



May 31, 2023

Ms. Sylvia Rafalski-Misch, MCIP, RPP  
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Dear Ms. Rafalski-Misch:

**ROBERT AND NICOLE DIXON  
OFFICIAL PLAN AMENDMENT APPLICATION SUBMISSION  
110 ROYAL OAK DRIVE, CAMBRIDGE**

**COVER LETTER TO THE APPLICATION AND PLANNING JUSTIFICATION**

On behalf of our clients, Robert and Nicole Dixon, please accept this letter and the following documents as the complete Official Plan Amendment application for the lands known as 110 Royal Oak Drive in the City of Cambridge.

Please find enclosed the following items as required in support of this application and in accordance with conversations with City staff on this matter:

- One (1) original and one (1) hard copy of the signed and completed Official Plan Amendment Application Form, including Permission to Enter Private Property form, Authorization of all Owner(s) for Agent to submit the Application Form, and Contaminated Site Screening Questionnaire;
- Two (2) copies of the Scoped Hydrogeological Assessment, prepared by Chung & Vander Doelen Engineering Limited;
- Two (2) copies of correspondence with Peter Ellis, Region of Waterloo, dated March 23, 2023 regarding clearance of applicable Regional Official Plan policies;
- Two (2) copies of the Draft By-Law Text for the Official Plan Amendment, prepared by Arcadis Professional Services (Canada) Inc.;
- Two (2) copies of the Draft By-Law Schedule showing the subject lands of the Official Plan Amendment, prepared by Arcadis Professional Services (Canada) Inc.;
- Six (6) copies of the Severance Sketch and Survey, prepared by J.D. Barnes Limited, an Ontario Land Surveyor (O.L.S.); and
- One (1) USB drive containing digital copies of the above.

On behalf of our clients, we have requested that the City of Cambridge Official Plan Amendment review fee for a "minor technical amendment" be waived through a separate letter and delegation to Cambridge City Council. We understand this request will be considered at the Council meeting on June 6, 2023. We will also be requesting that the Region of Waterloo waive the Regional review of local municipality Official Plan Amendment. In addition, though not required by City of Cambridge staff, the application also includes:

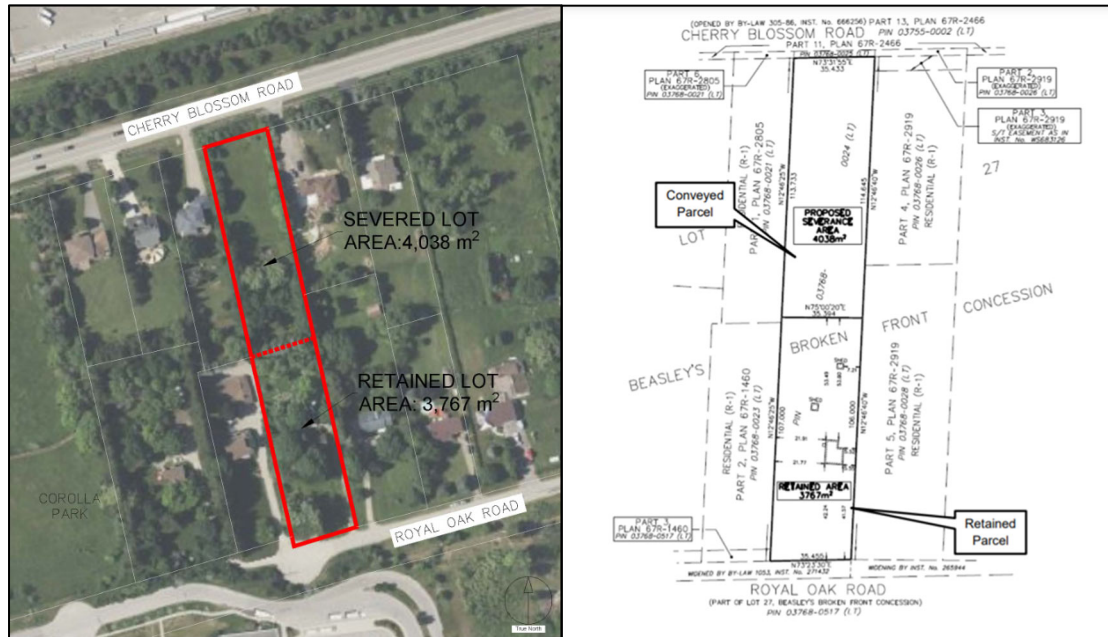
**1. Proposal Summary and Prior Consent Application**

