

To: COUNCIL

Meeting Date: 9/17/2024

Subject: Recommendation Report – Official Plan Amendment and

Zoning By-law Amendment – 245 Riverbank Drive

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Report No.: 24-095-CD

File No.: OR07/24

Wards Affected: Ward 1

RECOMMENDATION(S):

THAT Report 24-095-CD – Recommendation Report – Official Plan Amendment and Zoning By-law Amendment – 245 Riverbank Drive be received;

AND THAT Council refuse the proposed Official Plan Amendment with site specific policies, and the Zoning By-law Amendment with site specific provisions to permit increased density from 40 to 55 units per net residential hectare;

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;

EXECUTIVE SUMMARY:

Purpose

The purpose of this report is to provide a recommendation for refusal of the Official Plan Amendment and Zoning By-law Amendment applications as proposed to facilitate a future residential development on the Subject Lands for the reasons set out in this report.

Key Findings

 The lands were recently designated Urban Area through Regional Official Plan Amendment (ROPA) No. 6 and should be brought into an urban land use designation in the City of Cambridge Official Plan.

- Planning staff do not support or recommend Council approve the Official Plan Amendment and Zoning By-law Amendment as submitted by the applicant.
- Key issues to be addressed include unresolved road access, inadequate buffer around the natural heritage feature which will form part of the Open Space designation and zone, land use compatibility, municipal servicing and proposed density.

Financial Implications

- Planning application fees in the amount of \$45,000 have been paid to the City of Cambridge to process the Official Plan and Zoning By-law Amendments.
- This application is subject to a fee refund in the amount of up to \$8,400 under the Planning Act if a decision has not been made within 120 days of deeming the application compete which is September 18th, 2024.

STRATEGIC ALIGNMENT:

☐ Strategic Action

Objective(s): Not Applicable

Strategic Action: Not Applicable

OR

Program: Development Approvals

Core Service: Official Plan and Zoning By-law Amendments

BACKGROUND:

Subject Property

The subject lands are municipally addressed 245 Riverbank Drive and are located in the northwest corner of the City of Cambridge.

They are comprised of portions of two lots consolidated into one large irregularly shaped lot with approximately 45 metres of frontage along Riverbank Drive and a total lot area of approximately 28,577 m² (2.85 ha). The consolidated lot currently contains one rural single detached dwelling. The lands contain clusters of mature trees, shrubs,

and other vegetation, with the majority of the land being grasslands. An aerial image of the subject lands is provided below on Figure 1.

Surrounding Lands

The subject lands are located adjacent to a planned employment area / business park to the east and existing rural residential lots to the west. They are also proximate to existing open spaces and natural heritage features.



Figure 1: Aerial Map of the Subject Lands

ANALYSIS:

Proposal

The applicant is proposing an Official Plan Amendment (OPA) and Zoning By-law Amendment (ZBA) for the redevelopment of the property with multiple residential uses including townhouses (rowhouses) and stacked townhouses. The applicant has provided a potential design concept plan for redevelopment with the applications, which includes a cluster development of multiple unit residential buildings at a density of 49 units per hectare resulting in a total of 109 residential units on the property. The applicant has noted that the concept plan is subject to change as part of a future Site Plan application. The concept plan has been included in this report as Appendix A.

Official Plan Amendment

The applicant is requesting to redesignate the property from Rural Residential to Low/Medium Density Residential with a site-specific exception to increase the density to 55 units per hectare which would allow a maximum of 121 residential units.

The lands are located within the Prime Agricultural Area of the Countryside and designated Rural Residential and Natural Open Space System in the City of Cambridge Official Plan. The lands were recently designated Urban Area through Regional Official Plan Amendment (ROPA) No.6 and should be brought into an appropriate urban land use designation in the City of Cambridge Official Plan. Planning staff support the redesignation of the property to Low/Medium Density Residential but do not support the proposed site specific provision to increase the density to 55 units per hectare as submitted by the applicant for the reasons set out below.

1. Density

As part of the land needs assessment prepared for ROPA No. 6, the property was anticipated to be developed at a density of 75 people/jobs per hectare. This density is not required for the City to accommodate forecasted population growth to 2051. Based on the applicant's submission, the proposed density is approximately 107 people/jobs per hectare and therefore exceeds the amount of growth that was intended to be accommodated at this specific location. From a growth management perspective, it is not warranted for the land to be developed at a higher density.

