MEETING AGENDA
Hearing of the Committee of Adjustment
Via Zoom
Wednesday, June 23, 2021
6:00pm

1. Declarations of Pecuniary Interest

2. Committee Business

3. Meeting Minutes
   • N/A

4. Applications
   New Minor Variance Applications

<table>
<thead>
<tr>
<th>File Number</th>
<th>Property Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>A01/21</td>
<td>16 Byng Ave</td>
</tr>
<tr>
<td>A33/21</td>
<td>86 Chimney Hill Dr</td>
</tr>
<tr>
<td>A49/21</td>
<td>11 Highland Cres</td>
</tr>
<tr>
<td>A50/21</td>
<td>93 Newman Dr</td>
</tr>
<tr>
<td>A51/21</td>
<td>12 Tait St</td>
</tr>
<tr>
<td>A53/21</td>
<td>132 Queen St W</td>
</tr>
<tr>
<td>A45/21</td>
<td>15 Poplar Dr</td>
</tr>
</tbody>
</table>

New Consent Applications

<table>
<thead>
<tr>
<th>File Number</th>
<th>Property Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>B09/21</td>
<td>15 Poplar Dr</td>
</tr>
</tbody>
</table>

5. Decisions

6. LPAT Update

Adjournment
Application No.: A01/21 Meeting Date: June 23, 2021 Ward No.: 5

Property Owner/Applicant: Matthew Charles Benoit Colleen Lynn Bracken

Subject Property: Part Lot 19, Plan 291; being Part 1, Plan 58R- 20441
16 Byng Ave

Proposal:
The applicant is requesting the following minor variance from the Zoning By-law 150-85 to permit the construction of an addition for a two-car garage and additional living space:

1. A rear yard setback of 3.3 m (10.82 ft) whereas the bylaw requires 7.5m (24.61 ft).

The variance will facilitate the construction of an addition to the home for a two-car garage and additional living space. The applicant submitted a Cultural Heritage Impact Assessment to the Municipal Heritage Advisory Committee (MHAC) dated April 08, 2021. The MHAC met regarding this application on May 20, 2021 and again on June 17, 2021. The MHAC passed a resolution at its June 17, 2021 meeting along with recommendations for the Committee of Adjustment to consider as conditions of approval. This property was also previously severed under application B15/18. The heritage home remained on the retained lands (16 Byng Ave) but the garages were removed. The subject property is Heritage Listed and in the 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 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;
2. That the roofing material and colour of the addition should be both compatible and subordinate to the extant roof, to the satisfaction of the City’s Senior Planner Heritage;
3. That the removal of the original wooden posts supporting the wrap around covered porch be avoided. If this is not possible, it is recommended that the posts be retained and reused to replace missing posts along the south elevation, to the satisfaction of the City’s Senior Planner Heritage;
4. That qualified professionals with experience working on heritage masonry and carpentry should plan and undertake the work directly involving the extant dwelling and its heritage attributes, to the satisfaction of the City’s Senior Planner Heritage;
5. A Temporary Protection Plan be prepared to the satisfaction of the City’s Senior Planner Heritage prior to the issuance of a building permit to demonstrate how the extant dwelling and its heritage attributes will be protected through ongoing construction including a plan for site access, delivery, and staging of materials and machinery as well as a fire and security plan.

Staff Comments:

City of Cambridge Development Planning Section:
The subject property is located to the south of Salisbury Ave on the west side of Byng Ave and is currently developed with a single detached residential dwelling. The subject property is designed Low/Medium Density Residential in the Official Plan and zoned R4 Residential in the City’s Zoning By-law No. 150-85. The property has a lot frontage of approximately 33.91 m (111.25 ft), a depth of 73.59 m (241.43 ft) and an area of approximately 0.23 ha (0.58 ac).

Heritage
The subject property is individually listed on the City’s Heritage Properties Register and is a property of cultural heritage value or interest. It is also part of the Dickson Hill Heritage Conservation District of which only City-owned lands are designated. The Municipal Heritage Advisory Committee reviewed the Cultural Heritage Impact Assessment (HIA) and put forth a resolution and recommendations for the Committee of Adjustment at its on June 17, 2021 meeting. As a result of this meeting staff is recommending conditions for approval.

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 property is designated Low/Medium Density Residential in the City of Cambridge Official Plan. The current designation permits single detached dwellings on the subject property and their accessory use. Planning staff is of the opinion that the general intent of the City’s Official Plan is maintained.

**Zoning Bylaw**
The applicant is seeking a reduction in rear yard setback of 3.3 m (10.82 ft) whereas the bylaw requires 7.5m (24.61 ft). The intent of the rear yard setback is to ensure there is adequate spatial separation between abutting residential properties for privacy, access, maintenance and drainage. The proposed extension and garage will be abutting a laneway and will not have an increased impact on the privacy and maintenance for the adjacent residential property. Therefore, staff does not anticipate a significant impact as a result of the 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 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, this includes overhead wires, poles, guys and anchors. Relocation at 100% Applicant Cost.

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

City of Cambridge Transportation Engineering Section:
Comments not received.