Our clients are proposing a lot severance to create a new residential lot on individual on-site water and individual on-site sewage services (see **Figure 1**). The subject site is designated 'Low/Medium Density Residential' in the City of Cambridge Official Plan, which permits compatible residential infill intensification, and zoned R1 in the City of Cambridge Zoning By-Law, which applies to low density areas in the City where public water supply and sanitary sewage disposal facilities are not available. The proposed severed

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and retained lots have minimum lot frontages of 35 metres and minimum lot areas of 4,038 m<sup>2</sup> and 3,767 m<sup>2</sup> respectively.

The abutting properties contain single detached dwellings of a similar nature. North of the subject property, buffered by Cherry Blossom Road and a treeline, is the Toyota Motor Manufacturing Plant. Immediately south of the subject property is the Conestoga College – Reuter Drive Campus.



**Figure 1** - Proposed Development (left - Aerial, prepared by Arcadis Professional Services (Canada) Inc.; right - Severance Sketch and Survey, prepared by J.D. Barnes)

At the time of the Committee of Adjustment's consideration of consent application B27/21 on November 10, 2021, the in-force Region of Waterloo Official Plan (Policy 2.D.1) required development within the Urban Area to be serviced by a municipal drinking-water supply system and a municipal wastewater system. At the request of the Region and City staff, the committee deferred the application *sine die* pending the submission of a Functional Servicing Report on the feasibility of municipal servicing of the site, consistent with the requirements of Policy 2.D.1, and to review the necessary conditions of approval.

Subsequently, Regional Official Plan Amendment No. 6 was adopted by Region of Waterloo Council on August 18, 2022 and approved with amendments by the Province on April 12, 2023. These amendments included the repeal of Policy 2.D.1. The in-force ROP now includes Policy 2.J.8, which states:

- 2.J.8.** *Notwithstanding any policies of this Plan, development applications proposing residential infill development may be permitted on partial services, individual on-site water services, and/or individual on-site sewage services, subject to the following:*
- a. it is demonstrated to the satisfaction of the Region that the extension of servicing from a municipal water and/or wastewater system is not feasible;*
  - b. the site is not located within Wellhead Sensitivity Area 1, a High Microbial Risk Management Zone, or a Surface Water Intake Protection Zone 1 described in Chapter 8;*
  - c. studies prepared in accordance with the Regional Implementation Guidelines for Source Water Protection Studies and accepted by the Region, demonstrate that such services can operate satisfactorily on the site and will not have a negative impact on groundwater resources;*

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- d. *it is demonstrated to the satisfaction of the area municipality's Chief Building Official that the site conditions are suitable for the long-term provision of such services with have no adverse effects; and*
- e. *the development application complies with Policies 5.B.8 and 5.C.6 as applicable*

On behalf of the Region, Peter Ellis (Senior Planner) confirmed by email on March 23, 2023 that the above conditions have been satisfied, pending documentation from the City of Cambridge's Chief Building Official to satisfy Policy 2.J.8(d). This correspondence is enclosed with the application. Further discussion of this Policy is provided in the section titled "Region of Waterloo Official Plan" of this Letter.

## 2. Required Planning Approvals

The City of Cambridge Official Plan, specifically Policy 8.4.6.10, requires a technical amendment(s) to conform to Policy 2.J.8. We understand from City staff that this will be part of the broader municipal comprehensive review to be launched in the fall. To facilitate the proposed development in advance of the municipal comprehensive review, our client is proposing the following site-specific policy to apply to the subject lands:

### **110 Royal Oak Road**

**8.10.XX.** *Notwithstanding Policy 8.4.6.10, the lands designated "Low/Medium Density Residential" and located at 110 Royal Oak Road, being part of Lot 27, Beasley's Broken Front Concession and identified by Figure XX, may be developed for two residential dwellings using private services.*

Draft By-Law text and a map showing the subject lands of the proposed Official Plan are enclosed with this application.

