Corporation of the City of Cambridge
Council Meeting
Agenda

Date: Tuesday, October 24, 2023, 6:30 p.m.
Location: Council Chambers

To increase delegate accessibility, this meeting will be held as a hybrid meeting with both in-person and virtual attendance options. Register to appear as a delegation by visiting: https://forms.cambridge.ca/Delegation-Request-Form. Members of the public can choose to delegate in-person or by telephone. Alternative formats and communication supports are available upon request.

Closed Session will occur at 5:00 p.m.

Members of the public wishing to speak at Council may complete the Delegation Request Form no later than 12:00 p.m. on the day of the meeting for Council Meetings occurring at 6:30 p.m.

All written delegation submissions will form part of the public record.

1. Meeting Called to Order
2. Indigenous Territory Acknowledgement
3. Disclosure of Pecuniary Interest
4. Presentations
   4.1 Jeff Henry, Arcadis re: 23-300-CD Recommendation Report for Official Plan Amendment and Zoning By-law Amendment – 30 Lauris Avenue
4 - 17
5. Delegations and Consideration of Related Reports
6. Rise from Closed Session
7. Motions
   7.1 Motion re: Support for Bill 21, Fixing Long-Term Care Amendment Act
   This Motion was originally introduced on October 10, 2023.
18 - 18
8. Consent Agenda
   The Consent Agenda groups reports together that are of a routine nature and provides opportunity to vote on one motion rather than separate motions. However, Staff may not be in attendance to respond to queries on items
contained in the Consent Agenda. Council Members wishing to pull an item from Consent Procedure should notify the City Clerk. Members will also have the opportunity to pull the item at the Meeting.

| 8.1  | Council Meeting Minutes - October 10, 2023 | 19 - 26 |
| 8.2  | Council Workshop Minutes - October 16, 2023 | 27 - 29 |
| 8.3  | Council Information Package - October 13, 2023 | 30 - 77 |
| 8.4  | 23-304-CD - 18 Main Street: Heritage Permit Application, Request to Alter a Designated Property | 78 - 104 |
| 8.5  | 23-313-CD - 105 Middle Block Road Notice of Intention to Designate under Part IV of the Ontario Heritage Act | 105 - 114 |
| 8.6  | 23-314-CD - Lot Creation (through Part Lot Control Exemption) - Block 96, 58M-685 (Queensbrook Crescent) | 115 - 125 |
| 8.7  | 23-315-CD - Lot Creation (through Part Lot Control Exemption) - Block 98, 58M-685 | 126 - 138 |

9. **Consideration of Reports**

| 9.1  | 23-136-CRS Sewer Camera Truck Replacement | 139 - 142 |
| 9.2  | Corporate Services | |
| 9.2.1 | 23-138-CRS Administrative Penalty Program Update | 143 - 148 |
| 9.3  | Corporate Enterprise | |
| 9.4  | Community Development | |
| 9.4.1 | 23-294-CD - 498 Eagle Street North (Preston Woollen Mills), Notice of Intention to Designate under Part IV of the Ontario Heritage Act | 149 - 169 |
| 9.4.2 | 23-300-CD Recommendation Report for Official Plan Amendment and Zoning By-law Amendment – 30 Lauris Avenue | 170 - 200 |
| 9.4.3 | 23-322-CD - CMHC Housing Accelerator Fund Application | 201 - 210 |
| 9.4.5 | 23-327-CD Recreation Complex – Concession Size and Location | 318 - 335 |
| 9.4.6 | 23-256-CD Subdivision and Site Plan Agreement Templates | 336 - 415 |

9.5 **Infrastructure Services**

| 9.5.1 | 23-021-IFS New Cemetery By-law | 416 - 446 |
| 9.5.2 | 23-024-IFS Blair Cemetery Transfer | 447 - 465 |

9.6 **Office of the City Manager**
11. Notices of Motion
   11.1 Motion re: Myers Road

   This Motion will be introduced on October 24, 2023, but will not be discussed until the next Council Meeting.

12. Corrrespondence

13. Motion to Receive and File

14. Consideration of By-laws

15. Confirmatory By-law

16. Adjournment
30 Lauris Avenue, Cambridge
Proposed Mixed Income Community
A Region of Waterloo Building Better Futures Initiative

OPA/ZBA (OR03/23)
City of Cambridge Council Meeting
October 24, 2023
Housing Continuum
What Housing Needs Does This Project Address

- Most Development Applications provide exclusively Market Rental/Ownership units
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- 581-595 Langs Drive (OR07/22) expanded Social Housing (Rent-Geared-to-Income units)
What Housing Needs Does This Project Address

- Most Development Applications provide exclusively Market Rental/Ownership units
- 581-595 Langs Drive (OR07/22) expanded Social Housing (Rent-Geared-to-Income units)
- 30 Lauris Avenue (OR03/23) will expand Affordable Rental/Affordable Ownership housing (80% of MMR)
What Housing Needs Does This Project Address

• Most Development Applications provide exclusively Market Rental/Ownership units
• 581-595 Langs Drive (OR07/22) expanded Social Housing (Rent-Geared-to-Income units)
• 30 Lauris Avenue (OR03/23) will expand Affordable Rental/Affordable Ownership housing (80% of MMR)
• Existing Regional Programs and Future Projects address Homelessness, Emergency Shelters, and Supportive/Transitional Housing
Establishing a Supportive Planning Framework

**Official Plan Amendment**

- Permit a maximum density of 112 units per hectare (104 units)

**Zoning By-law Amendment**

- Re-zone from ‘N1R4’ to ‘N1RM3 with Site-Specific Exceptions’
  - Permit a maximum density of 112 units per hectare
  - Permit site-specific parking rates
  - Permit reduced minimum gross floor area in one-bedroom units
  - Permit reduced setbacks between bedroom windows and access driveways, aisles, and parking spaces
Change Based on Council Feedback
Change Based on Council Feedback

- Increase in minimum parking rate
  - Council and Staff requested an increase in parking spaces
  - Minimum 0.81 parking spaces per unit (+20%)
Amenities and Uses (Walking Distance)

1. St. Anne CES and Alison Neighbourhood Community Centre
2. Vardon Park
3. Soper Park
4. Cambridge Vineyard Christian Fellowship
5. Galt Arena Gardens
6. Highland Shopping Centre
7. Rockwell Automation
8. General Industrial Uses
9. Heavy Industrial and Transport Uses
10. Downtown Galt
Alternative Transportation
RFP Considerations

• Proposed Weighted RFP Evaluation Considerations include:
  • Minimum 30% affordable units
  • Maximum 80% Median Market Rent for affordable units (CMHC Co-Investment Fund criteria)
  • Minimum 40-year term of affordability
  • Maximizing larger units (higher scores with more 2- and 3-bedroom units)
  • Other criteria about Urban Design, Sustainability, Proponent Experience, etc.
• Consideration will be given to including childcare uses
• OPA adoption and ZBA approval in October will keep project timeline on track
Planning Justification

• Alignment with Overarching Planning Framework
• Context-Appropriate Intensification
• Efficient Use of Infrastructure and Municipal Services
• Affordable Housing
• Represents Good Planning in the Public Interest
Questions
Motion – October 24, 2023

Re: Support for Bill 21, Fixing Long-Term Care Amendment Act

Moved By: Councillor Cooper
Seconded: Councillor Ermeta

WHEREAS the care, support, and happiness of older adults in Cambridge is a priority for City Council;

WHEREAS older adults deserve dignity in care and should have the right to live with their partner as they age;

WHEREAS within the Province of Ontario couples do not have the right to be accommodated together when entering long term care facilities;

WHEREAS the separation of spouses upon entering long term care facilities is a common occurrence across Ontario;

WHEREAS Bill 21, Fixing Long-Term Care Amendment Act (Till death do us part) was first introduced in the provincial legislature in 2019 and was reintroduced in 2022;

WHEREAS Bill 21 amends the Residents’ Bill of Rights set out in section 3 of Fixing Long-Term Care Act, 2021 by adding the right of residents not to be separated from their spouse upon admission and to have accommodation made available for both spouses so they may continue to live together;

WHEREAS Bill 21 passed its second reading in the provincial legislature on November 15, 2022 and was subsequently ordered referred to the Standing Committee on Social Policy and has since yet to be called to the Standing Committee;

BE IT RESOLVED THAT the City of Cambridge supports Bill 21 Fixing Long-Term Care Amendment Act

AND THAT the City of Cambridge requests the provincial legislature to call Bill 21 Fixing Long-Term Care Amendment Act to the Standing Committee on Social Policy so that it may progress closer to its Third Reading.

AND FURTHER THAT the City Clerk be directed to send a copy of this motion to the Region of Waterloo, Province of Ontario, The Premier of Ontario, The Right Honorable Provincial Members of Parliament, and all Ontario Municipalities.
1. **Meeting Called to Order**
   
The meeting of the Council of the Corporation of the City of Cambridge is held in Council Chambers and is live streamed to the City of Cambridge website. Mayor Liggett welcomes everyone present and calls the meeting to order at 6:30 p.m.

2. **Indigenous Territory Acknowledgement**

3. **Disclosure of Pecuniary Interest**
   
None.
4. **Presentations**

4.1 Patrick Gilbride and Lisa Truong, Reep Green Solutions re: Annual Impact Report

4.2 Dave Barrett, Arcadis re: 23-298-CD Recommendation Report for Official Plan Amendment - 110 Royal Oak Road

4.3 Maria Skara, Planner re: 23-298-CD Recommendation Report for Official Plan Amendment - 110 Royal Oak Road

5. **Delegations and Consideration of Related Reports**

6. **Closed Session**

Motion: 23-338

Moved by Councillor Roberts
Seconded by Councillor Kimpson

THAT in accordance with section 239 (2) (b), (c), (e), (f), (i) and (k) of the Municipal Act, 2001, Council to convene in Closed Session at 5:04 p.m. to consider the following subject matters:

(b) personal matters about an identifiable individual, including municipal or local board employees (Appointments to Advisory Committees)

(c) a proposed or pending acquisition or disposition of land by the municipality or local board (Confidential Real Estate Matter);

(e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board (Confidential Litigation Updates);

(f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose (Confidential Litigation Updates);

(i) Third-party information supplied in confidence to the municipality or local board, which, if disclosed, could significantly prejudice a competitive position or interfere with negotiations (e.g. a trade secret or scientific, technical, commercial, financial or labour relations information (Confidential Regional Verbal Updates); and,

(k) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board (Confidential Litigation Updates).
In Favour (8): Councillor Devine, Councillor Kimpson, Councillor Earnshaw, Councillor Roberts, Councillor Cooper, Councillor Hamilton, Councillor Ermeta, and Mayor Liggett

Carried (8 to 0)

7. **Rise from Closed Session**

Motion: 23-339

Moved by Councillor Devine
Seconded by Councillor Ermeta

THAT Council rise from Closed Session and reconvene in Open Session at 6:33 p.m.

In Favour (8): Councillor Devine, Councillor Kimpson, Councillor Earnshaw, Councillor Roberts, Councillor Cooper, Councillor Hamilton, Councillor Ermeta, and Mayor Liggett

Carried (8 to 0)

8. **Consent Agenda**

Motion: 23-340

Moved by Councillor Cooper
Seconded by Councillor Earnshaw

THAT all items listed under the heading of Consent Agenda for October 10, 2023 be adopted as recommended.

In Favour (8): Councillor Devine, Councillor Kimpson, Councillor Earnshaw, Councillor Roberts, Councillor Cooper, Councillor Hamilton, Councillor Ermeta, and Mayor Liggett

Carried (8 to 0)

8.1 Council Meeting Minutes - September 26, 2023
8.2 Council Information Package - September 29, 2023
8.3 23-309-CD- Lot Creation (through Part Lot Control Exemption) - Block 95, 58M-685 (Queensbrook Cres)
8.4 23-310-CD- Lot Creation (through Part Lot Control Exemption) - Block 14 
& 16, 58M-686 (Bastien Street)

9. **Consideration of Reports**

9.1 Corporate Services

9.1.1 23-130-CRS Appointments to Advisory Committees

Motion: 23-341

Moved by Councillor Earnshaw
Seconded by Councillor Roberts

THAT Report 23-130-CRS Appointments to Advisory Committees be received;

AND THAT Confidential Appendices “C”, “D”, “E”, and “F” to report 23-130-CRS be received and remain confidential;

AND THAT the following individual be appointed to the Arts and Culture Advisory Committee as an alternate member for the term of Council ending November 14, 2026: Christina Thomson;

AND THAT the following individual be appointed to the Committee of Adjustment as an alternate member for the term of Council ending November 14, 2026: Majed Darr;

AND THAT the following individual be appointed to the Economic Development Advisory Committee as an alternate member for the term of Council ending November 14, 2026: Brad Ratz;

AND THAT the individuals outlined in Confidential Appendix “F” be appointed as full voting members to the Youth Action Advisory Committee for the term of Council ending November 14, 2026;

AND THAT the following individual be appointed to the GrandBridge Corporation and GrandBridge Energy Incorporated Board of Directors: Sandra Vos;

AND THAT the City Clerk be directed to notify all successful and unsuccessful applicants;

AND FURTHER THAT Council Appointed Citizen Members to the City’s advisory committee who do not submit their signed Code of Conduct form within the first month after their appointment has
been made, shall forfeit their membership on the committee to which they have been appointed.

In Favour (8): Councillor Devine, Councillor Kimpson, Councillor Earnshaw, Councillor Roberts, Councillor Cooper, Councillor Hamilton, Councillor Ermeta, and Mayor Liggett

**Carried (8 to 0)**

9.2 Corporate Enterprise

9.3 Community Development

9.3.1 23-298-CD Recommendation Report for Official Plan Amendment - 110 Royal Oak Road

Motion: 23-342

Moved by Councillor Kimpson
Seconded by Councillor Devine

THAT Report 23-298-CD Recommendation Report for Official Plan Amendment – 110 Royal Oak Road be received.

AND THAT Council approves the proposed Official Plan Amendment No. 69 to establish a Site Specific Policy 8.10.105 for the subject property to facilitate the creation of one new residential lot for a detached dwelling to be serviced by private well and wastewater treatment system (septic system);

AND FURTHER THAT the by-law attached to report 23-298-CD be passed.

In Favour (8): Councillor Devine, Councillor Kimpson, Councillor Earnshaw, Councillor Roberts, Councillor Cooper, Councillor Hamilton, Councillor Ermeta, and Mayor Liggett

**Carried (8 to 0)**

9.3.2 23-281-CD Railway Grade Crossing Safety Assessment – Whistle Cessation

*Please note that this item was withdrawn from the Agenda.*
12.1 Motion re: Support for Bill 21, Fixing Long-Term Care Amendment Act

**Moved By:** Councillor Cooper

**Seconded:** Councillor Ermeta

*Note: This motion will be discussed during the Council meeting on October 24th, 2023.*

WHEREAS the care, support, and happiness of older adults in Cambridge is a priority for City Council;

WHEREAS older adults deserve dignity in care and should have the right to live with their partner as they age;

WHEREAS within the Province of Ontario couples do not have the right to be accommodated together when entering long term care facilities;

WHEREAS the separation of spouses upon entering long term care facilities is a common occurrence across Ontario;

WHEREAS Bill 21, Fixing Long-Term Care Amendment Act (Till death do us part) was first introduced in the provincial legislature in 2019 and was reintroduced in 2022;

WHEREAS Bill 21 amends the Residents' Bill of Rights set out in section 3 of Fixing Long-Term Care Act, 2021 by adding the right of residents not to be separated from their spouse upon admission and to have accommodation made available for both spouses so they may continue to live together;

WHEREAS Bill 21 passed its second reading in the provincial legislature on November 15, 2022 and was subsequently ordered referred to the Standing Committee on Social Policy and has since yet to be called to the Standing Committee;

**BE IT RESOLVED THAT** the City of Cambridge supports Bill 21 Fixing Long-Term Care Amendment Act

**AND THAT** the City of Cambridge requests the provincial legislature to call Bill 21 Fixing Long-Term Care Amendment Act to the Standing Committee on Social Policy so that it may progress closer to its Third Reading.
AND FURTHER THAT the City Clerk be directed to send a copy of this motion to the Region of Waterloo, Province of Ontario, The Premier of Ontario, The Right Honorable Provincial Members of Parliament, and all Ontario Municipalities.

13. **Correspondence**

13.1 Reep Green Solutions re: Annual Impact Report

14. **Motion to Receive and File**

Motion: 23-343

Moved by Councillor Devine
Seconded by Councillor Ermeta

THAT all presentations and correspondence from the October 10, 2023, Council meeting be received.

In Favour (8): Councillor Devine, Councillor Kimpson, Councillor Earnshaw, Councillor Roberts, Councillor Cooper, Councillor Hamilton, Councillor Ermeta, and Mayor Liggett

Carried (8 to 0)

15. **Consideration of By-laws**

Motion: 23-344

Moved by Councillor Roberts
Seconded by Councillor Cooper

THAT the following by-laws listed under the heading of Introduction and Consideration of By-laws be enacted and passed:

23-083 Being a by-law to exempt certain lots or blocks pursuant to subsection 50(5) of the Planning Act, R.S.O. 1990, c. P.13, as amended (Part Lot Control Exemption) – Block 95 on Registered Plan 58M-685

23-084 Being a by-law to exempt certain lots or blocks pursuant to subsection 50(5) of the Planning Act, R.S.O. 1990, c. P.13, as amended (Part Lot Control Exemption) – Block 14 and 16 on Registered Plan 58M-686

23-085 Being a by-law to adopt Amendment No. 69 of the City of Cambridge Official Plan (2012), as amended with respect to land municipally known as 110 Royal Oak Road
In Favour (8): Councillor Devine, Councillor Kimpson, Councillor Earnshaw, Councillor Roberts, Councillor Cooper, Councillor Hamilton, Councillor Ermeta, and Mayor Liggett

Carried (8 to 0)

16. **Confirmatory By-law**

Motion: 23-345

Moved by Councillor Kimpson
Seconded by Councillor Hamilton

That By-Law 23-086 Being a by-law to confirm the proceedings of the Council of the Corporation of the City of Cambridge be passed.

In Favour (8): Councillor Devine, Councillor Kimpson, Councillor Earnshaw, Councillor Roberts, Councillor Cooper, Councillor Hamilton, Councillor Ermeta, and Mayor Liggett

Carried (8 to 0)

17. **Adjournment**

Motion: 23-346

Moved by Councillor Ermeta
Seconded by Councillor Earnshaw

THAT the Council meeting does now adjourn at 7:04 p.m.

In Favour (8): Councillor Devine, Councillor Kimpson, Councillor Earnshaw, Councillor Roberts, Councillor Cooper, Councillor Hamilton, Councillor Ermeta, and Mayor Liggett

Carried (8 to 0)
1. **Meeting Called to Order**
   
The Council Workshop of the Council of the Corporation of the City of Cambridge is held in Cambridge Old City Hall and is live streamed to the City of Cambridge’s website. Mayor Liggett welcomes everyone present and calls the meeting to order at 5 p.m.

2. **Disclosures of Pecuniary Interest**
   
   None.

3. **Presentations**
   
   3.1 **City of Cambridge Master Fire & Emergency Services Plan Update**
   
   3.2 **Fire Master Plan Presentation**
   
   Motion: 23-347
Moved By Councillor Kimpson
Seconded By Councillor Ermeta

THAT Council direct staff to report back on the implementation plan for Fire in the first quarter of 2024.

In Favour (8): Councillor Devine, Councillor Kimpson, Councillor Earnshaw, Councillor Roberts, Councillor Cooper, Councillor Hamilton, Councillor Ermeta and Mayor Liggett

Carried (8 to 0)

Motion: 23-348

Moved By Councillor Devine
Seconded By Councillor Kimpson

THAT staff be directed to complete a ventilation analysis of Fire Station 2 and report back to Council promptly with proposed solutions.

In Favour (8): Councillor Devine, Councillor Kimpson, Councillor Earnshaw, Councillor Roberts, Councillor Cooper, Councillor Hamilton, Councillor Ermeta and Mayor Liggett

Carried (8 to 0)

4. Motion to Receive

Motion: 23-349

Moved By Councillor Earnshaw
Seconded By Councillor Cooper

THAT all presentations and correspondence from the October 16, 2023, Council Workshop be received.

In Favour (8): Councillor Devine, Councillor Kimpson, Councillor Earnshaw, Councillor Roberts, Councillor Cooper, Councillor Hamilton, Councillor Ermeta and Mayor Liggett

Carried (8 to 0)
5. **Adjournment**

Motion: 23-350

Moved By Councillor Roberts
Seconded By Councillor Kimpson

THAT the Council meeting does now adjourn at 6:13 p.m.

In Favour (8): Councillor Devine, Councillor Kimpson, Councillor Earnshaw, Councillor Roberts, Councillor Cooper, Councillor Hamilton, Councillor Ermeta and Mayor Liggett

**Carried (8 to 0)**

________________________________________
Mayor

________________________________________
Clerk
# COUNCIL INFORMATION PACKAGE

**October 13, 2023**

**Table of Contents**

<table>
<thead>
<tr>
<th>Item</th>
<th>From</th>
<th>Subject</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>City of Cambridge</td>
<td>2024 Budget Timeline Amendment</td>
<td>2-3</td>
</tr>
<tr>
<td>2</td>
<td>City of Cambridge</td>
<td>Age Friendly Community Update</td>
<td>4-12</td>
</tr>
<tr>
<td>3</td>
<td>City of Burlington</td>
<td>Changes to the Oath of Office Acknowledging Treaty Rights</td>
<td>13-14</td>
</tr>
<tr>
<td>4</td>
<td>Township of North Dumfries</td>
<td>Intimate Partner Violence and Hate, Racism and Prejudice</td>
<td>15-17</td>
</tr>
<tr>
<td>5</td>
<td>City of Pickering</td>
<td>Request to Abandon Greenbelt Development</td>
<td>18-20</td>
</tr>
<tr>
<td>6</td>
<td>Township of Alnwick/Haldimand</td>
<td>Establishing a Guaranteed Livable Income</td>
<td>21</td>
</tr>
<tr>
<td>7</td>
<td>County of Brant</td>
<td>Guaranteed Livable Income</td>
<td>22-23</td>
</tr>
<tr>
<td>8</td>
<td>City of Waterloo</td>
<td>Guaranteed Livable Basic Income</td>
<td>24-27</td>
</tr>
<tr>
<td>9</td>
<td>Town of Cobourg</td>
<td>Catch and Release Justice in Ontario</td>
<td>28-29</td>
</tr>
<tr>
<td>10</td>
<td>Howick Township</td>
<td>“Catch and Release” Justice in Ontario</td>
<td>30-31</td>
</tr>
<tr>
<td>11</td>
<td>Town of Cobourg</td>
<td>Illegal Land Use Enforcement</td>
<td>32-33</td>
</tr>
<tr>
<td>12</td>
<td>Town of Whitechurch-Stouffville</td>
<td>Illegal Land Use Enforcement</td>
<td>34-44</td>
</tr>
<tr>
<td>13</td>
<td>City of Cambridge</td>
<td>Economic Development Advisory Committee September 13, 2023 Meeting Minutes</td>
<td>45-48</td>
</tr>
</tbody>
</table>
Comments

At the Council meeting on May 30, 2023, through Council Report 23-096-CRS 2024 Budget Timeline and Guidelines, Council approved the 2024 Budget and Business Plan timeline.

This memo serves to provide an update to the 2024 budget timeline.

2024 Budget Timeline Amendment

Due to unforeseen personnel constraints, some of the budget timeline targets have resulted in postponement. A summary of the update to the timeline is presented below.

The revised timeline aligns with the process for the 2023 Budget and Business Plan that was delayed due to the requirements of section 290 (1.1) of the Municipal Act, 2001 that states a budget for a year immediately following a year in which a regular election is held, may only be adopted in the year to which the budget applies.
It is not anticipated that the delay in final budget approval will adversely affect the successful planning and execution of 2024 business plan initiatives. Similar to the process for the 2023 budget, a capital project pre-approval report will be presented to the Budget & Audit Committee for the December 19 meeting, thereby facilitating early procurement for certain capital projects to secure best pricing and meet stakeholder timelines. Also, similar to the 2023 budget process, a report requesting preapproval of the Water and Sewer 2024 User Fees and Charges will be presented on December 19 to avoid any deficits in the water utility budget, due to the delay of budget approval until February.

A detailed timeline pertaining to budget book disbursement, delegations, Council review and approval are outlined below, as information.

<table>
<thead>
<tr>
<th>Existing Timeline</th>
<th>Amended Timeline</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>November 20, 2023</td>
<td>December 15, 2023</td>
<td>2024 Budget Book distribution to Council and the Public (i.e., Business Plans &amp; Proposed Budget)</td>
</tr>
<tr>
<td>November 23, 2023</td>
<td>December 19, 2023</td>
<td>2024 Budget Presentation (Budget &amp; Audit Committee meeting)</td>
</tr>
<tr>
<td>November 29, 2023</td>
<td>January 8, 2024</td>
<td>Q&amp;A Meetings with Council</td>
</tr>
<tr>
<td>(week of)</td>
<td>(week of)</td>
<td></td>
</tr>
<tr>
<td>December 7, 2023</td>
<td>February 6, 2024</td>
<td>Public Delegations Meeting</td>
</tr>
<tr>
<td>December 14, 2023</td>
<td>February 8, 2024</td>
<td>Budget &amp; Audit Committee Meeting</td>
</tr>
<tr>
<td>December 19, 2023</td>
<td>February 13, 2024</td>
<td>Budget &amp; Audit Committee Meeting (if required)</td>
</tr>
</tbody>
</table>

**Attachments**

None.

**Approvals:**

☒ Manager/Supervisor  ☒ Deputy City Manager  ☒ City Manager
Building on the Age Friendly vision and commitment of Council staff is pleased to provide an update on efforts since becoming a member of the World Health Organization (WHO) and welcoming a dedicated staff member to this portfolio.

**Background:**

- May 2021, Cambridge City Council approved thirteen new strategic actions including the commitment to provide age-friendly services that are accessible to all.

- October 2021, Cambridge City Council supported a staff report recommendation to move forward with an application to the World Health Organization (WHO) for the City of Cambridge to be recognized as an Age Friendly Community.

- January 2022, deliberations, Council approved a Part Time Age Friendly Coordinator to champion this work on behalf of the Corporation.

- September 2022, the Corporation requested membership to the World Health Organization’s Global Network of Age Friendly Cities and Communities.

- November 2022, official noticed received on the City of Cambridge’s acceptance to the World Health Organization Age Friendly Community membership. Membership to the Network reflects cities’ commitment to listen to the needs of their ageing population, assess and monitor their age-friendliness and work collaboratively with older people and across sectors to create age-friendly physical and social environments. Membership is also a commitment to share experience, achievements and lessons learned with other cities and communities.
December 2022, The Corporation hired a Part-Time Age-Friendly Coordinator to start the work required to maintain membership status as an Age Friendly Community with the World Health Organization.

The commitment to ensuring older adults in our community are able to remain healthy and age in place successfully is core to the World Health Organization (WHO) Age Friendly Cities Framework and supports the expected exponential growth of our older adult community.

**Being Age-Friendly**

The WHO Age-Friendly Cities Framework consists of 8 domains:

- Civic Participation and Employment
- Communication and Information
- Community and Health Care
- Housing
- Outdoor Spaces and Buildings
- Respect and Social Inclusion
- Social Participation
- Transportation
Through the lens of these interconnected domains, a focus has resulted in Phase 1 background research and analysis, Age Friendly Network outreach and connections and early development of a community profile and repository of internal and external Age Friendly resources.

**Older Adult Strategy**

During the 2022 budget deliberations City Council approved the development of an Older Adult Strategy. The goal of this strategy is to provide direction for Cambridge 50+ Recreation and Community Support programs and services over the next 5 year. The Strategy will be completed through the lens of the World Health Organizations (WHO) Age-Friendly cities framework. The timing of this work alongside the addition of a part-time Age Friendly Coordinator could not have been better. The project team knew that a high level of community engagement would result in a more robust report and a commitment was made to have age-friendly staff focus their efforts on community engagement.

- February 2023, the Older Adult Survey was launched online, via print and phone options. In its development and outreach, the Age-Friendly Coordinator was a key contributor to outreach for the survey, Town Halls, Focus Groups. As a result of outreach and engagement efforts, more than 1,100 older adults provided input. Outreach has been an integral component of efforts actioned and barriers to engagement were mitigated by various options to provide input in addition to hosting a town hall within a neighbourhood with a high population of older adults and where translation services were provided.
March 2023, Age Friendly Coordinator joined the Elder Abuse Prevention Council. It is estimated that between 8-10% of Canadian seniors experience some form of abuse every year. This translates to more than 200,000 older adults in Ontario alone who are experiencing or at risk of elder abuse. Through 2021 census, that could represent upwards of more than 13,000 older adults at risk in Cambridge. The Age-Friendly domains of Respect and Social Inclusion, Community Support and Health Services and Social Participation are key to taking actionable steps towards safeguarding older adults through reducing isolation, providing integral information and linkages to community and health supports, recreation and leisure. In doing so, through respect and inclusion, older adults can have access to being more connected, more involved, more active.

April 2023, the City of Cambridge was approved to participate in the Schlegel-UW Research Institute for Aging (RIA) Supporting Inclusion through Intergenerational Partnerships (SIIP) project to promote social inclusion among community-dwelling older adults living with dementia, and their care partners, in Waterloo Region.

“Waterloo Region is home to a diverse and aging population. Racialized people account for about 29 per cent of the regional population, and it is estimated that by 2031, one in five people in our community will be over the age of 65. The number of people living with dementia in Canada is also growing, with more than 1.7 million people will be living with dementia by 2050.” (RIA) This case competition involved engaging with University of Waterloo students in design thinking and ideation.

In 2020, it was estimated that there were 597,300 individuals living with dementia in Canada. By 2030, we can expect this number will reach close to 1 million. In terms of newly-diagnosed individuals per year—what epidemiologists call annual incidence—in 2020 there were 124,000 new cases of dementia diagnosed (10,333 per month; 348 per day; 15 every hour). By 2030, the annual incidence will rise to 187,000 new cases a year (15,583 per month; 512 per day; 21 every hour).“ - Alzheimer Society of Canada Landmark Study: Navigating the Path Forward for Dementia in Canada.

May 2023, Age Friendly Coordinator provided input to the Ontario Age Friendly Community Outreach Program video for e-learning module; the second step in the planning guide on assessing need. This provided an opportunity to highlight the depth
of effort to outreach for the Older Adult Strategy. Outreach which included a strong lens on Age Friendly domains.

- July 2023, Age-Friendly Coordinator participated in Principles of Health Aging (PHA) training and became a PHA trainer which will result in both continuous improvement efforts for 50+ recreation programs and in providing PHA training internally and within the community. The City of Cambridge is a HIGH FIVE accredited organization, investing in Principles of Healthy Aging training and to the philosophy and continuous improvement practices. Principles of Healthy Aging training session slated for October 2023 along with initial steps in the QUEST National evaluation tool.

The focus of the United Nations (UN) Decade of Healthy Ageing 2021-2030 is to improve the lives of older people, their families and the communities in which they live. Four areas for action are identified: disrupting ageism, creating age-friendly environments, providing integrated care and ensuring access to long-term care when needed. As life expectancy and the proportion of older adults in the population increase, more action is needed on root factors to promote healthy aging. In 2019, there were approximately 6.6 million people aged 65 years and over in Canada, representing almost one fifth (20%) of the total population in Canada. This number is projected to increase to about 10.7 million by the year 2040, which will be close to one quarter (25%) of all people in Canada. The social determinants of health influence health outcomes across the life course, starting in early childhood and accumulating throughout education, youth, adulthood, employment and all life stages including age 65 and beyond - National Collaborating Centre for Determinants of Health (NCCDH) Learning from Practice: Promoting Wellbeing and Health Equity Among Older Adults.

- July 2023, Age-Friendly Coordinator participated in the Gaslight District JOY Summit with an active lens of older adults and themes of joy, sense of place and sense of space. These support safety and security, connectedness and aging in the right place. Placemaking and Age-Friendly Communities have intertwined alignment: how sense of place is experienced by older adults, what services, amenities and features are needed to create healthy cities and active aging, how can communities be designed to better integrate the sense of place needs of older adults.

- July 2023, Age Friendly Coordinator submitted 50+ Active Living Fair grant application to Older Adult Centres’ Association of Ontario (OACAO) for November 9 event. Event application included enhancements i.e., Cambridge Food Bank Mobile Food Market; a fresh produce market on wheels with the goal is to increase access to fresh food, at an
affordable cost. This pay what you choose model provides options for older adults living in poverty/fixed income. In addition, the Active Living Fair will welcome Spectrum and the Southwest Ontario Aboriginal Health Access Centre 'Supporting Aboriginal Seniors at Home' program to host booths as well as the City of Cambridge Newcomer program. Event development was viewed through an Age Friendly lens and seeking representation all 8 domains of the WHO Age-friendly Cities framework.

- August 2023, the City of Cambridge began early development of a pilot program called Links2Wellbeing: Social Prescribing for Older Adults (L2WB). This project is co-led by the Older Adult Centres’ Association of Ontario (OACAO) and the Alliance for Healthier Communities. Social prescribing is a means for healthcare providers to use a formalized pathway of referral to connect patients to a range of non-clinical programs and services in the community, to improve their social, mental, and physical health and wellbeing. The City of Cambridge 50+ centres offer quality programming and social opportunities for older adults which can reduce social isolation. The Age-Friendly Coordinator will receive referrals from local primary healthcare providers and along with volunteers, assist older adults to connect with programs of their expressed interest at 50+ centres. Langs has agreed to be a participating partner for referrals, the Cambridge and North Dumfries Ontario Health Team is supportive of this initiative and supporting outreach connections.

- September 2023, an application has been submitted to New Horizons for Seniors to build an Age Friendly accessible community services guide for older adults that will be available in both print and digital format.

- The guide would host information through the lens of all Age Friendly domains and its development would engage involvement, input and feedback from older adults and service providers to build a fulsome directory. Older adult volunteers will have the opportunity to be trained in information and referral at 50+ centres in Cambridge, ideate and participate in an ‘Ask Me’ initiative; an invitation for older adults to ask questions, learn and be connected. Older adults will also be welcomed to join in outreach efforts of the print and digital guide in a direct effort to reach individuals in an inclusive manner. This in depth and ongoing involvement will solicit the voices of older adults as the pinnacle lynchpin. If successful, the project would begin in Mach 2024.

- September 2023, Cambridge Council on Aging (CCoA), the Waterloo Age Friendly Network (WRAFN) and the Southern Ontario Age Friendly Network (SOAFN) resumed meetings after a summer break. Age Friendly Coordinator participates in these regular meetings to bring Age Friendly updates, learn and connect. The following are highlights of focus areas and actions for the networks thus far in 2023:
Cambridge Council on Aging: initial review of their strategic plan, discussions around increasing numbers of older adults living in poverty, renovictions and arriving at shelters along with the trauma of the experience. Discussions and actions to outreach to landlords to participate in the Community Justice Initiatives Home Share program promotion and the need for supportive housing with wrap around services.

- CCOA lead on an op-ed to be published in the Hamilton Spectator on the need for housing options for low-income older adult. E.g., supportive housing, home share and cohousing.

Waterloo Age Friendly Network:

- Housing - all MPP’s across the region were approached; locally Chair of CCoA met with MPP Brian Riddell to discuss housing, wrap around services and the need for supportive housing. Discussion and presentation on NORCs (Naturally Occurring Retirement Communities) and

- Transportation: Representatives presented to Planning & Works Committee of Region recommending free transit for those under 12 and two free days for older adults (Jan 2023). WRAFN promoted letter writing campaign to Regional Council in support of transit recommendations and responded to Jess Dixon, MPP request for feedback on the GRT/ION.

- WRAFN submitted letter to Minister of Seniors copied to local MPs recommending implementation of the recommendations from the NIA report on the postal worker as a support to enable the older adult to age in the right place. Subsequent meeting with staff from Minister’s office/department to discuss letter and initial contact with local CUPW President about interest in establishing an a postal alert system.

- Pathways to Aging six-part monthly series planning for Fall/Winter
  
  - October 12 Community Community-Building for Healthy Aging - Naturally Occurring Retirement Communities
  - November 9 - Vision
  - January 11, 2024 - Nutrition and Aging
  - February 8 - Managing Medications
  - March 14 - Elder Abuse (Hybrid session)
Southern Ontario Age Friendly Network:

- The Government of Ontario funds the Ontario Age-Friendly Communities Outreach Program (AFC Outreach Program) through the Ministry for Seniors and Accessibility. The AFC Outreach Program is managed by the Centre for Studies in Aging and Health at Providence Care (CSAH) in partnership with Queen’s University.

The AFC Outreach Program aims to increase:

- Awareness of Age-Friendly planning principles, to access best-practice research and information.
- Connectivity between Age-Friendly Community Initiatives (AFCIs) to enable the spread of promising practices and collective response to emerging gaps.
- Capacity of AFCIs to plan, implement, evaluate, and sustain their age-friendly activities.

- The AFC Outreach Program has started an e-newsletter called Populations in Focus.
  - The first issue looked at Francophone Older Adults.
  - The second issue looked at 2SLGBTQI+ Older Adults.

- Ongoing sharing network and learning including presentations from Elder Abuse Prevention Ontario, Ontario Caregiver Organization, Social Prescribing

Conclusion

Through the above foundational groundwork and active engagement, the lens of Age Friendly has taken root. The forthcoming Older Adult Strategy report will provide data to build upon and as a result, Phase Two will see further development including identification of strategies, action plan development, implementation, and evaluation strategy.

As Age-Friendly efforts grow, the voice of older adults in the development of the Age-Friendly Community plan is paramount. To inform and involve older adults, the commitment to communication and engagement remains a focus. Through the development of an Age-
Friendly web page, e-newsletter and working groups, there will be opportunities for the Cambridge community to learn and get involved.

Moving forward, the Age Friendly Coordinator 2024 workplan will be looking to the Older Adult Strategy to provide guidance on next steps in the development of an Age Friendly Community Plan.

Attachments

N/A

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SUBJECT: Changes to the Oath of Office Acknowledging Treaty Rights

Please be advised that at its meeting held Tuesday, September 26, 2023, the Council of the City of Burlington approved the following resolution:

Whereas most municipalities in Ontario have a land acknowledgement in their opening ceremony; and

Whereas a clear reference to the rights of Indigenous people is the aim of advancing Truth and Reconciliation; and

Whereas Call to Action 94 of the Truth and Reconciliation Commission of Canada called upon the Government of Canada to replace the wording of the Oath of Citizenship to include the recognition of the laws of Canada including Treaties with Indigenous Peoples; and

Whereas on June 21, 2021, an Act to amend The Citizenship Act received royal assent to include clear reference to the rights of Indigenous peoples aimed at advancing the Truth and Reconciliation Commission’s Calls to Action within the broader reconciliation framework; and

Whereas the Truth and Reconciliation Commission of Canada outlines specific calls to action for municipal governments in Canada to act on, including education and collaboration;

Therefore be it resolved that Burlington City Council request the Minister of Municipal Affairs and Housing that the following changes be made to the municipal oath of office:

I will be faithful and bear true allegiance to His Majesty King Charles III and that I will faithfully observe the laws of Canada including the Constitution, which recognizes and affirms the Aboriginal and treaty rights of First Nations, Inuit and Metis peoples; and
Further that this resolution be forwarded to the Minister of Red Tape Reduction, Parm Gill; Natalie Pierre, MPP Burlington; and Effie Triantafilopoulos, MPP Oakville North-Burlington; Halton Region; the Association of Municipalities of Ontario; the Ontario’s Big City Mayors; the Mississaugas of the Credit First Nation and the Six Nations of the Grand River.

If you have any questions, please contact me at extension 7702 or the e-mail address above.

Sincerely,

Kevin Arjoon
City Clerk
October 3, 2023

Sent via Email

RE: Resolution – Intimate Partner Violence and Hate, Racism and Prejudice

Please be advised, at the Regular Council Meeting held on September 25, 2023, the Township of North Dumfries Council adopted the following resolution:

"WHEREAS intimate partner violence, often referred to as domestic violence, means any use of physical or sexual force, actual or threatened in an intimate relationship, including emotional and/or psychological abuse or harassing behaviour. Persons of any gender or sex can be victims of intimate partner violence;

AND WHEREAS on the morning of September 22, 2015, Carol Culleton, Anastasia Kuzyk and Nathalie Warmerdam were murdered by a former intimate partner;

AND WHEREAS on June 28, 2022, the jury in a Coroner’s Inquest held on these deaths (hereinafter referred to as the CKW Inquest), delivered 86 recommendations;

AND WHEREAS every six days in Canada a woman is killed by her intimate partner;

AND WHEREAS in Ontario in 2022, 52 women, or one every week, were victims of femicide;

AND WHEREAS in Ontario in 2023, year-to-date, 30 women in 30 weeks were the victim of femicide;

AND WHEREAS the prevalence of intimate partner violence in Waterloo Region has continued to increase steadily over the last decade with the Waterloo Regional Police Service:

- Attending more than 66,000 calls for service, or an average of 6,600 per year and over 17 per day
- Laying more than 35,000 charges, or an average of over 3500 per year
- Investigating the homicide, attempt homicide and manslaughter of 24 people by an intimate partner;
AND WHEREAS, on any given night in Canada, 6000 women and children sleep in shelters because it is not safe for them at home;

AND WHEREAS racialized women and Indigenous women experience disproportionately high rates of intimate partner violence,

AND WHEREAS Indigenous women are approximately 3.5 times more likely to experience some form of intimate partner violence than non-Indigenous women, and the homicide rate for Indigenous women and girls is approximately 6 times higher than for non-Indigenous women and girls, and Indigenous women are 12 times more likely to be murdered or missing than any other women in Canada and 16 times more likely than white women;

AND WHEREAS violence against women costs the justice system, health care systems, social services agencies and municipalities billions of dollars per year, and municipalities are on the front lines in addressing gender-based violence;

NOW THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF NORTH DUMFRIES ADOPTS THE FOLLOWING:

1. THE Township recognizes the issues of violence against women, indigenous women, girls and 2SLGBTQQIA+ in Waterloo Region as serious to the health and wellness of our residents and their families; and,

2. IS committed to engaging with community partners to educate and support our residents about the seriousness and long-term danger of violence in our Community; and;

3. THAT Council declares that intimate partner violence and violence against women is an epidemic, in accordance with Recommendation #1 of the CKW Inquest; and,

4. THAT the Province of Ontario be requested to declare that intimate partner violence and violence against women is an epidemic, in accordance with Recommendation #1 of the CKW Inquest; and,

5. THAT Council request the Region of Waterloo to integrate intimate partner violence into the Region’s Community Safety and Wellbeing Plan, in accordance with Recommendation #10 of the CKW Inquest, and set out gender-based violence/intimate partner violence as a separate priority within the Plan; and,

THAT this Resolution be sent to the Association of Municipalities of Ontario, Region of Waterloo, the Area Municipalities in Waterloo Region, Brian Riddell, MPP Cambridge, and, Bryan May, MP Cambridge.”
Please feel free to contact me if you have any questions, or concerns.

Sincerely,

Ashley Sage, Clerk
Township of North Dumfries
519-632-8800 ext. 122
asage@northdumfries.ca

cc. Association of Municipalities of Ontario; Region of Waterloo, Area Municipalities in Waterloo Region; Brian Riddell, MPP Cambridge and Bryan May, MP Cambridge
Sent by Email

October 4, 2023

Andrea Horwath  
Mayor  
City of Hamilton  
71 Main Street West  
Hamilton, ON L8P 4Y5  
mayor@hamilton.ca

Subject: Re: City of Hamilton - Request to Abandon Greenbelt Development  
Corr. 29-23  
File: A-1400

The Council of The Corporation of the City of Pickering considered the above matter at a Meeting held on September 25, 2023 and adopted the following resolution:

That Corr. 29-23, from Andrea Horwath, Mayor, City of Hamilton, dated September 11, 2023, regarding City of Hamilton – Request to Abandon Greenbelt Development, be received and endorsed.

A copy of the original correspondence is attached for your reference.

Should you require further information, please do not hesitate to contact the undersigned at 905.420.4660, extension 2019.

Yours truly,

Susan Cassel  
City Clerk

SC:am

Encl.

Copy: The Honourable Paul Calandra, Minister of Municipal Affairs and Housing  
Janet Pilon, Acting City Clerk, City of Hamilton  
All Ontario Municipalities
VIA: Mail

The Honourable Paul Calandra
Ministry of Municipal Affairs and Housing
777 Bay Street, 17th Floor
Toronto, ON M7A 2J3

September 11, 2023

Dear Minister Calandra:

On August 18, 2023, Hamilton City Council approved Item 7.5 which reads as follows:

7.5 City of Hamilton – Request to Abandon Greenbelt Development

WHEREAS, the City of Hamilton is committed to reducing the cost of housing and has pledged to facilitate the construction of 47,000 housing units by 2031;

WHEREAS, City of Hamilton staff have concluded that residential housing development within the former Greenbelt lands is unnecessary to facilitate construction of the pledged housing units;

WHEREAS, on February 8, 2023, Hamilton City Council declared “The Minister’s decision to remove 795 hectares of land from the Greenbelt Plan is unnecessary and is not supported by the City of Hamilton”;

WHEREAS, the Auditor General for the Province of Ontario has confirmed Hamilton’s conclusion that “Greenbelt land was not needed to meet the current housing targets assigned to them by the Housing Ministry”;

WHEREAS, development of the Greenbelt would be a significant financial liability to Hamilton taxpayers;

WHEREAS, the Auditor General for the Province of Ontario stated: “Land sites removed from the Greenbelt in December 2022 were largely not serviced, were not in their servicing plans, and that many of the sites would be challenging to prioritize and service in the near future...” and “Some of these sites would require considerable infrastructure to prepare them for housing development”; and
WHEREAS, the Greenbelt should be protected as a vital element of Hamilton’s environmental and agricultural resources.

THEREFORE, BE IT RESOLVED:

(a) That the City of Hamilton requests the Province of Ontario abandon its plan to develop the Greenbelt and that all lands within the City of Hamilton removed from the Greenbelt be reinstated; and

(b) That this resolution be circulated to all Ontario municipalities where Greenbelt lands were slated for development for support and a similar declaration to the Province of Ontario.

Your consideration of Council’s request is appreciated. We would ask that you reference File #C23-015 when responding to this correspondence.

Sincerely,

[Signature]

Mayor Andrea Horwath

File #C23-015

c.c. Association of Municipalities Ontario (AMO)
Federation of Canadian Municipalities
Rural Ontario Municipal Association
All Ontario Municipalities (by email)
The Township of Alnwick/Haldimand

COUNCIL RESOLUTION

Council Meeting Date: September 19, 2023
Council Resolution Number: 
Agenda Item Number: 10.1
Agenda Item Title: Communications "Establishing a Guaranteed Livable Income"

"Whereas the Council of the Township of Alnwick/Haldimand reviewed the resolution supported by the Town of Grimsby re: 'establishing a guaranteed livable income';

Therefore be it resolved that Council directs staff to review the current salary grids for Township jobs and make recommendations during the 2024 Budget Process as to how an Eastern Ontario living wage could be established for any jobs that are below the living wage hourly salary, and the financial impact that would result; and

Further be it resolved that Council directs staff to circulate this resolution to: MPP David Piccini, MP Philip Lawrence, the Association of Municipalities of Ontario (AMO), and all municipalities in Ontario."

☑ Carried  
☐ Defeated  
☐ Deferred  
☐ Recorded Vote

Mayor John Logel
September 27, 2023

to Whom it May Concern

Re: Support for Motion RE: Guaranteed Livable Income

At the meeting of September 26, 2023, the Council of the County of Brant adopted the following resolution in support of the September 5th resolution passed by the Town of Grimsby on Guaranteed Livable Income:

"Whereas the Canadian livable wage for the Brant—Niagara—Haldimand—Norfolk Region, two years ago was determined to be $19.80. This was $6000 above the annual income of a minimum wage employee; and

Whereas County of Brant residents on programs such as Ontario Works, receive targeted fixed monthly incomes of $733, and ODSP recipients receive $1376; and

Whereas at the current Ontario minimum wage rate, a person working 37.5 hours per week will earn approximately $2,500 monthly (before tax); and

Whereas the median rent for one bedroom in the County of Brant as of 2022 was $1143.90 a month, and the County of Brant does not have current AMR for September 2023; and

Whereas rent is considered affordable, when it is less than 30% of income. In the County of Brant, rent is approximately 156% of Ontario Works, 83.13% of Ontario Disability Support Services, 45% of minimum wage full-time (before tax), and 90% of minimum wage part time; and

Whereas an annual 2.5% allowable rent increase can be combined with an additional 3-6.5% capital investment increase, raising the cost of rental housing another minimum of $110 monthly; and

Whereas the recent report by the County of Brant Policy Planning and Corporate Strategy departments determined that the County of Brant has serious shortfalls in both affordable and attainable housing supply;
Therefore be it resolved the County of Brant supports the resolution shared by the Town of Grimsby; and

Be it further resolved that The County of Brant circulate correspondence to Ontario municipalities encouraging them not only to collect data of their housing and poverty statistics, but also to examine their pending economic vulnerability as a result; and

Be it further resolved that The County of Brant encourage these same municipalities to join the County of Brant in advocating on behalf of our communities with this data, and by writing a letter to the Prime Minister, Premier, and local politicians calling for a united effort in establishing a Guaranteed Livable Income program.”

Respectfully,

Alysha Dyjach
Director of Council Services, Clerk
County of Brant
October 4, 2023

The Right Honourable Justin Trudeau
Prime Minister of Canada
Office of the Prime Minister
80 Wellington Street
Ottawa, ON K1A 0A2

RE: Resolution from the City of Waterloo passed September 18, 2023, re: Guaranteed Livable Basic Income

Dear Prime Minister,

Please be advised that the Council of the Corporation of the City of Waterloo at its Council meeting held on Monday, September 18th, 2023 resolved as follows:

WHEREAS a Guaranteed Livable Basic Income (GLBI) has the potential to prevent people from falling into poverty by providing an income-tested income top-up for all who need it regardless of employment status;

AND WHEREAS the 2021 census data demonstrated an income inequality challenge in the City of Waterloo with a higher percentage of individuals making more than $100,000 per year (15.1%) and a higher portion of individuals making less than $30,000 per year (37.3%) as compared to the national average (10.8% and 36% respectively) and the Region of Waterloo (11.3% and 34.8% respectively);

AND WHEREAS the Government of Canada’s report Building Understanding: The first report of the national advisory council on poverty from 2020 used 2016 census data to highlight how poverty disproportionately impacts racialized individuals at twice the rate as compared to non-racialized individuals in Canada, at 20.6% and 10.6% respectively.

AND WHEREAS the pandemic, rising cost of living, and surges in food and housing prices has worsened income inequality and created scenarios where more people find it difficult to meet their basic needs;

AND WHEREAS social assistance recipients are living in extreme poverty and food insecurity and are at great risk to develop associated health issues;
AND WHEREAS Ontario Works (OW) and Ontario Disability Support Program (ODSP) rates are below Canada’s Official Poverty Line and since social assistance rates were reduced by 21.6% in 1995, rate increases have been nominal, representing an approximate 10% increase over 26 years;

AND WHEREAS Ontario Works rates have not been increased since 2018 and are not indexed to inflation causing further income inequality, poverty, and housing unaffordability;

AND WHEREAS there would be costs of implementing a GLBI, its provision would save indirect costs we continue to experience by helping alleviate the mounting financial and social pressures municipalities face and would yield significant benefits, including reducing homelessness, aiding the affordability of housing, reducing petty crime, improving mental health, supporting efforts to effectively treat addictions, supporting neighbourhood cohesion, and boosting local and regional economic development;

AND WHEREAS the Province of Ontario undertook a Basic Income Pilot program over 15 months starting in 2018 to test the view that a basic income could provide a way to reduce poverty in a sustainable way;

AND WHEREAS that pilot project ceased earlier than intended and without a full government report, published research out of McMaster University indicated that pilot participants involved in the study reported improvements in the areas of physical and mental health, access to health services, enhanced food security, improved housing conditions, and financial and social well-being:

AND WHEREAS in lieu of a provincial or federal anti-poverty strategy, the City of Waterloo has developed programs to alleviate the impacts of poverty and income inequality, and to make it possible for constituents to participate in programs that provide a better quality of life and which can positively impact mental and physical well-being, programs such as:

- Fee assistance services for participation in recreation, leisure, arts and culture programs and fee assistance for groups for in-kind services or rental discounts/rebates
- Implementation of a living wage strategy and living wage champion designation for city employees and contractors
• Neighbourhood Matching Grants to support neighbourhood focused initiatives
• Community Cash Grants and other corporate grants that support programs and services aimed at providing cultural, sport and community activities
• Participation in tax deferral and rebate programs
• Sidewalk winter control strategy that includes assisted supports and priority clearing zones
• Providing funding and resources for programs and services supporting the unhoused, and supporting The Food Bank and other food distribution networks
• Support for shelter operations in Waterloo such as the House of Friendship ShelterCare model and The Working Centre
• Affordable Housing Grant Program and Strategy to help address the fast-growing problem of affordable housing availability
• Housing Pledge to help meet the provincial goal of building 1.5 million homes in Ontario in 10 years;

AND WHEREAS all of these programs and services and the myriad additional programs and services offered by the regional government, and community-based services and programs such as those that offer food, housing, addiction, and neighbourhood support services, amount to a federally and provincially downloaded responsibility to respond to and treat needs created by the lack of a GLBI;

AND WHEREAS addressing a GLBI has been shown to reduce the need for individuals to apply for multiple support programs in order to maintain a healthy and full quality of life;

NOW THEREFORE BE IT RESOLVED that:

1) the City of Waterloo supports, in principle, advocates such as Basic Income Waterloo Region who are pushing for the implementation of a GLBI;
2) the City requests the Government of Canada and the Province of Ontario establish an income-tested GLBI to combat poverty, income inequality, and economic insecurity within our community,
3) the City asks that as the GLBI is phased-in over time that existing health and social service supports continue to operate and be funded in order to firstly provide continuity to support recipients and secondly so that long-term data can be collected to investigate the
effectiveness of the GLBI independent of the removal of any other programs,

4) Until these programs are found to be redundant and a GLBI is fully adopted should it demonstrate continued success, the City of Waterloo asks the provincial government to increase Social Assistance rates for both OW and ODSP to reflect the costs of living and tie these rates to inflation, and

5) a copy of this resolution be sent to the Prime Minister of Canada, the Premier of Ontario, local and area MP’s, MPP’s, local and area councils, the Federation of Canadian Municipalities, and the Association of Municipalities of Ontario for further consideration.

If you have any questions or require additional information, please contact me.

Sincerely,

Julie Finley-Swaren
City Clerk, City of Waterloo

CC (by email):

Hon. Bardish Chagger, M.P. (Waterloo)  Federation of Canadian Municipalities (FCM)
Valerie Bradford, M.P. (Kitchener South-Hespeler)  Association of Municipalities of Ontario (AMO)
Tim Louis, M.P. (Kitchener-Conestoga)  William Short, Regional Clerk, Regional Municipality of Waterloo
Mike Morrice, M.P. (Kitchener Centre)  Danielle Manton, Clerk, City of Cambridge
Bryan May, M.P. (Cambridge)  Amanda Fusco, Clerk, City of Kitchener
Catherine Fife, M.P.P (Waterloo)  Ashley Sage, Clerk, Township of North Dumfries
Brian Riddell, M.P.P (Cambridge)  Grace Kosch, Clerk, Township of Wellesley
Jess Dixon, M.P.P (Kitchener South-Hespeler)  Jeff Bunn, Clerk, Township of Wilmot
Mike Harris, M.P.P (Kitchener-Conestoga)  Jeff Smith, Clerk, Township of Woolwich
RE: Correspondence from the Town of Midland regarding Catch and Release Justice in Ontario

Please be advised that the Town of Cobourg Council, at its meeting held on October 2, 2023, passed the following resolution:

Moved by Councillor Miriam Mutton
Seconded by Councillor Randy Barber

THAT Council receive the correspondence from the Town of Midland regarding Catch and Release Legislation for information purposes; and

FURTHER THAT Council support the resolution from the Town of Midland and direct Staff to circulate to Ontario municipalities and the Cobourg Police Services Board.

Sincerely,

Kristina Lepik
Deputy Clerk/Manager, Legislative Services

Cc: Ontario Municipalities

Enclosure: Correspondence from the Town of Midland – “Catch and Release” Justice in Ontario
September 8, 2023

The Senate of Canada
Ottawa, ON
K1A 0A4

Premier Doug Ford
Legislative Building
Queen's Park
Toronto ON
M7A 1A1

Dear Premier Ford:

Re: “Catch and Release” Justice is Ontario

At its September 6, 2023, Regular Council Meeting with Closed Session the Council for the Town of Midland passed the following Resolution:

That the Town of Midland send a letter to the Federal and Provincial Governments requesting meaningful improvements to the current state of “catch and release” justice in the Ontario legal system. Police Services across Ontario are exhausting precious time and resources having to manage the repeated arrests of the same offenders, which in turn, is impacting their morale, and ultimately law-abiding citizens who are paying the often significant financial and emotional toll of this broken system; and

That this resolution be sent to other Municipalities throughout Ontario for their endorsement consideration.

Thank you.

Yours very truly,

THE CORPORATION OF THE TOWN OF MIDLAND

Sherri Edgar

Sherri Edgar, AMCT
Municipal Clerk
Ext. 2210
The Honourable Arif Virani  
Minister of Justice and Attorney General of Canada
House of Commons
Ottawa, ON K1A 0A6
arif.virani@parl.gc.ca
VIA EMAIL

The Honourable Doug Downey  
Ministry of the Attorney General
McMurty-Scott Building
720 Bay Street, 11th Floor
Toronto, ON M7A 2S9
doug.downey@ontario.ca
VIA EMAIL

October 12, 2023

Dear Minister Virani and Minister Downey,

RE: “Catch and Release” Justice in Ontario

Please be advised that at their meeting held on October 3, 2023, the Council of the Township of Howick passed the following resolution:

Resolution No. 351-23

Moved by: Councillor Grimes
Seconded by: Councillor Rognvaldson

That Council of the Township of Howick supports Item 9.5 of correspondence from the Town of Midland regarding the current “catch and release” justice in the Ontario legal system.

Carried.

If you require any additional information, please do not hesitate to contact my office.

Sincerely,

[Signature]
Caitlin Gillis
Clerk-Administrator
Township of Howick
clerk@howick.ca
519-335-3208 ext, 2

Cc: All Ontario Municipalities

Enclosure: Correspondence from the Town of Midland – “Catch and Release” Justice in Ontario
September 8, 2023

The Senate of Canada
Ottawa, ON
K1A 0A4

Premier Doug Ford
Legislative Building
Queen’s Park
Toronto ON
M7A 1A1

Dear Premier Ford:

Re: “Catch and Release” Justice is Ontario

At its September 6, 2023, Regular Council Meeting with Closed Session the Council for the Town of Midland passed the following Resolution:

That the Town of Midland send a letter to the Federal and Provincial Governments requesting meaningful improvements to the current state of “catch and release” justice in the Ontario legal system. Police Services across Ontario are exhausting precious time and resources having to manage the repeated arrests of the same offenders, which in turn, is impacting their morale, and ultimately law-abiding citizens who are paying the often significant financial and emotional toll of this broken system; and

That this resolution be sent to other Municipalities throughout Ontario for their endorsement consideration.

Thank you.

Yours very
truly,

THE CORPORATION OF THE TOWN OF MIDLAND

Sherri Edgar

Sherri Edgar, AMCT
Municipal Clerk
Ext. 2210
RE: Correspondence from the Township of Puslinch regarding Illegal Land Use Enforcement

Please be advised that the Town of Cobourg Council, at its meeting held on October 2, 2023, passed the following resolution:

Moved by Councillor Miriam Mutton
Seconded by Councillor Brian Darling
Resolution No: 314-2023
October 2, 2023

THAT Council receive the correspondence from the Township of Puslinch regarding Illegal Land Use Enforcement for information purposes; and

FURTHER THAT Council endorse and support the resolution from the Township of Puslinch and Council direct staff to send a duplicate resolution to associated ministries and Ontario Municipalities.

The resolution reads as follows:

That the Illegal Land Use Enforcement Taskforce’s mandate be expanded to include other types of illegal land uses and not solely on illegal trucking land uses; and

That the Province be requested to strengthen municipal enforcement powers by:

- Amending the Municipal Act to enable municipalities to physically bar entry to properties where illegal land uses that have significant detrimental impacts on adjacent residential properties, the environment or create unsafe situations;

- Increasing the maximum penalty amounts in the Planning Act to $50,000 for an individual upon conviction and on a subsequent conviction, not more than $25,000 for each day in which the contravention has continued after the day in which the person was initially convicted; and
• Including provisions to ensure a corporation is liable to fines of not more $100,000 upon first conviction and not more than $50,000 for each day in which the contravention has continued after the day in which the corporation was initially convicted.

That a copy of this report be provided to the Honourable Doug Ford, Premier of Ontario, the Honourable Steve Clark, Minister of Municipal Affairs and Housing, the Honourable Sylvia Jones, MPP, Dufferin-Caledon; the Honourable Doug Downey, Attorney General of Ontario; and

That a copy of this report be provided to the municipalities within the Greater Golden Horseshoe area seeking support in the request for strengthened enforcement powers to combat significant illegal land uses negatively impacting communities across Ontario and to the Association of Municipalities of Ontario (AMO) and Rural Ontario Municipal Association (ROMA).

Sincerely,

Kristina Lepik
Deputy Clerk/Manager, Legislative Services

Cc: The Honourable Steve Clark, Minister of Municipal Affairs and Housing,
The Honourable Sylvia Jones, Deputy Premier, Minister of Health and MPP Dufferin-Caledon,
The Honourable Doug Downey, Attorney General of Ontario,
Association of Municipalities of Ontario,
Rural Ontario Municipal Association,
Ontario Municipalities
Dear Premier:

Re: Town of Whitchurch-Stouffville Council Resolution of September 27, 2023, Re: Correspondence from Township of Puslinch and Town of Caledon, re: Illegal Land Use Enforcement

Please be advised that this matter was considered by Council at its meeting held on September 27, 2023, and in this regard, Council passed the following resolution:

WHEREAS the Town of Whitchurch-Stouffville Council supports the resolution from the Town of Caledon regarding illegal land use enforcement; and

WHEREAS the Town of Whitchurch-Stouffville recognizes that combating illegal land use enforcement effectively is challenging, and an issue of municipal importance; and

WHEREAS the Town of Whitchurch-Stouffville recognizes that illegal land use has a negative impact on local residents and the surrounding area; and

WHEREAS the Town of Whitchurch-Stouffville believes that the tools currently available to municipalities under the Municipal Act are insufficient to combat illegal land uses; and

THAT Council direct Staff to send a support resolution accordingly.

THEREFORE, the Town of Whitchurch-Stouffville passes this resolution regarding Illegal Land Use Enforcement:

THAT the Province be requested to strengthen municipal enforcement powers by:

- Amending the Municipal Act to enable municipalities to physically bar entry to properties where illegal land uses that have significant detrimental impacts on adjacent residential properties, the environment or create unsafe situations; and

- Increasing the maximum penalty amounts in the Planning Act to $50,000 for an individual upon conviction and on a subsequent conviction, not more than $25,000 for each day in which the contravention has continued after the day in which the person was initially convicted; and
• Including provisions to ensure a corporation is liable to fines of not more $100,000 upon first conviction and not more than $50,000 for each day in which the contravention has continued after the day in which the corporation was initially convicted.

THAT a copy of this report be provided to the Honourable Doug Ford, Premier of Ontario, the Honourable Paul Calanda, Minister of Municipal Affairs and Housing, the Honourable Sylvia Jones, MPP, Dufferin-Caledon; the Honourable Doug Downey, Attorney General of Ontario; and

THAT a copy of this report be provided to the municipalities within the Greater Golden Horseshoe area seeking support in the request for strengthened enforcement powers to combat significant illegal land uses negatively impacting communities across Ontario and to the Association of Municipalities of Ontario (AMO) and Rural Ontario Municipal Association (ROMA).

The above is for your consideration and any attention deemed necessary.

Kind regards,

Monica Beattie

Monica Beattie
Senior Clerk’s Coordinator

Attachment

Copy: Hon. Paul Calanda, Minister of Municipal Affairs and Housing
Hon. Sylvia Jones, MPP, Dufferin-Caledon
Hon. Doug Downey, Attorney General of Ontario
Association of Municipalities of Ontario (AMO)
All Ontario Municipalities
Rural Ontario Municipal Association (ROMA)
Staff Report 2023-0327

Meeting Date: June 6, 2023
Subject: Illegal Land Use Enforcement Update
Submitted By: Mark Sruga, Director, Building Services and Municipal Law Enforcement

RECOMMENDATION

That the Illegal Land Use Enforcement Taskforce’s mandate be expanded to include other types of illegal land uses and not solely on illegal trucking land uses; and

That the Province be requested to strengthen municipal enforcement powers by:

- Amending the Municipal Act to enable municipalities to physically bar entry to properties where illegal land uses that have significant detrimental impacts on adjacent residential properties, the environment or create unsafe situations;
- Increasing the maximum penalty amounts in the Planning Act to $50,000 for an individual upon conviction and on a subsequent conviction, not more than $25,000 for each day in which the contravention has continued after the day in which the person was initially convicted; and
- Including provisions to ensure a corporation is liable to fines of not more $100,000 upon first conviction and not more than $50,000 for each day in which the contravention has continued after the day in which the corporation was initially convicted.

That a copy of this report be provided to the Honourable Doug Ford, Premier of Ontario, the Honourable Steve Clark, Minister of Municipal Affairs and Housing, the Honourable Sylvia Jones, MPP, Dufferin-Caledon; and

That a copy of this report be provided to the municipalities within the Greater Golden Horseshoe area seeking support in the request for strengthened enforcement powers to combat significant illegal land uses negatively impacting communities across Ontario and to the Association of Municipalities of Ontario (AMO) and Rural Ontario Municipal Association (ROMA).

REPORT HIGHLIGHTS

- Constant and undeterred enforcement efforts by both the Municipal Law Enforcement Division and the Legal Services Division is achieving the results that were envisioned when Council approved the creation of this dedicated enforcement effort.
Staff Report 2023-0327

- The Town has been successful in pursuing injunctions through the courts and will continue utilizing this enforcement mechanism for property owners that do not come into compliance to the Town’s By-laws through normal enforcement actions.
- Land use permissions and performance standards should be developed and enacted through the Town’s Zoning By-law to permit and regulate the creation of legal truck storage facilities.
- Advocacy with the Ministry of Municipal Affairs and Housing is necessary to secure additional enforcement powers that are needed to provide more effective and cost-efficient enforcement of municipal land use B-law with respect to illegal land use.
- That the Illegal Land Use Enforcement Taskforce (Trucking) expand its mandate to include other types of illegal land uses including but not limited to event centres, institutional uses and places of worship.

DISCUSSION

Background

In 2019, staff were approved by Council to implement an Illegal Land Use Enforcement Taskforce with the objective of addressing the growing illegal land use issues related to the parking and storage of tractor trailers and commercial vehicles. This includes all property types in the Town, both those of a smaller scale (e.g., one or two trucks parked on rural properties), as well as those properties with a larger commercial operation. To effectively address the scope and scale of the issue, it was determined that staff would take a proactive approach to identify properties where the parking and storage of tractor trailers and commercial vehicles exist rather than relying solely on a complaint-based method and engage in education and enforcement. The dedicated resources allocated for this initiative included the following staff compliment; two (2) Municipal Law Enforcement Officers, one (1) assistant Town Solicitor and one (1) coordinator. Due to the Covid-19 Pandemic, implementation of this dedicated staff group was delayed until July 2021. Since that time, they have been actively involved in undertaking proactive educational and enforcement efforts.

Education and Communication Strategy

As part of the initiative to address the illegal land use issue, staff engaged with an external consultant to develop a public education and strategic communications strategy in consultation with our Communications staff. The objective of the strategy is to effectively educate external stakeholders and property owners on the Town’s land use policies and Zoning By-law; the types of properties on which the parking and storage of tractor trailers and commercial vehicles are permitted; the processes that must be followed to be in compliance with the applicable regulations; and updated enforcement efforts undertaken by enforcement staff assigned to this initiative. The result of this effort was the creation of a guide that provides an easy-to-understand explanation of the Zoning By-laws as it
Staff Report 2023-0327

relates to truck parking and storage along with the actions being taken by the Town with respect to enforcing these rules.

Along with the production of this guide, staff continue to utilize a variety of communication tactics to help inform residents and operators of illegal truck storage facilities of the rules and consequences for violating the Town's By-laws. These efforts include:

- a month-long radio campaign on Parvasi radio,
- resident focused social media campaign,
- numerous media releases highlighting successful outcomes through the courts
- media interviews and responses

Enforcement Efforts

As previously referenced the commencement of proactive enforcement efforts began in July 2021 with the Officers conducting inspections on properties that had been previously identified by residents or Town staff as possibly having illegally stored trucks. Since then, Officers have investigated over 310 properties for potential illegal truck storage violations occurring (see Figure 1 for illustration of location of properties investigated).

Figure 1: Location of properties investigated

Over 137 enforcement actions have been commenced because of these investigations. Depending on the severity of the By-law contraventions different enforcement actions were employed to seek compliance with the Town’s By-laws. These enforcement actions
include the issuance of letters notifying the property owner of the By-law contravention(s), issuance of tickets, laying of charges or seeking court injunctions. While voluntary compliance has been achieved for some of the properties there are 36 properties where the matters are still before the courts.

While the overall enforcement objective is to achieve compliance with the Town’s By-laws, the Town seeks meaningful financial penalties for those property owners who willfully ignore the Town’s By-laws or do not voluntarily come into compliance. Through the combined efforts of the Officers (who are employing additional investigative techniques to provide stronger evidence) and Legal staff (who can educate and demonstrate in Court of the severity of these offences) the Courts are now imposing very significant fine amounts when a defendant is found guilty of a violation related to an illegal trucking operation. The Courts have the sole discretion in determining the fine amounts and staff have been successful in achieving fine amounts between $35,000 - $50,000 dollars which is the maximum amount prescribed in the Planning Act. To date the total amount of fines levied by the courts has been over $350,000.00. Along with these significant fine amounts the Courts are also starting to issue Prohibition Orders. Prohibition Orders are a Court directive for the convicted party to cease using the property in noncompliance with the Order effective the date the Order is issued. Should the prohibition use continue then the Enforcement Team may lay charges for failing to comply with an Order, which would result in fines that could be imposed daily. This can result in significant consequences for the owner/operator as these daily fines can become financially onerous depending on how long the property remains noncompliant.

In addition to these court charges the Town has been successful in obtaining Superior Court issued injunctions against some of the most egregious illegal trucking operations and to date there have been 3 successful court injunctions issued for the following properties:

- 6086 Mayfield Road
- 6186 Mayfield Road
- 6230 Mayfield Road (all illegally stored vehicles have been removed from this property – see Schedule A).

While these injunctions are a very powerful enforcement tool, they are very costly for the Town to instigate and carry through the Court systems and can in some instances be a slow process, taking up to a year or beyond to achieve a Superior Court decision and Order. Along with these Zoning related enforcement actions staff have also undertaken actions to achieve compliance with the Town’s other By-laws, such as the Traffic By-law and the Fill By-law, where possible and warranted. This includes actions such as placing concrete barriers on the Town’s right-of-way when illegal entrances have been created.
Along with physical actions being taken such as the placement of barriers or removal of illegally placed fill, another action undertaken to help reduce the cost advantage of operating illegally has been to inform the Municipal Property Assessment Corporation (MPAC) through Finance staff of changes in use of the property and have the property reassessed. Often, illegal operators are surreptitiously converting farm properties to commercial properties and by informing MPAC of the actual use of the property appropriate taxes can be levied, ensuring equal treatment for legal and illegal operators. To date there have been 25 properties reassessed and this has resulted in more than a $384,000 increase in the tax levy for these properties; another 24 properties are still waiting to be reassessed. Staff also regularly inform our contacts at the Canadian Revenue Agency (CRA) of these operations as we have found that there is a significant amount of cash transactions between the vehicle operators storing their vehicles on the property and the operators of these yards. Staff also regularly communicate with other enforcement agencies such as the Toronto and Region and Conservation Authority (TRCA), Ontario Ministry of Transportation (MTO), Ministry of Environment, Conservation and Parks (MECP), and the Electrical Safety Authority (ESA) on these illegal operations and coordinate our enforcement efforts with them as much as possible.

**Current Challenges and Solutions**

Illegal land uses are not just restricted to illegal trucking operations/storage facilities but other uses such as event centres, institutional uses or places of worship are becoming more common in Caledon. These illegal uses all have significant impacts on adjacent property owners due to the disturbances created and non-compatibility with adjacent
residential properties or road safety. Therefore, it is recommended that this taskforce’s enforcement mandate be expanded to include these other types of illegal land uses and not just focused solely on the illegal trucking land uses. While this change to the mandate will not have an immediate impact on the staff compliment it will re-enforce the work the team is doing and enable them to utilize their enforcement/legal skills on these complex files. The investigative and enforcement tools used for the illegal trucking uses are identical to the ones used for these other types of illegal uses and they are all regulated by the same provincial legislation and municipal regulations (i.e. Planning Act and Zoning By-law) as well as the same enforcement challenges while pursuing compliance amongst non-compliant property owners.

Prosecution matters can typically take months and sometimes years to resolve and while the matter is being dealt with through the Courts, the illegal operation continues to make money for the operator. Also, while the fine amounts being ordered by the Courts are increasingly significant, for some of the larger illegal operations these fines are just considered the “cost of doing business”. More robust and efficient enforcement measures are needed if the Town is to be successful in combating these illegal operations. These suggested new enforcement measure need to include more significant financial penalties prescribed in the Planning Act including special fines provisions. Currently, the maximum fine amounts are as follows:

- An individual is liable to a fine of not more than $25,000 upon first conviction and on a subsequent conviction, not more than $10,000 for each day in which the contravention has continued after the day in which the person was initially convicted.
- A corporation is liable to fines of not more $50,000 upon first conviction and not more than $25,000 for each day in which the contravention has continued after the day in which the corporation was initially convicted.

It should be noted that directors or officers of corporations can also be charged and if found guilty of the charges they would be subject to the same penalty provisions as an individual.

In view of the revenues being generated from some of these large illegal operations the maximum fine amounts should be doubled, and special fine provisions like those found in the Municipal Act should also be introduced in the legislation. A special fine amount would enable a Court to levy a fine higher than the maximum amount prescribed in the legislation in circumstances where there has been an economic advantage or gain by violating the Zoning By-law. An example of this is in the Town’s Business Licensing By-law which has a special fine provision that states, “a special fine equal to the amount of the economic gain may be imposed".
Staff Report 2023-0327

In addition to these increased fines the Town needs further enhanced enforcement powers including the authority for the municipality to bar entry to the property in circumstances where the illegal land use is occurring and it is having significant detrimental impacts on adjacent properties/occupants, the environment or creating unsafe situations such as traffic safety. These enhanced enforcement powers should be like the ones that currently exist in the provincial Cannabis Control Act in terms of that authority to issue a closure order along with the authority to physically block or restrict access to the property. Recognizing that this type of enforcement authority is very significant it is necessary to also have an appeal mechanism which property owners or tenants can avail themselves of when such orders and actions are taken, or the property owner has removed the illegal use. This appeal process should be through the Superior Court of Justice so that a hearing by a Judge can be held and the Judge should have the authority to confirm, modify or rescind a closure order. Implementation of such powers would be extremely effective and efficient in addressing illegal land uses such as the ones that are currently occurring in Caledon.

It needs to also be understood that even if the province was to implement these additional enforcement provisions there is a clear need for proper truck parking/storage facilities within the Town. Currently the Town’s Zoning By-law does not permit such a use and considering the number of logistic facilities that have been constructed in the Town and the volume of new ones that are slated to be built both within and within proximity to the Town then this need will only continue to grow. Having clear land use designations in the most appropriate locations in the Town along with the necessary performance standards to mitigate the impacts these uses may have will help reduce the volume of illegal operations especially when combined with a very robust enforcement program regarding the illegal operations.

Recommended Advocacy to Combat Illegal Land Use Issues

Staff are recommending that the Town advocate to the Province to support municipalities in efforts to combat illegal land use issues through the following means:

- Amend the Municipal Act to enable municipalities to physically bar entry to properties where illegal land uses that have significant detrimental impacts on adjacent residential properties, the environment or create unsafe situations.
- Increase the maximum penalty amounts in the Planning Act to $50,000 for an individual upon conviction and on a subsequent conviction, not more than $25,000 for each day in which the contravention has continued after the day in which the person was initially convicted.
- Include provisions to ensure a corporation is liable to fines of not more $100,000 upon first conviction and not more than $50,000 for each day in which the
Staff Report 2023-0327

Contravention has continued after the day in which the corporation was initially convicted.

Summary

Constant and undeterred enforcement efforts by both the Municipal Law Enforcement division and the Legal division is achieving the results that were envisioned when Council approved the creation of this dedicated Enforcement initiative. This success can be directly attributed to the professionalism and commitment of the staff and the leadership who have been assigned to this endeavour. Even though it will take time to achieve compliance with some of the more flagrant contraveners, staff will utilize all the enforcement tools provided for in the Planning Act along with other legal remedies as we work towards achieving compliance amongst these non-compliant property owners.

FINANCIAL IMPLICATIONS

Financial implications are contained throughout this report.

COUNCIL WORK PLAN

Subject matter is not relevant to the Council Workplan.

ATTACHMENTS

Schedule A: Illustration showing the successful enforcement action at 6230 Mayfield Road
Meeting Minutes

Corporation of the City of Cambridge
Economic Development Advisory Committee
Meeting Number (No. 04-23)

Virtual Meeting
Wednesday September 13, 2023

Committee Members in Attendance: Paul Brown, Melissa Onafrychuk, Derek Roy, Elaine Martin, Geoff Furlong, Mohummid Sayanvala, Brian Kennedy, Kendra Brough, Cory de Villiers, Councillor Corey Kimpson and Councillor Sheri Roberts

Members Regrets: F. Ivanovski, T. Schmidt and T. Sandor

Staff Members in Attendance: Trevor McWilliams and Ingrid Borges

Guest: Bill Elliot and Rebecca Godfrey

Meeting Called to Order

The regular meeting of the Economic Development Advisory Committee of the Corporation of the City of Cambridge was held in person at City Hall and virtually via Zoom Video Conferencing. P. Brown welcomed everyone present and called the meeting to order at 4:33 p.m.

Disclosure of Pecuniary Interest

None.
Approval of Advisory Committee Minutes

Moved by: Melissa Onafrychuk
Seconded by: Cory de Villiers

THAT the minutes listed under the heading of Approval of Minutes be approved.

1. Economic Development Advisory Committee Meeting Minutes – Thursday June 15, 2023

CARRIED

Agenda Items


Using a PowerPoint presentation, B. Elliot discussed the following in detail: Purpose, Recap of Phase 1, Priorities, and the Action Plan. A copy of B. Elliot’s presentation is on file with Economic Development.

Following the presentation, a lengthy discussion ensued regarding tourism and Municipal Accommodation Tax (MAT). It is recommended that a senior, credible and experienced individual take on a tourism role as this will be an important sector moving forward. B. Elliot shared that only a few municipalities have MAT policies in place and special consideration will need to be given to how the funding will be used, the projections for the future, and creation of policies for the City of Cambridge to approve and adopt. Economic Development staff explained the distribution of the MAT funding is as follows:

- Region of Waterloo 10%
- Municipality 40%
- Waterloo Region Tourism Marketing Corporation (WRTMC) 50%

A further discussion ensued surrounding the WRTMC. Committee members inquired about the types of promotion and marketing the City of Cambridge is receiving for their annual commitment. It was proposed that city staff measure the benefits based on the annual contribution and re-evaluate the amount if necessary and/or reallocate how the funds are being spent. The WRTMC will be appearing before Council on November 7, 2023.
Committee members to review the “Draft Final Report” and provide feedback by Wednesday September 27, 2023. Sequence will attend EDAC in October to address comments. The final report is tentatively scheduled for November 7th Council.

b) Grand River Access Point Improvement Project (RTO4)

T. McWilliams shared the RTO4 project located at 210 and 220 Water Street South is almost complete. The improvements to the canoe launch and parking area are being utilized by residents and enhancements can be made to the existing site in the future.

c) Cambridgelicious

The pilot project aims to support the local restaurant industry and attract residents as a part of the city’s 50th anniversary celebrations. The program will run from October 13th to October 22nd and each participating restaurant (8 total) will offer a fixed price, 3 course menu for interested patrons. (Cambridgelicious webpage link emailed to EDAC on September 18)

Councillor’s Update

Councillor Roberts noted she is on the Placemaking Working Group (PWG). Councillor Kimpson stated the ward 1 by-election will be taking place on Monday November 13, 2023.

Other Business

The Economic Development division in collaboration with staff, council and members of the public that make up the Placemaking Working Group (PWG) are undertaking the “Placemaking and Pilot Project.” The request for proposal will be closing on September 28th and the PWG will review and discuss submissions at their first meeting on October 4th.

Staff noted J. Goodram is no longer with the City and interviews will be taking place for a replacement in the coming weeks. A new Economic Development Officer for the Small Business Centre and Incentives has begun in the division.

Staff to invite the Communications Division to a future EDAC meeting to discuss marketing, social media and the dissemination of information.

It was suggested that EDAC meetings begin at 3:45pm as done in previous years to allow more time for in-depth discussion. Committee meetings will remain status quo and will re-evaluate at a later date if more meeting time is needed.
Next Meeting

Date & Time: Wednesday October 11, 2023 at 4:30 p.m.
Location: Hybrid Meeting – In person at City Hall and Virtually via Zoom

Close of Meeting

Moved by: Cory de Villiers
Seconded by: Melissa Onafrychuk

THAT the Advisory Committee meeting does now adjourn at 5:44 p.m.

CARRIED

Chair

Paul Brown

Chair’s Name

Committee Liaison

Trevor McWilliams

Name of Staff member
To: COUNCIL

Meeting Date: 10/24/2023

Subject: 23-304-CD - 18 Main Street: Heritage Permit Application, Request to Alter a Designated Property

Submitted By: Joan Jylanne, Manager of Policy Planning

Prepared By: Jeremy Parsons, Senior Planner-Heritage

Report No.: 23-304-CD

File No.: R01.01

Wards Affected: Ward 4

RECOMMENDATION(S):

THAT Report 23-304-CD 18 Main Street: Heritage Permit Application, Request to Alter a Designated Property be received;

AND FURTHER THAT Council approve the Heritage Permit application for the proposed alterations to the façade at 18 Main Street, as outlined in Report 23-304-CD, subject to the following conditions:

1) That the applicant commits to following best practices for the treatment of historic wooden features with painting as outlined in the Region of Waterloo’s Practical Guide for Paint & Colour: Remove loose paint, sand down surfaces, clean surfaces with mild detergent, and apply a primer-sealer. Apply appropriate paint. Latex paints are preferred, although they should not be applied to existing oil-based paint without an oil-based primer;

2) Following Council approval, that any minor changes to the plans and elevations shall be submitted to the satisfaction of the Chief Planner, prior to submission as part of any application for a building permit and/or the commencement of any alterations; and,

3) That the implementation of alterations, in accordance with this approval, shall be completed no later than two (2) years following Council approval. If the alterations are not completed by two (2) years following Council approval, then this approval expires as of that date and no alterations shall be undertaken without a new approval issued by the City of Cambridge.
EXECUTIVE SUMMARY:

Purpose

This report has been prepared to recommend approval on a Heritage Permit application for alterations proposed to the street-facing façade of the property located at 18 Main Street; a property designated under Part IV of the Ontario Heritage Act.

Key Findings

- A Heritage Permit application was submitted to the City of Cambridge on July 27, 2023 (Appendix A).

- The property is designated under Part IV of the Ontario Heritage Act, located adjacent to the Main Street Heritage Conservation District, and is subject to the Main Street Urban Design Guidelines.

- Staff support the Heritage Permit application, subject to several conditions.

- The Municipal Heritage Advisory Committee (MHAC) supported staff recommendations within Report 23-022 (MHAC) at its meeting on September 21, 2023.

Financial Implications

The owner is responsible for the cost of any approved alterations. There are no financial implications to the City as a result of this application.

STRATEGIC ALIGNMENT:

☐ Strategic Action; or
☒ Core Service

Objective(s): Not Applicable

Strategic Action: Not Applicable

Program: Community Development

Core Service: Heritage Conservation

BACKGROUND:

The subject property is located on the north side of Main Street, within downtown Galt (Figure 1). The property forms a part of an intact historic commercial street wall adjacent to the Main Street Heritage Conservation District.
The property is abutted by 8 Main Street on the west and 20-22 Main Street on the east. The entire property is 481.13 m² in size and is zoned commercial-residential, (F)C1RM1, within the City’s Zoning By-law.