Policy 8.4.3 of the Official Plan provides direction on where higher density multi-unit residential development should be located in the City:

- Located on an arterial or collector road or is directly accessible to any such road through the local road network where it is not likely to generate sufficient traffic to disturb the peaceful and quiet enjoyment of neighbouring residential properties located on such local access road.
 - Although the portion of Riverbank Drive that the property fronts onto is technically classified as a collector road in the City's Official Plan, Riverbank Drive is a rural road that primarily provides local access for the residents on this street. The City has no plans to urbanize or improve this road. With the construction of the new north-south major collector road, namely, Intermarket Road, alternate connections to Maple Grove Road and King Street (through the future railway underpass) via Boychuk Drive are provided and the intended service function of Riverbank Drive is preserved. As a major collector road, Intermarket Road is expected to be the primary roadway connection in the area.

- It is anticipated that the development of this property with the proposed 109 dwelling units (or more as would be permitted with the requested increased density) with access from Riverbank Drive will disturb the peaceful and quiet enjoyment of neighbouring properties that are located on this scenic road.
- Conveniently located within a reasonable distance of public transit and shopping facilities, and within walking distance of an elementary school.
 - The property is not within a convenient distance to public transit, commercial facilities or an elementary school. The intent of the Official Plan is that higher density development should be located in areas that are walkable and proximate to services, and this property is not.

Housing Types

The Regional Official Plan (ROP) contains policy requiring 30% of new residential units in forms other than single detached dwellings, semi-detached dwellings and single unit condominium townhouse units, and can include other built forms including duplexes, triplexes, four-plexes, multiple dwellings and apartments.

While the proposed development conforms to the above policy, recent legislative changes and the City's Zoning By-law permits up to two ARUs as of right in single detached, semi-detached and townhouse dwellings. Single detached dwellings (with the possibility of adding up to two ARUs) function more like a triplex yet maintain the appearance of a single detached dwelling. As such, it is not necessary to include all townhouses and stacked townhouses on these lands to achieve conformity to the above ROP policy. Staff have asked the applicant to consider alternate design concepts to incorporate a greater range of housing option on the lands including single detached and semi-detached dwellings.

3. Land Use Compatibility

Section 1.2.6.2 of the Provincial Policy Statement requires municipalities to address land use compatibility between industrial properties and sensitive land uses such as the proposed residential development. Any potential adverse effects between the proposed sensitive land use and the industrial lands must be minimized and/or mitigated.

The compatibility between existing residential uses along Riverbank Drive and the planned employment lands along Intermarket Road was reviewed through the City's 'North Cambridge Business Park' Official Plan Amendment and Zoning By-law Amendment approved in 2018. The resulting Amendments created a 'transition area' which requires a rear yard setback of 30 meters, a noise barrier and landscaping buffer for the industrial lands west of Intermarket Road.

A Noise Study was required for this development to further assess and address any potential noise impacts from the future industrial facility on the adjacent lands. The study has not yet been accepted by the Region. An updated study will further inform any additional mitigation measures, including potential setbacks, for protection of residential uses, if required, to ensure the proposed residential development and the adjacent industrial use can coexist in close proximity to one another.

In summary, planning staff have considered consistency with applicable Regional and City policies and do not support the Official Plan Amendment as requested by the Applicant.

Zoning By-law Amendment

The applicant is proposing to rezone the Rural Residential (RR2) and the Agricultural and Mineral Aggregate Resource Area ([E]A1) portion of the property to Multiple Residential (RM3) with site specific provisions to:

- 1) increase density to 55 units per hectare; and,
- 2) permit a maximum number of 8 attached one-family dwelling units (8 unit townhouse).

The applicant proposes to develop the site with townhouses and stacked townhouses. It is staff's opinion that some single detached and semi-detached homes would be appropriate on this site due to the existing adjacent rural residential homes and could provide for a better transition between the existing rural and proposed urban land use.

Staff have no concern with the site-specific request for a maximum number of 8 attached one-family dwelling units per townhouse whereas a maximum of 6 attached one family dwelling units is permitted in the Zoning By-law. Staff agree that the requested increase from 6 to 8 allows for flexibility of townhouse design and unit sizes and is consistent with recent townhouse developments in Cambridge.

