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   - May 19, 2021

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   **New Minor Variance Applications**

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5. Decisions

6. LPAT Update

Adjournment
Application No.: A37/21  Meeting Date: June 22, 2021  Ward No.: 6

Property Owner/Applicant: Mark John Trombley  Michelle Marcia Trombley

Subject Property: PLAN 457 PT LOT 93 PT LOT 94
11 Albert St

Proposal:
The applicant is requesting the following minor variances from the Zoning By-law 150-85 to permit the construction of a deck in the rear yard:

1. A minimum exterior side yard setback of 0.25 m (0.82 ft) whereas the by-law requires a minimum of 3.5 m (11.48 ft) (adjacent to McAuslan St).

Through further review, staff identified an additional minor variance needed for the interior side yard.

2. A minimum interior side yard setback of 0.51 m (1.67 ft) whereas the by-law requires a minimum of 1.0 m (3.28 ft).

The variances will facilitate the construction of a 67.82m² (730 ft²) deck in the rear yard. The subject property is located in a Source Water Protection Area. The property is a listed heritage property. After consulting with the Heritage Planner, it was determined that a Heritage Impact Assessment will not be required.

The property has a number of previously approved minor variances through the Committee of Adjustment: April 4, 2018 (A10/18) for a reduced interior side yard of 0.40 m (1.31 ft) to construct a two storey addition; June 29, 2016 (A15/16) for a reduced exterior yard setback of 2.61m (8.83 ft), and a reduced exterior side yard setback of 2.39m (7.84 ft); and June 24, 1992 (A27/92) for a reduced interior side yard setback of 0.53m (1.73 ft) for a single storey addition.

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:
City of Cambridge Planning staff recommends approval of this application, substantially in accordance with the submitted sketch.

Staff are recommending that the amendment to the application regarding the interior side yard setback 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 lands are located south of Elliot St. on the corner of Albert St. and McAuslan St. The subject property is designated as Low / Medium Density Residential in the Official Plan and zoned R4 Residential in the Zoning By-law.

The minor variance is required to permit an exterior side yard setback of 0.25 m (0.82 ft) whereas the by-law requires a minimum of 3.5 m (11.48 ft). The bylaw requires a 6 m (19.68 ft) exterior yard setback, but allows for a 2.5 m (8.20 ft) encroachment for a deck, making the required exterior yard setback 3.5 m (11.48 ft). The intent of the Zoning By-law with respect to encroachment setbacks to decks is to maintain a separation with adjacent residential properties, to provide separation for privacy, maintenance, access and drainage. The property is a corner lot and the exterior side yard is adjacent to McAuslan St. There is an existing fence and hedge that would screen most of the proposed deck and staff are of the opinion that the reduced exterior side yard will have no increased impact on the streetscape and surrounding properties.

Through further review, staff identified an additional minor variance needed for the interior side yard. A minimum interior side yard setback of 0.51 m (1.67 ft) is proposed, whereas the by-law requires a minimum of 1.0 m (3.28 ft). The bylaw requires an interior yard setback of 1.2 m (3.94 ft) but allows for an encroachment of 0.2 m (0.66 ft), making the requirement 1.0 m (3.28 ft). The home itself is constructed with an interior side yard of 0.40 m (1.31 ft), approved by the Committee of Adjustment on April 4, 2018 through file A10/18. The intent of the Zoning By-law with respect to interior side yard setback is to allow adequate space for maintenance and access. The deck will be closely aligned with the existing dwelling and
addition which has been maintained with the reduced interior side yard setback and the proposed deck will continue the existing situation. Therefore, the deck will have no increased impact on the adjacent residential properties.

It is the opinion of staff that the proposed variance to reduce the exterior yard and interior yard setbacks is minor in nature, maintains the general intent and purpose of the Official Plan and Zoning By-law and represents desirable, and appropriate development of the subject property.

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 by the Applicant for a minor variance for a reduced exterior side yard to facilitate the construction of a rear yard deck.

If relocation or upgrade is required it will be at 100% Applicant/Owner cost.

If easements are required it will be at 100% Applicant/Owner cost.

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 deck construction.

A building permit application is currently under review.

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:

Fire Department has no comment in regards to this application.

City of Cambridge Senior Planner-Heritage:
This proposal will not need a HIA. As this is a listed property of interest and because the proposed work is in the rear of the property, there will be minimal to no negative impact on both the main structure’s character defining elements as well as the streetscape.

**City of Cambridge Economic Development:**

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

**City of Cambridge Sustainability Planner:**

Comments not received.

**Canadian National Railway:**

Comments not received.
Site Plan

Exterior yard setback 0.25 m (0.82 ft).

Interior yard setback 0.51 m (1.66 ft).
Exterior yard setback 0.25 m (0.82 ft)

Interior yard setback 0.51 m (1.66 ft).
Deck Layout View

Exterior side yard 0.25 m (0.82 ft)

Interior side yard 0.51 m (1.66 ft).

