

City of Cambridge

Official Plan Review

Introduction and Implementation Draft Policy Paper



May 2011

Please note that policy numbers and cross references are subject to change when the overall draft Official Plan is prepared

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1. Overview

This policy paper updates the existing Introduction Chapter in the Official Plan and the supplementary policies relating to implementation, amendment, monitoring and review and interpretation. The proposed policies in this Chapter have been drafted in accordance with the Planning Act and the Provincially approved Regional Official Plan, 2011.

2. Rationale for Changes

Based upon legislative changes, these policies are proposed which include policies for height and density bonusing (Section 37 of the Planning Act), parkland dedication, alternative notice procedure, conservation of resources and public consultation.

Planning Act

The Planning Act was amended through the Planning and Conservation Land Statute Law Amendment Act (Bill 51), 2006. Some of the elements of Bill 51, were already incorporated into the City Official Plan through Amendment No. 28. These include criteria for complete applications, enlarging the scope of site plan control and requiring preconsultation with staff for development applications. These elements will be incorporated into the policy updates in the implementation section of the Plan.

The Planning Act includes several other sections which will be incorporated into the new and updated policies in the Implementation section of the Plan. These include the contents of an Official Plan, the allowance for municipalities to consider height and density bonusing policies for projects which benefit the general community, conveyance of parkland and conveyance of land for public art purposes and the possibility of including an alternative notice procedure for public meetings.

Given the general nature of the Introduction Chapter in the Official Plan and the supplementary policies relating to Implementation, Interpretation Amendment, and Monitoring and review there is no direction in other Provincial documents which will influence these sections of the Plan.

Regional Official Plan

The Provincially approved Regional Official Plan, 2011 (ROP) also contains policies which will be incorporated into the implementation section of the Plan. These include policies pertaining to height and density bonusing, conservation of resources and public consultation.

3. Proposed Official Plan Policies

Chapter 1: Introduction to the City of Cambridge Official Plan

Cambridge is located in southern Ontario at the confluence of the Grand River which is a Canadian Heritage River, and the Speed River, and along the Galt and Paris Moraines.

Cambridge is within one of the fastest growing and strongest economic areas in Canada with a strategic location on the MacDonald Cartier Freeway (Highway 401). The city is expected to grow to a population of 173,000 people by 2029 with a total employment forecast of 100,000 jobs. Cambridge boasts a diverse economic base and is located in the heart of Canada's Technology triangle, known for significant clusters of knowledge-based enterprises.

Cambridge is part of the Region of Waterloo and is comprised of the former Town of Preston, Village of Hespeler, City of Galt and the Village of Blair.

Place Holder for vision statement

Appendix A
revised

1.1 Purpose/Role of the Plan

This document, known as the City of Cambridge Official Plan, provides a long-range, comprehensive land use strategy for areas located within the municipal boundaries of the *City*. This document will provide the framework for land use decisions for all development and public works projects within the City of Cambridge for the next 20 years by protecting and managing the natural environment, directing and influencing growth patterns and facilitating the vision of the *City*. The Plan also provides an avenue through which *Provincial* and *Regional* policy is implemented in the local context.

Appendix A
revised

1.2 Structure of the Plan

1. The land use strategy contained in this Plan consists of chapters as follows:
 - a) General Development Policies, consisting of Growth Management Structure, Natural Heritage and Environmental Management, Cultural Heritage Resources, Urban Design, Transportation and Infrastructure, and Parks and Open Space in Chapters 2 through 7;
 - b) Land Use Policies and Designations in Chapter 8
 - c) Interpretation Policies, Implementation Policies, Amendment, Monitoring and Review Policies in Chapters 9 through 12;
 - d) Glossary of Terms in Chapter 13
 - e) Maps in Chapter 14; and,
 - f) Appendices in Chapter 15.

1.3 Legal Status of the Plan

New

1. This Official Plan has status in law pursuant to the provisions of the Planning Act, and requires that the *City* and private sector development conform to the Official Plan when undertaking public works or any action of *Council*. Approval of this Official Plan by the *Region* means that the policy framework is appropriate to generate decisions that will be “consistent with” *Provincial* and *Regional* Policy.

New

2. The City of Cambridge Official Plan, as the municipality’s land use strategy, is required under the Planning Act to conform to both the *Regional* Official Plan and to applicable *Provincial* legislation. This Plan has been prepared in recognition of these conformity requirements. When a conflict between *City* and applicable *Provincial* or *Regional* legislation and policies exists, *Provincial* and *Regional* legislation takes precedence; in that order.

New

3. Chapters 1 through 15 of this Plan provide goals, objectives, policies, criteria, guidelines, terms, figures, maps and appendices to govern the *development* and use of all land in the city. These sections form the legal portion of the Plan. Schedules and margin notes shall be construed as having been provided for the purposes of information and shall not be construed as constituting *Council* policy or as conferring *Council* approval. Terms defined in the Glossary are identified in italics throughout the Plan.

