

**To:** SPECIAL COUNCIL

**Meeting Date:** 9/27/2022

**Subject:** 22-128-CD Recommendation Report – 212 Queen Street West - Official Plan Amendment and Zoning By-law Amendment – 2303623 Ontario Inc. (c/o Blackthorn Development Corp.)

**Submitted By:** Lisa Prime, MCIP, RPP, Chief Planner

**Prepared By:** Michael Campos, Planner 1

**Report No.:** 22-128-CD

**File No.:** OR09/21

**Wards Affected:** Ward 2

### **RECOMMENDATION(S):**

THAT Report 22-128-CD Recommendation Report – 212 Queen Street West – Official Plan Amendment and Zoning By-law Amendment – 2303623 Ontario Inc. (c/o Blackthorn Development Corp.) be received;

AND THAT Cambridge Council adopts the proposed Official Plan Amendment to permit a maximum allowable density of 167 units per hectare within the “Low/Medium Density Residential” designation applied to the subject lands through Site-Specific Policy Number 55, and that the adopted Official Plan Amendment be submitted to the Region of Waterloo for approval;

AND THAT Cambridge Council approves the proposed Zoning By-law Amendment to rezone the subject lands from “Residential – R4” and “Commercial – C5” to the “Multiple-Residential – (H)RM2” zone with a site-specific provision s.4.1.431 to permit increased density and a holding provision.

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-laws attached to this report be passed.

### **EXECUTIVE SUMMARY:**

#### **Purpose**

To seek Council approval to permit the construction of a three-storey residential apartment building containing 37 residential rental units on an existing vacant site.

### **Key Findings**

- The proposed development would transform a vacant, underutilized, brownfield site along Queen Street West into a residential building that will introduce rental apartments within a Regeneration Area of the City, where intensification is promoted and encouraged.
- The proposed development will contribute to the City's objective of providing for a range and mix of housing options and supports proposed intensification objectives, directing 45 percent of new development to the Built-up Area.
- One of the City's objectives for residential lands is that it provides an adequate supply of both ownership and rental housing stock and this development is introducing 37 residential units for rental purposes into the City's housing stock.
- The intensification of the lands for residential uses would take advantage of existing municipal services while providing additional support to local amenities and services in the Hespeler community.
- It is the opinion of Staff that the proposed development aligns with Provincial, Regional and City development policies.

### **Financial Implications:**

- A planning application fee has been paid to the City to process the Official Plan Amendment (OPA) and Zoning Bylaw Amendment (ZBA) applications. The applicant has also submitted a Site Plan Application to the City for the proposed development, which cannot be approved until such time as an approval is issued for the OPA and ZBA applications.
- 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 to be 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:** Not Applicable

**Program:** Land Use Planning

**Core Service:** Official Plan and Zoning By-law Amendments

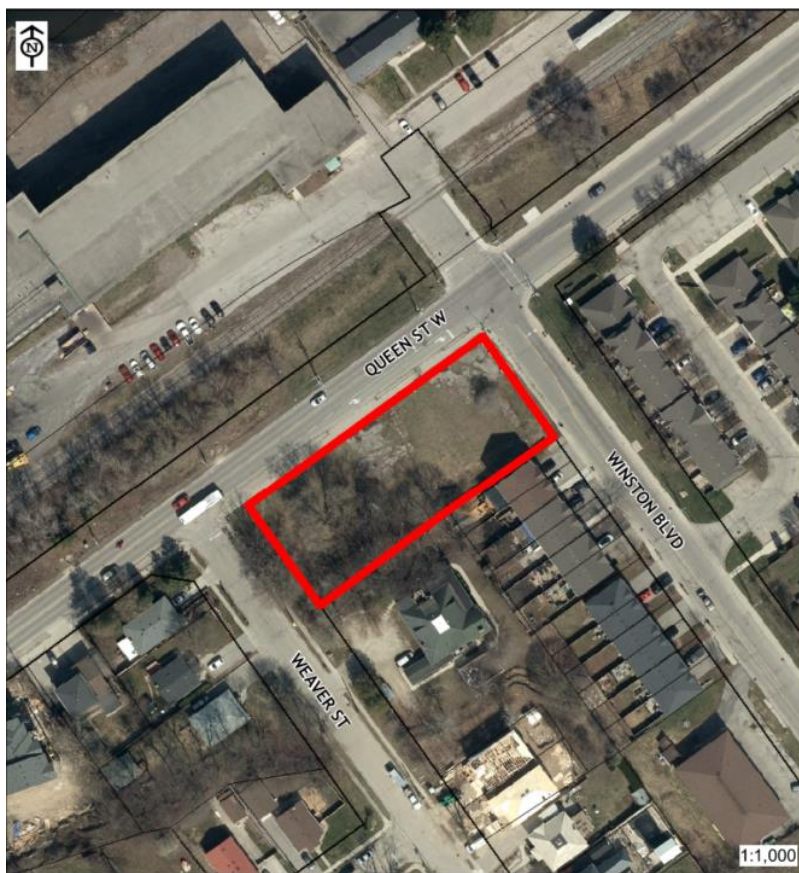
The proposal will permit the redevelopment of a vacant, brownfield site that was formerly used as a gas station. The site is located within the Regeneration Area and in proximity to the Hespeler Core Area. The proposed development provides rental housing in an appropriate and desirable compact built form that will efficiently utilize existing resources and infrastructure, while providing convenient access to existing transit services, local community amenities, and the Hespeler Village.

