

**To:** COUNCIL

**Meeting Date:** 3/25/2025

**Subject:** 25-029-CD Recommendation for Official Plan and Zoning By-law Amendments – 229, 235, 239, 247 Royal Oak Road

**Submitted By:** Bob Bjerke, MCIP, RPP, Chief Planner

**Prepared By:** Rachel Greene, Senior Planner

**Report No.:** 25-029-CD

**File No.:** OR01/23

**Wards Affected:** Ward 1

**RECOMMENDATION(S):**

THAT Report 25-029-CD Recommendation for Official Plan and Zoning By-law Amendments – 229, 235, 239, 247 Royal Oak Road be received;

AND THAT Council approves proposed Official Plan Amendment No. 88 to redesignate the subject lands from Low/Medium Density Residential and Natural Open Space System to Business Industrial and Natural Open Space System with Site Specific Policy 8.1.123;

AND THAT Council approves the proposed Zoning By-law Amendment to rezone the subject lands from R1 (Residential) and OS1 (Open Space) to M1 (Industrial) s.4.1.481 and OS1 s.4.1.481 zones with site specific provisions;

AND THAT Council is satisfied that the requirements for a public meeting in accordance with subsections 17(15) and 34(12) of the Planning Act have been met;

AND FURTHER THAT the By-laws attached to report 25-029-CD be passed.

**EXECUTIVE SUMMARY:**

**Purpose**

The purpose of this report is to provide a recommendation on the proposed Official Plan and Zoning By-law Amendments to facilitate development of the site with two industrial buildings while protecting the natural heritage features on the site.

**Key Findings**

- The proposed development utilizes existing municipal infrastructure to provide serviced industrial lands supporting future employment growth to accommodate a range of light industrial uses.

- Members of the public have shared their concerns about the proposed development. These concerns are detailed in the Public Input section of this report. After two neighborhood meetings, the development plan has been updated to address land use compatibility.
- The proposed development conforms to the City of Cambridge Official Plan and is consistent with the Provincial Planning Statement.

### **Financial Implications**

A planning application fee of \$29,000 has been paid to the City of Cambridge to process the Official Plan and Zoning By-law Amendments.

### **STRATEGIC ALIGNMENT:**

Strategic Action

**Objective(s):** Not Applicable

**Strategic Action:** Not Applicable

**OR**

Core Service

**Program: Development Approvals**

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

### **BACKGROUND:**

#### **Property**

The subject lands are comprised of four (4) properties municipally addressed as 229, 235, 239, and 247 Royal Oak Road and legally described as Part Lot 26, Part Lot 27 Concession Beasleys Broken Front, Lots 1-3 Plan 1147, City of Cambridge, Regional Municipality of Waterloo.

The subject lands are located north of Highway 401, on the southwest corner of the intersection of Royal Oak Road and Speedsville Road. The subject lands have a total lot area of 9.3 hectares with an approximate frontage of 347 metres along Royal Oak Road and 152 metres along Speedsville Road. The site is bisected by West Creek, a natural heritage feature that is regulated by the Grand River Conservation Authority (GRCA).

Each property has a single detached dwelling, which are proposed to be demolished. 247 Royal Oak Road is not listed or designated on the City's Heritage Register but the stone farmhouse may have potential heritage value. The site also features an existing cell tower that is to remain.

The subject lands are shown in Figure 1.



Figure 1 Aerial map of the subject lands

## Surrounding Land Uses

The area is characterized by employment uses to the north including Trade-Mark Industries and the Boxwood Industrial Subdivision with Arriscraft (an aggregate operation) east of Speedsville Road. Highway 401 is located directly to the south. The property abuts three single detached dwellings at 225 Royal Oak Road, 251 Royal Oak Road and 850 Speedsville Road. The south side of Royal Oak Road to the west is comprised of low density residential uses. There is a bus stop (GRT Route 62) directly in front of the site.

## ANALYSIS:

### Proposal

The applicant is proposing Official Plan and Zoning By-law Amendments for the subject lands for the development of two (2) industrial mall/warehouse buildings. Building A is proposed to be located along Royal Oak Road and is approximately 18,199 square metres. Building B is proposed to be located at the intersection of Royal Oak Road and Speedsville Road and is approximately 4,157 square metres. Two accesses are

proposed from Royal Oak Road. A stormwater management pond is also proposed on the site. No new development is proposed within the natural heritage feature running centrally through the site.