Chapter 9: Interpretation

General

new

1. *Council* is responsible for interpreting all portions of the Official Plan.

new

2. All goals, objectives, policies, criteria, guidelines, terms, figures and maps within this Plan form part of the Official Plan for the *City*. Policies that use the words “will” or “shall” express a mandatory course of action and policies that use words “encourage” or “may” indicate that the *City* requires that consideration be given to the policy.

21.5
revised

3. Where lists or examples of permitted uses are provided, unless specified, they are intended to indicate the possible range and types of uses that are considered. Specific uses that are not listed but are similar to the listed uses and conform to the general intent of the applicable land use designation may be recognized as a permitted use.

21.6
updated

Statutes, Regulations, Policies and Guidelines

4. Reference in this Plan to any *provincial* statutes, regulations, policies and guidelines shall include amendments to the statutes, regulations, policies and guidelines which may be amended from time-to-time.

Boundaries Between Designations

21.1
updated

5. The boundaries between any land use designation on Maps in chapter 14 shall be construed as approximate except where the boundaries shown coincide with a road, watercourse or railway, also shown on a map in this Plan, in which event the boundary between designations shall be construed as the centreline of such road, watercourse, or railway. Boundaries may be subject to minor variations without amendment to this Plan where justified, unless the boundaries are consistent with fixed definable physical features.

19.4
updated

6. Amendments to this Plan will not be required where the locations, boundaries, classifications or other features of land shown or described in this Plan are changed by the *Region*, the *Province*, or other legislated authority and the change has been implemented by way of an approved amendment to the Regional Official Plan.

21.2
updated

Land Use Designations

7. All watercourses, undeveloped shorelines, reservoirs, ponds or other water areas illustrated on Map 2 shall be construed as being designated as Natural Open Space and all of the provisions of this Plan pertaining to the Natural Open Space designation shall apply.

new

8. Any island which is not identified on Map 2 shall be interpreted as being designated as Natural Open Space and all of the provisions of this Plan pertaining to the Natural Open Space designation shall apply.

21.3
updated

9. Where land is subject to more than one overlapping land use designation the most restrictive land use designation will prevail.

10. Where land is subject to more than one separate land use designation the policies of each designation shall apply only to the portion of the property so designated.

Maps and Figures

21.4
updated

11. Any base information illustrated on the maps and figures constituting part of this Plan shall be construed as having been provided merely for the purposes of orientation or reference unless otherwise indicated by this Plan and shall not be construed as constituting *Council* policy or as conferring *Council* approval on any facility so illustrated whether as an existing, proposed or projected facility.

new

12. Any mapping information extending beyond the city boundaries is provided for information purposes only and does not indicate any land use designations outside the city boundaries.

Chapter 10: Implementation

10.1 Public Involvement

- new
1. *Council* recognizes that public involvement is an essential component of decision-making and encourages all people to provide input in the decision-making process.
 - new
 - new
 2. *Council* will follow the public notification procedures regarding planning matters that are contained in the Planning Act and its regulations.
 3. Notice will not be required for the following changes to the Official Plan:
 - a) renumbering and referencing to reflect a logical sequence;
 - b) changes to text to correct spelling errors and include appropriate punctuation when these changes do not result in substantive change to the policies;
 - c) changes to reflect policy references in the Regional Official Plan if the Regional Official Plan is amended;
 - d) minor mapping boundary changes to reflect actual features or delineation of properties; or
 - e) site specific municipal address updates.
 - new
 4. In addition to requirements specified in Policy 10.1.2, the *City* will use the following mechanisms to promote public participation and informed decision-making:
 - a) requiring the proponent to post one or more signs, clearly visible to the general public, on properties undergoing a planning approval process; and
 - b) any other means that *Council* deems appropriate including electronic communications.
 - New
ROP
10.A.2
 5. During the processing of amendments to this Plan and the *Regional* Official Plan or for other initiatives where interests with the *Region* are common, the *City* will hold joint public meetings with the *Region*, where appropriate.
 - new
 6. Changes to the notification procedures in Policy 10.1.2 are permitted as specified below:
 - a) for a general amendment to the Official Plan, Zoning By-law or other planning matters for which the *City* deems public notice to be appropriate, notice shall be given at least 20 days prior to the public meeting by:
 - i) advertisement in a newspaper or newspapers having general circulation in the city; and
 - ii) personal service or prepaid first class mail to every person and agency that has given the Clerk a written request for such notice with respect to that planning matter;

- b) for a site specific amendment to this Plan or Zoning By-law, notice shall be given at least 14 days prior to the public meeting by:
 - i) personal service or prepaid first class mail to every owner of land within 120 metres of the area to which the amendment will apply; and
 - ii) personal service or prepaid first class mail to every person and agency that has given the Clerk a written request for such notice with respect to that planning matter;

- c) a notice of public meeting shall contain the following information:
 - i) the date, time and place of the meeting;
 - ii) in the case of a site specific amendment, a key plan showing the location of the site or area to which the proposed amendment will apply; and
 - iii) the proposed amendment or an explanation of the proposed amendment.

