MEETING AGENDA
Hearing of the Committee of Adjustment
Via YouTube
Wednesday May 18, 2022
6:00pm

Declarations of Pecuniary Interest

1. Committee Business

2. Applications

   Previously Heard Applications

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   New Applications

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   Change of Conditions

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<td>B08/20</td>
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3. O.L.T. Update

4. Other business

Adjournment
Application No.: A17/22  Meeting Date: May 18, 2022  Ward No.: 1

Property Owner: River Mill Development Corpora

Applicant: Diana Morris
            T. Johns Consulting Group Ltd.

Subject Property:

270 Equestrian Way

Proposal:
The applicant is seeking relief from zoning by-law 150-85 to permit:

1. A minimum landscaped open space of 25% of the entirety of the subject lands, whereas the by-law requires a minimum of 25% landscaped open area on each lot.

2. A maximum lot coverage of 55% of the entirety of the subject lands whereas the zoning by-law permits a maximum of 55% coverage on each lot.

The variances will facilitate construction of 63 townhouses and 2 3-storey mixed use buildings previously approved under SP20/20

General Information:
Zoning By-law Provisions: (H)RM3CS5, M2, OS1, RM3CS5
Official Plan Designation: HIGH DENSITY RESIDENTIAL; NATURAL OPEN SPACE SYSTEM; PRESTIGE INDUSTRIAL
Adjacent Zoning: (E)A1, RM3, OS1, RM4, M3, R1
Adjacent Land Use: Residential
Existing Use: Other
Proposed Use: Residential
Recommendation:
City of Cambridge Planning staff recommend approval of this application, subject to the following conditions:

1. That the building footprints be constructed substantially in keeping with the site plan submitted to the Committee of Adjustment; and
2. That the variances shall apply only in reference to SP20/20.

Staff Comments:

City of Cambridge Development Planning Section:

Four Tests of a Minor Variance

Does the proposal maintain the general intent and purpose of the Official Plan?
The Site is designated High Density Residential in the City of Cambridge Official Plan. In keeping with the designation a mix of townhouses and multi-storey residential building is proposed. The requested variances support the implementation of an approved site plan application and will allow for a uniform building program throughout the community. Planning staff is of the opinion that the application conforms to the City’s Official Plan as the development aligns with the intended land use.

Does the proposal maintain the general intent and purpose of the City’s Zoning By-law?
The intent of the zoning by-law is to regulate land uses and regulations with respect to the placement of buildings on land. The coverage and landscaped area requirements serve to ensure adequate amenity and ground water infiltration is provided. Addressing the requirement on a site-wide level does not change the overall functionality of the site or project. Condition 2, that the variances shall apply only in reference to the previously approved site plan application will ensure that future development of the subject properties must continue to address coverage and landscaping individually. Planning staff are of the opinion that 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 site will fully function without any issues resulting from these slight reductions to the zoning regulations. 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 that the prior site plan application and zoning by-law amendment saw fit to enable this development form on the subject lands.

Is the proposal minor in nature?
The requested variances are minor in nature as they do not result in any
significant changes to the function of the proposed lots. The variances serve to maintain the site layout and function previously approved. The requested variances have been found during detailed site analysis and are largely technical in nature given the site-wide coverage and landscaping.

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, recognizing the purpose of the application as to approve the dimensions previously approved under SP20/20, staff recommends approval of the minor variance application.

**Regional Municipality of Waterloo**
No comment.

**Grand River Conservation Authority**
No comment.

**Energy+ Inc.:**
No comments received.

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

**City of Cambridge Transportation Engineering Section:**
No comment.

**City of Cambridge Project Engineer:**
No comment.

**City of Cambridge Fire Department:**
No comment.

**City of Cambridge Senior Planner-Heritage:**
No comments received.

**City of Cambridge Economic Development:**
No comment.

**City of Cambridge Sustainability Planner:**
No comments received.
Zoning & Aerial

Subject Property

Site Sketch
Application No.: A24/22   Meeting Date: May 18, 2022   Ward No.: 6

Property Owner:  Skopliak Mark William
 Applicant:  Skopliak Mark William
Subject Property: PLAN 1522 LOT 5
  166 Stirling MacGregor Dr

Proposal:
The applicant is seeking relief from zoning by-law 150-85 to permit:

1) An accessory structure with an exterior side yard setback of 0.2m (0.6 ft) whereas the by-law requires 6m (19.7 ft). The wall shall be set back 0.6 m (2 ft) while the eaves project a further 0.4 m (1.3 ft).

The variance will facilitate legalization of an existing shed.

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

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

1. That the accessory garage not be used for a home occupation;  
2. That the accessory garage not be used as a dwelling unit; and  
3. That the accessory garage not have any north facing windows; and  
4. A building permit is required for the proposed construction as it was constructed without a permit.
Staff Comments:
City of Cambridge Development Planning Section:
The subject property is located on the west side of Stirling Macgregor Drive, on the south side of the intersection with Suncrest Court.

The applicant is requesting a reduced exterior side yard setback to facilitate legalization of an existing accessory structure (shed) constructed without permit in the rear yard.

Four Tests of a Minor Variance

Does the proposed minor variance maintain the general intent and purpose of the Official Plan?
The subject land is currently designated as Low/Medium Density Residential in the City’s Official Plan. The Low/Medium Density Residential designation and the current R4 zone permits the existing single detached residential use and accessory structures. An accessory garage is now being requested, which is permitted for properties designated as Low/Medium Density Residential. Planning staff is of the opinion that the general intent of the City’s Official Plan is maintained.

Does the proposed minor variance maintain the general intent and purpose of the Zoning By-law?
The subject property is zoned R4 (Single Detached Residential) in the City’s Zoning By-law. The requested accessory structure is a permitted use. The by-law would require the structure to be set back 6.0 m from an exterior side lot line, while the subject structure is positioned 0.2m from the boundary. The structure complies with all other zoning requirements.

The intent of the exterior side yard regulation in the Zoning By-law is primarily to limit the impact of building mass on neighbouring properties by keeping exterior side yards on corner lots consistent with frontages on the street. In this case, the street abutting the exterior side yard forms a cul-de-sac, with the property immediately abutting the rear of 167 (3 Suncrest Court) set substantially behind (south of) the subject property, in line with the street. The structure is screened by both a substantial fence, and vegetation.

The nature of the Suncrest cul-de-sac creates an inherent variation in frontage, while no negative impact on neighbouring properties or overall streetscape is anticipated. Staff has also indicated the garage is not to be used as a secondary dwelling or a home occupation, and that no windows are to be along the exterior lot line. Planning staff are of the opinion that the general intent of the City’s Zoning By-law is maintained.
Is the proposal minor in nature?
Staff believe that the general nature of the accessory structure is consistent with the residential land use anticipated by the by-law and that there is no negative impact created by the requested variance. Considering the lack of impact planning staff believe that the requested variance is minor in nature.

Is the proposal desirable for the appropriate development and use of the lands?
Based on the above analysis Planning staff are of the opinion that the structure is a desirable improvement to the lands.

Regional Municipality of Waterloo:
No comment.

Grand River Conservation Authority
No comment.

Energy+ Inc.:
No comments received.

City of Cambridge Building Section:
A building permit is required for the proposed construction as it was constructed without a permit.

A building permit is currently under review and any deficiencies relating to the construction without a permit will be identified during that review.

City of Cambridge Transportation Engineering Section:
No comment.

City of Cambridge Project Engineer:
No comment.

City of Cambridge Fire Department:
No comment.

City of Cambridge Senior Planner-Heritage:
No comments received.

City of Cambridge Economic Development:
No comment.

City of Cambridge Sustainability Planner:
No comments received.
Aerial & Zoning

Site Sketch

Subject Property

R4 Zone

0.2 m setback
Site Visit
Application No.: A26/22  Meeting Date: May 18, 2022  Ward No.: 8

Property Owner:  Rosa Chaves Braga Bairos
                Joao Chaves Bairos

Applicant:  Devanti Bairos

Subject Property:  PLAN 1325 LOT 27
117 Carter Cres

Proposal:
the applicant is seeking relief from zoning by-law 150-85 to permit:

1. A rear yard setback of 3.2m (10.5 ft) whereas the by-law requires 7.5m (24.6 ft).

The minor variance will facilitate construction of a rear two storey addition.

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
Staff Comments:
Recommendation:
City of Cambridge planning staff recommend approval of the minor variance application subject to the following conditions:
1. That the building footprint be constructed substantially in keeping with the sketch submitted to the Committee of Adjustment; and
2. A building permit is required for the proposed construction.

City of Cambridge Development Planning Section:
The subject property is located on the west side of Carter Crescent, on the north side of the intersection with Braemar Road. Per Zoning By-law 150-85 the front of the property is deemed to be Braemar Road.

A rear addition is now being proposed, with the applicant requesting a minor variance to reduce the required rear yard setback. The proposed addition will comply with all other zoning requirements.