The property contains a two-storey stone building known as the Miller Block. It was constructed in 1872 by stonemason William Webster. The first floor contains an open commercial storefront. The second storey is defined by six identical round arched windows topped with decorative metal hood moulds and underscored by stone sills extending across the façade as banding (Figures 2 and 3). A large, bracketed wooden cornice and parapet wall define the roofline, punctuated by decorative corbels and caps on each end. The property was designated under Part IV of the Ontario Heritage Act in 1986 and is protected under By-law No. 214-86 (Appendix B).

The applicant is proposing to make alterations to the façade including replacing existing windows, replacing deteriorated wooden elements, cleaning masonry, installing lighting fixtures, and painting exterior elements. No Building Permits have yet been submitted in connection with the proposed alterations.

Figure 1: Aerial image of the subject property outlined in red (City of Cambridge)
Figure 2: Looking north at the façade (City of Cambridge, 2023)

Figure 3: A close-up of an existing window and decorative hood mould (City of Cambridge, 2023)
EXISTING POLICY / BY-LAW(S):

Ontario Heritage Act

Alteration of property

33 (1) No owner of property designated under section 29 shall alter the property or permit the alteration of the property if the alteration is likely to affect the property’s heritage attributes, as set out in the description of the property’s heritage attributes in the by-law that was required to be registered under clause 29 (12) (b) or subsection 29 (19), as the case may be, unless the owner applies to the council of the municipality in which the property is situate and receives consent in writing to the alteration. 2019, c. 9, Sched. 11, s. 11.

Application

(2) An application under subsection (1) shall be accompanied by the prescribed information and material. 2019, c. 9, Sched. 11, s. 11.

Other information

(3) A council may require that an applicant provide any other information or material that the council considers it may need. 2019, c. 9, Sched. 11, s. 11.

Main Street Urban Design Guidelines (2018)

The City of Cambridge adopted Main Street Urban Design Guidelines provide recommendations regarding the alterations, design, and the conservation of heritage resources within the area of Main Street, including the subject property.

4.2.3 Ground Floor Façade – Storefront

Façade Articulation

It is the intent of the Guidelines to allow businesses to create modern storefronts consistent with their business interests.

- Maintenance, repair and restoration work shall be undertaken using proper heritage methods.

- Cleaning of buildings should occur in a non-destructive manner. Sand blasting and high-pressure water blasting, or excessive acid washing is prohibited.

- Wood should be repaired rather than replaced as much as possible. Replacement, if necessary, should use the same material. Modern aluminum or vinyl replacement is not acceptable.
• Brick and masonry repair should be undertaken using proper heritage materials and methods. Removal of old mortar should be performed with hand tools only. Lime formula should be used with appropriate lime mortar mixes matching the original colour and sand. Modern mortars cause damage to older masonry.

• Spalled stonework can be restored using professional epoxy-based fillers. For larger repairs, replacement stone may be required. Use of precast concrete to replace stone is discouraged.

• Alterations resulting from adaptive rehabilitation shall respect the heritage character.

Upper Floors

• Repairs and alterations shall restore original features. Restoration should be based on research of documents, photographs and inspection of site conditions.

4.2.4 Windows and Doors

Original windows should be repaired if possible. Original wood windows, even single glazed, can, with appropriate restoration, perform as well as modern replacement windows. Proper caulking, installation of astragals and weather stripping can allow existing windows to perform well thermally.

If it is necessary to replace a window, the replacement should be wood and replicate existing window configurations. Aluminum or vinyl window replacements are not acceptable.

4.2.6 Materials

Main Street’s historic buildings have façades of mostly stone and brick. Any repairs or renovations to these structures should include like materials.

4.2.7 Cornices & Parapets

Cornices and parapets are most often subject to deterioration due to weather exposure and can cause a hazard to the street below. These should be repaired or replaced to their original configuration. Aluminum or modern prefinished materials are not acceptable.

4.3.9 Lighting

Nighttime light sources mounted on private buildings require regulation to consider the impact that lighting has on the public. Fixtures chosen should ensure that their design, location, intensity and emitted colour is appropriate for the historic character of Main
Street. They should also consider the impact on the public street lighting in the area. Fixtures may be chosen from available replica styles appropriate to the architecture of the heritage buildings on Main Street, or from contemporary design that are compatible with the historic context. The lighting should be low light, LED lighting that illuminates only the signage band (with no up-lighting). Building lighting is not a replacement for street lighting and should be of a style that is in keeping with the building character.

**ANALYSIS:**

The proposal involves a series of alterations to the façade at 18 Main Street, including replacement of existing windows, replacing a degraded wooden element, replacing existing lighting fixtures, and painting exterior wooden elements.

Staff have worked with the applicant since July of 2023 to refine their proposal in order to ensure that the alterations do not degrade heritage elements on the building’s façade and to ensure that it is in line with best practices in material conservation. At the time of consultation with the MHAC on September 21, 2023, staff had several concerns with the proposed alterations, including the use of sandblasting for exterior cleaning, a lack of clarity around which wooden elements were to be replaced, a lack of any renderings of proposed replacement lighting fixtures, and recommendations on colour palette for new windows and trim.

The applicant has since submitted an updated scope of work through revised quotes submitted on September 22 and September 28, 2023. Staff are satisfied with the revised quotes which address replacing exterior lighting, windows, woodwork, and the colour palette. However, staff would still like to see it reflected that the applicant follow best practices for the treatment of historic wooden features with painting, as outlined in the Region of Waterloo’s Practical Guide for Paint & Colour. Staff have no other concerns with the proposal. As such, staff recommend that Council approve the attached Heritage Permit application, subject to the conditions outlined above.

**Replacement and Painting of Wooden Elements**

The applicant is proposing to replace rotting wood on the upper storey and repaint all exterior wooden elements. Staff do not have concerns with the replacement of the upper storey frieze board proposed to be replaced, as it is not an original element. Regarding painting, the applicant is proposing to “prepare, prime, and paint two coats of exterior grade finish on all wood surfaces.” The applicant has been circulated with the Region of Waterloo’s Practical Guide for Paint & Colour, which is helpful regarding the treatment of historic wooden features. Following the MHAC meeting, the applicant has clarified that only one deteriorated horizontal wooden member on the façade (frieze board) will be replaced. Staff have requested that the contractor follow a heritage-appropriate method of painting historic wooden architectural elements, including the
following: remove loose paint, sand down surfaces, clean surfaces with mild detergent, and apply a primer-sealer. Apply appropriate paint. Latex paints are preferred, although they should not be applied to existing oil-based paint without an oil-based primer.

**Lighting Fixtures**

In accordance with best practices and the policies outlined within the Main Street Urban Design Guidelines, new lighting fixtures on heritage properties should be suitably designed to fit with the historic character of Main Street and be in keeping with the character of the building. The applicant has submitted the design of their proposed lighting fixtures which are downlit black gooseneck lights that are an appropriate style for a heritage context.

**Windows and Colour Palette**

The existing windows are one-over-one aluminum double-hung sash windows. The existing windows are not original to the building however they are noted as heritage features within the designation by-law (Appendix B). The applicant is proposing to replace all existing windows with new windows that match the existing window style and proportions. The proposed windows are wooden (pine) with a bronze-clad exterior. Originally, windows were proposed to be painted white on the interior and black matte on the exterior. However, the applicant has since submitted a revised colour palette for the windows with a bronze exterior colour. This will provide better colour cohesion with the decorative white metal hood moulds. Historically, these features appear to have been white (see Figures 5 and 6). Other elements on the façade proposed to be repainted will feature a darker palette using Benjamin Moore Onyx 2121-10. Staff do not have concerns with the replacement windows or the updated colour palette, as submitted.

In summary, staff are recommending approval of the Heritage Permit application with conditions in order to ensure that the alterations are appropriate and respectful of the building’s historic material and heritage character.
Figure 5: Historical photograph of the subject property taken ca. 1930 (City of Cambridge Archives).

Figure 6: Historical photograph of the subject property taken ca. 1985 (City of Cambridge Archives).
FINANCIAL IMPACT:
The owner is responsible for the cost of any approved alterations. The owner has been informed of existing financial incentives available through the Designated Heritage Property Grant Program.

PUBLIC VALUE:
Transparency:
To ensure transparency, Council meeting agendas are posted on the City’s website.

ADVISORY COMMITTEE INPUT:
Staff consulted with the MHAC on September 21, 2023 through Report 23-022 (MHAC) and the Committee provided the following recommendation to Council:

THAT Report 18 Main Street: Heritage Permit Application, Request to Alter a Designated Property be received;

AND THAT the Municipal Heritage Advisory Committee recommend that Council approve the Heritage Permit application for the proposed alterations to the façade at 18 Main Street, as outlined in Report 23-022 (MHAC), subject to the following conditions:

1) That the applicant provides an updated contractor quote, to the satisfaction of heritage planning staff, that replaces sandblasting with an appropriate masonry cleaning method, that specifies exactly which wooden elements on the façade will be repaired or replaced; and that notes the following process for painting as outlined in the Region of Waterloo’s Practical Guide: Paint & Colour:
   i) Remove loose paint, sand down surfaces, clean surfaces with mild detergent, and apply a primer-sealer. Apply appropriate paint. Latex paints are preferred, although they should not be applied to existing oil-based paint without an oil-based primer;

2) Following Council approval, that any minor changes to the plans and elevations shall be submitted to the satisfaction of the Chief Planner, prior to submission as part of any application for a building permit and/or the commencement of any alterations; and,

3) That the implementation of alterations, in accordance with this approval, shall be completed no later than two (2) years following Council approval. If the alterations are not completed by two (2) years following Council approval,
then this approval expires as of that date and no alterations shall be undertaken without a new approval issued by the City of Cambridge.

PUBLIC INPUT:
Meetings of Council are open to the public via the City’s YouTube channel.

INTERNAL / EXTERNAL CONSULTATION:
Heritage planning staff liaised with the property owner on the proposal and the process of applying for a Heritage Permit.

CONCLUSION:
For the reasons outlined in this report, heritage planning staff recommend that Council approve the Heritage Permit application requesting to alter the property’s façade, subject to the conditions outlined in this report.

REPORT IMPACTS:
Agreement: No
By-law: No
Budget Amendment: No
Policy: No

APPROVALS:
This report has gone through the appropriate workflow and has been reviewed and or approved by the following as required:
Director
Deputy City Manager
Chief Financial Officer
City Solicitor
City Manager

ATTACHMENTS:
1. 23-304-CD Appendix A - Heritage Permit Application & Revised Quotes
2. 23-304-CD Appendix B – Designation By-law No. 214-86
Heritage Permit Application Form

The following application form is pursuant to the Ontario Heritage Act, R.S.O 1990, Sections 33, 34, and 42. The City of Cambridge will issue a Notice of Receipt within the receipt of a complete application, including all required supporting documentation. Please attach to this form any photographs, plans, drawings, studies, etc, required to fully describe and support the proposed alterations.

<table>
<thead>
<tr>
<th>Part A – Heritage property information</th>
</tr>
</thead>
<tbody>
<tr>
<td>Address: 18 Main St</td>
</tr>
<tr>
<td>Postal Code: N1R 1V4</td>
</tr>
<tr>
<td>Ward:</td>
</tr>
<tr>
<td>Province: Ontario</td>
</tr>
<tr>
<td>By-law:</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Part B – Applicant information</th>
</tr>
</thead>
<tbody>
<tr>
<td>Property Owner: 1561492 ONTARIO LIMITED (Peter Vanderheyden)</td>
</tr>
<tr>
<td>Address: 1703 Wrigley Rd</td>
</tr>
<tr>
<td>City: Ayr</td>
</tr>
<tr>
<td>Province: Ontario</td>
</tr>
<tr>
<td>Postal Code: N0B1E0</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Part C – Agent information (if applicable)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agent: Brittany Vanderheyden</td>
</tr>
<tr>
<td>Address: 1703 Wrigley Rd</td>
</tr>
<tr>
<td>City: Ayr</td>
</tr>
<tr>
<td>Province: Ontario</td>
</tr>
<tr>
<td>Postal Code: N0B1E0</td>
</tr>
</tbody>
</table>
**Part D – Scope of work:**

A. **Select which types(s) of work apply in the boxes below:**

- [✓] Alteration (including landscape alterations and signage)
- [ ] Demolition (partial or full)
- [ ] New Construction or Addition
- [ ] Relocation

B. **Clearly describe all the changes you are undertaking to the property and which heritage features will be impacted. Attach additional pages if needed.**

Upgrade exterior windows and doors to replace old outdated windows.
Upgrade exterior facade with paint, updated / restored light fixtures and overall fixes.

**Part E – List of supporting documentation:**

Check all that apply:

- [✓] Photographs (existing and historical)
- [ ] Plans, Drawings, and Sample Materials
- [ ] Historical Documentation
- [✓] Contractor Quotes
- [ ] Heritage Impact Assessment or Conservation Plan
- [ ] Documentation for Building Code or Planning Act applications (Pre-Consultation, Site Plan, Minor Variance, Consent, Zoning By-law Amendment, Official Plan Amendment, etc)
**Part F – Declaration**

Check the appropriate statement:

- ☑️ I, the Applicant, am the sole owner of the property for which this application is made.
- ☐️ I, the Applicant, am one of the owners of this property and have received express authorization from all other property owners to make this application for alteration.

<table>
<thead>
<tr>
<th>Name:</th>
<th>Date:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2023-07-26</td>
<td></td>
</tr>
</tbody>
</table>

**Part G - For office use only**

Received by: | Date: |
---|---|
Reviewed by: | Date: |

- ☐ Approved
- ☐ Not approved
- ☐ Approved with the following terms and/or conditions:

**Part H – Authorization and Appointment of an Agent**

I, Peter Vanderheyden being the registered owner of property legally described as:

Civic Address: 18 Main St

Legal Description: Commercial Building

hereby give authorization for Brittany Vanderheyden to act as my agent in the matter of Heritage Application & Grant Applications.

It is understood that until the City of Cambridge is advised otherwise, the City shall deal exclusively with the above-noted person with respect to the matter noted above.

<table>
<thead>
<tr>
<th>Name:</th>
<th>Date:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2023-07-26</td>
<td></td>
</tr>
</tbody>
</table>
# QUOTE

**Quote No.:** 1101  
**Date:** 2023-07-06  
**Page:** 1

**Sold To:** 1561492 Ontario Limited  
1703 Wrigley Rd  
Ayr, Ontario N0B 1E0  
Canada

**Ship To:** 1561492 Ontario Limited  
1703 Wrigley Rd  
Ayr, Ontario N0B 1E0  
Canada

---

**Business No.:** 70891 6119

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<thead>
<tr>
<th>Quantity</th>
<th>Unit</th>
<th>Description</th>
<th>Tax</th>
<th>Unit Price</th>
<th>Amount</th>
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<td>1</td>
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<td>18 Main Facade Refinishing</td>
<td>H</td>
<td>675.00</td>
<td>675.00</td>
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<td>1</td>
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<td>Obtain &quot;Highway Occupancy Permit&quot; as required from City of Cambridge for sidewalk closure.</td>
<td></td>
<td>2,322.80</td>
<td>2,322.80</td>
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<tr>
<td>1</td>
<td></td>
<td>Replace rotting wood on upper storey bump out detail above corbels and misc labour required for setup/tear down.</td>
<td>H</td>
<td>7,897.70</td>
<td>7,897.70</td>
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<td>1</td>
<td></td>
<td>Prep by scraping loose paint, sanding and cleaning, prime and paint 2 coats of exterior grade latex finish on all wood surfaces.</td>
<td>H</td>
<td>2,925.80</td>
<td>2,925.80</td>
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<tr>
<td>1</td>
<td></td>
<td>Supply skyjack, fencing, closure signage and setup traffic control plan as required by City of Cambridge</td>
<td>H</td>
<td></td>
<td></td>
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</table>

**Subtotal:** 13,821.30

**H - HST 13%**  
**GST/HST**  
**1,796.76**

**Total Amount** 15,618.06

---

**Shipped by**  
**Comments** Thank you for the opportunity to quote on your needs!

**Sold By:**  

---
LINDA VANDERHEYDEN
HERITAGE BUILDING

Quote #: 2P38C3Q

A Proposal for Window and Door Products prepared for:
Shipping Address:
MARVIN WINDOWS LLC
1455 COURTNEYPARK DRIVE E
MISSISSAUGA, ON L5T 2E3
CANADA

Featuring products from:

MARVIN😊

MEGAN ROCCI
MARVIN WINDOWS LLC
1455 COURTNEYPARK DRIVE E
MISSISSAUGA, ON L5T 2E3
Phone: 4164000601
Email: mrocci@marvincanada.com

This report was generated on 3/23/2023 8:41:23 PM using the Marvin Order Management System, version 0004.01.01 (Current). Price in CAD. Unit availability and price are subject to change. Dealer terms and conditions may apply.
LINE ITEM QUOTES

The following is a schedule of the windows and doors for this project. For additional unit details, please see Line Item Quotes. Additional charges, tax or Terms and Conditions may apply. Detail pricing is per unit.

<table>
<thead>
<tr>
<th>Line #1</th>
<th>Mark Unit: SINGLE HUNG ROUND TOP</th>
<th>Qty: 6</th>
<th>Net Price:</th>
<th>Ext. Net Price:</th>
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<tbody>
<tr>
<td></td>
<td>OPTION 1</td>
<td></td>
<td>6,117.26</td>
<td>36,703.56</td>
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</table>

Feature Mismatch: Interior Glazing Profile
Bronze Clad Exterior
Painted Interior Finish - White - Pine Interior
1W2H - RT2 Assembly
Assembly Masonry Opening
40 3/4" x 93 1/2"
Assembly Rough Opening
38 5/8" x 91 13/16"
RO Springline from bottom: 72 1/2"

Unit: A1
Ultimate Direct Glaze Round Top - RT2
Basic Frame 37 5/8" X 20 5/16"
Basic Frame Springline from bottom: 1 1/2"
Rough Opening 38 5/8" X 20 13/16"
IG - 1 Lite
Low E2 w/Argon
Black Perimeter Bar

Unit: B1
Ultimate Single Hung G2
Basic Frame 37 5/8" X 71"
Rough Opening 38 5/8" X 71 1/2"
Each Sash
Bronze Clad Sash Exterior
Painted Interior Finish - White - Pine Sash Interior
IG - 1 Lite
Low E2 w/Argon
Black Perimeter Bar
Ogee Interior Glazing Profile
White Interior Weather Strip Package
Black Exterior Weather Strip Package
Matte Black Sash Lock
Matte Black Top Sash Strike Plate Assembly Color
Extruded Aluminum Half Screen
Bronze Surround
Bright View Mesh
Standard Mull Charge
6 9/16" Jams
Casing with Subsill
Bronze 1 5/16" Enclosed Clad BMC
Bronze A246 Subsill

Entered As: MO
FS 37 5/8" X 91 5/16"
RO 38 5/8" X 91 13/16"
Performance Information A1
Metric U-Factor: 1.59
Canada Energy Rating: 26
Solar Heat Gain Coefficient: 0.37
Visible Light Transmittance: 0.64
Condensation Resistance: 55
CPD Number: MAR-N-420-11548-00001

Performance Information B1
Metric U-Factor: 1.7
Canada Energy Rating: 19
Solar Heat Gain Coefficient: 0.3
Visible Light Transmittance: 0.52
Condensation Resistance: 56
CPD Number: MAR-N-425-17154-00001

OMS Ver. 0004.01.01 (Current)
### Line #2

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<th>Mark Unit: ROUND TOP SINGLE HUNG OPTION 2</th>
<th>Net Price:</th>
<th>Ext. Net Price:</th>
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<tbody>
<tr>
<td>Qty: 6</td>
<td>CAD 6,666.34</td>
<td>CAD 39,998.04</td>
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</tbody>
</table>

**Specifications:**
- **Entered As:** OC, FS 37 7/8" X 91 5/16" , RO 38 7/8" X 91 13/16"
- **Bronze Clad Exterior**
- **Painted Interior Finish - White - Pine Interior**
- **Ultimate Single Hung Round Top G2 - RT2**
- **Frame Size:** 37 7/8" X 91 5/16"
- **FS Springline from bottom:** 72 3/8"
- **Rough Opening:** 38 7/8" X 91 13/16"
- **Rough Opening Springline from bottom:** 73"
- **Outside of Exterior Casing:** 40 1/2" X 93 1/4"
- **Outside of Exterior Casing Springline from bottom:** 73"
- **Equal 1-Lite DLO Heights**

**Partial travel - current dimensions will not allow full travel of the bottom sash.**

- Each Sash
  - **Bronze Clad Sash Exterior**
  - **Painted Interior Finish - White - Pine Sash Interior**
  - **IG - 1 Lite**
  - **Low E2 w/Argon**
  - **Black Perimeter Bar**
  - **Ogee Interior Glazing Profile**
  - **White Interior Weather Strip Package**
  - **Black Exterior Weather Strip Package**
  - **Matte Black Sash Lock**
  - **Matte Black Top Sash Strike Plate Assembly Color**
  - **Extruded Aluminum Half Screen**
  - **Bronze Surround**
  - **Bright View Mesh**
  - **6 9/16" Jambs**
  - **Casing with Subsill**
  - **Bronze 1 5/16" Enclosed Clad BMC**
  - **Bronze A246 Subsill**
  - **Thru Jamb Installation**

---

### Line #3

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<thead>
<tr>
<th>Mark Unit: ASSEMBLIES</th>
<th>Net Price:</th>
<th>Ext. Net Price:</th>
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<tbody>
<tr>
<td>Qty: 4</td>
<td>CAD 3,977.12</td>
<td>CAD 15,908.48</td>
</tr>
</tbody>
</table>

**Specifications:**
- **Entered As:** OC, FS 58 1/16" X 58 3/4" , RO 59 1/16" X 59 1/4"
- **Bronze Clad Exterior**
- **Painted Interior Finish - White - Pine Interior**
- **2W1H - Rectangle Assembly**
- **Assembly Outside of Exterior Casing:** 60 11/16" X 60 11/16"
- **Assembly Rough Opening:** 59 1/16" X 59 1/4"
- **Unit:** A1 and A2
- **Ultimate Single Hung G2**
- **Basic Frame:** 29 1/32" X 58 3/4"
- **Rough Opening:** 30 1/32" X 59 1/4"
- **Each Sash**
  - **Bronze Clad Sash Exterior**
  - **Painted Interior Finish - White - Pine Sash Interior**
  - **IG - 1 Lite**
  - **Low E2 w/Argon**
  - **Black Perimeter Bar**
  - **Ogee Interior Glazing Profile**
  - **White Interior Weather Strip Package**
  - **Black Exterior Weather Strip Package**
  - **Matte Black Sash Lock**
  - **Matte Black Top Sash Strike Plate Assembly Color**
  - **Extruded Aluminum Half Screen**
  - **Bronze Surround**
  - **Bright View Mesh**
  - **6 9/16" Jambs**
  - **Casing with Subsill**
  - **Bronze 1 5/16" Enclosed Clad BMC**
  - **Bronze A246 Subsill**

---

**Product availability and pricing subject to change.**

LINDA VANDERHEYDEN
HERITAGE BUILDING
Quote Number: 2P38C3Q
## PRODUCT AND PERFORMANCE INFORMATION

NFRC energy ratings and values may vary depending on the exact configuration of glass thickness used on the unit. This data may change over time due to ongoing product changes or updated test results or requirements.

The National Fenestration Rating Council (NFRC) has developed and operates a uniform national rating system for the energy performance of fenestration products, including windows and doors. For additional information regarding this rating system, see [www.nfrc.org](http://www.nfrc.org).

<table>
<thead>
<tr>
<th>Line #4</th>
<th>Mark Unit: INSTALLATION</th>
<th>Net Price:</th>
<th>Ext. Net Price:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>CAD 6,950.00</td>
<td></td>
</tr>
<tr>
<td>Labor</td>
<td>10 OPENINGS</td>
<td>CAD 92,610.08</td>
<td>12,942.81</td>
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</tr>
<tr>
<td></td>
<td></td>
<td>CAD 112,502.89</td>
<td></td>
</tr>
</tbody>
</table>
July 17th, 2023

To: Peter & Linda Vanderhayden,

Project: 18 Main Street

Thank you for this opportunity to submit the following estimate:

Outside Lighting - $4280.00 plus HST:

- Removing 8 – existing light fixtures
- Reworking 8 – outside light boxes.
- Install/wire 8 – new sign lights.
- We will install 8 – RAB lights model number VCS212A-LED14-B-4K-BLK-ARM5

Notes:
- Clean-up included.

This is an estimate and as such subject to change. The estimate is good for 30 days from the date above. If you have any questions, please do not hesitate to call.

Kind Regards,

Adrian Loates
SNG Electrical Services

ECRA/ESA #7009889
Phone - 519.841.1709
Email – adrian@sngelectrical.ca

Terms & Conditions

1. CONTRACT DOCUMENTS: This Quotation is a proposal by the SNG Electrical Services (Price making same to provide the Work set out in the Quotation and the term “Work” in this Quotation shall include all machinery, equipment, materials, services, and labour to be provided by SNG Electrical Services) Unless otherwise stated. SNG Electrical Services reserves the right to withdraw this Quotation or change its terms at any time before this Quotation is accepted by notice in writing. All terms and conditions of this quotation shall prevail over all inconsistent provisions in any other contract documents, including any purchase order accepting the quotation.
2. SCHEDULE & DELIVERY: SNG Electrical Services including its Vendors or Subcontractors shall perform the “Work” in accordance with a continuous schedule mutually agreed between the parties and, unless otherwise agreed in writing, during the regular working hours and days. If SNG Electrical Services shall be required to perform the “Work” outside its regular hours and days, both the time of completion and the price(s) of the work shall be adjusted to reflect all increased costs in accordance with the overtime and holiday time rates of SNG Electrical Services and its Vendors or Subcontractors.

3. UNAVOIDABLE DELAY: SNG Electrical Services shall not be liable for any loss or damages caused by delay in the carrying out of the “Work” due to any cause beyond the control of SNG Electrical Services, including but not limited to, war, civil unrest, labour dispute, government action or act of God. SNG Electrical Services shall perform its obligations as promptly as reasonably possible after the removal of such cause(s) of delay and the schedule for completion shall be adjusted accordingly. Any delay in the performance of the “Work” caused by any act or omission of the Purchaser or by its in-plant operations or any stop work order issued by any governmental authority as a result of the act or default of the Purchaser, shall cause the completion schedule to be extended by the time of such delay and the Purchaser shall pay to SNG Electrical Services all costs incurred by it as a result of such delay.

4. STORAGE: Goods, machinery or equipment in respect of which manufacture, or delivery is delayed due to a cause within the control of the Purchaser may be placed in storage by SNG Electrical Services at the risk of the Purchaser and all costs of same shall be paid by the Purchaser. If SNG Electrical Services is unable to obtain or continue such storage, the Purchaser shall, on request, provide or arrange for suitable alternate storage at the Purchaser’s expense and risk.

5. STOP WORK AND TERMINATION: If the Purchaser shall be in default of any payment due or any other obligation of the Purchaser under this Quotation or any resulting contract, and if such default shall not be remedied within 7 days from the receipt of written notice of such default from SNG Electrical Services. SNG Electrical Services may, without prejudice to any other right or remedy it may have, stop work and/or terminate the contract and SNG Electrical Services shall be entitled to be paid for all “Work” performed or supplied to that time and damages for breach of contract.

6. CHANGES IN THE WORK: The Purchaser may make changes by altering, adding to, or deducting from the Work subject to the Quotation price and completion schedule being adjusted accordingly and subject to the right of SNG Electrical Services to refuse any such changes.

7. TITLE AND PAYMENT: Unless otherwise mutually agreed in writing, payment shall be made by the Purchaser at the earlier of the completion of the Work or on a monthly basis as the “Work” progresses with any monthly progress invoice to be in an amount proportionate to the amount of the “Work” performed up to and including the invoice date. The Purchaser shall pay the full amount of the invoice within 30 days after receipt thereof and all amounts in default shall bear interest at the rate of 24% per annum (2% per month) calculated and compounded monthly until payment. Title to all machinery, equipment and goods supplied by SNG Electrical Services shall remain with SNG Electrical Services until payment in full for all of same has been received by SNG Electrical Services and, in addition to all its other rights and remedies. SNG Electrical Services shall have the right to enter upon the premises of the Purchaser without any judicial process and repossess all machinery, equipment and goods supplied by SNG Electrical Services with respect to any payment that is in default.

8. TAXES AND PRICES: Unless otherwise expressly stated in the Quotation:
   (1) All government sales taxes, customs duties, excise taxes and H.S.T. are additional, where applicable, to the Quotation price(s), and, when included, any applicable increase or decrease therein prior to the completion of the “Work” shall increase or decrease the Quotation price(s) accordingly;
   (2) All Quotation prices are based on current material and equipment rental supply prices and any changes thereto after the date of the Quotation shall increase or decrease the Quotation price(s) accordingly for all the uncompleted “Work”.

9. APPLICABLE LAW: The laws of the place of Work shall govern the performance of the Work and otherwise the laws of the Province of Ontario shall govern the interpretation of the Quotation and any resulting contract. SNG Electrical Services shall not be responsible for verifying that the Quotation or any applicable contract documents are at variance with any of the laws or regulations governing the performance of the “Work” at any applicable time, any resulting change in the cost to SNG Electrical Services in complying with such laws and regulations shall change the Quotation price(s) and the schedule or performance date accordingly.

10. WARRANTY: SNG Electrical Services warrants, for a period of 1 year from date of delivery, its labour and the parts of the “Work” manufactured by it, to be free from defects in material and workmanship if properly installed (where installation is not by SNG Electrical Services) and maintained, and if operated under normal conditions with competent supervision, but only to the extent that the design and specifications thereof permit same. The obligation of SNG Electrical Services under this warranty shall be limited only to the repair or replacement of defective labour and/or “Work” manufactured by it, provided that the Purchaser first give SNG Electrical Services written notice of any such defect and a reasonable opportunity to make such repair or replacement. SNG Electrical Services shall have no liability for any repairs or alterations made by the Purchaser without first obtaining the written approval of SNG Electrical Services. SNG Electrical Services shall transfer to the Purchaser any manufacturer’s warranty in respect of any part of the “Work” not manufactured by SNG Electrical Services but otherwise shall have no liability for any defect or fault in respect thereof. EXCEPT AS IS EXPRESSLY STATED HEREBY, THERE IS NO GUARANTEE OR WARRANTY OF MERCHANTABILITY, FITNESS, PERFORMANCE OR OTHERWISE, EXPRESS, IMPLIED OR STATUTORY.

11. LIABILITY FOR DAMAGES: The liability of SNG Electrical Services to the Purchaser, whether in contract or in negligence, in respect of any default, breach, act or omission of SNG Electrical Services shall be limited to the performance of the terms of its above warranty at the contracted place of delivery for the “Work”. Notwithstanding the foregoing, SNG Electrical Services shall have no liability whatever in respect of any of the “Work” unless and until the Purchaser has paid for the same in full. EXCEPT AS MAY BE EXPRESSLY STATED HEREBY, SNG Electrical Services SHALL UNDER NO CIRCUMSTANCES HAVE ANY LIABILITY FOR THE CONSEQUENTIAL, INCIDENTAL OR OTHER DAMAGES HOWSOEVER CAUSED.

12. INSURANCE: SNG Electrical Services maintains Vehicle, General Liability, Umbrella, WSIB Insurance coverage’s under its existing insurance policies at the limits specified therein. Any further or other insurance requested by the Purchaser shall be supplied by SNG Electrical Services only if the same is available to SNG Electrical Services and at the expense of the Purchaser unless otherwise expressly provided in the quotation.

13. ENGINEERING AND DRAWINGS: Unless otherwise expressly stated in the Quotation, the Purchaser shall furnish SNG Electrical Services with all engineering information, instructions, specifications and drawings in sufficient detail and quantity as may be reasonably required to perform the “Work”
in an orderly and timely manner and all such information, instructions, specifications and drawings shall be considered as approved for fabrication and/or construction by the Purchaser unless the Purchaser shall otherwise expressly notify SNG Electrical Services in writing.

14. GOVERNMENTAL APPROVALS: Where governmental or regulatory authorities require permits to be obtained before the “Work” to be performed may proceed or require approval of the equipment, plans or specifications before installation and operation, the Purchaser shall be responsible for securing all such permits and approvals and for paying any required costs and fees in respect thereof and shall indemnify and hold SNG Electrical Services harmless for any costs, loss or damage resulting from any default of the Purchaser in respect thereof. SNG Electrical Services shall not be required to furnish or be responsible for any safety devices required by provincial or local safety regulations except those expressly listed in the specifications or detailed on drawings forming part of the Quotation.

15. PURCHASER SUPPLY: All materials, services and labour specified as Purchaser Supply shall be delivered to SNG Electrical Services at the place of “Work” in a timely manner and in proper order so as not to delay or interrupt the schedule or the planned “Work” sequence of SNG Electrical Services. Off-loading of Purchaser Supply shipments prior to SNG Electrical Services mobilization at the job site and any unplanned double handling of same shall be at the additional expense of the Purchaser. All Purchaser Supply shipments must be accompanied with packing slips showing contents, part number and reference to the Quotation or the Purchaser’s purchase order. Shipments of Purchaser Supply materials shall be received subject to inspection and SNG Electrical Services reserves the right to examine the materials after delivery with any overs, shorts or damages revealed under visual or other inspection to be and remain the responsibility of the Purchaser.

16. JOB SITE CONDITIONS: The Quotation is based on free and clear access for the “Work” to be performed by SNG Electrical Services. If work is required by other parties, if the work site is inadequate to provide clear passage for or support the “Work”, or the subsurface or concealed conditions necessitate the reinforcement and/or relocation of facilities and/or services, all such work and the co-ordination of same required to permit the “Work” to be performed to proceed in a timely manner shall be the responsibility of and at the expense of the Purchaser.

17. SERVICES: Unless otherwise expressly specified in the Quotation, the Purchaser shall provide and pay for water, adequate power and heat, general purpose lighting, toilet facilities and on site waste disposal reasonably required by SNG Electrical Services for the performance of the “Work”.

Page 99 of 576
August 19, 1986

FILE: AC-65

Ontario Heritage Foundation
Ministry of Citizenship and Culture
2nd Floor
77 Bloor Street
Toronto, Ontario
M7A 2R9

Attention: Louise Chipper

Dear Ms. Chipper,

Enclosed are the following:

1. Notice of Intention to designate 61-79 Spring Street, Cambridge

2. Notice of Passing of By-law - 18 Main Street, Cambridge

3. Copy of By-law number 214-86 designating 18 Main Street.

The notices will be published for three consecutive weeks beginning August 22, 1986. If you have any questions please call me at 623-1340 extension 369.

Yours truly,

Gary Sosnoski
LACAC Co-ordinator

GS:1r
THE CORPORATION OF THE CITY OF CAMBRIDGE

In the matter of the Ontario Heritage Act, R.S.O. 1980, Chapter 337, and in the matter of the lands and premises at 18 Main Street, in the City of Cambridge, in the Regional Municipality of Waterloo, and Province of Ontario.

NOTICE OF PASSING OF BY-LAW

TAKE NOTICE that the Council of the Corporation of the City of Cambridge has passed By-law No. 214-86, to designate the following property of architectural and historical significance under Part IV of the Ontario Heritage Act, R.S.O., 1980, Chapter 337.

18 MAIN STREET

The building at 18 Main Street was constructed in 1872 by stonemason William Webster. The upper storey is noteworthy for its six, round arched windows with elaborate metal hood moulds. The stone corbels are among the few surviving examples in the Cambridge area.

DATED at the City of Cambridge this 22nd day of August, 1986.

J. Anderson
City Clerk
BY-LAW NO. 214 - 86
OF THE
CORPORATION OF THE CITY OF CAMBRIDGE

Being a by-law of the City of Cambridge
to designate the second storey exterior
of 18 Main Street, Cambridge, as a
property of architectural significance.

WHEREAS the Ontario Heritage Act, R.S.O., 1980, c. 337 authorizes the
Council of a municipality to enact by-laws to designate real property including
all buildings and structures thereon, to be of historic or architectural value
or interest;

AND WHEREAS Notice of Intention to so designate 18 Main Street,
Cambridge, Ontario have been duly published and served;

AND WHEREAS it is considered desirable to designate the property known
as 18 Main Street, Cambridge, Ontario;

NOW THEREFORE, THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE CITY OF
CAMBRIDGE ENACTS AS FOLLOWS:

1. THAT there is designated as being of historical and architectural
significance the exterior of the original structure located on the real
property, more particularly described in Schedule "A" attached hereto,
known as 18 Main Street, Cambridge, Ontario. The reasons for designation
are set out in Schedule "B" attached hereto.

2. THAT the City of Cambridge is hereby authorized to cause a copy of this
by-law to be served upon the owner of the said property and upon the
Ontario Heritage Foundation and to cause notice of this by-law to be
published in a newspaper having general circulation in the City of
Cambridge.

READ A FIRST, SECOND AND THIRD TIME,
ENACTED AND PASSED, THIS 18TH DAY OF AUGUST, A.D., 1986.

______________________________
MAYOR

______________________________
CLERK
SCHEDULE "A"
TO BY-LAW NO. 214 - 86
OF THE
CORPORATION OF THE CITY OF CAMBRIDGE

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the City of Cambridge, in the Regional Municipality of Waterloo and Province of Ontario, formerly in the City of Galt, and being composed of part of subdivision Lots 3, 4 and 5, in the McKenzie Block, North side of Main Street, and more particularly described as follows, that is to say:

PREMISING that the North limit of Main Street has a bearing of South 87 degrees, 40 minutes East;

COMMENCING on the north side of Main Street at a point being distant 48.75 feet easterly along the northerly boundary of Main Street from the easterly limit of North Water Street being a point marked by a cut cross in the sidewalk;

THENCE North 2 degrees, 20 minutes East 57.15 feet to a point;

THENCE North 1 degree, 45 minutes East 68 feet to an iron bar planted;

THENCE along said lot line South 87 degrees, 40 minutes East 41.79 feet to an iron bar planted;

THENCE South 2 degrees, 20 minutes West along the centre line of a party wall a distance of 125 feet to a cut cross in the North limit of Main Street;

THENCE North 87 degrees, 40 minutes West along the last mentioned limit 41.20 feet to the point of commencement; all as shown on a plan of survey dated July 29, 1965, prepared by Norman J. Golbelle, O.L.S.
The building located at 18 Main Street is part of the Miller Block (after John Miller, the first solicitor for the Township of North Dumfries). It was constructed of ashlar grey granite in 1872 by stonemason William Webster.

Significant architectural features include six identical, round arched windows with 1/1 double hung sash. Surrounding each of the windows are intricately styled, painted, metal hood moulds with central foliated medallions and bracketed label stops.

Roof details include; a wooden cornice with bracketed eaves and carved limestone corbels (among the few remaining examples in the Cambridge area); rubblestone parapet wall with metal cap (on west end); brick parapet wall with cut limestone cap (on east end).

A more detailed record of the architectural features of the building can be found in the L.A.C.A.C. Building Description dated May 13, 1986.
To: COUNCIL

Meeting Date: 10/24/2023

Subject: 23-313-CD - 105 Middle Block Road Notice of Intention to Designate under Part IV of the Ontario Heritage Act

Submitted By: Joan Jylanne, Manager of Policy Planning

Prepared By: Laura Waldie, Senior Planner-Heritage

Report No.: 23-313-CD

File No.: R01.01.148

Wards Affected: Ward 1

RECOMMENDATION(S):

THAT Report 23-313-CD - 105 Middle Block Road Notice of Intention to Designate under Part IV of the Ontario Heritage Act – be received;

AND THAT Council approve the Statement of Cultural Heritage Value and List of Heritage Attributes, attached as Appendix A to this report;

AND FURTHER THAT Council approves the Clerk to be authorized to publish a Notice of Intention to Designate (NOID) for the property municipally known as 105 Middle Block Road, in accordance with Part IV of the Ontario Heritage Act for its cultural heritage value.

EXECUTIVE SUMMARY:

Purpose

This report has been prepared to provide a recommendation to Council in support of the designation of the property municipally known as 105 Middle Block Road (Figure 1) under Part IV of the Ontario Heritage Act.

Key Findings

• The property is currently listed on the City’s Heritage Register.

• As part of the North Cambridge Business Park Development and Plan of Subdivision work, the developer agreed to have the property designated.
• Staff have determined the property contains sufficient cultural heritage value to warrant designation under Part IV of the Ontario Heritage Act, satisfying several criteria under Ontario Regulation 9/06 (as amended by 569/22).

Figure 1: Front and side elevation of 105 Middle Block Road (MHBC Planning)

Financial Implications

There is no cost to property owners associated with designating a property in Cambridge. The City does provide and pay for the installation of a heritage landmark plaque at a cost of approximately $500. The City also pays to register the bylaw on title to the property, which costs approximately $75. The property owner of 105 Middle Block Road will be able to apply for a Designated Heritage Property Grant to support the costs of maintaining the heritage attributes of the property.

STRATEGIC ALIGNMENT:

☐ Strategic Action
Objective(s): Not Applicable

Strategic Action: Not Applicable

OR

☒ Core Service

Program: Community Development

Core Service: Heritage Conservation

BACKGROUND:

The subject property is located at 105 Middle Block Road, Cambridge, Ontario (legal description is Parts Lots 15, 16, 17 and 18, Beasley's Broken Front Concession, Designated As Parts 1, 2 and 3, Plan 58R20610, City of Cambridge). The property is located on the south side of Middle Block Road, east of Riverbank Drive, west of Fountain Street North and north of Allendale Road and is adjacent to the intersection of Middle Block Road and Riverbank Drive. The property is east of the Grand River and the City of Kitchener (Figure 2).
The buildings and structures included in the subject property are located on Lot 16 of the Beasley’s Broken Front Concession which was originally part of Richard Beasley’s land in the southern part of Block 2. The subject property was sold by Richard Beasley to the German Tract Company between July 1805 and June 1812. In the 1861 Tremaine Map County of Waterloo, the owner of the land in the vicinity of the existing farmstead was Philip L. Snyder, however Lot 16 was owned by both Philip L. Snyder and John Shupe. Shupe and his family were listed as farmers in the 1851 census.

EXISTING POLICY / BY-LAW(S):

Ontario Heritage Act

Section 29. (1) under Part IV of the Ontario Heritage Act provides municipalities in Ontario the ability to designate individual properties shown to have cultural heritage value to the community.

Cambridge Official Plan

Section 4.6.1 of the Cambridge Official Plan (OP) also states that the City will pass by-laws to designate properties of cultural heritage value.

ANALYSIS:

There are no buildings and structures identified in the 1877 and 1881 Illustrated Historical Atlas. Milled lumber was used in the basement and on floor joists, suggesting there is a likely construction date of about 1881 or later which would also verify why buildings do not show up on local area maps before 1881. The four square, two storey design is also reminiscent of local farmhouse structures found throughout rural Ontario during this time period.

Evaluation under Ontario Regulation 9/06 (amended by 569/22) and Section 4.4 (1) of the Official Plan

Heritage Planning staff are of the opinion that the property warrants designation based on it satisfying four (4) of the nine (9) criteria contained in Ontario Regulation 569/22. According to a suite of changes introduced to the Ontario Heritage Act through the More Homes Built Faster Act, 2022, properties must meet at least two (2) of nine (9) criteria under Ontario Regulation 9/06 (amended by 569/22) to be considered for designation under Part IV of the Ontario Heritage Act.

The property has design value or physical value because it is a rare, unique, representative or early example of a style, type, expression, material or construction method.
YES – The c. 1881 limestone farmhouse is representative of a cross between the Georgian and Italianate designs and materials. Although a very popular style of farmhouse for the day, it is not a building style, nor reflects the modern materials that houses are built from today.

✔ The property has historical value or associative value because it has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community.

YES – The property is associated with important local figures including Richard Beasley, John Shupe and Richard Gehl. The house and property are indicative of the agricultural roots of Cambridge which make it an important cultural heritage resource to the community.

✔ The property has contextual value because it is important in defining, maintaining or supporting the character of an area.

YES – The property maintains and supports the rural character of the area. This area of Cambridge has remained rural in context since before the post-contact era.

✔ The property has contextual value because it is physically, functionally, visually, or historically linked to its surroundings.

YES – The property is visually and historically linked to its surroundings by being a rural property.

The subject property was also found to satisfy four (4) of the twelve (12) City’s Cultural Heritage Value Evaluation Criteria under Section 4.4.1 of the City of Cambridge’s Official Plan. Within the City of Cambridge, properties must satisfy at least two (2) of the following twelve (12) criteria to be considered for either designation or to be added to the Register as a listed property of interest.

✔ it dates from an early period in the development of the city’s communities; YES

✔ it is associated with a person who is recognized as having made an important contribution to the city’s social, cultural, political, economic, technological, or physical development or as having materially influenced the course of local, regional, provincial, national or international history; YES

✔ it is directly associated with an historic event which is recognized as having local, regional, provincial, national or international importance; YES
Cultural Heritage Attributes

The following is a summary of the key heritage attributes that embody the heritage value of the farmhouse at 105 Middle Block Road. A full list of key heritage attributes can be seen in the Statement of Cultural Heritage Value or Interest (Appendix A).

- Original orientation of the stone farmhouse to Middle Block Road;
- Original massing including southern and eastern additions;
- Original roofline with cornicing and soffits;
- All exterior elevations composed of fieldstone and limestone including stone voussoirs and quoins;
- Original window and door openings including frames;
- Front verandah with squared supporting columns and decorative brackets;
- Mature oak trees along frontage of the property; and
- Existing tree lined laneway to the east of the house

FINANCIAL IMPACT:

There is no cost to property owners associated with designating a property in Cambridge. The City does provide and pay for the installation of a heritage landmark plaque at a cost of approximately $500. The City also pays to register the by-law on title to the property, which costs approximately $75.

The property owner of 105 Middle Block Road will be able to apply for a Designated Heritage Property Grant to support the costs of maintaining the heritage attributes of the property.

PUBLIC VALUE:

Sustainability

The City of Cambridge supports sustainability by encouraging adaptive reuse of heritage properties wherever possible.

Transparency:

The Council agenda is posted on the City’s website as part of the reporting process.

ADVISORY COMMITTEE INPUT:

Staff consulted with the Municipal Heritage Advisory Committee on September 21, 2023 through report 23-021(MHAC) and the Committee provided the following recommendations to Council:
THAT Report 23-021(MHAC) - Recommendation to Designate the Property located at 105 Middle Block Road for its Architectural, Historic and Contextual Value under Part IV of the Ontario Heritage Act – be received.

AND THAT the Municipal Heritage Advisory Committee (MHAC) support the contents and recommendations of the Heritage Impact Assessment for 105 Middle Block Road prepared by MHBC Planning as appended as Appendix A to Report 23-021(MHAC);

AND FURTHER THAT the Municipal Heritage Advisory Committee (MHAC) recommend to Council that the Clerk be authorized to publish a Notice of Intention to Designate (NOID) for the property municipally known as 105 Middle Block Road in accordance with Section 29 of the Ontario Heritage Act for its cultural heritage value.

PUBLIC INPUT:

Municipal Heritage Advisory Committee meetings are open to the public. No one from the public spoke to this agenda item.

INTERNAL / EXTERNAL CONSULTATION:

Heritage Planning staff have liaised with the property owner on what was required to be submitted to support the request for designation.

CONCLUSION:

For the reasons outlined in report 23-313-CD, heritage planning staff and the Municipal Heritage Advisory Committee recommend that Council approve the owner’s request to designate the property at 105 Middle Block Road under Part IV of the Ontario Heritage Act for its architectural and historical value.

REPORT IMPACTS:

Agreement: No
By-law: No
Budget Amendment: No
Policy: No

APPROVALS:

This report has gone through the appropriate workflow and has been reviewed and or approved by the following as required:

Director
Deputy City Manager
Chief Financial Officer
City Solicitor
City Manager

ATTACHMENTS:
1. 23-313-CD Appendix A - Notice of Intention to Designate 105 Middle Block Road
Statement of Cultural Heritage Value

105 Middle Block Road

Description of Historic Place

The subject property is located at 105 Middle Block Road, Cambridge, Ontario. The legal description is Parts Lots 15, 16, 17 and 18 Beasley’s Broken Front Concession. The property is located on the south side of Middle Block Road, east of Riverbank Drive, west of Fountain Street North and north of Allendale Road and adjacent to the intersection of Middle Block Road and Riverbank Drive. The property is east of the Grand River and the City of Kitchener.

Summary of Cultural Heritage Value

The farmhouse is approximately 11 metres in length and width and is constructed on a simple square plan. The house is representative of the Georgian architectural period by its overall symmetrical design, including symmetrically placed window openings. It is constructed of vernacular materials including local fieldstone/river stone with stone quoins. Former owners have created pseudo ‘ashlar’ mortar lines to make the front and side elevations appear to be dressed stone.

The window and door openings are original. Window openings include stone voussoirs and original, 2 x 2, double-hung wooden frames. The centred main entrance is simple in design and included a transom window. The house has a low-pitched hipped, metal standing seam roof with extended eaves, moulded frieze, simplistic cornicing and soffits. There is brick chimney on the west side of the house.

The front of the house includes a verandah with squared wooden columns supporting the metal standing seam verandah roof with both simple and decorative wooden brackets. The rear elevation has a rubble stone addition most likely used as a summer kitchen.

There is a stone addition on the east elevation which includes an open gabled standing seam metal roof. There is a door opening centred on the addition. The extended eaves of the roof minimally cover the window openings to the east and west.

The building retains its original integrity as very little alterations have been made to the building over the course of its existence.

Description of Heritage Attributes
Key exterior attributes that embody the architectural value of 105 Middle Block Road as a representative example of a Georgian Revival style with some Italianate characteristics include its:

- Original massing including southern and eastern additions;
- Original roofline with cornicing and soffits;
- All exterior elevations composed of fieldstone and limestone including stone voussoirs and quoins;
- Original window and door openings including frames; and
- Front verandah with squared supporting columns and decorative brackets.

Key exterior attributes that embody the contextual value of 105 Middle Block Road include:

- Original orientation of the stone farmhouse to Middle Block Road;
- Mature oak trees along frontage of the property; and
- Existing tree lined laneway to the east of the house.
To: COUNCIL
Meeting Date: 10/24/2023
Subject: 23-314-CD- Lot Creation (through Part Lot Control Exemption) - Block 96, 58M-685 (Queensbrook Crescent)

Submitted By: Sylvia Rafalski-Misch, Manager of Development Planning
Prepared By: Maria Skara, Planner
Report No.: 23-314-CD
File No.: PTLT11/23
Wards Affected: Ward 5

RECOMMENDATION(S):
THAT Report 23-314-CD Lot Creation through Part Lot Control Exemption for Block 96 on registered Plan of Subdivision 58M-685 be received;
AND THAT the By-law included as Appendix A to report 23-314-CD be passed which would permit Block 96 on registered Plan of Subdivision 58M-685 to be further divided into street fronting freehold townhouse dwelling lots for individual sale.

EXECUTIVE SUMMARY:
Purpose
Block 96 is currently a block on a registered Plan of Subdivision 58M-685 for the Westwood Village subdivision. The current application before Council is for exemption from part lot control to divide Block 96 into six (6) street fronting townhouse dwelling lots for individual sale.

Key Findings
- The townhouse dwelling units on Block 96 are under construction and are close to being complete.
- The By-law, if passed by Council will permit Block 96 within registered Plan of Subdivision 58M-685 to be further divided into separate lots for the individual sale of six (6) street fronting freehold townhouse dwelling units for up to two years.
Financial Implications

- The planning application fee for part lot control exemption in the amount of $3,600 has been paid to the City to process the application.
- There are no additional financial impacts due to this application. The financial impacts have been addressed through the previous plan of subdivision.

STRATEGIC ALIGNMENT:

☐ Strategic Action

Objective(s): Choose an Objective

Strategic Action: Choose a Strategic Action

OR

☒ Core Service

Program: Development Approvals

Core Service: Part Lot Control Exemption Applications

BACKGROUND:

Part Lot Control General Information

Part lot control exemption is another form of land division in addition to plans of subdivision and severances. Section 50(7) of the Planning Act allows a municipality to pass a by-law that excludes lands within a registered plan of subdivision from the Planning Act’s part lot control regulations. This allows a landowner to divide parts of blocks and lots within a registered plan of subdivision for land for sale, conveyance, lease or mortgage, make minor boundary adjustments, or establish maintenance easements by way of a Reference Plan. Exemption from part-lot control is appropriate when a number of land transactions are involved, but the resulting changes will not affect the nature or character of the subdivision or development.

Exemptions from part lot control are used to create individual lots for single detached, semi-detached and townhouse dwelling units while ensuring that the common centre wall between two dwelling units is constructed on the property line when applicable.

An approved part lot control exemption by-law is in place for two years. After that, the by-law expires and the part lot control regulations of the Planning Act come back into effect and no further division of the land can occur without a severance application.
If Council does not agree with staff’s recommendation to approve the part lot control exemption application and corresponding by-law, the property could not be divided into freehold lots for individual sale and ownership. The detached dwelling units could continue as a cluster development on Block 96 on Registered Plan 58M-685 and could not be sold as individual freehold lots.

**ANALYSIS:**

The subject property is Block 96 on Registered Plan 58M-685 and is located on Sandstone Street as shown on Figure 1 below. If the exemption from part lot control is approved by Council, the block will be further subdivided and each lot created will be given separate a municipal address fronting on Sandstone Street.

Figure 1 – Location Map

Block 96 was created through the approval and registration of the Westwood Village Subdivision (file number 30T-16104). This Block was always proposed to become street fronting townhouse dwelling units within the subdivision with the intention that exemption from part lot control would create the individual lots.

The City granted building permits for the townhouse dwellings and the construction of these units is well underway. Building permits can be granted as soon as a subdivision is registered.

The application for exemption from part lot control is now required to further divide the subject block into six (6) individual lots (one lot per townhouse dwelling), which would
allow each separate townhouse dwelling unit to be sold to a purchaser who would own that individual lot. Figure 2 shows the proposed new lots.

Figure 2 – Proposed lots to be created through this application

Applications for exemption from part lot control are usually submitted after construction begins and the building foundations are approved. This makes it easier to determine accurate property boundaries between units.

The application for exemption from part lot control is consistent with the registered plan of subdivision.

EXISTING POLICY / BY-LAW(S):

Planning Act

Section 50(7) of the Planning Act allows a municipality to pass a by-law that excludes lands within a Registered Plan of Subdivision from the Planning Act Part Lot Control regulations. This allows a landowner to divide parts of blocks and lots within a registered plan of subdivision. Council approval of the by-law is required to allow the exemption from Part Lot Control for up to two years.

City of Cambridge Official Plan 2012 (as amended)

The lands are designated Low/Medium Density Residential.
City of Cambridge Zoning By-law 150-85 (as amended)

The lands are zoned RM4R6 s.4.1.359.1.

FINANCIAL IMPACT:

There are no financial impacts due to this application. The financial impacts have been addressed through the previous plan of subdivision process.

PUBLIC VALUE:

Does not apply.

ADVISORY COMMITTEE INPUT:

Does not apply.

PUBLIC INPUT:

This application does not require public notification or public input. This report has been posted publicly as part of the report process.

INTERNAL / EXTERNAL CONSULTATION:

The applicant provided the planning Division with a draft copy of the reference plan for review. The draft reference plan was reviewed in conjunction with the registered plan of subdivision and deemed to be in conformity with the approved subdivision.

The application was circulated to Building Services, Development Engineering Division, Legal Services and the Region of Waterloo. No comments or action items were raised in regard to the application.

Legal Services reviewed the Schedule A to the draft By-law and has confirmed the parts have been listed in accordance with the draft reference plan.

After review of the application and draft reference plan, the draft reference plan was deposited to the Land Registry Office by the applicant.

CONCLUSION:

City of Cambridge Development Planning Staff recommends that Council pass the attached by-law to permit part lot control exemption on the subject lands which includes Block 96 on Registered Plan of Subdivision 58M-685 until October 24th, 2025. The application for part lot control exemption meets the intent of the registered plan of subdivision, represents good planning and will create 6 freehold street fronting townhouse dwelling lots as was anticipated through the previously approved plan of subdivision process.
REPORT IMPACTS:
Agreement: No
By-law: Yes
Budget Amendment: No
Policy: Yes

APPROVALS:
This report has gone through the appropriate workflow and has been reviewed and or approved by the following as required:
Director
Deputy City Manager
Chief Financial Officer
City Solicitor
City Manager

ATTACHMENTS:
1. 23-314-CD Appendix A – Draft Part Lot Control Exemption By-law
2. 23-314-CD Appendix B – Reference Plan
3. 23-314-CD Appendix C – Plan of Subdivision
THE CORPORATION OF THE CITY OF CAMBRIDGE

By-law 23-XXX

Being a by-law of the Corporation of the City of Cambridge to exempt certain lots or blocks pursuant to subsection 50(5) of the Planning Act, R.S.O. 1990, c. P.13, as amended (Part Lot Control Exemption) – Block 96 on Registered Plan 58M-685

WHEREAS subsection 50(7) of the Planning Act R.S.O. 1990, c. P.13, as amended, provides that a municipal Council may by by-law provide that subsection 50(5) of the Planning Act R.S.O. 1990 c.P.13, as amended (Part Lot Control) does not apply to land within plans or parts of plans designated in the by-law and that when the by-law is approved by the appropriate approval authority, subsection 50(5) ceases to apply to the lands therein described.

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

1. THAT Subsection 50(5) of the Planning Act R.S.O 1990, c.P.13, as amended, shall not apply to Block 96 on Registered Plan No. 58M-685;

2. THAT this by-law shall be restricted in its application only to divide the blocks and create easements as cited in accordance with Reference Plan No. 58R-21831 and Schedule ‘A’ attached hereto;

3. THAT this by-law shall remain in force and effect for a period of two (2) years from the date of its passing and shall expire on October 24, 2025;

4. THAT this by-law be registered electronically on the title to the lands described herein;

5. AND THAT this By-law shall come into full force on the day it is passed.

Enacted and Passed this 24 day of October, 2023.

________________________________
MAYOR
### Block 96, Registered Plan No. 58M-685

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<thead>
<tr>
<th>LOT/BLOCK</th>
<th>PARTS and EASEMENTS</th>
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<tbody>
<tr>
<td>1</td>
<td>Parts 4, 5 &amp; 17 subject to an access easement over Parts 4 &amp; 17 in favour of Parts 6, 7, 15 &amp; 16 and subject to an access easement over Part 17 in favour of Block 94. Together with an access easement over Part 3.</td>
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<tr>
<td>2</td>
<td>Parts 6 &amp; 16 subject to an access easement over Part 16 in favour of Parts 7 &amp; 15 and subject to an access easement over Part 16 in favour of Block 94. Together with an access easement over Parts 3, 4 &amp; 17.</td>
</tr>
<tr>
<td>3</td>
<td>Parts 7 &amp; 15 subject to an access easement over Part 15 in favour of Block 94 and together with an access easement over Parts 3, 4, 16 &amp; 17</td>
</tr>
<tr>
<td>4</td>
<td>Parts 8 &amp; 14 subject to an access easement over Part 14 in favour of Block 94 and together with an access easement over Parts 11, 12, 13 &amp; 18</td>
</tr>
<tr>
<td>5</td>
<td>Parts 9 &amp; 13 subject to an access easement over Part 13 in favour of Parts 8 &amp; 14 and subject to an access easement over Part 13 in favour of Block 94. Together with an access easement over Parts 11, 12 &amp; 18</td>
</tr>
<tr>
<td>6</td>
<td>Parts 10, 11 &amp; 12 subject to an access easement over Parts 11 &amp; 12 in favour of Parts 8, 9, 13 &amp; 14 and subject to an access easement over Part 12 in favour of Block 94. Together with an access easement over Part 18</td>
</tr>
</tbody>
</table>

*House on Block 94 has an access easement over Parts 2, 12, 13, 14, 15, 16, 17, 20*
To: COUNCIL

Meeting Date: 10/24/2023

Subject: 23-315-CD- Lot Creation (through Part Lot Control Exemption) - Block 98, 58M-685

Submitted By: Sylvia Rafalski-Misch, Manager of Development Planning

Prepared By: Maria Skara, Planner

Report No.: 23-315-CD

File No.: PTLT12/23

Wards Affected: Ward 5

RECOMMENDATION(S):

THAT Report 23-315-CD Lot Creation through Part Lot Control Exemption for Block 98 on registered Plan of Subdivision 58M-685 be received;

AND THAT the By-law included as Appendix A to report 23-315-CD be passed which would permit Block 98 on registered Plan of Subdivision 58M-685 to be further divided into street fronting freehold townhouse dwelling lots for individual sale.

EXECUTIVE SUMMARY:

Purpose

Block 98 is currently a block on a registered Plan of Subdivision 58M-685 for the Westwood Village subdivision. The current application before Council is for exemption from part lot control to divide Block 98 into nine (9) street fronting townhouse dwelling lots for individual sale.

Key Findings

- The townhouse dwelling units on Block 98 are under construction and are close to being complete.
- The By-law, if passed by Council will permit Block 98 within registered Plan of Subdivision 58M-685 to be further divided into separate lots for the individual sale of nine (9) street fronting freehold townhouse dwelling units for up to two years.
Financial Implications

- The planning application fee for part lot control exemption in the amount of $5,400 has been paid to the City to process the application.
- There are no additional financial impacts due to this application. The financial impacts have been addressed through the previous plan of subdivision.

STRATEGIC ALIGNMENT:

☐ Strategic Action

Objective(s): Choose an Objective

Strategic Action: Choose a Strategic Action

OR

☒ Core Service

Program: Development Approvals

Core Service: Part Lot Control Exemption Applications

BACKGROUND:

Part lot control exemption is another form of land division in addition to plans of subdivision and severances. Section 50(7) of the Planning Act allows a municipality to pass a by-law that excludes lands within a registered plan of subdivision from the Planning Act ’s part lot control regulations. This allows a landowner to divide parts of blocks and lots within a registered plan of subdivision for land for sale, conveyance, lease or mortgage, make minor boundary adjustments, or establish maintenance easements by way of a Reference Plan. Exemption from part-lot control is appropriate when a number of land transactions are involved, but the resulting changes will not affect the nature or character of the subdivision or development.

Exemptions from part lot control are used to create individual lots for single detached, semi-detached and townhouse dwelling units while ensuring that the common centre wall between two dwelling units is constructed on the property line when applicable.

An approved part lot control exemption by-law is in place for two years. After that, the by-law expires and the part lot control regulations of the Planning Act come back into effect and no further division of the land can occur without a severance application.
If Council does not agree with staff’s recommendation to approve the part lot control exemption application and corresponding by-law, the property could not be divided into freehold lots for individual sale and ownership. The detached dwelling units could continue as a cluster development on Block 98 on Registered Plan 58M-685 and could not be sold as individual freehold lots.

ANALYSIS:

The subject property is Block 98 on Registered Plan 58M-685 and is located on the corner of Queensbrook Crescent and Blenheim Road as shown on Figure 1 below. If the exemption from part lot control is approved by Council, the block will be further subdivided and each lot created will be given separate a municipal address fronting on Queensbrook Crescent.

![Figure 1 – Location Map](image)
Block 98 was created through the approval and registration of the Westwood Village Subdivision (file number 30T-16104). This Block was always proposed to become street fronting townhouse dwelling units within the subdivision with the intention that exemption from part lot control would create the individual lots.

The City granted building permits for the townhouse dwellings and the construction of these units is well underway. Building permits can be granted as soon as a subdivision is registered.

The application for exemption from part lot control is now required to further divide the subject block into nine (9) individual lots (one lot per townhouse dwelling), which would allow each separate townhouse dwelling unit to be sold to a purchaser who would own that individual lot. Figure 2 shows the proposed new lots.
Figure 2 – Proposed lots to be created through this application
Applications for exemption from part lot control are usually submitted after construction begins and the building foundations are approved. This makes it is easier to determine accurate property boundaries between units.

The application for exemption from part lot control is consistent with the registered plan of subdivision.

EXISTING POLICY / BY-LAW(S):

Planning Act

Section 50(7) of the Planning Act allows a municipality to pass a by-law that excludes lands within a Registered Plan of Subdivision from the Planning Act Part Lot Control regulations. This allows a landowner to divide parts of blocks and lots within a registered plan of subdivision. Council approval of the by-law is required to allow the exemption from Part Lot Control for up to two years.

City of Cambridge Official Plan 2012 (as amended)

The lands are designated Low/Medium Density Residential.

City of Cambridge Zoning By-law 150-85 (as amended)

The lands are zoned RM4R6 s.4.1.359.1.

FINANCIAL IMPACT:

There are no financial impacts due to this application. The financial impacts have been addressed through the previous plan of subdivision process.

PUBLIC VALUE:

Does not apply.

ADVISORY COMMITTEE INPUT:

Does not apply.

PUBLIC INPUT:

This application does not require public notification or public input. This report has been posted publicly as part of the report process.
INTERNAL / EXTERNAL CONSULTATION:

The applicant provided the planning Division with a draft copy of the reference plan for review. The draft reference plan was reviewed in conjunction with the registered plan of subdivision and deemed to be in conformity with the approved subdivision.

The application was circulated to Building Services, Development Engineering Division, Legal Services and the Region of Waterloo. No comments or action items were raised in regard to the application.

Legal Services reviewed the Schedule A to the draft By-law and has confirmed the parts have been listed in accordance with the draft reference plan.

After review of the application and draft reference plan, the draft reference plan was deposited to the Land Registry Office by the applicant.

CONCLUSION:

City of Cambridge Development Planning Staff recommends that Council pass the attached by-law to permit part lot control exemption on the subject lands which includes Block 98 on Registered Plan of Subdivision 58M-685 until October 24th, 2025. The application for part lot control exemption meets the intent of the registered plan of subdivision, represents good planning and will create 9 freehold street fronting townhouse dwelling lots as was anticipated through the previously approved plan of subdivision process.

REPORT IMPACTS:

Agreement: No

By-law: Yes

Budget Amendment: No

Policy: Yes

APPROVALS:

This report has gone through the appropriate workflow and has been reviewed and or approved by the following as required:

Director

Deputy City Manager

Chief Financial Officer
ATTACHMENTS:

1. 23-314-CD Appendix A – Draft Part Lot Control Exemption By-law
2. 23-314-CD Appendix B – Reference Plan
3. 23-314-CD Appendix C – Plan of Subdivision 58M-685
THE CORPORATION OF THE CITY OF CAMBRIDGE

By-law 23-XXX

Being a by-law of the Corporation of the City of Cambridge to exempt certain lots or blocks pursuant to subsection 50(5) of the Planning Act, R.S.O. 1990, c. P.13, as amended (Part Lot Control Exemption) – Block 98 on Registered Plan 58M-685

WHEREAS subsection 50(7) of the Planning Act R.S.O. 1990, c. P.13, as amended, provides that a municipal Council may by by-law provide that subsection 50(5) of the Planning Act R.S.O. 1990 c.P.13, as amended (Part Lot Control) does not apply to land within plans or parts of plans designated in the by-law and that when the by-law is approved by the appropriate approval authority, subsection 50(5) ceases to apply to the lands therein described.

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

1. THAT Subsection 50(5) of the Planning Act R.S.O 1990, c.P.13, as amended, shall not apply to Block 98 on Registered Plan No. 58M-685;
2. THAT this by-law shall be restricted in its application only to divide the blocks and create easements as cited in accordance with Reference Plan No. 58R-21832 and Schedule ‘A’ attached hereto;
3. THAT this by-law shall remain in force and effect for a period of two (2) years from the date of its passing and shall expire on October 24, 2025;
4. THAT this by-law be registered electronically on the title to the lands described herein;
5. AND THAT this By-law shall come into full force on the day it is passed.

Enacted and Passed this 24 day of October, 2023.

__________________________________
MAYOR
CLERK
## Schedule A Block 98, Registered Plan No. 58M-685

<table>
<thead>
<tr>
<th>LOT/BLOCK</th>
<th>PARTS and EASEMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Part 1</td>
</tr>
<tr>
<td>2</td>
<td>Part 2 together with an access easement over Parts 6, 7, 8, 9 &amp; 10</td>
</tr>
<tr>
<td>3</td>
<td>Parts 3 &amp; 8 subject to an access easement over Part 8 in favour of Part 2 and together with an access easement over Parts 6, 7, 9 &amp; 10</td>
</tr>
<tr>
<td>4</td>
<td>Parts 4 &amp; 9 subject to an access easement over Part 9 in favour of Parts 2, 3 &amp; 8 and together with an access easement over Parts 6, 7 &amp; 10</td>
</tr>
<tr>
<td>5</td>
<td>Parts 5, 6 &amp; 10 subject to an access easement over Parts 6 &amp; 10 in favour of Parts 2, 3, 4, 8 &amp; 9 and subject to an access easement over Part 6 in favour of Parts 7, 11, 12 &amp; 15. Together with an access easement over Part 7</td>
</tr>
<tr>
<td>6</td>
<td>Parts 7, 11 &amp; 15 subject to an access easement over Part 7 in favour of Parts 2, 3, 4, 5, 6, 8, 9 &amp; 10 and subject to an access easement over Parts 7 &amp; 15 in favour of Part 12. Together with an access easement over Part 6</td>
</tr>
<tr>
<td>7</td>
<td>Part 12 together with an access easement over Parts 6, 7 &amp; 15</td>
</tr>
<tr>
<td>8</td>
<td>Part 13 together with an access easement over Parts 16 &amp; 17</td>
</tr>
<tr>
<td>9</td>
<td>Parts 14, 16 &amp; 17 subject to an access easement over Parts 16 &amp; 17 in favour of Part 13.</td>
</tr>
</tbody>
</table>
RECOMMENDATION(S):

THAT Report 23-136-CRS Sewer Camera Truck Replacement be received;

AND THAT contract FPO23-54 be awarded to JD Brule Equipment of Greely, ON in the amount of $389,000, exclusive of applicable HST rebate;

AND FURTHER THAT the budget for capital project A/00896-10 Equipment Replacement (2020) be increased for a total of $399,679 and funded from the Wastewater Capital Reserve Fund.

EXECUTIVE SUMMARY:

The City is facing a budgetary challenge with the replacement of a cargo van (unit #12142 for $80,000) and a sewer crawler camera (unit #13182 for $79,800) and is hereby seeking Council approval to transfer $149,679 from the Wastewater Reserve Fund in order to purchase one (1) 2023 Voyager Aries Main Line CCTV HD Camera System from JD Brule Equipment of Greely, ON under Canoe/Sourcewell Contract #120721-ARS. Additional equipment is also required to be purchased for which there are no funds available. The project manager is requesting an additional $250,000 to be funded from the Wastewater Capital Reserve Fund.

The total request for additional budget is $399,679 to be funded from the Wastewater Capital Reserve Fund.

STRATEGIC ALIGNMENT:

☐ Strategic Action

Objective(s): Choose an Objective

Strategic Action: Choose a Strategic Action
Core Service

Program: Fleet Management

Core Service: Maintenance and Operations

BACKGROUND:

The City is facing a budgetary challenge with the replacement of a cargo van (unit #12142 for $80,000) and a sewer crawler camera (unit #13182 for $79,800), both units are contained within project A/00896-10 Equipment Replacement (2020). The initial scope included the replacement of the cargo van and camera only - the remaining equipment that supports the camera was to be transferred to the new van. However, it was recently discovered that the manufacturer of the camera has changed the design and the new camera no longer supports the original equipment, requiring the purchase of a complete system.

ANALYSIS:

The City leveraged its available option to procure the replacement equipment under the Canoe Procurement Group of Canada, one of the largest public sector buying groups in the country.

The City evaluated three (3) potential replacement units available under the Canoe Procurement Group, specifically:

- 2023 Voyager Aries CCTV HD Camera system distributed by J.D. Brule $389,000 (CDN) – available November 2023
- HD Envirosight Combination Rover X System and Van distributed by Joe Johnson Equipment $412,317 (CDN) - available March 2024
- Pipe Trekker A-200X Ford Transit 250 system distributed by Deep Trekker Inc. $299,000 (USD) (approx. $410,700 CDN) – available March 2024

Having evaluated the units, the 2023 Voyager Aries CCTV HD Camera system is the preferred unit meeting all requirements unlike the other units.

EXISTING POLICY / BY-LAW(S):

Under Procurement By-law 19-187, the Manager of Procurement or their designate, who is under the general direction of the Chief Financial Officer, is delegated the authority to approve the award of Tenders and Proposals when all of the following conditions have been satisfied:

a) when there is sufficient funding, as approved by Council through the budget process and verified by the Finance Division by the Departmental Recommendation to Award Report.
b) when all procedures in accordance with this By-law, have been followed; and
c) when the lowest compliant Tender bid or highest scored Proposal is accepted
and recommended.

This award requires approval from Council as additional funding is required.

**FINANCIAL IMPACT:**

Overall, the City is facing budgetary pressures for the replacement of a cargo van (unit #12142 for $80,000) and a sewer crawler camera (unit #13182 for $79,800). Both units are contained within project A/00896-10 Equipment Replacement (2020). The vehicle and equipment are critical for the identification of failing sewer infrastructure and inflow and infiltration. Both help to avoid costly claims and unnecessary wastewater treatment costs. It is recommended that Council approve the transfer of $149,679 from the Wastewater Capital Reserve Fund to purchase one (1) 2023 Voyager Aries Main Line CCTV HD Camera System and approve an additional transfer of $250,000 from the Wastewater Capital Reserve Fund to fund the remaining equipment purchases in A/00896-10. The total request for additional budget is $399,679.

This tender, combined with the cost to purchase remaining equipment in this project, has resulted in a deficit in A/00896-10 of 13%. There were three (3) different replacement units that were evaluated based on specific criteria. 2023 Voyager Aries CCTV HD Camera system was the preferred unit meeting all of the criteria.

<table>
<thead>
<tr>
<th>Item Expense</th>
<th>Reserve Fund</th>
<th>Budget</th>
<th>Tender*</th>
<th>YTD Actuals</th>
<th>Total Costs</th>
<th>Other Commitment</th>
<th>Savings/ (Deficit)</th>
</tr>
</thead>
</table>

*The tender amount is net of the applicable HST rebate

**PUBLIC VALUE:**

The public bidding process ensures the City maintains an open and transparent public process that provides accountability on the utilization of financial resources.

**ADVISORY COMMITTEE INPUT:**

N/A

**PUBLIC INPUT:**

The advertising for the RFQ was as follows:

- Public Notice of RFP Published: October 19, 2021
- Pre-proposal Conference: November 9, 2021, 10:00 a.m., Central Time
- Question Submission Deadline: November 29, 2021, 4:30 p.m., Central Time
- Proposal Due Date: December 7, 2021, 4:30 p.m., Central Time
INTERNAL / EXTERNAL CONSULTATION:
There was no internal/external consultation undertaken.

CONCLUSION:
It is recommended that capital project budget for A/00896-10 Equipment Replacement (2020) be increased in order to complete the purchase of one (1) 2023 Voyager Aries Main Line CCTV HD Camera System from JD Brule Equipment of Greely, ON under Canoe/Sourcewell Contract #120721-ARS.

REPORT IMPACTS:
Agreement: No
By-law: No
Budget Amendment: Yes
Policy: No

APPROVALS:
This report has gone through the appropriate workflow and has been reviewed and or approved by the following as required:

Director
Deputy City Manager
Chief Financial Officer
City Solicitor
City Manager

ATTACHMENTS:
N/A
RECOMMENDATION(S):

THAT Report 23-138-CRS (Administrative Penalty Program Update) be received;

AND THAT Council approves the amending by-law to the Administrative Penalty Procedural By-law attached as Appendix A

EXECUTIVE SUMMARY:

Purpose

The purpose of this report is to present Council with an update on the Administrative Penalty System (APS). Due to delays in finalizing contracts with our partner organizations we are required to postpone the implementation date of the APS program by amending the Administrative Penalty Procedural By-law #23-050.

Key Findings

On July 18, 2023, Council received report 23-101-CRS Administrative Penalty System for Parking and Non-Parking By-laws. This report provided Council with next steps regarding the implementation of an Administrative Penalty System, including requesting Council's approval of by-laws and policies to establish an Administrative Penalty System for parking and non-parking by-laws. At the time it was estimated that the by-laws would be able to take effect on October 11, 2023.

Regrettably, the date for the by-laws to take effect is required to be moved as several factors beyond the City’s control have arisen that necessitate this adjustment.
Financial Implications

In the July 18th, 2023, staff report it was reported that an approximate increase to revenue of $250,000 over a 12-month period was anticipated. Staff recommend that the new effective date of the by-law change to March 27, 2024, will impact the amount that was expected to be collected in the last quarter of 2023 and first quarter in 2024. Although the same $250,000 is still expected it would not begin to be seen until March 27, 2024.

There are some minor savings as the City is not holding hearings that would require payment of a hearing officer.

STRATEGIC ALIGNMENT:

☐ Strategic Action

Objective(s): Choose an Objective

Strategic Action: Choose a Strategic Action

OR

☒ Core Service

Program: By-law Enforcement

Core Service: By-law Enforcement

BACKGROUND:

On July 18, 2023, Council received report 23-101-CRS Administrative Penalty System for Parking and Non-Parking By-laws. This report provided Council with next steps regarding the implementation of an Administrative Penalty System, including Council’s approval of by-laws and policies to establish an Administrative Penalty System for parking and non-parking by-laws. At the time it was estimated that the by-laws would be able to take effect on October 11, 2023.

An APS is a municipal alternative to the provincial court system that administers and adjudicates by-law offences. An APS for enforcement transfers parking and non-parking by-law disputes from the courtroom to the municipality, which is more efficient.
The City has encountered delays in finalizing contracts with our partner agencies, one of which is required for obtaining vehicle ownership information to send out notices. These contractual obligations are integral to the successful implementation of the Administrative Penalty System.

**ANALYSIS:**

The City has encountered delays in finalizing contracts with our partner agencies, one of which is required for obtaining vehicle ownership information to send out notices. These contractual obligations are integral to the successful implementation of the Administrative Penalty System. Regrettably, the date for the by-laws to take effect is required to be moved as several factors beyond the City’s control have arisen that necessitate this adjustment. Based on current information staff recommend that the by-laws will be able to take effect by March 27, 2024, as a result of these delays. Should there be further delays for the by-laws staff will report to Council with further recommendations.

**EXISTING POLICY / BY-LAW(S):**

By-law 23-050 the Administrative Penalty System

**FINANCIAL IMPACT:**

Changing the effective date of the by-law to March 27, 2023, will impact the amount that was expected to be collected in the last quarter of 2023 and first quarter in 2024. Although the same $250,000 is still expected it would not begin to be seen until March 27, 2024.

**PUBLIC VALUE:**

**Sustainability:**

This project will support sustainability by focusing on the responsible management of financial resources, ensuring transparency and accountability within the Municipal By-law Compliance division and to ensure the long-term sustainability of the City’s Municipal By-law Compliance program.

**Leadership:**

This report is an important step in moving the City of Cambridge forward with respect to achieving a community that is intended for all and encourage safe and healthy neighbourhoods. An Administrative Penalty System will contribute to residents’ pride of place by developing a proactive approach to municipal by-law enforcement and to customer service delivery by ensuring the city is prepared for future growth and demands placed on the Municipal By-law Compliance team. Continuing to Bridge communities for many years to come.
Transparency:
An APS will provide for the same open, transparent, and impartial process as is currently in place with the POA system, maintaining the fundamental principles of open court and due process. Updates on this project have been shared with the effected divisions and aligns with work being done within the Region.

Engagement:
Does not apply.

ADVISORY COMMITTEE INPUT:
Advisory Committees Consulted:
Not Applicable.

PUBLIC INPUT:
Posted publicly as part of the report process.

INTERNAL / EXTERNAL CONSULTATION:
Staff consulted with Legal Services, to determine the best approach to delay the effective date of the Administrative Penalty System program.

Staff also consulted with Financial Services regarding the delay in realizing the increased revenue, although we do not anticipate major impacts staff will review this during spring budget forecasting to determine exact impacts.

CONCLUSION:
To ensure a smooth and successful implementation of the Administrative Penalty System staff are recommending delaying the effective date of the Administrative Penalty System program to March 27, 2023. The City remains committed to delivering a high-quality program that meets all requirements and expectations.

REPORT IMPACTS:
Agreement: Yes
By-law: Yes
Budget Amendment: Yes
Policy: No

APPROVALS:
This report has gone through the appropriate workflow and has been reviewed and or approved by the following as required:

Director
Deputy City Manager
Chief Financial Officer
City Solicitor
City Manager

ATTACHMENTS:
When naming attachments please use the following format:

1. 23-101-CRS Appendix A – Draft APS By-law Amendment
THE CORPORATION OF THE CITY OF CAMBRIDGE

By-law 21-XXX

Being a by-law to amend By-law 23-050, being a by-law to establish an Administrative Penalty System for violations of by-laws within the City of Cambridge, and By-law to designate various by-laws of the City of Cambridge as by-laws to which the Administrative Penalty System applies.

WHEREAS the Council for The Corporation of the City of Cambridge enacted By-laws 23-050 and 23-052 on July 18, 2023;

AND WHEREAS the Council for the City now deems it desirable to amend By-laws 23-050 and 23-052 to delay their coming into force,

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

1. Section 74 of By-law 23-050 is hereby amended by deleting the words “11th day of October, 2023” therefrom and replacing them with the words “27th day of March, 2024”.

2. Section 39 of By-law 23-052 is hereby amended by deleting the words “11th day of October, 2023” therefrom and replacing them with the words “27th day of March, 2024”.

Enacted and Passed this 24 day of October, 2023.

________________________________
MAYOR

________________________________
CLERK
To: COUNCIL
Meeting Date: 10/24/2023
Subject: 23-294-CD - 498 Eagle Street North (Preston Woollen Mills), Notice of Intention to Designate under Part IV of the Ontario Heritage Act
Submitted By: Joan Jylanne, Manager of Policy Planning
Prepared By: Jeremy Parsons, Senior Planner – Heritage
Report No.: 23-294-CD
File No.: R01.01
Wards Affected: Ward 1

RECOMMENDATION(S):
THAT Report 23-294-CD – 498 Eagle Street North (Preston Woollen Mills), Notice of Intention to Designate under Part IV of the Ontario Heritage Act – be received;
AND THAT Council approve the Statement of Cultural Heritage Value and List of Heritage Attributes, attached as Appendix A to this report;
AND FURTHER THAT Council authorize the Clerk to publish a Notice of Intention to Designate the property municipally known as 498 Eagle Street North (Preston Woollen Mills) in accordance with Part IV of the Ontario Heritage Act because of its cultural heritage value.

EXECUTIVE SUMMARY:
Purpose
This report has been prepared to provide a recommendation to Council in support of the designation of the property municipally known as 498 Eagle Street North (Preston Woollen Mills) under Part IV of the Ontario Heritage Act.

Key Findings
- The property at 498 Eagle Street North began to be used for milling purposes as early as 1842. It has seen several expansions and fires before being substantially enlarged and growing into a successful woollen mill under the ownership of George Pattinson in the late 19th and early 20th centuries.
The subject property is not currently listed on the Heritage Register nor does it have any other status under the Ontario Heritage Act.

Council directed staff to undertake a review of the cultural heritage value of the property through a motion that was passed on March 14, 2023 (Motion 23-089).

Staff have determined that the property contains sufficient cultural heritage value to merit designation under Part IV of the Ontario Heritage Act, satisfying several criteria under Ontario Regulation 9/06 (amended by 569/22).

Financial Implications

There is no cost to property owners associated with designating a property in Cambridge. The City does provide and pay for the installation of a heritage landmark plaque at a cost of approximately $500. The City also pays to register the by-law on title to the property, which costs approximately $75.

The property owner of 498 Eagle Street North will be able to apply for a Designated Heritage Property Grant to support the costs of maintaining the heritage attributes of the property.

STRATEGIC ALIGNMENT:

☐ Strategic Action; or
☒ Core Service

Objective(s): Not Applicable

Strategic Action: Not Applicable

Program: Community Development

Core Service: Heritage Conservation

BACKGROUND:

The subject property is located at 498 Eagle Street North and is framed by the Speed River to the west, Canadian Pacific Railway tracks to the east and Riverside Park to the north (Figure 1). The property is 18.5 acres (74,781 square metres) in size and contains industrial buildings and undeveloped open space. A significant portion of the property is wooded and is regulated by the Grand River Conservation Authority. The buildings on site contain twenty tenanted spaces that include a variety of uses such as warehousing, manufacturing and office space.
The subject property is classed as Business Industrial Employment lands within the City’s Official Plan, adjacent to the Preston Town Centre Community Core Area and Natural Open Space System designations. The land is also within the Preston Regeneration Area. The property is zoned M2 (Industrial), permitting general industrial uses, offices, accessory uses and other uses permitted in all industrial zones. The property was surveyed in Plan 716, Part Lot 250, as part of a survey for the former Town of Preston.