10.2 Secondary Plans and Community Plans

new

1. *Secondary Plans* may be prepared for specific areas of the *City* to provide more detailed planning objectives and policies to direct and guide *development*.

new

2. *Secondary Plans* and *Community Plans* approved by *Council* shall be in conformity with this Plan and the *Regional Official Plan* and shall clarify and illustrate how the policies of this Plan are to be implemented.

new

3. *Secondary Plans* shall be incorporated into this Plan through the adoption of an amendment to the Official Plan. Prior to approval or amendment of a *Secondary Plan*; notification, hearing and appeal procedures required for any amendment to the Official Plan, as set out in the Planning Act, shall apply.

new

4. The *City* will consider the following criteria in the preparation of a *Secondary Plan*:
 - a) patterns of land use;
 - b) population and employment projections;
 - c) mix and range of housing types and densities;
 - d) phasing of development in an efficient manner
 - e) provision for adequate and appropriate areas for commercial, institutional and community-oriented facilities;
 - f) provision for trails, parks and open space;
 - g) *natural features*;
 - h) *cultural heritage resources*;
 - i) incorporating *intensification* opportunities;
 - j) development of a transportation network that facilitates the efficient movement of vehicular and pedestrian traffic including *active transportation* considerations;
 - k) municipal services;

- l) incorporating opportunities for mixed-use and higher density development in appropriate locations;
- m) any other matters as deemed appropriate by the *City*; and
- n) designation of land.

9.3.1

5. *Community Plans* will be prepared for designated residential land, including supporting studies which may be required by the *City* or other approval authorities. *Community Plans* may include any of the following features, which may be adopted by amendment to this Plan or otherwise implemented:

- a) major roads and pedestrian/trail linkages;
- b) major natural heritage features and open spaces;
- c) nodes;
- d) major institutional uses;
- e) major commercial uses; and
- f) a range of residential densities.

6. Prior to development *Council* may require an applicant to prepare a *Tertiary Plan* which includes lands beyond property boundaries for information purposes.

10.3 Zoning By-law

18.1.1
updated

1. The *City's* comprehensive Zoning By-law shall conform to the provisions of this Plan and the Regional Official Plan and shall be amended as required.

18.1.2
updated
policy
references

2. When there is a proposal to amend the comprehensive Zoning By-law referred to in Policy 10.3.1, a planning appraisal shall be prepared to show how the proposal conforms to any relevant statements of policy provided in this Plan and, in particular, to any criterion specified in such policy statement as a prerequisite to the approval of such proposal; and such planning appraisal may be used by *Council*, the *Region* or the Ontario Municipal Board to assist in determining whether the proposal should be approved.

New

3. Zoning By-laws may be passed to permit the use of lands designated for residential purposes on Map 2 as specified in Policy 8.4.6.

18.1.3 and
18.1.4
updated
policy
references

4. Zoning By-laws may be passed to permit the use of lands designated on Map 2 for Residential, Commercial, or Industrial use for the purposes specified in Section 8 of this Plan at such time as:

- a) a piped municipal water supply and sanitary sewers have been or are proposed to be made available to service such lands; or
- b) a plan of subdivision of such lands has been registered;

provided; however, that where the holding symbol ‘(H)’ is used in conjunction with the zoning symbol denoting the future use of the land, such by-laws shall stipulate that the lands may be used only for the purposes specified in Policy 8.1.2 e) of this Plan until such time as the holding symbol is removed by an amendment to such by-laws.

18.1.5 updated removed gun shops and arcades

New Bill 51 Planning Act requires Provincial regulations to be prepared

5. The *City* will regulate through the *City’s Zoning By-law* those uses that *Council* may deem as requiring special provisions such as minimum distance separations from other land uses or any other regulations. Such uses to be regulated may include, but not be limited to, adult entertainment uses.
6. *Council* may impose conditions on the use of land or the erection of buildings and structures through zoning, subject to *Provincial* regulations.

10.4 Non-Conforming Properties

New

1. Any land use existing on the date of approval of this Plan that does not conform with the land use designation as shown on Map 2 or the policies related thereto should cease to exist in the long term.

New

2. Any land use that conforms to this Plan but does not conform to the provisions of the Zoning By-law shall come into conformity in the long term. However, in order to avoid unnecessary hardship, an extension or enlargement of such use may be permitted subject to the following conditions:

New

- a) the proposed extension or enlargement will not have negative impacts on surrounding lands;
- b) the proposed extension or enlargement will not impact the ability of the use to cease to exist in the future;
- c) the proposed extension or enlargement represents a reasonable increase to the size of the building or structure;
- d) the extension or enlargement of the existing use shall not unduly aggravate an incompatible situation by reason of odour, noise, vibration, dust, smoke, gas, fumes, unsightliness, lighting, traffic generation, parking or other incompatibilities;
- e) surrounding lands will be afforded reasonable protection by provision of landscaping, buffering, setbacks or screening; and
- f) all municipal services such as water, sewers and roads are adequate to service the use.

