



Community Development Department
50 Dickson Street, 3rd Floor, P.O. Box 669
Cambridge ON N1R 5W8
Tel: (519) 623-1340 ext. 4289
Fax: (519) 622-6184

Committee of Adjustment for the Corporation of the City of Cambridge

being Submission No. **A17/20**

THIS MATTER HAVING BEEN HEARD on Wednesday, July 22, 2020 and the Notice of Hearing having been given in accordance with the Rules and Procedures adopted by the Committee of Adjustment; the Committee of Adjustment of the City of Cambridge hereby renders the following decision:

Decision: PLAN 58M120 LOT 14
148 Wheatland Drive

Moved by: Don Drackley
Seconded by: Gerald Menezes

That the applicant's request for a minor variance from Zoning By-law 150-85 to permit a minimum lot area of 366 m² (3,939.59 ft²) whereas the by-law requires a minimum lot area of 450 m² (4,843.76 ft²) for an accessory apartment,

be refused.

CARRIED

REASONS:

The Committee considered staff's recommendation, the applicant's and agent's oral comments in relation to the application, and as well as neighbours' oral and written comments. The application is **refused**, as the Committee is of the opinion that the property's deficient lot area will provide insufficient amenity space to accommodate a secondary dwelling unit as well as result in parking issues for the neighbourhood and will not result in appropriate development or use of the property.



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Committee of Adjustment for the Corporation of the City of Cambridge

being Submission No. **A22/20**

THIS MATTER HAVING BEEN HEARD on Wednesday, August 26, 2020 and the Notice of Hearing having been given in accordance with the Rules and Procedures adopted by the Committee of Adjustment; the Committee of Adjustment of the City of Cambridge hereby renders the following decision:

Decision: Part of Lot 28, Beasley's Broken Front Concession, being Parts 35 and 36 on RP 58R-18484, with easement over Part 35 in favour of adjacent landowners for storm drainage.
140 Goddard Cres

Moved by:

Seconded by:

The applicant's request for a minor variance from Zoning By-law 150-85 to permit a reduction in parking from 2.5 spaces per 100 m² (1,076 ft²) to 1 space per 150 m² (1,614 ft²),

be **deferred** for a maximum of 90 days.

CARRIED

REASONS:

The Committee considered staff's recommendation, and the applicant's oral comments in relation to the application. The application is **deferred** to allow the applicant additional time to finalize their site plan design and confirm a minimum number of parking spaces or an alternative parking rate that would be more appropriate for the proposed industrial mall in a prestige industrial park which is primarily accessible by vehicle. The applicant must reflect any changes on the site plan.



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Committee of Adjustment for the Corporation of the City of Cambridge

being Submission No. **A23/20**

THIS MATTER HAVING BEEN HEARD on Wednesday, August 26, 2020 and the Notice of Hearing having been given in accordance with the Rules and Procedures adopted by the Committee of Adjustment; the Committee of Adjustment of the City of Cambridge hereby renders the following decision:

Decision: Part of Lot 28, Beasley's Broken Front Concession, being Parts 54 and 56 on RP 58R-18484 and Part of PT 4 and PT 6 & 7 on 58R-19820
125 Goddard Cres

Moved by:
Seconded by:

That the applicant's request for a minor variance from Zoning By-law 150-85 to permit a reduction in parking from 2.5 spaces per 100 m² (1,076 ft²) to 1 space per 150 m² (1,614 ft²),

be **deferred** for a maximum of 90 days.

CARRIED

REASONS:

The Committee considered staff's recommendation, and the applicant's oral comments in relation to the application. The application is **deferred** to allow the applicant additional time to finalize their site plan design and confirm a minimum number of parking spaces or an alternative parking rate that would be more appropriate for the proposed industrial mall in a prestige industrial park which is primarily accessible by vehicle. The applicant must reflect any changes on the site plan.



