



THE CORPORATION OF THE CITY OF CAMBRIDGE

Site Plan Control Area By-law #68-10

Being a by-law of the Corporation of the City of Cambridge to designate the City of Cambridge as a site plan control area and appoint site plan control officers.

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BY-LAW NO. 68-10

OF THE

CORPORATION OF THE CITY OF CAMBRIDGE

Being a by-law of the Corporation of the City of Cambridge pursuant to Section 41(2) of the Planning Act, R.S.O., 1990 to designate the City of Cambridge as a site plan control area and appoint site plan control officers.

WHEREAS the City of Cambridge passed By-law 3-86 to designate the City of Cambridge as a site plan control area and appoint site plan control officers;

AND WHEREAS By-law 3-86 was amended over time by By-laws 180-92, 206-96, 43-01 and 25-05;

AND WHEREAS it is deemed expedient to amend By-law 3-86 to incorporate amendments to Section 41 of the Planning Act including amendments through Bill 51;

AND WHEREAS it is deemed expedient to consolidate By-law 3-86 and all amending by-laws;

NOW THEREFORE THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE CITY OF CAMBRIDGE enacts as follows:

- 1) In this by-law, "development" means the construction, erection or placing of one or more buildings or structures on land or the making of an addition or alteration to a building or structure that has the effect of substantially increasing the size or usability thereof, or the laying out and establishment of a commercial parking lot or of sites for the location of three or more trailers as defined in subsection 164 (4) of the Municipal Act, 2001, or of sites for the location of three or more mobile homes as defined in subsection 46 (1) of the Planning Act or of sites for the construction, erection or location of three or more land lease community homes as defined in subsection 46 (1) of this Act as defined in clause 41(1) of the Planning Act. The definition of "development" does not include the placement of a portable classroom on a school site of a district school board if the school site was in existence on January 1, 2007.
- 2) The whole of the City of Cambridge is hereby designated as a site plan control area.
- 3) No person shall undertake any development in an area designated under section 2 of this By-law unless the council of the Corporation of the City of Cambridge or, where a referral has been made under subsection 41(12) of the Planning Act, the Ontario Municipal Board has approved one or both, as the council may determine, of the following:
 - a) Plans showing the location of all buildings and structures to be erected and showing the location of all facilities and works to be provided in conjunction therewith and of all facilities and works required under Section 4 of this by-law, including facilities designed to have regard for accessibility for persons with disabilities.
 - b) Drawings showing plan, elevation and cross-section views for each building to be erected, including buildings to be used for residential purposes containing less than twenty-five dwelling units, which drawings are sufficient to display:
 - i) the massing and conceptual design of the proposed building;
 - ii) the relationship of the proposed building to adjacent buildings, streets, and exterior areas to which members of the public have access;

- iii) the provision of interior walkways, stairs, elevators and escalators to which members of the public have access from streets, open spaces and interior walkways in adjacent buildings;
 - iv) matters relating to exterior design, including without limitation the character, scale, appearance and design features of buildings, and their sustainable design, but only to the extent that it is a matter of exterior design;
 - v) the sustainable design elements on any adjoining highway under a municipality's jurisdiction, including without limitation trees, shrubs, hedges, plantings or other ground cover, permeable paving materials, street furniture, curb ramps, waste and recycling containers and bicycle parking facilities; and
 - vi) facilities designed to have regard for accessibility for persons with disabilities.
- c) Exceptions to the requirements of this by-law shall be described in Schedules A and B to this by-law.
- 4) As a condition to the approval of the plans and drawings referred to in section 3, the municipality may require the owner of the land to,
- a) provide to the satisfaction of and at no expense to the municipality any or all of the following:
 - i) widenings of highways that abut on the land as described in the City of Cambridge Official Plan and the Regional Official Plan.
 - ii) subject to the Public Transportation and Highway Improvement Act, facilities to provide access to and from the land such as access ramps and curbing and traffic direction signs.
 - iii) off-street vehicular loading and parking facilities, either covered or uncovered, access driveways, including driveways for emergency vehicles, and the resurfacing of such areas and driveway.
 - iv) walkways and walkway ramps, including the surfacing thereof, and all other means of pedestrian access.
 - v) facilities designed to have regard for accessibility for persons with disabilities.
 - vi) facilities for the lighting, including floodlighting, of the land or of any buildings or structures thereon.
 - vii) walls, fences, hedges, trees, shrubs or other groundcover or facilities for the landscaping of the lands or the protection of adjoining lands.
 - viii) vaults, central storage and collection areas and other facilities and enclosures for the storage of garbage and other waste material.