McAustlan St

Composite Decking by AZEK
6' Privacy Screen

Garden

Flush to Floor

Existing Patio

Existing Wall

8x8 Support Post for Pergola

Glass Guard Rail by Regal

PVC BREAKER BOARD (LIMIT BOARD LENGTH TO 12')

BORDER: MAX 6' BOARD AT CORNERS TO PREVENT MITER FROM OPENING DUE TO THERMAL EXPANSION
Site Visit (June 10, 2021) - Facing McAuslan St
Application No.: A43/21  Meeting Date: June 22, 2021  Ward No.: 7
Property Owner: Yosefi Boris
Applicant: Stephan Yaworski
Subject Property: CON 10 PT LOT 3
1105 Main St

Proposal:
The applicant is requesting the following minor variances to permit the rebuilding of the single detached dwelling:

1. To seek relief from Section 1.1.5.3 in relation to Legal Non-Conforming Use where up to 95 percent of damages have occurred to the building, whereas the bylaw states: If any building or structure which does not conform to this by-law is damaged to the extent of seventy-five percent or more of its value exclusive of the value of its foundations, such building or structure shall not be restored, rebuilt or reconstructed except in conformity with this by-law; and,

2. To permit the extension of the legal non-conforming status of the existing home to the proposed addition, whereas no new development is permitted until such time as the holding provision is lifted from the property.

The variances are being requested due to the percentage of demolition being 75 percent or greater. The subject property received a residential alteration permit for the construction of a garage and an addition. Upon inspection the majority of the dwelling was demolished. There is a holding provision on the subject property in respect to the future servicing of Main St. and as such, no new development is permitted on the subject lands until municipal services have been extended. The extension of the legal non-conforming status will permit the renovation of the existing dwelling in its entirety and the new addition.

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

Recommendation:
City of Cambridge Planning staff recommends approval of this application, substantially in accordance with the submitted plans for the building permit.

Staff Comments:

City of Cambridge Development Planning Section:
The subject property is located east of Franklin Blvd near the south easterly limit of the City on the south side of Main St. The subject property is designated as Low / Medium Density Residential in the Official Plan and zoned (H)R4 Residential in the Zoning By-law. There is a holding provision on the subject property in respect to the future servicing of Main St. and as such, no new development is permitted on the subject lands until municipal services have been extended.

The variances are being requested due to the percentage of demolition being 75 percent or greater. The subject property received a residential alteration permit for the construction of a garage and an addition to the home. Upon inspection the majority (upwards of 95 percent) of the dwelling was demolished. The extension of the legal non-conforming status will permit the renovation of the existing dwelling in its entirety and the new addition.

Official Plan
The subject lands are 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 land where the home is rebuilt is designated for residential purposes. Section 8.4.6.10 of the Official Plan states that lands in a Low/Medium Density Residential designation where a piped municipal water supply and/or wastewater systems have not yet been made available may be used for the following uses: a) an existing residential use; and b) any use accessory to a permitted use; and Council may pass by-laws to restrict the use of such lands to such interim uses until a piped municipal water supply and sanitary sewers have been made. Planning staff is of the opinion that the application conforms to the City’s Official Plan as the development aligns with the permitted use of existing residential.

Zoning
The subject lands are currently zoned (H)R4 Residential with a holding provision for future
municipal servicing. The applicant is seeking relief from Section 1.1.5.3 of the Zoning By-law in relation to Legal Non-Conforming Use whereas the bylaw states: If any building or structure which does not conform to this by-law is damaged to the extent of seventy-five percent or more of its value exclusive of the value of its foundations, such building or structure shall not be restored, rebuilt or reconstructed except in conformity with this by-law. The rebuilding of the home cannot conform with the existing by-law due to the holding provision on the lands. As a result of the requested relief for the first variance, a second variance is being requested to permit the extension of the legal non-conforming status of the existing home to the proposed addition, whereas no new development is permitted until such time as the holding provision is lifted from the property. The intent of the holding provision is to delay development until municipal services can be installed along Main St. Where a zoning symbol has the prefix (H), no land thereby affected shall be used and no building or structure shall be erected, located or used thereon until the prefix “(H)” has been removed from the zone symbol by a by-law passed.

It is the opinion of staff that the proposed variances requested maintain the general intent and purpose of the Official Plan and Zoning By-law and represents desirable, and appropriate development of the subject property since the use will not change and will continue to be a single home residential. Therefore, staff recommend the approval of the 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 Applicant’s proposal for a minor variance to permit the rebuilding of a single detached dwelling where up to 95% of damages have occurred to the building once the holding provision is lifted. The Applicant/Owner may be required to enter into a Service Agreement with Energy+ Inc., to establish the terms and conditions to service the proposed new dwelling. 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, latest edition, only one service per property is permitted.
Additional comments may be provided when the application is submitted.

City of Cambridge Building Section:
A building permit is required for the proposed reconstruction of the house.
A building permit revision is currently under review.

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:
Fire Department has no comment in regards to this application.

