1. Declarations of Pecuniary Interest

2. Committee Business
   - Appoint Lisa Chominiec as new Secretary Treasurer to the Committee of Adjustment

3. Meeting Minutes
   - April 20th, 2021
   - April 22nd, 2021

4. Applications
   **New Minor Variance Applications**

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<td>350 Hespeler Rd</td>
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<tr>
<td>A38/21</td>
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   **New Consent Applications**

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5. Decisions

6. LPAT Update
Adjournment
Application No.: A34/20       Meeting Date: May 19, 2021       Ward No.: 7

Property Owner: Tahera Bhaiyat & Ibrahim Bhaiyat

Applicant: Fazal Darr

Subject Property: PLAN 1126 PT LOT 1
       223 Samuelson St

Proposal:

The applicant is requesting an extension to a legal non-conforming use to facilitate the creation of two new studio apartments. The property is currently a double duplex (fourplex) with four units. The proposal is for six (6) units total.

The application was deferred at the September 2nd, 2020 Committee of Adjustment meeting to allow the applicant time to complete a geodetic survey of the property by a qualified professional to confirm the extent of the floodplain limits to the satisfaction of the Grand River Conservation Authority. The applicant has completed the geodetic survey of the property.

The applicant will meet the required eight (8) required parking spaces, open landscaping requirement, and private amenity area requirement. The applicant will also meet the distance of the parking of 6 m (19.6 ft.) from a habitable room. The property is located in a Source Water Protection Area.

General Information:

Zoning By-law Provisions: RM4

Official Plan Designation: Low / Medium Density Residential; Natural Open Space System

Adjacent Zoning: R4, RM4

Adjacent Land Use: Residential

Existing Use: Residential
Proposed Use: Residential

Recommendation:

City of Cambridge Planning staff recommends deferral of this minor variance application to allow the applicant more time to demonstrate that they are able to satisfy the City of Cambridge’s and GRCA’s floodplain policies.

Staff Comments:

City of Cambridge Development Planning Section:

The subject property is located east of Elgin Street on the south side of Samuelson Street. The property is designated as Low/Medium Density Residential in the Official Plan. A portion of the property is also designated as part of a Natural Open Space System as it falls within the Mill Creek floodplain. The property is also located within a Regeneration area of the City. The property is zoned RM4 Multi-Residential which permits a variety of multi-unit residential buildings.

The building was constructed in 1964, the Galt By-law was approved by the Ontario Municipal Board in February of 1965 and the zoning in that by-law on the property would have permitted a double duplex (4 units). Under the current Zoning By-law, a residential building containing four or more dwelling units with access from a common entrance/corridor, would be considered an apartment house which is not a permitted use in this zone. As such, the existing apartment is considered legal non-conforming.

Under Section 45(2) of the Planning Act, applications may be made to the Committee of Adjustment with respect to legal non-conforming uses to permit the extension or enlargement of the legal non-conforming use.

The applicant is proposing to convert the existing ground floor garages to create two new dwelling units within the existing basement/ground floor of the apartment building with a small addition which would constitute an extension to a legal non-conforming use. The addition will maintain all the site development specifications such as lot coverage, open landscaping, and parking.

Provincial Policy Statement (2020)

The Provincial Policy Statement (PPS) provides policy direction on matters of Provincial interest related to land use planning and development. The intent of the PPS is to help balance development interests with protection of public interests such as public health and safety, natural resources and the quality of the natural and built environment.
Section 1.1.1 of the PPS directs that healthy, liveable and safe communities are sustained (in part) by promoting efficient land use patterns and cost-effective development patterns to minimize land consumption and servicing cost. The proposed extension to a legal non-conforming use will allow for two additional residential units where municipal servicing is available. As such, this would be considered efficient development which takes advantage of available municipal infrastructure.

Policy 1.1.3.1 states that: “Settlement areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted.” The subject property is located in the settlement area where development is encouraged.

Policy 1.1.3.2 indicates that land use patterns within the settlement area shall be based on densities that make efficient use of land, are appropriate given the infrastructure available, minimize negative impacts to air quality and climate change, support active transportation and provide a range of opportunities for intensification and redevelopment.

The proposal will contribute to the growth, development and vitality of the settlement area as it makes efficient use of land and available municipal services. The proposed development contributes to an appropriate range and mix of housing options and densities through residential redevelopment. Planning staff are of the opinion that the proposal is consistent with the PPS.

A Place to Grow, 2020
A Place to Grow: The Growth Plan for the Greater Golden Horseshoe, 2020, provides long-term land use planning direction for the Greater Golden Horseshoe area of Ontario. The document provides policy guidance in regards to growth management, transportation, intensification, Greenfield development, protection of employment lands, etc.

Section 2.2 of the Growth Plan sets out that growth will be directed to settlement areas, where municipal infrastructure is available and complete communities can be supported. The subject property is located within the “Built-Up Area” on Schedule 4 of the Growth Plan. The Growth Plan states that all municipalities will encourage intensification to achieve a desired urban structure, identify an appropriate type and scale of development, and ensure that lands are zoned and development is designed to support complete communities in the built-up area.

Staff is of the opinion that the proposal conforms to the Growth Plan as it will provide an opportunity for modest intensification in the built-up area where municipal infrastructure is available and will result in two additional dwelling units

Official Plan
Properties designated as Low/Medium Density Residential, located within a Regeneration
Area are permitted to develop for residential purposes to a maximum density of 75 units per hectare. The creation of two additional units, for a total of six units would represent a density of approximately 67 Units Per Hectare and thus conforms to the Official Plan.

The Regeneration Areas are parts of the City that are expected to transition from one use to another during the planning horizon of the current Official Plan. The Official Plan directs intensification and the development of multi-unit residential development in these areas subject to the criteria for residential compatibility. The Official Plan also encourages housing rehabilitation as a means of increasing the life of the existing housing stock. The applicant’s proposal will not significantly alter the existing façade and all other development standards are maintained. As such staff are of the opinion that, the extension to the non-conforming use would not have a significant impact on neighbouring properties.

In accordance with Grand River Conservation Authority’s mapping, the property is partially located within GRCA regulated lands, specifically within the floodplain of the Mill Creek. While minor additions and alterations are permitted on buildings legally existing within the floodplain, no new dwelling units are to be created to ensure safety in the event of a flood.

A geodetic survey of the property to confirm the extent of the floodplain limits has been submitted to the GRCA. The GRCA has requested this application be deferred again as they are not satisfied with the application. The current proposal shows elements that are contrary to GRCA policies such as habitable floor space and a furnace/boiler room located below the Regulatory Flood Elevation, and the new residential parking space within the floodplain. GRCA also has concerns with the weeping tiles and sump pump. As an alternative, the GRCA had previously recommended that the applicants explore a reconfiguration of the other units or an addition, since they would likely be able to meet GRCA policies.

Based on the above analysis, staff recommends deferral of this application.

Regional Municipality of Waterloo:
The Region of Waterloo has no comment on this application.

Grand River Conservation Authority:

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RE: Minor Variance Application (A34/20)
GRCA COMMENT*:
Further to our comments of August 20, 2020, the Grand River Conservation Authority (GRCA) has reviewed the updated plans from the applicants.

Based on our review of these plans, the GRCA is still not in a position to make a recommendation of approval of this minor variance application at this time. The current proposal still shows habitable floor space and a furnace/boiler room to be located below the Regulatory Flood Elevation of 280.39 metres (CGVD28), which is contrary to GRCA policies. Further, the applicants are still proposing new residential parking space within the floodplain, which is also contrary to GRCA policies. The GRCA is further concerned with the use of weeping tiles and a sump pump below the finished floor area of the new habitable floor space since we are unsure how hydrostatic pressures and the risk of flooding would be addressed by this system.

As an alternative, the GRCA had previously recommended that the applicants should explore a reconfiguration of the main and second floor units and/or an addition onto the front of the building to create additional dwellings units on this property since they would likely to be able to meet GRCA policies. Further, the additional parking spaces could also be relocated to the front of the property and outside of the floodplain.

Based on the foregoing, the GRCA would recommend that this application be deferred by the City of Cambridge in order for the applicants to demonstrate that they are able to satisfy the City of Cambridge's and GRCA's floodplain policies.

The GRCA wishes to acknowledge the receipt of our plan review fee of $615.

We trust the above is of assistance on this matter. If you require any further information, please do not hesitate to contact the undersigned at ext. 2233 or jbrum@grandriver.ca.

_________________________
John Brum
Resource Planner
Grand River Conservation Authority

JB/

cc:  Ibrahim Bhaiyat, 91 Strathmore Boulevard, Toronto, ON M4J 1P3
     Melissa Mohr & Cheryl Marcy, Region of Waterloo (via email)
     Fazal Darr (via email)
* These comments are respectfully submitted as advice and reflect resource concerns within the scope and mandate of the Grand River Conservation Authority.

**Energy+ Inc.:**

Energy+ Inc., has no objection to the request for an extension to a legal non conforming use to facilitate the creation of two (2) new studio apartments for a total of 6 units. If a second meter is required for the secondary unit the Applicant/Owner will need to contact Energy+ Inc.’s, Service Coordinator at their earliest convenience.

If relocation or upgrade is required as a result of this application, the Applicant will be responsible for 100% cost.

If easements are required as a result of this application, the Applicant will be responsible for 100% cost.

Refer to Energy+ Inc. Residential Spec book at [www.energyplus.ca](http://www.energyplus.ca)

Hydro poles/guy wires and anchors/padmount transformers/switching units/service pits/street light poles to be 1.5m from driveway entrances/curbs. Relocation at 100% owners’ expense.

All planting near Energy+ owned overhead power lines and padmount equipment must be installed in accordance to [http://www.esasafe.com/assets/image/Tree-Planting.pdf](http://www.esasafe.com/assets/image/Tree-Planting.pdf)

Must maintain required clearances (ESA & Energy+) from existing overhead electrical plant.

Owner/Applicant may be required to provide ESA clearance calculations to existing overhead and underground electrical distribution equipment. Calculations must be signed off by a P.Eng.

As per Energy+ Inc, Current Conditions to Service, latest edition, only one service per property is permitted.

**City of Cambridge Building Section:**

A building permit is required for the proposed construction.

The drawings submitted for a building permit submission are required to be completed by a qualified designer and shall include a building code matrix.
City of Cambridge Transportation Engineering Section:
The City of Cambridge Transportation Division has no comments in regards to this application.

City of Cambridge Project Engineer:
Development Engineering has no comment with regards to this application.

City of Cambridge Fire Department:
Ensure proper Building Permits obtained for new units.

Update Fire Safety Plan accordingly.

City of Cambridge Senior Planner-Heritage:
Comments not received.

City of Cambridge Economic Development:
The City of Cambridge Economic Development has no comment on this application.

City of Cambridge Sustainability Planner:
The City of Cambridge Landscape Architect has no comment on this application.