Following the statutory public meeting on March 21, 2023 there has been two additional neighbourhood meetings in June and July of 2023. The following revisions have been proposed to address City, agency and public comments:

- Expanded the list of uses not permitted on site to address compatibility concerns
- Reduced building footprints (Building A reduced by 556 sq.m and Building B reduced by 693 sq.m)
- Added parking for Building A from 93 to 198 spaces
- Included a minimum 20m setback to all residential properties abutting the site
- Included an enhanced landscaping buffer and screening from neighbouring properties
- Realigned the open space boundary to accurately reflect the natural heritage feature and an appropriate buffer

The conceptual site plan is included in Appendix A.

The Official Plan Amendment can be found in Appendix B and proposes to redesignate the subject lands from “Low/Medium Density Residential” and “Natural Open Space System” to “Business Industrial” with site-specific policies to ensure specific land uses are prohibited and address compatibility. Additionally, the boundaries of the Natural Open Space System designation will be updated to accurately reflect the natural heritage features and buffers as delineated in the Environmental Impact Study (EIS).

The Zoning By-law Amendment can be found in Appendix C and proposes to rezone the subject lands from R1 Residential and OS1 Open Space to M1 Industrial and OS1 Open Space with site-specific provisions as described in more detail below.

## **Policy Overview**

### **1. Proposed Official Plan Amendment**

#### **Provincial Planning Statement, 2024 (PPS):**

The Provincial Planning Statement provides a province-wide land use planning policy framework. It gives municipalities direction on key issues such as housing supply, economic development, infrastructure, and protection of agricultural lands, the environment, and public health and safety.

Section 2.8.1 of the PPS supports planning authorities to promote economic development and competitiveness by providing opportunities for the following:

- Appropriate mix of employment, institutional, and mixed uses for long-term needs
- Diversified economic base supporting existing and future business needs
- Market-ready, strategic sites for investment
- Intensification of employment uses and compact, mixed-use development for complete communities
- Addressing land use compatibility with appropriate transitions to sensitive areas

Policy 3.5.1 ensures major facilities are planned to maintain land use compatibility with sensitive land uses including minimizing and mitigating any potential adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational viability.

These policies are implemented through the City's Official Plan.

### **Regional Official Plan (ROP), now part of the City Official Plan**

The subject lands are located within the Urban Area and delineated Built Up Area in the ROP. Policy 2.B.1 directs the majority of growth to Urban Areas. The Urban Area is intended to accommodate various land uses including residential, commercial, industrial and institutional uses.

Chapter 2.A of the ROP forecasts Cambridge to grow to 120,700 jobs by 2051. This is an increase of 42,800 from 77,900 in 2021. The proposed development will contribute to job growth in the City within the Urban Area, adjacent to an existing Employment Area.

The proposed amendment conforms to the ROP.

### **City Official Plan (OP)**

The subject lands are located within the Built-Up Area in the City's OP. The Built-up Area is intended to accommodate a significant portion of future population and employment growth.

Section 2.7 directs economic development and competitiveness to be promoted by allowing for a mix of employment uses, ensuring opportunities exist for a diversified economic base that include a range and choice of suitable sites with access to infrastructure, and preservation of employment lands.

Section 8.5 outlines employment objectives and key land supply priorities as per section 8.5.2.1 which support maintaining an adequate supply of serviced land, a variety of choice in terms of location, size, cost, permitted uses etc., accessibility to or along major road networks, transit, rail, and the efficient and compact use of land and infrastructure.

Industrial land use compatibility policies are outlined in Section 8.5.2.5 and are summarized as follows:

1. Protect industrial areas from sensitive uses when possible. Compatible uses should be located between sensitive and industrial areas if they are appropriate for both.
2. Minimize industrial impacts by following provincial guidelines for separation distances from non-industrial areas. Separation distances add extra protection but don't replace source controls. Additional methods like building orientation, materials, fences, and berms should be considered in new developments.
3. The City recognizes the need for some existing residential and new industrial to co-exist. New industrial development may be permitted where studies show they won't detrimentally impacting existing residential areas.