## **BACKGROUND:**

### **Property**

The subject property is municipally addressed as 212 Queen Street West and is legally described as Lot 44, Municipal Plan 832, City of Cambridge, Regional Municipality of Waterloo. The property has a site area of approximately 2,219.26 square metres (23,888 square feet) and a lot frontage of approximately 30.83 metres fronting Winston Boulevard, along the site's eastern side. The site is further bounded by Queen Street West to the north and Weaver Street to the west. The site is presently vacant with some existing trees located along the rear and western property lines.

The subject property is shown in Figure 1 below:



**Figure 1: Aerial Image of the Subject Lands**

## **Location:**

The subject lands are located within the Hespeler Community just outside of the Hespeler Core Area to the east of the site. The surrounding area consists of a mix of uses including residential, commercial and industrial uses with emerging intensification projects. Immediately north of the subject lands is a former industrial property proposed to be redeveloped with multi-residential mixed-use development consisting of a 10-storey residential building and the retention and redevelopment of an existing three-storey textile factory. Further north is the Speed River and the Chilligo Conservation Area. Lands to the east consist of existing low-density residential including single and semi-detached dwellings. Lands to the south are similarly comprised of residential development while the lands to the west are primarily developed with residential and some industrial uses.

## **Proposal**

The purpose of this report is to provide a recommendation on the proposed OPA and ZBA applications that, if approved, will permit the construction of a three-storey

residential apartment building containing 37 residential rental units. The proposed apartment building will provide both one-bedroom and two-bedroom units and will include a total of 49 parking spaces within an underground parking garage, where 10 spaces have been dedicated for visitor parking. The proposed development exceeds the total number of required parking by two spaces and is compliant with the Zoning By-law in this regard. Two barrier-free spaces and one loading space is proposed at surface level off of Winston Boulevard.

Site access is proposed from Winston Boulevard, which bounds the subject property on its eastern side. The access is proposed to lead directly to the entrance of the underground garage and also to the surface level parking spaces.

The development includes a green roof amenity space with a total area of 575 square metres (6,189 square feet), which is to be accessible to future residents for their enjoyment.

The exterior of the site is planned to be well landscaped and manicured with walkways and sod. Private patios will be located on the ground floor along the front and rear of the buildings. The Site Plan for the proposed development is included as Appendix C.

Figure 2 and 3 below provides renderings illustrating the proposed apartment building:



*Figure 2: Rendering of the Proposed Development*





*Figure 3: Rendering of the Proposed Development*

### **Statutory Public Meeting:**

In accordance with the Planning Act, the City held a public meeting in order to formally consider the requested Official Plan and Zoning By-law Amendment applications and to receive comments from the Public and from members of Council. Oral submissions were made at the public meeting held on December 14, 2021. No comments were made by members of the Public during this meeting. Comments were generally raised regarding the proposed architectural features of the building by Council and a request was made to the applicant to include features that were more consistent with the existing character of Queen Street West. The applicant has responded to those comments and revised the proposed development to include brick and stone materials to better fit the aesthetic of the area and to reduce the modern appearance of the building that was originally presented at the Public Meeting.

