal is intensifying a site that has been recently vacant and abandoned for several years and will provide a benefit to the community by introducing a multi-unit residential dwelling in a prime location that provides access to a variety of community benefits in walking distance to the site.

Furthermore, the proposed development proposes one additional parking space on the site than is required by the By-law; as well as exceeds the By-law's minimum requirement for landscaping to be provided; and finally, provides sufficient front and rear yard amenity space while providing for large unit sizes.

The proposed use will be compatible with the planned scale and character of the surrounding neighbourhood as it proposes a similar built-form that has existed on the site previously. Additionally, the property located across the street on the west side of Barrie Lane is also developed with a semi-detached dwelling.

The site is located within walking distance of the Galt Core Area, providing future residents with convenient access to local amenities, including GRT bus service within walking distance.

The subject property is proposed to connect to existing municipal services, providing for an efficient use of existing infrastructure to establish necessary housing.

The applicant has successfully met the required front and rear yard setbacks for the subject property, and is only requesting reductions to the interior side yard setback to accommodate the proposed development. Although the interior side yard setbacks do not meet the minimum requirement of the By-law in this regard, Staff are of the opinion that the reduction is minor and will not have any adverse impacts on surrounding lands. Instead, the proposed residential use will result in a significant improvement to the subject lands and the surrounding community as it cleans up a site that has been neglected for many years.

As a result, it is of the opinion of Staff that an increase in the proposed density for the site from 40 units per hectare to 43 units per hectare is appropriate and suitable for the subject property and conforms to Section 10.16 of the Official Plan. The applicant will be required to enter into a Section 37 agreement with the City to specify the terms of additional landscaping, screening, parking and amenity space to be provided in return for the minor density increase.

Zoning By-law

The subject lands are presently zoned “ Commercial – C2” by the City of Cambridge Zoning By-law No. 150-85, as amended. This commercial zone does not permit semi-detached dwellings as a permitted use. In order to proceed with the development of the proposed residential use, a Zoning By-law Amendment is required to rezone the lands to the “Residential – RS1” zone, which permits the proposed built-form.

Furthermore, as part of the Zoning By-law Amendment application to rezone the lands, the applicant is requesting site-specific provisions to be established for the following development standards in order to facilitate the proposed use and design of the semi-detached dwellings. The requested site-specific provisions include the following:

- To permit a minimum lot frontage of 6.84 metres for one attached dwelling unit, whereas a minimum lot frontage of 9 metres is required;

- To permit a minimum lot frontage of 13.69 metres for two attached dwelling units, whereas a minimum lot frontage of 18 metres is required;
- To permit a minimum lot area of 224.6 square metres for one attached dwelling unit, whereas a minimum lot area of 270 square metres is required;
- To permit a minimum lot area of 460.5 square metres for two-attached dwelling units, whereas a minimum lot area of 540 square metres is required;
- To permit a minimum interior side yard setback of 0.89 metres, whereas a minimum interior side yard setback of 1.2 metres is required;
- To permit a maximum lot coverage of 41.5 percent, whereas a maximum lot coverage of 40 percent is permitted; and,
- To recognize Barrie Lane as a public street under section 1.1.6 of the City's Zoning By-law.

Staff have given consideration to the agency comments that have been received, compatibility with the surrounding neighbourhood, and the appropriateness of the site-specific provisions requested as part of the review and formation of this recommendation.

After review of the proposed application, it is the opinion of Staff that the proposed Zoning By-law Amendment is consistent with the 2020 Provincial Policy Statement and conforms to the 2020 Provincial Growth Plan, as it will result in efficient use of land, resources, existing infrastructure and municipal servicing to accommodate residential growth and increased density in proximity to the Galt Core Area. The proposal conforms to the Region of Waterloo's Official Plan, which supports intensification of residential uses within the City's Built-up Area and helps achieve the Region's target for intensification of a minimum of 45 percent of all new development to be directed to the Built-up Area. Finally, the proposed residential intensification is permitted by the City's Official Plan and conforms to the Low/Medium Density Residential Designation applied to the lands, as well as Section 10.16 with respect to increased density for the site. The proposed development supports the City's objective to accommodate new growth until the year 2031. It is the opinion of Staff that the proposal meets the criteria outlined by the Official Plan with respect to Residential Infill Compatibility as follows:

- The scale and density of the proposed development is compatible with the low/medium density residential development that currently exists within the neighbourhood. The proposed height of two-storeys is also comparable to existing development on surrounding streets;
- The proposed development will complement the existing semi-detached residential development across the road on the opposite side of Barrie Lane.
- The proposed development will have access to the local road network that will connect the property to the surrounding residential community and the Galt Core

Area to the east. The site provides sufficient parking to accommodate up to two vehicles per unit.

- Appropriate landscaping and setbacks are proposed on the site that will permit the natural transition of the built form onto the property while providing buffering to adjacent development and public streets. The two units will have comfortable front, side and rear yards for use by future residents.

The site-specific provisions requested to the existing permissions of the RS1 zone have been reviewed. The following section provides an analysis of those requests:

- To permit a minimum lot frontage of 6.84 metres for one attached dwelling unit, whereas a minimum lot frontage of 9 metres is required;
- To permit a minimum lot frontage of 13.69 metres for two attached dwelling units, whereas a minimum lot frontage of 18 metres is required;
 - The “Residential - RS1” zone provides two minimum lot frontage provisions. The first minimum lot frontage provision relates to the required frontage per individual unit. The Zoning By-law requires that a minimum lot frontage of 9 metres be provided, however, the subject lands can only provide a minimum frontage of 6.84 metres. The second minimum lot frontage provision relates to the overall frontage of both units, which the By-law requires to be 18 metres. The proposed lots only provide an overall lot frontage of 13.69 metres, which is a difference of 4.31 metres. Although a reduced lot frontage is proposed, the site remains fully capable of accommodating the semi-detached dwelling, access driveways and required front and rear yard space. There are no anticipated adverse impacts to the subject property or adjacent residential as a result of this reduction, given that no physical change is occurring to the site as a result of approving the existing reduced frontage. The applicant has provided sufficient plans and studies to demonstrate that a comfortably sized semi-detached dwelling can be developed on the site. The proposed development, is of Staff’s opinion, a much-improved option for the site, that currently remains vacant. Staff have no concerns with the proposed reduction. The proposed intensification is encouraged by the Provincial, Regional and local planning policies for the Built-Up Area.
- To permit a minimum lot area of 224.6 square metres for one attached dwelling unit, whereas a minimum lot area of 270 square metres is required;
- To permit a minimum lot area of 460.5 square metres for two-attached dwelling units, whereas a minimum lot area of 540 square metres is required;
 - The By-law provides for two minimum lot area requirements when considering the development of a semi-detached residential building. The existing lot area of the subject property does not comply with either of the

minimum lot area requirements applicable to the site. The intent of the minimum lot area provisions outlined in the RS1 zone is to ensure that sufficient space is provided on a lot that will permit future residents to enjoy a well-sized dwelling that can accommodate a family, while providing sufficient space to accommodate outdoor private amenity spaces, parking, and sufficient setbacks.

- The planned development is proposed to provide two dwelling units with a total gross floor area of 157.5 square metres (1,695.4 square feet) each, which is well above the minimum required gross floor area of the By-law for dwelling units within the RS1 zone, being a minimum of 75 square metres (807 square feet). As such, the proposed dwelling units provide unit sizes of almost 900 square feet above the minimum size requirement of the By-law. In addition, the subject property is capable of providing the required parking necessary for the two units, as well as front, side and rear yard spaces. Although the applicant is requesting a reduction in the permitted minimum lot areas, they are continuing to meet the intent of the By-law, which is to provide sufficient sized lots that can provide space for parking, private amenity areas, and comfortable buffers between adjacent developments.
- As such, it is the opinion of staff that the request to reduce the minimum lot area to facilitate the proposed intensification of the lot for a semi-detached dwelling will allow for necessary residential development that will assist in combating the current housing crisis and lack of housing units in the province.
- To permit a minimum interior side yard setback of 0.89 metres, whereas a minimum interior side yard setback of 1.2 metres is required;
 - The applicant has requested a reduction of the interior side yard setback that equates to a total reduction by 0.31 metres, which Staff believe will not create adverse impacts to the surrounding properties. An existing privacy fence is located along the northern property line of the site, which is shared with adjacent residential lots. No windows are proposed on the southern side of the building facing the southern property line, which eliminates privacy concerns with adjacent neighbours. Along the northern property line, the interior side yard setback is proposed as 0.92 metres on the southern side of the building, and 0.94 metres on the northern side. The proposed northern property line will abut the proposed rear yards of the existing residential uses along Gilholm Avenue and the proposed building will also not provide windows on the northern wall to avoid any privacy concerns. As a result, sufficient buffering is provided between the proposed residential building and the existing residential uses abutting the

