Declarations of Pecuniary Interest

1. Committee Business

2. Applications

<table>
<thead>
<tr>
<th>Item</th>
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<td>A84/23</td>
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3. O.L.T. Update
   - n/a

4. Other business
Application No.: A87/23, A88/23, A100/23
Meeting Date: October 18, 2023  Ward No.: 4

Property Owner: Bobat Abdulrahim
Applicant: Inroads Consultants

Subject Property: PLAN 265 LOT 102 TO LOT 104  8, 10 & 12 Kimberley Rd

Proposal:
Seeking relief from Zoning By-law 150-85 to permit:

8 Kimberly (minor variance A87/23)
1. a minimum front yard of 2.55 m to a stair and landing whereas the zoning by-law requires a minimum setback of 6 m with a permitted encroachment of 0.5 m;
2. a minimum interior side yard of 0.92 m whereas the zoning by-law requires a minimum of 1.2 m; and
3. a total lot coverage of 51% whereas the zoning by-law permits a maximum of 40%.

10 Kimberly (minor variance A88/23)
1. a minimum front yard of 2.56 m to a stair and landing whereas the zoning by-law requires a minimum setback of 6 m with a permitted encroachment of 0.5 m;
2. a minimum interior side yard of 0.9 m whereas the zoning by-law requires a minimum of 1.2 m; and
3. a total lot coverage of 42% whereas the zoning by-law permits a maximum of 40%.

12 Kimberly (minor variance A100/23)
1. a minimum front yard of 2.57 m to a stair and landing whereas the zoning by-law requires a minimum setback of 6 m with a permitted encroachment of 0.5 m for a 2.85 m deficiency;
2. a minimum interior side yard of 0.9 m whereas the zoning by-law requires
a minimum of 1.2 m; and

3. a total lot coverage of 46% whereas the zoning by-law permits a maximum of 40%.

**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**  
**City of Cambridge Development Planning Section:**

The subject lands are three vacant residential lots located on the east side of Kimberly Road, north of Samuelson Street. The lands are currently known to the City as a consolidated holding, however Planning staff are satisfied that lots of record exist and that no consent application is required for the development of the lands as three parcels. The applicant is therefore seeking relief from the zoning by-law to facilitate construction of three single detached houses. In light of the current status of the lands and similarity of the requested relief, staff have reviewed the applications as a whole.

Staff are satisfied that general purpose of the Official Plan is satisfied by the construction of single detached homes and that development of the vacant parcels is broadly desirable. With regard to the specific variance sought:

**Front Yard Setback**

The proposed front yard setback reduction will apply only to the front porch and stair. Staff are satisfied that this encroachment into the required front yard will continue to permit an appropriate and desirable level of amenity and streetscape functionality and aesthetic. No negative impact is anticipated considering the established built form of the Kimberly Road.

**Interior Side Yard Setback**

0.9 m side yard setbacks are generally seen as an appropriate minimum for the provision of practical rear yard access through a side yard. In consideration of the construction of three new homes, an existing vacant parcel and the site’s proximity to commercial land uses no negative impact is anticipated as a result of reduced side yards. The applicant is warned that a 0.9 m setback is unlikely to be able to accommodate side entry door to the building.
Total Lot Coverage

Planning staff have taken a generally flexible approach to proposal of greater than 40% total lot coverage in light of the zoning by-laws authorization for accessory structures to cover up to an additional 10% of the lot. Increasing residential lot coverage to more than 50% total has generally been seen as much less desirable, with an increased potential to result in negative aesthetic impact, constrained amenity functionality and stormwater management issues. With these desirability factors in mind, 50% has also been taken as something of a shorthand to the acceptable limit for lot coverage in terms of minor nature.

As such, staff recommend approval of minor variance applications A88/23 and A100/23 and approval in part of minor variance application A87/23; A87/23 having variance #1 reduced to a maximum lot coverage of 50%. Staff note that with this reduction staff will take a liberal approach to deeming a final proposal to be ‘substantially in keeping with plans submitted’, as some level of modification will be required.

Staff recommend that each minor variance application be 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 prior to issuance of a building permit 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 prior to issuance of a building permit 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 total lot coverage inclusive of primary and accessory structures shall not exceed 50%;

Staff note that an additional condition permitting a single small shed regardless of lot coverage is not recommended in this case, due both to the questions as to desirability of an increase in coverage above 50% and the ease of rear yard access on a single detached home. This exception to the standard lot coverage condition is seen as most applicable and appropriate to row houses with more limited rear yard access.

Regional Municipality of Waterloo:

No comment.

Grand River Conservation Authority
GrandBridge Energy:

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

A building permit application is currently under review for 10 and 12 Kimberly Rd.

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

City of Cambridge Development Engineering Section:
1. Services available to the severed property are as follows:
   - Kimberley Road:
     - 150 mm diameter watermain
     - 200mm diameter sanitary sewer

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

3. Planning is to confirm if these are conveyable lots or if a severance application is required.

4. An redundant water services will need to be capped at the main (completed by City forces at 100% Owner/Builders cost). Only one water service per property is permitted.

5. 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 Forestry
If any trees are to be impacted, a Tree Management Plan or Tree Removal Permit is required pursuant to Private Tree By-Law 124-18 and City Tree By-Law 71-06, prior to any disturbance on site.

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

City of Cambridge Environmental Planner:
No comment.

Ministry of Transportation:
Aerial & Zoning

Subject Property: R5 Zoning
Application No.: A84/23  Meeting Date: October 18, 2023  Ward No.: 2

Property Owner:  Mike Bobbitt
Sunbridge Gp Ltd.

Applicant:  Mike Bobbitt
Sunbridge Gp Ltd.

Subject Property:  PLAN 907 PT LOT 6 PT LOT 10;RP58R9039 PARTS 1-3
200 Holiday Inn Dr

Proposal:
Seeking relief from zoning by-law 150-85 to permit:

1. One (1) loading space, whereas the zoning bylaw requires a total of seven (7) off-street loading spaces [S.2.3.1.1 (c)];
2. a loading space to be located beyond 3 metres of the wall of the building, whereas the zoning by-law requires that all loading spaces must be within 3 metres of a loading door or loading dock in the wall of the building for which the loading space is required spaces [S.2.3.2.1].

The variances will facilitate construction of a hotel on the subject land.

General Information:
Zoning By-law Provisions: M1
Official Plan Designation: Employment Corridor
Adjacent Zoning: M1N1, CS3, M1, M2
Adjacent Land Use: Commercial, Institutional
Existing Use: Industrial
Proposed Use: Commercial

Staff Comments
City of Cambridge Development Planning Section:
The subject property is a parcel of vacant land located on the south side of Holiday Inn Drive directly north of Highway 401. The applicant is seeking relief from the zoning by-law to address a deficient loading condition on a stage 1 development occupying approximately half of the total parcel.
Staff have reviewed the loading briefs provided by the applicant and are satisfied that a substantial reduction in the total number of loading spaces is appropriate for the proposed hotel. Staff are not, however, comfortable with the singular loading space being located more than 38 metres from its loading door.