The subject property is not currently listed on the City’s Heritage Register nor does it have any other status under the Ontario Heritage Act. The property was historically used as a mill for linen and wool manufacturing, with operations tracing back to as early as 1842. The property contains ten different buildings that were constructed at different points in time (Figures 2 to 5). The mill became the centre of textile manufacturing in Preston and rose to prominence under the ownership of George Pattinson.

Figure 1: The subject property outlined in red on aerial imagery (City of Cambridge).
On March 14, 2023 Council passed a motion to direct staff to review the cultural heritage value of the property and begin the designation process by bringing forward a recommendation report to MHAC (Motion 23-089). The property is currently under the private ownership of a real estate investment firm. Staff have liaised with the current property owner on the designation of the property under Part IV of the Ontario Heritage Act. At the writing of this report, no objections to the designation have been received.

Figure 2: An aerial photograph of the subject property, looking east (CBRE).

Figure 3: An aerial photograph of the subject property, looking north (Forge & Foster).
Figure 4: A view of the façade of the property’s historical entrance and office (City of Cambridge).

Figure 5: Looking north towards the former weaving and carding building that was originally stone but was partially destroyed by fire, filled in with brick in the 20th century and connected to the adjoining brick buildings (City of Cambridge).
EXISTING POLICY / BY-LAW(S):

Ontario Heritage Act

Section 29.(1) under Part IV of the Ontario Heritage Act provides municipalities in Ontario the ability to designate individual properties shown to have cultural heritage value to the community.

Cambridge Official Plan

Section 4.6.1 of the Cambridge Official Plan (OP) also states that the City will pass by-laws to designate properties of cultural heritage value.

ANALYSIS:

Industrial ambitions related to milling on the subject property began as early as 1832 when Charles Wiffler (1808-1883), a German-born blacksmith, attempted to establish a carding mill operation on the site. Wiffler was reputedly unable to carry out his aims and, in 1842, sold the property to Hiram Kinsman (1810-1888). Kinsman built a two-storey frame building on the property in which he carried out carding for local farmers (Waterloo Historical Society Annual Report, 1917).

In 1845, Kinsman sold the property to Robert Hunt (1811-1890), who was the first to establish a large textile operation on the site and constructed several stone buildings. A significant fire destroyed large portions of the mill in 1852. Hunt began to rebuild the mill and, in 1855, partnered with prominent Galt businessman and politician Andrew Elliott (1809-1890). Hunt and Elliott further enlarged the mill in 1857 adding considerable machinery (Appendix B). Other major fires were recorded on the property in 1865 and in 1870 at which time the property was sold to James Crombie (1818-1876), a Scottish-born industrialist who, in years prior, started the Dumfries Foundry (later Crombie Foundry) in Galt, a company that later became Babcock and Wilcox Canada Limited.

In 1875, the property was sold to a business consortium which included William Robinson (1822-1881), Daniel Howell (1825-1889), Andrew Newlands (1840-1899) and George Pattinson (1854-1931). The consortium operated under the name Robinson-Howell and Company. Soon after, businessman, doctor, and federal politician Dr. John Ferguson (1838-1896) joined the ownership group. When Robinson died in 1898, the business and property came under the full ownership of Ferguson and Pattinson, forming the Ferguson-Pattinson Company.

Following Ferguson’s death in 1896, George Pattinson became the sole owner of the property and business. The operation soon became one of largest textile mills in Canada, selling large volumes of wool. By 1908, local records indicate upwards of 200 employees at the mill (C.M. Nichols and Jon Dyas, Industrial Preston Special Souvenir,
1908). During the First World War, Pattinson’s mill had a large government contract to produce blankets and coats for the Allied war effort. In 1920, the company was legally granted incorporation under the name George Pattinson Company Limited.

Pattinson was also well known for his role in bringing hydroelectric power to the area, in partnership with Sir Adam Beck and P.W. Ellis of Toronto, all active members on the Electrical Power Commission. Outside of the wool business, Pattinson was involved in the community and in politics. From 1880 to 1882, Pattinson served on the council of the Village of Preston and in 1889 Pattinson served on the council of the Village of Preston and in 1889 Pattinson was named reeve of the village, before its incorporation. From 1905 to 1914, Pattinson served in the Ontario Legislature as the representative for the riding of Waterloo South.

In 1931, George Pattinson passed away. His son, Frank Pattinson, acquired ownership of the mill in 1933 and continued the business until 1958 when operations were moved overseas and later sold. Pattinson is buried in the Preston Cemetery along with his wife Mary Elizabeth Erb Pattinson (1854-1898) and five children: Alice Margaret, Ellen Errington, John Lynn, Ruth Erb, Elizabeth Mabel and Frank Hedley.

The subject property’s various buildings were constructed gradually over time, as the property went through different phases under various owners over the last 200 years (Appendix B). In ca. 1857, the main mill building, a two and a half storey building with a gabled roof, was constructed by Hunt and Elliott with stone material and having 20-inch walls. This building was rebuilt in 1870 by Crombie following the 1865 fire. Other buildings on the property were used for weaving, carding, storage, carpentry, drying, and office and warehouse space. The front brick office building was constructed between 1884 and 1924 with Italianate architectural elements.

A major construction period on the property occurred between 1910 and 1912, doubling the manufacturing capacity of the mill. By 1924, the main mill building, and the extended mill buildings were converted to brick material from stone, likely as a result of earlier fires. By 1939, the property also contained a separate carpenter shop and a weaving building, which was expanded from the weaving shed. By 1958, when operations were shut down, the mill reportedly had 200,000 square feet of building space.

In 1958, the property’s historic mill operations came to an end and operations were moved overseas to Jamaica. However, it should be noted that according to the property's title chain, the property was linked to the George Pattinson and Company Limited as late as 1969 (LRO Abstract, 2023). The property was eventually sold into private ownership and was most recently owned by a real estate investment firm, who have listed the property for sale. The main stone and brick buildings, some of which were converted or rebuilt in brick and many of which date to the late 19th and early 20th
centuries, remain in place. Other historic structures, such as the brick outbuilding located along the Speed River, also remain intact.

Evaluation under Ontario Regulation 9/06 (amended by 569/22) and Section 4.4 (1) of the Official Plan

Heritage Planning staff are of the opinion that the property warrants designation based on a determination that the property satisfies five (5) of the nine (9) criteria contained in Ontario Regulation 9/06 (as amended by 569/22). According to legislative changes introduced to the Ontario Heritage Act through the More Homes Built Faster Act, 2022, properties must meet at least two (2) of nine (9) criteria under Ontario Regulation 9/06 (amended by 569/22) to be considered for designation under Part IV of the Ontario Heritage Act.

✔ The property has design value or physical value because it is a rare, unique, representative, or early example of a style, type, expression, material or construction method.

YES – The subject property contains physical and design value as a representative example of a surviving, evolved textile mill complex with 19th and 20th century elements. The large three storey central mill building originally used for weaving and carding and constructed in stone, remains on site despite it being reconstructed in brick after fire damage. This building’s stone façade and skeleton predate Pattinson’s expansion of the mill and place the building’s construction during the period of ownership of Hunt and Elliott in the mid-19th century. The former cloth room building, also constructed in stone, appears to have been built prior to 1897. The front office building was built at the turn of the 20th century. Other buildings on site, including the two large extended brick structures, were built during the mill’s expansion period between 1910 and 1912.

In terms of architectural design, the property contains buildings exhibiting various architectural styles and influences. The front office section, with decorative window elements and a projecting frontispiece, was built in the Italianate style. The earlier stone sections express the utilitarian industrial Georgian architecture of the 19th century, typified by large stone massing, symmetrical bays, and gabled roofs. Later brick structures, which make up a large portion of the current footprint, were built in the simplified Edwardian style of the 20th century, including brick elevations with large windows to allow for natural light into factory floors and drying rooms.

✔ The property has historical value or associative value because it has direct associations with a theme, event, belief, person, activity, organization, or institution that is significant to a community.
YES – The subject property is associated with several well-known individuals who have been influential in the industrial development of the region and the growth of Preston as a community. These include Robert Hunt, Andrew Elliott, James Crombie, William Robinson, Daniel Howell, Andrew Newlands, Dr. John Ferguson, and George Pattinson. Numerous industrialists involved with the mill were involved in the civic life of the community as local, provincial, or federal politicians and through other means. Most notably, Pattinson made significant contributions to Preston as a local reeve, non-for-profit board member, Ontario Legislature representative, and by assisting to bring hydroelectric power from Niagara Falls to the area through the Electrical Power Commission.

✓ The property has historical value or associative value because it yields, or has the potential to yield, information that contributes to an understanding of a community or culture.

YES – The property is well-documented in local historical sources, however prior to this evaluation a comprehensive heritage assessment of the property had not taken place. This evaluation has compiled historical and archival sources to document the historical evolution of the site and the various owners and their connections to the community. Further study could yield additional information that could lead to a greater understanding of Preston, including the role and identities of mill workers and staff and their role in the site’s industrial legacy.

✓ The property has contextual value because it is important in defining, maintaining, or supporting the character of an area.

YES – The property maintains and supports the character of the area, having been the site of industrial milling activity since 1842. The property is one of several industrial properties along the Speed and Grand Rivers and part of a fabric of textile manufacturing facilities located within the region.

✓ The property has contextual value because it is physically, functionally, visually, or historically linked to its surroundings.

YES – The property is historically linked to its surroundings, with milling first being introduced in 1842 and major expansions reflecting the site’s current layout being introduced in 1857, 1870, and 1910. The property’s current character maintains these historical linkages.

Cultural Heritage Attributes

The subject property was also found to satisfy five (5) of the twelve (12) City’s Cultural Heritage Value Evaluation Criteria under Section 4.4(1) of the Cambridge Official Plan.
Within the City of Cambridge, properties must satisfy at least two (2) of twelve (12) criteria to be considered for designation.

- it dates from an early period in the development of the city’s communities; **YES**
- it is associated with a person who is recognized as having made an important contribution to the city’s social, cultural, political, economic, technological or physical development or as having materially influenced the course of local, regional, provincial, national or international history; **YES**
- it is a representative example and illustration of the city’s social, cultural, political, economic or technological development history; **YES**
- it is a representative example of its architectural style or period of building; **YES**
- it is a representative example of architectural design; **YES**

**Cultural Heritage Attributes**

The following is a summary of the key heritage attributes that embody the heritage value of 498 Eagle Street North. A full list of key heritage attributes can be seen in the Statement of Cultural Heritage Value or Interest (Appendix A).

- The siting of the former Preston Woollen Mills abutting the Speed River and adjacent to the former Grand River Railway line (now CP rail spur line).
- The property’s former industrial buildings representative of the industrial Georgian and Edwardian architectural styles.
- The front office building, representative of Italianate architecture and including a decorative gabled frontispiece adorned with “Geo. Pattinson & Co”.

The heritage evaluation carried out by staff did not include views of the interior. As such, staff have not identified any interior elements to be included in the list of heritage attributes. The designation by-law for the subject property will come before Council following the issuance of a Notice of Intention to Designate and expiry of the legislated objection period.

**FINANCIAL IMPACT:**

There is no cost to property owners associated with designating a property in Cambridge. The City does provide and pay for the installation of a heritage landmark plaque at a cost of approximately $500. The City also pays to register the by-law on title to the property, which costs approximately $75.
The property owner of 498 Eagle Street North will be able to apply for a Designated Heritage Property Grant to support the costs of maintaining the heritage attributes of the property.

PUBLIC VALUE:

The designation of properties of heritage significance protects and celebrates cultural heritage value for the benefit of the community. Conserving heritage properties supports the principle of sustainability (Five Public Value Principles).

Sustainability:

This project will support sustainability by retaining the existing structure in situ so that it retains its embodied carbon, reduces development emissions and supports the conservation of a historic structure valued by the community.

Transparency:

Council reports and meetings are open to the public.

ADVISORY COMMITTEE INPUT:

The MHAC was consulted on September 21, 2023 through Report 23-012 (MHAC) and the committee provided the following recommendation to Council:

THAT Report 23-012 (MHAC) Recommendation to Designate the Property Located at 498 Eagle Street North (Preston Woollen Mills) Under Part IV of the Ontario Heritage Act - be received;

AND THAT the Municipal Heritage Advisory Committee (MHAC) recommend that Council approve the request to designate the property municipally known as 498 Eagle Street North (Preston Woollen Mills) under Part IV of the Ontario Heritage Act;

AND FURTHER THAT the MHAC recommends to Council that the Clerk be authorized to publish a Notice of Intention to Designate (NOID) for the property municipally known as 498 Eagle Street North (Preston Woollen Mills) in accordance with Section 29 of the Ontario Heritage Act because of its cultural heritage value.

PUBLIC INPUT:

Municipal Heritage Advisory Committee meetings are open to the public and agendas are posted publicly. No one from the public has yet spoken to this agenda item.

INTERNAL / EXTERNAL CONSULTATION:

Heritage Planning staff conducted a site visit to the property on August 9, 2023.
Heritage Planning staff have liaised with representatives of the property owner who have been supportive of the proposed designation.

CONCLUSION:
Based on the findings that the subject property meets more than two (2) criteria under Ontario Regulation 9/06 (amended by 569/22) and more than two (2) criteria outlined within Section 4.4.1 of the Official Plan, Heritage Planning staff are of the opinion that the property contains sufficient cultural heritage value to merit designation under Part IV of the Ontario Heritage Act. As such, Heritage Planning staff and the Municipal Heritage Advisory Committee recommend that Council designate the subject property and request that Council direct the City Clerk to publish a Notice of Intention to Designate for the property at 498 Eagle Street North in accordance with Section 29 under Part IV of the Ontario Heritage Act.

REPORT IMPACTS:
Agreement: No
By-law: No
Budget Amendment: No
Policy: No

APPROVALS:
This report has gone through the appropriate workflow and has been reviewed and or approved by the following as required:

Director
Deputy City Manager
Chief Financial Officer
City Solicitor
City Manager

ATTACHMENTS:
1. 23-294-CD Appendix A – Statement of Cultural Heritage Value or Interest
2. 23-294-CD Appendix B – Supporting Archival Material and Historical Mapping
Statement of Cultural Heritage Value

498 Eagle Street North (Preston Woollen Mills)

Description of Historic Place

The property known municipally as 498 Eagle Street North (Preston Woollen Mills) is located along the Speed River in north Preston. The property is 18.5 acres and contains industrial buildings, undeveloped open space, and a large wooded area. The former Grand River Railway (now a Canadian Pacific Railway spur line) runs diagonally across the front of the property, parallel to Eagle Street North.

The property contains a former woolen mill, whose operations began during the 19th century and continued until the latter half of the 20th century. There are approximately ten different buildings on the site, most of which have been connected over the years. The site contains buildings, or remnants of buildings, from the 19th and 20th centuries.

Summary of Cultural Heritage Value

The Preston Woollen Mills exhibit historical/associative value, physical/design value, and contextual value.

The property’s milling lineage can be traced back to 1842 when Hiram Kinsman (1810-1888) first constructed a two-storey frame carding mill on the property. It became a large textile operation while under the ownership of Robert Hunt (1811-1890) and later Andrew Elliott (1809-1890) whose partnership, Hunt & Elliott, enlarged the mill considerably in 1857. Several fires led to the property being sold to James Crombie (1818-1876) who rebuilt the mill under the name James Crombie and Company. The property was sold again in 1876 to a conglomerate that included George Pattinson (1854-1931) who later assumed full ownership and operation of the mill in 1896.

Under “George Pattinson & Coy.” (later “George Pattinson Co. Ltd.”), the mill became the centre of textile manufacturing in Preston and one of the largest wool operations in Canada, selling large volumes of wool for various products. The property remained in the Pattinson family for nearly a century.

The design value of the property is evident in its evolved, industrial makeup. The buildings display a variety of architectural styles from various time periods including the earliest Georgian stone buildings, later Edwardian brick buildings, and a decorative Italianate office building. Large window openings throughout the structures allow for ample natural light to enter into factory floors and drying rooms.

Contextually, the property is located along the Speed River, one of several historical watercourses that have traditionally supported milling operations over the years. The Preston Woollen Mills was the site of early industrial activity in Preston and is an important part of the fabric of textile manufacturing along this river network.
Description of Heritage Attributes

The character-defining heritage attributes of the property include the following:

- The siting of the former mill along the Speed River and adjacent to the former Grand River Railway line (now CP rail spur line).
- The complex of buildings forming an industrial campus laid out diagonally in parallel with the river.
- The former office building built in the Italianate style and consisting of the following exterior features:
  - All three elevations composed of brick and laid in running bond.
  - Decorative five bay façade.
  - Paired windows across all three elevations capped by segmental arches, flared stone keystones, and stone lug sills.
  - The projecting frontispiece with gabled pediment, decorative brick quoins, and central entrance with sidelights and transom.
  - The projecting metal cornice with decorative dentillation and frieze board that extends across the upper façade and is embossed with the company name “Geo. Pattinson & Coyn”.
  - The interrupted four-course brick quoins projecting on the corners of the building and the corners of the frontispiece.
  - The stone section runs north, extending the top cornice, and repeating window patterns.
- The 1910 Edwardian buildings, including outbuildings, consisting of the following exterior features:
  - All elevations are composed of brick and laid in common bond.
  - Large, symmetrical window openings topped with segmental arches.
  - Projecting pilasters.
  - Corbelled brick stretchers on upper cornices.
- The 19th century stone remains of the former weaving and carding building consisting of the following exterior features:
  - Rubble stone walls.
  - Large cut stone quoins.
  - Cut stone arches above windows and doors.

The property’s heritage designation does not extend to any interior features and is not intended to prevent the careful adaptive reuse of the structures.
Supporting Archival Material and Historical Mapping

Figure 1: The subject property indicated on the 1859 *Topographical Map of the Village of Preston* by N. Booth. The map shows the presence of a sawmill, cloth factory, and the lands under the ownership of Hunt & Elliott (City of Cambridge Archives).

Figure 2: An undated mid-19th century illustration of the “Preston Woolen Factory” while under the ownership of Hunt & Elliott (Library and Archives Canada).
Figure 3: A detailed depiction of the subject property in 1884, including descriptions of each building, as shown on the *Fire Insurance Plan of Preston, Ont.* by Charles E. Goad (Library and Archives Canada).

Figure 4: Undated portrait of George Pattinson (Waterloo Historical Society).
Figure 5: Inset drawing of the mill on the ca. 1897 *Town of Preston with Views of Principal Business Buildings*, showing the buildings in place at the turn of the 20th century (City of Cambridge Archives).

Figure 6: Photograph of one of the brick buildings at the mill being constructed in 1910 (City of Cambridge Archives).
Figure 7: Photograph of mill workers taken ca. 1910 (City of Cambridge Archives).

Figure 8: Photograph of mill workers taken in 1912 (City of Cambridge Archives).
Figure 9: Photograph taken ca. 1920 of the mill in the winter (University of Waterloo)

Figure 10: The subject property indicated on the 1924 *Fire Insurance Plan of Preston, Ont.* The Plan shows more than twenty buildings on the property constructed primarily of brick and stone. The “S” label indicates “sprinklered risks” according to the key plan (McMaster University).
Figure 11: Photograph taken ca. 1925 of the mill’s weave room employees within the rear courtyard (City of Cambridge Archives).

Figure 12: Postcard of the subject property dated ca. 1940 (City of Cambridge Archives).
Figure 13: A “Pattinson of Preston” blanket box, ca. 1954 (City of Cambridge Archives).

Figure 14: The subject property shown on the 1968 Topographic Map of Cambridge. Building footprints are shown in black (Department of Energy, Mines and Resources).
RECOMMENDATION(S):

THAT Report 23-300-CD Recommendation Report for Official Plan Amendment and Zoning By-law Amendment – 30 Lauris Avenue be received;

AND THAT Council adopts proposed Official Plan Amendment No. 70 to establish site-specific policy 8.10.106 to permit an increased density of 112 units per hectare within the “Low/Medium Density Residential” designation, and that the adopted Official Plan Amendment be submitted to the Regional Municipality of Waterloo for approval;

AND THAT Cambridge Council approves the proposed Zoning By-law Amendment to rezone the subject lands from N1R4 to (H)N1RM3 s.4.1.463 to facilitate the development of the lands for up to 104 residential dwelling units within two apartment buildings;

AND THAT Cambridge Council is satisfied and that the requirements for a public meeting in accordance with subsections 17(15) and 34(17) of the Planning Act have been met;

AND FURTHER THAT the By-law’s attached to report 23-300-CD be passed.

EXECUTIVE SUMMARY:

Purpose

The purpose of this report is to provide a recommendation on the proposed Official Plan Amendment and Zoning By-law Amendment applications submitted to the City to
facilitate the development of two low-rise apartment buildings containing a combination of approximately 104 market rate and affordable residential units.

**Key Findings**

- The proposed application presents an opportunity for intensification within the Built-Up Area that will provide for context-sensitive development, which aligns with Provincial, Regional and City goals and objectives with respect to residential intensification.
- The proposed development will contribute to the supply of housing stock within the City, including affordable housing units that are planned to be managed through the Region of Waterloo. The proposal provides for more sustainable development patterns by utilizing existing land, infrastructure, services, and amenities.
- The proposed development is both pedestrian and transit-oriented, being located within proximity to a range of uses and transit options. The proposed buildings will offer future residents a range of unit types and sizes, which supports the City’s objective of providing a range and mix of housing within the City’s Built-up Area.

**Financial Implications**

- A planning application fee in the amount of $40,000 has been paid to the City of Cambridge to process the combined Official Plan Amendment and Zoning By-law Amendment.
- Future planning application fees will be required as part of the submission of a complete Site Plan application.
- City and Regional Development Charge fees will be collected prior to building permit issuance.
- Any further costs associated with the development of the site are to be borne by the applicant.

**STRATEGIC ALIGNMENT:**

☐ Strategic Action; or
☒ Core Service

**Objective(s):** VIBRANT NEIGHBOURHOOD - Promote, facilitate and participate in the development of safe and healthy neighbourhoods with a range of housing options

**Strategic Action:** Increase housing options
Program: Development Approvals

Core Service: Official Plan and Zoning By-law Amendments

BACKGROUND:

The subject lands are municipally known as 30 Lauris Avenue and are legally described as Part of Block B Plan 1066 & Lots 106 to 110 Plan 1066, Save and Except Parts 1 & 2 on 58R-18737 and Part Block B Plan 1066, being Parts 1 & 2 on 58R-18737 in the City of Cambridge, Regional Municipality of Waterloo.

The subject property is located in the Alison Neighbourhood and is part of a former school site that has been vacant since the school was demolished in 2008/2009. The property has a total lot area of 1.1353 hectares and is irregular in shape, with frontages located onto both Lauris Avenue and Elgin Street North. The Region of Waterloo has recently obtained consent approvals for the creation of three new residential lots for the purpose of being developed for single-detached dwellings (one on Lauris Avenue and two on Elgin Street North), as well as for a conceptual walkway connection between the existing school to the north of the subject property and Lauris Avenue. The lands that were severed from the subject property were determined to be excess and not necessary for the future development of the subject lands.

An aerial image of the subject lands is provided as Figure 1.
**Surrounding Land Uses**

The subject lands are located within an established neighbourhood, with St. Anne’s Catholic Elementary School and the Alison Neighbourhood Community Centre abutting the property to the north, single-detached and multiple dwellings (low-rise apartment building) abutting to the south, and single-detached dwellings abutting the site to the west and northeast. Further east, across Lauris Avenue is Vardon Park, while Soper Park is located northwest of the property and within comfortable walking distance. The remaining surrounding area is comprised of primarily low-density residential dwellings, including a mixture of single-detached, townhomes and low-rise apartments. Franklin Boulevard is located to the east of the subject lands and provides access to a range of commercial uses.

The Galt Core Area is located to the west of the subject lands, being an approximate 20-minute walk away, offering a wide range of amenities and services. Furthermore, GRT routes 50, 53, and 63 provide stops within walking distance of the subject property, providing access to institutional, recreational, commercial/retail, and employment uses.

**EXISTING POLICY / BY-LAW(S):**

City of Cambridge Official Plan, 2012, as amended

**Existing Land Use Designation(s):** Built-Up Area and Low/Medium Density Residential as per Maps 1A and 2 in the City’s Official Plan.

**Proposed Official Plan Designation(s):** Built-Up Area and Low/Medium Density Residential with site-specific policy 8.10.106.

Proposed Site-Specific Official Plan Policies:

<table>
<thead>
<tr>
<th>Development Standard</th>
<th>Existing Official Plan Requirement for Low/Medium Density Residential</th>
<th>Proposed Site Specific Policy 8.10.106</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maximum Density (Units per Hectare)</td>
<td>40 units per hectare</td>
<td>112 units per hectare</td>
</tr>
</tbody>
</table>

The existing and proposed land use designations are shown in Figure 2.
City of Cambridge Zoning By-law No. 150-85, as amended

Existing Zoning: N1R4

Proposed Zoning: (H)N1RM3 with site-specific provision S.4.1.463

The existing and proposed zoning is shown on Figure 3 below.
Proposed Site-Specific Zoning Provisions:

<table>
<thead>
<tr>
<th>Development Standard</th>
<th>Existing Zoning By-law No. 150-85 – RM3 Requirements</th>
<th>Proposed Zoning Standard</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maximum Density (dwelling units per net residential hectare or &quot;UPH&quot;)</td>
<td>75 UPH</td>
<td>112 UPH</td>
</tr>
<tr>
<td>Minimum Gross Floor Area per Dwelling Unit</td>
<td>50 square metres (one bedroom)</td>
<td>48.7 square metres (one bedroom)</td>
</tr>
<tr>
<td>Development Standard</td>
<td>Existing Zoning By-law No. 150-85 – RM3 Requirements</td>
<td>Proposed Zoning Standard</td>
</tr>
<tr>
<td>--------------------------------------------</td>
<td>------------------------------------------------------</td>
<td>--------------------------</td>
</tr>
<tr>
<td>Minimum Off-Street Parking for an Apartment House</td>
<td>1 space per dwelling unit; plus 1 space for each 4 dwelling units for visitors only (104 parking spaces for residents plus 26 spaces for visitors, which equates to 130 total spaces)</td>
<td>0.81 spaces per dwelling unit including visitor parking (85 total spaces).</td>
</tr>
<tr>
<td>Minimum distance between an access driveway, aisle, parking stall, or parking lot from a window of a habitable room of a dwelling unit as measured perpendicular to the wall containing such window, where the surface of the floor in such habitable room is less than 1 metres above the finished wall.</td>
<td>6 metres</td>
<td>4.20 metres (driveway to north façade of 3-storey building) 2.56 metres (parking space to south façade of 4-storey building)</td>
</tr>
</tbody>
</table>

**Holding Provision**

The Region of Waterloo requires that a Holding Provision be added to the Zoning By-law Amendment for the subject lands until the following requirement has been satisfied:

1. That a detailed stationary noise study has been completed and implementation measures addressed to the satisfaction of the Regional Municipality of Waterloo. The detailed stationary noise study shall review the potential impacts of noise (e.g., HVAC systems) on the sensitive points of reception and the impacts of the development on adjacent noise sensitive uses.

The Holding Provision would be applied to the entirety of the subject lands pursuant to Sections 34 and 36 of the Planning Act.
ANALYSIS:
Proposal
The Region of Waterloo has submitted a development concept for the subject lands that considers the construction of one five-storey apartment building and one three-storey apartment building, containing a total of 104 residential dwelling units combined between both buildings. The units are planned to be a combination of market rate and affordable housing units, with at least 30 percent of the units being considered affordable (no greater than 80 percent of median market) for a period of at least 40 years. The development concept that was submitted for the lands is preliminary and has been prepared for the submission of these applications, however, is subject to change in the future. The intent of these applications is to establish the land use permissions to facilitate the future development of the lands for apartment houses, with a site-specific policy to permit an increase in the allowable density and site-specific zoning provisions to facilitate a future final design that will be reviewed through a Site Plan Control Application.

It is intended that this site would be operated and maintained by a successful proponent through the Region’s Request for Proposal (“RFP”) process. While the future submission may vary in form depending on the proponent’s desire for the site, the ultimate development will need to comply with the planning regulations that will be established through these Official Plan and Zoning By-law Amendment applications.

The applicant has successfully obtained approvals for the severance of excess lands from 30 Lauris Avenue from the City’s Committee of Adjustment. The excess lands that were severed from the property will permit the future development of three single-detached dwellings with frontage along Elgin Street West and Lauris Avenue. In addition, a conceptual walkway is proposed from Lauris Avenue to St. Anne’s Catholic Elementary School to the north of the subject lands. Planning Staff are working with the City’s Realty Management department to determine the future ownership and maintenance of this walkway.

The current concept plan considers the development of two low-rise apartment buildings on the property. The proposed five-storey building is oriented east-west along the northern portion of the site, minimizing the mass of the building when viewed from Lauris Avenue. The portion of the building closest to Lauris Avenue is four storeys in height, with the building transitioning to five storeys as you move westerly towards Elgin Street North due to the natural topography of the lands and the proposed access to underground parking. The three-storey building is shorter in length and is proposed to be oriented along Lauris Avenue toward the southeast of the site, adjacent to the existing 2.5 storey apartment building to the south. Building perspectives illustrating the proposed heights and general layout of the site are provided below as Figure 4.
Figure 4: Perspectives of the Proposed Buildings

Figure 5 below demonstrates the transition in topography of the lands from east to west on the property, thereby resulting in the change from a four-storey building to a five-storey building.

Figure 5: Building Perspective Illustrating Changing Topography

Access to the site is proposed from Lauris Avenue between the two proposed buildings. The vehicular entrance will provide access to both surface and underground parking. A total of 85 parking spaces are proposed, where 62 are located at grade, and the remaining 23 are proposed within one level of underground parking beneath the five-storey building. The provided parking equates to a parking rate of 0.81 spaces per unit,
which is an increase in parking from the original request of 0.68 spaces per unit (71 total spaces), which was presented at the Public Meeting on August 8, 2023. Two Type A and two Type B barrier-free parking spaces are also included as part of the proposed parking for the lands. Additionally, the Region will require that the successful proponent provide both short-term and long-term bicycle parking spaces on site. The applicant has proposed 32 indoor and 6 outdoor bicycle parking spaces.

The proposed concept also includes outdoor amenity spaces for future residents including balconies, a covered patio, and substantial landscaped areas surrounding the building and parking areas.

The proposed concept plan submitted as part of these applications is shown below in Figure 6.

![Figure 6: Proposed Concept Plan](image)

The concept plan has been included as Appendix C, and the concept elevations and renderings have been included as Appendix D to this report.

**Policy Overview**

The subject lands are located within the Built-Up Area as identified in the Growth Plan, the Regional Official Plan, and the City Official Plan. The Built-up Area encourages the intensification of lands as part of the City’s growth management strategy and directs that “infill, intensification, and redevelopment within existing neighbourhoods will be minor in nature and will be designed to respect existing character and provide connections and linkages where possible”.

Inclusiveness • Respect • Integrity • Service

Page 179 of 576
The proposal is consistent with the policy direction to build healthy, sustainable communities and policy directives regarding intensification within the Built-Up Area. The subject lands provide an opportunity for an appropriate residential infill development that will complement the surrounding established residential neighbourhood. The proposal will maximize the use of existing infrastructure and will permit the efficient development of existing vacant land within the City’s Urban Area for residential purposes. Furthermore, the use of this land for some affordable housing units is supported by Planning Staff, as it helps achieve Regional and local development targets and objectives and supports those in our community who are impacted by the current high cost of housing. As such, Planning Staff are of the opinion that the proposal is consistent with the Provincial Policy Statement and conforms to the Provincial Growth Plan.

The subject lands are located within the Built-Up Area, as is shown on Schedule 3a of the Region of Waterloo’s Official Plan (ROP). Policies of the ROP support the provision of housing options by contributing to a range of dwelling types in the community, while utilizing existing municipal infrastructure. The majority of the Region’s future growth will occur within the Urban Area designation with a substantial portion of this growth directed to the existing Built-Up Area through intensification and infill projects. The proposed development will contribute to the achievement of the annual intensification target in the delineated Built-Up Area of 65 percent. Further to this, the ROP also supports the identification and prioritization of affordable housing on surplus government lands.

The subject property is designated “Low/Medium Density Residential” in the City’s Official Plan, which permits a maximum density of 40 units per gross hectare and a range of low/medium density residential built-forms, including walk-up apartments, which is in line with the proposal for the lands. The density proposed for the development is 112 units per hectare, which exceeds the maximum allowable density of the designation, resulting in the need for the Official Plan Amendment. Notwithstanding the proposed increase in density, the proposal will maintain a low/medium density built-form with a context-sensitive height that has consideration for the adjacent land uses based on the proposed siting, orientation, and setbacks of the buildings. It is Staff’s opinion that the proposal successfully conforms to the locational criteria for multi-unit residential development provided by the City’s Official Plan. Given this, Staff are of the opinion that the requested increase in density continues to meet the general intent and purpose of the Official Plan, which is to provide for a mix and range of housing.

A Zoning By-law Amendment has been requested to rezone the subject lands from the existing N1R4 compound zone that provides for a combination of Institutional/residential zoning permissions, to the (H)N1RM3 zone with site-specific provisions as previously described in the “Proposed Site-Specific Zoning Provisions” table noted earlier in this report. The proposed zoning will continue to offer permissions for both institutional and residential uses, with the difference being the permission to develop the lands for apartment buildings. A Holding Provision will also be added to the subject lands until a
detailed stationary noise study has been completed and implementation measures addressed to the satisfaction of the Regional Municipality of Waterloo.

Planning Staff offer the following considerations with respect to the requested site-specific zoning provisions:

- The proposed density of 112 units per hectare does not comply with the existing maximum allowable density of 75 units per hectare delineated in the City’s Zoning By-law. However, the proposed increase is consistent with the City’s Official Plan policies to provide new residential development through intensification and infill of lands within the Built-Up Area and to provide for a range and mix of housing options, including affordable housing units.

- The proposed minimum gross floor area for a one-bedroom dwelling unit is slightly below the minimum requirement of the Zoning By-law, however, continues to comply with the minimum sizing requirements outlined by the Ontario Building Code.

- Parking on site is proposed at a rate of 0.81 spaces per unit, whereas the Zoning By-law requires that a rate of 1.25 spaces be provided (residential and visitor spaces combined). Transportation Staff have reviewed the proposal for a reduced parking rate and are in support of the request from the Region to provide 0.81 spaces per unit on this site, given the location of the site with access to convenient transit options and its proximity to local amenities that are within walking distance. Given the affordable housing component of the project, it is understood that the reduction in minimum parking requirements in the interest of affordable housing serves multiple benefits, including, the up front costs savings built into the project proforma which allows for true consideration of incorporating viable affordability into new developments; it provides the municipality with a low capital cost incentive to support the opportunity for new affordable unit creation; and, builds in flexibility for the future development to relocate development costs to other on site priorities. Given the pressing challenge of providing for affordable housing in our Region, Planning and Transportation Staff are supportive of the reduction of parking, and the promotion of other forms of transportation available to members of our community.

- A reduction in the proposed minimum distances between the site’s driveway access and parking spaces to the window of a habitable room is requested. The intent of this provision is to limit the glare of headlights into bedrooms of the buildings from vehicles. For the five-storey building, the request for the encroachment is limited to the first 25 metres of the south façade of the building measured from east to west. The remaining portion of the driveway access slopes downward towards the underground parking entrance. The encroachment no longer exists as the ground floor is raised higher than the vehicles. For the three-storey building, headlights from vehicles traversing the access driveway or aisle should not point toward the north façade, which would mitigate any nuisance to the units. City Staff are of the opinion that the encroachment is manageable and continues to meet the intent of the Zoning By-law, which is to mitigate any adverse impacts on surrounding residents.
It is the opinion of Staff that the above noted site-specific provisions are appropriate for the proposed development and are necessary to facilitate the construction of market rate and affordable housing units on this existing vacant and underutilized regional property.

**Staff Recommendation**

Staff gave consideration to Provincial, Regional and City policy, agency comments, compatibility with the surrounding neighbourhood with respect to height and density, and the appropriateness of the site-specific provisions that were requested by the applicant. Should Council approve the Official Plan and Zoning By-law Amendments, a Site Plan application will be required to implement the plan. Staff also strongly commend the Region’s pursuit of regional land within the City of Cambridge for intensification projects that prioritize affordable housing.

It is the opinion of Planning Staff that the proposed applications are consistent with the Provincial Policy Statement, conforms with the policies of the Provincial Growth Plan 2020, the Regional Official Plan, and the City Official Plan, and meets the general intent and purpose of the City of Cambridge Zoning By-law No. 150-85.

Planning decisions are subject to appeal to the Ontario Land Tribunal (OLT). An appeal may be filed if the application is refused, approved, or if a decision is not made within the timeline for processing the applications set out in the Planning Act.

**Contributions to the City**

<table>
<thead>
<tr>
<th>Area of Focus</th>
<th>Targets</th>
<th>Contribution</th>
</tr>
</thead>
<tbody>
<tr>
<td>Increased Housing Stock</td>
<td>City’s pledge to building 19,000 homes between 2021 and 2031</td>
<td>Will increase the housing stock in the City by 104 residential units, including affordable housing units.</td>
</tr>
<tr>
<td>Intensification</td>
<td>45 percent of new development to be directed to the Built-Up Area through intensification.</td>
<td>Supports the City’s direction towards intensification of existing properties within the Built-Up Area and within proximity to a range of amenities and GRT transit.</td>
</tr>
</tbody>
</table>
FINANCIAL IMPACT:

- A planning application fee in the amount of $40,000 has been paid to the City of Cambridge to process the Official Plan and Zoning By-law Amendment.
- Future planning application fees will be required as part of the submission of a complete Site Plan Application.
- City Development Charge fees will be collected prior to building permit issuance. Development Charges collected for the proposed development will be used for the construction of new infrastructure required to support growth of the City.
- Additional revenue from assessment growth generated from the proposed development will offset increased expenses to provide City services, programs, and future infrastructure renewal to a growing population.

PUBLIC VALUE:

Regional Staff held two in-person neighbourhood meetings on May 18, 2023 and on July 12, 2023 to share information regarding the proposed development and to accept comments and questions from interested members of the public.

A Statutory Public Meeting required under the Planning Act was held on August 8, 2023. The Public Meeting minutes are included as Appendix E to this report.

Following the Public Meeting, members of the public/residents that provided their information on the sign-in registry at the meeting or have requested to be included on the mailing list were notified of this Recommendation Report being presented to Council on October 24, 2023.

ADVISORY COMMITTEE INPUT:

Not Applicable.

PUBLIC INPUT:

Two members of the public spoke at the Public Meeting and no written comments were received. Comments were generally in support of the proposed development for affordable housing, but there were some concerns mentioned with respect to future construction and the impact on surrounding neighbours, the proposed reduced parking on the site, and the current state of the property.

On-site construction will be managed through a future Site Plan Agreement, which will include clauses that ensure the mitigation of nuisances on surrounding neighbours such as from noise, odours, and dust.

The applicant has increased the proposed parking rate for the development to 0.81 spaces per unit (85 total spaces) in comparison to the original request of 0.68 spaces.
per unit (71 total spaces). Although this is below the minimum parking rate set by the By-law, the proposed reduction will eliminate cost implications that will permit the future development of affordable housing on the lands. Staff have reviewed the Parking Review prepared by Paradigm Transportation Solutions Limited and are supportive of the conclusions.

It is Staff’s opinion that the Statutory Public Meeting requirements under the Planning Act have been met through this process.

INTERNAL / EXTERNAL CONSULTATION:

The applications have been circulated to the departments and commenting agencies listed in Appendix F.

Staff has received comments from applicable City departments and outside agencies in regard to the proposed Official Plan and Zoning By-law Amendments. Staff and agency comments have been acknowledged and/or addressed by the applicant and will be implemented through the removal of the holding provision and through a future Site Plan application.

CONCLUSION:

The City of Cambridge is expecting to accommodate significant population growth within the current Planning Horizon into the year 2051. With limited vacant residential land available within the City and an increase in housing costs, there is a growing need and demand for more dense housing options, specifically affordable housing options.

The proposed infill development represents an efficient use of existing municipal water and sanitary sewer services and provides more affordable options for market rate housing. The proposed residential development supports the intensification objectives of the Provincial Growth Plan and works towards the creation of a complete community that is well-connected to its surrounding neighbourhood.

It is the opinion of Planning Staff that the proposed Official Plan and Zoning By-law Amendment applications are consistent with the Provincial Policy Statement, conform with the policies of the Provincial Growth Plan, the Regional Official Plan and the City of Cambridge Official Plan, and meet the general intent and purpose of the City of Cambridge Zoning By-law No. 150-85.

The proposal represents good planning and contributes to the creation of market rate and affordable housing options that will remain affordable for the long-term future of the development. The proposal is a desirable built-form that complements the area and respects the existing built-form of the community. As such, Planning Staff recommends approval of the proposed Official Plan and Zoning By-law Amendment.
REPORT IMPACTS:
Agreement: No
By-law: Yes
Budget Amendment: No
Policy: No

APPROVALS:
This report has gone through the appropriate workflow and has been reviewed and or approved by the following as required:
Director
Deputy City Manager
Chief Financial Officer
City Solicitor
City Manager

ATTACHMENTS:
1. 23-300-CD Appendix A - Proposed Official Plan Amendment
2. 23-300-CD Appendix B – Proposed Zoning By-law Amendment
3. 23-300-CD Appendix C – Concept Plan
4. 23-141-CD Appendix D – Proposed Elevations and Renderings
5. 23-300-CD Appendix E– Public Meeting Minutes Excerpts
6. 23-300-CD Appendix F – Internal/External Consultation and List of Supporting Documents
BY-LAW 23-XXX

OF THE

CITY OF CAMBRIDGE

Being a By-law of the Corporation of the City of Cambridge to adopt Amendment No. 70 to the City of Cambridge Official Plan (2012), as amended (30 Lauris Avenue)

WHEREAS sections 17 and 22 of the Planning Act R.S.O. 1990 c. P. 13, as amended empower the City of Cambridge to adopt an Official Plan and make amendments thereto;

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

1. **THAT** Amendment No. 70 to the City of Cambridge Official Plan (2012) applies to land legally described as Part of Block B Plan 1066 & Lots 106 to 110 Plan 1066, Save and Except Parts 1 & 2 on 58R-18737 and Part Block B Plan 1066, being Parts 1 & 2 on 58R-18737 in the City of Cambridge, Regional Municipality of Waterloo.

2. **THAT** Amendment No. 70 to the City of Cambridge Official Plan (2012) as amended, consisting of the text and attached map, is hereby adopted.

3. **THAT** the Clerk is hereby authorized and directed to make application to the Regional Municipality of Waterloo for approval of the aforementioned Amendment No. 70 to the City of Cambridge Official Plan (2012), as amended.

4. **AND THAT** this By-law shall come into full force and effect upon the final passing thereof.

Enacted and Passed this 24th Day of October 2023.

____________________________________
Mayor

____________________________________
Clerk
Purpose and Effect of Official Plan Amendment No. 70

City File No. OR03/23 – 30 Lauris Avenue

The Purpose and Effect of this Official Plan Amendment No. 70 to the City of Cambridge Official Plan (2012), as amended, is to permit a maximum density of 112 units per hectare for lands designated “Low/Medium Density Residential” and municipally known as 30 Lauris Avenue, City of Cambridge and Regional Municipality of Waterloo.
Amendment No. 70 to the City of Cambridge Official Plan

1. Chapter 14, Map 2A of the City of Cambridge Official Plan is hereby amended by adding Site Specific Figure 106, as shown on Schedule ‘A’ attached hereto;

2. Chapter 16 of the City of Cambridge Official Plan is hereby amended by adding Figure 106 as shown on Schedule ‘B’ attached hereto;

3. Section 8.10 of the City of Cambridge Official Plan is hereby amended by adding the following subsection thereto:

8.10.106

1. Notwithstanding policy 8.4.6.16 in this plan, the land designated as Low/Medium Density Residential on Map 2 of this Plan, located at 30 Lauris Avenue and more particularly shown on Figure 106 shall be permitted a maximum residential density of 112 units per hectare.
THE CORPORATION OF THE CITY OF CAMBRIDGE

By-law 23-XXX

Being a By-law to amend Zoning By-law No. 150-85, as amended with respect to land municipally known as 30 Lauris Avenue.

WHEREAS Council of the City of Cambridge has the authority pursuant to Sections 34 of the Planning Act, R.S.O. 1990, c. P. 13, as amended to pass this by-law;

WHEREAS this By-law conforms to the City of Cambridge Official Plan, as amended;

AND WHEREAS Council deems that adequate public notice of the public meeting was provided and adequate information regarding this Amendment was presented at the public meeting held August 8, 2023, and that a further public meeting is not considered necessary in order to proceed with this Amendment.

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

1. THAT this by-law shall apply to lands municipally addressed as 30 Lauris Avenue and legally described as Part of Block B Plan 1066 & Lots 106 to 110 Plan 1066, Save and Except Parts 1 & 2 on 58R-18737 and Part Block B Plan 1066, being Parts 1 & 2 on 58R-18737 in the City of Cambridge, Regional Municipality of Waterloo, as shown outlined in heavy black on Schedule ‘A’ attached hereto and forming part of this by-law;

2. THAT Schedule ‘A’ to the City of Cambridge By-law 150-85, as amended, is hereby amended by changing the zoning classification of the lands shown outlined in heavy black in the attached Schedule ‘A’ to this By-law from N1R4 to (H)N1RM3 s.4.1.463.

3. AND FURTHER THAT the aforesaid City of Cambridge Zoning By-law no. 150-85, as amended, is hereby further amended by adding the following subsection under section 4.1 thereof:

“4.1.463 – 30 Lauris Avenue”

1. Notwithstanding the provisions of subsections 2.2.1 (d), 2.2.2.3 (f), and 3.1.2.4 (b) and (g) of the By-law, the following regulations shall apply to the lands in that (H)N1RM3 zone classification to which parenthetical reference “S.4.1.463” is made on Schedule ‘A’ attached to and forming part of this By-law:

   a) The maximum density shall be 112 units per hectare;

   b) The minimum Gross Floor Area per dwelling unit for a one-bedroom unit shall be 48.7 square metres;

   c) The minimum off-street parking rate shall be 0.81 spaces per unit including visitor spaces; and,
d) The minimum distance between an access driveway or parking stall and a window of a habitable room of a dwelling unit shall be 4.20 metres from the proposed three-storey building and 2.56 metres from the five-storey building.

2. Notwithstanding the (H) Prefix Zone holding provisions as outlined in S.2.1.4 of the aforesaid City of Cambridge Zoning By-law, as amended, the removal of the (H) Holding Provision for the entirety of the lands zoned (H)N1RM3 s.4.1.463 may only be lifted:

   a) Upon the submission of a completed detailed stationary noise study and implementation measures addressed to the satisfaction of the Regional Municipality of Waterloo. The detailed stationary noise study shall review the potential impacts of noise (e.g., HVAC Systems) on the sensitive points of reception and the impacts of the development on adjacent noise sensitive uses.

3. That Geothermal Wells shall be prohibited on site. A geothermal well is defined as a vertical well, borehole or pipe installation used for geothermal systems ground-source heat pump systems, geo-exchange systems or earth energy systems for heating or cooling; including open-loop and closed-loop vertical borehole systems. A geothermal well does not include a horizontal system where construction or excavation occurs to depths less than five metres unless the protective geologic layers overlaying a vulnerable aquifer have been removed through construction or excavation.

4. That this By-law shall come into force and effect on the date it is enacted subject to Official Plan Amendment No. 70 coming into effect pursuant to Subsection 24(2) of the Planning Act, R.S.O., 1990, c. P. 13, as amended.

5. That this By-law shall come into force and effect on the date it is enacted and passed by Council of the Corporation of the City of Cambridge, subject to notice hereof being circulated in accordance with the Planning Act and Ontario Regulation 545/06.

Enacted and Passed this 24th day of October, 2023.

______________________________________
MAYOR

______________________________________
CLERK
Purpose and Effect

The purpose and effect of this By-law is to amend the zoning classification of the lands legally described as Part of Block B Plan 1066 & Lots 106 to 110 Plan 1066, Save and Except Parts 1 & 2 on 58R-18737 and Part Block B Plan 1066, being Parts 1 & 2 on 58R-18737 in the City of Cambridge, Regional Municipality of Waterloo from N1R4 to the (H)N1RM3 s.4.1.463 zone to facilitate the development of two apartment buildings containing a total of 104 residential units, and to permit the following site-specific provisions:

- To permit a maximum density of 112 units per hectare;
- To permit a minimum gross floor area per one-bedroom dwelling unit of 48.7 square metres;
- To permit a minimum off-street parking rate of 0.81 spaces per unit, including visitor parking; and,
- To permit a minimum distance between an access driveway, aisle, parking stall or parking lot from a window of a habitable room of a dwelling unit of 4.20 metres for the three storey building and 2.56 metres for the five-storey building.
AND THAT application R10/23 for 82-88 Beverly Street be referred back to staff for a subsequent report and staff recommendation.

In Favour (8): Councillor Devine, Councillor Kimpson, Councillor Earnshaw, Councillor Roberts, Councillor Cooper, Councillor Hamilton, Councillor Ermeta and Mayor Liggett

Absent (1): Councillor Reid

Carried (8 to 0)

Councillor Devine left the meeting at this time being 9:17 p.m.


Motion: 23-268

Moved by Councillor Hamilton
Seconded by Councillor Earnshaw

THAT Report 23-271-CD Public Meeting Report – 30 Lauris Avenue – Official Plan and Zoning By-law Amendments submitted by the Region of Waterloo be received;

AND THAT application OR03/23 for 30 Lauris Avenue be referred back to staff for a subsequent report and staff recommendation.

In Favour (7): Councillor Kimpson, Councillor Earnshaw, Councillor Roberts, Councillor Cooper, Councillor Hamilton, Councillor Ermeta and Mayor Liggett

Absent (2): Councillor Reid and Councillor Devine

Carried (7 to 0)

8. Delegations

8.1 Scott Corbett re: 23-273-CD Public Meeting Report - 82-88 Beverly Street – Zoning By-law Amendment

8.2 Cheryl Johnson re: 23-273-CD Public Meeting Report - 82-88 Beverly Street – Zoning By-law Amendment
Internal/External Consultation

This application has been circulated to the departments and agencies listed below. Their comments have been reviewed by staff and have been addressed through the proposed amendments.

- Regional Municipality of Waterloo
- Grandbridge Energy Inc. (Hydro)
- The Grand River Conservation Authority
- Waterloo Regional District School Board
- Waterloo Catholic District School Board
- City of Cambridge Engineering and Transportation Divisions
- City of Cambridge Economic Development
- City of Cambridge Fire Department
- Planning Services
- City of Cambridge Accessibility Coordinator
- City of Cambridge Sustainable Transportation
- City of Cambridge Policy Services

List of Supporting Studies

- Application Form
- Planning Justification Report
- Site Grading and Site Servicing Plans
- Notice of Source Water protection
- Conceptual Site Plan
- Floor Plans
- Building Elevations
- Building Sections
- Massing Plan
- Functional Servicing Report
- Tree Inventory Report
- Provisional Risk Management Plan
- Record of Site Condition Acknowledgement Letter
- Parking Review
- Shadow Study
To: COUNCIL

Meeting Date: 10/24/2023

Subject: 23-322-CD - CMHC Housing Accelerator Fund Application

Submitted By: Sylvia Rafalski-Misch, Manager of Development Planning

Prepared By: Laura Dewar, Supervisor of Development Planning

Report No.: 23-322-CD

File No.: N/A

Wards Affected: All Wards

RECOMMENDATION(S):

THAT Report 23-322-CD CMHC Housing Accelerator Fund Application be received;

AND THAT Cambridge Council endorse the Action Plan summarized in Report 23-322-CD, as submitted in August 2023 as part of the Housing Accelerator Fund (HAF) Application to Canada Mortgage and Housing Corporation (CMHC);

AND FURTHER THAT Cambridge Council direct Staff to enter into a future Contribution Agreement on behalf of the Corporation of the City of Cambridge with CMHC in the event the City of Cambridge is selected for participation in the HAF program.

EXECUTIVE SUMMARY:

Purpose

In August 2023, Development Planning Staff applied on behalf of the City of Cambridge to participate in the Housing Accelerator Fund (HAF) Program, administered by Canada Mortgage and Housing Corporation (CMHC). The application involved an Action Plan consisting of eight City-led initiatives. In anticipation of being selected to participate in the program and to receive financial installments, staff is seeking Council endorsement of this Action Plan and direction to enter into a future Contribution Agreement with CMHC.
Key Findings

The Action Plan submitted with the HAF Application involved eight (8) City-led Initiatives aimed at accelerating the issuance of building permits for new affordable, missing middle and multi-unit housing. Each Initiative includes a series of milestones, which may have commenced as far back as April 2022 and must be completed before the end of 2027. A total of 603 new residential units are proposed to be created with the HAF financial installments over the four (4) year program. A summary of the Action Plan is provided in the Analysis Section below.

If selected to participate in the program, the City would be required to enter into a Contribution Agreement with CMHC. Council endorsement of the Action Plan must be demonstrated prior to entering into this Agreement. The agreement will outline:

- total amount of funding available to incent new housing supply.
- expectations on progress reports.
- planned schedule of payments.

In anticipation of being selected to participate in the HAF Program, Staff is seeking:

- Council endorsement of the Action Plan as summarized in Staff Report 23-322-CD.
- Council direction to Staff to enter into a future Contribution Agreement on behalf of the Corporation of Cambridge with CMHC.

Financial Implications

The expected cost to implement the City-led Action Plan is approximately $10,000,000. If selected to participate in the HAF Program, the City may be eligible for approximately $21,220,000 in federal funds to be directed towards implementing that City-led Action Plan, plus Affordable Housing, Housing-related Infrastructure Projects and Community-Related Infrastructure Projects. 6 of 8 initiatives of the Action Plan are reliant upon HAF funding to proceed.
STRATEGIC ALIGNMENT:

☒ Strategic Action

Objective(s): PLANNING FOR GROWTH - Provide for a mix of development, uses and amenities in order to meet the needs of a changing and diverse population

Strategic Action: Increase housing options

If selected to participate in the Housing Accelerator Fund Program, the City would be eligible to receive significant federal funding to support lasting systemic changes to accelerate development approvals (planning/building permit applications) and the housing supply across Cambridge, particularly in the areas of affordable housing, missing middle housing, multi-unit housing and housing within Major Transit Station Areas.

BACKGROUND:

Appendix A contains a Briefing Note prepared in May 2023 for Senior Management to explain the details of the Housing Accelerator Fund (HAF) Program, in anticipation of the preparation and submission of the HAF application in August 2023. The HAF Application was submitted to CMHC in August 2023, and amended to address CMHC staff comments in September 2023.

EXISTING POLICY / BY-LAW(S):

In February 2023, the City of Cambridge signed a Housing Pledge with the Province of Ontario to supply 19,000 new homes across the City of Cambridge over the period from January 1, 2021 to December 31, 2031.

Funding secured through the HAF Program, and Implementation of the HAF Action Plan endorsed by Council, will significantly enhance the City’s ability to fulfill this Housing Pledge.

ANALYSIS:

Action Plan Initiatives

The following eight (8) Initiatives, referred to collectively as the Action Plan, were submitted with the City’s HAF Application:

Initiative 1: Fast Tracking Municipal Lands Program for Affordable and Attainable Housing

• Description: This initiative will implement a region-wide governance framework to establish a pool of land that will be brought through the Rapid Building Sites program for housing to be developed by a selected builder group. Within Cambridge, there are potentially six (6) surplus land sites that have been
identified for the development of affordable housing. The City will seek to purchase other lands as part of this initiative. Each project would be completed by a private developer, successful in a Request for Proposal and land procurement (disposition) process. External legal expertise will be explored to assist in the development of the necessary agreement(s) with relevant parties. The HAF funds would primarily be used to retain the consultant to prepare visualization concepts for the surplus land parcels and to purchase lands for redevelopment.

- Estimated Units with Funding over the 4 Years of the Program: 50
- Estimated Cost: $4,250,000 (not currently funded)
- Estimate Start and Completion Date: April 1, 2023 – December 1, 2026

**Initiative 2: Digital Twin Data Driven Accelerated Approval Process**

- Description: This initiative involves building a customized digital platform that creates a three-dimensional digital environment based on real time existing conditions data. Development Proposal can be inserted into this digital environment for enhanced and accelerated evaluation.
- Estimated Units with Funding over the 4 Years of the Program: 133
- Estimated Cost: $2,730,000 (not currently funding)
- Estimate Start and Completion Date: January 1, 2024 – August 1, 2026

**Initiative 3: Hespeler Road Corridor Community Improvement Plan**

- Description: This initiative involves both the preparation of a Secondary Plan and a Community Improvement Plan. The purpose of this Secondary Plan is to provide a planning framework that will guide future development and redevelopment in the Hespeler Road corridor area and implement the policies of the Cambridge Official Plan and Region of Waterloo Official Plan. Priority should be given to improvements in the Major Transit Station Areas (MTSAs) that support transit-oriented development and intensification in these areas. Concurrent with the preparation of the Secondary Plan, the City will retain a consultant to assist with the preparation of a Community Improvement Plan to offer financial Incentives to support missing middle projects in targeted areas around the MTSAs within the Secondary Plan. These incentives may include:
  - Development Charge Discounts or Exemptions
  - Community Benefit Charge Discounts or Exemptions
  - Development Application and Building Permit Application Fee Discounts or Exemptions
- Estimated Units with Funding over the 4 Years of the Program: 50
- Estimated Cost: $1,000,000 (not currently funded)
• Estimate Start and Completion Date: January 1, 2024 – January 1, 2025

**Initiative 4:** South East Galt and Main Street and Dundas Street East Community Improvement Plan

• Description: This initiative involves both the preparation of a Secondary Plan and a Community Improvement Plan (CIP). The purpose of this Secondary Plan is to provide a planning framework that will guide future development and redevelopment in this area and implement the policies of the Cambridge Official Plan and Region of Waterloo Official Plan. Priority should be given to developing missing middle housing. Concurrent with the preparation of the Secondary Plan, the City will retain a consultant to assist with the preparation of a Community Improvement Plan to offer additional density on targeted sites, of 5-10% above the maximum permitted in the zoning by-law, in exchange for parkland or cash in lieu of parkland at an alternative rate of 0.15 hectares per 300 units, or an alternative to be determined in accordance with the Planning Act. This CIP aims to increase the supply of land for parks, and also achieve subtle density increases on redevelopment sites.

• Estimated Units with Funding over the 4 Years of the Program: 25
• Estimated Cost: $400,000 (not currently funded)
• Estimated Start and Completion Date: September 2023 – June 2024

**Initiative 5:** Additional Residential Unit Assistance Program

• Description: This Initiative utilizes a Community Improvement Plan to offer financial grants or rebates to encourage Additional Residential Units (ARUs) within the City’s low-density residential zones. The grants or rebates will be offered either in conjunction with a building permit to create a new ARU or after the completion of the building permit works and can be applied to offset or cover the costs of:
  - retaining a qualified designer to prepare permit drawings;
  - service connection upgrades; and/or
  - electrical panel upgrades.

  Hiring a qualified designer is often a financial barrier for those considering the creation of an ADU, or it consumes considerable staff time reviewing plans from non-qualified designers. Upgrades to electrical panels cost approximately $3,500 and upgrades to service connections cost between $5,000 - $10,000. This incentive will assist with removing these financial barriers, and also speed up approval timelines.

• Estimated Units with Funding over the 4 Years of the Program: 150
• Estimated Cost: $1,150,000 (not currently funded)
• Estimated Start and Completion Date: October 2023 – July 2024

**Initiative 6: Update the City’s Comprehensive Zoning By-law - Collapsing of Residential Zones**

• Description: The City has retained a consultant to assist with the preparation of a new comprehensive zoning by-law, which implements the recent legislative changes and results in collapsing sixteen (16) separate residential zone classifications, into just six (6) residential zones. This change moves the City away from an overly complicated and restrictive land use planning framework to one that simplifies and promotes a broader range of housing types as of right across a greater area of the City. It has the effect of upzoning across many areas of the City.
• Estimated Units with Funding over the 4 Years of the Program: 75
• Estimated Cost: $250,000 (partially funded through capital budget)
• Estimated Start and Completion Date: April 2023 – May 2024

**Initiative 7: Delegation of Authority Enhancements**

• Description: The City currently has a delegated authority By-law, which grants the Chief Planner the Authority to approve in principle several types of development applications and requests, including:
  o Removal of Holding Provisions in principle; and
  o Exemptions from Part Lot Control in principle.

The City has not developed practices and protocols to enact this delegated authority for Removal of Holding Provisions and Part Lot Control Exemption from the Chief Planner, placing approval back with Council. Staff are also recommending that the authority to lift road reserves be delegated to staff in principle through a future amendment to the delegated authority By-law.

The aim of this Initiative is to make changes to the City’s internal processes to allow the Chief Planner that delegated authority in principle for these three (3) types of development applications and requests. This change is expected to accelerate the approval timeline by 50% - 75% and will result in the acceleration of: site plan approval; building permits issued; and units created.
• Estimated Units with Funding over the 4 Years of the Program: 45
• Estimated Cost: $0
• Estimated Start and Completion Date: October 2023 – January 2024
Initiative 8: Online Pre-Application Development Guide Portal (Software)

- **Description:** The City will retain a consultant (Camino) to customize and implement a new software to create an Online Development Guide Portal for external customer use. The software organizes all of the City’s rules, regulations, instructions and data into one place. The customer uses the Development Guide Portal in 3 steps:
  - Enter details about their project by going through a smart questionnaire.
  - Select their subject property to check zoning and other parcel-based details, drawing from the City’s GIS software and Amanda database.
  - Receive a unique, custom set of instructions for how to get the project done.

The Report will determine whether the project is allowed and which approvals and permits may be required (even across multiple departments). The Report will also include an estimate of all fees owed for the project and how long it might take to get approval. Customers who use the Online Development Guide are more likely to submit a correct application the first time, and it eliminates surprises and questions later on. The Platform is estimated to:
  - Decrease customer phone calls by up to 20%
  - Decrease counter visits by up to 70%
  - Increase the speed at which permits are issued by up to 35%

The Implementation of the Software will require the City to update and improve the data set in the City’s current GIS Database. The City will undertake further work to improve that data set to ensure optimal efficiency and effectiveness of the Online Development Guide and the reports that it generates for customers.

- Estimated Units with Funding over the 4 Years of the Program: 75
- Estimated Cost: $600,000 (not currently unfunded)
- Estimated Start and Completion Date: October 2023 – August 2024

**Total HAF Funding Estimated and Additional Steps**

Based on a preliminary estimate, the City may be eligible for $21,220,000 in HAF Funding if selected to participate in the Program. The Funds are to be used in the following categories:
  - Action Plan Initiatives
  - Affordable Housing
  - Housing-Related Infrastructure
  - Community-Related Infrastructure
Additional steps if selected to participate in the HAF Program include:

- Demonstrate Council Approval of the Action Plan Initiatives
- Enter into a Contribution Agreement, which outlines:
  - total amount of funding available to incent new housing supply;
  - expectations on progress reports; and
  - planned schedule of payments.
- Complete a Housing Needs Assessment
- Complete Annual Reporting

Below is the estimated schedule for progress reporting and financial advances:

<table>
<thead>
<tr>
<th>Schedule of Progress Reports and Financial Advances *</th>
<th>Progress Reporting Period</th>
<th>Financial Advances</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fall 2023 (6 months after date of agreement)</td>
<td>n/a</td>
<td>1&lt;sup&gt;st&lt;/sup&gt; Advance processed</td>
</tr>
<tr>
<td>Spring 2024 (6 months after date of agreement)</td>
<td>1&lt;sup&gt;st&lt;/sup&gt; Progress Report</td>
<td>n/a</td>
</tr>
<tr>
<td>Fall 2024 (1&lt;sup&gt;st&lt;/sup&gt; year after date of agreement)</td>
<td>2&lt;sup&gt;nd&lt;/sup&gt; Progress Report</td>
<td>2&lt;sup&gt;nd&lt;/sup&gt; Advance processed</td>
</tr>
<tr>
<td>Fall 2025 (2&lt;sup&gt;nd&lt;/sup&gt; year after date of agreement)</td>
<td>3&lt;sup&gt;rd&lt;/sup&gt; Progress Report</td>
<td>3&lt;sup&gt;rd&lt;/sup&gt; Advance processed</td>
</tr>
<tr>
<td>Fall 2026 (3&lt;sup&gt;rd&lt;/sup&gt; year after date of agreement)</td>
<td>4&lt;sup&gt;th&lt;/sup&gt; Progress Report</td>
<td>4&lt;sup&gt;th&lt;/sup&gt; Advance processed</td>
</tr>
<tr>
<td>Fall 2027 (4&lt;sup&gt;th&lt;/sup&gt; year after date of agreement)</td>
<td>5&lt;sup&gt;th&lt;/sup&gt; Progress Report</td>
<td>n/a</td>
</tr>
</tbody>
</table>

* Assumes Contribution Agreement is signed in Fall 2023.

In anticipation of being selected to particulate in the HAF Program, Staff is seeking:

- Council endorsement of the Action Plan as summarized above; and
- Council direction to Staff to enter into the Contribution Agreement on behalf of the Corporation of Cambridge with CMHC.

Staff will advise Council on the outcome of the Application once notice is received from CMHC.

**FINANCIAL IMPACT:**

The expected cost to implement the City-led Action Plan is approximately $10,000,000. If selected to participate in the HAF Program, the City may be eligible for approximately $21,220,000 in federal funds to be directed towards implementing that City-led Action Plan, plus Affordable Housing, Housing-related Infrastructure Projects and Community-Related Infrastructure Projects. Certain Initiatives of the Action Plan are reliant upon HAF funding to proceed, whereas others have funding allocated from other sources or can be complete by City-Staff for no additional cost and will proceed regardless of participating in the program.
PUBLIC VALUE:

If selected to participate in the HAF Program, this will contribute to the following public value principles:

- **Leadership** – The City would streamline approval processes and accelerate new housing opportunities to attract and retain residents, businesses employers, employees and other forms of investment. This will assist the City in achieving the Provincial Housing Pledge of creating 19,000 new homes by 2031.

- **Collaboration** – Implementation of the Action Plan involves collaboration with the Region of Waterloo and other municipalities and townships in the Region, and collaboration across multiple City divisions.

- **Transparency** – The City will be required to provide Progress Reports to CMHC detailing the use of federal funding and the achievement of milestones and new dwelling units in accordance with the Action Plan. These progress reports will be posted on the City’s website for public accountability and transparency.

ADVISORY COMMITTEE INPUT:

Advisory Committees Consulted:

Not Applicable.

PUBLIC INPUT

Not Applicable.

INTERNAL / EXTERNAL CONSULTATION:

Staff in Finance Services, Building Services, Community Planning and Technology Services, were consulted in the preparation of the HAF Application. The City also consulted with the Perry Group and GC3 Digital regarding Initiative 2: Digital Twin Data Driven Accelerated Approval Process.

CONCLUSION:

In August 2023, Development Planning Staff applied on behalf of the City of Cambridge to participate in the Housing Accelerator Fund (HAF) Program, administered by Canada Mortgage and Housing Corporation (CMHC). The details of the HAF Program and application process are outlined in Appendix A to this report. The application involved an Action Plan consisting of eight (8) City-led initiatives. In anticipation of being selected to participate in the program, Staff is seeking Council endorsement of this Action Plan and direction to enter into a future Contribution Agreement with CMHC. Participation in this Funding Program will assist the City in achieving the Provincial Housing Pledge of creating 19,000 new homes by 2031. Implementing the HAF initiatives involves collaboration with the Region of Waterloo and other municipalities and townships in the
Region, collaboration across multiple City divisions, leadership in streamlining approval processes, and broadening development and investment opportunities. Staff will advise Council on the outcome of the Application once notice is received from CMHC.

REPORT IMPACTS:
Agreement: Staff are seeking Council direction to enter into a future Contribution Agreement with CMHC. The report does not impact an existing agreement.
By-law: No
Budget Amendment: No
Policy: No

APPROVALS:
This report has gone through the appropriate workflow and has been reviewed and or approved by the following as required:
Director
Deputy City Manager
Chief Financial Officer
City Solicitor
City Manager

ATTACHMENTS:
None.
RECOMMENDATION(S):

THAT Report 23-261-CD – Recommendation Report – Proposed Official Plan Amendment for Main Street and Dundas Street South Secondary Plan be received;

AND THAT Council adopts Official Plan Amendment No. 65 to establish the Main Street and Dundas Street South Secondary Plan, and that the adopted Official Plan Amendment be submitted to the Regional Municipality of Waterloo for approval;

AND THAT Council is satisfied that a subsequent public meeting in accordance with subsection 17(15) of the Planning Act is not required;

AND FURTHER THAT the attached By-law is passed.

EXECUTIVE SUMMARY:

Purpose

The purpose of this report is to provide a recommendation on the proposed Official Plan Amendment for the Main Street and Dundas Street South Secondary Plan and to provide a summary of, and response to, the comments raised at the statutory public meeting on May 16, 2023.

Key Findings

- The proposed Official Plan Amendment establishes the Main and Dundas Community Node and supports intensified development and redevelopment within the Node, through an updated policy framework provided through a secondary plan.
• Over time, the Main and Dundas Community Node is expected to grow to accommodate a greater density with a range of housing options; as well as commercial, employment, institutional and recreational uses all with access to public transit and active transportation options.

• Region of Waterloo is the final approval authority for the Official Plan Amendment.

**Financial Implications**

• There are no immediate financial impacts with the adoption of the Main Street and Dundas Street Secondary Plan. However, over time, as development occurs within the secondary plan boundaries, there will be impacts on both capital and operating budgets. Further details are in the Financial Impact section.

**STRATEGIC ALIGNMENT:**

☑ Strategic Action

**Objective(s):** PLANNING FOR GROWTH - Provide for a mix of development, uses and amenities in order to meet the needs of a changing and diverse population

**Strategic Action:** Lay the foundation for future community-building

**OR**

☐ Core Service

**Program:** Not Applicable

**Core Service:** Not Applicable

**BACKGROUND:**

**Study Area**

The Main Street and Dundas Street South Secondary Plan includes the lands identified as a Node and Future Study Area in the Cambridge Official Plan and can generally be described as the lands south of McLaren Avenue, north of Franklin Lane, east of Dundas Street South and west of Wesley Boulevard. The study area is approximately 82 hectares (202 acres) in size as outlined in red in Figure 1.
Surrounding Land Uses
The lands to the west, east and south of the Secondary Plan Area generally contain Low/Medium Density Residential with Rockwell Automation and the Eastern Industrial Park to the north.

EXISTING POLICY / BY-LAW(S):

Policy 2.5.5 of the Official Plan states that the City will prepare secondary plans to “ensure development occurs at the densities and form consistent with the Official Plan.”

Policy 8.7.2.7 indicates that there are three defined Community Nodes where the boundaries are approximate. It further indicates that “more detailed land use policies
along with finalization of the Community Node boundaries will be established through a Secondary Plan and implemented through a further amendment to the Official Plan.

Further, Policy 8.7.2.B.6 states that “The final boundaries of this Community Node will be determined through the Secondary Plan process and implemented through a further amendment to the Official Plan.”

**Existing Land Use Designations:** The study area is designated Low/Medium Density Residential, Community Commercial, Industrial and Natural Open Space System on Schedule 2: General Land Use Plan of the Cambridge Official Plan.

**Proposed Land Use Designations:** Mixed Use Mid-Rise High Density, Mixed Use Medium Density, Mixed Use Main Street, High Density Residential, Medium Density Residential, Low Density Residential, Prestige Industrial and Natural Open Space System.

A planning analysis report from Dillon Consulting is included in Appendix B.

**ANALYSIS:**

There have been a number of minor changes to the plan based on comments received at the May 16, 2023 Public Meeting. The changes are set out in detail in the comment response table in Appendix D.

- Updated accessibility policies to reflect the City’s Facility Accessibility Design Manual.
- Provided clarity with respect to complete application requirements needed to support growth within the Secondary Plan area, including a shadow impact study.
- Ensured policies provide opportunities for urban squares and green spaces to support future needs in the surrounding neighbourhood.
- Adjusted land designations on the south side of McLaren Avenue to Mixed Use Medium Density (currently Prestige Industrial).
- Modified the land use plan to adjust all lands designated Low Density Residential on the south quadrant between Main St and Dundas Street South (including sites along Morning Calm Drive) to Medium Density Residential, as per the 2016 version of the Plan.
- The proposed site specific policies have been removed from the secondary plan and are being added to Chapter 8 of the Official Plan with the other site specific policies.

The secondary plan is intended to provide a policy framework to help guide growth and redevelopment within the Main and Dundas Community Node and surrounding area. The plan proposes to permit mixed use development in combination with residential,
commercial, and open space uses to work towards a 15-minute neighbourhood. The goal of the 15-minute neighbourhood is to allow opportunities to live, work, shop and play while providing for daily necessities all within a 15-minute travel distance by walking, cycling, or rolling.

The proposed Official Plan Amendment, if adopted by Cambridge Council and approved by the Region, will redesignate the lands within the secondary plan area from Low/Medium Density Residential, Community Commercial and Industrial to a range of land use designations ranging from Low Density Residential through to Mixed Use Mid-Rise High Density and includes designations for Prestige Industrial and Natural Open Space. There is one property at the southeast corner of Main Street and Nottinghill Drive, shown in orange on Figure 2, that is designated High Density Residential with a minimum height of 10 storeys and a maximum height of 20 storeys (See Figure 3).

The highest densities are proposed for the intersections of Dundas and Franklin and Dundas and Main Street (deep purple in Figure 2 above). The Mixed Use Mid-Rise High Density designation allows for the addition of residential development to the existing commercial areas with a minimum height of five storeys and a maximum height of 12 storeys. The lighter purple areas on Figure 2 show the Mixed Use Medium Density designation which permits development with a minimum height of three storeys and a maximum height of eight storeys. The areas in brown are Medium Density Residential which permit straight residential development between three storeys and 8 storeys and the areas identified in pink on Figure 2 above are the proposed Mixed Use Main Street designation which have a minimum height of two storeys up to a maximum height of six storeys.

There is also an active development application at the northeast corner of Main Street and Franklin Boulevard (840 – Main Street - OR12/21) that is relying on the proposed site specific designation through the Main Street and Dundas Street South Secondary Plan to be able to advance their development application to approval.

Official Plan Amendment No. 65 (OPA No. 65) has been prepared in accordance with the Planning Act and generally aligns with the policies of the Cambridge Official Plan, the Region of Waterloo Official Plan, the 2020 Provincial Policy Statement and the 2020 Growth Plan for the Greater Golden Horseshoe.
Figure 3: Proposed Height and Density

Accordingly, staff recommend adoption of OPA No. 65 to facilitate addition of the Main Street and Dundas Street South Secondary Plan as Chapter 20 to the Cambridge Official Plan along with accompanying schedule and OP policy changes to Chapters 1, 8, 13 and 16.

Planning decisions are subject to appeal to the Ontario Land Tribunal (OLT), subject to the provisions of the Planning Act, as amended.

Municipal Infrastructure

With the exception of the most eastern lands along Main Street (805 to 1140 Main Street), the lands included within the Secondary Plan boundaries are located along municipal rights-of-way that include municipal servicing.

The servicing strategy for development within the larger South-East Galt area, bounded generally by Dundas Street, Main Street and the municipal boundary, was established through the South-East Galt Community Plan, which was approved in 1999. Capital projects to implement the servicing strategy identified in the Community Plan were created and the majority have been constructed over the last 20 years. There remain two capital projects in the 10-year capital forecast to complete the implementation of the servicing strategy. Further details are in the Financial Impact section.

The City is currently undertaking an update of the Sanitary Sewer Model (A/01194-20) which will include the analysis of growth scenarios to identify future municipal infrastructure upgrades that may be required to support growth. The growth projections
and recommended densities from this secondary plan, along with recommendations from the ongoing Growth Management Study, will be integrated into the future scenarios in the sanitary sewer model.

Active transportation infrastructure, through a combination of sidewalks and multi-use trails, are included on existing municipal right-of-ways, with the exception of the eastern portion of Main Street, which is currently a rural cross-section. Reconstruction of municipal rights-of-way, by either the City or the Region, will include active transportation. Construction of new local roads would include active transportation as per the standard cross-sections.

It is anticipated that there may be gaps within the active transportation network, either in areas where the cross-section has not been upgraded to an urban section, or in an area that has not yet seen development, where infill sidewalk or multi-use trail may be required. These will need to be reviewed as they are identified and may be included in the sidewalk infill program or may need to be proposed as stand alone capital projects.

FINANCIAL IMPACT:

The adoption of the Main Street and Dundas Street Secondary Plan has no immediate financial impacts. Over time, as development occurs within the secondary plan boundaries, there will be impacts on both capital and operating budgets.

Capital Impacts

As noted above, there are two capital projects in the 10-year capital forecast to facilitate the servicing of the larger South-East Galt area:

- **A/00480-40 SE Galt Main St Extension of Services** includes approximately $1M of Development Charge funding to extend municipal servicing on Main Street from the current termination location near 805 Main Street towards the urban boundary. The project would cover the cost of oversizing infrastructure as per the Local Services Policy. The project is proposed for 2025 based on expected timing of development but will be reviewed through the preparation of the 2025 capital budget. It is expected the Region will be undertaking reconstruction of Main Street to upgrade the road to an urban cross-section with active transportation facilities and the municipal servicing would be combined with that project if the timing aligned.

- **A/00509-40 SE Galt Infrastructure Upsize** includes approximately $2.4M of Development Charge funding to cover the costs of upsizing municipal infrastructure within subdivision developments if required as per the Local Service Policy. This project is proposed for 2027 based on expected timing of
development and will continue to be reviewed during future capital budget preparation.

Through their Transportation Capital Program, the Region is planning to reconstruct Dundas Street (from Briercrest to Franklin) and Main Street (from Dundas to Chalmers Street) in 2028/2029. As part of the Region’s project, the City will be replacing water and wastewater infrastructure, with capital project A/00714-41 proposed in the capital forecast for 2028. The City project includes $4.25M of funding from the Capital Works, Water and Wastewater Reserve Funds. The Region has not yet begun design of this project, and the growth projections from the Secondary Plan will be taken into consideration when the design for the replacement of City infrastructure is completed.

Should the Sanitary Sewer Model growth scenarios identify upgrades within the secondary plan boundary, capital projects will be proposed for consideration by Council in future budgets. Applicable works would also be included in the next Development Charges Background Study.

It is anticipated that municipal roads and servicing within any draft plans of subdivision within the secondary plan area would be constructed by developers as per the Local Service Policy. If, as per the Local Services Policy, oversizing of infrastructure is required, it could be funded through A/00509-40 described above, or alternatively would be proposed as a future capital project for Council approval.

**Operating Impacts**

The operating impacts of any new infrastructure constructed through the above capital projects has been included in the budget process to ensure resources are provided to operate and maintain new assets at the applicable service level.

For assets constructed by developers that are ultimately transferred to City ownership, growth requests, either for increased budget or resources, will need to be proposed by staff in the appropriate divisions for consideration by Council.

**PUBLIC VALUE:**

**Engagement:**

A Statutory Public Meeting was held on May 16, 2023. Members of the public/residents that have requested to be added to the sign-in registry at the meeting or have requested to be notified of Council’s decision on the proposed development were notified of this Recommendation Report being presented to Council on October 24, 2023.

**ADVISORY COMMITTEE INPUT:**

Not Applicable
PUBLIC INPUT:

Previous drafts of the proposed Main Street and Dundas Street South Secondary Plan have been presented to the public during stakeholder meetings in 2015 and 2016. A Statutory Public Meeting was held on May 10, 2016 and a Public Information Centre (PIC) was held on December 12, 2022. The draft secondary plan was posted on the City of Cambridge website for review and comment. A second Statutory Public Meeting was held on May 16, 2023.

The comments received at the public meeting generally fall within the following categories:

- Retention/provision of commercial uses
- Provision of and access to park lands
- Accessible design standards
- Maximum height for low density residential
- Mix of two and three bedroom units

No written submissions have been received since the public meeting on May 16, 2023. Two written submissions were received after the public meeting report was finalized and have been included in Appendix D along with a comment response table that addresses the oral comments and submissions received at the public meeting.

This report has been posted on the City’s website as part of the public report process.

INTERNAL / EXTERNAL CONSULTATION:

A Steering Committee comprised of staff from the: Region of Waterloo, Waterloo District School Board, Waterloo Region Catholic School Board and City staff have reviewed the draft Main Street and Dundas Street South Secondary Plan and are generally in agreement with the policy direction proposed.

There have not been any additional comments from members of the Steering Committee on the Main Street and Dundas Street South Secondary Plan. After adoption by Council the Official Plan Amendment (OPA) will be forwarded to the Region of Waterloo for final approval.

Staff circulated notice of the public meeting and of this recommendation report to representatives from Six Nations of the Grand River, Mississaugas of the Credit First Nation and the Haudenosaunee Resource Centre.
CONCLUSION:

Planning staff is recommending adoption of the Official Plan Amendment. The amendment is consistent with the Provincial Policy Statement, 2020; and conforms to the Growth Plan (2020), the Regional Official Plan and Cambridge Official Plan; and represents good planning.

REPORT IMPACTS:

Agreement: No
By-law: Yes
Budget Amendment: No
Policy: Yes

APPROVALS:

This report has gone through the appropriate workflow and has been reviewed and or approved by the following as required:

Director
Deputy City Manager
Chief Financial Officer
City Solicitor
City Manager

ATTACHMENTS:

1. 23-261-CD Appendix A – Main Street and Dundas Street South Secondary Plan Study Area
2. 23-261-CD Appendix B – Planning Analysis Report from Dillon Consulting
3. 23-261-CD Appendix C – Proposed Official Plan Amendment: Main Street and Dundas Street South Secondary Plan Policy and Schedules
4. 23-261-CD Appendix D – Public Comments Received and Comment Response Table
5. 23-261-CD Appendix E – May 16, 2023 Public Meeting Minutes
CITY OF CAMBRIDGE

MAIN STREET AND DUNDAS STREET AREA

Overview of Policy Context
1.0 OVERVIEW OF POLICY CONTEXT

1.1. BACKGROUND

The City of Cambridge Official Plan (approved on November 21, 2012 by the Region of Waterloo) imagines Cambridge as a growing, well designed, compact, vibrant and complete community, and identified a growth framework to the community, with a planning horizon of 2031. The city will be planned to feature an appropriate mix of jobs, range of housing options, access to services and community infrastructure and access to transportation options including public transit. One of the keys to achieving this vision is the development and implementation of a robust policy framework that focuses growth and intensification in strategic locations within the existing built-up areas. These locations include the Urban Growth Centre, Community Core Areas, Nodes, Regeneration Areas, Reurbanization Corridors and Major Transit Station Areas. These locations have been selected because they boast services and community infrastructure that support growth,
they have land parcels with development and redevelopment potential, and they are located along existing or proposed transit routes including the Region of Waterloo’s rapid transit service (ION).

To support intensification, the City of Cambridge is in the process of preparing six secondary plans for the City’s main intensification areas, including the Main and Dundas Street South Area.

1.2. PURPOSE OF THE PLAN

The purpose of the Main Street and Dundas Street South Secondary Plan is to provide a planning framework that will guide future development and redevelopment in the Main Street and Dundas Street Community Node to achieve growth planning objectives to the 2031 planning horizon. The plan provides long range policy for the following elements:

- Land use;
- Urban design and public realm improvements;
- Transportation and infrastructure improvements; and
- Implementation tools and monitoring program.

1.3. SECONDARY PLAN PROCESS

The Secondary Plan process has been undertaken in three phases

- **Phase 1**: The first phase commenced in October 2015 with a stakeholder workshop to identify the key issues and opportunities within the Secondary Plan area. Over 40 stakeholders participated in this workshop and provided feedback, which was used to develop the vision and guiding principles for this Secondary Plan.

- **Phase 2**: The second phase involved establishing the vision, land use and draft policies for the Secondary Plan. Key elements of the draft Secondary Plan were presented to the public in 2016.

