

To: COUNCIL

Meeting Date: 9/26/2023

Subject: 23-308-CD Recommendation Report for Zoning By-law Amendment – 355 and 395 Hespeler Road (Setback Provisions related to Road Widening)

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

Prepared By: Michael Campos – Senior Planner

Report No.: 23-308-CD

File No.: R07/23

Wards Affected: Ward 8

RECOMMENDATION(S):

THAT Report 23-308-CD Recommendation Report for Zoning By-law Amendment – 355 and 395 Hespeler Road (Setback Provisions related to Road Widening) be received;

AND THAT Council approves the proposed Zoning By-law Amendment to amend the existing site-specific provision to allow for a reduction in the required landscaping strip width and the required parking setbacks along Hespeler Road and Bishop Street North;

AND FURTHER THAT the By-law attached to report 23-308-CD be passed.

EXECUTIVE SUMMARY:

Purpose

The purpose of this report is to provide a recommendation on the proposed Zoning By-law Amendment to update the existing site-specific provisions to allow a reduced landscape planting strip and parking setbacks resulting from a regional road widening along Hespeler Road and Bishop Street North for future transit improvements.

Key Findings

- The proposed Zoning By-law Amendment will address the zoning deficiencies resulting from the road widening and will bring the Site Plan into conformity with the Zoning By-law.

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. 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 with site-specific provision S.4.2.26

Proposed Zoning: Commercial CS1 and C4, with amended site-specific provisions under S.4.1.1 and S.4.2.26.

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

Proposed Site-Specific Zoning Provisions:

The following are the additional site-specific provisions requested to address the resulting property line reconfiguration due to a required regional road widening along Hespeler Road and Bishop Street North:

Development Standard	Existing Zoning By-law No. 150-85 – Requirements	Proposed Zoning Standards
Sections 2.4.1, 2.4.2 and 2.4.3 – Minimum landscape strip width along property lines	3.0 metres	0.0 metres
Section 2.2.2.3 c) – Minimum setback of parking facilities to street line	3.0 metres	0.0 metres

