

To: COUNCIL

Meeting Date: 12/5/2023

Subject: **23-288-CD Recommendation Report – 410 Queen Street West – Official Plan and Zoning By-law Amendments submitted by Blacks Point Development Inc.**

Submitted By: Sylvia Rafalski-Misch - Manager, Development Planning and Lisa Prime, MCIP RPP, Chief Planner

Prepared By: Laura Dewar - Supervisor, Development Planning

Report No.: 23-288-CD

File No.: OR11/21

Wards Affected: Ward 2

RECOMMENDATION(S):

THAT Report 23-288-CD – 410 Queen Street West Official Plan Amendment and Zoning By-law Amendment Recommendation Report be received;

AND THAT Council adopts proposed Official Plan Amendment No.66 to replace the existing Site-Specific Policy 8.10.55 for the Subject Lands with new site-specific policies and that the adopted Official Plan Amendment be submitted to the Regional Municipality of Waterloo for approval;

AND THAT Council approves the proposed Zoning By-law Amendment to rezone the subject lands 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 phased mixed-use development.

AND THAT Council is satisfied that the requirements for a public meeting in accordance with subsections 17(15) and 34(17) of the Planning Act have been met;

AND FURTHER THAT that the By-laws attached to report 23-288-CD be passed.

EXECUTIVE SUMMARY:

Purpose

The purpose of this report is to provide a recommendation on an Official Plan Amendment and Zoning By-law Amendment to facilitate a phased mixed-use development at 410 Queen Street West for up to 1,300 dwelling units and 5,000 square

metres of office and commercial uses in seven (7) buildings ranging from 10 to 16 storeys in height.

Key Findings:

- The proposed infill development is located on a vacant, underutilized brownfield site within the Queen Street, Goebel Avenue and Holiday Inn Drive Community Node and a Regeneration Area where intensification is encouraged.
- The proposed development would support the City's objective of directing 45 percent of new development within the built-up area as well as providing for a range and mix of housing options.
- The proposed development represents an efficient use of the subject lands. The proposal would utilize existing municipal services and support the transformation of the Community Node into a high-density mixed-use centre contributing to the creation of a complete community.

Financial Implications:

- A planning application fee in the amount of \$23,650 has been paid to the City of Cambridge to process the Official Plan and Zoning By-law Amendment.
- Future planning application fees will be required as part of the submission of a complete Site Plan application for each phase of development.
- City and Regional Development Charge fees will be collected prior to building permit issuance. Development Charges collected for the proposed development will be used for the construction of new infrastructure required to support growth of the city.
- 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): VIBRANT NEIGHBOURHOOD - Promote, facilitate and participate in the development of safe and healthy neighbourhoods with a range of housing options

Strategic Action: Increase housing options

Program: Development Approvals

Core Service: Official Plan and Zoning By-law Amendments

BACKGROUND:

Subject Property

The Subject Property (the “Site”) is located north of Highway 401, and east of Highway 24, within the community referred to as Hespeler. Bound by Queen Street West to the north, Goebel Avenue to the west, and Groh Avenue to the south, the Site is 4.74 hectares in size with over 580 metres of street frontage.

The site was formally used as a truck transport depot. In 2006, an Official Plan Amendment and Zoning By-law Amendment were approved by Council to permit a proposed neighbourhood shopping centre. Buildings were demolished in 2006, and the Site has remained vacant since that time. Most of the Site has relatively flat grades, consistent with the adjacent street frontage along Queen Street and Goebel Avenue. However, the easterly portion of the site along Groh Avenue slopes up in elevation to be 10.5 metres higher than along Goebel Avenue. This significant elevation change across the overall site presents unique challenges and opportunities to the development of the site.

Surrounding Lands

The immediate surrounding area contains a range of small to large scale retail, commercial and industrial uses. Beyond the immediate area is Centennial Public School and Jacob Hespeler Secondary School to the east and a low-density residential area to the north, east and west.

Queen Street and Goebel Avenue are Collector Roads and Groh Avenue is a Local Street. Grand River Transit currently operates Route 51 along Queen Street and Goebel Avenue with a bus stop on the opposite side of Queen Street from the Site.



