

THE CORPORATION OF THE CITY OF CAMBRIDGE

BY-LAW 23-\_\_\_\_

Being a by-law to amend Zoning By-law 150-85, as amended with respect to land municipally known as 410 Queen Street West.

**WHEREAS** Council of the City of Cambridge has the authority pursuant to Section 34 of the Planning Act, R.S.O. 1990, c. P. 13, as amended to pass this By-law;

**WHEREAS** this by-law conforms to the City of Cambridge Official Plan, as amended;

**AND WHEREAS**, Council deems that adequate public notice of the public meeting was provided and adequate information regarding this Amendment was presented at the public meeting held March 22, 2022, and that a further public meeting is not considered necessary in order to proceed with this Amendment,

**NOW THEREFORE BE IT RESOLVED THAT the Corporation of the City of Cambridge enacts as follows:**

1. THAT this by-law shall apply to lands legally described as Part of Lot 15 and Part of Reserve Lot A, Municipal Compiled Plan 908, being Parts 1 and 2, Plan 67R-2376, except Part 1 Plan 67R-2906 in the City of Cambridge, Regional Municipality of Waterloo; and shown on Schedule 'A' attached hereto and forming part of the By-law (herein referred to as '*the Lands*');
2. **THAT** Schedule 'A' to City of Cambridge Zoning By-law 150-85, as amended, is hereby amended by changing the zoning classification of the lands shown in heavy black in the attached Schedule 'A' to this By-law from (H)CS4 s.4.1.217 to (H)RM3/CS4 s.4.1.217.
3. **THAT** the aforesaid City of Cambridge Zoning By-law No. 150-85, as amended, is hereby further amended by adding the following subsection 4.1.217 under section 4.1 thereof:
4. **AND THAT** this By-law shall come into full force and effect upon the final passing of the By-law for Official Plan Amendment No. 66.

**Purpose and Effect of By-law No 23-\_\_\_\_\_**

The purpose and effect of this by-law is to amend the zoning classification of the lands known municipally as 410 Queen Street West, as shown on Appendix A attached hereto, from (H)CS4 'Neighbourhood Shopping Centre' to (H) RM3/CS4 'Mixed Use Multiple Residential / Neighbourhood Shopping Centre' and to replace existing site-specific provisions in s. 4.1.217 with new provisions to facilitate a mixed-use development containing medium to high density residential buildings and non-residential uses.

**4.1.217 410 Queen Street West:**

**Land Uses**

1. Notwithstanding sections 2.1.1, 2.1.3, 3.1.2.1, 3.13.2, and 3.3.3.1 of By-law 150-85 or anything to the contrary, the Lands identified on Schedule 'A' attached hereto shall be limited to the following permitted uses:

**a) Residential and Mixed Use:**

- i. Townhouse Building, subject to 4.b) c) below.
- ii. Stacked Townhouse Building
- iii. Apartment House
- iv. Mixed Use Building
- v. Building Accessory to the uses in 1. a) (i) to (iii) above.

**b) Non-Residential Uses**

- i. Neighborhood Grocery Store, not exceeding 300 sq.m. in gross leasable commercial floor area per unit
- ii. Neighbourhood Variety Store, not exceeding 300 sq.m. in gross leasable commercial floor area per unit
- iii. Retail Commercial Establishment, not exceeding 300 sq.m. in gross leasable commercial floor area per unit
- iv. Laundromat
- v. Hair dressing establishment, Salon or Day Spa
- vi. Day Nursery or Day Care Centre
- vii. Dispensary Pharmacy
- viii. Food Services Establishment
- ix. Hotel or Motel
- x. Recreation Centre
- xi. Business and professional office as described in Section 3.3.2.2 of By-law 150-85.

**Definitions**

2. Notwithstanding anything to the contrary, the following definitions shall be used for the purposes of interpreting this By-law:
- a. Mixed-use Building means a building containing residential uses and at least one non-residential use.
  - b. Stacked Townhouse Building means a residential building containing four (4) or more dwelling units which are horizontally and vertically separated in a split level or stacked manner, where:
    - each dwelling unit egresses directly outside to grade; and
    - no egress is provided from the dwelling unit to a common corridor.

