Declarations of Pecuniary Interest

1. Committee Business

2. Meeting Minutes
   - October 5, 2021

3. Applications
   
   Previously Heard Minor Variance Applications

<table>
<thead>
<tr>
<th>File Number</th>
<th>Property Address</th>
<th>Staff recommendation:</th>
</tr>
</thead>
<tbody>
<tr>
<td>A54/21</td>
<td>446 Argyle Street S</td>
<td>Approval</td>
</tr>
</tbody>
</table>

New Minor Variance Applications

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<tr>
<th>File Number</th>
<th>Property Address</th>
<th>Staff recommendation:</th>
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<tbody>
<tr>
<td>A77/21</td>
<td>292 Ridge Road</td>
<td>Approval</td>
</tr>
<tr>
<td>A78/21</td>
<td>211 Shearson Crescent</td>
<td>Deferral</td>
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<tr>
<td>A79/21</td>
<td>235 Ridge Road</td>
<td>Approval</td>
</tr>
<tr>
<td>A80/21</td>
<td>86 Holm Street</td>
<td>Approval</td>
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<tr>
<td>A81/21</td>
<td>60 Harvey Street</td>
<td>Approval</td>
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New Combined Applications

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<tr>
<td>B23/21, A74/21, A75/21</td>
<td>248 Main Street</td>
<td>Deferral</td>
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<tr>
<td>B24/21, A76/21</td>
<td>375 Boxwood Drive</td>
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New Consent Applications

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<tr>
<td>B25/21</td>
<td>132 Queen Street</td>
<td>Approval</td>
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<tr>
<td>B26/21</td>
<td>195 Edward Street</td>
<td>Approval</td>
</tr>
<tr>
<td>B27/21</td>
<td>110 Royal Oak Road</td>
<td>Approval</td>
</tr>
<tr>
<td>B28/21</td>
<td>328 Fountain Street</td>
<td>Approval</td>
</tr>
<tr>
<td>B29/21, B30/21</td>
<td>211-215 Queen Street W</td>
<td>Approval</td>
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</table>

Request for Change in Conditions

<table>
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<tr>
<th>File Number</th>
<th>Property Address</th>
<th>Staff recommendation:</th>
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</thead>
<tbody>
<tr>
<td>B17/20</td>
<td>151 Burnham Cres</td>
<td>Approval</td>
</tr>
</tbody>
</table>
4. O.L.T. Update
5. Other business
Adjournment
Application No.: A54/21  Meeting Date: November 10, 2021  Ward No.: 3

Property Owner:  Justin Kok & Pui Ching Wan

Applicant:  Justin Kok & Pui Ching Wan

Subject Property:  PLAN 105 LOT 19 BLK 3
446 Argyle St S

Proposal:
The applicant is requesting a minor variance from Zoning By-law 150-85 to permit:

1. A rear yard setback of 0 m (0 ft) for an existing encroachment, whereas the by-law requires 0.6 m (1.96 ft) for an accessory structure; and,
2. An interior yard setback of 0m (0 ft), whereas the by-law requires 0.6 m (1.96 ft) for an accessory structure.

The requested variances are to recognize an existing deficiency for an accessory garage that was put in by a previous owner and has been on the property for 40+ years. The accessory garage is encroaching onto the municipal laneway from the rear yard and as a result the applicant will be required to obtain an encroachment agreement. The application was heard at the July 28, 2021 Committee of Adjustment meeting and was deferred for 3 months to allow the property owner to address the concerns that were raised by neighbours at the meeting.

General Information:

Zoning By-law Provisions: R5 Residential
Official Plan Designation: Low / Medium Density Residential
Adjacent Zoning: R5
Adjacent Land Use: Residential
Existing Use: Residential
Proposed Use: Residential

Recommendation:
The City of Cambridge Planning staff recommends approval of this application, 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 permit; and,
3. That an encroachment agreement be obtained through Transportation Engineering.

Staff Comments:

City of Cambridge Development Planning Section:
The subject property is located near the corner of Argyle St S and Vine St and is currently developed with a single detached residential dwelling. The subject land is currently designated Low/Medium Density Residential in the City’s Official Plan and is zoned R5 (Single Detached Residential) in the City’s Zoning By-law No. 150-85, as amended. The applicant is seeking approval of the requested variances to recognize an existing deficiency for an accessory garage that was put in by a previous owner. The accessory garage is encroaching onto the municipal laneway from the rear yard.

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

Official Plan
The subject land is currently designated as Low/Medium Density Residential in the City’s Official Plan. The Low/Medium Density Residential designation and the current R5 zone permits the existing single detached residential use and accessory structures. An accessory garage is now being contemplated, 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 R5 (Single Detached Residential) in the City’s Zoning By-law. The accessory use is permitted; however, the setbacks exceed what is currently permitted in the Zoning By-law. The applicant is proposing a 0m rear yard setback for an existing
encroachment, along with a 0m interior side yard setback, whereas the by-law requires a setback of 0.6m (1.96 ft) for both rear yard and interior side yard. The intent of the setback requirements for accessory structures is to ensure there is adequate space for access, maintenance and drainage. The accessory garage encroaches onto a municipal laneway. The existing garage has been in place since at least 2003 (confirmed by aerial imagery), with some records showing a date of 1941 and neighbours indicating its been therefor 40+ years. The granting of the minor variance will not change any parking regulations within the laneway; parking will continue to not be permitted within the laneway. The majority of the laneway is not utilized for vehicular access, and many of the surrounding properties have landscaped these lands. The properties that could potentially utilize this laneway for vehicular access would be 456 Argyle St S, 446 Argyle St S (applicant) and 547 Vine St. Planning staff are of the opinion that the encroachment of the garage does not limit these properties to access the laneway themselves. North of the garage the laneway is untraveled and appears to be landscaped by other property owners. To address the encroachment onto City property, the applicant will need to obtain an encroachment agreement, which will outline conditions such as parking within the laneway is not permitted and that access to the garage is not permanent. Planning staff is of the opinion that the general intent of the City’s Zoning By-law is maintained.

Comments received by the neighbours at the July 28 2021 meeting as well as email responses have been considered in staffs recommendation. The issues brought forward by the neighbours included garbage, storage, parking complaints and noise. The neighbours also expressed a desire to purchase the laneway, in which staff have directed those inquiries to Realty Services. It is the opinion of staff that the above raised issues along with the interest in purchasing the laneway, are not land use planning issues related to the variances. Both the Zoning By-law and Official Plan allow for single detached residential homes with their accessory uses. Staff is of the opinion that the issues being raised by the neighbours are not a direct result of the location of the garage and that moving the garage to be in compliance with the zoning by-law would not resolve the issues raised by the neighbours.

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.:**
**Action Items:**

Energy+ Inc. has no objection to the request by the Applicant/Owner for a minor variance to recognize the deficiencies in the existing garage that was constructed by the previous owner.

**Comments:**

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 Comments**

Transportation Engineering items will be addressed through the required encroachment agreement.

**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:**

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

Aerial
Site Visit
Submission from the applicant:

In returning to the committee with the Minor Variance submission we feel that we have a better understanding of the Minor Variance requirements in addition to doing our best to meet the requests of the Committee. We’ve broken down our written statement into three sections:
1. The Four Tests
2. Our activities to address the requests of the committee
3. Other comments

The Four Tests:

- Is the variance minor?

  The request itself is asking for minor setbacks of 0m for the interior side yard and 0m rear yard plus an encroachment. There are no other requests that would affect grading/drainage, building height (too tall), privacy, sunlight, etc. Nor is the amount of the setback a significant amount in our opinion as it does not impede the use of the laneway if a vehicle were to be driven past the garage. Additionally, the laneway itself has not been traversed in many years, we would estimate at least 20 since that is roughly how old the garage is. Based on aerial photos (Google Earth) and our own in-person observation, the entire length of the laneway has been overtaken by nature (trees, brush, etc) or by people (sheds, placed landscaping such as river rock, etc).

- Is the variance desirable for the appropriate use or development of the land?

  We feel the request is appropriate. It is not uncommon for a garage to be built next to a laneway. The garage itself is not an eyesore and blends in well with the look and feel of the neighborhood. It has been noted that the garage has been there at least 20 years. The garage itself has generally been used as a workshop or storage. The fact that it is used for storage is beneficial for the neighborhood since items can be kept inside out-of-sight, rather than outside for people to see. Any parking that occurs in the laneway is independent of the garage being there - people will park in the laneway if they so choose if the garage is there or not. The garage also has a covered area that is like a small deck/porch that is well inside the property, and enhances the overall look of the property.

- Is it in keeping with the purpose and intent of the Zoning By-law?

  We feel that the variance is keeping with the purpose and intent of the zoning by-law. If the garage were to be torn down and rebuilt following the official setbacks, there would be no change at all from its current usage, character/look, or any other characteristics. In fact, having to tear it down, and subsequently rebuild it only increases undesirable effects such as costs, contractors, construction noise/debris/traffic for everyone involved (owners and neighbors). This minor variance request does not affect grading, drainage, laneway use/maintenance, etc which are normally the purpose of having setbacks.
Is it in keeping with the purpose and intent of the Official Plan?

We feel that the garage is in keeping with the policies of the Official Plan. As previously mentioned, it has been there for over 20 years. It is not too tall, unsightly, or have a drastically different look than other buildings in the area. After 20+ years it seems like it is part of the neighborhood, with human and nature blending and adapting to it (eg. brush, rocks, landscaping, etc). The official plan is a residential home with a garage, so the presence of this garage is in line with it.

Our Activities to Address the Requests of the Committee

Since the initial hearing, we have taken the following actions:

1. Have had the garbage at the back cleaned up and removed immediately. Note: the variance was the first time garbage was brought to our attention. Additionally one of the pictures submitted by a delegate as part of the initial hearing was on the other side of the house nowhere near the garage, and in our opinion has nothing to do with the garage or variance. On top of that, the picture simply showed garbage and recycling in their respective bins/cans and a mattress at the side of the house where many households leave their garbage cans/recycling bins and large items until pick up day when they go to the curb.

