

## **TERMS OF REFERENCE**

### **Planning Justification Report**

#### **Description**

A Planning Justification Report provides a review of all applicable planning policy and the rationale for a proposed development. It provides an independent professional planning assessment and evaluation of a development proposal through the review of the subject site, the appropriateness of a project within its locational context, the land use planning and policy framework applicable to it, and other matters as appropriate. The Planning Justification Report must be prepared in alignment with the [OPPI Independent Professional Judgment Standards of Practice](#).

#### **Purpose**

The Purpose of this Terms of Reference (“TOR”) is to establish clear expectations and requirements for preparation of Planning Justification Report (PJR) submitted to City of Cambridge. The PJR should:

- Provide a clear understanding of the proposal
- Justify why the land use and built form are appropriate
- State why, in the opinion of the author, the proposal should be considered and approved
- Identify and analyze all of the relevant legislation, regulations, and policies (both provincial and municipal)
- Highlight information specific or particular to the proposal (i.e., special history, different circumstances)

#### **Who should prepare this?**

A Registered Professional Planner (RPP) or through direct supervision of an RPP. All reports and drawings must be stamped and/or signed and dated by a qualified professional, licensed in the Province of Ontario. The RPP that has signed the report shall take professional responsibility for its contents and the accuracy of the information contained therein.

#### **When is this required?**

To support the following *Planning Act* applications:

- Official Plan Amendment
- Zoning By-law Amendment
- Draft Plan of Subdivision/Condominium
- Site Plan Control
- Part Lot Control
- Consent to Sever and/or Minor Variance
- Plan Revisions

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City Planning staff may, at the pre-consultation stage, determine that a Planning Justification Letter is appropriate in straight forward proposals. For other forms of Draft Plan of Condominium (e.g., Standard, Phased, etc.) applications and Committee of Adjustment applications, the City may require a scoped Planning Justification Report. This will be determined on a case-by-case basis at the sole discretion of the City. In such instances, the City will determine requisite information to be contained in the scoped Planning Justification Report, in consultation with any applicable external agencies through the pre-consultation process.

#### **Applicable Legislation**

The authority to require or request information or material to evaluate and make a decision on proposed planning applications is provided by the Ontario Planning Act, the Provincial Policy Statement, and City of Cambridge Official Plan Section 10.14("Complete Applications").

#### **Required contents**

This TOR document sets out the minimum requirements that must be included in all reports. More specific scoping of the Planning Justification Report may be identified by appropriate staff during the pre-application consultation process.

##### **A. Introduction**

The introduction to the Planning Justification Report is to provide a high-level overview of the proposal as well as the purpose of the land use planning application being requested. This section should clearly summarize:

- Ownership/applicant information.
- Party/firm retained to write the report.
- The address of the subject property.
- A high-level overview of the development proposed.
- A detailed summary of the purpose of the land use planning application(s) proposed, including any site-specific policies or regulation contemplated by the applicant.

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#### **B. Site Description**

The purpose of this section of the Report is to provide the reader with a clear understanding of the location of the proposed development and the existing conditions of the subject property, which should include:

- A description of the location of the site and its municipal and legal property address.
- A description of current use(s).
- The total size of the site (in hectares, to three decimal points).
- A review of existing site conditions (e.g., buildings, structures, topography, municipal servicing and private services, vegetation, landscaping, potential contamination, heritage features, natural features, hazards, and if the site is subject to the Source Protection Plan, etc.).
- A summary of any existing registered plans, easements, restrictive covenants, and development agreements, if applicable (electronic copies of such documents are to be provided to the City under separate cover at the time of submission of the Planning Justification Report).
- An overview of any previous or concurrent planning approvals associated with the subject lands (e.g., previous Official Plan Amendments, Zoning By-Law Amendments, Site Plan approvals, Minor Variances, Ontario Land Tribunal decisions, etc.).

This section of the report should be supplemented with visuals, which should include:

- Site location map.
- Aerial photography/imagery.
- Photographs showing historic and current land uses and site conditions.

#### **C. Context Analysis**

The purpose of this section of the Planning Justification Report is to provide a description of the context of the development within the broader geographic area. This should include the following, as applicable:

- A description of neighbouring and nearby land uses.

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- A description of the local character and context.
- Identification of potentially incompatible or sensitive land uses within proximity to the site, and off-site constraints.
- Road, active transportation and transit services in proximity to the site.
- Parks, schools and community amenities.
- Cultural heritage resources within a 300 metre radius.
- Natural features and natural hazards within a 300 metre radius, including those identified on Schedule 'A4' and Schedule 'A5' of the City of Cambridge's Official Plan.
- Identification of nearby active development applications.

This section of the Planning Justification Report should also be supplemented with graphics, maps and visuals as appropriate, which may include context maps, figures and photographs.