- c. Storey means as it is defined in the Ontario Building Code.
- d. Landscaping means an outdoor softscaped area on a lot comprised of living trees, plants, permeable surfaces, fences and walls, or any combination thereof, without access by motor vehicles (except exclusive access to emergency vehicles such as fire trucks or ambulances).
- e. Landscaping Coverage means the calculation of the total horizontal area of a lot covered by landscaping.

**Property Lines & Zoning Compliance**

- 3. Notwithstanding anything to the contrary, for the purposes of landscaping coverage, townhouse buildings, residential density, gross leasable commercial floor area, driveway access and mixed-use phasing, the whole of the Lands shown on Schedule ‘A’ attached hereto, shall be considered one parcel of land for the purposes of determining zoning compliance, despite any subsequent subdivision of the Lands.

**Development Regulations**

- 4. Notwithstanding sections 2.2.2.3, 3.1.2.4, 3.1.2.6, and 3.3.3.3 of By-law 150-85 or anything to the contrary, the lands identified on Schedule A attached hereto shall be regulated by the following development regulations in Table 1:
  - a. Mixed Use Building Special Regulations:
    - i. All non-residential uses are permitted within the *first storey* and second storey of a *mixed-use building*, except for a *Hotel or Motel*, and *Recreation Centre*.
    - ii. The exterior entrance to access the dwelling units shall be separate from the exterior entrance to access the units containing non-residential uses.
  - b. All Permitted Use Regulations  
All lands, structures and buildings shall be occupied and constructed in accordance with the following regulations:

#	Regulation Type	Min or Max	Regulation
a)	Lot Frontage	Minimum	30 metres
b)	Residential Density	Maximum	275 Dwelling Units/ha or 1,300 dwelling units, whichever is greater, in accordance with Sections 5 (Phasing) and 6 (Holding).

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c)	Townhouse Buildings	Maximum	10% of the total dwelling units
d)	Gross Leasable Commercial Floor Area of All Non-Residential Uses Combined	Maximum	5,000 sq.m.
e)	Setbacks		
	Street Line	Minimum	6 metres
	Interior and Rear Lot Lines	Minimum	6 metres
	Between Buildings on the Same Lot	Minimum	10 metres
f)	Building Height	Minimum	No minimum height, except for apartment house and mixed-use buildings which shall be at least 2 storeys and 7 metres
		Maximum	16 storeys and 56 metres
g)	Stepback		Above a storey no less than the third storey and no greater than the seventh storey, the building façade shall be stepped back a minimum of 3 metres from any street line building façade. For clarity, buildings up to 8 storeys in height do not require a stepback.
h)	Landscaping Coverage	Minimum	20%
i)	Planting Strips and Fencing	N/A	In accordance with section 2.4 of By-law 150-85
j)	Parking Rates		
	i. Per Dwelling Unit For Residents	Minimum	1.0 spaces
	ii. Per Dwelling Unit For	Minimum	0.1 spaces

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	<p>Visitors</p> <p>iii. Non-Residential Use</p> <p>iv. Calculation</p>		<p>1.5 spaces per 100 sq.m. of gross leasable commercial floor area, except for:</p> <ul style="list-style-type: none"> <li>• hotels and motels</li> <li>• recreation centres, and</li> <li>• food services establishments</li> </ul> <p>which shall provide parking at the rate given in Section 3.3.2.2.</p> <p>For the purpose of calculating the total parking spaces, the parking requirements for each use shall be calculated separately, rounded up to the nearest whole number, then added together for the total.</p>
k)	Parking Dimensions	Minimum	<p>90 degree angle - 2.7 m width x 5.6 metres in length.</p> <p>For all other angles refer to Section 2.2.3</p>
l)	Surface Parking	Maximum	<p>A maximum of 30% of the total residential parking supplied on the Lands shall be surface parking, which is not structured parking or underground parking. Surface Parking means an uncovered and unenclosed parking area at grade.</p>
m)	Parking Location	N/A	<p>Parking Spaces shall not be located between a Building Façade and the Street Line of:</p> <ol style="list-style-type: none"> <li>1. Queen Street</li> <li>2. Goebel Avenue</li> <li>3. Groh Avenue</li> </ol>

n)	Loading Space Rate & Location	Minimum	In accordance with Section 2.3.1, except one loading space may satisfy the requirement for 2 separate buildings, where that loading space has (a) clear unobstructed access to the loading door/dock of both buildings, and (b) the loading spaces is within 10 m of the loading door or loading dock of both buildings.
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**Structured Parking**