Four Tests of a Minor Variance

Does the proposed minor variance maintain the general intent and purpose of the Official Plan?
The subject land is currently designated as Low/Medium Density Residential in the City’s Official Plan. The Low/Medium Density Residential designation and the current R5 zone permits the existing single detached residential use. Planning staff are of the opinion that the general intent of the City’s Official Plan is maintained.

Does the proposed minor variance maintain the general intent and purpose of the Zoning By-law?
The subject property is zoned R5 (Single Detached Residential) in the City’s Zoning By-law. The requested rear addition to a single detached dwelling is a permitted use. The by-law would require the structure to be set back 7.5 m from the rear lot line, while the proposed structure is set back 3.2m.

The intent of the rear yard setback in the Zoning By-law is primarily to ensure adequate spatial separation between abutting residential properties for privacy, amenity, and open space. In this case, reduced rear lot setbacks are a common feature of the area, seen on multiple properties on Carter Crescent. The proposed reduction is in the direction of 151 Carter Crescent, facing 151’s interior side yard.

Staff have recommended the variance be conditional on being constructed substantially in keeping with the plans submitted with the intention of requiring that any further encroachment on the side yard would need a new approval.
Application No.: A26/22
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Planning staff are of the opinion that the general intent of the City’s Zoning By-law is maintained.

**Is the proposal minor in nature?**
The requested variance reflects the small lot size on the Carter Crescent / Braemar Road / Elgin Street N block, is a common condition and respects other site specifications which address preservation of open space. As the proposal would create a typical condition for the area staff are of the opinion that the requested variance is minor in nature.

**Is the proposal desirable for the appropriate development and use of the lands?**
Based on the above analysis, and noting that the proposed separation from 151 Carter Crescent would be considered acceptable for two abutting side yards, Planning staff are of the opinion that the structure is a desirable improvement to the lands.

**Regional Municipality of Waterloo:**
No comment.

**Grand River Conservation Authority**
No comment.

**Energy+ Inc.:**
*No comments received.*

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

**City of Cambridge Transportation Engineering Section:**
No comment.

**City of Cambridge Project Engineer:**
No comment.

**City of Cambridge Fire Department:**
No comment.

**City of Cambridge Senior Planner-Heritage:**
*No comments received.*

**City of Cambridge Economic Development:**
No comment.
City of Cambridge Sustainability Planner:
No comments received.
Aerial & Zoning

Site Sketch

R5 Zoning
Subject Property

3.2m setback
Application No.: A27/22  Meeting Date: May 18, 2022  Ward No.: 3

Property Owner: Laura Marie Chambers
Andrew Robert James Mclagan

Applicant: Laura Marie Chambers
Andrew Robert James Mclagan

Subject Property: PLAN 528 LOT 29
717 Lawrence St

Proposal:
The applicant is seeking relief from zoning by-law 150-85 to permit:

1. A rear yard setback of 4.8 m (15.8 ft) whereas 7.5m (24.6 ft) is required.

The minor variance will facilitate construction of a rear attached garage addition.

General Information:
Zoning By-law Provisions: R5
Official Plan Designation: Low / Medium Density Residential
Adjacent Zoning: R5, OS4
Adjacent Land Use: Residential
Existing Use: Residential
Proposed Use: Residential

Staff Comments:
Recommendation:
City of Cambridge planning staff recommend approval of the minor variance application subject to the following condition:

1. That the building footprint be constructed substantially in keeping with the site plan submitted to the Committee of Adjustment; and
2. A building permit is required for the proposed construction.
City of Cambridge Development Planning Section:
The subject property is located on the south side of Lawrence Street, and abuts the west side of the Lawrence Street Park.

The subject parcel is irregularly shaped, with the deemed “rear” lot line being elongated and forming the majority of the easterly boundary of the property.

Zoning By-Law 150-85 defines *lot line, rear* as meaning “the lot line opposite the front lot line, as illustrated in Figure 5”

A rear addition for use as an integral garage is now being proposed, with the applicant requesting a minor variance to reduce the required rear yard setback.

**Four Tests of a Minor Variance**

Does the proposed minor variance maintain the general intent and purpose of the Official Plan?

The subject land is currently designated as Low/Medium Density Residential in the City’s Official Plan. The Low/Medium Density Residential designation and the current R5 zone permits the existing single detached residential use. Integral
garages are similarly permitted and planning staff are of the opinion that the general intent of the City’s Official Plan is maintained.

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

The subject property is zoned R5 (Single Detached Residential) in the City’s Zoning By-law. The requested rear addition to a single detached dwelling is a permitted use. The by-law would require the structure to be set back 7.5 m from a rear lot line, while the subject structure is positioned 4.8m from the deemed “rear” lot line. The proposed structure complies with all other zoning requirements.

The intent of the rear yard setback in the Zoning By-law is primarily to ensure adequate spatial separation between abutting residential properties for privacy, amenity, and open space. In this case, the portion of the rear lot line impacted by the proposed construction functions as an interior side lot line but for the irregular shape of the lot. An interior side yard would require a setback of only 1.2m. Further, the lot line subject to the requested variance abuts a public park, limiting any potential impact of reduced open space.

Staff have recommended the variance be conditional on being constructed substantially in keeping with the plans submitted with the intention of requiring that any further encroachment on the side yard would need a new approval. Planning staff are of the opinion that the general intent of the City’s Zoning By-law is maintained.

**Is the proposal minor in nature?**

The requested variance reflects a unique lot condition which renders the by-law more restrictive than in comparable locations on other lots. As the proposal would create a typical condition for the area staff are of the opinion that the requested variance is minor in nature.

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

Based on the above analysis Planning staff is of the opinion that the structure is a desirable improvement to the lands.

**Regional Municipality of Waterloo:**

No comment.

**Grand River Conservation Authority**

No comment.

**Energy+ Inc.:**

*No comments received.*
City of Cambridge Building Section:
A building permit is required for the proposed construction.

City of Cambridge Transportation Engineering Section:
No comment.

City of Cambridge Project Engineer:
No comment.

City of Cambridge Fire Department:
No comment.

City of Cambridge Senior Planner-Heritage:
No comments received.

City of Cambridge Economic Development:
No comment.

City of Cambridge Sustainability Planner:
No comments received.

Canadian National Railway
No comment.

Canadian Pacific Railway
No comments received.
Aerial & Zoning

Subject Property

R5 Zoning

Site Sketch

4.8 m setback

“Rear” lot line
Site Visit
Application No.: A29/22  Meeting Date: May 18, 2022  Ward No.: 5

Property Owner: Singh Gurdeep
Applicant: Tajinder Kainth

Subject Property: PLAN 58M-555 LOT 88
139 Hardcastle Dr

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

1. A side entry stair set back 0.36 m from the interior side lot line, whereas the by-law requires a side yard setback of 1.2 m with a 0.5 m permitted encroachment for a requirement of 0.7 m.

The minor variance will facilitate legalization and reconstruction of an existing side entry.

General Information:
Zoning By-law Provisions: R6
Official Plan Designation: Low / Medium Density Residential
Adjacent Zoning: R6, RM3
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 proposed steps be substantially in keeping with the plans submitted with the application;
2. The access stairway shall not provide direct entry to a secondary suite and/or additional residential unit; and
3. A building permit is required for the proposed construction as it was constructed without a permit.

Staff Comments
City of Cambridge Development Planning Section:
The subject property is located on the west side of Hardcastle Drive between Salisbury Avenue and Cox Street, and is the most southerly property before Hardcastle turns to the east.

The applicant is seeking to reconstruct and legalize a side entry which encroaches on the required side yard, with a requested setback of 0.36 m. The by-law would require an unobstructed 1.2m side yard, but permits an encroachment of up to 0.5 m for entry stairs.

Staff note that the application does not indicate the stairway as being a direct access point to a secondary suite, that such a secondary suite would not currently be permissible under by-law 108-18 and that both by-laws 108-18 and 22-017 have a separate requirement for an entry stair to a secondary suite to be located at least 1.2 m from an interior side yard.

Four Tests of a Minor Variance
Does the proposed minor variance maintain the general intent and purpose of the Official Plan?
The subject land is currently designated as Low/Medium Density Residential in the City’s Official Plan. The Low/Medium Density Residential designation and the R6 zone permit the existing single detached residential use. Planning staff is of the opinion that the general intent of the City’s Official Plan is maintained.

Does the proposed minor variance maintain the general intent and purpose of the Zoning By-law?
The intent of the minimum side yard setback to steps above or below grade is to allow stairs to encroach into the required 1.2 m (4 ft.) side yard while still maintaining sufficient access to the rear yard. The northern side yard maintains a 1.2 m (4 ft.) setback that can be used to access the rear yard. Therefore, it is not anticipated that the stairs will impede travel from the front to the rear yard.

Is the proposal minor in nature?
Staff believe that the general nature of the entry is consistent with the residential land use anticipated by the Official Plan, that there is no negative impact created by the requested variance and that the general purpose of the by-law is maintained. As such planning staff believe that the requested variance is minor in nature.