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:
Comments not received.
Demolition Elevations

- Remove existing chassis
- Remove existing roofs
- Remove existing windows and doors
- Remove existing roofs
- Maintain existing foundation
- Maintain existing foundation
- Maintain existing foundation
- Maintain existing foundation
- Remove existing roofs
- Remove existing roofs
- Remove existing roofs
- Remove existing roofs

Application No.: A43/21
Date of Meeting: June 22, 2021
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Conceptual Façade Rendering

House before demolition (Google street view)
Existing Conditions
Site Visit - June 10, 2021
Application No.: A44/21
Meeting Date: June 22, 2021
Ward No.: 4

Property Owner/Applicant: Jacinto Resendes
Ludovina Resendes

Subject Property: PLAN 1065 LOT 24
60 Rouse Ave

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

1. A front yard setback of 2.0 m (6.6 ft) whereas the by-law requires a minimum of 6.0 m (19.7 ft) for a corner lot.

The variance will facilitate the construction of a 4.26 m (14 ft.) by 6.7 m (22 ft.) 28.6 m² (307.84 ft²) accessory garage. The applicant is also proposing to widen their driveway but will still meet the provisions for driveway width and open space landscaping. The subject property is located in a Source Water Protection Area.

General Information:
Zoning By-law Provisions: RS1
Official Plan Designation: Low / Medium Density Residential
Adjacent Zoning: RS1
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 to the north of Avenue Road on the corner of Rouse Ave and Currie St and is currently developed with a semi-detached residential dwelling with both dwellings under the same ownership. The subject property is designed Low/Medium Density Residential in the Official Plan and zoned RS1 (Residential) in the City’s Zoning By-law No. 150-85. The property has a frontage of approximately 22.86 m (75 ft.) and an area of approximately 0.069 ha (0.17 ac). The applicant is proposing to construct a single car detached garage with a reduced front yard setback of 2.0 m (6.6 ft) whereas the by-law requires a minimum of 6.0 m (19.7 ft). The proposed garage is to be located at the south west end of the existing driveway near the existing fence of the property.

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 Low/Medium Density Residential in the City’s Official Plan. Lands in a residential designation may be used for a use accessory to a permitted use. An accessory garage is now being proposed, which is permitted for properties designated as 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 RS1 in the City’s Zoning By-law No. 150-85 which allows for semi-detached dwellings. The proposed accessory use is permitted; however, a minor variance is needed for a reduced front yard setback of 2.0 m (6.6 ft) whereas the by-law requires a minimum of 6.0 m (19.7 ft). The front lot line means the lot line that divides the lot from the street, provided that in the case of a corner lot, the shorter lot line that abuts a street shall be deemed to be the front lot line and the longer lot line that abuts a street shall be deemed to be an exterior side lot line. In this scenario since both units are within the same lot, the frontage is along Currie St, which the applicant uses as their side yard.
The intent of the front yard setback requirement is to ensure there is a consistent streetscape. Rouse Ave and Currie St have a mix of homes with and without garages. The proposed accessory garage is appropriate given the location, use and size of the property. The proposed garage will also be setback to where the current fence is.

Based on the above noted analysis, planning staff are of the opinion that the minor variance generally meets the intent of the Zoning By-law and Official Plan, is minor in nature and is 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 reduced front yard setback to facilitate the construction of a garage. The Applicant/Owner must ensure all ESA and Energy+ Inc. clearances to existing and proposed hydro plant is met.

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.

**City of Cambridge Building Section:**

A building permit is required for the proposed construction
City of Cambridge Transportation Engineering Section:
Any alteration to the existing driveway within the road allowance will require an access permit through Transportation Engineering. The application for an access permit can be found on the City’s website at www.cambridge.ca.

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

City of Cambridge Fire Department:
Fire Department has no comment in regards to this application.

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:
Comments not received.
Application No.: A44/21
Date of Meeting: June 22, 2021
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Aerial

RS1 Zoning

Subject Property

Subject Property
Front yard setback 2.0 m (6.6 ft)
Site Visit – June 10, 2021

Exterior Side Yard (facing Rouse Ave)

Front yard setback 2.0 m (6.6 ft)

Front Yard (facing Currie St)

Front yard setback 2.0 m (6.6 ft)
Application No.: A46/21  Meeting Date: June 22, 2021  Ward No.: 1

Property Owner/Applicant: Watson Mitchelmore

Subject Property: PLAN 58M244 LOT 80
286 Newport Dr

Proposal:
The applicant is requesting the following minor variance to permit the extension of an existing shed:

1. Minimum exterior side yard setback of 0.7 m (2.29 ft) whereas the by-law requires 6 m (19.69 ft) for a corner lot (adjacent to Vivian Baulk St).

The variance will permit a 3.66 m (12 ft) extension to an existing shed on the property. The existing shed was put in by the previous property owner who received approval from the Committee of Adjustment on February 6, 2003 under file A1/13 for the same minor variance (exterior side yard setback of 0.7m (2.29 ft)). The building itself is 1.2 m (3.94 ft) from the exterior side yard but has a 0.5m (1.64 ft) roof overhang. The existing shed will not be demolished.

General Information:
Zoning By-law Provisions: RM4
Official Plan Designation: Low / Medium Density Residential
Adjacent Zoning: RM4
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 shed not be used for a home occupation; and,
2. That the accessory shed not be used for human habitation without a building permit.

City of Cambridge Development Planning Section:
The subject property is located to the east of Trico Dr. on the corner of Newport Dr. and Vivian Baulk St. and is currently developed with a single detached residential dwelling with an attached garage. The subject property is designed Low / Medium Density Residential in the Official Plan and zoned RM4 (Multiple Unit Residential) in the City’s Zoning By-law No. 150-85. The property has a frontage of approximately 15 m (49.22 ft) and an area of approximately 0.052 ha (0.13 ac). The applicant is proposing to construct a 3.66 m (12 ft) extension to an existing shed. The shed is located at south west corner of the property along the exterior side yard adjacent to Vivian Baulk St.