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Committee of Adjustment for the Corporation of the City of Cambridge

being Submission No. **A39/20**

THIS MATTER HAVING BEEN HEARD on Wednesday, August 26, 2020 and the Notice of Hearing having been given in accordance with the Rules and Procedures adopted by the Committee of Adjustment; the Committee of Adjustment of the City of Cambridge hereby renders the following decision:

Decision: PLAN 58M-582 LOT 279
260 River Forks Lane

Moved by: Don Drackley
Seconded by: Danette Dalton

That the applicant's request for a minor variance from Zoning By-law 150-85 to permit a frontage of 10.8 m (35.4 m) whereas the by-law permits a minimum frontage of 11 m (36 m) for an accessory apartment unit,

be **approved** subject to the following conditions:

1. That the accessory unit be limited to a one bedroom unit,
2. That the applicant provides a survey to confirm the property lines between 260 River Forks Lane and 264 River Forks Lane at the cost of the applicant, and
3. That the applicant provides a fence along the boundary between 260 River Forks Lane and 264 River Forks Lane that meets the requirements of the fence by-law, at the cost of the applicant.

CARRIED

REASONS:

The Committee considered staff's recommendation, the applicant's oral comments, and the delegate's oral comments in relation to the application. Therefore, the application is **approved with three conditions**, as it is the opinion of the Committee of Adjustment, that the proposal meets the general intent of the Zoning By-law and Official Plan, is minor and will result in the appropriate development of the site.



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**Committee of Adjustment for the
Corporation of the City of Cambridge**

being Submission No. **A43/20**

THIS MATTER HAVING BEEN HEARD on Wednesday, August 26, 2020 and the Notice of Hearing having been given in accordance with the Rules and Procedures adopted by the Committee of Adjustment; the Committee of Adjustment of the City of Cambridge hereby renders the following decision:

Decision: PLAN 58M255 LOT 21
99 Langlaw

Moved by: Gerald Menezes
Seconded by: Don Drackley

That the applicant's request for a minor variance from Zoning By-law 150-85 to permit a minimum lot area of 426 m² (4,585.43 ft²) whereas the by-law permits a minimum lot area of 450 m² (4,843.76 ft²) for an accessory apartment unit,

be **approved** subject to the following condition:

1. That the accessory unit be substantially in keeping with the plans submitted with the minor variance application and is limited to one bedroom.

CARRIED

REASONS:

The Committee considered staff's recommendation and the applicant's oral comments in relation to the application. Therefore, the application is **approved with one condition**, as it is the opinion of the Committee of Adjustment, that the proposal meets the general intent of the Zoning By-law and Official Plan, is minor and will result in the appropriate development of the site.



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Committee of Adjustment for the Corporation of the City of Cambridge

being Submission No. **A44/20**

THIS MATTER HAVING BEEN HEARD on Wednesday, August 26, 2020 and the Notice of Hearing having been given in accordance with the Rules and Procedures adopted by the Committee of Adjustment; the Committee of Adjustment of the City of Cambridge hereby renders the following decision:

Decision: PLAN 58M41 LOT 28
122 Green Vista Lane

Moved by: Gerald Menezes
Seconded by: Don Drackley

That the applicant's request for a minor variance from Zoning By-law 150-85 to permit a minimum lot area of 422.66 m² (4,549.47 ft²) whereas the by-law permits a minimum lot area of 450 m² (4,843.76 ft²),

be **approved** subject to the following condition:

1. That the accessory unit be limited to a one bedroom unit.

CARRIED

REASONS:

The Committee considered staff's recommendation, and the applicant's oral comments in relation to the application. Therefore, the application is **approved with one condition**, as it is the opinion of the Committee of Adjustment, that the proposal meets the general intent of the Zoning By-law and Official Plan, is minor and will result in the appropriate development of the site.



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Committee of Adjustment for the Corporation of the City of Cambridge

being Submission No. **A45/20**

THIS MATTER HAVING BEEN HEARD on Wednesday, August 26, 2020 and the Notice of Hearing having been given in accordance with the Rules and Procedures adopted by the Committee of Adjustment; the Committee of Adjustment of the City of Cambridge hereby renders the following decision:

Decision: PLAN 58M353 LOT 117
68 Dellgrove Cir

Moved by: Danette Dalton
Seconded by: Gerald Menezes

That the applicant's request for a minor variance from Zoning By-law 150-85 to reduce the rear yard setback from the required 5 m (16.4 ft.) to 3.29 m (10.7 ft.) for a proposed deck,

be **approved** subject to the following condition:

1. That the deck be substantially in keeping with the plans submitted.

CARRIED

REASONS:

The Committee considered staff's recommendation and the applicant's oral comments in relation to the application. Therefore, the application is **approved with one condition**, as it is the opinion of the Committee of Adjustment, that the proposal meets the general intent of the Zoning By-law and Official Plan, is minor and will result in the appropriate development of the site.



