

**To:** COUNCIL

**Meeting Date:** 8/29/2023

**Subject:** 23-264-CD Recommendation Report for Zoning By-law Amendment – 355 and 395 Hespeler Road (Proposed Go-Karting)

**Submitted By:** Sylvia Rafalski-Misch, Manager of Development Planning

**Prepared By:** Michael Campos – Senior Planner

**Report No.:** 23-264-CD

**File No.:** R07/23

**Wards Affected:** Ward 8

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

THAT Report 23-264-CD Recommendation Report for Zoning By-law Amendment – 355 and 395 Hespeler Road (Proposed Go-Karting) be received;

AND THAT Council approves the proposed Zoning By-law Amendment to update the existing site-specific provision on the subject lands to permit commercial-recreational establishments as described in section 3.3.2.3 of the By-law, which will permit the proposed indoor electric go-karting facility within the existing Cambridge Centre Mall;

AND FURTHER THAT the By-law attached to report 23-264-CD be passed.

### **EXECUTIVE SUMMARY:**

#### **Purpose**

The purpose of this report is to provide a recommendation on the proposed Zoning By-law Amendment application to update the existing site-specific provision on the subject lands to facilitate the proposed conversion of the former skating rink inside the Cambridge Centre Mall, to an electric go-karting facility.

#### **Key Findings**

- The proposed Zoning By-law Amendment seeks permission to reuse the former indoor ice-skating rink space within the Cambridge Centre Mall, for an indoor electric go-karting facility.

## Financial Implications

- A planning application fee in the amount of \$16,800 has been paid to the City of Cambridge to process the Zoning By-law Amendment application.
- Any further costs associated with the development of the site are borne by the applicant.

## STRATEGIC ALIGNMENT:

☒ Strategic Action

**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

☒ Core Service

**Program:** Development Approvals

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

## BACKGROUND:

### Property

The subject lands are approximately 22 hectares in size and comprise of a range of commercial retail buildings and surface parking, provided for all the commercial buildings, throughout the site. The largest building currently on the subject lands is a commercial shopping centre, commonly identified as Cambridge Centre mall. Cambridge Centre mall is bordered by Hespeler Road, Bishop Street North, Conestoga Boulevard and Dunbar Road, and is municipally addressed as 355 and 395 Hespeler Road.

### Existing/Surrounding Land Uses

The subject lands are located within an area comprised primarily of retail commercial and service commercial uses within both individual commercial sites and buildings, as well as strip-mall format buildings. Some of these commercial uses include restaurants, car dealerships, banks and small grocery shops. Existing established residential neighbourhoods surround this commercial area and are generally located east of Conestoga Boulevard and along Dunbar Road, west of Hespeler Road. In addition, further south along Hespeler Road, at the corner of Hespeler Road and Dunbar Road, is the Dumfries Conservation Area.

The subject lands are outlined in red within Figure 1.



Figure 1 Aerial Map of the subject lands

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

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

**Existing Land use Designation(s):** Regional Commercial and Hespeler Road Mixed-Use Corridor as per Map 2 of the City's Official Plan.

The existing land use designation in the City's Official Plan is shown in Figure 2 below.

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

**Existing Zoning:** Commercial CS1, with site-specific provision S.4.1.1 and C4

**Proposed Zoning:** Commercial CS1 and C4, with additional site-specific provisions under S.4.1.1 to permit commercial-recreational establishments on the subject lands as described in section 3.3.2.3 of the Zoning By-law, which will permit an electric go-karting use within the existing Cambridge Centre Mall.

The existing and proposed zoning is shown in Figure 3 below.