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 Low/Medium Density Residential in the City’s Official Plan. Lands in a residential designation may be used for a use accessory to a permitted use. An accessory shed is now being proposed, which is permitted for properties designated as 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 RM4 in the City's Zoning By-law No. 150-85 which allows for multiple unit residential buildings other than apartments. The proposed accessory use is permitted; however, a minor variance is needed for a reduced exterior side yard setback of 0.7 m (2.29 ft) whereas the by-law requires 6 m (19.69 ft) for a corner lot. The purpose of the exterior side yard setback is to establish and maintain a consistent streetscape and ensure adequate sightlines are maintained. The shed will not be located within the sight triangle and will not obstruct sightlines and Planning staff are of the opinion that the extension of the shed will not have a negative impact on the streetscape and that the proposed accessory shed is appropriate given the location, use and size of the property.
Based on the above noted analysis, planning staff are of the opinion that the minor variance generally meets the intent of the Zoning By-law and Official Plan, is minor in nature and is 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 by the Applicant for a minor variance for a reduced exterior side yard setback to facilitate the expansion of the existing shed.

If relocation or upgrade is required it will be at 100% Applicant/Owner cost.

If easements are required it will be at 100% Applicant/Owner cost.

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

All ESA and Energy+ Inc. clearances to existing and proposed hydro plant must be maintained.

Remember to call for locates before you dig.

**City of Cambridge Building Section:**

A building permit is required for the proposed shed extension.

**City of Cambridge Transportation Engineering Section:**

Comments not received.

**City of Cambridge Project Engineer:**

Development Engineering has no comment with regards to this application.

**City of Cambridge Fire Department:**

Fire Department has no comment in regards to this application.

**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:

Comments not received.

Canadian National Railway:

Comments not received.
Site Plan

NEWPORT DRIVE

LOT 80
PIN 22643-0852

Plan 58M-244

Accessory Structure

Proposed 3.66m (12 ft) extension

0.7m (2.29 ft) exterior yard setback

Proposed extension
Site Visit – June 10, 2021
Front yard

Site Visit – June 10, 2021
Exterior Side Yard
Application No.: A47/21         Meeting Date: June 22, 2021         Ward No.: 2

Property Owner:  Branthaven Belmont Pinebush

Applicant:  Rukma Ramdenee
            ABA Architects Incorporated

Subject Property:  PLAN 1365 PT LOT 4 RP67R3638; PART 59 TO 69 & PARTS 73 TO; 75
                   108 Pinebush Rd

Proposal:
The applicant is requesting the following minor variances from the Zoning By-law 150-85 to facilitate the construction of two multi-unit residential rental buildings:

1. A maximum density of 152 units per hectare (284 units) whereas the zoning by-law permits 150 units per hectare (280 units); and,
2. A parking variance of 1.02 spaces per unit (289 spaces) whereas the zoning by-law requires 1.25 spaces per unit (355 spaces).

The variances will permit the development of 284 units contained within two 8 storey multi-unit residential rental buildings connected by a central 3 storey common amenity/entry area. There are a total of 357 parking spaces proposed: 219 spaces at grade, 70 spaces underground and 68 spaces within the MTO setback. Although the development can meet the zoning by-law requirements for parking spaces in terms of the number of stalls, all required parking spaces must be outside of the MTO’s 14 m (45.93 ft) setback. Therefore the parking spaces within the MTO setback cannot be counted towards the applicants parking requirements and must be considered surplus, making the application deficient in 66 visitor parking spaces.

The subject property is currently undergoing site plan review (file SP24/21) and is part of Plan of Subdivision 30T-17101 registered March 22, 2021 as Block 1 on Plan Number 58M-669. The subject property is also subject to special zoning provisions RM3 S4.1.361.1a.
General Information:

Zoning By-law Provisions: OS1, OS4, RM3
Official Plan Designation: High Density Residential
Adjacent Zoning: M1, M1 S.4.1.194. C6 S.4.1.72
Adjacent Land Use: Commercial, Industrial
Existing Use: Residential, Open Space
Proposed Use: Residential, Open Space

Recommendation:
City of Cambridge planning staff recommends approval of this minor variance application substantially in accordance with the submitted site plan application.

Staff Comments:

City of Cambridge Development Planning Section:
The subject property is located on the north westerly corner of Pinebush Road and Struck Court, and is bound by the SmartCentres Cambridge site to the west; a mix of commercial, retail and light industrial uses to the east; Pinebush Road to the south; and Highway 401 to the north. The property is designated as High Density Residential in the City’s Official Plan and RM3 S4.1.361.1a in the City’s Zoning By-law. The existing property is vacant and undeveloped.

The proposed development comprises 284 rental apartment units (ranging in size) contained within two (2) 8-storey buildings connected by a central three-storey common amenity/entry area. The proposed development has a density of 152 Units Per Hectare (UPH). Vehicle access to the proposed development will be provided via the new municipal street (Hollywood Court) from Pinebush Road. A total of approximately 360 surface and underground parking spaces, including Barrier Free and Visitor Spaces, would be provided.