2. Spoke to Isa (547 Vine St.) in person. We provided our phone number for any future issues whatever they may be and encouraged calling us immediately if there are any concerns.

3. Spoke with Tanya (new tenant at 456 Argyle) in person. Provided our phone number for any future issues and encouraged her to call us immediately if there are any concerns.

4. Spoke via text to Patricia around next steps. While she did not want to meet in-person with us without the presence of Councillor Mann, we had several cordial discussions about steps that involve potentially severing the laneway.

5. Spoke with Terry around concerns. Discussed some options to address concerns around the laneway.

6. Communicated with Councillor Mann, the local councillor, around next steps. He stated that this was not something he should be mediating in his capacity as councillor. This was confirmed by city staff. Therefore we have ceased our communications with him.

7. Spoke to the current tenants and reinforced that if they are to use their motorcycles, please start them outside on the street in consideration of 547 Vine St. Note that there are other neighbors in the neighborhood that also have similar motorcycles on their driveways. As some of the properties have driveways between houses, those situations mimic the laneway and 547 Vine St. The garage does not introduce a unique situation to the neighborhood from a noise perspective. Noise level would not be much different if we were to tear down the existing garage and rebuild it without encroaching on the laneway.

8. Been by the property several times to monitor if there are any issues - noted none with parking, garbage, etc.
9. Spoke with Cambridge Realty about options with respect to the variance, laneway, garage, severing.
10. Spoke with Cambridge Planning around further options, understanding the variance process, and next steps.

Through these activities, we thought it best to continue with the variance and see it through, then address other lingering issues once the variance process is complete.

Other Comments

Although not directly related to the variance, we have requested that our tenants do not park in the laneway. This was prior to the variance.
Hello Lisa, the chair gave some incorrect guidance to the committee tonight which appeared to be her attempt to garner some empathy for the homeowner.

She stated that the homeowner had come forward on his own accord and that this should be recognized.

In fact, your own documents (attached) refute this statement; the applicant applied because of a complaint.

It's disappointing when I hear of these kinds of misstatements especially when they are used to persuade other members.

I would like you to pass along this email to all members that were in decision making roles tonite.

At the end of the day I hope this situation is resolved but tonights meeting should have shut the door on the application. This doesn't mean the door would have closed to the homeowner attempting to purchase the laneway thus ending at least one aspect of this mess.

Please share and put this on record.

Terry Miller

On Tuesday, July 27, 2021, 10:14:29 a.m. EDT, Lisa Chominiec <chominiecl@cambridge.ca> wrote:

Hi Terry,

The recommendation reports are now posted online: https://calendar.cambridge.ca/Council/Detail/2021-07-28-1800-Committee-of-Adjustment-Meeting/aece0dbd-d886-4853-9dd2-ad7200a0f1f6

Thanks,

Lisa Chominiec

Planner/Secretary-Treasurer Committee of Adjustment/Development Charges Coordinator

City of Cambridge

Community Development
Hi Lisa.

Although I’ve been away and have not had the opportunity until now, I feel strongly compelled to express some of my concerns regarding the committee meeting on July 28th, for the record.

- Whilst speaking, Justin (property owner) interjected and challenged my concerns. I have previously reached out to him on March 7th 2020 with no resolution - the problems continued and unfortunately they escalated. I was completely shocked and caught off guard sharing my forum, thus possibly losing my opportunity to answer important committee questions.

- I felt that the Committee Chair was dismissive to Esra. Esra lives at 547 Vine Street, the chair did not seem to understand and appeared confused as to why Esra would be voicing her concern in this matter. Esra and her family are in fact the MOST affected if this variance is granted, as their living room and bedroom windows are directly above the laneway in question. There is a language barrier and perhaps she couldn’t effectively convey the impact this poses on her and her family. I can assure you that this variance will NOT benefit 547 Vine Street.

- The chair repeatedly mentioned the property owner has only had the property for 1 year, when he himself had just claimed to have owned 446 Argyle Street since 2017. There was mention too that the property owner came forward on his own merit and applied for this variance in good faith, when really his hand was forced due to a complaint.

* There were some misguided thoughts and information given throughout the course of this meeting which in my view could very well sway in the decision making process. I am concerned and feel the need to voice my concerns as this decision ultimately affects my property.

I am under the assumption that Justin and his wife Kitty have expressed interest is purchasing the lane. This may potentially be the solution to this issue as Esra (547 Vine) and myself (456 Argyle) would be in agreement to equally severe and assume the portions abutting the three affected properties. Hopefully between The City of Cambridge, Mike Mann, and all involved properties we can come to an agreement pleasing to all, and in accordance with the 3 month timeline.

Please submit my email for the record.

Thank you,
Patricia

Sent from my iPhone
I have spoken to the applicant and no new actions have been taken. Wasn't that the purpose of the deferral? Please revisit the transcript specifically the comments made by the chair Sandy Nichols.

The state of the application has not progressed one iota.

This time has been wasted.

Terry Miller

On Friday, October 22, 2021, 04:11:26 p.m. EDT, Lisa Chominiec <chominiecl@cambridge.ca> wrote:

Hi Terry,

The notice you received was the Notice of Hearing and Breakdown Report. Any additional information the applicant has provided would be provided with the Recommendation Report the Friday before the meeting. The requested variances have not changed—so there is no change to what is being requested on this application.

Thanks,

Lisa
Hello, thank you for the notice.

It's interesting to me that the deferral appears to have resulted in net zero advancement of this application.

Again, what was the purpose of the deferral? Was it to work with the city? Resolve the issue somehow?

What new actions have been taken by the applicant towards resolving the issue?

Nothing has changed.

Please reserve my place as a delegate to speak against this variance.

Also include this email in the package to committee please.

Terry Miller

On Friday, October 22, 2021, 03:58:36 p.m. EDT, Edmund Carlson <carlsone@cambridge.ca> wrote:

Hello Terry,

Please find the Notice and breakdown report for next hearing of the 446 Argyle minor variance application.

The hearing is scheduled for November 10th at 6pm and will again be conducted remotely.

Regards,

Edmund W Carlson
Recording Secretary to the Committee of Adjustment

City of Cambridge
Community Development Department
Planning Services Division
Development Planning Section
50 Dickson Street, 3rd Floor, P.O. Box 669
Cambridge, ON, N1R 5W8
(519) 623-1340 ext. 4697
carlsone@cambridge.ca

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Edmund Carlson  
Recording Secretary to the Committee of Adjustment  

City of Cambridge  
Community Development Department  
Planning Services Division  
Development Planning Section  
50 Dickson Street, 3rd Floor, P.O. Box 669  
Cambridge, ON, N1R 5W8  
(519) 623-1340 ext. 4697  
carlsone@cambridge.ca

From: Lisa Chominiec  
To: Edmund Carlson  
Subject: FW: about Application no : A54/21  
Date: November 8, 2021 8:59:12 AM

Edmund W Carlson  
Recording Secretary to the Committee of Adjustment  

Unfortunately, as you can see in the photo, this area belonging to the municipality is actively used by others.

Hi Carl,  
I am ISA. I live at 547 white Street. I will attend the meeting to be held on December 10. My English is not very good. I would like some help from you. There is a municipal area on the side of my land and at the end of my plot. You know the subject. I am very uncomfortable with the use of the side of the building, that is, the municipality's area, as a parking lot. Unfortunately, sometimes they park cars in the municipal area and sometimes they listen to loud music. I am extremely disturbed by this. I want to buy this land belonging to the municipality. Then I want to separate it with a wooden fence. But I don't know how to do this because my English is not good. Can you help me with this? I want to buy these areas surrounding my land. In this way, I want to get rid of this uncomfortable situation by building a wooden fence around my garden.

Thanks for everything.  
Isa Arslan- Esra Arslan
Application No.: A77/21          Meeting Date: November 10, 2021          Ward No.: 1

Property Owner:  Nirmal Nagi

Applicant:  Nirmal Nagi

Subject Property:  PLAN 58M-617 LOT 49

292 Ridge Rd

Proposal:
The applicant is seeking relief from zoning by-law 108-18 to permit:

1. A lot area of 432.45 m² (4,654.85 ft²) whereas a minimum of 450 m² (4,843.76 ft²) is required; and,

The variances will enable construction of a one-bedroom accessory dwelling unit in the basement. The original Notice of Hearing and that original application indicated that a minor variance is required for the frontage of the property, however, after staff review a minor variance is not needed at the property is not considered a corner lot.

General Information:

Zoning By-law Provisions: R6 s 4.1.303C
Official Plan Designation: LOW / MEDIUM DENSITY RESIDENTIAL
Adjacent Zoning: OS1 R6 s 4.1.303C
Adjacent Land Use: Residential
Existing Use: Residential
Proposed Use: Residential

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

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

Staff Comments:
City of Cambridge Development Planning Section:

Background
The subject lands are located to the south east of Equestrian Way and are comprised of an approximately 432.45 m² (4,654.85 ft²) residential parcel with a 13.1 m (42.98 ft) frontage on Ridge Rd. The lands are designated as “Low/Medium Density Residential” in the City of Cambridge Official Plan and within the R6 s 4.1.303C Residential zone of the City’s Zoning By-law 150-95, as amended. Surrounding land uses are residential R6 s 4.1.303C.

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.

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.

Four Tests of a Minor Variance
Does the proposal maintain the general intent and purpose of the Official Plan?
The subject property is designated “Low/Medium Density Residential” in the City’s Official Plan. The “Low/Medium Density Residential” land use designation permits a range of housing types including single detached residential dwellings with accessory units. 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 and purpose of the Official Plan.

Does the proposal maintain the general intent and purpose of the City’s Zoning By-law?

The applicant is requesting a minor variance for a lot area of approximately 432.45 m² (4,654.85 ft²) whereas the by-law requires a minimum of 450 m² (4,843.00 ft²) to allow for an accessory dwelling unit. The lands are part of the Hunt Club Estates (Neighbourhood Residential) and are zoned as R6 S.4.1.303C. The special zoning provisions allow for a reduction in corner lot frontage, lot area, front yard setback, exterior side yard setbacks and an increased maximum lot coverage.