City of Cambridge Project Engineer:
Conditions

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

City of Cambridge Senior Planner-Heritage:
16 Byng Avenue is a non-designated property of cultural heritage value or interest. It is among the earliest surviving residences in the City of Cambridge. The Municipal Heritage Advisory Committee met on June 17, 2021 to discuss the proposed alterations to the property and passed the following resolutions:

THAT Report 21-014 (MHAC) – 16 Byng Avenue Heritage Impact Assessment – be received;

AND THAT the Municipal Heritage Advisory Committee (MHAC) accept the Cultural Heritage Impact Assessment (HIA) and its findings as submitted by Letourneau Heritage Consulting dated April 8, 2021 for the construction an addition to the dwelling on the listed property at 16 Byng Avenue;

AND FURTHER THAT the MHAC recommends to the Committee of Adjustment that:

1. The roofing material and colour of the addition should be both compatible and subordinate to the extant roof.

2. Removal of the original wooden posts supporting the wrap around covered porch be avoided. If this is not possible, it is recommended that the posts be retained and reused to replace missing posts along the south elevation.

3. Qualified professionals with experience working on heritage masonry and carpentry should
plan and undertake the work directly involving the extant dwelling and its heritage attributes.

4. A Temporary Protection Plan be prepared to the satisfaction of the City’s Senior Planner Heritage prior to the issuance of a building permit to demonstrate how the extant dwelling and its heritage attributes will be protected through ongoing construction including a plan for site access, delivery, and staging of materials and machinery as well as a fire and security plan.

Heritage staff is requesting that the Committee of Adjustment consider imposing the following as conditions of approval of Minor Variance request A01-21 to ensure that the property’s cultural heritage value or significance is conserved:

**Conditions:**

1. The roofing material and colour of the addition should be both compatible and subordinate to the extant roof.

2. Removal of the original wooden posts supporting the wrap around covered porch be avoided. If this is not possible, it is recommended that the posts be retained and reused to replace missing posts along the south elevation.

3. Qualified professionals with experience working on heritage masonry and carpentry should plan and undertake the work directly involving the extant dwelling and its heritage attributes.

4. A Temporary Protection Plan be prepared to the satisfaction of the City’s Senior Planner Heritage prior to the issuance of a building permit to demonstrate how the extant dwelling and its heritage attributes will be protected through ongoing construction including a plan for site access, delivery, and staging of materials and machinery as well as a fire and security plan.

**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.: A01/21
Date of Meeting: June 23, 2021
Page 6 of 8

Aerial

Subject Property

R4 Zoning

Subject Property
Rear yard setback 3.3m (10.83 ft)

Proposed garage and dwelling addition
Application No.: A33/21  Meeting Date: April 22, 2021  Ward No.: 8

Property Owner:  Perry Wilbert Hagerman & Barbara Jane Graveline

Applicant:  Perry Wilbert Hagerman & Barbara Jane Graveline

Subject Property:  PLAN 1457 LOT 41  86 Chimney Hill Dr

Proposal:
The applicant is requesting a minor variance from Zoning By-law 150-85 to permit a maximum driveway width of 8.15 m (26.7 ft.) whereas the by-law permits a maximum driveway width of 7 m (22.9 ft.)

The applicant is requesting the minor variance as the driveway was widened without an access permit to accommodate additional parking. The property can meet the front yard landscape requirement with the driveway widening. This variance is required in order to recognize an existing deficiency on the site. The property is located in a Source Water Protection Area.

The application was deferred at the April 22, 2021 meeting for a maximum of 60 days to give the applicant additional time to fully investigate other possible solutions that do not involve ripping out the existing driveway. Engineering previously had a condition about a grading plan requirement, but after additional information was provided by the applicants, Engineering is satisfied that this condition is no longer needed.

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 refusal of this minor variance application.

Staff Comments:

City of Cambridge Development Planning Section:
The subject lands are located to the north of Avenue Road to the west of Chimney Hill Drive. The lands are designated as Low/Medium Residential Density in the Official plan and are zoned R4 Residential in the Zoning By-law. This zone permits a single detached dwelling and its accessory uses.

The applicant is requesting a minor variance from Zoning By-law 150-85 to permit a maximum driveway width of 8.15 m (26.7 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 an access permit to accommodate additional parking. The property can meet the front yard landscape requirement with the driveway widening. This variance is required in order to recognize an existing deficiency on the site.

Transportation Engineering staff are not in support of this minor variance application. The driveway widening will likely result in vehicles driving over the grass boulevard to access the widened area or future requests to widening the driveway apron. Widening the driveway apron would not be supported as accesses must be at least 1.5m from a street light or utility pole. There is a street light pole immediately north of this access. Widening the driveway apron or use of the existing grass boulevard will bring vehicle movements considerably closer to the street light pole than what is permitted. Transportation Engineering staff have indicated that they would be in support of the 7 m (22.9 ft.) zoning by-law maximum driveway width requirement with the property owner reversing a portion of the driveway back to the previous landscaping.

Energy+ Inc. have submitted comments requesting more detailed drawings showing the location of the driveway extension and the hydro transformer located on the abutting property with dimensions. Hydro poles/guy wires and anchors/padmount transformers/switching units/service pits/street light poles are to be 1.5 m from driveway entrances/curbs. The
relocation of the street light pole would be at 100% owners’ expense.