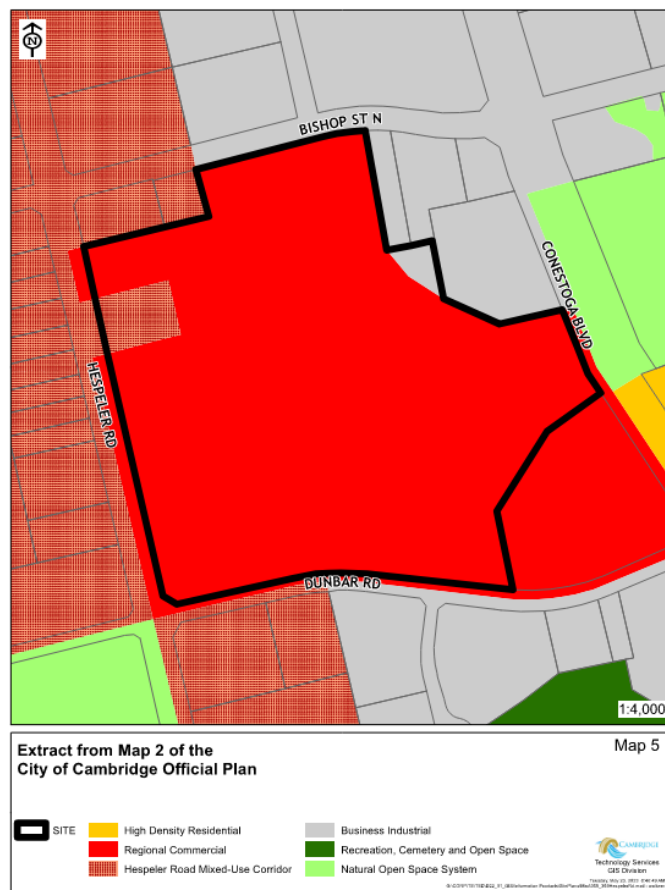


Figure 2: Existing Official Plan Designation

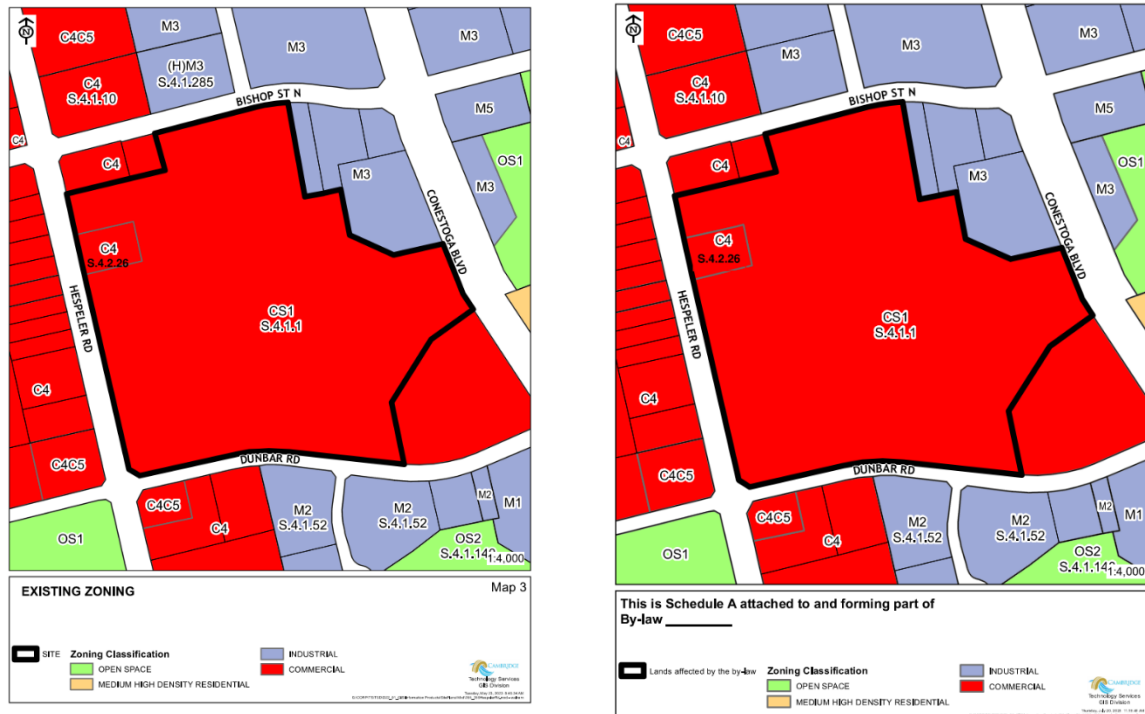


Figure 3: Existing and Proposed Zoning

ANALYSIS:

The applicant has submitted a Zoning By-law Amendment application for the subject lands to amend the existing site-specific by-law to address zoning deficiencies that will occur on the property as a result of a future regional road widening.

Through the review of a current site plan application for an outparcel on the subject lands, it was determined that a road widening is required for Hespeler Road and Bishop Street North. This road widening includes the consideration for future transit infrastructure and road improvements. The reconfigured property lines that will be established following the road widening, will result in reduced parking setbacks from Hespeler Road and Bishop Street North street lines and reduced landscape strip widths.

Figures 4 and 5 below provide a visualization of the proposed location of the road widenings along Hespeler Road and Bishop Street North. The lands identified in yellow are subject to the road widening, and in the future, will become part of the regional right-of-way. Through future road improvements to both Hespeler Road and Bishop Street North, the Region would also be responsible for the implementation of appropriate landscaping once the required road improvements are completed within their right-of-way. The landscaping that is currently located within the area subject to the road widening would continue to exist until the improvements to the roads are finalized.