- **Phase 3**: The third and final phase involves the development of the implementation program and a draft of the Secondary Plan which was presented at a Statutory Public Meeting under the Planning Act most recently in May 2023. Following the Public Meeting, Staff made several minor revisions to the Plan and will be presenting it to Council for adoption in 2023.
1.4. POLICY PLANNING ANALYSIS

1.4.1. Provincial Policy Statement, 2020

The Provincial Policy Statement (PPS) 2020 articulates the direction of provincial land use planning in a comprehensive, integrated, and long-term manner. The fundamental mandate of the PPS is ensuring that municipal, provincial, and other governmental land use decisions are consistent with this Statement. Additionally, it encourages the wise management of land use change to meet both current and future needs, while conserving significant resources and avoiding areas with potential health and safety risks.

The PPS establishes wide-ranging land use policies for the province, mandating that all decisions, including those made at the municipal level concerning the development and implementation of Secondary Plans, adhere to its guidelines. Moreover, the PPS indicates that municipalities must “maintain at all times the ability to accommodate residential growth for a minimum of 15 years through residential intensification and redevelopment and, if necessary, lands which are designated and available for residential development” (1.4.1 a). Therefore, municipalities are guided by the PPS to engage in detailed planning processes like secondary planning to make lands available for development.

A key aspect of implementing the policy directions of the PPS is the role of municipalities in the implementation process, including:

- Permitting and facilitating a range of housing choices, including residential intensification, to cater to diverse current and future needs;
- Supporting efficient land use patterns, optimizing resources, infrastructure investments, and housing mix, including affordable options. This approach should promote the long-term financial well-being of municipalities and the Province;
- Working with upper-tier municipalities to allocate population, housing and employment projections; and identify growth areas and set targets for intensification and redevelopment within their jurisdictions;
- Keeping their planning documents, up-to-date with the PPS;
- Updating their zoning and development permit by-laws to align with their planning documents and the PPS; and
- Monitoring the implementation of the PPS policies in their planning documents and report on them as per the Minister’s guidelines.
The Main and Dundas Street South Secondary Plan has been developed to implement the provincial direction as set out in the PPS. The policies of the Secondary Plan, and its implementation, will ensure the area develops to meet the current and future needs of residents in a context-sensitive manner, providing a framework for the efficient use of land and infrastructure, the provision of parkland and opportunities to support alternative modes of transportation, including active transportation, and the provision of an appropriate mix of housing forms, including affordable housing.

1.4.2. Growth Plan for the Greater Golden Horseshoe, 2020

The Growth Plan sets out a broad, strategic framework for managing growth and development in the Greater Golden Horseshoe (GGH) region in a sustainable manner. It aims to optimize the use of existing and new infrastructure, protect environmental and agricultural resources, promote development in designated built-up areas, and foster vibrant and complete communities.

Secondary plans, which are more detailed local plans developed within the framework of a municipality's official plan, play a crucial role in implementing the Growth Plan. The Growth Plan's policies, such as minimum density targets and intensification targets, guide the need for secondary plans. Policy 2.2.4 of the Growth Plan encourages the use of secondary plans to facilitate transit-supportive development around planned and existing higher order transit stations and stops, to promote mixed-use development, and to foster the creation of complete communities that contain a diverse mix of uses and housing options in order to optimize existing infrastructure and public transit. In essence, these policies underline the significance of urban intensification and efficient land use in ensuring sustainable development and economic prosperity in the GGH. By concentrating development within delineated areas and setting specific density targets, secondary plans aim to create a future that is both prosperous and sustainable for Ontario.

In the case of the Main and Dundas Street South Secondary Plan, as a designated growth area within the City’s Built-up Area, it is expected that redevelopment and intensification in the area, consistent with the framework set out in the Secondary Plan, will contribute to achieving the City’s intensification target. The proposed Secondary Plan will allow for an appropriate level of intensification for this area, in conformity with the policies of the Growth Plan.
1.5. REGIONAL PLANNING FRAMEWORK

1.5.1. Region of Waterloo Official Plan, 2010

The Regional Official Plan for Waterloo outlines a vision of liveability, dependent on intertwined cultural, environmental, social, and economic aspects. It emphasizes the importance of a well-designed and accessible infrastructure that promotes a high quality of life, providing options and fostering safety.

For vibrant urban and rural communities, Section 3.0 of the plan calls for diverse housing choices, increased pedestrian, cycling and transit accessibility, reduced reliance on automobiles, improved air quality, and support for alternative energy systems. There’s also a strong focus on locally sourced food, human services need, and considerations for an aging and diverse population. These objectives will be achieved through collaboration with Area Municipalities and other agencies, aiming for vibrant urban and rural places.

Regarding infrastructure, Section 5.0 of the Plan views effective planning and management as crucial for achieving a sustainable and liveable Waterloo Region. Infrastructure planning should strive to optimize the use of existing resources, reduce additional demands, and support the community’s economic opportunities. Shared responsibilities for infrastructure management lie with various levels of government, the region, municipalities, and other agencies.

Several sections of the Regional Official Plan address infrastructure needs, focusing on transportation, drinking-water systems, wastewater systems, waste management, and utilities. The policies seek to improve transportation modes’ connectivity, with special emphasis on the Region’s transit system due to the strong land use-transportation planning link. Infrastructure master plans, assisting in planning significant initiatives, will support the Plan’s community structure and prioritize infrastructure investments for urban development management.

The Regional Official Plan emphasises that Area Municipalities will establish policies in their official plans to adhere to the plan’s overarching goal in infrastructure planning, development, and management that optimizes existing resources, accommodates forecasted growth, and promotes sustainability and a healthy population.
The Secondary Plan has been prepared to conform to the ROP\textsuperscript{1}; and, City staff have worked with Regional staff to address Regional comments provided throughout the Secondary Planning process to ensure that the final Secondary Plan meets Regional objectives.

1.6. INTEGRATION WITH CITY OF CAMBRIDGE OFFICIAL PLAN

Policy 2.5.5 of the City’s Official Plan states that the City will prepare Secondary Plans to “ensure that development occurs at the densities and form consistent with the (Official Plan)”. The Cambridge Official Plan, 2018 designated the Main St and Dundas St S Community Node and Future Study Area for inclusion in node boundary, which are subject to this Secondary Plan. The expectation is the policies of this Secondary Plan will form a new chapter within the Cambridge Official Plan implemented through OPA 65.

\textsuperscript{1} The Secondary Plan has been prepared to accommodate growth to 2031. The Regional Official Plan Amendment #6 was approved by the Province in April 2023 and includes a number of policies to guide growth and development within the City of Cambridge to 2051. The City of Cambridge Growth Management Strategy currently underway will identify a strategy to implement population and employment growth identified, which may result in additional changes to the City of Cambridge Official Plan and the Main and Dundas Street South Secondary Plan Area, through a subsequent official plan amendment.
BY-LAW 23-xxx

Being a by-law of the Corporation of the City of Cambridge to adopt Amendment No. 65 of the City of Cambridge Official Plan (2012), as amended with respect to the Main Street and Dundas Street South Secondary Plan.

WHEREAS sections 17 and 22 of the Planning Act R.S.O. 1990 c. P. 13, as amended empower the City of Cambridge to adopt an Official Plan and make amendments thereto;

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

1. THAT Amendment No. 65 to the City of Cambridge Official Plan (2012) applies to lands described as the Main Street and Dundas Street South Secondary Plan;

2. THAT Amendment No. 65 to the City of Cambridge Official Plan (2012) as amended, consisting of the text, and attached maps, is hereby adopted;

3. THAT the Clerk is hereby authorized and directed to make application to the Regional Municipality of Waterloo for approval of the aforementioned Amendment No. 65 to the City of Cambridge Official Plan (2012), as amended;

4. AND THAT this By-law shall come into full force and effect upon the final passing thereof.

Enacted and Passed this ______ day of _________ 2023.

_________________________________
MAYOR

_________________________________
CLERK
AMENDMENT NO. 65

TO THE

OFFICIAL PLAN OF THE

CITY OF CAMBRIDGE
PROPOSED AMENDMENT NO. 65 TO THE
OFFICIAL PLAN OF THE CITY OF CAMBRIDGE:
Main Street and Dundas Street South Secondary Plan

INDEX

PART A – THE PREAMBLE ..............................................................................................................4
1.0 TITLE AND COMPONENTS .................................................................................................4
2.0 PURPOSE ..............................................................................................................................4
3.0 BACKGROUND ....................................................................................................................4
4.0 LOCATION ...........................................................................................................................5
5.0 BASIS OF THE AMENDMENT ............................................................................................5
6.0 SUMMARY OF CHANGES TO THE OFFICIAL PLAN ..........................................................9
7.0 PUBLIC PARTICIPATION .......................................................................................................11

PART B – THE AMENDMENT .....................................................................................................12
1.0 INTRODUCTORY STATEMENT ...........................................................................................12
2.0 FORMAT OF THE AMENDMENT .......................................................................................12
3.0 IMPLEMENTATION AND INTERPRETATION .....................................................................12
4.0 DETAILS OF THE AMENDMENT ........................................................................................12
5.0 SCHEDULES .......................................................................................................................16
PART A – THE PREAMBLE

1.0 TITLE AND COMPONENTS

This document is entitled ‘Main Street and Dundas Street South Secondary Plan’ and will be referred to as ‘Amendment No. 65’. ‘Part A – The Preamble’ provides an explanation of the amendment including the purpose and format of the amendment but does not form part of this amendment.

‘Part B – The Amendment’ forms Amendment No. 65 to the Official Plan of the City of Cambridge and contains a comprehensive expression of the new, deleted and amended text.

2.0 PURPOSE

The purpose of Amendment No. 65 is to amend the Official Plan to include the Main Street and Dundas Street South Secondary Plan which will introduce a policy framework to guide growth and redevelopment in the Main Street and Dundas Street South Community Node.

3.0 BACKGROUND

Prior to preparing the Main Street and Dundas Street South Secondary Plan, extensive public consultation occurred including stakeholder meetings, Public Information Centres and public meetings:

- October 2015 – Stakeholders meeting to allow property owners and interested parties to discuss ideas about the future of the Secondary Plan Area.
- April 2016 – Second stakeholders meeting to present initial draft of Secondary Plan to stakeholders.
- December 12, 2022 – Public Information Centre.
- May 16, 2023 – Statutory Public Meeting.

At the December 12, 2022, Public Information Centre. A proposed vision for the Main Street and Dundas Street South Secondary Plan Area was shared with the community, along with proposed key principles to guide future development in the area related to land use and built form, transportation and mobility, parks and open space, and natural heritage. A land use concept was also presented to demonstrate how lands within the Secondary Plan Area could be organized. A question-and-answer period was held following the presentation to allow participants a chance to ask questions and provide comments on the project, presentation, and land use option presented. The Project Team provided responses to all questions received through a subsequent comment-response matrix.

At the May 16, 2023, Statutory Public Meeting the draft Secondary Plan, as revised based on the public and agency comments received, was presented to Council and the public for consideration. Responses to comments received at the Statutory Public Meeting were provided through a comment response matrix appended to the recommendation report.
4.0 LOCATION

Official Plan Amendment No. 65 applies to the lands identified as a Community Node and Future Study Area from Figure 3 of the Cambridge Official Plan and can generally be described as the lands south of McLaren Avenue, north of Franklin Lane, east of Dundas Street South and west of Wesley Boulevard.

5.0 BASIS OF THE AMENDMENT

5.1 Background

The City of Cambridge Official Plan (approved on November 21, 2012, by the Region of Waterloo) imagines Cambridge as a growing, well designed, compact, vibrant, and complete community. The city is planned to feature an appropriate mix of jobs, range of housing options, access to services and community infrastructure, and access to transportation options including public transit and active transportation. One of the keys to achieving this vision is the development and implementation of a robust policy framework that focuses growth and intensification in strategic locations within the existing built-up areas. These locations include the Urban Growth Centre, Community Core Areas, Nodes, Reurbanization Corridors and Major Transit Station Areas. These locations have been selected because they boast services and community infrastructure that support growth, they have land parcels with development and redevelopment potential, and they are located along existing or proposed transit routes including the Region of Waterloo’s rapid transit service (ION).

5.2 Existing Policy Framework

The Secondary Plan has been prepared as an amendment to the City of Cambridge Official Plan. The Secondary Plan Area is currently designated Low/Medium Density Residential, Community Commercial, Industrial and Natural Open Space System in the City’s Official Plan. The City’s Official Plan directs that secondary plans may be prepared for specific areas of the City to provide more detailed planning objectives and policies to direct and guide development (Section 10.2).
5.3 Secondary Plan

The purpose of the Main Street and Dundas Street South Secondary Plan is to guide the future planning and development of the Main Street and Dundas Street South Community Node lands. The Secondary Plan supports and builds on the policies of the City of Cambridge Official Plan, and provincial and regional policies and plans, with respect to orderly development of the area.

The Secondary Plan establishes a vision and the principles for the design and development of the area. It also establishes the general land use patterns and conceptual locations of parks and trails, roads and infrastructure. The Secondary Plan includes goals, general policies, and land use policies.

5.4 Proposed Land Use Changes

The Main Street and Dundas Street South lands are currently designated Low/Medium Density Residential, Community Commercial, Industrial and Natural Open Space System in the City’s Official Plan. The proposed new land use designations are shown on Schedule B of the Secondary Plan and are generally described as follows:

- **Mixed Use Mid-Rise High Density** permits a range of medium and high-density residential uses in 5 to 8 storey buildings as well as limited commercial and office uses and is intended to provide a transition from lower density to higher density areas.

- **Mixed Use Medium Density** permits medium density residential uses such as street townhomes, stacked townhomes, and low-rise apartments as well as commercial and office uses.

- **Mixed Use Main Street** permits a range of multiple residential units, commercial uses including retail, service commercial and places of amusement as well as some office uses and are intended to provide a transition in scale, form, massing and height between the Mixed-Use Mid-Rise High Density designation and surrounding lower density residential areas.

- **High Density Residential** permits medium to high density residential uses such as mid-rise and high-rise apartments and other multiple dwellings.

- **Medium Density Residential** permits medium density residential uses such as street townhomes, stacked townhomes, low-rise apartments and other multiple dwellings (excluding semi-detached).

- **Low Density Residential** permits residential uses such as single and semi-detached dwellings as well as additional residential units and existing medium density multi-unit residential uses. The maximum building height is 4 storeys.

- **Prestige Industrial** permits a range of light industrial, office buildings and research uses ranging from hotel and office type uses through to research and development laboratories and permits accessory and complementary uses.

- **Natural Open Space System** is applied to core environmental features, such as wetlands, woodlands and tributaries, and the associated buffers identified in the applicable Subwatershed Study.
5.5 Compliance with Provincial Legislation and Policy

Provincial Policy Statement (2020)

Section 3 of the Planning Act requires that decisions affecting planning matters shall be consistent with policy statements issued under the Act. The Provincial Policy Statement (PPS) was issued under the authority of Section 3 of the Act. The PPS provides policy direction on matters of provincial interest related to land use planning and development, including the protection of resources of provincial interest, public health and safety, and the quality of the natural and built environment.

The PPS directs growth to Settlement Areas on full municipal services (Policy 1.1.3) and directs that new development taking place in designated growth areas should occur adjacent to the existing built-up area and is to have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure, and public service facilities. The Main Street and Dundas Street South Secondary Plan lands will provide a mix of residential, commercial, institutional, and open space uses at densities to promote the efficient use of land, infrastructure, and public service facilities.

Policy 1.6.7.1 states that transportation systems should be provided which are safe, energy efficient, facilitate the movement of people and goods, and appropriate to address projected needs. The Secondary Plan proposes complete streets which prioritize active transportation, allow for vehicular movements and plan for future transit infrastructure.

Policy 1.8.1 directs municipalities to support energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions, and preparing for the impacts of a changing climate. The Secondary Plan promotes a compact built form and the use of active transportation and transit through transit supportive development. Further, it promotes sustainable design which maximizes energy efficiency and conservation and considers the mitigating effects of vegetation and green infrastructure.

The Secondary Plan is appropriate and consistent with the PPS.

A Place to Grow – Growth Plan for the Greater Golden Horseshoe (Office Consolidation 2020)

In 2019, the Province of Ontario released an update to the provincial growth plan called “A Place to Grow – Growth Plan for the Greater Golden Horseshoe” (Growth Plan). An Office Consolidation of the Growth Plan, which includes Amendment 1 (2020) was released in August of 2020. Planning applications are required to conform to Provincial plans.

The Growth Plan focusses on directing new development to existing settlement areas in order to support the development of complete communities that contain a diverse mix of uses and housing options in order to optimize existing infrastructure and public transit. The Growth Plan contains development targets for urban areas (referred to as Built-Up areas). The Main Street and Dundas Street S Secondary Plan area is located within a settlement area and is considered a Built-Up Area in the Growth Plan.


Regional Official Plan

The Secondary Plan area is located in the Built-up Area within the Urban Area Boundary as identified in the Region of Waterloo Official Plan. It is intended that land within the Urban Area is “to accommodate the majority of the Region’s growth within the planning horizon” of the Plan (Section 2.B.2).
The Built-Up Area identifies all lands within the built boundary of the Urban Area. Area municipalities are required to establish policies in their official plans and other supporting documents to ensure that "a minimum of 61 per cent of all new residential development occurring annually within the region as a whole will be constructed within the Built-Up Area" (Section 2.C.2).

Section 2.D.1 requires planning for new development within the Urban Area that:

b) is serviced by a municipal drinking-water supply system and a municipal wastewater system;

c) 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;

d) protects the natural environment, and surface water and groundwater resources;

e) conserves cultural heritage resources and supports the adaptive reuse of historic buildings;

f) respects the scale, physical character, and context of established neighbourhoods in areas where reurbanization is planned to occur; and

h) promotes building designs and orientations that incorporate energy conservation features and the use of alternative and/or renewable energy systems.

The Main Street and Dundas Street South Secondary Plan was prepared based on the principles supporting the creation of complete communities, 15-minute neighbourhoods, transit supportive design and uses, and alternative transportation modes. The policy framework was developed to ensure appropriate and efficient growth.

Regional Official Plan Amendment No. 6 has been approved by the Minister of Municipal Affairs and Housing. Amongst other changes and modifications, the density for Designated Greenfield Areas has been increased to 59 persons and jobs per hectare which has been reflected in the policies of this amendment.

The proposed Official Plan Amendment conforms to the Regional Official Plan, as amended.

City of Cambridge Official Plan

The Main Street and Dundas Street South Secondary Plan area is located in the Built-Up Area according to the City’s Official Plan, and is designated Low/Medium Density Residential, Community Commercial, Industrial and Natural Open Space System.

Uses such as single detached dwellings, townhouses and/or walk-up apartments are permitted on lands designated Low/Medium Density Residential where municipal water supply and wastewater systems are available (8.4.6.9).

The City’s Official Plan directs that secondary plans may be prepared for specific areas of the City to provide more detailed planning objectives and policies to direct and guide development (10.2.1) provided the secondary plan is in conformity with the City and Regional Official Plans (10.2.2), and in consideration of the following Section 10.2.4 criteria:

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) designation of land; and

n) any other matters as deemed appropriate by the City.

Section 5.2.1 states that the design of the built environment will promote sustainable, healthy, active living through:

a) well-connected and maintained streets, paths and trails that are able to safely accommodate different modes of transportation;

b) safe, accessible, aesthetically pleasing, well-serviced and inclusive developments;

c) resilient natural environments that support wildlife and their habitat and are better connected to residential areas; and

d) walkable neighbourhoods that offer a mix of uses, and range and variety of housing types with convenient access to public transit.

Chapter 5 of the Official Plan establishes urban design policies to achieve a high standard of urban design across the City. The Secondary Plan builds on the policies of the Official Plan to achieve design excellence in the Main Street and Dundas Street South Secondary Plan Area. It is planned to promote sustainable, healthy, and active living (Section 5.2), support transit usage (Section 5.3), build a high-quality, attractive public realm (Section 5.5) and consider sustainability and energy efficiency in the design of both private and public realms (Section 5.8).

The Secondary Plan conforms to the City of Cambridge Official Plan.

6.0 SUMMARY OF CHANGES TO THE OFFICIAL PLAN

The following is a summary of OPA No. 65:

• Amends Policy 1.2 by adding Chapters for secondary plans

• Deletes Policy 8.7.2.B

• Deletes the following site specifics:
  o 8.10.9 – 200 Franklin Boulevard.
8.10.38 – Green Gate Boulevard;
8.10.40 – 95 McLaren Avenue;
8.10.69 – 825-875 Main Street and 0 Sparrow Avenue; and
8.10.79 – 400-410 Dundas Street South

• Adds site specifics for the following properties:
  8.10.101 – 486 Main Street – Grand Valley Fortifiers;
  8.10.102 – 840 and 940 Main Street and 0 Franklin Boulevard;
  8.10.103 – 61 – 65 Nottinghill Drive; and
  8.10.104 – 115 Dundas Street North and 5 McLaren Avenue

• Deletes definitions for Active Transportation and Major Facilities

• Adds definitions for:
  15-minute neighbourhoods;
  active at-grade uses;
  active transportation;
  build-out;
  gross floor area;
  ground floor area;
  intensification target;
  large-format commercial;
  low-rise;
  mid-rise;
  major facilities;
  missing middle housing;
  privately owned public spaces (POPS);
  public service facilities;
  transit supportive; and
  walking, cycling, and rolling.
• Adds Chapter 20: Main Street and Dundas Street South Secondary Plan

• Amends Map 1A to align the Main Street and Dundas Street South Community Node boundaries to match the Main Street and Dundas Street South Secondary Plan Boundary.

• Amends Map 2 by adding the Main Street and Dundas Street South Secondary Plan Boundary

• Amends Map 2A by deleting site specific policy figures 13, 42, 44, 77 and 81 and by adding special policy figures 101-104

• Deletes figures 13, 42, 44, 77 and 81 from Chapter 16

• Adds figures 101-104 to Chapter 16

### 7.0 PUBLIC PARTICIPATION

Previous drafts of the proposed Main Street and Dundas Street South Secondary Plan have been presented to the public during stakeholder meetings in 2015 and 2016. A Statutory Public Meeting was held on May 10, 2016 and a Public Information Centre (PIC) was held on December 12, 2022. The draft secondary plan was posted on the City of Cambridge website for review and comment. A second Statutory Public Meeting was held on May 16, 2023.

All comments received during this process were considered when preparing the Secondary Plan.

Posting of related reports to the City’s website was included as part of the public report process.
PART B – THE AMENDMENT

1.0 INTRODUCTORY STATEMENT

All of this part of the document entitled ‘Part B - The Amendment’, consisting of the following text, constitutes Amendment No. 65 to the Official Plan of the City of Cambridge.

2.0 FORMAT OF THE AMENDMENT

This section of Amendment No. 65 sets out additions and changes to the text in the Official Plan. Text that is proposed to be amended is illustrated by various font types (e.g., struck-out text is to be deleted, new text identified in Bold font and defined terms are identified with italics). New sections that are proposed to be added to the Official Plan are shown in standard font type with titles appearing in bold. italicized font within the body of the text indicates defined terms or the name of a provincial act or title of a document.

3.0 IMPLEMENTATION AND INTERPRETATION

The implementation of this amendment shall be in accordance with the provisions of the Planning Act. The further implementation and associated interpretation of this amendment shall be in accordance with the relevant text and mapping schedules of the existing Official Plan of the City of Cambridge and applicable legislation. Amendment No. 65 should be read in conjunction with the current Official Plan (2012) as amended, which is available on the City’s website at cambridge.ca or at the Planning Services kiosk located at 50 Dickson Street in the 1st Floor lobby.

4.0 DETAILS OF THE AMENDMENT

The Official Plan of the City of Cambridge is hereby amended as follows:

Chapter 1 is hereby amended by adding Policy “1.2.h) Secondary Plans starting at Chapter 17”

Chapter 8 is hereby amended by deleting Policy “8.7.2.B Main Street and Dundas Street South Community Node” and replacing it with “8.7.2.B - The Main Street and Dundas Street South Secondary Plan is found in Chapter 20.”

Chapter 8 is hereby further amended by:

A - deleting the following site specific policies from Policy 8.10:

8.10.9 – 200 Franklin Boulevard;
8.10.38 – Green Gate Boulevard;
8.10.40 – 95 McLaren Avenue;
8.10.69 – 825-875 Main Street and 0 Sparrow Avenue; and,
8.10.79 – 400 – 410 Dundas Street South

B – adding the following site specific policies:

8.10.101 - 486 Main Street – Grand Valley Fortifiers
Grand Valley Fortifiers is a livestock feed production company that has existing industrial uses and facilities at 486 Main Street (Figure 101). Notwithstanding the land uses permitted for the Mixed-Use Medium Density designation, the following land uses are permitted on the lands identified in Figure 101:

- Light industrial uses in an enclosed building including assembling, fabricating, manufacturing, processing, storage, packaging;
- Offices;
- Research and development including laboratories;
- Retail Commercial; and
- Accessory uses to the permitted uses above.

No residential and other sensitive land uses are permitted during the continuance of industrial uses on this site. Should Grand Valley Fortifiers’ industrial operations on this site permanently cease, the industrial land use permissions in Policy 20.3.2.4 will no longer apply, in which case the land use permissions for the Mixed-Use Medium Density designation identified for this site on Schedule B of the Main Street and Dundas Street South Secondary Plan will apply.

8.10.102 - 840 and 940 Main Street and 0 Franklin Boulevard

The lands subject to this subsection are identified in Figure 102. Notwithstanding the maximum building height permitted in the Mixed-Use Main Street designation that applies to a portion of these lands, a maximum building height of eight storeys is permitted subject to the policies of this Plan. In addition, notwithstanding the minimum non-residential gross floor area requirements of Section 20.3.2.2, on lands designated Mixed-Use Main Street, a mid-rise apartment building may be constructed on these lands with the ground floor comprised of non-residential uses, which may include the lobby and residential amenity areas. A minimum non-residential gross floor area of 300 square metres is required.

The minimum height / storey requirements related to lands designated Medium Density Residential in Section 20.3.2.6 may be reduced due to land use compatibility measures that may be required as a result of the site’s proximity to lands within the Eastern Industrial Park, subject to the approval of the City and the Region.

8.10.103 - 61 – 65 Nottinghill Drive

Notwithstanding the permitted density in this Plan, the land identified in Figure 103 will be permitted a maximum residential density of 2.2 Floor Space Index (FSI).

8.10.104 - 115 Dundas Street North and 5 McLaren Avenue

The lands identified in Figure 104 may only develop in accordance with the policies of the Mixed Use Medium Density designation, where it can be demonstrated that land use compatibility with surrounding existing industrial uses, including Rockwell Automation, can be achieved to the satisfaction of the City. Notwithstanding the permissions for residential uses within the Mixed Use Medium Density designation, where the outcomes of such studies
indicate that land use compatibility cannot be achieved, *sensitive land uses*, including
residential, will not be permitted.

Chapter 13 is hereby amended by deleting the definitions for *active transportation* and *major facilities*
and adding the following definitions:

**15-minute neighbourhoods** - Compact, well-connected places such as mixed-use
neighbourhoods or other areas within the Urban Area. They are places that offer and support and
opportunities for people of all ages and abilities and at all times of year to conveniently access the
necessities for daily living with a 15-minute trip by walking, cycling, and rolling, and where other
needs can be met by taking direct, frequent, and convenient transit, wherever possible. The
neighbourhoods should include an appropriate mix of jobs, local stores, and services, a full range
of housing, transportation options and public service facilities. They are also age-friendly places
and may take different shapes and forms appropriate to their contexts.

**active at-grade uses** – uses at grade with the street that generate activity, in particular pedestrian
activity, on the street. Uses may be street-related commercial and/or community uses such as retail
stores, restaurants, personal or business services, professional or medical offices, libraries,
community centres, and parks/public squares.

**active transportation** - movement of people or goods that is powered by human activity. Active
transportation includes walking, cycling, and the use of human-powered or hybrid mobility aids such
as wheelchairs, scooters, e-bikes, and rollerblades.

**build-out** - the time in the future when the subject area of land is fully developed in accordance with
the vision, objectives, and policies of this Plan.

**gross floor area** – the total of all floor areas of a building or structure, which floor areas are
measured between the exterior faces of the exterior walls of the building at each floor level or from
the centrelines of partition walls and the exterior faces of the exterior walls, but does not include any
underground floor area, unenclosed porch or verandah, mechanical room or penthouse, amenity area
and private amenity area, and areas used for parking within the building or structure. The walls of an
inner court shall be deemed to be exterior walls.

**ground floor area** – the area of the ground floor of a building or structure measured between the
exterior faces of the exterior walls or from the centrelines of partition walls and the exterior faces of
the exterior walls.

**intensification target** – the minimum percentage of development each year that are expected to
occur within the built-up area.

**large-format commercial** – a commercial use with greater than 2,000 square metres of ground floor
area, such as large footprint supermarkets, big box retail stores, warehouse stores, and standalone
movie theatres.

**low-rise** - any building that is 2 to 4 storeys in height.

**mid-rise** - any building that is 5 to 8 storeys in height.
major facilities - facilities which may require separation from sensitive land uses, including but not limited to airports, manufacturing uses, transportation infrastructure and corridors, rail facilities, marine facilities, sewage treatment facilities, waste management systems, oil and gas pipelines, industries, energy generation facilities and transmission systems, and resource extraction activities. (PPS, 2020)

missing middle housing - multi-unit housing types with gentle density that are compatible in scale with single-detached neighbourhoods while providing additional housing options. For example, laneway housing, garden suites, duplexes, triplexes, fourplexes, rowhouses, townhouses, and low and mid-rise apartments.

privately owned public spaces (POPS) – A privately owned and maintained open or landscaped space that is designed to promote public access and use, which may include but is not limited to courtyards, enhanced walkways, and urban greens and squares. The spaces are meant to be open and accessible to the public and may complement, extend or integrate with public parks.

public service facilities - lands, buildings, and structures for the provision of programs and services provided or subsidized by a government or other body, such as social assistance, recreation, police and fire protection, health and educational programs, long-term care services, and cultural services. Public service facilities do not include infrastructure. (PPS, 2020)

transit-supportive - relating to development that makes transit viable and improves the quality of the experience of using transit. It often refers to compact, mixed-use development that has a high level of employment and residential densities. Transit-supportive development will be consistent with Ontario’s Transit Supportive Guidelines.

walking, cycling, and rolling - Methods of active transportation, which means movement of people or goods that is powered by human activity. Active transportation includes walking, cycling, and the use of human-powered or hybrid mobility aids such as wheelchairs, scooters, e-bikes, and rollerblades.
5.0 SCHEDULES
SCHEDULE 1 – MAP 1A – URBAN STRUCTURE
SCHEDULE 2 – MAP 2 – GENERAL LAND USE PLAN
SCHEDULE 3 – MAP 2A – SITE SPECIFIC POLICIES
SCHEDULE 4 – FIGURE 3
SCHEDULE 5 – FIGURES 101 - 104
SCHEDULE 6 – Chapter 20: Main Street and Dundas Street South Secondary Plan
SCHEDULE 1 – MAP 1A – URBAN STRUCTURE

Official Plan Map 1A Urban Structure in Chapter 14: Maps is hereby amended by expanding the Main Street and Dundas Street South Community Node boundary to match the Main Street and Dundas Street South Secondary Plan Boundary area as depicted in the following mapping.
SCHEDULE 2 – MAP 2 – GENERAL LAND USE PLAN

Official Plan Map 2 General Land Use Plan in Chapter 14: Maps is hereby amended by adding the boundary of the Main Street and Dundas Street South Secondary Plan area as depicted in the following mapping.
SCHEDULE 3 – MAP 2A – SITE SPECIFIC POLICIES

Official Plan Map 2A Site Specific Policies in Chapter 14: Maps is hereby amended by deleting site specific policy figures 13, 42, 44, 77 and 81 and by adding site specific policy figures 101-104 as depicted in the following mapping.
SCHEDULE 4 – FIGURE 3

Official Plan Figure 3 - Community Node Main St and Dundas St S in Chapter 16: Figures is hereby amended by aligning the Community Node boundary with the Secondary Plan Area boundary as depicted in the following mapping.
Figure 3
Community Node
Main St and Dundas St S

Legend
- Node Boundary
SCHEDULE 5 – FIGURES 101 - 104

Chapter 16: Figures is hereby amended by deleting Figures 13, 42, 44, 77 and 81 and by adding Figures 101-104 as depicted in the following mapping.
The Cambridge Official Plan is hereby amended by adding the following new Chapter 20: Main Street and Dundas Street South Secondary Plan.
## Contents

### 20.1 Introduction
- 20.1.1 Vision for Change ................................................................. 32
- 20.1.2 Secondary Plan Guiding Principles ........................................ 32

### 20.2 Purpose
- 20.2.1 Purpose of the Plan .............................................................. 34
- 20.2.2 Organization ........................................................................ 34
- 20.2.3 Location and Boundary ........................................................ 34
- 20.2.4 Community Structure .......................................................... 35

### 20.3 Policies
- 20.3.1 General Policies ................................................................... 36
- 20.3.2 Land Use Policies ................................................................. 39
- 20.3.3 Urban Design and Built Form ................................................. 44
- 20.3.4 Transportation ...................................................................... 55
- 20.3.5 Infrastructure ........................................................................ 58
- 20.3.6 Implementation ..................................................................... 59

### List of Schedules

- Schedule A: Secondary Plan Boundary and Community Node Limits
- Schedule B: Land Use Plan
- Schedule C: Natural Heritage and Natural Hazards
- Schedule D: Public Realm Improvement Plan
- Schedule E: Transportation Plan
- Schedule F: Transit and Active Transportation Plan
- Appendix
- Appendix A: Conceptual Street Cross Sections
Chapter 20

20.1 INTRODUCTION

The preparation of a Secondary Plan is required by the City of Cambridge Official Plan (2012), as amended, for the Main Street and Dundas Street South Community Node. The Main and Dundas Street South Secondary Plan (“the Secondary Plan”) provides detailed boundaries and land use policies for this community node to achieve a significant density increase and become a medium to high density mixed-use centre.

20.1.1 VISION FOR CHANGE

The Secondary Plan Area is expected to function as one of the City’s main intensification nodes and accommodate up to 1,700 new residential units and 100 additional jobs by 2031 through a combination of new development, infilling, and redevelopment. Over the longer term, the Plan Area has the potential to accommodate up to 6,200 units and 1,400 jobs at build-out, depending on the scale of intensification and the mix of uses proposed.

It is envisioned that the Plan Area will transition into a compact, complete, sustainable, vibrant, and integrated node that supports active transportation and transit service. The Plan Area will integrate a diverse mix of uses to build 15-minute neighbourhoods while continuing to have an important commercial function to support the needs of the broader southeast Cambridge community. This mixed-use and higher density node will be supported by new parks, public spaces, trails, and community amenities that are well connected to the existing public realm network. The transportation network in the Plan Area will provide a full range of mobility options but will prioritize and facilitate active transportation and transit. This vision is to be achieved through a combination of public realm improvements and private sector land development and re-development.

20.1.2 SECONDARY PLAN GUIDING PRINCIPLES

The Plan Area is planned to achieve an overall minimum density of 100 residents and jobs combined per hectare to support growth management, the efficient use of land, and frequent transit service. This is a gross minimum density requirement that is measured within all of the lands delineated by the Plan Area, inclusive of environmental features and constraints. Several of the land use designations set out in this Plan identify minimum net density targets for freestanding residential development within the designation to support achieving the overall minimum density target, along with the other policies of the Plan. As part of any development application, the City will require applications to demonstrate how the application supports the overall gross density target for the Plan Area, and the applicable minimum density requirements of this Plan have been met.

Planning and development within the Plan Area will be guided by the following principles:
a) Intensify and increase the supply of housing, employment, and amenities to accommodate anticipated future growth and contribute to meeting the intensification target;

b) Maintain the node's important commercial function and transition to become a vibrant and complete community providing a mix of residential, commercial, employment, institutional, and community uses;

c) Build 15-minute neighbourhoods where people can meet their daily needs for goods, services, and employment within a 15-minute trip from home by active transportation, and where other needs can be met by using direct, frequent, and convenient transit;

d) Support transit service and ridership through transit-supportive built-forms, densities, mix of uses, and urban design of the public and private realm;

e) Improve connectivity within the Plan Area and to the Plan Area from surrounding neighbourhoods for active transportation by enhancing safety, permeability, accessibility, and the pedestrian experience;

f) Sensitively integrate with adjacent existing neighbourhoods and ensure compatibility in land use and built form;

g) Provide an appropriate range and mix of housing types, forms, tenures, and affordability that responds to the demography of the community;

h) Support the prosperity of existing businesses and provide opportunities for new economic development and employment;

i) Be well-designed and provide diverse and contextually compatible built form and high quality architectural and urban design in public realm improvements and private realm developments;

j) Create a connected, functional and attractive network of parks, public spaces, natural open spaces, and trails using the process and principles of place-making;

k) Implement sustainable design to minimize environmental impact, conserve energy, manage stormwater, protect natural areas, enhance biodiversity, and reduce greenhouse gas emissions; and

l) Phase implementation to align with market demand and infrastructure investment.
20.2 PURPOSE

20.2.1 PURPOSE OF THE PLAN

The purpose of the Secondary Plan is to provide a detailed land use plan and policy framework to guide development and redevelopment within the Main Street and Dundas Street South Community Node (“the Community Node”) to achieve a significant level of intensification.

The policies of this Secondary Plan are intended to result in a complete, vibrant, well-designed, and sustainable community node that meets the objectives and policies of Provincial plans, the Region of Waterloo Official Plan, and the City of Cambridge Official Plan.

The Secondary Plan must be read in conjunction with the applicable policies within the City of Cambridge Official Plan (2012), as amended. In addition to the policies of this Secondary Plan, all other parts of the City of Cambridge Official Plan shall apply. The land use designations for the Secondary Plan are intended to complement the broader land use designations provided in the Official Plan. In most cases, the land use policies and permissions described in the Secondary Plan are more detailed than those provided for within the Official Plan. In the event of a policy conflict, the Secondary Plan will prevail unless otherwise specified.

20.2.2 ORGANIZATION

The Secondary Plan document is organized into three main sections:

Section 20.1: Introduction
Section 20.2: Vision and Guiding Principles
Section 20.3 Policies

The contents of Sections 20.2 and 20.3 are considered to be the formal Secondary Plan, including Schedules A through F. Any alterations to the policies in Sections 20.2 and 20.3 or Schedules A through F shall require an Official Plan Amendment (unless otherwise stated in the Plan). Alterations to the contents of Section 20.1 including all text, images, figures, formatting, footnotes, and graphics are not subject to an Official Plan Amendment and are provided for explanatory purposes only.

20.2.3 LOCATION AND BOUNDARY

The limits of the Secondary Plan (the “Plan Area”) are depicted on Schedule A, covers approximately 82 gross hectares (202 acres) of land and is generally centred around the major intersections of Main Street and Dundas Street, Main Street and Franklin Boulevard, and Dundas Street and Franklin Boulevard. The northern boundary of the Plan Area abuts the Eastern Industrial Park. The western boundary generally abuts the Lincoln Oaks and Glenview residential neighbourhoods. The southern boundary traverses through a small portion of the Branchton Park residential neighbourhood. The
eastern boundary traverses through the vacant lands north of Main Street and abuts the residential subdivisions south of Main Street in the Eastview neighbourhood.

Schedule A also identifies the finalized limits of the Main Street and Dundas Street South Community Node. Unless otherwise stated, the policies of this Secondary Plan apply to the lands located within the Secondary Plan limits as depicted on Schedule A. Changes to the boundary of the Secondary Plan will require an Official Plan Amendment.

20.2.4 COMMUNITY STRUCTURE

The land use designations implement the vision for the Plan Area to transform into a compact and complete community with 15-minute neighbourhoods.

Lands within the Plan Area are designated one of the following land use designations as indicated on Schedule B:

a) Mixed-Use Mid-Rise High Density
b) Mixed-Use Medium Density
c) Mixed-Use Main Street
d) High Density Residential
e) Medium Density Residential
f) Low Density Residential
g) Prestige Industrial
h) Natural Open Space System
20.3 POLICIES

20.3.1 GENERAL POLICIES

20.3.1.1 Uses Permitted in All Designations

With the exception of the Natural Open Space System designation, the Official Plan permits certain land uses within all land use designations in the City, subject to the provision of adequate infrastructure and other criteria. Those land uses are also generally permitted within all land use designations of the Secondary Plan, subject to the policies of the Official Plan and provided that the long-term vision of this Secondary Plan is not precluded.

20.3.1.2 Uses Prohibited in All Designations

The Official Plan prohibits a list of uses in all land use designations of the Official Plan. Those land uses are also prohibited in all designations of this Secondary Plan. In addition, the following uses will be prohibited in all designations of the Secondary Plan:

a) New drive-through facilities subject to Section 20.3.1.4;

b) New auto-related uses subject to Section 20.3.1.4;

c) New large-format commercial uses subject to Section 20.3.1.5; and

d) Noxious uses as defined in the City's Zoning By-law.

20.3.1.3 Active At-Grade Uses

Portions of certain public streets in the Plan Area are envisioned to transform into vibrant, engaging, and active streetscapes that foster pedestrian-oriented commercial and community activity in the Plan Area.

Developments that front onto streets identified for Active Frontages on Schedule D shall provide active at-grade uses at the street level, where possible taking into consideration existing topographical and engineering constraints. These uses will be street-related, provide visual interest, animate the streetscape, and be designed in accordance with the Urban Design policies in Section 20.3.3.

Residential entrances and lobbies within the ground floor of mixed-use buildings are permitted along Active Frontages but shall consist of a limited portion of a development's frontage.

Surface parking and structured parking are not permitted along Active Frontages. Driveways and direct vehicular access along Active Frontages shall be in accordance with the policies of this Plan.

20.3.1.4 Drive-Through Facilities and Auto-Related Uses

Auto-related uses include gas bars/stations, motor vehicle service and repair shops (including body shops), motor vehicle sales and rental, and motor vehicle washing establishments.
Existing drive-through facilities and auto-related uses in the Plan Area that legally existed before the date of adoption of this Secondary Plan are permitted to continue. Over the long term and upon build-out of this Secondary Plan, existing drive-through facilities and auto-related uses should be redeveloped and replaced with pedestrian-oriented and transit-supportive development.

For the purpose of transition and to facilitate redevelopment, existing drive-through facilities may be relocated on the same lot or block on an interim basis subject to the following conditions:

a) Relocated drive-through facilities shall not be situated along Active Frontages;

b) The commercial use to which the drive-through facility is ancillary must be a permitted use on the lands the drive-through facility is being relocated to; and

c) A site plan approval application for relocation must include a Build-out Demonstration Plan.

Existing drive-through facilities are not permitted to increase the number of drive-through lanes existing on the date of adoption of this Secondary Plan.

20.3.1.5 Large-Format Commercial Uses

New large-format commercial uses with more than 2,000 square metres of ground floor area are not permitted within the Plan Area. The purpose of this policy is to limit land-intensive commercial uses to facilitate opportunities for intensification.

Existing large-format commercial uses in the Plan Area that legally existed before the date of adoption of this Secondary Plan are permitted to continue. Over the long term and upon build-out of this Secondary Plan, existing large-format commercial uses should be redeveloped into compact medium to high density mixed-use developments that integrate commercial with residential and other uses. Surface parking should be significantly reduced.

For the purpose of transition and to facilitate redevelopment, existing large-format commercial uses may be relocated on the same lot or block subject to the following conditions:

a) Relocated large-format commercial uses shall not be situated along Active Frontages; and

b) A site plan approval application for relocation must include a Build-out Demonstration Plan.

20.3.1.6 Housing

Housing developments in the Plan Area shall comprise a range and mix of rental and ownership housing types, unit sizes, and tenure, including adequate numbers of dwelling units to accommodate households with children, larger families, seniors and people with special needs.

Affordable housing, including community housing, supportive housing, and other types of subsidized non-market housing units, is encouraged to be provided in the Plan Area.
Development that includes residential in the Plan Area will be in accordance with the affordable housing policies of the Official Plan.

The City will collaborate with the Region of Waterloo, non-profit organizations and private developers to promote, encourage and maximize opportunities for affordable housing.

To support the development of affordable housing units, the City, in conjunction with the Region, will explore potential incentives such as reduced or deferred development charges, reduced application fees, grants, and loans.

The development of intrinsically more affordable ownership and rental housing, which may include buildings constructed using innovative and cost-effective techniques, basic in-unit amenities, modest finishes, minimal details, and flexibility within units, is encouraged.

Residential developments and dwelling units designed, constructed, and maintained as purpose-built rental units are encouraged in the Plan Area. Purpose-built rental development should include units for various levels of affordability, including for households with low and moderate income.

To achieve a mix of unit types, and to support the creation of housing suitable for larger households, development containing more than 80 new residential units will include larger units, as follows:

a) A minimum of 20 percent of the total number of units as 2-bedroom units; and

b) A minimum of 5 percent of the total number of units as 3-bedroom or larger units.

For clarity, one bedroom plus den units will not constitute a 2-bedroom unit, and a two-bedroom plus den unit will not constitute a 3-bedroom unit.

Where appropriate, private, public, and non-profit housing developments designed to provide housing options for seniors, that facilitate “aging-in-place”, are encouraged, including small ownership and rental units as well as retirement and assisted living facilities.

A minimum 20 percent of new affordable units and new purpose-built rental units shall be constructed accessible with barrier-free, universal or flex design. Housing units geared towards seniors are encouraged to provide accessibility features that meet the City’s Facility Accessibility Design Manual.

Additional residential units will be permitted in accordance with the policies of this Secondary Plan and the City of Cambridge Official Plan, and the provisions of the Zoning By-law.

**20.3.1.7 Employment Areas**

Land use decisions regarding lands within or adjacent to employment areas will be consistent with the employment area policy direction in the Region of Waterloo Official Plan until such time the City of Cambridge Official Plan has been updated.
20.3.1.8 Land Use Compatibility

The development of sensitive land uses, major retail uses or major office uses will, in accordance with provincial guidelines, avoid, or where avoidance is not possible, minimize and mitigate adverse impacts on industrial, manufacturing or other uses that are particularly vulnerable to encroachment.

Proposed developments of sensitive land uses, major retail uses or major office uses adjacent to existing or planned employment areas or within the influence area of major facilities will provide a Land Use Compatibility Assessment based on provincial guidelines.

New industrial uses on lands designated Prestige Industrial in the Plan Area may be required to demonstrate that the use(s) will not detrimentally impact adjacent existing sensitive land uses and/or preclude the potential development of sensitive land uses on adjacent lands where envisioned by this Secondary Plan. Supporting studies, including a Land Use Compatibility Assessment, may be required to support approval of the new industrial use.

Where required, methods of abatement and mitigation of potential adverse impacts will be part of site plan agreements, severance agreements, and subdivision/condominium agreements.

20.3.1.9 Source Water Protection

Lands in the Plan Area are identified as being part of the Region’s Wellhead Protection Areas. Refer to the Official Plan for additional guidance regarding development within the Wellhead Protection Areas.

No policies or permissions of this Secondary Plan take precedence over the Wellhead Protection Area policies contained in the Official Plan. In the event of a policy conflict, the parent policies of the Official Plan shall take precedence.

20.3.1.10 Contaminated Sites

Refer to Contaminated Sites policies of the Official Plan for guidance on redevelopment of potentially contaminated sites and need for a Record of Site Condition.

20.3.2 LAND USE POLICIES

20.3.2.1 Relationship with the Official Plan Land Use Categories and Permissions

The land use designations for the Secondary Plan are intended to complement the broader land use designations provided in the Official Plan. In most cases, the land use policies and permissions described in the Secondary Plan are more detailed than those provided for within the Official Plan. Where there are inconsistencies between a particular policy in the Official Plan and the Secondary Plan, the policies of the Secondary Plan will prevail.

20.3.2.2 Mixed-Use Designations

Lands designated with a Mixed-Use designation are intended to be the centre of the Community Node and generally provide the greatest mix of uses and highest densities
within the Plan Area. These areas are intended to continue to provide retail and service commercial uses, while integrating residential housing, office, institutional, and community uses through infill and/or redevelopment.

Lands designated with a Mixed-Use designation are intended to intensify and transition to a compact urban form including medium to high density development and a reduction of surface parking. These lands shall be supported by a generous public realm including gateways, vibrant and active streetscapes, active transportation connections, and new parks/public spaces.

The Mixed-Use designations include:

- Mixed-Use Mid-Rise High Density;
- Mixed-Use Medium Density; and
- Mixed-Use Main Street.

The Mixed-Use designations permit a wide range of compatible uses. The following land uses are permitted on lands within the Mixed-Use designations:

b) Multiple unit residential buildings, including apartments and stacked townhouses;

c) Street townhouses;

d) Additional residential units;

e) Live-work units and home occupations;

f) Special needs housing;

g) Commercial uses including retail, service commercial, and places of amusement uses, except any commercial uses prohibited in Section 20.3.1.2;

h) Public service facilities; and

i) Office uses.

The Mixed-Use Medium Density and Mixed-Use Main Street designations are intended to provide transition in scale, form, massing, and height between envisioned high-density developments in the Mixed-Use Mid-Rise High Density designation and surrounding lower density residential developments. These areas are intended to provide mixed-use developments consisting of active at-grade uses that frame the street while ensuring compatibility with abutting low-rise residential developments through the implementation of setbacks, landscaping, and mitigation measures as needed. Lot consolidation to support intensification and redevelopment is encouraged.

The implementing Zoning By-law may further refine the permitted land uses to ensure that new development is appropriate in the context of the adjacent and surrounding community.

To create a complete community and support economic activity within the Plan Area, new development within the Mixed-Use designations will provide a minimum of 10
percent of the *gross floor area* of the development as non-residential uses in one or multiple buildings.

20.3.2.3 Residential Designations

Lands with predominantly residential land uses are designated Residential. The Residential designations include the High Density, Medium Density Residential and Low Density Residential designations. These neighbourhoods are intended to:

- a) Provide a wide range and mix of housing types, forms, tenures, and affordability that addresses demographic needs of the immediate and broader Cambridge community;
- b) Incorporate *public service facilities*, such as schools and parks, and *compatible* commercial uses, such as convenience commercial establishments, to create *15-minute neighbourhoods*;
- c) Develop at *transit-supportive* densities and provide *missing middle housing* where appropriate;
- d) Provide *accessible*, pedestrian-oriented, and high-quality public realm with short walking distances to parks, trails, schools, other *public service facilities*, and transit services; and,
- e) Contribute to providing safe and convenient *active transportation* connections to commercial, employment, service, and other community destinations in the Plan Area and surrounding areas.

The following land uses are permitted on lands within the Residential designations:

- a) Additional residential units;
- b) Live-work units and home occupations;
- c) Special needs housing;
- d) Convenience commercial uses in accordance with Section 8.6.1.5 of the Official Plan; and
- e) **Public service facilities**.

In addition to the uses permitted within all Residential designations, the following uses are also permitted on lands within the High Density Residential designation:

- a) *Mid and high-rise apartments*; and
- b) *Other multiple buildings*.

In addition to the uses permitted within all Residential designations, the following uses are also permitted on lands within the Medium Density Residential designation:

- c) *Low and mid-rise apartments*;
- d) Stacked townhouses; and
- e) Street townhouses.
In addition to the uses permitted within all Residential designations, the following uses are also permitted on lands within the Low Density Residential designation:

a) Stacked townhouses;
b) Street townhouses;
c) Duplexes, triplexes, fourplexes;
d) Semi-detached dwellings; and
e) Single-detached dwellings.

The implementing Zoning By-law may further refine the permitted land uses to ensure that new development is appropriate in the context of the adjacent and surrounding community.

**20.3.2.4 Prestige Industrial**

Lands designated Prestige Industrial are intended to provide transition between the planned mixed-use areas within the Plan Area and the industrial uses north of the Plan Area. The predominant land uses within this designation shall be light industrial, office buildings and research uses. *Intensification* and increased employment densities are encouraged through expansion or redevelopment for existing and new businesses, contributing to employment growth in the Plan Area.

The following land uses are permitted on lands in the Plan Area designated Prestige Industrial provided such uses are *compatible* with residential and other *sensitive land uses*:

a) Light industrial uses in an enclosed building including assembling, fabricating, manufacturing, processing, storage, packaging, and industrial service trades;
b) Offices;
c) Research and development including laboratories;
d) Information technology related uses including data centres and information processing establishments;
e) Hotel, conference centre, and banquet facilities;
f) Accessory uses to the permitted uses above; and
g) Service commercial and ancillary retail uses on a limited basis subject to the conditions set out in the Regional Official Plan and the City’s Official Plan.

Outdoor storage of raw materials and finished products is not permitted. Any storage of raw materials and finished products which is accessory to the primary use shall be contained within a building.

**20.3.2.5 Natural Open Space System**

Core Environmental Features, watercourses and shorelines, the regulatory one-zone floodplain, the floodway of a two-zone floodplain, additional hazard lands such as steep
slopes, approved buffers as determined through the planning process, and publicly owned natural open space have been designated Natural Open Space System on Schedule B of this Secondary Plan. Core Environmental Features and Environmentally Sensitive Policy Areas in and around the Plan Area are identified on Schedule C of this Secondary Plan. The boundaries of Core Environmental Features and Environmentally Sensitive Policy Areas may be refined and expanded without further amendment to this Plan, provided any refinements are minor in nature and supported through a Environmental Impact Study (EIS) in conformity with the policies of this Plan.

The planned function, permitted uses, and policies of the Natural Open Space System designation are as set out in the Cambridge Official Plan. In addition, Chapter 3 of the Official Plan sets out policies regarding natural features and environmental management.

### 20.3.2.6 Height and Density

The lot area to be used for calculating density shall exclude the following areas:

- a) Lands with *natural features* including any required buffers, provided that development is prohibited on these lands; and
- b) Floodplain in a One-Zone Policy Area or the *floodway* in a Two-Zone Policy Area; and
- c) *Hazardous lands*.

It is the intent of this Secondary Plan that the planned densities will be achieved at *build-out*.

The minimum densities for freestanding residential development, and minimum and maximum heights of new buildings within the Residential and Mixed-Use designations will be as follows:

<table>
<thead>
<tr>
<th>Designation</th>
<th>Minimum density for freestanding residential development (UPH – units per hectare)</th>
<th>Height (Storeys)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Minimum</td>
</tr>
<tr>
<td>High Density Residential</td>
<td>150</td>
<td>10</td>
</tr>
<tr>
<td>Medium Density Residential</td>
<td>60</td>
<td>3</td>
</tr>
<tr>
<td>Low Density Residential</td>
<td>n/a</td>
<td>n/a</td>
</tr>
<tr>
<td>Mixed-Use Mid-Rise High Density</td>
<td>150</td>
<td>5</td>
</tr>
<tr>
<td>Mixed-Use Medium Density</td>
<td>60</td>
<td>3</td>
</tr>
<tr>
<td>Mixed-Use Main Street</td>
<td>60</td>
<td>2</td>
</tr>
</tbody>
</table>
The maximum heights of new buildings within the Prestige Industrial designation will be as follows:

<table>
<thead>
<tr>
<th>Designation</th>
<th>Height (Storeys)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Prestige Industrial</td>
<td>8 storeys</td>
</tr>
</tbody>
</table>

Maximum building heights as identified in this Secondary Plan may be exceeded without an amendment to this Plan, subject to Council approval through a Zoning By-law amendment, in the following circumstances:

a) To achieve the maximum permitted density on a site where land is to be conveyed to the City for a publicly owned park or space; or
b) Where the maximum permitted density is exceeded as permitted.

The density and scale of development must be contextually appropriate with the planned context and must support the public realm.

20.3.2.7 Ongoing Development Applications

In the event an Official Plan amendment application for lands within the Plan Area has been deemed complete but a decision has not been made by Council prior to the date of adoption of this Secondary Plan, the following shall apply:

a) Applications in the public consultation phase of the Official Plan amendment process shall take into consideration the policies of this Secondary Plan; and
b) The resulting Site-Specific Policy, if any, shall be considered an amendment and Site-Specific Policy of this Secondary Plan.

20.3.2.8 Site Specific Policies

Site specific policies can be found in Chapter 8.10 and are identified on Map 2A.

20.3.3 URBAN DESIGN AND BUILT FORM

20.3.3.1 Intent of Urban Design and Built Form Policies

The following section provides the urban design policies for the Secondary Plan Area. The policies of this section are intended to complement and build upon the urban design policies in Chapter 5 of the Official Plan and be implemented through the site plan process. The purpose of these policies is to provide guidance for enhancing the character of the area, including both the private and public realm. The policies are intended to provide a degree of flexibility, allowing for a range of design styles and expressions which will contribute to creating a unique sense of place.
20.3.3.2 Urban Design and Built Form Vision

The Main Street and Dundas Street South Community Node is a gathering place for shopping, living, and working. Today, the area is dominated by auto-oriented commercial uses, vacant lands, and large surface parking lots. During the Secondary Plan consultation process, stakeholders expressed a desire for an enhanced public realm, more diverse mix of uses and activities, and a comfortable pedestrian environment. The Main Street and Dundas corridors are intended to provide local retail activity and the surrounding blocks offer a diverse range of employment, commercial, and residential uses that enhances the character of the area.

The intent of the Secondary Plan is to encourage an active commercial frontage along Dundas and Main Streets with pedestrian-scaled buildings. Internal blocks provide safe and efficient pedestrian and vehicular access within a vibrant and friendly streetscape. To achieve an enhanced streetscape environment, the urban design policies promote the development that provides a more compact mixed-use built form to fill in the gaps and pockets to create a consistent commercial streetscape. Designed for walking and anchored by a range of mixed use buildings, the area is both a place to live and a commercial destination. As the heart of the local neighbourhoods, it is a gathering place with unique amenities and supported by a mix of land uses.

20.3.3.3 Public Realm Improvement Strategy

The expectation is that as the Main and Dundas Area intensifies that over time there will be demand for a number of public realm improvements. These improvements are intended to enhance the attractiveness and functionality of the area. The planned Public Realm Improvement Plan is depicted on Schedule D and considers the following:

a) Major Gateway Improvements
b) Minor Gateway Improvements
c) Major Streetscape Improvements;
d) Minor Streetscape Improvements;
e) Potential New Public Spaces; and,
f) Active Transportation Connections.

20.3.3.4 Gateways

Gateways are intended to function as formal entranceways into the Main and Dundas Area and are intended to create a strong sense of place. Presently, the Secondary Plan Area does not feature any prominent public space treatments at Gateway locations and accordingly, the Plan contemplates two levels of improvement:

a) Major Gateway Improvements; and,
b) Minor Gateway Improvements.
20.3.3.4.1 Major Gateway Improvements

Major Gateway Improvements should include signage, flags/banners, enhanced lighting, intensive landscaping (such as seasonal floral displays, tree planting), public art and other types of public realm enhancements. There are two Major Gateway Improvement Areas:

a) Main Street and Dundas Street intersection and surrounding area; and,

b) Franklin Boulevard and Dundas Street.

20.3.3.4.2 Minor Gateway Improvements

Minor Gateway Improvements should include a smaller scale of public realm enhancements, such as landscaping, public art, lighting and appropriately scaled way-finding queues. There are two Minor Gateway Improvement Areas in the Secondary Plan:

a) McLaren Avenue and Dundas Street; and,

b) Main Street and Franklin Boulevard.

20.3.3.5 Streetscape Improvements

Streetscape improvements are intended to provide direction for future enhancements to the non-travel portion of the roads within the Secondary Plan Area. Two levels of improvement area contemplated in this Plan:

a) Major Streetscaping Improvements; and,

b) Minor Streetscaping Improvements.

20.3.3.5.1 Major Streetscape Improvements

Major Streetscape Improvements are proposed for Main Street and Dundas Street. Key improvements should include (but are not limited to) completion of sidewalk networks (on both sides of the street), tree plantings on both sides of the street to provide shade and comfort for pedestrians, improved lighting, bike lanes and occasional street furniture. Where possible, efforts should be made to consolidate access points and improve visibility for pedestrians.

20.3.3.5.2 Minor Streetscape Improvements

Minor Streetscape Improvements are proposed for portions of Main Street and Franklin Boulevard. Key improvements should include (but are not limited to) completion of sidewalk networks (on both sides of the street), tree plantings on both sides of the street to provide shade and comfort for pedestrians and bike lanes.
20.3.3.6 Adjacent Development

Where new development or redevelopment is planned near a Gateway Improvement Area, the proposed development/redevelopment should be designed in a manner which enhances the function of the Gateway, through:

a) Complementary building orientation and massing;

b) Enhanced architectural detailing;

c) Linked private and public pedestrian connectivity;

d) Enhanced private realm landscaping; and,

e) Other elements as appropriate.

20.3.3.7 Potential New Public Spaces

20.3.3.7.1 New Public Spaces

Where new major mixed use development or redevelopment is planned, new public spaces should be provided. New public spaces should be designed to be barrier free and should be designed to include a mix of design, including but not limited to enhanced landscaping shade trees, ample locations for seating and public art. New public spaces may include playgrounds, community parks, and other similar spaces that serve a primary function of supporting existing and future needs in the surrounding neighbourhoods. These spaces should be located close to the street and be connected to the pedestrian network. New public spaces should also be connected with existing or planned transit stops. The icons depicted on Schedule D are for illustrative purposes only and the need, location and design of public spaces shall occur through the site plan application process.
20.3.3.7.2 Urban Greens and Squares

Urban Greens and Squares will be established in accordance with the following:

a) Urban Greens and Squares are expected to be small-scale components of the parks system and are intended to provide passive open space areas, both landscaped or hardscaped, and serve as focal points within sub-areas of each neighbourhood by provide stopping points throughout the community.

b) Urban Greens and Squares will be generally greater than 75 square metres but less than 1000 square metres in size.

c) Urban Greens and Squares will be connected to pedestrian movement, accessible, located at grade, provide barrier-free access to people with disabilities, and will have frontage on at least one public street.

d) The adjacent built form will have primary or active frontages facing or flanking the Urban Green or Square, where appropriate.

e) Urban Greens and Squares within the Low/Medium Density Residential designation will reflect the needs of surrounding residents, providing areas to sit and socialize, junior play areas for children, bicycle parking, and a significant tree canopy for shade.

f) Urban Greens and Squares within the Mixed-Use Node will include seating and a full furniture program, including lighting and bicycle parking, opportunities for outdoor cafes and restaurants, and facilities that promote a passive, relaxing urban atmosphere. These facilities will improve mid-block permeability and complement adjacent land uses.

g) Urban Greens and Squares may be publicly owned or considered for a privately owned public space.

h) The City will not accept Urban Greens and Squares as parkland dedication where the City is of the opinion a Neighbourhood Park or Community Park is necessary or desirable.

i) Public access to privately owned public space Urban Greens and Squares will be secured through the development approval process.

20.3.3.8 Potential Active Transportation Connection

Potential Active Transportation Connections are illustrated for the private realm on Schedule D. The network is intended to provide a finer grain network of pedestrian connections and is provided for illustration purposes. The expectation is that improvements to the on-site pedestrian networks be made through the redevelopment process and/or through a Community Improvement Planning exercise.

20.3.3.9 Signage and Wayfinding

The City may consider preparing a signage and wayfinding strategy for the Secondary Plan Area that enhances the public realm and support the land use vision for this
corridor. The signage and wayfinding strategy would be implemented through a new signage by-law.

20.3.3.10 Street Tree Guidelines

The combination of both public realm improvements and the design guidelines for the private realm are intended to increase the overall tree canopy in the Secondary Plan Area and support the overall City-wide target for a 30% tree canopy. To support the achievement of the target, the City will:

a) Promote an extensive tree canopy over main pedestrian connections in the Secondary Plan Area;

b) Ensure that sufficient space is provided within the right-of-way to maximize opportunities for trees (in collaboration with the Region);

c) Promote the use of silva cells and/or raised beds on both public and private lands to allow for healthy soil volumes; and,

d) Promote best practices in arboricultural maintenance.

20.3.3.11 Implementation of Public Realm Improvements

The public realm improvements depicted on Schedule D shall be implemented through a future Community Improvement Plan. The improvements depicted on Schedule D are intended to support growth and intensification within the Secondary Plan Area. Section 20.3.6 of this Plan provides additional details regarding implementation.

20.3.3.12 Private Realm Urban Design Guidelines

The Private Realm Design Guidelines identify the desired future character and function of the built environment, including massing, building articulation, parking and movement, and landscaping. The intent is to ensure that new buildings reinforce a coherent, harmonious and appealing urban environment, are compatible in scale, form, massing and height transition with existing urban forms as well as contribute to the enhancement of the public and private realm.

20.3.3.12.1 Building Frontages and Street Edges

Within the Mixed-Use designations, the design, use and animation of the ground level of buildings define the character and experience of the street. Ensuring that buildings provide an attractive and animated face, especially at the ground level, is a priority.

Buildings and structures should be organized on their sites to have landscaped setbacks adjacent to streets, mid-block open space areas and landscaped pedestrian connections to support and enhance a green and well-treed character.

The siting of buildings, location, and orientation are critical in creating a comfortable and safe pedestrian environment by providing an active and attractive interface conditions that:

a) Orient buildings toward public streets and other public spaces, in order to clearly define the public realm, create a consistent street wall, and to create a safe and attractive street environment for pedestrians. Grading and topographical constraints that may limit orientation to a street are to be taken into consideration.
b) Ensure pedestrian comfort and adequate light penetration.

c) Locate buildings along a build-to-line to provide a consistent edge to the street or public space. Deviation from the general built edge is permitted for building articulations, step-backs/recesses, openings, and other architectural treatments.

d) Buildings in general shall be designed to create mid-block connections and shall be massed and articulated to avoid creating excessively long continuous building facades. Buildings shall generally be not more than 75 metres long. For any building longer than 60 metres in length, articulation and materials of the façade must be varied to break up the massing to the satisfaction of the Chief Planner. Mid-block connections should be pedestrian oriented with appropriate pavement treatment, providing a safe and attractive environment.

e) All buildings oriented toward public streets must have clearly defined primary entry points that open directly on to the public sidewalk.

f) Provides a double frontage for corner buildings to address all streets and provides special design features of with equal architectural expression.

g) Ensures that architectural features and articulation are encouraged at all corner building locations, including residential buildings, to enhance the visual prominence and identity of the area and to enhance the corner.

h) For all commercial buildings, minimum glazing should be 70% and up to 80% glazing is permitted at-grade; second levels and above should be approximately 50% glazing.

i) Discourage blank walls, loading doors and other servicing areas from being located at grade along street frontages, parks, publicly accessible open space, and pedestrian connections.

j) In residential areas, architectural styles that help to foster neighbourhood identity and sense of place, such as front porches and balconies are encouraged.

20.3.3.12.2 Transitional Areas

New development should be designed to ensure that larger developments provide adequate transition to existing and smaller scale built form to reduce negative impacts on adjacent areas. The approach allows for smoother transitions between intensification areas and the adjacent, lower density residential areas. New buildings within the Secondary Plan Area will be located in the following manner to provide appropriate transition between new development and the surrounding stable residential areas:

a) New development must be sympathetic to the existing residential uses and be developed in a way that does not detract, hide from view, or impose negative impacts for light and shadow.

b) Where applicable, taller buildings should transition from the height of adjacent buildings through the use of building step backs, increased setbacks, and terracing building mass.
20.3.3.12.3 Building Entrances, Facades, Corner Sites

Primary building entrances will be located adjacent to the public street, or a publicly accessible courtyard physically and visually connected to the street, unless there are compelling topographical or other engineering related constraints that limit conformity with these policies, as determined by the City and the Region.

Residential building entrances will be located and oriented to have direct access from the street where possible. Porches, stoops, and balconies are encouraged at all entrances to create opportunities for overlook and social interaction along the street.

Entrances to individual grade-related residential units are encouraged to be provided along streets and park edges where possible. A modest grade change will create a threshold between public and semi-private space at the entrance and limit direct views into residential units.

Retail activities and other non-residential or commercial activities within buildings should be oriented towards the street and have direct access from sidewalks through storefront entries to promote overlook and enliven and support the public street.

a) The ground floor of new developments should be transparent to establish a strong visual connection to the street and create a welcoming and comfortable pedestrian environment.

b) Any facade facing a public street shall be considered a primary facade. A minimum of one pedestrian entrance shall be provided for any primary façade, where possible. Buildings on corner lots must be designed to have primary facades on both the front and side streets, where possible.

c) Pedestrian entrances should be architecturally distinct and identifiable as an entry point and designed to be universally accessible from a street or a publicly accessible open space.

d) Entrances to buildings must be clearly defined with maximum visibility to ensure ease of access directly from the street and from open spaces. Architectural treatment, and where appropriate, landscaping, should be used to accentuate entrances.

e) All buildings must be designed to be universally accessible and must provide an unobstructed walkway or pathway between the principal building(s) and the street.

f) Entrances should be designed with attractive weather protection to add to the pedestrian experience and comfort of users.

20.3.3.12.4 Landscaped Setbacks and Other Private Open Spaces

Buildings will have landscaped setbacks along streets and park edges to enhance the attractiveness of the street and to provide a privacy buffer for residential and other at-grade uses. In general, the following should be considered.
a) For any new high-density development, private open space enhancements are required as part of the built form design in order to contribute to the visual aesthetics and quality of the public realm.

b) Landscape treatments should be designed to edge streets, frame, and soften structures, define spaces, and screen undesirable views.

c) Trees and shrubs should be selected having regard to their scale and plating characteristics.

d) Plant materials should be grouped to frame buildings, add visual interest, to blank areas, accentuate entrances, and screen service areas.

e) Larger areas that may have deeper setbacks may take the form of courtyards, forecourts, mid-block connections, or small plazas.

f) On any commercial street, outdoor spill-out activities such as patios are encouraged to further animate the street.

g) Courtyards, forecourts, and other intimate spaces accessible to the public and animated with at-grade uses are encouraged.

h) For mixed-use, commercial, and residential apartment developments, portions of a lot not occupied by a building or structure or used for parking or loading must be landscaped.

i) All mixed-use and multiple residential buildings (e.g., townhouses and condominiums) will provide at-grade open space and outdoor amenity areas.

j) Outdoor amenity areas will include generously scaled areas of soft landscaping capable of supporting shade trees.

k) Landscaped courtyards may be either partially open to streets or parks or surrounded by buildings on all sides. Courtyards will be designed to extend and enhance the public realm of streets, parks and open spaces.

l) The courtyard character will be green and well-treed with outdoor uses that promote pedestrian circulation as well as recreational, gathering and other social uses. Vehicular access and servicing areas will generally be discouraged from being located within a courtyard.

20.3.3.12.5 Pedestrian and Bicycle Circulation

The Secondary Plan area should be connected to the broader community, utilizing a network of pedestrian paths, walkways, and cycling. Future redevelopment will provide the opportunity to improve pedestrian and bicycle linkages within the area and the adjacent neighbourhoods. Permeability and connectivity throughout the Secondary Plan area are key aspects of the overall objectives for a more walkable and connected environment. In the future mid-block walkways and active transportation connections are encouraged within the Secondary Plan area. To facilitate enhanced pedestrian connectivity, the following guidelines shall be considered:

a) Sidewalks connections should be provided between all building entrances and the public sidewalk within a comprehensive network.
b) Landscaped mid-block pedestrian walkways and/or bicycle trails should be approximately 6 metres wide to provide room for the path and soft landscaping. Narrower spaces that limit visibility and safety are discouraged.

c) Fencing along neighbourhood connections, pedestrian walkways and/or bicycle trails should be low and allow for views from surrounding buildings and areas to promote safety. A coordinated approach to fencing design, location and height along these routes will be encouraged.

d) Where possible, pedestrian crossings should be designed to be distinct from the street by using paving materials, textures, and colours to enhance the legibility of the crossing.

e) Locate bicycle racks near entrances of buildings with connectivity to the public sidewalk.

f) Align pedestrian paths with transit stops to provide a more direct connection for users.

g) Private outdoor spaces should be designed as barrier free with appropriate lighting to improve route legibility, access, safety, and comfort.

h) Limit planting along edges of pedestrian walkways and cycling trails to low lying vegetation or other that does not restrict visibility and safety.

20.3.3.12.6 Parking, Access and Servicing

This Secondary Plan encourages a future block pattern and street network that supports opportunities for walking, cycling, and connectivity with surrounding areas.

Site specific vehicular access, ramps, servicing and loading should be provided from local streets wherever possible to minimize impacts on vehicular and pedestrian traffic on arterial streets. Ramps, servicing and loading facilities should be integrated into the buildings they serve to minimize impacts on landscaped open space. At-grade parking will be minimized. Where permitted, surface parking areas will be carefully located and screened to minimize impacts on adjoining streets or parks. The following shall be considered in designing parking and servicing facilities:

a) Parking areas are discouraged from being located along street frontages.

b) For structured parking, the facility should be integrated into the built form such that it is relates to the design and façade treatment of the building. Solid blank walls are not permitted.

c) Wherever possible, surface parking and servicing for new developments should be placed at the rear of buildings and accessed by a rear or side yard lane.

d) Where surface parking or service areas are exposed, a generous separation should be provided from the public realm and designed to include additional street trees or landscaping and buffered with hedges or shrub planting or other mitigating design measures.

e) Parking lot lighting, pedestrian pathways and other street furniture should be used to create a comfortable, safe, and connected pedestrian environment.
f) The edges of parking facilities should receive architectural and design treatments to be consistent with the streetscape design and complement adjacent buildings.

20.3.3.12.7 Internal Streets

Redevelopment in the Secondary Plan may include internal streets to support development. The following guidelines shall be considered for proposed new internal streets:

a) Internal streets should be developed with the “look and feel” of local City streets.

b) Streets should be designed at the pedestrian scale with sidewalks, street trees, and street furniture for an enhanced pedestrian environment and for seamless integration with the public realm.

c) Pedestrian scale lighting should be provided along the street edge.
20.3.4 TRANSPORTATION

20.3.4.1 Planned Transportation Network

The existing and planned transportation network is depicted on Schedules E and F and is designed to accommodate a variety of modes, including automobiles, trucks, transit, cycling and pedestrians. As the Community Node evolves over time, the expectation is that major improvements will be made to enhance automobile, transit, cycling and walking networks within and into the area to ensure that an appropriate balance of transportation options is provided.

20.3.4.2 Improvements and Enhancements to Transportation Network

The Secondary Plan contemplates the following potential improvements to the transportation network:

- Road improvements;
- Transit improvements; and,
- Active transportation improvements.

20.3.4.3 Existing and Planned Road Network

The existing and planned road network is depicted on Schedule E and is expected to accommodate the planned growth and intensification potential for the Area up to 2031. Intersections of major arterial roads should consider effective vehicle movements while providing safe pedestrian and cycling crossings.

Appendix A provides illustrations depicting the future planned cross-sections for Main Street, Dundas Street and Franklin Boulevard based on the Region of Waterloo’s Context Sensitive Regional Transportation Corridor Design Guidelines. Although the arterial roads are all Regional roads, streetscaping along these roads is a City of Cambridge responsibility. Note that the cross-sections are provided for illustration purposes.

20.3.4.4 Reconstruction of Main Street from Franklin Boulevard to Chalmers Street

This is an excellent opportunity to coordinate active transportation and streetscaping with the Region of Waterloo. Main Street and Franklin Boulevard are Regional roads but streetscaping is a City of Cambridge responsibility. It is important to ensure sufficient setbacks and coordinated implementation of streetscaping as these projects proceed.

Reference Area(s): Main Street, west of Dundas Street

20.3.4.5 Local Road Connections

New local connections are required to facilitate development and/or redevelopment in some locations. The alignment of the proposed new connections are intended to be conceptual (except where the rights-of-way are already established). Detailed alignments and locations of local streets and private laneways shall be determined through further engineering studies and through the development approvals process.
20.3.4.6 Consolidate Entranceways

Development or redevelopment will seek the consolidation of access points and common traffic circulation in accordance with the provisions of this Plan and the Region of Waterloo’s access guidelines.

20.3.4.7 Transit Network

The existing and planned transit network is depicted on Schedule F. Grand River Transit is undergoing a new 5-year Business Plan which will review transit needs. The Land Use Plan (Schedule B) promotes infilling and intensification at a scale which would support increased transit ridership through the Main and Dundas Area.

20.3.4.8 Potential Transit Improvements

The City encourages the Region of the Waterloo to improve the provision of transit pedestrian amenities such as shelters, bike racks seating and lighting at all transit stops.

20.3.4.9 Improving On-site Linkages

Where new or expansions to existing development is proposed, the City will work with private sector applicants to improve on-site linkages and pathways to existing and planned transit stops.

20.3.4.10 Active Transportation Network

The existing and planned Active Transportation Network is depicted on Schedule F. The network is planned to accommodate pedestrians and cyclists.

20.3.4.11 Active Transportation Improvements

Active transportation infrastructure should provide continuous facilities and connectivity to transit stops, multi-use trails, parks, schools, recreational facilities, and on-street cycling network. Proposed active transportation improvements for the area include:

- Streetscape Improvements depicted on Schedule D which are intended to enhance both pedestrian comfort and connectivity;
- Completion of sidewalk network within the Plan Area; and,
- Potential pedestrian crossing/safety improvements along Franklin Boulevard at Green Gate Boulevard, and also at Main Street.

20.3.4.12 Franklin Boulevard and Green Gate Boulevard

The City of Cambridge will work with the Region of Waterloo to implement a pedestrian refuge island to improve pedestrian safety at the intersection of Franklin Boulevard and Green Gate Boulevard. The refuge island will connect pedestrians and cyclists across Franklin Boulevard and providing access to transit stops and the multi-use trail.

20.3.4.13 Sidewalk Improvements

Sidewalk infrastructure is provided throughout the Secondary Plan Area; however there remain parts of the network which are incomplete. Over time, the expectation is that
sidewalks will be provided on both sides of the street for all existing and new roads within the Plan Area.

20.3.4.14 Secure Bike Parking Facilities

The implementing Zoning By-law may require the provision of secure bicycle parking facilities in a conspicuous location, long-term bike parking areas within buildings and on-site shower facilities and lockers for employees who bike to work. The City may allow for the reduction in the number of required parking spaces where bicycle parking facilities are provided.

20.3.4.15 Transportation Demand Management

Council may require that development applications include a Transportation Demand Management (TDM) Plan, prepared to the satisfaction of the City. The intent of the TDM Plan shall be to implement and promote measures to reduce the use of low-occupancy automobiles for trips and to increase transit use, cycling and walking.

20.3.4.16 Parking

Through the development approvals process, the City may consider alternative parking requirements for mixed use and high density developments including shared parking standards.

20.3.4.17 Coordination with the City’s Transportation Master Plan

At the time of drafting of this secondary plan, the City was in the process of launching a new city-wide Transportation Master Plan. The expectation is that the growth assumptions, vision and other relevant aspects of this Secondary Plan will be considered in the preparation of the City-wide Transportation Master Plan. Amendments to the Secondary Plan may be required to ensure alignment between the Secondary Plan and the Transportation Master Plan.
20.3.5 INFRASTRUCTURE

20.3.5.1 Water and Sanitary Servicing

As part of the implementation of this Secondary Plan, the City will work with the Region of Waterloo to ensure that there is adequate water and sanitary servicing and capacity to accommodate the long term planned development for the Secondary Plan Area.

20.3.5.2 Municipal Servicing Study

As part of the implementation of this Secondary Plan, and the policies of Chapter 6 of the Official Plan, the City will undertake an analysis of local infrastructure to ensure that adequate servicing is in place to accommodate the planned growth for the area. The City will update its municipal master servicing strategy as required.

20.3.5.3 Development Applications and Servicing Requirements

The City may also require development applications to be supported by site-specific servicing studies.

20.3.5.4 Sustainable Stormwater Management

The municipality encourages innovative measures to help reduce the impacts of urban run-off and maintain base groundwater flow. Such measures may include bioswales, permeable pavers, rain barrels and green roofs.

20.3.5.5 Coordination of Public Works

The City will work with the Region to ensure that planned public works for the area are coordinated to minimize the impacts of construction on the residents and businesses within the Plan Area. Coordination efforts will consider the phasing of streetscape improvements, any future road works, and maintenance, as well as any upgrades to water and sanitary networks.
20.3.6 IMPLEMENTATION

20.3.6.1 General Implementation

20.3.6.1.1 Implementation Tools

The Secondary Plan shall be implemented through a variety of tools, including but not limited to:

a) The planning and development application process, through tools such as site plan approval, plans of subdivision and condominium and consents to sever;

b) The City of Cambridge Zoning by law;

c) Community Improvement Plan; and,

d) Other tools as described in this Chapter.

20.3.6.1.2 Development Proposal Complete Application Requirements

Development applications within the Secondary Plan are subject to any complete application requirements set out in the Official Plan. The City may update these complete application requirements to account for additional supporting studies that may be needed to support growth within the Secondary Plan, including a shadow impact study.

20.3.6.1.3 Municipal Works within the Secondary Plan

All future municipal works undertaken by the City of Cambridge within the Secondary Plan Area shall be consistent with the policies of this Plan.

20.3.6.1.4 Official Plan Amendments

Unless otherwise stated in this Plan or the City’s Official Plan, applications for development which do not align with the Policies or Schedules of this Plan shall require an Official Plan Amendment. Amendments to the Official Plan shall be subject to policies of the Official Plan and shall require a planning justification report, along with any other supporting studies identified through the pre-consultation process.

20.3.6.1.5 Zoning By-Law

The City will update its zoning by-law to ensure that the land use and design policies for this Secondary Plan are reflected in the City’s zoning by-law.

Applications for development within the Plan Area shall be subject to the policies of this Secondary Plan and the City’s Official Plan (where applicable). Amendments to the zoning by-law shall be subject to policies of the Official Plan and shall require a planning justification report, along with any other supporting studies identified through the pre-consultation process.
20.3.6.1.6 Site Plan Approval, Plans of Subdivision, Plans of Condominium and Severances

Applications for site plan approval, plans of subdivision, plans of condominium and consents to sever shall be consistent with the policies of this Secondary Plan and City of Cambridge’s Official Plan.

20.3.6.1.7 Main Street and Dundas Street Area Community Improvement Plan

To assist and accelerate intensification redevelopment and facilitate further public realm improvements within the Secondary Plan Area, the City will consider modifying its Community Improvement Plan (CIP) programs or creating a new CIP for intensification areas. The rationale for completing a CIP as part of the Secondary Plan’s implementation is to ensure that:

- The proposed public realm improvement projects are appropriately planned and accounted for in the City’s capital budget, including any property acquisitions which may be required to complete the proposed streetscaping, public space and gateway improvements; and,
- There is a competitive suite of financial incentives to promote intensification and redevelopment, such as but not limited to incentives for greyfield and brownfield redevelopment, lot consolidation/assembly, residential infilling and/or mixed-use intensification, etc.

20.3.6.1.8 Coordination with the Region of Waterloo

The City will work with the Region of Waterloo, who is the approval authority for this Plan, to ensure that the policies of this Plan are implemented, including any opportunities to implement the urban design and public realm improvements through any future Regional works. The City also encourages the Region of Waterloo to consider opportunities for affordable housing development within the Community Node area.

20.3.6.2 Phasing and Financial Tools

20.3.6.2.1 Municipal Capital Improvements

The City will prepare a phasing strategy as to assist with the implementation of this Secondary Plan. The Phasing Strategy should consider the following:

- The expecting timing of development, including the expected built-out of vacant lands and redevelopment of existing areas;
- The timing of any potential transportation, infrastructure, and public realm improvements; and,
- Any other projects or initiatives which may impact the timing of development.

20.3.6.2.2 Development Charges

The City will include any growth-related infrastructure identified in this plan as part of the next Development Charges By-law update.
20.3.6.3 Updating the Plan

The City will comprehensively review the policies of this Secondary Plan at the 10 year review of the City’s Official Plan. Depending on the outcomes of the review, the City may decide to update the Plan.

20.3.6.3 Interpretation

20.3.6.3.1 Conflicts with Official Plan

In the event of a conflict between the Official Plan and this Secondary Plan, the Policies of the Secondary Plan shall prevail.