site on the northern side, resulting in little to no concerns with regard to privacy. Staff are not concerned with the proposed reduction in the interior side yard setback as it is not considered a significant reduction that would result in the inability of a person accessing the rear yard from the front of the property. Additionally, there have been no concerns raised from existing property owners surrounding the subject lands regarding the proposed reduction.

- As such, it is the opinion of Staff that the proposed reduction will not negatively impact the subject property, the proposed development, or its relationship with the street. A sufficient side yard will continue to be provided.
- To permit a maximum lot coverage of 41.5 percent, whereas a maximum lot coverage of 40 percent is permitted; and,
 - It is the intent and purpose of the Zoning By-law to ensure that properties be developed appropriately and that overdevelopment of a site be avoided. The maximum lot coverage requirement of 40 percent for residential properties is a way to ensure that development is not overbearing on the lands or the cause of adverse impacts to surrounding properties. The proposed development represents a form of intensification of underutilized lands within the delineated Built-Up Area. The proposal is eliminating an existing vacant parcel of land in proximity to the Galt Core Area and redeveloping the site to accommodate housing that is needed within the City of Cambridge and encouraged when in proximity to local amenities, transit infrastructure and a range of community uses. Given that the applicant is seeking to redevelop a lot that is fully capable of accommodating the proposed development, it is of Staff's opinion that the proposed increase in the lot coverage by 1.5 percent is not considered significant and will not negatively impact the site or surrounding properties. The proposed development of the site will help improve the existing condition of the property and of Barrie Lane significantly.
- To recognize Barrie Lane as a public street under section 1.1.6 of the City's Zoning By-law.
 - As part of the proposed Zoning By-law Amendment, the applicant is requesting a technical amendment to the Zoning By-law, with respect to Section 1.1.6 relating to deemed streets. Section 1.1.6 of the Zoning By-law states that notwithstanding the definition of a "street or highway" (defined as: *"means a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle, designed and intended for, or used by, the general public for the passage of vehicles and having, for the purposes of this By-law, a minimum road allowance of*

12 metres”) provided in the Section 1.1.1 of this By-law, the following shall also be deemed to be a public street or highway for the purposes of this By-law. The list of streets does not list “Barrie Lane” as a deemed street, however, it does list “Barrie Street”. Although Barrie Street is included on this list, it is in error and it is believed that Barrie Lane should have been the correct street listed given that Barrie Street already meets the definition of a street in our By-law, and does not require the specific notwithstanding clause. The City’s Engineering Department and Transportation Department have no concerns with the proposed development on Barrie Lane.

If Council does not support the recommendation, the project may not be able to proceed. If Council were to decide to not approve the Zoning By-law Amendment, the applicant would be able to file an appeal to the Ontario Land Tribunal (OLT) and the decision to amend the Zoning By-law would rest with the OLT rather than with Cambridge Council.

