Committee of Adjustment for the Corporation of the City of Cambridge

being Submission No. A70/21

THIS MATTER HAVING BEEN HEARD on Wednesday October 6, 2021 and the Notice of Hearing having been given in accordance with the Rules and Procedures adopted by the Committee of Adjustment; the Committee of Adjustment of the City of Cambridge hereby renders the following decision:

Decision: 99 Green Bank Drive
RCP 1383 PT LOT 25 PLAN;58M192 LOT 25 AND RP;58R14323 PART 1

Moved by: Don Drackley
Seconded by: Frances Seward

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

1. A minimum exterior side yard setback of 4.73 m (15.5 ft) for a below grade staircase, whereas the bylaw requires a 6 m (19.69 ft) setback for corner lots.

be approved, subject to the following condition:

1. That the designs be substantially in keeping with the plans submitted with the minor variance application.

CARRIED

REASONS:

The Committee considered staff’s recommendation, and the applicant’s oral comments. The application is approved, subject to the one condition, as it is the opinion of the Committee of Adjustment, that the proposal meets the general intent of the Zoning By-law and Official Plan, is minor and will result in the appropriate development of the site.
Signed at the City of Cambridge this 6th day of October 2021

Notice of Decision sent on: October 15th, 2021

Last Date of Appeal on Decision: October 26th, 2021

Sandi Nichols, Chairperson

Don Drackley, Member

Frances Seward, Member

Gerald Menezes, Member

I CERTIFY the foregoing to be a true and correct copy of the Decision of the Committee of Adjustment of the City of Cambridge in the above-mentioned application.

Lisa Chominiec, Planner

Secretary-Treasurer to the Committee of Adjustment
Committee of Adjustment for the Corporation of the City of Cambridge

being Submission No. A71/21

THIS MATTER HAVING BEEN HEARD on Wednesday October 6, 2021 and the Notice of Hearing having been given in accordance with the Rules and Procedures adopted by the Committee of Adjustment; the Committee of Adjustment of the City of Cambridge hereby renders the following decision:

Decision: PLAN 1342 LOT 11
333 Grand Ridge Dr

Moved by: Gerald Menenez
Seconded by: Don Drackley

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

1. A minimum lot area of 370.94 m² (0.037 hec) for a secondary dwelling unit, whereas the bylaw requires 450m² (0.045 hec).

be approved, subject to the following condition:

1. That the designs be substantially in keeping with the plans submitted with the minor variance application.

CARRIED

REASONS:

The Committee considered staff’s recommendation, and the applicant’s oral comments. The application is approved, subject to the one condition, as it is the opinion of the Committee of Adjustment, that the proposal meets the general intent of the Zoning By-law and Official Plan, is minor and will result in the appropriate development of the site.
Signed at the City of Cambridge this 6th day of October 2021

Notice of Decision sent on: October 15th, 2021

Last Date of Appeal on Decision: October 26th, 2021

Sandi Nichols, Chairperson ______________________________
Don Drackley, Member ______________________________
Frances Seward, Member ______________________________
Gerald Menezes, Member ______________________________

I CERTIFY the foregoing to be a true and correct copy of the Decision of the Committee of Adjustment of the City of Cambridge in the above-mentioned application.

Lisa Chominiec, Planner
Secretary-Treasurer to the Committee of Adjustment
Committee of Adjustment for the Corporation of the City of Cambridge

being Submission No. A72/21

THIS MATTER HAVING BEEN HEARD on Wednesday October 6, 2021 and the Notice of Hearing having been given in accordance with the Rules and Procedures adopted by the Committee of Adjustment; the Committee of Adjustment of the City of Cambridge hereby renders the following decision:

Decision: PLAN 58M-604 LOT 108
488 Equestrian Way

Moved by: Don Drackley
Seconded by: Gerald Menezes

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

1. A minimum lot area of 363 m² (0.036 ha) for a secondary dwelling unit, whereas the bylaw requires 450m² (0.045 ha).

be refused.

CARRIED

REASONS:

The Committee considered staff’s recommendation, and the applicant’s oral comments. The application is refused, as the Committee is of the opinion that the proposal does not pass the four tests of a minor variance. The Committee has been consistent in their decisions with the R6 zone, while this site is already further intensified with special provisions reducing setbacks, frontage and lot area. Applications within this subdivision have been turned down in the past for reasons of traffic safety and over intensification.
Signed at the City of Cambridge this 6th day of October 2021
Notice of Decision sent on: October 15th, 2021
Last Date of Appeal on Decision: October 26th, 2021

Sandi Nichols, Chairperson ______________________________
Don Drackley, Member ______________________________
Frances Seward, Member ______________________________
Gerald Menezes, Member ______________________________

I CERTIFY the foregoing to be a true and correct copy of the Decision of the Committee of Adjustment of the City of Cambridge in the above-mentioned application.

