



**To:** COUNCIL

**Meeting Date:** 3/28/2023

**Subject:** 23-160-CD Recommendation Report – Official Plan and Zoning By-law Amendment – 15 Clover Avenue (c/o Dave Galbraith, IBI Group)

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

**Prepared By:** Michael Campos, Planner

**Report No.:** 23-160-CD

**File No.:** OR01/20

**Wards Affected:** Ward 7

**RECOMMENDATION(S):**

THAT Report 23-160-CD Recommendation Report – Official Plan and Zoning By-law Amendment – 15 Clover Avenue (c/o Dave Galbraith, IBI Group) be received;

AND THAT Cambridge Council adopts the proposed Official Plan Amendment to permit a maximum allowable density of 56 units per hectare within the “Low/Medium Density Residential” designation applied to the subject lands through Site-Specific Policy Number 59, 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” to the “Multiple-Residential – RM3” zone with site specific provision S.4.1.435 to permit reduced front yard and rear yard setbacks.

AND THAT Cambridge Council is satisfied that the requirements for a public meeting in accordance with subsection 34(17) of the Planning Act have been satisfied;

AND FURTHER THAT the by-laws attached to this report be passed.

**EXECUTIVE SUMMARY:**

**Purpose**

This report has been prepared to provide a recommendation on the proposed Official Plan and Zoning By-law Amendment applications submitted for the lands at 15 Clover

Avenue. If approved, the applicant intends to construct a total of 30 residential units, consisting of 24 stacked townhouse units and six (6) street-fronting townhouse units.

### **Key Findings**

- The proposed development will be located within a stable residential neighbourhood and provides an increase in housing options that will help create a vibrant community that supports the City's growing population.
- The proposal provides a more compact built form that allows for the efficient use of the subject lands and available infrastructure. The subject lands will be serviced with existing municipal water and wastewater systems.
- The proposal aligns with Provincial, Regional and City goals and objectives with respect to intensification within the Built-Up Area.

### **Financial Implications**

- \$21,500 has been paid to the City to process the Official Plan Amendment (OPA) and Zoning By-law Amendment (ZBA) applications.
- City and Regional Development Charge Fees will be collected prior to building permit issuance.
- 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:** Increase housing options

**Program:** Development Approvals

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

### **BACKGROUND:**

#### **Property**

The subject property is located at 15 Clover Avenue and is legally described as Part of Lot 5, Concession 10, Registered Plan WS562388, in the City of Cambridge, Regional Municipality of Waterloo.

The subject lands are located on the east side of Clover Avenue, north of Myers Road and situated within the southeastern area of Galt. Clover Avenue terminates on the north end of the subject lands as a dead-end. The lands are rectangular in shape and approximately 5,361 square metres (0.54 hectares) in size, with approximately 135 metres (433 feet) of frontage along Clover Avenue.

The subject lands contain a single detached dwelling and accessory structures that will be demolished to construct the development. The site generally slopes down in grade from the southern property line towards the northern end of the subject lands. The southern and northern portion of the subject lands is currently vegetated with trees. The northern portion of the subject lands are identified as being the site of an unevaluated wetland that extends into the abutting lands to the northeast.

The subject lands are shown in Figure 1.



*Figure 1: Aerial View of the Subject Lands*

## **Surrounding Land Uses**

The subject lands are primarily surrounded by an established low-density residential community that mainly comprises single detached dwellings. Immediately north of the subject lands is the Copperfield Drive Woodlot, which contains a wetland feature that is regulated by the Grand River Conservation Authority (GRCA). To the east, there are single detached dwellings on larger lots, having frontage along Myers Road. Further east, there is a newer townhouse development along Lisbon Pines Drive. To the south there is Meyers Road, beyond which is a church building and low-density residential dwellings. Directly on the west side of Clover Avenue are 1 and 2 storey single detached dwellings, beyond which is a low-density residential development.

## **ANALYSIS:**

### Initial Proposal

On May 20, 2020, the applicant submitted Applications for an Official Plan and Zoning By-Law Amendment proposing a total of 44 stacked townhouse units and a private common element condominium road and a total of 62 parking spaces, including 18 visitor spaces with a proposed residential density of 82 units per hectare.