The Planning Act, subsection 45(1) requires that all minor variance applications are evaluated based on four tests:

- Is the variance minor?
- Is the general intent and purpose of the Zoning By-law maintained?
- Is the general intent and purpose of the Official Plan maintained?
- Is the variance desirable for the appropriate use of land, building, or structure?

In staff’s opinion this proposal is not desirable and not an appropriate use of land. The driveway widening has resulted in vehicle movements considerably closer to the light post than what is permitted. This could cause safety issues with the potential of vehicles hitting the light post causing injury or damage to adjacent properties.

It is also of staff’s opinion this proposal will not maintain the general intent of the Zoning By-law. The driveway widening will have a negative impact on the streetscape of the neighbourhood. The existing residential dwellings along Chimney Hill Drive have consistent driveways that meet the by-law width requirement. The subject property is located in an established neighbourhood and the variance for the driveway widening in the front yard setback is inconsistent with the streetscape in the neighbourhood.

Based on the above noted analysis, planning staff is of the opinion that the proposed minor variance to allow the driveway widening of 8.15 m (26.7 ft.) does not meet two of the four tests under the Planning Act and therefore does not represent good planning. Staff recommend refusal of the proposed 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.:

Prior to approval by Energy+ Inc. we will need to see a drawing showing the location of the
proposed driveway extension and the hydro transformer located on the abutting property with dimensions. 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.

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:
City of Cambridge Building Division has no comment on this application.

City of Cambridge Transportation Engineering Section:
Transportation Engineering does not support this access widening. The widening is likely to result in vehicles driving over the grass boulevard to access the widened area or future requests to widening the driveway apron. Widening the driveway apron would not be supported as accesses must be at least 1.5m from a street light or utility pole. There is a street light pole immediately north of this access. Widening the driveway apron or use of the existing grass boulevard will bring vehicle movements considerably closer to the street light pole than what is permitted.

City of Cambridge Project Engineer:

Based on the information provided by the applicants, it doesn’t appear that any drainage from the adjacent property is being blocked and we will not require a grading plan.

Please ensure that the driveway drainage and downspouts should not be directing drainage to the neighboring property. See below from the property standards Bylaw 181-04 Section 2.1(4)

*The storm water run-off from all downspouts or impervious surfaces shall be contained within the limits of the property from which it originated and thus discharge to the abutting municipal storm drainage facility. When the natural grade of the land prohibits an immediate discharge from the premises to a storm drainage facility, the run-off shall be directed to its natural course in such a way as to avoid damage to adjacent properties.*

The driveway appears to have been widened to the shared property line with 82 Chimney Hill Drive.
As such, consideration for drainage will be required to ensure no impacts on adjacent property.

This would especially be the case if the 82 Chimney Hill Drive property had previously been draining to a shared sideyard swale. If a sideyard swale was removed drainage from the adjacent property might now be conveyed to the driveway on this property due to the higher grades on 82 Chimney Hill Drive.

The applicant should ensure the driveway widening doesn’t impact any sideyard drainage on their own property (if it was conveyed to the street via a sideward swale).

**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.
Minor Variance application - A33/21- driveway at 86 Chimney Hill Dr.

To the Committee of Adjustment,

Our application came before your Committee at your April meeting. At that time, your decision was to defer a final decision in order for us to consult with a landscaping company regarding possible drainage impacts and solutions. As a reminder, the outstanding concern was from the **City of Cambridge Project Engineer:**

*The driveway appears to have been widened to the shared property line with 82 Chimney Hill Drive. As such, consideration for drainage will be required to ensure no impacts on adjacent property.*

*This would especially be the case if the 82 Chimney Hill Drive property had previously been draining to a shared sideyard swale. If a sideyard swale was removed drainage from the adjacent property might now be conveyed to the driveway on this property due to the higher grades on 82 Chimney Hill Drive.*

*The applicant should ensure the driveway widening doesn't impact any sideyard drainage on their own property (if it was conveyed to the street via a sideyard swale).*

**Conditions** *That a grading plan be prepared, to the satisfaction of City of Cambridge Development Engineering, for the overall development, including locations of roof leaders, proposed driveway grades, and swales.*

Our challenge was not understanding the particulars of the above concern. We asked Maria Skara for a contact in the Development Engineering Department and she was kind enough to give us an email address for Adam Ripper, P. Eng. Our plan was to invite him to our property for a site visit and discussion. Unfortunately, the provincial lockdown was in place so that wasn't an option. Believing it was extremely valuable for him to be able to see exactly what is in place and what, if any, impact it may have, we made a digital recording.

April 29 was the second rainiest day of the month. It had rained for much of the day so early in the evening I recorded a short, 103-second video while it was still raining. I thought it important to show firsthand how drainage seems to be unaffected. I uploaded the video to YouTube and added some comments as closed captions. If you chose to watch it please turn on the Closed Captions (CC) if they don't appear automatically - [https://www.youtube.com/watch?v=aHcp3OeAwHc](https://www.youtube.com/watch?v=aHcp3OeAwHc)

The video begins where the driveway meets the sidewalk and concludes in the same spot. (My apologies for the tuneless whistling heard at times. Apparently, that’s a bad habit of mine).