Is the proposal desirable for the development and use of the lands?
Based on the above analysis Planning staff is of the opinion that the structure is a desirable improvement to the lands. Staff note that the reduction in permitted side-yard, while deemed an interior yard, is in the direction of an abutting parking facility and access driveway to a townhouse development and does not reduce the separation between adjacent residential dwellings.

**Regional Municipality of Waterloo:**
No comment.

**Grand River Conservation Authority**
No comment.

**Energy+ Inc.:**
*No comments received.*

**City of Cambridge Building Section:**
A building permit is required for the proposed construction as it was constructed without a permit.

A building permit is currently under review and any deficiencies relating to the construction without a permit will be identified during that review.

**City of Cambridge Transportation Engineering Section:**
No comment.

**City of Cambridge Project Engineer:**
No comment.

**City of Cambridge Fire Department:**
No comment

**City of Cambridge Senior Planner-Heritage:**
*No comments received.*

**City of Cambridge Economic Development:**
No comment.

**City of Cambridge Sustainability Planner:**
*No comments received.*

**Aerial & Zoning**
Site Visit
Application No.: A30/22  Meeting Date: May 18, 2022       Ward No.: 8

Property Owner: Crossroads Business Centre

Applicant: Kurt Franklin

Subject Property: PLAN 1383 PT LOT 24;RP67R2899 PART 1
1111 Franklin Blvd

Proposal:
The applicant is seeking relief from Zoning By-Law 105-85 to permit:

1. Uses defined in S.3.4.2.2 (p) (iv) to occupy up to 25% of gross leasable commercial floor area across all buildings on the lot, whereas the by-law permits S.3.4.2.2 (p) (iv) uses to occupy up to 25% of individual buildings.

The minor variance will facilitate use of a portion of the existing structure by a fitness club and food services establishment. No new construction is proposed.

General Information:
Zoning By-law Provisions: M3 s. 4.1.211
Official Plan Designation: Business Industrial
Adjacent Zoning: M3
Adjacent Land Use: Industrial
Existing Use: Industrial
Proposed Use: Industrial

Staff Comments:
Recommendation:
City of Cambridge Planning Staff recommend approval of the minor variance application.

City of Cambridge Development Planning Section:
The subject lands are located on the northeast quadrant of the Franklin Blvd / Bishop St intersection. They are zoned M3 Industrial with site specific permission
permitting an increase in the percentage of the lot which may be used for professional offices and/or dispensing pharmacies. The lands are designated as business industrial in the Cambridge Official Plan.

The applicant is requesting to measure the gross leasable floor space to be used for commercial uses permitted under S.3.4.2.2 (p) (iv) of the Zoning By-law across all buildings on the site. The by-law specifies that such uses shall occupy up to 25% of the individual building they are located in.

**Four Tests of a Minor Variance**

**Does the proposed minor variance maintain the general intent and purpose of the Official Plan?**

S 8.5.2.6 of the Cambridge Official Plan provides for the provision of convenience commercial uses complementary and compatible with industrial malls within the employment area.

The requested variance will facilitate a use permitted within the employment area and maintains the by-law’s ratio of such uses to the primary industrial purpose of the lot. Planning staff are satisfied that the intent of the Official Plan is maintained.

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

As discussed above, the relative relationship of commercial and industrial uses proposed by the by-law is maintained by the requested variance. The variance continues to require that such uses be limited to less than 2,500 sq. m. of gross leasable floor space and does not increase the overall amount of such uses permitted on the site.

Staff further note that site specific provision 3.1.211 which permits an increased use of gross leasable floor space for business and professional offices and/or dispensing pharmacy’s accessory to medical facilities is measured across all buildings on the site.

As such, staff are satisfied that the proposal meets the general intent of the zoning by-law.

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

The proposed shifting of permitted commercial uses toward the street frontage, creating a desirable streetscape improvement and enhancing visibility of the commercial uses.

Staff are satisfied that the proposal represents a desirable use of the lands.
Is the proposal minor in nature?
Given the lack of change to the overall permitted use and existing use of a site wide measurement in S4.1.211 staff are satisfied that the proposed variance is minor in nature.

Regional Municipality of Waterloo:
No comment.

Grand River Conservation Authority
No comment.

Energy+ Inc.:
No comments received.

City of Cambridge Building Section:
Definition only, no further comment.

City of Cambridge Transportation Engineering Section:
No comments received.

City of Cambridge Project Engineer:
No comment.

City of Cambridge Fire Department:
No comment.

City of Cambridge Senior Planner-Heritage:
No comments received.

City of Cambridge Economic Development:
No comment.

City of Cambridge Sustainability Planner:
No comments received.

Ministry of Transportation:
No comments received.
Site Visit
Application No.: A32/22  Meeting Date: May 18, 2022  Ward No.: 1

Property Owner:  Slobodan Urosevic
Applicant:  Slobodan Urosevic
Subject Property:  CON BEASLEYS BROKEN FRONT PT;LOT 13 PT LOT 14 163 Riverbank Dr

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

1. An accessory structure with a total building height of 5.25 m (17.2 ft) whereas the by-law permits a maximum of 4.5 m (18.8 ft).

The minor variance will facilitate construction of an accessory structure with a secondary dwelling unit.

General Information:
Zoning By-law Provisions: A1, OS1, RR2
Official Plan Designation: FUTURE URBAN RESERVE; NATURAL OPEN SPACE SYSTEM; RURAL RESIDENTIAL
Adjacent Zoning: A1, OS1, RR2
Adjacent Land Use: Residential
Existing Use: Residential
Proposed Use: Residential

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

1. That the development be constructed substantially in keeping with the plans submitted to the Committee of Adjustment with the minor variance application;
2. That the lower (crawlspace) level of the accessory structure shall not be used for any habitable room, and shall have a floor to ceiling height of less than 2.2 m;
3. That the lower (crawlspace) level of the accessory structure shall not be used for a home occupation;
4. That the minor variances shall apply only over the portion of the subject lands zoned RR2; and
5. A building permit is required for the proposed accessory building construction.

Staff Comments:

City of Cambridge Development Planning Section:
The subject property is located on the south side of Riverbank Drive east of King Street (City of Kitchener) and has a total area of 12,858 sq m (3.18 acres), 3,012 sq m (0.744 acres) of which is zoned for RR2- Rural Residential. The remaining portions are zoned a mix of OS1 Open Space and A1 Agricultural and all proposed construction is to be located on the portion zoned RR2. The City of Cambridge Official Plan designates the lands a mix of Rural Residential, Natural Open Space System and Future Urban Reserve and are located outside the Urban Area Boundary.

The applicant is proposing to construct an accessory structure containing a secondary dwelling unit and two car garage. The secondary dwelling structure will have a total floor area of 114 sq m (374 sq ft), which represents 38.8% of the primary dwelling’s 294 sq m (964.5 sq ft) total floor area. A variance is required for the total height of the accessory structure, due to a receding grade across the site.

Provincial Policy Statement
The Provincial Policy Statement sets the policy foundation for regulating the development and use of land in Ontario. It provides for appropriate development while protecting public resources of provincial interest, public health and safety, and the quality of the natural and built environment. Building Strong Healthy Communities, Wise Use and Management of Resources and Protecting Public Health and Safety are the main policy themes within the plan. There are no concerns with these policies and therefore the application is consistent with the Provincial Policy Statement.

A Place to Grow-Growth Plan for the Greater Golden Horseshoe (2020)
One of the guiding principles within the Places to Grow Growth Plan supports a range of housing options, including additional residential units to serve all sizes, incomes, and ages of households. Many metropolitan regions within the Greater
Golden Horseshoe are facing issues of housing affordability, which are being driven primarily by sustained population growth and factors such as a lack of housing supply with record low vacancy rates. The Places to Grow Plan helps to address these challenges by providing direction to plan for a range and mix of housing options, including additional residential units. The Places to Grow Plan focuses more particularly to higher density housing options that can accommodate a range of household sizes in locations that can provide access to transit and/or other amenities. Staff are of the opinion that this proposal meets the intent of the Places to Grow-Growth Plan for the Greater Golden Horseshoe.

City of Cambridge Official Plan
The subject land proposed for development is designated as Rural Residential in the City’s Official Plan. The Rural Residential designation permits detached dwellings and in-fill appropriate to a general rural character, including secondary dwelling 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, are 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 proposed attached garage and secondary dwelling unit will have limited visual impact from the street. Staff are of the opinion that this proposal meets the intent and purpose of the Official Plan.

Zoning By-Laws (150-85 and 108-18)
The part of the subject property proposed for development is zoned RR2 (Rural Residential) in the City’s Zoning By-law No. 150-85, as amended. The proposed accessory use is permitted; however, the proposed height of the structure exceeds what is currently permitted in the Zoning By-law. The height of the structure is proposed to be a maximum height of 5.25 m (20.9 ft.) whereas the by-law permits a maximum height of 4.5 m (14.8 ft.) for accessory structures.