Noting that the hotel use will, among other functions include a food service element Planning and Transportation Staff are concerned that delivery of goods to the singular proposed space will not be practical due to distance and obstacles. It would appear very likely that deliveries would instead unload obstructing fire routes. Planning staff are also concerned that while the presence of a second full loading space may not be wholly necessary there is no location indicated on the plans provided where a second truck could wait onsite without obstructing a fire route or otherwise substantially impede site operations.

Staff have spoken with the applicant who has indicated a willingness to revise the application. The sketch below indicates a possible configuration which staff would support, replacing 5 required automobile parking spaces with a second loading space. In this configuration the required relief would be:

1. Two (2) loading spaces, whereas the zoning bylaw requires a total of seven (7) off-street loading spaces [S.2.3.1.1 (c)];
2. One (1) loading space to be located beyond 3 metres of the wall of the building, whereas the zoning by-law requires that all loading spaces must be within 3 metres of a loading door or loading dock in the wall of the building for which the loading space is required spaces [S.2.3.2.1]; and
3. Five (5) fewer total parking stalls than required per zoning by-law 150-85.
Figure 1 Sketch of potential additional loading space on revised application
Staff have reviewed the reduction in parking stalls with Transportation Staff, who have indicated support in principle and that no parking study will be required.

Staff therefore recommend **deferral** of the minor variance to permit circulation with the additional deficiency and modified variances. Should the Committee see fit to approve the application staff recommend that the approval be in part, require **2 loading spaces** and permitting the deficient location for only **one (1)** loading space.

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

**Grand River Conservation Authority**
No comment.

**GrandBridge Energy:**

**City of Cambridge Building Section:**
MV is for reduction in loading spaces servicing hotel only.

**City of Cambridge Transportation Engineering Section:**
The proposed loading space location is not a practical location for the delivery of goods and will result in trucks instead using the fire route to load and unload. The suggested 39m distance from the loading space to the hotel is through the waste storage area, parking spaces and over curbs. Anyone travelling to and from the loading space will have to walk around these obstacles and down the driveway as there is no accessible pedestrian connections between the two.

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

**City of Cambridge Forestry**
If any trees are to be impacted, a Tree Management Plan or Tree Removal Permit is required pursuant to Private Tree By-Law 124-18 and City Tree By-Law 71-06, prior to any disturbance on site.

**City of Cambridge Fire Department:**
Oct 4/2023-reviewed performed on Minor Variance. No comments required for Variance.

Note: future reviews and comments to be applied for a future Site Plan Application as part of this project JP
City of Cambridge Economic Development:

City of Cambridge Environmental Planner:
No comment.

Ministry of Transportation:
No comment.
Application No.: A84/23
Date of Meeting: October 18, 2023
Page 6 of 8

Aerial & Zoning

Subject Property: M1 Zoning
Application No.: A86/23  Meeting Date: October 18, 2023  Ward No.: 2

Property Owner: Martin Sommer
Applicant: Martin Sommer
Subject Property: REG COMP PLAN 1843 LOT 2
500 Jamieson Pky

Proposal:
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 of the lot, whereas the by-law permit S.3.4.2.2 (p) (iv) uses to occupy up to 25% of the building.

The minor variance will facilitate use of a portion of the existing structure by a fitness club.

General Information:
Zoning By-law Provisions: M1
Official Plan Designation: Employment Corridor
Adjacent Zoning: M1
Adjacent Land Use: Industrial
Existing Use: Industrial
Proposed Use: Industrial

Staff Comments
City of Cambridge Development Planning Section:
The subject lands are located on the south side of Jamieson Parkway, west of Townline and contain two buildings used as an industrial mall.

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 Zoning-Bylaw across all buildings on the site whereas by-law specifies that such uses may 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. 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 provision of a fitness club within the industrial mall is seen as an appropriate and use accessory to the primary employment function of the employment corridor lands.

Is the proposal minor in nature?

Given the lack of change to the overall permitted use staff are satisfied that applying the building specific ratio at a site wide level is minor in nature.

City of Cambridge Planning staff therefore recommend approval of the minor variance application without condition.

Regional Municipality of Waterloo:
No comment.

Grand River Conservation Authority
No comment.

GrandBridge Energy:

City of Cambridge Building Section:

City of Cambridge Transportation Engineering Section:
No comment.

City of Cambridge Development Engineering Section:
City of Cambridge Forestry
If any trees are to be impacted, a Tree Management Plan or Tree Removal Permit is required pursuant to Private Tree By-Law 124-18 and City Tree By-Law 71-06, prior to any disturbance on site.

City of Cambridge Fire Department:

City of Cambridge Economic Development:

City of Cambridge Environmental Planner:

Ministry of Transportation:
Subject Property: M1 Zoning

Site Sketch
Application No.: B43/23, A80/23  Meeting Date: September 20, 2023
Ward No.: 2

Property Owner:  Mark Romero
Elizabeth Amanda Romero

Applicant:  Mark Romero
Elizabeth Amanda Romero

Subject Property:  PLAN 235 LOTS 21 & 22
66 Rife Ave

Proposal:
Seeking consent to sever a residential property to create a new lot, retaining an existing single detached dwelling on the retained parcel being:

Lot 1 (conveyed by B43/23)
Area: 436.84 sq m
Frontage: 11.5 m

Lot 2 (retained)
Area: 486.73 sq m
Frontage: 12.8 m

As a result of the proposed severance, relief from zoning by-law 150-85 will be required to permit:

Lot 1 (minor variance A80/23)
1. a frontage of 11.5 m, whereas the zoning by-law requires a minimum lot frontage of 15 m [S.3.1.2.2 (a)(i)].
2. a total lot area of 436.84 sq m, whereas the zoning by-law requires a minimum lot area of 450 sq m [S.3.1.2.2 (b)(i)].

Lot 2 (minor variance A87/23)
1. a retained land with a minimum lot frontage of 12.8 m, whereas the zoning
by-law requires a minimum lot frontage of 15 m [S.3.1.2.2 (a) (i)].
2. an existing interior side lot line of 0.6 m to the west, whereas the zoning by-law requires a minimum of 1.2 m [S.3.1.2.2 (e)].