After viewing the video, Adam sent us the following email:

*Based on the information below it doesn't appear that any drainage from the adjacent property is being blocked and we will not require a grading plan. However, please ensure that the driveway drainage and downspouts should not be directing drainage to the neighboring property. See below from the property standards Bylaw 181-04 Section 2.1(4)*

The downspout to which he was referring is seen around the 55 second mark. It was angled towards the property line and in response to Adam's feedback I've since changed it to point directly down the driveway.

At this point it is our hope we've responded to all concerns raised with our variance application and the Committee will vote to approve it. Thank you so much for your time and consideration.

Perry Hagerman and Barb Morlock
Application No.: A49/21  
Meeting Date: June 23, 2021  
Ward No.: 5  

Property Owner: Baines Holly  
Applicant: Erica O'Dwyer  

Subject Property: PLAN 795 LOT 55  
11 Highland Cres  

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

1. A maximum height of 6.4 m (20.9 ft.) whereas the by-law permits a maximum height of 4.5 m (14.8 ft.) for accessory structures.  

The variance will facilitate the construction of a 7.3 m (24ft.) by 7.3 m (24ft) 53.29m² (573.6 ft²) accessory garage for vehicle storage and a loft for personal hobby space. The existing 2 car garage will be demolished and the new accessory garage will be built within the same location. The applicant will meet all accessory structure setbacks with the overhang. 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;  
2. That the accessory garage not be used as a secondary dwelling unit without a building
3. That the accessory garage not have any West or South facing windows; and,
4. That the accessory garage not have stairs.

Staff Comments:

City of Cambridge Development Planning Section:
The subject property is located south of Salisbury Dr to the east of Hillcrest Dr on the south leg of Highland Cres and is currently developed with a single detached residential dwelling with a detached two-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 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 6.4 m (20.9 ft.) whereas the by-law permits a maximum height of 4.5 m (14.8 ft.) for accessory structures.

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
currently an existing 2 car garage is and will be demolished. There is existing tall vegetation in the corner of the property and on neighbouring properties that would help with screening. The property backing onto the subject property off Parkwood Dr has a sufficient rear yard setback providing adequate separation from the proposed addition. Therefore, staff does not anticipate a significant impact.

Staff has also indicated the garage is not to be used as a secondary dwelling or a home occupation, and that no windows are to be along the neighbouring sides. Planning staff is of the opinion that the general intent of the City’s Zoning By-law is maintained.

Based on the above analysis Planning staff is of the opinion that the application to be minor, appropriate development for the site, and to meet the general intent of the Zoning By-law and Official Plan and therefore recommends approval of this 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 request by the Applicant/Owner for a minor variance to allow an accessory structure that is higher than that 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:**

**Comments**

A building permit is required for the proposed construction.

If the demolition of the existing building occurs at the same time as the new construction, a separate demolition permit is not required.
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.
**Proposed Accessory Garage**
Height of Accessory Garage: 6.4 m (20.9 ft.)

Height of Accessory Garage: 6.4 m (20.9 ft.)
Site Visit – June 10, 2021
Application No.: A50/21  Meeting Date: June 23, 2021  Ward No.: 5

Property Owner: Newman Holdco Inc.

Applicant: Brandon Flewwelling
GSP Group Incorporated

Subject Property: Part Sub. Lot 2, WGR, Concession 12, City of Cambridge
93 Newman Dr

Proposal:
The applicant is requesting the following minor variances to permit the creation of four draft approved corner lots in the Huron Creek Subdivision:

1. A minimum lot frontage of 15 m (49.21 ft) whereas the bylaw requires a minimum lot frontage of 17 m (55.77 ft); and,
2. A minimum lot area of 495 m² (5,328.14 ft²) whereas the bylaw requires a minimum lot area of 510 m² (5,489.59 ft²).

The variances will facilitate the construction of four residential single detached dwellings on corner lots under the approved Draft Plan of Subdivision (30T-16105). The above discrepancies were noted during a detailed review of the Draft Plan in support of registration. The Site is draft plan approved to permit 65 single detached lots, and 56 street facing townhouse dwellings. The requested variances apply to four single detached lots, specifically, Lots 56, 60, 61 and 65. These lots are zoned R5 (S.4.1.360).

The applicant was previously granted a minor variance by the Committee of Adjustment on November 6, 2019 (file A51/19) to permit a reduction for the interior side yard for Lots 1-65.

General Information:
Zoning By-law Provisions: OS1, R5, R6, RM4
Official Plan Designation: LOW / MEDIUM DENSITY RESIDENTIAL
Adjacent Zoning: R3, R4
Adjacent Land Use: Residential
Existing Use: Residential, Open Space
Proposed Use: Residential, Open Space
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 plan of subdivision.