10.5 Temporary Use By-laws

11.5.1 revised

1. The *City* may, in a Zoning By-law, authorize the temporary use of land, buildings or structures for any purpose set out therein that is otherwise prohibited by the Zoning By-law for a period not exceeding three years from the day of the passing of the by-law to:

- a) provide an opportunity for the owner or occupant of land, buildings or structures to bring the use into conformity with the provisions of this Plan;
- b) provide an opportunity for *Council* to assess fully whether a use which is unfamiliar to *Council* should be confirmed as a conforming use by site-specific amendment to this Plan upon the expiry of the temporary authorization, or should be discontinued;
- c) provide for the temporary use of vacant land for the purpose of a parking lot which is not otherwise permitted by the *City's Zoning By-law* pending the *development* of the land for a use permitted by this Plan; and
- d) permit any other use which *Council* deems appropriate on a temporary basis.

11.5.2
revised

2. In considering the enactment of a temporary use by-law, the *City* shall be satisfied that the following criteria are satisfied:

- a) the use is in general conformity with the intent and policies of this Plan;
- b) the use is *compatible* with neighbouring land uses or alternative measures are taken to mitigate any adverse impacts;
- c) the construction of a permanent building or structure is not required;
- d) the use does not interfere with the development of adjacent areas that are developing in accordance with this Plan;
- e) the use is temporary in nature, appropriate for a limited time span and can be terminated when the authorizing by-law expires;
- f) sufficient water, wastewater and roads are available;
- g) adequate on-site parking and loading facilities can be provided; and
- h) the use does not adversely impact transportation facilities.

new

3. Temporary Use By-laws may be passed without amendment to this Plan provided the use satisfies the criteria in policy 10.5.2.

11.5.1
revised

4. A Temporary Use By-law may be extended by the passage of subsequent by-laws at the discretion of the *City* and for three year periods from the day the by-law ceases when deemed appropriate by the *City*, in accordance with the provisions of the Planning Act.

11.5.3

5. The *City* may enter into agreements with property owners and/or other parties concerning the temporary use.

11.5.4

6. Notwithstanding Policy 10.5.1, a by-law authorizing the temporary use of a *garden suite* shall not exceed ten years, and may be extended with *Council* approval for additional three year periods of time from the day the by-law ceases.

11.5.5
reworded

7. All planning applications for temporary use and extensions shall require at least one public meeting to be held.

10.6 Interim Control

18.11.1
updated

1. Where the *City* has directed that a review or study be undertaken in respect of land use planning policies in the municipality or in any defined area or areas, an interim

control by-law may be passed by *Council* to be in effect for a period of time specified in the by-law, which period shall not exceed one year from the date of the passing, restricting the use of land, buildings or structures within the defined area or areas except for such purposes as set out in the by-law.

18.11.2
revised

2. Prior to the expiry of an interim control by-law, *Council* may amend an interim control by-law to extend the period of time during which it will be in effect, provided the total period of time does not exceed two years from the date of the passing of the interim control by-law.

New as per
Planning
Act

3. When an interim control by-law ceases to be in effect, *Council* may not pass a further interim control by-law on the subject land for a minimum period of three years from the day the by-law ceases.

10.7 Holding Provisions

18.2.1
revised

1. By-laws using the holding symbol “(H)” or ‘(h)’ will specify the purpose for the holding symbol and will include a statement outlining conditions under which the holding symbol shall be removed by amendment to the *City’s Zoning By-law*. In addition to the provisions of Policy 10.7.1 of this Plan, an amending by-law to remove the holding symbol may be considered when the applicable issues are addressed:

- a) piped water supply and/or public sanitary sewers are or will be made available and where arrangement has been made by execution of a servicing agreement;
- b) sufficient servicing capacity is available and allocated to the property;
- c) implementation of elements of *subwatershed studies*, such as *natural features* enhancement and buffering and natural channel design;
- d) implementation of elements of *Community Plans*, *Secondary Plans* and *Master Environmental Servicing Plans*;
- e) transportation analysis leading to improvements including widenings, extensions, interconnected access or new roadworks;
- f) the implementation of the recommendations of an approved archaeological assessment;
- g) the implementation of the findings of a *Cultural Heritage Impact Assessment* as prescribed in Section 4.10 of this Plan;
- h) the implementation of the findings of a *retail impact statement* or market opportunities study demonstrating there is an adequate market available to support the use as a reasonably economically viable commercial

new

updated

updated

undertaking, taking into account the extent to which the available market may already be served by existing or approved commercial development within the area;

- i) the implementation of the findings of a noise study or acoustical assessment;
- j) remediation of environmental contamination in a manner that meets applicable criteria set by the *Province* in conjunction with the requirements of any other approval authorities and as prescribed in Policy 3.B.6.2 of this Plan;
- k) the approved recommendations of an *Environmental Impact Statement*, as prescribed in Section 3.A.8 of this Plan;
- l) the implementation of stormwater management; and
- m) the phasing of land.

new

new

18.2.1

2. Removal of the holding symbol ‘(H)’ or ‘(h)’ will occur following fulfillment of the specified requirements by way of amendment to the *City’s Zoning By-law*. Notice of intent to remove the holding symbol ‘(H)’ or ‘(h)’ will be given in the manner and to the persons and public bodies and containing the information prescribed, as required by the Planning Act.

