MEETING AGENDA
Hearing of the Committee of Adjustment
Via YouTube
Wednesday December 15, 2021
6:00pm

Declarations of Pecuniary Interest

1. Committee Business

2. Meeting Minutes
   • November 10, 2021

3. Applications
   Previously Heard Applications

<table>
<thead>
<tr>
<th>Item</th>
<th>File Number</th>
<th>Property Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>A79/21</td>
<td>235 Ridge Road</td>
</tr>
<tr>
<td>2</td>
<td>A80/21</td>
<td>86 Holm Street</td>
</tr>
</tbody>
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New Minor Variance Applications

<table>
<thead>
<tr>
<th>Item</th>
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<th>Property Address</th>
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<tbody>
<tr>
<td>3</td>
<td>A82/21</td>
<td>107 Flockhart Road</td>
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<tr>
<td>4</td>
<td>A83/21</td>
<td>32 Weir Street</td>
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<tr>
<td>5</td>
<td>A84/21</td>
<td>500 Conestoga Boulevard</td>
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<tr>
<td>6</td>
<td>A85/21</td>
<td>91 Yates Avenue</td>
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<tr>
<td>7</td>
<td>A87/21</td>
<td>165 Greenbrier Road</td>
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<tr>
<td>8</td>
<td>A88/21</td>
<td>12 Tannery Street E</td>
</tr>
<tr>
<td>9</td>
<td>A92/21</td>
<td>311 Dundas Street S</td>
</tr>
<tr>
<td>10</td>
<td>A95/21, A96/21</td>
<td>9 Vair Place</td>
</tr>
</tbody>
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New Consent Applications

<table>
<thead>
<tr>
<th>Item</th>
<th>File Number</th>
<th>Property Address</th>
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</thead>
<tbody>
<tr>
<td>11</td>
<td>B33/21, B34/21</td>
<td>381 Middle Street</td>
</tr>
<tr>
<td>12</td>
<td>B31/21</td>
<td>210 Shearson Crescent</td>
</tr>
</tbody>
</table>

Change in Conditions

<table>
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<tr>
<th>Item</th>
<th>File Number</th>
<th>Property Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>13</td>
<td>B22/20</td>
<td>400 Dolph Street</td>
</tr>
</tbody>
</table>

4. O.L.T. Update

5. Other business

Adjournment
Application No.: A79/21       Meeting Date: December 15, 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 m² (.0417 ha) whereas 450 m² (.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. The application was previously heard at the November 10, 2021 Committee of Adjustment hearing and was deferred to allow the applicant to provide a floorplan sketch indicating layout of the units.

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
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>
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</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>
</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.:

Energy+ Inc., has no objection to the request for a minor variance to permit a reduced lot area to facilitate a proposed secondary dwelling unit in the basement with no physical changes to the current footprint of the home. If a second meter is required for the secondary unit the Applicant/Owner will need to contact Energy+ Incs, Service Co ordinator at their earliest convenience.

If relocation or upgrade is required as a result of this application, the Applicant will be responsible for 100% cost.

If easements are required as a result of this application, the Applicant will be responsible for 100% cost.

Refer to Energy+ Inc. Residential Spec book at www.energyplus.ca Hydro poles/guy wires and anchors/padmount transformers/switching units/service pits/street light poles to be 1.5m from driveway entrances/curbs. Relocation at 100% owners expense. All planting near Energy+ owned overhead power lines and padmount equipment must be installed in accordance with http://www.esasafe.com/assets/image/Tree-Planting.pdf Must maintain required clearances (ESA & Energy+) from existing overhead electrical plant.
Owner/Applicant may be required to provide ESA clearance calculations to existing overhead and underground electrical distribution equipment. Calculations must be signed off by a P.Eng.

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

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

A building permit application is currently under review

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

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

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

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

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

Subject Property

Zoning

R5 Zone with reference S.4.1.303C
Site Visit – interior side yard path to rear yard
Application No.: A80/21  Meeting Date: December 15, 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 allow the applicant to apply for a building permit to legalize an existing secondary dwelling unit in the basement. The application was heard at the November 10, 2021 Committee of Adjustment hearing where it was deferred to permit further review of the application as it is the opinion of the Committee of Adjustment that the proposed conditions are inadequate and the application is premature.

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 and 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.

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

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

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</tr>
<tr>
<td>c) Minimum Lot Area</td>
<td>450 m²</td>
<td>Yes</td>
</tr>
<tr>
<td>d) Floor area maximum</td>
<td>40% of the total floor area of the principal dwelling including the</td>
<td>No—variance being</td>
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</tr>
<tr>
<td>e) Entrance</td>
<td>Direct of shared entrance to the secondary dwelling unit may be provided</td>
<td>Yes direct entrance side door</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>
</tr>
<tr>
<td>i) Minimum distance from interior side lot line to secondary dwelling unit entrance or staircase</td>
<td>1.2</td>
<td>Yes</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—2 total parking spaces required for property.</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 with driveway and garage</td>
</tr>
</tbody>
</table>

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. 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. 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.

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 unit. 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.

Addressing Committee Comments from the November 10, 2021 Meeting

At the previous November 10, 2021 Committee of Adjustment meeting, the Committee felt that the application was premature to be coming forward and wanted more time to review the application. Staff believe that the application is not premature and that the applicant is following the correct order of operations. The secondary dwelling unit is already existing within the home and was built by the previous owner. The applicant is trying to rectify a situation and wants the property to be a legalized unit which will ensure it is safe and in compliance with the Building Code. To apply for a Building Permit, you need to be able to meet all Zoning By-law requirements first prior to signing off. A permit cannot be issued or reviewed if the Zoning is not met. In these scenarios, applicants are given the option to apply for a Minor Variance and request relief from the Committee for certain provisions. The applicant is following the correct order of operations to try and legalize the unit and therefore staff do not believe that the application is premature.

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

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

Energy+ Inc.:

Energy+ Inc., has no objection to the request for a minor variance for a maximum floor area of 50% to facilitate a proposed secondary dwelling unit in the basement with no physical changes to the current footprint of the home. If a second meter is required for the secondary unit the Applicant/Owner will need to contact Energy+ Inc’s, Service Coordinator at their
earliest convenience

- If relocation or upgrade is required as a result of this application, the Applicant will be responsible for 100% cost.

- If easements are required as a result of this application, the Applicant will be responsible for 100% cost.

- Refer to Energy+ Inc. Residential Spec book at www.energyplus.ca

- Hydro poles/guy wires and anchors/padmount transformers/switching units/service pits/street light poles to be 1.5m from driveway entrances/curbs. Relocation at 100% owners' expense.

- All planting near Energy+ owned overhead power lines and padmount equipment must be installed in accordance with http://www.esasafe.com/assets/image/Tree-Planting.pdf

- Must maintain required clearances (ESA & Energy+) from existing overhead electrical plant.

- Owner/Applicant may be required to provide ESA clearance calculations to existing overhead and underground electrical distribution equipment. Calculations must be signed off by a P.Eng.

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

**City of Cambridge Building Section:**

A building permit is required for the 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, OAA) to produce the permit documentation.

**City of Cambridge Transportation Engineering Section:**

The Transportation Department has no comment in regards to this application.

**City of Cambridge Project Engineer:**
The Engineering Department has no comment in 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:**

Economic Development has no comment in regards to this application.
Aerial

Subject Property

R5 Zoning

R5 Zone
Site Plan

LOCATION: 86 Holm St, Cambridge, ON N3C 3P3, Canada
LEGAL DESCR: WATERLOO, CON 3 BEASLEY LOWER BLOCK, LOT 7
LOT AREA: 515.216 Sqm

- Main unit entrance
- Secondary unit entrance under carport
Main Floor Plan

Main Floor  Total Exterior Area 116.17 m²
Total Interior Area 100.78 m²
Site Visit
Application No.: A82/21    Meeting Date: December 15, 2021    Ward No.: 7

Property Owner: Christian Ishak

Applicant: George Sedra
GS Engineering Services

Subject Property: PLAN 58M186 LOT 41
107 Flockhart Rd

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

1. A lot area of 324.49 m\(^2\) (0.032 ha) whereas 450 m\(^2\) (0.045 ha) is required; and,
2. A frontage of 9.6 m (31.49 ft) whereas 11 m (36.08 ft) is required.

The minor variances will facilitate the construction of a one-bedroom basement secondary dwelling unit. The applicant can meet the parking requirements in the driveway, with the entrance in the side yard. There will be no visual impact or changes to the exterior of the home from the street. The initial Notice of Hearing and Breakdown Report had errors in terms of lot area being requested and a parking variance. After further review, staff have verified that the above noted variances are what is required.