20.3.6.3.2 Boundaries

The boundaries shown on the Secondary Plan Schedules are approximate, except where they meet with existing roads, river valleys or other clearly defined physical features. Where the general intent of this Secondary Plan is maintained to the satisfaction of the Municipality, minor boundary adjustments will not require an amendment to this Secondary Plan.
Appendix A: Conceptual Street Cross Sections

Figure 20-1: Community Connector, Typical Cross Section

Reference Area(s): Franklin Boulevard; Main Street, between Franklin Boulevard and Dundas Street

Figure 20-2: Neighbourhood Connector, Typical Cross Section

Reference Area(s): Dundas Street; Main Street, between Franklin and Dundas; Franklin Boulevard, south of Dundas Street
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| Prestige industrial plaza (115 Dundas St N and 5 McLaren Avenue)    | Chapter 8.10.104 – Site Specific Policy recommended to be added to the Secondary Plan. | • request to redesignate property from Prestige Industrial to Mixed Use Medium Density Residential  
• Letter from Victor Labreche on behalf of Canadian Commercial (South Cambridge) Inc. and Tawse Realco Inc. (attached below) | • Property rezoned commercial in March of 2009 to permit commercial plaza.  
• (H) Holding removed in 2010  
• Site Specific Policy added to Chapter 8.10 to permit mixed use medium density residential provided introduction of sensitive use does not prohibit continuation of existing surrounding industrial uses |
| Parks (Urban Greens and Squares)                                     | 20.2.1 vision – “mixed use higher density node will be supported by new parks, public spaces, trails”  
20.2.2.j) – “Create a connected, functional and attractive network of parks, public spaces, natural open spaces, and trails using the process and principles of place-making”  
20.3.2.3.d) Provide accessible, pedestrian-oriented, and high-quality | • Ensure policies provide opportunities for public space and parks to support future needs in the surrounding neighbourhood | • The Potential New Public Spaces policy (20.3.3.7) has been updated to reflect opportunity for playgrounds and community parks to support existing and future needs in the surrounding neighbourhood.  
• Urban Greens and Squares policy added in line with wording from upcoming Parks Master Plan (20.3.3.7)  
• A definition for POPS (Privately Owned Public Spaces) has been added to the Official Plan to support their inclusion in future development. |
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<td>public realm with short walking distances to parks, trails, schools, other public service facilities, and transit services 20.3.3.7 – new public spaces should be designed to be barrier free and be designed to include a mix of enhanced landscaping, shade trees, ample places for seating and public art. 20.3.3.12.4 – landscaped setbacks and other private open spaces 20.3.4.11 – “Active transportation infrastructure should provide continuous facilities and connectivity to transit stops, multi-use trails, parks, schools, recreational facilities and on-</td>
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<td>street cycling network”</td>
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<td>Flex design (FADS)</td>
<td>20.3.1.6 – Housing – “shall be constructed accessible with barrier-free, universal or flex design.”</td>
<td>- The secondary plan should specifically reference the City of Cambridge Facility Accessibility Design Standards (FADS) rather than ‘flex design’</td>
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<td>4 storey low density residential</td>
<td>20.3.2.6 – Maximum height of Low Density Residential set at 4 Storeys</td>
<td>- Four storeys is not an appropriate height limit for Low Density Residential, it should be lowered to three storeys</td>
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<td>Loss of commercial uses</td>
<td>OP Section 8.4.6.14: “Lands in a residential designation may be used for … convenience commercial uses as specified in Section 8.6.1.5 of this Plan; and d) a compatible community facility or commercial use as specified in Section 8.4.7 of this Plan.”</td>
<td>- A concern was raised that the existing grocery stores and convenience commercial uses will leave as properties redevelop.</td>
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<td>OP Section 8.4.7: “The City may permit the inclusion of a range of compatible, non-residential community facilities and commercial uses in residential neighbourhoods.”</td>
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<td>OP Section 8.6.1.5.1: Lands designated for residential, or employment uses … may be zoned to permit convenience commercial uses … that serve the day-to-day shopping needs of residents living in the surrounding neighbourhood or employees in the area.”</td>
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<td>OP Section 8.6.2.3: “… Consideration may be given to permitting medium</td>
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<td>with existing community characteristics (OP s.8.4.2.1). The Main and Dundas Community Node is characterized in the OP by having “existing low rise commercial plazas surrounded by established residential neighbourhoods” (OP s. 8.7.2.B.1)</td>
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<td>- OP provisions supporting the transformation of residential and industrial lands in areas like Main and Dundas to commercial mixed uses (sections 8.4.6.14, 8.4.7, 8.6.1.5.1, 8.6.2.3, 8.6.2.5, 8.7.2.B.5)</td>
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<td>or high-density residential development as appropriate ... [if it is] demonstrated that the proposed residential use(s) will not compromise the planned function of the lands or result in a reduction in the existing gross leasable area of commercial uses on the lands.”</td>
<td>OP Section 8.6.2.5: Identifies that new or expanded retail commercial centres exceeding 42,000m² are permitted in Main and Dundas area as it is a Community Node. OP Section 8.7.2.B.5: “The conversion of approximately 36 hectares of land in the northeast quadrant of Franklin...</td>
<td>• 20.2.1.B: “Maintain the node’s important commercial function” • 20.3.1.5: Existing large-format commercial uses are permitted to continue... [and] should be redeveloped into compact medium to high density mixed-use developments</td>
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<td>Boulevard and Main Street from employment lands to other purposes has been justified in keeping with the provisions of the Provincial Growth Plan, based on the Council approved Hemson Growth Management Study.”</td>
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<td>Mix of 2 and 3 bedroom units</td>
<td>20.3.1.6 – Housing – “To achieve a mix of unit types, and to support the creation of housing suitable for larger households, development containing more than 80 new residential units will include larger units, as follows: a) A minimum of 20 percent of the total number of units as 2-bedroom units; and b) A minimum of 5</td>
<td>A comment was raised at the public meeting asking why the mix of unit types was different than that proposed in the Hespeler Road Corridor Secondary Plan.</td>
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| percent of the total number of units as 3-bedroom or larger units." | | Plan (CIP) may be able to further incentivize dwellings with higher bedroom counts. Recent changes to the Development Charge Act prorate DCs for rental units based on the number of bedrooms.  
- No change recommended to policy 20.3.1.6. | |
| 840 and 940 Main St. E and 945 Franklin Blvd. | 20.3.2.2 – (excerpt) To create a complete community and support economic activity within the Plan Area, new development within the Mixed-Use designations will provide a minimum of 10 percent of the gross floor area of the development as non-residential uses in one or multiple buildings.  
20.3.3.12.1e) – All buildings oriented toward public streets, must have clearly defined primary entry points that open directly on | A comment letter was submitted requesting a site specific provision for reduction in minimum required percentage of non-residential floor area as well as site specific provisions for relief from a requirement for doors to address the street where grading or other challenges exist. | Noted. Discussions regarding the development proposal are ongoing with the applicant. Site specific provisions have been added in Chapter 8.10.102 as requested. |
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| to the public sidewalk.  
20.3.3.12.3 - Primary building entrances will be located adjacent to the public street, or a publicly-accessible courtyard physically and visually connected to the street, unless there are compelling topographical or other engineering related constraints that limit conformity with these policies, as determined by the City and the Region. | Response |
Date: May 11, 2023  
Our Ref: 100037  
Subject: Canadian Commercial (South Cambridge) Inc. and Tawse Realco Inc.  
   Proposed Official Plan Amendment  
   Proposed Main Street and Dundas Street South Secondary Plan

Dear Mr. Blevins,

We are providing you this letter on behalf of our clients, Canadian Commercial (South Cambridge) Inc. and Tawse Realco Inc., who collectively own the properties addressed as 115-125 Dundas Street North and 5 McLaren Avenue in the City of Cambridge. The subject properties are located at the northwest limit of the proposed Secondary Plan. The property was developed as a service commercial plaza in approximately 2011 and its main tenants include Shoppers Drug Mart, Bulk Barn, Anytime Fitness, Meridian Financial along with smaller service commercial tenant space/units as well as a health care office. The subject lands are located within the 'Main St. and Dundas St. S. Community Node' as illustrated on Figure 3 of the City of Cambridge Official Plan.

Within the current draft Main Street and Dundas Street South Secondary Plan the proposed Secondary Plan designation is 'Prestige Industrial'. Given that the properties are entirely developed with service commercial retail uses the properties should be designated 'Mixed-Use Medium Density'. Further, it is relevant to note that the subject lands are currently zoned 'C55 – Local Shopping Centre zone' and are proposed to be zoned 'CC1 – Community Commercial 1 Zone' in the final draft proposed new city-wide Zoning By-Law.

With regard to the policies within the Main St. and Dundas St. S. Community Node noted in Section 8.7.2.8 of the Official Plan, it notes in sub-policy #6 the following:

6. The preparation of a Secondary Plan for this node will be required, which will take into consideration the results of available City-wide studies, such as the Comprehensive Commercial Review and Sanitary Servicing Master Plan. The Secondary Plan will be based on achieving a significant level of intensification, which was the basis for conversion of employment lands in keeping with the Provincial Growth Plan. The final boundaries of this Community Node will be determined through the Secondary Plan process, and implemented through a further amendment to the Official Plan. In addition a Tertiary Plan may also be needed for those lands being converted from an employment designation as a component of the overall Secondary Plan for this Community Node.

This policy recognizes that some properties within this community node have converted over recent years from employment/industrial land uses to more intensified commercial and or residential uses.
Mr. Matthew Blevins, MCIP, RPP
City of Cambridge
May 11, 2023

Based on the forgoing and as previously noted above, we request that the subject lands be designated ‘Mixed-Use Medium Density’ as the correct designation in the proposed Secondary Plan given the properties are entirely developed as a Commercial Retail Plaza recognized as primary permitted use in the Mixed-Use Medium Density designation.

Thank you for your consideration to the above comments and our request. We are available at your convenience to discuss this matter in further detail if you wish.

Sincerely,

ARCADIS PROFESSIONAL SERVICES (CANADA) INC.

Victor Labreche, MCIP, RPP
Associate Director – Practice Lead, Planning

Email: victor.labreche@arcadis.com
Direct Line: 519-585-2255 ext.63252
May 15, 2023

Matthew Blevins
Senior Planner Reurbanization
City of Cambridge
50 Dickson Street, 3rd floor,
Cambridge ON N1R 8S1

Dear Matthew,

RE: Draft Main Street and Dundas Street South Secondary Plan
840 & 940 Main Street East and 945 Franklin Boulevard, Cambridge
OUR FILE ‘Y509AD’

On behalf of our clients, South Cambridge GP Inc., we are pleased to submit comments regarding the Draft Main Street and Dundas Street South Secondary Plan, April 2023 (the “draft Secondary Plan”).

As you are aware, our clients submitted Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision applications for the lands municipally known as 840 & 940 Main Street East and 945 Franklin Boulevard (the “subject lands”) in December 2021. The applications proposed the development of the subject lands with a residential plan of subdivision containing a range of unit types. Based on feedback received at the public meeting and in the circulation comments, a revised submission has now been filed with the City. This resubmission addresses circulation comments and is currently under review by the City, Region and agencies.

We have reviewed the revised draft Secondary Plan and are supportive of the proposed land use designations for the subject lands as well as the policy framework proposed. We appreciate that the comments on the previous draft of the Secondary Plan, as outlined in our January 15, 2023 correspondence and subsequent meetings, have been substantially addressed through revisions to the proposed land use designations that apply to the subject lands, the inclusion of Site Specific Policy 2, and other policy modifications.

Please accept these further, minor comments for consideration in the final draft of the Secondary Plan.

Mixed Use Main Street

The Mixed Use Main Street designation applies to the southwest portion of the subject lands. These lands are proposed to be developed with a mixed-use building including retail uses at grade and residential uses above.

200-540 BINGEMANS CENTRE DRIVE / KITCHENER / ONTARIO / N2B 3X9 / T 519 576 3650 / F 519 576 0121 / WWW.MHBCPLAN.COM
Section 203.2.2 of the Draft Official Plan requires that new development within the Mixed-Use designations will provide a minimum of 10 percent of the gross floor area of the development as non-residential uses in one or multiple buildings.

The site specific policy that applies to the subject lands allows for a mid-rise apartment to be constructed on these lands with a ground floor comprised of non-residential uses. We suggest a minor revision to this policy to explicitly indicate that the non-residential requirements of Section 203.2.2 do not apply. Our suggested language is underlined below:

In addition, notwithstanding the minimum non-residential gross floor area requirements of Section 203.2.2, on lands designated Mixed-Use Main Street, a mid-rise apartment building shall be constructed with the ground floor comprised of non-residential uses.

Active Frontages

Through our previous correspondence and discussions, we requested that the draft Secondary Plan be revised to allow for flexibility to respond to site conditions that would make it difficult to have a front entrance facing the street. We appreciate that the following language, underlined below, has been included to address our comments:

Primary building entrances will be located adjacent to the public street, or a publicly accessible courtyard physically and visually connected to the street, unless there are compelling topographical or other engineering related constraints that limit conformity with these policies as determined by the City and the Region. (Section 203.3.12.3)

However, there are still a few references in the draft Secondary Plan which require front doors facing the street (Section 203.3.12.1e, Section 203.3.12.3). We respectfully request that policies 203.3.12.1e and 203.3.12.3 be revised similarly to allow for flexibility in design in cases where front doors facing the street cannot be provided or where it is not practical, based on site conditions.

Thank you for consideration of these minor comments. We look forward to continuing to work with you.

Yours truly,

MHBC

Emily Elliott, MDP, RPP
Associate

cc. Jeff Robinson, Kevin Fergin
MINUTES
Corporation of the City of Cambridge
Planning - Statutory Public Meeting

Date: May 16, 2023, 6:30 p.m.
Location: Council Chambers

Council Members in Attendance: Councillor Reid - Ward 1, Councillor Kimpson – Ward 3,
Councillor Ernshaw – Ward 4, Councillor Roberts – Ward 5,
Councillor Cooper – Ward 6, Councillor Hamilton – Ward 7,
Mayor Liggett, and Councillor Ermeta – Ward 8 (Chair)

Regrets: Councillor Devine - Ward 2

Staff Members in Attendance: Hardy Bromberg, Deputy City Manager - Community
Development, Bryan Boodhoo – City Solicitor, Lisa Prime –
Chief Planner, Michael Oliveri - Council Committee Services
Coordinator, Maria Barrantes Barreto - Council Committee
Services Coordinator

Others in Attendance: Michael Campos - Planner, Matthew Blevins - Senior Planner,
Reurbanization

1. Meeting Called to Order
2. Disclosures of Pecuniary Interest
   2.1 Councillor Cooper re: 23-202-CD Public Meeting Report – Proposed
       Official Plan Amendment for the Hespeler Road Corridor Secondary Plan
3. Public Meeting Notice
4. Presentations
       Limerick Road – Zoning By-law Amendment and Draft Plan of Subdivision
       – 2582427 Ontario Inc.


5. Public Meetings


Motion: 23-183

Moved by Councillor Reid
Seconded by Councillor Cooper

THAT Report 23-218-CD Public Meeting Report – 240-276 Limerick Road – Zoning By-law Amendment and Draft Plan of Subdivision submitted by 2582427 Ontario Inc. be received;

AND THAT application R04/23 for 240-276 Limerick Road be referred back to staff for a subsequent report and staff recommendation.

In Favour (8): Councillor Reid, Councillor Kimpson, Councillor Earnshaw, Councillor Roberts, Councillor Cooper, Councillor Hamilton, Mayor Liggett, and Councillor Ermeta

Absent (1): Councillor Devine

Carried (8 to 0)


Motion: 23-184

Moved by Councillor Kimpson
Seconded by Councillor Earnshaw

AND FURTHER THAT the proposed Official Plan Amendment for the Hespeler Road Corridor Secondary Plan be referred back to staff for a subsequent report and staff recommendation.

In Favour (7): Councillor Reid, Councillor Kimpson, Councillor Earnshaw, Councillor Roberts, Councillor Hamilton, Mayor Liggett, and Councillor Ermeta

Absent (2): Councillor Devine, and Councillor Cooper

**Carried (7 to 0)**

5.3 23-203-CD Public Meeting Report – Proposed Official Plan Amendment for the Main and Dundas Street South Secondary Plan

Motion: 23-185

Moved by Councillor Hamilton
Seconded by Councillor Cooper

THAT Report 23-203-CD Public Meeting Report – Proposed Official Plan Amendment for the Main and Dundas Street South Secondary Plan be received;

AND FURTHER THAT the proposed Official Plan Amendment for the Main and Dundas Street South Secondary Plan be referred back to staff for a subsequent report and staff recommendation.

In Favour (8): Councillor Reid, Councillor Kimpson, Councillor Earnshaw, Councillor Roberts, Councillor Cooper, Councillor Hamilton, Mayor Liggett, and Councillor Ermeta

Absent (1): Councillor Devine

**Carried (8 to 0)**

6. **Delegations**


6.5  Victor Labreche, Arcadis Professional Services re: 23-203-CD Public Meeting Report – Proposed Official Plan Amendment for the Main and Dundas Street South Secondary Plan

6.6  Bahnam Sabah re: 23-203-CD Public Meeting Report – Proposed Official Plan Amendment for the Main and Dundas Street South Secondary Plan

6.7  Frank Jungton re: 23-203-CD Public Meeting Report – Proposed Official Plan Amendment for the Main and Dundas Street South Secondary Plan

7.  Correspondence

7.1  Canadian Commercial Inc re: 23-203-CD Public Meeting Report – Proposed Official Plan Amendment for the Main and Dundas Street South Secondary Plan


8.  Motion to Receive Correspondence and Presentations

Motion: 23-186

Moved by Councillor Cooper
Seconded by Councillor Roberts

THAT all presentations and correspondence from the May 16, 2023 Planning – Statutory Public Meeting Committee be received.

In Favour (8): Councillor Reid, Councillor Kimpson, Councillor Earnshaw, Councillor Roberts, Councillor Cooper, Councillor Hamilton, Mayor Liggett, and Councillor Ermeta
Absent (1): Councillor Devine

Carried (8 to 0)

9. **Adjournment**

Motion: 23-187

Moved by Councillor Roberts
Seconded by Councillor Hamilton

THAT the Planning – Statutory Public Meeting Committee does now adjourn at 9:53 p.m.

In Favour (8): Councillor Reid, Councillor Kimpson, Councillor Earnshaw, Councillor Roberts, Councillor Cooper, Councillor Hamilton, Mayor Liggett, and Councillor Ermeta

Absent (1): Councillor Devine

Carried (8 to 0)
To: COUNCIL
Meeting Date: 10/24/2023
Subject: Recreation Complex – Concession Size and Location
Submitted By: Lesley Head, Director of Recreation & Culture
Prepared By: Shane Taylor, Project Manager
Report No.: 23-327-CD
File No.: C1101
Wards Affected: Ward 7

RECOMMENDATION(S):

THAT Report 23-327-CD Recreation Complex – Concession Size and Location be received;

AND THAT Council approve the proposed concession size and location, and direct staff to incorporate the concession into the Recreation Complex floorplan and budget increase of $752,000 into the construction forecast A/00463-41.

AND THAT Council direct staff to increase the design forecast A/00463-30 by 7% of the expected construction increase, which equals $52,640;

AND THAT the total estimated project budget be increased to $108,740,450;

AND FURTHER THAT Council direct staff to assess capital and operational budgetary impacts and funding options and report back at a future meeting.

EXECUTIVE SUMMARY:

Purpose

- To present Council with a more substantial option for a concession area at the recreation complex, in line with direction received at the September 26, 2023 Council meeting.
- To inform Council of potential high-level anticipated cost implications of adding a larger concession to the recreation complex.
• To highlight additional cost implications that are not yet known and commit to analyzing full cost implications and funding options through detailed cost estimates and operating models.

Key Findings

• The most appropriate location for a concession is determined to be in the lower atrium adjacent to the multi-purpose rooms, with direct access to the outdoor event space.
• The proposed conceptual location and layout would provide access to the concession and food preparation areas via the atrium and via the multi-purpose room.
• Precedent examples have shown that a net 70 square metre (750 square foot) concession would be the recommended size for serving the recreation complex.
• Additional building footprint and additional budget will be required.

Financial Implications

• Carrying the same cost per square foot rate in the Class C estimate for the overall facility, constructing 805 square feet of additional building footprint to accommodate the larger concession is expected to cost an additional $752,000 including contingency.
• Estimate of cost does not include fitting with commercial equipment or higher cost millwork and other finishes, which could cost an additional $200,000 to $250,000 and upward depending on the operating model chosen. More detailed costing will be undertaken in the detailed design process and will depend on the operating model chosen.
• Estimate of cost does not factor in additional consultant fees for this work that is out of scope in the current contract; fees for this service are expected to be between 6% and 7% of the value of the increased scope.
• Operational impacts will be examined during the detailed design phase based on whether the concession space is operated by a tenant or by City staff.

STRATEGIC ALIGNMENT:

☒ Strategic Action
**Objective(s):** PLANNING FOR GROWTH - Provide for a mix of development, uses and amenities in order to meet the needs of a changing and diverse population

**Strategic Action:** Create and activate spaces that offer things for people to do

**BACKGROUND:**

**Overview of Work Completed to Date**

On March 30, 2023, City staff and the project consultants conducted a Council workshop that was accessible by the public through the City’s YouTube channel. The Project Team presented concepts and the proposed program, answered questions from Council and took feedback away for analysis. Council tasked the Project Team with exploring several key elements to be incorporated into the program, which were accounted for in the approved schematic design.

On May 4, 2023 Council approved “Concept Design B” including the program, overall footprint and estimated budget of $107,935,380 and directed staff to explore a number of additional items that included the provision of food service/concessions.

On September 26, 2023 staff presented the schematic building design that included a modest servery area, while also remaining within the approved conceptual building footprint and budget estimate. Council approved the schematic design but directed staff to explore a more substantial concession option and to return to Council on November 7th, 2023, for further direction. A meeting between staff, MJMA Architects and the Mayor’s office took place on October 12, 2023, to ensure the larger concession design was in alignment with expectations. Staff were directed to return to Council on October 24, 2023, to seek direction.

**ANALYSIS:**

**Precedent Examples**

MJMA Architects compared the size, configuration, and potential volume of concession clientele with other recently completed concessions in similar community facilities in Ontario. Refer to Appendix A for more detailed information including schematic layouts.

- **Milton Sherwood Community Centre** – Total Gross Floor Area of 65 square metres (700 square feet)
- **Canada Summer Games Centre** – Total Gross Floor Area of 75 square metres (805 square feet)

Based on precedence and the intended use of the concession it is recommended that a net 70 square metre (750 square feet) functional area be provided, resulting in a Gross...
Floor Area increase to the recreation complex building of 75 square metres (805 square feet).

**Proposed Location within the Recreation Complex**

Based on the expected circulation and intended use of spaces within the recreation complex the design team recommends locating the concession in the lower atrium adjacent to the multi-purpose rooms. The proposed location will provide convenient access to multi-purpose rooms, an open flexible seating area, good visibility to the gymnasia, good visual connectivity to the rest of the atrium, and convenient access to the exterior courtyard where public events will be hosted. Locating the concession deep into the atrium space will not contribute to line-ups and congestion at the main facility entrance.

**General Layout of the Concession Area**

Please note the proposed layout shown in Appendix A is only a conceptual layout at this stage. If Council directs staff to incorporate the proposed larger concession into the design, it will be explored in greater detail including detailed costing exercises. The general layout of the concession includes areas dedicated to food preparation, storage and serving/transactions.

- Servery – a dedicated area for transactions, front-facing into the lobby, with doors that would close in front of the main service counter when the concession is not in use. An access door from the atrium hallway is contemplated. The main counter will be appropriately sized to accommodate two point of sale units.
- Storage – dedicated space to store equipment, food and supplies. Additional storage may or may not be integrated into adjacent areas.
- Preparation – a dedicated area for food preparation that may include additional storage. The design will include a serving window facing into the adjacent multi-purpose room to provide future flexibility for events/bookings involving food. An access door from the multi-purpose room is contemplated.
- The concession will be designed to meet or exceed AODA and City Facility Accessibility Design Standards in consultation with the Cambridge Accessibility Advisory Committee.

**EXISTING POLICY / BY-LAW(S):**

There is no existing policy/by-law.

**FINANCIAL IMPACT:**
Capital Budget Impact

Carrying the same cost per square foot rate in the Class C estimate for the overall facility, constructing 805 square feet of additional building footprint to accommodate the larger concession is expected to cost an additional $684,000 plus 10% contingency for a total of $752,400. Millwork, display boards, display cases and other higher-cost finishes have not yet been explored and are not reflected accurately in the estimate. Estimate of cost does not include fitting with commercial equipment, which may be required depending on the chosen operating model and could increase the project costs by an additional $200,000 to $250,000 or more. Detailed costing and operating model analysis will be undertaken in the detailed design process, and will be reported to Council in a future meeting.

Design and contract administration for a concession/commercial kitchen was not part of the original contracted scope of work for the design consultants, and additional consulting fees will be required at an estimated cost between 6% and 7% of the value of the additional scope.

Operating Budget Impact

A business case will be completed to determine the optimal operating model. Operational impacts including utilities, materials and staffing requirements will be examined during the detailed design phase, based on whether the concession space is operated by a tenant or by City staff. Full budget impacts will be communicated to Council at a future meeting.

ADVISORY COMMITTEE INPUT:

Not Applicable.

PUBLIC INPUT:

Posted publicly as part of the report process.

INTERNAL / EXTERNAL CONSULTATION:

Mayor’s office was consulted on October 12, 2023.

CONCLUSION:

Council has highlighted the importance of providing a concession/commercial kitchen amenity that serves quality food and has the flexibility to host events. The proposed conceptual layout, size, location and functionality of the concession will provide
opportunities to bring the community together over food. Intentional flexibility of space will be key to delivering a successful design. High-level costs based on the overall square footage rates in the Class C cost estimate indicate a base budget increase including contingency of $752,400, excluding high-end finishes and commercial grade equipment fit-out, plus additional $52,670 in consulting fees. Full capital and operating cost implications will be determined through operating model analysis and detailed costing exercises, and will be communicated to Council at a future meeting and/or during budget deliberation process.

REPORT IMPACTS:
Agreement: No
By-law: No
Budget Amendment: Yes
Policy: No

APPROVALS:
This report has gone through the appropriate workflow and has been reviewed and or approved by the following as required:
Director
Deputy City Manager
Chief Financial Officer
City Solicitor
City Manager

ATTACHMENTS:
1. 23-327-CD Appendix A – Concession Design
CAMBRIDGE RECREATION COMPLEX AND LIBRARY

2023-10-24

MJMA
ARCHITECTURE & DESIGN
CONCESSION PRECEDENTS
PRECEDENT: MILTON SHERWOOD

TOTAL GFA: 65 SM (700 SF)
PRECEDENT: CANADA SUMMER GAMES

TOTAL GFA: 75 SM (805 SF)
RECOMMENDED CONCESSION LOCATION
RECOMMENDED CONCESSION LOCATION

[Diagram of the Cambridge Recreation Complex and Library with highlighted locations including GYMNASIUM, AQUATIC HALL, ATRIUM, MULTI-PURPOSE, and IDEA EXCHANGE.]
PROPOSED CONCESSION LAYOUT
CONCESSION LAYOUT

1. MULTIPURPOSE ROOM: 230 SM (2475 SF)
2. CONCESSION: 70 SM (750 SF)
TOTAL GFA ADD: 75 SM (805 SF)
PERSPECTIVE: VIEW OF CONCESSION FROM LOBBY
PERSPECTIVE: VIEW OF CONCESSION FROM EXTERIOR COURTYARD
CONCESSION SUMMARY

MP: 230 SM (2475 SF)
CONCESSION: 70 SM (750 SF)
TOTAL GFA ADD: 75 SM (805 SF)
ADDED COST: $684,000
THANK YOU!
To: COUNCIL  
Meeting Date: 10/24/2023  
Subject: Subdivision and Site Plan Agreement Templates  
Submitted By: Sylvia Rafalski-Misch, Manager of Development Planning and Sarah Austin, Manager of Development Engineering  
Prepared By: Sarah Austin, Manager of Development Engineering  
Report No.: 23-256-CD  
File No.: C11  
Wards Affected: All Wards

RECOMMENDATION(S):
THAT Report 23-256-CD Subdivision and Site Plan Agreement Templates be received;  
AND THAT Council approve the Subdivision and Site Plan Agreement Templates;  
AND THAT Council provides the Chief Planner and Director of Engineering delegated authority to impose site specific conditions as applicable based on Council approved draft plan conditions and reviewing agency comments;  
AND FURTHER THAT Council provides the Chief Planner delegated authority to administer amendments to the Subdivision and Site Plan Agreement Templates that reflect continuous improvement and minor administrative matters.

EXECUTIVE SUMMARY:  
Purpose  
The Planning and Engineering and Transportation Services Divisions, in consultation with other City Divisions, have completed a comprehensive review and update of the Site Plan and Subdivision Agreements and are recommending Council approval of the updated agreement templates.  
Key Findings  
The Subdivision and Site Plan agreement templates have been updated to align with the current City approval, construction, maintenance and assumption processes. The
updated templates will assist in streamlining preparation and execution of agreements, which will potentially allow an earlier start of construction for developers.

**Financial Implications**

There are no direct financial impacts from the approval of the updated subdivision and site plan templates.

**STRATEGIC ALIGNMENT:**

☒ Strategic Action

**Objective(s):** PLANNING FOR GROWTH - Provide for a mix of development, uses and amenities in order to meet the needs of a changing and diverse population

**Strategic Action:** Lay the foundation for future community-building

OR

☐ Core Service

**Program:** Not Applicable

**Core Service:** Not Applicable

The updated Subdivision and Site Plan Agreement templates will assist in streamlining the preparation and execution of development agreements, potentially facilitating an earlier start of construction and community building.

**BACKGROUND:**

**Existing Subdivision Agreement Template**

The existing subdivision agreement template has been in use for 10+ years. Over the past several years, staff and the development community have identified clauses that are no longer relevant or are not clearly understood as well as gaps with regards to current processes for approval and construction. The update process began in 2019 with a project team comprised of City staff. In 2022, with Provincial funds from the Streamlining Development Approvals Fund, the City retained The Planning Partnership to assist with the project, which is now complete for Council approval.

**Existing Site Plan Agreement Template**

The site plan agreement template was last updated in 2013 and presented to Council in November 2013. Similar to the subdivision agreement, the City retained The
Planning Partnership to assist with the review, which is now complete for Council approval.

**ANALYSIS:**

**Municipal Housing Pledge**

Council's Municipal Housing Pledge of 19,000 new homes by 2031, includes a commitment to simplify development approvals and reduce processing times by updating development agreements.

The update of the subdivision and site plan agreement templates are in direct alignment with that commitment.

**Alignment with 2023 Engineering Standards and Development Manual**

The new subdivision agreement template aligns with Chapter 6 of the 2023 Engineering Standards and Development Manual, specifically the requirements for Acceptance for Maintenance, developer responsibilities during applicable maintenance periods and requirements for Final Acceptance and Assumption.

**Delegated Authority to the Chief Planner and Director of Engineering**

Providing the Chief Planner and Director of Engineering with delegated authority to impose site specific conditions within the agreements ensures that Council approval of such conditions is not required, which would impact the overall length of time to execute development agreements. Site specific conditions would be based on draft plan approval conditions, which Council would have seen and approved through a recommendation report supporting draft plan approval.

Providing the Chief Planner with delegated authority to amend the Subdivision and Site Plan Agreement Templates will ensure that the templates reflect continuous improvement and allows for revisions to reflect minor administrative matters. Revisions that the Chief Planner considers major, or that impact the function of the agreements would be presented to Council for approval.

Without delegated authority, any minor revision would require Council approval, which would impact the overall length of time to execute development agreements.

**Jurisdictional Scan**

The staff project team, along with the City’s consultant The Planning Partnership have reviewed existing agreements from municipalities and the updated City templates are in line with best management practices.
Benefits of the updated templates to Stakeholders and Staff

The agreement templates are set up to clearly align with the approval, construction, maintenance and assumption processes, helping both staff and developers understand expectations and responsibilities at each stage of development.

The structure of the agreements keeps all sections consistent apart from one section where site specific items are included. With the consolidation of site-specific requirements into a single section, staff and developers will be able to focus on that area with regards to finalizing agreements, potentially allowing for faster agreement execution.

Next Steps

Following Council approval of the templates, the documents will be finalized and shared with the development industry, at which time staff will begin to use the new templates in preparing agreements.

EXISTING POLICY / BY-LAW(S):

There is no existing policy/by-law.

The Ontario Planning Act under Section 51 for Plan of Subdivision and Section 41 for Site Plan Control gives municipalities the authority to enter into Agreements, to be registered on title of the lands, to ensure the owner/developer carries out all the requirements or provisions outlined in these Agreements.

FINANCIAL IMPACT:

There is no direct financial impact from the approval of the subdivision and site plan agreement templates.

The new templates provide clear expectations regarding the roles and responsibilities of the developer and the City during the development approval and construction process and will ensure the City assumes quality new infrastructure, which could translate to reduced operating costs by having fewer deficiencies during an asset’s life cycle.

Streamlining Development Approvals Fund

In early 2022, the Province announced the Streamlining Development Approvals Fund, through which the City received approximately $1M. The Fund was intended to help large municipalities unlock housing supply by streamlining, digitizing and modernizing their approach to managing and approving applications for residential developments. The City has used approximately $42,000 of the available funding to retain a consultant to assist with the completion of updates to the Subdivision and Site Plan Agreement
templates.

Should the agreements not be approved prior to November 1st, which is the deadline for spending under the available funding, the City may have to find alternative funding to cover consultant fees.

PUBLIC VALUE:

The approval of the subdivision and site plan agreement templates demonstrate Council’s leadership in streamlining development approvals to meet Council’s Municipal Housing Pledge of 19,000 homes by 2031.

The agreement templates also support the public value principle of collaboration with staff from Planning, Engineering and Transportation Services, Environmental Services, Operations, Building, Finance and Legal all participating to ensure the templates provide clear, concise clauses and expectations to the development industry.

ADVISORY COMMITTEE INPUT:

Not Applicable.

PUBLIC INPUT:

Posted publicly as part of the report process.

INTERNAL / EXTERNAL CONSULTATION:

Internal Consultation

Led by the Planning Division, staff from Engineering and Transportation Services, Environmental Services, Operations, Finance, Building and Legal have all been involved in the original project team for the subdivision agreement template update. Staff have participated in a review of the existing agreements, best management practices review and provided comments on the new templates.

External Consultation

Informal external consultation with the development industry has been occurring on an on-going basis since the last update of the site plan agreement and since the staff led project team was created for the subdivision agreement update.

The Waterloo Region Homebuilder Association’s City of Cambridge liaison group provided comments to the former City Planner in 2018, that were considered through the subdivision agreement template review.
CONCLUSION:
The Planning Division, in consultation with other City Divisions, have completed a comprehensive update to the Subdivision and Site Plan Agreement templates, which has not occurred in more than 10 years.

The templates provide clear, concise clauses and expectations to the development industry and align with current City processes for approval, construction, maintenance and assumption of development.

At this time, staff are requesting Council approval of the templates as part of the streamlining of development approvals in support of Council’s Municipal Housing Pledge.

REPORT IMPACTS:
Agreement: No
By-law: No
Budget Amendment: No
Policy: No

APPROVALS:
This report has gone through the appropriate workflow and has been reviewed and or approved by the following as required:
Director
Deputy City Manager
Chief Financial Officer
City Solicitor
City Manager

ATTACHMENTS:
1. 23-256-CD Appendix A – Subdivision Agreement Template

2. 23-256-CD Appendix B – Site Plan Agreement Template
SUBDIVISION AGREEMENT

DATED:

BETWEEN:

OWNER(S) OF LANDS BEING SUBDIVIDED

- AND -

THE CORPORATION OF THE CITY OF CAMBRIDGE
# CITY OF CAMBRIDGE
## SUBDIVISION AGREEMENT

### TABLE OF CONTENTS

**PART 1: DEFINITIONS** ................................................................. 4

**PART 2: ADMINISTRATION** .......................................................... 6

2.01 Subject Lands .............................................................................. 6
2.02 Transfers to City .......................................................................... 6
2.03 Parkland ....................................................................................... 6
2.04 Model Homes ................................................................................. 6
2.05 Occupancy ..................................................................................... 7
2.06 Notice to Owner ............................................................................. 8
2.07 Warning Clauses ............................................................................ 8
2.08 Covenants .................................................................................... 8
2.09 Final Approval of Plan ................................................................... 9
2.10 Registration of Agreement ............................................................ 9
2.11 Sales Trailer/Office ....................................................................... 9

**PART 3: REQUIREMENTS FOR CONSTRUCTION** .................. 10

3.01 Approval of Plans ........................................................................ 10
3.02 Minor Adjustments to the Agreements and Plans ....................... 10
3.03 Required Approvals ...................................................................... 10
3.04 Works to be Constructed by the Owner ........................................ 10
3.05 Timing and Phasing of Construction of Works ......................... 10
3.06 Utilities ....................................................................................... 11
3.07 Canada Post .................................................................................. 11
3.08 Approval of Contracts ................................................................. 11
3.09 Indemnification ............................................................................ 12
3.10 Insurance ..................................................................................... 12
3.11 Fire Fighting ................................................................................ 13
3.12 Tree Management Plan ............................................................... 13

**PART 4: CONSTRUCTION & MAINTENANCE OF WORKS** ...... 14

4.01 Requirements to Commence Construction Activities .............. 14
4.02 Building Construction .................................................................. 14
4.03 Construction Activities ............................................................... 15
4.04 Municipal Services ...................................................................... 16
4.05 Roads and Active Transportation .............................................. 16
4.06 Grading ...................................................................................... 17
4.07 Dust and Weed Control ............................................................... 19
4.08 Topsoil ....................................................................................... 19
4.09 Sodding ..................................................................................... 19
4.10 Entry & Inspection by City ........................................................... 19
4.11 Heritage & Archaeological Resources ....................................... 20
4.12 Environmental Condition ................................................................. 20
4.13 Incomplete or Faulty Work .............................................................. 20
4.14 Damages or Changes to Existing Infrastructure ............................... 21
4.15 Completion of Works ................................................................. 22
4.16 Maintenance of Works ............................................................... 22
4.17 Final Acceptance ........................................................................ 23
4.18 Assumption ................................................................................. 23
4.19 Construction Act ........................................................................ 24
4.20 Winter Maintenance .................................................................... 24

PART 5: FINANCIAL REQUIREMENTS .................................................. 26
5.01 Taxes & Local Improvement Charges, etc ...................................... 26
5.02 Development Charges ............................................................... 26
5.03 Fees Payable to City .................................................................... 26
5.04 Funding of Certain Works .......................................................... 26
5.05 Financial Security ........................................................................ 26

LIST OF SCHEDULES
SCHEDULE "A" Legal Description of the Lands ........................................ 30
SCHEDULE "B" Map of the Lands .......................................................... 31
SCHEDULE "C" Draft M-Plan for Subdivision ........................................ 32
SCHEDULE "D" Transfers ..................................................................... 33
SCHEDULE "E" List of Approved Drawings and Reports ......................... 35
SCHEDULE "F" Estimated Construction Cost of Works ......................... 36
SCHEDULE "G" Construction Phasing & Timing .................................... 37
SCHEDULE "H" Financial Requirements ................................................ 38
SCHEDULE "I" Form of Letter of Credit ................................................. 39
SCHEDULE "J" Site-Specific Conditions .................................................. 40
SCHEDULE "K" Development Engineering Manual ............................... 41
THIS SUBDIVISION AGREEMENT entered into this __ Day of ___________, XXXX

BETWEEN:

XXXX (DEVELOPER)
(the “Owner”)

- and -

THE CORPORATION OF THE CITY OF CAMBRIDGE
(the “City”)

WHEREAS the Owner is the Owner of the lands described in Schedule “A” attached and shown on Schedule “B” attached hereto and has applied to the Region of Waterloo for approval of a plan of subdivision thereon; and to the City for a Letter of Release;

AND WHEREAS the City, in order to maintain an adequate standard of construction, requires the Owner to perform certain works, install certain services, pay certain sums of money, dedicate and improve certain lands for public purposes and make certain financial arrangements; and otherwise perform in accordance with the provisions herein contains in the attached schedules;

NOW THEREFORE IN CONSIDERATION OF the mutual covenants herein contained, the consent by the City to the Owner’s plan pursuant to the Planning Act, and the provision of other good and valuable consideration (the receipt and adequacy of which is acknowledged) the Parties herein covenant and agree as follows:
PART 1: DEFINITIONS
This section sets out definitions to be applied to the following terms used in this Agreement:

1.01.1 “Acceptance for Maintenance Certificate” means certification issued by the City that the City Works have been constructed in accordance with the approved engineering drawings and subject to City standards, all other requirements of the City’s Engineering Design Standards and Development Manual have been addressed, and that the Maintenance Period has been initiated.

1.01.2 “Act” means the Planning Act, R.S.O. 1990, C.P.13.

1.01.3 “Agreement” means this Agreement and the expressions “herein”, “hereof”, and “hereunder”, have a corresponding meaning of “in the Agreement”, “of this Agreement”, and “under this Agreement”, respectively.

1.01.4 “Assumption” means the assumption of any City Works, Regional Works or Utility Works by the relevant Government Authority, including the City.

1.01.5 “Base Park” means the design and construction of parkland on a suitable location and land by the Owner including the proper grading, drainage, site servicing, fencing, quality soil, tree plantings, turf coverage, signage, trails, pedestrian connections and all related appurtenances thereto.

1.01.6 “Building Division” means the division or department within the City responsible for the issuance of building permits.

1.01.7 “City” means The Corporation of the City of Cambridge and applicable authorized representative(s).

1.01.8 “City Clerk” means the Clerk of the City or their authorized representative.

1.01.9 “City Works” means works to be constructed by the Owner within a City right-of-way or other land to be conveyed to the City through this Agreement, as identified within the approved drawings and reports referenced in Schedule “C” of this Agreement.

1.01.10 “Community Mailboxes (“CMBs”) means mailboxes supplied and installed in accordance with the City and Canada Post standards and specifications.

1.01.11 “Composite Utility Plan” means a plan which identifies hydroelectric, telephone, high speed broadband fibre and other telecommunication services, natural gas, television cable services, landscaping and underground facilities.

1.01.12 “Energy Company” means GrandBridge Energy Inc., or any other producer or distributor of energy.

1.01.13 “Engineer” means a Professional Engineer engaged by the Owner for the purpose of carrying out the terms of this Agreement.

1.01.14 “Engineering Division” means the division or department within the City responsible for development engineering.

1.01.15 “Fire Department” means the fire department for the City.

1.01.16 “Final Acceptance Certificate” means certification issued by the City that the applicable Works have completed their Maintenance Period(s), and that all identified deficiencies have been rectified to the satisfaction of the City.

1.01.17 “Final Approval” means approval of the final M-Plan by the Region of Waterloo.
1.01.18 “General Contractor” means the general contractor hired by the Owner to construct the Works and/or to oversee construction of the by other subcontractors.

1.01.19 “Lands” means the lands legally described in Schedule “A” of this Agreement, which are subject to this Agreement.

1.01.20 Maintenance Period” means the minimum period of time over which the Owner shall be required to maintain any City Works, Regional Works, Utility Works and/or Parkland, as outlined in Clause 4.16 of this Agreement.


1.01.22 “Operations Division” means the division or department within the City responsible for road maintenance and operation and maintenance of the water distribution and wastewater collection systems.

1.01.23 “Owner” in addition to its accepted meaning, shall mean and include an individual, an association, a partnership, or an incorporated company.

1.01.24 “Parkland” means land to be conveyed to the City by the Owner for park purposes, in accordance with Subsection 2.04 of this Agreement.

1.01.25 “Parties” means the Owner and the City, and “Party” means either one of the two Parties.

1.01.26 “Planning Division” means the division or department within the City responsible for development planning.

1.01.27 “Regional Works” means works constructed within a Regional right-of-way or other land to be conveyed to the Region through this Agreement, as identified within the approved drawings and reports referenced in Schedule “C” of this Agreement.

1.01.28 “Site Works” means works to be constructed by the Owner other than the City Works, Regional Works or Utility Works, as identified within the approved drawings and reports referenced in Schedule “C” of this Agreement.

1.01.29 “Utility Works” means works identified within the Composite Utility Plan to be constructed by the Owner.

1.01.30 “Works” means the City Works, Regional Works, Site Works and Utility Works.
PART 2: ADMINISTRATION

2.01 Subject Lands

2.01.1 The Lands affected by this Agreement are more particularly described in Schedule “A” attached hereto.

2.02 Transfers to City

2.02.1 The Owner shall convey the lands described in Schedule “D” of this Agreement to the City in fee simple free and clear from all encumbrances immediately following plan registration.

2.02.2 The Owner shall convey the easements described in Schedule “D” of this Agreement to the City and/or Energy Company immediately following registration.

2.02.3 The Owner covenants and agrees to remove all stones, stumps, fallen trees and debris from land conveyed to the City and lands subject to easements conveyed to the City.

2.02.4 The Owner covenants and agrees that land or easements conveyed to the City will not be used for disposal of debris obtained from the development of the Lands, and the Owner further covenants and agrees to restrain all others from depositing debris, and refuse on lands or easements conveyed to the City and to remove any such debris or refuse so deposited immediately when so directed by the City at the Owners sole cost and expense.

2.02.5 The parties agree that, in the event that required lands and easements as required pursuant to this Agreement have not been properly conveyed, the City, in addition to any other remedies available to it, may expropriate such lands and easements, and the costs of such expropriates shall be at the expense of the Owner.

2.03 Parkland

2.03.1 The Owner shall convey the lands described in Schedule “D” of this Agreement to the City in fee simple, free and clear from all encumbrances, for park purposes or pay to the City the sum of money set out in Schedule “H” of this Agreement in lieu of the conveyance of lands for park purposes or such other public purposes.

2.03.2 Where lands are conveyed to the City for park purposes, such lands shall be improved to a Base Park condition, to the satisfaction of the City.

2.04 Model Homes

2.04.1 The Owner covenants and agrees that Building Permits for model homes may be obtained subject to the following requirements:

a) The number of model homes does not exceed 8 units or 10% of the dwelling units draft approved in any phase of a plan of subdivision or condominium whichever is the lesser, prior to issuance of Final Approval.

b) Every model home shall comply with the provisions of the City’s Zoning By-law, as amended, and an Ontario Land Surveyor shall provide the City with a building location survey confirming the model home location.

c) A Lot Grading and Servicing Plan for the development of the model home must be submitted and accepted by the City’s Engineering Division.

d) The City's Fire Department must be satisfied that adequate access and water supply is available to meet firefighting needs.
e) The Owner shall ensure an unobstructed emergency access route to the model home(s) is maintained at all times during construction of model homes with a minimum width of six (6) metres, constructed of granular material and have sufficient compaction to provide access for emergency vehicles, to the satisfaction of the City.

f) The Owner must acknowledge in writing that permanent underground hydro servicing will not be available until the electrical distribution system for the plan of subdivision has been fully installed, inspected and energized. Any temporary hydro servicing required by the Owner shall be arranged directly between the Owner and Energy Company.

g) The Owner must acknowledge in writing that no building or structure erected as a model home(s) will be occupied, except for the sole purpose of an office to promote the sale of dwelling units, until all requirements set out in Section 2.05 of this Agreement have been addressed to the satisfaction of the City’s Building Division.

h) Applicable Development Charges must be paid prior to the issuance of a Building Permit for a model home.

2.05 Occupancy

2.05.1 The Owner covenants and agrees not to occupy or allow occupancy of any building or structure or part thereof until the following requirements are addressed:

a) All monies due to the City in respect of the building have been paid.

b) The building is substantially complete and in compliance with the Ontario building Code.

c) Lot grading and drainage, in accordance with the approved Lot Grading Plan, is substantially complete and in compliance with the Ontario Building Code.

d) Acceptance for Maintenance Certificate for the Underground and Base Road Works, Stormwater Management Works, and the Streetlight network has been issued by the City’s Engineering Division.

e) Municipal servicing for the Lot is complete and connected thereto, including any water meter required by the City has been paid for and installed.

f) Written confirmation from an Energy Company certifying that all electrical plant has been fully installed, inspected and energized.

g) Natural gas servicing (if applicable) and hydro servicing for the Lot are installed and connected.

h) A numerical sign identifying the municipal address has been affixed to the subject building and permanent street name signs are erected.

2.05.2 The City may draw upon any financial security the Owner has provided to the City under this Agreement to reimburse the City for costs incurred if, in the opinion of the City, a building or structure or part thereof is occupied contrary to Clause 2.05.1.

2.05.3 In the event that a building, structure or part thereof is occupied contrary to Clause 2.05.1, and the City has notified the occupant that such occupancy is unauthorized, then in addition to all other remedies available to the City, the City may terminate all municipal services to the subject building or structure.
2.05.4 In the event that a building, structure or part thereof is occupied contrary to Clause 2.05.1, the City is entitled to obtain an order from a court of competent jurisdiction prohibiting the occupancy of any building or unit until such time as the terms of this Agreement have been fully complied with, and the Owner shall be stopped from opposing such application on the part of the City and shall be responsible to reimburse the City’s costs in relation to obtaining the court order.

2.06 Notice to Owner

2.06.1 If any notice is required to be given to the Owner with respect to this Agreement, such notice shall be mailed, delivered or sent by email transmission to the addresses below. Such notice shall be deemed to have been received on the date of its delivery or in the case of mailing, three (3) business days after it was delivered to the post office.

2.06.2 If any notice is required to be given to the City with respect to this Agreement, such notice shall be mailed, delivered or sent by email transmission to the addresses below. Such notice shall be deemed to have been received on the date of its delivery or in the case of mailing, three (3) business days after it was delivered to the post office.

City Clerk,
The Corporation of the City of Cambridge
50 Dickson Street
P.O. Box 669
Cambridge, ON N1R 5W8
Tel: (519) 623-1340
Email: clerks@cambridge.ca

Chief Planner, Community Development Department
The Corporation of the City of Cambridge
50 Dickson Street
P.O. Box 669
Cambridge, ON N1R 5W8
Tel: (519) 623-1340
Email: planning@cambridge.ca

And to:
City Solicitor
The Corporation of the City of Cambridge
50 Dickson Street
P.O. Box 669
Cambridge, ON N1R 5W8
Tel: (519) 740-4683
Email: legalservices@cambridge.ca

2.07 Warning Clauses

2.07.1 The Owner agrees to insert or require the insertion of the warning clauses identified in Schedule “I” of this Agreement into all Agreements of Purchase and Sale.

2.08 Covenants

2.08.1 The Owner agrees that all agreements of sale on any lot or lots within the plan shall contain the following restrictions and the same shall be incorporated in all deeds with the expressed intent that they shall be covenants running with the land for the benefit of the lands in the subdivision as a building scheme.
a) No rear lot drain and/or swale may be clogged, filled, altered, removed, or in any way obstructed.

b) No building shall be erected except in accordance with a Lot Grading and Servicing Plan approved by the City which plan shall show sufficient detail to prove that the lot drainage satisfactorily conforms to the drainage scheme of the subdivision. Any changes to the approved Overall Grading and Drainage Plan shall require further approval from the City.

c) The purchaser acknowledges it will provide for and maintain the grading and drainage and will not alter the grading and drainage on the land in any way that will adversely affect the drainage pattern established by the Overall Grading and Drainage Plan approved by the City.

d) The purchaser acknowledges that all drainage requirements for the lot or lots herein are the responsibility of the purchaser and successors in title from time to time and not of the City, and no claim shall be made against the City.

2.09 Final Approval of Plan

2.09.1 The Owner shall present the final M-Plan to the City, Planning Division for examination before such plans are presented to the Region of Waterloo for approval, and before the City's issuance of a Letter of Release, the Owner shall present same to the City, Planning Division again for re-examination, before registration, if any change is made thereafter.

2.10 Registration of Agreement

2.10.1 The Owner agrees that this Agreement shall be registered by the City prior to the Plan of Subdivision and before registration of any other documents affecting the said lands, at the sole cost of the Owner.

2.11 Sales Trailer/Office

2.11.1 Subject to the provisions of the City's Zoning By-law, a temporary sales trailer or sales office may be provided on the Lands for the period during which the construction of any buildings is taking place, subject to approval by the City, Planning Division of site and landscaping plans for the sales trailer or sales office.

2.11.2 The City may, at its sole discretion, require the removal or relocation of any temporary sales trailer or sales office if the City has deemed that building or structure as no longer necessary or appropriate for the development of the Lands.
PART 3: REQUIREMENTS FOR CONSTRUCTION

3.01 Approval of Plans

3.01.1 The Owner covenants and agrees:

a) That the City has approved the plans, drawings and reports which are described in Schedule “E” of this Agreement and that original copies have been filed with the City.

b) To construct and locate all buildings, structures, Works and facilities required under this Agreement in accordance with the approved plans, drawings and reports described in Schedule “E”.

3.02 Minor Adjustments to the Agreements and Plans

3.02.1 Minor adjustments and variances to the provisions of this Agreement or to the approved plans, drawings and reports described in Schedule “E”, may only be granted upon written application by the Owner and agreed to in writing by the City, Planning Division.

3.03 Required Approvals

3.03.1 The Owner shall not commence construction of any part of the Works or any building or structure until it has provided the City with written clearances with respect to the proposed construction from such legislative, quasi-legislative or regulatory bodies and authorities as are, in the sole and unfettered opinion of the City, required or desirable in connection with the construction including, but not restricted to, and without limiting the generality of the foregoing, the following:

a) the City;

b) the Region of Waterloo;

c) Grand River Conservation Authority;

d) any Energy Company;

e) Province of Ontario Ministry of the Environment, Conservation and Parks;

f) Province of Ontario Ministry of Natural Resources;

g) Province of Ontario Ministry of Transportation;

h) Applicable public utilities corporations or commissions; and,

i) Generally, such other legislative, quasi-legislative, regulatory or judicial authorities having jurisdiction, including but not limited to Railways.

3.04 Works to be Constructed by the Owner

3.04.1 The Owner covenants and agrees to construct to the satisfaction of the City and at no expense to the City, the Works identified in the approved drawings and reports referenced in Schedule “E” of this Agreement, which will be completed on the Lands and/or on lands to be conveyed to the City. Such Works will be constructed in accordance with the approved plans, drawings, reports, and the City’s Engineering Standards and Development Manual.

3.05 Timing and Phasing of Construction of Works

3.05.1 The Works shall be constructed and Lands developed in accordance with the construction phasing and timing schedule described in Schedule “G” of this Agreement. Failure to complete the works specified in the approved plans, drawings and reports described in Schedule “E” in accordance with the timing specified in Schedule “G”.
3.05.2 The Owner shall secure Building Permits required for the initial phase of development on the lands within eighteen (18) months of execution of this Agreement and shall, in the unfettered opinion of the City acting reasonably, have substantially commenced construction of the Works and City Works within twenty four (24) months of such execution, failing which, at the sole and unfettered option of the City, all approvals theretofore given by the City with respect to the Development shall lapse and be of no further force or effect and the Owner shall forthwith restore the Land, as nearly as possible, to its original condition to the satisfaction of the City;

3.05.3 If the Works required to be constructed by this Agreement have not been completed within three (3) years of the execution of this Agreement, the City, in addition to exercising its power to complete the Works under this Agreement, may require the Owner to enter into a further and additional agreement including the posting of additional securities.

3.06 Utilities

3.06.1 The Owner covenants and agrees to contact the appropriate entities regarding public utility requirements for the Lands, including but not limited to electricity, telecommunications, and natural gas to ensure they have been satisfactorily arranged, that servicing installation for the same will be provided underground without any expense, cost or obligation on the part of the City and that all requisite easements have been or will be granted to such entities.

3.06.2 The Owner covenants and agrees to prepare a Composite Utility Plan, to the satisfaction of the City’s Engineering Division, prior to the installation of such public utility plant.

3.06.3 The Owner further agrees that if there are any conflicts with existing utilities or easements, the Owner shall be responsible for all such relocations and associated costs.

3.07 Canada Post

3.07.1 The Owner shall be responsible for the supply and installation of Community Mail Boxes and associated concrete pads within the Plan of Subdivision to the satisfaction of the City and Canada Post in accordance with the City and Canada Post standards and specifications.

3.07.2 The Owner further agrees to determine the location of all CMBs in cooperation with Canada Post and the City and to indicate the location of all CMB’s on the engineering design drawings and maps or information boards in the sales office.

3.07.3 The Owner covenants and agrees to provide the City with evidence of satisfactory arrangements, financial and otherwise, that have been made with Canada Post for the installation of CMBs as required by Canada Post and as shown on the approved Plans.

3.07.4 The Owner further covenants and agrees to provide notice to prospective purchasers of the locations of CMBs and that mail delivery will be provided via CMBs.

3.08 Approval of Contracts

3.08.1 In the event the City is contributing growth or non-growth funding for any part of the services being installed, a Credit for Service Agreement, executed in compliance with the Credit for Service Agreement Policy, will be required between the Owner and the City. Procurement and contract award shall be as per the Credit for Service Agreement policy.

3.08.2 If there are no City funding contributions for any of the Works, the Owner may make such arrangements for the construction as they see fit.
3.09 Indemnification

3.09.1 The Owner acknowledges and agrees that any work completed under this Agreement is entirely and solely at their own risk and without liability or responsibility of the City.

3.09.2 Without limiting the foregoing, the Owner specifically agrees to release, indemnify, defend and completely save harmless the City, its Councillors, officers, employees, legal counsel, agents and contractors from and against any and all suits, judgments, claims, demands, expenses, actions or other proceedings of any kind (including, but not limited to proceedings of a criminal, administrative or quasi criminal nature), causes of action, duties, assessments, fees, penalties, liabilities, losses and costs (including, but not limited to, legal fees on a substantial indemnity basis) and any claim for lien made pursuant to the Construction Act (Ontario) and for any and all liability for:

a) damages to any property, including property other than the Lands;

b) any direct, indirect, special or consequential damages; and

c) any injury to any person (including death), however caused;

which in any manner arise out of or are in any manner related to this Agreement, the development of the Lands and/or completion of the Works.

3.10 Insurance

3.10.1 In order to protect, indemnify and save harmless the City, the Owner shall insure its undertaking, business and equipment in accordance with the minimum requirements outlined below throughout the term of this Agreement from the date of commencement of the Works until Assumption of the Works. It is the responsibility of the Owner and its Insurance Broker to review all potential operations and exposures to determine if the coverage and limits noted below are sufficient to address all insurance related exposures presented by the specifications of the Works. The Owner shall provide to the City, on or prior to the execution of this Agreement, a Certificate of Insurance evidencing a general liability insurance policy, with all applicable coverage extensions and endorsements, in the amount of $5,000,000.00, per occurrence, in a form satisfactory to the City, indemnifying the City from any loss arising from claims or damages, injury or otherwise in connection with the work done by or on behalf of the Owner. The policy shall contain a cross-liability clause, with a severability of interests provision, naming the City as an additional insured. This Certificate shall state that coverage will not be suspended, voided, cancelled, reduced in coverage or in limits except after thirty (30) days prior written notice by certified mail to the City. This policy shall be maintained in full force and effect until the date that all Works have been completed.

a) General Liability Insurance: Coverage shall consist of a comprehensive policy of public liability and property damage insurance, with all available coverage extensions/endorsements, in an amount of not less than $5,000,000 per occurrence. Such insurance shall name the City as an additional insured with a cross liability endorsement and severability of interests provision. The policy SIR/deductible shall not exceed $100,000 per claim and if the policy has an aggregate limit, the amount of the aggregate shall be double the required per occurrence limit. The policy shall cover any loss during the policy period and must contain a “Product & Completed Operations” clause.
b) **Owned and Non-Owned Automobile Liability Insurance:** The Owner shall maintain liability insurance on all Owned, Non-Owned and Leased Automobiles used in the performance of the Pre-Servicing Works to a limit of $2,000,000 per occurrence. Where any of the Owner’s work under this Agreement involves the transportation of an explosive substance, snow removal or road construction, hazardous waste, material from a site or will involve the use of one or more automobiles or any combination of automobiles and towed vehicles having in any case a combined aggregate weight of ten (10) tonnes or more before loading, a limit of $5,000,000 per occurrence shall be required.

c) **Blasting:** Should blasting be required, it shall be the responsibility of the Owner to first notify the City in order that blasting operations may be carried out to the specifications of and with the approval of the City. Prior to any blasting being permitted, a certificate of liability insurance shall be supplied by the person or firm engaged by the Owner to carry out the blasting in the amount of not less than Five Million ($5,000,000.00) Dollars, in respect of each occurrence for claims, on an occurrence basis, and shall name the City and the Commission as additional insureds. The policy shall be maintained in force until all blasting work is completed. Coverage shall include explosion, collapse and underground (XCU) coverage shall be added by endorsement and same shall be noted on the certificate of insurance.

d) **Other Required Policies:**
   i) Contractual liability;
   ii) Pollution from “Hostile Fires”;
   iii) Professional Errors and Omissions Liability Insurance in the amount of not less than $2,000,000 per claim and in the annual aggregate amount of $4,000,000.

3.10.2 All claims and claims handling correspondence must be reported to the City. The Owner shall make contact with any claimant within 48 hours of receipt of a notice of claim and shall initiate an investigation of the claim immediately upon notice.

3.11 **Fire Fighting**

3.11.1 The Owner covenants and agrees:

a) A maximum of six dwellings in a row along a street are permitted to be under construction at any given time, with the seventh lot required as a firebreak lot. The Owner shall confirm the size and location of firebreak lots with the City prior to construction. No construction will commence on a firebreak lot until written approval is provided by the City’s Fire Department.

3.12 **Tree Management Plan**

3.12.1 Any required tree protection measures, as identified in the approved Tree Management Plan, shall be installed and inspected by the Forestry Division prior to commencement of any site alteration activities or construction of any Works, building, structures or parts thereof. All tree protection measures shall remain in place until authorized for removal by the Forestry Division.

3.12.2 The Owner shall pay compensation for trees removed to the City’s Tree Planting Reserve Fund, as outlined in Schedule “H” of this Agreement.
PART 4: CONSTRUCTION & MAINTENANCE OF WORKS

4.01 Requirements to Commence Construction Activities

4.01.1 The Owner covenants and agrees not to undertake any site alteration, vegetation removal, or construction activities until the following requirements are addressed, to the satisfaction of the City:

a) This Agreement has been executed and registered, or the Owner has entered into a separate Agreement with the City related to specific construction or site alteration activities;

b) Approval of all engineering plans and drawings by the Engineering Division. Revisions to any of these plans and drawings must be approved in writing by the Owner's Engineer and the City's Engineering Division;

c) All required Environmental Compliance Approvals have been obtained and provided to the City, Engineering Division, prior to construction of sewers, watermains, sanitary pumping stations and/or stormwater management facilities;

d) Copies of approvals from all other agencies has been provided to the City, Engineering Division, including but not limited to, Grand River Conservation Authority, Region of Waterloo, Ministry of Transportation, Railway Authority, as applicable;

e) An Access Permit(s), in accordance with the City's Corridor Management By-law, as amended, have been issued by the City or other applicable road authority;

f) A Tree Management Plan has been submitted to and approved by the Forestry Division and all tree protection measures required by the Tree Management Plan have been installed and inspected by the Forestry Division;

g) An Erosion and Sediment Control Plan, in accordance with the City’s Engineering Standards and Development Manual, has been submitted and approved by the Engineering Division and any required sediment and erosion control features, as identified in the approved Erosion and Sediment Control Plan have been installed and inspected by the Engineering Division;

h) The Owner shall provide written notice to the Engineering Division a minimum of two (2) weeks prior to the commencement of site alteration, construction or vegetation removal activity and shall hold a pre-construction meeting with the Engineering Division at least seven (7) days prior to commencing construction activity, and;

i) All other requirements of the City’s Engineering Standards and Development Manual have been addressed to the City’s satisfaction.

4.02 Building Construction

4.02.1 The Owner shall pay all applicable development charges, in accordance with the City’s Development Charge By-law, as amended, prior to the issuance of any Building Permits.

4.02.2 The Owner covenants and agrees not to commence construction of any building, structure or part thereof until the following requirements are addressed to the satisfaction of the City:

a) Final Approval has been issued by the Region or the Owner has entered into a separate Agreement with the City related to specific building construction requirements;
b) The Owner has provided evidence that servicing capacity is available to accommodate the particular building or phase of development, to the satisfaction of the City’s Engineering Division;

c) The Final Composite Utility Plan for the applicable phase or stage of the subdivision development has been duly signed by all utility representatives and consultants and approved by the City’s Engineering Division;

d) An Acceptance for Maintenance Certificate for the Underground and Base Road Works for the applicable phase or stage of the subdivision development has been issued by the City’s Engineering Division;

e) A firebreak plan has been submitted and approved by the City’s, Fire Department;

f) The requirements for Architectural Control, as outlined in sub-section 3.05 of this Agreement, have been addressed to the satisfaction of the City’s Planning Division;

g) A copy of each builder’s purchase and sale agreement for the applicable phase or stage of the subdivision development is provided to the City Planning Division to confirm applicable warning clauses;

h) All necessary building permits are obtained in accordance with the Building Code Act.

4.02.3 In the event that the Owner commences construction of a building, structure or part thereof, in contravention of the requirements outlined in this Agreement, the City is entitled to obtain an order from a court of competent jurisdiction requiring the ceasing of construction until such time as the terms of this Agreement have been fully complied with, and the Owner shall be stopped from opposing such application on the part of the City and shall be responsible to reimburse the City’s costs in relation to obtaining the court order.

4.02.4 The Owner further covenants that if his/her or any person claiming title through him/her or under his/her or their authority applies for and obtains such permits his/her will at all times maintain the roads in reasonable and adequate fashion until such time as they are completed and accepted and will provide that all manholes, catch basins and any other protrusion constructed on or in the roadway are kept at grade with the surface of the road so that, in the opinion of the City no harm will come to snow plows or other equipment that may be used on the roadway by the City.

4.02.5 The Owner agrees that all applications for Building Permits shall be accompanied by a Lot Grading and Servicing Plan showing how the lot or parcel of land is to be serviced, drained and graded.

4.02.6 The Owner agrees that construction of buildings, structures or parts thereof on required firebreak lots will not commence until written approval is issued by the City’s Fire Department.

4.03 Construction Activities

4.03.1 The Owner covenants and agrees to adhere to the following requirements during any site alteration, vegetation removal, and/or construction activities:

a) The Owner shall not use any City sidewalks, roads, boulevards, parks or any City lands for material storage or construction purposes;
b) The Owner shall be responsible, at the end of every working day, for all mud and debris that is tracked onto the City road allowance from vehicles and/or construction equipment entering or leaving the construction site and dust generated during construction. The Owner shall, upon verbal and/or written request by the City, Operations Division, immediately proceed with clean-up operations at their expense. Should the Owner fail to clean-up within twenty-four hours as directed, the City may have the cleaning completed at the Owner’s sole expense;

c) Hours of construction shall be in accordance with the City’s Engineering Standards and Development Manual;

d) All trucks and heavy equipment must comply with all regulations of the Highway Traffic Act with respect to the covering and securing of loads;

e) Throughout the duration of construction, the Lands shall be maintained in a safe and orderly condition and construction debris shall be removed on a regular basis; and,

f) The functioning of the surrounding area, including pedestrian and vehicular movement, shall be maintained at all times during construction.

4.04 Municipal Services

4.04.1 Final Approval of the Plan or any phase thereof shall be subject to the Owner entering into an Agreement for Servicing with the Region for the allocation of sanitary sewer and water supply capacity to the Lands.

4.04.2 Final Approval of the Plan or any phase thereof shall be subject to the Owner entering into an Agreement with the Region for the design, construction, installation and commissioning of water and sanitary services, including any appurtenances thereto.

4.04.3 The Owner agrees it shall be solely responsible for the design, construction and completion in a good workmanlike manner (or pay for the completion of) the Works in accordance with the approved plans, drawings, reports, Environmental Compliance Approvals and the City’s Engineering Standards and Development Manual and to the satisfaction of the City.

4.04.4 If at any time during the development of the subdivision, the City is of the opinion that modification of the Works or additional Works, as conditions may require or are necessary to adequately provide any of the Works required pursuant to this Agreement, the Owner shall design, construct and complete such additional Works at the Owner’s sole cost and expense, upon receiving written notice from the City, providing it is reasonable and practical to do so.

4.04.5 Prior to the issuance of the Acceptance for Maintenance Certificate the City may connect or authorize connection to the water distribution system, sanitary collection system, or stormwater collection system constructed by the Owner, but such connection shall not constitute acceptance of any system by the City and the Owner shall continue to maintain the systems until Final Acceptance.

4.04.6 All cutting or connecting to the existing municipal water distribution system or the opening and closing of existing water valves and hydrants shall be made and performed by City forces at the expense of the Owner.

4.05 Roads and Active Transportation

4.05.1 The road allowances included within the Plan shall be named to the satisfaction of the City, Planning Division.
4.05.2 Public highways and associated structures, daylighting triangles, street trees and boulevard landscaping, signage, pavement markings, etc. shall be designed in accordance with the City’s Engineering Standards and Development Manual and constructed in accordance with the approved plans, drawings and reports referenced in Schedule “E” of this Agreement, to the satisfaction of the City, Engineering Division in its sole discretion.

4.05.3 The Owner shall design all active transportation component, including but not limited to, sidewalks, pedestrian walkways, multi-use trails, pedestrian refuge islands and crossovers, separated bicycle lanes, supporting cycling facilities, signage, pavement markings, and all related appurtenances thereto, in accordance with the City’s Engineering Standards and Development Manual and shall construct these at the locations and to the standards as prescribed in the approved plans, drawings and reports referenced in Schedule “E” of this Agreement, to the satisfaction of the City, Engineering Division in its sole discretion.

4.05.4 The Owner shall show, on any plan depicting the Subdivision that is displayed to prospective purchasers, the location of all Community Mail Boxes and all sidewalks, pedestrian walkways, cycling facilities and multi-use trails to be constructed.

4.05.5 The Owner shall be responsible for the design, supply and installation of a complete streetlight system, including but not limited to all poles, luminaries, wiring, controls and appurtenances thereto in accordance with the City’s Engineering Design Standards and Development Manual.

4.05.6 All electrical supply for the streetlight system shall be in accordance with the requirements of Energy Company and satisfy the Electrical Safety Authority. The entire streetlight system shall be supplied by unmetered supply connections.

4.06 Grading

4.06.1 Without limiting the generality of anything in this Agreement, the Owner covenants and agrees:

a) To construct all drainage works and grade or cause to be graded the said Lands in the manner shown upon the approved Overall Grading and Drainage plan so that all surface drainage, including water from adjacent lands originally flowing through, into or over the area of the proposed subdivision is directed to a storm sewer system or other sufficient approved outlet.

b) To receive prior written approval of the City, Engineering Division for any change to the approved Overall Grading and Drainage Plan.

c) To grant and convey to the City, free and clear of any and all encumbrances, easements affecting the Lands as may be necessary or required in the sole opinion of the City to provide for any drainage work that may be required to furnish an outlet for storm water or natural water courses draining on or from any part of the Lands. All such easements shall be shown on the approved Overall Grading and Drainage Plan.

d) To maintain during the construction and development of the subdivision, the drainage works, grades and levels of all lands and not fill, cut or encumber any land so as to interfere with proper drainage.
e) That as the subdivision develops, if it becomes apparent to the City, Grand River Conservation Authority, Ministry of Environment Conservation and Parks, or the Ministry of Natural Resources that further work is necessary with respect to grading and/or drainage or with respect to the works contemplated in the clauses of this Agreement related to grading and drainage of the Lands, the Owner shall, at their sole cost and expense forthwith provide the same upon receipt of a written notice from the City identifying sufficient particulars thereof. The necessity of such grading and or drainage works shall be at the sole discretion of the City.

f) That if at any time or at times fails to carry out the obligation to grade and drain the Land as required hereunder, the City may enter upon the Lands and complete such work as necessary to correct the same and the City shall be entitled to draw upon the posted security pursuant to this Agreement, in whole or in part. In addition to any other rights or remedies the City may have, the City may also add the costs and/or expenses to the tax roll of the Lands should there be insufficient security whereupon such amount shall be conclusively deemed to be tax arrears and may be collected in the same manner as tax arrears.

g) To prepare individual Lot Grading Plans for each lot or block created through the Plan of Subdivision, in accordance with the City’s Engineering Standards and Development Manual. Each Lot Grading Plan shall be prepared by a Registered Professional Engineer (P.Eng.) or an Ontario Land Surveyor (OLS) and certified by the Engineer of Record for the subdivision development prior to submitting to the City for review. The Engineer of Record shall ensure the submitted Lot Grading Plan conforms with the grading criteria of the City’s Engineering Standards and Development Manual and the approved Overall Grading and Drainage Plan of the subdivision development and that the location of the proposed building(s) as shown on the Lot Grading Plan accurately reflects the proposed building(s) shown on the Building Permit application drawings.

h) To submit to the City with every application for a Building Permit, a Lot Grading Plan certified by the Engineer of Record for City review and approval. The Owner shall insure that the elevation of the foundation wall and underside of footing has been constructed in accordance with the Lot Grading Plan prior to commencing construction of the remaining portion of the building.

i) That an “As-Recorded” Lot Grading Plan shall be prepared by a Registered Professional Engineer (P.Eng.) or an Ontario Land Surveyor (OLS), after final lot grading has been completed (preferably prior to sod/seed) and shall be provided to the Engineer of Record of the subdivision development, prior to submitting to the City for review to confirm that the Lot has been graded in conformance with the approved Lot Grading Plan.

j) To grade all easements, lot lines, boulevards and any other lands necessary to install hydro and other underground utilities to grades shown on the approved plans, to the satisfaction of the City and applicable utility, prior to the installation of such services and to provide the necessary filed survey information required for the installation of such services.

k) To include in the Letter of Credit as required under this Agreement, a deposit per lot as set out in the City’s Rates and Fees By-law, to ensure that the Final Lot Grading Certificate referred to in Section 14(k) of this Agreement is provided by the Owner
4.07 Dust and Weed Control

4.07.1 During the entire construction of the subdivision and until issuance of the Final Acceptance Certificate of all Works, the Owner shall be responsible for all dust control measures in accordance with the City’s Engineering Standards and Development Manual for the prevention of dust nuisance or hazard to the public.

4.07.2 The Owner acknowledges and agrees that all Lots or Blocks to be left vacant for longer than six months shall be graded, seeded, and maintained to the satisfaction of the City.

4.07.3 Until the subdivision is fully developed the Owner shall undertake sufficient actions to ensure the effective control of all types of vegetation on undeveloped land, including boulevards, within the subdivision and on any of the Owner’s abutting lands. All costs of such works shall be paid for by the Owner. If vegetation is not controlled in accordance with the requirements of the City’s by-laws or to the satisfaction of the City, the City may perform such vegetation control activities as deemed necessary by the City in its sole discretion.

4.07.4 The City shall be entitled to draw upon the security posted by the Owner pursuant to this Agreement, in whole or in part for the costs or expenses for such dust and vegetation control works completed by the City. In addition to any other rights or remedies the City may have, the City may also add the costs and/or expenses to the tax roll of the Lands should there be insufficient security, whereupon such amount shall be conclusively deemed to be tax arrears and may be collected in the same manner as tax arrears.

4.08 Topsoil

4.08.1 The Owner agrees that the stripping of topsoil shall be limited to only the impacted areas for construction purposes of the development and that such topsoil shall be stockpiled during grading operations in accordance with City’s Engineering Standards and Development Manual. As building construction is completed the stockpiled topsoil shall be placed around each building and on all land not covered by buildings, driveways or pavement to the minimum depths required in accordance with the City’s Engineering Standards and Development Manual.

4.09 Sodding

4.09.1 The Owner covenants and agrees that it shall be responsible for:

a) Sodding the entirety of each lot upon completion of building construction, except for the driveway, walkway, patio and landscaped areas;

b) Grading and sodding the boulevard portions of streets and all drainage swales on public or private property;

4.10 Entry & Inspection by City

4.10.1 The Owner agrees that the City may, by its officers, employees, agents, contractors or any other authorized person, enter upon the Lands or any parts thereof as well as any building(s) erected thereon and inspect the construction and installation of Works. Such entry and inspection shall not be deemed or construed as acceptance of the Works or any parts thereof by the City, nor relieve the Owners Engineer from undertaking their own inspection of the Works.

4.10.2 The City reserves the right to have inspectors or consultants employed to review all plans and specifications and observe the construction and installation of the Works at any time. The Owner hereby agrees to pay all accounts of the City in connection with such inspectors/consultants.
4.10.3 The parties hereto agree that in no event shall the City be required to conduct inspections or recommend acceptance of any part of the Works during winter conditions (December 1st to March 31st) or outside of the growing season (June 1st to September 30th) for trees and planting material.

4.11 Heritage & Archaeological Resources

4.11.1 The Owner covenants and agrees to immediately notify the Ministry of Tourism, Culture and Sport should archaeological remains be found on the Lands during construction activities. The Owner covenants and agrees to immediately notify the Ministry of Tourism, Culture and Sport if human remains are encountered during construction.

4.11.2 The Owner covenants and agrees to implement any measures recommended by the Archaeological Assessment, to the satisfaction of the City and the Ministry of Tourism, Culture and Sport. Should previously unknown or unassessed archaeological resources be uncovered during development, they may be a new archaeological site and therefore subject to the Ontario Heritage Act. The proponent or person discovering the archaeological resources must cease alteration of the Lands immediately and engage a licensed consultant archaeologist to undertake archaeological fieldwork.

4.12 Environmental Condition

4.12.1 The Owner agrees that if, during construction of any infrastructure or buildings within the Subdivision, contaminated lands are discovered, the Owner shall carry out, at its expense, the necessary measures to identify and deal with the contaminate, in accordance with applicable laws.

4.13 Incomplete or Faulty Work

4.13.1 If, in the opinion of the City, the Owner:

a) Is not performing or causing to be performed the Works required in connection with this Agreement within the time schedule set out in Schedule “G” of this Agreement, or

b) Is improperly performing the work, or

c) Has neglected or abandoned such Works before completion, or unreasonably delayed the same so that the conditions of this Agreement are being violated, or carelessly executed, or being carried out in bad faith, or

d) Has neglected or refused to renew or again perform such Works as may be rejected by the City as defective or unsuitable or

e) Has in any other manner in the opinion of the City defaulted in performance of the terms and conditions of this Agreement,

4.13.2 Then, in any such case the City shall notify the Owner in writing of such default or neglect and if rectification has not been commenced within seven (7) business days after such notice, then the City shall have full authority and power to immediately purchase such materials, tools, and machinery and to employ such workmen as in their opinion shall be required for the proper completion of the said Works at the cost and expense of the Owner.

4.13.3 In cases of emergency, in the sole opinion of the City, employees or agents of the City may enter upon the Lands for the purpose of making emergency repairs to any of the Works without notice.
4.13.4 The cost of such work shall be calculated by the City, whose decision shall be final. It is understood and agreed that such costs shall include a management fee of Twenty (20%) percent of the labour and material value of such work for the dislocation and inconvenience caused to the City as a result of such emergency or default on the part of the Owner.

4.13.5 The City shall be entitled to draw upon the financial security posted by the Owner pursuant to this Agreement, in whole or in part for the cost of such Works. In addition to any other rights or remedies the City may have, the City may also add the costs and/or expenses to the tax roll of the Lands should there be insufficient security, such amount shall be conclusively deemed to be tax arrears and may be collected in the same manner as tax arrears.

4.13.6 It is further understood and agreed between the parties hereto that such entry upon the Lands shall be as an agent for the Owner and shall not be deemed, for any purposes whatsoever, as an acceptance or assumption of the said Works by the City or assumption of any liability in connection therewith or release of the Owner from any obligation under this Agreement.

4.14 Damages or Changes to Existing Infrastructure

4.14.1 The Owner shall indemnify the City and repair any damage caused to any existing infrastructure, services, drainage or utility plant, to its former state, to the satisfaction of the City and/or utility, as a result of the subdivision development. All costs of such indemnifications and repairs shall be paid by the Owner.

4.14.2 The Owner shall be responsible for the coordination and expense of relocating or upgrading any existing infrastructure, services or utility plant which may become necessary because of the subdivision development.

4.14.3 All access roads must be maintained by the Owner in a state of good repair, to the satisfaction of the City, at all times during the construction of the subdivision development, including but not limited to mud tracking and dust control as further described herein.

4.14.4 For the purpose of minimizing or eliminating danger, damage or inconvenience, the City reserves the right to limit or prohibit the use of any existing access, roadway or haul route by the Owner.

4.14.5 No roadway outside the limits of the Plan shall be closed without the prior written consent by the City's Engineering Division, in accordance with the City's Corridor Management By-law.

4.14.6 If the Owner fails to complete any of the required repairs, relocation or upgrades to existing infrastructure, services, or utility plant in accordance with the requirements of the City, the City may complete such repairs, relocations or upgrades as deemed necessary at the sole discretion of the City. The City shall be entitled to draw upon the security posted by the Owner pursuant to this Agreement, in whole or in part. In addition to any other rights or remedies the City may have, the City may also add the costs and/or expenses to the tax roll of the Lands should there be insufficient security, whereupon such amount shall be conclusively deemed to be tax arrears and may be collected in the same manner as tax arrears.
4.15 Completion of Works

4.15.1 Following construction completion of Works and inspection by the Owner’s Consulting Engineer, the Owner may submit a written request to the City’s Engineering Division to initiate a mandatory onsite inspection by the City. Inspections during winter conditions (December 1st to March 31st) shall be at the sole discretion of the City. Tree and planting material inspections are to be carried out during the growing season (June 1st to September 30th).

4.15.2 The Owner shall rectify any deficiencies identified through the City’s inspection within two (2) months of the mandatory onsite inspection and coordinate a follow-up inspection with the City.

4.15.3 Following rectification of all deficiencies identified through the City’s inspection, to the satisfaction of the City, and subject to the submission and acceptance of supporting documentation, in accordance with the City’s Engineering Standards and Development Manual, the Owner may submit a written request to the City’s Engineering Division for an Acceptance for Maintenance Certificate.

4.15.4 The parties agree that Acceptance for Maintenance Certificates shall be issued on a milestone basis, in accordance with the City’s Engineering Standards and Development Manual.

4.16 Maintenance of Works

4.16.1 The date identified on an Acceptance for Maintenance Certificate shall initiate the minimum Maintenance Period for the following Works, in accordance with the City’s Engineering Standards and Development Manual:
   a) Two (2) years for any underground works (to base asphalt);
   b) One (1) year after 90% build-out for any stormwater management works;
   c) Two (2) years for any surface works;
   d) One (1) year for any surface asphalt;
   e) Two (2) years for any park and open space works;
   f) One (1) year after first occupancy for pumping stations; and
   g) One (1) year for lot grading.

4.16.2 The City reserves the right to extend the Maintenance Period on individual works for up to one (1) year should major repairs be required to address deficiencies during the Maintenance Period.

4.16.3 During the applicable Maintenance Periods, the Owner shall be responsible for the inspection, operation, maintenance and repair of all Works, including the creation and retention of records, in accordance with the Minimum Maintenance Standards (O.Reg. 239/02) and City’s Engineering Standards and Development Manual and shall continue to provide such inspection, operation, maintenance and repair for the same Works until issuance of a Final Acceptance Certificate for the same Works.
4.16.4 If during the respective Maintenance Periods the Owner fails to carry out such inspection, operation, maintenance, or repair work within five (5) days of notification by the City, the City may complete such inspections, operations, maintenance, and repair work, as deemed necessary, at the sole discretion of the City. The City shall be entitled to draw upon the security posted by the Owner pursuant to this Agreement, in whole or in part. In addition to any other rights or remedies the City may have, the City may also add the costs and/or expenses to the tax roll of the Lands should there be insufficient security, whereupon such amount shall be conclusively deemed to be tax arrears and may be collected in the same manner as tax arrears.

4.17 Final Acceptance

4.17.1 Following completion of the Maintenance Period for the applicable Works and inspection by the Owners Consulting Engineer, the Owner may submit a written request to the City’s Engineering Division to initiate a final inspection by the City. Inspections during winter conditions (December 1st to March 31st) shall be at the sole discretion of the City. Tree and planting material inspections are to be carried out during the growing season (June 1st to September 30th).

4.17.2 The Owner shall rectify any deficiencies identified through the City’s inspection within two (2) months of the final onsite inspection and coordinate a follow-up inspection with the City.

4.17.3 Following rectification of all deficiencies identified through the City’s inspection, to the satisfaction of the City, and subject to the submission and acceptance of supporting documentation, in accordance with the City’s Engineering Standards and Development Manual, the Owner may submit a written request to the City’s Engineering Division for a Final Acceptance Certificate.

4.17.4 The parties hereto agree that Final Acceptance Certificates shall be issued on a milestone basis, in accordance with the City’s Engineering Standards and Development Manual.

4.17.5 Upon issuance of a Final Acceptance Certificate for the applicable Works, the responsibility for inspection, operation, maintenance and repair of the applicable Works shall be transferred to the City, and the Owner may then submit a written request for the maintenance securities of the applicable Works to be released.

4.18 Assumption

4.18.1 The City shall not assume or be deemed to have assumed any of the Works until all applicable Final Acceptance Certificates have been issued by the City and the City has passed an Assumption By-law.

4.18.2 No action by the City, by way of inspection, operation, maintenance, repair, use of, or connection to the Works, winter maintenance, streetlight operation, park and open space maintenance, or any other use or action by the City shall be construed as assumption of the Works, nor shall any such City action relieve the Owner in any way of their obligations pursuant to this Agreement, nor shall any ownership vest with the City from any such City action until an Assumption By-law is passed.