The intent of the height regulation in the applicable Zoning By-laws is primarily to limit the impact of oversized accessory structures on neighbouring properties and maintain adequate amenity space on the subject property. The accessory garage will be located in the rear yard of a 3 acre property, largely behind the existing dwelling. The structure complies with all other zoning requirements including
side yard setback, and incorporates all required parking facilities within the structure.

By-law 108-18 further seeks to ensure the subordinance of secondary dwelling units to the primary dwelling. Staff have indicated that the lower level of the secondary unit is not to be used for a home occupation or otherwise made into habitable space. Staff note that the structure complies with both the 40% of primary dwelling floor area cap for secondary dwelling units as well as the 10% lot coverage limit for accessory structures. Planning staff are of the opinion that with the recommended conditions there will be no negative impact, and the general intent of the City’s Zoning By-law is maintained.

Based on the above analysis Planning staff are of the opinion that the application is minor, appropriate for the site, and meets the general intent of the Zoning By-law and Official Plan and therefore recommend approval of this minor variance application subject to the three (3) conditions.

Regional Municipality of Waterloo:
No comment.

Grand River Conservation Authority

Recommendation
The GRCA has no objection to the above-noted minor variance application.

GRCA Comments
GRCA has reviewed this application as per our delegated responsibility from the Province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS, 2020) and as a regulatory authority under Ontario Regulation 150/06. GRCA has also provided comments as per our MOU with the Region of Waterloo and as a public body under the Planning Act as per our CA Board approved policies.

Information currently available at this office indicates that the subject property contains Freeport Creek and its associated floodplain, and the regulated allowance to these features. A copy of our resource mapping is attached.

Due to the presence of these features, 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. Any future development within the regulated area will require a permit from the GRCA pursuant to Ontario Regulation 150/06.

The subject property contains existing and proposed residential use. The applicant is proposing to construct an accessory structure with a secondary
dwelling unit. As such, the applicant is requesting relief from the zoning by-law to permit a building height of 5.25 metres, whereas 4.5 metres is required. Based on the circulated site plan (prepared by 360 Smart Design, April 2022), the proposed accessory structure and all associated development is located outside of GRCA’s regulated area. Therefore, GRCA has no objection to this application and a permit is not required.

Consistent with GRCA’s 2022 approved fee schedule, this application is considered a ‘minor’ minor variance and the applicant will be invoiced in the amount of $290 for the GRCA’s review of this application.

Should you have any questions, please contact the undersigned at 519-621-2763 ext. 2233 or jbrum@grandriver.ca.

Energy+ Inc.:  
No comments received.

City of Cambridge Building Section:  
A building permit is required for the proposed accessory building construction.
Upgrading of the existing septic system may be necessary as a result of the proposed secondary unit on the property.

**City of Cambridge Transportation Engineering Section:**
*No comments received.*

**City of Cambridge Project Engineer:**
*No comments received.*

**City of Cambridge Fire Department:**
No comment.

**City of Cambridge Senior Planner-Heritage:**
*No comments received.*

**City of Cambridge Economic Development:**
No comment.

**City of Cambridge Sustainability Planner:**
*No comments received.*

**Ministry of Transportation:**
*No comments received.*
Aerial & Zoning

Subject

Property

RR2 Zoning

OS1 Zoning

A1 Zoning

Subject Property
Site Sketch
Site Visit
Application No.: A33/22  Meeting Date: May 18, 2022  Ward No.: 8

Property Owner:  Saginaw Gp Inc Trustee

Applicant:  Andrea Sinclair
MHBC Planning

Subject Property:  PLAN 58M80 BLK 1
Saginaw Lands / 167 Green Vista Dr

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

1. A side yard setback of 5 m (16.4 ft) on corner lots 1, 30, 31, 60, 61, 74, 78, 87, 91, 101, 105, 111, 115, 123, 139, 130 and 134 whereas the by-law requires 6 m (19.7 ft).

The minor variance will facilitate construction of the approved Saginaw Subdivision, Stage 1, file numbers 30T-15101 and R17/15.

General Information:
Zoning By-law Provisions: N2RM1, OS1, R4, R5, R6
Official Plan Designation: LOW / MEDIUM DENSITY RESIDENTIAL; NATURAL OPEN SPACE SYSTEM
Adjacent Zoning: R4, R5, OS1, RS1, RM4
Adjacent Land Use: Residential
Existing Use: Other
Proposed Use: Residential

Recommendation
Planning staff recommend approval of the application subject to the following condition:

1. Payment of outstanding GRCA review fee of $290.00.
City of Cambridge Development Planning Section:

Four Tests of a Minor Variance

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

The Site is designated Low/Medium Density Residential in the City of Cambridge Official Plan. In keeping with the designation a mix of housing types is proposed. The requested variances support the implementation of an approved site plan application and will allow for a uniform building program throughout the community. Planning staff is of the opinion that the application conforms to the City’s Official Plan as the development aligns with the intended land use.

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

The intent of the zoning by-law is to regulate land uses and regulations with respect to the placement of buildings on land. The major purpose of the external side yard setback requirement is to maintain building separation, a consistent streetscape and appropriate visibility at corners. The proposed reduction is small in absolute terms and creates flexibility on irregularly shaped lots while maintaining separation between driveways and intersections. Planning staff are of the opinion that 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 site will fully function without any issues resulting from these slight reductions to the zoning regulations. 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 that the prior site plan application and zoning by-law amendment saw fit to enable this development form on the subject lands.

*Is the proposal minor in nature?*

The requested variances are minor in nature as they do not result in any significant changes to the function of the proposed lots. The variances serve to maintain the site layout and function previously approved. The requested variances do not obstruct corner visibility, and will still create a general consistency in building position on adjoining streets.

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 minor variance application.
GRCA has reviewed this application as per our delegated responsibility from the Province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS, 2020) and as a regulatory authority under Ontario Regulation 150/06. GRCA has also provided comments as per our MOU with the Region of Waterloo and as a public body under the Planning Act as per our CA Board approved policies.

Information currently available at this office indicates that a portion of the subject lands contains the Portuguese Swamp Provincially Significant Wetland (PSW) complex and its regulated allowance. Due to the presence of this wetland, a portion of the subject lands are regulated by the GRCA under the Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation (Ontario Regulation 150/06). Any future development or site alteration on the subject property will require a permit pursuant to Ontario Regulation 150/06.
It is our understanding that the purpose of this minor variance application is to reduce the required side yard setbacks on 17 corner lots within Stage 1 within the approved Draft Plan of Subdivision (30T-15101). We note that this stage of the draft plan has not been registered as of yet.

The GRCA staff participated in the review of this draft plan of subdivision. Since the draft plan has not been registered, the GRCA’s regulation limits have not been updated. As such, it would appear that the proposed Lots 60, 61 and 74 are currently located within the GRCA’s regulated areas. However, it is our understanding that no building permits would be issued until Stage 1 has been registered. Once Stage 1 has been registered, the GRCA’s regulation limits will be updated to the rear of the development lots and Open Space blocks. Therefore, no separate GRCA permits would be required in addition to City of Cambridge building permits. Further, the GRCA is satisfied that these lots are consistent with the GRCA’s review of the draft plan of subdivision.

Based on the foregoing, the GRCA has no objection to the approval of this minor variance application by the City of Cambridge.

Consistent with GRCA’s 2022 approved fee schedule, this application is considered a ‘minor’ minor variance and the applicant will be invoiced in the amount of $290 for the GRCA’s review of this application.
Energy+ Inc.:
No comments received.

City of Cambridge Building Section:
setbacks only for future subdivision

City of Cambridge Transportation Engineering Section:
No comment.

City of Cambridge Project Engineer:
No comment.

City of Cambridge Fire Department:
No comment

City of Cambridge Senior Planner-Heritage:
No comments received.

City of Cambridge Economic Development:
No comment.

City of Cambridge Sustainability Planner:
No comments received.
Aerial & Zoning

Site Sketch

Subject lots highlighted
Application No.: A34/22  Meeting Date: May 18, 2022  Ward No.: 1

Property Owner: Ats Automation Tooling

Applicant: Rachel Bossie
            GSP Group

Subject Property: CON BEASLEY'S BROKEN FRONT PT; LOTS 23 & 24
                  730 Fountain St N

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

1. A rear yard setback of 5 m (16.4 ft) whereas the by-law requires 7.5 m (24.6 ft).

The minor variance will facilitate construction of building 4 per site plan application SP12/22

General Information:
Zoning By-law Provisions: M1, M2
Official Plan Designation: Employment Corridor; Natural Open Space System
Adjacent Zoning: M1, M3, OS3
Adjacent Land Use: Industrial
Existing Use: Industrial
Proposed Use: Industrial

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

1. The minor variance shall apply in reference to site plan control application SP12/22; and
2. A building permit is required for the proposed construction.
Application No.: A34/22
Date of Meeting: May 18, 2022
Page 2 of 4

Staff Comments:
City of Cambridge Development Planning Section:

Four Tests of a Minor Variance
The subject lands are located on the west side of Fountain Street, directly to the north of the Highway 401 / Highway 8 ramps. The applicant is now requesting a minor variance to reduce required rear yard setbacks to facilitate construction of an additional industrial building under SP12/22. The lands directly abutting the requested variance are located in the City of Kitchener and zoned as a Natural Heritage Conservation area. The property complies with all other zoning requirements.