Secondary Dwelling Unit By-law 108-18
Site Specifications for Residential Dwelling Units in all Zones

<table>
<thead>
<tr>
<th>Zoning Provisions</th>
<th>Bylaw 108-18</th>
<th>Meets requirements?</th>
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<tbody>
<tr>
<td>a) Minimum lot frontage for the addition of a secondary dwelling unit</td>
<td>11m</td>
<td>Yes—13 m</td>
</tr>
<tr>
<td>b) Minimum corner lot frontage for the addition of a secondary dwelling unit</td>
<td>15m</td>
<td>N/A</td>
</tr>
<tr>
<td>c) Minimum Lot Area</td>
<td>450m²</td>
<td>No—variance requested.</td>
</tr>
<tr>
<td>d) Floor area maximum</td>
<td>40% of the total floor area of the principal dwelling including the basement</td>
<td>Yes</td>
</tr>
<tr>
<td>e) Entrance</td>
<td>Direct of shared entrance to the secondary dwelling unit may be provided</td>
<td>Yes-direct entrance from rear yard</td>
</tr>
<tr>
<td>f) Access</td>
<td>No separate access to a municipal road is permitted</td>
<td>Yes- no separate access to municipal road</td>
</tr>
<tr>
<td>g) Connection to City Services</td>
<td>Must be connected to municipal services</td>
<td>Yes</td>
</tr>
<tr>
<td>h) Maximum number of bedrooms in secondary dwelling unit</td>
<td>2</td>
<td>Yes—1 bedroom being proposed.</td>
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**The applicant is requesting a minor variance for the following:**

1. A minimum lot area of $363 \text{ m}^2$ (3,907.3 ft$^2$) whereas the by-law requires $450 \text{ m}^2$ (4,843.76 ft$^2$).

The purpose of the lot area variance is to recognize the existing deficient lot size so that a one-bedroom accessory apartment unit can be constructed in the basement of the existing single detached dwelling. The intent of the minimum lot area requirement is to ensure the property has sufficient open space landscaping, provide parking and provide for amenity space. Planning staff is of the opinion that the variance maintains the general intent and purpose of the Zoning By-law.

**Is the proposal minor in nature?**
Planning staff is of the opinion that there is sufficient lot area to ensure the property has open space landscaping, provide for parking and provide for amenity space. The proposal meets eleven out of the twelve requirements from the Secondary Dwelling Unit Bylaw, 108-18 and adheres to all other Zoning by-law regulations. Staff are of the opinion that the variance is minor in nature.

**Is the proposal desirable for the development and use of the lands?**
The proposed minor variance is intended to facilitate a secondary dwelling unit within an existing residential dwelling on a lot designated and zoned for residential purposes. Staff are of the opinion that variance would facilitate desirable and appropriate use of the lands.
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.

Comments not received

**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.:**

Comments not received.

**City of Cambridge Building Section:**

**Comments**

A building permit is required for the proposed accessory unit construction.

A landing at the proposed side entrance is likely required (side elevation or section was not provided to confirm). Construction of the minimum compliant OBC landing would result in a setback of ~0.35m between the landing and the property line.

The submitted drawings would not be acceptable for submission with a building permit application. It is recommended that the applicants engage the services of a qualified designer (BCIN, P.Eng or OAA) to produce the permit documentation.

**City of Cambridge Transportation Engineering Section:**

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

**City of Cambridge Project Engineer:**

Development Engineering has no comment with regards to this application.

**City of Cambridge Fire Department:**

Fire Department has no comment in regards to this application.

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

Comments not received.
City of Cambridge Economic Development:

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

City of Cambridge Sustainability Planner:

Comments not received.

Aerial

Subject property

R4 Zone with site specific reference
Total lot area 432.45 m²
Sketch

Proposed entrance for secondary dwelling unit
Site Visit
Application No.: A78/21  Meeting Date: November 10, 2021  Ward No.: 8

Property Owner: T Rent Properties Inc.

Applicant: Mark Trent

Subject Property: PLAN 1380 PT LOT 1 RP67R2899;PART 13
211 Shearson Cres

Proposal:
The applicant is seeking relief from Zoning By-Law 150-85 to:

1. Permit a minimum 530.7 m² (5,712.40 ft²) for parking, whereas 20% (1,213.63 m²) of the lot area is required per S. 2.2.1 4 (g).

The variance will facilitate an approximate 705.54 m² (7594.36 ft²) expansion to the existing industrial building.

General Information:

Zoning By-law Provisions: M2
Official Plan Designation: Business Industrial
Adjacent Zoning: M2
Adjacent Land Use: Industrial
Existing Use: Industrial
Proposed Use: Industrial

Recommendation:

Planning staff recommends deferral of this application no later than the February 2, 2022 Committee of Adjustment meeting.

Staff Comments:

City of Cambridge Development Planning Section:
The property is located north of Can-Amera Parkway, south of Bishop St N and on the south side of Shearson Cres. The property designated Industrial in the City’s Official Plan and is zoned M2 Business Industrial in the City’s Zoning By-law.
The Site is a rectangular-shaped parcel of land and is relatively flat. The subject property covers an approximate area of 6,068 m² (1.50 acres) and is developed with a one storey industrial building. The Site is currently zoned for industrial use and the on-site building has been present since 1989. In addition to the building, the subject property is completed with a paved parking lot in the northeast portion of the Site, providing vehicular access from Shearson Crescent. The remainder of the Site is completed with landscaped areas.

City of Cambridge Planning staff recommend **deferral** no later than the February 2, 2022 Committee of Adjustment meeting in order for the applicant to provide planning staff with a Parking Justification Report. The applicant is requesting a significant parking reduction (>50%) and planning staff require more information on the current and future function of the site to be able to make an informed decision.

**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.:**

Comments not received.

**City of Cambridge Building Section:**

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

**City of Cambridge Transportation Engineering Section:**

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

**City of Cambridge Project Engineer:**

Development Engineering has no comment with regards to this application.

**City of Cambridge Fire Department:**

- Proper signage should be installed not only above the wall hydrant but also directional signage from the front of the building indicating where the hydrant is located further back on the side of the building.
- Install no parking signs for fire route.

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

Comments not received.

**City of Cambridge Economic Development:**

Planning has noted that the applicant is seeking a variance from by-law 150-85 to reduce the
parking area requirements for the subject site to 530.7 m² (5,712.4 ft²) of parking is proposed whereas 1,213.63 m² (13,063.4 ft²) (20% of lot area) is required. It has been noted that the minor variance will facilitate an addition to the existing industrial building of approximately 705.54 m² (7,594.4 ft²).

Economic Development has concerns about the significant parking reduction (a reduction of approximately 56% of required parking area) as it would appear that much of the parking will now be located at the rear of the building. It also appears that a couple of the parking spots actually fall within the truck turning areas which could cause potential problems.

City of Cambridge Sustainability Planner:
Comments not received.
Existing & Proposed Parking
Application No.: A79/21  Meeting Date: November 10, 2021  Ward No.: 1

Property Owner:  Raman Kundal

Applicant:  Shivang Tarika
Rely Solution Inc.

Subject Property:  PLAN 58M-617 LOT 29
235 Ridge Rd

Proposal:
The applicant is seeking relief from Zoning By-Law 180-18 to permit:

1. A minimum lot area of 417 m$^2$ (.0417 ha) whereas 450 m$^2$ (.045 ha) is required for a secondary dwelling unit.

The variance will facilitate the construction of a secondary dwelling unit in the basement. The applicant can meet the parking requirements in the driveway, with the entrance in the rear. There will be no visual impact or changes to the exterior of the home from the street.

General Information:
Zoning By-law Provisions: R5 s.4 1.303C
Official Plan Designation: LOW / MEDIUM DENSITY RESIDENTIAL
Adjacent Zoning: R5 s.4 1.303C R6 s.4 1.303C OS1
Adjacent Land Use: Residential
Existing Use: Residential
Proposed Use: Residential

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

1. That the development be substantially in keeping with the plans submitted with the minor variance application.
Staff Comments

City of Cambridge Development Planning Section:

The subject lands are located to the east side of Ridge Road between Dressage Trail and Equestrian Way. The lands are designated as “Low/Medium Density Residential” in the City of Cambridge Official Plan and within the R5 s.4 1.303C Residential zone of the City’s Zoning By-law 150-85, as amended. Surrounding land uses are residential R5 s.4 1.303C.

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.

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 particularly focuses on 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.

Four Tests of a Minor Variance

*Does the proposal maintain the general intent and purpose of the Official Plan?*

The subject property is designated “Low/Medium Density Residential” in the City’s Official Plan. The “Low/Medium Density Residential” land use designation permits a range of housing types including single detached residential dwellings with accessory units. 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. The applicant can meet the parking requirements in the driveway, with the entrance in the rear. The applicant has also indicated that and the secondary dwelling unit will have no visual impact from the street.

Staff are of the opinion that this proposal meets the intent and purpose of the Official Plan.