Figure 1 – Aerial Map of the Subject Lands

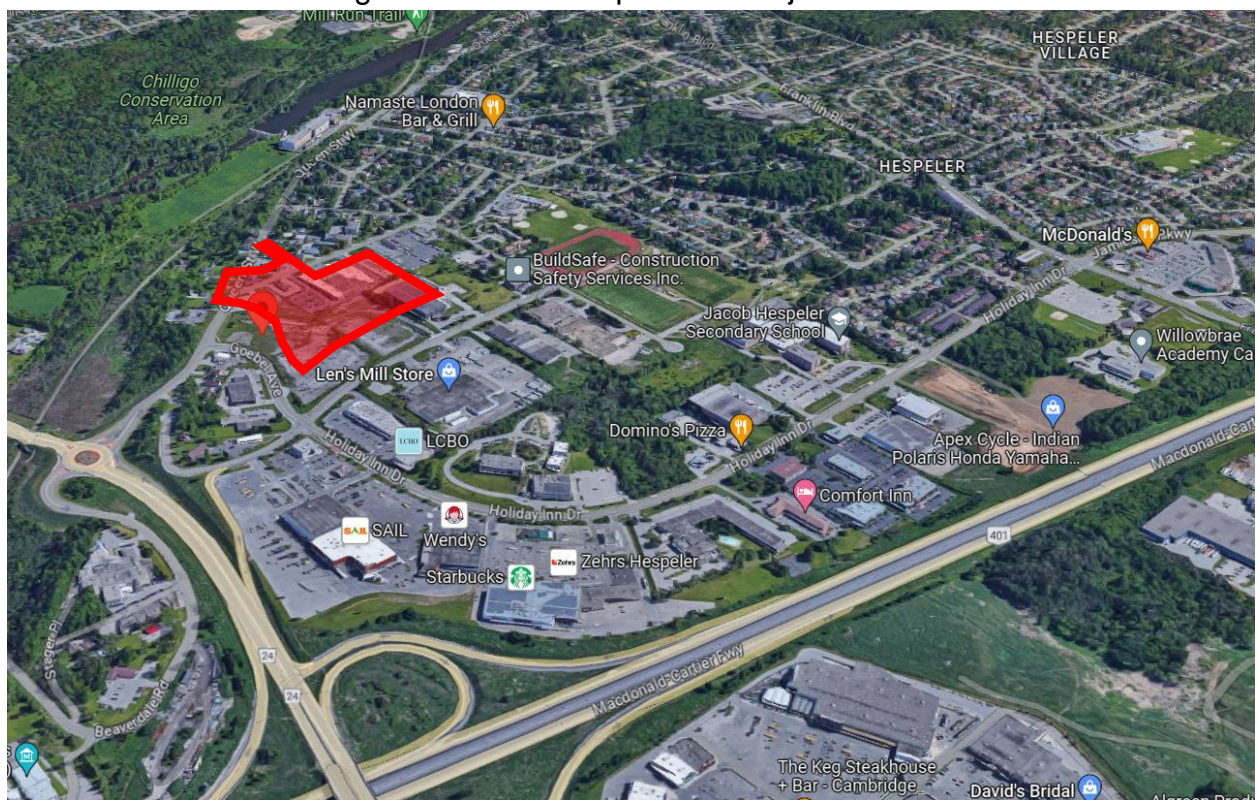


Figure 2 – Context Perspective

Development Proposal

In response to feedback received from city staff, the Public and Council, the Applicant made changes to the development proposal between the original submission in December 2021 and a subsequent resubmission in April 2023. The Massing Rendering and Concept Plan submitted with the original submission and resubmission are provided for comparison, in Appendix A and Appendix B respectively.

Table 1 – Statistics Comparison	Original Submission December 2021	Resubmission April 2023
Height Range	12 to 30 storeys	10 to 16 storeys
Floor Space Index of All Uses (ratio of floor area to land area)	4.0	3.2
Driveway Accesses	4	6
Number of Buildings	5	7

Phasing Breakdown*	Dwelling Units	Non-Res Floor Area	Dwelling Units	Non-Res Floor Area
Phase 1	510	557 sq.m.	680	836 sq.m.
Phase 2	456	2,712 sq.m.	295	557 sq.m.
Phase 3	1,005	5,611 sq.m.	325	2,787 sq.m.
Totals	2,000	8,800 sq.m.	1,300	4,180 sq.m.

