3Declarations of Pecuniary Interest

1. Committee Business
   - October 5th, 2022 minutes
   - November 9th, 2022 minutes

2. Applications

   Previously Heard Applications

<table>
<thead>
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<th>Item</th>
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<th>Ward</th>
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<td>B88/22, A63/22 &amp; A64/22</td>
<td>91-93 Oak St</td>
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   New Applications

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<tr>
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<td>A67/22</td>
<td>12 Mansfield Circle</td>
<td>1</td>
</tr>
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<td>A68/22</td>
<td>36 Stock Court</td>
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<td>A689/22</td>
<td>18 Summerside Crescent</td>
<td>7</td>
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<td>A70/22</td>
<td>235 Lena Crescent</td>
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<td>A76/22</td>
<td>592 Parkview Crescent</td>
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<td>A72/22 &amp; A73/22</td>
<td>Cambridge West Subdivision</td>
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<td>11</td>
<td>A77/22 &amp; A78/22</td>
<td>Huron Creek Subdivision</td>
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<td>A79/22</td>
<td>164 Fletcher Circle</td>
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3. O.L.T. Update

4. Other business

Adjournment
Application No.: A67/22  Meeting Date: December 14, 2022  Ward No.: 1

Property Owner:  Sagar Anup

Applicant:  Harjinder Singh
MEM Engineering Inc.

Subject Property: PLAN 58M-604 LOT 150
12 Mansfield Cir

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

1. An interior side yard setback of 0.35m from wooden steps to an above
   grade entry whereas the by-law requires a minimum of 1.2m.

The variance will facilitate construction of an above grade side entry

General Information:
Zoning By-law Provisions: R6
Official Plan Designation: LOW / MEDIUM DENSITY RESIDENTIAL
Adjacent Zoning: R6, OS1
Adjacent Land Use: Residential
Existing Use: Residential
Proposed Use: Residential

Recommendation:
City of Cambridge Planning Staff recommends approval of the variance application
subject to the following conditions:

1. That the side entry, landing and stairs be constructed substantially in keeping
   with the drawing submitted to the Committee of Adjustment.

2. A building permit is required for the proposed side entrance and accessory
dwelling unit construction.

Staff Comments:
City of Cambridge Development Planning Section:
The subject property is located on the north side of Mansfield Circle, just east of Equestrian Way. The applicant is seeking to reduce the interior side yard setback for a new side entry stair to access an Additional Residential Unit (ARU).

**Four Tests of a Minor Variance**

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

The City of Cambridge Official Plan designates the subject property as ‘Low/Medium Density Residential’. The Official Plan seeks to encourage gentle intensification within the built-up area and provide for a range and mix of housing types while maintaining compatibility the established physical character of residential communities.

The minor variance will facilitate the private entrance for the additional residential unit. Planning staff believe that the requested variance is appropriate for the subject lands and achieves the intent and purpose of the Official Plan.

**Does the proposed minor variance maintain the general intent and purpose of the City’s Zoning By-Law?**

The general intent of the zoning by-law in establishing setback requirements is to establish functional locations of buildings and uses, such that private and public standards are maintained pertaining to characteristics such as: visual impact from street (scale, height, massing); sufficient standard of access, privacy, and separation between buildings; drainage, light, fire and vehicular safety.

The minor variance will facilitate a private access point to an additional residential unit. With respect to building separation, the buildings are constructed to the standards of the zoning By-Law and only the steps and landing extend beyond the required setback. The provision of a “step-through” design, with stairs to the landing toward both the front and rear of the house ensure that the by-laws intent to protect side yard access is maintained. Additional residential units are permitted on the lands, and encroachment into the required side yard is permitted for entry stairs **not** intended for direct access to an ARU.

Staff are of the opinion that the general intent of the City’s Zoning By-Law is maintained.

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

The variance will accommodate the stairway for the additional residential unit below grade side entrance as required by the Building Code. This will ensure a private access point to the unit which is seen as appreciate and desirable.

**Is the proposal minor in nature?**

As per the analysis above, planning staff are of the opinion that the proposed reduced setback is consistent with the residential land use anticipated by the By-Law and expect no negative impact so long as the step through design is maintained. Staff do not anticipate a significant impact as a result of the reduced side yard.
It is the opinion of staff that the proposed variance to reduce the interior side yard setback is minor in nature, maintains the general intent and purpose of the Official Plan and Zoning By-law and represents desirable, and appropriate development of the subject property. Based on the above noted analysis, City of Cambridge Planning Staff recommend approval of the minor variance application subject to recommended conditions.

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

**Grand River Conservation Authority**
No comment.

**GrandBridge Energy:**

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

A building permit application is currently under review.

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

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

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

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

**City of Cambridge Environmental Planner:**
No comment.
Aerial & Zoning

Subject Property: R6 zoning with S.4.1.303C reference

0.35 m side yard setback
Site Visit
Application No.: A68/22  Meeting Date: December 14, 2022  Ward No.: 2

Property Owner:  Kaur Harsimran
Applicant:  Taranjit Singh

Subject Property:  PLAN 1400 LOT 170
36 Stock Crt

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

1) An exterior side yard setback of 0.65 m to an exterior side entry whereas the by-law requires a minimum of 1.2m.

The variance will facilitate construction of a lower level Additional Residential Unit (ARU) and side entry stair.

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

Recommendation:
City of Cambridge Planning Staff recommends approval of the variance application subject to the following conditions:

1. That the side entry, landing and stairs be constructed substantially in keeping with the drawing submitted to the Committee of Adjustment.

2. A building permit is required for the proposed below grade entrance and accessory dwelling unit construction.
Staff Comments:

City of Cambridge Development Planning Section:

The subject property is located on south side of Stock Court, north of Winston Boulevard. The applicant is seeking to reduce the interior side yard setback for a new side entry stair to access an Additional Residential Unit (ARU).

The application originally specified a setback of 0.7 m, this has been revised to 0.65 m in recognition of concerns from City of Cambridge Building Section staff that the proposed design may require a setback of less than 0.7 m.

Four Tests of a Minor Variance

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

The City of Cambridge Official Plan designates the subject property as ‘Low/Medium Density Residential’. The Official Plan seeks to encourage gentle intensification within the built-up area and provide for a range and mix of housing types while maintaining compatibility the established physical character of residential communities.