#### **D. Proposal Details**

The intent of this section of the Planning Justification Report is to provide a detailed description of the proposed planning application with sufficient information to provide the reader with a detailed understanding of the application. This should include:

- Description of the proposal, overview, major statistics (i.e., height, density, parking), relevant phasing, and site and contextual considerations
- A detailed description of any proposed buildings or structures.
- A detailed description of any new proposed uses, if applicable.
- A review of any buildings, structures or vegetation to be removed.
- A review of the proposed site design including (but not limited to) building orientation, built form, streetscaping and public realm, accesses, parking layout, site circulation (pedestrian, cycling and vehicular), accessibility requirements, landscaping, and urban design.
- A site data chart, including key statistics such as the number and type of units, building height, total building floor area for each use, landscaped open space, density, parking and bicycle parking spaces, etc. in the same units of measurement as the relevant Official Plan policies and Zoning By-Law regulations

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- A detailed description of development phasing if multiple phases are proposed.

#### E. Requested Approvals

This section of the Planning Justification Report shall provide a summary of the amendment(s) being requested to advance the proposed development and the sequencing of the amendments. For example, Zoning By-Law Amendment Application followed by a Site Plan Application followed by a Plan of Standard Condominium Application.

All site-specific amendments being proposed to Official Plan policy or Zoning By-Law regulations must be clearly specified, in alignment with the development proposal and in the same units of measurement as the relevant Official Plan policies and Zoning By-Law regulations. In this section, the following must be provided for each amendment being requested:

- Reference to the specific policy or regulation proposed to be amended
- Details of the newly proposed amendment

In order to clearly articulate where site-specific relief is requested, it is recommended that applicants summarize required relief in a table format similar to the following. Reasons for the requested amendment do not need to be included within the table if a detailed review, justification, and rationale for each requested amendment is provided in subsequent sections of the report.

Existing OFFICIAL PLAN Policy or ZONING BY-LAW Regulation to be Amended	Proposed Amendment	Reasons for Requested Amendment

To aid the development review process, it is also recommended that a draft of the proposed implementing policy/policies, by-law(s) and mapping revision(s) be included in this section or appended to the Report.

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#### **F. Existing Planning Framework/Policy Review and Planning Justification**

This section of the Planning Justification Report is a fundamental component of the overall report and a critical element to the City in formulating a recommendation with regard to the application(s). This section of the report must demonstrate, through appropriate detailed analysis, how the proposed amendment/development is consistent with and/or conforms to the relevant land use planning framework, as set out in the:

- Planning Act
- Provincial Policy Statement
- Growth Plan for the Greater Golden Horseshoe
- Region of Waterloo Official Plan
- City of Cambridge's Official Plan
- City of Cambridge Secondary Plans, if applicable
- City of Cambridge Zoning By-law
- Grand River Conservation Authority (GRCA) mapping/regulation limits
- Source Protection Plan, if applicable
- Any other applicable policy documents, studies, guidelines, and standards that pertain to the subject lands and proposal

Particular focus should be given to the land use planning direction set out in the City of Cambridge Official Plan, Secondary Plans (if applicable), and Zoning By-Law as the primary planning tools that guide land use and development at the local level. The review of the City's Official Plan should not be limited to land use policies in isolation but should also thoughtfully discuss the proposed development within the context of other important and formative elements of the Official Plan. This should include an assessment of how the development aligns with the Vision, Goals and Principles of the Plan and how the development maintains or deviates from the Planned City Form and City Structure.

It is strongly recommended that the Planning Justification Report contain visuals showing the planning framework applicable to the property, which may include maps and land use schedules from applicable policy documents, zoning schedules, and environmental constraint mapping obtained from the GRCA.

### G. Planning Rationale

This section of the Planning Justification Report should provide sound land use planning rationale and opinion as to why the proposal is appropriate and desirable, and how it addresses the principles of “good planning”. This section should not be a reiteration of the Existing Planning Framework/Policy Review and Planning Justification section of the Planning Justification Report (Section F), but rather should concentrate on the merits of the application from a land use planning perspective and should consider additional matters such as:

- Urban design principles and built form objectives;
- Land use compatibility and relationship with existing neighbourhood conditions;
- Sustainability considerations and environmental impact;
- Benefits to the community;
- Cultural and built heritage; and
- Other relevant planning and design considerations

Where site specific policies and/or regulations are proposed, this section should clearly discuss why each site-specific amendment is being requested and provide sound land use planning rationale to justify why each site-specific amendment represents good planning.

For example, this may include an opinion statement on how the proposal provides beneficial social, economic or environmental outcomes; how the proposal contributes to creating complete, vibrant communities; and/or how potential negative impacts have been avoided or mitigated. The discussion should also include an assessment of the proposed development against good urban design practices, as well as direct references to relevant considerations and recommendations from Supporting Studies, as applicable.

This section of the report should also rationalize why the development application is appropriate in its context and provide an assessment of the impact of the development on the surrounding neighbourhood.