*Based on data provided in the Transportation Impact Study (Original Submission) & Subsequent Addendum (Resubmission)

Several factors with the development proposal were reduced dramatically, including maximum building height from 30 storeys to 16 storeys, total dwelling units from 2,000 to 1,300 and total gross floor area of non-residential uses from 8,800 sq.m. to 4,180 sq.m. These changes were primarily in response to concerns regarding built form compatibility with the surrounding neighbourhood, shadow impacts, and heavy servicing capacity demands and traffic volumes on the surrounding road network.

EXISTING POLICY / BY-LAW(S):

City of Cambridge Official Plan, 2012, as amended

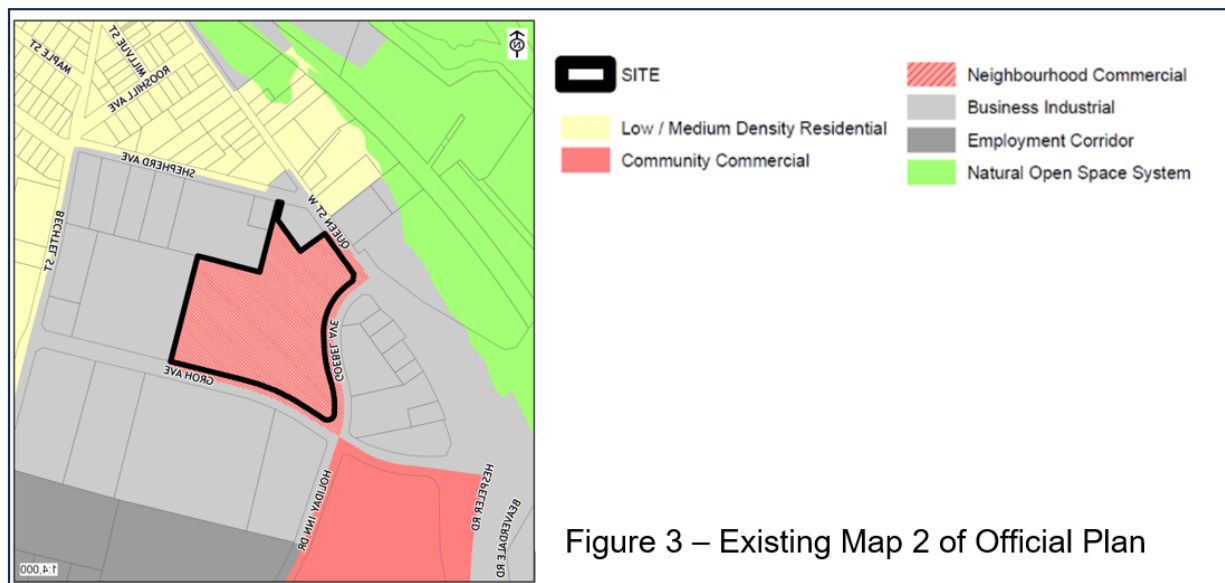
Existing Land Use Designation(s):

- Neighbourhood Commercial - Map 2 of Official Plan
- Site Specific Policy Area 62 – Map 2A of Official Plan
- Regeneration Areas – Map 6 of Official Plan
- Community Node Queen Street, Goebel Avenue and Holiday Inn Drive – Figure 4 of Official Plan

Proposed Site-Specific Official Plan Policies:

- Permit High Density Residential Uses
- Maximum FSI of 3.2
- Maximum Height of 16 Storeys

No changes to the Land Use Designations are proposed. Figure 3 below shows the existing Land Use Designation on Map 2 of the Official Plan.



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

Existing Zoning: (H)CS4 (Neighborhood Shopping Centre), with site specific 4.1.217 (By-law 131-06)

Proposed Zoning: Compound Zone (H)RM3/CS4 'Mixed-use Multiple Residential/Neighbourhood Shopping Centre' with site specific provision s.4.1.217.

Figure 4 below shows the existing zoning and Figure 5 shows the proposed zoning.