Staff are of the opinion that a recirculation is not needed as the changes are minor in nature given that one of the variances has been removed and the other variance was initially proposed to be more than what is actually needed.

General Information:

Zoning By-law Provisions: R6RS1
Official Plan Designation: Low / Medium Density Residential
Adjacent Zoning: R6RS1
Adjacent Land Use: Residential
Existing Use: Residential
Proposed Use: Residential
Recommendation:

City of Cambridge Planning Staff recommends approval of this revised variance application and are of the opinion the changes are minor and no further circulation be required (Planning Act s.45 (18.1.1)). Planning Staff recommend approval of the 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 south of Wheeler Dr and on the east side of Flockhart Rd. The property is currently developed with a single detached dwelling with an attached one car garage. The lands are zoned R6RS1 in the City’s Zoning By-law and “Low/Medium Density Residential” in the City’s Official Plan. The R6RS1 zone permits detached and semi-detached dwellings. The applicant is proposing to build a one-bedroom basement unit. The total number of parking required for the entire property (main home + one bedroom basement unit) is two, which the applicant can meet in the garage and driveway. No changes are being proposed to the front exterior of the home.

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, the unit is subordinate to the main dwelling, and no major changes to the exterior or the home are proposed, making it 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 seeking relief from Zoning By-Law 180-18 to permit:

1. A lot area of 324.49 m² (0.032 ha) whereas 450 m² (0.045 ha) is required; and,
2. A frontage of 9.6 m (31.49 ft) whereas 11 m (36.08 ft) is required.

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

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

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<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>No—variance requested for 9.6 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>450 m²</td>
<td>No—variance requested for 417 m²</td>
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<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>
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<tr>
<td>e) Entrance</td>
<td>Direct of shared entrance to the secondary dwelling unit may be provided</td>
<td>Yes-direct entrance side yard</td>
</tr>
<tr>
<td>f) Access</td>
<td>No separate access to a municipa</td>
<td>Yes- no separate access to</td>
</tr>
</tbody>
</table>
Variance #1 & 2: Lot Area and Lot Frontage
The purpose of variance is to recognize the existing deficient lot size and frontage 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 and frontage requirement is to ensure that the property has sufficient amenity space, open space landscaping, and parking for both units. The subject property meets the minimum landscaped open space for the whole lot as well as the front yard and has sufficient amenity space for both the primary and accessory dwelling units. Planning staff is of the opinion that the property has sufficient open space landscaping and amenity space, and can meet the parking requirements. No exterior changes are being proposed that would result in any of these items being further reduced.

Planning staff is of the opinion that the variance maintains the general intent and purpose of the Zoning By-law.

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 given the need for more housing options.

Is the proposal minor in nature?
Planning staff is of the opinion that there is sufficient lot area and frontage to ensure the
property has open space landscaping, provide for parking and provide for amenity space. The proposal meets ten 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.

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.

AGENCY COMMENTS

Regional Municipality of Waterloo:

The Region of Waterloo has no comment on this application.

Grand River Conservation Authority:

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

Energy+ Inc.:

Energy+ Inc. has no objection to the request for multiple minor variances to facilitate construction of a secondary unit in the basement with the change to the exterior footprint of the existing home. If a second meter is required for the secondary unit the Applicant/Owner will need to contact Energy+ Inc's, Service Coordinator at their earliest convenience.

If relocation or upgrade is required as a result of this application, the Applicant will be responsible for 100% cost.
If easements are required as a result of this application, the Applicant will be responsible for 100% cost.
Refer to Energy+ Inc. Residential Spec book at www.energyplus.ca
Hydro poles/guy wires and anchors/padmount transformers/switching units/service pits/street light poles to be 1.5m from driveway entrances/curbs. Relocation at 100% owners' expense.
All planting near Energy+ owned overhead power lines and padmount equipment must be installed in accordance with http://www.esasafe.com/assets/image/Tree-Planting.pdf
Must maintain required clearances (ESA & Energy+) from existing overhead electrical plant. Owner/Applicant may be required to provide ESA clearance calculations to existing overhead and underground electrical distribution equipment. Calculations must be signed off by a P.Eng.
As per Energy+ Inc, Current Conditions to Service, latest edition, only one service per property is permitted.

City of Cambridge Building Section:
Comments
A building permit is required for the proposed construction of an accessory dwelling unit. A building permit application is currently under review.

The noted lot area of 113sq.m. does not appear to be accurate based on the submitted drawings.

From planning staff: Noted, the correct lot area has been updated and is reflected in report.

City of Cambridge Transportation Engineering Section:

- Comments: On-site parking will need to meet the requirements of the Zoning Bylaw. The City cannot guarantee the availability of existing or future municipal parking to accommodate the parking needs of this site.

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.
Site Plan

- Side entrance into basement unit
- 9m lot frontage
- 324.49 m² lot area

Lower Unit Floor Plan
(Proposed Secondary Dwelling)
Main Floor Plan (Primary Home)

Proposed Side Entry into Secondary Unit
Site Visit
Application No.: A83/21  Meeting Date: December 15, 2021  Ward No.: 1

Property Owner: Wahab Nasir

Applicant: Shivang Tarika
Rely Solution Inc.

Subject Property: PLAN 58M459 LOT 138
32 Weir St

Proposal:
The applicant is seeking relief from Zoning By-Law 108-18 and Zoning By-Law 150-85 to permit:

1. A lot area of 416 m\(^2\) (0.041 ha) whereas 450 m\(^2\) (0.045 ha) is required for a secondary dwelling unit; and,
2. A rear yard setback of 4.76 m (15.61 ft) from the secondary dwelling unit entrance staircase whereas 7.0 m (22.96 ft) is required.

The minor variances will facilitate construction of a secondary dwelling unit in the basement. The original Notice of Hearing and Breakdown Report contained an error in the required rear yard setback. Staff have confirmed that the above noted variances are correct. It is staff’s opinion that a recirculation is not needed and that the change is minor since it does not change any of the variances being requested by the applicant.

General Information:

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

Recommendation:
City of Cambridge Planning Staff recommends approval of this revised variance application and are of the opinion the changes are minor and no further circulation be required (Planning
Act s.45 (18.1.1)). Planning Staff recommend approval of the 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 east of Baldwin Dr and north of Henwood Dr, on the north side of Weir St. The property is currently developed with a single detached dwelling with an attached two-car garage. The subject lands are zoned R4 Residential in the City’s Zoning By-law and “Low/Medium Density Residential” in the City’s Official Plan. The applicant is proposing a secondary dwelling unit in the basement of the current home, with access from the rear. The variances are to recognize a deficient lot area and for a reduced rear yard setback that is needed for a staircase to the basement.

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. Section 2.8.2.7 states that the City will encourage individual lot intensification, through the creation of a secondary residential unit in a dwelling throughout the Urban Area where appropriate, or garden suite subject to compatibility criteria in Section 8.4.2. 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, the unit is subordinate to the main home, and there are no major changes to the exterior of the home making it 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 seeking relief from Zoning By-Law 108-18 and Zoning By-Law 150-85 to permit:

1. A lot area of 416 m² (0.041 ha) whereas 450 m² (0.045 ha) is required for a secondary dwelling unit; and,
2. A rear yard setback of 4.76 m (15.61 ft) from the secondary dwelling unit entrance staircase whereas 7.0 m is required.

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</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 416 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 side yard</td>
</tr>
</tbody>
</table>
**Application No.: A83/21**  
**Date of Meeting: December 15, 2021**  

<table>
<thead>
<tr>
<th></th>
<th>Access</th>
<th>No separate access to a municipal road is permitted</th>
<th>Yes- no separate access to municipal road</th>
</tr>
</thead>
<tbody>
<tr>
<td>f)</td>
<td>Connection to City Services</td>
<td>Must be connected to municipal services</td>
<td>Yes</td>
</tr>
<tr>
<td>g)</td>
<td>Maximum number of bedrooms secondary dwelling unit</td>
<td>2</td>
<td>Yes—1 bedroom being proposed.</td>
</tr>
<tr>
<td>h)</td>
<td>Minimum distance from interior side lot line to secondary dwelling unit entrance or staircase</td>
<td>1.2</td>
<td>Yes</td>
</tr>
<tr>
<td>i)</td>
<td>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>j)</td>
<td>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—2 total parking spaces required for property.</td>
</tr>
<tr>
<td>k)</td>
<td>Front yard parking</td>
<td>May be permitted between regulatory building line and established building line</td>
<td>Yes—Parking provided within driveway and garage</td>
</tr>
</tbody>
</table>

**Variance #1: Lot Area**  
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 that the property has sufficient amenity space, open space landscaping, and parking for both units. The subject property meets the minimum landscaped open space for the whole lot as well as the front yard and has sufficient amenity space for both the primary and accessory dwelling units. Planning staff is of the opinion that the property has sufficient open space landscaping and amenity space, and can meet the parking requirements. No major exterior changes are being proposed that would result in any of these items being reduced to a point of non-conformity with the by-law.