The proposed development conforms with the above noted City OP policies for the following reasons:

- The site can be developed utilizing available municipal infrastructure. This will allow the site to accommodate employment growth in advance of other areas designated for future employment where servicing is not currently available.
- The proposed light industrial zoning provides for a range of employment uses. Industrial malls can accommodate a variety of smaller industrial uses on one site resulting in a compact and efficient development.
- The subject site is visible from Highway 401, located along a transit route, and adjacent to Speedsville Road which is in the process of being upgraded to a Regional Road.
- The proposed development addresses land use compatibility in several ways:
  1. Land Use Permissions:
    - The proposed industrial designation is compatible with the existing employment area and not anticipated to impact existing business operations.
    - The proposed by-laws contain special provisions to prohibit uses that are considered incompatible with the adjacent residential uses.
    - No outdoor storage or operations will be permitted.
    - No speakers or amplification equipment will be permitted outdoors.

- Parking reduction will minimize paved areas and reduce traffic impacts compared to the parking rate in the current zoning by-law.
2. Provincial Guidelines:
- The proposed industrial development is classified as Class I according to the Ministry of Environment, Conservation and Parks (MECP) D-6 Guidelines for Compatibility between Industrial Facilities (and sensitive land uses). Accordingly, the development includes the recommended minimum 20 metre separation distance to any residential class zone.
  - The proposed development is expected to comply with the MECP guideline NPC-300 (stationary noise source) based on the Noise Feasibility Study.
3. Design:
- The site has been designed in a manner to provide for a transition areas between uses.
  - Loading spaces will be screened and located away from the street. Building A will have rear-facing loading docks; Building B will have a noise barrier.
  - Solid fencing will be provided adjacent to residential uses.
  - Landscaping will be provided adjacent to residential to the west of Building A and along street frontages.
  - Open Space lands act as a natural buffer adjacent to Building B.
  - Road improvements including a 15m left-turn lane must be constructed at the intersection of Royal Oak Road and the Building A access in accordance with the Transportation Impact Study.

Overall, the proposed Official Plan Amendment conforms with City policy objectives and is consistent with the PPS. The proposed development addresses land use compatibility by providing an appropriate transition to sensitive land uses through tailored land use permissions, following provincial guidelines and providing additional buffering and screening.

## **2. Zoning By-law**

The proposed Zoning By-law Amendment seeks to rezone the subject lands from Residential (R1) to Industrial (M1) with site-specific provisions. The amendment will also adjust the Open Space boundary to reflect on-site conditions for the protection of the natural heritage feature including an appropriate buffer.

In general, the Industrial (M1) zone is intended for light industrial uses. This zone permits industrial business park uses, office and complimentary uses, as well as

general industrial uses subject to additional restrictions which do not permit any outdoor storage or operations.

The site-specific provisions include the following:

- Prohibition of the following uses: Motel and/or hotel, daycare and/or childcare centre, stamping, treating, refining and/or distilling of products, goods, materials, patterns, tools and dies, a dry-cleaning plant in which a depot for the receipt and delivery of dry-cleaned articles may also be provided, a motor vehicle repair shop or auto body repair shop, a lumber yard, a propane transfer facility or private propane transfer facility, an establishment for the display, sales and services of industrial and commercial motor vehicles and motorized equipment having a gross vehicle weight of at least 5600 kg, an establishment for the storage and recycling of tires, and a landscaping and garden centre sales.
  - Prohibiting these specific uses (in addition to existing prohibitions in the City's Zoning By-law, including auto service malls and courier/delivery services) on the subject lands is intended to address compatibility with the adjacent residential by reducing the potential for noise and/or odour impacts.
- Industrial uses are only permitted within an enclosed building.
- No outdoor storage of any kind, including but not limited to; equipment; goods; materials; dumping; scrap metal, garbage or refuse shall be permitted.
- No speakers or other amplification equipment shall be permitted on the lands except within wholly enclosed buildings
  - The M1 zone only permits storage/operations to be conducted indoors. The intent of these provisions is to limit noise to adjacent residential uses and to ensure storage is not visible to the public realm or neighbouring properties. In addition, mitigation can also be achieved through appropriate building construction to dampen noise.
- Loading facilities, overhead bay or service bay doors shall only be permitted at the rear of the building.
  - This provision will ensure that the loading facilities are generally separated from residential uses to decrease noise impacts.
- A minimum side yard and/or rear yard of 20.0 metres abutting a residential use class zone.
  - This provision ensures that an appropriate setback distance is provided adjacent to sensitive land uses in accordance with the MECP D-6 Guidelines.
- A solid fence not less than 1.8 metres in height shall be provided and maintained adjacent to a residential use class zone.