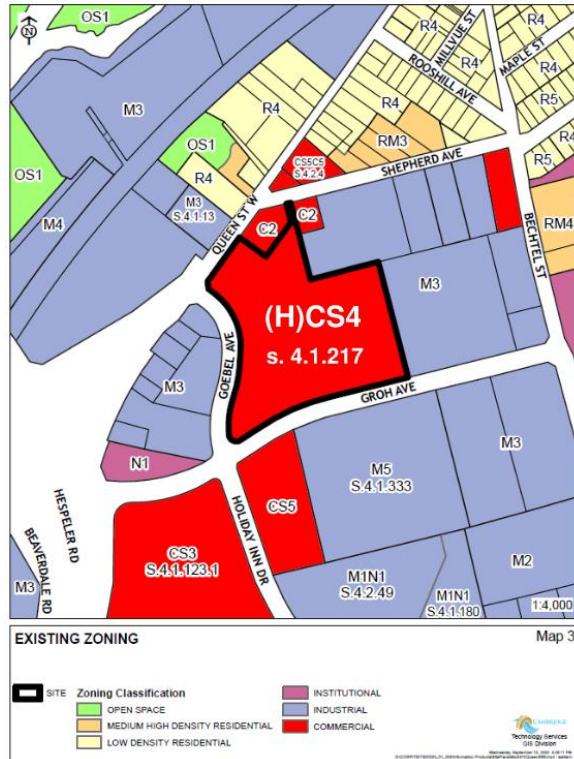


Figure 4 - Existing Zoning

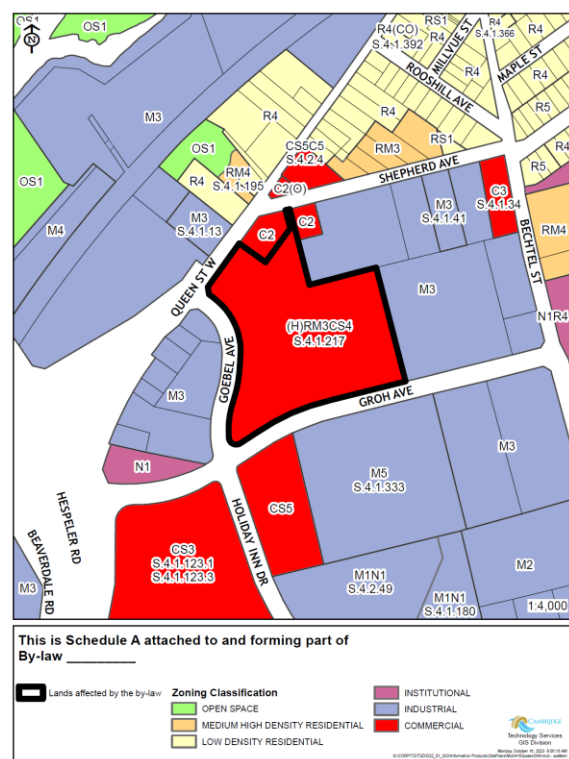


Figure 5 - Proposed Zoning

ANALYSIS:

Development Proposal

The Applicant is proposing to redevelop the vacant site with a series of buildings ranging from 10 to 16 storeys. The 10 to 14 storey buildings generally frame the municipal streets, while those buildings located internal to the Site are 16 storeys. Most buildings contain both residential units and non-residential uses, with the full build out of the Site planned to accommodate up to 1,300 dwelling units and 4,180 square metres of commercial/retail and office floor area. Parking is provided primarily within the building, above or below grade, with limited surface parking.

One driveway access is provided from Queen Street, two are provided from Goebel Avenue, and 3 are provided from Groh Avenue, although the exact number and location will be determined at the site plan approval stage. A centralized linear park space is proposed, with a series of supplementary park spaces and plazas. An internal network of pathways, sidewalks, and driveways provides internal connectivity through the Site. The Region is requesting two new bus bays along Goebel Avenue and one or more new internal bus routes through the Site. Construction of the various buildings is proposed to take place in 3 separate phases, although the exact limits of phases and scope of each

phase will be determined at the site plan approval stage, in accordance with any site-specific zoning regulations.

The Applicant has not confirmed the long-term intention for tenure of the lands; that is the way in which property rights to land and units are allocated and managed. Similarly, whether any of the dwelling units are to be affordable has not been confirmed. At this time, the only mechanism available to the municipality to secure long term affordable units is through a registered agreement between the landowner, the Region, and possibly the City, or an alternative housing corporation. An affordable housing contribution may be collected as a condition of a future site plan and/or condominium application.

