

City of Cambridge

Official Plan Review
Land Use Policies and Designations
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 provides an update to the existing General Land Use policies. The General Land Use policies deal with the establishment of specific land use designations as well as those uses that are permitted or prohibited throughout the City and related policies. The proposed updates and revisions have been drafted in accordance with the Planning Act, the Provincial Policy Statement (2005), the Growth Plan for the Greater Golden Horseshoe (2006) and the provincially approved Regional Official Plan (2010).

The City of Cambridge is forecasted to have a population of 173,000 by the year 2029 and 100,000 jobs. Policies and land use designations to support this level of population and employment growth are needed in the Official Plan. The proposed updates and revisions are focused on establishing a set of general land use policies and providing a framework for an overall land use plan with various land use categories.

2. Rationale for Changes

These policies are proposed for the Official Plan to implement elements of the Planning Act, Provincial Policy Statement (2005) and the Growth Plan for the Greater Golden Horseshoe (2006) and to achieve conformity with the provincially approved Regional Official Plan (2010).

The following provides a summary of the Planning Act, Provincial Policy Statement, Provincial Growth Plan, Regional Official Plan and current Cambridge Official Plan policies that have been reviewed in formulating the proposed updated General Land Use Policies section of the Official Plan.

Planning Act

The Planning Act, in Section 16 (1) states:

“ an Official Plan shall contain a) goals, objectives and policies established primarily to manage and direct physical change and the effects on the social, economic and natural environment of the municipality...”

The resultant General Land Use policies and designations in the Cambridge Official Plan, are intended to facilitate the implementation of the Planning Act provisions regarding this matter by establishing the land use categories for directing physical change.

Provincial Policy Statement (PPS) 2005

The Provincial Policy Statement (PPS) provides policy direction on matters of Provincial interest for land use planning and development. The PPS contains the following provisions

in sections 1.1.1. b) and c), which relate to managing and directing land uses to achieve efficient development and land use patterns:

- “accommodating an appropriate range and mix of residential, employment (including industrial, commercial and institutional uses), recreational and open space uses to meet long-term needs;”
- “avoiding development and land use patterns which may cause environmental or public health and safety concerns;”

The establishment of specific land use designations or districts is a key element in creating the land use pattern and helping to ensure there is a range and mix of land uses, consistent with the PPS. The Cambridge Official Plan must be consistent with the PPS.

Places to Grow Act and Growth Plan for the Greater Golden Horseshoe (Provincial Growth Plan)

In 2006, the Ontario Government approved the Growth Plan for the Greater Golden Horseshoe. The Provincial Growth Plan contains a set of policies for Infrastructure and Public Service Facilities to accommodate growth to the year 2031 within the Greater Golden Horseshoe area, which includes the Region of Waterloo. The Growth Plan does provide some direction in terms of Managing Growth in a general sense in Policy 2.2.2., which includes the following specific policies:

- “...encouraging cities and towns to develop as complete communities with a diverse mix of land uses, a range and mix of employment and housing types, high quality public open space and easy access to local stores and services.”

The establishment of land use designations and associated policies is important in achieving conformity with the Growth Plan, in terms of complete communities and a diverse mix of land uses.

Regional Official Plan (ROP)

The Regional Municipality of Waterloo adopted a new Regional Official Plan (ROP) on June 16, 2009, which was subsequently approved by the Province on December 22, 2010 and notice was given on January 4, 2011. The approved ROP (2010) contains the following policies, 2.D.1 a), c) and f):

- “...the Region and Area Municipalities will ensure that development occurring within the Urban Area is planned and developed in a manner that:
 - supports the Planned Community Structure described in this Plan;
 - contributes to the creation of complete communities with development patterns, densities and an appropriate mix of land uses that supports walking, cycling and the use of transit;

- respects the scale, physical character and context of established neighbourhoods in areas where reurbanization is planned to occur”

The establishment of land use designations along with associated policies is an important step in achieving conformity with the approved Regional Plan (2010).