Canadian National Railway:
Comments not received.
Site Plan

Existing Building

Proposed Extension
Concept Plan
Application No.: A36/21  Meeting Date: May 19, 2021  Ward No.: 3

Property Owner: La Prima Investments Limited

Applicant: La Prima Investments Limited

Subject Property: PLAN 1376 PT LOT 40
350 Hespeler Rd

Proposal:
The applicant is requesting the following minor variances from Zoning By-law 150-85 to facilitate the construction of a commercial building:

1. A minimum front yard along Hespeler Road of 0 m (0 ft.) whereas the by-law requires a minimum of 15 m (49.2 ft.);

2. A minimum exterior side-yard along Dunbar Road of 0 m (0 ft.) whereas the by-law requires a minimum of 15 m (49.5 ft.); and,

3. To seek relief from the provision regarding landscaping adjacent to a street line under Section 2.4.3 for Hespeler Road and Dunbar Road.

The variances will facilitate the construction of a LCBO along Hespeler Road. The subject property currently has a grocery store and other various commercial uses which are to remain. The existing Tim Hortons building is proposed to be demolished.

The subject property is currently undergoing site plan review (file SP04/21).

General Information:

Zoning By-law Provisions: C4, C4C5
Official Plan Designation: HESPELER RD MIXED USE CORRIDOR
Adjacent Zoning: C4
Adjacent Land Use: Commercial
Recommendation:

The City of Cambridge Planning staff recommends approval of this application, substantially in accordance with the submitted sketch subject to the following conditions:

1. That the requested variance is limited to the plans submitted in support of this application; and,

2. That relief from the landscaping provision be waived only if the building is setback less than 3m from the lot line.

Staff are recommending that the amendment to the application regarding relief from the landscaping/planting strip be considered a minor amendment by the Committee and that no further public notice is required as per Section 44.18.1 of the Planning Act.

Staff Comments:

City of Cambridge Development Planning Section:

The subject property is located at the northwest corner of Hespeler Road and Dunbar Road and are designated as part of the Hespeler Road Mixed Use Corridor in the Official Plan. The property is zoned (C4, C4C5) Commercial in the Zoning by-law. The C4 zone permits a variety of retail and service commercial uses while C5 allows for automobile services stations and gas bars. The subject property is currently a multi-unit commercial plaza with a grocery store and various commercial uses that are to remain. The existing building is a Tim Hortons that will be demolished, and the variances will facilitate the construction of a LCBO.

The property is currently being reviewed under file SP 04/21. The subject property previously received approval for a minor variance for a different building on the property under application A09-15. The minor variance was approved on April 22, 2015 for a reduced exterior side yard setback from 15 m (49.2 ft) to 11.43 m (37.5 ft) for the Farm Boy grocery store.

The applicant is requesting a minimum front yard setback on Hespeler Road of 0 m (0 ft.) whereas the by-law requires a minimum of 15 m (49.2 ft.), and a minimum exterior side-yard setback on Dunbar Road of 0 m (0 ft.) whereas the by-law requires a minimum of 15 m (49.5 ft.). Although the current site plan drawings show a front yard setback of 4m (13.123 ft.) and
exterior side yard setback of 3.614m (11.857 ft.), the applicant is requesting 0m (0ft.) setbacks to allow for flexibility in the placement of the building on the property. After further review, staff determined that approving a 0m (0ft.) setback would also result in another minor variance for the relief from the landscaping/planting strip provision under section 2.4.1 of the Zoning By-law. Section 44.18.1 of the Planning Act indicates notice is not required if the amendment to the original application is considered minor in nature. Staff are recommending that this be considered a minor amendment as the application remains the same, and no further public notice is required.

The development is part of a commercial shopping centre that is subject to shared parking requirement for the whole site. The parking requirements for the existing and proposed development are 225 spaces. The proposal will eliminate 7 parking spaces and a total of 233 spaces will be provided on the property. Therefore the proposal will still include a surplus of parking regardless of the removals.

The applicant will be required to receive site plan approval prior to any development.

**Provincial Policy Statement**

The Provincial Policy Statement (PPS) provides policy direction on matters of Provincial interest related to land use planning and development. The intent of the PPS is to help balance development interests with protection of public interests such as public health and safety, natural resources and the quality of the natural and built environment.

Policy 1.1.3.1 states that: “Settlement areas shall be the focus of growth and development”. The subject property is located in the settlement area where development is encouraged.

Policy 1.1.3.2(f) states that these settlement areas “are transit-supportive, where transit is planned, exists or may be developed”. The definition of transit-supportive in the PPS in regards to land use patterns means: “development that makes transit viable, optimizes investments in transit infrastructure, and improves the quality of the experience of using transit”. This development is located along the City’s future Stage 2 LRT route, with a major station area planned for within walking distance. Municipal sidewalks exist on all frontages and connect to the existing Cambridge Centre Transit Terminal. The building is oriented towards the street(s) with parking in the rear, supporting a pedestrian-friendly realm.

The proposal would continue to allow for a commercial land use while following some principles of transit-oriented development making the application consistent with the
Provincial Policy Statement.

**Official Plan (OP)**

The property is designated as Commercial Class 4 and part of the Hespeler Road Mixed-Use Corridor in the Official Plan. The planned function of lands designated Mixed-Use Corridor is to provide opportunities for transit-oriented development supportive of the Region of Waterloo’s rapid transit initiative (Stage 2 LRT) that will help the City achieve the growth management objectives set out in Policy 2.2. Lands designated Hespeler Road Mixed-Use Corridor may be developed for one or more of commercial, residential, office, and institutional uses.

Chapter 5 in the City's Official Plan provides guidance for urban design in the city. Section 5.3 of the OP describes some of the principles of transit-oriented development such as including a variety of services and amenities provided at grade and oriented to the municipal sidewalk, and continuous sidewalk along both sides of the street.

Section 5.7 of the Official Plan states that buildings generally will be situated at or near the street edge to frame the street and will have compatible front yard setbacks with adjacent buildings. This section also notes that blank building walls are discouraged along street frontages. Unless there is no other feasible alternative, active facades will be required in the design and treatment of buildings at street edges and intersections and should include features such as transparent windows and public entrances facing the street. The proposed southerly elevation along Dunbar Road is not proposed to have any windows or doors due to the need to screen the loading and garbage collection areas. This wall is proposed to be constructed with various brick treatments. The other facades are proposed to include windows and, in some cases, doors.

The development currently has sidewalk along both frontages of Dunbar Road and Hespeler Road and the 0m (0 ft.) setback reinforces these policies. Allowing for setbacks creates an opportunity to improve and enhance the character of the corridor as the area intensifies and redevelops.

**Zoning By-Law**

The proposal is zoned as C4C5 in the City's Zoning by-law which allows for commercial uses in the Hespeler Road commercial development area (C4), automobile service stations and gas bars. The zoning permits the development; however, the zoning by-law regulations for front yard and side yard setbacks for the C4C5 zone are not in keeping with the Official Plan.
Policies or the policy framework that is being proposed for future development along this corridor due to the 1985 vintage of the city-wide zoning by-law. The future city-wide zoning by-law which is not yet in effect will include updated standards to implement the City's Official Plan.

Based on the above analysis, it is the opinion of staff that the proposed reduction of front yard setback and exterior side yard setback and relief from the landscaping/planting strip provision maintains the general intent and purpose of the Official Plan and Zoning By-law, is minor in nature and is appropriate development for the site.

Regional Municipality of Waterloo:

The Region of Waterloo has no comment on this application.

Grand River Conservation Authority:

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<td>RE:</td>
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<td>350 Hespeler Road</td>
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GRCA COMMENT*:
The Grand River Conservation Authority (GRCA) would have no objection to the approval of this minor variance application by the City of Cambridge. Additional detailed comments are provided below.

BACKGROUND:

1. Resource Issues:

Information currently available at this office indicates that the northwest corner of the subject property contains a small portion of the Regional Storm floodplain of Groff Mill Creek and its regulated allowance (refer to the enclosed map). Consequently, a small portion of the subject property is regulated by the GRCA under Ontario Regulation 150/06 (Development,
Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation).

2. Legislative/Policy Requirements and Implications:

It is our understanding that the purpose of this minor variance application is gain relief from the required yard setbacks to replace the existing Tim Horton’s outlet with a new LCBO retail store at the southeast corner of the subject property.

Based on our review of this minor variance application and the submitted plans, the GRCA is satisfied that the proposed site for the new LCBO retail store is located well beyond the floodplain limits and the GRCA’s regulated areas. As such, the GRCA has no concerns with the intent of this application.

Based on the foregoing, the GRCA would have no objection to the approval of this minor variance application by the City of Cambridge.

3. Plan Review Fees:

The above-noted application is within a GRCA area of interest due to the presence of the floodplain on the subject property. This application is considered a minor ‘minor variance’ application. In accordance with the GRCA’s Plan Review Fee Schedule, the applicable plan review fee is $280 payable to the GRCA. Please further note that our current fee schedule is available under the Planning & Development section on our website at www.grandriver.ca.

We trust the above is of assistance on this matter. If you require any further information, please do not hesitate to contact the undersigned at ext. 2233 or jbrum@grandriver.ca.

_________________________
John Brum
Resource Planner
Grand River Conservation Authority

JB/

Encl.

cc: John McCash, La Prima Investments Ltd., Unit No. 21, 561 Hespeler Road, Cambridge, ON N1R 6J4
    Melissa Mohr & Cheryl Marcy, Region of Waterloo (via email)

* These comments are respectfully submitted as advice and reflect resource concerns within the scope and mandate of the Grand River Conservation Authority.
into an agreement with Energy+ Inc., to determine the terms and conditions to service the proposed dwelling at 100% cost.

If relocation or upgrade is required as a result of this application, the Applicant will be responsible for 100% cost.
If easements are required as a result of this application, the Applicant will be responsible for 100% cost.
Refer to Energy+ Inc. Residential Spec book at www.energyplus.ca
Hydro poles/guy wires and anchors/padmount transformers/switching units/service pits/street light poles to be 1.5m from driveway entrances/curbs. Relocation at 100% owners’ expense. All planting near Energy+ owned overhead power lines and padmount equipment must be installed in accordance to http://www.esasafe.com/assets/image/Tree-Planting.pdf
Must maintain required clearances (ESA & Energy+) from existing overhead electrical plant. Owner/Applicant may be required to provide ESA clearance calculations to existing overhead and underground electrical distribution equipment. Calculations must be signed off by a P.Eng.
As per Energy+ Inc, Current Conditions to Service, lastest edition, only one service per property is permitted.

City of Cambridge Building Section:

A building permit is required for the proposed commercial building construction
A demolition permit is required for the demolition of the existing commercial building.

City of Cambridge Transportation Engineering Section:
The City of Cambridge Transportation Engineering has no comment on this application.

City of Cambridge Project Engineer:

By-Law #146-03 permits only one (1) water service and meter per property. The redundant 50mm dia water service, located adjacent to the proposed building, is to be capped at the watermain at 100% Owner’s expense (works completed by City’s Public Works Division) and all water servicing is to be provided within the property from the existing 200mm service.

City of Cambridge Fire Department:

Show all Fire Hydrants on Site Plan. Indicate Fire Department connection if sprinklered.
City of Cambridge Senior Planner-Heritage:
Comments not received.

City of Cambridge Economic Development:
The City of Cambridge Economic Development has no comment on this application.

City of Cambridge Sustainability Planner:
The City of Cambridge Sustainability Planner has no comments on this application.
C4C5 Commercial Zoning

Subject Property
Site Plan

Front Yard: 0 m (0 ft.)