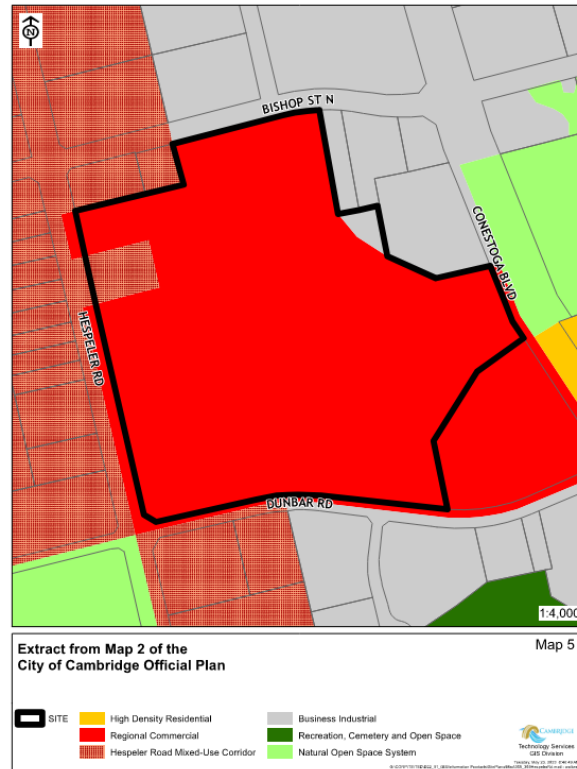


Figure 2 Existing Official Plan Designation

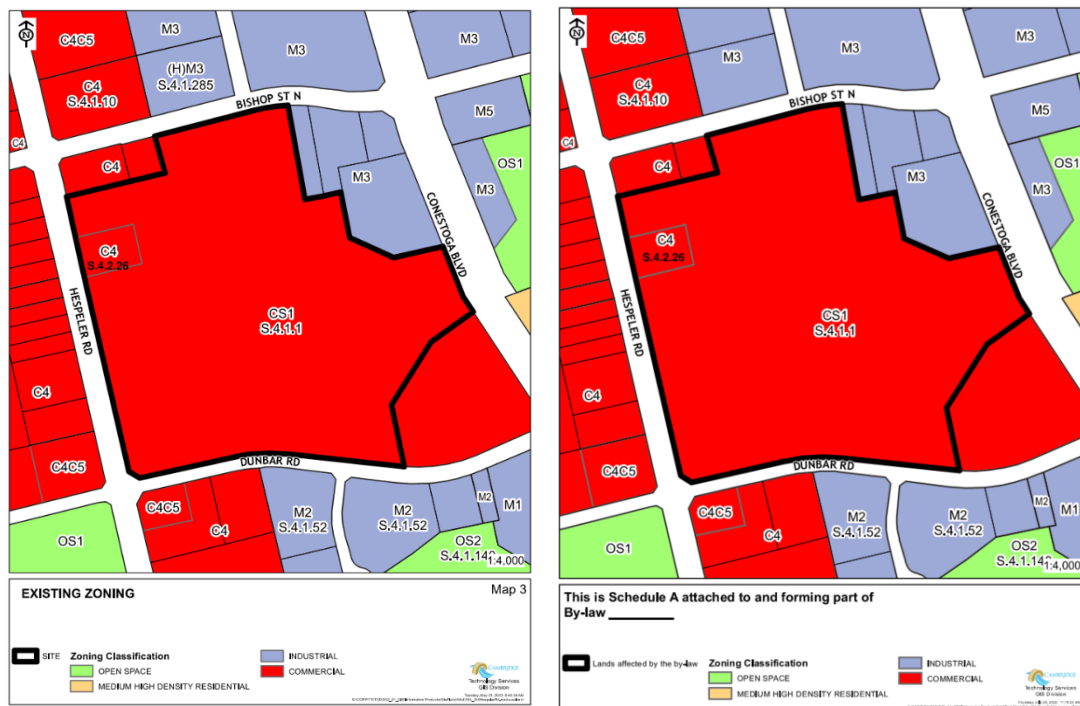


Figure 3 Existing and Proposed Zoning

**ANALYSIS:**

The applicant is proposing a Zoning By-law Amendment for the subject lands to update the existing site-specific provision to permit commercial-recreational establishments as described in section 3.3.2.3 of the Zoning By-law, which will permit an electric go-karting facility as a permitted use within the Cambridge Centre Mall. The proposed indoor go-karting facility would replace the indoor ice-skating rink.

The Concept Site Plan is provided in Appendix A.