Proposed Official Plan Amendment (OPA 66)

The Applicant is requesting an Official Plan Amendment to:

- a) Permit high-density residential uses;
- b) Increase the maximum building height from 12 storeys (per Policy 8.7.2.6 (b) Community Nodes) to 16 storeys; and
- c) Increase the maximum permitted Floor Space Index (FSI) from 2.0 to 3.2.

No changes are proposed to the current designations.

Policy Overview

The planned function for Neighbourhood Commercial areas is to provide retail and service uses that serve the daily and weekly needs of residents living in the surrounding neighbourhoods. This site is also within a Regeneration Area. These areas are in transition from one use to another, preferably mixed use, and are targeted to receive at least 45% of all new development in the City and Region. Development Applications in Regeneration Areas are to consider transit-oriented policies, which prioritize and facilitate the movement of people through active modes and public transit and reduces dependency on personal vehicles.

In 2006, the lands were redesignated through Official Plan Amendment No. 62 to Neighbourhood Commercial, and site-specific policy 8.10.55 was introduced.

The site is also within the Queen Street, Goebel Avenue and Holiday Inn Drive Community Node, subject to a set of policies which:

- Encourage Commercial, Medium to High Density Residential, Institutional and Open Space Uses to mix together within buildings and single properties;
- Encourage the development of the area as a Gateway to the broader Hespeler Community.
- Discourage large surface parking areas and single storey, single purpose buildings.
- Direct building height scale to transition appropriately to the surrounding community.

Staff Recommendation for Official Plan Amendment 66

In response to the proposed OPA 66, and having considered the existing policy framework and other technical documents submitted, staff offer the following comments and recommendations:

- a) A new policy to permit high density residential is not needed as the Community Node designation already permits high density residential under policy 8.7.3.2 (b).
- b) The requested increase in height is reasonable given the planned function of the site being for high density. Staff note that concerns regarding impacts on solar panels on an adjacent building were raised at the Public Meeting, with the original 30 storey proposal. Based on the updated Shadow Study submitted in April 2023 reflecting the reduced building heights, shadow impacts from the proposed buildings are only consequential on the adjacent building during the 2pm and 4pm time periods in winter months, and sunset is approximately 5pm. As a reminder, the current zoning has no limitations on as of right building heights.
- c) The FSI policy is very specific, however FSI is not a regulation type used in the City's Zoning By-law. For this reason, staff recommend FSI not apply to this site, relying instead on other zoning regulation tools to control density and scale.
- d) Additional site-specific policies are recommended to supplement the Queen Street, Goebel Avenue and Holiday Inn Drive Community Node policies that apply to this area, and to guide the implementation of the proposed development, including:
 - the integration of public transit and a primary public park space
 - the application of a holding on the lands related to transportation improvements, to be implemented through the zoning by-law
 - future site plan application and Noise Study requirements
 - phasing sequence and mix of use expectations
- e) Specific Policy Area 62 (s. 8.10.55) added Class 3 (Neighbourhood Shopping Centre) uses on this Site, as a previous proposal advanced in 2006 was to develop the Site as a large-scale shopping centre. On the basis that the proposal for the Site has changed to a multi-building mixed use development, staff are recommending the existing policies for SPA 62 be replaced with the new policies included in Appendix E.
- f) The Region of Waterloo is requesting that through a future site plan approval process, a new bus route and 2 bus bays be integrated within the development. The Owner/Applicant will be required to enter into an agreement with the Region

to accommodate expanded Grand River Transit services through the Site. Site Specific Policies to this effect have been added through Official Plan Amendment No. 66.

Staff recommend that Council adopt Official Plan Amendment 66 provided in Appendix E to this report.

Proposed Zoning By-law Amendment

The Applicant is requesting a Zoning By-law Amendment to retain the existing SC4 zone and apply the RM3 zone to the Site, to create compound zone RM3/SC4. Site specific development regulations requested are summarized in Appendix G to this report. No changes or additions to the list of permitted uses within these two zones was requested.

Zoning Overview

The current CS4 zone permits a wide range of commercial and employment uses, on a large scale between 5,000 and 13,500 sq.m. Residential uses are not permitted in this zone.

The requested RM3 zone permits the full range of residential building types with the exception of a single detached dwelling.