Subsequent to the approval of the requested Official Plan Amendment, the Committee of Adjustment will be able to review and approve the previously deferred consent application, subject to appropriate conditions.

## 3. Planning Policy Review

The following sections briefly review the planning policies applicable to the proposed development in the Planning Act, the Provincial Policy Statement, the Growth Plan for the Greater Golden Horseshoe, the Regional Official Plan, the City of Cambridge Official Plan, and the City of Cambridge Zoning By-Law.

### 3.1 Planning Act

Section 2 of the Planning Act outlines various "Matters of Provincial interest", which decision-makers must have regard to in carrying out their duties under the Act.

The proposed development is located within the existing built-up area and contributes to the housing stock. Similar to the existing detached residential dwelling and adjacent properties, the proposed development will rely on individual on-site water and on-site sewage systems, which is not anticipated to negatively impact public health and safety, including the provision of municipal water and sewage systems. Please refer to the Scoped Hydrogeological Assessment prepared by Chung & Vander Doelen Engineering Limited, which concluded private servicing can be accommodated on-site. The proposed development is also not anticipated to impact natural heritage features, agricultural resources, natural and mineral resources, or cultural heritage resources.

Based on the above, it is our opinion that the proposed development has regard for the "Matters of Provincial Interest" as required by the Planning Act.

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### 3.2 Provincial Policy Statement

The Provincial Policy Statement sets the policy framework for efficient land use and development patterns that support sustainability by promoting strong, liveable, healthy, and resilient communities, protecting the environment and public health and safety, and facilitating economic growth.

The proposed development contributes to a range and mix of housing options within an existing settlement area at an appropriate density, optimizing existing transportation infrastructure. As municipal and private communal sewage services and water services are currently not available, the proposed infill development relies on individual on-site sewage and water services, which is not anticipated to negatively impact environmental health and the desired character of the settlement area. Please refer to the Scoped Hydrogeological Assessment prepared by Chung & Vander Doelen Engineering Limited, which concluded private servicing can be accommodated on-site.

Based on the above, it is our opinion that the proposed development is consistent with the PPS.

### 3.3 Growth Plan for the Greater Golden Horseshoe

The Growth Plan for the Greater Golden Horseshoe (2020) sets out a long-term plan for growth and development, providing different approaches that recognize the diversity of communities, supporting the achievement of complete communities and a range and mix of housing options, integrating land use, infrastructure, and public service facilities, and protecting natural heritage, hydrologic, and landform systems, features, and functions.

The proposed development contributes to the range and mix of housing options within an existing settlement area with individual sewage and water services, while protecting or not negatively impacting existing agricultural areas or natural heritage, hydrologic systems, features, and functions. Please refer to the Scoped Hydrogeological Assessment prepared by Chung & Vander Doelen Engineering Limited, which concluded private servicing can be accommodated on-site.

Based on the above, it is our opinion that the proposed development conforms to the Growth Plan 2020.

### 3.4 Region of Waterloo Official Plan

The Regional Official Plan sets out the policy direction of land use planning in the Region of Waterloo to 2051. The subject property is within the Urban Area (Map 1) and the Delineated Built-Up Area (Map 2). The ROP directs that a minimum of 61 per cent of new residential development will occur within the delineated built-up area through intensification annually, including 65 per cent within the City of Cambridge (ROP Chapter 2, Table 3) to optimize infrastructure, create a more compact built form, and support a transition of the region to an energy-efficient, low-carbon community. Existing neighbourhoods are expected to intensify through “gentle density” in a broad range of “missing middle” housing options. As described above, Policy 2.J.8 permits residential infill development on individual on-site water services, and/or individual on-site sewage services subject to conditions.