General Information:
Zoning By-law Provisions: R4
Official Plan Designation: Low / Medium Density Residential
Adjacent Zoning: R4, RS1
Adjacent Land Use: Residential
Existing Use: Residential
Proposed Use: Residential

Staff Comments
City of Cambridge Development Planning Section:
The subject property is located on the south side of Rife Avenue, facing he intersection with Bella Street. The applicant is seeking to sever the residential lot containing a single detached home and a small accessory structure to create a new and vacant residential lot. Relief from the zoning by-law will be required to permit deficient lot size on the conveyed land and deficient frontages on both proposed lots.

City of Cambridge Zoning By-Law
The subject property is zoned R4 (Single Detached Residential). 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. Though there is currently no specific proposed development on the subject lands the building envelope can meet all parking and setback requirements while providing adequate amenity and open space. Staff note that while an altered severance line could produce a conveyed parcel meeting the minimum lot areas it is not clear that sufficient parking could be provided on the retained lot in this configuration.

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. 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 are 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.

With regard to the dimensions and shape of the proposed lots, planning staff are satisfied that the proposed lots fit well into the established lot pattern and are, in keeping with their surroundings. Staff have reviewed the dimensions of parcels within a 60 m radius (the statutory notice area for a Consent application) and are satisfied that the proposed lot dimensions are well within what could be seen as typical for the area. Reduced frontages are a common feature of the area and staff anticipate no negative impact from the creation of the proposed parcels.

Staff advise the applicant and future owners to take note of the Transportation Engineering comment with regard to driveway position, as the T intersection with Bella Street will need to be accommodated in any new access configuration. A shared driveway should be strongly considered.

A small shed has been identified near the property line on the conveyed parcel. This will need to be removed or relocated to uphold required setbacks, and should not be the sole use of an otherwise vacant parcel in a residential zone. Staff note that if this structure constitutes a building under the Building Code Act a demolition permit will be required.

Based on the above noted analysis, planning staff is of the opinion that with the recommended conditions, the proposed severance meets the criteria set out in s. 51(24) of the Planning Act, addresses the requirements and matters of Provincial interest and that the required variance meets the four tests of section 45.
Planning Staff therefore recommend **approval** of the severance application subject to the following conditions:

1. That a draft reference plan showing the severed and retained lands be prepared by a qualified surveyor and submitted to the City for approval prior to being deposited at the Land Registry Office. The reference plan shall be deposited at a Land Registry Office and a copy shall be provided to the City;

2. 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;

3. An access permit must be obtained through Transportation Engineering for 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);

4. That the existing shed on the conveyed parcel be removed or relocated to comply with required setbacks for accessory structures (0.6 from an interior side lot line);

5. That the applicant submits a spatial separation report to the satisfaction of the Building Division to verify that the requirements of the Ontario Building Code are met for the amount of unprotected opening area (or window area for single family dwellings) of the existing building permitted to face the new property line;

6. 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;

7. 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;

8. 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; and

9. That the above conditions must be fulfilled and the document for conveyance be presented with the required fee for signing on or before October 18th, 2025, after which time this consent will lapse.

Staff further recommend that minor variance A80/23 be subject to the following condition:

1. That the minor variance applies to the conveyed lands described in provisional consent B43/23. Should this consent lapse prior to final approval and issuance of a Certificate of Official the minor variance shall also lapse; and

Staff finally recommend that minor variance A87/23 be subject to the following condition:

1. That the minor variance applies to the retained lands described in provisional consent B43/23. Should this consent lapse prior to final approval and issuance of a Certificate of Official the minor variance shall also lapse; and
Appendix: Lot dimensions within 60 m radius

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<td>20.7</td>
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<td>53 RIFE AVE</td>
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<td>R4</td>
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<tr>
<td>82 RIFE AVE</td>
<td>458.6966</td>
<td>12.2</td>
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Regional Municipality of Waterloo:
The owner/applicant is seeking consent to sever a residential property to create a new lot. The retained lot contains an existing single detached dwelling.
Application No.: A80/23  
Date of Meeting: September 20, 2023  
Page 8 of 12  
The subject lands are located within the Built-up Area as designated on Map 3a the Regional Official Plan (ROP) and a located within the Wellhead Protection Sensitivity Area 8 as designated on Map 6a of the ROP.

Regional Fee (advisory Comments):  
Regional staff acknowledge receipt of the regional consent review fee of $350.

Archaeology Assessment (advisory comments):  
Staff note the property is located within an area of archaeological potential; however, the current application is to sever the lots with no new development proposed at this time. The applicant should be advised an Archaeological Assessment may be required in the future.

Source Protection Plan Compliance (Section 59 Notice):  
The subject lands are located in a Source Protection Area where Risk Management Plan policies implemented by the Region of Waterloo may apply. Regional staff are in receipt of a valid Section 59 notice.  
The Region has no objection to this application.

Grand River Conservation Authority  
No comment.

GrandBridge Energy:  

City of Cambridge Building Section:  
If the existing shed on the severed lot has a gross area of 15 sq.m or greater, a demolition permit will be required.

City of Cambridge Transportation Engineering Section:  
The access to the severed lot will be required to be located on the west side of the lot;  
An access permit must be obtained through Transportation Engineering for 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:
  - Rife Avenue:
    - 200 mm diameter watermain
    - 200mm diameter sanitary sewer
    - 300mm diameter storm sewer
Separate municipal services (water and sanitary) will be required for each proposed lot (completed by City forces at 100% Owner/Builder’s cost).

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

Redundant water services will need to be capped at the main (completed by City forces at 100% Owner/Builders cost). Only one water service per property is permitted.

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 Forestry**
If any trees are to be impacted, a Tree Management Plan or Tree Removal Permit is required pursuant to Private Tree By-Law 124-18 and City Tree By-Law 71-06, prior to any disturbance on site.

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

**City of Cambridge Economic Development:**

**City of Cambridge Environmental Planner:**
No comment.

**Ministry of Transportation:**
Application No.: A80/23
Date of Meeting: September 20, 2023
Page 10 of 12

Aerial & Zoning

Subject Property: R4 Zoning
Site Visit
Application No.: A90/23  Meeting Date: October 18, 2023  Ward No.: 8

Property Owner:  West Peak Holdings Limited

Applicant:  Chris Pidgeon
GSP Group Incorporated

Subject Property:  MUN COMP PLAN 1379 PT LOT 16;RP58R11855 PARTS 4&5
445 Hespeler Rd

Proposal:
Seeking to alter and expand a legal non-conforming use, being:

1. the relocation and expansion of an auto body repair shop to the rear of the property with a total gross floor area of 845 sqm.

General Information:
Zoning By-law Provisions: C4C5
Official Plan Designation: HESPELER RD MIXED USE CORRIDOR
Adjacent Zoning: M3, C4, C4C5, (H)M3
Adjacent Land Use: Commercial, Industrial
Existing Use: Commercial
Proposed Use: Commercial

Staff Comments
City of Cambridge Development Planning Section:
The subject lands are located on the east side of Hespeler Road north of Bishop Street and contain a single building including automobile sales, automobile service and repair and automobile body work. A full service automobile dealership is a longstanding use on the subject lands, the body repair element of which no constitutes a legal non-conforming use.