14m setbacks from Highway 401 are maintained, as is an 8m setback from all Ministry of Transportation lands.

Does the proposed minor variance maintain the general intent and purpose of the Official Plan?
The Employment Corridor designation permits a broad range of employment land uses, including industrial manufacturing facilities. Staff are satisfied that the intent of the Official Plan is maintained.

Does the proposed minor variance maintain the general intent and purpose of the Zoning By-law?
The M1 industrial designation permits general industrial uses such as the proposed building. Rear yard setbacks in industrial areas are largely intended to ensure adequate screening and drainage. In this case the reduction occurs toward a major highway, addressing screening concerns.

Planning staff believe that drainage issues have ben addressed through the site plan application and are satisfied that the intent of the by-law is maintained.

Is the proposal desirable for the development and use of the lands?
Planning staff believe that the construction of a significant industrial facility on industrially zoned lands designated for employment use are a desirable use of the subject lands.

Is the proposal minor in nature?
The proposal is not expected to produce any negative impact, upholds all zoning requirements excepting the requested variance for rear yard setback and maintains a substantial rear yard setback. Staff are satisfied that the proposed variance is minor in nature.

Regional Municipality of Waterloo:
No comment.
Grand River Conservation Authority
No comment.

Energy+ Inc.:
No comments received.

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

City of Cambridge Transportation Engineering Section:
No comment.

City of Cambridge Project Engineer:
No comment.

City of Cambridge Fire Department:
No comment

City of Cambridge Senior Planner-Heritage:
No comments received.

City of Cambridge Economic Development:
No comment.

City of Cambridge Sustainability Planner:
No comments received.

Ministry of Transportation
No comments received.

Aerial & Zoning
Application No.: A35/22  Meeting Date: May 18, 2022  Ward No.: 5

Property Owner:  Meagan Elizabeth Pavey
                Donovan W/Elizabeth A Pavey

Applicant:  Elle3 Design & Interiors

Subject Property:  PLAN 110 LOT 38
                  72 Aberdeen Rd S

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

1. An exterior side yard setback of 3.22 m (10.6 ft) whereas the by-law requires 6 m (19.7 m). This is an existing condition.

The minor variances will facilitate construction of a second storey addition.

General Information:
Zoning By-law Provisions: R5
Official Plan Designation: Low / Medium Density Residential
Adjacent Zoning: R5, R4
Adjacent Land Use: Residential
Existing Use: Residential
Proposed Use: Residential

Recommendation:
City of Cambridge planning staff recommend approval of this minor variance application.

Staff Comments
City of Cambridge Development Planning Section
The subject property is located on the west side of Aberdeen Road N at the intersection with Churchill Drive. The applicant is seeking to construct a secondary storey addition to the existing single detached dwelling and is
requesting a reduced exterior side yard setback which reflects the existing footprint of the house.

**Four Tests of a Minor Variance**

Does the proposed minor variance maintain the general intent and purpose of the Official Plan?
The subject land is currently designated as Low/Medium Density Residential in the City’s Official Plan. The Low/Medium Density Residential designation and the current R5 zone permits the existing single detached residential use. Planning staff are of the opinion that the general intent of the City’s Official Plan is maintained.

Does the proposed minor variance maintain the general intent and purpose of the Zoning By-law?
The subject property is zoned R5 (Single Detached Residential) in the City’s Zoning By-law. The requested second storey addition to a single detached dwelling is a permitted use. The by-law would require the structure to be set back 6 m from an exterior side lot line, while the subject structure is positioned 3.22 m from the Churchill Drive lot line.

The intent of the exterior side yard regulation in the Zoning By-law is primarily to limit the impact of building mass on neighbouring properties by keeping exterior side yards on corner lots consistent with frontages on the street. In this case the setback is an existing condition. While a second storey will bring increased mass, the current setback is consistent with lots fronting Churchill Drive in this area. All such structures are taller than the existing house at 72 Aberdeen Rd S, and as such planning staff believe the proposal is consistent with setbacks, frontages and the general built form of the area. Planning staff are therefore of the opinion that the general intent of the City’s Zoning By-law is maintained.

Is the proposal minor in nature?
The variance reflects the existing footprint of the house and is not anticipated to have a negative impact. Planning staff believe the variance to be minor in nature.

Is the proposal desirable for the development and use of the lands?
Noting that reduced exterior side setback also occur directly across the street at 21 Churchill Drive and are a regular feature of the area, and that a two storey structure is entirely compatible with the surrounding built form, planning staff believe that the proposal is an appropriate and desirable use of the land.

**Regional Municipality of Waterloo:**
No comment.

**Grand River Conservation Authority**
No comment.
Application No.: A35/22
Date of Meeting: May 18, 2022
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Energy+ Inc.:
No comments received.

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

City of Cambridge Transportation Engineering Section:
No comment.

City of Cambridge Project Engineer:
No comment.

City of Cambridge Fire Department:
No comment

City of Cambridge Senior Planner-Heritage:
No comments received.

City of Cambridge Economic Development:
No comment.

City of Cambridge Sustainability Planner:
No comments received.

Ministry of Transportation:
No comments received.
Site Visit
Application No.: A35/22
Date of Meeting: May 18, 2022
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Site Sketch

3.22 m setback
Application No.: B25/22, A31/22  Meeting Date: May 18, 2022       Ward No.: 3

Property Owner:   Kools Eric Arthur

Applicant:        Brandon Flewwelling
                  GSP Group Incorporated

Subject Property: PLAN 521 PT LOT 20 N/S QUEEN;ST AND PIN 226480075
                  UNREG
                  1279 Queenston Rd

Proposal:
B25/22

The applicant is seeking to sever the residential lot for creation of an additional lot.

The retained parcel will have a frontage of approximately 21m (68.9 ft) and an area of 448.9 m² (4831.9 ft²) while the conveyed will have a frontage of approximately 15.2 m (49.9 ft) and an area of 313.5 m² (3374.5 ft²).

A31/22

As a result of application B25/22 the applicant is further seeking relief from zoning by-law 105-85 to permit:

Retained Lot:

1. A total lot area of 448 m² (4822.2 ft²) whereas the by-law requires a minimum of 540 m² (5812.5 ft²) on a corner lot; An exterior side yard setback of 3.9 m (12.8 ft) whereas the by-law requires 6 m (19.7 ft). This is an existing condition;

2. A front yard setback of 3.9 m (12.8 ft) whereas the by-law requires 6 m (19.7 ft). This is an existing condition; and

Conveyed Lot:

3. A total lot area of 313.5 m² (3374.5 ft²) whereas the by-law requires a minimum of 450 m² (4843.8 ft²).
Application No.: B25/22, A31/22  
Date of Meeting: May 18, 2022  
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**General Information:**

Zoning By-law Provisions: R4  
Official Plan Designation: Low / Medium Density Residential  
Adjacent Zoning: R4, RM3, RM4  
Adjacent Land Use: Residential  
Existing Use: Residential  
Proposed Use: Residential

**Recommendation:**

City of Cambridge Planning Staff recommend approval of the consent application subject to the following conditions:

**B25/22 (Consent)**

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 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;

3. 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;

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

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

6. That prior to final approval, the owner/applicant pay cash-in-lieu of parkland at 5% of the value of the severed land. The applicant shall provide an opinion of value from a qualified appraiser, to the satisfaction of Realty Services, in determining the value of the severed land;
7. That an access permit through Transportation Engineering be obtained prior to the removal of, alteration to or construction of any new accesses; and

8. 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 May 18th, 2024, after which time this consent will lapse.

A31/22 (Variances)
1. That a maximum of one additional residential unit shall be permitted on each lot.

Staff Comments:
City of Cambridge Development Planning Section:
The subject property is located on the north side of Queenston Road and the east side of Montrose Street South, one block south of King Street E. The applicant is proposing to sever the existing corner lot for the creation of a new residential lot fronting onto Montrose Street S. As a result of the severance both lots will require variances for deficient total areas, while the existing house will require front and exterior side yard setbacks to recognized.

Table A – lot specifications

<table>
<thead>
<tr>
<th>Parcel</th>
<th>Proposed Area</th>
<th>Proposed Frontage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Retained (existing house)</td>
<td>448.9 m²</td>
<td>21 m</td>
</tr>
<tr>
<td>Conveyed</td>
<td>313.5 m²</td>
<td>15.2 m</td>
</tr>
</tbody>
</table>

In considering the proposed lot form and densification staff noted a number of nearby lots similar scale, including 219 Montrose with a total area of approximately 420.8 m² and 1308 Queenston with 437.9 m². Looking to the north side of King Street, R4 Residential lots as small as 237.6 m² at 118 Montrose have been identified. An apartment building with multi family residential zoning is located directly across Montrose street from the subject property at 1308 Queenston and the presence of multiple multi-family dwellings within the vicinity was noted. Staff further the presence of Grand River Transit express bus service on King Street, and that the proposal meets all applicable parking requirements.