Relief from landscaping adjacent to street line

Relief from landscaping adjacent to street line

Dunbar Road

Exterior Side Yard: 0 m (0 ft.)
Concept Renderings

South Elevation – Dunbar Road

West Elevation – Towards Farm Boy

North Elevation
East Elevation – Hespeler Road

Hardy Bromberg, Deputy City Manager
Application No.: A38/21  Meeting Date: May 19, 2021  Ward No.: 8

Property Owner: Saginaw GP Inc Trustee

Applicant: MHBC Planning (Andrea Sinclair)

Subject Property: PLAN 58M104 BLK 1
161 Essex Point Dr

Proposal:
The applicant is requesting a minor variance from Zoning By-law 150-85 to permit two single detached dwellings on an individual lot whereas the zoning by-law under section 3.1.1.1(a)and (b) permits only one single detached dwelling to be erected on an individual lot.

The variance will facilitate the construction of two model homes that will be used to market the approved Stage 2 Saginaw Subdivision (30T-15101). The model homes are not proposed to be temporary structures and will be located on two separate lots following registration of the subdivision.

General Information:

Zoning By-law Provisions: OS1, R6 S.4.1.387C, R6 S.4.1.387A
Official Plan Designation: LOW / MEDIUM DENSITY RESIDENTIAL
Adjacent Zoning: R4, OS1
Adjacent Land Use: Residential
Existing Use: Other
Proposed Use: Residential

Recommendation:

City of Cambridge planning staff recommends approval of this minor variance application subject to the following conditions:

1. That minor variance application sketch is consistent with the plans submitted with the site plan application file.
Staff Comments:

City of Cambridge Development Planning Section:

The subject property is located to the west of Burnett Avenue and is part of the Stage 2 Saginaw Subdivision (30T-15101). The existing property is vacant and undeveloped. The subject lands are two future lots, Lot 39 and Lot 40 which have a frontage of 16.24m (53.28 ft) and 13.106m (42.99 ft), and an area of 790.147m2 (8,505.07 ft2) and 470.036m (5,059.43 ft2), respectively. Previous subdivision and rezoning applications related to this application include R17/15 and 30T-15101.

The subject property is currently designated as Low/Medium Density Residential in the City’s Official Plan. The site is zoned as OS1 with special provisions to permit Residential.

The purpose of the variance is to permit two single detached dwellings on the Stage 2 lands to be used as model homes to market the approved subdivision. The model homes will be located within future Lots 39 and 40 located along Garland Avenue. The entirety of Stage 2 lands is currently considered as one lot and therefore would only allow one dwelling.

Provincial Policy Statement
The Provincial Policy Statement sets the policy foundation for regulating the development and use of land in Ontario. It provides for appropriate development while protecting public resources of provincial interest, public health and safety, and the quality of the natural and built environment. Building Strong Healthy Communities, Wise Use and Management of Resources and Protecting Public Health and Safety are the main policy themes within the plan. The application is consistent with the Provincial Policy Statement.

Official Plan
The subject lands is currently designated as Low/Medium Density Residential in the City’s Official Plan. The general intent and purpose of the Official Plan will be maintained as the lands where the model homes will be located are designated for residential purposes. The residential designation, zoning and draft plan of subdivision applications were approved in 2018. Planning staff is of the opinion that the application conforms to the City’s Official Plan as the development aligns with the intended land use.

Zoning
The subject lands are currently zoned as OS1 (Open Space) with site specific zoning to allow for residential uses. The parcel with the proposed model homes is zoned as R5 (Residential) in the City’s Zoning By-law No. 150-85. The applicant is seeking relief from the City’s Zoning By-law in relation to Buildings on Separate Lots. The R5 Zoning By-law permits the use of the property for residential developments but regulates the numbers of buildings per lot to one unit per lot.
Section 3.1.1.1(a) states that not more than one residential building, exclusive of accessory buildings and structures, shall be erected on a lot in any R-class, RR-class or RS-class zone; and (b) not more than one detached dwelling shall be erected on any lot in any zone; and every single detached dwelling shall be erected on a separate lot. These regulations apply to model homes as well.

The regulations limiting the number of detached dwellings on a lot do not specifically contemplate model homes. The model homes will be used to market both the Stage 1 and Stage 2 lands. Following substantial completion of the residential subdivision, the model homes will be sold. Based on the current by-law, only one dwelling would be permitted within the entirety of the Stage 2 lands. The applicant has indicated that the model homes are not intended to be temporary structures and that they will be built in accordance with the approved zoning. The applicant has also indicated that there will be no deficiencies from any of the development standards (building height, front yard, minimum gross floor area, parking, etc.). Following the registration of Stage 2 the model homes will be located on two separate lots.

Staff are supportive of the variance to allow two model homes within the Stage 2 Saginaw subdivision lands. The model homes will be located within future lots that will be created through the registration of the approved subdivision. The model homes will comply to all zoning regulations and will have frontage on a future public street. The model home on Lot 39 must also comply with the approved Design Guidelines for Priority Lots for the Saginaw Subdivision. The document provides specific design guidelines for corner lots and terminating view lots/gateway lots. Lot 39 is considered a Gateway/Corner lot. The design guidelines will be implemented through a condition of draft plan approval requiring that no building permit shall be applied for, or issued, for Priority Lots unless the building designs are in accordance with these Guidelines. The variance will allow for model homes to be constructed prior to registration which will help to market future homes within the Stage 2 lands. Once the model homes are no longer needed they will be sold as residential units within the approved subdivision. Planning staff is of the opinion that the general intent of the City’s Zoning By-law is maintained.

Based on the above noted analysis, planning staff are of the opinion that the minor variances generally meet the intent of the Zoning By-law and Official Plan, are minor in nature and are appropriate for the development of the lands; therefore staff recommends approval of the variance application.

Regional Municipality of Waterloo:

The Region of Waterloo has no comment on this application.

Grand River Conservation Authority:

The Grand River Conservation Authority has no comment on this application.
Energy+ Inc.:

As per Energy+ Inc.’s Conditions to Service, latest edition, only one service per property is permitted. The Applicant/Owner will be responsible for all costs to service the new model homes. The Applicant/Owner will need to contact Energy+ Inc.’s, Service Coordinator at their earliest convenience.

The Owner/Applicant will be responsible for all costs associated with the relocation and/or upgrade of the existing electrical plant, if required as a result of this proposal. The Owner/Applicant will be required to grant easements to the satisfaction of Energy+ Inc., if required as a result of this proposal at 100% cost. Refer to Energy+ Inc. Residential Spec book at www.energyplus.ca Hydro poles/guy wires and anchors/padmount transformers/switching units/service pits/street light poles to be 1.5m from driveway entrances/curbs. Relocation at 100% owners’ expense. All planting near Energy+ owned overhead power lines and padmount equipment must be installed in accordance to http://www.esasafe.com/assets/image/Tree-Planting.pdf Must maintain required clearances (ESA & Energy+) from existing overhead electrical plant. Owner/Applicant may be required to provide ESA clearance calculations to existing overhead electrical distribution equipment. Calculations must be signed off by a P.Eng. As per Energy+ Inc, Current Conditions to Service, lastest edition, only one service per property is permitted. Additional comments maybe provided when the application is submitted.

City of Cambridge Building Section:

A building permit is required for the proposed model homes.

City of Cambridge Transportation Engineering Section:

The City of Cambridge Transportation Division has no comments in regards to this application.

City of Cambridge Project Engineer:

Development Engineering has approved the proposed municipal servicing for the subdivision and the Developer has entered into a pre-servicing agreement with the City to construct these municipal services. The City’s Fire and Building Departments will have to approve any building permits should a dry model home be proposed (in advance of the proposed watermain on
Garland Avenue being constructed and commissioned).

There is an existing fire hydrant located across from 631 Burnett Avenue.

**Conditions**

No Conditions

**City of Cambridge Fire Department:**

Ensure adequate water supply for Fire Fighting. Ensure compliant Fire Routes.

**City of Cambridge Senior Planner-Heritage:**

The City of Cambridge Senior Planner-Heritage has no comments on this application.

**City of Cambridge Economic Development:**

The City of Cambridge Economic Development has no comment on this application.

**City of Cambridge Sustainability Planner:**

The City of Cambridge Sustainability Planner has no comments on this application.
Plan of Subdivision- R6 S.4.1.387A, R6 S.4.1.387C Residential Zoning
Plan of Subdivision

Proposed Model Home

Proposed Model Home
Application No.: A39/21        Meeting Date: May 19, 2021        Ward No.: 1

Property Owner:  Dennis James Jarian
                 Janet Lynne Clark

Applicant:       Dennis James Jarian
                 Janet Lynne Clark

Subject Property:  PLAN 1002 LOT 2
                   11 Banat Rd

Proposal:
The applicant is requesting the following minor variances from the Zoning By-law 150-85 to permit an accessory structure:

1. A maximum height of 5.36 m (17.5 ft.) whereas the by-law permits a maximum height of 4.5 m (14.76 ft.); and,

2. A secondary access driveway whereas the by-law only allows one access driveway per single detached residential dwelling.

The variances will facilitate the construction of a 18.29 m (60 ft) x 10.97 m (36 ft) 200.53 m² (2,158 ft²) accessory garage to park extra vehicles, a boat, and to be used for storage purposes. There is an existing shed on the property which will remain. The existing accessory structure is proposed to be demolished and the existing attached garage and driveway are proposed to remain. The accessory garage meets all other accessory structure setback requirements.

General Information:
Zoning By-law Provisions: RR2
Official Plan Designation: Rural Residential
Adjacent Zoning: A1, RR2
Adjacent Land Use: Residential, Agricultural
Application No.: A39/21
Date of Meeting: May 19, 2021
Page 2 of 8

Existing Use: Residential
Proposed Use: Residential

**Recommendation:**
The City of Cambridge Planning staff recommends *approval* of this application substantially in accordance with the submitted sketch, subject to the following conditions:

1. That the secondary driveway has a minimum width of 2.75 m (9.02 ft) and maximum width of 7 m (22.97 ft) to meet the current By-Law requirements and ensure 45% front yard landscaping is maintained;
2. 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 prior to the issuance of a building permit;
3. That the accessory structure not be used for home occupation;
4. That the accessory structure not be used for human habitation without a building permit; and,
5. An access permit through Transportation Engineering will be required prior to the removal of, alteration to or construction of any new accesses. The application for an access permit can be found on the City’s website at [www.cambridge.ca](http://www.cambridge.ca).

**Staff Comments:**

**City of Cambridge Development Planning Section:**

The subject property is located to the west of Fountain St N on the south side of Banat Road and is currently developed with a single detached residential dwelling with an attached garage. The subject property is designed Rural Residential in the Official Plan and zoned RR2 (Rural Residential) in the City’s Zoning By-law No. 150-85. The property has a frontage of approximately 36.69 m (120.37 ft.) and an area of approximately 0.278 ha (0.69 ac). The applicant is proposing to construct an accessory garage with an increased height to accommodate extra vehicles, a boat, storage and the safe shedding of snow. The proposed garage is to be located at south east corner of the property, currently where a 5.66 m (3.28 ft) high existing quonset hut (shed) is. The existing shed will be demolished and the new accessory garage will be built in the same location. The applicant is also requesting a second driveway where the by-law only allows for one driveway per residential unit.