**Variance #2: Rear yard setback**  
The purpose of the rear yard setback is to accommodate a staircase in the rear of the home to access the secondary dwelling unit. The by-law requires a 7.5 m rear yard setbacks, but allows for a 0.5 m encroachment for a staircase or steps. The intent of the rear yard setback is to provide amenity space, privacy and separation between dwellings. Staff does not anticipate any impact on the amenity space, privacy and separation as a result of the 2.24 m rear yard setback reduction.

Planning staff is of the opinion that the variances maintain 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 and rear yard setback to ensure the property has open space landscaping, provide for parking and amenity space, privacy and separation between dwellings. 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 variances are 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 given the need for more housing options.

Based on the above noted analysis, planning staff are of the opinion that the minor variances generally meet the intent of the Zoning By-law and Official Plan, are minor in nature and are appropriate for the development of the lands; therefore staff recommends approval of the variance application.

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

Grand River Conservation Authority:
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 construction of an accessory dwelling unit.

City of Cambridge Transportation 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.

Aerial

R4 Zoning

Subject property

R4 Zoning
Site Plan

Rear entrance

416 m² lot area

2 parking spaces required

4.76 m rear yard setback
Site Visit
Application No.: A84/21  Meeting Date: December 15, 2021  Ward No.: 8

Property Owner:  Tenneco Canada Inc.
Applicant:  Madeline Carter
            BluePlan Engineering Limited

Subject Property:  PLAN 1379 LOT 20
                  500 Conestoga Blvd

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

1. An interpretation of the rear yard to be the frontage along Conestoga Blvd, only for the purposes of outdoor storage in relation to application A84/21; and,

2. An outdoor storage area set back 3.0 m (9.84 ft) from the Conestoga Boulevard frontage, whereas 3.5 m (11.48 ft) is required for the rear yard.

The minor variance will facilitate an internal fencing realignment and the repaving of the existing parking area. The subject property has an active Site Plan Application under file SP38/21. After further review, staff have identified an additional minor variance that would be required as shown above. Staff are recommending that this is a minor change, as there are no changes to the plans itself only an interpretation, and that recirculation is not required.

General Information:
Zoning By-law Provisions: M3
Official Plan Designation: Business Industrial
Adjacent Zoning: M4, (H)M3, N1M3
Adjacent Land Use: Industrial
Existing Use: Industrial
Proposed Use: Industrial

Recommendation:
City of Cambridge Planning Staff recommends approval of this revised variance application
and are of the opinion the changes are minor and no further circulation be required (Planning Act s.45 (18.1.1)). Planning Staff recommend approval of the application subject to the following conditions:

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

2. Approval of SP38/21;

3. That a solid fence or wall be provided along the storage area facing Conestoga Blvd for screening purposes;

4. That the storage area not exceed the height of the solid fence of wall; and,

5. That the rear yard interpretation be limited to outdoor storage in relation to application A84/21.

Staff Comments:

City of Cambridge Development Planning Section:
The property is located north of Bishop St between Collier MacMillan Dr and Conestoga Blvd. It is a large 110,000 m² (11 ha) industrial property with a frontage on Conestoga Blvd, Bishop St and Collier MacMillan Dr.

The subject lands are designated “Business Industrial” in the City’s Official Plan and M3 Industrial in the City’s Zoning By-law. Lands designated Business Industrial are traditional industrial parks that allow for a range of industrial and office uses. The applicant is proposing to bring their outdoor storage closer to their frontage, requesting a setback of 3.0 m (9.84 ft) from the Conestoga Boulevard frontage, whereas 12.0 m (39.37 ft) is required.

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.

Four Tests of a Minor Variance

Does the proposed minor variance maintain the general intent and purpose of the Official Plan?
The subject site is designated “Business Industrial” within the City’s Official Plan. Lands
designated Business Industrial are traditional industrial parks that allow for a range of industrial and office uses. Section 8.5.3.4.3 of the Official Plan permits outdoor storage within this designation if it is located in the rear yard and screened from public view. The property has street frontage on three streets: Conestoga Blvd, Bishop St N, and Collier MacMillan Dr. The official frontage would be the shortest lot frontage, which is Bishop St N, making the north portion of the parcel the rear yard. However, it appears that the exterior side yard (front Conestoga Blvd) has been operating more so as a rear yard. Storage, parking and trucks are all located in this area. As the site is currently designed, the official rear yard would not have sufficient space to store any items. As such, another minor variance is being requested for an interpretation of the frontage along Conestoga Blvd to be the rear yard, only for the purposes of outdoor storage in relation to this application.

The subject property is also abutted by a multi-use trail along Conestoga Blvd. Staff notes that the trail is flanked by small hills of grassed landscaping, which acts as an additional buffer between the proposed storage area and the public eye. Staff are also recommending a condition that a screening fence be put up to help with screening from the public view. Based on the above, with the recommended conditions staff is satisfied that the application maintains the intent and purpose of the Official Plan.

**Does the proposed minor variance maintain the general intent and purpose of the Zoning By-law?**

The Zoning By-law regulates building setbacks within Industrial zones. A front yard and exterior side yard of at least 6.0 m shall be provided in any industrial use class zone except in certain locations (such as this one) where a minimum front yard and exterior side yard of 12.0 m are required. The rear yard setback requirements in the M3 zone is 3.5 m (11.48 ft). The intent of setbacks in Industrial zones is to maintain a consistent and decent streetscape appropriately setback from public view. There is an unnamed City road between the subject property and Conestoga Blvd, accounting for a 30m+ separation from the main travelled road of Conestoga Blvd.

Section 2.4.1 of the Zoning By-law also states that no land shall be used and no building or structure shall be erected, located or used for any of the following purposes unless planting strips and fencing are provided. For industrial use, planting strips are required where lands are adjacent to any residential institutional or open space zone or to any public park, pedestrian walkway or school (S 2.4.1.2). The subject property abuts a multi-use trail along Conestoga Blvd. As such, the applicant will also be required to include a planting strip. The planting strip will be covered through the Site Plan application. Staff is satisfied that with the recommended conditions, the variances maintain the general intent and purpose of the Zoning By-law.

**Is the proposal desirable for the development and use of the lands?**
The lands are existing Business Industrial for Tenneco, an American automotive components original equipment manufacturer. The lands currently have outdoor storage, that are not being screened from the road. The subject property is bound by 3 streets, giving the property limited space in the yards. Planning staff is of the opinion that with the recommended conditions in place, the minor variances will result in an improvement of the current site. Staff are of the opinion that the variance would facilitate desirable and appropriate use of the lands.

**Is the proposal minor in nature?**

The current yard fronting Conestoga Blvd (requesting an interpretation of rear yard) has been operating as a rear yard on this property already. The property is limited in its yards given that it is bounded by 3 streets. Planning staff are of the opinion that the interpretation of rear yard and the 3.5m setback requirement is minor in nature as the conditions put on the application will make the outdoor storage an improvement than what is currently there. No new uses are being proposed to the lands. Staff are of the opinion that the variance is minor in nature.

Based on the above noted analysis, planning staff are of the opinion that the minor variances generally meet the intent of the Zoning By-law and Official Plan, are minor in nature and are appropriate for the development of the lands; therefore staff recommend approval of the variance application.

**Regional Municipality of Waterloo:**

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

1. **Resource Issues:**

   Information currently available at this office indicates that a small portion on west side of the subject property is located within the regulated allowance of a tributary of Groff Mill Creek (refer to the enclosed map). Consequently, a portion of the 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 minor variance application is to reduce the required setback from the eastern property line for outdoor storage purposes.

   The GRCA has reviewed this application and note that the proposed variance affects the eastern portion of the property and is well beyond the GRCA’s regulation limits. Therefore, the GRCA has no objection to the approval of this minor variance application by the City of Cambridge.
3. **Plan Review Fees:**
The above-noted application is within a GRCA area of interest due to the presence of the adjacent watercourse. This application is considered a minor ‘minor variance’ application. In accordance with the GRCA’s Plan Review Fee Schedule, the applicable plan review fee is $280 payable to the GRCA. Please further note that our current fee schedule is available under the Planning & Development section on our website at [www.grandriver.ca](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.