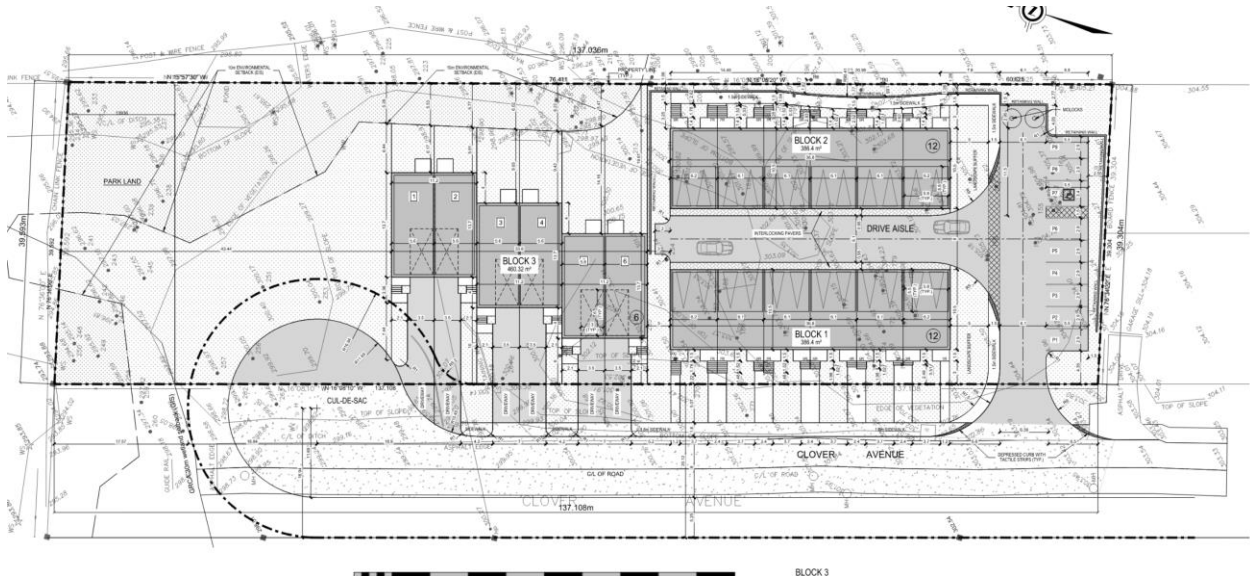
Through public consultation, comments received generally related to the type of use and density, the impact on the natural environment and loss of trees as well as the impact on local traffic and adequacy of parking.

### Current Proposal

The applicant reduced the plan on two occasions to address comments, to a final submission of 30 residential units, containing 24 stacked townhouse dwelling units and six (6) three-storey freehold townhouse dwellings. A total of 45 parking spaces are proposed for the entire development (parking for both the street-fronting townhouses and stacked townhouses). Vehicular access to the stacked townhouse buildings is located along the southern property line, which provides an increased separation between the proposed development and the adjacent lots to the south. Parking is provided on-site. Each stacked townhouse unit will have one private parking space within a garage. A total of nine (9) visitor parking spaces are also proposed for the 24 stacked townhouses. Each street-fronting free-hold townhouse unit will have a private garage and a minimum of one driveway parking space (min. two spaces for each unit).

Additionally, a sidewalk is proposed to be developed along the eastern side of Clover Avenue as well as a cul-de-sac at the north end of the street. These improvements will benefit the overall safety conditions of the street by providing sufficient turnaround area for service and emergency vehicles and a dedicated pedestrian connection to Myers Road.

The proposed Site Plan is included in Appendix C and shown below:



**Figure 2: Proposed Concept Plan for the Subject Lands**

### **Policy Overview:**

The subject lands are within the ‘Built Up Area’ on Schedule 3a of the Region of Waterloo’s Official Plan (ROP). The policies of the ROP support the provision of a full range of housing options including townhouses. The proposal will permit the development of an existing underutilized property within an established residential neighbourhood within the City’s Built-Up Area. The proposed residential development will contribute to the City’s mix of housing options and make efficient use of the land as well as existing and planned infrastructure and municipal servicing.

The City’s OP designates the property as “Low/Medium Density Residential”, which permits a maximum density of 40 units per hectare. The proposed townhouse development includes a total of 30 residential units, which is 56 units per hectare. It is staff’s opinion that the proposed density increase complies with the general intent of the OP and represents appropriate development for the area.