- ix) easements conveyed to the municipality for the construction, maintenance or improvement of watercourses, ditches, land drainage works, sanitary sewage facilities and other public utilities of the municipality or local board thereof on the land.
 - x) grading or alteration in elevation or contour of the land and provision for the disposal of storm, surface and waste water from the land and from any buildings or structures thereon;
- b) maintain to the satisfaction of the municipality and at the sole risk and expense of the owner any or all of the facilities or works mentioned in clauses ii through x of subsection (a), including the removal of snow from access ramps and driveways, parking and loading areas and walkways;
 - c) enter into one or more agreements with the municipality dealing with and ensuring the provision of any or all of the facilities, works or matters mentioned in subsection (a) or (d) and the maintenance thereof as mentioned in subsection (b) or with the provision and approval of the plans and drawings referred to in section 4;
 - d) enter into one or more agreements with the municipality ensuring that development proceeds in accordance with the plans and drawings approved under section 4;
 - e) convey part of the land to the municipality to the satisfaction of and at no expense to the municipality for a public transit right-of-way as described in the City of Cambridge Official Plan or the Regional Official Plan.
- 5) Any agreement entered into under subsection 4 (c) and (d) may be registered against the land to which it applies and the municipality is entitled to enforce the provisions thereof against the owner and, subject to the provisions of the Registry Act and the Land Titles Act, any and all subsequent owners of the land.
- 6) Section 325 of the Municipal Act applies to any requirements made under subsections 4 (a) and (b) and to any requirements made under an agreement entered into under subsections 4(c) and (d).
- 7) Pursuant to clause 41(13)(b) of the Planning Act, R.S.O., 1990, all of the powers of the Council of the Corporation of the City of Cambridge to approve the plans and drawings referred to in section 3 of this by-law and to impose conditions of approval and sign agreements entered into under section 4 are hereby delegated to the Commissioner of Planning for the City of Cambridge or, in the absence of the Commissioner, to the Director of Planning Operations or the Director of Policy Planning for the City of Cambridge, provided, however, that
- a) the aforesaid appointed officers shall consult with the appropriate municipal departments and agencies to ensure the compliance of the plans and drawings referred to in section 3 of this by-law and the other facilities and works referred to in section 4 with the requirements of the by-laws or statutes administered by such departments and agencies;
 - b) the aforesaid appointed officers shall report all approvals to the Council of the Corporation of the City of Cambridge at regularly scheduled meetings of the Council for information;

- c) the aforesaid appointed officers are not empowered to refuse to approve the plans or drawings referred to in section 3 of this by-law and shall refer all such plans and drawings where refusal is recommended to the Council of the Corporation of the City of Cambridge;
 - d) the aforesaid appointed officers shall determine the conditions of approval referred to in section 4 of this by-law in accordance with the standing policies of Council and, in the event of a dispute, shall refer the proposed conditions of approval to the Council of the Corporation of the City of Cambridge;
 - e) the Council of the Corporation of the City of Cambridge may require that the aforesaid appointed officers shall not approve the plans or drawings of a proposed development and shall refer such plans or drawings to Council.
- 8) By-Law No. 3-86, 180-92, 206-96, 43-01 and 25-05 are hereby repealed.

READ A FIRST, SECOND AND THIRD TIME
ENACTED AND PASSED THIS 19TH DAY OF APRIL, 2010, A.D.

DOUG CRAIG
MAYOR

ALEX MITCHELL
CLERK

SCHEDULE "A"

TO BY-LAW NO. 68 -10

OF THE

CORPORATION OF THE CITY OF CAMBRIDGE

The following classes of development may be undertaken without the approval of the plans referred to in subsection 3 a) of By-law No. ;

1. Detached one-family dwellings.
2. Semi-detached one-family dwellings.
3. Detached duplexes.
4. Detached triplexes.
5. Farm-related dwellings or a farm building or structure proposed in an area designated on Map 1 of the City of Cambridge Official Plan as Agricultural Resource Area.
6. Building or structures proposed in an area designated on Map 15 of the City of Cambridge Official Plan as a Class 3 Open Space.
7. Portable classrooms on a school site of a district school board if the school site was in existence on January 1, 2007.

SCHEDULE "B"

TO BY-LAW NO. 68-10

OF THE

CORPORATION OF THE CITY OF CAMBRIDGE

The following classes of development may be undertaken without the approval of the drawings referred to in subsection 3 b) of the By-Law No. unless such buildings form part of a mixed-use commercial-residential development, but may not be undertaken without the approval of the plans referred to in subsection 3 a) of the by-law:

1. Terraces of three or more attached one-family dwellings.
2. Semi-detached duplexes.
3. Semi-detached triplexes.