*These comments are respectfully submitted as advice and reflect resource concerns within the scope and mandate of the Grand River Conservation Authority.*
Energy+ Inc.: 

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: 

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: 
Economic Development has no comments in relation to this application.
Site Plan

- Outdoor storage area
- 3.5m setback
Site Visit Photos
Application No.: A85/21  Meeting Date: December 15, 2021  Ward No.: 7

Property Owner:  Chaudhary Muhammad Abdullah Fe

Applicant:  M. Arshad Siddiqui

Subject Property:  PLAN 58M465 LOT 21
91 Yates Ave

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

1. A lot area of 326.39 m\(^2\) (.081 acres) whereas 450 m\(^2\) (.111 acres) is required for a secondary dwelling unit; and,
2. A frontage of 9.58 m (32.43 ft) whereas 11 m (36.09 ft) is required for a secondary dwelling unit.

The minor variances will facilitate construction of a one-bedroom secondary dwelling unit in the basement. The applicant can meet the parking requirements in the garage and driveway. No changes are being proposed to exterior of the home. The entrance for the unit will be from the rear.

General Information:

Zoning By-law Provisions: R6
Official Plan Designation: Low / Medium Density Residential
Adjacent Zoning: R6
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; and,
2. That the secondary dwelling unit be limited to one bedroom.

Staff Comments:
City of Cambridge Development Planning Section:

The subject property is located west of Branchton Rd, east of Foxmeadow Rd and on the north side of Yates Ave. The property is currently developed with a single detached dwelling with an attached one car garage. The lands are zoned R6 in the City’s Zoning By-law and “Low/Medium Density Residential” in the City’s Official Plan. The R6 zone permits single detached dwellings. The applicant is proposing to build a one-bedroom basement unit. The total number of parking required for the entire property (main home + one-bedroom basement unit) is two, which the applicant can meet in the garage and driveway. No changes are being proposed to the exterior of the home. The entrance to the unit will be from the rear.

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, the unit is subordinate to the main dwelling, and no major changes to the exterior or the home are proposed, making it 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 seeking relief from Zoning By-Law 180-18 to permit:

1. A lot area of 326.39 m\(^2\) (.081 acres) whereas 450 m\(^2\) (.111 acres) is required for a secondary dwelling unit; and,
2. A frontage of 9.58 m (32.43 ft) whereas 11 m (36.09 ft) is required for a secondary dwelling unit.

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>11 m</td>
<td>No—variance requested for 9.58 m</td>
</tr>
<tr>
<td>b) Minimum corner lot frontage for the addition of a secondary dwelling unit</td>
<td>15 m</td>
<td>N/A</td>
</tr>
<tr>
<td>c) Minimum Lot Area</td>
<td>450 m(^2)</td>
<td>No—variance requested for 326.39 m(^2)</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 side 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>
</tbody>
</table>
| h) Maximum number of bedrooms | 2 | Yes—1 bedroom being
secondary dwelling unit       proposed.

i) Minimum distance from interior side lot line to secondary dwelling unit entrance or staircase
   1.2
   Yes

j) Minimum distance from exterior side lot line to secondary dwelling unit entrance or staircase
   6m
   N/A

k) Minimum parking spaces required for secondary dwelling unit
   1 space for bachelor/one bedroom unit; 2 spaces for a 2 bedroom unit
   Yes—2 total parking spaces required for property.

l) Front yard parking
   May be permitted between regulatory building line and established building line
   Yes—Parking provided within driveway and garage

Variance #1 & 2: Lot Area and Lot Frontage

The purpose of the variance is to recognize the existing deficient lot size and frontage 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 and frontage requirement is to ensure that the property has sufficient amenity space, open space landscaping, and parking for both units. The subject property meets the minimum landscaped open space for the whole lot as well as the front yard and has sufficient amenity space for both the primary and accessory dwelling units. Planning staff is of the opinion that the property has sufficient open space landscaping and amenity space, and can meet the parking requirements. No exterior changes are being proposed that would result in any of these items being further reduced.

Planning staff is of the opinion that the variance maintains the general intent and purpose of the Zoning By-law.

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 given the need for more housing options.

Is the proposal minor in nature?

Planning staff is of the opinion that there is sufficient lot area and frontage to ensure the property has open space landscaping, provide for parking and provide for amenity space. The proposal meets ten 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.
Based on the above noted analysis, planning staff are of the opinion that the minor variance generally meets the intent of the Zoning By-law and Official Plan, is minor in nature and is appropriate for the development of the lands; therefore staff recommends approval of the variance application.

**Regional Municipality of Waterloo:**

The Region of Waterloo has no comment on this application.

**Grand River Conservation Authority:**

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

**Energy+ Inc.:**

Energy+ Inc. has no objection to the request for multiple minor variances to facilitate construction of a secondary unit in the basement with the change to the exterior footprint of the existing home. If a second meter is required for the secondary unit the Applicant/Owner will need to contact Energy+ Inc.’s, Service Coordinator at their earliest convenience.

If relocation or upgrade is required as a result of this application, the Applicant will be responsible for 100% cost.

If easements are required as a result of this application, the Applicant will be responsible for 100% cost.

Refer to Energy+ Inc. Residential Spec book at www.energyplus.ca
Hydro poles/guy wires and anchors/padmount transformers/switching units/service pits/street light poles to be 1.5m from driveway entrances/curbs. Relocation at 100% owners’ expense. All planting near Energy+ owned overhead power lines and padmount equipment must be installed in accordance with http://www.esasafe.com/assets/image/Tree-Planting.pdf
Must maintain required clearances (ESA & Energy+) from existing overhead electrical plant. Owner/Applicant may be required to provide ESA clearance calculations to existing overhead and underground electrical distribution equipment. Calculations must be signed off by a P.Eng.

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

**City of Cambridge Building Section:**

**Comments**

A building permit is required for the proposed secondary dwelling unit.

**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.

Aerial
R6 Zoning

Site plan

Entrance to unit

lot area of 326.39 m²

frontage of 9.58 m
Site Visit
Application No.: A87/21  Meeting Date: December 15, 2021  Ward No.: 6

Property Owner:  Meyers Group 3 Incorporated

Applicant:  Melissa Visser
MHBC

Subject Property:  CON 9 PT LOT 7 RP58R8853;PART 7 PLAN 1526 BLK 23 165 Greenbrier Rd

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

1) A density of 183 units per hectare whereas 75 units per hectare is permitted; and,
2) A rear yard setback of 5.02 m (16.46 ft) whereas 12 m (39.37 ft) is required.

The minor variances will facilitate construction of two 8-storey residential apartment buildings. The subject property has an active Site Plan application under file SP28/19.

General Information:
Zoning By-law Provisions: RM3
Official Plan Designation: High Density Residential
Adjacent Zoning: R5, OS1
Adjacent Land Use: Residential
Existing Use: Vacant
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; and,
2) The approval of SP28/19.

Staff Comments:
City of Cambridge Development Planning Section:
The subject lands are located at the corner of Greenbrier Road and Myers Road, are irregularly shaped and have an approximate area of 1.92 hectares. The subject lands are designated “High Density Residential” and “Greenfield Area” in the City Official Plan and are zoned RM3 under Zoning By-law 150-85. The subject property has an active Site Plan application under file SP28/19 and is currently undeveloped. The proposal is to develop the lands with two 8-storey residential apartments, landscaped open space, and indoor and outdoor amenity areas. The proposed variance is to provide for future intensification flexibility on the lands.

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.

Four Tests of a Minor Variance

Does the proposal maintain the general intent and purpose of the Official Plan?
The subject lands are ‘Designated Greenfield Area’, and designated ‘High Density Residential’ of the City of Cambridge Official Plan. The ‘High Density Residential’ designation permits residential development such as apartment buildings with densities between 0.5 and 2.0 FSI. The proposed development of two 8-storey residential apartment buildings is permitted by the Official Plan. 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?
Variance #1: Density
The subject lands are zoned RM3 under the City of Cambridge Zoning By-law 150-85. The proposed development of two 8-storey residential apartment buildings is permitted in the RM3 zone. The Official Plan was approved after the City Zoning By-law. Although not approved yet, it is worth noting that the City’s draft new Zoning By-law implements the FSI approach consistent with the Official Plan and allows for a maximum FSI of 2.0 on these lands. The first building of the phased development is currently under site plan review and meets all zoning requirements. The second building triggers the variance request for additional density.
The requested increase in maximum density to 183 units per hectare, or 2.0 FSI, will permit the proposed density that is consistent with the Official Plan and the City’s future plans for the lands. The requested minor variance for an increase in maximum density maintains the intent and purpose of the Zoning By-law to permit high density residential (apartment buildings) on the subject lands.