Lisa Chominiec, Planner
Secretary-Treasurer to the Committee of Adjustment
Committee of Adjustment for the Corporation of the City of Cambridge

being Submission No. A73/21

THIS MATTER HAVING BEEN HEARD on Wednesday October 6, 2021 and the Notice of Hearing having been given in accordance with the Rules and Procedures adopted by the Committee of Adjustment; the Committee of Adjustment of the City of Cambridge hereby renders the following decision:

Decision: PLAN 462 LOT 79 PT LOT 80
47 Crombie Street

Moved by: Frances Seward
Seconded by: Don Drackley

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

1. A minimum lot frontage of 11.25 m (36.91 ft), whereas the by-law requires 15 m (49.21 ft); and,
2. A minimum lot area of 404 m² (0.0404 ha), whereas the bylaw requires 450 m² (0.045 ha).

be refused

CARRIED

REASONS:

The Committee considered staff’s recommendation, and the applicant’s oral comments. The application is refused. As it is the opinion of the Committee of Adjustment, that the variances are not minor in nature, that the proposal does not meet the general intent of the Zoning By-law and Official Plan, and would result in inappropriate development of the site.
Signed at the City of Cambridge this 6th day of October 2021

Notice of Decision sent on: October 15th, 2021

Last Date of Appeal on Decision: October 26th, 2021

Sandi Nichols, Chairperson ______________________________
Don Drackley, Member ______________________________
Frances Seward, Member ______________________________
Gerald Menezes, Member ______________________________

I CERTIFY the foregoing to be a true and correct copy of the Decision of the Committee of Adjustment of the City of Cambridge in the above-mentioned application.

Lisa Chominiec, Planner
Secretary-Treasurer to the Committee of Adjustment
Committee of Adjustment for the Corporation of the City of Cambridge

being Submission No. B22/21

THIS MATTER HAVING BEEN HEARD on Wednesday October 6, 2021 and the Notice of Hearing having been given in accordance with the Rules and Procedures adopted by the Committee of Adjustment; the Committee of Adjustment of the City of Cambridge hereby renders the following decision:

Decision: PLAN 462 LOT 79 PT LOT 80
47 Crombie Street

Moved by:  Gerald Menezes
Seconded by: Don Drackley

That the applicant’s request to sever a residential property for the creation of a new lot, with the severed lands being a 404 m² (0.0404 hec) with a 11.25 m (36.91 ft) frontage along Crombie Street and the retained lands a of 685 m² (0.0685 hec) with a 22.80 m (74.80 ft) frontage along Crombie Street, be deferred for 90 days.

CARRIED

REASONS:

The Committee considered staff’s recommendation, and the applicant’s oral comments. The application is deferred for 90 days to allow the applicant to resolve issues, consult the community and attempt to reach consensus.
Signed at the City of Cambridge this 6th day of October, 2021
Notice of Decision sent on: October 15th, 2021

I CERTIFY the foregoing to be a true and correct copy of the Decision of the Committee of Adjustment of the City of Cambridge in the above-mentioned application.

Lisa Chominiec, Planner
Secretary-Treasurer to the Committee of Adjustment
Committee of Adjustment for the Corporation of the City of Cambridge

being Submission No. B20/21

THIS MATTER HAVING BEEN HEARD on Wednesday October 6, 2021 and the Notice of Hearing having been given in accordance with the Rules and Procedures adopted by the Committee of Adjustment; the Committee of Adjustment of the City of Cambridge hereby renders the following decision:

Decision: PLAN 1383 LOT 9 RP 67R45; PART 4 AND 5 300 Sheldon Dr

Moved by: Gerald Menezes
Seconded by: Don Drackley

That the applicant’s request to sever an industrial property for the creation of a new lot, with the severed lands being a 4,043 m² (0.404 ha) parcel with an estimated frontage of 49.30 m (161.75 ft) along Sheldon Dr and the retained lands a 5,973 m² (0.597 ha) parcel with an estimated frontage of 65.11 m (213.62 ft) along Sheldon Dr,

be approved, subject to the following conditions:

1. That prior to final approval, the owner/applicant submits a copy of the deposited reference plan indicating the boundaries of the parcels, any easements/rights-of-way and building locations, to the satisfaction of the Planning Services Division;
2. That 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 areas of the existing building facing the proposed property line;
3. That the applicant verifies the location of any existing sanitary, storm and water services on the property to the satisfaction of the Building Division in order to confirm that no services will cross over any proposed property lines or are shared with any adjacent properties. Where services cross property lines easements and/or servicing agreements shall be registered on title which may include a blanket reciprocal easement over the proposed severed and retained parcels for grading and storm water management purposes;
4. That the proposed shared access easement be registered on title for both properties;
5. That an access permit through Transportation Engineering be obtained 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;
6. 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;

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 owner/applicant pay cash-in-lieu of parkland at 2% of the value of the severed land. The applicant shall provide an opinion of value from a qualified appraiser, to the satisfaction of Realty Services, in determining the value of the severed land; and,

9. That the above noted conditions must be fulfilled and the document for conveyance be presented with the required fee for signing on or before October 15, 2022, after which time this consent will lapse.