The minor variance will facilitate the private entrance for the additional residential unit. Planning staff believe that the requested variance is appropriate for the subject lands and achieves the intent and purpose of the Official Plan.

Does the proposed minor variance maintain the general intent and purpose of the City’s Zoning By-Law?

The general intent of the zoning by-law in establishing setback requirements is to establish functional locations of buildings and uses, such that private and public standards are maintained pertaining to characteristics such as: visual impact from street (scale, height, massing); sufficient standard of access, privacy, and separation between buildings; drainage, light, fire and vehicular safety.

The minor variance will facilitate a private access point to an additional residential unit. With respect to building separation, the buildings are constructed to the standards of the zoning By-Law and only the steps and landing extend beyond the required setback. The deficient setback of 0.65 m (~2 ft) is sufficient to preserve a level of rear yard access beside the proposed stairs. Additional residential units are permitted on the lands, and encroachment into the required side yard is permitted for entry stairs not intended for direct access to an ARU.

Staff are of the opinion that the general intent of the City’s Zoning By-Law is maintained.

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

The variance will accommodate the stairway for the additional residential unit below grade side entrance as required by the Building Code. This will ensure a private access point to the unit which is seen as appreciate and desirable.

Is the proposal minor in nature?
As per the analysis above, planning staff are of the opinion that the proposed reduced setback is consistent with the residential land use anticipated by the By-Law and expect no negative impact so long as the step through design is maintained. Staff do not anticipate a significant impact as a result of the reduced side yard.

It is the opinion of staff that the proposed variance to reduce the interior side yard setback is minor in nature, maintains the general intent and purpose of the Official Plan and Zoning By-law and represents desirable, and appropriate development of the subject property. Based on the above noted analysis, City of Cambridge Planning Staff recommend approval of the minor variance application subject to recommended conditions.

Regional Municipality of Waterloo:
No comment.

Grand River Conservation Authority
No comment.

GrandBridge Energy:

City of Cambridge Building Section:
A building permit is required for the proposed below grade entrance and accessory dwelling unit construction.

A building permit application is currently under review.

The requested setback may not be achieved based on the below grade entrance dimensions provided on the remainder of the drawing set. 1.84m setback – 3’-0” stair width (0.914m) – 10” foundation wall (0.254m) = 0.672m setback.

City of Cambridge Transportation Engineering Section:
No comment.

City of Cambridge Development Engineering Section:
No comment.

City of Cambridge Fire Department:
No comment.

City of Cambridge Economic Development:
No comment.

City of Cambridge Environmental Planner:
No comment.
Ministry of Transportation

The subject property does fall within the MTO permit control, however given the proposed scope of work, MTO review, approval and permits will not be required.

The MTO has no objection to this application.
Subject Property: R4 zoning

0.7 m side yard setback
Site Visit
Application No.: A69/22  Meeting Date: December 14, 2022  Ward No.: 7

Property Owner:  Kennedy James Charles
Applicant:  Kennedy James Charles

Subject Property:  PLAN 1294 LOT 27
18 Summerside Cres

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

1. To interpret the lowest level of the existing dwelling as a cellar despite the by-law defining cellars as requiring that at least 50% of floor to ceiling area be below established grade.

The minor variance will facilitate construction of an additional residential unit.

General Information:
Zoning By-law Provisions: R2
Official Plan Designation: Low / Medium Density Residential
Adjacent Zoning: R2
Adjacent Land Use: R2
Existing Use: Residential
Proposed Use: Residential

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

Staff Comments
City of Cambridge Development Planning Section:
The subject property is located on the east side of Summerside Crescent, south of West Point Road. The applicant is seeking to treat the lowest level of the home as a basement or cellar despite having a total floor to ceiling area which is more than 50% above established grade. This interpretation will permit an ARU located
entirely within this lowest level to exceed 40% of the total floor area of the dwelling.

In defining basements based on a relationship to established grade the zoning by-law seeks to ensure that basements remain largely below grade and do no become an additional above grade storey. In this case, the lowest level of the home retains the appearance and functionality of a basement. A highly significant portion of the storey remains below established grade, however a sloping grade across the subject property results in a total floor to ceiling area which is more than 50% above grade.

Considering the presentation of the structure to the street, the functionality of the lower level of the house and the proposed ARU staff believe that the treatment of this level as a basement remains within the intent and purpose of the Zoning By-law. Further consideration of the provision permitting ARUs to exceed 40% total floor area when located entirely within a basement indicates that the intent is to enable provision of functional ARUs within single level homes where greater floor areas would have limited impact and not significantly negate from the goal of ARUs remaining subordinate to the primary dwelling.

Staff believe that the ARU proposed here would have the appearance and functionality of a basement dwelling unit, and that the scale is properly subordinate to the primary dwelling. The resulting functionality would therefore be that of a basement ARU rather than a true duplex, with units of roughly equivalent scale and function.

Staff recommend approval of the minor variance,

Regional Municipality of Waterloo:
No comment.

Grand River Conservation Authority
No comment.

GrandBridge Energy:

City of Cambridge Building Section:
Zoning definition interpretation only.

City of Cambridge Transportation Engineering Section:
No comment.

City of Cambridge Development Engineering Section:
No comment.

City of Cambridge Fire Department:
No comment.
City of Cambridge Economic Development:
No comment.

City of Cambridge Environmental Planner:
No comment.
Topographical Sketch

Established Grade
Site Visit
Application No.: A70/22  Meeting Date: December 14, 2022  Ward No.: 8

Property Owner: Lena Crescent Holdings Inc.

Applicant: Scott Patterson
Patterson Planning Consultants Inc.

Subject Property: PLAN 58M321 BLK 72
235 Lena Cres

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

1. A maximum density of 196 dwellings per net residential hectare whereas the by-law permits a maximum of 192 dwelling units per net residential hectare.
2. A total of 86 dwelling units whereas the by-law permits a maximum of 74 units.

The minor variances will facilitate construction of an 8 storey residential building, which adds a single additional storey to the 7 storey building proposed when site specific zoning was approved for the lands in 2015.

General Information:
Zoning By-law Provisions: N2RM2
Official Plan Designation: High Density Residential
Adjacent Zoning: RM2, RM4, RM3, R6
Adjacent Land Use: Residential
Existing Use: Residential
Proposed Use: Residential

Recommendation:
City of Cambridge planning staff recommend approval of minor variance application A70/22.
Staff Comments

City of Cambridge Development Planning Section:

The subject lands are a through lot with front and rear both abutting Lena Crescent. The application relates to a third building to be constructed on the northern portion of the lot, fronting onto the northern Lena Crescent frontage.