- A minimum 3 metre enhanced planting strip shall be provided and maintained along the west side of the property adjacent to a residential use class zone. It shall be planted with perennial grasses and trees pursuant to Appendix 4 of the Zoning By-law to the satisfaction of the City
  - The intent of this provision is to require both a solid fence and a 3m enhanced planting strip to improve compatibility/privacy adjacent to neighbouring residential (above the requirements of the zoning by-law). Building B is separated by open space, providing a naturalized buffer.
- Visual screening of rooftop mechanical equipment is required.
  - This provision will ensure a high level of urban design is maintained and rooftop equipment is screened from the street view and neighbours.
- A minimum parking requirement of 198 spaces for Building A.
- A minimum parking requirement of 55 spaces for Building B.
  - Industrial malls require 2.5 spaces per 100 sq.m of gross leasable area. Building A would be required to have 455 spaces and Building B would be required to have 104 spaces. The development proposes 198 spaces for Building A and 55 spaces for Building B. Building A is expected to have a capacity of 150 employees and 40 employees for Building B. The proposed reduction also meets the parking rates as proposed in the draft comprehensive zoning by-law. Staff are supportive of the parking reduction. It allows for efficient and compact use of the site. The site is also located along a transit route and bicycle parking will also be implemented through the site plan.
- To permit the existing stone house, gravel driveway, and cellular tower in the OS1 zone.
  - These provisions are to recognize existing conditions on site.

The proposed Zoning By-law Amendment meets the general intent of the City's Zoning By-law and introduces additional provisions to address compatibility with neighbouring residential uses and safeguards the onsite natural heritage feature.

### **Staff Recommendation**

Staff considered Provincial, Regional and City policies, agency comments, and compatibility with surrounding land uses. The proposed development contributes to economic development and will support job growth in the City. The proposed development will allow light industrial uses and a suitable transition between the existing employment area and the residential uses. Appropriate site-specific policies are included in the proposed by-laws to mitigate potential impacts.

It is the opinion of planning staff that the proposed applications are consistent with the Provincial Planning Statement and meet the intent of the Regional/City Official Plan.

Should Council approve the Official Plan and Zoning By-law Amendments, a Site Plan application will be required to implement the proposed site-specific policies and zoning provisions.

### Decisions Subject to Appeal

Planning decisions are subject to appeal to the Ontario Land Tribunal (OLT) by specified persons. An appeal may be filed if the applications are refused, approved, or if a decision is not made within the timeline for processing the applications set out in the Planning Act. The timeline for making a decision on these applications was exceeded, providing additional time for alterations to the original submission to address staff, agency, and public comments.

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

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

**Existing Land Use Designations:** Built-up Area, Low/Medium Density Residential, and Natural Open Space System as per Map 2 in the City’s Official Plan

**Proposed Land Use Designations:** Business Industrial with Site Specific Policy 8.10.123 and Natural Open Space System

The existing and proposed land use designation in the City Official Plan are shown in Figure 2.