The excerpts from the public meeting minutes are found in Appendix E.

### **ANALYSIS:**

City Staff have completed a detailed review of the proposed applications, including all submitted application materials, department and agency comments, compatibility with the surrounding neighbourhood with respect to proposed density and height, the appropriateness of the subject lands to accommodate the development, and the site-

specific provision that has been requested by the applicant. Should Council approve the OPA (Appendix A) and ZBA (Appendix B), the future approval of a Site Plan Application will also be required.

It is the opinion of Staff that the proposal is consistent with the policy directions regarding intensification within the Built-Up Area and Regeneration Areas. The subject lands provide an opportunity for an appropriate residential infill redevelopment that will be compatible with the surrounding established residential neighbourhood and will support the growing population of the City by providing rental units in proximity to the Hespeler Core Area. The proposed development will occupy a presently vacant brownfield site and will maximize the use of existing infrastructure available to the area.

The City's Official Plan designates the subject lands as "Low/Medium Density Residential" on Map 2 and is identified as being located within a Regeneration Area of the City. The Official Plan permits walk-up apartments in the "Low/Medium Density Residential" designation to be constructed to a maximum density of 75 units per hectare; a maximum Floor Space Index (FSI) of 2.0; and a height of eight stories if within the identified Regeneration Area. The proposed development provides for a maximum FSI of 1.17 and remains in conformity with the maximum height requirement, however, the proposed density of the apartment building will be 167 units per hectare, which exceeds the density cap of 75 units per hectare. As a result, the applicant has submitted an OPA application to amend the "Low/Medium Density Residential" designation to permit the proposed increased density for the lands to facilitate the development of the proposed apartment building.

The intent of the Regeneration Area is to allow intensification of residential uses to occur in areas that can and should accommodate residential growth. It is the goal of the Official Plan to ensure that 45 percent of new housing units through intensification be directed to areas such as the Regeneration Area. Although the density proposed surpasses the maximum density permitted by the Official Plan, it maintains conformity with the maximum FSI for the site and the height. The proposal introduces increased density within a low-rise apartment building that can successfully be accommodated on the site. The applicant is proposing to remediate the brownfield site, which results in an important opportunity to eliminate contaminated land and introduce necessary compact rental housing. It is the opinion of Staff that the proposal meets the intent and purpose of the Official Plan, which is to permit increased residential density that is compatible and consistent with the existing development of the area.

The subject lands are currently split zoned "Residential – R4" and "Commercial – C5" by the City's Zoning By-law No. 150-85, as amended. In order to permit the development of the site for an apartment building, a ZBA is required to rezone the lands to the "Multiple Residential – RM2" zone with a site-specific provision to permit a maximum density of

167 units per net residential hectare on the lands, whereas the RM2 zone permits a maximum density of 150 units per net residential hectare as-of-right. The site-specific request seeks an increase in the maximum allowable density by 17 units per hectare. It is the opinion of Staff that the proposed increase in development will not cause adverse impacts on the site or surrounding area. The proposed development is considered an appropriate intensification of the lands and introduces a compact and compatible built-form into the community. The proposed development has been designed to fit the site comfortably. No other site-specific requests have been included in the application other than for the density. Therefore, the proposal continues to meet the general intent of the By-law and is considered good planning.

Based on the review completed above of the requested site-specific provisions, it is the opinion of staff that the proposed applications are consistent with the Provincial Policy Statement, conforms with the policies of the Provincial Growth Plan, 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. The proposal represents good planning. As such, Staff recommend approval of the Official Plan Amendment and Zoning By-law Amendment.

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 OPA and ZBA, the applicant would be able to file an appeal to the Ontario Land Tribunal (OLT) for a decision.

### **Holding Provision**

Regional Staff have required that a Holding Provision be added to the Zoning By-law Amendment over the subject lands to ensure that prior to Site Plan Approval, a detailed noise study is prepared and submitted to the satisfaction of the Regional Municipality of Waterloo. The Detailed Noise Study shall provide details relating to the floor plans, building elevations, mechanical drawings and equipment selections.

Additionally, a holding provision shall apply to the entirety of the subject lands until a Record of Site Condition (RSC) in accordance with O.Reg 153/04, as amended, has been filed on the Ministry of Environment, Conservation and Parks (MECP) Environmental Site Registry on or after July 1, 2011 and the Ministry's Acknowledgement letter is received to the satisfaction of the Regional Municipality of Waterloo.