*Does the proposal maintain the general intent and purpose of the City’s Zoning By-law?*

The applicant is requesting a minor variance for the following:

1. A minimum lot area of 417 m² (0.0417 ha) for a secondary dwelling unit, whereas the bylaw requires 450 m² (0.045 ha).

The Secondary Dwelling Unit By-law 108-18 provisions are listed below:

**Site Specifications for Residential Dwelling Units in all Zones**

<table>
<thead>
<tr>
<th>Zoning Provisions</th>
<th>Bylaw 108-18</th>
<th>Meets requirements?</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Minimum lot frontage for the addition of a secondary dwelling unit</td>
<td>11m</td>
<td>Yes—11m</td>
</tr>
<tr>
<td>b) Minimum corner lot frontage for the addition of a secondary dwelling unit</td>
<td>15m</td>
<td>N/A</td>
</tr>
<tr>
<td>c) Minimum Lot Area</td>
<td>450 m²</td>
<td>No—variance requested for 417 m²</td>
</tr>
<tr>
<td>d) Floor area maximum</td>
<td>40% of the total floor area of the principal dwelling including the basement</td>
<td>Yes</td>
</tr>
<tr>
<td>e) Entrance</td>
<td>Direct of shared entrance to the secondary dwelling unit may be provided</td>
<td>Yes-direct entrance from rear yard</td>
</tr>
<tr>
<td>f) Access</td>
<td>No separate access to a municipal road is permitted</td>
<td>Yes-no separate access to municipal road</td>
</tr>
<tr>
<td>g) Connection to City Services</td>
<td>Must be connected to municipal</td>
<td>Yes</td>
</tr>
<tr>
<td>services</td>
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<tr>
<td>h) Maximum number of bedrooms in secondary dwelling unit</td>
<td>2</td>
<td>Yes—1 bedroom being proposed.</td>
</tr>
<tr>
<td>i) Minimum distance from interior side lot line to secondary dwelling unit entrance or staircase</td>
<td>1.2</td>
<td>N/A—entrance from rear.</td>
</tr>
<tr>
<td>j) Minimum distance from exterior side lot line to secondary dwelling unit entrance or staircase</td>
<td>6m</td>
<td>N/A</td>
</tr>
<tr>
<td>k) Minimum parking spaces required for secondary dwelling unit</td>
<td>1 space for bachelor/one bedroom unit; 2 spaces for a 2 bedroom unit.</td>
<td>Yes</td>
</tr>
<tr>
<td>l) Front yard parking</td>
<td>May be permitted between regulatory building line and established building line</td>
<td>Yes—Parking provided within driveway</td>
</tr>
</tbody>
</table>

The purpose of the lot area variance is to recognize the existing deficient lot size so that a one-bedroom accessory apartment unit can be constructed in the basement of the existing single detached dwelling. The intent of the minimum lot area requirement is to ensure the property has sufficient open space landscaping, provide parking and provide for amenity space. Planning staff is of the opinion that the variance maintains the general intent and purpose of the Zoning By-law.

**Is the proposal minor in nature?**

Planning staff is of the opinion that there is sufficient lot area to ensure the property has open space landscaping, provide for parking and provide for amenity space. The proposal meets eleven out of the twelve requirements from the Secondary Dwelling Unit Bylaw, 108-18 and adheres to all other Zoning by-law regulations. Staff are of the opinion that the variance is minor in nature.

**Is the proposal desirable for the development and use of the lands?**

The proposed minor variance is intended to facilitate a secondary dwelling unit within an existing residential dwelling on a lot designated and zoned for residential purposes. There will be no changes to the exterior of the home from the street, causing minimal impact to the neighbourhood and adjacent properties. Staff are of the opinion that the variance would facilitate desirable and appropriate use of the lands.
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 recommend approval of the minor variance application.

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

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

Energy+ Inc.:
Comments not received.

City of Cambridge Building Section:
A building permit is required for the proposed accessory unit construction.
No drawings of the proposed secondary unit were provided

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

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

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

City of Cambridge Senior Planner-Heritage:
Comments not received

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

City of Cambridge Sustainability Planner:
Comments not received.
Aerial

Subject Property

Zoning

R5 Zone with reference S.4.1.303C
Application No.: A80/21  Meeting Date: November 10, 2021  Ward No.: 2

Property Owner: Laura Diane Gillespie

Applicant: Laura Diane Gillespie

Subject Property: PLAN 1400 LOT 4
86 Holm St

Proposal:
The applicant is seeking relief from Zoning By-Law 108-18 to permit:

1. A secondary dwelling unit with a total floor area equal to 50% of the house’s total floor area, whereas the by-law permits a maximum of 40% of the total floor area.

The variance will legalize an existing secondary dwelling unit in the basement.

General Information:

Zoning By-law Provisions: R5
Official Plan Designation: Low / Medium Density Residential
Adjacent Zoning: R5
Adjacent Land Use: Residential
Existing Use: Residential
Proposed Use: Residential

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

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

Staff Comments:

City of Cambridge Development Planning Section:

The subject property is located on the west side of Holm Street north of Foxridge Drive at Chipman Street. The property is designated as Low/Medium Density Residential in the City's
Official Plan zoned R5 (Single Family Detached) in the Zoning By-Law and is located within the Built-Up Area of the Regional Official Plan.

Provincial Policy Statement (2020)

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.

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 on 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.

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.

Chapter 3 of the Official Plan (Livability 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 new residential unit conforms to the policies of the Regional Official plan as it would provide an opportunity for modest intensification within the Built-Up area and a broadened variety of housing form.
City of Cambridge Official Plan (2012)

The subject property is designated Low/Medium Density Residential in the city’s Official Plan and zoned R5 Residential in the Zoning By-law. The current designation and zoning permit a single detached dwelling and accessory uses.

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, and supporting a balanced approach to growth in which the focus for new development is intensification within the built-up area. 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.

Does the proposal maintain the general intent and purpose of the Official Plan?

The subject property is designated “Low/Medium Density Residential” in the City’s Official Plan. The “Low/Medium Density Residential” land use designation permits a range of housing types including single detached residential dwellings with accessory units. 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.

The applicant can meet the parking requirements in the driveway and garage and the secondary dwelling unit will have no visual impact from the street. Staff are of the opinion that this proposal meets the intent and purpose of the Official Plan.

Does the proposal maintain the general intent and purpose of the City's Zoning By-law?

The applicant is requesting a minor variance for the following:

1. A secondary dwelling unit with a total floor area equal to 50% of the house's total floor area, whereas the by-law permits a maximum of 40% of the total floor area.

The purpose of the floor area variance is to recognize the size of the basement in comparison to the single storey home. The intent of the maximum floor area is to ensure the secondary dwelling unit remains subordinate to the principal dwelling. Considering number of bedrooms on the main floor, provision of a carport, lack of impact on the home’s exterior and the basement location of the secondary unit staff is of the opinion that the variance maintains the general intent and purpose of the Zoning By-law. Staff recognize the limitations of the current
by-law on single storey homes and the upcoming update to Bylaw 108-18 proposes to remove such restriction when the unit occupies the basement.

Is the proposal minor in nature?

Planning staff is of the opinion that there is sufficient floor area in the principal dwelling to ensure that the secondary unit remains subordinate to the principal. The proposal meets eleven out of the twelve requirements from the Secondary Dwelling Unit Bylaw, 108-18 and adheres to all other Zoning by-law regulations. Staff are of the opinion that the variance is minor in nature.

Is the proposal desirable for the development and use of the lands?

The proposed minor variance is intended to facilitate a secondary dwelling unit within an existing residential dwelling on a lot designated and zoned for residential purposes. There will be no changes to the exterior of the home from the street, causing minimal impact to the neighbourhood. Staff are of the opinion that the variance would facilitate desirable and appropriate use of the lands.

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 recommend approval of the variance application.

Regional Municipality of Waterloo:

Comments not received.

Grand River Conservation Authority:

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

Energy+ Inc.:

Comments not received.

City of Cambridge Building Section:

A building permit is required for the construction of the proposed secondary unit as it was created without a building permit and is not deemed to be existing.

The submitted drawings would not be acceptable for submission with a building permit. It is recommended that the applicant engage the services of a qualified designer (BCIN, P.Eng,
Application No.: A80/21
Date of Meeting: November 10, 2021

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OAA) to produce the permit documentation.

**City of Cambridge Transportation Engineering Section:**

Comments not received.

**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.

**Ministry of Transportation:**

Comments not received.
Application No.: A81/21  Meeting Date: November 10, 2021  Ward No.: 2

Property Owner:  Dariusz Stanislaw Pecko  
Marzena Lidia Pecko

Applicant:  Mike Metzloff  
Atriarch Drafting & Design

Subject Property:  PLAN 21 PT LOT 37  
60 Harvey St

Proposal:  
Applicant is seeking relief from Zoning By-Law 150-85 to permit:

1. A front yard setback of 4.4 m (14.45 ft) whereas 6.0 m (19.68 ft) is required.

The variance is to facilitate the construction of a 1.2 m (3.94 ft) deep front covered roof/porch addition.

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

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

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

Staff Comments:
City of Cambridge Development Planning Section:

The subject lands are located to the north of Sunnyhill Road, south of Shamrock Street on the west side of Harvey Street. The site is designated as Low/Medium Density Residential in the City’s Official Plan. The property is zoned R4 (Single Family Detached) in the Zoning By-Law. The By-Law permits such construction to project encroachment of up to 2.5 m (8.2 ft) into the required setbacks, however the existing structure has an existing setback of 4.4 m (14.43 ft).

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.

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 on 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

The subject land is currently designated as “Low/Medium Density Residential” in the City’s Official Plan. The “Low/Medium Density Residential” land use designation applies to residential areas within the built-up area of the City and permits a range of housing types. Planning staff is of the opinion that the general intent of the City’s Official Plan is maintained.

Zoning By-law 150-85

The subject property is zoned R4 (Single Family Residential) according to Zoning By-law 150-85, as amended. The R4 zone permits single detached dwellings and related accessory
uses. The applicant is proposing to build a front covered porch.

The applicant is requesting the following variances:

1. A front yard setback of 4.4 m (14.45 ft) whereas 6.0 m (19.68 ft) is required.

The purpose and intent of the front yard setback requirement is to ensure a consistent streetscape. The homes along the street have similar front yard setbacks with 60 Harvey Street, creating a consistent look on the street. Front porches are a common feature of homes in the immediate vicinity. The requested variance is considered to meet the general intent and purpose of the Zoning By-law and is considered to be desirable for the appropriate development of the land.

Based on the above analysis Planning staff is of the opinion that the application is minor, is appropriate development for the site, and meets the general intent of the Zoning By-law and Official Plan. Therefore planning staff recommends approval of this minor variance application subject to condition.

Regional Municipality of Waterloo:

Comments not received

Grand River Conservation Authority:

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

Energy+ Inc.:

Comments not received.

City of Cambridge Building Section:

A building permit is required for the construction of the proposed roof construction. A building permit application is currently under review.

City of Cambridge Transportation Engineering Section:

Comments not received.