**Variance #2: Reduced rear yard setback**
The reduced rear yard setback for the RM3 zone will permit the proposed residential development. The rear yard of the proposed development adjoins with a land parcel zoned Open Space 1 (OS1) and used as a stormwater management facility. The intent of the rear yard setback is to maintain amenity space, separation between dwelling and privacy. Given that the property backs onto open space, planning staff is satisfied that the use is compatible and that the reduction in rear yard will not have a negative effect on the adjacent lands.

Planning staff is of the opinion that the variance maintains the general intent and purpose of the Zoning By-law.

**Is the proposal desirable for the development and use of the lands?**
The proposed minor variance is desirable as it will allow for the development of residential apartment buildings containing residential dwelling units proposed for purpose built rental use which is supported by the Official Plan and a permitted use in the Zoning By-law. The proposed development supports the density targets of the designated greenfield area and implements a development permitted by the high-density residential designation. The proposed development represents an opportunity to provide additional rental units within the City. Staff are of the opinion that the variance would facilitate desirable and appropriate use of the lands given the need for more housing options and the alignment with the Official Plan and draft new Zoning By-law.

**Is the proposal minor in nature?**
Staff considers the requested increase in density as minor as it implements the density calculation approach of the Official Plan which came after the approval of the City’s Zoning By-law, drafted in 1985. The reduced rear yard abuts with land designated open space and used as a stormwater management facility, having minimal impact for onlook. Staff are of the opinion that the variance is minor in nature.

Based on the above noted analysis, planning staff are of the opinion that the minor variance generally meets the intent of the Zoning By-law and Official Plan, is minor in nature and is appropriate for the development of the lands; therefore staff recommends **approval** of the variance application.

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

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

**Energy+ Inc.:**
Comments not received.

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

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

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

**City of Cambridge Fire Department:**
Comments not received.

**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.
RM3 Zoning

Aerial

Subject property
Density increase for 2nd building

5.02 m rear yard setback
Site Visit
Application No.: A88/21
Meeting Date: December 15, 2021
Ward No.: 2

Property Owner: Ontario Inc 2864640
Applicant: Melissa Visser
MHBC

Subject Property: PLAN 544 LOT 24 PT LTS 23 25;RP67R1947 PART 3
12 Tannery St E

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

1. A density of 198 units per hectare whereas 150 is permitted;
2. A front yard setback of 1.5 m whereas 4.5 m is required;
3. A left interior side yard setback of 1.5 m whereas 7.5 m is required;
4. A right interior side yard setback of 3.35 m whereas 7.5 m is required;
5. Landscaped open space totaling 20% of the lot whereas 30% is required; and,
6. A lot frontage of 26.31 m whereas 30 m is required

The minor variances will facilitate construction of a 5 storey mixed use building with 1 commercial and 40 residential units.

General Information:

Zoning By-law Provisions: C1RM2
Official Plan Designation: Hespeler Village Core Area
Adjacent Zoning: RS1, OS4
Adjacent Land Use: Residential
Existing Use: Residential
Proposed Use: Mixed Commercial Residential

Recommendation:
The City of Cambridge Planning staff recommends deferral of this application allow for more staff time to review the impacts of the development on the surrounding properties.

Staff Comments:
City of Cambridge Development Planning Section:
The subject lands are located in the Community Core Area of Hespeler Village and are zoned C1RM2. The proposal is to redevelop the lands with a 5-storey mixed use building containing commercial and residential uses including a first-floor commercial space and lobby, 40 residential units on floors 2 through 5, ground floor and outdoor parking, and indoor and outdoor common amenity areas. The application relates to a proposed development that was reviewed by City staff at a Pre-Submission Consultation meeting (File No. D26/21).

City of Cambridge Planning staff are requesting deferral of this application to the next meeting to allow for more staff time to review the impacts of the development on the surrounding properties.

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 construction

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

City of Cambridge Project Engineer:
- Consideration for drainage will be required to ensure no impacts on adjacent properties.
- As noted in the D26/21 Development Pre-consultation Development Engineering Comments, a grading plan will be reviewed and approved by Development Engineering through the subsequent Site Plan Approval process for the Development.

City of Cambridge Fire Department:
- Show fire access route
- Show fire department connection on the building
- Show that a fire hydrant is within 45m of the fire department connection
- An approved fire safety plan shall be prepared for the building
City of Cambridge Senior Planner-Heritage:

- **Condition:** An HIA will be required to be reviewed by MHAC. The HIA would address the listed heritage property at 18 Tannery next door and any impact the new building might have on the Heritage home next door.

City of Cambridge Economic Development:

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

C1RM2 Zoning
Aerial

Subject property

Site Plan

26.31 m frontage

3.5 m side yard setback

1.5 m front setback

1.5 m side yard setback
West Elevation – Fronting Tannery St E

North Elevation – Facing 18 Tannery St E, Church property (heritage listed) (with the requested 3.5m side yard setback)
East Elevation – Facing rear of property

South Elevation – 8 Tannery St E
(with the requested 1.5m side yard setback)
Site Visit
Application No.: A92/21  Meeting Date: December 15, 2021  Ward No.: 7

Property Owner: Camrich Holdings Ltd.

Applicant: Trevor Hawkins
MHBC Planning Limited

Subject Property: PLAN 58M241 PT BLK 38
311 Dundas St S

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

1. A commercial building with residential units above ground floor commercial uses having a gross residential floor area of approximately 80% (10,421 m² of a 13,216 m² total) of the total gross floor area, whereas a maximum of two-thirds (67%) of the total is permitted.

The minor variance will facilitate construction of a six storey mixed use commercial building on a vacant portion of commercial lands.

General Information:
Zoning By-law Provisions: CS5C5
Official Plan Designation: Low / Medium Density Residential
Adjacent Zoning: OS1, RM4, RM3, R4, C2, CS3
Adjacent Land Use: Residential
Existing Use: Commercial
Proposed Use: Commercial

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 property comprises a total of 2.56 hectares, and is located at the intersection of Franklin Boulevard and Dundas Street South. The lands also have frontage on Maple Bush Drive and Chester Drive. The site is developed with four commercial buildings: a bank and three restaurants. Two of the restaurants and the bank contain drive-thru operations. Access to the site is provided from three existing driveways, two from Franklin Boulevard and one from Maple Bush Drive. The ‘rear’ portion of the site, adjacent to Chester Drive, is currently vacant. Parking for the existing commercial buildings is provided in a shared surface parking lot. There are no changes proposed to the existing commercial uses or buildings.

The development proposal includes the addition of a new six-storey mixed-use building to the site. The new building would be located on the eastern portion of the site, which is currently vacant. The remainder of the site would be unchanged and will continue to operate with the existing commercial uses, drive through operations and surface parking. Vehicular access to the new developed portion of the site will be provided from the existing access on Maple Bush Drive. No new accesses are proposed.

The subject lands are zoned CS5C5 with site specific provision s.4.1.30.1. The site-specific provision S.4.1.30.1 permits the uses in an M2 zone to be provided in a local shopping centre on this site. The existing zoning permits a mixed-use building (s.3.3.1.3), including a building with residential units above ground floor commercial uses, provided the residential gross floor area (GFA) does not constitute more than two-thirds of the total GFA of the building (s.3.3.1.3c). The proposed new building will have a total GFA of 13,216 m², of which 10,421 m² is for residential uses (approximately 79%). As such, because the residential GFA is more than two-thirds of the total GFA, a minor variance is required.

Four Tests of a Minor Variance

Does the proposal maintain the general intent and purpose of the Official Plan?
The subject lands are designated “Low/Medium Density Residential” in the City's Official Plan, which permits residential uses, with a density limit of 40 units per hectare (or approximately 102 units on the subject lands). The proposed mixed-use building is permitted in the Official Plan and the density is less than 40 units per hectare.