Cambridge Official Plan (Current)

At present the majority of the General Land Use policies are located in Chapter 11: “General Land Use Patterns”. This Chapter covers the following topics:

- Establishment of Districts (Reflected on Map 15 of the current Official Plan)
- Uses Permitted in all Districts
- Uses Prohibited in all Districts
- Transitional uses (Covered in the Introduction and Implementation Draft Policy Paper)
- Temporary Uses (Covered in the Introduction and Implementation Draft Policy Paper)
- Educational Facilities
- Day Care/ Attendant Care (Covered in the Housing and Residential Policy Paper)
- Institutional Special Care (Covered in the Housing and Residential Policy Paper)
- Residential Special Care (Group Homes) (Covered in the Housing and Residential Policy Paper)

The current Official Plan recognizes that it will take time to achieve the vision and land use pattern established in the Official Plan. As a result provision is made regarding how to deal with incremental steps to achieve the desired land use pattern over the planning horizon of the Official Plan. As noted some of these topics are dealt with in other policy papers, i.e. Temporary Uses, Transitional Uses, Day Care/ Attendant Care, Institutional Special Care and Residential Special Care.

3. Discussion:

1. Land Use Designations / Districts

At present the Official Plan identifies specific areas or districts or categories of uses, e.g. residential, commercial and industrial on Map 15, which will become Map 2 in the new Official Plan and districts will be called designations. Continuation of this approach is necessary to achieve compatibility of land uses and relate specific policies of this Plan to the appropriate areas of the city.

With the exception of the Future Urban Reserve, the other categories discussed in this section do not involve a specific land use designation on Map 2 of this Plan. As a result it may be appropriate when the Draft Official Plan is compiled to incorporate these general categories, e.g. Uses Permitted in all areas and School Boards Education Facilities within the Implementation section of the new Official Plan.

2. Uses Permitted in All Areas

There are some land uses, which are permitted in most or all areas of the city, with some restrictions, such as in the Natural Open Space System, Prime Agricultural and subject to meeting certain compatibility guidelines. These uses, permitted throughout the city, include government uses (City, Regional, Provincial and Federal), facilities provided by associated agencies, boards, commissions and utilities, (e.g. electric transmission lines, and pipelines) which are considered to be necessary infrastructure for most forms of development.

The Recent Provincial Green Energy Act permits designated renewable energy projects, including testing projects, to be permitted without the need for municipal approvals, other than a building permit where needed under the Ontario Building Code. The rationale for this Province-wide exemption is to expedite the development of alternative sources of electric power within the Province by removing local regulations and the potential for appeals.

Agriculture, including community gardens and temporary farmers' markets, is currently permitted in residential and employment districts as an interim use, in order that undeveloped land is not left completely vacant while awaiting development, with the potential negative effects of erosion and growth of noxious weeds. These lands can be a source of food production until such time that the land is required for alternative forms of development. The current policy (11.4.5.) requires that these agricultural operations will be low intensity operations, and no new intense livestock operations are permitted.

In addition, community gardens and temporary farmers' markets are encouraged throughout the City, where appropriate, which is in keeping with the provision of the ROP (2010) and as included in the Parks and Open Space Draft Policy Paper. The proposed approach is to allow agricultural uses, including community gardens throughout the urban area. Community Gardens are considered a form of small scale agricultural use.

In keeping with the ROP (2010) this Plan will encourage temporary farmers' markets in Section 7.10. Given the characteristics of temporary farmers markets, namely parked vehicles and temporary produce stands they need visible, easily accessible locations with adequate parking, and preferably with transit access. As a result temporary farmers' markets may not be compatible with stable residential areas. In other commercial, employment and mixed use areas temporary farmers' markets are appropriate, subject to meeting other regulations, e.g. health standards.

Roof top gardens, which are considered a form of community garden, are permitted on buildings throughout the city, subject to the provisions of the Ontario Building Code. It is expected that these gardens will be long term facilities associated with the building on which they are located and that the appropriate design modifications have been made to accommodate them.

3. Uses Prohibited in All Areas

The current Official Plan prohibits some land uses in all Districts (designations). These are uses considered incompatible with the surrounding area and can be associated with noxious and potentially dangerous substances and procedures. These uses include those which are not permitted under the Grand River Conservation Authority regulations, the Ontario Building Code or the Ontario Fire Code. A detailed list of these prohibited uses is provided in the City's Zoning By-law.