City of Cambridge Project Engineer:

Comments not received.
Application No.: A81/21
Date of Meeting: November 10, 2021

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**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

Aerial
Zoning

Site Plan

R4 Zone

4.4 m Front Setback

1.2 m covered porch

Application No.: A81/21
Date of Meeting: November 10, 2021
Page 5 of 6
Site Visit
Application No.: B23/21          Meeting Date: November 10, 2021          Ward No.: 4
Property Owner: Patel Chintan Ramesh
Applicant: Paul Singh
Subject Property: PLAN D8 PT LOT 12
248 Main St

Proposal: B23/21
The applicant is requesting to sever a residential property to create a new parcel with an approximate area of 340.78 m² (1,118.05 ft²) and 15.55 m (51.02 ft.) frontage along Lincoln Ave. The severed lot is proposed to accommodate a new single detached dwelling.

The retained parcel is proposed to have an approximate area of 491.3 m² (1,611.88 ft²) and 26.54 m (87.07 ft.) frontage along Main Street. The retained parcel contains an existing triplex that is proposed to remain, to be used as a duplex.

A75/21 (severed)
As a result of the severance application the applicant is also requesting the following minor variances from Zoning By-law 150-85 lot to permit:

1. A lot area of 340 m² (1,115.49ft²) whereas 450 m² (1476.38 ft²) is required in the R4 zone.

A74/21 (retained)
The applicant is further requesting the following minor variances from the Zoning By-law 150-85 to permit on the retained lot:

1. A rear setback of 6.58 m (21.59 ft) whereas 7.5m (24.61 ft) is required in the R4 zone.
2. An exterior side yard setback of 3.3 m (10.83 ft) whereas 6 m (19.69 ft) is
Application No.:  B23/21
Date of Meeting:  October 06, 2021
Page 2 of 9

required in the R4 zone.
3. A lot area of 491m² (1610.98 ft²) whereas 540m² (1,771.65ft²) is required for a corner lot in the R4 zone.

**General Information:**

Zoning By-law Provisions: R4 s.4.2.8.2
Official Plan Designation: Low / Medium Density Residential
Adjacent Zoning: R4, RM3
Adjacent Land Use: Residential
Existing Use: Residential
Proposed Use: Residential

**Recommendation:**

B23/21
City of Cambridge Planning Staff recommends **deferral** no later than the February 2, 2022 Committee of Adjustment meeting.

A75/21 (severed)
City of Cambridge Planning Staff recommends **deferral** no later than the February 2, 2022 Committee of Adjustment meeting.

A74/21 (retained)
City of Cambridge Planning Staff recommends **deferral** no later than the February 2, 2022 Committee of Adjustment meeting.

**Staff Comments:**

**City of Cambridge Development Planning Section:**

The subject property is located at the corner of Main St and Lincoln Ave and is currently developed with a detached dwelling and a detached garage. The subject land is currently designated Low/Medium Density Residential in the City’s Official Plan and is zoned R4 s.4.2.8.2 (Single Detached Residential) in the City’s Zoning By-law No. 150-85, as amended. The special provision on the zoning allows for the existing dwelling to be converted into three units. Surrounding uses are R4 and RM3.

The proposed severance will result in one new residential lot with a frontage of 15.55 m (51.02 ft.) on Lincoln Ave and a lot area of 340.78 m² (1,118.05 ft²). The retained parcel will have a frontage of 10.10 m (33.14 ft), and an area of 491.3 m² (1,611.88 ft²).

<table>
<thead>
<tr>
<th>Parcel</th>
<th>Proposed Frontage</th>
<th>Proposed Area</th>
<th>Required Frontage</th>
<th>Required Area</th>
</tr>
</thead>
<tbody>
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<td></td>
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</table>
City of Cambridge Official Plan
The subject land is currently designated as “Low/Medium Density Residential” in the City’s Official Plan. The “Low/Medium Density Residential” land use designation applies to residential areas within the built-up area of the City and permits a range of housing types. The “Low/Medium Density Residential” allows for 40 units per hectare (uph). The property is 831.66 m² (0.083 ha) and currently allows for 3 units, equivalent to 36 uph. However, adding in an additional lot would bring the property to 48 uph, which is not in conformity with the Official Plan. The applicant has stated that the original home would remain as a duplex (2 units); however, the application stated that the new lot would be a single detached dwelling or a legal duplex. An additional minor variance or zone change would be required to limit the existing property to 2 units. Staff are recommending that the application be deferred no later than the February 2, 2022 Committee of Adjustment meeting, so that the applicant can decide if they want to pursue the additional minor variance and have the application recirculated.

Based on the above, Planning staff is of the opinion that the general intent of the City’s Official Plan is not maintained. Staff are recommending an additional minor variance, that would limit the existing property to a maximum of 2 units, and the new property to 1 unit. If the application was amended to reflect this additional variance, the lands would not increase in density and would still remain as three units but in a different arrangement.

Planning Act s.51(24)
The following criteria have 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
Based on the above noted analysis, planning staff is of the opinion that that proposed severance and minor variances do not conform to the City’ Official Plan. Staff are recommending a deferral of application B23/21, A75/21 and A74/21 to amend the minor variance application to ensure that the appropriate densities are maintained for the area.

Regional Municipality of Waterloo:
Comments not received.

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

Energy+ Inc.:
The applications submitted are subject to the following comments (3-4) and conditions (1-2):

1. We require a legal survey showing the existing property, existing easements, existing dwelling, existing hydro pole(s), anchors, secondary hydro wire-feed to the existing dwelling, proposed severance, proposed dwellings, proposed driveway, proposed electric plant. The survey must include dimensions.

2. The Applicant will be responsible for 100% cost to service the new lot. The Applicant will be responsible for all costs to re-locate or upgrade 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.

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

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

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

City of Cambridge Building Division:
Comments
A building permit is required for the proposed single detached dwelling construction on the severed lot.

A building permit is required for the conversion of the triplex to a duplex use on the retained lot.
A demolition permit is required for the demolition of the existing accessory structure that will be located on the severed lot where the new single detached dwelling is proposed.

**Conditions**

That the applicant submits a spatial separation report to the satisfaction of the Building Division to verify that the existing amount of unprotected opening permitted to face the new property line complies with the spatial separation requirements of the Ontario Building Code.

**City of Cambridge Project Engineer: Comments:**

- Services available to the severed property are as follows:
  - Lincoln Avenue:
    - 100 mm diameter watermain
    - 200mm sanitary sewer
    - 300 mm diameter storm sewer
  - Separate municipal services (water and sanitary) will be required for each proposed lot (completed by City forces at 100% Owner/Builder’s cost).
  - Verification of the location of municipal services 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.

**City of Cambridge Transportation Engineering Section:**

No comments.

**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.
Site Plan

Proposed New Lot

Conveyed Parcel

340 m² Lot Area

3.3 m An Exterior Side Yard Setback

6.58 m “Rear” Setback

491 m² Lot Area

Lot 248B
Footprint 62.78m²

Lot 248A
Footprint 115.98m²

Main Street

Lincoln Ave

244

Lot 491.3m²
Site Visit
Edmund W Carlson  
Recording Secretary to the Committee of Adjustment  
City of Cambridge  
Community Development Department  
Planning Services Division  
Development Planning Section  
50 Dickson Street, 3rd Floor, P.O. Box 669  
Cambridge, ON, N1R 5W8  
(519) 623-1340 ext. 4697  
carlsone@cambridge.ca  

-----Original Message-----  
From:  
Sent: Sunday, November 7, 2021 8:17 PM  
To: Edmund Carlson <carlsone@cambridge.ca>  
Subject: [External] Application No_:B23/21  

Re: Plan D8 PT Lot 12 248 Main Street  

Hi Edmund,  

As the homeowners of 11 Lincoln Avenue we are opposed to the application to sever the lot in question  

Any attempt to convert the existing garage into a dwelling would not be compatible with the neighborhood  

This application does not meet any zoning bylaw requirements  

Sincerely  

Derek and Peggy Ferguson  
11 Lincoln Avenue  
Cambridge, ON N1R4W4  

Derek Ferguson  
IAMAW/AIMTA
Application No.: B24/21 & A76/21  Meeting Date: November 10, 2021  Ward No.: 1

Property Owner:  Amicone Holdings Limited

Applicant:  Derrick Amicone

Subject Property:  PLAN 58R-18484 PARTS 1 TO 4
375 Boxwood Dr

Proposal:

B24/21
The applicant is seeking consent to sever the subject property for the creation of a new lot. The proposed severance will result in a 10,420 m$^2$ (1.04 ha) parcel with an estimated frontage of 90.89 m (298.19 ft) along Heroux Devtek Dr. The retained parcel will have an approximate area of 9,774 m$^2$ (0.97 ha) with an estimated frontage of 126 m (413.38 ft) along Boxwood Dr. The applicant is also seeking easements for shared vehicular access purposes. The retained lands and conveyed lands will remain with industrial buildings.

A76/21
As a result the severance application, the applicant is requesting a minor variance from Zoning By-law 150-85 to permit:

1. A minimum of 71 Parking spaces, whereas the by-law requires 93 (20% of lot area).

General Information:

Zoning By-law Provisions: (H2)M3
Official Plan Designation: Prestige Industrial
Adjacent Zoning: OS1 M3
Adjacent Land Use: Industrial
Existing Use: Industrial
Proposed Use: Industrial
Application No.: B24/21
Date of Meeting: November 10, 2021
Page 2 of 10

Recommendation:
City of Cambridge Planning staff recommend approval of this consent application, 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 access easement be registered on title for both properties;

3. 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 with an appraisal date of November 9, 2021, to the satisfaction of Realty Services, in determining the value of the severed land;

3. 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;

4. 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;

5. 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.

6. That the owner file a complete submission consisting of all required clearances and final plans, and to advise in writing how each of the conditions have been satisfied. The owner acknowledges that, in the event that the final approval package does not include the complete information required for this file, such submission will be returned to the owner/applicant without detailed review by the City.

7. That the above conditions must be fulfilled and the document for conveyance be presented with the required fee of $250 for signing on or before November 19, 2022, after which time this consent will lapse.