The Holding Provision is applied to the entirety of the subject lands pursuant to Sections 34 and 36 of the Planning Act.

### **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 2. Further, the lands are situated within an identified Regeneration Area on Map 6.

Policy 2.7.3.1 of the Official Plan identified that a Regeneration Area is where a transition of use is anticipated during the planning horizon of the Official Plan. Regeneration Areas are intended to accommodate intensification at greater densities. The Official Plan indicates that compatible higher density residential development is permitted in Regeneration Areas to support and ensure viability of existing and planned transit services. Lands identified as being within the Regeneration Area are permitted to develop to a maximum height of eight storeys and provide for a density of between 0.5 FSI and 2.0 FSI. The proposed development is in conformity in this regard.

An amendment to the Official Plan is required, however, for the proposed increased density calculated at 167 units per hectare for the development. The maximum permitted density for lands designated “Low/Medium Density Residential” and within the Regeneration Area is 75 units per hectare. The requested amendment will permit rental housing in a low-rise apartment building in proximity to a core area with a mix of uses and efficiently develops a presently vacant brownfield site. The proposed development is consistent with Provincial, Regional and Local planning policies.

In Staff’s opinion, the proposal meets the intent of the Official Plan.

A map representing the current Official Plan designation of the subject lands has been included as Appendix F.

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

The subject lands are presently split zoned “Residential – R4” and “Commercial – C5” by the City’s Zoning By-law. Apartment buildings are not a permitted residential use on the lands under these zoning categories. As such, a ZBA is required to rezone the lands in their entirety to the “Multi-Residential – RM2” zone, along with a site-specific provision to permit a density of 167 units per net residential hectare. In Staff’s opinion, the proposed ZBA with a site-specific provision to permit increased density complies with the intent of the City of Cambridge Zoning By-law and is considered appropriate for the lands.

A zoning map representing the current zoning of the subject lands has been included as Appendix G.

### **FINANCIAL IMPACT:**

- Planning Application fees for the Official Plan and Zoning By-law Amendment applications totaling \$22,000 has been paid to the City (2021) to process these applications.

- The estimated City of Cambridge tax revenue for the proposed development is \$32,080.
- City Development Charge fees for the proposed development is estimated at \$520,973 for 37 residential apartment units.
- 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 opportunity to share their opinions and views openly and allowed for active and direct communication between residents, staff, the applicant and members of the Council.

## **ADVISORY COMMITTEE INPUT:**

- Not Applicable

## **PUBLIC INPUT:**

The statutory public meeting required under the Planning Act was held on December 14<sup>th</sup>, 2021 and official notification was provided to the Cambridge Times. 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 Appendix E. No public comments discussing the proposed development were submitted.

## **INTERNAL / EXTERNAL CONSULTATION:**

The application and supporting information have been circulated to the departments and agencies listed in Appendix H and comments received are included in the Appendix as well.

Planning Staff has received comments from applicable City Departments and outside agencies in regards to the proposed OPA and ZBA applications. The staff comments have been addressed by the applicant and will be implemented through a Site Plan Application.

## **CONCLUSION:**

Staff is of the opinion that the proposed applications are consistent with the Provincial Policy Statement, 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 150-85.

The proposal represents good planning that contributes to the creation of rental housing in the Regeneration Area and is in keeping with the character of the surrounding neighbourhood with a desirable built form that incorporates high standards of design. As such, staff recommends approval of the Official Plan and Zoning By-law Amendment.

**REPORT IMPACTS:**

Agreement: **No**

By-law: **Yes**

Budget Amendment: **No**

Policy: **No**

**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. 22-128-CD Appendix A - Draft Official Plan Amendment
2. 22-128-CD Appendix B – Draft Zoning By-law Amendment
3. 22-128-CD Appendix C – Concept Plan
4. 22-128-CD Appendix D– Concept Elevations
5. 22-128-CD Appendix E– Public Meeting Excerpts
6. 22-128-CD Appendix F – Current Official Plan Map
7. 22-128-CD Appendix G – Current Zoning Map
8. 22-128-CD Appendix H – Internal/External Consultation and List of Supporting Documents