5. Structured Parking shall not be located abutting any portion of the first storey of a Street Line Building Façade facing the following streets:
- Queen Street
  - Goebel Avenue
  - Groh Avenue

**Mixed Use Phasing**

6. In accordance with the table below, for each Threshold Level in Column 1, the total dwelling units permitted on the Lands within the range in Column 2 shall be based on achieving the minimum total non-residential gross leasable commercial floor area on the Lands in Column 3:

Column 1	Column 2	Column 3
Mixed Use Phasing Threshold Level	Total Dwelling Units on the Lands	Minimum Square Metres of Gross Leasable Commercial Floor Area on the Lands
Threshold Level 1	0-680	n/a
Threshold level 2	681-1000	500
Threshold Level 3	1001 - 1300	1000

**HOLDING**

7. The lands are subject to a Holding (H) prefix, as shown on Schedule ‘A’ attached, and the regulations outlined below:
- a. For the purposes of applying the requirements to lift the holding, Schedule B identifies three (3) distinct areas as defined below:
    - i. “Area A” is defined as those areas of the Lands which are not within “Area B”;

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- ii. “Area B” is defined as those areas of the Lands which are 60 metres from the Street Line of Queen Street.
  - b. Schedule B identifies three (3) holding requirements which are further defined as follows:
    - i. “(1)” shall be a holding requirement for completion of a detailed transportation and stationary noise study and implementation measures addressed to the satisfaction of the Regional Municipality of Waterloo. The detailed stationary noise study shall review the potential impacts of noise (e.g. HVAC systems) on the sensitive points of reception and the impacts of the development on adjacent noise sensitive uses.
    - ii. “(2)” shall be a holding requirement for completion of a Site Specific Transportation Impact Study (TIS) prepared by a qualified professional, for the full permitted build out of the Lands, including functional designs prepared for all proposed transportation improvements. The TIS shall be completed to the satisfaction of the City of Cambridge and Region of Waterloo, in consultation with the Ministry of Transportation. The Terms of Reference for the TIS are to be approved by the City of Cambridge and Region of Waterloo, in consultation with the Ministry of Transportation, prior to the study being undertaken.
    - iii. “(3)” shall be a holding requirement for a Neighbourhood Traffic Assessment, prepared by the City of Cambridge and/or a qualified professional consultant, and the implementation of the recommended road improvements that may require land or financial contributions from the Developer at the time of site plan approval.
  - c. The holding shall only be removed by By-law from any Area described in Section 8.a. and represented on Schedule B upon satisfactory completion of the corresponding holding requirements for each Area described in Section 8.b. above.
  - d. Site Plan Approval shall not be granted, and no development shall occur until the holding has been removed by By-law. The holding may be removed in phases which do not necessarily correspond to the Areas as delineated on Schedule B.

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- e. Until such time as the holding is removed from Area B, Area A shall be limited to a combined maximum of 680 dwelling units and 840 sq.m. of gross leasable commercial floor area.

***Repealed***

8. By-law 131-06 is hereby repealed.

***Force and Effect***

- 9. AND THAT** this by-law shall come into force and effect on the date it is enacted subject to Official Plan Amendment No. 66 coming into effect pursuant to Subsection 24(2) of the Planning Act, R.S.O., 1990, c. P. 13, as amended.

Enacted and Passed this 5<sup>th</sup> day of December, 2023.