Provincial Policy Statement (2020)

The Provincial Policy Statement (PPS) provides policy direction on matters of Provincial interest related to land use planning and development. The intent of the PPS is to help balance development interests with protection of public interests such as public health and safety, natural resources and the quality of the natural and built environment. Policy 1.1.3.1 states that: “Settlement areas
shall be the focus of growth and development, and their vitality and regeneration shall be promoted.” The subject property is located in the settlement area where development is encouraged.

Policy 1.1.3.2 indicates that land use patterns within the settlement area shall be based on densities that make efficient use of land, are appropriate given the infrastructure available, minimize negative impacts to air quality and climate change, support active transportation and provide a range of opportunities for intensification and redevelopment. Planning staff are of the opinion that the proposal is consistent with the PPS.

A Place to Grow (2020)
A Place to Grow: The Growth Plan for the Greater Golden Horseshoe, 2020, provides long-term land use planning direction for the Greater Golden Horseshoe area of Ontario. The document provides policy guidance in regards to growth management, transportation, intensification, Greenfield development, protection of employment lands, etc. Section 2.2 of the Growth Plan sets out that growth will be directed to settlement areas, where municipal infrastructure is available and complete communities can be supported. The Growth Plan states that all municipalities will encourage intensification to achieve a desired urban structure, identify an appropriate type and scale of development, and ensure that lands are zoned and development is designed to support complete communities in the built-up area.

Region of Waterloo Official Plan (2015)
The subject property is designated as “Urban Area: Built-Up Area” in the Regional Official Plan. Chapter 2 of the Official Plan (Shaping Waterloo Region’s Urban Communities) states that the overall goal is to promote balanced growth by directing a greater share of urban development towards the existing Built-Up Area. Section 2.C.2 provides direction to ensure 45% of new residential development in the Region occurs within the Built-Up Area as it has the greatest capacity to accommodate for growth and development pertaining to the availability of infrastructure, servicing, and transit options. Chapter 3 of the Official Plan (Livability in Waterloo Region) states that the overall goal is to create vibrant urban and rural places. In respect to creating vibrant urban places, Section 3.A encourages municipalities to provide a range and mix of housing and individual lot intensification where appropriate. The severance will allow for the creation of a new lot for the construction of a new residential dwelling.

City of Cambridge Zoning By-Law
The subject property is zoned R4 (Single Detached Residential). As a result of the severance, both properties will require minor variances.

Retained Lot
The applicant is further requesting the following minor variances from the Zoning By-law 150-85 to permit on the retained lot:

1. A total lot area of 448 m² (4822.2 ft²) whereas the by-law requires a minimum of 540 m² (5812.5 ft²) on a corner lot;
2. An exterior side yard setback of 3.9 m (12.8 ft) whereas the by-law requires 6 m (19.7 ft). This is an existing condition;
3. A front yard setback of 3.9 m (12.8 ft) whereas the by-law requires 6 m (19.7 ft). This is an existing condition; and

Conveyed Lot
4. A total lot area of 313.5 m² (3374.5 ft²) whereas the by-law requires a minimum of 450 m² (4843.8 ft²).

The intent of front and exterior yard setbacks is to provide amenity space, privacy and a consistent streetscape with adequate sightlines. The setbacks on the retained property are existing conditions and no changes are being proposed to the existing house. Staff are of the opinion that formalizing this setback through a variance will not have any impact on the neighbouring properties.

Planning staff are of the opinion that recognizing the setbacks will not have a negative impact on the streetscape or any adjacent neighbours. The intent of the minimum lot area and frontage requirement is to ensure there is adequate space to maintain setbacks, spatial separation, provide parking, amenity space and open landscaping. The proposed home on the severed parcel can meet all parking and setback requirements and amenity and open space.

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

The “Low/Medium Density Residential” allows for up to 40 units per hectare (uph). The subject lands are 762.4 m² (0.076 ha) in total and the 2 potential dwellings would result in an equivalent density of 26.3 unit per hectare.
Recognizing that the potential addition of 2 additional residential unit per by-law 22-017 could represent an overly intense use of the site staff recommend that any approval be conditioned on both the retained and conveyed parcels being limited to a single additional residential unit.

With the recommended conditions in place, Planning staff is of the opinion that the general intent of the City’s Official Plan is maintained.

Planning Act s.51(24)

The following criteria have been considered under Section 51(24) of the Planning Act:

- The effect of development of the proposed subdivision on matters of provincial interest
- Whether the plan conforms to the Official Plan and adjacent plans of subdivision
- The suitability of the land for the purposes for which it is to be subdivided
- The adequacy of the existing road network
- The dimensions and shapes of the proposed lots
- The restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions if any, on adjoining land
- The adequacy of utilities and municipal services

Staff are of the opinion that severance for the purpose of residential construction on this site is an appropriate and desirable use of the land. The function and use of the land will be in accordance with applicable policy and regulation. As such, staff do not anticipate any negative impacts as a result of the proposed severance. Staff is of the opinion that a plan of subdivision is not required for the proper and orderly development of the municipality under s. 53(1) of the Planning Act for the subject property.

Based on the above noted analysis, planning staff is of the opinion that with the recommended conditions, the proposed severance meets the criteria set out in s.
Application No.: B25/22, A31/22
Date of Meeting: May 18, 2022
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51(24) of the Planning Act and therefore recommend approval with conditions of the consent application.

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 minor variance application.

Regional Municipality of Waterloo:
The owner/applicant is seeking approval for a severance of the residential lot for the creation of an additional lot.

Regional Fee (Advisory):
Regional Staff confirm that the owner/applicant has submitted the Regional consent review fee of $350.00 with the consent application.

The Region has no objection to the proposed application.

Grand River Conservation Authority
No comment.

Energy+ Inc.:
No comments received.

City of Cambridge Building Section:
Condition:

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

City of Cambridge Transportation Engineering Section:
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:
Services available to the severed property are as follows:
- Queenston Road:
  - 300mm diameter watermain
  - 200mm sanitary sewer
  - 450mm diameter storm sewer
• Montrose Street South:
  o 150mm diameter watermain
  o 200mm sanitary sewer

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

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

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

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

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

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

City of Cambridge Fire Department:
No comment.

City of Cambridge Senior Planner-Heritage:
No comments received.

City of Cambridge Economic Development:
No comment.

City of Cambridge Sustainability Planner:
No comments received.

Ministry of Transportation:
No comments received.

Aerial & Zoning
R4 Zoning

Subject Property

Application No.: B25/22, A31/22
Date of Meeting: May 18, 2022
Page 9 of 12
Retained Parcel
448 m²

3.9 m front yard setback

Conveyed Parcel
313.5 m²

3.9 m side yard setback

Site Sketch
Site Visit
Application No.: B22/22  Meeting Date: May 18, 2022  Ward No.: 7

Property Owner: Muhammed Naeem Khan
Applicant: Muhammad Azam

Subject Property: Part of Lot 4 Con 10 North Dumfries Designated as Part 2 and 4 Plan 58R20412

990 Dundas St S

Proposal:
The applicant is seeking consent to convey a portion of the rear of 990 Dundas St S to 980 Dundas St S for the purpose of a boundary adjustment to regularize the lot pattern.

The conveyed portion shall have a length of approximately 41.8 (137.1 ft) m by a width of 15.1 m (49.5 ft) for an area of 631.2 m$^2$ (6794.2 ft$^2$).

General Information:
Zoning By-law Provisions: OS1, R4
Official Plan Designation: LOW / MEDIUM DENSITY RESIDENTIAL; NATURAL OPEN SPACE SYSTEM
Adjacent Zoning: R4, OS1
Adjacent Land Use: Residential
Existing Use: Other
Proposed Use: Other

Recommendation:
The City of Cambridge planning staff recommend refusal of the application as they are not satisfied that the application will comply with the Regional Official Plan nor that it will not impact the wetlands located at the southerly end of the subject lands.

Staff Comments:
City of Cambridge Development Planning Section:
Application No.:  B22/22
Date of Meeting:  May 18, 2022
Page 2 of 7

The subject lands are located on the south side of Dundas Street South between Champlain Boulevard and Branchton Road. Two abutting parcels known as 980 Dundas St S and 1000 Dundas St S were previously severed from the subject lands in 2018 under applications B04/18 and B05/18.

The applicant is now seeking consent for a boundary adjustment to convey the westerly rear portion of the parcel located behind 980 Dundas to 980 Dundas to regularize the lot pattern. No new construction is proposed.

The lands are zoned a mix of R4 residential and OS1 open space, and include Grand River Conservation Authority regulated wetlands.