Staff Comments:

City of Cambridge Development Planning Section:
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 Site is designated Low/Medium Density Residential in the City of Cambridge Official Plan. In keeping with the designation, a low-density residential development of single detached dwellings is proposed. The requested variance supports the registration of an approved plan of subdivision. 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 By-law
The applicant is requesting a reduced lot frontage of 15 m (49.21 ft) whereas the bylaw requires a minimum lot frontage of 17 m (55.77 ft) and a reduced lot area of 495 m² (5,328.14 ft²) whereas the bylaw requires a minimum lot area of 510 m² (5,489.59 ft²). The intent of the minimum lot frontage and lot area requirement is to ensure the property has sufficient open space landscaping, parking and to maintain residential compatibility within the existing neighbourhood. The four lots are corner lots with wider frontages and larger lot areas than the surrounding interior lots. The approval of the variances simply support the draft plan as approved. All site design and engineering approvals have been based on the approved draft plan. The applicant has indicated that the site will fully function without any issues resulting from these slight reductions to the zoning regulations for corner lots.

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:**

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**RE: Application for Minor Variance (A50/21)**

Huron Creek Holdings Corp. (c/o GSP Group)

93 Newman Drive

City of Cambridge

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**GRCA COMMENT:**

The Grand River Conservation Authority (GRCA) has no objection to the approval of this minor variance application by the City of Cambridge. Additional detailed comments are provided below.

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**BACKGROUND:**

1. **Resource Issues:**

Information currently available at this office indicates that the subject lands contain a watercourse, floodplain, their regulated allowances, and the regulated allowance to an adjacent wetland area (refer to the enclosed map). Consequently, a portion of the subject lands are 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 to facilitate the construction of four residential single-detached dwellings on corner lots under the approved Draft Plan of Subdivision (30T-16105). We note that this draft plan has not been registered as of yet. Further, this proposed application requests variances to lot frontages and lot areas that specifically affect Lots 50, 60, 61, and 65 of the draft plan.
The GRCA staff participated in the review of this draft plan of subdivision and provided conditions for draft plan approval on June 11, 2018. We have reviewed this minor variance application and have no concerns with the intent of this proposal. Therefore, the GRCA has 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 watercourse, floodplain, and adjacent wetland area. 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.

Yours truly,
John Brum
Resource Planner
Grand River Conservation Authority

JB/
Encl.

cc: Carlos Da Silva, Huron Creek Holdings Corp., 35 Trillium Drive, Unit 1, Kitchener, ON N2E 0H2
Sylvia Rafalski-Misch & Cheryl Marcy, Region of Waterloo (email)
Brandon Flewwelling, GSP Group (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.:

All changes must be clearly marked on the drawings being reviewed at the Subdivision Service /Site Plan Control Process prior to approval. I believe the design for this development has been complete or is in its final stages, therefore the Developer will need to submit the revised drawings to the Design Technician for this development, Ken Redfern, to ensure minimum clearance to all Energy+ Inc hydro plant has been met and that these changes will not affect the current design for the development. 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.

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, latest edition, only one service per property is permitted.

City of Cambridge Building Section:
City of Cambridge Building Division has no comment on this application.

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.
Highlighted lots seeking minor variances for:
- minimum lot frontage of 15 m (49.21 ft)
- lot area of 495 m² (5,328.14 ft²)
Application No.: A51/21          Meeting Date: June 23, 2021          Ward No.: 6

Property Owner/Applicant: Neil Cumberbatch

Subject Property:  PLAN 467 LOT 43 PLAN 58R-18916 PART 1
12 Tait St

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

1. A minimum lot frontage of 9.36m (30.70 ft.) whereas the bylaw requires 11 m (36 ft.).

The applicant is proposing to create a one-bedroom accessory dwelling unit in the basement of the existing house. The applicant can meet the parking space requirements with parking for the main dwelling unit in the garage and parking for the accessory dwelling unit in the driveway. The applicant has indicated that they plan to widen their driveway and will be able to meet the zoning by-law requirements for driveway width and front yard landscaping. The entrance to the accessory dwelling unit will be from the rear yard. The 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, R5
Adjacent Land Use: Other
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 one bedroom;
2. That a building permit be received for the alteration prior to occupancy of the unit;
3. That any driveway widening shall not exceed a width of 7m (22.96 ft) and must maintain a minimum of 45% front yard landscaping; and
4. 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.

Staff Comments:

City of Cambridge Development Planning Section:
The subject property is located on the east of St Andrews St. south of Dumfries St. on the west side of Tait St. and is currently developed as a semi-detached residential dwelling with an attached garage. The subject property is designated as Low/Medium Density in the Official Plan and zoned RS1. The property has a frontage of approximately 9.36m (30.70 ft.) and a lot area of approximately 496.13 m² (5,340.29 ft²). The applicant is proposing to create a one bedroom accessory dwelling unit in the basement of the existing house.

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.

Official Plan
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.

Zoning By-law
The applicant is requesting a minor variance to permit lot frontage of approximately 9.36m (30.70 ft.) whereas the by-law requires a minimum of 11 m (36 ft.) for an accessory dwelling unit. The intent of the minimum 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. The property will also meet the lot area and parking requirements. The parking for the main dwelling unit will be in the garage and parking for the accessory dwelling unit in the driveway. The applicant has indicated that they plan to widen their driveway for ease of parking and will be able to meet the zoning by-law requirements for driveway width and front yard landscaping. Therefore, in staff’s opinion the proposed lot frontage reduction will not have a negative impact on occupants of the primary or accessory residential units.

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 in relation to this application.