EXISTING POLICY / BY-LAW(S):

City of Cambridge Official Plan (2012)

The City of Cambridge Official Plan (2012) designates the subject lands as “Built-Up Area” on Map 1A and “Low/Medium Density Residential” on Map 3. The Built-Up Area encourages the intensification of lands as part of the City’s growth management strategy and directs that “infill, intensification, and redevelopment within existing neighbourhoods will be minor in nature and will be designed to respect existing character and provide connections and linkages where possible”. The Low/Medium Density Residential designation permits a range of residential uses including single detached dwellings, semi-detached dwellings, townhouses and walk up apartments up to a maximum density of 40 units per hectare. Although the proposed development exceeds the maximum density allowable on the subject lands by 3 units per hectare, the site is considered a suitable location to permit the increased density without amendment to the Official Plan as per Section 10.16 of the Zoning By-law.

City of Cambridge Zoning By-law No. 150-85 (as amended)

The subject lands are currently zoned “Commercial – C2” by the City of Cambridge Zoning By-law No. 150-85, as amended. The existing zoning does not permit semi-detached dwellings as a permitted use. As such, a Zoning By-law Amendment is being proposed to rezone the lands from the “Commercial – C2” zone to the “Residential – RS1” zone that permits the residential use, subject to site-specific provisions, as noted above in the report .

A zoning map representing the current zoning of the subject lands has been included as Appendix C of this report.

FINANCIAL IMPACT:

- A Planning Application fee for the Zoning By-law Amendment in the amount of \$8,500 was paid (2022) representing the City's fee to process the application;
- City and Regional Development Charge Fees for the proposed development is estimated at \$56,337 and \$62,752, respectively.
- The potential tax revenue from the proposed development is as follows:
 - The value of the two semi-detached dwellings is estimated between \$1,100,000 and \$1,200,000. The potential tax revenue from the development will fall between \$4,717 and \$5,146 using the 2021 City tax portion rate.
- A future severance application will be required to create the two separate properties. A future consent fee of \$1,600 will be required to process the consent application.
- Any further costs associated with the development of the site are borne by the applicant.

PUBLIC VALUE:

Engagement:

Public involvement was encouraged through the planning review process. This process provided the community with the ability to share their opinions and views openly and allowed for active and direct communication between residents, staff, the applicant and members of Council.

ADVISORY COMMITTEE INPUT:

- Not applicable for this proposed development.

PUBLIC INPUT:

- The statutory public meeting required under the Planning Act was held on April 19th, 2022 and official notification was provided in the Cambridge Times on March 24th, 2022. 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.

INTERNAL / EXTERNAL CONSULTATION:

The application and supporting information have been circulated to the departments and agencies listed in Appendix F.

Staff have received comments from the applicable City departments and outside agencies in regards to the proposed Zoning By-law Amendment. The staff comments have been addressed by the applicant.

CONCLUSION:

City of Cambridge Development Planning Staff is recommending approval of a Zoning By-law Amendment application submitted for 15-17 Barrie Lane that seeks to facilitate the development of a semi-detached dwelling containing two units. This application represents the intensification of a vacant site within the City's Built-up Area, which is located in proximity to the Galt Core Area and the City's Urban Growth Centre.

It is the opinion of staff that the proposed application is consistent with the Provincial Policy Statement, conforms with the policies of the Provincial Growth Plan 2020, 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, as amended. The proposal represents the efficient and appropriate intensification of vacant residential land within an existing low/medium density residential neighbourhood and is considered good planning. As such, staff recommend approval of the Zoning By-law Amendment to allow the development of a semi-detached dwelling and additional density.

REPORT IMPACTS:

Agreement: **No**

By-law: **Yes**

Budget Amendment: **No**

Policy: **Yes**

APPROVALS:

This report has gone through the appropriate workflow and has been reviewed and or approved by the following as required:

Director

Deputy City Manager

Chief Financial Officer

City Solicitor

City Manager

ATTACHMENTS:

1. 22-125-CD Appendix A – Proposed Site Plan
2. 22-125-CD Appendix B – Existing Official Plan Map
3. 22-125-CD Appendix C – Existing Zoning Map
4. 22-125-CD Appendix D – Public Meeting Minutes
5. 22-125-CD Appendix E – Public Comments
6. 22-125-CD Appendix F – List of Commenting Departments/Agencies and List of Supporting Documents
7. 22-125-CD Appendix G – Draft Zoning By-law Amendment By-law