City of Cambridge planning staff have reviewed comments by Grand River Conservation Authority and Regional Municipality of Waterloo staff and share the concern regarding potential impact to the wetlands contained within the subject area. Cambridge staff concur with Regional staff that the proposal is not consistent with Regional Official Plan policy 7.C.9, noted below. As such staff recommend refusal of the consent application.

**Regional Municipality of Waterloo:**
The owner of the property is seeking to convey a portion of the rear of 990 Dundas Street South to 980 Dundas Street South for the purpose of a boundary adjustment to regularize the lot pattern.

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

**Environmental Planning:**
The subject lands include a Provincially Significant Wetland (Moffat Creek Swamp PSW) at the rear (south) of the property. The PSW is designated as a Core Environmental Feature by the Regional Official Plan (ROP). Regional Staff note that the area of the PSW and the associated minimum buffer appears to have been Zoned Open Space 1 (OS1) through City of Cambridge By-law 159-18.

The subject application is proposing to reconfigure the existing lots fronting onto Dundas Street to create three linear lots of equal length, resulting in lot lines within the limits of the Core Environmental Feature (PSW). Core Environmental Features are provided protection by the policies of the ROP. ROP Policy 7.C.9 does not permit development (including new lots or lot lines) within Core Environmental Features. **As the proposed lot configuration would result in lot lines within the Core Environmental Feature, the application cannot be supported by Regional Staff based on ROP Policy 7.C.9.**
If an alternate configuration is proposed, the applicant is advised that an Environmental Impact Statement (EIS) may be required under ROP Policy 7.C.10, which requires an EIS, or similar study, be provided for development or site alteration (including new lots or lot lines) for lands that are contiguous to a Core Environmental Feature.

For the above reasons, the Region cannot support the proposed application.

Please note that the required Regional Consent Review fee has not been provided to date and is required.

Energy+ Inc.:
No comments received.

City of Cambridge Building Section:
proposed conveyance is at rear of property and away from existing dwelling units and servicing.

City of Cambridge Transportation Engineering Section:
No comment.

City of Cambridge Project Engineer:
• Development Engineering reviewed lot grading plans for 980, 990, and 1000 Dundas Street S through the previous B04/18 severance application and building permits.
• The yards of these three lots drain to the GRCA regulated feature located at the rear of the properties.
• As such, there are no drainage concerns or easement requirements as a result of the proposed conveyance.

City of Cambridge Fire Department:
No comment

City of Cambridge Senior Planner-Heritage:
No comments received.

City of Cambridge Economic Development:
No comment.

City of Cambridge Sustainability Planner:
No comments received.
Ministry of Transportation:
No comments received.

Grand River Conservation Authority
See attached letters.
Application No.: B22/22
Date of Meeting: May 18, 2022
Page 5 of 7

**Aerial & Zoning**

- **R4 Zoning**
- **OS1 Zoning**
- **Subject Property**
Site Sketch

Conveyed Portion

Retained parcel
Site Visit

[Image of two houses with a dirt driveway and a clear blue sky]
May 5, 2022

Via email

GRCA File: B22-22-990 Dundas Street South

Mr. Edmund Carlson
Recording Secretary to the Committee of Adjustment
City of Cambridge
50 Dickson Street
Cambridge, ON N1R 5W8

Dear Mr. Carlson,

Re: Consent Application (B22/22)
    990 Dundas Street South, City of Cambridge
    Muhammad Naeem Khan (c/o Muhammad Azam)

Grand River Conservation Authority (GRCA) staff has reviewed the above-noted consent application.

Recommendation

The GRCA is not in a position to recommend approval of this consent application by the City of Cambridge.

Documents Reviewed by Staff

Staff have reviewed the following documents submitted with this application:

- Severance Sketch and Consent Application Form, 990 Dundas Street South, Cambridge (prepared by applicant); and,
- Breakdown Report, B22/22, 990 Dundas Street South, Cambridge (prepared by the City of Cambridge).

GRCA Comments

GRCA has reviewed this application as per our delegated responsibility from the Province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS, 2020) and as a regulatory authority under Ontario Regulation 150/06. GRCA has also provided comments as per our MOU with
the Region of Waterloo and as a public body under the Planning Act as per our CA Board approved policies.

Information currently available at this office indicates that the rear portion of the subject lands contains the Provincially Significant Moffat Creek Swamp Wetland Complex and its regulated allowance (refer to the enclosed map). Consequently, the subject lands are regulated by the GRCA under Ontario Regulation 150/06 (Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation).

It is our understanding that the purpose of this consent application is to convey a portion of the rear of 990 Dundas Street South to the rear of 980 Dundas Street South for the purpose of a boundary adjustment to regularize the lot configuration.

In 2018, the GRCA provided comments on the previous consent applications (B04/18 and B05/18) on the subject lands, whereby two new residential lots were created (refer to the attached copy). In support of the consent applications, a satisfactory Environmental Impact Study had been submitted that supported the creation of the two new lots outside of the wetland and a 30 metre buffer. These new lots are 980 and 1000 Dundas Street South and are reflective of the lot configuration that exists today. In addition to these consent applications, the GRCA provided comments on the subsequent zoning by-law amendment in order to address one of the conditions of the consent applications. The zoning by-law amendment rezoned the wetland and 30 metre buffer to an Open Space zone.

The GRCA supported the previous consent and zoning by-law amendment applications since they are consistent with GRCA and Provincial policies and clearly demonstrated no negative impact on the wetland and natural features. However, this current consent application appears to be inconsistent with GRCA and Provincial policies and contrary to the intent of the previous consent and zoning by-law amendment applications. It is our further understanding that this proposal may also not be consistent with the environmental policies of both the Region of Waterloo and the City of Cambridge.

In addition, the applicants have not provided any clarity in their application regarding the intent of this consent application and, more specifically, the use of the rear yard area of a larger property at 980 Dundas Street South.

Further, any new development/site alteration on a larger 980 Dundas Street South would require a permit from the GRCA under Ontario Regulation 150/06. Given the GRCA’s support for the previous consent and zoning by-law amendment applications that demonstrated no negative impact of the new lots on the wetland areas, the GRCA would not be in a position to support any new permits for any new development/site alteration within the area zoned Open Space.
Based on the foregoing, the GRCA is not in a position to recommend approval of this consent application by the City of Cambridge.

Consistent with GRCA’s 2022 approved plan review fee schedule, this application is considered a minor consent application and the applicant will be invoiced in the amount of $445 for the GRCA’s review of this application.

Should you have any questions, please contact the undersigned at 519-621-2763, ext. 2233 or jbrum@grandriver.ca.

Sincerely,

John Brum
Resource Planner
Grand River Conservation Authority

Enclosure: GRCA Map and B04/18 & B05/18 GRCA Comments

Copy: Muhammad Azam (via email)
Muhammad Khan (via email)
Kathy Padgett, City of Cambridge (via email)
Melissa Mohr, Jane Gurney & Cheryl Marcy, Region of Waterloo (via email)
Severed Area to be added to #980

Subject Lands (990 Dundas St S)

#980
PLAN REVIEW REPORT: City of Cambridge
Dale Cobb

DATE: February 14, 2018

YOUR FILE: Please see below.

GRCA FILE: N:\Waterloo Region\CAMBRIDGE\2018\Severance\B04-18 & B05-18-990 Dundas St
S\comments-Feb2018

RE: Consent Applications (B04/18 and B05/18)
Meng Yinhan (c/o IBI Group)
990 Dundas Street South
City of Cambridge

GRCA COMMENT*:
In principle, the Grand River Conservation Authority (GRCA) would have no objection to the approval of these consent applications by the City of Cambridge. We would also recommend that the confirmed wetland limits and 30 metre buffer be zoned to an appropriate open space zone and captured in the Zoning By-law update by the City of Cambridge. The applicant is further advised that permits from the GRCA will be required for any new development/site alteration on the retained and severed lots under Ontario Regulation 150/06.

BACKGROUND:

1. Resource Issues:

   Information currently available at this office indicates that the rear portion of the subject lands contains the Provincially Significant Moffatt Creek Swamp Wetland Complex and its regulated allowance (refer to enclosed map). Consequently, the subject lands are regulated by the GRCA under Ontario Regulation 150/06 (Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation).

2. Legislative/Policy Requirements and Implications:

   It is our understanding that the purpose of these consent applications is to create 2 new residential lots. In support of these applications, the GRCA has reviewed the following documentation:

   - Scoped Environmental Impact Study, 990 Dundas Street, Cambridge (prepared by R.J. Burnside & Associates Ltd. and dated December 2017).

As noted in the Environmental Impact Study (EIS), Natural Heritage staff of the GRCA attended on site with R.J. Burnside staff to confirm the wetland limits on September 12, 2017. The GRCA also provided feedback on the draft EIS terms of reference. We have reviewed these applications and EIS based on our site visit and review of the terms of reference and offer the following comments for your review and consideration.
Planning and Natural Heritage Review

We note that there were no grading plans or details provided with the application. Changes in grading have the potential to influence the effectiveness of the recommended 30 metre buffer. The development/site alteration of each new residential lot will require a review and permit approval by the GRCA under Ontario Regulation 150/06. Our review will ensure that the proposed development will be consistent with the recommended setbacks and mitigation measures identified in the EIS.