A76/21
City of Cambridge Planning staff recommend approval of the minor variance application, subject to the following conditions:
1. That the plans remain substantially in accordance with the submitted sketch.

Staff Comments:

City of Cambridge Development Planning Section:
The subject property is located at the intersection of Boxwood Drive and Heroux Devtek Drive on the southeast corner. The property is designated Industrial in the City’s Official plan and zoned M3 with a holding designation in the Zoning By-Law.

The property has an approximate area of 20194 m² (2.0194 ha). The lands currently contain two buildings, one industrial building on the western side and an industrial building for rent (industrial mall) on the eastern side.

The proposed consent will convey a new lot containing the rental building, with a frontage of 90.89 m (298.19 ft) fronting onto Heroux Devtek Drive and an area of 10,420 m² (1.04 ha). The retained lot will have a frontage of 126 m (413.39 ft) on Boxwood Drive. The applicant also seeks an easement for a shared driveway access.

As a result of the severance the applicant is seeking a parking variance to provide 71 parking spaces on the conveyed parcel whereas 93 are required by the Zoning By-Law. The applicant proposes to enter into an agreement whereby an additional 22 parking spaces located on the retained parcel will be made available for use by the conveyed parcel. After speaking with the applicant and the current parking utilization on site, staff are of the opinion that a parking agreement is not needed.

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<tr>
<th>Parcel</th>
<th>Area</th>
<th>Frontage</th>
<th>Depth</th>
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<td>Conveyed</td>
<td>10,420 m²</td>
<td>90.89 m</td>
<td>108.95 m</td>
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<tr>
<td></td>
<td>(1.04 ha)</td>
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<tr>
<td>Retained</td>
<td>9,774 m²</td>
<td>126 m</td>
<td>76 m</td>
</tr>
<tr>
<td></td>
<td>(0.977 ha)</td>
<td>(413.39 ft)</td>
<td>(249.34 ft)</td>
</tr>
</tbody>
</table>

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.

Region of Waterloo Official Plan (2015)
The subject property is designated as “Urban Area: Built-Up Area” in the Regional Official Plan. Chapter 4 of the Official Plan (Supporting Waterloo Region’s Business Community) states that the
overall goal is to collaborate with stakeholders to foster a diverse, innovative and globally competitive regional economy. Section 4.3 encourages provision of a broad range of employment opportunities to assist in attracting and retaining people, jobs and investment. The severance will allow for the creation of a new lot for the purpose of continuing the industrial use of both portions of the site.

City of Cambridge Official Plan
The City of Cambridge Official Plan designates the subject property as ‘Business Industrial’. This designation supports a broad range of industrial related uses in order to provide employment lands and opportunities in the City. The proposed creation of a new lot conforms or are anticipated to conform to the uses permitted within the ‘Business Industrial’ designation. Staff is of the opinion that the creation of a new lot will not impact the surrounding land uses, given that the subject and adjacent lots are currently used for industrial and manufacturing purposes and are of similar size and scale. Planning staff are of the opinion that the general intent of the City’s Official Plan is maintained.

City of Cambridge Zoning By-Law
The subject property is zoned M3 (Industrial) with a holding provision. The proposed severed and retained portions of the subject property meet the minimum lot area requirement of 450 m² (0.045 ha) and the minimum lot frontage requirements of 15 m (49.21 ft) within this zoning. Further, the existing building on the proposed retained lands will meet the minimum setback requirements. No new construction is proposed, and the existing land use will be continued.

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

Staff are of the opinion that severing off the existing rental building from the industrial building is appropriate in the context of the area and for the use of the land. No new development is proposed, and the existing use is in keeping with the intent of the zoning by-law, official plan and
surrounding land use. The function and use of the retained lands will not change as a result of the application. As such, staff does not anticipate any negative impacts as a result of the proposed severance. 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.

The minor variance to parking requirements reflects the current allocation of parking between the structures on the site, which has proven to be sufficient for the site. As such staff do not anticipate any negative impact from the parking variance.

Based on the above noted analysis, planning staff is of the opinion that with the recommended conditions, the proposed severance and variance meet the criteria set out in the Planning Act and therefore recommends approval with conditions of applications B24/21 and A76/21.

Regional Municipality of Waterloo:

Comments not received.

Grand River Conservation Authority:

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

Energy+ Inc.:

Cambridge and North Dumfries Hydro Inc. has no comment on this application.

City of Cambridge Building Section:

GIS appears to indicate that existing storm and water services will cross over the proposed property lines.

Conditions:

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

City of Cambridge Transportation Engineering Section:

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

City of Cambridge Project Engineer:

Comments

- Separate municipal services (water and sanitary) will be required for each proposed lot
(completed by City forces at 100% Owner/Builder's cost).

- Verification of the location of municipal services is required. If reusing services, a servicing easement will be required if any severed property's servicing crosses the other severed property.

- Redundant water services will need to be capped at the main (completed by City forces at 100% Owner/Builders cost).

- Consideration for drainage will be required to ensure no impacts on adjacent properties. A drainage easement may be required if the revised properties drain across each other.

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

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

**Conditions**

- That a servicing plan be prepared, to the satisfaction of City of Cambridge Development Engineering, detailing the location of the existing and proposed services for each lot.

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

**City of Cambridge Economic Development:**

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

**City of Cambridge Sustainability Planner:**

Comments not received
Parking spaces available to conveyed parcel by agreement

Retained Parcel

Conveyed Parcel
Site Visit
Application No.: B26/21
Meeting Date: November 10, 2021
Ward No.: 2

Property Owner: Peter John Wright
Robin Linda Wright

Applicant: John Craig Robertson

Subject Property: PLAN 160 LOT 72
195 Edward St

Proposal:
The applicant is requesting consent for a lot line adjustment of 195 Edward Street. The applicant is proposing to convey a portion of 195 Edward Street to 90 Valley Drive, a property at its rear.

The lot line adjustment will add a 12.4 m (40.68 ft) by 15.4 m (50.52 ft) parcel to the rear of 90 Valley Drive.

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 recommend approval of this consent application, subject to the following conditions:

1. That prior to final approval, the owner/applicant submits a copy of the deposited reference plan indicating the boundaries of the parcels, any easements/rights-of-way and building locations, to the satisfaction of the Planning Services Division.
2. That sections 50(3) or (5) of the Planning Act applies so that the severed lands will be merged in title with the abutting parcel, 90 Valley Drive, and that the owner/applicant
3. That the above conditions must be fulfilled and the document for conveyance be presented with the required fee of $250 for signing on or before **November 19, 2022**, after which time this consent will lapse.

**Staff Comments:**
The subject property is located on Edward Street south of Valley Drive and east of Beech Avenue. The proposed severance and will transfer a portion of the rear yard to 90 Valley Drive. The property is designated as Low/Medium Density Residential in the City’s Official Plan and is zoned R1 (Single Family Detached).

The proposed boundary adjustment will not change the land use or result in any construction on the lots.

**City of Cambridge Official Plan**
The subject land is currently designated as “Low/Medium Density Residential” in the City’s Official Plan. The “Low/Medium Density Residential” land use designation applies to residential areas within the built-up area of the City and permits a range of housing types.

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

**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.

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. 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 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.

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 (Livability in Waterloo Region) states that the overall goal is to create vibrant urban and rural places. In respect to creating vibrant urban places, Section 3.A encourages municipalities to provide a range and mix of housing and individual lot intensification where appropriate. The severance will allow for the creation of a new lot for the construction of two new residential dwellings.

City of Cambridge Zoning By-Law
The subject property is zoned RM3 (Multi Unit Residential). The homes on the resulting parcels will meet and exceed all site development specifications and not result in any variances.

Planning Act s.51(24)
The following criteria have 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

Staff are of the opinion that the consent for boundary adjustment at the rear of this parcel is appropriate. The function and use of the land will be in accordance with applicable policy and regulation. As such, staff do not anticipate any negative impacts as a result of the proposed severance. 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 meets the criteria set out in s. 51(24) of the Planning Act and therefore recommend approval with conditions of application B26/21.

Regional Municipality of Waterloo:

Comments not received:

Grand River Conservation Authority:

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

Energy+ Inc.:

Cambridge and North Dumfries Hydro Inc. has no concerns.

City of Cambridge Building Section:

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

City of Cambridge Transportation Engineering Section:

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

City of Cambridge Project Engineer:

Development Engineering has no comment with regards to this application.

City of Cambridge Fire Department:

Fire Department has no comment in regards to this application.

City of Cambridge Senior Planner-Heritage:

Comments not received.

City of Cambridge Economic Development:

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

City of Cambridge Sustainability Planner:

Comments not received.
Site Visit
Application No.: B27/21  Meeting Date: November 10, 2021  Ward No.: 1

Property Owner: Robert Joseph Dixon
Nicole Christiane Dixon

Applicant: Dave Barrett
IBI Group

Subject Property: CON BEASLEY'S BROKEN FRONT PT;LOT 27
110 Royal Oak Rd

Proposal:
The applicant is seeking to sever the property for the creation of a new residential lot. The conveyed lands will have a frontage of approximately 35.43 m (116.24 ft) on Cherry Blossom Road with a depth of 114.65 m (376.15 ft) while the retained parcel will have a frontage of 35.46 m (116.34 ft) on Royal Oak Road with a depth of 107 m (351.05 ft).

General Information:
Zoning By-law Provisions: R1
Official Plan Designation: Low / Medium Density Residential
Adjacent Zoning: R1 M3 M1
Adjacent Land Use: Residential
Existing Use: Residential
Proposed Use: Residential

Recommendation:
City of Cambridge Planning staff recommend approval of this consent application, 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 and padmount transformer. The survey must include dimensions.

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 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. An access permit through Transportation Engineering will be required prior to the removal of, alteration to or construction of any new accesses.

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 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.

7. That prior to final approval, the owner/applicant pay cash-in-lieu of parkland at 5% of the value of the severed land. The applicant shall provide an opinion of value from a qualified appraiser with an appraisal date of November 9, 2021 to the satisfaction of Realty Services, in determining the value of the severed land.