**Grand River Conservation Authority:**

The Grand River Conservation Authority has no comment in relation to 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 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/crubs. 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, lastest edition, only one service per property is permitted.

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

The submitted drawings would not be sufficient for a building permit application.

**City of Cambridge Transportation Engineering Section:**
- The driveway widening will not be permitted to be closer than 1.5m to the existing hydro pole.
- A minimum driveway length of 6 m beyond property line is required.
- The driveway length provided on the diagram is measured to the sidewalk. Actual dimensions to the property line should be confirmed through a survey.

**Transportation Engineering 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 Senior Planner-Heritage:**
No concerns with the application for 12 Tait. The proposal will not have an adverse effect on the subject property, or to those adjacent to it.

**City of Cambridge Economic Development:**
Economic Development has no comment in relation to this application

**City of Cambridge Sustainability Planner:**
Comments not received.
Lot frontage of 9.36m (30.7 ft.)
Floorplan Layout
Application No.: A53/21  Meeting Date: June 23, 2021  Ward No.: 2

Property Owner: Properties Inc Elev8

Applicant: Scott Patterson
Patterson Planning Consultants Inc.

Subject Property: PLAN 28 LOT 2 PT LOT 1 PT; KARCH ST PLAN 45 PT KARCH ST
132 Queen St W

Proposal:
The applicant is requesting the following minor variance from the Zoning By-law 150-85 to permit a driveway on a conveyable lot:

1. To seek relief from Section 2.2.2.3.(c) of the Zoning By-law to permit a parking stall for a detached single dwelling unit in a residential zone in front of the established building line or regulatory building line, whereas the by-law prohibits a parking stall to be located in front of the regulatory building line or established building line.

The applicant is proposing to add a driveway to an existing dwelling. The regulatory building line is 6m (19.69 ft) from the front property line. The property is a lot of record and as such the subject lands are currently without the required parking space. The parking spaces that were previously associated with this particular building are part of a separately lot of record known as Part Lot 1 on Registered Plan 28. Both properties were formerly held under the same ownership.

General Information:
Zoning By-law Provisions: RM4 Multiple Unit Residential
Official Plan Designation: Low / Medium Density Residential
Adjacent Zoning: RM4 S.4.2.29, RM4,
Adjacent Land Use: Residential
Existing Use: Residential
Proposed Use: Residential
Recommendation:
City of Cambridge planning staff recommends approval of this minor variance application subject to the following condition:

1. 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.

Staff Comments:

City of Cambridge Development Planning Section:
The subject property is located to the east of Schofield St on the south side of Queen St W. The property is designated as Low/Medium Density in the Official Plan and zoned RM4 Multiple Unit Residential in the Zoning By-law.

The applicant is requesting a minor variance to permit the location of the required parking space in front of the regulatory building line (6 m (19.68 ft.) from the property line), whereas the by-law does not permit the required parking space to be located in front of the regulatory building line.

The property is a lot of record meaning that it is technically two lots instead of one. The existing parking for this home was on the other lot, however both properties are no longer held under the same ownership, and as such the existing home is currently without the required parking space. As such, the applicant is requesting that the parking space be permitted in front of the regulatory building line as there is no other feasible location. The intent of this provision is to have one parking space in a garage or side yard and then have the ability to provide an additional space to park tandem in the driveway. The property does not have a garage and is on a large hill. Parking in front of the home appears to be the best alternative for this property. Most homes along section have parking in front of their homes and staff is of the opinion that it would not have a negative impact on the streetscape.

Based on the above analysis, planning staff are of the opinion that the minor variance meets the general intent of and purpose of the Official Plan and Zoning By-law, is minor in nature and is desirable for the appropriate development of the property. As such, planning staff recommends 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 request by the Applicant/Owner for a minor variance to allow a parking space in front of the regulatory building line.

All ESA and Energy+ Inc. minimum clearances to existing and proposed hydro plant must be met, this includes overhead wires, poles, guys and anchors. Relocation at 100% Applicant Cost.

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 demolition permit is currently under review for the demolition of the retaining wall that was removed without a permit in order to create this parking area.

**City of Cambridge Transportation Engineering Section:**

**Transportation Engineering 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:**
Comments not received.

**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:**
Comments not received.

**City of Cambridge Sustainability Planner:**
Comments not received.

**Canadian National Railway:**
Comments not received.
Site Plan

1. Relief from Section 2.2.2 3(c) of Zoning By-law No. 150-85, which prohibits a parking stall for a detached one-family dwelling unit in a residential zone to be located in front of the Regulatory Building Line, whereas parking is proposed in front of the Regulatory Building Line.

Proposed driveway

Required 6m (19.69 ft) setback

Regulatory Building Line
Site Visit – June 10, 2021

Google Streetview - Before (2019)
Application No.: B09/21 & A45/21  Meeting Date: June 23, 2021  Ward No.: 1

Property Owner/Applicant: Jarrett Conrad Beal Julie Anissa Beal

Subject Property: CON 3 BLK BEASLEYS LOWER PT;LOT 13 15 Poplar Dr

Proposal:

B09/21

The applicant is requesting to sever a residential property to create a new parcel with an approximate area of 755.19 m² (8,128.75 ft²) and 14.486 m (47.54 ft.) frontage along Poplar Dr. The severed lot is proposed to accommodate a single detached dwelling.