The lands are also within the “Community Node” boundary for Main St and Dundas St S and are located within the Built-Up Area of the Official Plan. Section 2.6.4 of the Plan contains the policies for Nodes, which are expected to accommodate additional population and/or employment growth, consistent with available transit. Nodes are planned to contain, amongst other matters:

- A mix of uses, including residential, employment, recreational and institutional;
- Higher density residential forms;
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 CS5C5 zone permits a mixed-use building on the subject lands (s.3.3.1.3). However, the By-law includes a regulation that limits the residential gross floor area (GFA) to 2/3 of the total building floor area (s.3.3.1.3c). In this case, the requested variance would increase the percentage from 67% to 80%. The intent of the 2/3 provision is to encourage mixed-use buildings. The building would contain one floor of commercial uses, and five residential floors above. Given the location of the building and the existing commercial uses that already exist on the site, one floor of commercial uses within the building is appropriate and staff is satisfied that the intent of the provision is maintained.

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

The proposed mixed-use building is a permitted use in the Official Plan and Zoning By-law. The lands are already developed as a local shopping centre with commercial uses. The introduction of residential uses on the site is consistent with the planned intent for the lands, being a Community Node, and allows for future residents to access the commercial businesses on the site without the dependence of a vehicle. The location of the residential building on the eastern portion of the site also allows for a transition in land use from commercial to residential, which is consistent with the residential character of the uses to the east. Staff are of the opinion that the variance would facilitate desirable and appropriate use of the lands given the need for more housing options.

**Is the proposal minor in nature?**

The requested variance would permit a minor increase in the building floor area permitted for residential uses within the mixed-use building. The purpose of the request is permit a mixed-use building with one floor of commercial uses and five floors of residential above. No other changes to the By-law are required. The development is utilizing a vacant portion of the site and will allow for a transition in land use from commercial to residential, which is consistent with the residential character of the uses to the east. The existing access on Maple Bush Drive will be used, allowing the future residents/commercial users to enter and exit the site from Dundas Street South, via Maple Bush. Staff are of the opinion that the variance is minor in nature.

Based on the above noted analysis, planning staff are of the opinion that the minor variance generally meets the intent of the Zoning By-law and Official Plan, is minor in nature and is appropriate for the development of the lands; therefore staff recommends approval of the variance application.
Regional Municipality of Waterloo:
The Region of Waterloo has no comment on this application.

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

Energy+ Inc.:
Energy+ Inc. has no objection to proposal by the Applicant/Owner for a minor variance to facilitate construction of a six storey mixed use commercial building. The Applicant/Owner will be required to enter into a Service Agreement with Energy+ Inc., to establish the terms and conditions to service the development at 100% cost. Please allow a minimum of six (6) months for determination of servicing needs. The Owner/Applicant will be responsible for 100% cost of upgrade and/or relocation of existing hydro plant that will be required as a result of this Application. The Applicant/Owner will be responsible to grant easements to the satisfaction of Energy+ Inc. if required as a result of this application. Early consultation with Energy+ Inc’s Service Coordinator is recommended.

Comments:
If relocation or upgrade is required as a result of this application, the Applicant will be responsible for 100% cost.
If easements are required as a result of this application, the Applicant will be responsible for 100% cost.
Refer to Energy+ Inc. Residential Spec book at www.energyplus.ca
Hydro poles/guy wires and anchors/padmount transformers/switching units/service pits/street light poles to be 1.5m from driveway entrances/curb. Relocation at 100% owners’ expense. All planting near Energy+ owned overhead power lines and padmount equipment must be installed in accordance with http://www.esasafe.com/assets/image/Tree-Planting.pdf Must maintain required clearances (ESA & Energy+) from existing overhead electrical plant. Owner/Applicant may be required to provide ESA clearance calculations to existing overhead and underground electrical distribution equipment. Calculations must be signed off by a P.Eng.
As per Energy+ Inc, Current Conditions to Service, latest edition, only one service per property is permitted.

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

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.
Aerial

Subject property
Site Plan

Proposed mixed-use building
Site Visit
Application No.: A95/21    Meeting Date: December 15, 2021    Ward No.: 5

Property Owner: 2856336 Ontario Inc (Mr. Ranbir Vinepal) (Vacant lot)
Susan Gittens (9 Vair)

Applicant: Scott Patterson
Patterson Planning Consultants Inc.

Subject Property: PLAN 60 LOT 13 LOT 14
9 Vair Pl

Proposal:
The applicant is seeking relief from Zoning By-Law 150-85 to permit:
A95/21 (9 Vair Pl, developed parcel)

  1. Interpretation of Vair Place as the street frontage for the subject lands, whereas the by-law requires lot frontage to be located on an opened public street or highway; and,
  2. Placement of two parking spaces in front of the Regulatory Building Line whereas the by-law prohibits parking in front the Regulatory Building Line.

A96/21 (Lot 14 – unassigned address, undeveloped parcel)
The applicant is seeking relief from zoning By-Law 150-85 to permit:

  1. Interpretation of Vair Place as the street frontage for the subject lands, whereas the by-law requires lot frontage to be located on an opened public street or highway
  2. Placement of two parking spaces in front of the Regulatory Building Line whereas the by-law prohibits parking in front the Regulatory Building Line.

The minor variances will facilitate construction of a shared access driveway from the end of Vair Place to access 9 Vair Pl and Lot 14 (unassigned address) and the construction of a new single detached dwelling on Lot 14.
General Information:

Zoning By-law Provisions: R4
Official Plan Designation: Low / Medium Density Residential
Adjacent Zoning: R4, OS1
Adjacent Land Use: Residential, Open Space
Existing Use: Residential
Proposed Use: Residential

Recommendation:

A95/21
City of Cambridge Planning staff recommends **approval** of application A95/21 subject to the following conditions:

1. That an Access Easement be obtained for the use of the unopen right-of-way of Vair Place. The agreement would allow for the construction and maintenance of the driveway, and limited vehicular travel for the owners of the property. The construction of the driveway, maintenance and cost of the agreement would be at the expense of the property owner;

2. That the new development on Lot 14 be fully sprinklered and have interconnected smoke alarms, to the satisfaction of the Fire Department; and,

3. That the access driveway be no smaller than 4 m in width, with a 5m height clearance and be able to withstand the weight of firefighting apparatus, to the satisfaction of the Fire Department.

4. That any new development be limited to a single-family home, three stories or less;

5. That an Access Permit through Transportation Engineering be obtained prior to the removal of, alteration to or construction of any new accesses. The application for an access permit can be found on the City’s website at [www.cambridge.ca](http://www.cambridge.ca).

A96/21
City of Cambridge Planning staff recommends **approval** of application A96/21 subject to the following conditions:

6. That an Access Easement be obtained for the use of the unopen right-of-way of Vair Place. The agreement would allow for the construction and maintenance of the driveway, and limited vehicular travel for the owners of the property. The construction of the driveway, maintenance and cost of the agreement would be at the expense of the property owner;

7. That the access driveway be no smaller than 4 m in width, with a 5m height clearance
and be able to withstand the weight of firefighting apparatus, to the satisfaction of the Fire Department.

8. That an Access Permit through Transportation Engineering be obtained prior to the removal of, alteration to or construction of any new accesses from Laneway 142. The application for an access permit can be found on the City’s website at www.cambridge.ca.

Staff Comments:

City of Cambridge Development Planning Section:
The properties are located south of Blenheim Rd between Aberdeen Rd N and Victoria Park. Both properties are zoned R4 Residential in the City’s Zoning By-law and "Low/Medium Density Residential" in the City’s Official Plan. The properties are bounded by a laneway in the rear, Vair Pl right-of-way in the front, and OS1 zone, Victoria Park.

The constructed street of Vair Place only extends about 30 m from Blenheim Rd and into a small parking area for Victoria Park. Since the road does not extend in front of 9 Vair Pl, parking passes were issued for the property owners at 9 Vair Pl to access their home. Lot 14, which was used as the side yard for 9 Vair Pl, is a historic lot of record, meaning that it can be conveyed as a separate lot without going through a severance application since it was already severed in the past through an old plan of subdivision.

There is currently a 2-storey, single-detached dwelling on 9 Vair Place and a shed on Lot 14. The applicants are seeking relief from the regulations of the Zoning By-law as it relates to an interpretation of property frontage and parking in order to permit a new single-family dwelling on Lot 14, and to and formalize parking on both Lot 14 and 9 Vair Pl.

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.

Four Tests of a Minor Variance
Does the proposed minor variance maintain the general intent and purpose of the Official Plan?
The subject lands are 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 up to a maximum of 40 units per hectare (uph). A new home is being proposed on the vacant lot.
While specific requirements pertaining to parking are set out in the Zoning Bylaw, the Official Plan contains the objective to require development to be compatible with surrounding properties and have appropriate parking arrangements and traffic movement. The intent of parking arrangements is to accommodate vehicular access to the site for accessibility and emergency operations. Planning staff is satisfied that the general intent and purpose of the City’s Official Plan is maintained.