Staff Recommendation on Zoning By-law Amendment

1. Uses

Given the mixed use planned function of the site, staff are supportive of applying the RM3 zone to create the RM3/SC4 compound zone, subject to scoping the list of permitted building types and land uses to (a) improve conformity with the Official Plan policies, (b) implement the proposed development as presented and/or (c) ensure better land use compatibility between residential and non-residential uses. Staff recommend removing the following uses in the CS4 zone for this site:

- Place of amusement
- Arcade
- Automobile Service Station or Bar
- Neighbourhood Shopping Centre (which contains between 5,000 and 13,500 sq.m. of gross leasable commercial floor area)

Staff recommend removing the following low-density building types/uses in the RM3 zone for this Site:

- Residential Special Care Facility
- Duplexes and Maisonettes

- Linear and Cluster Row Houses
- Triplexes and Fourplexes

The RM3 zone permits many types of attached duplex and rowhouse buildings which are functionally very similar. To simplify and consolidate these medium density buildings types, staff recommend replacing these building types with townhouse buildings and stacked townhouse buildings as a permitted uses. There are limitations proposed on townhouse buildings to protect the high density function of the site.

Staff also note that neither zone outright permits mixed-use buildings. For this reason, staff are recommending that a *mixed-use building* be listed as a permitted use, with a definition for clarity and to ensure proper implementation of the recommended mixed-use regulations.

2. Development Regulations

Appendix G summarizes the existing regulations, requested regulations by the Applicant and recommended regulations by planning staff for the compound RM3/CS4 zoning of the Site. Further, the proposed Site-Specific Zoning By-law is included in Appendix F, which aims to:

- Accommodate the request of the Applicant, where it is found to be appropriate and reasonable.
- Simplify a compound zone, where a mix of uses and building types are proposed.
- Implement the policies of the Official Plan and OPA 66 (Appendix E), and the planned function of the Community Node.
- Implement the development proposal presented with this Official Plan and Zoning By-law Amendment Application.

Regarding parking rates, staff strongly recommend retaining separate visitor parking rates and non-residential parking rates. Without frequent enforcement, the sharing of these spaces as proposed by the Applicant poses complications around unfair or excessive occupancy by either residential visitors or owners/employees/patrons of the non-residential uses.

3. Proposed Holding (H) Provision

Based on the technical data provided with this application, the City, Region and Ministry of Transportation identified transportation capacity concerns with the existing surrounding road network accommodating the full proposed build out of the site.

City and Regional Staff are satisfied that the development of up to 680 dwelling units and 840 sq.m. of non-residential floor space within a scoped area of the site may proceed as part of the initial phase(s), without any further transportation studies or improvements. However, development above this threshold and/or adjacent to Queen

Street and Goebel Avenue, will require an updated Applicant-initiated Traffic Impact Study (TIS) and a city-initiated Neighbourhood Traffic Assessment to be completed.

Staff are recommending the application of a Holding (H) provision only to that portion of the site within 60 metres of the Queen Street Street Line to restrict any development in this area until these transportation studies and improvements are completed. In addition, staff recommend a zoning regulation to limit development on the remainder of the site (not subject to the (H) provision) to a maximum 680 dwelling units and 840 sq.m. of non-residential floor space while the (H) provision is in place. This approach will ensure the surrounding transportation network can accommodate the full build out of the site. A holding (H) provision is also proposed across the entire site to requiring a detailed Stationary and Transportation Noise Studies for each phase of development.

4. Repeal Existing Site-Specific By-law 131-06

There is an existing Site-Specific By-law 131-06 for this Site (s 4.1.217), which applied an exemption from providing 3 individual business establishments and a Holding (H) related to record of site condition requirements.

Through the Zoning By-law Amendment, staff are recommending the repeal of the existing By-law 131-06 and removal of the Holding (H). The City's Chief Building Official confirmed that a Record of Site Condition and Acknowledgement from the Ministry of Environment will be required prior to the issuance of any building permit for a sensitive land use on the site, in accordance with applicable law under the Ontario Building Code, given the previous industrial use of the lands.

Staff recommend that Council approve the Zoning By-law Amendment contained in Appendix F to this report.

Contribution to the City

Focus	Target	Contribution
Increased Housing Stock	City's Pledge to building 19,000 homes between 2021 and 2031	Supports intensification within the Built-Up Area and will increase the housing stock in the City by 1300 units with a 6.8% contribution towards the housing pledge.