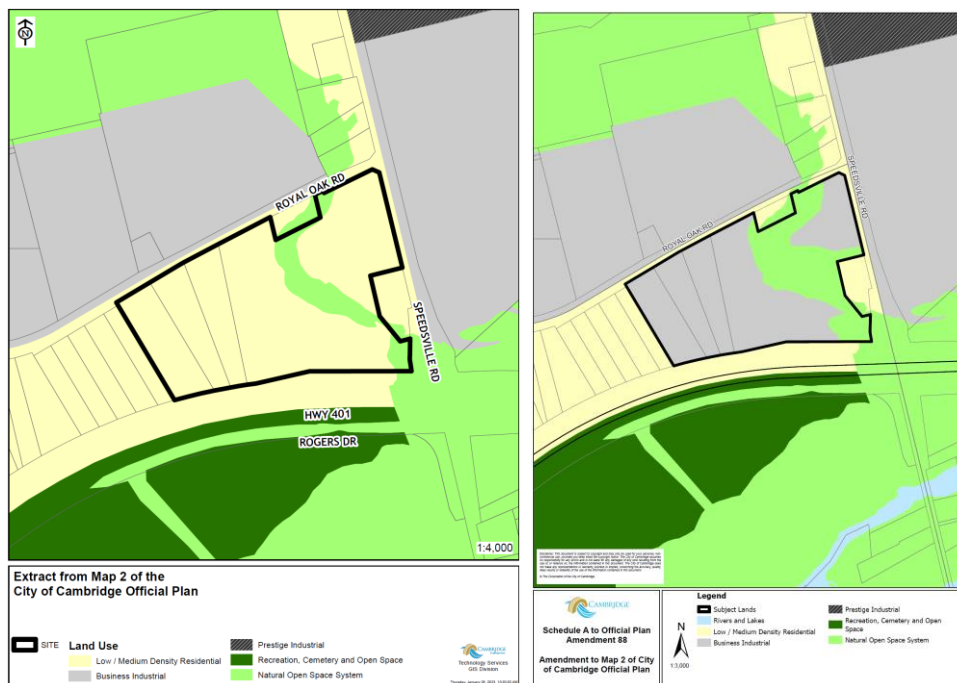


Figure 2 – Existing and Proposed Land Use Designation

## City of Cambridge Zoning By-law No. 150-80, As amended

**Existing Zoning:** Residential (R1) and Open Space (OS1)

**Proposed Zoning:** Industrial (M1) and Open Space (OS1) with site-specific provisions 4.1.481

The site-specific provisions are included in the proposed Zoning By-law in Appendix C. The existing and proposed zoning are shown in Figure 3 below.



Figure 3: Existing and Proposed Zoning

### FINANCIAL IMPACT:

- A planning application fee in the amount of \$29,000 has been paid to the City of Cambridge to process the Official Plan and Zoning By-law Amendments.
- 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.
- The applicant will be required to pay any further costs associated with the

development.

**PUBLIC VALUE:**

A Statutory Public Meeting required under the Planning Act was held on March 21, 2023. 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 were provided with access to this Recommendation Report.

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:**

Public delegations attended the public meeting on March 21, 2023. During the session, both Council members and the public raised concerns. Staff also received written submissions on the proposal. Additionally, staff held two neighbourhood meetings, one on June 12, 2023 and the second on July 17, 2023.

The written submissions are included in Appendix D. The applicant has provided written responses to neighbourhood concerns included in Appendix E. The Question and Answer documents from the neighbourhood meetings are posted on the City’s website and included in Appendix F.

The general nature of the comments expressed are summarized below with staff responses:

**Traffic and Safety:** Concerns with the volume/speed of traffic on Royal Oak Road and the capacity/safety of Speedsville Road

- The Transportation Impact Study (TIS) prepared by Paradigm Transportation Solutions for the proposed development recommended intersection improvements such as adding left-turn lanes at Speedsville Road and Royal Oak Road
- City staff are actively working with the Region to complete the upload of the road into their ownership and to ensure capital upgrades are prioritized to support development in this area. The TIS recommended the Region undertake a roundabout feasibility study.
- A future corridor widening of Royal Oak Road is planned in the City’s Master Transportation Plan.

### **Access Driveways**

- Concerns regarding proximity of the driveways to residential/the intersection
- Building A: Access is 230m from 225 Royal Oak Road and 110m from 251 Royal Oak Road
- Building B: Access is 50m from the intersection. Access cannot be provided from Speedsville due to grading.
- The TIS assessed these access points and recommended road improvements to ensure safe vehicle movement and minimize traffic impact.