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 are designated “High Density Residential” under the City’s Official Plan, which is an area where residential intensification is encouraged and increased development
is anticipated. The pattern of proposed development fits within the existing and emerging land use fabric and Planning staff is of the opinion that the application conforms to the City’s Official Plan.

Zoning By-law
The subject lands are currently zoned RM3 S.4.1.361.1a with site specific zoning to allow for residential uses which permits apartment buildings up to a maximum building height of 15 storeys and a maximum density of 150 units per net residential hectare. The applicant is seeking a minor variance for a maximum density of 152 units per hectare (284 units) whereas the zoning by-law permits 150 units per hectare (280 units). The applicant is requesting to add 4 additional units to provide for the symmetry of the building. There will be no increase in the buildings height. Planning staff is of the opinion that the addition of 4 units is minor in nature and meets the general intent and purpose of the Zoning by-law.

The applicant is also requesting a minor variance for a reduction in parking to allow for 1.02 spaces per unit (289 spaces) whereas the zoning by-law requires 1.25 spaces per unit (355 spaces). The reduction is for 66 visitor parking spaces. There are a total of 357 parking spaces proposed: 219 spaces at grade, 70 spaces underground and 68 spaces within the MTO setback. Although the development can meet the zoning by-law requirements for parking spaces in terms of the number of stalls, all required parking spaces must be outside of the MTO’s 14 m (45.93 ft) setback. Therefore, the parking spaces within the MTO setback cannot be counted towards the applicants parking requirements and must be considered surplus, making the application deficient in 66 visitor parking spaces. Staff in Transportation Engineering have been working with the developer through the Site Plan application process and are in support of the proposed parking variance based on the following Transportation Demand Management (TDM) measures being implemented at the site:

- Functional building entrances
- Continuous sidewalk external and internal to the site
- Transit information (i.e. schedules) posted in the public area
- Parking to be an unbundled cost to occupants
- Paid parking for tenants on a monthly rental basis
- 25% of parking (excluding MTO setback) is located underground
- Long-term bicycle parking provided at a rate of 0.3 spaces/unit
- Short-term bicycle parking provided at a rate of 0.05 spaces/unit (minimum 2 spaces and maximum 12 spaces).
Based on the above noted analysis, planning staff are of the opinion that the minor variances generally meet the intent and purpose 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.:**

All changes must be clearly marked on the drawings being reviewed at the Subdivision Service /Site Plan Control Process prior to approval. The Applicant/Owner will be required to enter into a Service Agreement with Energy+ Inc. to determine the terms and conditions to Service the new development at 100% cost. Please allow a minimum of six months for determination of servicing needs. All ESA and Energy+ Inc. approved clearances to existing and proposed hydro plant must be met.

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.

**City of Cambridge Transportation Engineering Section:**
Through the Site Plan application process, Transportation Engineering has worked with the developer in support of the proposed parking variance. As such Transportation supports the proposed parking variance of 1.02 spaces per unit based on the following Transportation Demand Management measures being implemented through the Site Plan application:

- Functional building entrances
- Continuous sidewalk external and internal to the site
- Transit information (i.e. schedules) posted in the public area
- Parking to be an unbundled cost to occupants
- Paid parking for tenants on a monthly rental basis
- 25% of parking (excluding MTO setback) is located underground
- Long-term bicycle parking provided at a rate of 0.3 spaces/unit
- Short-term bicycle parking provided at a rate of 0.05 spaces/unit (minimum 2 spaces and maximum 12 spaces)

Consideration was also given to the 68 parking spaces being provided within the MTO setback that are not included as part of the required parking calculation.

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

**City of Cambridge Fire Department:**
Fire Department has no comment in regards to this application.

**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:**
Comments not received.

**Ministry of Transportation:**
Comments not received.
MTO 14 m (45.93 ft) setback
June 10, 2021

VIA EMAIL: chominiecl@cambridge.ca

City of Cambridge
Development Planning Section
50 Dickson Street, 3rd Floor, PO Box 669
Cambridge, ON
N1R 5W8

Attn: Lisa Chominiec, Planner

Re: Minor Variance Application – Block 1
Branthaven Belmont Pinebush Inc.
108 Pinebush Road
Cambridge, ON

Our File: BEL/CAM/21-01

On behalf of Branthaven Belmont Pinebush Inc., Zelinka Priamo Ltd. is pleased to submit this letter in support of the Minor Variance Application for a proposed rental apartment development located on Block 1 of the approved Plan of Subdivision, at the above-noted lands.

BACKGROUND

Branthaven Belmont Pinebush Inc. is the owner of an approximately 35 ac. parcel of vacant and undeveloped land, including an approximate 9.64 ac. Woodlot, known municipally as 108 Pinebush Road, as well the adjoining approximately 1.03 ac former motor vehicle dealership known municipally as 112 Pinebush Road, within the City of Cambridge.

The Lands are generally located on the north westerly corner of Pinebush Road and Struck Court, and are bound by the SmartCentres Cambridge site to the west; a mix of commercial, retail and light industrial uses to the east; Pinebush Road to the south; and Highway 401 to the north.