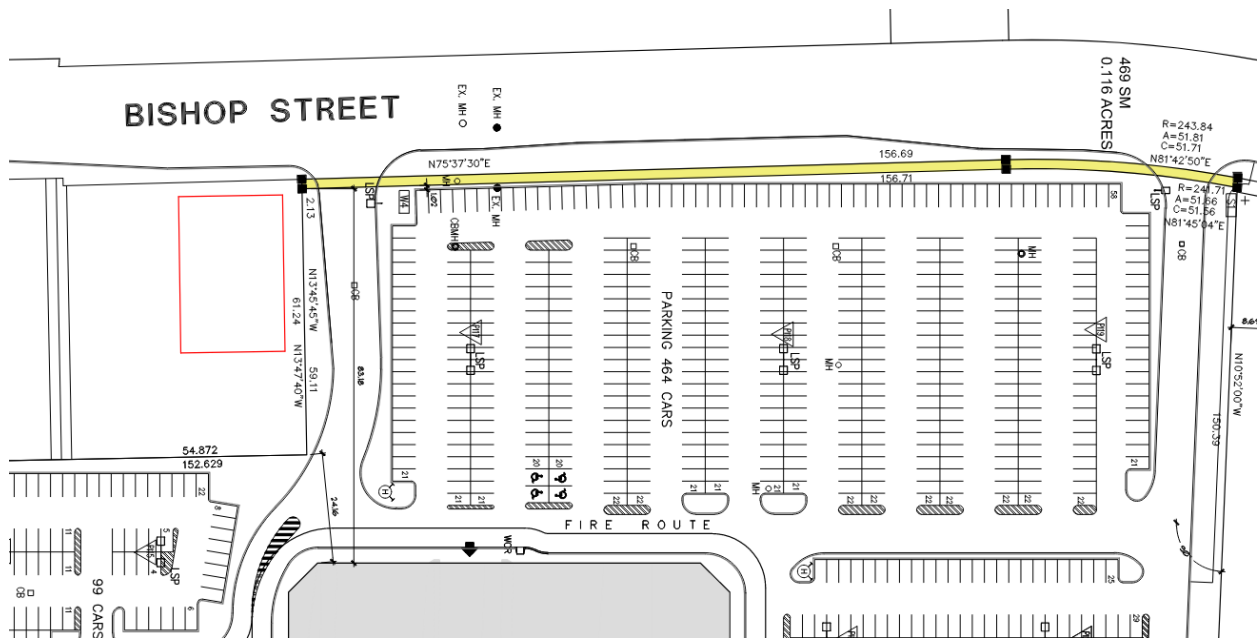


Figure 4: Proposed Road Widening along Bishop Street North

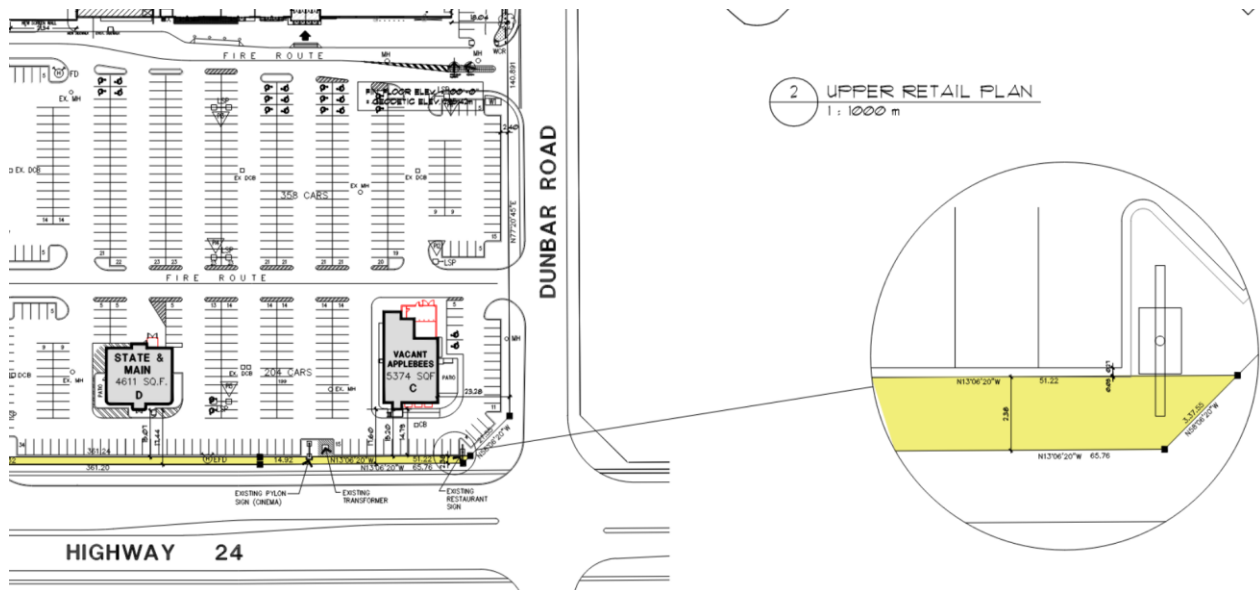


Figure 5: Proposed Road Widening along Hespeler Road (extends further than image illustrates)

As such, the applicant is proposing site-specific provisions to address the anticipated setback deficiencies, so that once the widening is complete, the subject lands will remain in conformity with the Zoning By-law in this regard.

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.

The subject lands are zoned Commercial CS1 with site-specific provision 4.1.1 and C4 with site-specific provision S.4.2.26, which provides site-specific permissions across the site related to commercial use permissions and reduced parking stall widths.

In accordance with sections 2.4.1, 2.4.2 and 2.4.3 of the Zoning By-law, a 3.0 metre landscaping or planting strip is required along Bishop Street North and Hespeler Road. Similarly, in accordance with section 2.2.2.3 c), 3.0 metres is required to be provided between parking facilities and the street line. The required road widening would result in the removal of the existing landscape strip along the lot lines and a 0.0 metre setback between the Hespeler Road/Bishop Street North street lines and all parking that is located adjacent to these street lines. It is important to reiterate that the removal of the landscape strip would only occur once road improvements are initiated. There is currently no firm timeline for the start and finish of these future improvements.

A Zoning By-law Amendment is therefore required to amend the existing site-specific provision on the lands to permit the 0.0 metre landscaping strip and 0.0 metre parking setback along Hespeler Road and Bishop Street North in anticipation of these improvements. The proposed changes to the site-specific provisions to reduce the landscaping and parking setbacks will formally recognize the resulting conditions from the regional road widening requirement and support the Region's future accommodations for transit infrastructure and road improvements.

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 amendments.

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 Regional Official Plan, the City Official Plan 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 further 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.

It is staff's opinion that the requirement for a statutory public meeting under the Planning Act has been satisfied.

INTERNAL / EXTERNAL CONSULTATION:

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

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 ensure the site remains in conformity with the City's Zoning By-law following the conveyance of the required road widenings to the Region. 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. 23-308-CD Appendix A – Application Circulation List
2. 23-308-CD Appendix B – Proposed By-law Amendment