4. Institutional Uses

Institutional uses are covered in the Institutional Uses Draft Policy Paper. These uses are considered an important component of a complete community and as such are generally permitted throughout the city. The Current Official Plan does apply compatibility guidelines to larger institutional sites (15 hectares or more). The proposed policy revisions for the Institutional Uses section will eliminate the distinction between major and minor institutional uses based on property size. The proposed policies will establish a set of compatibility criteria, which must be satisfied prior to allowing institutional uses to develop or expand. This should help to satisfy any health and safety and compatibility concerns between institutional uses and other uses in the neighbourhood.

5. Future Urban Reserve

There are some areas located within the current Urban Boundary, as shown on Map 2, which have not received sufficient review to assign a specific land use designation to them at this time. While these lands are within the current Urban Boundary, they are either undeveloped, being used for agriculture, vacant or they are underdeveloped with low intensity short term uses.

Further review will be necessary to determine the appropriate designation and form of development for these areas. The re-designation of these lands will be based on a comprehensive review as part of an amendment to the Official Plan. The extent of the review and the requirements for background information and technical studies will vary given the differences between these areas. As a result, the City will make a determination as to the documents and information required as part of any complete development application. This process will provide for the necessary studies and evaluation to be undertaken along with an opportunity for a full public process. General considerations regarding land use compatibility with the surrounding area, adequacy of infrastructure, compliance with Provincial, Regional and City policies as well as financial impact on the City will be areas of interest in processing development applications for these areas. In the interim current Official plan designation and related policies would apply.

6. School Board Education Facilities

The current Plan provides for education facilities, operated by the Waterloo Region District School Board and the Waterloo Catholic District School Board, to be permitted in various designations in order to ensure the availability of an adequate number and suitable distribution of

school sites. Schools, both those operated by the School Boards and private non-profit ones, currently meet the definition of a Class 2 Institutional use, if located on a site less than 15 hectares in size. The current Official Plan policies would allow this type of use throughout the city, except in the Natural Open Space System and on Prime Agricultural lands. The proposed Official Plan policies contained in the Draft Policy Paper on Institutional Uses recommends that new or expanded institutional uses would be allowed throughout the city but subject to proposed compatibility guidelines.

The school boards are the major education providers, are publically funded and provide the greatest number of education facilities. These Boards are also consulted on new development proposals since they have an interest, based on their mandate, to ensure there is adequate land set aside to provide for new schools in the community. As a result, it is recommended that these school boards be distinguished from other private schools and educational facilities. A reference to “school boards” is recommended in the Official Plan policies, along with an appropriate definition contained in the glossary.

Currently the School Boards are encouraged to work closely with the City in locating new schools and to facilitate the joint development and use of playground and playing field facilities where possible. The intent is that these facilities and fields would also be available for the general public to help meet the parkland needs of the community.

In cases where existing school facilities are no longer needed, the School Board usually sells the site for redevelopment, based on an established protocol. The current Official Plan policy (11.6.2) only permits another use that is contemplated for the district / designation in which the school site located, without an amendment to the Plan. The current policies provide for the need to encourage the School Board to work closely with the City in determining an appropriate alternate use for these sites, which would include preserving any significant cultural heritage aspects of the existing school building.

Closure of an existing school also raises the issue of the playing fields and recreational facilities, which may serve the surrounding neighbourhood in addition to the school. In these situations there may be a public interest for the City to acquire at least some of the current playing fields to ensure such facilities are available for the neighbourhood. It will be important for the School Boards to work closely with the City and other interested parties in resolving issues associated with closure of education facilities.

4. Proposed Official Plan Policies

Chapter 8: Land Use Policies and Designations

8.1 General Land Use Policies

8.1.1 Establishment of Designations

-11.1 revised
-Growth Plan
2.2.2 f, h
-ROP 2.D.A
a, c

Integration of a variety of *compatible* land uses, including mixed use development, where appropriate, is an important component of this Plan. As a result a system of land use designations for specific geographic areas, as shown on Map 2, has been prepared. These designations will define a range of permitted land uses and other related policies, which will apply to specific areas and in some cases individual properties. In addition to the land use designations there may be specific policy provisions for particular areas or properties, which reflect special circumstances.