The proposed residential development supports the City’s objectives to accommodate new growth to 2031 and is compatible with the existing and planned uses. Section 5 of the City Official Plan (“City OP”) provides policy direction for a high standard of urban design consistent with the surrounding community. The front elevations of the stacked townhouses facing Clover Avenue will include private walkways leading to each unit from the municipal right-of-way, with porches to upper and lower units. Porches and walkways leading to Block 2 are proposed on the eastern side of the property connected by a 1.5 m wide walkway within the site. Further review (e.g., materials, articulation etc.) will be completed at the detailed design stage (Site Plan Approval) in accordance with the City’s Urban Design policies.

Regarding height and massing, the existing dwellings along the west side of Clover Avenue are generally 1 and 2 storeys in height and are well set back from the street frontage. Generally, the height of the proposed townhouse units is higher (3 and 4 storeys) however, there will be sufficient separation along the streetscape given the 18 m wide municipal right-of-way in addition to the setbacks from the property line.

Further, the proposed Landscape Plan contemplates extensive tree planting in the front yard of the development, including red oak trees, hackberry trees and sugar maples, in addition to extensive shrubs/plantings adjacent to the townhouse blocks. The proposed development includes a turning circle at the north end of Clover Avenue with a sidewalk on the east side of Clover Avenue for pedestrian connectivity to improve the overall safety of the street. Further, the proposed development is in proximity to community amenities with local Grand River Transit available along Myers Road.

The subject lands are currently zoned R4 (Residential) under Zoning By-law No. 150-85, as amended, which does not allow stacked townhouses and street fronting townhouse units. A Zoning By-law Amendment is required to rezone the subject lands from R4 (Residential) to RM3 (Multiple Residential). In addition, the northern portion subject lands will be rezoned to OS1 (Open Space) to protect the locally significant environmental feature (wetland area). The area to be rezoned to OS1 constitutes lands within a 10-metre buffer that are regulated by the GRCA. The proposed OS1 zone will recognize and protect the environmental feature and its ecological function. Further, the proposed Zoning By-law amendment is required to establish new site-specific zoning provisions as identified in the table further below referenced as Proposed Site-Specific Zoning Provisions and staff offer the following additional considerations:

- To permit a minimum front yard setback of 4.5 metres for the stacked townhouse block and 3.36 metres for the street fronting townhouses, whereas the Zoning By-law requires a minimum front yard setback of 6 metres;
  - The purpose and intent of the front yard setback requirement is to ensure that a consistent character is maintained along streetscapes and that sufficient front yard space is incorporated into the design of neighbourhoods. Front yard setbacks also ensure that adequate separation is achieved between buildings and roadways.
  - The proposed 4.5 metres minimum front yard setback corresponds to Block 1 and the proposed street-fronting townhouses and is measured from the property line along Clover Avenue. Generally, the reduction of the minimum front yard setback is reflective of prevailing urban design

standards for townhouse developments, which represents a more compact design and development form and reinforces a strong street presence.

- The proposed 3.36 metres minimum front yard setback corresponds to Unit 1 within Block 3 and is due to the irregular property line that runs along the proposed cul-de-sac on Clover Avenue. With the slight reduction, Unit 1 will be able to maintain adequate space for vehicular parking on the driveway.
- Based on the above, staff is satisfied that the front yard setback provisions as proposed maintain the general intent and purpose of the Zoning By-law.
- To permit a minimum rear yard setback of 5.8 metres for the stacked townhouse block and 6.44 metres for the street-fronting townhouses, whereas the Zoning By-law requires a minimum rear yard setback of 7.5 metres.
  - The purpose and intent of the minimum rear yard setback requirement is to ensure there is appropriate amenity space and sufficient space from abutting properties. The reduction in the minimum rear yard setback requirement applies to Unit 1 and is due to the irregular front property line along the proposed cul-de-sac, setting back the northern portion of Block 3 deeper into the lot.
  - The rear yard setback is measured from the eastern property line to Block 2 under the Zoning By-law, however this will be the functional front yard for those units. The front elevations within Block 2 will be oriented along the eastern property line and will include private walkways to each unit, joined by a 1.5 metres wide path that runs north-south internal to the site.
  - Staff is of the opinion that the reduced rear yard setback provisions as proposed, maintains the general intent and purpose of the Zoning By-law
- To permit the minimum distance between two buildings to be 8 metres, whereas the Zoning By-law requires a minimum distance of 10 metres.
  - It is of Staff's opinion that the proposed reduced separation between the two cluster buildings would have minimal to no impact on the internal site or on the street and permits a design approach that helps limit the proposed buildings presence on the street frontage. This design approach supports an increased front yard setback, which is consistent with existing

lots on Clover Avenue. As such, Staff is of the opinion that the reduced distance between the proposed buildings by 2 metres maintains the general intent and purpose of the Zoning By-law.