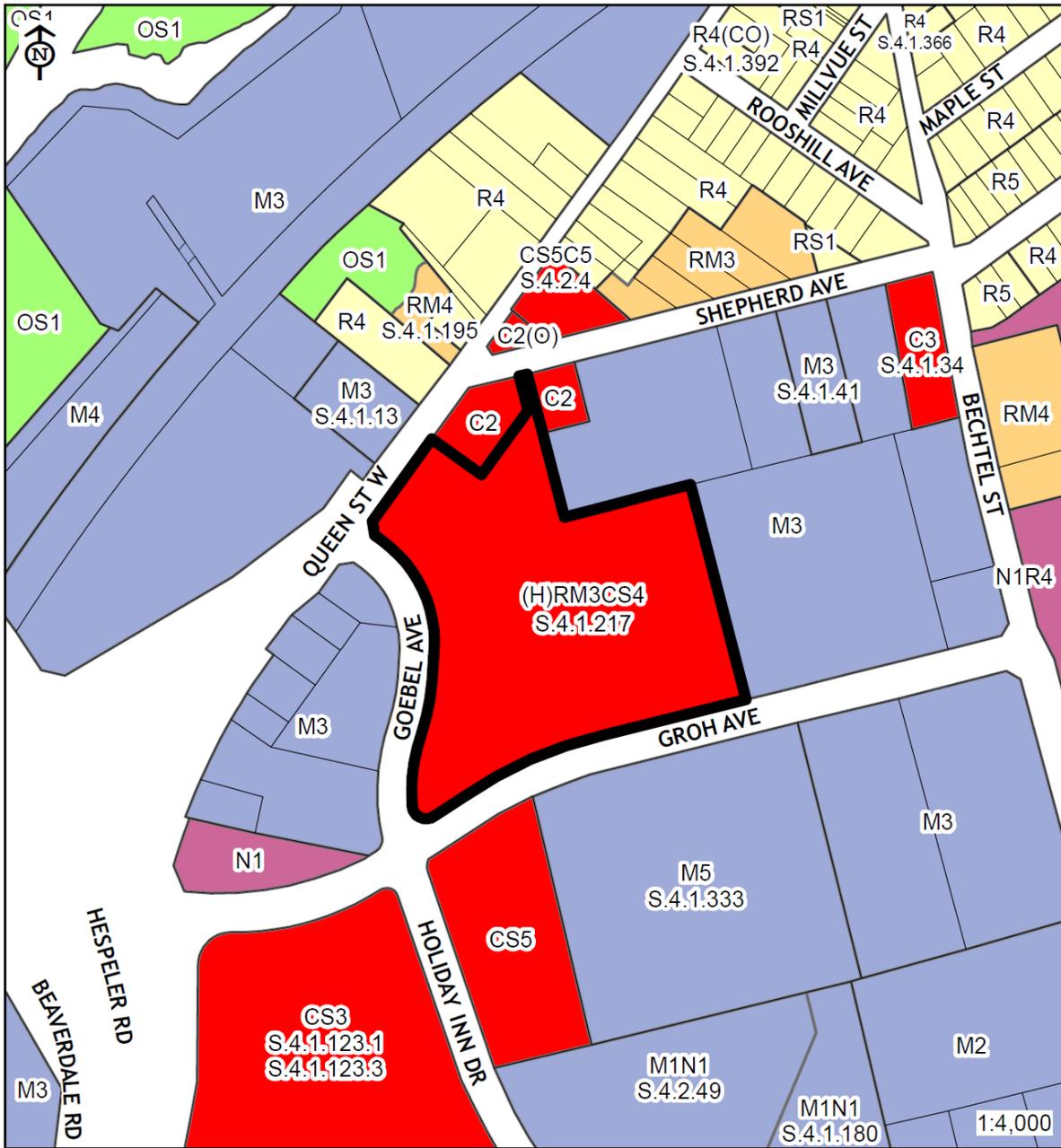
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MAYOR