The retained parcel is proposed to have an approximate area of 1,009 m² (10,860.79 ft²) and 25.72 m (84.38 ft.) frontage along Poplar Dr. The retained parcel contains an existing single detached dwelling that is proposed to remain.

A45/21 (Retained Lot)

The applicant is also requesting a minor variance from Zoning By-law 150-85 to permit a minimum lot frontage of 14.48 m (47.51 ft) for the severed lot, whereas the bylaw requires 25 m (82.02 ft) in the R2 zone.

The severance will result in two residential lots. The existing septic system is proposed to be decommissioned and removed and the applicants will be required to connect to municipal services. The subject property is located in the Source Water Protection area.

General Information:

Zoning By-law Provisions: R2
Official Plan Designation: Low / Medium Density Residential
Adjacent Zoning: R2, R5
Adjacent Land Use: Residential
Existing Use: Residential
Proposed Use: Residential
Recommendation:
A45/21 (Retained Lot)

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

1. Subject to the approval of consent application B09/21.

Recommendation
B09/21

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 the owner decommissions the private septic on the property and extend municipal services to the retained and severed parcels;
3. That the applicant submits a spatial separation report to the satisfaction of the Building Division to verify that the requirements of the Ontario Building Code are met for the amount of unprotected opening area (or window area for single family dwellings) permitted to face the property line for the existing building;
4. A plumbing permit will be required when connecting to municipal services on the retained lot. Decommissioning of the existing septic system will be completed under this permit and is required prior to the severance due to the existing septic bed being located on the severed lot;
5. 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;
6. That a Plan and Profile plan be prepared for the sanitary sewer extension on Poplar Drive, to the satisfaction of City of Cambridge Development Engineering;
7. 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;
8. That prior to final approval, the applicant pay cash-in lieu of parkland at 5% of the value of the new lot. The applicant shall provide a qualified appraiser’s opinion of value to the satisfaction of the Community Development Department in determining the value of the severed land;
9. That prior to final approval, the owner/applicant submit the consent review fee of $350.00 to the Region of Waterloo;
10. Confirmation of payment of outstanding taxes to the satisfaction of the Financial Services Division; and,
11. That the above conditions must be fulfilled and the document for conveyance be presented with the required fee for signing on or before **July 02, 2022** after which time this consent will lapse.

**Staff Comments:**

**City of Cambridge Development Planning Section:**

The subject property is located to the west of Guelph Ave on the south side of Poplar Dr. The property is designated Low/Medium Density Residential in the City’s Official Plan and zoned R2 (Single Detached Residential) in the City’s Zoning By-law No. 150-85, as amended. The property currently contains a one storey single detached dwelling fronting on Poplar Drive which is proposed to be retained and open space located on the severed lot. The subject property is currently serviced with a private septic system. Conditions are recommended with the approval of this application to decommission the private septic and extend municipal piped sewage services to both lots.

The applicant is proposing to create a rectangular parcel of land (severed lands) with an approximately lot area of 755.19 m² (8,128.75 ft²) and lot frontage of 14.486 m (47.54 ft.) The retained lot is proposed to have an approximate lot area of 1,009 m² (10,860.79 ft²) and 25.72 m (84.38 ft.) frontage along Poplar Dr.

The proposed severed lands do not comply with the minimum lot frontage requirements and therefore has an associated variance on the parcel of land.

**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 will be added.

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 close proximity to a network of bike lanes and trails, transit options, and schools. The proposal for the creation of a new lot to accommodate a single detached dwelling will contribute to the growth, development and vitality of the settlement area as it makes efficient use of land. 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 will be added 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 generally conforms to the policies of Region’s Official Plan.

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 has a mix of residential zoning around it. The existing houses in the neighbourhood range from single detached dwellings, townhomes, and semi-detached homes. Most homes are two storeys (or more—townhomes) in height, with the exception of the neighbouring property at 7 Poplar Dr which is one storey. Lot sizes and frontages are varied in the area but the proposed lots will be comparable to the adjacent homes in the R5 zone. The subject property currently has the largest lot frontage on Poplar Dr. The setbacks on Poplar Dr between Dawn Cres and Guelph Ave are fairly consistent. The existing house is located approximately 10 m (32.80 ft) back from the property line, and the new home on the new lot is proposing a similar setback. The property adjacent (7 Poplar Dr) has a similar
setback and as such planning staff are of the opinion that the new home would be compatible and result in a consistent streetscape.

A maximum height of 2 storeys has also been included in the by-law to ensure residential compatibility is maintained. 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 intensification within an existing residential neighbourhood. The proposed concept plan for the residential dwellings conform to all the site development specifications for the R2 Residential zone, with the exception of lot frontage. As such, staff is of the opinion that the severance with the proposed building is compatible within the existing neighbourhood.

**Zoning By-law 150-85**
In order to accommodate the proposed severance a minor variance is required for lot frontage on the proposed severed lot.

**A45/21**
The applicant is requesting a minor variance to permit a minimum lot frontage of 14.48 m (47.51 ft) for the severed lot, whereas the bylaw requires 25 m (82.02 ft) in the R2 zone. The intent of the Zoning By-law with respect to lot frontage is to maintain a consistent streetscape appearance. As mentioned above the surrounding neighbourhood includes a variety of housing types and lot sizes including many single detached lots which are similar in frontage to the proposed severed and retained lots.