**Provincial Policy Statement**
The Provincial Policy Statement sets the policy foundation for regulating the development and
use of land in Ontario. It provides for appropriate development while protecting public resources of provincial interest, public health and safety, and the quality of the natural and built environment. Building Strong Healthy Communities, Wise Use and Management of Resources and Protecting Public Health and Safety are the main policy themes within the plan. The application is consistent with the Provincial Policy Statement.

Official Plan
The subject land is currently designated as Rural Residential in the City’s Official Plan. The Rural Residential designation permits one single detached dwelling per lot, accessory uses and farming where no intensive animal operation, fur farming or fish farming is involved. An accessory garage is now being proposed, which are permitted for properties designated as Rural Residential. Planning staff is of the opinion that the general intent of the City’s Official Plan is maintained.

Zoning By-law
The subject property is zoned RR2 (Rural Residential) in the City’s Zoning By-law No. 150-85. The proposed accessory use is permitted; however, the proposed height of the structure exceeds what is currently permitted in the Zoning By-law. The height of the structure is proposed to be a maximum of 5.36 m (17.5 ft.) whereas the by-law permits a maximum height of 4.5 m (14.76 ft.). The increase in height is required to provide for a taller garage door for a boat and safe shedding of snow load.

The intent of the height regulation in the Zoning By-law is primarily to limit the impact of oversized accessory structures on neighbouring properties and maintain adequate amenity space on the subject property. The property is a large lot which has significant space to meet all the minimum required setbacks and accommodate adequate amenity area on the property. Some trees and shrubs exist near the southeast corner of the property that would help screen the accessory garage from neighbouring properties. The proposed accessory garage is appropriate given the location, use and size of the property.

The applicant is also requesting a variance to permit a second driveway whereas the zoning by-law only permits one access driveway per property. The intent of the zoning by-law with respect to access driveways is to create a uniform streetscape which reduces the number of driveways in order to maintain adequate open landscaped front yards. The current driveway is located on the northwest side of the home that leads to the existing attached garage. The second driveway is proposed to be located towards the east interior side yard of the property, and will be separated from the first driveway by existing landscaped open space and separated from the lot line by an existing natural planting strip. The subject property has a 36.69m (120.37ft.) frontage along Banat Road and is able to maintain the landscaped open space requirements.

The Zoning By-law states any access driveway provided for a detached one-family dwelling shall have a minimum width of 2.75 m (9.02 ft) and maximum width of 7 m (22.965 ft). Since
no dimensions were provided on the drawings for the driveway, staff have added a condition for the second driveway to conform to the existing Zoning By-law requirements.

Planning staff is of the opinion that the general intent of the City’s Zoning By-law is maintained.

Based on the above noted analysis, planning staff are of the opinion that the minor variances generally meet the intent of the Zoning By-law and Official Plan, are minor in nature and are appropriate for the development of the lands; therefore staff recommends approval of the variance application.

**Regional Municipality of Waterloo:**

The Region of Waterloo has no comment on this application.

**Grand River Conservation Authority:**

The Grand River Conservation Authority has no comment on this application.

**Energy+ Inc.:**

Energy+ Inc has no objection to the Applicants request for multiple minor variances to facilitate the construction of a new accessory building and the demolition of the existing accessory structure. As per Energy+ Inc. Current Conditions to Service, latest edition, only one service per property is permitted.

Refer to Energy+ Inc. Residential Spec book at [www.energyplus.ca](http://www.energyplus.ca)
Hydro poles/guy wires and anchors/padmount transformers/switching units/service pits/street light poles to be 1.5m from driveway entrances/curbs. Relocation at 100% owners’ expense. All planting near Energy+ owned overhead power lines and padmount equipment must be installed in accordance to [http://www.esasafe.com/assets/image/Tree-Planting.pdf](http://www.esasafe.com/assets/image/Tree-Planting.pdf)
Must maintain required clearances (ESA & Energy+) from existing overhead electrical plant. Owner/Applicant may be required to provide ESA clearance calculations to existing overhead electrical distribution equipment. Calculations must be signed off by a P.Eng.
As per Energy+ Inc, Current Conditions to Service, latest edition, only one service per property is permitted.
Additional comments maybe provided when the application is submitted.

**City of Cambridge Building Section:**

A building permit is required for the proposed construction. Demolition of the existing accessory structure can be included within the permit for the new structure.
**City of Cambridge Transportation Engineering Section:**

Conditions:

An access permit through Transportation Engineering will be required prior to the removal of, alteration to or construction of any new accesses. The application for an access permit can be found on the City’s website at [www.cambridge.ca](http://www.cambridge.ca)

**City of Cambridge Project Engineer:**

That a grading plan be prepared, to the satisfaction of the City of Cambridge Development Engineering, for the overall development, including proposed locations of roof leaders, rear yard catch basins (if required) and swales.

**City of Cambridge Fire Department:**

The City of Cambridge Fire Department has no comment on this application.

**City of Cambridge Senior Planner-Heritage:**

The City of Cambridge Senior Planner-Heritage has no comment on this application.

**City of Cambridge Economic Development:**

The City of Cambridge Economic Development has no comment on this application.

**City of Cambridge Sustainability Planner:**

The City of Cambridge Sustainability Planner has no comments on this application.
Application No.: A40/21  Meeting Date: May 19, 2021  Ward No.: 2

Property Owner: David Stuart Robertson
               Jane Margaret Robertson

Applicant:     David Stuart Robertson
               Jane Margaret Robertson

Subject Property: PLAN 1365 PT LOT 4;RP58R11573 PART 1
               40 Wayne Ave

Proposal:
The applicant is requesting the following minor variances from the Zoning By-law 150-85 to permit:

1. An accessory structure with a maximum height of 6.4 m (20.9 ft.) whereas the by-law permits a maximum height of 4.5 m (14.76 ft.); and,

2. A lot coverage of 12.5% whereas the by-law permits a maximum of 10% for accessory structures.

The variances will facilitate the construction of a 18.28m (59.06 ft) x 12.19m (39.99 ft) 222.9 m² (2,399 ft²) accessory garage to park vehicles, a motor home and a boat. The existing shed on the property is to remain. The subject property is located in a Source Water Protection Area.

General Information:
Zoning By-law Provisions: R4
Official Plan Designation: Low / Medium Density Residential
Adjacent Zoning: R4
Adjacent Land Use: Residential
Existing Use: Residential
Proposed Use: Residential
Recommendation:

The City of Cambridge Planning staff recommends approval of this application substantially in accordance with the submitted sketch, subject to the following conditions:

1. That the accessory garage not be used for a home occupation; and,
2. That the accessory garage not be used for human habitation without a building permit.

Staff Comments:

City of Cambridge Development Planning Section:

The subject property is located north of Pinebush Road, South of Highway 401 and west of Franklin Blvd on Wayne Avenue and is currently developed with a single detached residential dwelling with an attached garage. The subject land is currently designated Low/Medium Density Residential in the City’s Official Plan and is zoned R4 (Single Detached Residential) in the City’s Zoning By-law No. 150-85, as amended. The property has a frontage of approximately 20m (65.62ft.) frontage and a lot area of approximately 0.53 ac (0.21 ha). The applicant is proposing to construct an accessory garage with an increased height to accommodate the storage of vehicles, a motorhome and a boat.

Provincial Policy Statement

The Provincial Policy Statement sets the policy foundation for regulating the development and use of land in Ontario. It provides for appropriate development while protecting public resources of provincial interest, public health and safety, and the quality of the natural and built environment. Building Strong Healthy Communities, Wise Use and Management of Resources and Protecting Public Health and Safety are the main policy themes within the plan. There are no concerns with these policies and therefore the application is consistent with the Provincial Policy Statement.

Official Plan

The subject land is currently designated as Low/Medium Density Residential in the City’s Official Plan. The Low/Medium Density Residential designation and the current R4 zone permits the existing single detached residential use and accessory structures. An accessory garage is now being proposed, which are permitted for properties designated as Low/Medium Density Residential. Planning staff is of the opinion that the general intent of the City’s Official Plan is maintained.

Zoning By-Law

The subject property is zoned R4 (Single Detached Residential) in the City’s Zoning By-law
No. 150-85, as amended. The proposed accessory use is permitted; however, the proposed height of the structure exceeds what is currently permitted in the Zoning By-law. The height of the structure is proposed to be a maximum height of 6.4 m (20.9 ft.) whereas the by-law permits a maximum height of 4.5 m (14.76 ft.). Additionally, the accessory structure is proposed to have a maximum lot coverage of 12.5 % whereas the by-law permits a maximum of 10%.

The intent of the height regulation in the Zoning By-law is primarily to limit the impact of oversized accessory structures on neighbouring properties and maintain adequate amenity space on the subject property. The accessory garage will be located in the rear yard, approximately 20m (65.61 ft) from the principal dwelling, and is to be utilized for storage purposes. Staff has also indicated the garage is not to be used for human habitation or a home occupation.

The intent of the Zoning By-law with respect to maximum lot coverage is to ensure that the accessory structure remains at a scale subordinate to the principal dwelling and to ensure there is adequate open space for drainage. The minimum open landscape requirements are maintained and the applicant will be required to submit a grading plan to ensure there are no drainage impacts to neighbouring properties. Planning staff is of the opinion that the general intent of the City’s Zoning By-law is maintained.

Based on the above noted analysis, planning staff are of the opinion that the minor variances generally meet the intent of the Zoning By-law and Official Plan, are minor in nature and are appropriate for the development of the lands; therefore staff recommends approval of the variance application.

**Regional Municipality of Waterloo:**

The Region of Waterloo has no comment on this application.

**Grand River Conservation Authority:**

The Grand River Conservation Authority has no comment on this application.

**Energy+ Inc.:**

Energy+ Inc. has no objection to the Applicants request for multiple minor variances to facilitate the construction of a new accessory building. As per Energy+ Inc. Current Conditions to Service, latest edition, only one service per property is permitted.

Refer to Energy+ Inc. Residential Spec book at [www.energyplus.ca](http://www.energyplus.ca) Hydro poles/guy wires and anchors/padmount transformers/switching units/service pits/street light poles to be 1.5m from driveway entrances/curbs. Relocation at 100% owners’ expense.
All planting near Energy+ owned overhead power lines and padmount equipment must be installed in accordance to http://www.esasafe.com/assets/image/Tree-Planting.pdf
Must maintain required clearances (ESA & Energy+) from existing overhead electrical plant. Owner/Applicant may be required to provide ESA clearance calculations to existing overhead electrical distribution equipment. Calculations must be signed off by a P.Eng.
As per Energy+ Inc, Current Conditions to Service, latest edition, only one service per property is permitted.
Additional comments maybe provided when the application is submitted.

City of Cambridge Building Section:
A building permit is required for the proposed construction.

City of Cambridge Transportation Engineering Section:
The City of Cambridge Transportation Division has no comments in regards to this application.

City of Cambridge Project Engineer:
The City of Cambridge Project Engineer has no comment on this application.

City of Cambridge Fire Department:
No concerns.

City of Cambridge Senior Planner-Heritage:
The City of Cambridge Senior Planner-Heritage has no comments on this application.

City of Cambridge Economic Development:
The City of Cambridge Economic Development has no comment on this application.

