Committee of Adjustment for the Corporation of the City of Cambridge

being Submission No. A34/20

THIS MATTER HAVING BEEN HEARD on Wednesday May 19, 2021 and the Notice of Hearing having been given in accordance with the Rules and Procedures adopted by the Committee of Adjustment; the Committee of Adjustment of the City of Cambridge hereby renders the following decision:

Decision: PLAN 1126 PT LOT 1

223 Samuelson St

Moved by: Gerald Menezes
Seconded by: Don Drackley

That the applicant’s request for an extension to a legal non-conforming use to facilitate the creation of two additional dwelling units for a total of six units total be deferred for a maximum of 6 months.

CARRIED

REASONS:

The Committee considered staff’s recommendation in relation to the application. Therefore, the application is deferred for a maximum of 6 months to allow the applicant additional time to fully investigate other possible floorplans for the building outside of the floodplain limits, to the satisfaction of the Grand River Conservation Authority.
Committee of Adjustment for the Corporation of the City of Cambridge

being Submission No. A34/20

THIS MATTER HAVING BEEN HEARD on Wednesday May 19, 2021 and the Notice of Hearing having been given in accordance with the Rules and Procedures adopted by the Committee of Adjustment; the Committee of Adjustment of the City of Cambridge hereby renders the following decision:

Decision: PLAN 1376 PT LOT 40 350 Hespeler Rd

Moved by: Don Drackley
Seconded by: Amal Charif

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

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 bylaw 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.

be approved 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.

CARRIED

REASONS:

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

being Submission No. A38/21

THIS MATTER HAVING BEEN HEARD on Wednesday May 19, 2021 and the Notice of Hearing having been given in accordance with the Rules and Procedures adopted by the Committee of Adjustment; the Committee of Adjustment of the City of Cambridge hereby renders the following decision:

Decision: PLAN 58M104 BLK 1

161 Essex Point Dr.

Moved by: Gerald Menezes
Seconded by: Amal Charif

That the applicant’s request for 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

be approved subject to the following condition:

1. That the minor variance application sketch is consistent with the plans submitted with the plan of subdivision.

CARRIED

REASONS:

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

being Submission No. A39/21

THIS MATTER HAVING BEEN HEARD on Wednesday May 19, 2021 and the Notice of Hearing having been given in accordance with the Rules and Procedures adopted by the Committee of Adjustment; the Committee of Adjustment of the City of Cambridge hereby renders the following decision:

Decision: PLAN 1002 LOT 2
11 Banat Rd

Moved by: Don Drackley
Seconded by: Gerald Menezes

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

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.

be approved 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.

CARRIED

REASONS:

The Committee considered staff’s recommendation and the applicant’s oral comments in relation to the application. The application is approved with five
conditions, as it is the opinion of the Committee of Adjustment, that the proposal meets the general intent of the Zoning By-law and Official Plan, is minor and will result in the appropriate development of the site.
Committee of Adjustment for the Corporation of the City of Cambridge

being Submission No. A40/21

THIS MATTER HAVING BEEN HEARD on Wednesday May 19, 2021 and the Notice of Hearing having been given in accordance with the Rules and Procedures adopted by the Committee of Adjustment; the Committee of Adjustment of the City of Cambridge hereby renders the following decision:

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

Moved by: Frances Seward
Seconded by: Gerald Menezes

That the applicant’s request for the following minor variances from Zoning By-law 150-85 to permit an accessory structure:

1. A maximum height of 6.4 m (20.9 ft.) whereas the bylaw 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.

be approved 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

CARRIED

REASONS:

The Committee considered staff’s recommendation and the applicant’s oral comments in relation to the application. The application is approved with two conditions, as it is the opinion of the Committee of Adjustment, that the proposal meets the general intent of the Zoning By-law and Official Plan, is minor and will result in the appropriate development of the site.
Committee of Adjustment for the Corporation of the City of Cambridge

being Submission No. A41/21

THIS MATTER HAVING BEEN HEARD on Wednesday May 19, 2021 and the Notice of Hearing having been given in accordance with the Rules and Procedures adopted by the Committee of Adjustment; the Committee of Adjustment of the City of Cambridge hereby renders the following decision:

Decision: PLAN 58M-603 LOT 54
328 Freure Ave

Moved by: Don Drackley
Seconded by: Gerald Menezes

That the applicant’s request for the following minor variances from Zoning By-law 150-85 to permit an accessory structure:

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 (35.1ft.) 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.).

be refused.

CARRIED

REASONS:

The Committee considered staff’s recommendation, the applicant’s oral comments, the delegates oral and written comments in relation to the application. The application is refused, as it is the opinion of the Committee of Adjustment, that the variances are not minor in nature and that the lot is deficient in size in a high density neighbourhood. The Committee has been consistent with their decisions in the R6 zone which has been further intensified by reduced lots, reduced frontage, reduced setbacks and reduced landscaping. Adding an accessory unit only increases the high-density and creates challenges within the neighbourhood, in particular, issues surrounding traffic safety.
Committee of Adjustment for the Corporation of the City of Cambridge

being Submission No. A42/21

THIS MATTER HAVING BEEN HEARD on Wednesday May 19, 2021 and the Notice of Hearing having been given in accordance with the Rules and Procedures adopted by the Committee of Adjustment; the Committee of Adjustment of the City of Cambridge hereby renders the following decision:

Decision: PLAN 456 PT LOT 45
22 St Andrews St

Moved by: Gerald Menezes
Seconded by: Don Drackley

That the applicant’s request for the following minor variances from 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.).

be approved 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.

CARRIED

REASONS:

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

being Submission No. B02/21

THIS MATTER HAVING BEEN HEARD on Wednesday May 19, 2021 and the Notice of Hearing having been given in accordance with the Rules and Procedures adopted by the Committee of Adjustment; the Committee of Adjustment of the City of Cambridge hereby renders the following decision:

Decision: PLAN 451 LOT 4 E PT LOT 5 PT;LOT 4 PT LOT 5 172 Forest Ave

Moved by: Frances Seward
Seconded by: Gerald Menezes

That the applicant’s request 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.

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 wirefeed 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.

CARRIED

REASONS:

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

being Submission No. B03/21

THIS MATTER HAVING BEEN HEARD on Wednesday May 19, 2021 and the Notice of Hearing having been given in accordance with the Rules and Procedures adopted by the Committee of Adjustment; the Committee of Adjustment of the City of Cambridge hereby renders the following decision:

Decision: PLAN 451 LOT 4 E PT LOT 5 PT; LOT 4 PT LOT 5 172 Forest Ave

Moved by: Frances Seward
Seconded by: Gerald Menezes

That the applicant’s request to sever the property 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. 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 wirefeed 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.

CARRIED

REASONS:

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