8.1.2 Uses Permitted in all Designations

11.2.1
revised

1. Certain land uses are permitted within all land use designations in the *City*, subject to the provision of adequate *infrastructure*, including potable water and wastewater treatment where needed. The exception would be the *Natural Heritage System*, where the particular land use would cause significant environmental damage or would be subject to dangerous conditions, as determined through the environmental analysis and Grand River Conservation Authority regulations. The uses generally permitted in all land use designations are:

1.2.1.a

a) any use by the *City*, the *Region*, the *Province* and the Government of Canada. This includes any department, agency, board or commission of the various levels of government, including utilities for the generation and distribution of electricity;

11.2.1 b

b) the facilities, other than administrative offices, sales outlets, studios, garages, depots or yards, of any privately owned or other public service utility, pipeline company or broadcasting company;

Green
Energy
Act

c) power generation facilities, which are exempt from the Planning Act but under the jurisdiction of other *Provincial* legislation and regulations;

18.9.1
revised

d) Utility and transmission facilities located underground. If this is not possible, any above ground *infrastructure* should be integrated, grouped, combined or appropriately screened to improve urban design. The *City* will work with the *Region* and utility companies in planning for and locating, relocating or replacing facilities in order to identify and resolve potential issues and mitigate any adverse impacts;

ROP
3.f.3,
2.G.3

e) agricultural uses including community gardens but excluding livestock operations;

- | | |
|--------------|--|
| ROP
3.F.2 | f) <i>temporary farmers' markets</i> subject to meeting other requirements, except in residential designations; |
| -11.2.1 d | g) a use <i>accessory</i> to a permitted use; |
| -11.2.1.c | h) <i>institutional</i> uses in accordance with Policy 8.1.6; |
| -11.2.1 a | i) municipally established neighbourhood and community level parks and recreation facilities including signage structures and streetscape elements, subject to the compatibility guidelines contained in Section 8.1.6.7 of <i>this Plan</i> . |

8.1.3 Uses Prohibited in all Designations

No property in any designation established by this *Plan* may be *developed* or *redeveloped* for any of the following purposes:

- | | |
|------------------|--|
| -11.3
revised | a) any use that does not comply with any <i>Provincial</i> legislation or regulations, including the Environmental Assessment Act, the Ontario Building Code and Ontario Fire Code and; |
| -11.3
revised | b) any use which does not comply with the Grand River Conservation Authority regulations where applicable, |
| New | c) any prohibited use indicated in the <i>City's Zoning By-law</i> , including those considered a serious health and safety risk; |
| New | d) any use prohibited in a well head protection zone as per policy 8.5.3.6 of this <i>Plan</i> ; and |
| New | e) a facility for the storage or treatment of hazardous industrial waste. This prohibition does not apply to industrial waste which is a by-product of their normal industrial operation and maintenance activities as permitted by the appropriate authority. |

8.1.4 School Board Education Facilities

- | | |
|--------|--|
| 11.6.1 | 1. Education facilities, operated by the <i>School Boards</i> will be permitted to locate in all areas within the urban boundary subject to the provisions of Section 7.9 and 8.1.1 of this <i>Plan</i> . |
| 11.6.2 | 2. The <i>City</i> encourages the <i>School Boards</i> to cooperate with <i>Council</i> to determine the most appropriate use of school facilities or school sites, which are no longer required by the <i>School Boards</i> , including retention of the cultural heritage resources associated with these buildings. |

8.2 Future Urban Reserve

New

1. Some areas of undeveloped or underdeveloped land within the urban area may be designated as Future Urban Reserve. Within these areas only existing uses or those uses permitted in all designations, including *agriculture uses* without livestock operations, will be allowed.

New

2. These Future Urban Reserve areas may be re-designated through an amendment to this Plan to permit additional uses in an appropriate and cost effective manner. Any such amendment to this Plan will be based on a thorough review and analysis of background information as determined necessary by the *City*.

5. Glossary

Please see separate glossary.

6. Mapping Updates

None

7. Proposed Policies to Be Deleted

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

11.1 Establishment of Districts.

Reason:

This section is replaced by Section 8.1.1 “Establishment of Designations”, with the term “designation” replacing “district”.

11.2 Uses Permitted in all Districts.

Reason:

This section is replaced by Section 8.1.2 “Uses Permitted in all Designations”, which contains revised policies and terminology.

11.3 Uses Prohibited in all Districts.

Reason:

This section is replaced by Section 8.1.3 “Uses Prohibited in all Designations”, which contains revised policies and terminology.

11.6 Educational Facilities.

Reason:

This section is replaced by Section 8.1.4 “School Board Education Facilities”, which contains revised policies and terminology.