City of Cambridge Sustainability Planner:
The City of Cambridge Sustainability Planner has no comments on this application.
Site Plan

- Proposed Accessory Garage
- Accessory Structure Lot Coverage: 12.5%
Concept Rendering

Height of Accessory Garage: 6.4 m (20.9 ft.)
Application No.: A41/21       Meeting Date: May 19, 2021       Ward No.: 5

Property Owner: Zakiuddin Akram & Sultana Humera

Applicant: Zakiuddin Akram & Sultana Humera

Subject Property: PLAN 58M-603 LOT 54  
328 Freure Dr

Proposal:
The applicant is requesting the following minor variances from the Zoning By-law 150-85 to permit an accessory unit:

1. A minimum lot area of approximately 400.5 m² (4,311.2 ft²) whereas the by-law requires a minimum of 450 m² (4,843.00 ft²) for an accessory dwelling unit;
2. A lot frontage of approximately 10.7 m (35.1 ft.) whereas the by-law requires a minimum of 11m (36 ft.) for an accessory dwelling unit;
3. Front yard landscaping of 35% whereas the by-law requires a minimum 45% for front yard landscaping;
4. An interior side yard setback of 0.68 m (2.23 ft.) whereas the by-law requires a minimum 1.2 m (3.93 ft.); and,
5. A maximum driveway width of 7.10 m (23.2 ft.) whereas the by-law permits a maximum driveway width of 7 m (22.9 ft.).

The applicant is proposing to create a two bedroom accessory dwelling unit in the basement of the existing house. The applicant will be able to provide the two parking spots for the accessory unit on the driveway and parking for the main dwelling unit in the garage. The applicant has widened the driveway to accommodate the parking and will require a front yard landscaping variance. The entrance to the accessory dwelling unit will be from an existing side door with a landing which will require an interior side yard setback variance. The property is located in a Source Water Protection Area.
General Information:
Zoning By-law Provisions: R6
Official Plan Designation: LOW / MEDIUM DENSITY RESIDENTIAL
Adjacent Zoning: RM3
Adjacent Land Use: Residential
Existing Use: Residential
Proposed Use: Residential

Recommendation:
City of Cambridge planning staff recommends approval of this minor variance application substantially in accordance with the submitted sketch subject to the following conditions:

1. That the accessory unit be substantially in keeping with the plans submitted and be limited to two bedrooms;
2. That a building permit be received for the alteration prior to occupancy of the unit;
3. An access permit through Transportation Engineering will be required prior to any alterations to the portion of the driveway within the municipal boulevard. The application for an access permit can be found on the City’s website at www.cambridge.ca; and,
4. That the applicant confirm, to the satisfaction of Development Engineering, that the landing doesn’t impede or negatively affect the side yard swale prior to receipt of a building permit.

Staff Comments:

City of Cambridge Development Planning Section:

The subject property is located on the southeast side of Freure Drive, south of Beauchamp Drive and is currently developed as a single detached residential dwelling with an attached garage. The subject property is designated as Low/Medium Density in the Official Plan and zoned R6 (Residential) in the City’s Zoning By-law No. 150-85. The property has a frontage of approximately 34.36m (112.73 ft.) and a lot area of approximately 0.105 ac (0.042 ha). The applicant is proposing to create a two bedroom accessory dwelling unit in the basement of the existing house.

The applicant is requesting a minor variance for a lot area of approximately 400.5 m² (4,311.2 ft²) whereas the by-law requires a minimum of 450 m² (4,843.00 ft²) to allow for an accessory dwelling unit. The purpose of this variance is to recognize the existing deficient lot size so that a two bedroom accessory apartment unit can be constructed in the basement of the existing single detached dwelling.
The applicant is also requesting a minor variance to permit lot frontage of approximately 10.7 m (35.1 ft.) whereas the by-law requires a minimum of 11 m (36 ft.) for an accessory dwelling unit.

The intent of the minimum lot area and frontage requirement is to ensure that the property has sufficient amenity space, open space landscaping, and parking for both units. The subject property meets the minimum landscaped open space for the whole lot as well as the front yard and has sufficient amenity space for both the primary and accessory dwelling units. Therefore, in staff’s opinion the proposed lot reduction will not have a negative impact on occupants of the primary or accessory residential units, and will maintain 45% of front yard landscaped open space.

The applicant is requesting a minor variance for a maximum driveway width of 7.10 m (23.2 ft.) whereas the by-law permits a maximum driveway width of 7 m (22.9 ft.). The intent of this provision is to ensure the ability to provide an additional parking space in the driveway while maintaining adequate open landscaping and maintaining streetscape appearance. The applicant is requesting this minor variance as the driveway was widened without consulting City Staff to accommodate additional parking. This variance is required in order to recognize an existing deficiency on the site.

Due to the driveway widening, the applicant is requesting a minor variance for a front yard landscaping of 35% whereas the by-law requires a minimum 45%. The intent of the minimum requirement for front yard open space is to maintain streetscape appearance as well as adequate drainage. The subject property is able to maintain the streetscape appearance and the City of Cambridge Engineering Division has no concerns regarding the drainage on the subject property.

Lastly, the applicant is requesting a minor variance for an interior side yard setback of 0.68 m (2.23 ft.) whereas the by-law requires a minimum of 1.2 m (3.93 ft.). This variance is to accommodate the landing of an existing side yard entrance.

The intent of the zoning by-law with respect to side yard setbacks is to ensure there is adequate separation between dwellings for maintenance, access to the rear yard, privacy, and consistent streetscape appearance. Staff are of the opinion that adequate separation is provided between dwelling units for maintenance and access and that the side yard entrance will continue to exist cohesively and maintain the streetscape appearance.

Provision of accessory residential units is one measure to help with providing more affordable forms of housing within the City. The need to allow this type of unit is recognized in Provincial policy as well as the Regional and City Official Plans. The Official Plan encourages a range and mix of housing types that are affordable and safe. Accessory units may be established where appropriate parking arrangements can be accommodated, is subordinate to the main dwelling unit and that the accessory unit is compatible with the existing
neighbourhood. Staff are of the opinion that this proposal meets the intent of the Official Plan.

**A Place to Grow-Growth Plan for the Greater Golden Horseshoe (2020)**

One of the guiding principles within the Places to Grow Growth Plan supports a range of housing options, including additional residential units to serve all sizes, incomes, and ages of households. Many metropolitan regions within the Greater Golden Horseshoe are facing issues of housing affordability, which are being driven primarily by sustained population growth and factors such as a lack of housing supply with record low vacancy rates. The Places to Grow Plan helps to address these challenges by providing direction to plan for a range and mix of housing options, including additional residential units. The Places to Grow Plan focuses more particularly to higher density housing options that can accommodate a range of household sizes in locations that can provide access to transit and/or other amenities. Staff are of the opinion that this proposal meets the intent of the Places to Grow-Growth Plan for the Greater Golden Horseshoe.

Based on the above noted analysis, planning staff are of the opinion that the minor variances generally meet the intent of the Zoning By-law and Official Plan, are minor in nature and are appropriate for the development of the lands; therefore staff recommends **approval** of the variance application.

**Regional Municipality of Waterloo:**

The Region of Waterloo has no comment on this application.

**Grand River Conservation Authority:**

The Grand River Conservation Authority has no comment on this application.

**Energy+ Inc.:**

Energy+ Inc., has no objection to the request for a minor variance to facilitate a secondary dwelling unit in the basement with no physical changes to the current footprint of the home. If a second meter is required for the secondary unit the Applicant/Owner will need to contact Energy+ Inc.’s, Service Co ordinator at their earliest convenience.

If relocation or upgrade is required as a result of this application, the Applicant will be responsible for 100% cost.
If easements are required as a result of this application, the Applicant will be responsible for 100% cost.
Refer to Energy+ Inc. Residential Spec book at [www.energyplus.ca](http://www.energyplus.ca)

Hydro poles/guy wires and anchors/padmount transformers/switching units/service pits/street light poles to be 1.5m from driveway entrances/curbs. Relocation at 100% owners’ expense.
All planting near Energy+ owned overhead power lines and padmount equipment must be
installed in accordance to http://www.esasafe.com/assets/image/Tree-Planting.pdf
Must maintain required clearances (ESA & Energy+) from existing overhead electrical plant. Owner/Applicant may be required to provide ESA clearance calculations to existing overhead and underground electrical distribution equipment. Calculations must be signed off by a P.Eng.
As per Energy+ Inc, Current Conditions to Service, lastest edition, only one service per property is permitted.

City of Cambridge Building Section:

A building permit is required for the proposed accessory unit construction. Ensure the permit drawings indicated the fire separation assembly construction information along with the necessary upgrades to the building as a result of exiting through the garage of the house (common space).

City of Cambridge Transportation Engineering Section:

Conditions
An access permit through Transportation Engineering will be required prior to any alterations to the portion of the driveway within the municipal boulevard. The application for an access permit can be found on the City’s website at www.cambridge.ca.

City of Cambridge Project Engineer:

Conditions
The applicant shall confirm that the landing doesn’t impeded or negatively affect the side yard swale.

City of Cambridge Fire Department:
Ensure proper Building Permits obtained for Secondary Dwelling unit.

City of Cambridge Senior Planner-Heritage:
The City of Cambridge Senior Planner Heritage has no comment on this application.

City of Cambridge Economic Development:
The City of Cambridge Economic Development has no comment on this application.
City of Cambridge Sustainability Planner:

The City of Cambridge Sustainability Planner has no comment on this application.
R6 Residential Zoning

Subject Property
Site Plan
Lot Area: 400.5 m² (4,311.2 ft²)

Frontage: 10.7 m (35.1 ft.)

Entrance: Interior Side Yard: 0.68 m (2.23 ft.)

Lot Area: 400.5 m² (4,311.2 ft²)

Floor Plan

35% Front Yard Landscaping

Setback distance from Landing edge – 0.68 m
Landing Length – 0.60 m

Side door to Garage
Hi Maria

I would like to again voice my concerns in regards to Freure Dr, now concerning A41/21 of 328 Freure Dr. Again, I would like my concerns considered as it relates to ensuring that our community here has only the volume of vehicles it can handle. Allowing these to go through force more traffic on our streets, more cars parked on the road and an increased risk to children and pedestrians. Our community still can’t handle the traffic it has.

I would like my concerns recorded and my opinion that this variance should be refused.

Thanks Maria!

Kristi Perrin

Sent from my iPhone

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On Apr 30, 2021, at 6:50 PM, Maria Skara <skaram@cambridge.ca> wrote:

> Good Evening,
>
> Please find attached the Committee of Adjustment decision for 404 Freure Dr
>
> Thank you,
>
> Maria Skara
> Recording Secretary to the Committee of Adjustment
> City of Cambridge
> Community Development
> Planning Services Division
> Development Planning
> 50 Dickson Street, 3rd Floor, P.O. Box 669
> Cambridge, ON, N1R 5W8
> (519) 623-1340 ext. 4289
> skaram@cambridge.ca
> 
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> >
> > This message, including any attachments, may contain information which is confidential
> > and/or exempt from disclosure under applicable law, and is intended only for the use of the
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> > please notify the sender by replying via email, and destroy all copies of this message, including
> > any attachments, without making a copy. Thank you for your cooperation.
> > -----Original Message-----
> > From: Kristi Perrin <kerryperrin@sympatico.ca>
> > Sent: Thursday, April 22, 2021 10:09 AM
> > To: Maria Skara <skaram@cambridge.ca>
> > Subject: [External] A28/21 404 Freure
> >
> > Good Morning
I would like my concerns for the above application to be recorded. It is my understanding that there is an application for the above home to be considered a legal duplex. It is my understanding that this is on the list to be discussed at tonight’s city meeting.