The applicant seeks to relocate the ‘collision center’ element of the dealership, primarily an auto body repair operation within the definitions of the zoning by-law, to a new building to be located at the rear of the subject property. This will include an expansion to the floor area used for auto body repair of approximately 50%.
The land is designated as part of the Hespeler Road Mixed-Use Corridor per section 8.6.1.4 of the City of Cambridge Official Plan. This designation provides that the lands are intended for transit-oriented development supportive of rapid transit and that such development should be mixed use commercial, residential office and institutional uses.

While staff have broad concerns as the desirability and suitability of automobile focussed uses in the Hespeler Road Mixed Use Corridor the most substantial factor for this application is seen as being the legal non-conforming status. While discretion does exist within the extension of such a use, the desirability and impact of the use may only to be considered insofar as the alteration to that use creates an increased impact or is itself undesirable.

The proposed development represents a relocation of the less compatible industrial uses of the site as far from the Hespeler Road frontage as practicable. While the ongoing use of the site for automobile-oriented purposes is not within the ultimate purpose of the Official Plan, the relocation of auto body repair to the rear of the property and out of the commercial building is seen as an improvement to the overall site conditions. Considering only the incremental alteration to the subject property planning staff are satisfied that the proposed alteration conforms with the requirements of Section 45(2) of the Planning Act.

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

1. That no auto body repair work shall be conducted within the existing building following construction of the new ‘collision center’.

Regional Municipality of Waterloo:

Grand River Conservation Authority

GrandBridge Energy:

City of Cambridge Building Section:

City of Cambridge Transportation Engineering Section:

City of Cambridge Development Engineering Section:

City of Cambridge Forestry
If any trees are to be impacted, a Tree Management Plan or Tree Removal Permit is required pursuant to Private Tree By-Law 124-18 and City Tree By-Law 71-06, prior to any disturbance on site.

City of Cambridge Fire Department:
City of Cambridge Economic Development:

City of Cambridge Environmental Planner:

Ministry of Transportation:
Aerial & Zoning

Subject Property: C4C5 Zoning
Application No.: A92/23, A93/23, A94/23, A95/23, A96/23

Meeting Date: October 18, 2023  Ward No.: 7

Property Owner: Lvh Developments (Mc) Incorporated

Applicant: Lvh Developments (Mc) Incorporated

Subject Property: CON 10 PT LOTS 2 AND 3 RP;58R8466 PART 1
1395 Main St

Proposal:
Seeking relief from zoning by-law 150-85 to permit:

A92/23 (Blocks 4, 5, 9, 10, 13, 14, 15, 18, 19, 20, and 21)

1. A minimum front yard setback of 3m to a dwelling and 5.8m to a garage, whereas the zoning by-law requires a minimum of 6m [S.3.1.2.2 (d)]
2. A maximum lot coverage of 50%, whereas the zoning by-law permits a maximum of 40% [S.3.1.2.2 (j)]
3. A minimum interior side yard setbacks of 0.6m, whereas the zoning by-law requires a minimum of 1.2m [S.3.1.2.2 (e)]
4. A maximum projection of eaves or gutters of 0.42m into the required yard, whereas the zoning by-law permits a maximum projection of 0.5m

The variances will facilitate construction of single detached lots within the approved Draft Plan of Subdivision 30T-13101.

A93/23 (Blocks 1, 2, and 11)

1. A total of eight (8) attached family dwelling units, whereas the zoning by-law permits a maximum of 6 units in an RM4 zone [S.3.1.2.5 (j)]

A94/23 (Blocks 7 and 8)

1. A total of seven (7) attached family dwelling units, whereas the zoning by-law permits a maximum of 6 units in an RM4 zone [S.3.1.2.5 (j)]
A95/23 (Block 12)

1. A total of seven (7) attached family dwelling units, whereas the zoning by-law permits a maximum of 6 units in an RM4 zone [S.3.1.2.5 (j)]
2. A total lot coverage of 50%, whereas the zoning by-law permits a maximum lot coverage of 40%. [S.3.1.2.5 (h)]

A96/23 (Blocks 12, 16, and 17)

1. A total lot coverage of 50%, whereas the zoning by-law permits a maximum lot coverage of 40% [S.3.1.2.5 (h)]
2. A total of seven (7) attached family dwelling units, whereas the zoning by-law permits a maximum of six (6) units in an RM4 zone [S.3.1.2.5 (j)]

The variances will facilitate construction of townhouse dwellings within blocks 1, 2, 7, 8, 11, 12, 16 and 17 of the approved Draft Plan of Subdivision 30T-13101.

General Information:
Zoning By-law Provisions: RM4, R6, OS1, Site Specific: S.4.1.399, S.4.1.398, S.4.1.400- S.4.1.408
Official Plan Designation: LOW / MEDIUM DENSITY RESIDENTIAL; NATURAL OPEN SPACE SYSTEM
Adjacent Zoning: OS1, R6, R5, N1R6
Adjacent Land Use: Residential, Open Space, Institutional
Existing Use: Residential
Proposed Use: Residential

Staff Comments
City of Cambridge Development Planning Section:
The subject lands are located south of Main Street and east of Wesley Boulevard. The applicant is seeking relief from total coverage, townhouse block size and setback provisions of the by-law across multiple blocks of the draft approved plan of subdivision.

Planning staff are satisfied that each of the proposed variances is well within the purpose of the site-specific zoning insofar as they will facilitate development of the lands in accordance with an approve plan of subdivision which was advanced in conjunction with the zoning. With regard specifically to the number of townhouses in a row, staff further note that the draft citywide zoning by-law published in 2019 provides for up to eight units in single row.
Application No.: A96/23
Date of Meeting: October 18, 2023
Page 3 of 9

Staff are satisfied that the proposed variances maintain a built form constituting low / medium density residential development, which is clearly in keeping with the official plan.

With regard to the desirability of the project in totality and intent of the zoning by-law in setting specific regulations staff are satisfied that the general pattern of development, and its proposed divergence from zoning specifications are a broadly appropriate development form for the area. Staff note that the typical practice in addressing total lot coverage increases has been to impose a condition limiting total lot coverage inclusive of accessory structures to 50%, as the zoning by-laws provisions allow for 40% coverage by primary structures and a further 10% for accessory structures. In this case such a condition could create an undesirable inability to provide any type of accessory structure on site; staff note that while 60% total coverage would not be broadly desirable, a small increase above 50% permitting a shed would not have a negative effect on the relatively deep lots proposed. As such an additional condition permitting a shed which does not require a building permits to be placed on the site regardless of the total coverage.

