

THE CORPORATION OF THE CITY OF CAMBRIDGE

By-law 22-003

Being a by-law to amend By-Law 19-094, respecting Development Charges pursuant to the *Development Charges Act*, S.O., 1997, c.27, as amended

WHEREAS the City of Cambridge (the “City”) enacted By-law 19-094 pursuant to the *Development Charges Act, 1997*, S.O. 1997, c. 27, as amended (the “Act”), which Act authorizes Council to pass by-laws for the imposition of development charges against land;

WHEREAS the City has undertaken a study pursuant to the Act which has provided updated Schedules to By-law 19-094;

WHEREAS the Council of the City of Cambridge (“Council”) has before it a report entitled “City of Cambridge 2021 Development Charge Update Study” prepared by Watson & Associates Economists Ltd., dated October 29, 2021 (the “update study”);

WHEREAS the update study and proposed amending by-law were made available to the public on October 29, 2021, and Council gave notice to the public pursuant to section 12 of the Act;

AND WHEREAS Council, on November 23, 2021, held a meeting open to the public, pursuant to section 12 of the Act, at which Council considered the study, and written and oral submissions from the public,

NOW THEREFORE BE IT RESOLVED THAT the Corporation of the City of Cambridge enacts as follows:

1. **THAT** By-law 19-094 is hereby amended as follows:

A. Delete and replace section 1 definition of Accessory Use with the following:

“Accessory Use” means where used to describe a use, building, or structure that the use, building, or structure is naturally and normally incidental, subordinate in purpose or floor area or both, and exclusively devoted to a principal use, building, or structure, but is not an ancillary dwelling.

- B. Add definition in section 1 for Ancillary dwelling as follows:

“Ancillary dwelling,” means a residential building that would be ancillary to a detached dwelling, semi-detached dwelling, or row dwelling and includes an accessory dwelling.

- C. Delete and replace section 1 definition of Apartment with the following:

“apartment” means a dwelling unit in a building containing a non-residential use or two or more dwelling units in a residential building, including a stacked townhouse and a stand-alone additional residential unit, but does not include a lodging house, row dwelling, back to back townhouse, special care/special need dwelling, semi-detached dwelling or single detached dwelling.

- D. Add definition in section 1 for Cannabis as follows:

“Cannabis” means:

- (a) a cannabis plant;
- (b) any part of a cannabis plant, including the phytocannabinoids produced by, or found in, such a plant regardless of whether that part has been processed or not;
- (c) any substance or mixture of substances that contains or has on it any part of such a plant; and
- (d) any substance that is identical to any phytocannabinoid produced by, or found in, such a plant, regardless of how the substance was obtained.

- E. Add definition in section 1 for Cannabis plant as follows:

“Cannabis plant” means a plant that belongs to the genus cannabis.

- F. Delete and replace section 1 definition of Marijuana production facilities as follows:

“Cannabis production facilities” means a building, or part thereof, designed, used, or intended to be used for one or more of the following:

growing, production, processing, harvesting, testing, alteration, destruction, storage, packaging, shipment, or distribution of cannabis where a licensed, permit or authorization has been issued under applicable federal law and does not include, but is not limited to such buildings as a greenhouse and agricultural building associated with the use. It does not include a building or part thereof solely designed, used, or intended to be used for retail sales of cannabis.

- G. Add definition in section 1 for Class as follows:

“Class” means a grouping of services combined to create a single service for the purposes of this by-law and as provided in section 7 of the *Development Charges Act, 1997*.

- H. Add definition in section 1 for Detached Dwelling Unit to the as follows:

“Detached dwelling unit” has the same meaning as a “single detached dwelling unit” for the purposes of this by-law.

- I. Add definition in section 1 for Industrial Building as follows:

“Industrial Building” means lands, buildings or structures, or portions thereof, used, designed or intended for use for production, compounding, processing, packaging, crating, bottling, or assembly ("manufacturing") of raw goods or semi-processed goods or materials, research and development relating thereto, warehousing or bulk storage of goods, and includes office uses and the sale of commodities to the general public (if the retail sales are at the site where the manufacturing takes place) where such uses are accessory to an industrial use, and includes cannabis production facilities, but does not include the sale of commodities to the general public through a warehouse club or retail warehouse and does not include self-storage or mini-storage facilities.

- J. Add definition in section 1 for Institutional Use as follows:

“Institutional development” means development of a building or structure intended for use:

- (i) as a long-term care home within the meaning of subsection 2 (1) of the *Long-Term Care Homes Act, 2007*;