FINANCIAL IMPACT:

- A planning application fee in the amount of \$23,650 has been paid to the City of Cambridge to process the Official Plan and Zoning By-law Amendment.
- Future planning application fees will be required as part of the submission of a complete Site Plan application for each phase of development.
- City and Regional Development Charge fees will be collected prior to building permit issuance. Development Charges collected for the proposed development will be used for the construction of new infrastructure required to support growth of the city.
- Any further costs associated with the development of the site are to be borne by the applicant.

PUBLIC VALUE:

A statutory public meeting required under the Planning Act was held on March 22, 2022.

Following the Public Meeting, any person that provided their contact information on the sign-in registry at the meeting or requested through other means to be kept informed about the application were notified through mailed correspondence of the Council Meeting and provided with access to the Recommendation Report.

ADVISORY COMMITTEE INPUT:

Advisory Committees Consulted:

Not Applicable.

PUBLIC INPUT:

Several members of the public spoke at the public meeting and/or provided written submissions regarding the proposal. The general themes of the comments include:

- Concerns around noise due to traffic and truck movement
- Concerns around shadow impacts on solar panels on adjacent industrial building roof
- Concerns around compatibility of high-density residential uses in proximity to existing industrial uses.
- Concerns around height increases
- Recommendation for the city to introduce a Secondary Plan prior to advancing the development application
- Concerns around impacts on adjacent schools
- Will there be sufficient amenities and community facilities to serve the new residents

The applicant has provided responses to the questions and concerns raised during the Public Meeting which are provided in Appendix C. In addition, staff offer the following additional responses:

- The development has been significantly reduced in scale and density to address concerns with neighbourhood fit, compatibility and shadow impacts
- As a regeneration area, a significant proportion of future growth is to be directed to this area. The area is transitioning from industrial employment to mixed use.
- Construction traffic will be management to ensure impacts on nearby schools and residential area is avoided or minimized.
- The detailed design of the buildings, driveway accesses, phasing, arrangement of buildings and mix of uses will be determined at the site plan approval stage.
- The School Boards did not express concerns related to this development, other than to advise that the nearby schools may reach capacity limitations in the future and new residents need to be made aware of this.
- New and expanded amenities and facilities to serve this growing community will be funded through development charges and other sources. The site will be planned with a new publicly accessible network of open spaces and pathways.

The requirement for a statutory public meeting under the Planning Act has been met.

INTERNAL / EXTERNAL CONSULTATION:

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

Staff has received comments from applicable city departments and outside agencies in regard to the proposed Official Plan and Zoning By-law Amendments. Staff and agency comments have been acknowledged and/or addressed by the applicant and will be implemented through the Site-Specific Official Plan Amendment, Site Specific Zoning By-law and through future Site Plan applications.

CONCLUSION:

The City of Cambridge is expecting to accommodate significant population growth within the current Planning Horizon into the year 2051. With limited vacant residential land available within the city and an increase in housing costs, there is a growing need and demand for more dense housing options that can accommodate more people in smaller spaces. There is also a demand for more affordable housing options than traditional single detached homes.

The proposed infill development represents an efficient use of existing municipal water and sanitary sewer services and provides more affordable options for market rate

housing. The proposed mixed-use development supports the intensification objectives of the Provincial Growth Plan and works towards the creation of a complete community.

It is the opinion of planning staff that the proposed Official Plan and Zoning By-law Amendment applications are consistent with the Provincial Policy Statement, conform with 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.

As such, planning staff recommends approval of the proposed Official Plan and Zoning By-law Amendments contained in Appendix E and F respectively.

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. 23-288-CD Appendix A – ORIGINAL SUBMISSION (Dec 2021) – RENDERING & CONCEPT PLAN
2. 23-288-CD Appendix B – RESUBMISSION (April 2023) – RENDERING & CONCEPT PLAN
3. 23-288-CD Appendix C – Responses to Comments
4. 23-288-CD Appendix D – Internal/External Consultation and List of Supporting Studies
5. 23-288-CD Appendix E – Proposed By-law for Official Plan Amendment

6. 23-288-CD Appendix F – Proposed By-law for Zoning By-law Amendment
7. 23-288-CD Appendix G – Development Regulations (Existing, Proposed, Recommended)