4.18.3 The Owner covenants and agrees that upon an Assumption By-law being passed the ownership of the Works assumed pursuant to the by-law shall vest in the City and the Owner shall have no claim or right thereto other than those accruing to it as an owner of land abutting a public highway where the Works have been installed.
4.18.4 The parties hereto agree that assumption shall be considered when:

a) 90% build-out of all units within the phase or stage of the Plan have occupancy;

b) All applicable Final Acceptance Certificates have been issued by the City;

c) All other terms, conditions, requirements and obligations of this Agreement have been cleared by the City;

d) A statutory declaration from the Owner confirming all accounts are paid in connection with the supply, installation and maintenance of the Works and that there are no outstanding debts, claims or liens with respect to the Works;

e) Any other additional assurances as may be required by the City

4.19 Construction Act

4.19.1 The Owner agrees that it will hold back from its payment to any person or company which may provide services or materials, such amounts as required under the Construction Act, R.S.O. 1990, c. C.30, as amended, and will indemnify the City against all claims, actions or demands for construction liens or otherwise in connection with the Works and all costs in connection therewith, and upon demand of the City shall take such steps to immediately discharge any liens.

4.19.2 The Owner hereby agrees that the filing of any liens pursuant to the Construction Act, R.S.O. 1990 c. C30 with respect to the Lands described in the Plan of Subdivision shall constitute a default by the Owner of the terms of this Agreement and shall entitle the City to draw on any or all of the securities, and to utilize said draw to make payment into Court of the amount of any liens together with costs.

4.20 Winter Maintenance

4.20.1 The Owner covenants and agrees to provide all winter maintenance activities of all roads of the Subject Lands in accordance with the requirements of the Minimum Maintenance Standards (O.Reg. 239/02) and associated City By-laws, including the creation and retention of records, until Final Acceptance of the Underground and Base Road Works. At that time, winter maintenance activities of roads with Final Acceptance will be completed by municipal forces, provided that the roads are in suitable condition for winter maintenance by City forces, as determined by the City’s Operations Division.

4.20.2 Winter maintenance of boulevard sidewalks in front of occupied dwellings is the responsibility of the homeowner. The Owner shall be responsible for the winter maintenance of all other sidewalks, pedestrian walkways, park paths, multi-use trails, and recreational trails of the active transportation network in accordance with the Minimum Maintenance Standards (O.Reg. 239/02) and associated City By-laws until Final Acceptance of these assets has been issued by the City.

4.20.3 The Owner agrees that any winter maintenance activities performed by the City shall not be deemed in any way as acceptance or assumption of the Works by the City, nor shall in any way relieve the Owner of its obligations in respect of this Agreement. The Owner further acknowledges that the City, while performing winter maintenance activities, may damage or cause damage to the Works and/or property of the Owner. The Owner hereby waives all claims against the City that may arise therefrom and covenants that it will make no claim against the City for such damage, provided that the winter maintenance activities are carried out without negligence or willful misconduct by the City.
The Owner further agrees that neither the City nor its councillors, directors, officers, employees, agents, consultants, contractors, assigns and any others for whom the City is at law responsible shall be liable to any extent for any personal injury or death of, or loss or damage to any property belonging to any person in, on or about the roads, sidewalks and active transportation network within the subdivision Lands covered by this Agreement arising from a winter weather event.
PART 5: FINANCIAL REQUIREMENTS

5.01 Taxes & Local Improvement Charges, etc.

5.01.1 Nothing herein contained shall in any way limit or prevent assessment of the Lands for local improvements subsequently undertaken and assessed upon the Lands abutting on the works in accordance with the Local Improvement Charges Regulation 586/06 and shall be paid by the Owner from time to time in the manner provided.

5.01.2 Prior to execution of this Agreement, the Owner covenants and agrees to:
   a) Commute and pay all charges with respect to existing local improvements assessed or completed, but not yet assessed against any part of the Lands; and,
   b) Commute and pay all property taxes on the Lands.
   c) To pay all property taxes on the lands on the basis and in accordance with assessment roll entries until such time as the Lands have been assessed and entered on the collector’s roll according to the registered plan of subdivision, following which the individual owners of all Lots and Blocks in the Plan shall be responsible for paying all property taxes on the separate Lots and Blocks in the Plan.

5.02 Development Charges

5.02.1 The Owner shall pay the Infrastructure Services component of all applicable development charges for all lots and blocks on which single detached dwellings and semi-detached dwellings will be constructed, prior to execution of this Agreement.

5.02.2 The Owner shall pay the General Services component of all applicable development charges prior to the issuance of any Building Permits.

5.02.3 The Owner shall pay any applicable development charges payable to the Region or any School Board.

5.02.4 Provisions 5.02.1 and 5.02.2 may be waived or adjusted at the sole discretion of the City, if the Owner has entered into an Agreement with the City under the Development Charges By-law, which defers the timing to pay the applicable development charges.

5.03 Fees Payable to City

5.03.1 The Owner covenants and agrees to pay to the City the fees described in Schedule “H” of this Agreement, prior to execution this Agreement.

5.04 Funding of Certain Works

5.04.1 In the event the City is contributing growth or non-growth funding for any part of the City Works being installed, a Credit for Service Agreement, executed in compliance with the Credit for Service Agreement Policy, will be required between the Owner and the City. Procurement and contract award will be as per the Credit for Service Agreement.

5.05 Financial Security

5.05.1 The Owner covenants and agrees:
   a) To provide to the City prior to execution of this Agreement an irrevocable and unconditional letter(s) of credit, from a financial institution acceptable to the City Treasurer or other security deemed satisfactory at the sole discretion of the City Treasurer for the performance of this Agreement and all Works and obligations arising therefrom, as determined in accordance with the City’s Engineering Standards and Development Manual;
b) To file the letter(s) of credit in the form set out in Schedule “I” of this Agreement, and to keep said letter(s) of credit in full force and effect and pay all premiums as the said letter(s) of credit become due or until such time as the City reduces or returns the letter(s) of credit in accordance with the terms of this Agreement;

c) That irrespective of the manner in which the amount of security was calculated, that the irrevocable and unconditional letter(s) of credit has been deposited to secure all obligations of the Owner and the security may be used by the City to complete any aspect of the Works, or to fulfill any other obligation under this Agreement, irrespective of the manner in which the original value was calculated or the obligation described;

d) That, for greater clarity, the City shall retain an appropriate amount of financial security at all times to ensue the completion of all outstanding Works or obligations required of the Owner arising out of this Agreement;

e) That at the City’s discretion, one (1) year after the deposit of security and on every anniversary thereof while security is held by the City, or more frequently if the City deems necessary, the City may undertake a review of the sufficiency of the security held. To facilitate this review the Owner shall have the Engineer provide the City with the following information within ten (10) days of written request by the City:

i. a description of the work completed to date and a calculation of the cost; and

ii. a description of the work remaining to be completed and a calculation of the estimated cost

In the event the City determines that the security it holds is insufficient to ensure the performance of all Works and obligations required by this Agreement, the Owner shall, within ten (10) days of written notice from the City, increase the security by the amount the City deem necessary, acting reasonably. That pursuant to the Municipal Act, 2001, in the event the Owner fails to perform any Works or obligations required under this Agreement, such Works or obligations may be performed and/or completed by the City at the Owner’s expense. Upon failure of the Owner to complete the Works in accordance with the Construction Timing Schedule described in Schedule “G” of this Agreement, or to undertake any other obligation of the Owner under this Agreement, the City may provide 30 days written notice to require remedy. If the deficiency or obligation is not performed within the 30-day notice period, the City and/or its authorized agents may enter in and upon the Lands without providing notice and perform and/or complete the Works at the Owner's expense. In the event that the City and/or its authorized agents perform or complete any or all of the Works or obligations, the City may draw on the aforementioned letter of credit or other satisfactory security in such amount(s) as may be required to pay for the cost incurred by the City and/or its authorized agents to perform and/or complete the Works or obligations, including the cost of removing or defending any construction liens, certificates of action, or defending or removing any actions or judgements affecting the City or Lands or Works either dedicated to the City or which are intended to become the property of the City pursuant to this Agreement. In addition, or in the alternative, the City may add the full cost or any part of the cost incurred by the City or its authorized agents to perform or complete the Works to the tax roll of the Lands such amount shall be conclusively deemed to be tax arrears and may be collected in the same manner as tax arrears;
f) That if the surety indicates to the City that the letter of credit will not be renewed for any further period, and where any Works or other obligations of the Owner have not be completed as required under this Agreement, and where the Owner has not provided to the City any other security acceptable to the City, the City shall have the right to call upon the letter of credit to such extent as the City deems necessary to maintain such security until completion of the Works or obligations in accordance with the terms of this Agreement;

g) That upon the transfer of Ownership of the Lands, the City will not return any letter of credit or other satisfactory security required under this Agreement until the new Owner files with the City a substitute letter of credit or other satisfactory security in the required amounts;

h) That the Owner may submit a request to the City, Engineering Division for a reduction to the value of the letter(s) of credit or other financial security once the City has issued an Acceptance for Maintenance Certificate for the said Works and all other requirements of the City’s Engineering Standards and Development Manual have been addressed. The letter(s) of credit or other security may be reduced to a minimum value equivalent to ten percent (10%) of the Works for which the Acceptance for Maintenance Certificate has been issued. The remaining 10% value shall remain in place until the City has issued a Final Acceptance Certificate for the said Works;

i) That the Owner may submit a request to the City, Engineering Division to release the remaining 10% value of letter(s) of credit or other financial security once the City has issued a Final Acceptance Certificate for the said Works and all other requirements of the City’s Engineering Standards and Development Manual have been addressed. The City will retain a minimum amount of $25,000 in securities until an Assumption by-law for the subdivision is passed;

j) That the City is under no obligation to cancel or reduce any of the financial securities if the Owner is in default, in whole or in part, of any provision, requirement or obligation of the Owner of this Agreement, including the conveyance of any lands or easements required by the City pursuant to this Agreement;

[SIGNATURE PAGE FOLLOWS]
IT IS DECLARED AND AGREED that this Agreement and the covenants, provisions and conditions herein contained shall enure to the benefit of and be binding upon the respective heirs, executors, administrators, successors and assigns of the parties hereto.

And that this Agreement may be executed in any number of counterparts and each of such counterparts shall for all purposes be deemed to be an original. All such counterparts shall together constitute but one and the same Agreement. Counterparts may be executed either in original, electronic PDF, or other electronic medium that the parties agree to, and the parties hereto shall adopt any signatures received by e-mail as original signatures of the parties.

The parties consent and agree to the use of electronic signatures pursuant to the Electronic Commerce Act, 2000 as amended from time to time with respect to this Agreement and any other documents respecting this transaction.

IN WITNESS WHEREOF the parties have executed this Agreement by virtue of affixing the signatures of their respective proper officers and agents duly authorized in that behalf.

Owner:

Per: ________________________________
Name: ______________________________
Title: ______________________________

Owner:

Per: ________________________________
Name: ______________________________
Title: ______________________________

I/We have authority to bind the Corporation

THE CORPORATION OF THE CITY OF CAMBRIDGE

Per: ________________________________
MAYOR

Per: ________________________________
CITY CLERK

We have authority to bind the Corporation
SCHEDULE "D" Transfers

Lands to be conveyed to the City:

a) Buffers
   Blocks X, X, X
b) 0.3m Reserves
   Block X
c) Stormwater Management Pond
   Block X
d) Channel Block
   Block X
e) Street Widening
   Block X (Dedicated upon M-Plan registration)
f) Rail Grade Separation Block
   Block X
g) Parks/Open Space/Trails
   All of Block X on Registered Plan 58M-__________
h) Stormwater Management Facility
   All of Block X on Registered Plan 58M-__________

Lands to be conveyed to the Region of Waterloo

a) Street Widening
   Block X (Dedicated upon M-Plan registration)

Easements to the City of Cambridge

a) Rear Yard Catch Basin Easements
   None
b) Maintenance Easements
   None

Easements to be conveyed to the City

a) Stormwater Sewer, Overland Flow and Access Easements

   Easement for stormwater sewer and overland flow route and access over Part of Blocks X and X, on Plan 58-M, designated as Parts X, X and X on Plan 58-R, City of Cambridge (Survey Name No. and Author)

b) Access Easements
Easement for Access over Part of Block X, on Plan 58-M, designated as Part X, on Plan 58-R, City of Cambridge (Survey Name No. and Author)

Existing Temporary Storm Sewer Easement to Be Established as Public Highway

None

Existing Temporary External 0.3m Reserves to Be Established as Public Highway

None

Utility Easements to Grand Bridge Energy Inc.

Part 1 - = 8.0x16.0m Utility Easement on Registered Plan 58R-_______ for Grand Bridge Energy Inc. on Block x.

Easements to the Region of Waterloo

None

Easement to X

Easement from City of Cambridge for Sanitary Sewer over Part of Blocks 10, 3 and 13 on Plan 20M____, designated as parts 7, 8, 9, 10 and 11 on Plan 20R - ______, City of Cambridge (Survey Name No. and Author)

External to Plan

Application to Register Restrictive Covenants _____ in favour of the City of Cambridge restricting any future transfer or charge of Blocks X on Plan 58M-____
**SCHEDULE "E"**  List of Approved Drawings and Reports

<table>
<thead>
<tr>
<th>Drawing/Report Name</th>
<th>Prepared by</th>
<th>Date and Revision Number</th>
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</thead>
<tbody>
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## SCHEDULE F
### CONSTRUCTION COST ESTIMATE

<table>
<thead>
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<th>Item (Items below are to be refined based on planned works and can be subdivided by Roads)</th>
<th>Quantity</th>
<th>Unit</th>
<th>Rate</th>
<th>Total</th>
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<tr>
<td><strong>SANITARY SEWERS</strong></td>
<td></td>
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<tr>
<td>200 mm Diameter Pipe</td>
<td>m</td>
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<td>0.00</td>
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</tr>
<tr>
<td>250 mm Diameter Pipe</td>
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<tr>
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<td>1200 mm Diameter MH</td>
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<td></td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>1500 mm Diameter MH</td>
<td>each</td>
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<tr>
<td>Sanitary Services</td>
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<td><strong>Sanitary Sewer Total</strong></td>
<td></td>
<td></td>
<td></td>
<td><strong>$0.00</strong></td>
</tr>
</tbody>
</table>

| **STORM SEWERS** | | | | |
| 300 mm Diameter Pipe | m | | 0.00 | 0.00 |
| 375 mm Diameter Pipe | m | | 0.00 | 0.00 |
| 450 mm Diameter Pipe | m | | 0.00 | 0.00 |
| 600 mm Diameter Pipe | m | | 0.00 | 0.00 |
| 1200 mm Diameter MH | Ea. | | 0.00 | 0.00 |
| 1500 mm Diameter DCBMH | Ea. | | 0.00 | 0.00 |
| OGS | Ea. | | 0.00 | 0.00 |
| Headwall | Ea. | | 0.00 | 0.00 |
| Single CB and Lead | Ea. | | 0.00 | 0.00 |
| Double CB and Lead | Ea. | | 0.00 | 0.00 |
| **Storm Sewer Total** | | | | **$0.00** |

| **STORMWATER MANAGEMENT FACILITIES** | | | | |
| 300 mm Diameter Pipe | m | | 0.00 | 0.00 |
| 375 mm Diameter Pipe | m | | 0.00 | 0.00 |
| 600 mm Diameter Pipe | m | | 0.00 | 0.00 |
| 825 mm Diameter Pipe | m | | 0.00 | 0.00 |
| 900 mm Diameter Pipe | m | | 0.00 | 0.00 |
| 1200 mm Diameter MH | Ea. | | 0.00 | 0.00 |
| 1800 mm Diameter MH | Ea. | | 0.00 | 0.00 |
| 2400 mm Diameter MH | Ea. | | 0.00 | 0.00 |
| OGS | Ea. | | 0.00 | 0.00 |
| Precast Concrete Headwall | Ea. | | 0.00 | 0.00 |
| Liner | m² | | 0.00 | 0.00 |
| Asphalt Access Road | m² | | 0.00 | 0.00 |
| Maintenance Access Gate | Ea. | | 0.00 | 0.00 |
| Place 150mm Topsoil (Seeded Areas) | m³ | | 0.00 | 0.00 |
| Hydroseed | m² | | 0.00 | 0.00 |
| SWM facility maintenance until Final Acceptance | LS | | 0.00 | 0.00 |
| Final Sediment Removal | LS | | 0.00 | 0.00 |
| **Stormwater Management Facilities Total** | | | | **$0.00** |

| **WATERMAIN** | | | | |
| 150 mm Diameter Watermain | m | | 0.00 | 0.00 |
| 200 mm Diameter Watermain | m | | 0.00 | 0.00 |
| 300 mm Diameter Watermain | m | | 0.00 | 0.00 |
| 150 mm Diameter Valve and Box | Ea. | | 0.00 | 0.00 |
| 200 mm Diameter Valve and Box | Ea. | | 0.00 | 0.00 |
### SCHEDULE F
CONSTRUCTION COST ESTIMATE

<table>
<thead>
<tr>
<th>Item (Items below are to be refined based on planned works and can be subdivided by Roads)</th>
<th>Quantity</th>
<th>Unit</th>
<th>Rate</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>300 mm Diameter Valve and Box</td>
<td>Ea.</td>
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<td>Hydrant</td>
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<tr>
<td>25 mm services</td>
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<tr>
<td>Connect to Ex. 150mm Watermain</td>
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<td><strong>ROADS</strong></td>
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<td>Fine Grading</td>
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<td>150mm Granular A</td>
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<tr>
<td>100mm HL8 Base Asphalt</td>
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<td>40mm HL3 Surface Asphalt</td>
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<tr>
<td>Adjust CB and MH structures prior to surface</td>
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<tr>
<td>Adjust Valve boxes prior to surface</td>
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<td><strong>Roads Total</strong></td>
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<tr>
<td><strong>CURBS &amp; GUTTERS, SIDEWALKS, DRIVEWAY RAMPS AND BOULEVARDS</strong></td>
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<td></td>
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<td></td>
</tr>
<tr>
<td>Curb and gutter</td>
<td>m</td>
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</tr>
<tr>
<td>1.8m, 125mm thick Sidewalk</td>
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<tr>
<td>3.0m Multi-use Trail</td>
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<tr>
<td>Driveway Ramps</td>
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<td>Topsoil in Boulevards</td>
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<tr>
<td>Sod in Boulevards</td>
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<td><strong>C&amp;G, Sidewalk, Driveway Ramps and Blvd Total</strong></td>
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<tr>
<td><strong>STREET LIGHTS</strong></td>
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<td>Street Light Poles</td>
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<tr>
<td><strong>EROSION AND SEDIMENT CONTROL</strong></td>
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<td>Light duty silt fence</td>
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<td>Heavy duty silt fence</td>
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<tr>
<td>Clearing and grubbing</td>
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<td>Mud Mats</td>
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<td><strong>Erosion and Sediment Control Total</strong></td>
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<td><strong>$0.00</strong></td>
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<tr>
<td><strong>FENCING AND RETAINING WALLS</strong></td>
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<td>Black vinyl chain link fence</td>
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<td>Retaining wall</td>
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<td><strong>LANDSCAPING</strong></td>
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<tr>
<td>Street Trees</td>
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<td>SWM Facility Plantings</td>
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<td>Trail/Park Plantings</td>
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<td>Buffer Plantings</td>
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<td><strong>Landscaping Total</strong></td>
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</table>
### Schedule F

**Construction Cost Estimate**

<table>
<thead>
<tr>
<th>Item (Items below are to be refined based on planned works and can be subdivided by Roads)</th>
<th>Quantity</th>
<th>Unit</th>
<th>Rate</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Tree Management</strong> To implement tree management recommendations outline in the Tree Management Plan approved by the City’s Forestry Division</td>
<td>LS</td>
<td></td>
<td>$0.00</td>
<td><strong>Tree Management Total</strong> $0.00</td>
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<tr>
<td><strong>Street Signs, Interpretive Signage, Pavement Markings</strong></td>
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<tr>
<td>10cm Yellow Solid Line</td>
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<td>10cm White Solid Line</td>
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<tr>
<td>10cm Broken White Line</td>
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<td>45cm Broken White Line</td>
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<td>45cm Solid White Line</td>
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<td>Shark Teeth</td>
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<td>Bicycle Symbol</td>
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<td>Bicycle Symbol with Diamond</td>
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<td>Elephant Feet</td>
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<td>Railway Crossing Ahead</td>
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<td>1.25m wide Green Bicycle Lanes</td>
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**Street signs, Interpretative Signage and Pavement Markings Total** $0.00
## SCHEDULE "G" Construction Phasing & Timing

<table>
<thead>
<tr>
<th>Construction Milestone</th>
<th>Completion Date</th>
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<tbody>
<tr>
<td>1) Installation of tree protection measures, and erosion &amp; sediment control measures</td>
<td>Prior to commencement of any Works or any other construction or site alteration activities</td>
</tr>
<tr>
<td>2) Construction of Street XX – storm sewers, watermain, sanitary sewers and primary roadworks (base asphalt, base concrete curb)</td>
<td>September 2023 or Fall 2023 or Q3 2023</td>
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<tr>
<td>3) Substantial Completion of Street XX – secondary roadworks, streetscape improvements, and pedestrian/cycling facilities</td>
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<tr>
<td>4) Street lighting on Street XX</td>
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</tr>
<tr>
<td>5) Parkland – Base Park Works</td>
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</tr>
<tr>
<td>6) Parkland – Enhanced Park Works</td>
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## SCHEDULE H
### FINANCIAL REQUIREMENTS

## FINANCIAL SECURITIES TO BE PROVIDED TO CITY

The Owner Agrees to provide the following financial security to the City prior to the execution of this Agreement:

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<th>Item</th>
<th>Quantity</th>
<th>Unit</th>
<th>Rate</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Sanitary Sewers</td>
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<tr>
<td>2 Storm Sewers</td>
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</tr>
<tr>
<td>3 Stormwater Management Facilities</td>
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</tr>
<tr>
<td>4 Watermains</td>
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</tr>
<tr>
<td>5 Roads</td>
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<tr>
<td>6 C&amp;G, Sidewalk, Driveway Ramps and Boulevards</td>
<td></td>
<td></td>
<td>$0.00</td>
<td></td>
</tr>
<tr>
<td>7 Street Lights</td>
<td></td>
<td></td>
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<tr>
<td>8 Erosion &amp; Sediment Controls</td>
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<tr>
<td>9 Fencing and Retaining Walls</td>
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<tr>
<td>10 Landscaping</td>
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<tr>
<td>11 Tree Management</td>
<td></td>
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<td></td>
</tr>
<tr>
<td>Street signs, Interpretative Signage and Pavement Markings</td>
<td></td>
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<td>$0.00</td>
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<td>13 Financial Lot Grading Guarantee</td>
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<td>15 OLS SIB Certification Engineering and Inspection</td>
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<tr>
<td>16 (by Consultant) (6% of Items 1 to 12)</td>
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<td>17 Contingency (9% of Items 1 to 12)</td>
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**TOTAL SECURITIES**

$0.00

## FEES PAYABLE TO CITY

The Owner Agrees to provide payment of the following financial requirements to the City prior to the execution of this Agreement:

<table>
<thead>
<tr>
<th>Item</th>
<th>Quantity</th>
<th>Unit</th>
<th>Rate</th>
<th>Total</th>
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<tr>
<td>18 Street Lights Energy Costs</td>
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<tr>
<td>22 Cash-in-lieu for Deficient Street Trees</td>
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<td>$700.00</td>
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<tr>
<td>23 Parkland Dedication</td>
<td>hectare</td>
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**TOTAL PAYABLE**

$5,000.00
Please refer to the City's Engineering Design Standards and Development Manual (www.cambridge.ca/developmentmanual) which is not attached directly to this agreement due to size limitation.
SITE PLAN AGREEMENT

DATED:

BETWEEN:

OWNER(S) OF LANDS

- AND -

THE CORPORATION OF THE CITY OF CAMBRIDGE
# CITY OF CAMBRIDGE
# SITE PLAN AGREEMENT

## TABLE OF CONTENTS

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>CITY OF CAMBRIDGE</td>
<td>1</td>
</tr>
<tr>
<td>PART 1: DEFINITIONS</td>
<td>4</td>
</tr>
<tr>
<td>1.01 Definitions</td>
<td>4</td>
</tr>
<tr>
<td>PART 2: ADMINISTRATION</td>
<td>6</td>
</tr>
<tr>
<td>2.01 Interpretation</td>
<td>6</td>
</tr>
<tr>
<td>2.02 Subject Lands</td>
<td>6</td>
</tr>
<tr>
<td>2.03 Transfers to City</td>
<td>6</td>
</tr>
<tr>
<td>2.04 Parkland</td>
<td>6</td>
</tr>
<tr>
<td>2.05 Occupancy</td>
<td>6</td>
</tr>
<tr>
<td>2.06 Notice to Owner</td>
<td>7</td>
</tr>
<tr>
<td>2.07 Warning Clauses</td>
<td>7</td>
</tr>
<tr>
<td>2.08 Sales Trailer/Office</td>
<td>7</td>
</tr>
<tr>
<td>2.09 Snow Storage and Removal</td>
<td>8</td>
</tr>
<tr>
<td>PART 3: SITE DEVELOPMENT</td>
<td>9</td>
</tr>
<tr>
<td>3.01 Approval of Plans</td>
<td>9</td>
</tr>
<tr>
<td>3.02 Minor Adjustments to the Agreements and Plans</td>
<td>9</td>
</tr>
<tr>
<td>3.03 Required Approvals</td>
<td>9</td>
</tr>
<tr>
<td>3.04 Signage</td>
<td>9</td>
</tr>
<tr>
<td>3.05 Works to be Constructed by the Owner</td>
<td>9</td>
</tr>
<tr>
<td>3.06 Timing and Phasing for Construction of Works</td>
<td>10</td>
</tr>
<tr>
<td>3.07 Utilities</td>
<td>10</td>
</tr>
<tr>
<td>3.08 Canada Post</td>
<td>10</td>
</tr>
<tr>
<td>3.09 Indemnification</td>
<td>10</td>
</tr>
<tr>
<td>3.10 Insurance</td>
<td>11</td>
</tr>
<tr>
<td>3.11 Construction Requirements</td>
<td>11</td>
</tr>
<tr>
<td>3.12 Building Construction</td>
<td>13</td>
</tr>
<tr>
<td>3.13 Entry and Inspection by City</td>
<td>13</td>
</tr>
<tr>
<td>3.14 Environmental Condition</td>
<td>13</td>
</tr>
<tr>
<td>3.15 Completion of Site Works</td>
<td>13</td>
</tr>
<tr>
<td>3.16 Maintenance of Works</td>
<td>14</td>
</tr>
<tr>
<td>PART 4: FINANCIAL REQUIREMENTS</td>
<td>15</td>
</tr>
<tr>
<td>4.01 Taxes &amp; Local Improvement Charges, Etc.</td>
<td>15</td>
</tr>
<tr>
<td>4.02 Development Charges</td>
<td>15</td>
</tr>
<tr>
<td>4.03 Fees Payable to City</td>
<td>15</td>
</tr>
<tr>
<td>4.04 Financial Security</td>
<td>15</td>
</tr>
<tr>
<td>PART 5: EXECUTION OF AGREEMENT</td>
<td>18</td>
</tr>
<tr>
<td>5.01 Waiver</td>
<td>18</td>
</tr>
<tr>
<td>5.02 Enter Agreement</td>
<td>18</td>
</tr>
<tr>
<td>5.03 Voluntary Agreement</td>
<td>18</td>
</tr>
</tbody>
</table>
5.04 Extension of Time ......................................................................................... 18
5.05 Registration of Agreement ........................................................................... 18
5.06 No Challenge to Agreement .......................................................................... 18
5.07 Declaration & Execution of Agreement ......................................................... 19

LIST OF SCHEDULES
SCHEDULE "A" Legal Description of the Lands ....................................................... 20
SCHEDULE "B" Transfers ...................................................................................... 21
SCHEDULE "C" List of Approved Drawings and Reports ......................................... 22
SCHEDULE "D" Estimated Construction Cost of Works ........................................... 23
SCHEDULE "E" Construction Phasing & Timing ..................................................... 24
SCHEDULE "F" Financial Requirements ................................................................. 25
SCHEDULE "G" Form of Letter of Credit ................................................................. 26
SCHEDULE "H" Site-Specific Conditions ................................................................. 27
SCHEDULE "I" Warning Clauses ........................................................................... 28
THIS SITE PLAN AGREEMENT made this __ day of __________, 20__.  

BETWEEN:  

THE CORPORATION OF THE CITY OF CAMBRIDGE (the “City”)  

-and-  

XXXX (the “Owner”)  

WHEREAS the Owner is the registered owner of the land described in Schedule “A” (the “Lands”) and attached;  

AND WHEREAS the City has by By-law No. 20-060 designated all lands within the boundaries of the City as areas of site plan control, pursuant to the provisions of Section 41 of the Planning Act, R.S.O., 1990, c.P.13, as amended, and the Lands are within such boundaries;  

AND WHEREAS the Owner has submitted to the City, plans and drawings of a proposed development on the Lands;  

AND WHEREAS the City has now approved the plans and drawings submitted with the Owner’s application, subject to certain conditions;  

AND WHEREAS pursuant to the provisions of Section 41, the Owner has been required to enter into this agreement;  

AND WHEREAS subsection 41(10) of the Planning Act permits the registration of the Agreement against the lands to which it applies in order to secure the provisions of works, facilities or matters referred to in subsection 41(7) of the Planning Act and the construction of the development in accordance with the approved plans and drawings;  

NOW THEREFORE IN CONSIDERATION OF the mutual covenants herein contained, the consent by the City to the Owner’s plan pursuant to the Planning Act, and the provision of other good and valuable consideration (the receipt and adequacy of which is acknowledged) the Parties herein covenant and agree as follows:
PART 1: DEFINITIONS

1.01 Definitions

This section sets out definitions to be applied to the following terms used in this Agreement:

b) “Agreement” means this Agreement and the expressions “herein”, “hereof”, and “hereunder”, have a corresponding meaning of “in the Agreement”, “of this Agreement”, and “under this Agreement”, respectively.
c) “Assumption” means the assumption of any City Works, Regional Works or Utility Works by the relevant Government Authority, including the City.
d) “Base Park” means the design and construction of parkland on a suitable location and land by the Owner including the proper grading, drainage, site servicing, fencing, quality soil, tree plantings, turf coverage, signage, trails, pedestrian connections and all related appurtenances.
e) “Building Division” means the division or department within the City responsible for the issuance of building permits.
f) “Certificate of Compliance” means a certificate, signed and stamped by a Professional Engineer or Landscape Architect, confirming all works have been constructed in conformance with the approved plans and in accordance with current applicable industry standards.
g) “City” means The Corporation of the City of Cambridge and applicable authorized representative(s).
h) “City Works” means works to be constructed by the Owner within a City right-of-way or other land to be conveyed to the City through this Agreement, as identified within the approved drawings and reports referenced in Schedule “C” of this Agreement.
i) “Composite Utility Plan” means a plan which identifies hydroelectric, telephone, high speed broadband fibre and other telecommunication services, natural gas, television cable services, landscaping and underground facilities.
j) “Energy Company” means GrandBridge Energy Inc., or any other producer or distributor or energy;
k) “Engineer” means a Professional Engineer engaged by the Owner for the purpose of carrying out the terms of this Agreement.
l) “Engineering Division” means the division or department within the City responsible for development engineering.
m) “Final Approval” means a notice of final approval issued by the City following execution and registration of this Agreement.
n) “Fire Department” means the fire department for the City.
o) “Forestry Division” means the division of department within the City responsible for forestry and tree management.
p) “General Contractor” means the general contractor hired by the Owner to construct the Pre-Servicing Works and/or to oversee construction of the Pre-Servicing Works by other sub-contractors.
q) “Lands” means the lands legally described in Schedule “A” of this Agreement, which are subject to this Agreement.
r) “Maintenance Period” means the minimum period of time over which the Owner shall be required to maintain any Works, as outlined in sub-section 3.25 of this Agreement.


t) “Owner” in addition to its accepted meaning, shall mean and include an individual, an association, a partnership, or an incorporated company.

u) “Parkland” means land to be conveyed to the City by the Owner for park purposes, in accordance with Subsection 2.04 of this Agreement.

v) “Parties” means the Owner and the City, and “Party” means either one of the two Parties.

w) “Planning Division” means the division or department within the City responsible for development planning.

x) “Regional Works” means works constructed within a Regional right-of-way or other land to be conveyed to the Region through this Agreement, as identified within the approved drawings and reports referenced in Schedule “C” of this Agreement.

y) “Site Works” means works to be constructed by the Owner other than the City Works, Regional Works or Utility Works, as identified within the approved drawings and reports referenced in Schedule “C” of this Agreement.

z) “Utility Works” means works identified within the Composite Utility Plan to be constructed by the Owner.

aa) “Works” means the City Works, Regional Works, Site Works and Utility Works.
PART 2: ADMINISTRATION

2.01 Interpretation

a) If any section or provision of this Agreement is found by a court or other tribunal of competent jurisdiction to be ultra vires, such section or provision shall be severed from this Agreement and the remaining portion of the Agreement shall continue to be valid and binding on the parties hereto.

2.02 Subject Lands

a) The Lands affected by this Agreement are more particularly described in Schedule “A” attached hereto.

2.03 Transfers to City

a) Prior to Final Approval, the Owner shall convey the lands described in Schedule “B” of this Agreement to the City in fee simple free from all encumbrances.

b) Prior to Final Approval, the Owner shall convey the easements described in Schedule “B” of this Agreement to the City and/or an Energy Company.

c) The Owner shall remove all stones, stumps, fallen trees and debris from land conveyed to the City and lands subject to easements conveyed to the City.

2.04 Parkland

a) The Owner shall convey the lands described in Schedule “B” of this Agreement to the City in fee simple, free from all encumbrances, for park purposes or pay to the City the sum of money set out in Schedule “F” of this Agreement in lieu of the conveyance of lands for park purposes or such other public purposes.

b) Where lands are conveyed to the City for park purposes, such lands shall be improved to a Base Park condition, to the satisfaction of the City.

2.05 Occupancy

a) The Owner covenants and agrees not to occupy or allow occupancy of any building or structure or part thereof until the following requirements are addressed:

i. All Works have been completed in accordance with the requirement of the Ontario Building Code, the applicable Zoning By-law and any other municipal By-laws and specifications, to be determined at the sole discretion of the City;

ii. The internal water distribution and sanitary sewer collection systems have been tested and approved and are operating in accordance with conditions and requirements established by the City.

iii. Signs identifying the number of units and buildings, in accordance with the City’s Sign By-law, have been installed for the applicable buildings, to the satisfaction of the Planning Division; and,

iv. All fire hydrants have been flow tested and the results submitted to the City for approval.

b) The City may draw upon any financial security the Owner has provided to the City under this Agreement, to reimburse the City for costs incurred if, in the opinion of the City, a building or structure or part thereof is occupied contrary to Clause 2.05.a.
c)  In the event that a building or structure or part thereof is occupied contrary to Clause 2.05.a, the City is entitled to obtain an order from a court of competent jurisdiction prohibiting the occupancy of any building or unit until such time as the terms of this Agreement have been fully complied with, and the Owner shall be stopped from opposing such application on the part of the City and shall be responsible to reimburse the City's costs in relation to obtaining the court order.

2.06  Notice to Owner

a)  If any notice is required to be given to the Owner with respect to this Agreement, such notice shall be mailed, delivered or sent by facsimile transmission to:

    XXXX

b)  If any notice is required to be given to the City with respect to this Agreement, such notice shall be mailed, delivered or sent by facsimile transmission to:

    City Clerk,
    The Corporation of the City of Cambridge
    50 Dickson Street
    P.O. Box 669
    Cambridge, ON N1R 5W8
    Tel: (519) 623-1340
    Email: clerks@cambridge.ca

    Chief Planner, Community Development Department
    The Corporation of the City of Cambridge
    50 Dickson Street
    P.O. Box 669
    Cambridge, ON N1R 5W8
    Tel: (519) 623-1340
    Email: planning@cambridge.ca

    And to:
    City Solicitor
    The Corporation of the City of Cambridge
    50 Dickson Street
    P.O. Box 669
    Cambridge, ON N1R 5W8
    Tel: (519) 740-4683
    Email: legalservices@cambridge.ca

2.07  Warning Clauses

a)  The Owner agrees to insert the warning clauses identified in Schedule “I” of this Agreement into all Agreements of Purchase and Sale.

2.08  Sales Trailer/Office

a)  Subject to the provisions of the City’s Zoning By-law, a temporary sales trailer or sales office may be provided on the Lands for the period during which the construction of any buildings is taking place, subject to approval by the City of site and landscaping plans for the sales trailer or sales office.

b)  The City may, at its sole discretion, require the removal or relocation of any temporary sales trailer or sales office if the City has deemed that building or structure as no longer necessary or appropriate for the development of the Lands.
2.09 Snow Storage and Removal

a) All owners, tenants and future purchasers shall maintain all access to ramps and driveways, parking and loading areas, sidewalks, curb ramps and crosswalks and remove obstructions to ensure safe and accessible operations on the Lands in accordance with City of Cambridge Removal of Snow and Ice By-law and this Agreement. In no circumstance shall snow cleared from the Lands be placed or performed in a manner that might damage private or public landscaping, trees and other plant materials, fences, or impinge on adjacent properties or open space. The contracting for private snow clearance/removal from the Lands shall remain the sole responsibility of the owners, tenants and future purchasers.
PART 3: SITE DEVELOPMENT

3.01 Approval of Plans
a) The Owner covenants and agrees:
   i. That the City has approved the site plan, landscaping and other drawings and reports which are described in Schedule “C” of this Agreement, and that original copies have been filed with the City.
   ii. To construct and locate all buildings, structures, Works and facilities required under this Agreement in accordance with the approved plans, drawings and reports described in Schedule “C”.

3.02 Minor Adjustments to the Agreements and Plans
a) Minor adjustments and variances to the provisions of this Agreement or to the approved plans, drawings and reports described in Schedule “C”, may only be granted upon written application by the Owner and agreed to in writing by the Planning Division through its Site Plan Review Committee or members thereof, or other approval body as designated by the City from time to time.

3.03 Required Approvals
a) The Owner shall not commence construction of any part of the Works or any building or structure until it has provided the Planning Division with written clearances with respect to the proposed construction from such legislative, quasi-legislative or regulatory bodies and authorities as are, in the sole and unfettered opinion of the City, required or desirable in connection with the construction including, but not restricted to, and without limiting the generality of the foregoing, the following:
   i. the City;
   ii. the Region of Waterloo;
   iii. Grand River Conservation Authority;
   iv. an Energy Company;
   v. Province of Ontario Ministry of the Environment, Conservation and Parks;
   vi. Province of Ontario Ministry of Natural Resources;
   vii. Province of Ontario Ministry of Transportation;
   viii. Applicable public utilities corporations or commissions; and,
   ix. Generally, such other legislative, quasi-legislative, regulatory or judicial authorities having jurisdiction.

3.04 Signage
a) The Owner covenants and agrees to obtain permits as required prior to the erection of any new signs, in compliance with applicable by-laws of the City.

b) The Owner covenants and agrees to remove any existing signs which do not comply with any existing sign by-law standards prior to any construction.

3.05 Works to be Constructed by the Owner
a) The Owner covenants and agrees to construct to the satisfaction of the City and at no expense to the City, the Works identified in the approved drawings and reports referenced in Schedule “C” of this Agreement, which will be completed on the Lands and/or on lands to be conveyed to the City.


3.06 Timing and Phasing for Construction of Works

a) The Works shall be constructed and Lands developed in accordance with the phasing and timing schedule described in Schedule “E” of this Agreement. Failure to complete the Works specified in the approved plans, drawings and reports described in Schedule “C”, in accordance with the times specified in Schedule “E” may result in the Owner defaulting on its obligations under this Agreement, and the City taking remedial action as provided for in this Agreements or as otherwise provided in applicable legislation.

b) In the event that the Owner fails to complete, repair or maintain the Works to the satisfaction of the City, or fails to do any other act, matter or thing required to be done, under the provisions of this Agreement to the satisfaction of the City, the City may, at its sole discretion, cause a notice in writing to be served on the Owner specifying such default and requiring that same be remedied forthwith and if no action satisfactory to the City to remedy such default is taken by the Owner within seven (7) days after the service of such notice, the City has and is hereby given right to do and perform any and all matters and things that may be in default as stated in the notice at the expense of the Owner and for such purposes, if necessary, to purchase such materials and to purchase or hire such tools or machinery and to employ such contractors or work persons as the City considers necessary to remedy the default.

c) The Owner shall secure building permits required for each phase of development on the lands within eighteen (18) months of execution of this Agreement and shall, in the unfettered opinion of the City acting reasonably, have substantially commenced construction of the Works and City Works within twenty four (24) months of such execution, failing which, at the sole and unfettered option of the City, all approvals theretofore given by the City with respect to the Development shall lapse and be of no further force or effect and the Owner shall forthwith restore the Land, as nearly as possible, to its original condition to the satisfaction of the City;

3.07 Utilities

a) The Owner covenants and agrees to contact the appropriate entities regarding public utility requirements for the Lands, including but not limited to electricity, telephone, telecommunications, cable television and gas to ensure they have been satisfactorily arranged, that servicing for the same will be provided underground without any expense, cost or obligation on the part of the City and that all requisite easements have been or will be provided to such entities.

3.08 Canada Post

a) The Owner covenants and agrees to consult with Canada Post, if required, for the placement and installation of Community Mail Boxes within the Lands.

3.09 Indemnification

a) The Owner acknowledges and agrees that the development of the Lands and the completion of the Works is entirely and solely at their own risk and without liability or responsibility of the City.
b) Without limiting the foregoing, the Owner specifically agrees to release, indemnify, defend and completely save harmless the City, its Councillors, officers, employees, legal counsel, agents and contractors from and against any and all suits, judgments, claims, demands, expenses, actions or other proceedings of any kind (including, but not limited to proceedings of a criminal, administrative or quasi criminal nature), causes of action, duties, assessments, fees, penalties, liabilities, losses and costs (including, but not limited to, legal fees on a substantial indemnity basis) and any claim for lien made pursuant to the Construction Act (Ontario) and for any and all liability for:

i. damages to any property, including property other than the Lands;

ii. any direct, indirect, special or consequential damages; and

iii. any injury to any person (including death), however caused;

which in any manner arise out of or are in any manner related to this Agreement, the development of the Lands and/or completion of the Works.

3.10 Insurance

a) The Owner covenants and agrees that it is responsible to determine with its Insurance Broker if the coverage and limits noted below are sufficient to address all insurance related exposures presented by the Works and Facilities. The Owner shall insure the Works under the following coverage so as to protect and indemnify and save harmless the City.

b) The Owner shall provide to the City, on or prior to the execution of this Agreement, a Certificate of Insurance evidencing a general liability insurance policy, with all applicable coverage extensions and endorsements, in the amount of $5,000,000.00, per occurrence, in a form satisfactory to the City, indemnifying the City from any loss arising from claims or damages, injury or otherwise in connection with the work done by or on behalf of the Owner. The policy shall contain a cross-liability clause, with a severability of interests provision, naming the Corporation of the City of Cambridge as an additional insured. This Certificate shall state that coverage will not be suspended, voided, cancelled, reduced in coverage or in limits except after thirty (30) days prior written notice by certified mail to the City. This policy shall be maintained in full force and effect until the date that all Works have been completed.

c) It is also understood and agreed that in the event of a claim any deductible or self-insured retention (SIR) under this policy of insurance shall be the sole responsibility of the Owner and that this coverage shall preclude subrogation claims against the City and be primary insurance in response to claims. The policy SIR/deductible shall not exceed $100,000 per claim and if the policy has an aggregate limit, the amount of the aggregate shall be double the required per occurrence limit. A combination of primary coverage plus umbrella or excess liability insurance may be used. Any insurance or self-insurance maintained by the City shall be considered excess of the Owner's insurance and shall not contribute with it. The minimum amount of insurance required herein shall not modify, waive or otherwise alter the Owner's obligation to fully indemnify the City under this Agreement. The City reserves the right to modify the insurance requirements as deemed suitable.

3.11 Construction Requirements

a) The Owner covenants and agrees not to undertake any site alteration or construction activities unless in accordance with the following requirements, to the satisfaction of the City:
i. Final Approval has been issued by the City, or the Owner has entered into a separate Agreement with the City related to specific construction or site alteration activities;

ii. A Tree Management Plan has been submitted to and approved by the Forestry Division;

iii. All tree protection measures required by the Tree Management Plan have been installed and inspected by the Forestry Division;

iv. Any required sediment and erosion control features, as identified in the approved plans and drawings, have been installed;

v. The Owner shall obtain an Access Permit from the City, or proof of Regional approval if the access is from a Regional Road;

vi. The Owner shall erect a 1.8 metre high security fence/construction hoarding around all construction areas and all construction storage and staging areas and upon completion of construction, shall remove the fence/construction hoarding, make good and rehabilitate the Lands to a standard of landscaping compatible with the remainder of the Lands. The security fence/construction hoarding shall comply with the Occupational Health and Safety Act, R.S.O. 1990, c.O.1 and associated Regulations for construction projects;

vii. Written authorization is issued by the Planning Division; and,

viii. All other requirements of the City’s Engineering Standards and Development Manual have been addressed to the City’s satisfaction.

b) The Owner covenants and agrees to adhere to the following requirements during all site alteration and construction activities:

i. The Owner shall not use any City lands for material storage or construction purposes;

ii. To eliminate dust, the Owner is required, to apply dust suppressants, cover stock piles of top soil with tarps or to apply ground cover to the areas that have been stripped and left undeveloped;

iii. To inspect, maintain and replace as required, all tree protection and sediment and erosion control measures through the duration of construction;

iv. The Owner shall be responsible, at the end of every working day, to clean all mud and debris that is tracked onto the City or Region road allowance from vehicles and/or construction equipment entering or leaving the construction site and dust generated during construction. The Owner shall, upon verbal and/or written request by the City, immediately proceed with clean-up operations at their expense. Should the Owner fail to clean-up within twenty four hours as directed, the City may have the cleaning completed at the Owner’s sole expense;

v. All construction operations shall be in accordance with the City’s Noise By-law and the City’s Engineering Design Standards and Development Manual;

vi. All trucks and heavy equipment must comply with all regulations of the Highway Traffic Act in respect of the covering and securing of lands;

vii. Throughout the duration of constriiction, the Lands shall be maintained in a safe and orderly condition and construction debris shall be removed on a regular basis; and,

viii. The functioning of the surrounding area, including pedestrian and vehicular movement, shall be maintained during construction.
3.12 Building Construction

a) The Owner shall pay all applicable development charges prior to the issuance of any building permits.

b) The Owner shall pay cash-in-lieu of parkland, if applicable, prior to the issuance of any building permits.

c) The Owner covenants and agrees not to commence construction of any building, structure or part thereof until the following requirements are addressed to the satisfaction of the City:

i. The requirements of Section 3.14 of this Agreement have been addressed;

ii. Final Approval has been issued by the City, or the Owner has entered into a separate Conditional Permit Agreement with the City.

d) In the event that the Owner commences construction of a building, structure or part thereof, in contravention of the requirements outlined in Section 3.15 of this Agreement, the City is entitled to obtain an order from a court of competent jurisdiction requiring the seizing of construction until such time as the terms of this Agreement have been fully complied with, and the Owner shall be stopped from opposing such application on the part of the City and shall be responsible to reimburse the City’s costs in relation to obtaining the court order.

3.13 Entry and Inspection by City

a) The Owner agrees that the City may, by its officers, employees or agents, enter on the Lands or any parts thereof as well as any building(s) erected thereon to ensure that the Works required to be provided, constructed or installed by the Owner comply with this Agreement and all applicable requirements of the City.

3.14 Environmental Condition

a) The Owner covenants and agrees to assume full responsibility for the environmental condition of the Lands and any required remediation, and to indemnify and save harmless the City, Mayor, Councillors, City Officials, employees and agents from any and all actions, causes of action, suit, claims, demands, losses, expenses and damages whatsoever that may arise either directly or indirectly from the approval, the construction and use of the works or anything done or neglected to be done in connection with the use or any environmental condition on or under the Lands, including any work undertaken by or on behalf of the City in respect of the Lands, and the execution of this Agreement.

3.15 Completion of Site Works

a) Following construction completion of the Site Works, the Owner shall submit a Certificate of Completion from a qualified professional for all landscape, lighting, stormwater management and grading works, following which the Owner may request City staff undertake a site inspection. Site inspections are subject to weather and seasonal considerations and inspections during winter conditions (December 1st to March 31st) shall be at the sole discretion of the City. Inspections of landscape works are to be completed within the growing season (June 1st to September 30th).

b) Where it is determined by City staff after conducting a site inspection that the conditions of the site are not consistent with approved plans, the City will advise that further site works or remediation measures may be required, along with additional Certificates of Completion.
3.16 Maintenance of Works

a) Upon the substantial completion of any City Works and submission of a Certificate of Completion from a Professional Engineer and completion of an inspection by City staff, a one (1) year maintenance period for the City Works will be initiated.

b) Upon the substantial completion of the landscape works and submission of a Certificate of Completion from a Professional Landscape Architect and completion of an inspection by City staff, a one (1) year maintenance period for the landscape works will be initiated.

c) Upon completion of the maintenance period, an additional Certificate of Completion from a Professional Landscape Architect is to be submitted confirming all plant material is in a vigorous, healthy growing condition.

d) The City reserves the right to extend the maintenance period should major repairs be required during the maintenance period to address deficiencies.

e) The Owner shall be responsible for the operation and maintenance of all Site Works, including but not limited to landscaping, lighting, grading, underground services and stormwater management facilities, in perpetuity following construction of the works.
PART 4: FINANCIAL REQUIREMENTS

4.01 Taxes & Local Improvement Charges, Etc.

a) Nothing herein contained shall in any way limit or prevent assessment of the Lands for local improvements subsequently undertaken and assessed upon the Lands abutting on the works in accordance with the Local Improvement Act and shall be paid by the Owner from time to time in the manner provided.

b) Prior to execution of this Agreement, the Owner covenants and agrees to:

i. Commute and pay all charges with respect to existing local improvements assessed or completed, but not yet assessed against any part of the Lands; and,

ii. Commute and pay all realty taxes on the Lands.

4.02 Development Charges

a) The Owner shall pay all applicable development charges prior to the issuance of any building permits, including any development charges payable to the Region or any School Board.

b) This requirement may be waived or adjusted at the sole discretion of the City, if the Owner has entered into an Agreement with the City under the Development Charges By-law, which defers the timing to pay the applicable development charges.

4.03 Fees Payable to City

a) The Owner covenants and agrees to pay to the City the fees described in Schedule “F” of this Agreement, prior to execution of this Agreement.

4.04 Financial Security

a) The Owner covenants and agrees:

i. To provide to the Planning Division, prior to execution of this Agreement, an irrevocable and unconditional letter(s) of credit, from a financial institution acceptable to the City Treasurer or other security deemed satisfactory at the sole discretion of the City Treasurer in the amount set out in Schedule “F” of this Agreement for each of the City Works and Site Works;

ii. To file the letter(s) of credit in the form set out in Schedule “G” of this Agreement, and to keep said letter(s) of credit in full force and effect and pay all premiums as the said letter(s) of credit become due or until such time as the Planning Division reduces or returns the letter(s) of credit in accordance with the terms of this Agreement;
iii. That pursuant to the Municipal Act, 2001, in the event the Owner fails to perform the Works required to be performed under this Agreement, such Works may be performed and/or completed by the City at the Owner’s expense. Upon failure of the Owner to complete the Works in accordance with the Construction Timing Schedule described in Schedule “E” of this Agreement, or to undertake any other obligation of the Owner under this Agreement, the City may provide 30 days written notice to require remedy. If the deficiency or obligation is not performed within the notice period, the City and/or its authorized agents may enter in and upon the Lands without providing notice and perform and/or complete the Works at the Owner’s expense. In the event that the City and/or its authorized agents perform or complete any or all of the Works, the City may draw on the aforementioned letter of credit or other satisfactory security in such amount(s) as may be required to pay for the cost incurred by the City and/or its authorized agents to perform and/or complete the Works. In addition or in the alternative, the City may add the full cost or any part of the cost incurred by the City or its authorized agents to perform or complete the Works to the tax roll of the Lands and collect the expense in like manner as municipal taxes;

iv. That upon the transfer of ownership of the Lands, the City will not return any letter of credit or other satisfactory security required under this Agreement until the new owner files with the City a substitute letter of credit or other satisfactory security in the required amounts;

v. That the Owner may submit a request to the Engineering Division for a reduction to the value of the letter(s) of credit or other financial security for City Works, once the Certificate of Completion for the City Works has been received and the City has completed an inspection and all deficiencies have been addressed to the City’s satisfaction. The letter(s) of credit or other security may be reduced to a minimum value equivalent to ten per cent (10%) of the City Works for which the Certificate of Completion has been issued. The remaining 10% value shall remain in place until the letter(s) of credit or other security are released by the City;

vi. That the Owner may submit a request to the Engineering Division to release the letter(s) of credit or other financial security for City Works, once the corresponding maintenance period has been complete.;

vii. That the Owner may request a reduction to the value of or to release the letter(s) of credit or other financial security for Site Works, once the Site Works have been substantially completed and the following have been submitted or undertaken to the satisfaction of the Planning Division:

i. Site Plan Inspection Request Form;

ii. Mandatory Onsite Inspection has been held and all identified deficiencies have been rectified;

iii. Certificate of Completion for Grading and Drainage;

iv. Certificate of Completion for Stormwater Management and site servicing works;

v. Certificate of Completion for Landscaping;

vi. Certificate of Completion for Lighting Works;

vii. Letter of Compliance from any other professional accreditation as required by the City;

viii. As Recorded Drawings of the completed Works in PDF form, if applicable;
The letter(s) of credit or other security may be reduced to a minimum value equivalent to ten per cent (10%) of the Site Works until all Site Works have been completed to the satisfaction of the Planning Division. For the landscaping component of the Site Works, the letter(s) of credit of other security shall not be released until the one (1) year Maintenance Period has been completed and all identified deficiencies have been rectified to the City’s satisfaction.

viii. At its sole discretion, the Planning Division may consider requests for partial reductions of the letter(s) of credit or other security for the Site Works.
PART 5: EXECUTION OF AGREEMENT

5.01 Waiver
a) No amendment, discharge, modification, restatement, supplement, termination or waiver of this Agreement or any section of this Agreement is binding unless it is in writing and executed by the Parties to be bound. No waiver of, failure to exercise, or delay in exercising, any section of this Agreement constitutes a waiver of any other section (whether or not similar) nor does any waiver constitute a continuing waiver unless otherwise expressly provided.

5.02 Enter Agreement
a) The Parties acknowledge that this Agreement constitutes the entire agreement between the Parties pertaining to Site Plan Approval and supersedes all prior agreements, understandings, negotiations and discussions, whether oral or written, of the Parties with regard to Site Plan Approval and there are no representations, warranties or other agreements between the Parties in connection with the subject matter of this Agreement except as specifically set out in this Agreement.

5.03 Voluntary Agreement
a) The Parties agree and acknowledge that no party has been induced to enter into this Agreement in reliance on, and there will be no liability assessed, either in tort or contract, with respect to, any warranty, representation, opinion, advice or assertion of fact, except to the extent it has been reduced to writing and included as a term in this Agreement.

5.04 Extension of Time
a) Time shall always be of the essence in this Agreement. Any time limits specified in this Agreement may be extended with the consent in writing of both the Owner and the City, but no such extension of time shall operate or be deemed to operate as an extension of any other time limit, and time shall be deemed to remain of the essence in this Agreement notwithstanding any extension of any time limit.

5.05 Registration of Agreement
a) The Owner hereby agrees that this Agreement, together with any schedules thereto, will be registered upon the title of the Lands by the City. The covenants, agreements, conditions and undertakings herein contained on the part of the Owner shall run with the Lands and shall be binding upon it, its successors and assigns as Owners and occupiers from time to time and this covenant shall be to the benefit of the City and its lands and highways appurtenant and adjacent to the Lands.

5.06 No Challenge to Agreement
a) The Parties covenant and agree with each other not to call into question or challenge, directly or indirectly, in any proceeding or action in court, or before an administrative tribunal, the party’s right to enter into and enforce this Agreement. The law of contract applies to this Agreement and the Parties are entitled to all remedies arising from it, notwithstanding any provision in Section 41 of the Planning Act interpreted to the contrary. The Parties agree that adequate consideration has flowed from each party to the other and that they are not severable. This provision may be pleaded by either party in an action or proceeding as an estoppel of any denial or such right.
5.07 Declaration & Execution of Agreement

The Parties agree this Agreement may be executed in any number of counterparts and delivered by electronic transmission and such execution and delivery shall constitute and be deemed to be one original.

The parties consent and agree to the use of electronic signatures pursuant to the Electronic Commerce Act, 2000 as amended from time to time with respect to this Agreement and any other documents respecting this Agreement.

IN WITNESS WHEREOF the parties have executed this Agreement by virtue of affixing the signatures of their respective proper officers and agents duly authorized in that behalf.

Owner: XXXX

Per: ________________________________
Name: ________________________________
Title: ________________________________

I/We have authority to bind the Corporation

Address for Service: __________________________________________________________________

THE CORPORATION OF THE CITY OF CAMBRIDGE

Per: ________________________________
Chief Planner
Community Development Department
I have authority to bind the Corporation

Address for Service: __________________________________________________________________
SCHEDULE "B" Transfers

1. For all property Interests to be conveyed to the City or the Region, the Owner acknowledges and agrees that the survey, reference plan, transfer fee and all costs associated with registration, including legal fees incurred by the municipality, are to be paid by the Owner.

2. The Owner shall convey the following land to the City for public purposes in accordance with Clause 2.03 of this Agreement:

<table>
<thead>
<tr>
<th>Purpose</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) Road Widening</td>
<td>The Owner shall convey a road widening to the City, to the satisfaction of the City, measured as # metres from the centre line of the original road allowance &lt;INSERT STREET NAME&gt;, the approximate widening being # metres.</td>
</tr>
<tr>
<td></td>
<td>Or, None</td>
</tr>
<tr>
<td>(b) Intersection Improvements</td>
<td>The Owner shall convey a # metre daylight triangle to the City at the intersection of &lt;INSERT STREET NAME&gt; and &lt;INSERT STREET NAME&gt;, to the satisfaction of the City.</td>
</tr>
<tr>
<td></td>
<td>Or, None</td>
</tr>
<tr>
<td>(c) Easements</td>
<td>The Owner shall convey an easement to the City, to the satisfaction of the City, measured as # metres from the centre line of &lt;INSERT NAME&gt;.</td>
</tr>
<tr>
<td></td>
<td>Or, None</td>
</tr>
<tr>
<td>Drawing Name</td>
<td>Prepared by</td>
</tr>
<tr>
<td>--------------</td>
<td>-------------</td>
</tr>
<tr>
<td></td>
<td></td>
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<td></td>
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<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### SITE WORKS

<table>
<thead>
<tr>
<th>Item</th>
<th>Quantity</th>
<th>Unit</th>
<th>Rate</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>PLANT MATERIAL</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Plant Type and Size each</td>
<td></td>
<td></td>
<td>$0.00</td>
<td></td>
</tr>
<tr>
<td>Plant Type and Size each</td>
<td></td>
<td></td>
<td>$0.00</td>
<td></td>
</tr>
<tr>
<td>Plant Type and Size each</td>
<td></td>
<td></td>
<td>$0.00</td>
<td></td>
</tr>
<tr>
<td>Plant Type and Size each</td>
<td></td>
<td></td>
<td>$0.00</td>
<td></td>
</tr>
<tr>
<td><strong>Plant Material Total</strong></td>
<td></td>
<td></td>
<td>$0.00</td>
<td></td>
</tr>
<tr>
<td><strong>HARD SURFACE MATERIAL</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Stone Dust Pathway</td>
<td></td>
<td>m²</td>
<td>$0.00</td>
<td></td>
</tr>
<tr>
<td>Walkways/Concrete Sidewalk</td>
<td></td>
<td>m²</td>
<td>$0.00</td>
<td></td>
</tr>
<tr>
<td>Patios</td>
<td></td>
<td>m²</td>
<td>$0.00</td>
<td></td>
</tr>
<tr>
<td>Asphalt (HL3)</td>
<td></td>
<td>t</td>
<td>$0.00</td>
<td></td>
</tr>
<tr>
<td>Asphalt (HL8)</td>
<td></td>
<td>t</td>
<td>$0.00</td>
<td></td>
</tr>
<tr>
<td>Granular</td>
<td></td>
<td>t</td>
<td>$0.00</td>
<td></td>
</tr>
<tr>
<td>Curb</td>
<td></td>
<td>m</td>
<td>$0.00</td>
<td></td>
</tr>
<tr>
<td><strong>Hard Surface Material Total</strong></td>
<td></td>
<td></td>
<td>$0.00</td>
<td></td>
</tr>
<tr>
<td><strong>SITE SERVICING/GRADING</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Silt Fence</td>
<td>23.2</td>
<td>m</td>
<td>$0.00</td>
<td></td>
</tr>
<tr>
<td>Mud Mat</td>
<td>30.7</td>
<td>each</td>
<td>$0.00</td>
<td></td>
</tr>
<tr>
<td>Catch Basins</td>
<td>73.4</td>
<td>each</td>
<td>$0.00</td>
<td></td>
</tr>
<tr>
<td>Storm Manholes</td>
<td>5.2</td>
<td>each</td>
<td>$0.00</td>
<td></td>
</tr>
<tr>
<td>Storm Sewer/Culverts</td>
<td>14.2</td>
<td>m</td>
<td>$0.00</td>
<td></td>
</tr>
<tr>
<td>Watermain</td>
<td>1</td>
<td>m</td>
<td>$0.00</td>
<td></td>
</tr>
<tr>
<td>Sanitary Sewer</td>
<td>2</td>
<td>m</td>
<td>$0.00</td>
<td></td>
</tr>
<tr>
<td>Sanitary Manhole</td>
<td>2</td>
<td>each</td>
<td>$0.00</td>
<td></td>
</tr>
<tr>
<td>Tree Protection Fencing</td>
<td>1</td>
<td>m</td>
<td>$0.00</td>
<td></td>
</tr>
<tr>
<td><strong>Site Servicing/Grading Total</strong></td>
<td></td>
<td></td>
<td>$0.00</td>
<td></td>
</tr>
<tr>
<td><strong>FINE GRADING/SODDING</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sod</td>
<td></td>
<td>m²</td>
<td>$0.00</td>
<td></td>
</tr>
<tr>
<td>Seeding/Hydroseeding</td>
<td></td>
<td>m²</td>
<td>$0.00</td>
<td></td>
</tr>
<tr>
<td>Topsoil (150 mm)</td>
<td></td>
<td>m³</td>
<td>$0.00</td>
<td></td>
</tr>
<tr>
<td><strong>Fine Grading/Sodding Total</strong></td>
<td></td>
<td></td>
<td>$0.00</td>
<td></td>
</tr>
<tr>
<td><strong>LANDSCAPE STRUCTURES</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fencing 1.8 m Wood</td>
<td></td>
<td>m</td>
<td>$0.00</td>
<td></td>
</tr>
<tr>
<td>Acoustical Walls</td>
<td></td>
<td>m</td>
<td>$0.00</td>
<td></td>
</tr>
<tr>
<td>Retaining Walls</td>
<td></td>
<td>m</td>
<td>$0.00</td>
<td></td>
</tr>
<tr>
<td>Planters</td>
<td></td>
<td>each</td>
<td>$0.00</td>
<td></td>
</tr>
<tr>
<td>Armour Stone</td>
<td></td>
<td>each</td>
<td>$0.00</td>
<td></td>
</tr>
<tr>
<td>Garbage Enclosure</td>
<td></td>
<td>each</td>
<td>$0.00</td>
<td></td>
</tr>
<tr>
<td>Chain Link Fence</td>
<td></td>
<td>m</td>
<td>$0.00</td>
<td></td>
</tr>
<tr>
<td><strong>Landscape Structures Total</strong></td>
<td></td>
<td></td>
<td>$0.00</td>
<td></td>
</tr>
<tr>
<td><strong>SITE AMENITIES</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Benches</td>
<td></td>
<td>each</td>
<td>$0.00</td>
<td></td>
</tr>
<tr>
<td>Play Structure</td>
<td></td>
<td>each</td>
<td>$0.00</td>
<td></td>
</tr>
<tr>
<td>Item</td>
<td>Quantity</td>
<td>Price</td>
<td></td>
<td></td>
</tr>
<tr>
<td>------------------------------------------------</td>
<td>----------</td>
<td>-------</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bicycle Rack</td>
<td>each</td>
<td>$0.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Picnic Table/Other</td>
<td>each</td>
<td>$0.00</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Site Amenities Total**

$0.00

**STREET LIGHTING**

<table>
<thead>
<tr>
<th>Item</th>
<th>Quantity</th>
<th>Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>Light Standards</td>
<td>each</td>
<td>$0.00</td>
</tr>
<tr>
<td>Light Fixtures (Type A)</td>
<td>each</td>
<td>$0.00</td>
</tr>
<tr>
<td>Light Fixtures (Type B)</td>
<td>each</td>
<td>$0.00</td>
</tr>
</tbody>
</table>

**Street lighting Total**

$0.00

**LINE PAINTING/SIGNAGE**

<table>
<thead>
<tr>
<th>Item</th>
<th>Unit</th>
<th>Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>Line Painting</td>
<td>L.S.</td>
<td>$0.00</td>
</tr>
<tr>
<td>Signage</td>
<td>Ea</td>
<td>$0.00</td>
</tr>
</tbody>
</table>

**Line Painting/Signage Total**

$0.00

**CITY WORKS** (Items below are to be refined based on actual planned works)

<table>
<thead>
<tr>
<th>Item</th>
<th>Unit</th>
<th>Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.8 m Concrete Sidewalk on right-of-way</td>
<td>m²</td>
<td>$0.00</td>
</tr>
<tr>
<td>Multi-Use Trail on right-of-way</td>
<td>m²</td>
<td>$0.00</td>
</tr>
<tr>
<td>Concrete curb and gutter</td>
<td>m</td>
<td>$0.00</td>
</tr>
<tr>
<td>Asphalt (HL3)</td>
<td>t</td>
<td>$0.00</td>
</tr>
<tr>
<td>Asphalt (HL8)</td>
<td>t</td>
<td>$0.00</td>
</tr>
<tr>
<td>Line Painting</td>
<td>L.S.</td>
<td>$0.00</td>
</tr>
<tr>
<td>Signage</td>
<td>each</td>
<td>$0.00</td>
</tr>
</tbody>
</table>

**CITY WORKS TOTAL**

$0.00

**GRAND TOTAL SITE WORKS**

$0.00
# SCHEDULE "E"  Construction Phasing & Timing

<table>
<thead>
<tr>
<th>Construction Milestone</th>
<th>Completion Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>1) Installation of tree protection measures, and erosion &amp; sediment control measures</td>
<td>Prior to commencement of any Works or any other construction or site alteration activities</td>
</tr>
<tr>
<td>2) Construction of Street XX – storm sewers, watermain, sanitary sewers and primary roadworks (base asphalt, base concrete curb)</td>
<td>September 2023 or Fall 2023 or Q3 2023</td>
</tr>
<tr>
<td>3) Substantial Completion of Street XX – secondary roadworks, streetscape improvements, and pedestrian/cycling facilities</td>
<td></td>
</tr>
<tr>
<td>4) Street lighting on Street XX</td>
<td></td>
</tr>
<tr>
<td>5) Parkland – Base Park Works</td>
<td></td>
</tr>
<tr>
<td>6) Parkland – Enhanced Park Works</td>
<td></td>
</tr>
</tbody>
</table>
## FINANCIAL SECURITIES TO BE PROVIDED TO CITY

The Owner Agrees to provide the following financial security to the City prior to the execution of this Agreement:

<table>
<thead>
<tr>
<th>Item</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Site Works (50% of Site Works Construction Cost Estimate)</td>
<td>$0.00</td>
</tr>
<tr>
<td>City Works (100% of City Works Construction Cost Estimate)</td>
<td>$0.00</td>
</tr>
<tr>
<td>Sediment and Erosion Control Deposit</td>
<td>$5,000.00</td>
</tr>
<tr>
<td><strong>TOTAL SECURITIES</strong></td>
<td><strong>$5,000.00</strong></td>
</tr>
</tbody>
</table>

## FEES PAYABLE TO CITY

The Owner Agrees to provide payment of the following financial requirements to the City prior to the execution of this Agreement:

<table>
<thead>
<tr>
<th>Item</th>
<th>Quantity</th>
<th>Unit</th>
<th>Rate</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cash-in-lieu for Street Trees</td>
<td></td>
<td>each</td>
<td>$0.00</td>
<td></td>
</tr>
<tr>
<td>Cash-in-lieu for Parkland Dedication</td>
<td></td>
<td>hectare</td>
<td>$0.00</td>
<td></td>
</tr>
<tr>
<td>Cash-in-lieu for Affordable Housing</td>
<td></td>
<td>units</td>
<td>$0.00</td>
<td></td>
</tr>
<tr>
<td><strong>TOTAL PAYABLE</strong></td>
<td></td>
<td></td>
<td></td>
<td><strong>$0.00</strong></td>
</tr>
</tbody>
</table>
SCHEDULE "I" Warning Clauses

1) .
To: COUNCIL
Meeting Date: 10/24/2023
Subject: 23-021-IFS New Cemetery By-law
Submitted By: Mike Hausser, P.Eng, Director of Operations
Prepared By: Mike Hausser, P.Eng Director of Operations
Report No.: 23-021-IFS
File No.: C11
Wards Affected: All Wards

RECOMMENDATION(S):
THAT Report 23-021-IFS New Cemetery By-law be received;
AND THAT Council adopt the by-law attached to report 23-021-IFS as Appendix A

EXECUTIVE SUMMARY:

Purpose

This report is intended to seek approval for updates to the City’s Cemetery By-law. As required by the Funeral, Burial and Cremation Services Act, 2002 (“FBCSA”), changes in cemetery operations and service offerings must be captured in a By-law.

The City of Cambridge has recently completed construction of a Scattering Garden that provides new options for the community. This updated By-law permits this new service offering along with other variations to existing services, such as family pedestal columbaria.

This By-law also contains several administrative updates, articulates service standards provided by the municipality, and sets updated expectations for visitors to cemeteries in Cambridge.

Key Findings

This By-law will enable the scattering of cremated human remains within defined scattering areas in Cambridge cemeteries.
Internment right holders will now be provided the option to privately sell their internment right and register the transfer with the City.

Financial Implications

Additional resources are required to support existing and expanded cemetery services with some offsetting revenue expectations. The net financial impact is estimated to be $90,700 in 2024 and $99,200 in 2025 at 2023 rates and will be presented as part of the 2024 budget process.

STRATEGIC ALIGNMENT:

☐ Strategic Action; or
☒ Core Service

Objective(s): Not Applicable

Strategic Action: Not Applicable

Program: Cemeteries

Core Service: Cemeteries

The new By-law will enable the expansion of cemetery service offerings as well as update expectations of visitors to cemetery properties.

Additional clarity in administration is provided through this By-law update.

BACKGROUND:

As part of the 2021 Capital Budget process Council approved the creation of a Scattering Garden at Parklawn Cemetery. The Scattering Garden capital project is now complete and ready to provide service to the community. A new By-law is required to outline this service offering.

There is also a need to update expectations of visitors to cemetery properties to better address conflicts with lot decorations and routine maintenance activities.

Some concerns have been raised about non-resident premiums as well as a need to clarify payment terms that were not clearly defined.

ANALYSIS:

Removal Of Non-Resident Premium
A non-resident premium is applied by Municipal Cemetery Operators to discourage individuals from other jurisdictions purchasing and using a subsidized cemetery service that may be cheaper than in jurisdictions where they live.

The existing Cemetery By-law requires the City to charge a non-resident fee where the purchaser of cemetery services has not resided in Cambridge in the preceding three years. A review of sales where the non-resident fee has been applied has identified that requests for internments from non-residents are often for individuals that have previously lived in Cambridge or have a Cambridge family lineage. As a result of this provision, an individual who resided in Cambridge their entire life, but moved to a retirement home or long-term care facility outside the City, for example, would be required to pay a non-resident surcharge in order to be interred in a City of Cambridge cemetery. Cambridge cemetery rates are on-par with regional municipal cemeteries and the need to discourage use from non-residents is not needed. This surcharge is being removed through this new By-law.

New Scattering Offering

With the construction of a new Scattering Garden, this service will be available through this By-law update. With the garden construction completed in the fall of 2022, it is now evident that the level of maintenance required is significant and well beyond the capacity of the current staffing levels. The Scattering Garden will require staffing to maintain this area as well as some contracted services.

The new product offerings (scattering plus family columbaria) through this new By-law has highlighted a need for additional administrative resources.

Payment Terms

This By-law contains some clarity regarding current payment terms for internment rights purchasers as well as time limits to complete a sales contract and what services will be withheld for outstanding accounts.

Additional information On Gravesite Decorations

This By-law provides additional clarity on what is and what is not permitted to be placed at gravesites, memorial benches, and memorial trees to avoid conflict with routine care and maintenance activities of the cemetery and for the safety of the public.

Interment Rights Re-sale And Buy-Back Options

This By-law provides the option for internment right holders to privately sell their internment right and register the transfer of rights with the City. This is an option provided under the regulations and is a common offering among other cemetery
operators. This By-law outlines the process and restrictions for these types of transactions.

This By-law also clarifies the buy-back option where the City has the right of first refusal to buy back an un-used internment right. This By-law provides additional details on the buy-back price and associated fees in alignment with regulations. This provides clarity on the current process and applicable fees.

EXISTING POLICY / BY-LAW(S):

The current By-law 13-162 will be repealed and replaced with the new By-law through this report.

FINANCIAL IMPACT:

This by-law defines an expansion of services as well as updated administrative processes to align with all regulatory requirements within Cemetery Operations. This change requires additional resources in the office to provide customer service, complete sales at multiple locations, administer regulated contracts and financial records.

Additional resources are needed to support the newly developed areas of the cemetery as well as provide direct support to families who are performing scattering and cremation internments. Resources are also needed to meet the service levels defined within this by-law for the care and maintenance of the cemetery. The occupancy rate of cemeteries has progressively increased over a number of years requiring significantly more maintenance that cannot be achieved with current resources.

Some revenue for the sale of scattering of cremated remains and sale of family pedestal columbaria will proceed as a result of adopting this By-law.

The financial impact is outlined in the following table and will be presented as part of the 2024 budget process:

<table>
<thead>
<tr>
<th>Item</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cemetery Office Clerk</td>
<td>$84,640</td>
</tr>
<tr>
<td>2 Students</td>
<td>$28,860</td>
</tr>
<tr>
<td>Clothing/PPE</td>
<td>$1,800</td>
</tr>
<tr>
<td>Estimated revenue from scattering garden</td>
<td>($13,300)</td>
</tr>
<tr>
<td>Estimated revenue from family columbariums</td>
<td>($11,300)</td>
</tr>
<tr>
<td><strong>Net Cost (2024)</strong></td>
<td><strong>$90,700</strong></td>
</tr>
<tr>
<td>1 Full-time Cemetery Staff (including expected overtime for weekend burial services) - 2025</td>
<td>$99,200</td>
</tr>
<tr>
<td>Overtime costs for Computer/Cellphone</td>
<td>$4,600</td>
</tr>
</tbody>
</table>
*NOTE: Values in the table are based on 2023 values and subject to inflation

PUBLIC VALUE:

This By-law will provide clearer expectations regarding cemetery grounds and regulations as well as operationalize new services provided by the City of Cambridge Cemeteries.

Sustainability:

This project will support sustainability of cemetery services by offering new options comparable to other area municipalities.

ADVISORY COMMITTEE INPUT:

Advisory Committees Consulted:

Not Applicable

PUBLIC INPUT:

The Bereavement Authority of Ontario (BAO), which administers the FCBSA, requires that new or revised By-laws be filed with the BAO for review and approval, circulated to all suppliers of markers who have delivered a marker to the cemetery during the previous year and posted at each cemetery for a 30-day period prior to becoming effective.

The By-law will come into effect following the BAO's approval, provided no changes are required based on the feedback.

Feedback that identifies a need for change to the By-law will be brought to Council as an amendment for consideration. A subsequent 30-day circulation as above will be required.

INTERNAL / EXTERNAL CONSULTATION:

This By-law has been prepared in collaboration with Legal Services in alignment with the expectations of the BAO.

Current By-laws in other municipalities have been reviewed and has contributed to the new By-law proposed in Cambridge.

CONCLUSION:
The existing By-law should be replaced by the new By-law following the required circulation and comment period.

**REPORT IMPACTS:**

Agreement: No
By-law: Yes
Budget Amendment: No
Policy: No

**APPROVALS:**

This report has gone through the appropriate workflow and has been reviewed and or approved by the following as required:

Director
Deputy City Manager
Chief Financial Officer
City Solicitor
City Manager

**ATTACHMENTS:**

THE CORPORATION OF THE CITY OF CAMBRIDGE

By-law 23-XXX

Being a By-law of The Corporation of the City of Cambridge for the Management, Regulation & Control of Cemeteries and to repeal By-law 13-162.

WHEREAS The Corporation of the City of Cambridge owns cemeteries as identified in Schedule “A”;

AND WHEREAS the Funeral, Burial and Cremation Services Act, 2002 and its regulations imparts responsibility to the owners of cemeteries for the management, operation, and care;

AND WHEREAS section 150(1) of Ontario Regulation 30/11 made under the Funeral, Burial and Cremation Services Act, 2002 provides that the owners of cemeteries may make by-laws affecting the operation of the cemeteries;

AND WHEREAS section 8, 9, and 11 of the Municipal Act, 2001 authorizes The Corporation of the City of Cambridge to pass by-laws necessary and desirable for municipal purposes, and in particular paragraphs 5 through 7 of subsection 11(2) authorize by-laws respecting: the economic, social and environmental well-being of the municipality; the health, safety and well-being of persons; and the provision of any service or thing that it considers necessary or desirable for the public;

AND WHEREAS the Municipal Act, 2001 authorizes a municipality to delegate certain powers and duties, and impose certain restrictions upon such delegation;

AND WHEREAS section 425 of the Municipal Act, 2001 authorizes The Corporation of the City of Cambridge to pass by-laws providing that a person who contravenes a by-law of The Corporation of the City of Cambridge passed under that Act is guilty of an offence;

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

PART I – Definitions

Definitions

1. For the purposes of this By-law, and any forms, contracts or policies prepared in relation to this By-law:
“Cemetery” means lands set aside and approved for the internment of human remains or for the scattering of cremated human remains and includes a mausoleum, columbarium, scattering garden, chapel or other similar structures;

“Certificate of Interment Rights” means the certificate issued by the City to the purchaser of interment rights;

“City” means The Corporation of the City of Cambridge;

“columbarium” means a structure designated for the interment of cremated human remains in sealed compartments or niches;

"Director" means the City’s Director of Operations or designate;

“FBCSA” means the Funeral, Burial and Cremation Services Act, 2002, S.O. 2002, c. 33, as amended from time to time, and the regulations made thereunder;

“interment rights” means the right to require or direct the interment of human remains in a lot;

“interment rights holder” means a person who holds the interment rights with respect to a lot, whether the person be the purchaser of rights, the person named in the Certificate of Interment Rights, or such other person to whom the interment rights have been assigned;

“lot” means an area of land containing or set aside to contain human remains and includes a tomb, crypt, a compartment in a mausoleum, and a niche or compartment in a columbarium or mausoleum;

“lot decorations” means ornaments, figurines, plants, or other embellishments placed on a Cemetery lot.

“marker” means any monument, tombstone, headstone, or other structure or ornament that is affixed to any lot, crypt, niche, or other structure intended for the memorialization or deposit of human remains;

“Manager” means the City’s Manager of Cemeteries or designate;

“mausoleum” means a structure other than a columbarium designated for the interment of human remains in tombs, crypts, or other such compartments;

“plot” means two or more lots in which the rights to inter have been sold as a unit;

“Registrar” means the Registrar appointed under the FBCSA;
“scattering” means the spreading of cremated human remains over a designated area within a Cemetery with the knowledge and permission of the Cemetery operator and in keeping with the provisions of this By-law;

“Tariff of Rates” means the current price list for interment rights, cemetery supplies, and services set in accordance with Part XVI of this By-law.

**Part II – Interpretation and Administration**

**Application**

2. This By-law applies to cemeteries owned by The Corporation of the City of Cambridge, as shown on Schedule “A” attached hereto and forming part of this By-law.

**Manager**

3. The Manager is responsible for the management, operation, and maintenance of cemeteries owned by the City and is authorized to administer and enforce this By-law with delegated authority granted by Council to execute the provisions of the By-law, including the imposition of conditions as necessary to ensure compliance with this By-law.

4. The Manager may assign duties or delegate tasks under this By-law whether in their absence of otherwise.

5. The Manager may enlarge, reduce, replot, change the boundaries of, or grade a Cemetery upon approval of the Registrar as required under the FBCSA.

6. The Manager may designate an area of a Cemetery as an area reserved for the installation of upright monuments, flat markers, crypts, mausolea, columbaria, or for use as a scattering garden.

**Part III – Rules and Regulations**

**Entry**

7. No person shall enter any Cemetery except through an established entrance, nor shall they enter or be within any Cemetery after 7:00 pm and before 6:00 am between October 1st and March 31st, inclusively, or after 9:00 pm and before 6:00 am between April 1st and September 30th, inclusively.

8. Section 7 does not apply to emergency service personnel and City staff in the performance of their duties.

**Adult Supervision**

9. All persons under the age of 12 years must be accompanied by an adult at all times while on Cemetery grounds.
Bicycles
10. No person shall ride a bicycle in a Cemetery, except on Cemetery roads.

Animals
11. No person shall permit any animal, including dogs, to enter or remain in a Cemetery.
12. Section 11 does not apply to a service animal that is leashed.

Alcoholic Beverages
13. No person shall have or consume any alcoholic beverages in a Cemetery.

Damage
14. No person shall:
   (a) damage any marker, columbarium, mausoleum, chapel, or other structure within a Cemetery;
   (b) damage any tree, shrub, plant, or flowers, be they private or public property, within a Cemetery; or
   (c) damage any fence, railing, or gate in a Cemetery.

Games of Sport
15. No person shall play any game of sport in a Cemetery.

Firearms
16. No person shall discharge any firearm in a Cemetery, except with the prior written authorization of the Manager for the purposes of a military or police funeral.

Disturbance
17. No person shall disturb any person or persons assembled in a Cemetery for the interment of any other person.

Nuisance
18. No person shall create a nuisance in a Cemetery.

Debris
19. No person shall deposit any waste, garbage, refuse, or rubbish on the grounds of a Cemetery except in a receptacle provided for that purpose.
Signs

20. No person shall place, erect, or install any signs in a Cemetery without the written permission of the Manager.

Soliciting

21. No person shall solicit in any manner within a Cemetery, except for the placement of memorial tags, that identify the monument supplier, on the back of upright memorials. Tags shall be placed in the left rear bottom edge of the upright monument between the die and base. Tags shall be dark in colour and the exposed area of the tag shall not exceed 7.62cm (3") in width and 2.56cm (1") in height.

Vehicular Traffic

22. The Manager may restrict vehicular access to a Cemetery when the roads are soft or otherwise impassable.

23. No person shall:
   
   (a) drive a vehicle through a Cemetery as a “short cut” in order to access surrounding roadways;
   
   (b) drive a vehicle in a Cemetery at a rate of speed greater than 20 kilometres per hour;
   
   (c) while driving a vehicle in a Cemetery, leave the travelled portion of a road; or
   
   (d) while driving a vehicle in a Cemetery, fail to comply with a restriction made by the Manager in accordance with section 22 of this By-law.

Encroachment

24. Without the written consent of the City, no person shall encroach upon or take possession of any Cemetery or part thereof by an means, including, but not limited to:
   
   (a) the construction, installation, or maintenance of any fence, structure, or sign;
   
   (b) the planting, installation, or maintenance or any plant, plant material, shrub, tree, or garden;
   
   (c) the leaving, depositing, storing, or dumping of any waste, garbage, refuse, rubbish, or plant material of any kind;
(d) the storing, maintenance, repair, or construction of a vehicle of any description, trailer, building, structure, fence, or playground equipment in any Cemetery; and

(e) the removal, destruction, or construction of any pavement, sidewalk, crosswalk, trail, grass plot, or roadway, or any part thereof.

Part IV – Sale of Rights and Services

Interment Rights and Cemetery Services

25. All charges for interment rights and cemetery services sold are due in full within 30 days from the date of invoice. After the end of the 30-day period, a monthly interest charge may be charged on the outstanding balance in accordance with the City’s Collection Policies.