As such, staff recommend approval of minor variance applications A92/23, A93/23, A94/23, A95/23 & A96/23, with A92/23, A95/23 & A96/23 subject to the following conditions:

1. That total lot coverage inclusive of primary and accessory structures shall not exceed 50%; and
2. Notwithstanding condition #1, a single accessory structure of not more than 15 square metres and deemed not to constitute a building per the Building Code Act is permitted.

Regional Municipality of Waterloo:
No comment.

Grand River Conservation Authority
Grand River Conservation Authority (GRCA) staff has reviewed the above-noted applications that propose relief from the required minimum front yard, lot coverage, and side yard setbacks for numerous detached dwelling and townhouse lots within a draft plan approved residential subdivision on the subject property.

Recommendation
The GRCA would not object to the approval of these minor variance applications by the City of Cambridge.
Documents Reviewed by Staff
Staff have reviewed the following documents submitted with this application:

- Minor Variance Application Cover Letter to the City of Cambridge, Moffat Creek Subdivision (30T-13101), 1395 Main Street East, Cambridge (prepared by Arcadis and dated September 12, 2023);
- Plan 1, Minor Variance Request for Single Lots, Moffat Creek Subdivision (30T-13101), 1395 Main Street East, Cambridge (prepared by Arcadis and dated October 3, 2023); and,
- Plan 2, Minor Variance Request for Street Fronting Linear Townhouse Dwellings, Moffat Creek Subdivision (30T-13101), 1395 Main Street East, Cambridge (prepared by Arcadis and dated October 3, 2023).

GRCA Comments
GRCA has reviewed this application under the Mandatory Programs and Services Regulation (O.R. 686/21), including acting on behalf of the Province regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS, 2020), as a regulatory authority under Ontario Regulation 150/06 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 is traversed by Moffat Creek and its associated Regional Storm floodplain. The subject property also contains a large portion of the Moffat Creek Swamp Provincially Significant Wetland Complex and its regulated allowance (refer to the enclosed map). Consequently, 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 new development and/or site alteration within the regulated areas would require a permit from the GRCA.

The GRCA was involved in the review of this subdivision (30T-13101) and issued draft plan conditions on July 8, 2020 and final clearance on May 11, 2022. It is our understanding that the draft plan has not yet been registered by the Region of Waterloo. As such, portions of the proposed single dwelling and townhouse blocks are regulated by the GRCA and any new development/site alteration within this area would be subject to GRCA permit approval. However, the regulation limits will be revised to the wetland buffer areas and these development blocks upon registration by the Region of Waterloo. As such, the
GRCA will not be requiring permits for the construction of the new dwellings and/or townhouses under Ontario Regulation 150/06.

With regards to the proposed variances, the GRCA has no concerns with the intent of this proposal and the GRCA would not object to the approval of these minor variance applications by the City of Cambridge.

Consistent with the GRCA’s 2023 approved fee schedule, the applicant will be invoiced in the amount of $300 for the GRCA’s review of this application. Please note that these applications have been combined under a single plan review fee. The applicants are further advised that additional fees will be required for any other Planning Act applications and/or GRCA permit applications. Our current fee schedule is available under the Planning & Development section on our website at www.grandriver.ca.

For Municipal Consideration
Please be advised that on January 1, 2023, a new Minister’s regulation (Ontario Regulation 596/22: Prescribed Acts – Subsections 21.1.1 (1.1) and 21.1.2 (1.1) of the Conservation Authorities Act) came into effect. As a result, non-mandatory technical review services that the GRCA formerly provided under agreement with municipalities (e.g., technical reviews related to natural heritage and select aspects of stormwater management) will no longer be provided beyond a transition period.

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

City of Cambridge Building Section:
MV’s only setbacks, lot coverages, etc

City of Cambridge Transportation Engineering Section:
No comment.

City of Cambridge Development Engineering Section:
No comment.

City of Cambridge Forestry
If any trees are to be impacted, a Tree Management Plan or Tree Removal Permit is required pursuant to Private Tree By-Law 124-18 and City Tree By-Law 71-06, prior to any disturbance on site.

City of Cambridge Fire Department:
No comment.

City of Cambridge Economic Development:

City of Cambridge Environmental Planner:
Ministry of Transportation:

Aerial & Zoning

Subject Property:
RM4, R6 and OS1 Zoning with S.4.1.389, S.4.1.398 and S.4.1.400 to S.4.1.408 reference
Plan 1 - Minor Variance Request for Single Lots

The following to be applied as a minor variance to each of the single detached lots in the plan:
- Minimum front yard setback of 3m to a dwelling and 5.8m to a garage
- Minimum interior side yard setback of 0.6m.
- Maximum permitted encroachment of eaves or gutters into the min. required side yard shall be 0.62m where the permitted interior side yard is 0.6m.
- Maximum of coverage of 50%
Application No.: B45/23  Meeting Date: October 18, 2023  Ward No.: 5

Property Owner:  Daniel Alan Roberts
Lara Catherine Anne Roberts

Applicant:  Daniel Alan Roberts
Lara Catherine Anne Roberts

Subject Property:  PLAN 795 LOT 122 LOT 123
16 Parkwood Dr

Proposal:
Seeking consent for a boundary adjustment conveyance, creating a vacant residential lot from two lots developed as a consolidated whole.

Lot 1 (conveyed by B45/23)
Area: 540 sq m
Frontage: 18 m

Lot 2 (retained)
Area: 450 sq m
Frontage: 15 m

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

Staff Comments
City of Cambridge Development Planning Section:
The subject property is located on the west side of Parkwood Drive, south of Salisbury avenue. The land contains two 'lots of record' as established by Plan 795, and is developed with a single detached dwelling. The existing dwelling
extends across the boundary between lots 123 and 122 on Plan 795, being a Consolidated Multiple Lot Development as permitted under S.1.1.11 of the City of Cambridge Zoning By-law.

The applicant is seeking consent for a boundary adjustment conveyance which will have the effect of consolidating part of Lot 122 with Lot 123, establishing a wholly vacant parcel south of the existing house. The resulting lot pattern will have a frontage of 19 m on the corner lot, and 15 on the interior, with total areas of 1373 sq m and 654 sq m respectively.

Figure 1 Excerpt from Plan 795, 1953

Considering the existence of two lots on the site today, and full conformity with the zoning by-law staff are satisfied that all requirements of Section 51(24) of the Planning Act are satisfied. The adjusted lot boundary is seen as having minimal impact and being an extremely small adjustment to the lot pattern established by
Plan 795. In consideration of the lots having previously been developed in consolidated form staff are supportive of Development Engineering’s request for grading and servicing plans prior to final approval of the consent to establish that development standards are met for the proposed configuration. As no new lot is being established by the requested consent parkland dedication is not required.