As a resident and tax payer in Cambridge residing on [redacted] I strongly oppose this request. We are already having numerous problems and concerns in this area with traffic, speed, and access points to these streets. Allowing this approval would set precedent and allow even more people and vehicles in an area that can not handle the people and vehicles it currently has. This is a safety issue and concern which has been brought to the city’s attention on numerous occasions over the past 24 months, with the most recent last summer when a child was almost struck by a car.

Please consider my opinion and concern as a resident and tax payer of the affected area.

Thank you

Kristi Perrin

Sent from my iPhone

<A28-21 Decision-404 Freure.pdf>
Application No.: A42/21  Meeting Date: May 19, 2021  Ward No.: 5

Property Owner:  Kiah Group Incorporated

Applicant:  Scott Patterson
Patterson Planning Consultants Inc.

Subject Property:  PLAN 456 PT LOT 45
22 St Andrews St

Proposal:
The applicant is requesting the following minor variances from the Zoning By-law 150-85 to facilitate the construction of a triplex:

1. A minimum lot frontage of 14.08 m (46.1 ft.) whereas the by-law requires a minimum of 15 m (49.2 ft.);

2. A minimum front yard of 3.05 m (10 ft.) whereas the by-law requires a minimum of 6 m (19.6 ft.);

3. Open landscaped open space of 28.3% whereas the by-law requires a minimum of 30% landscaped open space;

4. A minimum lot area of 497.3 m² (5,352 ft²) whereas the by-law requires a minimum of 550 m² (5,920 ft²); and,

5. An encroachment into the front yard setback of 1.22 m (4 ft.) for existing steps and a canopy whereas the by-law permits a minimum encroachment of 0.5 m (1.64 ft.).

The applicant is proposing to convert a commercial space to a residential unit on the ground floor within the existing building. No commercial space will be retained. The proposal exceeds the 2/3 commercial to residential area ratio requirement within the zoning by-law and requires meeting all the RM1 site development specifications for
detached triplex dwellings. If the proposal met the commercial to residential area ratio requirement, the applicant would not require variances for the frontage, lot area and front yard. The proposal can meet the parking and all other RM1 zoning requirements.

The subject property is located within the Dickson Hill Heritage Conservation District which only applies to City-owned land. This property abuts a listed property of interest on the City’s Heritage Register. This property is not designated or a listed property of interest and therefore no Heritage Impact Assessment is required for this application.

The subject property is located in the Galt Core Area and is identified as a Regeneration Area. The subject property currently has commercial on the ground floor and two residential units on the remainder of the floors. The subject property is located in a Source Water Protection Area.

**General Information:**

- Zoning By-law Provisions: C1RM1
- Official Plan Designation: Galt City Centre Core Area
- Adjacent Zoning: C1RM1
- Adjacent Land Use: Residential, Commercial
- Existing Use: Residential, Commercial
- Proposed Use: Residential

**Recommendation:**

City of Cambridge Planning staff recommends **approval** of this minor variance application substantially in keeping with the plans submitted with the minor variance application subject to the following condition:

1. That a building permit be obtained prior to the conversion of the space and occupancy of the unit for residential purposes.

**Staff Comments:**

**City of Cambridge Development Planning Section:**

The subject property is located west of George Street on the north side of St. Andrews Street. The property is an existing building with a frontage of approximately 31.70m² (341.216 ft²).
The subject property currently has independent residential units in both the lower level and upper level of the existing building. The ground floor area is currently vacant and was intended to be used for commercial purposes when the structure was built.

The property was constructed on the basis of variances previously granted by the Committee of Adjustment on July 11, 2018 through application A31/18 that the building would be utilized as a detached duplex with a non-residential ground floor use. The applicant is proposing no changes to the exterior building and site and only internal improvements are being proposed to the ground floor area at this time. Reconsideration of previously granted variances must be given to determine if they are appropriate for the triplex.

The area surrounding the subject lands contains mostly multi-unit residential with a 2 storey triplex to the west and a semi-detached dwelling to the east. The subject property is located in the Galt Core Area and is identified as a Regeneration Area. The subject property is located in a Source Water Protection Area.

**Provincial Policy Statement (2020)**

The Provincial Policy Statement (PPS) provides policy direction on matters of Provincial interest related to land use planning and development. The intent of the PPS is to help balance development interests with protection of public interests such as public health and safety, natural resources and the quality of the natural and built environment.

Section 1.1.1 of the PPS directs that healthy, liveable and safe communities are sustained (in part) by promoting efficient land use patterns and cost-effective development patterns to minimize land consumption and servicing cost. The proposed minor variances will allow for an additional residential unit where municipal servicing is available. As such, this would be considered efficient development which takes advantage of available municipal infrastructure.

Policy 1.1.3.1 states that: “Settlement areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted.” The subject property is located in the settlement area where development is encouraged.

Policy 1.1.3.2 indicates that land use patterns within the settlement area shall be based on densities that make efficient use of land, are appropriate given the infrastructure available, minimize negative impacts to air quality and climate change, support active transportation and provide a range of opportunities for intensification and redevelopment.

The proposal will contribute to the growth, development and vitality of the settlement area as it makes efficient use of land and available municipal services. The proposed development contributes to an appropriate range and mix of housing options and densities through residential redevelopment. Planning staff are of the opinion that the proposal is consistent
with the PPS.

A Place to Grow (2020)

A Place to Grow: The Growth Plan for the Greater Golden Horseshoe, 2020, provides long-term land use planning direction for the Greater Golden Horseshoe area of Ontario. The document provides policy guidance in regards to growth management, transportation, intensification, Greenfield development, protection of employment lands, etc.

Section 2 of the Growth Plan states that better use of land and infrastructure can be made by directing growth to settlement areas and prioritizing intensification, with a focus on strategic growth areas, including urban growth centres. Concentrating new development in these areas provides a focus for investments in transit as well as other types of infrastructure and public service facilities to support forecasted growth, while also supporting a more diverse range and mix of housing options. The subject property is located within the “Urban Growth Centre” on Schedule 4 of the Growth Plan. The Growth Plan states that all municipalities will encourage intensification to achieve a desired urban structure, identify an appropriate type and scale of development, and ensure that lands are zoned and development is designed to support complete communities in the built-up area.

Staff is of the opinion that the proposal conforms to the Growth Plan as it will provide an opportunity for intensification in the built-up area where municipal infrastructure is available and will result in an additional residential unit within an existing building.

Region of Waterloo Official Plan (2015)

The subject property is designated as “Urban Area: Urban Growth Centre” in the Regional Official Plan. Chapter 2 of the Official Plan (Shaping Waterloo Region’s Urban Communities) states that the focal points for reurbanization will include Urban Growth Centres. These focal points will make better use of existing urbanized land and infrastructure and reduce development pressure on farmlands and sensitive natural areas.

Chapter 3 of the Official Plan (Liveability in Waterloo Region) states that the overall goal is to create vibrant urban and rural places. In respect to creating vibrant urban places, Section 3.A encourages municipalities to provide a range and mix of housing and individual lot intensification where appropriate.

The proposal conforms to the housing policies of the Regional Official plan as it would provide an opportunity for a mix of housing types within the Built-Up area while also respecting the physical character of the existing neighbourhood while utilizing existing infrastructure.

City of Cambridge Official Plan, 2012

The subject property is designated as ‘Galt City Centre Core Area’ and is also located within...
a Regeneration Area in the Official Plan. The Galt City Centre policies, in part, seek to achieve an area of higher density and mix of land uses to support the concept of complete communities. A complete community will be a well-designed, compact vibrant city that provides an appropriate mix of jobs, range of housing options, and convenient access to services, recreation, and transportation options.

The proposal is to use an under-utilized part of an existing building that is partly vacant in the core area. Residential intensification and multi-unit residential projects are encouraged in the Community Core Areas and Regeneration Areas provided the development maintains residential compatibility surrounding neighbourhood.

Section 8.4.2 of the City’s Official Plan requires the development to be compatible with the location, density, and other characteristics of neighbouring land uses. In the City’s Official Plan ‘compatibility’ is defined as: development, although it is not necessarily the same as or similar to existing buildings or uses in the vicinity, nonetheless exists in harmony with or enhances an established community. The development is already existing with no exterior alterations proposed and will not have a physical or functional adverse impact on surrounding properties.

City of Cambridge Zoning By-law 150-85

The applicant is proposing an additional residential unit within the existing building to convert the subject property into a triplex. The proposal exceeds the 2/3 commercial to residential area ratio requirement within the zoning by-law and requires meeting all the RM1 site development specifications for detached triplex dwellings. If the proposal met the commercial to residential area ratio requirement, the applicant would not require variances for the frontage, lot area and front yard. The proposal can meet the parking and all other RM1 zoning requirements.

The applicant is requesting a minimum frontage of 14.08 m (46.1 ft.) whereas the by-law requires a minimum of 15 m (49.2 ft.) for the RM1 zone. The intent of the frontage requirement is to ensure that the property has sufficient amenity space, and open space landscaping. The Committee previously approved this same reduction through Minor Variance A31/18; however, it was specific to a duplex. The lot frontage requirement of 15.0 m (49.21 ft) is the same for a detached triplex and the lot is existing. The adjacent properties have varying frontages with limited open space landscaping, with the property to the west having a similar frontage. As such staff are of the opinion that the reduced frontage will not have negative impacts on the streetscape.

The applicant is requesting a minimum front yard of 3.05 m (10 ft.) whereas the by-law
requires a minimum of 6 m (19.6 ft.). The Committee previously through A31/18 approved a reduction down to 2.74m (8.989 ft.) but the current survey plan illustrates an existing setback of 3.05m. The past variance is not applicable as it is related to a Duplex. The requested variance would recognize the existing condition. As such staff are of the opinion that a reduced front yard will not have negative impacts on the streetscape.

The applicant is requesting a minimum landscaped open space of 28.3% whereas the by-law requires a minimum of 30% landscaped open space. The intent of the minimum open space landscaping requirement is to ensure that the property has sufficient unobstructed amenity space to provide a balance between built and natural environments and to maintain streetscape appearance and adequate drainage. The Committee previously approved this reduction but it was specific to a Duplex. The 30% requirement is applicable to both a duplex and triplex. No site conditions are being changed and this variance is being requested solely to recognize the use of the ground floor area for a residential unit. Staff are of the opinion that the reduction in landscaped open space will not cause negative impacts to future inhabitants of the building.

The applicant is also requesting a minimum lot area of 497.3 m² (5,352 ft²) whereas the by-law requires a minimum of 550 m² (5,920 ft²). The purpose of the minimum lot area requirement is to ensure that the property has sufficient amenity space, open space landscaping, and parking for both units. The subject property can accommodate the parking requirements and already had an approved minor variance for a reduction in landscaped open space. Given that the building is already constructed and no changes are being proposed to the exterior, it is staff’s opinion that the variance to support the reduced lot area is appropriate and minor in nature.