Interments and Scatterings

26. Interments and scatterings may be sold in advance of need, and in such cases shall be deemed to cover all costs incurred provided that the interment or scattering is conducted during regular business hours, being Monday to Friday from 8:00 am to 4:00 pm. Any unforeseen costs such as overtime, weekend or holiday burials or after-hours burials shall be subject to an additional charge levied to the rights holder or their representative as set out in the Tariff of Rates.

Payment

27. No Certificate of Interment Rights or Certificate of Scattering Rights shall be issued until payment of the requisite fee, as set forth in the Tariff of Rates, has been made in full.

28. If the fee for a service set forth in the Tariff of Rates is not paid in full within 6 months of the purchase, the contract may be rescinded by the City and of no further effect. All monies paid by the applicant shall be refunded by the City, unless other arrangements have been made and approved by the Manager.

Limitations on Purchase

29. No person, group, or organization shall be entitled to hold the interment rights for more than 30 unused grave spaces in any one Cemetery.

Director May Reduce Fees

30. The Director may reduce or waive a fee established pursuant to this By-law where circumstances warrant, in the Director’s sole and absolute discretion.

Part V – Transfer/Private Sale of Interment Rights
Third-Party Re-Sale of Interment Rights

31. An Interment Rights Holder may transfer or sell their interment rights to a third-party, subject to the provisions of this Part.

32. An Interment Rights Holder that intends to transfer or sell their interment rights shall provide a completed application to transfer or sell interment rights to the City prior to seeking a third-party buyer.

33. Upon receipt of an application to transfer or sell interment rights, the City shall have a right of first refusal to re-purchase the interment rights from the interment rights holder.

34. Should the City exercise its right to re-purchase interment rights, it shall purchase the rights at the current price set out in the Tariff of Rates, less the amount invested for care and maintenance and the applicable administrative fee set out in the Tariff of Rates.

35. No person shall purchase Interment Rights for the sole or primary purpose of reselling the rights with a view to making a financial gain. The Interment Rights shall not be sold to a third party for more than the current price set out in the Tariff of Rates.

36. Only the Interment Rights Holder shall be permitted to resell or transfer their Interment Rights. In the cases of a transfer by will or bequest, the Manager shall have the right, in their sole discretion, to require the production of a notarized copy of the will or other evidence sufficient to prove ownership.

37. Upon the purchase of Interment Rights from an Interment Rights Holder, the purchaser shall advise the City forthwith of the purchase by providing the completed applicable form and pay the applicable fee for the registration of the transfer as prescribed in the Tariff of Rates.

Manager May Require Archaeological Assessment

38. The Manager may, in their sole discretion, require that as a condition of a transfer or sale of interment rights, an archaeological assessment be completed in order to confirm that there are no burials within the grave and to ensure that all interment options are available to the new rights holder. Should any such archaeological assessment be required, any costs, fees, or charges for the assessment are the responsibility of the new Interment Rights Holder.

Part VI – Interments, Scatterings, and Funerals

Burial Permit – Certificate Required
39. No interment shall take place without providing a Burial Permit or a Cremation Certificate, as is applicable, and not until the person making the burial arrangements for the interment has complied with all laws, rules, and regulations relating to interments. Persons contracting for interment rights and/or making arrangements for burials shall be responsible for all charges incurred.

**Interments – Conditions Precedent**

40. The Manager shall not conduct any interment, entombment, inurnment, or scattering on any grave, scattering area, crypt, or niche and until the person/persons directing the service have provided one of the following:

   (a) a signed contract respecting the purchase of the interment right, crypt, columbarium or niche and the authorization to proceed with the interment, entombment, inurnment, or scattering;

   (b) an Interment Rights Certificate indicating that the party is the rightful owner of the interment rights upon which the activity is requested; or

   (c) approval from Ontario Works and/or a regional/municipal social services department or agency indicating that they will be responsible for payment of the service and an authorization number from such department or agency.

41. In circumstances where the party requesting an interment activity is unable to provide evidence of ownership, the Manager may require the party to provide a notarized permission letter, sworn affidavit, or solemn declaration outlining the request.

42. No interments shall take place on January 1st or December 25th, except pursuant to an Order of the Regional Medical Officer of Health.

**Grave Opening - Notice**

43. From May 1 to October 31, one business day’s notice is required to accommodate an interment or scattering request.

44. From November 1 to April 30, two business days’ notice is required to accommodate an interment to ensure that the grave, niche, or crypt can be prepared for an interment in time for the funeral service.

45. All requests must be in writing to the Cemeteries Administration Office.

46. Saturdays, Sundays, and holidays are not considered regular business hours.

**Location of Graves – Errors**
47. The City assumes no responsibility for errors when improper instructions for grave openings have been given by the Interment Rights Holder, or designate. All costs resulting from improper instructions will be charged to the purchaser who signed the service contract.

Double-Depth Graves

48. Double-depth graves shall be permitted, provided that the plot on which the double-depth grave is located was sold on or before July 1, 1997 and the contract for the interment rights specifically provided for a double-depth grave.

49. Human remains shall not be interred in a double-depth grave, unless the first casket is buried at extra depth and contained in a permanent outer case, such as a vault or liner, and the second casket is buried on top of the lower casket, at standard depth.

50. Approval of double-depth graves shall be at the discretion of the Manager.

Multiple Infant Interments in Single Adult Grave

51. A maximum of three (3) infant caskets may be interred in a single adult grave designated by the Manager for such purpose.

Interment of Cremated Human Remains

52. A maximum of two (2) cremation burials shall be permitted to be interred on top of a full-burial at standard depth, except where the City has provided for the interment of additional cremated remains.

53. A maximum of six (6) cremation burials are permitted in any adult traditional grave where no casket burials have or will take place.

54. A maximum of two (2) cremation burials are permitted in any flat marker cremation grave.

55. A maximum of four (4) cremation burials in any one upright monument cremation grave.

Multiple Interments – Crypt Limitations

56. Interments within crypts shall be limited to the entombment of a single casket. No other forms of interments shall be allowed within crypts, including but not limited to additional cremations with a casket or cremation only interments unless otherwise authorized by the manager.

Interment – Placement of Remains in Crypts
57. Only City staff may place or entomb human remains within a crypt, remove human remains from a crypt, or open and seal crypts, provided that the applicable fee for these services prescribed in the Tariff of Rates has been paid.

**Interment Equipment**

58. No interment equipment, except that provided by the City shall be used, except as otherwise allowed pursuant to this By-law.

**Elevated Mounds Prohibited**

59. No elevated mounds shall be built over graves and no lot shall be filled above the grade established for the Cemeteries, except temporarily for maintenance reasons the City or its agents.

**Burial Vaults or Liners – Installation**

60. When burial vaults or liners are used, they shall be set as a mock graveside set-up and installed by the supplier, who shall use its own equipment. The supplier shall be responsible for any damage it causes to the grounds or casket.

**Temporary Storage**

61. The Manager may determine, at his or her discretion, that an interment cannot be made on the day of the funeral service and direct that the service be held in the chapel at the Cemetery. In such circumstances, the remains shall be placed in temporary storage, until the Manager determines that it is safe to conduct the interment.

62. Temporary storage may be made in the Young Chapel at Mount View Cemetery, subject to a fee as set out in the Tariff of Rates.

**Pallbearers**

63. Families and funeral directors shall ensure that there are an appropriate number of capable pall bearers to assist with the lifting of the casket from the coach to the grave during a funeral. Municipal staff shall not be permitted to act as pallbearers.

**Scatterings of Cremated Human Remains**

64. Cremated human remains may be scattered within a designated area of a Cemetery, provided that:

(a) a completed scattering application is provided to the Manager;
(b) the scattering fee has been paid; and

(c) the Scattering takes place between May 1 and October 31.

65. Once cremated human remains have been scattered, they cannot be retrieved.

Funerals

66. All funerals taking place in a Cemetery shall be under the jurisdiction of the funeral director.

67. An additional fee, as set out in the Tariff of Rates, will be charged for funeral services requiring work by municipal staff after 4:00pm.

PART VII – DISINTERMENTS

Conditions

68. Disinterments shall only be conducted in accordance with the provisions of the FBCSA and at a time that the Manager, in their sole discretion, determines is safe to do so.

Provision of Outer Case

69. If the burial was not made in a permanent outer case, such as a vault of liner, the party requesting disinterment must supply a new outer case.

Removal of Monuments/Markers

70. Any flat markers or upright monuments, including any monument foundations, designating the location of an interment shall be removed at the time of a disinterment at the expense of the Interment Rights Holder.

PART VIII – LOT DECORATIONS

No Lot Decorations if Fees Outstanding

71. Lot decorations, shall not be placed on a lot if payment of any fees relating to the lot is outstanding.

Removal of Uncompliant and Unsafe Lot Decorations

72. Any lot decorations that do not comply with the requirements set out in this Part, that are placed in or around scattering gardens, that encroach upon adjacent
lots, or that the Manager, in their sole discretion, deems to be unsafe, are prohibited.

73. Any prohibited lot decorations may be removed by the City without notice to the Interment Rights Holder or any other person whatsoever.

74. Any lot decorations that are found within or around a scattering garden may be removed by the City.

City Not Responsible for Loss or Theft

75. The City shall not be responsible for any damage to lots and structures or objects, therein, or flowers or articles removed from a grave except for damage that has been shown to have been caused by the City. For any damages shown to have been caused by the City, the City will attempt to contact the Interment Rights Holder concerning the damages at the last known address on file.

Lot Decorations – May 1st to October 31st

76. Between the dates of May 1 and October 31 of a particular year, no lot decorations or other objects may be left on a lot, except for the following:

(a) candles or solar lights, provided that:

   (i) the lot on which the candles or solar lights are placed is in the upright monument section of the Cemetery,

   (ii) the candles or solar lights are not made of glass, ceramic, or other breakable materials,

   (iii) the candles or solar lights are securely placed,

   (iv) the combined number of candles and solar lights on one particular lot does not exceed three (3) in total,

   (v) the candles or solar lights are placed either in line with the monument row or in the 36 centimetres (14 inches) garden area,

   (vi) the candles do not have an open flame,

   (vii) if the candles or solar lights are displayed on shepherd hooks, they do not exceed the height of the monument, and

   (viii) the candles or solar lights measure no more than 61 centimetres (2 feet) in height if the lot on which they are located has a monument of less than 61 centimetres (2 feet) in height;
(b) saddle wreaths, provided that they are not Christmas or Holiday-themed and do not become unsightly;

(c) a dwarf-style shrub, provided that:

(i) it is located on a lot with an upright monument centered on two or more graves,

(ii) and that a maximum of one 1 shrub is planted on either side of the upright monument and in line with the monument row,

(iii) the shrub is planted approximately 18 centimetres (7 inches) away from the side of the upright monument base and does not exceed the lot boundaries or the height of the upright monument, and

(iv) the shrub is maintained by the Interment Rights Holder and upon being given one month's notice of the requirement to trim a shrub, the Interment Rights Holder does not fail to trim the shrub;

(d) natural cut flowers, silk flowers, or dried flower arrangements, provided that:

(i) they are placed in either a non-breakable cone-shaped vase or container, or a retractable vase or container that sits flush to the ground when not in use, and

(ii) for flowers in a flat marker section, the number of vases or containers does not exceed 1 where the marker is centered on 1 gravesite, or does not exceed 1 vase or container per grave when the marker is centered on more than 1 grave;

(e) borders or edging made of rubberized plastic, treated wood, or pre-formed concrete (excluding raised scalloped concrete borders), provided that:

(i) the borders or edging are no thicker than five 5 centimetres (2 inches),

(ii) the borders or edging are completely flush to the soil, and

(iii) the borders or edging are installed within the 36 centimetre (14 inches) garden area and do not exceed the width of the monument;

(f) wooden staked markers, other than veterans’ crosses, as temporary markers on graves without a memorial, provided that:
(i) the wooden staked marker is displayed for a period of one year or less from the time of the burial, unless otherwise authorized by the Manager,

(ii) the wooden staked marker measures between 61 centimetres (2 feet) and 91 centimetres (3 feet) in height, and 30 centimetres (1 foot) and 46 centimetres (18 inches) in width, and 5 centimetres (2 inches) in thickness, and

(iii) the wooden staked marker is properly maintained by the Interment Rights Holder;

(g) shepherd's hooks for the hanging of contents, provided that they are installed within the 36 centimetre (14 inches) garden area of the lot and do not exceed the height of the monument;

(h) figurines, including any allowable Lot Decoration, provided that the figurines are not made of glass or ceramics, are located within the 36 centimetre (14 inches) garden area of a lot on which an upright monument is installed;

(i) potted plants, provided that:

(i) the number of potted plants on a particular lot does not exceed two in the upright monument sections and one in the flat marker sections,

(ii) the pot size does not exceed 25 centimetres (10 inches) in height and width,

(iii) the potted plants are not installed before the completion of the marker foundation,

(iv) the pots are not made of breakable materials, such as clay or glass, and

(v) the potted plants do not become unsightly; and
(j) photographs, provided that they are in placed in a non-breakable photo attachment and are attached to an upright marker.

Lot Decorations – November 1st to April 30th

77. Between the dates of November 1 and April 30 of a particular year, no lot decorations or other objects may be left on a lot, except for the following:

(a) wreaths, provided that:

   (i) if placed in a flat marker section, the wreath is displayed on a metal stand and is placed directly over the monument,

   (ii) if placed in an upright monument section, the wreath is placed in front of the monument and as close as possible to the monument, and

   (iii) the wreath does not have a plastic covering; and

(b) silk flower arrangements, provided that they are placed in a stand or attached to a monument.

PART IX – DECORATIONS OTHER THAN ON LOTS

Memorial Benches

78. Memorial benches with a memorial plaque may be installed by the City in a Cemetery upon receipt of a completed application form and payment of the applicable fee prescribed in the Tariff of Rates.

79. The Manager shall, in their sole discretion, determine the location of any memorial benches.

80. The City may, in its absolute discretion, remove, replace, repair, or relocate a memorial bench for any reason whatsoever, without notice or compensation to any person, including the person that requested the bench’s installation.

81. No decorations of any kind may be placed on a memorial bench. Any such decorations may be removed by the City.

Memorial Trees

82. Memorial trees, consisting of a planted tree with a memorial plaque, may be planted by the City in a Cemetery upon receipt of a completed application form and payment of the applicable fee prescribed in the Tariff of Rates.
83. The Manager shall, in their sole discretion, determine the location of any memorial trees.

84. The City may, in its absolute discretion, remove, replace, repair, or relocate a memorial tree for any reason whatsoever, without notice or compensation to any person, including the person that requested that the tree be planted.

85. No decorations of any kind may be placed on or around a memorial tree. Any such decorations may be removed by the City.

PART X – FLAT MARKERS

Flat Markers – Defined
86. In this Part, “flat marker” means a marker placed so that the surface of the marker does not project above the surface of the ground.

Construction
87. All flat markers erected in a Cemetery shall be constructed wholly of granite.

Location and Size of Flat Markers
88. A flat marker shall be permitted to be installed on any grave located in the flat marker section of a Cemetery, subject to the following:

(a) a marker measuring no more than 77 centimetres (30 inches) in length and 36 centimetres (14 inches) in width, and no less than 51 centimetres (20 inches) in length and 31 centimetres (12 inches) in width, may be installed over one, two, or more adult spaces,

(b) a marker measuring no more than 51 centimetres (20 inches) in length and 31 centimetres (12 inches) in width may be installed over a grave that has been subdivided to accommodate infant or youth burials,

(c) only a marker measuring 51 centimetres (20 inches) in length and 31 centimetres (12 inches) in width may be installed over a lot designated by the Manager for veteran, infant, or child burials, or for the interment of cremated remains,

(d) all flat markers shall have a thickness of 10 centimetres (4 inches),

(e) no more than one marker shall be installed on any grave, which shall be centered at the head end of the grave on which it is located, and

(f) corner markers or posts are prohibited.
Delivery and Installation

89. All flat markers shall be delivered between April 15 and November 1 of any particular year, and shall be delivered to a location designated by the Manager for that purpose.

90. Only City employees shall be permitted to install flat markers.

91. No flat markers shall be installed until the designated fee set out in the Tariff of Rates is paid in full.

92. Only City employees shall be permitted to remove and/or re-install a flat marker.

Removal of Non-Compliant Markers

93. Where a flat marker does not conform with the requirements in this By-law, the Manager may remove the marker.

PART XI – UPRIGHT MONUMENTS

Upright Monuments to Comply with Provisions of Part XI

94. An upright monument shall be permitted to be installed on any grave located in the upright monument section of a Cemetery, provided that the monument complies with the provisions of this Part and that the applicable fee prescribed in the Tariff of Rates has been paid in full.

Location

95. No more than one monument shall be installed on any grave, which shall be centered at the head end of the grave on which it is located unless the Manager, in their sole discretion, determines otherwise.

Durability

96. Monuments shall be capable of withstanding a force of 35 kilograms applied at any point on the memorial when set in a dry mode (i.e. without the assistance of adhesive material).

97. Monuments may include stainless steel dowels of no less than 300-series grade, provided that their intended positioning is disclosed to the purchaser.

98. All components of an upright monument shall be completely sealed together with an appropriate sealing material, and monuments shall be sealed such that they have a level of stability suitable for installation.

Installation of Foundations
99. A concrete foundation of uniform thickness with measurements equal to that of the monument base and a depth of not less than 1.2 metres (48 inches) below grade shall be installed by the City prior to the installation of any upright monument.

100. No foundations shall be installed until the installation fee, as set out in the Tariff of Rates, has been paid in full and a sketch showing all dimensions of the monument and grave location has been provided to the City and approved by the Manager.

101. The City shall install, or cause to be installed, foundations during three installation periods throughout the year. Orders must be received and approved by the City either by May 25, August 1, or October 1 in order for the foundation to be completed during the corresponding installation period.

**Size Requirements and Restrictions**

102. All upright monuments shall have a base with vertical sides made of rock pitch style, and the bases shall measure:

   (a) no less than 15 centimetres (6 inches) in thickness, with the exception of pillow markers, which shall measure no less than 10 centimetres (4 inches) in thickness, and

   (b) no more than 45 centimetres in height (18 inches).

103. Unless otherwise approved by the Manager, all upright monuments shall comply with the following size requirements, depending on the size of the lot on which they are located and the number of graves within the lot, as set out in Table 1:

<table>
<thead>
<tr>
<th>Number of Graves</th>
<th>Die Thickness</th>
<th>Maximum Monument Width (Base Included)</th>
<th>Maximum Monument Height (Base Included)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Cremation Upright</td>
<td>Minimum 20 centimetres (8 inches)</td>
<td>76 centimetres (30 inches)</td>
<td>91 centimetres (36 inches)</td>
</tr>
<tr>
<td></td>
<td>Maximum 25 centimetres (10 inches)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1 Single Adult</td>
<td>Minimum 20 centimetres (8 inches)</td>
<td>76 centimetres (30 inches)</td>
<td>97 centimetres (38 inches)</td>
</tr>
</tbody>
</table>
No Upright Monuments on Single Graves Sold After July 1, 1990

104. No upright monument shall be installed on a single grave for which the interment rights were sold after July 1, 1990, except on approved graves in designated upright monument sections.

Inscriptions

105. Textual inscriptions, including but not limited to family surnames, scriptures, poetry, prose, etc., on the backs of upright monuments, are permitted, provided that they are approved by the Manager. Burial information may not be inscribed on the back of any monument.

106. Photographs or photographic reproductions may be attached to upright monuments if they are made of non-breakable poly material, or may be inscribed by etching, sand blasting, chiseling, or using similar methods.

Installation of Upright Monuments

107. Any person that installs, repairs, or inscribes an upright monument shall ensure that planking and/or other protective materials are used to adequately protect the turf, and shall ensure that such materials and other equipment used in the installation, repair, or inscription are removed forthwith upon the completion of the work, and that the site is left clean and undamaged.
Upright Monuments in Disrepair or Unstable

108. The Manager may take any necessary measures to repair, reset, or lay down any upright monument that presents a risk to public safety due to it falling into a state of disrepair or becoming unstable, or may cause any such measures to be taken.

PART XII – CREMATION INTERMENT SECTIONS

Interment – Placement of Cremated Remains

109. Cremated human remains may be placed, interred, or inurned in a section designated by the Manager for that purpose, provided that the person requesting the service has entered into a contract with the City for that purpose and that the placement, interment, or inurnment otherwise complies with the requirements of this Part.

110. Only City staff may place, inter, or inurn cremated human remains within a Cemetery, or remove cremated human remains from a Cemetery.

Limitations re Interments

111. The following limitations apply with respect to the number of human remains which may be interred in a particular grave unless otherwise authorized by the manager:

   (a) a maximum of two (2) cremation interments within a cremation grave located in a flat marker section, and

   (b) a maximum of four (4) cremation interments within a cremation grave located in an upright monument section.

Regulations re Columbaria

112. The installation of family pedestal columbaria shall be permitted on approved lots within designated sections of the Cemetery at the sole discretion of the Manager.

113. Textual inscriptions, including but not limited to family surnames, scriptures, poetry, prose, etc., on the backs of family pedestal columbaria, are permitted, provided that they are approved by the Manager. Burial information may not be inscribed on the back of any family pedestal columbaria.

114. Surnames shall be permitted to be inscribed on the front face of the cap of a family pedestal columbarium.

115. No inscriptions of any kind shall be permitted on the sides of a family pedestal columbarium.
116. Any person installing an inscription on the face of a columbarium niche shall:

(a) provide 2 business days’ notice to prepare a niche plate for pick up and gain approval from the Cemetery administration office prior to commencing the work;

(b) ensure that any engraved letters are of block style and inset so that the face of the niche face remains flush with its original finish, and shall not use any additives to any lettering;

(c) ensure that the placement of any engraved artwork is:

(i) does not exceed an area larger than 116 square centimetres (18 square inches), and

(ii) approved by the Manager, as to colour, design, and size, before engraving, and

(d) ensure that the face plate is removed for a maximum duration of 5 business days.

117. No attachments or decorations shall be permitted on a columbarium, a niche.

118. A maximum of two (2) cremated human remains shall be permitted in a single columbarium niche.

**PART XIII – GARDEN CRYPTS**

**Embellishments Prohibited**

119. Attachments or embellishments of any kind to the crypt face plate shall not be permitted.

120. The placement of decorations of any kind, in or around a garden crypt mausoleum shall not be permitted.

**Face Plate Inscriptions**

121. Drawings of inscriptions signed by the holder of the rights to the crypt and the supplier or their representative must be approved by the Manager prior to being inscribed on a crypt face plate.

122. Any person installing an inscription on the face of a crypt face plate shall:
(a) ensure that crypt face plates shall have the family name of the deceased centered at the top of the face plate, followed by the deceased's given name(s), date of birth, and date of death;

(b) ensure that any other textual inscriptions, including but not limited scriptures, poetry, prose, etc., are centred at the bottom of the face plate;

(c) ensure that any engraved letters are of block style and inset so that the crypt face plate remains flush with its original finish;

(d) not use any additives to any lettering;

(e) ensure that the text of family names measures 6.4 centimetres (2.5 inches) in height;

(f) ensure that the text of given names measures 3.2 centimetres (1.25 inches) in height; and

(g) ensure that all other engraved text measures 2.5 centimetres (1 inch) in height.

123. A crypt face plate may be replaced with the approval of the Manager and upon payment of the applicable fee prescribed in the Tariff of Rates.

PART XIV – SCATTERIGN GARDENS

Memorial Rocks

124. A memorial rock may be installed by the City in an area designated by the Manager for the scattering of cremated human remains upon payment of the applicable fee prescribed in the Tariff of Rates.

125. Only the City shall be permitted to install and inscribe such memorial rocks.

PART XV – CHAPEL

126. An available Cemetery Chapel may be rented provided that person requesting the rental has entered into a contract with the City for that purpose.

PART XIV – REQUESTS FOR SERVICE

Requests to be Made at Cemetery Office
127. Any person, including a funeral director, having a request for service shall present the request at the Cemeteries Administration Office.

128. The City reserves the right to require that a particular request be made in writing.

PART XVI – TARIFF OF RATES

Adoption – By Council
129. Council may from time to time prescribe fees and charges in its Fees and Charges By-law to be paid by persons purchasing interment rights, cemetery supplies, and services in Cemeteries, or requiring services to be performed therein. Such fees and charges as prescribed by Council shall be published in a Tariff of Rates by the City for the purposes of providing them to the public in accordance with the FBCSA.

PART XVII – ENFORCEMENT

Offences
130. Any person who furnishes false information in any application under this By-law, in any certificate required to be issued, or in any statement or return required to be furnished pursuant to this By-law is guilty of an offence, and, upon conviction, shall be liable to a fine as provided for in the Provincial Offences Act, R.S.O. 1990, c. P.33, as amended.

PART XVIII - MISCELLANEOUS

Severability
131. If a court of competent jurisdiction declares any section or part of a section of this By-law to be invalid, it is the intention of Council that the remainder of the By-law shall continue to be in force.

Repeal
132. By-law No. 162-13 of The Corporation of the City of Cambridge, being a By-law of the Corporation of the City of Cambridge for the Management, Regulation & Control of Cemeteries and to repeal By-law 97-09 as amended, and any amendments thereto, is hereby repealed.

Short Title
133. This By-law may be referred to as the “Cemetery By-law”.

Coming into Force
134. This By-law shall come into force and effect on the day that it is approved by the Registrar.

Enacted and Passed this $X$ day of month, 2023.

________________________________________
MAYOR

________________________________________
CLERK
SCHEDULE “A”

Cemeteries Operated by the City of Cambridge

<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>Freeport Pioneer Cemetery</td>
<td>296 Riverbank Drive</td>
</tr>
<tr>
<td>Mount View Cemetery</td>
<td>80 Blenheim Road</td>
</tr>
<tr>
<td>New Home Cemetery</td>
<td>235 Cooper Street</td>
</tr>
<tr>
<td>Preston Cemetery</td>
<td>751 Fountain Street North</td>
</tr>
<tr>
<td>Parklawn Cemetery</td>
<td>750 Fountain Street North</td>
</tr>
<tr>
<td>St. Andrew’s Park Cemetery</td>
<td>35 Lansdowne Road South</td>
</tr>
<tr>
<td>St. Mary’s Cemetery</td>
<td>240 Cooper Street</td>
</tr>
<tr>
<td>Zion Cemetery</td>
<td>2000 Speedsville Road</td>
</tr>
</tbody>
</table>
To: COUNCIL
Meeting Date: 10/24/2023
Subject: Blair Cemetery Transfer
Submitted By: Mike Hausser, Director of Operations
Prepared By: Oscar Ribeiro, Manager of Cemeteries
Report No.: 23-024-IFS
File No.: A11
Wards Affected: All Wards

RECOMMENDATION(S):
THAT Report 23-024-IFS Blair Cemetery Transfer to Cambridge be received;
AND THAT Council agrees to the mutual transfer of the Blair Cemetery, from the Trustee of the Blair Cemetery to the City of Cambridge to the satisfaction of the City Solicitor.
AND THAT Council directs staff to include an additional one-time allocation of $60,000 to the 2024 cemetery budget to undertake site restoration work following the transfer of the Blair Cemetery to the City of Cambridge.

EXECUTIVE SUMMARY:
Purpose
This report is intended to inform council of their obligations regarding cemeteries as outlined in the Funeral, Burial, Cremation Services Act 2002 (FBCSA), and to recommend that the City engages the Blair Cemetery Board in a mutual transfer to continue the operation under the City’s Cemetery license.

Key Findings
In April of 2023, the sole surviving member of the Blair Cemetery Board provided the Bereavement Authority of Ontario and the City of Cambridge notice of their intention to cease control of the Cemetery by providing the City with a Cemetery Transfer Form. Pursuant to subsection 101.1 (1) of the FBCSA, a cemetery may be transferred or declared abandoned to the municipality, if the owner of the cemetery,
a) Cannot be found
b) Is unable to maintain it, or
c) Is not a licensed operator and there is no licensed operator for the cemetery.

In cases where neither the owner or an operator, whose consent had been obtained from the owner of the land upon which the cemetery is located, are unable to maintain the cemetery, the operation and maintenance of the cemetery becomes the responsibility of the local municipality.

The Blair Cemetery has historical significance to the City of Cambridge as the cemetery has been in operation since 1898 and serves as the resting place of Cambridge’s first mayor, Claudette Millar, and other notable Cambridge residents.

The City’s obligations are to maintain and operate the cemetery however has the option to keep the cemetery “active”, meaning allowing the sale of new Interment Rights, or “deactivate” the cemetery honouring only existing contracts for sold Interment Rights.

Financial Implications

The addition of the Blair Cemetery to the current compliment of Cambridge Cemeteries will push the current resource capabilities outside of their capacity.

As the Blair Cemetery has had little resources for monument restoration and land development, the grounds currently fall below the City’s and BAO’s standards regarding monument safety and compliance with the FBCSA requiring a one-time investment for restoration work estimated at $60,000.

Additionally, investigative surveying will need to be completed to re-create an accurate mapping system capturing current used and available lots within the cemetery. It is anticipated this one time effort can be completed with internal existing resources.

The net annual operating impact is at 2023 rates is estimated to be $102,000 in 2024 and $24,297 in 2025 and will be presented to Council as part of the 2024 budget process.

STRATEGIC ALIGNMENT:

☐ Strategic Action; or
☒ Core Service

Objective(s): Not Applicable

Strategic Action: Not Applicable

Program: Cemeteries
**Core Service:** Cemeteries

This will result in the expansion of cemetery lands and services. The transfer of the Blair Cemetery will provide an opportunity for the City to invest in this community to ensure that the Cambridge residents who have roots in the Village of Blair have interment options that meets the City’s standards across all Cambridge Cemeteries.

**BACKGROUND:**

The City of Cambridge extends interment services to various small Cemetery Boards in an effort to prolong their independence. This benefits the City of Cambridge not needing to assume full financial and legal responsibilities of additional cemetery lands. A cemetery can choose to undergo a process of declaring their cemetery abandoned, a process that must go through the Ontario Superior Court of Justice and can take up to 2 years during which time the municipality is responsible for the ongoing maintenance of the cemetery, or transfer the Cemetery to another operator. As the Blair Cemetery Board has approached the City of Cambridge for a transfer, it is in the City’s best interest to negotiate a transfer mutually agreed to by both parties in order to maintain business continuity to the Blair Cemetery.

For the previous 60 years Betty Chislette and her mother Evelyn Sage have served this community by volunteering their time to managing the Blair Cemetery. In April 2023, Harry Chislette, the last remaining board member of the Blair Cemetery, contacted City of Cambridge to inform us of their intent to transfer responsibility of the Cemetery to the City of Cambridge. Cambridge staff reached out to the Bereavement Authority of Ontario (BAO) to support the Blair Cemetery to ensure that all documentation and records were in order prior to this transfer taking place.

**ANALYSIS:**

It is in the City’s best interest to engage the Blair Cemetery Board in a mutual transfer. The alternative would force this small operator to declare the cemetery abandoned negatively impacting current Interment Rights Holders and the residents of Blair. The cemetery will ultimately default to the responsibility of the City of Cambridge. This opportunity offers the City the chance to preserve a part of its history ensuring that the resting place of Cambridge’s first mayor is in the care of her successors.

Deferring the transfer would have a negative impact to the City’s Public image. The City of Cambridge can expect to undergo this process with other small cemetery operators in
the future as responsibilities of cemeteries as outlined in the relevant legislation defaults the care to the municipality under which the cemetery is established within.

EXISTING POLICY / BY-LAW(S):
Cemetery By-Law (pending update)

Once transferred, Blair Cemetery will adhere to the City of Cambridge Cemetery By-Laws and be subject to the council approved Rates and Fees. Compliance with these by-laws will be enforced by Cemetery Staff.

FINANCIAL IMPACT:
A one-time estimate of $60,000 is needed to perform restoration of some monuments and landscaping and one time cost of $26,000 to purchase of zero turn lawnmower purchase.

Additional staffing is needed as a result of this transfer to maintain the site and perform burial services in accordance with the City’s bylaw.

The operating impact is outlined in the table below and will be presented to Council as part of the 2024 budget process:

<table>
<thead>
<tr>
<th>Item</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Full Time Cemetery Staff (including overtime to support weekend services)</td>
<td>$99200</td>
</tr>
<tr>
<td>1 Student</td>
<td>$14430</td>
</tr>
<tr>
<td>Annual cost to operate equipment</td>
<td>$6,000</td>
</tr>
<tr>
<td>Clothing/PPE</td>
<td>$1,000</td>
</tr>
<tr>
<td>Estimated revenue from burial services</td>
<td>($18,630)</td>
</tr>
<tr>
<td><strong>Net cost (2024)</strong></td>
<td><strong>$102,000</strong></td>
</tr>
<tr>
<td>1 Temp (2025)</td>
<td>$24,297</td>
</tr>
<tr>
<td>1 zero turn lawnmower purchase</td>
<td>$26,000</td>
</tr>
</tbody>
</table>

*NOTE: costs in the table represent 2023 values and are subject to inflation.
PUBLIC VALUE:

The City of Cambridge’s investment into the Blair Cemetery would provide further interment options to residents whose heritage is linked to the history of the Village of Blair. The City currently has 4 Active Cemeteries, Parklawn, Mountview, New Hope and St. Mary’s and keeping Blair active would make the 5th active Cemetery in a community where currently the city has no cemetery land holdings.

ADVISORY COMMITTEE INPUT:

Advisory Committees Consulted:

Not Applicable.

PUBLIC INPUT:

Posted publicly as part of the report process.

INTERNAL / EXTERNAL CONSULTATION:

Bereavement Authority of Ontario

Communications were exchanged with a licensing officer at the BAO to clarify the options described in the legislation regarding transfers of cemeteries.

CONCLUSION:

The City could decide not to agree to a mutual transfer which would force the cemetery operator to declare the Blair Cemetery abandoned, a process that must go through the Ontario Superior Court of Justice and can take up to two years. Once this process is initiated, the cemetery’s maintenance will default to the municipality and after officially declared abandoned, the municipality will be forced to take the cemetery.

REPORT IMPACTS:

Agreement: Yes
By-law: No
Budget Amendment: Yes
Policy: No

APPROVALS:
This report has gone through the appropriate workflow and has been reviewed and or approved by the following as required:

Director
Deputy City Manager
Chief Financial Officer
City Solicitor
City Manager

ATTACHMENTS:
None
City of Cambridge Cemeteries

Active Cemeteries (new lot sales):
- Mountview Cemetery
- New Hope Cemetery
- St. Mary’s Cemetery
- Parklawn Cemetery

Inactive Cemeteries (interments only):
- Freeport Cemetery
- Zion Cemetery
- Preston Cemetery
- St. Andrew’s Park
Non-Municipal Cemeteries

City Provides Interment Services For:

- Trinity Anglican Cemetery
- St. Clement’s Catholic Cemetery
- Wanner Mennonite Cemetery
- Hagey Cemetery
- Blair Cemetery

Independently Operated:

- St. Patrick’s Cemetery
  - R.C.E.C of the Diocese of Hamilton
- St. Thomas Memorial Garden (inactive)
  - St. Thomas the Apostle Anglican Church
Funeral, Burial, Cremation Services Act 2002
Pursuant to subsection 101.1 (1) and (4) of the *FBCSA*, a cemetery may be transferred or declared abandoned to the municipality if the owner of the cemetery,

a) Cannot be found
b) Is unable to maintain it, or
c) Is not a licensed operator and there is no licensed operator for the cemetery.

When an application is made to declare a cemetery abandoned, the local municipality within whose geographic boundaries the land of the cemetery is located or the Crown, if there is no such local municipality, shall be responsible for the maintenance of the cemetery until the application is disposed of.
Previous Transfers

The City of Cambridge has undergone this process 2 times:

- Zion Cemetery transferred to the City in 2013
  CSD – CSD 13-21 Transfer of Ownership Zion Cemetery

- St. Mary’s Catholic Cemetery transferred to the City in 1995
  Transferred from the R.C.E.C of the Dioceses of Hamilton
The Cemeteries most likely to transfer to the City are the Cemeteries that the City is already extending interment services for:

- Hagey Cemetery
- Wanner Mennonite Cemetery
- St. Clement’s Cemetery
- Trinity Anglican Cemetery
March 10, 1804

- The first recorded burial in the Blair Cemetery, 8-year old John Bricker.
- This is known to be one of the first recorded burials in the Waterloo Region.
The Trustees of Blair Cemetery were appointed by the inhabitants of the Village of Blair

- Angus McNally, Manufacturer
- John N. Sipes, Farmer
- Allan Bowman, Excise Officer
For the last 60 years Betty Chislette and her mother Evelyn Sage were the Trustees of the Blair Cemetery.

In April 2023, Harry Chislette contacted the City of Cambridge to transfer the cemetery.
<table>
<thead>
<tr>
<th>Name</th>
<th>Oscar Ribeiro</th>
</tr>
</thead>
<tbody>
<tr>
<td>Title</td>
<td>Manager of Cemetery Operations</td>
</tr>
<tr>
<td>Phone</td>
<td>226-218-3438</td>
</tr>
<tr>
<td>Email</td>
<td><a href="mailto:ribeiroo@cambridge.ca">ribeiroo@cambridge.ca</a></td>
</tr>
</tbody>
</table>
Notice of Motion re: Myers Road

Moved by: Councillor Hamilton
Seconded by:

WHEREAS the safety of children accessing education is one of the top priorities, if not the top priority, of the City of Cambridge;

WHEREAS there has been a regrettable shortage of crossing guards in several locations across the City of Cambridge to begin the 2023 school year, and city staff are working to remedy this;

WHEREAS Myers Road sits at an intensifying artery of the city, where new housing developments, the recreation complex, condos, commercial and retail facilities, and other buildings are currently being planned and constructed, increasing density and traffic in the area;

WHEREAS the Region of Waterloo’s re-design for Myer’s Road is delayed, and the construction of safety features for Myers Road such as Level 2 pedestrian crossings and other measures are now delayed for an unforeseen amount of time;

WHEREAS the intersection of Myers Road, Lisbon Pines, and Gatehouse Drive, sees children, parents, and caregivers from two schools, one public and one Catholic, cross a dangerous intersection daily without any additional infrastructure and/or safety measures, and close-calls with cars are becoming more frequent;

WHEREAS the McQueen-Shaver bypass will not see full construction to divert traffic away from Myers Rd. for many years, and the current temporary exit of McQueen Shaver on to Franklin Boulevard might increase the traffic on Myers Road;

THEREFORE BE IT RESOLVED THAT the City Clerk send correspondence on behalf of City Council requesting the Region of Waterloo enact immediate interim safety measures and traffic calming measures at the Myers Road, Lisbon Pines, and Gatehouse intersection, so that children, parents, and caregivers may cross this road safely, until the reconstruction of Myers Road is tendered and completed in the future;

AND THAT once the Myers Rd. reconstruction project is tendered, the full plan and design for a Level 2 Pedestrian Crossing at the Myers Rd. and gatehouse Intersection will be implemented, where vehicles are required to yield to pedestrians crossing;

AND THAT the City of Cambridge advise the Region that an automated speed enforcement camera at this section of Myers Rd. is recommended to reinforce safety and security of pedestrians and drivers alike;

AND FURTHER THAT the City of Cambridge requests that the Region of Waterloo reassess the nature and dangers of school crossings on Regional roads to increase...
safety and traffic calming measures, especially in cases of multiple schools being located at one crossing, as the Region's increasing density and traffic in coming years will see increases in cars, traffic speeds, and (at times) road rage, on Regional roads;

And that this resolution be sent to the Premier of Ontario; Minister of Municipal Affairs and Housing; Minister of Transportation; Waterloo Region; Waterloo Region Members of Parliament and Members of Provincial Parliament; and all Ontario Municipalities.
THE CORPORATION OF THE CITY OF CAMBRIDGE

BY-LAW 23-087

Being a by-law to exempt certain lots or blocks pursuant to subsection 50(5) of the Planning Act, R.S.O. 1990, c. P.13, as amended, (Part Lot Control Exemption) – Block 96 on Registered Plan 58M-685

WHEREAS subsection 50(7) of the Planning Act R.S.O. 1990, c. P.13, as amended, provides that a municipal Council may by by-law provide that subsection 50(5) of the Planning Act R.S.O. 1990 c.P.13, as amended (Part Lot Control), does not apply to land within plans or parts of plans designated in the by-law and that when the by-law is approved by the appropriate approval authority, subsection 50(5) ceases to apply to the lands therein described,

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

1. THAT subsection 50(5) of the Planning Act R.S.O 1990, c.P.13, as amended, shall not apply to Block 96 on Registered Plan No. 58M-685;

2. AND THAT this by-law shall be restricted in its application only to divide the blocks and create easements as cited in accordance with Reference Plan No. 58R-21831 and Schedule ‘A’ attached hereto;

3. AND THAT this by-law shall remain in force and effect for a period of two (2) years from the date of its passing and shall expire on October 24, 2025;

4. AND THAT this by-law be registered electronically on the title to the lands described herein;

5. AND FURTHER THAT this by-law shall come into full force on the day it is passed.

ENACTED AND PASSED this 24th day of October 2023

__________________________
MAYOR

__________________________
CLERK
## Schedule ‘A’

**Block 96, Registered Plan No. 58M-685**

<table>
<thead>
<tr>
<th>LOT/BLOCK</th>
<th>PARTS and EASEMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Parts 4, 5 &amp; 17 subject to an access easement over Parts 4 &amp; 17 in favour of Parts 6, 7, 15 &amp; 16 and subject to an access easement over Part 17 in favour of Block 94. Together with an access easement over Part 3.</td>
</tr>
<tr>
<td>2</td>
<td>Parts 6 &amp; 16 subject to an access easement over Part 16 in favour of Parts 7 &amp; 15 and subject to an access easement over Part 16 in favour of Block 94. Together with an access easement over Parts 3, 4 &amp; 17.</td>
</tr>
<tr>
<td>3</td>
<td>Parts 7 &amp; 15 subject to an access easement over Part 15 in favour of Block 94 and together with an access easement over Parts 3, 4, 16 &amp; 17.</td>
</tr>
<tr>
<td>4</td>
<td>Parts 8 &amp; 14 subject to an access easement over Part 14 in favour of Block 94 and together with an access easement over Parts 11, 12, 13 &amp; 18.</td>
</tr>
<tr>
<td>5</td>
<td>Parts 9 &amp; 13 subject to an access easement over Part 13 in favour of Parts 8 &amp; 14 and subject to an access easement over Part 13 in favour of Block 94. Together with an access easement over Parts 11, 12 &amp; 18.</td>
</tr>
<tr>
<td>6</td>
<td>Parts 10, 11 &amp; 12 subject to an access easement over Parts 11 &amp; 12 in favour of Parts 8, 9, 13 &amp; 14 and subject to an easement over Part 12 in favour of Block 94. Together with an access easement over Part 18.</td>
</tr>
</tbody>
</table>

*House on Block 94 has an access easement over Parts 2, 12, 13, 14, 15, 16, 17, 20.*
THE CORPORATION OF THE CITY OF CAMBRIDGE

BY-LAW 23-088

Being a by-law to exempt certain lots or blocks pursuant to subsection 50(5) of the Planning Act, R.S.O. 1990, c. P.13, as amended (Part Lot Control Exemption) – Block 98 on Registered Plan 58M-685

WHEREAS subsection 50(7) of the Planning Act R.S.O. 1990, c. P.13, as amended, provides that a municipal Council may by by-law provide that subsection 50(5) of the Planning Act R.S.O. 1990 c.P.13, as amended (Part Lot Control), does not apply to land within plans or parts of plans designated in the by-law and that when the by-law is approved by the appropriate approval authority, subsection 50(5) ceases to apply to the lands therein described,

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

1. THAT Subsection 50(5) of the Planning Act R.S.O 1990, c.P.13, as amended, shall not apply to Block 98 on Registered Plan No. 58M-685;

2. AND THAT this by-law shall be restricted in its application only to divide the blocks and create easements as cited in accordance with Reference Plan No. 58R-21832 and Schedule ‘A’ attached hereto;

3. AND THAT this by-law shall remain in force and effect for a period of two (2) years from the date of its passing and shall expire on October 24, 2025;

4. AND THAT this by-law be registered electronically on the title to the lands described herein;

5. AND FURTHER THAT this by-law shall come into full force on the day it is passed.

ENACTED AND PASSED this 24th day of October 2023

________________________________
MAYOR

________________________________
CLERK
<table>
<thead>
<tr>
<th>LOT/BLOCK</th>
<th>PARTS and EASEMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Part 1</td>
</tr>
<tr>
<td>2</td>
<td>Part 2 together with an access easement over Parts 6, 7, 8, 9 &amp; 10</td>
</tr>
<tr>
<td>3</td>
<td>Parts 3 &amp; 8 subject to an access easement over Part 8 in favour of Part 2 and together with an access easement over Parts 6, 7, 9 &amp; 10</td>
</tr>
<tr>
<td>4</td>
<td>Parts 4 &amp; 9 subject to an access easement over Part 9 in favour of Parts 2, 3 &amp; 8 and together with an access easement over Parts 6, 7 &amp; 10</td>
</tr>
<tr>
<td>5</td>
<td>Parts 5, 6 &amp; 10 subject to an access easement over Parts 6 &amp; 10 in favour of Parts 2, 3, 4, 8 &amp; 9 and subject to an access easement over Part 6 in favour of Parts 7, 11, 12 &amp; 15. Together with an access easement over Part 7</td>
</tr>
<tr>
<td>6</td>
<td>Parts 7, 11 &amp; 15 subject to an access easement over Part 7 in favour of Parts 2, 3, 4, 5, 6, 8, 9 &amp; 10 and subject to an access easement over Parts 7 &amp; 15 in favour of Part 12. Together with an access easement over Part 6</td>
</tr>
<tr>
<td>7</td>
<td>Part 12 together with an access easement over Parts 6, 7 &amp; 15</td>
</tr>
<tr>
<td>8</td>
<td>Part 13 together with an access easement over Parts 16 &amp; 17</td>
</tr>
<tr>
<td>9</td>
<td>Parts 14, 16 &amp; 17 subject to an access easement over Parts 16 &amp; 17 in favour of Part 13</td>
</tr>
</tbody>
</table>
THE CORPORATION OF THE CITY OF CAMBRIDGE

BY-LAW 23-089

Being a by-law to amend By-law 23-050 to establish an Administrative Penalty System for violations of by-laws within the City of Cambridge and By-law 23-052 to designate various by-laws of the City of Cambridge as by-laws to which the Administrative Penalty System applies


WHEREAS the Council for the City now deems it desirable to amend By-laws 23-050 and 23-052 to delay their coming into force,

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

1. THAT Section 74 of By-law 23-050 is hereby amended by deleting the words “11th day of October, 2023” therefrom and replacing them with the words “27th day of March 2024”;

2. AND FURTHER THAT Section 39 of By-law 23-052 is hereby amended by deleting the words “11th day of October, 2023” therefrom and replacing them with the words “27th day of March 2024”.

ENACTED AND PASSED this 24th day of October 2023

________________________________________
MAYOR

________________________________________
CLERK
THE CORPORATION OF THE CITY OF CAMBRIDGE

BY-LAW 23-090

Being a by-law to adopt Amendment No. 70 to the City of Cambridge Official Plan (2012), as amended, (30 Lauris Avenue)

WHEREAS sections 17 and 22 of the Planning Act R.S.O. 1990 c. P. 13, as amended empower the City of Cambridge to adopt an Official Plan and make amendments thereto,

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

1. **THAT** Amendment No. 70 to the City of Cambridge Official Plan (2012) applies to land legally described as Part of Block B Plan 1066 & Lots 106 to 110 Plan 1066, Save and Except Parts 1 & 2 on 58R-18737 and Part Block B Plan 1066, being Parts 1 & 2 on 58R-18737 in the City of Cambridge, Regional Municipality of Waterloo;

2. **AND THAT** Amendment No. 70 to the City of Cambridge Official Plan (2012), as amended, consisting of the text and attached map, is hereby adopted;

3. **AND THAT** the Clerk is hereby authorized and directed to make application to the Regional Municipality of Waterloo for approval of the aforementioned Amendment No. 70 to the City of Cambridge Official Plan (2012), as amended;

4. **AND FURTHER THAT** this by-law shall come into full force and effect upon the final passing thereof.

**ENACTED AND PASSED** this 24th Day of October 2023

__________________________________________
MAYOR

__________________________________________
CLERK
Purpose and Effect of Official Plan Amendment No. 70

The purpose and effect of this Official Plan Amendment No. 70 to the City of Cambridge Official Plan (2012), as amended, is to permit a maximum density of 112 units per hectare for lands designated “Low/Medium Density Residential” and municipally known as 30 Lauris Avenue, City of Cambridge and Regional Municipality of Waterloo.
Amendment No. 70 to the City of Cambridge Official Plan

1. Chapter 14, Map 2A of the City of Cambridge Official Plan is hereby amended by adding Site Specific Figure 106, as shown on Schedule ‘A’ attached hereto;

2. Chapter 16 of the City of Cambridge Official Plan is hereby amended by adding Figure 106 as shown on Schedule ‘B’ attached hereto;

3. Section 8.10 of the City of Cambridge Official Plan is hereby amended by adding the following subsection thereto:

8.10.106

1. Notwithstanding policy 8.4.6.16 in this plan, the land designated as Low/Medium Density Residential on Map 2 of this Plan, located at 30 Lauris Avenue and more particularly shown on Figure 106 shall be permitted a maximum residential density of 112 units per hectare.
Schedule ‘A’ – Map 2A

City of Cambridge Official Plan

MAP 2A
Site Specific Policies
(See Section 8.10)
CPA 70

Legend

1/1,500

Roads - Ownership
Province of Ontario or Region of Waterloo
Rivers and Lakes
City of Cambridge

Site Specific (Figure Number) 106
Schedule ‘B’ – Chapter 16 – Figure 106
THE CORPORATION OF THE CITY OF CAMBRIDGE

BY-LAW 23-091

Being a by-law to amend Zoning By-law No. 150-85, as amended, with respect to land municipally known as 30 Lauris Avenue

WHEREAS Council of the City of Cambridge has the authority pursuant to Sections 34 of the Planning Act, R.S.O. 1990, c. P. 13, as amended to pass this by-law.

WHEREAS this by-law conforms to the City of Cambridge Official Plan, as amended.

WHEREAS Council deems that adequate public notice of the public meeting was provided and adequate information regarding this Amendment was presented at the public meeting held August 8, 2023, and that a further public meeting is not considered necessary in order to proceed with this Amendment,

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

1. THAT this by-law shall apply to lands municipally addressed as 30 Lauris Avenue and legally described as Part of Block B Plan 1066 & Lots 106 to 110 Plan 1066, Save and Except Parts 1 & 2 on 58R-18737 and Part Block B Plan 1066, being Parts 1 & 2 on 58R-18737 in the City of Cambridge, Regional Municipality of Waterloo, as shown outlined in heavy black on Schedule ‘A’ attached hereto and forming part of this by-law;

2. AND THAT Schedule ‘A’ to the City of Cambridge By-law 150-85, as amended, is hereby amended by changing the zoning classification of the lands shown outlined in heavy black in the attached Schedule ‘A’ to this by-law from N1R4 to (H)N1RM3 s.4.1.463;

3. AND THAT the aforesaid City of Cambridge Zoning By-law no. 150-85, as amended, is hereby further amended by adding the following subsection under section 4.1 thereof:

“4.1.463 – 30 Lauris Avenue”

1. Notwithstanding the provisions of subsections 2.2.1 (d), 2.2.2.3 (f), and 3.1.2.4 (b) and (g) of the by-law, the following regulations shall apply to the lands in that (H)N1RM3 zone classification to which parenthetical reference “S.4.1.463” is made on Schedule ‘A’ attached to and forming part of this by-law:

   a) The maximum density shall be 112 units per hectare;
   b) The minimum Gross Floor Area per dwelling unit for a one-bedroom unit shall be 48.7 square metres;
   c) The minimum off-street parking rate shall be 0.81 spaces per unit including visitor spaces; and,
   d) The minimum distance between an access driveway or aisle and a window of a habitable room of a dwelling unit shall be 4.20 metres and the minimum distance
between a parking stall or parking lot and a window of a habitable room of a dwelling unit shall be 2.56 metres.

2. Notwithstanding the (H) Prefix Zone holding provisions as outlined in S.2.1.4 of the aforesaid City of Cambridge Zoning By-law, as amended, the removal of the (H) Holding Provision for the entirety of the lands zoned (H)N1RM3 s.4.1.463 may only be lifted:

   a) Upon the submission of a completed detailed stationary noise study and implementation measures addressed to the satisfaction of the Regional Municipality of Waterloo. The detailed stationary noise study shall review the potential impacts of noise (e.g., HVAC Systems) on the sensitive points of reception and the impacts of the development on adjacent noise sensitive uses.

3. Geothermal Wells shall be prohibited on site. A geothermal well is defined as a vertical well, borehole or pipe installation used for geothermal systems ground-source heat pump systems, geo-exchange systems or earth energy systems for heating or cooling; including open-loop and closed-loop vertical borehole systems. A geothermal well does not include a horizontal system where construction or excavation occurs to depths less than five metres unless the protective geologic layers overlaying a vulnerable aquifer have been removed through construction or excavation.

4. **AND THAT** this by-law shall come into force and effect on the date it is enacted subject to Official Plan Amendment No. 70 coming into effect pursuant to Subsection 24(2) of the Planning Act, R.S.O., 1990, c. P. 13, as amended;

5. **AND FURTHER THAT** this by-law shall come into force and effect on the date it is enacted and passed by Council of the Corporation of the City of Cambridge, subject to notice hereof being circulated in accordance with the Planning Act and Ontario Regulation 545/06.

**ENACTED AND PASSED** this 24th day of October 2023

________________________________________

MAYOR

________________________________________

CLERK
Schedule ‘A’

This is Schedule A attached to and forming part of By-law _________

Lands affected by the by-law

Zoning Classification
- OPEN SPACE
- LOW DENSITY RESIDENTIAL
- MEDIUM HIGH DENSITY RESIDENTIAL
- INSTITUTIONAL
Purpose and Effect of By-Law No. 23-091

The purpose and effect of this by-law is to amend the zoning classification of the lands legally described as Part of Block B Plan 1066 & Lots 106 to 110 Plan 1066, Save and Except Parts 1 & 2 on 58R-18737 and Part Block B Plan 1066, being Parts 1 & 2 on 58R-18737 in the City of Cambridge, Regional Municipality of Waterloo from N1R4 to the (H)N1RM3 s.4.1.463 zone to facilitate the development of up to 104 residential units, and to permit the following site-specific provisions:

- To permit a maximum density of 112 units per hectare;
- To permit a minimum gross floor area per one-bedroom dwelling unit of 48.7 square metres;
- To permit a minimum off-street parking rate of 0.81 spaces per unit, including visitor parking; and,
- To permit a minimum distance between an access driveway or aisle, from a window of a habitable room of a dwelling unit of 4.20 metres and a minimum distance between a parking stall or parking lot from a window of a habitable room of a dwelling unit of 2.56 metres.
THE CORPORATION OF THE CITY OF CAMBRIDGE

BY-LAW 23-092

Being a by-law to adopt Amendment No. 65 of the City of Cambridge Official Plan (2012), as amended with respect to the Main Street and Dundas Street South Secondary Plan

WHEREAS sections 17 and 22 of the Planning Act, R.S.O. 1990 c. P. 13, as amended, empower the City of Cambridge to adopt an Official Plan and make amendments thereto,

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

1. THAT Amendment No. 65 to the City of Cambridge Official Plan (2012) applies to lands described as the Main Street and Dundas Street South Secondary Plan;

2. AND THAT Amendment No. 65 to the City of Cambridge Official Plan (2012) as amended, consisting of the text, and attached maps, is hereby adopted;

3. AND THAT the Clerk is hereby authorized and directed to make application to the Regional Municipality of Waterloo for approval of the aforementioned Amendment No. 65 to the City of Cambridge Official Plan (2012), as amended;

4. AND FURTHER THAT this by-law shall come into full force and effect upon the final passing thereof.

ENACTED AND PASSED this 24th day of October 2023

__________________________________
MAYOR

__________________________________
CLERK
AMENDMENT NO. 65

TO THE

OFFICIAL PLAN OF THE

CITY OF CAMBRIDGE
# INDEX

## PART A – THE PREAMBLE

1.0 TITLE AND COMPONENTS

2.0 PURPOSE

3.0 BACKGROUND

4.0 LOCATION

5.0 BASIS OF THE AMENDMENT

6.0 SUMMARY OF CHANGES TO THE OFFICIAL PLAN

7.0 PUBLIC PARTICIPATION

## PART B – THE AMENDMENT

1.0 INTRODUCTORY STATEMENT

2.0 FORMAT OF THE AMENDMENT

3.0 IMPLEMENTATION AND INTERPRETATION

4.0 DETAILS OF THE AMENDMENT

5.0 SCHEDULES
PART A – THE PREAMBLE

1.0 TITLE AND COMPONENTS

This document is entitled ‘Main Street and Dundas Street South Secondary Plan’ and will be referred to as ‘Amendment No. 65’. ‘Part A – The Preamble’ provides an explanation of the amendment including the purpose and format of the amendment but does not form part of this amendment.

‘Part B – The Amendment’ forms Amendment No. 65 to the Official Plan of the City of Cambridge and contains a comprehensive expression of the new, deleted and amended text.

2.0 PURPOSE

The purpose of Amendment No. 65 is to amend the Official Plan to include the Main Street and Dundas Street South Secondary Plan which will introduce a policy framework to guide growth and redevelopment in the Main Street and Dundas Street South Community Node.

3.0 BACKGROUND

Prior to preparing the Main Street and Dundas Street South Secondary Plan, extensive public consultation occurred including stakeholder meetings, Public Information Centres and public meetings:

- October 2015 – Stakeholders meeting to allow property owners and interested parties to discuss ideas about the future of the Secondary Plan Area.
- April 2016 – Second stakeholders meeting to present initial draft of Secondary Plan to stakeholders.
- December 12, 2022 – Public Information Centre.
- May 16, 2023 – Statutory Public Meeting.

At the December 12, 2022, Public Information Centre, a proposed vision for the Main Street and Dundas Street South Secondary Plan Area was shared with the community, along with proposed key principles to guide future development in the area related to land use and built form, transportation and mobility, parks and open space, and natural heritage. A land use concept was also presented to demonstrate how lands within the Secondary Plan Area could be organized. A question-and-answer period was held following the presentation to allow participants a chance to ask questions and provide comments on the project, presentation, and land use option presented. The Project Team provided responses to all questions received through a subsequent comment-response matrix.

At the May 16, 2023 Statutory Public Meeting the draft Secondary Plan, as revised based on the public and agency comments received, was presented to Council and the public for consideration. Responses to comments received at the Statutory Public Meeting were provided through a comment response matrix appended to the recommendation report.
4.0 LOCATION

Official Plan Amendment No. 65 applies to the lands identified as a Community Node and Future Study Area from Figure 3 of the Cambridge Official Plan and can generally be described as the lands south of McLaren Avenue, north of Franklin Lane, east of Dundas Street South and west of Wesley Boulevard.

5.0 BASIS OF THE AMENDMENT

5.1 Background

The City of Cambridge Official Plan (approved on November 21, 2012, by the Region of Waterloo) imagines Cambridge as a growing, well designed, compact, vibrant, and complete community. The city is planned to feature an appropriate mix of jobs, range of housing options, access to services and community infrastructure, and access to transportation options including public transit and active transportation. One of the keys to achieving this vision is the development and implementation of a robust policy framework that focuses growth and intensification in strategic locations within the existing built-up areas. These locations include the Urban Growth Centre, Community Core Areas, Nodes, Reurbanization Corridors and Major Transit Station Areas. These locations have been selected because they boast services and community infrastructure that support growth, they have land parcels with development and redevelopment potential, and they are located along existing or proposed transit routes including the Region of Waterloo’s rapid transit service (ION).

5.2 Existing Policy Framework

The Secondary Plan has been prepared as an amendment to the City of Cambridge Official Plan. The Secondary Plan Area is currently designated Low/Medium Density Residential, Community Commercial, Industrial and Natural Open Space System in the City’s Official Plan. The City’s Official Plan directs that secondary plans may be prepared for specific areas of the City to provide more detailed planning objectives and policies to direct and guide development (Section 10.2).
5.3 Secondary Plan

The purpose of the Main Street and Dundas Street South Secondary Plan is to guide the future planning and development of the Main Street and Dundas Street South Community Node lands. The Secondary Plan supports and builds on the policies of the City of Cambridge Official Plan, and provincial and regional policies and plans, with respect to orderly development of the area.

The Secondary Plan establishes a vision and the principles for the design and development of the area. It also establishes the general land use patterns and conceptual locations of parks and trails, roads and infrastructure. The Secondary Plan includes goals, general policies, and land use policies.

5.4 Proposed Land Use Changes

The Main Street and Dundas Street South lands are currently designated Low/Medium Density Residential, Community Commercial, Industrial and Natural Open Space System in the City’s Official Plan. The proposed new land use designations are shown on Schedule B of the Secondary Plan and are generally described as follows:

- **Mixed Use Mid-Rise High Density** permits a range of medium and high-density residential uses in 5 to 8 storey buildings as well as limited commercial and office uses and is intended to provide a transition from lower density to higher density areas.

- **Mixed Use Medium Density** permits medium density residential uses such as street townhomes, stacked townhomes, and low-rise apartments as well as commercial and office uses.

- **Mixed Use Main Street** permits a range of multiple residential units, commercial uses including retail, service commercial and places of amusement as well as some office uses and are intended to provide a transition in scale, form, massing and height between the Mixed-Use Mid-Rise High-Density designation and surrounding lower density residential areas.

- **High Density Residential** permits medium to high density residential uses such as mid-rise and high-rise apartments and other multiple dwellings.

- **Medium Density Residential** permits medium density residential uses such as street townhomes, stacked townhomes, low-rise apartments and other multiple dwellings (excluding semi-detached).

- **Low Density Residential** permits residential uses such as single and semi-detached dwellings as well as additional residential units and existing medium density multi-unit residential uses. The maximum building height is 4 storeys.

- **Prestige Industrial** permits a range of light industrial, office buildings and research uses ranging from hotel and office type uses through to research and development laboratories and permits accessory and complementary uses.

- **Natural Open Space System** is applied to core environmental features, such as wetlands, woodlands and tributaries, and the associated buffers identified in the applicable Subwatershed Study.
5.5 Compliance with Provincial Legislation and Policy

Provincial Policy Statement (2020)

Section 3 of the Planning Act requires that decisions affecting planning matters shall be consistent with policy statements issued under the Act. The Provincial Policy Statement (PPS) was issued under the authority of Section 3 of the Act. The PPS provides policy direction on matters of provincial interest related to land use planning and development, including the protection of resources of provincial interest, public health and safety, and the quality of the natural and built environment.

The PPS directs growth to Settlement Areas on full municipal services (Policy 1.1.3) and directs that new development taking place in designated growth areas should occur adjacent to the existing built-up area and is to have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure, and public service facilities. The Main Street and Dundas Street S Secondary Plan lands will provide a mix of residential, commercial, institutional, and open space uses at densities to promote the efficient use of land, infrastructure, and public service facilities.

Policy 1.6.7.1 states that transportation systems should be provided which are safe, energy efficient, facilitate the movement of people and goods, and appropriate to address projected needs. The Secondary Plan proposes complete streets which prioritize active transportation, allow for vehicular movements and plan for future transit infrastructure.

Policy 1.8.1 directs municipalities to support energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions, and preparing for the impacts of a changing climate. The Secondary Plan promotes a compact built form and the use of active transportation and transit through transit supportive development. Further, it promotes sustainable design which maximizes energy efficiency and conservation and considers the mitigating effects of vegetation and green infrastructure.

The Secondary Plan is appropriate and consistent with the PPS.

A Place to Grow – Growth Plan for the Greater Golden Horseshoe (Office Consolidation 2020)

In 2019, the Province of Ontario released an update to the provincial growth plan called “A Place to Grow – Growth Plan for the Greater Golden Horseshoe” (Growth Plan). An Office Consolidation of the Growth Plan, which includes Amendment 1 (2020) was released in August of 2020. Planning applications are required to conform to Provincial plans.

The Growth Plan focusses on directing new development to existing settlement areas in order to support the development of complete communities that contain a diverse mix of uses and housing options in order to optimize existing infrastructure and public transit. The Growth Plan contains development targets for urban areas (referred to as Built-Up areas). The Main Street and Dundas Street S Secondary Plan area is located within a settlement area and is considered a Built-Up Area in the Growth Plan.


Regional Official Plan

The Secondary Plan area is located in the Built-up Area within the Urban Area Boundary as identified in the Region of Waterloo Official Plan. It is intended that land within the Urban Area is “to
accommodate the majority of the Region’s growth within the planning horizon” of the Plan (Section 2.B.2).

The Built-Up Area identifies all lands within the built boundary of the Urban Area. Area municipalities are required to establish policies in their official plans and other supporting documents to ensure that “a minimum of 61 per cent of all new residential development occurring annually within the region as a whole will be constructed within the Built-Up Area” (Section 2.C.2).

Section 2.D.1 requires planning for new development within the Urban Area that:

b) is serviced by a municipal drinking-water supply system and a municipal wastewater system;

c) 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;

d) protects the natural environment, and surface water and groundwater resources;

e) conserves cultural heritage resources and supports the adaptive reuse of historic buildings;

f) respects the scale, physical character, and context of established neighbourhoods in areas where reurbanization is planned to occur; and

h) promotes building designs and orientations that incorporate energy conservation features and the use of alternative and/or renewable energy systems.

The Main Street and Dundas Street South Secondary Plan was prepared based on the principles supporting the creation of complete communities, 15-minute neighbourhoods, transit supportive design and uses, and alternative transportation modes. The policy framework was developed to ensure appropriate and efficient growth.

Regional Official Plan Amendment No. 6 has been approved by the Minister of Municipal Affairs and Housing. Amongst other changes and modifications, the density for Designated Greenfield Areas has been increased to 59 persons and jobs per hectare which has been reflected in the policies of this amendment.

The proposed Official Plan Amendment conforms to the Regional Official Plan, as amended.

**City of Cambridge Official Plan**

The Main Street and Dundas Street South Secondary Plan area is located in the Built-Up Area according to the City’s Official Plan, and is designated Low/Medium Density Residential, Community Commercial, Industrial and Natural Open Space System.

Uses such as single detached dwellings, townhouses and/or walk-up apartments are permitted on lands designated Low/Medium Density Residential where municipal water supply and wastewater systems are available (8.4.6.9).

The City’s Official Plan directs that secondary plans may be prepared for specific areas of the City to provide more detailed planning objectives and policies to direct and guide development (10.2.1) provided the secondary plan is in conformity with the City and Regional Official Plans (10.2.2), and in consideration of the following Section 10.2.4 criteria:

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) designation of land; and

n) any other matters as deemed appropriate by the City.

Section 5.2.1 states that the design of the built environment will promote sustainable, healthy, active living through:

a) well-connected and maintained streets, paths and trails that are able to safely accommodate different modes of transportation;

b) safe, accessible, aesthetically pleasing, well-serviced and inclusive developments;

c) resilient natural environments that support wildlife and their habitat and are better connected to residential areas; and

d) walkable neighbourhoods that offer a mix of uses, and range and variety of housing types with convenient access to public transit.

Chapter 5 of the Official Plan establishes urban design policies to achieve a high standard of urban design across the City. The Secondary Plan builds on the policies of the Official Plan to achieve design excellence in the Main Street and Dundas Street South Secondary Plan Area. It is planned to promote sustainable, healthy, and active living (Section 5.2), support transit usage (Section 5.3), build a high-quality, attractive public realm (Section 5.5) and consider sustainability and energy efficiency in the design of both private and public realms (Section 5.8).

The Secondary Plan conforms to the City of Cambridge Official Plan.

6.0 SUMMARY OF CHANGES TO THE OFFICIAL PLAN

The following is a summary of OPA No. 65:

- Amends Policy 1.2 by adding Chapters for secondary plans
- Deletes Policy 8.7.2.B
• Deletes the following site specifics:
  o 8.10.9 – 200 Franklin Boulevard;
  o 8.10.38 – Green Gate Boulevard;
  o 8.10.40 – 95 McLaren Avenue;
  o 8.10.69 – 825-875 Main Street and 0 Sparrow Avenue; and
  o 8.10.79 – 400-410 Dundas Street South
• Adds site specifics for the following properties:
  o 8.10.101 – 486 Main Street – Grand Valley Fortifiers;
  o 8.10.102 – 840 and 940 Main Street and 0 Franklin Boulevard;
  o 8.10.103 – 61 – 65 Nottinghill Drive; and
  o 8.10.104 – 115 Dundas Street North and 5 McLaren Avenue
• Deletes definitions for Active Transportation and Major Facilities
• Adds definitions for:
  o 15-minute neighbourhoods;
  o active at-grade uses;
  o active transportation;
  o build-out;
  o gross floor area;
  o ground floor area;
  o intensification target;
  o large-format commercial;
  o low-rise;
  o mid-rise;
  o major facilities;
  o missing middle housing;
  o privately owned public spaces (POPS);
  o public service facilities;
  o transit supportive; and
• Adds Chapter 20: Main Street and Dundas Street South Secondary Plan

• Amends Map 1A to align the Main Street and Dundas Street South Community Node boundaries to match the Main Street and Dundas Street South Secondary Plan Boundary.

• Amends Map 2 by adding the Main Street and Dundas Street South Secondary Plan Boundary

• Amends Map 2A by deleting site specific policy figures 13, 42, 44, 77 and 81 and by adding special policy figures 101-104

• Deletes figures 13, 42, 44, 77 and 81 from Chapter 16

• Adds figures 101-104 to Chapter 16

7.0 PUBLIC PARTICIPATION

Previous drafts of the proposed Main Street and Dundas Street South Secondary Plan have been presented to the public during stakeholder meetings in 2015 and 2016. A Statutory Public Meeting was held on May 10, 2016 and a Public Information Centre (PIC) was held on December 12, 2022. The draft secondary plan was posted on the City of Cambridge website for review and comment. A second Statutory Public Meeting was held on May 16, 2023.

All comments received during this process were considered when preparing the Secondary Plan.

Posting of related reports to the City’s website was included as part of the public report process.

PART B – THE AMENDMENT

1.0 INTRODUCTORY STATEMENT

All of this part of the document entitled ‘Part B - The Amendment’, consisting of the following text, constitutes Amendment No. 65 to the Official Plan of the City of Cambridge.

2.0 FORMAT OF THE AMENDMENT

This section of Amendment No. 65 sets out additions and changes to the text in the Official Plan.

Text that is proposed to be amended is illustrated by various font types (e.g., struck-out text is to be deleted, new text identified in Bold font and defined terms are identified with italics). New sections that are proposed to be added to the Official Plan are shown in standard font type with titles appearing in bold. Italicized font within the body of the text indicates defined terms or the name of a provincial act or title of a document.

3.0 IMPLEMENTATION AND INTERPRETATION

The implementation of this amendment shall be in accordance with the provisions of the Planning Act. The further implementation and associated interpretation of this amendment shall be in accordance with the relevant text and mapping schedules of the existing Official Plan of the City of Cambridge.
Cambridge and applicable legislation. Amendment No. 65 should be read in conjunction with the current Official Plan (2012) as amended, which is available on the City’s website at cambridge.ca or at the Planning Services kiosk located at 50 Dickson Street in the 1st Floor lobby.

4.0 DETAILS OF THE AMENDMENT

The Official Plan of the City of Cambridge is hereby amended as follows:

Chapter 1 is hereby amended by adding Policy “1.2.h) Secondary Plans starting at Chapter 17”

Chapter 8 is hereby amended by deleting Policy “8.7.2.B Main Street and Dundas Street South Community Node” and replacing it with “8.7.2.B - The Main Street and Dundas Street South Secondary Plan is found in Chapter 20.”

Chapter 8 is hereby further amended by:

A - deleting the following site specific policies from Policy 8.10:

8.10.9 – 200 Franklin Boulevard;
8.10.38 – Green Gate Boulevard;
8.10.40 – 95 McLaren Avenue;
8.10.69 – 825-875 Main Street and 0 Sparrow Avenue; and,
8.10.79 – 400 – 410 Dundas Street South

B – adding the following site specific policies:

8.10.101 - 486 Main Street – Grand Valley Fortifiers

Grand Valley Fortifiers is a livestock feed production company that has existing industrial uses and facilities at 486 Main Street (Figure 101). Notwithstanding the land uses permitted for the Mixed-Use Medium Density designation, the following land uses are permitted on the lands identified in Figure 101:

Light industrial uses in an enclosed building including assembling, fabricating, manufacturing, processing, storage, packaging;
Offices;
Research and development including laboratories;
Retail Commercial; and
Accessory uses to the permitted uses above.

No residential and other sensitive land uses are permitted during the continuance of industrial uses on this site. Should Grand Valley Fortifiers’ industrial operations on this site permanently cease, the industrial land use permissions in Policy 20.3.2.4 will no longer apply, in which case the land use permissions for the Mixed-Use Medium Density designation identified for this site on Schedule B of the Main Street and Dundas Street South Secondary Plan will apply.
8.10.102 - 840 and 940 Main Street and 0 Franklin Boulevard

The lands subject to this subsection are identified in Figure 102. Notwithstanding the maximum building height permitted in the Mixed-Use Main Street designation that applies to a portion of these lands, a maximum building height of eight storeys is permitted subject to the policies of this Plan. In addition, notwithstanding the minimum non-residential gross floor area requirements of Section 20.3.2.2, on lands designated Mixed-Use Main Street, a mid-rise apartment building may be constructed on these lands with the ground floor comprised of non-residential uses, which may include the lobby and residential amenity areas. A minimum non-residential gross floor area of 300 square metres is required.

The minimum height / storey requirements related to lands designated Medium Density Residential in Section 20.3.2.6 may be reduced due to land use compatibility measures that may be required as a result of the site’s proximity to lands within the Eastern Industrial Park, subject to the approval of the City and the Region.

8.10.103 - 61 – 65 Nottinghill Drive

Notwithstanding the permitted density in this Plan, the land identified in Figure 103 will be permitted a maximum residential density of 2.2 Floor Space Index (FSI).

8.10.104 - 115 Dundas Street North and 5 McLaren Avenue

The lands identified in Figure 104 may only develop in accordance with the policies of the Mixed Use Medium Density designation, where it can be demonstrated that land use compatibility with surrounding existing industrial uses, including Rockwell Automation, can be achieved to the satisfaction of the City. Notwithstanding the permissions for residential uses within the Mixed Use Medium Density designation, where the outcomes of such studies indicate that land use compatibility cannot be achieved, sensitive land uses, including residential, will not be permitted.

Chapter 13 is hereby amended by deleting the definitions for active transportation and major facilities and adding the following definitions:

15-minute neighbourhoods - Compact, well-connected places such as mixed-use neighbourhoods or other areas within the Urban Area. They are places that offer and support and opportunities for people of all ages and abilities and at all times of year to conveniently access the necessities for daily living with a 15-minute trip by walking, cycling, and rolling, and where other needs can be met by taking direct, frequent, and convenient transit, wherever possible. The neighbourhoods should include an appropriate mix of jobs, local stores, and services, a full range of housing, transportation options and public service facilities. They are also age-friendly places and may take different shapes and forms appropriate to their contexts.

active at-grade uses – uses at grade with the street that generate activity, in particular pedestrian activity, on the street. Uses may be street-related commercial and/or community uses such as retail stores, restaurants, personal or business services, professional or medical offices, libraries, community centres, and parks/public squares.
active transportation - movement of people or goods that is powered by human activity. Active transportation includes walking, cycling, and the use of human-powered or hybrid mobility aids such as wheelchairs, scooters, e-bikes, and rollerblades.

build-out - the time in the future when the subject area of land is fully developed in accordance with the vision, objectives, and policies of this Plan.

gross floor area – the total of all floor areas of a building or structure, which floor areas are measured between the exterior faces of the exterior walls of the building at each floor level or from the centrelines of partition walls and the exterior faces of the exterior walls, but does not include any underground floor area, unenclosed porch or verandah, mechanical room or penthouse, amenity area and private amenity area, and areas used for parking within the building or structure. The walls of an inner court shall be deemed to be exterior walls.

ground floor area – the area of the ground floor of a building or structure measured between the exterior faces of the exterior walls or from the centrelines of partition walls and the exterior faces of the exterior walls.

intensification target – the minimum percentage of development each year that are expected to occur within the built-up area.

large-format commercial – a commercial use with greater than 2,000 square metres of ground floor area, such as large footprint supermarkets, big box retail stores, warehouse stores, and standalone movie theatres.

low-rise - any building that is 2 to 4 storeys in height.

mid-rise - any building that is 5 to 8 storeys in height.

major facilities - facilities which may require separation from sensitive land uses, including but not limited to airports, manufacturing uses, transportation infrastructure and corridors, rail facilities, marine facilities, sewage treatment facilities, waste management systems, oil and gas pipelines, industries, energy generation facilities and transmission systems, and resource extraction activities. (PPS, 2020)

missing middle housing - multi-unit housing types with gentle density that are compatible in scale with single-detached neighbourhoods while providing additional housing options. For example, laneway housing, garden suites, duplexes, triplexes, fourplexes, rowhouses, townhouses, and low and mid-rise apartments.

privately owned public spaces (POPS) – A privately owned and maintained open or landscaped space that is designed to promote public access and use, which may include but is not limited to courtyards, enhanced walkways, and urban greens and squares. The spaces are meant to be open and accessible to the public and may complement, extend or integrate with public parks.

public service facilities - lands, buildings, and structures for the provision of programs and services provided or subsidized by a government or other body, such as social assistance, recreation, police and fire protection, health and educational programs, long-term care services, and cultural services.
Public service facilities do not include infrastructure. (PPS, 2020)

**transit-supportive** - relating to development that makes transit viable and improves the quality of the experience of using transit. It often refers to compact, mixed-use development that has a high level of employment and residential densities. Transit-supportive development will be consistent with Ontario’s Transit Supportive Guidelines.

**walking, cycling, and rolling** - Methods of active transportation, which means movement of people or goods that is powered by human activity. Active transportation includes walking, cycling, and the use of human-powered or hybrid mobility aids such as wheelchairs, scooters, e-bikes, and rollerblades.

### 5.0 SCHEDULES

- **SCHEDULE 1 – MAP 1A – URBAN STRUCTURE**
- **SCHEDULE 2 – MAP 2 – GENERAL LAND USE PLAN**
- **SCHEDULE 3 – MAP 2A – SITE SPECIFIC POLICIES**
- **SCHEDULE 4 – FIGURE 3**
- **SCHEDULE 5 – FIGURES 101 - 104**
- **SCHEDULE 6 – Chapter 20: Main Street and Dundas Street South Secondary Plan**
SCHEDULE 1 – MAP 1A – URBAN STRUCTURE

Official Plan Map 1A Urban Structure in Chapter 14: Maps is hereby amended by expanding the Main Street and Dundas Street South Community Node boundary to match the Main Street and Dundas Street South Secondary Plan Boundary area as depicted in the following mapping.
THE CORPORATION OF THE CITY OF CAMBRIDGE

BY-LAW 23-092

City of Cambridge Official Plan

Schedule 1A
Urban Structure

Legend
- City Limits
- Municipal Boundaries
- Existing Grade - Separated Interchange
- Built-Up Area (Province of Ontario)
- Urban Growth Centres (see map 3)
- Designated Greenfield Area (RMW)
- Countryside (RMW)
- Rivers and Lakes.

Notes:
- A full description of the City of Cambridge is available in the official Plan.
- Map data is based on information from various sources, including municipal and provincial agencies.
- The map is intended for general reference and planning purposes.

Scale: 1:50,000

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Page 498 of 576
Page 17 of 68
SCHEDULE 2 – MAP 2 – GENERAL LAND USE PLAN

Official Plan Map 2 General Land Use Plan in Chapter 14: Maps is hereby amended by adding the boundary of the Main Street and Dundas Street South Secondary Plan area as depicted in the following mapping.
SCHEDULE 3 – MAP 2A – SITE SPECIFIC POLICIES

Official Plan Map 2A Site Specific Policies in Chapter 14: Maps is hereby amended by deleting site specific policy figures 13, 42, 44, 77 and 81 and by adding site specific policy figures 101-104 as depicted in the following mapping.
SCHEDULE 4 – FIGURE 3

Official Plan Figure 3 - Community Node Main St and Dundas St S in Chapter 16: Figures is hereby amended by aligning the Community Node boundary with the Secondary Plan Area boundary as depicted in the following mapping.
SCHEDULE 5 – FIGURES 101 - 104

Chapter 16: Figures is hereby amended by deleting Figures 13, 42, 44, 77 and 81 and by adding Figures 101-104 as depicted in the following mapping.
SCHEDULE 6 – CHAPTER 20: Main Street and Dundas Street South Secondary Plan

The Cambridge Official Plan is hereby amended by adding the following new Chapter 20: Main Street and Dundas Street South Secondary Plan.
## CONTENTS

### 20.1 INTRODUCTION ................................................................. 32

- 20.1.1 Vision for Change ...................................................... 32
- 20.1.2 Secondary Plan Guiding Principles ................................ 32

### 20.2 PURPOSE ............................................................................. 34

- 20.2.1 Purpose of the Plan ...................................................... 34
- 20.2.2 Organization ............................................................... 34
- 20.2.3 Location and Boundary ............................................... 34
- 20.2.4 Community Structure .................................................. 35

### 20.3 Policies .............................................................................. 36

- 20.3.1 General Policies .......................................................... 36
- 20.3.2 Land Use Policies ......................................................... 39
- 20.3.3 Urban Design and Built Form ........................................ 44
- 20.3.4 Transportation ............................................................. 55
- 20.3.5 Infrastructure ............................................................... 58
- 20.3.6 Implementation ........................................................... 59

List of Schedules

- Schedule A: Secondary Plan Boundary and Community Node Limits
- Schedule B: Land Use Plan
- Schedule C: Natural Heritage and Natural Hazards
- Schedule D: Public Realm Improvement Plan
- Schedule E: Transportation Plan
- Schedule F: Transit and Active Transportation Plan

Appendix

- Appendix A: Conceptual Street Cross Sections
Chapter 20

20.1 INTRODUCTION

The preparation of a Secondary Plan is required by the City of Cambridge Official Plan (2012), as amended, for the Main Street and Dundas Street South Community Node. The Main and Dundas Street South Secondary Plan (“the Secondary Plan”) provides detailed boundaries and land use policies for this community node to achieve a significant density increase and become a medium to high density mixed-use centre.

20.1.1 VISION FOR CHANGE

The Secondary Plan Area is expected to function as one of the City’s main intensification nodes and accommodate up to 1,700 new residential units and 100 additional jobs by 2031 through a combination of new development, infilling, and redevelopment. Over the longer term, the Plan Area has the potential to accommodate up to 6,200 units and 1,400 jobs at build-out, depending on the scale of intensification and the mix of uses proposed.

It is envisioned that the Plan Area will transition into a compact, complete, sustainable, vibrant, and integrated node that supports active transportation and transit service. The Plan Area will integrate a diverse mix of uses to build 15-minute neighbourhoods while continuing to have an important commercial function to support the needs of the broader southeast Cambridge community. This mixed-use and higher density node will be supported by new parks, public spaces, trails, and community amenities that are well connected to the existing public realm network. The transportation network in the Plan Area will provide a full range of mobility options but will prioritize and facilitate active transportation and transit. This vision is to be achieved through a combination of public realm improvements and private sector land development and re-development.

20.1.2 SECONDARY PLAN GUIDING PRINCIPLES

The Plan Area is planned to achieve an overall minimum density of 100 residents and jobs combined per hectare to support growth management, the efficient use of land, and frequent transit service. This is a gross minimum density requirement that is measured within all of the lands delineated by the Plan Area, inclusive of environmental features and constraints. Several of the land use designations set out in this Plan identify minimum net density targets for freestanding residential development within the designation to support achieving the overall minimum density target, along with the other policies of the Plan. As part of any development application, the City will require applications to demonstrate how the application supports the overall gross density target for the Plan Area, and the applicable minimum density requirements of this Plan have been met.