Staff do not support the proposed increase in density to 55 units per hectare for the reasons set out above in this report.

Outstanding Technical Studies

Numerous technical studies were submitted in support of the application. City staff and agencies have reviewed these studies and have requested updates to these studies to address outstanding information, technical oversights, or other concerns. Updated studies have not yet been received at the time of writing this report. The following studies and/or plans need to be updated to the satisfaction of City staff and agencies prior to the development of the Subject Lands:

- Environmental Impact Study,
- Environmental Noise Study,
- Engineering Reports/Plans,
 - Functional Servicing Report,
 - Stormwater Management Report,
 - Preliminary Servicing Plan,
 - Preliminary Grading Plan and,
- An easement agreement (with a Reference Plan) for servicing from Intermarket Road must be obtained (in favour of the proposed residential development).

Environmental Impact Study

The south portion of the subject property is zoned Open Space (OS1) and contains an environmental feature (wetland). Wetlands are important environmental features that help maintain the hydrology, improve water quality, maintain fish and wildlife habitat, and supporting a healthy ecosystem.

Section 2.1.2 of the Provincial Policy Statement states that the diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored and if possible improved.

The applicant has requested that a 2 metre buffer be applied between the wetland and the proposed residential uses. The City, Region and Grand River Conservation Authority (GRCA) do not accept a 2 metre buffer around the wetland feature on site as sufficient and have requested the buffer be increased to provide for appropriate protection between the feature and the proposed residential uses.

In City's and agency staff's opinion, the Environmental Impact Study (EIS) does not provide sufficient evidence to demonstrate there will be no negative impact to the wetland. An updated EIS reflecting an appropriate buffer and to address other comments needs to be provided to the satisfaction of City, Region and GRCA prior to permitting any development on the subject property.

The zoning line between the open space zone and residential zone cannot be confirmed until the buffer width is determined. This is important because the zoning line will delineate the boundary between the undevelopable open space portion of the property and the developable multiple residential portion of the property.

Environmental Noise Study

The proposed residential development needs to be compatible with the adjacent planned industrial development. An Environmental Noise Feasibility Study that assessed the potential stationary noise sources from future surrounding industrial

buildings was provided by the applicant. Several revisions and/or clarifications are required to the noise study before it can be accepted by the Region of Waterloo.

The mitigation measures to protect residential uses on the lands from future industrial noise sources is not entirely clear, because the industrial use on the adjacent lands is unknown at this time. The noise study needs to be updated to provide updated modelling and any required noise mitigation measures to the satisfaction of the Region. The results of the final noise study may require additional development setbacks from the industrial property.

Engineering Reports and Plans

The applicant is proposing privately owned water and wastewater service connections to the municipal services on Intermarket Road. The private services would have to be located within an easement through the adjacent future industrial property at 240 Intermarket Road. The required easement lands have not yet been identified or secured.

City and Regional Engineering staff require an updated engineering submission to address outstanding comments and provide confirmation that the development can be serviced by existing and planned infrastructure from Intermarket Road. The following reports and plans need to be revised and resubmitted demonstrating that the proposed residential development can be appropriately serviced:

- Functional Servicing Report
- Stormwater Management Report
- Preliminary Grading Plan
- Preliminary Servicing Plan
- An easement agreement (with a Reference Plan) for servicing from Intermarket Road must be obtained (in favour of the proposed residential development).

Site Access

The applicant is proposing the main access to and from the site onto Riverbank Drive and an emergency access to Intermarket Road through the adjacent industrial property owned by the applicant as identified on the concept plan. The applicant is also proposing to connect to municipal services to Intermarket Road through the adjacent industrial property.

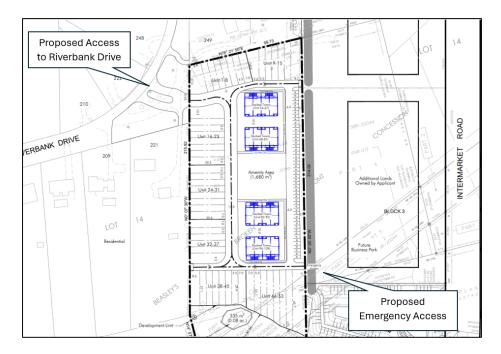


Figure 2 - Proposed Access to Riverbank Drive and Proposed Emergency Access

Riverbank Drive contains an access laneway off the main road that provides access to the subject lands and three other neighbouring rural residential properties. This access laneway would need to be substantially upgraded to a formal roadway/laneway in accordance with City standards at the applicant's expense to accommodate a primary access in this location. Additionally, the access laneway as shown on the concept plan would impact neighbouring properties by creating shared access, extending and/or relocating private driveways and possibly leaving remnant parcels of land.