The lands are subject to site specific zoning under S4.1.184 which approved the site for construction of an apartment building with a maximum net density of 192 units per residential hectare and a total cap of 74 units based on a proposal for a seven (7) storey structure.

The applicant is seeking a minor variance to permit an additional storey, accommodating 12 additional units for a total of 86 total units and a net density of 192 units per hectare. The proposed building will comply with all other applicable development specifications including height and parking.

City of Cambridge planning staff have reviewed the application and believe it to represent a minor change from previous plans for the site. The addition of an eighth storey will result in a building functionally similar to that which was anticipated by the site specific zoning. The zoning by-law anticipates construction of multi storey residential buildings on this site and within the RM2 zone; staff consider a minor increase in permissible density and total unit count to be well within the purpose of the by-law. The proposed eighth storey is in keeping with existing built form, which includes two completed residential towers. Considering this and the official plan designation of high density residential City of Cambridge Planning staff consider the addition of 12 further units to be desirable for the appropriate development of the site and to be minor in nature.

City of Cambridge Planning staff recommend approval of the minor variance application.

Regional Municipality of Waterloo:

No comment.

Grand River Conservation Authority

No comment.

GrandBridge Energy:

City of Cambridge Building Section:

No comment.

City of Cambridge Transportation Engineering Section:

No comment.

City of Cambridge Development Engineering Section:
No comment.

City of Cambridge Fire Department:
No comment.

City of Cambridge Economic Development:
No comment.

City of Cambridge Environmental Planner:
No comment.
Aerial & Zoning

Subject Property:
N2RM2 zoning with S.4.1.184 reference
Site Sketch

Elevation Comparison

Site Visit
Application No.: A71/22  Meeting Date: December 14, 2022  Ward No.: 5

Property Owner:  Badmus Sulaiman Adeyemi

Applicant:  RK Architects Inc.

Subject Property:  PLAN 58M-660 LOT 61
59 Beauchamp Dr

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

1) An interior side yard setback of 0.325 m to an above grade side entry stair, whereas the zoning by-law requires a minimum of 1.2 m,

The minor variance will facilitate construction of a side entry to an existing doorway.

General Information:
Zoning By-law Provisions: R6
Official Plan Designation: LOW / MEDIUM DENSITY RESIDENTIAL
Adjacent Zoning: R6
Adjacent Land Use: Residential
Existing Use: Residential
Proposed Use: Residential

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

1. That the side entry stair be constructed substantially in keeping with the drawing included in this report and titled “Figure 1 Door Elevation”.
Staff Comments

City of Cambridge Development Planning Section:

The subject property is located on the west side of Beauchamp Drive. The property is designated Low/Medium Density Residential in the City's Official Plan and is zoned R4 in the City's Zoning By-Law.

The applicant is seeking to reduce the interior side yard setback from 1.2m to 0.325m along the southern side of the dwelling to accommodate a side entry stair and landing.

Four Tests of a Minor Variance

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

The City of Cambridge Official Plan designates the subject property as 'Low/Medium Density Residential'. Additional residential units are permitted on the lands and an interior side yard setback of 1.2m is required. The minor variance will facilitate a side entry to the home; the specifications for such an entry would, in this case, be unaffected by the establishment of an additional residential unit. Planning staff hold the opinion that the minor variance is appropriate on the subject lands and is sufficient to fulfill the intent and purpose of the Official Plan.

Does the proposed minor variance maintain the general intent and purpose of the City's Zoning By-Law?

The purpose of the zoning By-Law is to regulate land use; size, height, location and use of buildings and structures; and parking and loading spaces. The general intent is to establish functional locations of buildings and uses, such that private and public standards are maintained pertaining to characteristics such as: visual impact from street (scale, height, massing); sufficient standard of access, privacy, and separation between buildings; drainage, light, fire and vehicular safety.

The minor variance will facilitate an additional access point to the home. The abutting home already includes a similar side entry, while the proposed variance enables full Ontario Building Code compliance. The entry is expected to provide both sufficient standards of access to the rear of the property and similar level of privacy to existing conditions.

With respect to building separation, the buildings are separated as per the zoning By-Law's requirements and only the steps and landing extend beyond the required setback. This will facilitate the required landing and maintains sufficient
separation between the steps and landing with the property line. The provision of a “step-through” design, with stairs to the landing toward both the front and rear of the house ensures that the by-laws intent to protect side yard access is maintained. The requirement for this step through design is reflected in the recommended condition of approval

Staff are of the opinion that the general intent of the City’s Zoning By-Law is maintained.

Is the proposal desirable for the appropriate development and use of the lands? The variance will accommodate a stairway to be constructed in the manner required by the Building Code. This will establish an additional entry to the home and create the potential to construct a future additional residential unit. The establishment of ARUs is seen as a desirable, appropriate and permitted use of the subject lands while the side entry itself is seen as an appropriate amenity feature for the existing dwelling unit.

Is the proposal minor in nature? As per the analysis above, planning staff are of the opinion that the proposed reduced setback is consistent with the residential land use anticipated by the By-Law and expect no negative impact. Staff do not anticipate a significant impact as a result of the side yard deficiency considering the design maintains access to the rear yard through the area of deficient setback.

It is the opinion of staff that the proposed variance to reduce the interior side yard setback is minor in nature, maintains the general intent and purpose of the Official Plan and Zoning By-law and represents desirable, and appropriate development of the subject property. Based on the above noted analysis, City of Cambridge Planning Staff recommend approval of the minor variance application subject to one (1) recommended condition.

Regional Municipality of Waterloo:
No comment.

Grand River Conservation Authority
No comment.

GrandBridge Energy:

city of Cambridge Building Section:
drawing indicates stair/deck will be less than 2’ above grade. permit not required.
Application No.: A71/22
Date of Meeting: December 14, 2022
Page 4 of 6

City of Cambridge Transportation Engineering Section:
No comment.

City of Cambridge Development Engineering Section:
No comment.

City of Cambridge Fire Department:
No comment.

City of Cambridge Economic Development:
No comment.