8. That the owner file a complete submission consisting of all required clearances and final plans, and to advise in writing how each of the conditions have been satisfied. The owner acknowledges that, in the event that the final approval package does not include the complete information required for this file, such submission will be returned to the owner/applicant without detailed review by the City.

9. That the above conditions must be fulfilled and the document for conveyance be presented with the required fee of $250 for signing on or before **November 19, 2022** after which time this consent will lapse.

**Staff Comments:**

**City of Cambridge Development Planning Section:**

The subject property is located on Royal Oak Road and constitutes a rectangular through lot with a second frontage on Cherry Blossom Road. It is designated as Low/Medium Density Residential in the City’s Official Plan. The property is zoned R1 (Single Family Detached).

The proposed severance will result in one new residential lot with a frontage of 35.43 m (116.24 ft) fronting onto Cherry Blossom Road. The lot area of the conveyed land will be
4,038 m² (0.4038 ha) while the retained parcel will have a lot area of 3,767 m² (0.3767 ha). The severed lands are proposed to be used for one new single detached dwelling.

<table>
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<tr>
<th>Parcel</th>
<th>Frontage</th>
<th>Depth</th>
<th>Area</th>
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<tbody>
<tr>
<td>Conveyed</td>
<td>35.43 m</td>
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<td>(116.24 ft)</td>
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<tr>
<td>Retained</td>
<td>35.46 m</td>
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<td>3,767 m²</td>
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<td>(116.34 ft)</td>
<td>(351.05 ft)</td>
<td>(0.3767 ha)</td>
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City of Cambridge Official Plan
The subject land is currently designated as “Low/Medium Density Residential” in the City’s Official Plan. The “Low/Medium Density Residential” land use designation applies to residential areas within the built-up area of the City and permits a range of housing types. Planning staff is of the opinion that the general intent of the City’s Official Plan is maintained.

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.

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

Policy 1.1.3.2 indicates that land use patterns within the settlement area shall be based on densities that make efficient use of land, are appropriate given the infrastructure available, minimize negative impacts to air quality and climate change, support active transportation and provide a range of opportunities for intensification and redevelopment. The proposal for the creation of a new lot represents an intensification of use which maintains the general pattern of lots and density within the area. The proposal for the creation of additional residential units which would 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.

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 (Livability in Waterloo Region) states that the overall goal is to create vibrant urban and rural places. In respect to creating vibrant urban places, Section 3.A encourages municipalities to provide a range and mix of housing and individual lot intensification where appropriate. The severance will allow for the creation of a new lot for the purpose of constructing a new residential dwelling.

City of Cambridge Zoning By-Law
The subject property is zoned R1 (Single Family Detached). The home on the severed parcel will meet and exceed all site development specifications, including a minimum lot area of 3,000 m² (3.22 ha) and a minimum 30 m (98.43 ft) frontage and will not result in any variances.

Planning Act s.51(24)
The following criteria have 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
Application No.:  B27/21  
Date of Meeting:  November 10, 2021  
Page 5 of 9

- The adequacy of utilities and municipal services

Staff are of the opinion that creation of the new lot is desirable in the context of the area and for the use of the land. The resulting lot will conform with its neighbors and represents a regularization of lot pattern and land use. As such, staff does not anticipate any negative impacts as a result of the proposed severance. 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 meets the criteria set out in s. 51(24) of the Planning Act and therefore recommend approval with conditions of application B27/21.

Regional Municipality of Waterloo:  
Comments not received  

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

Energy+ Inc.:  
Re:  Applications to the Committee of Adjustment  
The applications submitted are subject to the following comments (3-4) and conditions (1-2):

1. We require a legal survey showing the existing property, existing easements, existing dwelling, existing hydro pole(s), anchors, secondary hydro wire-feed to the existing dwelling, proposed severance, proposed dwellings, proposed driveway, proposed electric plant and padmount transformer. The survey must include dimensions.

2. The Applicant will be responsible for 100% cost to service the new lot. The Applicant will be responsible for all costs to re-locate or upgrade 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.

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

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

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

City of Cambridge Building Section:  
No comments
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

City of Cambridge Project Engineer:
- Separate municipal services (water and sanitary) will be required for each proposed lot (completed by City forces at 100% Owner/Builder’s cost).
- Verification of the location of municipal services is required. If reusing services, a servicing easement will be required if any severed property’s servicing crosses the other severed property.
- Redundant water services will need to be capped at the main (completed by City forces at 100% Owner/Builders cost).
- Consideration for drainage will be required to ensure no impacts on adjacent properties. A drainage easement may be required if the revised properties drain across each other.
- All applicable work within the road allowance for the retained and severed lot, including but not limited to site services, curb cuts, driveway ramps and sidewalks, will be completed by the City’s Public Works Department at 100% Owner’s expense.

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

Conditions:
- That a servicing plan be prepared, to the satisfaction of City of Cambridge Development Engineering, detailing the location of the existing and proposed services for each lot.
- That a grading plan be prepared, to the satisfaction of City of Cambridge Development Engineering, for the overall development, including proposed locations of roof leaders, rear yard catch basins (if required) and swales.

City of Cambridge Fire Department:
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.
Regional Municipality of Waterloo Urbanization
Comments not received.

Canadian National Railway:
Comments not received.

Zoning

Aerial

Subject Property

R1 Zone
Site Visit
Application No.: B28/21  Meeting Date: November 10, 2021  Ward No.: 1

Property Owner:  Rebecca Hallman
Timothy Ridge Building And Design Ltd.

Applicant:  Rebecca Hallman
Timothy Ridge Building And Design Ltd.

Subject Property:  PLAN 522 PT LOT 9 W/S FOUNTAIN AND EXP PLAN
WR909198 PT PART 2
328 Fountain St S

Proposal:
The applicant is seeking consent to sever a residential lot for the creation of a new lot. The conveyed lot will have a frontage of approximately 10.1 m (33.14 ft) and a depth of 46.12 m (151.31 ft) while the retained lot will have a frontage of approximately 10.01 m (33.1 ft) and a depth of 46.94 m (154 ft). Both parcels will front onto Fountain Street S and be used for one semi-detached dwelling. The lot is currently vacant.

General Information:
Zoning By-law Provisions: RM3
Official Plan Designation: LOW / MEDIUM DENSITY RESIDENTIAL
Adjacent Zoning: RM3 R3
Adjacent Land Use: Residential
Existing Use: Residential
Proposed Use: Residential

Recommendation:
City of Cambridge Planning staff recommend approval of this consent application, 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, to the satisfaction of Energy+. The survey must include dimensions;

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 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 a servicing plan be prepared, to the satisfaction of City of Cambridge Development Engineering, detailing the location of the existing and proposed services for each lot;

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

6. The applicant/owner submit an application review fee of $430 payable to the Grand River Conservation Authority;

7. That prior to final approval, the owner/applicant pay cash-in-lieu of parkland at 5% of the value of the severed land. The applicant shall provide an opinion of value from a qualified appraiser dated November 9, 2021, to the satisfaction of Realty Services, in determining the value of the severed land;

8. That the owner file a complete submission consisting of all required clearances and final plans, and to advise in writing how each of the conditions have been satisfied. The owner acknowledges that, in the event that the final approval package does not include the complete information required for this file, such submission will be returned to the owner/applicant without detailed review by the City.

9. That the above conditions must be fulfilled and the document for conveyance be presented with the required fee of $250 for signing on or before November 19, 2022, after which time this consent will lapse.

Staff Comments:

City of Cambridge Development Planning Section:
The subject property is located west of Shantz Hill Road and north of Fountain Street N. The property is designated as Low/Medium Density Residential in the City’s Official Plan. The
The subject land is currently designated as “Low/Medium Density Residential” in the City’s Official Plan. The “Low/Medium Density Residential” land use designation applies to residential areas within the built-up area of the City and permits a range of housing types. Planning staff is of the opinion that the general intent of the City’s Official Plan is maintained.

**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.

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

Policy 1.1.3.2 indicates that land use patterns within the settlement area shall be based on densities that make efficient use of land, are appropriate given the infrastructure available, minimize negative impacts to air quality and climate change, support active transportation and provide a range of opportunities for intensification and redevelopment. The proposal for the creation of a new lot for residential use represents a modest intensification of use in proximity to planned transit infrastructure and would 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 and is on a “Priority Transit Corridor” identified on Schedule 5 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.

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 (Livability in Waterloo Region) states that the overall goal is to create vibrant urban and rural places. In respect to creating vibrant urban places, Section 3.A encourages municipalities to provide a range and mix of housing and individual lot intensification where appropriate. The severance will allow for the creation of a new lot for the construction of two new residential dwellings.

City of Cambridge Zoning By-Law
The subject property is zoned RM3 (Multi Unit Residential). The homes on the resulting parcels will meet and exceed all site development specifications and not result in any variances.

Planning Act s.51(24)
The following criteria have 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

Staff are of the opinion that severance for the purpose of residential construction on this site is an appropriate and desirable use of the land. The function and use of the land will be in accordance with applicable policy and regulation. As such, staff do not anticipate any negative impacts as a result of the proposed severance. 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 meets the criteria set out in s. 51(24) of the Planning Act and therefore recommend approval with conditions of application B28/21.

Regional Municipality of Waterloo:

Comments not received.

Grand River Conservation Authority:
The Grand River Conservation Authority (GRCA) would have no objection to the approval of this consent application by the City of Cambridge. Additional detailed comments are provided below.

1. Resource Issues:
Information currently available at this office indicates that the subject property contains steep valley slopes and their regulated allowances. Consequently, subject property is regulated by the GRCA under Ontario Regulation 150/06 (Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation).

2. Legislative/Policy Requirements and Implications:
It is our understanding that the purpose of this consent application is to sever a portion of the subject property to create a new residential lot.

On June 15, 2021, the GRCA approved Permit #527/21 to grade and construct semi-detached dwelling units. We have reviewed this consent application and note that the severance sketch is consistent with the grading plans/site plan approved under the recent GRCA permit. As such, the GRCA have no concerns with the intent of this proposal. Therefore, the GRCA would have no objection to the approval of this consent 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 steep sloped areas. This application is considered a minor consent application. In accordance with the GRCA’s Plan Review Fee Schedule, the applicable plan review fee is $430 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.