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Committee of Adjustment for the Corporation of the City of Cambridge

being Submission No. **A46/20**

THIS MATTER HAVING BEEN HEARD on Wednesday, August 26, 2020 and the Notice of Hearing having been given in accordance with the Rules and Procedures adopted by the Committee of Adjustment; the Committee of Adjustment of the City of Cambridge hereby renders the following decision:

Decision: PLAN 58M244 LOT 36
283 Newport Drive

Moved by: Gerald Menezes

Seconded by: Danette Dalton

That the applicant's request for the following minor variances from Zoning By-law 150-85 to permit:

1. A minimum lot area of 441 m² (4,746.88 ft²) whereas the by-law permits a minimum lot area of 450 m² (4,843.76 ft²), and
2. A frontage of 9.6 m (31.4 ft.) whereas the by-law permits a minimum frontage of 11 m (36 ft.),

be **approved** subject to the following condition:

1. That the accessory unit be substantially in keeping with the plans submitted with the minor variance application and is limited to one bedroom.

CARRIED

REASONS:

The Committee considered staff's recommendation, and the applicant's oral comments in relation to the application. Therefore, the application is **approved with one condition**, as it is the opinion of the Committee of Adjustment, that the proposal meets the general intent of the Zoning By-law and Official Plan, is minor and will result in the appropriate development of the site.



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Committee of Adjustment for the Corporation of the City of Cambridge

being Submission No. **A46/20**

THIS MATTER HAVING BEEN HEARD on Wednesday, August 26, 2020 and the Notice of Hearing having been given in accordance with the Rules and Procedures adopted by the Committee of Adjustment; the Committee of Adjustment of the City of Cambridge hereby renders the following decision:

Decision: PLAN 58M-617 LOT 127
59 Wannamaker Cres

Moved by: Gerald Menezes
Seconded by: Danette Dalton

That the applicant's request for a minor variance from Zoning By-law 150-85 to permit a minimum lot area of 427.58 m² (4,602.4 ft²) whereas the by-law permits a minimum lot area of 450 m² (4,843.76 ft²) for an accessory apartment unit,

be **approved** subject to the following conditions:

1. That the accessory unit be limited to a one bedroom unit.

CARRIED

REASONS:

The Committee considered staff's recommendation, and the applicant's oral comments in relation to the application. The application is **approved with one condition**, as it is the opinion of the Committee of Adjustment, that the proposal meets the general intent of the Zoning By-law and Official Plan, is minor and will result in the appropriate development of the site.



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Committee of Adjustment for the Corporation of the City of Cambridge

being Submission No. **A48/20**

THIS MATTER HAVING BEEN HEARD on Wednesday, August 26, 2020 and the Notice of Hearing having been given in accordance with the Rules and Procedures adopted by the Committee of Adjustment; the Committee of Adjustment of the City of Cambridge hereby renders the following decision:

Decision: PLAN 58M353 LOT 116
64 Dellgrove Cir

Moved by: Gerald Menezes
Seconded by: Don Drackley

That the applicant's request for a minor variance from Zoning By-law 150-85 to reduce the rear yard setback from the required 5 m (16.4 ft.) to 3.29 m (10.7 ft.) for a proposed deck,

be **approved** subject to the following condition:

1. That the deck be substantially in keeping with the plans submitted.

CARRIED

REASONS:

The Committee considered staff's recommendation and the applicant's oral comments in relation to the application. The application is **approved with one condition**, as it is the opinion of the Committee of Adjustment, that the proposal meets the general intent of the Zoning By-law and Official Plan, is minor and will result in the appropriate development of the site.



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Committee of Adjustment for the Corporation of the City of Cambridge

being Submission No. **A46/20**

THIS MATTER HAVING BEEN HEARD on Wednesday, August 26, 2020 and the Notice of Hearing having been given in accordance with the Rules and Procedures adopted by the Committee of Adjustment; the Committee of Adjustment of the City of Cambridge hereby renders the following decision:

Decision: PLAN 1354 LOT 97
244 Johanna Dr.

Moved by: Danette Dalton
Seconded by: Gerald Menezes

That the applicant's request for the following minor variances from Zoning By-law 150-85 to permit:

1. An accessory dwelling that is 47.3% of the total floor area whereas the by-law only permits the accessory unit to be a maximum floor area of 40% of the principal dwelling and,
2. A minimum lot area of approximately 371 m² (3,993.41 ft²) whereas the by-law requires a minimum of 450 m² (4,843.76 ft²) for an accessory dwelling unit,

be refused.