Figure 3 - Access Laneway

A Transportation Impact Study (TIS) was provided in support of the applications. The TIS concluded that the development of the Subject Lands is forecast to have a minor impact on traffic operations. The TIS concludes that the proposed development would not warrant any off-site transportation network improvements on Riverbank Drive. Despite the conclusion of the TIS, staff would support the primary development access onto Intermarket Road based on the following rationale.

Riverbank Drive is identified as a key rural roadscape within the Heritage Master Plan (2008). The character defining elements of Riverbank Drive identified within the Master Plan include:

- Rural cross section, curving alignment and undulating profile;
- Historic residential and agricultural buildings;
- Farmsteads and woodlots; and,
- Archaeological potential (First Nations, ford and sawmill sites).

The Master Plan, under the 'Conservation and Development Concerns and Opportunities' section (page 108) states:

The removal of through traffic makes conservation of this road easier, but the area of the city in which it is situated is under development pressure for expansion of adjacent industrial uses. If conserved, the road could be an excellent heritage resource that offers unique interpretive opportunities as well as a high quality agricultural setting.

To reduce traffic impacts to Riverbank Drive and to further conserve this scenic road, staff would support the main access to and from the site from Intermarket Road, with only an emergency access to Riverbank Drive should Intermarket Road access be blocked unexpectedly. Main access to Riverbank Drive would be more appropriate if the lands were to be developed with rural residential single detached dwelling(s) or other form of development that is more compatible with the existing neighbourhood.

The City has recently approved the North Cambridge Secondary Plan for lands north of Middle Block Road. The Secondary Plan includes policies to protect Riverbank Drive by restricting access to Riverbank Drive from future residential development and implementing a 15 metre buffer along the east side of Riverbank Drive where no development can occur in order to maintain and protect the character of the scenic road.

Further, the subject lands were recently brought into the Urban Area and the applicant is proposing to re-designate the lands from Rural Residential to Low/Medium Density Residential and to service these lands from Intermarket Road. Traffic generated by an urban development at this scale should be directed to a more urban road designed to

accommodate greater volumes of traffic (Intermarket Road) and emergency service vehicles (e.g. fire trucks).

Finally, the application already proposes a connection to Intermarket Road for municipal services and emergency access. An easement would be required through the adjacent future industrial property at 240 Intermarket Road for underground services and the emergency access laneway. Therefore, the primary access to the site should be considered from Intermarket Road in the same location of any proposed easement for servicing and emergency access, whereas the emergency access should be to Riverbank Drive.

At the time of any future site plan application, vegetative plantings will be required between Riverbank Drive and the location of any proposed development in order to ensure appropriate screening is in place to minimize visual impacts on Riverbank Drive.

Built Heritage

The subject property comprises of farmland and open space with a single-detached dwelling located at the northern edge of the property. The property is connected to a small residential laneway, just off Riverbank Drive. The property contains a two-storey brick dwelling built in the early 20th century in the Edwardian style. The dwelling contains a large open gable facing Riverbank Drive with returned eaves, extending cornice and eaves, brick chimney, and inset windows at gable apex. Photographs indicate that the dwelling has been substantially altered.

The subject property is not listed on the City's Heritage Register and is not designated under Parts IV or V of the Ontario Heritage. The property is not located within a recognized cultural heritage landscape. The property is not located adjacent to any protected heritage properties, although it is located within 325m of two listed properties: 215 and 250 Allendale Road.

Given that the applicant is proposing to demolish the existing early 20th century dwelling, Heritage planning staff has requested through the City's comments on this application that the applicant submit a Documentation and Salvage Plan prior to the submission of a Demolition Permit. The Plan will need to be completed in accordance with the City's Guidelines for Cultural Heritage Impact Assessments and Salvage Plans. The Plan will provide a very brief history of the property, photo-document the structure inside and out, and provide recommendations for reuse of historic material onsite or offsite. Rationale for requesting such a document is found within the City's Council-approved Guidelines: "At the discretion of staff, a study is required for certain applications involving property identified as having cultural heritage value or interest through a preliminary site assessment or planning study. In addition, it is recommended that applicants pre-screen any building 40 years of age or older on the development site

as a routine part of pre-application due diligence, especially if demolition will be proposed."