Energy+ Inc.:
The applications submitted are subject to the following comments (3-4) and conditions (1-2):

1. We require a legal survey showing the existing property, existing easements, existing dwelling, existing hydro pole(s), anchors, secondary hydro wire-feed to the existing dwelling, proposed severance, proposed dwellings, proposed driveway, proposed electric plant. The survey must include dimensions.

2. The Applicant will be responsible for 100% cost to service the new lot. The Applicant will be responsible for all costs to re-locate or upgrade 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.

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

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

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

City of Cambridge Building Section:
A building permit for the semi-detached duplex is under review

A site servicing permit will be required to separate the services between the 2 halves of the building. Development Engineering only permitted a single set of services to be installed to serve all 4 dwelling units during the initial building permit until the severance was completed. Upon completion of the severance, any servicing crossing over the property lines would be removed and separate servicing was to be provided.

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

City of Cambridge Project Engineer:
Separate municipal services (water and sanitary) will be required for each proposed lot (completed by City forces at 100% Owner/Builder’s cost).

Verification of the location of municipal services is required. If reusing services, a servicing easement will be required if any severed property’s servicing crosses the other severed property.

Redundant water services will need to be capped at the main (completed by City forces at 100% Owner/Builders cost).

Consideration for drainage will be required to ensure no impacts on adjacent properties. A drainage easement may be required if the revised properties drain across each other.

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

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

**Conditions**

- That a servicing plan be prepared, to the satisfaction of City of Cambridge Development Engineering, detailing the location of the existing and proposed services for each lot.

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

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

Comments not received.

**City of Cambridge Economic Development:**

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

**City of Cambridge Sustainability Planner:**

Comments not received.

**Ministry of Transportation:**
Sketch

Retained Parcel

Conveyed Parcel
Site Visit
Application No.: B29/21 & B30/21  Meeting Date: November 10, 2021  Ward No.: 2

Property Owner: 215 Queen St Ltd.

Applicant: Dave Aston
MHBC Planning

Subject Property: PLAN 832 PT LOT 64; RP58R11342 PARTS 8,9,11,12
211 Queen St W

Proposal:
The applicant is seeking to convey three parcels, one including an access easement, in a mutual boundary adjustment with the abutting Canadian National Railway Corridor.

General Information:
Zoning By-law Provisions: M3, OS1
Official Plan Designation: BUSINESS INDUSTRIAL; NATURAL OPEN SPACE
Adjacent Zoning: M3, RM3, C5, OS1, R5, R4, C3C5
Adjacent Land Use: Residential
Existing Use: Industrial / Commercial
Proposed Use: Industrial / Commercial

Recommendation:
City of Cambridge Planning staff recommend approval of this consent application, subject to the following conditions:

B29/21 & B30/21

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 sections 50(3) or (5) of the Planning Act applies so that the severed lands will be merged in title with the abutting parcels, and that the owner/applicant provide a draft transfer from a solicitor;

3. That an access easement to be registered on title for both properties;

4. That the applicant submit a combined plan review fee of $430.00 payable to the
Grand River Conservation Authority;

5. 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;

6. That the owner file a complete submission consisting of all required clearances and final plans, and to advise in writing how each of the conditions have been satisfied. The owner acknowledges that, in the event that the final approval package does not include the complete information required for this file, such submission will be returned to the owner/applicant without detailed review by the City.

7. That the above conditions must be fulfilled and the document for conveyance be presented with the required fee of $250 per consent certificate for signing on or before November 19, 2022, after which time this consent will lapse.

Staff Comments:

City of Cambridge Development Planning Section:
The subject property is located on Queen Street West at Winston Boulevard, north of the CN Railway Corridor. The property is designated as Business Industrial in the City’s Official Plan and zoned M3 with S.4.1.24.1 reference in the Zoning By-Law and are subject to an ongoing application for an Official Plan Amendment and Zoning By-law Amendment under file OR01/21. The property has a combined lot area of approximately 2.38 ha (5.88 ac).

The lands contain an existing 3 storey textile factory, 1 storey buildings and surface parking. No buildings are on the portion of the land to be conveyed. The proposed property line adjustments will regularize the boundary with the CNR corridor south of the property, allow additional parking and establish a formal access easement.

City of Cambridge Official Plan

The City of Cambridge Official Plan designates the subject property as ‘Business Industrial’. This designation supports a broad range of industrial related uses in order to provide employment lands and opportunities in the City. The proposed boundary adjustments conform or are anticipated to conform to the uses permitted within the ‘Business Industrial’ designation. Staff is of the opinion that the boundary adjustments will not impact the surrounding land uses, given that the boundary adjustment will not facilitate any change of use on the site.
City of Cambridge Zoning By-Law

The subject property is zoned M3 (Industrial) with reference to S.4.1.24.1. The special provisions on the property permit retail sale of products not manufactured on the premises. The subject property meets the site development specifications, and no variances will be required as a result of the boundary adjustments.

Planning Act s.51(24)
The following criteria have 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

Staff are of the opinion that regularizing the property boundary and establishing an access easement is desirable in the context of the area and for the appropriate use of the land. No new development is proposed at this time, however a separate Official Plan and Zoning By-Law amendment application is underway. The function and use of the lands will not change as a result of this application. As such, staff does not anticipate any negative impacts as a result of the proposed consent applications. 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 boundary adjustments meet the criteria set out in s. 51(24) of the Planning Act and therefore recommends approval with conditions of applications B29/21 and B30/21.

Regional Municipality of Waterloo:
Comments not received.

Grand River Conservation Authority

The Grand River Conservation Authority (GRCA) would have no objection to the approval of these consent applications by the City of Cambridge. Additional detailed comments are provided below.
1. **Resource Issues:**

Information currently available at this office indicates that the subject lands are located immediately adjacent to the Speed River and contains a large portion of its associated Regional Storm floodplain and steep valley/erosion hazard slopes, and their regulated allowances (refer to the enclosed map). In addition, the subject lands are traversed by a tributary of the Speed River. Consequently, portions 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 these consent applications is to convey three parcels, one including an access easement agreement, in a mutual boundary adjustment with the abutting CNR lands.

It would appear that these consent applications would further the applicant’s redevelopment plans that are being considered under Official Plan Amendment/Zoning By-law Amendment applications (OR01/21). The GRCA have been involved in the review of these applications and are still working with the applicants to resolve some outstanding floodplain development issues.

With regards to these current consent applications, the GRCA have no concerns with the intent of this proposal. Therefore, the GRCA would have no objection to the approval of these consent applications by the City of Cambridge.

3. **Plan Review Fees:**

The above-noted applications are within a GRCA area of interest due to the presence of the watercourses, floodplain, and steep sloped areas on the subject lands. These applications are considered minor consent applications and will be combined under a single plan review fee. In accordance with the GRCA's Plan Review Fee Schedule, the applicable plan review fee is $430 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](http://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](mailto:jbrum@grandriver.ca).

Yours truly,

John Brum
Resource Planner
Grand River Conservation Authority

cc: Bryan Dykstra, 215 Queen Street West, c/o Blacks Point Development, 181 Campbell Avenue, Toronto, ON M69 3V5
    Melissa Mohr & Cheryl Marcy, Region of Waterloo (email)
    Dave Aston, MHBC Planning (via email)

*These comments are respectfully submitted as advice and reflect resource concerns within the scope and mandate of the Grand River Conservation Authority.*
Energy+ Inc.:
Cambridge and North Dumfries Hydro Inc. has no comment on this application.

City of Cambridge Building Section:
There appears to be an existing sanitary sewer located on CN land that will pass through the parcel being conveyed to CN to the retained parcel.

Conditions:

1. 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.

2. Access easement to be registered on title for both properties.
City of Cambridge Transportation Engineering Section:
The City of Cambridge Transportation Division has no comments in regards to this application.

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

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

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

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

City of Cambridge Sustainability Planner:
Comments not received.

Aerial:
Application No.: B29/21 & B30/21
Date of Meeting: November 10, 2021

M3 Zoning

Parcel conveyed to CN with access easement
Parcel conveyed to 215 Queen St
Parcel retained by CN
Parcel retained by 215 Queen St

Sketch
**Summary of Conveyance**

| Part A (current ownership 215 Queen St) *(B29/21)* | Being conveyed to CN |
| Part B (current ownership 215 Queen St) *(B29/21)* | Being conveyed to CN with an access easement |
| Part C (current ownership CN) *(B30/21)* | Being conveyed to 215 Queen St |

**Site Visit**
Dear Ms. Chominiec,

We are the planning consultants for Jacques Tutunjian, the owner of 151 Burnham Crescent in Cambridge (the “Site”). On behalf of our client, we submitted a consent application (B17-20) and two minor variance applications (A69-20 and A70-20) to facilitate the severance of the eastern portion of Mr. Tutunjian’s lot, which were approved on December 9th, 2020 (Notice of Decision sent December 18, 2020).

Consent B17-20 will lapse on December 18, 2021. We are writing to formally request a Change of Conditions to provide Mr. Tutunjian with an additional year to satisfy the conditions.

Conditions 9, 10, and 11 involve substantial site works including decommissioning and removal of a septic system, connection to municipal water for the new lot and municipal sanitary sewer for both lots, and relocating the current driveway for 151 Burnham Crescent, which requires significant grading. While we have made progress with regard to satisfying these conditions, the required engineering plans are under review by the City and we will not be able to issue a tender and complete the required works by December 19, 2021.

Accordingly, we request that the Committee grant a Change of Conditions to extend the lapse date to December 18, 2022. We suggest the following change be made:

10. That the applicant connects the severed lot to municipal water and sanitary servicing and the retained lot to municipal water servicing due to the proposed decommissioning of the existing septic system to the satisfaction of the Community Development Department.
We believe this extension is in the best interest of our client and the City.

If you have any questions or concerns, please do not hesitate to contact myself or Jennifer Gaudet in our Kitchener office.

Sincerely,

GSP Group Inc.

Chris Pidgen, MCIP, RPP
Principal Planner