18.2.1
revised

3. Interim uses pending removal of the holding symbol ‘(H)’ or ‘(h)’ are permitted in accordance with Policy 8.1.2e of this Plan. Temporary uses permitted prior to the removal of a holding symbol may also be specified provided such use does not adversely impact the intended future use of the land.

10.8 Development Permits

18.3
updated

1. The *City* may by by-law establish a development permit system within an identified area of the city when authorized under the Planning Act and any associated regulation and policy.

new

2. The development permit system may be used to support economic development, infilling and *intensification* in targeted areas such as *brownfields*, *greyfields* and *Community Improvement Project Areas* by allowing quicker approvals, eliminating duplication and incorporating some flexibility for permitted uses and development standards. *Council* may establish a Development Permit System by by-law for any area within the city subject to *Provincial* regulations. This may include requirements for a land owner to enter into agreements with the *City* as a condition of obtaining a development permit. Such agreements may be registered on title.

10.9 Committee of Adjustment

New

1. The *Committee of Adjustment* shall be guided by the policies of this Plan and shall give consideration to the provisions of the Planning Act in making decisions

regarding the granting of consents where a plan of subdivision is not deemed necessary, easements, rights-of-way, validation of title, leases exceeding 21 years and minor variances.

Consents/Lot Severances

New

2. When considering an application for *consent*, the *Committee of Adjustment* shall have regard to the provisions of the Planning Act, to goals, objectives and policies of this Plan and to the provisions of the Zoning By-law.

New

3. The *Committee of Adjustment* shall also consider comments provided by agencies and City departments regarding the effect of the proposed *consent*.

New

4. The *Committee of Adjustment* may attach conditions to the approval of a *consent* as it deems necessary.

Minor Variances

New

5. When considering an application for minor variance to the use and/or regulation provisions of the *City's Zoning By-law*, the *Committee of Adjustment* shall be guided by the policies of this Plan and shall give consideration to the provisions of the Planning Act.

New as
per
Planning
Act

6. The *Committee of Adjustment* will consider the following matters in evaluating a minor variance application:

- a) the request for variance is minor in nature;
- b) the intent and purpose of the Zoning By-law is maintained;
- c) the general intent and purpose of the Official Plan is maintained; and
- d) the variance is desirable for the appropriate development and use of the land, building or structure.

New

7. The *Committee of Adjustment* may attach conditions to the approval of a minor variance as it deems necessary in accordance with the provisions of the Planning Act.

New
As per
Planning Act

8. The *Committee of Adjustment* may provide a minor variance to allow the expansion or change in legal non-conforming uses under the Zoning By-law subject to the provisions of the Planning Act.

10.10 Parking

18.4.1
updated

1. Where off-street parking facilities are provided they shall, wherever feasible, be integrated with the major transportation facilities systems shown on Map 7a so that an appropriate relationship between the *development* and use of land and the provision of supporting roads and transit facilities may be established and maintained; and, subject to the other provisions of this Plan, *Council* may by by-law:

- a) require the owner or occupant of a building to provide sufficient private off-street parking to meet the parking demand customarily generated by the kind of activity for which the building is used;
- b) permit such owner or occupant to provide the required parking on-site or, where the owner or occupant enters into an agreement with the *City* to ensure the continued availability of an off-site parking area, on a site which, in the opinion of *Council*, is within convenient or reasonable walking distance of the building for which the parking is required;
- c) collect cash-in-lieu of parking to promote a compact urban form in the *Urban Growth Centre*, Community Core Areas, Regeneration Areas, Nodes, Reurbanization Corridors and Major Transit Station Areas and create a reserve fund for acquisition of lands for strategically-located public parking facilities;
- d) enter into an agreement pursuant to the Planning Act, to exempt the owner or occupant from providing required parking or to reduce the parking requirement to the extent specified in the agreement, where such agreement provides for the owner or occupant of the building to make one or more cash-in-lieu of parking payments to the *City* as consideration for the granting of the exemption or reduction;
- e) acquire and develop lands to provide public parking facilities and dispose of lands surplus to requirements;
- f) appoint parking administrators or operating agents;
- g) regulate the charging of fees, including rates, for the use of required parking facilities;
- h) encourage the *development* of commercial parking facilities;
- i) establish appropriate on-street parking facilities in residential plans of subdivision; and
- j) otherwise facilitate or encourage the development of public and/or private off-street parking facilities to accommodate any unsatisfied parking demand.