The EIS recommends that “An open space zoning designation should be placed on the wetland and its buffer, as shown on Fig. 3”. Since this recommendation is part of the criteria for the long term function of the 30 metre wetland buffer, the open space zoning should be implemented prior to the severance being finalized. We further note that the City of Cambridge has initiated a comprehensive update of the Zoning By-law. If a rezoning is not requested, we would recommend that the confirmed wetland limits and 30 metre buffer be captured in the Zoning By-law update by the City of Cambridge.

Advisory Recommendations

- Rear lot fencing for proposed Lots #1 and #2 should be part of the severance to help limit encroachment into the wetland buffer.

- The existing structure within proposed Lot #2 is identified for removal. The establishment or replacement of a structure should not be assumed and will require GRCA review and authorization.

Based on the foregoing, and in principle, the GRCA would not object to the approval of these consent applications by the City of Cambridge. We would also recommend that the confirmed wetland limits and 30 metre buffer be zoned to an appropriate open space zone and captured in the Zoning By-law update by the City of Cambridge. The applicant is further advised that permits from the GRCA will be required for any new development/site alteration on the retained and severed lots under Ontario Regulation 150/06.

The GRCA’s Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation (Ontario Regulation 150/06), prohibits development in or on the following areas:

a) adjacent or close to the shoreline of the Great Lakes-St. Lawrence River System or to inland lakes that may be affected by flooding, erosion or dynamic beaches, and within the 15 metre allowance;

b) within 15 metres of a river or stream valleys that have depressional features associated with a river or stream, whether or not they contain a watercourse;

c) hazardous lands;

 d) wetlands; or

e) other areas where development could interfere with the hydrologic function of a wetland, including areas within 120 metres of all provincially significant wetlands and wetlands greater than or equal to 2.0 hectares in size, and areas within 30 metres of wetlands less than 2.0 hectares in size, but not including those where development has been approved pursuant to an application made under the Planning Act or other public planning or regulatory process;

And prohibits alteration to:

f) straighten, change, divert or interfere in any way with the existing channel of a river, creek, stream or watercourse or change or interfere in any way with a wetland prior to receiving written consent of the GRCA.

Any future development within the regulated areas on the subject lands would require the prior issuance of a Permit pursuant to Ontario Regulation 150/06 from the GRCA. The Permit process involves the submission of a Permit Application to this office, the review of the application by Authority staff and the subsequent approval/refusal of the Permit Application by the GRCA.
3. Plan Review Fees:

The above-noted applications are within a GRCA area of interest due to the presence of the wetland areas on the subject lands. The application type is considered to be a major consent application. These applications will be combined under a single plan review fee. In accordance with the Plan Review Fee Schedule, the applicable plan review fee is $1,030 payable to the GRCA. With a copy of this report, the applicant will be invoiced in the amount of $1,030.

We trust the above is of assistance on this matter. If you require any further information, please contact the undersigned at ext. 2233 or jbrum@grandriver.ca.

John Brum
Resource Planner
Grand River Conservation Authority

JB/

Encl.

cc: Carolyn Crozier, Region of Waterloo (via email)
    Dave Galbraith, IBI Group, 410 Albert Street, Suite 101, Waterloo, ON N2L 3V3

* These comments are respectfully submitted as advice and reflect resource concerns within the scope and mandate of the Grand River Conservation Authority.
Application No.: Meeting Date: May 18, 2022 Ward No.: 4

Property Owner: Tommaso Ferrante
               Antonia Ferrante

Applicant: Paolo Ferrante

Subject Property: PLAN 440 PT LT 7 W/S HOPETON;RP67R2048 PART 1
                   32 Hopeton St

Proposal:
The applicant is seeking approval for a severance of the residential lot for
creation of an additional lot.

The retained lands shall have a frontage of approximately 8.8 m (28.9 ft) and an
area of 464 m² (4995 ft²), while the conveyed will have a frontage of
approximately 9 m (29.4 ft) and an area of 452.2 m² (4867 ft²)

General Information:
Zoning By-law Provisions: RS1
Official Plan Designation: Low / Medium Density Residential
Adjacent Zoning: R5, RS1
Adjacent Land Use: Residential
Existing Use: Residential
Proposed Use: Residential
Recommendation

City of Cambridge planning staff recommend approval of this 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 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;

3. 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;

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

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

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

7. That the above conditions must be fulfilled and the document for conveyance be presented with the required fee of $250 for signing on or before May 18th, 2024, after which time this consent will lapse.

Staff Comments

City of Cambridge Development Planning Section
The subject property is located on the west side of Hopeton Street, south of the intersection with Dundas Street N. The applicant is now seeking a consent for
the creation of a new lot to establish separately conveyable title to the existing semi-detached dwellings. No new construction is proposed

Table A – lot specifications

<table>
<thead>
<tr>
<th>Parcel</th>
<th>Proposed Area</th>
<th>Proposed Frontage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Retained (32 Hopeton St)</td>
<td>464 m²</td>
<td>8.8m</td>
</tr>
<tr>
<td>Conveyed (34 Hopeton St)</td>
<td>452.2 m²</td>
<td>9m</td>
</tr>
</tbody>
</table>

The lands are subject to site specific zoning provisions under S.4.1.124 of Zoning By-law 150-85 specifying:

1. Garages must not be attached to the principal building;
2. Garages must be located in the rear yard;
3. Garages must be a minimum of 9 m from the principal building;
4. Garages must not be closer than 1.2 m to the interior side lot line;
5. The minimum rear yard setback of all buildings shall be 12.5 m;
6. The minimum number of parking spaces shall be two for each side of a semi-detached dwelling;
7. Parking spaces must be located in the rear yard;
8. A 3.0 m landscaped strip must be provided along the rear building face;
9. The minimum landscape area shall be 50%;
10. The minimum front yard landscaped area shall be 65%;
11. The minimum lot frontage for 2 attached dwelling units shall be 17.7 m;
12. The minimum lot frontage for 1 attached dwelling unit shall be 8.8 m;
13. The maximum building envelope shall be 175 m². (By-law 45-95)

Noting item 12 establishing the minimum frontage for an attached dwelling as 8.8m the proposed severance complies with all applicable zoning.

The “Low/Medium Density Residential” land use designation applies to residential areas within the built-up area of the City and permits a range of housing types. Planning staff is of the opinion that the general intent of the City’s Official Plan is maintained. The subject property is zoned RS1 (Semi-detached) with site specific provisions addressing the proposed lot frontage. The homes on the resulting parcels will meet and exceed all site development specifications and not result in any variances.

The following criteria have been considered under Section 51(24) of the Planning Act:
the effect of development of the proposed subdivision on matters of provincial interest;

whether the proposed subdivision is premature or in the public interest;

whether the plan conforms to the official plan and adjacent plans of subdivision, if any;

the suitability of the land for the purposes for which it is to be subdivided;

the dimensions and shapes of the proposed lots; and

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 following criteria have been considered under Section 51(24) of the Planning Act:

Staff are of the opinion that severance for the purpose of residential construction on this site is an appropriate and desirable use of the land. The function and use of the land will not change, and is in accordance with applicable policy and regulation. As such, staff do not anticipate any negative impacts as a result of the proposed severance.

Based on the above noted analysis, planning staff are of the opinion that a plan of subdivision is not required for the proper and orderly development of the municipality and therefore recommend **approval with seven (7) conditions**.

**Regional Municipality of Waterloo:**
The owner/applicant is seeking approval for a severance of the residential lot for the creation of an additional lot.

**Regional Fee (Advisory):**
Regional Staff confirm that the owner/applicant has submitted the Regional consent review fee of $350.00 with the consent application.

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

**Grand River Conservation Authority**
No comment.

**Energy+ Inc.:**
No comments received.
City of Cambridge Building Section:
**Condition:**
That the applicant verifies the location of any existing sanitary, storm and water services on the property to the satisfaction of the Building Division in order to confirm that no services will cross over any proposed property lines or are shared with any adjacent properties. Where services cross property lines easements and/or servicing agreements shall be registered on title.

City of Cambridge Transportation Engineering Section:
No comment.

City of Cambridge Project Engineer:
Services available to the severed property are as follows:

- Hopeton Street:
  - 150 mm diameter watermain
  - 250mm sanitary sewer
  - 300 mm diameter storm sewer

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

The internal water and waste water plumbing of the existing duplex is to be confirmed. If they are not independent then plumbing modifications will be required as one property will not be permitted to be serviced through the other.

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

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

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

City of Cambridge Fire Department:
Obtain building permits for any modifications to property

City of Cambridge Senior Planner-Heritage:
No comments received.

City of Cambridge Economic Development:
No comment.

City of Cambridge Sustainability Planner:
No comments received.
Aerial & Zoning

Site Sketch

RS1 Zoning

Subject Property

Retained Parcel

Conveyed Parcel