CARRIED

REASONS:

The Committee considered staff's recommendation, the applicant's oral comments, and delegate comments in relation to the application. The application is **refused**, as it is the opinion of the Committee of Adjustment, that the variance is not minor in nature, represents over-intensification of a lot of this size in this neighbourhood, that the secondary unit is not subordinate in nature to the principal dwelling, and concerns with the creation of an additional bedroom for which there is not sufficient parking.



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Committee of Adjustment for the Corporation of the City of Cambridge

being Submission No. **A46/20**

THIS MATTER HAVING BEEN HEARD on Wednesday, August 26, 2020 and the Notice of Hearing having been given in accordance with the Rules and Procedures adopted by the Committee of Adjustment; the Committee of Adjustment of the City of Cambridge hereby renders the following decision:

Decision: PLAN 58M389 LOT 40
 242 Garth Massey Dr.

Moved by:
Seconded by:

That the applicant's request for a minor variance from Zoning By-law 150-85 to permit a minimum lot area of 340 m² (3,667 ft²) whereas the by-law permits a minimum lot area of 450 m² (4,843.76 ft²) for an accessory apartment unit,

be **refused**.

CARRIED

REASONS:

The Committee considered staff's recommendation, the applicant's oral comments, and delegate comments in relation to the application. The application is **refused**, as the Committee is of the opinion that the site specific zoning provision within the subdivision has resulted in massing which provides insufficient space for amenity area and parking to accommodate an accessory apartment unit and will not result in appropriate development or use of the property.



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Committee of Adjustment for the Corporation of the City of Cambridge

being Submission No. **A52/20**

THIS MATTER HAVING BEEN HEARD on Wednesday, August 26, 2020 and the Notice of Hearing having been given in accordance with the Rules and Procedures adopted by the Committee of Adjustment; the Committee of Adjustment of the City of Cambridge hereby renders the following decision:

Decision: PLAN 58M543 LOT 74
220 Maple Bush Dr.

Moved by: Danette Dalton
Seconded by: Gerald Menezes

That the applicant's request for a minor variance from Zoning By-law 150-85 to reduce the rear yard setback from the required 5 m (16.4 ft.) to 3.33 m (10.9 ft.) for a deck,

be **approved** subject to the following condition:

1. That the deck be substantially in keeping with the plans submitted.

CARRIED

REASONS:

The Committee considered staff's recommendation and the applicant's oral comments in relation to the application. Therefore, the application is **approved with one condition**, as it is the opinion of the Committee of Adjustment, that the proposal meets the general intent of the Zoning By-law and Official Plan, is minor and will result in the appropriate development of the site.



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Committee of Adjustment for the Corporation of the City of Cambridge

being Submission No. **A53/20**

THIS MATTER HAVING BEEN HEARD on Wednesday, August 26, 2020 and the Notice of Hearing having been given in accordance with the Rules and Procedures adopted by the Committee of Adjustment; the Committee of Adjustment of the City of Cambridge hereby renders the following decision:

Decision: PLAN 58M459 LOT 109
123 Porter Cres

Moved by: Danette Dalton
Seconded by: Don Drackley

That the applicant's request for a minor variance from Zoning By-law 150-85 to reduce the rear yard setback from the required 5 m (16.4 ft.) to 3.96 m (12.9 ft.) for a deck,

be **approved** subject to the following condition:

1. That the deck be substantially in keeping with the plans submitted.

CARRIED

REASONS:

The Committee considered staff's recommendation and the applicant's oral comments in relation to the application. Therefore, the application is **approved with one condition**, as it is the opinion of the Committee of Adjustment, that the proposal meets the general intent of the Zoning By-law and Official Plan, is minor and will result in the appropriate development of the site.