Lastly, the applicant is also requesting an encroachment into the front yard setback of 1.22 m (4 ft.) for existing steps and a canopy whereas the by-law permits a minimum encroachment of 0.5 m (1.64 ft.). The Committee previously approved this variance as it was related to the use of the property as a duplex, not a triplex. The dwelling has the front door oriented to the street with the front steps and canopy encroaching into the required yard and reducing the landscape open space area. Given that the building is already constructed and no changes are being proposed to the exterior, it is staff’s opinion that the variance to support the reduced lot area is appropriate and minor in nature.

Based on the above analysis, staff is of the opinion that with the proposed conditions, the variances will result in the appropriate development of the site. The variances are considered
minor in nature, and meet the general intent of the Zoning By-law and Official Plan. As such, planning staff recommend approval of the minor variance application.

**Regional Municipality of Waterloo:**

The Region of Waterloo has no comment on this application.

**Grand River Conservation Authority:**

The Grand River Conservation Authority has no comment on this application.

**Energy+ Inc.:**

Energy+ Inc. has no objection to the Applicants request to modify regulations of the RM1 zoning to allow the existing building to be used as a triplex with no changes to the existing exterior footprint of the building. As per Energy+ Inc. Current Conditions to Service, latest edition, only one service per property is permitted.

If upgrade or relocation is required as a result of this Application the Applicant/Owner will be responsible for 100% cost. If easements are required as a result of this Application, the Applicant/Owner will be responsible for 100% cost. Refer to Energy+ Inc. Residential Spec book at www.energyplus.ca

Hydro poles/guy wires and anchors/padmount transformers/switching units/service pits/street light poles to be 1.5m from driveway entrances/curbs. Relocation at 100% owners’ expense. All planting near Energy+ owned overhead power lines and padmount equipment must be installed in accordance to http://www.esasafe.com/assets/image/Tree-Planting.pdf

Must maintain required clearances (ESA & Energy+) from existing overhead electrical plant. Owner/Applicant may be required to provide ESA clearance calculations to existing overhead electrical distribution equipment. Calculations must be signed off by a P.Eng. As per Energy+ Inc, Current Conditions to Service, latest edition, only one service per property is permitted. Additional comments maybe provided when the application is submitted.

**City of Cambridge Building Section:**

A building permit has already been issued for the conversion from a Duplex to a Triplex. The applicant has committed to not starting construction until the minor variance has been approved.
City of Cambridge Transportation Engineering Section:

The City of Cambridge Transportation Engineering Section has no comment on this application.

City of Cambridge Project Engineer:

Development Engineering has no comment with regards to this application.

City of Cambridge Fire Department:

Ensure proper building permits are obtained.

City of Cambridge Senior Planner-Heritage:

The City of Cambridge Planner Heritage has no comment on this application.

City of Cambridge Economic Development:

The City of Cambridge Economic Development has no comment on this application.

City of Cambridge Sustainability Planner:

The City of Cambridge Sustainability Planner has no comments on this application.
C1RM1 Commercial/Residential Zoning

Subject Property
View from St. Andrews St (Site Visit)

View from George St South (Google Streetview)
Site Plan

4. Relief from Section 3.1.2.5(b) of Zoning By-law 150-85, which states that the minimum lot area for a detached triplex dwelling in the "RM1" zone shall be 550m², whereas a lot area of 497.3m² is existing.

2. Relief from Section 3.1.2.5(c) of Zoning By-law 150-85, which states that the minimum front yard for a detached triplex dwelling in the "RM1" zone shall be 6m, whereas a minimum front yard of 3.05m is existing.

5. Relief from Section 2.1.15(1) of Zoning By-law No. 150-85, which states that the maximum projection permitted into required yards for steps above or below grade is 0.5m, whereas a projection of 1.22m into the front yard for steps at grade and overhead canopy is proposed.

3. Relief from Section 3.1.2.5(k) of Zoning By-law No. 150-85, which states that the minimum landscaped open space for a detached triplex dwelling in the "RM1" zone shall be 30%, whereas a landscaped open space of 28.3% is existing.

1. Relief from Section 3.1.2.5(y) of Zoning By-law No. 150-85, which states that the minimum lot frontage for a detached triplex dwelling in the "RM1" zone shall be 15m, whereas a minimum lot frontage of 14.06m is existing.
Application No.: B02/21 & 03/21

Meeting Date: May 19, 2021

Ward No.: 5

Property Owner: Westside Presbyterian Church

Applicant: MHBC Planning (Andrea Sinclair)

Subject Property: PLAN 451 LOT 4 E PT LOT 5 PT;LOT 4 PT LOT 5 172 Forest Rd

Proposal:
B02/21 (Parcel A)

The applicant is requesting to sever the property to create a residential parcel with an approximate lot area of 275.6 m² (2,966.5 ft²) and a frontage of 10.7 m (35.10 ft.) along Forest Road.

B03/21 (Parcel B)

The applicant is requesting a second severance to create a second residential parcel with an approximate lot area of 270.4 m² (2,910.5 ft²) and a frontage of 10.7 m (35.10 ft.) along Forest Road.

Retained (Parcel C)

The retained parcel will result in an irregular lot with an area of approximately 712.7 m² (7,671.4 ft²) which is to be merged with Parcel D on the severance sketch.

The property currently contains a single detached dwelling that is proposed to be demolished. Two new residential dwellings are proposed. The severed lands are surplus to the needs of the Westside Presbyterian Church and the retained portion will be used for additional church parking.
These lands and the adjacent church property are subject to zoning by-law amendment file R06/20. The application was approved by Council on March 2nd, 2021 (By-law No. 21-014) and has passed the appeal period. The zoning amendment rezoned Parcel C lands N1R5(H) Institutional/Residential to be merged with the Church property with the same zoning. The residential portion of the property to be severed is rezoned to R6(H) to permit the additional residential lot. The holding provision is in place at the request of the Region of Waterloo for the submission of an Archaeological Assessment and acknowledgement letter from the Ministry of Culture, Tourism and Sport. As such, no variances are required.

**General Information:**

Zoning By-law Provisions: R6 (H), N1R5(H)
Official Plan Designation: Low / Medium Density Residential
Adjacent Zoning: N1, R5
Adjacent Land Use: Institutional, Residential
Existing Use: Residential
Proposed Use: Residential

**Recommendation:**

That applications B02/21 and B03/21 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 sections 50(3) or (5) of the Planning Act applies so that the retained lands will be merged in title with the abutting parcel (Parcel D) at 0 Forest Road, 0 Osborne Street, 130 Victoria Avenue and 182 Forest Road and that the owner/applicant provide a draft transfer from a solicitor to the satisfaction of the Planning Services Division;

3. That prior to final approval, the owner/applicant submit the severance review fee of $350.00 to the Region of Waterloo;

4. 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;
5. 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;

6. That the applicant verifies the location of any existing sanitary, storm and water services on the property to the satisfaction of the Building Division in order to confirm that no services will cross over any proposed property lines or are shared with any adjacent properties. Where services cross property lines easements and/or servicing agreements shall be registered on title;

7. 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, and proposed electric plant to the satisfaction of Energy+ Inc. The survey must include dimensions;

8. That prior to final approval, the owner/applicant pay cash-in-lieu of parkland at 5% of the value of the severed land. The applicant shall provide an opinion of value from a qualified appraiser, to the satisfaction of Realty Services and Parks Operations, in determining the value of the severed land;

9. Confirmation of payment of outstanding taxes to the satisfaction of the Financial Services Division; and,

10. That the above noted conditions must be fulfilled and the document for conveyance be presented with the required fee for signing on or before May 28, 2022, after which time this consent will lapse.

Staff Comments:

City of Cambridge Development Planning Section:

The subject property is located north of Victoria Avenue on the west side for Forest Road. The property is designated as Low/Medium Density Residential in the City’s Official Plan which permits single detached dwellings, townhouses and/or walk up apartments. These lands and the adjacent church property are subject to zoning by-law amendment file R06/20. The application was approved by Council on March 2nd, 2021 (By-law No. 21-014) and has passed the appeal period.

The applicant is proposing to expand the parking lot for the Westside Presbyterian Church, which required a portion of the property to be rezoned from R5 to N1R5(H). The remaining
portion of the property is surplus to the needs of the place of worship, and is proposed to be
severed which required the remaining portion of the property to be rezoned from R5 to R6
residential to accommodate a smaller lot size (360m² to 270m²). A holding provision has
been put in place, at the request of the Region of Waterloo, as the applicant must submit an
Archaeological Assessment and acknowledgement letter from the Ministry of Culture,
Tourism and Sport. The church property is also subject to site plan application SP15/20.

The property has a lot area of approximately 968.91 m² (1,0429.260 ft²) with an approximate
frontage of 82 m (269.029 ft) along Forest Road. The property currently contains a single
detached house which is to be demolished. Two new single detached dwellings are proposed
to replace the existing house.

<table>
<thead>
<tr>
<th>Lot</th>
<th>Area</th>
<th>Frontage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parcel A (Single)</td>
<td>275.6 m² (2,966.5 ft²)</td>
<td>10.7 m (35.10 ft.)</td>
</tr>
<tr>
<td>Parcel B (Single)</td>
<td>270.4 m² (2,910.5 ft²)</td>
<td>10.7 m (35.10 ft.)</td>
</tr>
<tr>
<td>Parcel C (Retained, to be merged with Parcel D)</td>
<td>712.7 m² (7,671.4 ft²)</td>
<td>3.428 m (11.247 ft.)</td>
</tr>
<tr>
<td>Merged lot (Parcel C + Parcel D)</td>
<td>4,337.9 m² (4,6692.8 ft²)</td>
<td>38.702 m (126.98 ft)</td>
</tr>
</tbody>
</table>

Provincial Policy Statement (2020)

The Provincial Policy Statement (PPS) provides policy direction on matters of Provincial
interest related to land use planning and development. The intent of the PPS is to help
balance development interests with protection of public interests such as public health and
safety, natural resources and the quality of the natural and built environment.

Section 1.1.1 of the PPS directs that healthy, liveable and safe communities are sustained (in
part) by promoting efficient land use patterns and cost-effective development patterns to
minimize land consumption and servicing cost. The proposed severance will propose two
new single detached dwellings within an existing residential neighbourhood where municipal
servicing is available. As such, this would be considered efficient development which takes
advantage of available municipal infrastructure.

Policy 1.1.3.1 states that: “Settlement areas shall be the focus of growth and development,
and their vitality and regeneration shall be promoted.” The subject property is located in the
settlement area where development is encouraged.

Policy 1.1.3.2 indicates that land use patterns within the settlement area shall be based on
densities that make efficient use of land, are appropriate given the infrastructure available,
minimize negative impacts to air quality and climate change, support active transportation
and provide a range of opportunities for intensification and redevelopment. The subject property is located in proximity to St. Andrews St and Cedar St with access to amenities and transit options.

The proposal for the creation of a new lot to accommodate a single detached dwelling from lands that are surplus to the adjacent church’s need will contribute to the growth, development and vitality of the settlement area as it makes efficient use of land and available municipal services. Planning staff are of the opinion that the proposal is consistent with the PPS.

A Place to Grow (2020)
A Place to Grow: The Growth Plan for the Greater Golden Horseshoe, 2020, provides long-term land use planning direction for the Greater Golden Horseshoe area of Ontario. The document provides policy guidance in regards to growth management, transportation, intensification, Greenfield development, protection of employment lands, etc.