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

1. That a draft reference plan showing the severed and retained lands be prepared by a qualified surveyor and submitted to the City for approval prior to being deposited at the Land Registry Office. The reference plan shall be deposited at a Land Registry Office and a copy shall be provided to the City;

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 sections 50(3) or (5) of the Planning Act applies to any future transactions involving the subject lands so that the severed lands will be merged in title with the abutting parcel and that the owner/applicant provide a draft transfer from a solicitor;

5. That the owner/applicant submit the Regional review fee of $350.00; and

6. That the above conditions must be fulfilled and the document for conveyance be presented with the required fee for signing on or before October 18th, 2023 after which time this consent will lapse.

Regional Municipality of Waterloo:

The owner/applicant is proposing a severance and lot addition, to facilitate the development of a new residential dwelling.

The subject property is located within the Built Up Area as designated on Map 3a in the Regional Official Plan (ROP). The subject property is located within Wellhead Protection Sensitivity Area 5 as designated on Map 6a of the ROP.

Regional Fee:
The owner/applicant is required to submit the Regional consent review fee of $350.00 prior to final approval of the consent.
Source Water Protection (Section 59 Notice):
The subject lands are located within the Clean Water Act Part IV area. Regional staff are in receipt of a valid Section 59 notice.

The Region has no objection to the proposed application, subject to the following condition:

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:

City of Cambridge Building Section:
No comment.

City of Cambridge Transportation Engineering Section:
An access permit must be obtained through Transportation Engineering for 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:
• In Parkwood Drive, the following services are available to the subject properties:
  o 250mm diameter sanitary sewer and 200mm diameter watermain.

• In Salisbury Avenue, the following services are available to the subject properties:
  o 250mm diameter sanitary sewer, 300mm diameter storm sewer and 150mm diameter watermain.

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

• Verification of the location of municipal services is required. If reusing services, a servicing easement will be required if any severed property’s servicing crosses the other severed property.
City records indicate that there is one existing 100mm diameter sanitary service, one existing 150mm diameter sanitary service and one existing 19mm diameter water service.

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

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

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

Cost estimates for work within road allowance are prepared by City Staff upon receipt of the estimate fee of $250.00 (HST included).

**City of Cambridge Forestry**
If any trees are to be impacted, a Tree Management Plan or Tree Removal Permit is required pursuant to Private Tree By-Law 124-18 and City Tree By-Law 71-06, prior to any disturbance on site.

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

**City of Cambridge Economic Development:**

**City of Cambridge Environmental Planner:**

**Ministry of Transportation:**
Aerial & Zoning

Subject Property: R4 Zoning
Site Sketch

Site Visit
Application No.: B39/23, A64/23, A65/23

Meeting Date: September 20, 2023  Ward No.: 4

Property Owner: Brendan John Parry
Marnie Kerhanovich

Applicant: Brendan John Parry
Marnie Kerhanovich

Subject Property: PLAN 442 PT LOT 93 PLAN 615 PT LOT 5 (#21 - #23 POLLOCK AVE)
21-23 Pollock Ave

Proposal:
Seeking consent to sever a residential property to create a new lot, being:

Lot 1 (conveyed by B39/23)
Area: 403 sq m
Frontage: 7.87 m

Lot 2 (retained)
Area: 368 sq m
Frontage: 8.09 m

As a result of the proposed severance, relief from zoning by-law 150-85 will be required to permit:

Lot 1 – Conveyed (minor variance A64/23)

1. a lot frontage of 7.87 m, whereas the zoning by-law requires a minimum lot frontage of 15 m [S.3.1.2.2 (a)(i)]; and
2. a total lot area of 403 sqm, whereas the zoning by-law requires a minimum lot area of 450 sqm [S.3.1.2.2 (b)].
Lot 2 – Retained (minor variance A65/23)

1. a lot frontage of 8.09 sq m, whereas the zoning by-law requires a minimum lot frontage of 15 m [S.3.1.2.2 (a) (i)]; and
2. a total lot area of 368 sqm, whereas the zoning by-law requires a minimum lot area of 450 sqm [S.3.1.2.2 (b)].

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

Staff Comments
City of Cambridge Development Planning Section:
The subject property is located on the south side of Pollock Avenue midway between Oak Street and Cathay Street. The land contains a legal non-conforming semi-detached dwelling, which the applicant is seeking consent to sever. The severance will result in deficient lot area and lot frontage on both parcels, requiring minor variances for both specifications on both parcels.

With regard to Section 51(24) factors Staff are satisfied that there is no reason to require a plan of subdivision for severance of the existing semi-detached development. Staff do request that the applicant be required to provide floor plans confirming the structure is fully and cleanly severed between the two parcels and demonstrate that services do not cross property lines (or establish easements for such crossing).

In terms of the minor variances, staff are concerned that the proposed lots are narrower than wholly desirable, and note that the most apparently comparable on Pollock Avenue lot at 19½, the abutting neighbour to the west, meets the minimum lot area specification and provides a 10 m frontage. 208 Main Street, to the rear of the subject lands does fall slightly below 450 sq m with a frontage of approximately 9.8 m, and appears to be unique.

Nonetheless, noting both the legal non-conforming status of the subject lands and that the draft citywide zoning by-law proposes to permit semi detached construction in all area staff feel that upholding the general severability of semi-
detached home existing in single ownership is more significant than concerns as to the suitability of the lots for single detached construction. Staff therefore recommend that construction of a single detached house on the subject lands be prohibited without further approval by the Committee of Adjustment with the intent that the lands should continue to be used as a semi-detached structure. The owner/applicant is strongly advised to ensure that future modifications to the property do not result in the termination it’s legal non-conforming status.

As such, City of Cambridge Planning Staff recommends approval of consent application B39/23 subject to the following conditions:

1. That a draft reference plan showing the severed and retained lands be prepared by a qualified surveyor and submitted to the City for approval prior to being deposited at the Land Registry Office. The reference plan shall be deposited at a Land Registry Office and a copy shall be provided to the City;

2. That the applicant provides a floor plan of the structure, demonstrating to the satisfaction of Planning Staff that a common wall separates the units, and that the proposed lot boundary runs with this wall;

3. 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;

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 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 the applicant contacts the field inspector for this area to verify that existing fire separations between dwelling units are adequate for compliance with 9.10.11 of the Ontario Building Code now that they will be located on a property line. Alex Pacheco can be contacted at 519-623-1340 Ext. 4260 or PachecoA@cambridge.ca;

6. Where the existing fire separations are not acceptable or non-existent, obtain all necessary building permits and complete necessary upgrades for each of the units as required by the Ontario Building Code, to the satisfaction of the Building Division; and
7. That the above conditions must be fulfilled and the document for conveyance be presented with the required fee for signing on or before October 18th, 2025, after which time this consent will lapse.