The proposed development will help satisfy the Region’s intensification target by adding gentle density within the delineated built-up area and within an existing neighbourhood, optimizing transportation infrastructure without negative impacts on natural heritage features and ground water. The following table describes how the proposed development meets the conditions in Policy 2.J.8:

Policy Requirements	Discussion of Conformity
<b><i>Policy 2.J.8 Notwithstanding any policies of this Plan, development applications proposing residential infill development may be permitted on partial services, individual on-site water services, and/or individual on-site sewage services, subject to the following:</i></b>	
<b><i>a. it is demonstrated to the satisfaction of the Region that the extension of servicing from</i></b>	Municipal water and wastewater services are not available along the streets abutting the subject property and an extension of existing services is not currently

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Policy Requirements	Discussion of Conformity
<p><i>a municipal water and/or wastewater system is not feasible;</i></p>	<p>planned. Existing residential dwellings in the immediate area are also on individual on-site water and sewage services.</p>
<p><i>b. the site is not located within Wellhead Sensitivity Area 1, a High Microbial Risk Management Zone, or a Surface Water Intake Protection Zone 1 described in Chapter 8;</i></p>	<p>The subject property is not within a Wellhead Protection Area on Map 6a of the ROP, is not within a High microbial Risk Management Zone on Map 6f of the ROP, and is not within a Surface Water Intake Protection Zone on Map 6g of the ROP.</p>
<p><i>c. studies prepared in accordance with the Regional Implementation Guidelines for Source Water Protection Studies and accepted by the Region, demonstrate that such services can operate satisfactorily on the site and will not have a negative impact on groundwater resources;</i></p>	<p>The subject property is not within a Source Water Protection Area and Section 59 protocols do not apply, as confirmed through the Region’s TAPs system and in consultation with Regional Official Plan documents noted above.</p>
<p><i>d. it is demonstrated to the satisfaction of the area municipality’s Chief Building Official that the site conditions are suitable for the long-term provision of such services with have no adverse effects; and</i></p>	<p>Regional staff confirmed that conformity with (d) can be addressed through a condition applied by the Committee of Adjustment in its consideration of B27/21.</p>
<p><i>e. the development application complies with Policies 5.B.8 and 5.C.6 as applicable.</i></p> <p><b>5.B.8 Development applications proposing alternative individual wastewater treatment systems will only be permitted where the proposed lot size would accommodate a conventional individual wastewater treatment system.</b></p> <p><b>5.C.6 Where a development application proposes the use of private wells to supply potable water, only drilled wells with appropriate surface casing will be permitted.</b></p>	<p>A “Scoped Hydrogeological Assessment” was completed by Chung &amp; Vander Doelen Engineering Limited, which is enclosed with this application. The assessment concluded the following:</p> <ul style="list-style-type: none"> <li>• <i>The proposed residence for the severance lot can be adequately serviced with a conventional sewage system, subject to all design requirements of the Ontario Building Code, and a drilled deep granular aquifer well, like all existing private wells in the area.</i></li> <li>• <i>No groundwater quantity impact from the additional deep aquifer well is predicted based on the high capacity of the aquifer compared to the relatively modest yield requirements for a residence.</i></li> <li>• <i>The hydrogeological setting at the property includes an intermediate-depth 20+ m thick aquitard that provides a high degree of protection to the deep granular aquifer from septic systems.</i></li> <li>• <i>No groundwater quality impact from one additional septic system is predicted based on the absence of any existing shallow wells downgradient from the property and the established supplies from either the deep aquifer.</i></li> </ul> <p>Therefore, it is our opinion that policy 2.J.8(e) has been addressed by the applicant.</p>

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### 3.5 City of Cambridge Official Plan

The subject property is designated 'Low/Medium Density Residential', which permits a range of uses including detached residential dwellings. Section 2.6.1.8 permits "infill, intensification and redevelopment within existing neighbourhoods" provided they are minor in nature and are designed to respect existing character. Section 2.8.4.2.2 provides tests for residential compatibility, including comparable building height, massing and scale, similar lot coverage and setbacks to neighbouring houses, built form that respects the facades of neighbouring housing, and has minimal transportation implications and provides appropriate parking arrangements.