CARRIED

REASONS:

The Committee considered staff’s recommendation and the applicant’s oral comments in relation to the application. The application is approved with nine (9) conditions, as it is in the opinion of the Committee of Adjustment, that with the approved conditions, the application meets the criteria of Section 51(24) of the Planning Act.
Signed at the City of Cambridge this 6th day of October, 2021

Notice of Decision sent on: October 15th, 2021

Last Date of Appeal on Decision: November 4th, 2021

San Diego Nichols, Chairperson ______________________________
Don Drackley, Member ______________________________
Frances Seward, Member ______________________________
Gerald Menezes, Member ______________________________

I CERTIFY the foregoing to be a true and correct copy of the Decision of the Committee of Adjustment of the City of Cambridge in the above-mentioned application.

Lisa Chominiec, Planner
Secretary-Treasurer to the Committee of Adjustment
Committee of Adjustment for the Corporation of the City of Cambridge

being Submission No. B21/21

THIS MATTER HAVING BEEN HEARD on Wednesday October 6, 2021 and the Notice of Hearing having been given in accordance with the Rules and Procedures adopted by the Committee of Adjustment; the Committee of Adjustment of the City of Cambridge hereby renders the following decision:

Decision: PLAN 1365 PT LOTS 4 AND 11; RP 58R11573 PART 5 RP; 67R1998 PT PART 3 43 Wayne Ave

Moved by: Gerald Menezes
Seconded by: Don Drackley

That the applicant’s request to sever a residential property for the creation of a new lot, with the severed lands being a 554 m$^2$ (5,963.2 ft$^2$) parcel with an estimated frontage of 16.14 m (53 ft) along Wayne Avenue and the retained lands a 1,062 m$^2$ (11,431.3 ft$^2$) parcel with an estimated frontage 18.62 m (61 ft) along Wayne Ave,

be approved, subject to the following conditions:

1. That prior to final approval, the owner/applicant submits a copy of the deposited reference plan indicating the boundaries of the parcels, any easements/rights-of-way and building locations, to the satisfaction of the Planning Services Division;

2. That the owner/applicant submit a legal survey showing the existing property, existing easements, existing dwelling, existing hydro pole(s), anchors, secondary hydro wire-feed to the existing dwelling, proposed severance, proposed dwellings, proposed driveway, proposed electric plant. The survey must include dimensions. The Applicant is cautioned that a minimum clearance between the proposed driveway entrance and existing poles, guy wires and anchors is 1.5 metres;

3. The Applicant will be responsible for 100% cost to service the new lot. The Applicant will be responsible for all costs to re-locate or upgrade if required as a result of this Application. Energy+ Inc. WILL NOT approve a severance on a lot with no service. As per Current Conditions of Service, latest edition, only one service per property is permitted. Allow MINIMUM 6 months for Energy+ Inc. to process an estimate;

4. That all EASEMENTS (will be determined once satisfactory legal plan has been submitted) must be APPROVED and REGISTERED at customer’s cost, to the satisfaction of Energy+;
5. That prior to final approval, the owner/applicant submit the consent review fee of $350.00 per new lot created;

6. That prior to final approval, the owner/applicant complete an Environmental Noise Study and enter into an agreement with the City of Cambridge to provide for implementation of the accepted noise assessment attenuation measures, to the satisfaction of the Region of Waterloo;

7. That the owner/applicant obtain an access permit through Transportation Engineering 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.

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

9. 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;

10. 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;

11. 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; and,

12. That the above conditions must be fulfilled and the document for conveyance be presented with the required fee for signing on or before October 15, 2022 after which time this consent will lapse.

CARRIED

REASONS:

The Committee considered staff’s recommendation and the applicant’s oral comments in relation to the application. The application is approved with twelve (12) conditions, as it is in the opinion of the Committee of Adjustment, that with the approved conditions, the application meets the criteria of Section 51(24) of the Planning Act.
Signed at the City of Cambridge this 6th day of October, 2021

Notice of Decision sent on: October 15th, 2021

Last Date of Appeal on Decision: November 4th, 2021

San Diego Nichols, Chairperson ______________________________
Don Drackley, Member ______________________________
Frances Seward, Member ______________________________
Gerald Menezes, Member ______________________________

I CERTIFY the foregoing to be a true and correct copy of the Decision of the Committee of Adjustment of the City of Cambridge in the above-mentioned application.

Lisa Chominiec, Planner
Secretary-Treasurer to the Committee of Adjustment