Analysis Summary

Staff gave consideration to Provincial, Regional and City policy, agency comments, compatibility with the surrounding land uses and the appropriateness of the site-specific provisions that were requested by the Applicant.

Provincial Policy Statement

The Provincial Policy Statement, 2020 (PPS) provides policy direction province wide on land use planning and development to promote strong communities, a strong economy, and a clean and healthy environment. It includes policies on key issues that affect communities, such as:

- ensuring the appropriate transportation, water, sewer and other infrastructure is available to accommodate current and future needs;
- protecting people, property and community resources by directing development away from natural hazards.

Regional Official Plan

Chapter 7 of the ROP contains policies relating to the Greenlands Network which aim to ensure protection of environmental features, ecological functions of the Greenlands Network and species at risk. The property contains a wetland that has not been sufficiently evaluated and an inappropriate buffer. The Environmental Impact Statement (EIS) submitted with the applications has not sufficiently addressed policies contained in Chapter 7 and requires revision before regional and city staff can assure the development is in conformity with the applicable ROP policies.

City Official Plan

A portion of the Subject Lands is designated 'Natural Open Space System' in the City OP. The natural area, including appropriate buffers will be zoned as 'Open Space' once the Environmental Impact Statement has been updated by the applicant and approved by City and agency staff.

As discussed above in the report, the proposed density does not meet the Low/Medium Density Residential designation of the City Official Plan.

Based on the proposed application and the incomplete studies and plans submitted, the proposed applications are not consistent with the Provincial Policy Statement and cannot be supported by Planning Staff at this time.

The deadline for making a decision on the application is September 18th, 2024 after which the applicant has the authority to appeal a non-decision to the Ontario Land Tribunal.

EXISTING POLICY / BY-LAW(S):

City of Cambridge Official Plan, 2012, as amended

Existing Land Use Designation(s): Rural Residential and Natural Open Space System as per Map 2 in the City's Official Plan.

Proposed Site-Specific Official Plan Designation: The applicant is proposing Low/Medium Density Residential and Natural Open Space System with Site-Specific Policy to increase density to 55 units per hectare.

The existing land use designation in the City's Official Plan is shown on Figure 4.

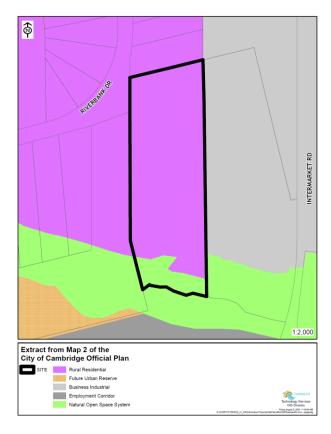


Figure 4 – Existing OP Designation

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

Existing Zoning: Rural Residential (RR2), Agricultural (E)A1, and Open Space (OS1) uses.

Proposed Zoning: Multiple Residential (RM3) with site-specific provisions.

Proposed Site-Specific Zoning Provisions:

Development Standard	Existing RM3 Zoning By-Law No. 150-85 Requirements	Applicant Proposed Zoning Standards for Site Specific RM3 Zone
Maximum No of Attached one- family dwelling units.	6	8
Permitted uses	Attached one family dwellings (row houses and cluster row houses), detached duplex dwellings, semidetached duplex dwellings (fourplexes), attached duplex dwelling (linear and cluster), detached triplex dwelling, maisonettes, mixed terrace, an apartment house	nil
Maximum Density	40 units per net residential hectare	55 units per net residential hectare

The existing zoning is shown on Figure 5below.

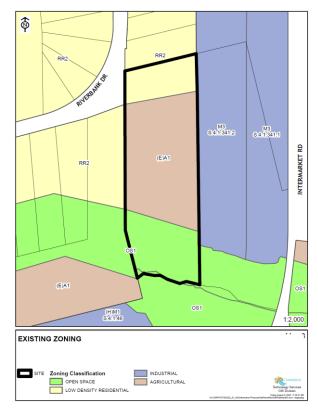


Figure 5 - Existing Zoning

FINANCIAL IMPACT:

A planning application fee in the amount of \$45,000 has been paid to the City of Cambridge to process the Official Plan Amendment and Zoning By-law Amendment.