City of Cambridge Environmental Planner:
No comment.
Subject Property: R6 zoning

Site Sketch

0.325 m side yard setback
Door Elevation

Figure 1 Door Elevation

Site Visit
Application No.: A72/22  Meeting Date: December 14, 2022 Ward No: 5

Property Owner:  Cachet Developments (Cam West)

Applicant:  Marcus Gagliardi
Cachet Developments

Subject Property:  PLAN 58M685 LOTS 1-79 AND BLOCKS 80-120
Cambridge West Subdivision Lands

Application No.: A73/22

Property Owner:  Paul Grespan

Applicant:  MHBC Planning Ltd.

Subject Property:  PLAN 58M684

Proposal:
The applicants are seeking relief from zoning by-law 150-85 to permit:

1. encroachments into required yards in accordance with S. 2.1.15 (see Table A) whereas S 2.1.15 is eliminated from the subject property by the site-specific zoning provisions established in by-law 148-18.

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<th>Maximum Projection Permitted into Minimum Required Yards</th>
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<td>all</td>
<td>0.5 m</td>
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<tr>
<td>2 fire escapes and exterior staircases</td>
<td>rear only</td>
<td>1.6 m</td>
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</table>
The minor variance(s) will facilitate construction of above grade steps and decks on the proposed homes, and alignment of the regulations applicable on the subject lands with other areas of the City.

**General Information:**

Zoning By-law Provisions: OS1, OS4, R6, RM3RM4,
Official Plan Designation: Low / Medium Density Residential; Natural Open Space System
Adjacent Zoning: R6, OS1, RM3RM4,
Adjacent Land Use: Residential
Existing Use: Other
Proposed Use: Residential

**Recommendation:**
City of Cambridge Planning staff recommend approval of the minor variance applications subject to the following conditions:

1. Where section 4.1.359 of the Zoning By-law, established by By-law amendment 148-18, specifies a permitted encroachment differing from the minor variance application’s specification the specification from the Zoning by-law shall apply.

Staff Comments

City of Cambridge Development Planning Section:
The subject lands are located west of Bismarck Drive in the Cambridge West area. The applicant's are seeking to restore the table of permitted encroachment’s into required side yards established in S 2.1.15 of the Zoning By-law as it was notwithstood by site-specific zoning by-law 148-18.

The site-specific zoning by-law seeks to implement the Cambridge West Secondary Plan and generally re-states all development specifications. Specifically, Section 4.1.359 opens “notwithstanding the provisions of sections 2.1.14, 21.15, 2.2.2.3(f)," etc, however the "General Provisions" table of the amending by-law does not include permitted encroachments except for Bay Windows and porches. A number of deficiencies relating to proposed above grade deck and step setbacks in rear yards have been identified a the building permit stage, and the applicant has advised that their understanding was that the site specific by-law was intended to modify rather than replace the underlying specifications.

The applicant proposes to restore the underling encroachment table in full. City of Cambridge Planning Staff have reviewed by-law 148-18 and concur that the full elimination of permitted encroachments is not the intent of the by-law, but is the effect of a plain reading of S 4.1.359. The city-wide zoning by-law generally seek to permit allow minor projection into required yards where these projections provide an amenity function and do not detract from the general amenity, building separation and privacy function of residential building setbacks.

The Cambridge West Secondary Plan establishes a general framework for a mix of low / medium and high density residential development on the west side of the City of Cambridge near the boundary with the Township of North Dumfries. The restoration of permitted encroachments to portions of these lands is seen as within the general purpose of the Secondary plan as well as a desirable alignment of Cambridge West Development specifications with those applicable to the rest of the urban area.

City of Cambridge Planning Staff recommend approval of the minor variance applications subject to the one (1) recommended condition recognizing that the variance does not seek to alter the specifications established by site-specific zoning, but merely restore general provision omitted from it.

Regional Municipality of Waterloo:
No comment.

Grand River Conservation Authority
No comment.

GrandBridge Energy:

City of Cambridge Building Section:
No comment.

City of Cambridge Transportation Engineering Section:
No comment.

City of Cambridge Development Engineering Section:
No comment.

City of Cambridge Fire Department:
No comment.

City of Cambridge Economic Development:
No comment.

City of Cambridge Environmental Planner:
No comment.
Aerial & Zoning
Application No.: A74/22  Meeting Date: December 14, 2022  Ward No.: 4

Property Owner: Vaish Kirti

Applicant: MacLaughlin Design Solutions

Subject Property: PLAN 225 PT LOT 461
76 Avenue Rd

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

1) An exterior side yard setback of 3.81 m whereas the by-law requires a minimum of 6 m.

The minor variance will facilitate the legalization of a front yard sunroom addition constructed without permit.

General Information:
Zoning By-law Provisions: R5
Official Plan Designation: Low / Medium Density Residential
Adjacent Zoning: RM4, R5
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 recommended conditions:

1. A building permit is required for the proposed construction.
Staff Comments

City of Cambridge Development Planning Section:
The subject property is a corner lot located on the south side of Avenue Road, on the southeast side of the intersection with Rosedale Avenue. The applicant is seeking to reduce the side lot setback requirement for a front sunroom addition, in line with the setback of the existing single detached home.

Exterior side yard setbacks generally seek to match front yard setbacks with the intent of establishing a setback consistent with properties fronting onto flanking streets. Setbacks of the existing home are respected by the front sunroom addition, and these setbacks are comparable to 14 Avenue road across the street and also flanking Rosedale Avenue.

Considering the established setback and that the subject lot has a frontage consistent with interior lots on Avenue road rather than the wider frontage generally anticipated for corner lots Planning staff view the reduction as an appropriate and desirable reaction to lot conditions. Provision of a sunroom is, similarly, an appropriate adaptation to the very small dwelling on the subject lands.

Staff believe that the intent of the by-law is upheld in that the proposal continues to be for a modest single detached home well adapted for the subject lands despite an established lot of deficient size for the zone. Staff further note that while the legal non-conforming status of the existing dwelling has not been formally validated it is likely the case, and that the intent of the by-law would not be a factor were this application considered as a S.45(2) alteration to a legal non-conforming use.

Staff recommend approval of the minor variance application subject to the one (1) recommended condition.

Regional Municipality of Waterloo:
No comment.

Grand River Conservation Authority
No comment.

GrandBridge Energy:

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

A building permit application is currently under review

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

City of Cambridge Fire Department:
No comment.