#### **H. Supporting Studies**

This section of the Planning Justification Report should provide a summary of the supporting studies submitted as part of a 'complete application' package. A summary of the key findings and conclusions from each study should be included. Should any supporting study make recommendations regarding mitigation measures (such as transportation demand management measures, wind and/or environmental noise mitigation measures, berms, building material improvements, etc.), these should be summarized for the benefit of the reviewer with a description of how/when each will be implemented.

#### **I. Public Consultation Strategy**

This section of the Report is to outline the applicant's proposed strategy on how the public has and/or will be engaged in advance of a decision on the application. Depending on the nature of the application, a Public Consultation Strategy may either be contained in a standalone document or integrated as part of a Planning Justification Report. **For Plan of Condominium applications other than Vacant Land Condominiums and Condominium Conversions, the requirement for a Public Consultation Strategy may be waived, at the discretion of City staff.**

#### **J. Additional Requirements for Condominium Conversion Applications**

Planning Justification Reports submitted as part of a Condominium Conversion application shall provide a planning analysis of Rental Housing Criteria in accordance with Region of Waterloo Official Plan, Section 3.A.4 and City of Cambridge's Official Plan, Section 8.4.4 (16).

Applicants should be aware that more stringent criteria may be included in Region of Waterloo Official Plan Amendment 6 (ROPA6, 3.A.5), as adopted by Regional Council and approved by the Minister of Municipal Affairs and Housing.



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#### **K. Summary and Conclusions**

The Summary and Conclusion section of the Planning Justification Report should clearly and succinctly summarize the findings, conclusions, and recommendations of the Report. This section should include:

- A summary of the development proposal and required development approvals.
- Concluding statements regarding the adherence of the proposal with the applicable land use planning framework.
- A summary of the land use planning rationale.
- Any recommendations to City staff and Council with regard to the application.
- Signatory of the author(s).

#### **L. Appendices / Maps**

The following appendices and/or visual aids must be included in this section if not provided in earlier sections of the Planning Justification Report, if applicable:

- Maps, including aerial photographs, land parcel mapping or legal surveys/agreements.
- Existing Official Plan mapping and proposed amended mapping and policies.
- Existing Zoning By-Law mapping and proposed amended mapping and regulations.
- Concept Plan, Preliminary Site Plan, and Building Elevations (all fully dimensioned and scalable).
- Renderings.
- Draft Plan of Subdivision or Draft Plan of Condominium Drawings, if applicable.
- Any additional visual aids and/or figures that may support the proposal.

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**A scoped Planning Justification Report shall contain at a minimum:**

- A description of the site and its surrounding context.
- A detailed summary of the development proposal including a concept plan that is fully dimensioned and scalable.
- A detailed summary of the requested development applications.
- A brief discussion of any previous or concurrent development applications for the site.
- A review of how the proposal adheres to the applicable land use planning framework.
- A summary of how the proposal is consistent with good planning principles, with supporting analysis and rationale.

#### **Additional Information**

Note 1: If City staff consider the submitted Planning Justification Report to be incomplete, unsatisfactory, inconsistent, insufficient, authored by an unqualified individual, or if it fails to satisfy the requirements set out in this TOR in any other manner, the associated development application may be deemed incomplete and returned to the applicant.

Note 2: Deeming an application complete does not guarantee that the contents of the study are acceptable to City staff and/or that the application will be approved.

Note 3: If a request for a Planning Justification Report is not made at an earlier stage in the development process, this does not preclude the City from requesting a Planning Justification Report at a later stage. Once an application has been deemed “complete”, the City may require additional information, reports, and/or studies following a more detailed review to assess the implications of an application for approval.

Note 4: The City of Cambridge is committed to complying with the Accessibility for Ontarians with Disabilities Act (AODA). In our everyday work with businesses institutions, and community partners we anticipate the same commitment to AODA compliance. Therefore, the Planning Justification Report must be AODA compliant and must meet the current provincial standard for compliance.

Note 5: The City reserves the right to request an updated study, or an addendum thereto, should staff determine that changes in the development proposal or changes to legislation warrant further/modified planning analysis.

Note 6: City staff reserve the right to require a peer review of submitted materials by an appropriate agency or qualified professional, the cost of

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which will be borne by the applicant.

Note 7: Documents and all related information submitted to the City as part of a complete development application are considered public documents once submitted.

Note 8: The Planning Justification Report shall be submitted in conjunction with the applicable development application(s), unless otherwise agreed to by the City.

Note 9: This Terms of Reference document is intended to be used for guideline purposes only, and will be used to provide technical direction throughout the planning and development process. The requirements of this study may vary depending on the nature of the proposal. This will be determined through the pre-consultation process and in consultation with any applicable external agencies. Completion of a report in alignment with the requirements of this Terms of Reference will not guarantee approval of the development application in question.

Note 10: This TOR is relevant at the time of publishing and will be updated as necessary to reflect current policy, best practices, and accepted standards. It is the applicant's responsibility to ensure the report is prepared in accordance with the most recent version of the TOR issued by the City.