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Committee of Adjustment for the Corporation of the City of Cambridge

being Submission No. **B12/20**

THIS MATTER HAVING BEEN HEARD on Wednesday, August 26, 2020 and the Notice of Hearing having been given in accordance with the Rules and Procedures adopted by the Committee of Adjustment; the Committee of Adjustment of the City of Cambridge hereby renders the following decision:

Decision: PLAN 257 LOT 62
 9 Spiers Cres

Moved by: Danette Dalton
Seconded by: Gerald Menezes

That the applicants request to sever a residential property to create a new parcel with an approximate area of 282 m² (3,035.42 ft²) and 7.6 m (24.9 ft.) frontage along Spiers Crescent,

be **approved** subject to the following conditions:

1. That prior to final approval, the owner/applicant submits a copy of the deposited reference plan indicating the boundaries of the parcels, any easements/rights-of-way and building locations, to the satisfaction of the Planning Services Division;
2. That a servicing plan be prepared, to the satisfaction of City of Cambridge Development Engineering, detailing the location of the existing and proposed services for each lot;
3. That a grading plan be prepared, to the satisfaction of City of Cambridge Development Engineering, for the overall development, including proposed locations of roof leaders, rear yard catch basins (if required) and swales;
4. That the applicant provides a street tree for each lot as a condition of approval for the Consent. The applicant can either install the trees themselves or have the City do so. Clearance of the condition will require proof of installation or proof of payment to the Secretary of the Committee of Adjustment.
5. That the applicant pays cash-in-lieu of parkland at 5% of the value of the land. The applicant shall provide an opinion of the value from an accredited appraiser, to the satisfaction of the City of Cambridge, Planning Services, in determining the value of the severed land;
6. That the owner/applicant submit a legal survey showing the existing property, existing easements, existing dwelling, existing hydro pole(s), anchors, secondary hydro wire-feed to the existing dwelling, proposed

severance, proposed dwellings, proposed driveway, proposed electric plant to the satisfaction of Energy+ Inc. The survey must include dimensions. The Applicant is cautioned that a minimum clearance between the proposed driveway entrance and existing poles, guy wires and anchors is 1.5 meters;

7. That the owner/applicant enter into a development agreement with the Region of Waterloo to include the following provisions for all units on the proposed severed and retained lands in all agreements of Offers of Purchase and Sale, lease/rental agreements:
 - a. The owner hereby agrees that all dwellings on the severed and retained lands will be constructed as per recommendations of the noise report entitled, "Road and Rail Traffic Noise Impact Study, 9 Spiers Crescent, Cambridge, Ontario" authored by JJ Acoustic Engineering Ltd. (April 24, 2017).
 - b. All dwelling units will be installed with forced air ventilation systems; suitably designed and installed with a central air conditioning systems. The location, installation and sound rating of the air conditioning device should comply with NPC-300.
 - c. That building components used in construction for the north and east facades of all units on the severed and retained lands will be in compliance with the Ontario Building Code (OBC).
 - d. That the windows used in the construction of the south façade on the severed and retained lands have a minimum STC rating of 23.
 - e. That the windows used in the construction of the west façade on the severed and retained lands have a minimum STC rating of 21.
 - f. A Professional acoustical engineer will be required to certify that the building plans include all required noise control, including the installation of central air conditioning prior to issuance of a building permit.
 - g. That the following noise warning clauses must be registered on title for all deeds of sale, purchase and rental agreements:
 - i. "Purchasers/tenants are advised that sound levels, due to increasing road traffic on Hespeler Road and rail traffic, may occasionally interfere with some activities of the dwelling occupants as the sound levels exceed the sound level limits of the Region of Waterloo and the Ministry of the Environment, Conservation and Parks (MOECP)."
 - ii. "This dwelling unit has been supplied with a central air conditioning system which will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the sound level limits of the Region

of Waterloo and the Ministry of the Environment, Conservation and Parks (MOECP).”

- iii. “Warning: Purchasers are advised that Canadian Pacific Railways Canada (CPR), or their assigns or successors in interest has or have rights-of-way within 300 metres from the land the subject hereof. There may be alterations to or expansions of the railway facilities on such rights-of-way in the future including the possibility that the railway or its assigns or successors as aforesaid may expand its operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwelling(s). CPR will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid rights-of-way.”

8. That the above noted conditions must be fulfilled and the document for conveyance be presented with the required fee for signing on or before **September 4, 2021** after which time this consent will lapse.

CARRIED

REASONS:

The Committee considered staff’s recommendation and the applicant’s oral comments in relation to the application. Therefore, the application is **approved with conditions**, as it is in the opinion of the Committee of Adjustment, that with the approved conditions, the application meets the criteria of Section 51(24) of the Planning Act to which all consent applications must adhere.