Future planning application fees will be required as part of the submission of a complete Site Plan.

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 Public Meeting was held on June 18, 2024.

Following the Public Meeting, members of the public/residents that provided their information at the sign-in registry at the meeting or have requested to be included on the mailing list were notified of this Recommendation Report being presented to Council on September 17, 2024.

ADVISORY COMMITTEE INPUT:

Not Applicable.

PUBLIC INPUT:

Members of the public spoke at the public meetings on June 18, 2024. There were public delegations present at the public meeting and City staff received written submissions regarding the application. The general nature of the comments expressed are summarized below. Appendix B contains all written submission received, redacted for privacy.

Land Use Compatibility, Building Height, Scale: The buildings may be tall, and out of character/incompatible with the adjacent low density established residential neighborhood. Consider a park or residential uses that are similar to the current single-family homes.

Density and Traffic on Local Roads: The site is accommodating too much density, concerns about congestion, safety and parking burdens on the surrounding neighborhood and road network. Riverbank Road can be dangerous to walk down and has no sidewalks. The main access to Intermarket Road through the lands to the east, rather than from Riverbank Road should be considered.

Railway Safety: Concerns were raised regarding railway safety as it relates to appropriate signage within the vicinity of the Subject Lands.

Heritage Preservation (Scenic Road): Views of the only scenic road (Riverbank Drive) in the city would be impacted, the access road should be reconsidered, and a Heritage Impact Assessment (HIA) should be submitted.

Further, at the Statutory Public Meeting held on June 18, 2024, Council provided direction to Staff, which is further summarized in the table below:

Direction No	Council Direction	Staff Action/Consideration
1	Consideration be given to only vehicle egress to Intermarket, with only emergency access to Riverbank	Planning staff support the main access to and from the site onto Intermarket Road and the emergency access onto Riverbank Drive.

2	Consider only single detached homes be built on the property. Be considerate of this being a special scenic drive. This is a special area and the requested density in this location is a concern.	Staff recommend the future zoning by-law for this site also allow single detached homes and semi-detached homes as permitted uses.
3	Looking to staff on how to accomplish the lowest amount of density. Staff to present other lower density options for Council's consideration.	Planning Staff recommend the maximum density for this site be no more than 40 units per hectare as permitted by the Low/Medium Density Residential designation.
4	This site is now inside the urban boundary. How can the property be urbanized but still compatible with the surrounding rural properties?	Planning Staff are recommending refusal of the proposed OPA and ZBA until the applicant submits a development proposal that is more compatible with the surrounding properties.
5	Are ARUs permitted here? What impact does that legislation have on this proposal?	Recent legislative changes permit up to two ARUs as of right in single detached, semi-detached and townhouse dwellings subject to meeting certain zoning regulations.
6	If it was zoned Rural Residential, what would that look like?	A rural residential zoning on the property would permit only single detached homes on larger lots (minimum lot area of 4000 m2 and a maximum lot area of 4500 m2).
7	Tax question – explain how different taxes are for multiresidential vs. singles.	Taxes are based on the average assessment and/or sale price of a dwelling. In general, higher assessment values and/or sale prices of a home

	result in higher taxes.
	Property taxes are not considered a land use planning matter.

INTERNAL / EXTERNAL CONSULTATION:

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

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 provided to the applicant but have not yet been addressed. As noted in this report, various studies and plans need to be updated to address staff and agency comments prior to allowing any development of the Subject Lands to proceed.

CONCLUSION:

The City of Cambridge is expecting to accommodate significant population growth within the current Planning Horizon into the year 2051. There is a demand for housing in the City, however, development applications that propose increased density need to be evaluated based on location and compatibility with adjacent land uses.

It is the opinion of planning staff that the proposed Official Plan Amendment and Zoning By-law Amendment applications cannot be supported at this time. The applications as proposed do not conform to the Provincial Policy Statement, Regional Official Plan and City Official Plan and are not in the public interest.

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. 24-095-CD Appendix A Proposed Concept Plan
- 2. 24-095-CD Appendix B Public Comments
- 3. 24-095-CD Appendix C Internal and External Circulation List