**Policy Overview**

The subject lands are located within the Delineated Built-Up Area in accordance with Map 2 of the Regional Official Plan (ROP).

The subject lands are designated Regional Commercial in accordance with Map 2 of the City Official Plan (City OP), with one commercial-retail building designated as Hespeler Road Mixed Use Corridor. As stated in City OP, the Regional Commercial designation applies to large-scale commercial development whose planned function is to provide a diverse range of retail, comparison shopping, and service uses that serve the shopping and service needs of residents in the Cambridge market area and surrounding regional market area. Lands designated Regional Commercial are generally anchored by one or more department stores, home improvement stores, warehouse membership clubs or food stores.

The subject lands are zoned Commercial CS1 with site-specific provision 4.1.1. The CS1 zone permits a range of commercial-retail establishments, service-commercial establishments, a place of amusement as specifically defined in the Zoning By-law and, a recreation centre as specifically defined in the Zoning By-law. The CS1 zoning does not permit the full range of commercial-recreational establishments as-of-right, and therefore, a Zoning By-law Amendment is required. The proposed go-karting facility would fall under the commercial-recreational establishment.

The proposed change to the site-specific provision, to permit commercial-recreational establishments, and that will allow an electric go-karting facility within the mall will not change the general intent of the existing zoning of the lands.

**Staff Recommendation**

Staff gave consideration to Provincial, Regional and City policies, agency comments, resident comments, and compatibility with the surrounding neighbourhood with respect to the appropriateness of the requested site-specific amendment.

It is the opinion of Planning staff that the proposed application is consistent with the Provincial Policy Statement, conforms with the policies of the Provincial Growth Plan

2020, the ROP, the City OP and meets the general intent and purpose of the City of Cambridge Zoning By-law No. 150-85.

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

#### **FINANCIAL IMPACT:**

- A planning application fee in the amount of \$16,800 has been paid to the City of Cambridge to process the Zoning By-law Amendment application.
- Any further costs associated with the development of the site are borne by the applicant.

#### **PUBLIC VALUE:**

A Statutory Public Meeting required under the Planning Act was held on June 20, 2023.

No comments were received from members of the public during the public meeting or after the public meeting. No requests from members of the public, to be added to the mailing list to be additionally notified about the processing of the application, were received.

The full application submission was posted on the City's "Current Development Applications" webpage for the public to view.

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

Not Applicable

#### **PUBLIC INPUT:**

No comments have been received from members of the public on this application both during the public meeting and following the public meeting.

During the public meeting, comments were raised from Council with respect to the following:

- Potential emissions from the batteries that operate the electric-go karts and public health permissions for this type of use near a food court.
  - The applicant confirmed that the operation of the go-karts, through the use of batteries, would permit their safe use indoors.
  - A further review from Public Health will be completed as part of the business licensing process, to ensure public health safety with the operation of the go-karts.
- The hours of operation alongside the mall hours of operation.



- The applicant confirmed that the go-karting facility would operate under the same operating hours as the mall hours, similar to the existing ice-skating rink.
- The length of the track, and the ability to accommodate a go-kart track within the same area as the ice-skating rink.
  - The applicant confirmed that the go-karting track would be accommodated within the same area as the existing ice-skating rink.

It is staff's opinion that an additional statutory public meeting is not necessary.

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

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

Staff has received comments from the applicable City departments and outside agencies with respect to the proposed Zoning By-law Amendment. There were no staff or agency comments that were required to be addressed by the applicant.

#### **CONCLUSION:**

It is the opinion of Planning Staff that the proposed Zoning By-law Amendment application is consistent with the Provincial Policy Statement, conforms to the policies of the Provincial Growth Plan, 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 and will re-purpose and existing similar commercial-recreation use. The proposed amendment is in keeping with the character of the existing surrounding neighbourhood and will maintain the general function of the Cambridge Centre mall. As such, Planning Staff recommends approval of the proposed 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. 23-264-CD Appendix A – Conceptual Plan
2. 23-264-CD Appendix B – Application Circulation List
3. 23-264-CD Appendix C – Proposed By-law for Zoning By-law