Staff further recommend that minor variance A64/23 be subject to the following condition:

1. That the minor variance applies to the conveyed lands described in provisional consent B39/23. Should this consent lapse prior to final approval and issuance of a Certificate of Official the minor variance shall also lapse; and

2. That a single detached dwelling shall not be constructed on the subject lands without a minor variance application to the Committee of Adjustment.

Staff finally recommend that minor variance A65/23 be subject to the following condition:

1. That the minor variance applies to the retained lands described in provisional consent B39/23. Should this consent lapse prior to final approval and issuance of a Certificate of Official the minor variance shall also lapse; and

2. That a single detached dwelling shall not be constructed on the subject lands without a minor variance application to the Committee of Adjustment.

**Regional Municipality of Waterloo:**

The owner/applicant is seeking consent to sever a lot containing a legal non-conforming semi-detached house, creating separate parcels for each unit. The subject lands are located within the Built-up Area and Central Transit Corridor as designated on Map 3a of the Regional Official Plan (ROP) and are located within Wellhead Protection Sensitivity Area 2 as designated on Map 6a of the ROP.

**Regional Fee:**
Regional staff acknowledge receipt of the regional consent review fee of $350.

**Archaeology Assessment (advisory comments):**
Staff note the property is located within an area of archaeological potential; however, given the nature of the application with no new development proposed, an Archaeological Assessment is not required at this time.
Source Protection Plan Compliance (Section 59 Notice):
The subject lands are located in a Source Protection Area where Risk Management Plan policies implemented by the Region of Waterloo may apply. Regional staff are in receipt of a valid Section 59 notice.

The Region has no objection to this application.

Grand River Conservation Authority
No comment.

GrandBridge Energy:

City of Cambridge Building Section:
That the applicant verifies the location of any existing sanitary, storm and water services on the property to the satisfaction of the Building Division 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.

That the applicant contacts the field inspector for this area to verify that existing fire separations between dwelling units are adequate for compliance with 9.10.11 of the Ontario Building Code now that they will be located on a property line. Alex Pacheco can be contacted at 519-623-1340 Ext. 4260 or PachecoA@cambridge.ca

Where the existing fire separations are not acceptable or non-existent, obtain all necessary building permits and complete necessary upgrades for each of the units as required by the Ontario Building Code, to the satisfaction of the Building Division.

City of Cambridge Transportation Engineering Section:
No comment.

City of Cambridge Development Engineering Section:
No comment.

City of Cambridge Forestry
If any trees are to be impacted, a Tree Management Plan or Tree Removal Permit is required pursuant to Private Tree By-Law 124-18 and City Tree By-Law 71-06, prior to any disturbance on site.

City of Cambridge Fire Department:
No comment.

City of Cambridge Economic Development:

City of Cambridge Environmental Planner:
No comment.

Ministry of Transportation:
Aerial & Zoning

Site Sketch

Subject Property: R4 Zoning

Lot 2
Site Visit
Application No.: B46/23  Meeting Date: October 18, 2023  Ward No.: 2

Property Owner: Gateway Business Campus Gp

Applicant: Savvas Kotsopoulos
Osler, Hoskin & Harcourt LLP

Subject Property: PLAN 58M467 PT BLK 1
20 Tyler St

Proposal:
Seeking consent for a technical severance to correct a potential inadvertent re-merging of 20 Tyler Street with 500 Pinebush, previously severed though consent B19/14. The conveyed lands of the prior consent have been modified by a Ministry of Transportation expropriation.

General Information:
Zoning By-law Provisions: M1
Official Plan Designation: Employment Corridor
Adjacent Zoning: M1, OS1
Adjacent Land Use: Industrial
Existing Use: Industrial
Proposed Use: Industrial

Staff Comments
City of Cambridge Development Planning Section:
The subject lands are located on the east side of Tyler Street, south of Highway 401 and contain two industrial buildings, one each on the proposed conveyed and retained parcels. The conveyed lands were severed from the lands known as 500 Pinebush Drive through consent application B19/14, approved by the Committee of Adjustment in September 2014. Since that time the lands have returned to common ownership, while the conveyed parcel has been subject to an expropriation for widening of Highway 401.

As the conveyed lands are no longer the identical parcel to that conveyed by consent no exception from Section 50 (5) exists on the basis of B19/14. The
applicant is therefore seeking a new consent application to permit the sale of 20 Tyler Street.

Staff concur with the conclusion of the 2014 planning recommendation that the lot complies with all requirements of Section 51(24) of the Planning Act and further note that approval reflects the established conditions on the lots. Staff are satisfied that the intent of parkland policies was met during the prior severance and are making no further requests for dedication at this time.

As such staff are comfortable describing his severance as technical in nature, and recommend approval of the consent application subject to the following conditions:

1. That a draft reference plan or plans showing the severed and retained lands be prepared by a qualified surveyor and submitted to the City for approval prior to being deposited at the Land Registry Office. The reference plan shall be deposited at a Land Registry Office and a copy shall be provided to the City;

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

3. That prior to final approval, the owner/applicant submits a valid Section 59 Notice, to the satisfaction of the Region.

4. That the above conditions must be fulfilled and the document for conveyance be presented with the required fee for signing on or before October 18th, 2025 after which time this consent will lapse.

Regional Municipality of Waterloo:
The owner/applicant is seeking consent for a technical severance to correct a potential merging of 20 Tyler Street with 500 Pinebush Rd, previously severed though consent B19/14. The conveyed lands of the prior consent have been modified by a Ministry of Transportation land taking.

The subject property is located within the Urban Designated Greenfield as designated on Map 3a of the Regional Official Plan (ROP) and located within Wellhead Protection Sensitivity Area 7 and 8 as designated on Map 6a of the Regional Official Plan.

Regional Fee:
The owner/applicant is required to submit the Regional consent review fee of $350.00 prior to final approval of the consent.
Archaeological Assessment (advisory comments):
Regional Staff note the subject property has previously been assessed and cleared through an archaeological assessment.

Source Protection Plan Compliance (Section 59 Notice):
The subject lands are located in a Source Protection Area where Risk Management Plan policies implemented by the Region of Waterloo may apply. The owner/applicant must complete the questionnaire on https://taps.regionofwaterloo.ca/ to obtain a valid Section 59 Notice.

The Region has no objection to the proposed application, subject to the following conditions:
1) That prior to final approval, the owner/applicant submit the Regional consent review fee of $350.00.
2) That prior to final approval, the owner/applicant submits a valid Section 59 Notice, to the satisfaction of the Region.

Grand River Conservation Authority
No comment.