Does the proposed minor variance maintain the general intent and purpose of the Zoning By-law?
Variance #1: Interpretation of Frontage
Both properties are seeking an interpretation for Vair Place to be considered the street frontage for the subject lands, whereas Section 1.1.13 the by-law requires that no land shall be used and no building or structure shall be erected, located or used unless the lot upon which such building or structure is located or proposed to be located has the frontage required by section 3 on an opened public street or highway or a street deemed to be public street or highway.

Both properties can meet the minimum lot frontage requirements for the R4 zone of 15m. However; frontage is defined when it abuts an open public street or highway, and as such both properties are considered to not have frontage. The intent of the frontage requirement needing to be on a public street is for accessibility, vehicle access and emergency operations. Without a properly connected street frontage, the properties risk not being accessible. The Transportation Department and Fire Department have both commented on the application with various conditions that would ensure the properties can be accessed. Staff is satisfied that with the recommended conditions, that the request for the interpretation of Vair Pl to be a public street will meet the general intent and purpose of the Zoning by-law as it pertains to the properties having frontage.

Variance #2: Parking spaces in front of the Regulatory Building
The applicant is requesting relief from Section 2.2.2.3.(c) of the Zoning By-law to permit a parking stall for a detached single dwelling unit in a residential zone in front of the regulatory building line, whereas the by-law prohibits a parking stall to be located in front of the regulatory building. The intent of this provision in the By-law is to have one parking space in a garage or side yard and then have the ability to provide an additional space to park tandem in the driveway. Since Vair Pl will become an access driveway served by the two homes, staff is of the opinion that any changes to the parking would not have a negative impact on the streetscape since it is technically not on a street.

Planning staff is of the opinion that the variance maintains the general intent and purpose of the Zoning By-law.

Is the proposal desirable for the development and use of the lands?
The proposed minor variances are intended to facilitate the construction of a single detached dwelling unit on the vacant lot unit, as a building permit cannot be issued without having
frontage. The lands of Lot 14 were previously used as a side yard and surplus to 9 Vair Pl. Allowing development on these lands is desirable and it allows for gentle development in the neighbourhood. Designating 9 Vair with a frontage too would allow the property to have additional parking off the laneway. A number of homes in the neighbourhood have additional laneway access and laneway garages. The access driveway and parking is very desirable for the lands as both properties currently do not have parking. Allowing these items would bring the properties up to conformity with the Zoning By-law and provide better access not only for emergency situations but for the functionality of the sites. Staff are of the opinion that the variance would facilitate desirable and appropriate use of the lands given the need for more housing options.

**Is the proposal minor in nature?**
Both properties will conform to all other provisions within the Zoning By-law. Staff are of the opinion that the requested variances are minor in nature as they will have minimal impact on the surrounding properties, since those two homes will be the only ones accessed off the access driveway. The variances will also formalize parking for both properties. Staff are of the opinion that the variance is minor in nature.

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

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

**Energy+ Inc.:**
Energy+ Inc. has no objection to the request for a minor variance to interpret street frontage. Energy+ Inc. does have equipment located on Vair Place. All ESA and Energy+ Inc. clearances to existing and proposed hydro plant must be met. Comments regarding the proposal for the new single detached home will be provided upon receipt of the severance application. Please allow a minimum of six (6) months for determination of servicing needs. If relocation or upgrade is required as a result of this application, the Applicant will be responsible for 100% cost. If easements are required as a result of this application, the Applicant will be responsible for 100% cost. Refer to Energy+ Inc. Residential Spec book at www.energyplus.ca
Hydro poles/guy wires and anchors/padmount transformers/switching units/service pits/street light poles to be 1.5m from driveway entrances/curbs. Relocation at 100% owners’ expense. All planting near Energy+ owned overhead power lines and padmount equipment must be installed in accordance with http://www.esasafe.com/assets/image/Tree-Planting.pdf Must maintain required clearances (ESA & Energy+) from existing overhead electrical plant. Owner/Applicant may be required to provide ESA clearance calculations to existing overhead and underground electrical distribution equipment. Calculations must be signed off by a P.Eng.
As per Energy+ Inc, Current Conditions to Service, latest edition, only one service per property is permitted.

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

City of Cambridge Transportation Engineering Section:

Comments
- Existing trees may interfere with the ability to install a new access at this location, a tree plan will need to be submitted for the Forestry Department to review in accordance with the City Tree Bylaw.

Conditions
- An Access Permit through Transportation Engineering will be required prior to the removal of, alteration to or construction of any new accesses from Laneway 142. The application for an access permit can be found on the City’s website at www.cambridge.ca.
- An Access Easement will be required to be obtained for the use of the unopen right-of-way of Vair Place, the agreement would allow for the construction and maintenance of the driveway, and limited vehicular travel for the owners of the property. The construction of the driveway, maintenance and cost of the agreement would be at the expense of the property owner.

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

City of Cambridge Fire Department:
Comments

Conditions
- That Lot 14 be limited to a single family home, three stories or less;
- That the new development on Lot 14 be fully sprinklered and have interconnected smoke alarms, to the satisfaction of the Fire Department
- That the access driveway be no smaller than 4 m in width, with a 5m height clearance and we able to withstand the weight of firefighting apparatus, to the satisfaction of the Fire Department

Please see information approved by Fire Chief Arnold
FPO Wakefield,

Based on the available information and challenges faced by Planning and Fire Suppression, I will APPROVE Alternative Solution 3 (below) on the condition that only the construction of a single family home, three stories or less, will be permitted. There shall be an easement on Vair Place for driveway access to rear of the property and the building shall be fully sprinklered.

**Brian Arnold MPA, CMM III | Fire Chief**

3. Easement on Vair Place for driveway access to rear of Property. If Vair Place parking and driveway for new property are clear of vehicles this could allow for two trucks, possibly a third to stage in this area. Firefighting operation would be from above the property and Blenheim Road and Laneway 142 would be closed for hydrant access and firefighting efforts. Request property be fully sprinklered to minimize the risk of delay in firefighting operations due to landscape/elevation. Request installation of interconnected smoke alarms.

Current Plan provides 4 m access to rear of property this does not met the 6 m requirement. A height requirement must provide 5 m clearance and the gravel driveway must be able to withstand weight of firefighting apparatus.

OBC 3.2.5.6.

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

Heritage review will be required during the Building Permit stage

**City of Cambridge Economic Development:**

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

- Property frontage
- Parking
- Parking off laneway for 9 Vair Pl
- Shared access driveway
- Parking
- Parking
Site Visit
Application No.: B33/21  Meeting Date: December 15, 2021  Ward No.: 3 & B34/21

Property Owner: Ontario Inc 2856336

Applicant: Scott Patterson
Labreche Patterson & Associates Incorporated

Subject Property: PLAN 528 LOT 39 LOT 40
381 Middle St

Proposal:
B33/21
The applicant is seeking to sever a residential property for the creation of a new lot PLAN 528 LOT 39 having the municipal address 381 Middle Street. The conveyed portion will have a frontage of 18.22 m (59.78 ft) facing Melrose Street and a depth of 20.62 m (67.65 ft) for an area of 376 m² while the retained parcel will have a frontage of 18.34 m (60.17 ft) on Middle Street and a depth of 26.5 m (86.94 ft) for an area of 486 m².

B34/21
The applicant is further seeking to sever a residential property for the creation of a new lot from PLAN 528 LOT 40, having no assigned municipal address. The conveyed portion will have a frontage of 18.22 m (59.78 ft) facing Melrose Street and a depth of 20.62 m (67.65 ft) for an area of 376 m² while the retained parcel will have a frontage of 18.34 m (60.17 ft) on Middle Street and a depth of 26.5 m (86.94 ft) for an area of 486 m².

General Information:
Zoning By-law Provisions: R5
Official Plan Designation: Low / Medium Density Residential
Adjacent Zoning: R5, (H)RM3
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 prior to final approval, the owner/applicant pay cash-in-lieu of parkland at 5% of the value of the severed lands, for each new lot created. The applicant shall provide an opinion of value from a qualified appraiser, with an appraisal date of December 14, 2021, to the satisfaction of Realty Services, in determining the value of the severed land;

3. That all existing structures on the severed parcels be removed;

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

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

6. That a legal survey be provided to Energy+, 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 driveways, proposed electric plant. The survey must include dimensions;

7. 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;

8. An access permit through Transportation Engineering will be required prior to the removal of, alteration to or construction of any new accesses. Note that a minimum driveway length of 6 m beyond property line is required;
9. 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; and

10. 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 December 17, 2022, after which time this consent will lapse.