City of Cambridge Economic Development:
No comment.

City of Cambridge Environmental Planner:
No comment.
Aerial & Zoning

Subject Property: R5 zoning

Site Sketch

3.81 m side yard setback
Site Visit
Application No.: A75/22  Meeting Date: December 14, 2022  Ward No.: 5

Property Owner: Catherine Thelma Hartung

Applicant: Shawn Sawatzy
Tropical Sunrooms

Subject Property: PLAN 58M-555 LOT 8
171 Hardcastle Dr

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

1) A rear yard setback of 6.25 m whereas the by-law requires a minimum of 7.5 m.

The minor variance will facilitate construction of a rear sunroom addition.

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 the minor variance application subject to the following conditions:

1. A building permit is required for the proposed construction.

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. The applicant is proposing to construct a rear sunroom addition to the existing single detached house, which will require a rear yard variance reducing the required setback to 6.25 m.
The intent of rear yard setbacks is generally to provide amenity space, privacy and separation between buildings. The proposed sunroom will cover an area currently largely used as patio space while the construction will meet all other zoning specifications. Notably, total lot coverage requirements will be maintained by the proposal.

As the purpose of a sunroom is seen by staff as primarily a type of indoor amenity space, the proposal is not seen as significantly altering the functionality of the rear yard. Building separation will be maintained at a level adequate for privacy, functionality of outdoor amenity space and similar in functional terms of the requirement of the by-law. No negative impact is anticipated as a result of the reduced rear yard setback.

City of Cambridge Planning staff recommend approval of the minor variance application subject the one (1) recommended condition.

Regional Municipality of Waterloo:
No comment.

Grand River Conservation Authority
No comment.

GrandBridge Energy:

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 Development Engineering Section:
No comment.

City of Cambridge Fire Department:
No comment.

City of Cambridge Economic Development:
No comment.

City of Cambridge Environmental Planner:
No comment.
Application No.: A75/22
Date of Meeting: December 14, 2022
Page 3 of 4

Aerial & Zoning

Subject Property: R6 zoning

Site Sketch

6.25 m rear yard setback
Site Visit
Application No.: A76/22  Meeting Date: December 14, 2022  Ward No.: 1

Property Owner:  Muzaffar Syed Muhammad Umar

Applicant:  Muzaffar Syed Muhammad Umar

Subject Property:  PLAN 1327 PT BLK 29 RP;67R639 PART 148 TO PART 152
592 Parkview Cres

Proposal:
The applicant is seeking permission to alter and extend a lawful nonconforming use to permit construction of an interior side entry. The existing legal non-conforming parking condition will be extended by shifting from partially in front of the regulatory building line to fully in front of it.

The require parking space shall be located 1.38 m from the front lot line, whereas the by-law requires it to be set back a minimum of 6.0m

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

Staff Comments
City of Cambridge Development Planning Section:

Recommendation:
City of Cambridge Planning Staff recommend approval of the extension to a legal non-conforming use subject to the following conditions:
Staff Comments

City of Cambridge Development Planning Section:
The subject property is located on the south side of Parkview Crescent, east of Pinetree Crescent. The lands are zoned RM4 under the City’s zoning by-law and designated as low / medium density residential under the City’s official plan. The applicant is seeking an extension to a legal nonconforming structure under S.45(2) of the Planning Act to permit construction of a side entry staircase. This construction will extend the existing non-conformity in the parking condition, the required parking space being located in front of both the established and regulatory building lines.

In examining an application for an extension to a legal non-conforming structure to the applicable “good planning” standard staff have considered the desirability of the proposed entry and the impact of the expanded non-conformity. Staff consider the provision of a direct entry to a basement to be a desirable addition to the property. No additional residential unit (ARU) has been proposed at this time. As such the subject property continues to require only a single parking space. Staff note that the proposed entry would meet the setback standard applicable to an entry dedicated to an ARU. Should such an ARU be added to the structure, an additional parking space would be required, however as the zoning by-law permits parking stalls required for the purpose of an ARU to be located in front of the building lines no further deficiency would result from an ARU.

With regard to the change in parking conditions, staff consider the shifting of the existing parking space forward toward the street line to create no significant change in site functionality. No negative impact is anticipated. As such, staff recommend approval of the application to extend the existing legal non-conforming structure with a side entry stairway.

Regional Municipality of Waterloo:
No comment.

Grand River Conservation Authority
No comment.

GrandBridge Energy:

City of Cambridge Building Section:
Parking only

City of Cambridge Transportation Engineering Section:
No comment.

City of Cambridge Development Engineering Section:
No comment.

City of Cambridge Fire Department:
No comment.
City of Cambridge Economic Development:  
No comment.

City of Cambridge Environmental Planner:  
No comment.

Ministry of Transportation:  
The subject property does fall within the MTO permit control, however given the proposed scope of work, MTO review, approval and permits will not be required.

The MTO has no objection to this application.
Subject Property:
RM4 Zoning

New entry stair
Site Visit
Application No: A77/22, A78/22 Meeting Date: December 14, 2022   Ward No: 5

A77/22:

Property Owner: Newman Holdco Inc.

Applicant: Huron Creek Developments

Subject Property: PLAN 58M-692 LOTS 66-120
3-79 Wilkinson Ave

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

1. 35% of the front yard to be landscaped open space whereas the by-law requires a minimum of 45%;

2. To permit interior townhouse garages to project 2.6 m beyond the building facade whereas the by-law permits a maximum projection of 1.8 m;

3. To permit exterior townhouse garages to project 3.5 m beyond the building facade whereas the by-law permits a maximum projection of 1.8 m;

4. To permit interior townhouse garages to project beyond the front porch whereas the by-law prohibits such projection;

5. To permit exterior townhouse garages to project beyond the front porch whereas the by-law prohibits such projection; and

6. To permit a minimum porch depth of 1.2 m whereas the by-law requires a minimum of 1.5 m;

The variances will facilitate construction of 56 townhouses including legalization of units currently under construction.

General Information:
Application No.: A77/22 & A78/22
Date of Meeting: December 14, 2022
Page 2 of 9
Zoning By-law Provisions: RM4 S.4.1.360
Official Plan Designation: LOW / MEDIUM DENSITY RESIDENTIAL
Adjacent Zoning: RM4
Adjacent Land Use: Residential
Existing Use: Residential
Proposed Use: Residential

A78/22:
Property Owner: Newman Holdco Inc.
Applicant: Huron Creek Developments
Subject Property: PLAN 58M-692 LOT 22
144 Newman Dr

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

1. To permit the garage to project 2.6 m beyond the building facade whereas the by-law permits a maximum projection of 1.8 m;

The variance will facilitate legalization of the single detached home currently under construction???