### **Noise Impacts:** Concerns with noise from industrial uses

- The Noise Feasibility Study prepared by HGC Engineering recommended the following:
  - Ensure a minimum 20m separation between industrial buildings/operations and residential properties
  - A 3m high, 30 m long noise barrier at the northwest corner of Building B
  - Prohibition of certain industrial uses to address noise concerns, such as stamping, treating, refining and/or distilling, a dry-cleaning establishment, a motor vehicle and/or autobody repair shop and a propane transfer facility.

### **Privacy and Compatibility:** Concerns with compatibility between residential and industrial land use

- Building A: Located on the west, set back 20m from 225 Royal Oak Road, with a driveway 230m from this property. Enhanced landscape screening and buffering will be provided.
- Building B: Located on the east, set back 45m from 251 Royal Oak Road, with natural features providing additional buffering. It is also set back 20m from 850 Speedsville Road, allowing for landscape screening.
- Board-on-board fencing will be provided along the industrial zones where they abut residential.

### **Loss of Green Space:** Concerns with the loss of open space on the site

- The by-laws propose to retain the existing natural feature (West Creek)
- The boundaries of the open space are based on the EIS with an additional buffer
- Ensures all future development is outside of the natural feature and buffer area
- If approved, tree protection measures and mitigation will be reviewed through a future site plan application, if approved

**Impacts on Private Residential Services:** Concerns with construction impacts on nearby residential wells

- The applicant submitted a Stormwater Management Report, Geotechnical Investigation, Hydrogeological Assessment and EIS in support of the development which were reviewed/accepted by staff and agencies.
- These studies assessed soil and groundwater conditions, provided recommendations for site preparation and construction, and confirmed groundwater parameters met standards
- Additionally, the GRCA ensures water balance criteria are met prior to development through the detailed design review stage through site plan, if approved.

### **Heritage**

- Council requested that staff investigate applying heritage protections to the 19<sup>th</sup> century stone farmhouse on the property.
- Through the pre-consultation process, staff requested a Cultural Heritage Impact Assessment (CHIA) to determine its cultural heritage value or interest and provide options for its retention and adaptive reuse. However, as the property is not listed on the Heritage Register, staff could not require the applicant to submit an HIA as per the Official Plan policies.
- The applicant was originally intending to retain the structure but has since advised the City of their intent to demolish the structure based on its condition. Heritage Planning staff requested a site visit to inspect the condition of the building, but the property owner did not consent to staff's request.
- Due to legislative changes through Bill 23, if a notice of a complete application under section 22 of the Planning Act has been issued for a property (a "prescribed event" defined in O. Reg. 385/21) that is unlisted the property cannot be designated until a final determination has been made on the planning application.
- If Council intends to pursue designation, a Notice of Intention to Designate (NOID) may proceed once a determination on this application has been made and any appeals to the Ontario Land Tribunal have been resolved (O.Reg. 385/21).

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

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

Staff received comments from the applicable City departments and outside agencies regarding the proposed Official Plan and Zoning By-law Amendments. Staff and agency

comments have been addressed by the applicant and if approved, will be implemented through a future Site Plan application.

### **CONCLUSION:**

The City of Cambridge is expecting to accommodate significant employment growth within the current planning horizon into the year 2051. The proposed development represents an efficient use of land and municipal services, creating serviced industrial lands to support a range of light industrial uses.

The amendments have addressed land use compatibility by including site specific land use permissions, implementing and adhering to provincial guidelines, and through the design and orientation of the development.

It is the opinion of Planning staff that the proposed amendments are consistent with the Provincial Planning Statement and conform with the policies of the City Official Plan and meet the general intent of the Zoning By-law.

### **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. 25-029-CD Appendix A – Proposed Concept Plan
2. 25-029-CD Appendix B – Proposed By-law for Official Plan Amendment

3. 25-029-CD Appendix C – Proposed Zoning By-law Amendment
4. 25-029-CD Appendix D – Written Public Submissions
5. 25-029-CD Appendix E – Applicant Response to Neighbourhood Concerns
6. 25-029-CD Appendix F – Neighbourhood Meeting Questions and Answers
7. 25-029-CD Appendix G – Internal/External Consultation and List of Supporting Studies