Planning and development within the Plan Area will be guided by the following principles:
a) Intensify and increase the supply of housing, employment, and amenities to accommodate anticipated future growth and contribute to meeting the intensification target;

b) Maintain the node's important commercial function and transition to become a vibrant and complete community providing a mix of residential, commercial, employment, institutional, and community uses;

c) Build 15-minute neighbourhoods where people can meet their daily needs for goods, services, and employment within a 15-minute trip from home by active transportation, and where other needs can be met by using direct, frequent, and convenient transit;

d) Support transit service and ridership through transit-supportive built-forms, densities, mix of uses, and urban design of the public and private realm;

e) Improve connectivity within the Plan Area and to the Plan Area from surrounding neighbourhoods for active transportation by enhancing safety, permeability, accessibility, and the pedestrian experience;

f) Sensitively integrate with adjacent existing neighbourhoods and ensure compatibility in land use and built form;

g) Provide an appropriate range and mix of housing types, forms, tenures, and affordability that responds to the demography of the community;

h) Support the prosperity of existing businesses and provide opportunities for new economic development and employment;

i) Be well-designed and provide diverse and contextually compatible built form and high quality architectural and urban design in public realm improvements and private realm developments;

j) Create a connected, functional and attractive network of parks, public spaces, natural open spaces, and trails using the process and principles of place-making;

k) Implement sustainable design to minimize environmental impact, conserve energy, manage stormwater, protect natural areas, enhance biodiversity, and reduce greenhouse gas emissions; and

l) Phase implementation to align with market demand and infrastructure investment.
20.2 PURPOSE

20.2.1 PURPOSE OF THE PLAN

The purpose of the Secondary Plan is to provide a detailed land use plan and policy framework to guide development and redevelopment within the Main Street and Dundas Street South Community Node ("the Community Node") to achieve a significant level of intensification.

The policies of this Secondary Plan are intended to result in a complete, vibrant, well-designed, and sustainable community node that meets the objectives and policies of Provincial plans, the Region of Waterloo Official Plan, and the City of Cambridge Official Plan.

The Secondary Plan must be read in conjunction with the applicable policies within the City of Cambridge Official Plan (2012), as amended. In addition to the policies of this Secondary Plan, all other parts of the City of Cambridge Official Plan shall apply. The land use designations for the Secondary Plan are intended to complement the broader land use designations provided in the Official Plan. In most cases, the land use policies and permissions described in the Secondary Plan are more detailed than those provided for within the Official Plan. In the event of a policy conflict, the Secondary Plan will prevail unless otherwise specified.

20.2.2 ORGANIZATION

The Secondary Plan document is organized into three main sections:

Section 20.1: Introduction
Section 20.2: Vision and Guiding Principles
Section 20.3: Policies

The contents of Sections 20.2 and 20.3 are considered to be the formal Secondary Plan, including Schedules A through F. Any alterations to the policies in Sections 20.2 and 20.3 or Schedules A through F shall require an Official Plan Amendment (unless otherwise stated in the Plan). Alterations to the contents of Section 20.1 including all text, images, figures, formatting, footnotes, and graphics are not subject to an Official Plan Amendment and are provided for explanatory purposes only.

20.2.3 LOCATION AND BOUNDARY

The limits of the Secondary Plan (the "Plan Area") are depicted on Schedule A, covers approximately 82 gross hectares (202 acres) of land and is generally centred around the major intersections of Main Street and Dundas Street, Main Street and Franklin Boulevard, and Dundas Street and Franklin Boulevard. The northern boundary of the Plan Area abuts the Eastern Industrial Park. The western boundary generally abuts the Lincoln Oaks and Glenview residential neighbourhoods. The southern boundary traverses through a small portion of the Branchton Park residential neighbourhood. The
eastern boundary traverses through the vacant lands north of Main Street and abuts the residential subdivisions south of Main Street in the Eastview neighbourhood.

**Schedule A** also identifies the finalized limits of the Main Street and Dundas Street South Community Node. Unless otherwise stated, the policies of this Secondary Plan apply to the lands located within the Secondary Plan limits as depicted on **Schedule A**. Changes to the boundary of the Secondary Plan will require an Official Plan Amendment.

### 20.2.4 COMMUNITY STRUCTURE

The land use designations implement the vision for the Plan Area to transform into a compact and *complete community* with *15-minute neighbourhoods*.

Lands within the Plan Area are designated one of the following land use designations as indicated on **Schedule B**:

- a) Mixed-Use Mid-Rise High Density
- b) Mixed-Use Medium Density
- c) Mixed-Use Main Street
- d) High Density Residential
- e) Medium Density Residential
- f) Low Density Residential
- g) Prestige Industrial
- h) Natural Open Space System
20.3 POLICIES

20.3.1 GENERAL POLICIES

20.3.1.1 Uses Permitted in All Designations

With the exception of the Natural Open Space System designation, the Official Plan permits certain land uses within all land use designations in the City, subject to the provision of adequate infrastructure and other criteria. Those land uses are also generally permitted within all land use designations of the Secondary Plan, subject to the policies of the Official Plan and provided that the long-term vision of this Secondary Plan is not precluded.

20.3.1.2 Uses Prohibited in All Designations

The Official Plan prohibits a list of uses in all land use designations of the Official Plan. Those land uses are also prohibited in all designations of this Secondary Plan. In addition, the following uses will be prohibited in all designations of the Secondary Plan:

a) New drive-through facilities subject to Section 20.3.1.4;

b) New auto-related uses subject to Section 20.3.1.4;

c) New large-format commercial uses subject to Section 20.3.1.5; and

d) Noxious uses as defined in the City’s Zoning By-law.

20.3.1.3 Active At-Grade Uses

Portions of certain public streets in the Plan Area are envisioned to transform into vibrant, engaging, and active streetscapes that foster pedestrian-oriented commercial and community activity in the Plan Area.

Developments that front onto streets identified for Active Frontages on Schedule D shall provide active at-grade uses at the street level, where possible taking into consideration existing topographical and engineering constraints. These uses will be street-related, provide visual interest, animate the streetscape, and be designed in accordance with the Urban Design policies in Section 20.3.3.

Residential entrances and lobbies within the ground floor of mixed-use buildings are permitted along Active Frontages but shall consist of a limited portion of a development’s frontage.

Surface parking and structured parking are not permitted along Active Frontages. Driveways and direct vehicular access along Active Frontages shall be in accordance with the policies of this Plan.

20.3.1.4 Drive-Through Facilities and Auto-Related Uses

Auto-related uses include gas bars/stations, motor vehicle service and repair shops (including body shops), motor vehicle sales and rental, and motor vehicle washing establishments.
Existing drive-through facilities and auto-related uses in the Plan Area that legally existed before the date of adoption of this Secondary Plan are permitted to continue. Over the long term and upon build-out of this Secondary Plan, existing drive-through facilities and auto-related uses should be redeveloped and replaced with pedestrian-oriented and transit-supportive development.

For the purpose of transition and to facilitate redevelopment, existing drive-through facilities may be relocated on the same lot or block on an interim basis subject to the following conditions:

a) Relocated drive-through facilities shall not be situated along Active Frontages;

b) The commercial use to which the drive-through facility is ancillary must be a permitted use on the lands the drive-through facility is being relocated to; and

c) A site plan approval application for relocation must include a Build-out Demonstration Plan.

Existing drive-through facilities are not permitted to increase the number of drive-through lanes existing on the date of adoption of this Secondary Plan.

20.3.1.5 Large-Format Commercial Uses

New large-format commercial uses with more than 2,000 square metres of ground floor area are not permitted within the Plan Area. The purpose of this policy is to limit land-intensive commercial uses to facilitate opportunities for intensification.

Existing large-format commercial uses in the Plan Area that legally existed before the date of adoption of this Secondary Plan are permitted to continue. Over the long term and upon build-out of this Secondary Plan, existing large-format commercial uses should be redeveloped into compact medium to high density mixed-use developments that integrate commercial with residential and other uses. Surface parking should be significantly reduced.

For the purpose of transition and to facilitate redevelopment, existing large-format commercial uses may be relocated on the same lot or block subject to the following conditions:

a) Relocated large-format commercial uses shall not be situated along Active Frontages; and

b) A site plan approval application for relocation must include a Build-out Demonstration Plan.

20.3.1.6 Housing

Housing developments in the Plan Area shall comprise a range and mix of rental and ownership housing types, unit sizes, and tenure, including adequate numbers of dwelling units to accommodate households with children, larger families, seniors and people with special needs.

Affordable housing, including community housing, supportive housing, and other types of subsidized non-market housing units, is encouraged to be provided in the Plan Area.
Development that includes residential in the Plan Area will be in accordance with the 
affordable housing policies of the Official Plan.

The City will collaborate with the Region of Waterloo, non-profit organizations and 
private developers to promote, encourage and maximize opportunities for affordable 
housing.

To support the development of affordable housing units, the City, in conjunction with the Region, will explore potential incentives such as reduced or deferred development charges, reduced application fees, grants, and loans.

The development of intrinsically more affordable ownership and rental housing, which may include buildings constructed using innovative and cost-effective techniques, basic in-unit amenities, modest finishes, minimal details, and flexibility within units, is encouraged.

Residential developments and dwelling units designed, constructed, and maintained as purpose-built rental units are encouraged in the Plan Area. Purpose-built rental development should include units for various levels of affordability, including for households with low and moderate income.

To achieve a mix of unit types, and to support the creation of housing suitable for larger households, development containing more than 80 new residential units will include larger units, as follows:

a) A minimum of 20 percent of the total number of units as 2-bedroom units; and
b) A minimum of 5 percent of the total number of units as 3-bedroom or larger units.

For clarity, one bedroom plus den units will not constitute a 2-bedroom unit, and a two-bedroom plus den unit will not constitute a 3-bedroom unit.

Where appropriate, private, public, and non-profit housing developments designed to provide housing options for seniors, that facilitate “aging-in-place”, are encouraged, including small ownership and rental units as well as retirement and assisted living facilities.

A minimum 20 percent of new affordable units and new purpose-built rental units shall be constructed accessible with barrier-free, universal or flex design. Housing units geared towards seniors are encouraged to provide accessibility features that meet the City’s Facility Accessibility Design Manual.

Additional residential units will be permitted in accordance with the policies of this Secondary Plan and the City of Cambridge Official Plan, and the provisions of the Zoning By-law.

20.3.1.7 Employment Areas

Land use decisions regarding lands within or adjacent to employment areas will be consistent with the employment area policy direction in the Region of Waterloo Official Plan until such time the City of Cambridge Official Plan has been updated.
20.3.1.8 Land Use Compatibility

The development of sensitive land uses, major retail uses or major office uses will, in accordance with provincial guidelines, avoid, or where avoidance is not possible, minimize and mitigate adverse impacts on industrial, manufacturing or other uses that are particularly vulnerable to encroachment.

Proposed developments of sensitive land uses, major retail uses or major office uses adjacent to existing or planned employment areas or within the influence area of major facilities will provide a Land Use Compatibility Assessment based on provincial guidelines.

New industrial uses on lands designated Prestige Industrial in the Plan Area may be required to demonstrate that the use(s) will not detrimentally impact adjacent existing sensitive land uses and/or preclude the potential development of sensitive land uses on adjacent lands where envisioned by this Secondary Plan. Supporting studies, including a Land Use Compatibility Assessment, may be required to support approval of the new industrial use.

Where required, methods of abatement and mitigation of potential adverse impacts will be part of site plan agreements, severance agreements, and subdivision/condominium agreements.

20.3.1.9 Source Water Protection

Lands in the Plan Area are identified as being part of the Region’s Wellhead Protection Areas. Refer to the Official Plan for additional guidance regarding development within the Wellhead Protection Areas.

No policies or permissions of this Secondary Plan take precedence over the Wellhead Protection Area policies contained in the Official Plan. In the event of a policy conflict, the parent policies of the Official Plan shall take precedence.

20.3.1.10 Contaminated Sites

Refer to Contaminated Sites policies of the Official Plan for guidance on redevelopment of potentially contaminated sites and need for a Record of Site Condition.

20.3.2 LAND USE POLICIES

20.3.2.1 Relationship with the Official Plan Land Use Categories and Permissions

The land use designations for the Secondary Plan are intended to complement the broader land use designations provided in the Official Plan. In most cases, the land use policies and permissions described in the Secondary Plan are more detailed than those provided for within the Official Plan. Where there are inconsistencies between a particular policy in the Official Plan and the Secondary Plan, the policies of the Secondary Plan will prevail.

20.3.2.2 Mixed-Use Designations

Lands designated with a Mixed-Use designation are intended to be the centre of the Community Node and generally provide the greatest mix of uses and highest densities
within the Plan Area. These areas are intended to continue to provide retail and service commercial uses, while integrating residential housing, office, institutional, and community uses through infill and/or redevelopment.

Lands designated with a Mixed-Use designation are intended to intensify and transition to a compact urban form including medium to high density development and a reduction of surface parking. These lands shall be supported by a generous public realm including gateways, vibrant and active streetscapes, active transportation connections, and new parks/public spaces.

The Mixed-Use designations include:

- Mixed-Use Mid-Rise High Density;
- Mixed-Use Medium Density; and
- Mixed-Use Main Street.

The Mixed-Use designations permit a wide range of compatible uses. The following land uses are permitted on lands within the Mixed-Use designations:

b) Multiple unit residential buildings, including apartments and stacked townhouses;

c) Street townhouses;

d) Additional residential units;

e) Live-work units and home occupations;

f) Special needs housing;

g) Commercial uses including retail, service commercial, and places of amusement uses, except any commercial uses prohibited in Section 20.3.1.2;

h) Public service facilities; and

i) Office uses.

The Mixed-Use Medium Density and Mixed-Use Main Street designations are intended to provide transition in scale, form, massing, and height between envisioned high-density developments in the Mixed-Use Mid-Rise High Density designation and surrounding lower density residential developments. These areas are intended to provide mixed-use developments consisting of active at-grade uses that frame the street while ensuring compatibility with abutting low-rise residential developments through the implementation of setbacks, landscaping, and mitigation measures as needed. Lot consolidation to support intensification and redevelopment is encouraged.

The implementing Zoning By-law may further refine the permitted land uses to ensure that new development is appropriate in the context of the adjacent and surrounding community.

To create a complete community and support economic activity within the Plan Area, new development within the Mixed-Use designations will provide a minimum of 10
percent of the *gross floor area* of the development as non-residential uses in one or multiple buildings.

### 20.3.2.3 Residential Designations

Lands with predominantly residential land uses are designated Residential. The Residential designations include the High Density, Medium Density Residential and Low Density Residential designations. These neighbourhoods are intended to:

a) Provide a wide range and mix of housing types, forms, tenures, and affordability that addresses demographic needs of the immediate and broader Cambridge community;

b) Incorporate *public service facilities*, such as schools and parks, and *compatible* commercial uses, such as convenience commercial establishments, to create *15-minute neighbourhoods*;

c) Develop at *transit-supportive* densities and provide *missing middle housing* where appropriate;

d) Provide *accessible*, pedestrian-oriented, and high-quality public realm with short walking distances to parks, trails, schools, other *public service facilities*, and transit services; and,

e) Contribute to providing safe and convenient *active transportation* connections to commercial, employment, service, and other community destinations in the Plan Area and surrounding areas.

The following land uses are permitted on lands within the Residential designations:

a) Additional residential units;

b) Live-work units and home occupations;

c) Special needs housing;

d) Convenience commercial uses in accordance with Section 8.6.1.5 of the Official Plan; and

e) *Public service facilities*.

In addition to the uses permitted within all Residential designations, the following uses are also permitted on lands within the High Density Residential designation:

a) *Mid and high-rise apartments*; and

b) *Other multiple buildings*.

In addition to the uses permitted within all Residential designations, the following uses are also permitted on lands within the Medium Density Residential designation:

c) *Low and mid-rise apartments*;

d) Stacked townhouses; and

e) Street townhouses.
In addition to the uses permitted within all Residential designations, the following uses are also permitted on lands within the Low Density Residential designation:

a) Stacked townhouses;
b) Street townhouses;
c) Duplexes, triplexes, fourplexes;
d) Semi-detached dwellings; and
e) Single-detached dwellings.

The implementing Zoning By-law may further refine the permitted land uses to ensure that new development is appropriate in the context of the adjacent and surrounding community.

20.3.2.4 Prestige Industrial

Lands designated Prestige Industrial are intended to provide transition between the planned mixed-use areas within the Plan Area and the industrial uses north of the Plan Area. The predominant land uses within this designation shall be light industrial, office buildings and research uses. Intensification and increased employment densities are encouraged through expansion or redevelopment for existing and new businesses, contributing to employment growth in the Plan Area.

The following land uses are permitted on lands in the Plan Area designated Prestige Industrial provided such uses are compatible with residential and other sensitive land uses:

a) Light industrial uses in an enclosed building including assembling, fabricating, manufacturing, processing, storage, packaging, and industrial service trades;
b) Offices;
c) Research and development including laboratories;
d) Information technology related uses including data centres and information processing establishments;
e) Hotel, conference centre, and banquet facilities;
f) Accessory uses to the permitted uses above; and
g) Service commercial and ancillary retail uses on a limited basis subject to the conditions set out in the Regional Official Plan and the City’s Official Plan.

Outdoor storage of raw materials and finished products is not permitted. Any storage of raw materials and finished products which is accessory to the primary use shall be contained within a building.

20.3.2.5 Natural Open Space System

Core Environmental Features, watercourses and shorelines, the regulatory one-zone floodplain, the floodway of a two-zone floodplain, additional hazard lands such as steep
slopes, approved buffers as determined through the planning process, and publicly owned natural open space have been designated Natural Open Space System on Schedule B of this Secondary Plan. Core Environmental Features and Environmentally Sensitive Policy Areas in and around the Plan Area are identified on Schedule C of this Secondary Plan. The boundaries of Core Environmental Features and Environmentally Sensitive Policy Areas may be refined and expanded without further amendment to this Plan, provided any refinements are minor in nature and supported through a Environmental Impact Study (EIS) in conformity with the policies of this Plan.

The planned function, permitted uses, and policies of the Natural Open Space System designation are as set out in the Cambridge Official Plan. In addition, Chapter 3 of the Official Plan sets out policies regarding natural features and environmental management.

20.3.2.6 Height and Density

The lot area to be used for calculating density shall exclude the following areas:

- a) Lands with natural features including any required buffers, provided that development is prohibited on these lands; and
- b) Floodplain in a One-Zone Policy Area or the floodway in a Two-Zone Policy Area; and
- c) Hazardous lands.

It is the intent of this Secondary Plan that the planned densities will be achieved at build-out.

The minimum densities for freestanding residential development, and minimum and maximum heights of new buildings within the Residential and Mixed-Use designations will be as follows:

<table>
<thead>
<tr>
<th>Designation</th>
<th>Minimum density for freestanding residential development (UPH – units per hectare)</th>
<th>Height (Storeys)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Minimum</td>
</tr>
<tr>
<td>High Density Residential</td>
<td>150</td>
<td>10</td>
</tr>
<tr>
<td>Medium Density Residential</td>
<td>60</td>
<td>3</td>
</tr>
<tr>
<td>Low Density Residential</td>
<td>n/a</td>
<td>n/a</td>
</tr>
<tr>
<td>Mixed-Use Mid-Rise High Density</td>
<td>150</td>
<td>5</td>
</tr>
<tr>
<td>Mixed-Use Medium Density</td>
<td>60</td>
<td>3</td>
</tr>
<tr>
<td>Mixed-Use Main Street</td>
<td>60</td>
<td>2</td>
</tr>
</tbody>
</table>
The maximum heights of new buildings within the Prestige Industrial designation will be as follows:

<table>
<thead>
<tr>
<th>Designation</th>
<th>Height (Storeys)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Prestige Industrial</td>
<td>8 storeys</td>
</tr>
</tbody>
</table>

Maximum building heights as identified in this Secondary Plan may be exceeded without an amendment to this Plan, subject to Council approval through a Zoning By-law amendment, in the following circumstances:

a) To achieve the maximum permitted density on a site where land is to be conveyed to the City for a publicly owned park or space; or

b) Where the maximum permitted density is exceeded as permitted.

The density and scale of development must be contextually appropriate with the planned context and must support the public realm.

20.3.2.7 Ongoing Development Applications

In the event an Official Plan amendment application for lands within the Plan Area has been deemed complete but a decision has not been made by Council prior to the date of adoption of this Secondary Plan, the following shall apply:

a) Applications in the public consultation phase of the Official Plan amendment process shall take into consideration the policies of this Secondary Plan; and

b) The resulting Site-Specific Policy, if any, shall be considered an amendment and Site-Specific Policy of this Secondary Plan.

20.3.2.8 Site Specific Policies

Site specific policies can be found in Chapter 8.10 and are identified on Map 2A.

20.3.3 URBAN DESIGN AND BUILT FORM

20.3.3.1 Intent of Urban Design and Built Form Policies

The following section provides the urban design policies for the Secondary Plan Area. The policies of this section are intended to complement and build upon the urban design policies in Chapter 5 of the Official Plan and be implemented through the site plan process. The purpose of these policies is to provide guidance for enhancing the character of the area, including both the private and public realm. The policies are intended to provide a degree of flexibility, allowing for a range of design styles and expressions which will contribute to creating a unique sense of place.
20.3.3.2 Urban Design and Built Form Vision

The Main Street and Dundas Street South Community Node is a gathering place for shopping, living, and working. Today, the area is dominated by auto-oriented commercial uses, vacant lands, and large surface parking lots. During the Secondary Plan consultation process, stakeholders expressed a desire for an enhanced public realm, more diverse mix of uses and activities, and a comfortable pedestrian environment. The Main Street and Dundas corridors are intended to provide local retail activity and the surrounding blocks offer a diverse range of employment, commercial, and residential uses that enhances the character of the area.

The intent of the Secondary Plan is to encourage an active commercial frontage along Dundas and Main Streets with pedestrian-scaled buildings. Internal blocks provide safe and efficient pedestrian and vehicular access within a vibrant and friendly streetscape. To achieve an enhanced streetscape environment, the urban design policies promote the development that provides a more compact mixed-use built form to fill in the gaps and pockets to create a consistent commercial streetscape. Designed for walking and anchored by a range of mixed use buildings, the area is both a place to live and a commercial destination. As the heart of the local neighbourhoods, it is a gathering place with unique amenities and supported by a mix of land uses.

20.3.3.3 Public Realm Improvement Strategy

The expectation is that as the Main and Dundas Area intensifies that over time there will be demand for a number of public realm improvements. These improvements are intended to enhance the attractiveness and functionality of the area. The planned Public Realm Improvement Plan is depicted on Schedule D and considers the following:

a) Major Gateway Improvements
b) Minor Gateway Improvements
c) Major Streetscape Improvements;
d) Minor Streetscape Improvements;
e) Potential New Public Spaces; and,
f) Active Transportation Connections.

20.3.3.4 Gateways

Gateways are intended to function as formal entranceways into the Main and Dundas Area and are intended to create a strong sense of place. Presently, the Secondary Plan Area does not feature any prominent public space treatments at Gateway locations and accordingly, the Plan contemplates two levels of improvement:

a) Major Gateway Improvements; and,
b) Minor Gateway Improvements.
20.3.3.4.1 Major Gateway Improvements

Major Gateway Improvements should include signage, flags/banners, enhanced lighting, intensive landscaping (such as seasonal floral displays, tree planting), public art and other types of public realm enhancements. There are two Major Gateway Improvement Areas:

a) Main Street and Dundas Street intersection and surrounding area; and,

b) Franklin Boulevard and Dundas Street.

20.3.3.4.2 Minor Gateway Improvements

Minor Gateway Improvements should include a smaller scale of public realm enhancements, such as landscaping, public art, lighting and appropriately scaled way-finding queues. There are two Minor Gateway Improvement Areas in the Secondary Plan:

a) Mclaren Avenue and Dundas Street; and,

b) Main Street and Franklin Boulevard.

20.3.3.5 Streetscape Improvements

Streetscape improvements are intended to provide direction for future enhancements to the non-travel portion of the roads within the Secondary Plan Area. Two levels of improvement area contemplated in this Plan:

a) Major Streetscaping Improvements; and,

b) Minor Streetscaping Improvements.

20.3.3.5.1 Major Streetscape Improvements

Major Streetscape Improvements are proposed for Main Street and Dundas Street. Key improvements should include (but are not limited to) completion of sidewalk networks (on both sides of the street), tree plantings on both sides of the street to provide shade and comfort for pedestrians, improved lighting, bike lanes and occasional street furniture. Where possible, efforts should be made to consolidate access points and improve visibility for pedestrians.

20.3.3.5.2 Minor Streetscape Improvements

Minor Streetscape Improvements are proposed for portions of Main Street and Franklin Boulevard. Key improvements should include (but are not limited to) completion of sidewalk networks (on both sides of the street), tree plantings on both sides of the street to provide shade and comfort for pedestrians and bike lanes.
20.3.3.6 Adjacent Development
Where new development or redevelopment is planned near a Gateway Improvement Area, the proposed development/redevelopment should be designed in a manner which enhances the function of the Gateway, through:

a) Complementary building orientation and massing;
b) Enhanced architectural detailing;
c) Linked private and public pedestrian connectivity;
d) Enhanced private realm landscaping; and,
e) Other elements as appropriate.

20.3.3.7 Potential New Public Spaces

20.3.3.7.1 New Public Spaces
Where new major mixed use development or redevelopment is planned, new public spaces should be provided. New public spaces should be designed to be barrier free and should be designed to include a mix of design, including but not limited to enhanced landscaping shade trees, ample locations for seating and public art. New public spaces may include playgrounds, community parks, and other similar spaces that serve a primary function of supporting existing and future needs in the surrounding neighbourhoods. These spaces should be located close to the street and be connected to the pedestrian network. New public spaces should also be connected with existing or planned transit stops. The icons depicted on Schedule D are for illustrative purposes only and the need, location and design of public spaces shall occur through the site plan application process.
20.3.3.7.2 Urban Greens and Squares

Urban Greens and Squares will be established in accordance with the following:

a) Urban Greens and Squares are expected to be small-scale components of the parks system and are intended to provide passive open space areas, both landscaped or hardscaped, and serve as focal points within sub-areas of each neighbourhood by provide stopping points throughout the community.

b) Urban Greens and Squares will be generally greater than 75 square metres but less than 1000 square metres in size.

c) Urban Greens and Squares will be connected to pedestrian movement, accessible, located at grade, provide barrier-free access to people with disabilities, and will have frontage on at least one public street.

d) The adjacent built form will have primary or active frontages facing or flanking the Urban Green or Square, where appropriate.

e) Urban Greens and Squares within the Low/Medium Density Residential designation will reflect the needs of surrounding residents, providing areas to sit and socialize, junior play areas for children, bicycle parking, and a significant tree canopy for shade.

f) Urban Greens and Squares within the Mixed-Use Node will include seating and a full furniture program, including lighting and bicycle parking, opportunities for outdoor cafes and restaurants, and facilities that promote a passive, relaxing urban atmosphere. These facilities will improve mid-block permeability and complement adjacent land uses.

g) Urban Greens and Squares may be publicly owned or considered for a privately owned public space.

h) The City will not accept Urban Greens and Squares as parkland dedication where the City is of the opinion a Neighbourhood Park or Community Park is necessary or desirable.

i) Public access to privately owned public space Urban Greens and Squares will be secured through the development approval process.

20.3.3.8 Potential Active Transportation Connection

Potential Active Transportation Connections are illustrated for the private realm on Schedule D. The network is intended to provide a finer grain network of pedestrian connections and is provided for illustration purposes. The expectation is that improvements to the on-site pedestrian networks be made through the redevelopment process and/or through a Community Improvement Planning exercise.

20.3.3.9 Signage and Wayfinding

The City may consider preparing a signage and wayfinding strategy for the Secondary Plan Area that enhances the public realm and support the land use vision for this
corridor. The signage and wayfinding strategy would be implemented through a new signage by-law.

20.3.3.10 Street Tree Guidelines

The combination of both public realm improvements and the design guidelines for the private realm are intended to increase the overall tree canopy in the Secondary Plan Area and support the overall City-wide target for a 30% tree canopy. To support the achievement of the target, the City will:

a) Promote an extensive tree canopy over main pedestrian connections in the Secondary Plan Area;
b) Ensure that sufficient space is provided within the right-of-way to maximize opportunities for trees (in collaboration with the Region);
c) Promote the use of silva cells and/or raised beds on both public and private lands to allow for healthy soil volumes; and,
d) Promote best practices in arboricultural maintenance.

20.3.3.11 Implementation of Public Realm Improvements

The public realm improvements depicted on Schedule D shall be implemented through a future Community Improvement Plan. The improvements depicted on Schedule D are intended to support growth and intensification within the Secondary Plan Area. Section 20.3.6 of this Plan provides additional details regarding implementation.

20.3.3.12 Private Realm Urban Design Guidelines

The Private Realm Design Guidelines identify the desired future character and function of the built environment, including massing, building articulation, parking and movement, and landscaping. The intent is to ensure that new buildings reinforce a coherent, harmonious and appealing urban environment, are compatible in scale, form, massing and height transition with existing urban forms as well as contribute to the enhancement of the public and private realm.

20.3.3.12.1 Building Frontages and Street Edges

Within the Mixed-Use designations, the design, use and animation of the ground level of buildings define the character and experience of the street. Ensuring that buildings provide an attractive and animated face, especially at the ground level, is a priority.

Buildings and structures should be organized on their sites to have landscaped setbacks adjacent to streets, mid-block open space areas and landscaped pedestrian connections to support and enhance a green and well-treed character.

The siting of buildings, location, and orientation are critical in creating a comfortable and safe pedestrian environment by providing an active and attractive interface conditions that:

a) Orient buildings toward public streets and other public spaces, in order to clearly define the public realm, create a consistent street wall, and to create a safe and attractive street environment for pedestrians. Grading and topographical constraints that may limit orientation to a street are to be taken into consideration.
b) Ensure pedestrian comfort and adequate light penetration.

c) Locate buildings along a build-to-line to provide a consistent edge to the street or public space. Deviation from the general built edge is permitted for building articulations, step-backs/recesses, openings, and other architectural treatments.

d) Buildings in general shall be designed to create mid-block connections and shall be massed and articulated to avoid creating excessively long continuous building facades. Buildings shall generally be not more than 75 metres long. For any building longer than 60 metres in length, articulation and materials of the façade must be varied to break up the massing to the satisfaction of the Chief Planner. Mid-block connections should be pedestrian oriented with appropriate pavement treatment, providing a safe and attractive environment.

e) All buildings oriented toward public streets must have clearly defined primary entry points that open directly on to the public sidewalk.

f) Provides a double frontage for corner buildings to address all streets and provides special design features of with equal architectural expression.

g) Ensures that architectural features and articulation are encouraged at all corner building locations, including residential buildings, to enhance the visual prominence and identity of the area and to enhance the corner.

h) For all commercial buildings, minimum glazing should be 70% and up to 80% glazing is permitted at-grade; second levels and above should be approximately 50% glazing.

i) Discourage blank walls, loading doors and other servicing areas from being located at grade along street frontages, parks, publicly accessible open space, and pedestrian connections.

j) In residential areas, architectural styles that help to foster neighbourhood identity and sense of place, such as front porches and balconies are encouraged.

20.3.3.12.2 Transitional Areas

New development should be designed to ensure that larger developments provide adequate transition to existing and smaller scale built form to reduce negative impacts on adjacent areas. The approach allows for smoother transitions between intensification areas and the adjacent, lower density residential areas. New buildings within the Secondary Plan Area will be located in the following manner to provide appropriate transition between new development and the surrounding stable residential areas:

a) New development must be sympathetic to the existing residential uses and be developed in a way that does not detract, hide from view, or impose negative impacts for light and shadow.

b) Where applicable, taller buildings should transition from the height of adjacent buildings through the use of building step backs, increased setbacks, and terracing building mass.
20.3.3.12.3 Building Entrances, Facades, Corner Sites

Primary building entrances will be located adjacent to the public street, or a publicly accessible courtyard physically and visually connected to the street, unless there are compelling topographical or other engineering related constraints that limit conformity with these policies, as determined by the City and the Region.

Residential building entrances will be located and oriented to have direct access from the street where possible. Porches, stoops, and balconies are encouraged at all entrances to create opportunities for overlook and social interaction along the street.

Entrances to individual grade-related residential units are encouraged to be provided along streets and park edges where possible. A modest grade change will create a threshold between public and semi-private space at the entrance and limit direct views into residential units.

Retail activities and other non-residential or commercial activities within buildings should be oriented towards the street and have direct access from sidewalks through storefront entries to promote overlook and enliven and support the public street.

a) The ground floor of new developments should be transparent to establish a strong visual connection to the street and create a welcoming and comfortable pedestrian environment.

b) Any facade facing a public street shall be considered a primary facade. A minimum of one pedestrian entrance shall be provided for any primary facade, where possible. Buildings on corner lots must be designed to have primary facades on both the front and side streets, where possible.

c) Pedestrian entrances should be architecturally distinct and identifiable as an entry point and designed to be universally accessible from a street or a publicly accessible open space.

d) Entrances to buildings must be clearly defined with maximum visibility to ensure ease of access directly from the street and from open spaces. Architectural treatment, and where appropriate, landscaping, should be used to accentuate entrances.

e) All buildings must be designed to be universally accessible and must provide an unobstructed walkway or pathway between the principal building(s) and the street.

f) Entrances should be designed with attractive weather protection to add to the pedestrian experience and comfort of users.

20.3.3.12.4 Landscaped Setbacks and Other Private Open Spaces

Buildings will have landscaped setbacks along streets and park edges to enhance the attractiveness of the street and to provide a privacy buffer for residential and other at-grade uses. In general, the following should be considered.
a) For any new high-density development, private open space enhancements are required as part of the built form design in order to contribute to the visual aesthetics and quality of the public realm.

b) Landscape treatments should be designed to edge streets, frame, and soften structures, define spaces, and screen undesirable views.

c) Trees and shrubs should be selected having regard to their scale and plating characteristics.

d) Plant materials should be grouped to frame buildings, add visual interest, to blank areas, accentuate entrances, and screen service areas.

e) Larger areas that may have deeper setbacks may take the form of courtyards, forecourts, mid-block connections, or small plazas.

f) On any commercial street, outdoor spill-out activities such as patios are encouraged to further animate the street.

g) Courtyards, forecourts, and other intimate spaces accessible to the public and animated with at-grade uses are encouraged.

h) For mixed-use, commercial, and residential apartment developments, portions of a lot not occupied by a building or structure or used for parking or loading must be landscaped.

i) All mixed-use and multiple residential buildings (e.g., townhouses and condominiums) will provide at-grade open space and outdoor amenity areas.

j) Outdoor amenity areas will include generously scaled areas of soft landscaping capable of supporting shade trees.

k) Landscaped courtyards may be either partially open to streets or parks or surrounded by buildings on all sides. Courtyards will be designed to extend and enhance the public realm of streets, parks and open spaces.

l) The courtyard character will be green and well-treed with outdoor uses that promote pedestrian circulation as well as recreational, gathering and other social uses. Vehicular access and servicing areas will generally be discouraged from being located within a courtyard.

20.3.3.12.5 Pedestrian and Bicycle Circulation

The Secondary Plan area should be connected to the broader community, utilizing a network of pedestrian paths, walkways, and cycling. Future redevelopment will provide the opportunity to improve pedestrian and bicycle linkages within the area and the adjacent neighbourhoods. Permeability and connectivity throughout the Secondary Plan area are key aspects of the overall objectives for a more walkable and connected environment. In the future mid-block walkways and active transportation connections are encouraged within the Secondary Plan area. To facilitate enhanced pedestrian connectivity, the following guidelines shall be considered:

a) Sidewalks connections should be provided between all building entrances and the public sidewalk within a comprehensive network.
b) Landscaped mid-block pedestrian walkways and/or bicycle trails should be approximately 6 metres wide to provide room for the path and soft landscaping. Narrower spaces that limit visibility and safety are discouraged.

c) Fencing along neighbourhood connections, pedestrian walkways and/or bicycle trails should be low and allow for views from surrounding buildings and areas to promote safety. A coordinated approach to fencing design, location and height along these routes will be encouraged.

d) Where possible, pedestrian crossings should be designed to be distinct from the street by using paving materials, textures, and colours to enhance the legibility of the crossing.

e) Locate bicycle racks near entrances of buildings with connectivity to the public sidewalk.

f) Align pedestrian paths with transit stops to provide a more direct connection for users.

g) Private outdoor spaces should be designed as barrier free with appropriate lighting to improve route legibility, access, safety, and comfort.

h) Limit planting along edges of pedestrian walkways and cycling trails to low lying vegetation or other that does not restrict visibility and safety.

20.3.3.12.6 Parking, Access and Servicing

This Secondary Plan encourages a future block pattern and street network that supports opportunities for walking, cycling, and connectivity with surrounding areas.

Site specific vehicular access, ramps, servicing and loading should be provided from local streets wherever possible to minimize impacts on vehicular and pedestrian traffic on arterial streets. Ramps, servicing and loading facilities should be integrated into the buildings they serve to minimize impacts on landscaped open space. At-grade parking will be minimized. Where permitted, surface parking areas will be carefully located and screened to minimize impacts on adjoining streets or parks. The following shall be considered in designing parking and servicing facilities:

a) Parking areas are discouraged from being located along street frontages.

b) For structured parking, the facility should be integrated into the built form such that it relates to the design and façade treatment of the building. Solid blank walls are not permitted.

c) Wherever possible, surface parking and servicing for new developments should be placed at the rear of buildings and accessed by a rear or side yard lane.

d) Where surface parking or service areas are exposed, a generous separation should be provided from the public realm and designed to include additional street trees or landscaping and buffered with hedges or shrub planting or other mitigating design measures.

e) Parking lot lighting, pedestrian pathways and other street furniture should be used to create a comfortable, safe, and connected pedestrian environment.
f) The edges of parking facilities should receive architectural and design treatments to be consistent with the streetscape design and complement adjacent buildings.

20.3.3.12.7 Internal Streets

Redevelopment in the Secondary Plan may include internal streets to support development. The following guidelines shall be considered for proposed new internal streets:

a) Internal streets should be developed with the “look and feel” of local City streets.

b) Streets should be designed at the pedestrian scale with sidewalks, street trees, and street furniture for an enhanced pedestrian environment and for seamless integration with the public realm.

c) Pedestrian scale lighting should be provided along the street edge.
20.3.4 TRANSPORTATION

20.3.4.1 Planned Transportation Network

The existing and planned transportation network is depicted on Schedules E and F and is designed to accommodate a variety of modes, including automobiles, trucks, transit, cycling and pedestrians. As the Community Node evolves over time, the expectation is that major improvements will be made to enhance automobile, transit, cycling and walking networks within and into the area to ensure that an appropriate balance of transportation options is provided.

20.3.4.2 Improvements and Enhancements to Transportation Network

The Secondary Plan contemplates the following potential improvements to the transportation network:

- Road improvements;
- Transit improvements; and,
- Active transportation improvements.

20.3.4.3 Existing and Planned Road Network

The existing and planned road network is depicted on Schedule E and is expected to accommodate the planned growth and intensification potential for the Area up to 2031. Intersections of major arterial roads should consider effective vehicle movements while providing safe pedestrian and cycling crossings.

Appendix A provides illustrations depicting the future planned cross-sections for Main Street, Dundas Street and Franklin Boulevard based on the Region of Waterloo’s Context Sensitive Regional Transportation Corridor Design Guidelines. Although the arterial roads are all Regional roads, streetscaping along these roads is a City of Cambridge responsibility. Note that the cross-sections are provided for illustration purposes.

20.3.4.4 Reconstruction of Main Street from Franklin Boulevard to Chalmers Street

This is an excellent opportunity to coordinate active transportation and streetscaping with the Region of Waterloo. Main Street and Franklin Boulevard are Regional roads but streetscaping is a City of Cambridge responsibility. It is important to ensure sufficient setbacks and coordinated implementation of streetscaping as these projects proceed.

Reference Area(s): Main Street, west of Dundas Street

20.3.4.5 Local Road Connections

New local connections are required to facilitate development and/or redevelopment in some locations. The alignment of the proposed new connections are intended to be conceptual (except where the rights-of-way are already established). Detailed alignments and locations of local streets and private laneways shall be determined through further engineering studies and through the development approvals process.
20.3.4.6 Consolidate Entranceways
Development or redevelopment will seek the consolidation of access points and common traffic circulation in accordance with the provisions of this Plan and the Region of Waterloo’s access guidelines.

20.3.4.7 Transit Network
The existing and planned transit network is depicted on Schedule F. Grand River Transit is undergoing a new 5-year Business Plan which will review transit needs. The Land Use Plan (Schedule B) promotes infilling and intensification at a scale which would support increased transit ridership through the Main and Dundas Area.

20.3.4.8 Potential Transit Improvements
The City encourages the Region of the Waterloo to improve the provision of transit pedestrian amenities such as shelters, bike racks seating and lighting at all transit stops.

20.3.4.9 Improving On-site Linkages
Where new or expansions to existing development is proposed, the City will work with private sector applicants to improve on-site linkages and pathways to existing and planned transit stops.

20.3.4.10 Active Transportation Network
The existing and planned Active Transportation Network is depicted on Schedule F. The network is planned to accommodate pedestrians and cyclists.

20.3.4.11 Active Transportation Improvements
Active transportation infrastructure should provide continuous facilities and connectivity to transit stops, multi-use trails, parks, schools, recreational facilities, and on-street cycling network. Proposed active transportation improvements for the area include:

- Streetscape Improvements depicted on Schedule D which are intended to enhance both pedestrian comfort and connectivity;
- Completion of sidewalk network within the Plan Area; and,
- Potential pedestrian crossing/safety improvements along Franklin Boulevard at Green Gate Boulevard, and also at Main Street.

20.3.4.12 Franklin Boulevard and Green Gate Boulevard
The City of Cambridge will work with the Region of Waterloo to implement a pedestrian refuge island to improve pedestrian safety at the intersection of Franklin Boulevard and Green Gate Boulevard. The refuge island will connect pedestrians and cyclists across Franklin Boulevard and providing access to transit stops and the multi-use trail.

20.3.4.13 Sidewalk Improvements
Sidewalk infrastructure is provided throughout the Secondary Plan Area; however there remain parts of the network which are incomplete. Over time, the expectation is that
sidewalks will be provided on both sides of the street for all existing and new roads within the Plan Area.

20.3.4.14 Secure Bike Parking Facilities

The implementing Zoning By-law may require the provision of secure bicycle parking facilities in a conspicuous location, long-term bike parking areas within buildings and on-site shower facilities and lockers for employees who bike to work. The City may allow for the reduction in the number of required parking spaces where bicycle parking facilities are provided.

20.3.4.15 Transportation Demand Management

Council may require that development applications include a Transportation Demand Management (TDM) Plan, prepared to the satisfaction of the City. The intent of the TDM Plan shall be to implement and promote measures to reduce the use of low-occupancy automobiles for trips and to increase transit use, cycling and walking.

20.3.4.16 Parking

Through the development approvals process, the City may consider alternative parking requirements for mixed use and high density developments including shared parking standards.

20.3.4.17 Coordination with the City’s Transportation Master Plan

At the time of drafting of this secondary plan, the City was in the process of launching a new city-wide Transportation Master Plan. The expectation is that the growth assumptions, vision and other relevant aspects of this Secondary Plan will be considered in the preparation of the City-wide Transportation Master Plan. Amendments to the Secondary Plan may be required to ensure alignment between the Secondary Plan and the Transportation Master Plan.
20.3.5 INFRASTRUCTURE

20.3.5.1 Water and Sanitary Servicing
As part of the implementation of this Secondary Plan, the City will work with the Region of Waterloo to ensure that there is adequate water and sanitary servicing and capacity to accommodate the long term planned development for the Secondary Plan Area.

20.3.5.2 Municipal Servicing Study
As part of the implementation of this Secondary Plan, and the policies of Chapter 6 of the Official Plan, the City will undertake an analysis of local infrastructure to ensure that adequate servicing is in place to accommodate the planned growth for the area. The City will update its municipal master servicing strategy as required.

20.3.5.3 Development Applications and Servicing Requirements
The City may also require development applications to be supported by site-specific servicing studies.

20.3.5.4 Sustainable Stormwater Management
The municipality encourages innovative measures to help reduce the impacts of urban run-off and maintain base groundwater flow. Such measures may include bioswales, permeable pavers, rain barrels and green roofs.

20.3.5.5 Coordination of Public Works
The City will work with the Region to ensure that planned public works for the area are coordinated to minimize the impacts of construction on the residents and businesses within the Plan Area. Coordination efforts will consider the phasing of streetscape improvements, any future road works, and maintenance, as well as any upgrades to water and sanitary networks.
20.3.6 IMPLEMENTATION

20.3.6.1 General Implementation

20.3.6.1.1 Implementation Tools

The Secondary Plan shall be implemented through a variety of tools, including but not limited to:

a) The planning and development application process, through tools such as site plan approval, plans of subdivision and condominium and consents to sever;

b) The City of Cambridge Zoning by law;

c) Community Improvement Plan; and,

d) Other tools as described in this Chapter.

20.3.6.1.2 Development Proposal Complete Application Requirements

Development applications within the Secondary Plan are subject to any complete application requirements set out in the Official Plan. The City may update these complete application requirements to account for additional supporting studies that may be needed to support growth within the Secondary Plan, including a shadow impact study.

20.3.6.1.3 Municipal Works within the Secondary Plan

All future municipal works undertaken by the City of Cambridge within the Secondary Plan Area shall be consistent with the policies of this Plan.

20.3.6.1.4 Official Plan Amendments

Unless otherwise stated in this Plan or the City’s Official Plan, applications for development which do not align with the Policies or Schedules of this Plan shall require an Official Plan Amendment. Amendments to the Official Plan shall be subject to policies of the Official Plan and shall require a planning justification report, along with any other supporting studies identified through the pre-consultation process.

20.3.6.1.5 Zoning By-Law

The City will update its zoning by-law to ensure that the land use and design policies for this Secondary Plan are reflected in the City’s zoning by-law.

Applications for development within the Plan Area shall be subject to the policies of this Secondary Plan and the City’s Official Plan (where applicable). Amendments to the zoning by-law shall be subject to policies of the Official Plan and shall require a planning justification report, along with any other supporting studies identified through the pre-consultation process.
20.3.6.1.6 Site Plan Approval, Plans of Subdivision, Plans of Condominium and Severances

Applications for site plan approval, plans of subdivision, plans of condominium and consents to sever shall be consistent with the policies of this Secondary Plan and City of Cambridge’s Official Plan.

20.3.6.1.7 Main Street and Dundas Street Area Community Improvement Plan

To assist and accelerate intensification redevelopment and facilitate further public realm improvements within the Secondary Plan Area, the City will consider modifying its Community Improvement Plan (CIP) programs or creating a new CIP for intensification areas. The rationale for completing a CIP as part of the Secondary Plan’s implementation is to ensure that:

- The proposed public realm improvement projects are appropriately planned and accounted for in the City’s capital budget, including any property acquisitions which may be required to complete the proposed streetscaping, public space and gateway improvements; and,

- There is a competitive suite of financial incentives to promote intensification and redevelopment, such as but not limited to incentives for greyfield and brownfield redevelopment, lot consolidation/assembly, residential infilling and/or mixed-use intensification, etc.

20.3.6.1.8 Coordination with the Region of Waterloo

The City will work with the Region of Waterloo, who is the approval authority for this Plan, to ensure that the policies of this Plan are implemented, including any opportunities to implement the urban design and public realm improvements through any future Regional works. The City also encourages the Region of Waterloo to consider opportunities for affordable housing development within the Community Node area.

20.3.6.2 Phasing and Financial Tools

20.3.6.2.1 Municipal Capital Improvements

The City will prepare a phasing strategy as to assist with the implementation of this Secondary Plan. The Phasing Strategy should consider the following:

a) The expecting timing of development, including the expected built-out of vacant lands and redevelopment of existing areas;

b) The timing of any potential transportation, infrastructure, and public realm improvements; and,

c) Any other projects or initiatives which may impact the timing of development.

20.3.6.2.2 Development Charges

The City will include any growth-related infrastructure identified in this plan as part of the next Development Charges By-law update.
20.3.6.2.3  Updating the Plan

The City will comprehensively review the policies of this Secondary Plan at the 10 year review of the City’s Official Plan. Depending on the outcomes of the review, the City may decide to update the Plan.

20.3.6.3  Interpretation

20.3.6.3.1  Conflicts with Official Plan

In the event of a conflict between the Official Plan and this Secondary Plan, the Policies of the Secondary Plan shall prevail.

20.3.6.3.2  Boundaries

The boundaries shown on the Secondary Plan Schedules are approximate, except where they meet with existing roads, river valleys or other clearly defined physical features. Where the general intent of this Secondary Plan is maintained to the satisfaction of the Municipality, minor boundary adjustments will not require an amendment to this Secondary Plan.
Schedules
Appendix A: Conceptual Street Cross Sections

Figure 20-1: Community Connector, Typical Cross Section

Reference Area(s): Franklin Boulevard; Main Street, between Franklin Boulevard and Dundas Street

Figure 20-2: Neighbourhood Connector, Typical Cross Section

Reference Area(s): Dundas Street; Main Street, between Franklin and Dundas; Franklin Boulevard, south of Dundas Street
THE CORPORATION OF THE CITY OF CAMBRIDGE

BY-LAW 23-093

Being a by-law for the Management, Regulation & Control of Cemeteries and to repeal By-Law 13-162

WHEREAS The Corporation of the City of Cambridge owns cemeteries as identified in Schedule “A”.

WHEREAS the Funeral, Burial and Cremation Services Act, 2002, and its regulations imparts responsibility to the owners of cemeteries for the management, operation, and care.

WHEREAS section 150(1) of Ontario Regulation 30/11 made under the Funeral, Burial and Cremation Services Act, 2002, provides that the owners of cemeteries may make by-laws affecting the operation of the cemeteries.

WHEREAS section 8, 9, and 11 of the Municipal Act, 2001, authorizes The Corporation of the City of Cambridge to pass by-laws necessary and desirable for municipal purposes, and in particular paragraphs 5 through 7 of subsection 11(2) authorize by-laws respecting: the economic, social and environmental well-being of the municipality; the health, safety and well-being of persons; and the provision of any service or thing that it considers necessary or desirable for the public.

WHEREAS the Municipal Act, 2001, authorizes a municipality to delegate certain powers and duties, and impose certain restrictions upon such delegation.

WHEREAS section 425 of the Municipal Act, 2001, authorizes The Corporation of the City of Cambridge to pass by-laws providing that a person who contravenes a by-law of The Corporation of the City of Cambridge passed under that Act is guilty of an offence.

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

PART I – Definitions

Definitions
1. For the purposes of this by-law, and any forms, contracts or policies prepared in relation to this by-law:

“Cemetery” means lands set aside and approved for the internment of human remains or for the scattering of cremated human remains and includes a mausoleum, columbarium, scattering garden, chapel or other similar structures;
“Certificate of Interment Rights” means the certificate issued by the City to the purchaser of interment rights;

“City” means The Corporation of the City of Cambridge;

“columbarium” means a structure designated for the interment of cremated human remains in sealed compartments or niches;

"Director" means the City’s Director of Operations or designate;

“FBCSA” means the *Funeral, Burial and Cremation Services Act, 2002*, S.O. 2002, c. 33, as amended from time to time, and the regulations made thereunder;

“interment rights” means the right to require or direct the interment of human remains in a lot;

“interment rights holder” means a person who holds the interment rights with respect to a lot, whether the person be the purchaser of rights, the person named in the Certificate of Interment Rights, or such other person to whom the interment rights have been assigned;

“lot” means an area of land containing or set aside to contain human remains and includes a tomb, crypt, a compartment in a mausoleum, and a niche or compartment in a columbarium or mausoleum;

“lot decorations” means ornaments, figurines, plants, or other embellishments placed on a Cemetery lot;

“marker” means any monument, tombstone, headstone, or other structure or ornament that is affixed to any lot, crypt, niche, or other structure intended for the memorialization or deposit of human remains;

“Manager” means the City’s Manager of Cemeteries or designate;

“mausoleum” means a structure other than a columbarium designated for the interment of human remains in tombs, crypts, or other such compartments;

“plot” means two or more lots in which the rights to inter have been sold as a unit;

“Registrar” means the Registrar appointed under the FBCSA;

“scattering” means the spreading of cremated human remains over a designated area within a Cemetery with the knowledge and permission of the Cemetery operator and in keeping with the provisions of this by-law;
“Tariff of Rates” means the current price list for interment rights, cemetery supplies, and services set in accordance with Part XVI of this by-law.

Part II – Interpretation and Administration

Application

2. This by-law applies to cemeteries owned by The Corporation of the City of Cambridge, as shown on Schedule “A” attached hereto and forming part of this by-law.

Manager

3. The Manager is responsible for the management, operation, and maintenance of cemeteries owned by the City and is authorized to administer and enforce this by-law with delegated authority granted by Council to execute the provisions of the by-law, including the imposition of conditions as necessary to ensure compliance with this by-law.

4. The Manager may assign duties or delegate tasks under this by-law whether in their absence or otherwise.

5. The Manager may enlarge, reduce, replot, change the boundaries of, or grade a Cemetery upon approval of the Registrar as required under the FBCSA.

6. The Manager may designate an area of a Cemetery as an area reserved for the installation of upright monuments, flat markers, crypts, mausolea, columbaria, or for use as a scattering garden.

Part III – Rules and Regulations

Entry

7. No person shall enter any Cemetery except through an established entrance, nor shall they enter or be within any Cemetery after 7:00 pm and before 6:00 am between October 1st and March 31st, inclusively, or after 9:00 pm and before 6:00 am between April 1st and September 30th, inclusively.

8. Section 7 does not apply to emergency service personnel and City staff in the performance of their duties.

Adult Supervision

9. All persons under the age of 12 years must be accompanied by an adult at all times while on Cemetery grounds.

Bicycles

10. No person shall ride a bicycle in a Cemetery, except on Cemetery roads.
Animals
11. No person shall permit any animal, including dogs, to enter or remain in a Cemetery.
12. Section 11 does not apply to a service animal that is leashed.

Alcoholic Beverages
13. No person shall have or consume any alcoholic beverages in a Cemetery.

Damage
14. No person shall:
   (a) damage any marker, columbarium, mausoleum, chapel, or other structure within a Cemetery;
   (b) damage any tree, shrub, plant, or flowers, be they private or public property, within a Cemetery; or
   (c) damage any fence, railing, or gate in a Cemetery.

Games of Sport
15. No person shall play any game of sport in a Cemetery.

Firearms
16. No person shall discharge any firearm in a Cemetery, except with the prior written authorization of the Manager for the purposes of a military or police funeral

Disturbance
17. No person shall disturb any person or persons assembled in a Cemetery for the interment of any other person.

Nuisance
18. No person shall create a nuisance in a Cemetery.

Debris
19. No person shall deposit any waste, garbage, refuse, or rubbish on the grounds of a Cemetery except in a receptacle provided for that purpose.

Signs
20. No person shall place, erect, or install any signs in a Cemetery without the written permission of the Manager.
Soliciting
21. No person shall solicit in any manner within a Cemetery, except for the placement of memorial tags, that identify the monument supplier, on the back of upright memorials. Tags shall be placed in the left rear bottom edge of the upright monument between the die and base. Tags shall be dark in colour and the exposed area of the tag shall not exceed 7.62cm (3”) in width and 2.56cm (1”) in height.

Vehicular Traffic
22. The Manager may restrict vehicular access to a Cemetery when the roads are soft or otherwise impassable.

23. No person shall:
   (a) drive a vehicle through a Cemetery as a “short cut” in order to access surrounding roadways;
   (b) drive a vehicle in a Cemetery at a rate of speed greater than 20 kilometres per hour;
   (c) while driving a vehicle in a Cemetery, leave the travelled portion of a road; or
   (d) while driving a vehicle in a Cemetery, fail to comply with a restriction made by the Manager in accordance with section 22 of this by-law.

Encroachment
24. Without the written consent of the City, no person shall encroach upon or take possession of any Cemetery or part thereof by any means, including, but not limited to:
   (a) the construction, installation, or maintenance of any fence, structure, or sign;
   (b) the planting, installation, or maintenance or any plant, plant material, shrub, tree, or garden;
   (c) the leaving, depositing, storing, or dumping of any waste, garbage, refuse, rubbish, or plant material of any kind;
   (d) the storing, maintenance, repair, or construction of a vehicle of any description, trailer, building, structure, fence, or playground equipment in any Cemetery; and
(e) the removal, destruction, or construction of any pavement, sidewalk, crosswalk, trail, grass plot, or roadway, or any part thereof.

Part IV – Sale of Rights and Services

Interment Rights and Cemetery Services
25. All charges for interment rights and cemetery services sold are due in full within 30 days from the date of invoice. After the end of the 30-day period, a monthly interest charge may be charged on the outstanding balance in accordance with the City’s Collection Policies.

Interments and Scatterings
26. Interments and scatterings may be sold in advance of need, and in such cases shall be deemed to cover all costs incurred provided that the interment or scattering is conducted during regular business hours, being Monday to Friday from 8:00 am to 4:00 pm. Any unforeseen costs such as overtime, weekend or holiday burials or after-hours burials shall be subject to an additional charge levied to the rights holder or their representative as set out in the Tariff of Rates.

Payment
27. No Certificate of Interment Rights or Certificate of Scattering Rights shall be issued until payment of the requisite fee, as set forth in the Tariff of Rates, has been made in full.

28. If the fee for a service set forth in the Tariff of Rates is not paid in full within 6 months of the purchase, the contract may be rescinded by the City and of no further effect. All monies paid by the applicant shall be refunded by the City, unless other arrangements have been made and approved by the Manager.

Limitations on Purchase
29. No person, group, or organization shall be entitled to hold the interment rights for more than 30 unused grave spaces in any one Cemetery.

Director May Reduce Fees
30. The Director may reduce or waive a fee established pursuant to this by-law where circumstances warrant, in the Director’s sole and absolute discretion.

Part V – Transfer/Private Sale of Interment Rights

Third-Party Re-Sale of Interment Rights
31. An Interment Rights Holder may transfer or sell their interment rights to a third-party, subject to the provisions of this Part.
32. An Interment Rights Holder that intends to transfer or sell their interment rights shall provide a completed application to transfer or sell interment rights to the City prior to seeking a third-party buyer.

33. Upon receipt of an application to transfer or sell interment rights, the City shall have a right of first refusal to re-purchase the interment rights from the interment rights holder.

34. Should the City exercise its right to re-purchase interment rights, it shall purchase the rights at the current price set out in the Tariff of Rates, less the amount invested for care and maintenance and the applicable administrative fee set out in the Tariff of Rates.

35. No person shall purchase Interment Rights for the sole or primary purpose of reselling the rights with a view to making a financial gain. The Interment Rights shall not be sold to a third party for more than the current price set out in the Tariff of Rates.

36. Only the Interment Rights Holder shall be permitted to resell or transfer their Interment Rights. In the cases of a transfer by will or bequest, the Manager shall have the right, in their sole discretion, to require the production of a notarized copy of the will or other evidence sufficient to prove ownership.

37. Upon the purchase of Interment Rights from an Interment Rights Holder, the purchaser shall advise the City forthwith of the purchase by providing the completed applicable form and pay the applicable fee for the registration of the transfer as prescribed in the Tariff of Rates.

Manager May Require Archaeological Assessment

38. The Manager may, in their sole discretion, require that as a condition of a transfer or sale of interment rights, an archaeological assessment be completed in order to confirm that there are no burials within the grave and to ensure that all interment options are available to the new rights holder. Should any such archaeological assessment be required, any costs, fees, or charges for the assessment are the responsibility of the new Interment Rights Holder.

Part VI – Interments, Scatterings, and Funerals

Burial Permit – Certificate Required

39. No interment shall take place without providing a Burial Permit or a Cremation Certificate, as is applicable, and not until the person making the burial arrangements for the interment has complied with all laws, rules, and regulations
relating to interments. Persons contracting for interment rights and/or making arrangements for burials shall be responsible for all charges incurred.

**Interments – Conditions Precedent**

40. The Manager shall not conduct any interment, entombment, inurnment, or scattering on any grave, scattering area, crypt, or niche and until the person/persons directing the service have provided one of the following:

(a) a signed contract respecting the purchase of the interment right, crypt, columbarium or niche and the authorization to proceed with the interment, entombment, inurnment, or scattering;

(b) an Interment Rights Certificate indicating that the party is the rightful owner of the interment rights upon which the activity is requested; or

(c) approval from Ontario Works and/or a regional/municipal social services department or agency indicating that they will be responsible for payment of the service and an authorization number from such department or agency.

41. In circumstances where the party requesting an interment activity is unable to provide evidence of ownership, the Manager may require the party to provide a notarized permission letter, sworn affidavit, or solemn declaration outlining the request.

42. No interments shall take place on January 1st or December 25th, except pursuant to an Order of the Regional Medical Officer of Health.

**Grave Opening - Notice**

43. From May 1 to October 31, one business day’s notice is required to accommodate an interment or scattering request.

44. From November 1 to April 30, two business days’ notice is required to accommodate an interment to ensure that the grave, niche, or crypt can be prepared for an interment in time for the funeral service.

45. All requests must be in writing to the Cemeteries Administration Office.

46. Saturdays, Sundays, and holidays are not considered regular business hours.

**Location of Graves – Errors**

47. The City assumes no responsibility for errors when improper instructions for grave openings have been given by the Interment Rights Holder, or designate.
All costs resulting from improper instructions will be charged to the purchaser who signed the service contract.

**Double-Depth Graves**

48. Double-depth graves shall be permitted, provided that the plot on which the double-depth grave is located was sold on or before July 1, 1997, and the contract for the interment rights specifically provided for a double-depth grave.

49. Human remains shall not be interred in a double-depth grave, unless the first casket is buried at extra depth and contained in a permanent outer case, such as a vault or liner, and the second casket is buried on top of the lower casket, at standard depth.

50. Approval of double-depth graves shall be at the discretion of the Manager.

**Multiple Infant Interments in Single Adult Grave**

51. A maximum of three (3) infant caskets may be interred in a single adult grave designated by the Manager for such purpose.

**Interment of Cremated Human Remains**

52. A maximum of two (2) cremation burials shall be permitted to be interred on top of a full-burial at standard depth, except where the City has provided for the interment of additional cremated remains.

53. A maximum of six (6) cremation burials are permitted in any adult traditional grave where no casket burials have or will take place.

54. A maximum of two (2) cremation burials are permitted in any flat marker cremation grave.

55. A maximum of four (4) cremation burials in any one upright monument cremation grave.

**Multiple Interments – Crypt Limitations**

56. Interments within crypts shall be limited to the entombment of a single casket. No other forms of interments shall be allowed within crypts, including but not limited to additional cremations with a casket or cremation only interments unless otherwise authorized by the manager.

**Interment – Placement of Remains in Crypts**

57. Only City staff may place or entomb human remains within a crypt, remove human remains from a crypt, or open and seal crypts, provided that the applicable fee for these services prescribed in the Tariff of Rates has been paid.
Interment Equipment

58. No interment equipment, except that provided by the City shall be used, except as otherwise allowed pursuant to this by-law.

Elevated Mounds Prohibited

59. No elevated mounds shall be built over graves and no lot shall be filled above the grade established for the Cemeteries, except temporarily for maintenance reasons the City or its agents.

Burial Vaults or Liners – Installation

60. When burial vaults or liners are used, they shall be set as a mock graveside set-up and installed by the supplier, who shall use its own equipment. The supplier shall be responsible for any damage it causes to the grounds or casket.

Temporary Storage

61. The Manager may determine, at his or her discretion, that an interment cannot be made on the day of the funeral service and direct that the service be held in the chapel at the Cemetery. In such circumstances, the remains shall be placed in temporary storage, until the Manager determines that it is safe to conduct the interment.

62. Temporary storage may be made in the Young Chapel at Mount View Cemetery, subject to a fee as set out in the Tariff of Rates.

Pallbearers

63. Families and funeral directors shall ensure that there are an appropriate number of capable pallbearers to assist with the lifting of the casket from the coach to the grave during a funeral. Municipal staff shall not be permitted to act as pallbearers.

Scatterings of Cremated Human Remains

64. Cremated human remains may be scattered within a designated area of a Cemetery, provided that:

(a) a completed scattering application is provided to the Manager;

(b) the scattering fee has been paid; and

(c) the Scattering takes place between May 1 and October 31.
65. Once cremated human remains have been scattered, they cannot be retrieved.

Funerals
66. All funerals taking place in a Cemetery shall be under the jurisdiction of the funeral director.
67. An additional fee, as set out in the Tariff of Rates, will be charged for funeral services requiring work by municipal staff after 4:00pm.

PART VII – DISINTERMENTS

Conditions
68. Disinterments shall only be conducted in accordance with the provisions of the FBCSA and at a time that the Manager, in their sole discretion, determines is safe to do so.

Provision of Outer Case
69. If the burial was not made in a permanent outer case, such as a vault of liner, the party requesting disinterment must supply a new outer case.

Removal of Monuments/Markers
70. Any flat markers or upright monuments, including any monument foundations, designating the location of an interment shall be removed at the time of a disinterment at the expense of the Interment Rights Holder.

PART VIII – LOT DECORATIONS

No Lot Decorations if Fees Outstanding
71. Lot decorations shall not be placed on a lot if payment of any fees relating to the lot is outstanding.

Removal of Uncompliant and Unsafe Lot Decorations
72. Any lot decorations that do not comply with the requirements set out in this Part, that are placed in or around scattering gardens, that encroach upon adjacent lots, or that the Manager, in their sole discretion, deems to be unsafe, are prohibited.
73. Any prohibited lot decorations may be removed by the City without notice to the Interment Rights Holder or any other person whatsoever.
74. Any lot decorations that are found within or around a scattering garden may be removed by the City.

City Not Responsible for Loss or Theft

75. The City shall not be responsible for any damage to lots and structures or objects, therein, or flowers or articles removed from a grave except for damage that has been shown to have been caused by the City. For any damages shown to have been caused by the City, the City will attempt to contact the Interment Rights Holder concerning the damages at the last known address on file.

Lot Decorations – May 1st to October 31st

76. Between the dates of May 1 and October 31 of a particular year, no lot decorations or other objects may be left on a lot, except for the following:

(a) candles or solar lights, provided that:
   (i) the lot on which the candles or solar lights are placed is in the upright monument section of the Cemetery,
   (ii) the candles or solar lights are not made of glass, ceramic, or other breakable materials,
   (iii) the candles or solar lights are securely placed,
   (iv) the combined number of candles and solar lights on one particular lot does not exceed three (3) in total,
   (v) the candles or solar lights are placed either in line with the monument row or in the 36 centimetres (14 inches) garden area,
   (vi) the candles do not have an open flame,
   (vii) if the candles or solar lights are displayed on shepherd hooks, they do not exceed the height of the monument, and
   (viii) the candles or solar lights measure no more than 61 centimetres (2 feet) in height if the lot on which they are located has a monument of less than 61 centimetres (2 feet) in height;

(b) saddle wreaths, provided that they are not Christmas or Holiday-themed and do not become unsightly;

(c) a dwarf-style shrub, provided that:
(i) it is located on a lot with an upright monument centered on two or more graves,

(ii) and that a maximum of one (1) shrub is planted on either side of the upright monument and in line with the monument row,

(iii) the shrub is planted approximately 18 centimetres (7 inches) away from the side of the upright monument base and does not exceed the lot boundaries or the height of the upright monument, and

(iv) the shrub is maintained by the Interment Rights Holder and upon being given one month’s notice of the requirement to trim a shrub, the Interment Rights Holder does not fail to trim the shrub;

(d) natural cut flowers, silk flowers, or dried flower arrangements, provided that:

(i) they are placed in either a non-breakable cone-shaped vase or container, or a retractable vase or container that sits flush to the ground when not in use, and

(ii) for flowers in a flat marker section, the number of vases or containers does not exceed one (1) where the marker is centered on one (1) gravesite, or does not exceed one (1) vase or container per grave when the marker is centered on more than one (1) grave;

(e) borders or edging made of rubberized plastic, treated wood, or pre-formed concrete (excluding raised scalloped concrete borders), provided that:

(i) the borders or edging are no thicker than five 5 centimetres (2 inches),

(ii) the borders or edging are completely flush to the soil, and

(iii) the borders or edging are installed within the 36 centimetres (14 inches) garden area and do not exceed the width of the monument;

(f) wooden staked markers, other than veterans’ crosses, as temporary markers on graves without a memorial, provided that:

(i) the wooden staked marker is displayed for a period of one year or less from the time of the burial, unless otherwise authorized by the Manager,
(ii) the wooden staked marker measures between 61 centimetres (2 feet) and 91 centimetres (3 feet) in height, and 30 centimetres (1 foot) and 46 centimetres (18 inches) in width, and 5 centimetres (2 inches) in thickness, and

(iii) the wooden staked marker is properly maintained by the Interment Rights Holder;

(g) shepherd's hooks for the hanging of contents, provided that they are installed within the 36 centimetres (14 inches) garden area of the lot and do not exceed the height of the monument;

(h) figurines, including any allowable Lot Decoration, provided that the figurines are not made of glass or ceramics, are located within the 36 centimetres (14 inches) garden area of a lot on which an upright monument is installed;

(i) potted plants, provided that:

(i) the number of potted plants on a particular lot does not exceed two (2) in the upright monument sections and one in the flat marker sections,

(ii) the pot size does not exceed 25 centimetres (10 inches) in height and width,

(iii) the potted plants are not installed before the completion of the marker foundation,

(iv) the pots are not made of breakable materials, such as clay or glass, and

(v) the potted plants do not become unsightly; and

(j) photographs, provided that they are in placed in a non-breakable photo attachment and are attached to an upright marker.
Lot Decorations – November 1st to April 30th

77. Between the dates of November 1 and April 30 of a particular year, no lot decorations or other objects may be left on a lot, except for the following:

(a) wreaths, provided that:

(i) if placed in a flat marker section, the wreath is displayed on a metal stand and is placed directly over the monument,

(ii) if placed in an upright monument section, the wreath is placed in front of the monument and as close as possible to the monument, and

(iii) the wreath does not have a plastic covering; and

(b) silk flower arrangements, provided that they are placed in a stand or attached to a monument.

PART IX – DECORATIONS OTHER THAN ON LOTS

Memorial Benches

78. Memorial benches with a memorial plaque may be installed by the City in a Cemetery upon receipt of a completed application form and payment of the applicable fee prescribed in the Tariff of Rates.

79. The Manager shall, in their sole discretion, determine the location of any memorial benches.

80. The City may, in its absolute discretion, remove, replace, repair, or relocate a memorial bench for any reason whatsoever, without notice or compensation to any person, including the person that requested the bench’s installation.

81. No decorations of any kind may be placed on a memorial bench. Any such decorations may be removed by the City.

Memorial Trees

82. Memorial trees, consisting of a planted tree with a memorial plaque, may be planted by the City in a Cemetery upon receipt of a completed application form and payment of the applicable fee prescribed in the Tariff of Rates.

83. The Manager shall, in their sole discretion, determine the location of any memorial trees.
84. The City may, in its absolute discretion, remove, replace, repair, or relocate a memorial tree for any reason whatsoever, without notice or compensation to any person, including the person that requested that the tree be planted.

85. No decorations of any kind may be placed on or around a memorial tree. Any such decorations may be removed by the City.

**PART X – FLAT MARKERS**

Flat Markers – Defined

86. In this Part, “flat marker” means a marker placed so that the surface of the marker does not project above the surface of the ground.

Construction

87. All flat markers erected in a Cemetery shall be constructed wholly of granite.

Location and Size of Flat Markers

88. A flat marker shall be permitted to be installed on any grave located in the flat marker section of a Cemetery, subject to the following:

(a) a marker measuring no more than 77 centimetres (30 inches) in length and 36 centimetres (14 inches) in width, and no less than 51 centimetres (20 inches) in length and 31 centimetres (12 inches) in width, may be installed over one (1), two (2), or more adult spaces,

(b) a marker measuring no more than 51 centimetres (20 inches) in length and 31 centimetres (12 inches) in width may be installed over a grave that has been subdivided to accommodate infant or youth burials,

(c) only a marker measuring 51 centimetres (20 inches) in length and 31 centimetres (12 inches) in width may be installed over a lot designated by the Manager for veteran, infant, or child burials, or for the interment of cremated remains,

(d) all flat markers shall have a thickness of 10 centimetres (4 inches),

(e) no more than one marker shall be installed on any grave, which shall be centered at the head end of the grave on which it is located, and

(f) corner markers or posts are prohibited.
Delivery and Installation

89. All flat markers shall be delivered between April 15 and November 1 of any particular year, and shall be delivered to a location designated by the Manager for that purpose.

90. Only City employees shall be permitted to install flat markers.

91. No flat markers shall be installed until the designated fee set out in the Tariff of Rates is paid in full.

92. Only City employees shall be permitted to remove and/or re-install a flat marker.

Removal of Non-Compliant Markers

93. Where a flat marker does not conform with the requirements in this By-law, the Manager may remove the marker.

PART XI – UPRIGHT MONUMENTS

Upright Monuments to Comply with Provisions of Part XI

94. An upright monument shall be permitted to be installed on any grave located in the upright monument section of a Cemetery, provided that the monument complies with the provisions of this Part and that the applicable fee prescribed in the Tariff of Rates has been paid in full.

Location

95. No more than one monument shall be installed on any grave, which shall be centered at the head end of the grave on which it is located unless the Manager, in their sole discretion, determines otherwise.

Durability

96. Monuments shall be capable of withstanding a force of 35 kilograms applied at any point on the memorial when set in a dry mode (i.e. without the assistance of adhesive material).

97. Monuments may include stainless steel dowels of no less than 300-series grade, provided that their intended positioning is disclosed to the purchaser.

98. All components of an upright monument shall be completely sealed together with an appropriate sealing material, and monuments shall be sealed such that they have a level of stability suitable for installation.
Installation of Foundations

99. A concrete foundation of uniform thickness with measurements equal to that of the monument base and a depth of not less than 1.2 metres (48 inches) below grade shall be installed by the City prior to the installation of any upright monument.

100. No foundations shall be installed until the installation fee, as set out in the Tariff of Rates, has been paid in full and a sketch showing all dimensions of the monument and grave location has been provided to the City and approved by the Manager.

101. The City shall install, or cause to be installed, foundations during three installation periods throughout the year. Orders must be received and approved by the City either by May 25, August 1, or October 1 in order for the foundation to be completed during the corresponding installation period.

Size Requirements and Restrictions

102. All upright monuments shall have a base with vertical sides made of rock pitch style, and the bases shall measure:

   (a) no less than 15 centimetres (6 inches) in thickness, with the exception of pillow markers, which shall measure no less than 10 centimetres (4 inches) in thickness, and

   (b) no more than 45 centimetres in height (18 inches).

103. Unless otherwise approved by the Manager, all upright monuments shall comply with the following size requirements, depending on the size of the lot on which they are located and the number of graves within the lot, as set out in Table 1:

<table>
<thead>
<tr>
<th>Number of Graves</th>
<th>Die Thickness</th>
<th>Maximum Monument Width (Base Included)</th>
<th>Maximum Monument Height (Base Included)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Cremation Upright</td>
<td>Minimum 20 centimetres (8 inches) Maximum 25 centimetres (10 inches)</td>
<td>76 centimetres (30 inches)</td>
<td>91 centimetres (36 inches)</td>
</tr>
<tr>
<td>1 Single Adult</td>
<td>Minimum 20 centimetres</td>
<td>76 centimetres (30 inches)</td>
<td>97 centimetres (38 inches)</td>
</tr>
<tr>
<td></td>
<td>Minimum 20 centimetres (8 inches)</td>
<td>Maximum 25 centimetres (10 inches)</td>
<td>Minimum 20 centimetres (8 inches)</td>
</tr>
<tr>
<td>----------------</td>
<td>------------------------------------</td>
<td>------------------------------------</td>
<td>------------------------------------</td>
</tr>
<tr>
<td>2 Double Adult</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3 Triple Adult</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**No Upright Monuments on Single Graves Sold After July 1, 1990**

104. No upright monument shall be installed on a single grave for which the interment rights were sold after July 1, 1990, except on approved graves in designated upright monument sections.

**Inscriptions**

105. Textual inscriptions, including but not limited to family surnames, scriptures, poetry, prose, etc., on the backs of upright monuments, are permitted, provided that they are approved by the Manager. Burial information may not be inscribed on the back of any monument.

106. Photographs or photographic reproductions may be attached to upright monuments if they are made of non-breakable poly material, or may be inscribed by etching, sand blasting, chiseling, or using similar methods.

**Installation of Upright Monuments**

107. Any person that installs, repairs, or inscribes an upright monument shall ensure that planking and/or other protective materials are used to adequately protect the turf, and shall ensure that such materials and other equipment used in the installation, repair, or inscription are removed forthwith upon the completion of the work, and that the site is left clean and undamaged.
Upright Monuments in Disrepair or Unstable

108. The Manager may take any necessary measures to repair, reset, or lay down any upright monument that presents a risk to public safety due to it falling into a state of disrepair or becoming unstable, or may cause any such measures to be taken.

PART XII – CREMATION INTERMENT SECTIONS

Interment – Placement of Cremated Remains

109. Cremated human remains may be placed, interred, or inurned in a section designated by the Manager for that purpose, provided that the person requesting the service has entered into a contract with the City for that purpose and that the placement, interment, or inurnment otherwise complies with the requirements of this Part.

110. Only City staff may place, inter, or inurn cremated human remains within a Cemetery, or remove cremated human remains from a Cemetery.

Limitations re Interments

111. The following limitations apply with respect to the number of human remains which may be interred in a particular grave unless otherwise authorized by the manager:

(a) a maximum of two (2) cremation interments within a cremation grave located in a flat marker section, and

(b) a maximum of four (4) cremation interments within a cremation grave located in an upright monument section.

Regulations re Columbaria

112. The installation of family pedestal columbaria shall be permitted on approved lots within designated sections of the Cemetery at the sole discretion of the Manager.

113. Textual inscriptions, including but not limited to family surnames, scriptures, poetry, prose, etc., on the backs of family pedestal columbaria, are permitted, provided that they are approved by the Manager. Burial information may not be inscribed on the back of any family pedestal columbaria.

114. Surnames shall be permitted to be inscribed on the front face of the cap of a family pedestal columbarium.

115. No inscriptions of any kind shall be permitted on the sides of a family pedestal columbarium.
116. Any person installing an inscription on the face of a columbarium niche shall:

   (a) provide 2 business days’ notice to prepare a niche plate for pick up and gain approval from the Cemetery administration office prior to commencing the work;

   (b) ensure that any engraved letters are of block style and inset so that the face of the niche face remains flush with its original finish, and shall not use any additives to any lettering;

   (c) ensure that the placement of any engraved artwork is:

      (i) does not exceed an area larger than 116 square centimetres (18 square inches), and

      (ii) approved by the Manager, as to colour, design, and size, before engraving, and

   (d) ensure that the face plate is removed for a maximum duration of 5 business days.

117. No attachments or decorations shall be permitted on a columbarium, a niche.

118. A maximum of two (2) cremated human remains shall be permitted in a single columbarium niche.

PART XIII – GARDEN CRYPTS

Embellishments Prohibited

119. Attachments or embellishments of any kind to the crypt face plate shall not be permitted.

120. The placement of decorations of any kind, in or around a garden crypt mausoleum shall not be permitted.

Face Plate Inscriptions
121. Drawings of inscriptions signed by the holder of the rights to the crypt and the supplier or their representative must be approved by the Manager prior to being inscribed on a crypt face plate.

122. Any person installing an inscription on the face of a crypt face plate shall:

(a) ensure that crypt face plates shall have the family name of the deceased centered at the top of the face plate, followed by the deceased’s given name(s), date of birth, and date of death;

(b) ensure that any other textual inscriptions, including but not limited scriptures, poetry, prose, etc., are centred at the bottom of the face plate;

(c) ensure that any engraved letters are of block style and inset so that the crypt face plate remains flush with its original finish;

(d) not use any additives to any lettering;

(e) ensure that the text of family names measures 6.4 centimetres (2.5 inches) in height;

(f) ensure that the text of given names measures 3.2 centimetres (1.25 inches) in height; and

(g) ensure that all other engraved text measures 2.5 centimetres (1 inch) in height.

123. A crypt face plate may be replaced with the approval of the Manager and upon payment of the applicable fee prescribed in the Tariff of Rates.

PART XIV – SCATTERING GARDENS

Memorial Rocks

124. A memorial rock may be installed by the City in an area designated by the Manager for the scattering of cremated human remains upon payment of the applicable fee prescribed in the Tariff of Rates.

125. Only the City shall be permitted to install and inscribe such memorial rocks.
PART XV – CHAPEL

126. An available Cemetery Chapel may be rented provided that person requesting the rental has entered into a contract with the City for that purpose.

PART XIV – REQUESTS FOR SERVICE

Requests to be Made at Cemetery Office

127. Any person, including a funeral director, having a request for service shall present the request at the Cemeteries Administration Office.

128. The City reserves the right to require that a particular request be made in writing.

PART XVI – TARIFF OF RATES

Adoption – By Council

129. Council may from time to time prescribe fees and charges in its Fees and Charges By-law to be paid by persons purchasing interment rights, cemetery supplies, and services in Cemeteries, or requiring services to be performed therein. Such fees and charges as prescribed by Council shall be published in a Tariff of Rates by the City for the purposes of providing them to the public in accordance with the FBCSA.

PART XVII – ENFORCEMENT

Offences

130. Any person who furnishes false information in any application under this by-law, in any certificate required to be issued, or in any statement or return required to be furnished pursuant to this by-law is guilty of an offence, and, upon conviction, shall be liable to a fine as provided for in the Provincial Offences Act, R.S.O. 1990, c. P.33, as amended.

PART XVIII - MISCELLANEOUS

Severability

131. If a court of competent jurisdiction declares any section or part of a section of this by-law to be invalid, it is the intention of Council that the remainder of the by-law shall continue to be in force.
Repeal
132. By-law No. 162-13 of The Corporation of the City of Cambridge, being a By-law of the Corporation of the City of Cambridge for the Management, Regulation & Control of Cemeteries and to repeal By-law 97-09 as amended, and any amendments thereto, is hereby repealed.

Short Title
133. This by-law may be referred to as the “Cemetery By-law”.

Coming into Force
134. This by-law shall come into force and effect on the day that it is approved by the Registrar.

ENACTED AND PASSED this 24th day of October 2023

__________________________________________
MAYOR

__________________________________________
CLERK
## SCHEDULE “A”

Cemeteries Operated by the City of Cambridge

<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>Freeport Pioneer Cemetery</td>
<td>296 Riverbank Drive</td>
</tr>
<tr>
<td>Mount View Cemetery</td>
<td>80 Blenheim Road</td>
</tr>
<tr>
<td>New Home Cemetery</td>
<td>235 Cooper Street</td>
</tr>
<tr>
<td>Preston Cemetery</td>
<td>751 Fountain Street North</td>
</tr>
<tr>
<td>Parklawn Cemetery</td>
<td>750 Fountain Street North</td>
</tr>
<tr>
<td>St. Andrew’s Park Cemetery</td>
<td>35 Lansdowne Road South</td>
</tr>
<tr>
<td>St. Mary’s Cemetery</td>
<td>240 Cooper Street</td>
</tr>
<tr>
<td>Zion Cemetery</td>
<td>2000 Speedsville Road</td>
</tr>
</tbody>
</table>
THE CORPORATION OF THE CITY OF CAMBRIDGE

BY-LAW 23-094

Being a by-law to confirm the proceedings of the Council of the Corporation of the City of Cambridge

WHEREAS the Municipal Act, 2001 S.O. 2001, c.25, Section 5, provides that the powers of a municipal corporation shall be exercised by its Council.

WHEREAS the Municipal Act, 2001 S.O. 2001, c.25, Section 9 and 11, provides that except where otherwise provided the powers of any Council shall be exercised by by-law.

WHEREAS in many cases action which is taken or authorized to be taken by Council does not lend itself to the passage of an individual by-law,

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

1. THAT the action of the Council at its meeting held on the 24th day of October 2023, in respect of each motion, resolution and other action taken by the Council, and its Committees, at its said meeting is, except where the prior approval of the Local Planning Appeal Tribunal or other authority is by law required, hereby adopted, ratified and confirmed as if all such proceedings were expressly embodied in this by-law.

2. THAT where no individual by-law has been or is passed with respect to the taking of any action authorized in or by the above mentioned Minutes or with respect to the exercise of any powers by the Council in the above mentioned Minutes, then this by-law shall be deemed for all purposes to be the by-law required for approving and authorizing and taking of any action authorized therein or thereby, or required for the exercise of any powers therein by the Council.

3. THAT the Mayor and the proper officers of The Corporation of the City of Cambridge are hereby authorized and directed to do all things necessary to give effect to the said action of the Council or to obtain approvals where required and, except where otherwise provided, the Mayor, the Clerk and the Treasurer are hereby directed to execute all documents necessary on behalf of The Corporation of the City Cambridge and to affix thereto the corporate seal of The Corporation of the City of Cambridge.
4. **AND THAT** this by-law shall come into full force on the day it is passed.

**ENACTED AND PASSED** this 24\textsuperscript{th} day of October 2023

__________________________

MAYOR

__________________________

CLERK