Block 1 measuring approximately 4.6 ac. (1.87 ha.), is located in the northerly portion of the Lands, and is designated “High Density Residential” under the City of Cambridge Official Plan, which allows for the consideration of medium or high-density residential development; and are zoned “(RM3) s.4.1.361.1a”, which permits apartment buildings up to a maximum building height of 15 storeys and a maximum density of 150 units per net residential hectare.
PLANNING HISTORY

In January, 2019, the City of Cambridge Planning and Development Committee endorsed recommendations and conditions from City and Region of Waterloo Staff to support Plan of Subdivision (Application No. 30T-17101), Official Plan Amendment and Zoning By-law Amendment applications (Application No. OR02-16) for a new residential neighbourhood, which retained the existing woodlot, included apartment blocks (Blocks 1 and 8), approximately 475 townhouses (in a range of formats within blocks/buildings that front onto public streets and front onto private roads), open space areas, and a remnant block of Employment Corridor lands (Block 6).

In July 2019, the Local Appeal Planning Tribunal ("LAPT") approved the above applications (Case No(s).: PL171328).

The landowner has now satisfied all of the conditions of Draft Plan Approval, and the Subdivision Agreement has been executed and registered on the title of the subject lands. The corresponding M-Plan (58M-669) has now been registered.

An application for Site Plan Approval for the proposed apartment development on Block 1 (detailed below) was submitted to the City of Cambridge on April 16, 2021 (File No. SP 24/21). Following receipt of the first round of SPA circulation comments, it was identified that this minor variance application would need to be submitted to address several modest zoning non-compliances.

PROPOSED DEVELOPMENT

The proposed development comprises 284 rental apartment units (ranging in size) contained within two (2) 8-storey buildings connected by a central three-storey common amenity/entry area. The proposed development has a density of 152 Units Per Hectare (uph).

The buildings are orientated in an east-westerly direction to address both Highway 401 to the north, and the approved townhouse buildings to the south, as well as provide screening/noise shielding to those southerly townhouses. The architectural design and colour palate will complement the townhome neighbourhood currently being developed by the landowner.

Garbage and recycling will be stored internal to the buildings; as will bicycle parking for residents. Areas of associated landscaping, outdoor amenity and surface parking are proposed.

Vehicle access to the proposed development will be provided via the new municipal street (Hollywood Court) from Pinebush Road. A total of approximately 360 surface and underground parking spaces, including Barrier Free and Visitor Spaces, would be provided.

The proposed development will utilize full municipal services.

REQUESTED VARIANCES

The purpose of the Minor Variance application is to seek relief from the following provisions under the City of Cambridge Zoning By-law No. 150-85, as amended:
• A maximum density of 152 units per net residential hectare is proposed; whereas a maximum density of 150 units per net residential hectare is permitted (Section 4.1.361.5.2 ii); and
• The minimum parking for an apartment house is 1 space per dwelling unit plus 0.25 spaces per units for visitors; whereas a rate of 1.02 spaces per dwelling unit is proposed for residents and visitors (Section 4.1.361.5.2 viii).

FOUR TESTS OF THE PLANNING ACT

The requested variances are appropriate and meet the four tests of the Planning Act as follows:

The general intent and purpose of the Official Plan is maintained:
The subject lands are designated “High Density Residential” under the City of Cambridge Official Plan, which is an area where residential intensification is encouraged and increased development is anticipated. The pattern of proposed development fits within the existing and emerging land use fabric and complies with the general intent of the City of Cambridge Official Plan.

The general intent and purpose of the Zoning By-law is maintained:
The general intent and purpose of the Zoning By-law is maintained, as apartment houses containing 4 or more dwelling units are permitted within the (RM3) s.4.1.361.1a Zone. The proposed apartment development will not be detrimental to the streetscape or the character of the neighbourhood, and the proposed development is compatible with neighbouring land uses.

The requested variances are minor in nature:

Density
The requested relief from the maximum density maximum density of 150 units per net residential hectare is considered modest. The proposal exceeds the maximum permitted density requirement by 2 units per net residential hectare, or a total 4 additional apartment units, which equates to a minor density exceedance of approximately 1.5%.
The additional 4 units are proposed within a built form that is within the permitted height and lot coverage thresholds, and that been designed with appropriate massing, and scale, consistent and respectful of the character of its surroundings, without any significant undue impacts on adjacent land uses in terms of views, sunlight access or privacy.

Parking
There will be a surplus of parking spaces provided on-site for the proposed apartment development.

A total of approximately 360 parking spaces are currently proposed for the proposed development (i.e., approximately 287 surface spaces and approximately 73 underground spaces), resulting in a parking rate of 1.27 spaces per unit based on the proposed 284 units. The required parking rate is 1.25 spaces per unit (i.e., 1 space per dwelling unit plus 0.25 spaces per units for visitors). A total of 355 parking spaces are required based on the required rate of 1.25 per unit for 284 units.
However, the approximately 68 parking spaces that are permitted to be located within the MTO’s 14m setback along the northerly edge of the block, can not technically be counted towards the total required parking spaces calculation for the proposed development. By discounting these 68 spaces, approximately 292 spaces would be technically provided, resulting in a parking rate of 1.03 spaces per unit. Please note that the requested variance seeks a slightly lower rate of 1.02 per unit, to provide some flexibility for any unexpected site modifications that may arise through the detailed design and construction phases of the project.