Therefore, it is the opinion of staff that the proposed variance to reduce the lot frontage on the proposed severed lot is minor in nature, maintains the general intent and purpose of the Official Plan and Zoning By-law and represents desirable, appropriate development of the subject property, and staff recommends approval of application A45/21.

**Planning Act s. 51(24)**
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 one new developable lot meets the criteria set out in s. 51(24) of the Planning Act and therefore recommends approval of the consent application subject to all conditions.

**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 allow a reduced front yard setback that will result from a severance.

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 ESA and Energy+ Inc. minimum clearances from all hydro plant must be maintained.

The conditions in the Severance Application must be satisfied prior to approval by Energy+ Inc. 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:

Comments

A building permit is required for the proposed construction on the severed lot.

Conditions

That the applicant submits a spatial separation report to the satisfaction of the Building Division to verify that the requirements of the Ontario Building Code are met for the amount of unprotected opening area (or window area for single family dwellings) permitted to face the property line for the existing building.

A plumbing permit will be required when connecting to municipal services on the retained lot. Decommissioning of the existing septic system will be completed under this permit and is required prior to the severance due to the existing septic bed being located on the severed lot.

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.
- Accesses must be at least 1.5m from any above ground infrastructure such as street lights, hydro poles or utility boxes.
- An existing tree may interfere with the ability to install a new 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:

- Services available to the severed property are as follows:
  - Poplar Drive
  - 200 mm diameter watermain
  - There is no existing sanitary sewer fronting the subject property
  - There is a 200mm diameter sanitary sewer located on Poplar Drive located at the Guelph Ave. intersection.
Separate municipal services (water and sanitary) will be required for both the severed and retained lots (completed by City forces at 100% Owner/Builder’s cost).

The retained lot will not be permitted to remain on a private septic system if the lot is to be severed.

Sanitary sewer will need to be extended on Poplar Drive from the existing 200mm sewer to the property (completed by City forces at 100% Owner/Builder’s cost).

The Applicant will need to retain an Engineering Consultant to prepare a Plan & Profile drawing of the sewer extension for Development Engineering’s review and approval.

Once the design is approved, an ECA will also be required which can be submitted to the Region through the transfer of review process.

Verification of the location of existing water service for the retained lot is required. A servicing easement will be required if any of the retained property’s servicing crosses the severed property.

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.

**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 Plan and Profile plan be prepared for the sanitary sewer extension on Poplar Drive, to the satisfaction of City of Cambridge Development Engineering.

- 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:**

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.

Regional Municipality of Waterloo Urbanization

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

Re: Comments for Consent Applications B09/21
Committee of Adjustment Hearing June 23, 2021
CITY OF CAMBRIDGE

Please accept the following as the Regional planning comments for the above-stated consent application to be considered at the above-noted Committee of Adjustment Hearing.

B09/21
15 Poplar Drive
Jaret and Julie Beal

The owner/applicant is proposing a residential severance to create a new parcel of land with frontage along Poplar Drive. The severed lot is proposed to accommodate a single detached dwelling. The retained parcel contains and existing single detached dwelling that is proposed
to remain. The subject lands are currently on an existing septic system, which is proposed to be decommissioned, and the owner/applicant will connect to municipal services.

**Regional Fee:**
The owner/applicant is required to submit the consent review fee of $350.00 prior to final approval of the subject application.

**Servicing:**
Regional Staff acknowledge that the subject lands are currently on private services. The owner/applicant has acknowledged that the septic system will be decommissioned and the proposed severed and retained lands must connect to full municipal services.

It is the responsibility of the owner/applicant to work with the City, in consultation with the Region, to provide the preferred location of sanitary and water services for both the proposed severed and retained parcels. Separate municipal services will be required for each proposed lot and consideration for drainage will be required to ensure there are no impacts on adjacent properties.

The Regional Official Plan (ROP) Policy 2.D.1 specifies the following:

> “In preparing/reviewing planning studies or in reviewing development applications or site plans, the Region and/or Area Municipalities will ensure that development occurring within the Urban Area is planned and developed in a manner that:

> b) is serviced by a municipal drinking-water supply system and a municipal wastewater system.

Regional Staff acknowledge that the subject property is not currently within the servicing area but City of Cambridge Staff confirm the property will be on full municipal services.

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.

**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 20-001 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,
Ministry of Transportation:

Comments not received.
Aerial

Subject Property

R2 Zoning

Subject Property
Minor variance for lot frontage of 14.486 m (47.54 ft)

Retained lot

Severed lot

Existing house

Potential House

2.3 m

3.34 m

1.22 m

21.3 m

27.1 m

20.102 m

15.558 m

15 Poplar Drive

14.486 m

25.719 m

50.272 m

Minor variance for lot frontage of 14.486 m (47.54 ft)
Existing Conditions Sketch

- Driveway
- Trees
- Septic Tank
- Septic bed

Retained lot

Severed lot
Site Visit – June 10, 2021
Existing home (retained lot)

Open space (severed lot)