Planning decisions are subject to appeal to the Ontario Land Tribunal (OLT). An appeal may be filed if the applications is refused, approved, or if a decision is not made within the timeline for processing the applications set out in the Planning Act.

**Contributions to the City:**

<b>Area of Focus</b>	<b>Targets</b>	<b>Contribution</b>
<b>Intensification Contribution</b>	<ul style="list-style-type: none"> <li>45 percent of new development to be directed to the Built-Up Area through intensification.</li> </ul>	<ul style="list-style-type: none"> <li>Supports the City's interest in intensifying existing properties within the Built-up Area.</li> </ul>

**EXISTING POLICY / BY-LAW(S):**

**City of Cambridge Official Plan, 2012, as amended**

**Existing Land Use Designation(s):** Built-up Area and Low/Medium Density Residential as per Maps 1A and 2 of the City's Official Plan.

**Proposed Site-Specific Official Plan Policies:**

<b>Development Standard</b>	<b>Existing Official Plan Policy or Requirement</b>	<b>Proposed</b>
Maximum Allowable Density	40 units per hectare (Section 8.4.6.3)	56 units per hectare

The existing land use designation in the City's Official Plan is shown on Figure 3.





Figure 3: Existing Map of the Official Plan

**City of Cambridge Zoning By-law 150-85, as amended**

**Existing Zoning:** R4 (Residential)

**Proposed Zoning:** RM3 with site-specific S.4.1.435 and OS1

**Proposed Site-specific Zoning Provisions:**

Development Standard	Existing Zoning By-law 150-85 (RM3)	Proposed (RM3, S.4.1.435)
Minimum Front Yard Setback	6 metres	4.5 metres (Stacked townhouses) 3.36 metres (Street-fronting townhouses)
Minimum Rear Yard Setback	7.5 metres	5.8 metres (Stacked townhouses) 6.44 metres (Street-fronting townhouses)
Minimum Distance between two buildings	10 metres	8 metres

The existing and proposed zoning is shown on Figure 4 below.