Parking Justification analysis was prepared by R.V. Anderson Associates Limited, and submitted in support of the proposed parking arrangements. The Parking Justification analysis has been reviewed and accepted by the City’s Senior Transportation Engineer. A copy of this correspondence is enclosed as part of the submission package for this Minor variance Application.

As part of the approved subdivision plan, a MTO land dedication was required for Highway 401 widening purposes. These widening works are currently under construction, and are anticipated to be completed prior to the construction of the proposed apartment development. It is the intent of the developer to build all of the proposed parking spaces within the initial phase of the project, including the 68 spaces located within the MTO’s 14m setback. This will ensure that future residents will have immediate access to all parking spaces, including any additional spaces. There is also added comfort that the spaces within the MTO’s 14m setback do not have the potential to be disrupted/displaced anytime soon and that no highway widening works, other than those already under construction, are being considered. MTO has already confirmed acceptance of the surplus parking located within the 14.0m setback from the Highway 401 property limit provided that such parking shall be identified as surplus in the Site Plan Agreement and on the plans.

The approved subdivision fronts and is connected onto Pinebush Road, which is identified in the Official Plan as an “Arterial Road (Regional Road)”, as well as being part of the Regional Municipality of Waterloo Planned Transit Network. The approved system of walkways within the development will facilitate and encourage pedestrian movement throughout the site and to and from the surrounding neighbourhood. The proposed development is within walking distance of multiple existing transit routes and the existing Pinebush ION stop. There will be long and short-term bicycle parking facilities available on-site, as well as visitor parking spaces available on the new municipal streets throughout the subdivision.

Apart from the modest relief requested for maximum density, and the technical relief for the parking rate, all other zoning regulations are complied with, including the minimum number of Barrier Free spaces, minimum parking stall sizes, required building heights, yard setbacks and minimum required amenity area and landscaped open space.

**The requested variance is desirable for the appropriate development and use of the subject lands:**

The proposed development is desirable from a planning and public interest perspective as it will provide additional permitted rental housing accommodation to the public, without any significant impacts for neighbouring land uses.
SUBMISSION MATERIALS

The following submission materials were provided:

- The completed application form, including authorizations;
- The Site Plan;
- A copy of the Section 59 Notice;
- A copy of email correspondence between the City Transportation Engineering and R.V. Anderson Associates Limited regarding the proposed parking arrangements; and
- The Minor Variance Application fee payment of $1,200.00.

We trust that the enclosed information is satisfactory, and we look forward to working with staff on this project. Please note that our client is hoping to get construction underway in mid-2021, and as such would appreciate all efforts to expedite the review of the proposal, which will help deliver much needed rental housing to the City/Region. If you have any questions, or require further information, please do not hesitate to call.

Yours very truly,

ZELINKA PRIAMO LTD.

Dave Hannam MCIP, RPP
Senior Associate

Cc: The Client (Via Email)
Application No.: A48/21  Meeting Date: June 22, 2021  Ward No.: 2

Property Owner: Vytautas Henry Jasinskas

Applicant: Phill McFadden

Subject Property: PLAN 1369 LOT 65 PT LOT 64
399 Kribs St

Proposal:
The applicant is requesting the following minor variance from the Zoning By-law 150-85 to permit the construction of a rear addition on the home:

1. A minimum rear yard setback of 7.1 m (23.3 ft) whereas the by-law requires a minimum of 7.5 m (24.6 ft).

The variance will facilitate the construction of a 34.5m² (371.4 ft²) walkout basement addition at the rear of the home to house a therapy pool. 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.
Staff Comments:

City of Cambridge Development Planning Section:
The subject property is located to the south of Ashwood Dr on the east leg of Kirbs St and is currently developed with a single detached residential dwelling with an attached triple car 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 19.81 m (65 ft.) and a lot area of approximately 0.182 ac (0.074 ha). The is proposing to construct a 34.5m² (371.4 ft²) walkout basement addition at the rear of the home to house a therapy pool.

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. Planning staff is of the opinion that the general intent of the City’s Official Plan is maintained.

Zoning By-law
The applicant is requesting a minor variance to permit a minimum rear yard setback of 7.1 m (23.3 ft) whereas the by-law requires a minimum of 7.5 m (24.6 ft). The applicant is proposing to construct a single storey 34.5m² (371.4 ft²) walkout basement addition at the rear of the home to house a therapy pool.

The intent of the rear yard setback is to provide amenity space, privacy and separation between dwellings. The proposed addition will meet all the other minimum required side yard setbacks from adjacent properties to either side. The property backing onto the subject property off Cottontail Pl has a sufficient rear yard setback providing adequate separation from the proposed addition. Therefore, staff does not anticipate a significant impact as a result of the 0.4 m (1.31 ft) rear yard setback reduction.
Based on the above noted analysis, planning staff are of the opinion that the minor variance generally meets the intent of the Zoning By-law and Official Plan, is minor in nature and is 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 by the Applicant/Owner for a minor variance to permit the construction of an additional at the rear of the property to house a therapy pool.

If relocation or upgrade is required it will be at 100% Applicant/Owner cost.

If easements are required it will be at 100% Applicant/Owner cost.

Minimum clearances to all existing and proposed hydro plant must be maintained.

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

**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:**

The Fire Department has no comment with regards to this application.

**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:**

Comments not received.