New
Planning
Act

revised

updated

18.4.2
updated

2. A reduction or exemption in required parking facilities may be considered where, in the opinion of the *City*, any of the following circumstances prevail:
- a) adequate alternative parking facilities are or will be made available;
 - b) insufficient site area or other suitable lands are available to provide the required parking;

- c) the establishment of the required parking facilities would be inappropriate in an area of recognized *cultural heritage resources*;
- d) the establishment of the required parking facilities would be incompatible with existing uses in the surrounding area, and provided the exemption or reduction in required parking facilities will not impede the primary traffic movement functions of adjacent arterial roads; or
- e) an owner or occupant of the building provides cash-in-lieu of parking requirements to the *City*.

new

10.11 Site Plan Control

18.10.1

1. For the purposes of this section, “development” means:
 - a) the construction, erection or placing of one or more buildings or structures on the land;
 - b) the making of an addition or alteration to a building or structure that has the effect of substantially increasing the size or usability thereof; or
 - c) the laying out and establishment of:
 - i) a commercial parking lot;
 - ii) sites for the location of three or more trailers as defined in subsection 164(4) of the Municipal Act, 2001;
 - iii) sites for the location of three or more mobile homes as defined in subsection 46(1) of the Planning Act; or
 - iv) sites for the construction, erection or location of three or more land lease community homes as defined in Subsection 46(1) of the Planning Act.

18.10.2
updated

2. The whole of the City of Cambridge is established as a proposed site plan control area. *Council* may by by-law, designate the whole or any part of the City of Cambridge as a site plan control area.

new

3. The following uses are exempt from site plan control:
 - a) single detached dwellings;
 - b) semi-detached dwellings;
 - c) detached duplexes;
 - d) detached triplexes;
 - e) farm-related dwellings or a farm building or structure proposed in an area designated as Prime Agriculture or Rural in this Plan;
 - f) buildings or structures associated with a cemetery proposed in an area designated as Recreation, Cemetery and Open Space in this Plan; and
 - g) portable classroom on a school site of a district school board if the school site was in existence on January 1, 2007.

18.10.3

4. The by-law establishing a site plan control area may also establish classes of development to which site plan control applies, requirements for plan review and

conditions relating to site plan approval. These conditions may include entering into one or more agreements with the municipality, dedicating lands for the widenings of any highways abutting the land, obtaining entrance permits, and maintaining all of the facilities and works to which the site plan approval applies.

18.10.4
 updated

5. *Council* may delegate its site plan approval authority to an officer or officers of the municipality.

18.10.5

6. The provisions of site plan control pursuant to the Planning Act shall include eligible classes of *development* within a designated site plan control area.

new

7. Applications for site plan approval may include requirement for and/or review of:
- a) elevation drawings for each building;
 - b) grading and servicing plan;
 - c) architectural design of buildings;
 - d) floor plans;
 - e) perspective drawings;
 - f) lighting plans;
 - g) stormwater management report;
 - h) traffic study;
 - i) salt management plan;
 - j) record of site condition;
 - k) proposed buffering from adjacent uses;
 - l) landscaping plan and details;
 - m) vehicular parking, access, circulation and loading facilities;
 - n) pedestrian circulation;
 - o) placement of lighting and signage;
 - p) adjacent public transit facilities and *active transportation* features;
 - q) sustainable exterior design and materials of buildings;
 - r) sustainable design elements on boulevards/municipal right-of-ways;
 - s) design of facilities for accessibility for persons with disabilities;
 - t) placement of fencing;
 - u) snow storage;
 - v) bicycle parking;
 - w) easements and rights-of-way;
 - x) fire routes, hydrants, connections and identification signs;
 - y) shadow study;
 - z) garbage and recycling facilities;
 - aa) infrastructure and servicing including offsite infrastructure upgrading needs; and,
 - bb) Transportation demand management plan.

18.10.6
 revised

10.12 Standards for Maintenance and Occupancy

18.12

1. In recognition of the importance of property conditions, *Council* may pass by-laws:
- a) for prescribing standards for the maintenance and occupancy of property within the municipality or within any defined area or areas and for

prohibiting the occupancy or use of such property that does not conform with the standards;

- b) for requiring property that does not conform with the standards to be repaired and maintained to conform with the standards or for the site to be cleared of all buildings, structures, debris or refuse and left in graded and leveled condition; and
- c) for prohibiting the removal from any premises of any sign notice or placard placed thereon pursuant to this section or a by-law passed under the authority of this section.

new

- 2. Development shall conform to the provisions of the Ontario Fire Code, the Ontario Building Code, and the City's minimum standards for maintenance and occupancy.

10.13 Preconsultation

18.8
OPA 28

- 1. A preconsultation meeting with the *City* is required prior to the submission of an application for an Official Plan Amendment, Zoning By-law Amendment, Plan of Condominium, Condominium Conversion or Plan of Subdivision and may be required prior to the submission of an application for Site Plan Approval, Consent or Minor Variance. Individual applications will be evaluated in accordance with Section 10.14 during the preconsultation meeting to identify specific submission requirements.