General Information:
Zoning By-law Provisions: R5 S.4.1.360
Official Plan Designation: LOW / MEDIUM DENSITY RESIDENTIAL
Adjacent Zoning: Residential
Adjacent Land Use: Residential
Existing Use: Residential
Proposed Use: Residential

Recommendation:
City of Cambridge planning staff recommend approval of the applications, each subject to the following condition:

1. That the garage and porch footprints be constructed substantially keeping with the site plans submitted to the Committee of Adjustment.

Staff Comments
City of Cambridge Development Planning Section:
The subject lands are located west of Westcliff Way, with A77/22 referring to 56 townhouses on both sides of Wilkinson Avenue and A78/22 to a single detached home on the east side of Newman Drive, just north of Moon Crescent. The requested variances will serve to address several deficiencies relating to building facades and garage projection identified during construction.

The development has received site plan approval, is subject to an LPAT approved site specific zoning under S.4.1.360 and is contained within the recently registered Huron Creek subdivision, also LPAT approved.

The site specific zoning applicable to the subject lands seeks to ensure attractive urban design compatible with a residential community through requirements for articulation of the front facade, with provision of a front porch and prohibition of garage projections. Planning staff consider the requested variances to be reflective of a design which still achieves the objectives of the zoning by-law.

With regards to individual variance elements:

Front yard landscaping requirements are unchanged from the city-wide zoning by-law and largely function to protect softscaping for both aesthetic and drainage purposes. The reduction to 35% is reflective of generous provision of landscaped area within a generally denser and more ‘urban’ built form than was broadly considered in the 1985 by-law. This is reflective of updated policy objectives and contemporary understanding of desirable built form.

The restrictions on garage projection are tailored to preventing ‘snout house’ type design, with extreme garage projections the prominent feature of the building frontage and overall streetscape. Provision of functional front porches is a major element in the by-law’s objective, and further serves to create articulation and visual interest in street frontages. While the by-law encourages porches to project forward of the garage, the design of the subject properties provides an appropriate level of articulation and does not include the level of extreme garage projection reflective of a ‘snout house’ as seen in the images below attached to this report.

In terms of porch dimensions, a minimum depth requirement was established to ensure that porches remain a functional feature of each structure rather than a mere aesthetic design element. The reduction to approximately 1.2m total depth retains a meaningful porch area at the level of the building entry and permits an articulation of the building frontage, while provision of the full 1.5m would create a porch frontage functionally aligned with the attached garage.

Taken as a whole, planning staff consider the totality of the variances to amount to shifting of a requirement for porches to project forward of all garages to a minor projection of the garages in front of the required porches, while maintaining the desired design elements. Staff consider the change to be fundamentally aesthetic in nature, and believe that the policy intent of the zoning specifications are fulfilled by the proposed design. While the zoning by-law would not seem to anticipate the proposed construction, staff consider the variances minor in nature
Application No.: A77/22 & A78/22
Date of Meeting: December 14, 2022
Page 4 of 9

and within the purpose of the by-law insofar as the policy objectives are upheld by the proposal through alternate means.

With regard to desirability, the single detached home located in an R5 zone and the townhouses located within an RM4 zone are seen as appropriate and desirable uses within a greenfield residential area. The provision of facade articulation serves to enhance the streetscape of the properties while the deficient projections which would be prohibited by S.4.1.360 do not create a negative impact or the type of conditions which the provision ultimately seeks to avoid. The creation of 57 new residences falls clearly within the purpose of the low / medium density residential designation in the City of Cambridge Official Plan.

As such, staff consider that the applications are minor in nature, desirable for the appropriate development of the subject lands, meet the general purpose and intent of the zoning by-law and fulfill the purpose of the Official Plan. Staff therefore recommend approval of the minor variances subject to one (1) condition.

Regional Municipality of Waterloo:
No comment.

Grand River Conservation Authority
No comment.

GrandBridge Energy:

City of Cambridge Building Section:
No comment.

City of Cambridge Transportation Engineering Section:
No comment.

City of Cambridge Development Engineering Section:
No comment.

City of Cambridge Fire Department:
No comment.

City of Cambridge Economic Development:
No comment.

City of Cambridge Environmental Planner:
No comment.
Aerial & Zoning

Subject Property: R6 zoning
Subject Properties: RM4 Zoning

144 Newman: Garage projection
Site Visit
Application No.: A79/22  Meeting Date: December 14, 2022  Ward No.: 1

Property Owner:  Thoughtireddy Kaushik Reddy

Applicant:  Valiuddin Mohammed
Mechways Inc.

Subject Property:  PLAN 58M470 LOT 23
164 Fletcher Cir

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

1) an interior side yard setback of 0.3 m to an exterior entry stair whereas the by-law requires a minimum of 1.2 m.

The variance will facilitate construction of a side entry stair providing access to an additional residential unit.

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

Recommendation:
The City of Cambridge Planning staff recommend approval of the minor variance subject to the following conditions:

1. That the side entry stair be constructed substantially in keeping with the updated site plan submitted to the Committee of Adjustment and show in part in this report.

Staff Comments
City of Cambridge Development Planning Section:

The subject property is located on the outer west side of Fletcher Circle. The property is designated Low/Medium Density Residential in the City’s Official Plan and is zoned R5 in the City’s Zoning By-Law.

The applicant is seeking to reduce the interior side yard setback from 1.2m to 0.3m along the northern side of the dwelling to accommodate a side entry stair and landing accessing a additional residential unit.

Since initial submission City of Cambridge Building Staff have expressed building code and constructability concerns related to the original design for a stair straight off the doorway, including a landing at grade. The design has been revised to include a landing at door height and stairs toward the front and back of the property. This revised design will fit within the originally proposed 0.3 m setback and is addressed in the one (1) recommended condition of approval.