Staff Comments

City of Cambridge Development Planning Section:
The subject lands are located between Middle Street and Melrose Street mid-block between Lawrence Street and North Street and are currently developed with a detached dwelling. The lands are designated Low/Medium Density Residential in the City’s Official Plan and zoned R5 (Single Detached Residential) in the City’s Zoning By-law.

The proposed severances will result in two new residential lots with dimensions described in Table A. The existing single detached dwelling will be retained, and up to three more constructed on the resulting parcels. While the parcel currently functions as a single parcel, planning and legal staff are satisfied that Lots 39 and 40 currently represent two separately conveyable lots.

<table>
<thead>
<tr>
<th>Parcel</th>
<th>Proposed Area</th>
<th>Proposed Frontage</th>
<th>Depth</th>
</tr>
</thead>
<tbody>
<tr>
<td>Retained (Lot 39, existing house)</td>
<td>486 m² (5,231 ft²)</td>
<td>18.34 m (60.17 ft)</td>
<td>20.62 m (59.78 ft)</td>
</tr>
<tr>
<td>Conveyed (Lot 39)</td>
<td>376 m² (4,047 ft²)</td>
<td>18.22 m (59.78 ft)</td>
<td>26.5 m (86.94 ft)</td>
</tr>
<tr>
<td>Retained (Lot 40)</td>
<td>486 m² (5,231 ft²)</td>
<td>18.34 m (60.17 ft)</td>
<td>26.5 m (86.94 ft)</td>
</tr>
<tr>
<td>Conveyed (Lot 40)</td>
<td>376 m² (4,047 ft²)</td>
<td>18.22 m (59.78 ft)</td>
<td>20.62 m (59.78 ft)</td>
</tr>
</tbody>
</table>

Provincial Policy Statement
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 a new residential dwelling.

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 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 the lands is appropriate in the context of the area and for the use of the land. The resulting lots will match the surrounding pattern of lots and development, and the proposed use is in keeping with the intent of the zoning by-law, official plan and surrounding 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 the Planning Act and therefore recommends approval with conditions of applications B33/21 and B34/21.

Regional Municipality of Waterloo:
Ontario Inc 2856336 (Owner); Scott Patterson (Patterson Planning Consultants Inc – Applicant)
The owner/applicant is proposing to sever a residential property for the creation of a new lot for the construction of a new single detached dwelling, with the severed lot to have frontage onto Melrose Street while the retained lot will have frontage on Middle Street.

Regional Fee (Advisory):
Regional staff acknowledge that the owner/applicant has submitted the Regional consent review of $350.00 per new lot created.

Cultural Heritage (Advisory):
The subject property possesses the potential for the recovery of archaeological resources due to the age of the farm house on the subject property (c. 1870) and the proximity to a watercourse. Because of the small size of the proposed severed lot, an Archaeological
Assessment will not be required, however, the applicant should be made aware that:

- If archaeological resources are discovered during future development or site alteration of the subject property, the applicant will need to immediately cease alteration/development and contact the Ministry of Heritage, Sport, Tourism and Culture Industries. If it is determined that additional investigation and reporting of the archaeological resources is needed, a licensed archaeologist will be required to conduct this field work in compliance with S. 48(a) of the Ontario Heritage Act; and/or,
- If human remains/or a grave site is discovered during development or site alteration of the subject property, the applicant will need to immediately cease alteration and must contact the proper authorities (police or coroner) and the Registrar at the Bereavement Authority of Ontario in Compliance with the Funeral, Burial and Cremation Services Act, 2002 S. 96 and associated Regulations.

Regional staff has no objection to the application.

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

Energy+ Inc.:
Energy+ has no comments

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

City of Cambridge Transportation Engineering Section:

- A minimum driveway length of 6 m beyond property line is required.
- 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:
- The following services are available to the subject properties:
  - Middle Street: 200mm diameter sanitary sewer, 150mm diameter watermain and 250mm diameter storm sewer
  - Melrose Street: 200mm diameter sanitary sewer, 150mm diameter watermain
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. City records indicate that there is one existing unknown diameter sanitary service and one existing 19mm diameter water service.

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:
The City of Cambridge Economic Development has no comment on this application.
Application No.: B31/21  Meeting Date: December 15, 2021  Ward No.: 8

Property Owner: S. C. Cambridge Gp Incorporated

Applicant: Amanda Brennan
Miller Thomson LLP

Subject Property: PLAN 1380 PT LOT 1 RP67R2899;PART 32
210 Shearson Cres

Proposal:
The applicant is seeking consent to sever an industrial lot with the municipal address 210 Shearson Crescent. The conveyed parcel will have a frontage of 40 m (131.23 ft) and a depth of 113.62 m (372.76 ft) to 117.46 m (385.38 ft) for an area of 4,620 m² (0.462 ha). The retained parcel will have a frontage of approximately 300.76 m (986.77 ft) with a depth ranging from 80 m (262.46 ft) to 113.624 m (372.76 ft) for an area of 16,330 m² (1.633 ha).

General Information:
Zoning By-law Provisions: M3
Official Plan Designation: Business Industrial
Adjacent Zoning: M3
Adjacent Land Use: Industrial
Existing Use: Industrial
Proposed Use: Industrial

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 an access permit through Transportation Engineering be obtained prior to the removal of, alteration to or construction of any new accesses. The application for an access permit can be found on the City’s website at www.cambridge.ca.;
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 December 17, 2022, after which time this consent will lapse.

City of Cambridge Development Planning Section:
The Site is located on the north side of Shearson Crescent, south of Bishop Street North. The property is designated Business Industrial in the City’s Official plan and zoned M3 in the Zoning By-Law. The Site lies in a municipal urban setting in an area of mixed commercial and light industrial land uses. Since development in approximately 1990, the Site has been occupied by Rutherford Controls International (RCI). Rutherford Controls is a global organization providing security, locksmith and architectural hardware. Major operations at the Site include light manufacturing/assembly, shipping/receiving and administrative services.

The lands currently contain two buildings, both industrial uses. The property owner also owns a number of properties adjacent to each other: 210 Shearson Cres, 220 Shearson Cres, 230 Shearson Cres and 240 Shearson Cres. When two or more abutting properties come under a single ownership, the properties may merge in title and become one property. As a result, consent is required if a parcel needs to be separated.

The severance will result in a new lot with an existing industrial building. No demolitions or new buildings are being proposed as a result of the severance.

<table>
<thead>
<tr>
<th>Parcel</th>
<th>Proposed Area</th>
<th>Min. Lot Area for M3</th>
<th>Proposed Frontage</th>
<th>Min. Lot Frontage in M3</th>
<th>Depth</th>
</tr>
</thead>
<tbody>
<tr>
<td>Conveyed (210 Shearson)</td>
<td>4,620 m² (0.462 ha)</td>
<td>450 m² (0.045 ha)</td>
<td>40 m</td>
<td>15 m</td>
<td>113.62 m to 117.46 m</td>
</tr>
<tr>
<td>Retained (220 Shearson)</td>
<td>16,330 m² (1.633 ha)</td>
<td>300.76 m</td>
<td></td>
<td></td>
<td>80 m to 113.62 m</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 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). The proposed severed and retained portions of the subject property meet and exceed 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. No demolitions are 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 the existing industrial building from the lands 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 or severed 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.

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 the Planning Act and therefore recommends **approval with conditions** of applications B31/21.

**Regional Municipality of Waterloo:**
S.C. Cambridge GP Inc. / Amanda Brennan – Miller Thomson (Agent)
The owner/applicant is proposing to sever the existing industrial lot into two parcels.

**Regional Fee (Advisory):**
Regional staff acknowledge that the owner/applicant has submitted the Regional consent review of $350.00 per new lot created.

**The Region has no objection to the proposed application**

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

**Energy+ Inc.:**
Energy+ has no concerns. If any electrical servicing changes in the future they may be subject to only one electrical service per property.

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

**City of Cambridge Transportation Engineering Section:**
**Conditions**
- An access permit through Transportation Engineering will be required prior to the removal of, alteration to or construction of any new accesses. The application for an access permit can be found on the City’s website at [www.cambridge.ca](http://www.cambridge.ca).

**City of Cambridge Project Engineer:**
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.
Site Plan

Severed parcel

Retained parcel
Site Visit