10.14 Complete Application

18.9.1
OPA 28

- 1. In accordance with the Planning Act, the *City* shall require information and material, in addition to that prescribed by *Provincial* or *Regional* authority, statutes and regulations, to assist in the review of applications for Official Plan Amendments, Zoning By-law Amendments, Subdivisions and *Consents*. The following information will be required in order for an application to be deemed complete at the discretion of the *City*:

updated

- a) a completed application form;
- b) the prescribed application fee;
- c) prescribed information and material as required under the Planning Act;
- d) a planning justification report outlining how the application is consistent with *Council* policy, the *City's* Official Plan, the *Regional* Official Plan the *Provincial* Policy Statement and any other applicable planning document or statute;
- e) concept plans and/or plan of survey;
- f) information, studies and reports as identified by the *City* or other agencies and described elsewhere through the Official Plan to address on and off-site matters pertaining to:

- i. compatibility and impact on existing land use and Official Plan objectives;
- ii. infrastructure and servicing;
- iii. stormwater management;
- iv. grading and drainage;
- v. transportation, traffic and parking;
- vi. cultural heritage;
- vii. archaeological resources;
- viii. natural environment;
- ix. contaminated or potentially contaminated sites;
 - x. soil and groundwater quality;
 - xi. nuisance, noise, hazard or safety issues;
 - xii. urban design;
 - xiii. market impact;
 - xiv. financial impacts;
 - xv. *active transportation* assessment;
 - xvi. source water protection;
 - xvii. indigenous species;
 - xviii. environmental impact statement;
 - xix. photometrics; and
- g) any other matters identified through preconsultation.

xv to xix
new

18.9.2
OPA 28

new

2. Additional details for submission requirements are set out in the relevant sections of this Plan and/or listed on *development* application forms.
3. The preparation and peer review of all required studies, information and reports are at the expense of the proponent and shall be prepared by a qualified professional agreeable to the *City*.

10.15 Community Improvement, Renewal and Revitalization

Place Holder

10.16 Height and Density Bonusing

New
As per ROP
3.A.6 and
Planning Act
section 37

1. Development standards may be incorporated into a Zoning By-law to permit bonusing through an increase in height and/or density of *development* where such increase provides public benefits, and the increase:

- a) implements the goals and objectives of this Plan;
- b) constitutes good planning;
- c) is consistent with the Urban Design policies in Chapter 5 of this Plan; and
- d) is consistent with this Plan which may include:
 - i. creation of *affordable* housing in accordance with *Regional* targets;
 - ii. creation of special needs housing in accordance with *Regional* targets;
 - iii. conservation of *cultural heritage resources*;
 - iv. protection, enhancement and/or restoration of the natural environment;
 - v. construction to LEED silver environmental standard;
 - vi. energy and/or water conservation measures;
 - vii. creation or establishment of public art;
 - viii. non-profit arts, cultural, community or institutional facilities;
 - ix. creation of day care centres;
 - x. public transit infrastructure, facilities, and/or services;
 - xi. public parking over and above the regular requirements;
 - xii. land for municipal purposes over and above regular requirements;
 - xiii. remediation of a contaminated site;
 - xiv. improvement of compatibility of existing land uses;
 - xv. improvement of traffic and pedestrian movement;
 - xvi. buffering and landscaping over and above the regular requirements; and
 - xvii. parkland and/or improvements to parks over and above the regular requirements.

New

2. The *City* will review the following when considering a height and/or density bonus:
- a) suitability of the site for the proposed height and/or density in terms of parking, landscaping and other site-specific requirements;
 - b) compatibility with the planned scale and character of the surrounding neighbourhood and impact on neighbouring land uses; and
 - c) adequate addressing of community services, *infrastructure* and transportation impacts are adequately addressed.

New

3. Applications to exceed the maximum height and/or density limits must demonstrate how the impact of the increase will be minimized on neighbouring areas. Mitigation measures may include, but are not limited to:
- a) increased setbacks;
 - b) terraced massing on one or more sides of a building;
 - c) use of existing or planned grade changes; and
 - d) use of existing features such as open space that provide buffers such as open space.

New

4. The *City* will require the property owner to enter into one or more agreements with the *City*, which may be registered against the title of the affected property, specifying the terms under which the height and/or density bonus will be granted.

10.17 Demolition Control

18.13
updated

The *City* has designated all residential properties within the entire City of Cambridge as a demolition control area which is subject to the Demolition Control By-law. Permits for demolition are required to be issued by the Chief Building Official of the *City* prior to the demolition of any residential unit in the *City*.

18.15

10.18 Advisory Committees

The *City* recognizes the importance of its citizens in developing and promoting community stewardship through its use of advisory committees and volunteers. This stewardship will be undertaken in a manner consistent with community-based plans and programs adopted and periodically reviewed by the *City*.

Chapter 11: Amendment

19.1

1. Any provisions of this Plan may be amended pursuant to the Planning Act and that all other provisions of this Plan not affected by such amendment shall continue to apply in respect of the lands affected by such amendment.

New

2. Existing Site Specific amendments to this Plan are included in Section 8.10. The Site Specific Policies provide for specific development requirements or constraints, allow for policy exceptions, and/or may require the undertaking of certain studies as determined by the *City*, and the mitigation of adverse impacts prior to *development* proceeding. Properties affected by Site Specific Policies are identified on various map schedules.

19.2. Removed specific section references due to the reorganization of the Plan and inclusion of objectives and policies throughout the Plan. Added new criteria a-d.