Section 2.2 of the Growth Plan sets out that growth will be directed to settlement areas, where municipal infrastructure is available and complete communities can be supported. The subject property is located within the “Built-Up Area” on Schedule 4 of the Growth Plan. The Growth Plan states that all municipalities will encourage intensification to achieve a desired urban structure, identify an appropriate type and scale of development, and ensure that lands are zoned and development is designed to support complete communities in the built-up area.

Staff is of the opinion that the proposal conforms to the Growth Plan as it will provide an opportunity for modest intensification in the built-up area where municipal infrastructure is available and will result in an additional single detached building lot which is an appropriate scale of development in this area.

Region of Waterloo Official Plan (2015)
The subject property is designated as “Urban Area: Built-Up Area” in the Regional Official Plan. Chapter 2 of the Official Plan (Shaping Waterloo Region’s Urban Communities) states that the overall goal is to promote balanced growth by directing a greater share of urban development towards the existing Built-Up Area.

Section 2.C.2 provides direction to ensure 45% of new residential development in the Region occurs within the Built-Up Area as it has the greatest capacity to accommodate for growth and development pertaining to the availability of infrastructure, servicing, and transit options.

Chapter 3 of the Official Plan (Liveability in Waterloo Region) states that the overall goal is to create vibrant urban and rural places. In respect to creating vibrant urban places, Section 3.A encourages municipalities to provide a range and mix of housing and individual lot intensification where appropriate.
Staff is of the opinion that the creation of a two new residential lots conforms to the policies of the Regional Official plan as it would provide an opportunity for modest intensification within the Built-Up area.

City of Cambridge Official Plan (2012)
One of the main objectives of the City's Official Plan is to direct a larger portion of new development to existing urban areas as a more cost effective and sustainable form of new development.

The subject property is designated as 'Low/Medium Density Residential' in the City of Cambridge Official Plan. The 'Low/Medium Density Residential' designation permits a range of housing including singles, semis, and towns.

The objectives of Section 2.2 of the Official Plan provide a foundation for growth management within the City. These objectives include directing and encouraging new development within the built-up area of the City. The subject property is located within the designated built-up area. As such, planning staff is of the opinion that the proposal represents efficient development that can take advantage of existing municipal services.

Section 2.6.1.8 states that infill, intensification and redevelopment within existing neighbourhoods will be minor in nature and will be designed to respect existing character. When evaluating proposed infill development, consideration should be given to subsection 8.4.2.2. entitled “Residential Compatibility” which includes:

- Comparable building height
- Massing and scale
- Similar lot coverage and setbacks to neighbouring houses
- Built form that respects the facades of neighbouring housing
- Transportation implications and appropriate parking arrangements

The subject property borders the church property to the south and west and single residential properties to the north and east. The existing houses in the neighbourhood range from one to two storeys in height. Lot sizes and frontages are varied in the area but the proposed lots will be comparable to the three lots across the street (173-177 Forest Ave). There is an inconsistent setback of buildings along the west side of Forest Avenue. The existing house is located approximately 13 m (42.65 ft) back from the property line (recessed in comparison the adjacent properties). The 6 m (19.69ft) front yard setback in the zoning by-law and in the submitted site sketches is more compatible which would result in a more consistent streetscape. A maximum height of 2 storeys has also been included in the by-law to ensure residential compatibility is maintained.
Additionally, the proposal will contribute to achieving complete communities by providing an expansion to an established institutional facility in accordance with section 8.1.6 of the Official Plan. The massing of the church is not proposed to change but there will be some minor improvements to the façade and accessibility will be improved with the parking lot expansion. Additionally, there will be landscaping strips to buffer the proposed parking from adjacent residential uses. Traffic on site is anticipated to be minimal outside of Sunday. As such, staff is of the opinion the proposal is desirable and will result in a higher standard of urban design.

The proposal conforms to the City of Cambridge Official Plan in regards to the expansion of an institutional use and intensification within an existing residential neighbourhood. The proposed concept plan for the residential dwellings conform to all the site development specifications for the R6 Residential zone. As such, staff is of the opinion that the severances with the proposed buildings are compatible within the existing neighbourhood.

**City of Cambridge Zoning By-Law 150-85**

The subject property is currently zoned R6(H) Residential, which allows a single detached dwelling. The zoning by-law amendment changed the zoning for a portion of the property from R5 to N1R5(H) for the church’s parking lot expansion. The proposal complies with the N1 zoning regulations. Staff is recommending a condition to provide a draft transfer for the retained parcel (Parcel C) to ensure this property merges on title with Parcel D which will ensure no variances are required as a result of the severance.

The zoning on the remaining residential portion is R6(H), which has a minimum required frontage of 9 m (29.5 ft.) and minimum lot area of 270 m² (2,906.26 ft²). As such, no minor variances are required as a result of the severance as the proposal comply with the R6 zoning regulations.

A holding provision was included at the request of the Region of Waterloo, as the applicant must submit an Archaeological Assessment and acknowledgement letter from the Ministry of Culture, Tourism and Sport.

The following criteria has been considered under Section 51(24) of the Planning Act:

- The effect of development of the proposed subdivision on matters of provincial interest
- Whether the plan conforms to the Official Plan and adjacent plans of subdivision
- The suitability of the land for the purposes for which it is to be subdivided
• The adequacy of the existing road network
• The dimensions and shapes of the proposed lots
• The restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions if any, on adjoining land
• The adequacy of utilities and municipal services
• The adequacy of school sites

Staff is of the opinion that a plan of subdivision is not required for the proper and orderly development of the municipality under s. 53(1) of the Planning Act for the subject property.

Based on the above noted analysis, planning staff is of the opinion that with the recommended conditions, the proposed severance to create two new developable lots meets the criteria set out in s. 51(24) of the Planning Act and therefore recommends approval of application B02/21 and B03/21.

Regional Municipality of Waterloo:

Rachel Greene
The Corporation of the City of Cambridge
50 Dickson Street
PO Box 669
Cambridge, Ontario N1R 5W8

Re: Comments for Consent Applications B02/21 and B03/21
Committee of Adjustment Hearing March 10, 2021
CITY OF CAMBRIDGE

B02/21 and B03/21
172 Forest Road  
Westside Presbyterian Church

The owner/applicant is proposing a severance containing the existing residential dwelling from the retained residential parcel. These lands are surplus to the needs of Westside Presbyterian Church. The purpose of the severance is to allow for the creation of two residential lots and convey a portion of the lands to the Church for parking.

Zoning By-Law Amendment and Site Plan Applications have been submitted to permit the overall development proposal for the subject lands including rezoning a portion of the residential zone to allow for institutional uses consist with the remainder of the property. The surplus lands to the Church are being rezoned to permit an additional residential lot.

Regional Fee:

Regional Staff require the owner/applicant to submit the consent review fee of $350.00 per new lot created, prior to final approval.

Archaeological Assessment:

Regional Staff note that an Archaeological Assessment and Ministry Acknowledgement letter will be required through a Holding Provision on the associated Zoning By-Law Amendment (R06/20). Regional Staff have no further concerns.

Water Services:

The subject site is currently located in the Cambridge Zone 1 pressure zone, with an existing HGL of 332 mASL. Regional Staff advise that Cambridge Zone 1 pressure zone will be undergoing adjustments to the HGL. As such, the owner/applicant should account and design for the future expected hydraulic grade line of 323.5 mASL for the ultimate design of the site. The anticipated timeline for the HGL adjustment is by end of 2023.

Regional staff has no objection to the application, subject to the following conditions:

1) That prior to final approval, the owner/applicant submit the consent review fee of $350.00 per new lot created

General Comments

Any future development on the lands subject to the above-noted consent application(s) will be subject to the provisions of Regional Development Charge By-law 19-037 or any successor thereof. Please accept this letter as our request for a copy of the staff reports, decisions and minutes pertaining to each of the consent applications noted above. Should you require Regional Staff to be in attendance at the meeting or have any questions, please do not hesitate to contact the undersigned.
Yours truly,

Matthew Colley, MCIP, RPP
Planner

Grand River Conservation Authority:
The Grand River Conservation Authority has no comment on this application.

Energy+ Inc.:
1. We require 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. The survey must include dimensions.

2. The Applicant will be responsible for 100% cost to service the new lot. The Applicant will be responsible for all costs to re-locate or upgrade if required as a result of this Application. Energy+ Inc. WILL NOT approve a severance on a lot with no service. As per Current Conditions of Service, latest edition, only one service per property is permitted. Allow MINIMUM 3 months for Energy+ Inc. to process an estimate. Polemount Transformers currently have a lead time of 4-5 months.

3. All EASEMENTS (will be determined once satisfactory legal plan has been submitted) must be APPROVED and REGISTERED at customer’s cost.

4. Any new structures must meet current ESA and Energy+ Inc. clearances.

Please note, a legal plan, which does not satisfy the requirements states in condition #1 will be returned for revision and the process will be delayed.

City of Cambridge Building Section:
Comments
A building permit is required for the proposed dwelling construction.
A demolition permit is required for the proposed demolition of the existing dwelling unit.

**Conditions**
That the applicant verifies the location of any existing sanitary, storm and water services on the property to the satisfaction of the Building Division in order to confirm that no services will cross over any proposed property lines or are shared with any adjacent properties. Where services cross property lines easements and/or servicing agreements shall be registered on title.

**City of Cambridge Transportation Engineering Section:**
The City of Cambridge Transportation Division has no comments in regards to this application.

**City of Cambridge Project Engineer:**
- In Forest Road, the following services are available to the subject properties:
  - 200mm diameter sanitary sewer, 200mm diameter storm sewer and 250mm diameter watermain.
- Separate municipal services (water and sanitary) will be required for each proposed lot (completed by City forces at 100% Owner/Builder’s cost).
- Verification of the location of municipal services is required. If reusing services, a servicing easement will be required if any severed property’s servicing crosses the other severed property. City records indicate that there are two existing 100mm sanitary services and the location and size of the existing water service is unknown.
- Redundant water services will need to be capped at the main (completed by City forces at 100% Owner/Builders cost).
- Consideration for drainage will be required to ensure no impacts on adjacent properties. A drainage easement may be required if the revised properties drain...
across each other.

- All applicable work within the road allowance for the retained and severed lot, including but not limited to site services, curb cuts, driveway ramps and sidewalks, will be completed by the City’s Public Works Department at 100% Owner’s expense.

- Cost estimates for work within road allowance are prepared by City Staff upon receipt of the estimate fee of $215.00 (HST included).

**Conditions**

- 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.

- 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.

**City of Cambridge Fire Department:**

Zoning Amendment Items:
   a) Show all Fire Hydrants
   b) Label Fire Route (Church)
   c) Update Church Fire Safety Plan accordingly.

**City of Cambridge Senior Planner-Heritage:**

Because the subject property is not on the Heritage Properties Register, and because there will be no negative impacts to the adjacent listed property of cultural heritage interest, no heritage impact assessment will be required.

**City of Cambridge Economic Development:**

The City of Cambridge Economic Development has no comment on this application.

**City of Cambridge Sustainability Planner:**

The City of Cambridge Sustainability Planner has no comment on this application.