City of Cambridge Official Plan Policy 8.4.6.10 implements the now repealed Policy 2.D.1 from the ROP, stating:

*Lands in a Low/Medium Density Residential designation where a piped municipal water supply and/or wastewater systems have not yet been made available may be used for the following uses:*

- a) *an existing residential use; and*
- b) *any use accessory to a permitted use; and Council may pass by-laws to restrict the use of such lands to such interim uses until a piped municipal water supply and sanitary sewers have been made.*

The proposed development is in keeping with the lot sizes, houses, and building massing along both the Royal Oak Road and Cherry Blossom Road frontages, providing compatible infill intensification. The subject property has an existing lot area that is larger than neighbouring residential lots, which range in size and can generally be characterized as large and deep with similar setbacks and lot coverages as the proposed development. The proposed development provides a more consistent lot fabric to the existing neighbourhood, as the proposed severed and retained lots have minimum lot frontages of 35 metres and minimum lot areas of 4,038 m<sup>2</sup> and 3,767 m<sup>2</sup> respectively.

City of Cambridge staff have confirmed that, while Policy 8.4.6.10 does not explicitly prohibit the proposed development, the intention of the Policy is to implement the now repealed Regional Official Plan Policy 2.D.1 that did prohibit the proposed development. As such, it is the City's opinion that relief is required by way of an Official Plan Amendment to facilitate the proposed development's consideration by the Committee of Adjustment, which requires in part that any development application be consistent with the intent of the Official Plan.

To facilitate the proposed development in advance of the municipal comprehensive review, our client is proposing the following site-specific policy to apply to the subject lands:

**110 Royal Oak Road**

**8.10.XX.** *Notwithstanding Policy 8.4.6.10, the lands designated "Low/Medium Density Residential" and located at 110 Royal Oak Road, being part of Lot 27, Beasley's Broken Front Concession and identified by Figure XX, may be developed for two residential dwellings using private services.*

Draft By-Law text and a map showing the subject lands of the proposed Official Plan are enclosed with this application.

### 3.6 City of Cambridge Zoning By-Law

The subject property is designated 'R1', which permits one detached residential dwelling per lot. Section 1.1.2.1 of the Zoning By-Law states that the R1 zone applies to "low density areas in the City where public water supply and sanitary sewage disposal facilities are not generally available." The intent of the minimum lot frontage and lot area requirements is to maintain a low-density character and to provide sufficient lot area for individual on-site water and sewage services.

The proposed development complies with the Zoning By-Law, as noted in the table below:

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Regulation	Requirement	Severed Lot	Retained Lot
Minimum Lot Frontage	30 m	35 m	35 m
Minimum Lot Area	3000 m <sup>2</sup>	4,038 m <sup>2</sup>	3,767 m <sup>2</sup>

Based on the above, the proposed development would maintain the general intent of the Zoning By-Law and comply with the existing regulations and provisions.

#### 4. Conclusion

Based on our review of the applicable land use policies and regulations, the proposed Official Plan Amendment, in our opinion, both have regard for the “Matters of Provincial Interest” defined by the Planning Act, is consistent with the Provincial Policy Statement, is in conformity with the Growth Plan for the Greater Golden Horseshoe, the Region of Waterloo Official Plan, the City of Cambridge Official Plan and Zoning By-Law. Also, it is important to note that now that the “upper tier” Region of Waterloo Official Plan includes policy ‘2.J.8’, the “lower tier” City of Cambridge Official Plan is required by Provincial policies, including the Planning Act, to include a similar policy permitting the development of limited residential uses on private services provided certain criteria are satisfied. As such, the site-specific policy requested through the proposed Official Plan Amendment for the subject lands will need to be completed by the City in the near future and applicable across many other similar lands at no cost to the owners of the subject property to ensure the City of Cambridge Official Plan conforms to the noted Regional policy.

Further, it is our opinion that proposed development makes efficient use of land and contributes to the City of Cambridge housing stock by way of compatible, low-density residential development. Based on the foregoing, it is our opinion that the proposed development represents good planning and is appropriate for the subject property and surrounding area.

We trust that you will find the enclosed application complete to undertake a review of the proposed development and processing of the Official Plan Amendment application.

Please contact our office if you have any questions or would like to discuss.

Sincerely,

**ARCADIS PROFESSIONAL SERVICES (CANADA) INC.**



Dave Barrett, MCIP RPP  
Associate – Manager, Aggregate Planning

DB/jh/ct/baw  
Encl.

cc: Robert and Nicole Dixon