Four Tests of a Minor Variance

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

The City of Cambridge Official Plan designates the subject property as ‘Low/Medium Density Residential’. Additional residential units are permitted on the lands and an interior side yard setback of 1.2m is required. The minor variance will facilitate a side entry to the home; the specifications for such an entry is, in this case, unaffected by the establishment of an additional residential unit as the encroachment into the required side yard would exceed that permitted for stairs not accessing an ARU. Planning staff hold the opinion that the minor variance is appropriate on the subject lands and is sufficient to fulfill the intent and purpose of the Official Plan.

Does the proposed minor variance maintain the general intent and purpose of the City’s Zoning By-Law?

The purpose of the zoning By-Law is to regulate land use; size, height, location and use of buildings and structures; and parking and loading spaces. The general intent is to establish functional locations of buildings and uses, such that private and public standards are maintained pertaining to characteristics such as: visual impact from street (scale, height, massing); sufficient standard of access, privacy, and separation between buildings; drainage, light, fire and vehicular safety.

The minor variance will facilitate an additional access point to the home and the establishment of an additional residential unit. The entry is expected to provide both sufficient standards of access to the rear of the property and an acceptable level of privacy for residents.
With respect to building separation, the buildings are separated as per the zoning By-Law’s requirements and only the steps and landing extend beyond the required setback. This will facilitate the required landing and maintains sufficient separation between the steps and landing with the property line. The provision of a “step-through” design in revised drawings, with stairs to the landing toward both the front and rear of the house ensures that the by-laws intent to protect side yard access is maintained. The requirement for this step through design is reflected in the recommended condition of approval.

Staff are of the opinion that the general intent of the City’s Zoning By-Law is maintained.

Is the proposal desirable for the appropriate development and use of the lands? The variance will accommodate the stairway constructed required by the Building Code. This will facilitate establishment of an additional residential unit in the home and is seen as an appropriate and desirable use of the subject lands.

Is the proposal minor in nature? As per the analysis above, planning staff are of the opinion that the proposed reduced setback is consistent with the residential land use anticipated by the By-Law and expect no negative impact. Staff do not anticipate a significant impact as a result of the side yard deficiency considering the design maintains access to the rear yard through the area of deficient setback.

It is the opinion of staff that the proposed variance to reduce the interior side yard setback is minor in nature, maintains the general intent and purpose of the Official Plan and Zoning By-law and represents desirable, and appropriate development of the subject property. Based on the above noted analysis, City of Cambridge Planning Staff recommend approval of the minor variance application subject to one (1) recommended condition

Regional Municipality of Waterloo:
No comment.

Grand River Conservation Authority
No comment.

GrandBridge Energy:

City of Cambridge Building Section:
A building permit is required for the proposed side entrance and accessory dwelling unit construction.

A building permit application is currently under review.

The proposed side entrance stair would not meet the requested 0.3m setback, and a building permit could not be issued for the proposed design. The drawing has omitted the landing at the top and bottom of this stair (bottom landing can be grass or sidewalk w/ max. 1:50 slope) as required by 9.8.6.2.(1)(a) and 9.8.6.2.(3.1), OBC 2012. A compliant stair (in the configuration shown by the applicant) in this location would be a total of 2.23m long (minimum 860mm landing length at top and bottom, plus two 255mm stair “runs”). This results in the stair/landing being ~0.98m on the adjacent property.

The applicant is able to amend the design to propose a minimum 860mm x 860mm landing at the side entrance door and turn the stair along the house instead of perpendicular to the house. This design could meet a 0.39m setback if the minimum OBC requirements were met.

City of Cambridge Transportation Engineering Section:
No comment.

City of Cambridge Development Engineering Section:
- City records indicate that the lot is back to front draining with a subdrain installed along the sideyard which is tied into the sump-pump.
- Care is to be taken when installing the proposed stairs for new side yard entrance so that the existing side yard drainage is maintained and to avoid damaging the existing subdrain.

City of Cambridge Fire Department:
No comment.

City of Cambridge Economic Development:
No comment.

City of Cambridge Environmental Planner:
No comment.

Ministry of Transportation:
The property identified falls outside of the MTO permit control area, as such, MTO review/permits are not required. The MTO has no objection to this application.

Aerial & Zoning
Subject Property:
R5 Zoning with S. 4.1.227 reference

Site Sketch

0.33 m setback
Application No.: B88/22  Meeting Date: December 14th, 2022   Ward No.: 4

Property Owner: Michael Piotrowicz
Halina Piotrowicz

Applicant: Michael Piotrowicz
Halina Piotrowicz

Subject Property: PLAN 458 LOT 9
91 Oak St

Proposal:
The applicant is seeking consent to sever the lands for the creation of a new lot. The conveyed lands will have a frontage of 9.09 m and an area of 266.7 sq m while the retained shall have a frontage of 10.973 and an area of 328 sq m.

As a result of the severance the applicant is see relief from Zoning By-law 150-85 to permit on the conveyed lot:

1. A minimum lot frontage of 9.09m whereas the by-law requires a minimum of 12 m.
2. A maximum lot coverage of 42.8% whereas the by-law permits a maximum of 40%.
3. An interior side yard setback of 0.6 m whereas the by-law requires a minimum of 1.2 m.
4. A rear yard setback of 7.1m whereas the by-law requires a minimum of 7.5 m
5. A total lot area of 266.7 sq m whereas the by-law requires a minimum of 360 sq m.

As a further result of the severance the applicant is see relief from Zoning By-law 150-85 to permit on the retained lot:

1. A minimum lot frontage of 10.9m whereas the by-law requires a minimum of 12 m.
Application No.: B88/22
Date of Meeting: December 14th, 2022
Page 2 of 10

2. A maximum lot coverage of 45.4% whereas the by-law permits a maximum of 40%.

3. An interior side yard setback of 0.6 m whereas the by-law requires a minimum of 1.2 m.

4. A rear yard setback of 7.1 m whereas the by-law requires a minimum of 7.5 m.

5. A total lot area of 328 sq m whereas the by-law requires a minimum of 360 sq m.

The applications will facilitate creation of a new lot and the construction of two new single detached houses.

The application was originally heard on November 9th 2022 where it was deferred to permit circulation of variances omitted due to a staff error.