**Ministry of Transportation:**

Comments not received.
Rear yard setback 7.1 m (23.3 ft)
Site Visit – June 10, 2021
Dear Secretary-Treasurer

RE Application #A48/21

I object to the request of Variance from the Zoning By-Law 150-85 at 399 Kribs St.

I object to the use of adjective "minor" in the description of MINOR variance.
It is not MINOR in my view since it will impact primarily me and my family I resent the use of the term.
The elevation of this property is such that it towers over the entire aspect of my back yard.
It will impact on the privacy of my wife and me. The drawing you supplied speaks to this.
In the past, these homeowners hired someone to jump the fence on to my property to begin chopping
down my tree. I caught them before the job was complete.
Even so, this impacted my privacy and especially the privacy of my wife who now feels too intimidated to
enjoy
the use of our back yard. My wife has literally not ventured into our back yard because of fear of this
intimidation.
An addition beyond what is allowed by law will only serve to aggravate the matter. The problem is one of
site ELEVATION.

We have Zoning By-Laws for a reason. By Laws do not seem to be a consideration to these petitioners
based on their past behaviours. I believe I have a right to my privacy.
I trust you will uphold the law in this case and refuse the Variance.

Sincerely,

Mark D Pus.
By e-mail, hard copy to follow.
Application No.: A52/21  Meeting Date: June 22, 2021  Ward No.: 4

Property Owner/Applicant: Fred Proia  Melissa Joseph

Subject Property: PLAN 488 LOT 1 IN BLK D 1 Lincoln Ave

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

1. A maximum height of 5 m (16.4 ft) whereas the by-law permits a maximum height of 4.5 m (14.76 ft).

The variance will facilitate the construction of a 8.26 m (27.09 ft) by 6.26 m (20.54 ft) 55.93m² (602.03 ft²) two car detached garage with a loft space for storage purposes.

The property is located in the Source Water Protection Area. The subject property is also Heritage Listed. Staff has confirmed that a Heritage Impact Assessment will not be required.

General Information:
Zoning By-law Provisions: R4
Official Plan Designation: Low / Medium Density Residential
Adjacent Zoning: R4, R4 S.4.2.82
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 Main St and South of Pollock Ave and is a corner lot on the corner of Main St and Lincoln Ave and is currently developed with a single detached residential dwelling. 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 applicant is proposing to construct a detached two car garage with an increased height to accommodate vehicles and a loft space for storage.

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 is 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 5 m (16.4 ft) whereas the by-law permits a maximum height of 4.5 m (14.76 ft). 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 where there appears to be adequate space and an existing driveway. There is existing tall vegetation at the north east corner of the property that would help with
screening the garage. Staff has also indicated the garage is not to be used for human habitation or a home occupation. Planning staff is of the opinion that the general intent of the City’s Zoning By-law is maintained.

The property is Heritage Listed. The City’s Heritage Planner reviewed the proposals and has indicated that the requirement for a Heritage Impact Assessment would be waived as the design is complimentary with the building stock in the neighborhood and the extra height would not have an adverse effect on the overall heritage character of the home or adjacent properties.

Based on the above noted analysis, planning staff are of the opinion that the minor variance generally meets the intent of the Zoning By-law and Official Plan, is minor in nature and is 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 by the Applicant/Owner for a minor variance to allow an accessory structure that is higher than the maximum height allowed in the by-law.

All ESA and Energy+ Inc. minimum clearances to existing and proposed hydro plant must be met.

If relocation or upgrade is required it will be at 100% Applicant/Owner cost.

If easements are required it will be at 100% Applicant/Owner cost.

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

City of Cambridge Transportation Engineering Section:

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. An existing tree may interfere with the ability to widen the driveway access at this location. You will need to confirm if the tree is on private property or City land and then refer to either the Private Property Tree Bylaw or City Tree Bylaw to confirm the cost and process required to remove a tree.

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

City of Cambridge Fire Department:
The City of Cambridge Fire Department has no comment with regards to this application.

City of Cambridge Senior Planner-Heritage:
Since this is a proposed garage on a listed property and the garage is a fair distance away from the house, and because the design is complimentary with the building stock in the neighbourhood, the requirement for an HIA is waived as staff feels that the extra height does not have an adverse effect on the overall heritage character of the subject property or on the adjacent properties.

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

City of Cambridge Sustainability Planner:
Comments not received.
Site Plan

1 LINCOLN AVE.
EXIST. 2-STORY
SINGLE FAMILY DWELLING

PROPOSED 2 CAR GARAGE

STATISTICS
LOT AREA - 7150.5 s.f. 162.63 m²
MAIN FLOOR AREA - 1482 s.f. 137.7 m²
GARAGE FLOOR AREA - 402 s.f. 37.33 m²
GARAGE COVERAGE - ALLOWED = 10% OF LOT = 842.7 s.f. 78.63 m²
SETBACKS - NEW GARAGE
FRONT YARD - N/A
REAR YARD - 0.8 m (3 ft)
INTERIOR SIDE YARD - 0.6 m (2 ft)
GARAGE BUILDING HEIGHT - 4.5 m (15 ft)

Application No.: A52/21
Date of Meeting: June 22, 2021
Page 5 of 9

Proposed garage
North Elevation (facing 5 Lincoln Ave)
South Elevation (Facing towards Main St)
Site Visit - June 10