3. In considering a site specific application to amend this Plan, the *City* will require a planning appraisal to respond to the following:
 - a) conformity with the overall intent and purpose of the objectives and policies of this Plan;
 - b) the suitability of the lands affected by the amendment for the use proposed and compatibility with surrounding lands and uses;
 - c) the impact on municipal services, infrastructure and finances; and
 - d) comments received from the public, *City* Departments and other agencies;
 - e) where it is proposed to change any statement of objectives expressed in this Plan, the planning appraisal shall explain the need for the proposed new direction to be taken in the long range planning and *development* of the *City* and to show the impact of such proposed new direction on the policies contained in this Plan;
 - f) when it is proposed to change any statement of policy contained in this Plan, the planning appraisal shall show how the proposed change of policy remains consistent with the relevant statement of objectives included in this Plan;

- g) when it is proposed to change any map or figure of this Plan, the planning appraisal shall explain how such change is consistent with the relevant statements of objectives or policy provided in this Plan and in accordance with the criteria established by any relevant statement of policy provided in this Plan as a prerequisite to such change being made;

The planning appraisal referred to above shall be attached as information to the formal amendment document in which the proposed change to the statement of objectives or policy or to a map or figure is made; but such planning appraisal shall not itself be adopted by *Council* as part of the formal amendment document in which the change is made.

19.3

4. Prior to adopting an amendment to this Plan or any major program designed to implement any provision of this Plan, public meetings shall be held and information published for the purpose of obtaining the participation and cooperation of the *City's* residents and businesses in determining the solution of problems or matters affecting the *development* of the *City*; and, subject to the provisions of the Planning Act and regulations made there under, *Council* may from time to time specify procedures to be observed in obtaining such public participation or cooperation or may otherwise facilitate public discussion or an exchange of information on such problems or matters.

19.4

5. Amendments to this Plan will not be required where the locations, boundaries, classifications or other features of land shown or described in this Plan are changed by the *Region*, the *Province*, or other legislated authority and the change has been implemented by way of an approved amendment to the Regional Official Plan.

4. Glossary

Please see separate glossary.

5. Mapping Updates

No mapping updates are proposed which relate to the Introduction and Supplementary Policies in the Official Plan.

6. Policies Proposed to be Deleted

The following policies are proposed to be deleted from the Official Plan:

18.1.4b) the Medical Officer of Health, the *Region*, or other legislated authority, has approved the installation of private or communal well water supply systems and individual wastewater treatment systems to allow such lands to be used for such purposes

Reason: The City does not support the establishment of industrial uses to on private or communal services.

18.2.2 It is the policy of the *City* will regulate the orderly development of lands designated in this Plan as a Class 1 Commercial District and/or Class 5 Commercial District, as more particularly provided for in Policy 13.3 of this plan. *Council* may apply the holding symbol '(H)' to the zoning of lands designated as a Class 1 Commercial District and/or a Class 5 Commercial District to stage or otherwise regulate the amount of *gross leasable retail commercial floor area* that may be *developed* within specified time periods, or in accordance with the findings of a *retail impact statement* endorsed by *Council* and affecting lands in the Class 1 Commercial District and/or lands in the Class 5 Commercial District. The holding symbol shall be removed by amendment to the *City's* Zoning By-law.

Reason: Deleted as the orderly development of lands and implementation of a retail impact statement are included in the list of issues which should be addressed for the removal of a holding symbol.

18.4.1c) by by-law provide that no parking shall be required in all or any part of an area of the municipality, including the Community Core Areas;

Reason: Sufficient parking should be provided on site where possible. The enabling ability for a reduction or elimination in parking is addressed through policy 10.10.2.

18.12 In recognition of the importance of property conditions, *Council* may pass by-laws:

- a) for prescribing standards for the maintenance and occupancy of property within the municipality or within any defined area or areas and for prohibiting the occupancy or use of such property that does not conform with the standards;
- b) for requiring property that does not conform with the standards to be repaired and maintained to conform with the standards or for the site to be cleared of all buildings, structures, debris or refuse and left in graded and leveled condition; and
- c) for prohibiting the removal from any premises of any sign notice or placard placed thereon pursuant to this section or a by-law passed under the authority of this section.

Reason: The Planning Act formerly contained provisions for property standards. This was removed from the Planning Act in 1997 and relocated to the Building Code Act.

19.3 Prior to adopting an amendment to this Plan or any major program designed to implement any provision of this Plan, public meetings shall be held and information published for the purpose of obtaining the participation and cooperation of the *City's*

residents and businesses in determining the solution of problems or matters affecting the development of the *City*; and, subject to the provisions of the Planning Act and regulations made thereunder, *Council* may from time to time specify procedures to be observed in obtaining such public participation or cooperation or may otherwise facilitate public discussion or an exchange of information on such problems or matters.

Reason: Covered under new public involvement policies.

20.4 Where *City* approval is required in its role as the delegate of the Regional Municipality of Waterloo, *development* applications may be deemed premature for acceptance for processing under the Planning Act in the absence of demonstrated pre-consultation between the applicant, the *Region*, the affected area municipalities and other appropriate agencies.

Reason: This policy is deleted because it is redundant. The requirement for preconsultation is covered in Chapter 10.