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

**Recommendation:**
City of Cambridge planning staff recommend approval of the consent and minor variance applications subject to the following conditions:

**Consent Application B88/22:**
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. We require a legal survey showing the existing property, existing easements, existing dwelling, existing hydro pole(s), anchors, secondary hydro wire-feed to the existing dwelling, proposed severance, proposed dwellings, proposed driveway, proposed electric plant. The survey must include dimensions. **The Applicant is cautioned that a minimum clearance between the proposed driveway entrance and existing poles, guy wires and anchors is 1.5 metres;**

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

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

7. Any new structures must meet current ESA and GBE clearances;

8. Applicant will need to enter into a subdivision agreement with GrandBridge Energy before clearance will be provided. Early consultation is recommended to avoid delays;

9. That prior to final approval, the owner/applicant submit the Regional consent review fee of $350.00;

10. A demolition permit is required for the demolition of the existing building;

11. That the above conditions must be fulfilled and the document for conveyance be presented with the required fee of $260 for signing on or before December 14th, 2024, after which time this consent will lapse; and

12. 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.

**Variance applications A64/22 & A65/22:**

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

2. A building permit is required for the proposed single detached dwelling construction;
3. That no fence be constructed in the area of reduced side yard setback; and

4. That total lot coverage inclusive of any accessory structures permitted under the zoning by-law shall not exceed 50%.

Staff Comments
City of Cambridge Development Planning Section:
The subject lands are located on the south side of Oak Street, west of Lincoln Avenue. The land is designated low / medium density residential in the City’s Official Plan and zoned R4 residential. The applicant is seeking to sever the lot for the creation of an additional residential lot. The existing dwelling structure is to be demolished and two new single detached homes constructed.

With regard to the severance, planning staff have reviewed the criteria set out in section 51(24) of the Planning Act and are satisfied that a plan of subdivision is not required for the orderly development of the site. Staff particularly note that the subject lot has approximately twice the frontage of other parcels on the south side of Oak Street and will fit into the established pattern.

Looking to the proposed variances addressing lot frontage, an even division of the existing parcel into two lots with a 10 meter frontage would be still fall short of the zoning by-law specification while precisely matching all other lots on the south side of this portion of Oak Street. Staff are satisfied that the creation of a wider and narrower lot will preserve a similar built form, streetscape and general development pattern as identical lots. Lot depth is similarly consistent across the area, and as such the reduced total lot area is seen as in keeping with the established pattern. No negative impact is anticipated as a result of the reduced lot size.

With regard to the reduced interior side yard setback, the impact is restricted to within the subject lands while a total building separation of 1.2 m is considered sufficient to ensure rear-yard access between the structures. As this separation is based on total building separation across the proposed lot line staff recommend that a condition be imposed that no fence or accessory structure be constructed which would impede access to the area of reduced side yard setback.

With regard to the total lot coverage staff consider the intent of the zoning by-law to be ensuring compatible built form, proper building separation and provision of amenity space. Considering the footprint of the proposed dwellings and that landscaped open area minimums are met despite the increase in total lot coverage, staff believe that the intent of the by-law is met by the proposed coverage. The proposed built form is believed to be both compatible with it’s surroundings and within the scope and scale of that anticipated within R4 zoning.
Accessory structures are permitted to cover up to 10% of an R4 lot under the zoning by-law. This has generally been interpreted as additive to the 40% coverage permitted for primary structures. As such, notwithstanding general support for the proposed lot coverage, staff recommend a condition be imposed that prohibiting total lot coverage, inclusive of any accessory structure, not be permitted to exceed 50%. This will ensure that the maximum total coverage on the lot remains within the specifications of the zoning by-law, the variance serving only to increase the size of the primary structure.

With regard to the proposed rear setback reduction, staff consider the purpose of rear setback limits to primarily be the preservation of building separation and establishment of adequate amenity space and privacy. The proposed setback of 7.1 is seen as having similar impact to rear yard functionality as garage behind a house with compliant setbacks as exists on both abutting properties. Staff consider the purpose of the by-law to be upheld by the reduced setback.

Taken as a whole, staff consider the proposed development to be an appropriate response to a lot well suited to severance, the resulting lot pattern being more in keeping with Oak Streets lot pattern than exists today. Similarly, the proposed houses are considered to be in keeping with the type of structure anticipated on smaller R5 lots. What impact the variance has is directed internally to the project. Taken as a whole staff consider the application to be minor in nature, reflecting a form of gentle density appropriate to an area commonly featuring detached homes on small lots.

City of Cambridge Planning Staff recommend approval of the severance and minor variance applications subject to the recommended conditions.

**Regional Municipality of Waterloo:**
The owner/applicant is seeking consent to sever the property to create a new lot for the construction of two new single detached houses. Accompanying the consent application are two minor variance applications seeking relief on both the severed and retained lot relating to minimum lot frontage and minimum lot coverage.

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

**Notice of Source Protection Plan Compliance (Section 59 Notice) – Advisory Comments:**
The subject lands are located in a Source Protection Area where Grand River Source Protection Plan policies implemented by the Region of Waterloo may apply. Per s.59 of the Clean Water Act, 2006, Regional Staff are in receipt of a valid Notice of Source Protection Plan Compliance for this consent application.
Regional staff has **no objection** to the application, subject to the following conditions:

1. That prior to final approval, the owner/applicant submit the Regional consent review fee of $350.00.

**Grand River Conservation Authority**

No comment.

**GrandBridge Energy:**

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

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

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

4. Any new structures must meet current ESA and GBE clearances.

5. Applicant will need to enter into a subdivision agreement with GrandBridge Energy before clearance will be provided. Early consultation is recommended to avoid delays.

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

**City of Cambridge Building Section:**

A building permit is required for the proposed single detached dwelling construction.

A demolition permit is required for the demolition of the existing building.
Existing servicing on GIS does not appear to be an issue. House to be demolished, therefore no spatial concerns

**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 Development Engineering Section:**
Services available to the severed property are as follows:

- Oak Street
  - 150 mm diameter watermain
  - 200 mm diameter sanitary sewer
  - 525mm diameter storm sewer

City records indicate that the dwelling is serviced with 100mm dia. sanitary service and a 19mm dia. water which are both located on the west side of the property.

The condition, size and location of the existing services will need to be assessed in conjunction with the building permit review if they are to be re-used for the new single detached home being proposed on the retained lot.

Separate municipal services (water and sanitary) will be required for both the severed and retained lots (completed by City forces at 100% Owner/Builder’s cost).

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

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

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

Consideration for drainage will be required to ensure no impacts on adjacent properties.

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

City of Cambridge Environmental Planner:
No comment.
Site Visit