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CLERK

Schedule A



This is Schedule A attached to and forming part of  
By-law \_\_\_\_\_



Lands affected by the by-law

Zoning Classification

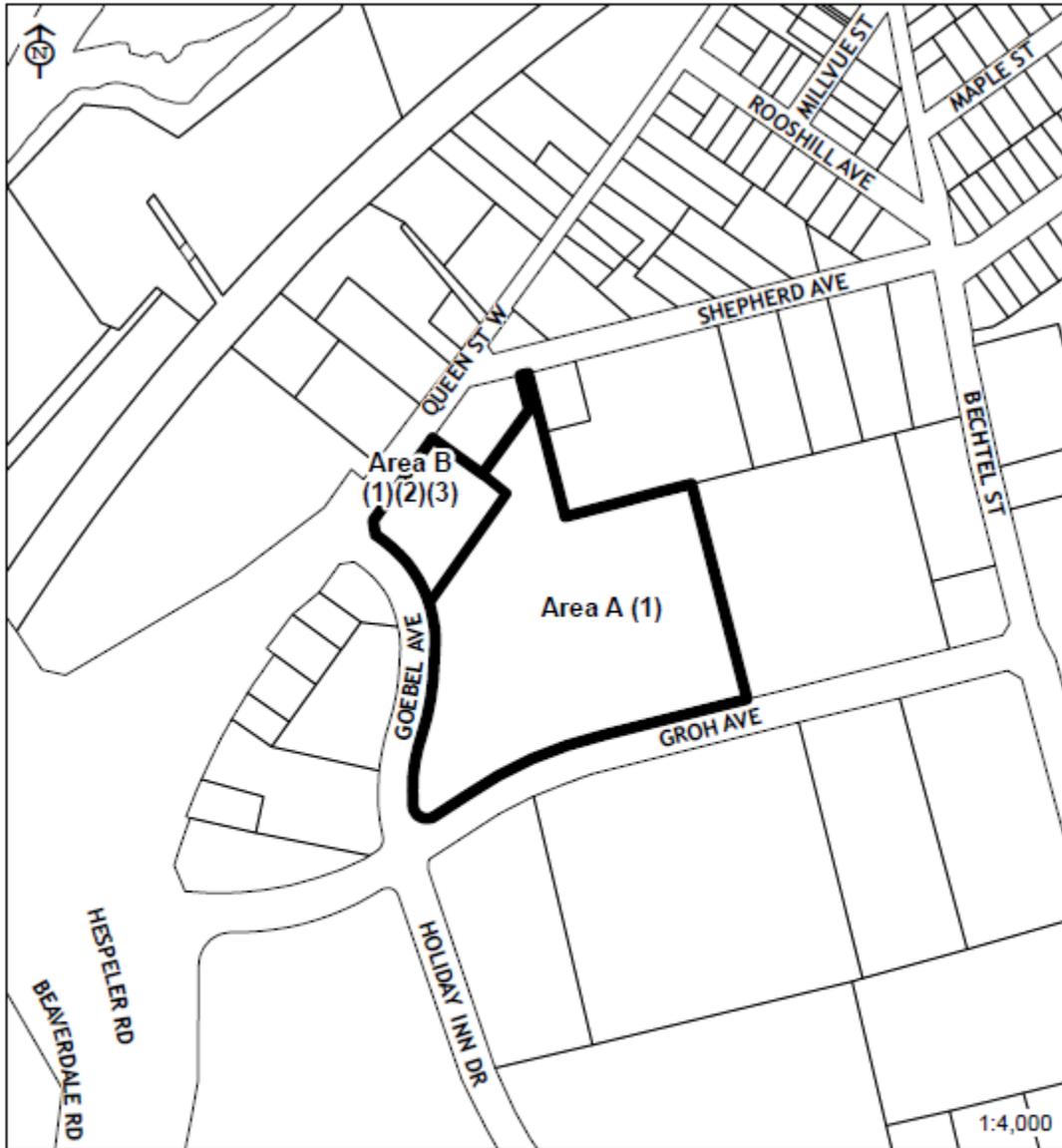
-  OPEN SPACE
-  MEDIUM HIGH DENSITY RESIDENTIAL
-  LOW DENSITY RESIDENTIAL

-  INSTITUTIONAL
-  INDUSTRIAL
-  COMMERCIAL



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**SCHEDULE B**



Schedule B



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