

March 15, 2022

**DELIVERED BY HAND**

Mayor McGarry and Members of Council  
City of Cambridge  
Cambridge City Hall  
50 Dickson Street  
Cambridge, ON N1R 8S1

Dear Mayor McGarry and Members of Council:

**Re: Request for Minister's Zoning Order – Flag Raiders Paintball, Cambridge Ontario, Regional Municipality of Waterloo - Municipally known as 1500 Kossuth Road, being Part of Lot 89 German Company Tract, formerly Township of Waterloo, designated as Parts 1, 2 and 3 on Reference Plan 58R-11961 and further identified by Property Identification Number 22738-0034 (LT) registered in the Land Registry Office for the Land Titles Division of Waterloo (No. 58) ("subject lands")**

We act for Flag Raiders Paintball ("Flag Raiders"), in this matter. We are writing to you today, pursuant to the City's policy with respect to Council support of requests for Minister's Zoning Orders ("MZO"). Specifically, our client respectfully requests the City's support for a Minister's Zoning Order, under section 47(1) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended (the "Act") to allow, among other things, an outdoor commercial recreational facility, namely a paintball gaming operation, on the subject lands.

Included with this request as Schedule "A" is a Vision Document, prepared on behalf of Flag Raiders by MHBC Planning, as well as a draft Zoning Order.

**The Proposal**

The subject lands are located on the south side of Kossuth Road, between Speedsville Road and Beaverdale Road. The lands have an approximate area of 24.4 hectares (60 acres) and a frontage of about 445 metres on Kossuth Road. The north portion of the subject lands are used for agricultural purposes, the west portion of the lands were formerly used for recreational purposes and are presently vacant. The remaining parts of the land are vacant wetland and forested areas. The proposed 4.3 hectare (10.6 acre) recreational use is located to the west and rear of the subject lands and will be limited to the area previously home to the former paintball facility (operated by Flag Raiders). It is important to note that the proposed use will not preclude the future use of the subject lands for agricultural uses and does not impact the adjacent agricultural areas.

The site is located in close proximity to a range of agricultural and non-agricultural land uses, including the Waterloo Region Airport. The proposed recreational use is in a cluster with existing rural residential, business and two (2) other existing recreational uses (i.e., golf courses).

In our respectful submission, it is an excellent location for the proposed recreational uses and will constitute a significant economic development opportunity for the City of Cambridge. The proposal has received support from many local residents and businesses, as demonstrated by the correspondence attached as Schedule “B” to this submission.

### **The Minister’s Zoning Order**

The proposed MZO would permit an active recreational use and establish site specific requirements for the use, including the location of parking areas; landscaping, fencing and berming; protection of open space; and hours of operation.

In our respectful submission, the on-going Covid-19 pandemic has increased the need for quality outdoor recreational uses that create the opportunity to assist with physical and mental health, as well as supporting the recovery of local businesses. The MZO will increase the regional recreational opportunities in the region, providing much needed support for the local and regional tourism industry.

### **The City’s MZO Policy**

In our submission, the proposed recreational use will:

1. Support and encourage the growth of a highly competitive local economy where there is opportunity for everyone to contribute and succeed;
2. Demonstrate the City’s commitment to work collaboratively with other government agencies and partners to achieve common goals and ensure representation of community interests; and
3. Expedite a development which furthers a broad community interest.

### **The 2008 Ontario Municipal Board Case**

Our clients were first granted permission for a temporary use by-law for a period of three years in 2001. That temporary use by-law was extended for a further three years in 2004. The case before the OMB in 2008 was for a further extension of the temporary use for three months. The Board approved the further extension.

The 2008 decision does not preclude the City’s consideration of this request for a MZO nor, for that matter, would it preclude an application to rezone the lands to permit a permanent recreational use. The only issue separating the parties at the hearing was conformity with the Regional Official Plan and the City’s Official Plan.

While our client's planning consultant continues to maintain that the proposal does not offend any of the applicable provincial, regional or local policies or by-laws, the City's support for the proposed MZO will eliminate what we consider to be a needless, lengthy and expensive approval process that would undoubtedly be appealed to the Ontario Land Tribunal. The process-driven delay would add years to the approval of what should be an obvious use of the subject lands, a use that has been demonstrated to have no adverse impacts on any surrounding uses or businesses and that brings significant economic benefits and tourism dollars to the City and the Region.

**Conclusion**

As noted in the City's MZO Policy, MZOs can be used to promote City Initiatives such as strategic projects for the benefit of the broad public good of the community. We believe the recreational use proposed by our client satisfies this important objective. The proposed recreational use provides a community economic benefit and supports the local economy.

Thank you for your consideration of this request.

Yours very truly,

A handwritten signature in black ink, appearing to read 'H.G. Elston', followed by a long horizontal line extending to the right.

H.G. Elston

c.c. Minister Steve Clark