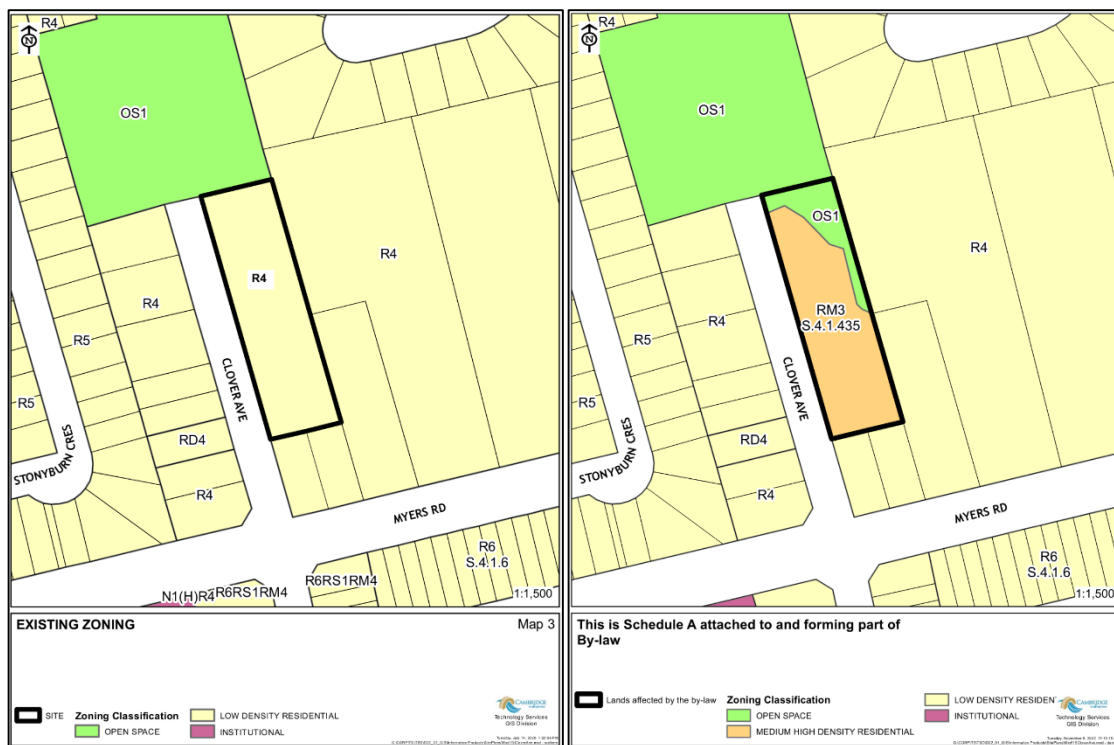


Figure 4: Existing and Proposed Zoning for the subject lands

### FINANCIAL IMPACT:

- Planning Application fees for the Official Plan and Zoning By-law Amendment applications totaling \$21,500 has been paid to the City (2020) to process these applications.
- The estimated City of Cambridge tax revenue for the proposed stacked townhouse buildings will fall between \$40,232 - \$48,278 using the 2022 City tax portion. The potential tax revenue from the development of the street-fronting townhouse units is approximately \$14,752. Please note that this is an estimate of assessed property tax only.
- City Development Charge fees for the proposed development is estimated at \$338,930 for 24 stacked townhouse units and \$119,013 for 6 street fronting townhomes.
- Any further costs associated with the development of the site are borne by the applicant.

### PUBLIC VALUE:

#### Engagement:

A Statutory Public Meeting was held on August 25, 2020. A neighbourhood meeting to discuss the application was held with members of the community on February 25, 2021. Following these meetings, those members of the public/residents that have requested to

be added to the sign-in registry at the meeting or have requested to be notified of Council's decision on the proposed development and associated applications, were notified of this Recommendation Report being presented to Council on January 31, 2023.

#### **ADVISORY COMMITTEE INPUT:**

Not Applicable

#### **PUBLIC INPUT:**

Comments received from the public meeting were primarily focused on concerns relating to type of use, density, impact to the natural environment and the impact on local traffic and parking availability.

Following the earlier public consultation meetings, the applicant has revised the proposed development plan as outlined in the Analysis section of this report, by reducing the total number of units on the site, reducing the total density, maintaining sufficient setback distance from the environmentally regulated wetland, and proposing a cul-de-sac at the northern end of Clover Avenue with a sidewalk connection to ensure the overall safety of pedestrians and access by service and emergency vehicles.

Given the applicant's attention to the concerns raised during the Public Meeting of Council and the Virtual Neighbourhood Meeting, in addition to the revisions to the development proposal, it is staff's opinion that an additional statutory public meeting is not necessary.

All written comments received to date from members of the public as well as staff responses to these comments are included in Appendix H to this report.

#### **INTERNAL / EXTERNAL CONSULTATION:**

The applications have been circulated to the departments and commenting agencies listed in Appendix G.

Staff has received comments from the applicable City departments and outside agencies regarding the proposed Official Plan and Zoning By-law Amendment. The staff comments have been addressed by the applicant and will be implemented through the site plan application.

#### **CONCLUSION:**

City of Cambridge Development Planning Staff is recommending approval of the proposed Official Plan and Zoning By-law Amendment applications for a residential development consisting of 30 townhouse units.

It is staff's opinion that the proposed applications are consistent with the Provincial Policy Statement, conforms with the policies of the Provincial Growth Plan 2020, the Regional Official Plan, and 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 complete communities and provides for additional residential unit types in an existing low-density residential neighbourhood. As such, staff recommend approval of the Official Plan and Zoning By-law Amendments.

#### **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. 23-160-CD Appendix A - Draft Official Plan Amendment
2. 23-160-CD Appendix B – Draft Zoning By-law Amendment
3. 23-160-CD Appendix C – Concept Plan
4. 23-160-CD Appendix D– Public Meeting Excerpts
5. 23-160-CD Appendix E – Current Official Plan Map
6. 23-160-CD Appendix F – Current Zoning Map
7. 23-160-CD Appendix G – Internal/External Consultation and List of Supporting Documents

8. 23-160-CD Appendix H – Public Comment Responses
9. 23-160-CD Appendix I – Neighbourhood Public Meeting Notes
10. 23-160-CD Appendix J – Neighbourhood Public Meeting Notes (March 6<sup>th</sup>, 2023)