GrandBridge Energy:

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

City of Cambridge Forestry
If any trees are to be impacted, a Tree Management Plan or Tree Removal Permit is required pursuant to Private Tree By-Law 124-18 and City Tree By-Law 71-06, prior to any disturbance on site.

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

City of Cambridge Environmental Planner:
No comment.

Ministry of Transportation:
No requirements for this application.
Subject Property: M1 Zoning
Application No.: B01/23, A04/23  Meeting Date: October 11, 2023  Ward No.: 7

Property Owner: 12939819 Canada Inc.

Applicant: Reema Masri (Masri O Inc Architects)

Subject Property: PLAN 1126 PT LOT 8
245 Clyde Rd

Proposal:
Seeking consent to sever the lands for the creation of a new lot. The conveyed lands will have a frontage of 15.14m and an area of 877.48 sqm while the retained shall have a frontage of 20.60m and an area of 798.47 sqm.

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

1. A minimum lot frontage of 15.14m (on Norman Lane, a Deemed Street) whereas the by-law requires a minimum of 18m.

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

General Information:
Zoning By-law Provisions: R4
Official Plan Designation: Natural Open Space System
Adjacent Zoning: RM3, R4
Adjacent Land Use: Residential
Existing Use: Residential
Proposed Use: Residential
Staff Comments
City of Cambridge Development Planning Section:
The subject property is a corner lot on the south side of Clyde Rd at the intersection with Norman Lane, a deemed street. There is a single detached house located on the lot, and the applicant is seeking severance of a new residential lot with deficient frontage.

Noting the Grand River Conservation Authority’s comments with regard to the property’s location in Mill Creek’s one-zone flood plain, City of Cambridge Planning Staff cannot support the creation of a new lot, or the construction of residential dwelling on the subject property. Through the lens of Subsection 51(24) of the Planning Act, the proposed severance would be in clear breach of Sections 3.1 of the Provincial Policy Statement and 3.B.6.1.1 of the City of Cambridge Official Plan, be contrary to multiple matters of provincial interest per Section 2 of the Planning Act and be a fundamentally unsuitable use of the land. Staff place a particular emphasis on 3.B.6.1.1 imposing a full prohibition on development within the one-zone floodplain, and on the fact that the floodplain regulations reflect a life safety interest.

Noting the absolute policies, fundamental safety concerns and infeasibility of safe access Planning Staff cannot advise that any set of conditions would be suitable for the proposed severance and variance. Nevertheless, should the Committee see fit to approve the applications, staff would recommend the following the following conditions as a minimum set of requirements for approval:

1. That a draft reference plan showing the severed and retained lands be prepared by a qualified surveyor and submitted to the City for approval prior to being deposited at the Land Registry Office. The reference plan shall be deposited at a Land Registry Office and a copy shall be provided to the City.

2. 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.

3. That the applicant submits a spatial separation report to the satisfaction of the Building Division to verify that the requirements of the Ontario Building Code are met for the amount of unprotected opening area of the existing building (or window area for single family dwellings) permitted to face the new property line.
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. An access permit must be obtained through Transportation Engineering for the removal of, alteration to or construction of any new accesses. The application for an access permit can be found on the City’s website at www.cambridge.ca.

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

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

8. That the applicant demonstrates to the satisfaction of City of Cambridge Planning Staff, City of Cambridge Transportation Engineering and the Grand River Conservation Authority that safe access within the meaning of Section 3.B.6.1.1 f) of the City of Cambridge Official Plan can be established to the retained and conveyed lands.

9. That the above conditions must be fulfilled and the document for conveyance be presented with the required fee for signing on or before October 18th, 2025 after which time this consent will lapse.

Staff would further recommend that any minor variance approval include the following conditions:

1. That prior to issuance of a building permit the applicant demonstrates to the satisfaction of City of Cambridge Planning Staff and the Grand River Conservation Authority that all new habitable space is to be located above the regulatory flood line.
Application No.: B01/23
Date of Meeting: October 11, 2023
Page 4 of 10

2. That prior to issuance of a building permit the applicant demonstrates to the satisfaction of City of Cambridge Planning Staff, City of Cambridge Transportation Engineering and the Grand River Conservation Authority that safe access within the meaning of Section 3.B.6.1.1 f) of the City of Cambridge Official Plan has been established to the site.

3. That the minor variance applies to the conveyed lands described in provisional consent B01/23. Should this consent lapse prior to final approval and issuance of a Certificate of Official the minor variance shall also lapse.

Regional Municipality of Waterloo:
No comment.

Grand River Conservation Authority:
Re: Consent & Minor Variance Applications (B01/23 & A04/23)
245 Clyde Road, City of Cambridge
12939919 Canada Inc. (c/o Reema Masri)
Grand River Conservation Authority (GRCA) staff have reviewed the above-noted consent and minor variance applications.

Recommendation
GRCA is not in a position to recommend approval of these consent and minor variance applications by the City of Cambridge.

Documents Reviewed by Staff
Staff have reviewed the following documents submitted with this application:
• Consent and minor variance application forms (prepared by applicant, November 7, 2022);
• Cover letter (Masri O Architects Inc., December 9, 2022);
• Site plan and severance sketch (Masri O Architects Inc., undated);
• Topographic survey (McKechnie Surveying Ltd., October 12, 2022)
• Breakdown report, A04/22 and B01/22, 245 Clyde Road, 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 Board-approved policies.

Information currently available at this office indicates that the entire property is within the floodplain of Mill Creek (refer to the enclosed map). Consequently, the subject lands are regulated by the GRCA under Ontario Regulation 150/06 (Development,
It is our understanding that the purpose of this consent application is to sever and convey the northern half of the existing parcel for future residential redevelopment. The minor variance application seeks relief for the severed parcel from frontage requirements for corner lots.

In summer 2022, GRCA staff provided the applicant with pre-consultation comments in person, over the phone, and via email related to the potential for a severance in a one-zone floodplain. It was made clear that GRCA would not be in a position to support this development concept in light of relevant provincial policy and Ontario Regulation 150/06 and GRCA’s associated development policies, which restrict the creation of new lots and dwelling units in one-zone floodplain areas.

GRCA’s position remains the same in relation to the formal application. The creation of new residential lots with no building envelope or access outside the flooding hazard is discouraged by Sections 3.1.1 and 3.1.2 of the PPS (2020). In addition, Section 8 of GRCA’s Consolidated Policies for Implementing Ontario Regulation 150/06 limits development in one-zone floodplains to minor improvements associated with existing uses, such as additions and/or accessory structures. Therefore, this application – which seeks to create a new residential lot within the floodplain – is inconsistent with GRCA and Provincial policies, and may also be inconsistent with the environmental Official Plan policies of both the Region of Waterloo and the City of Cambridge.

Based on the foregoing, the GRCA is not in a position to recommend approval of this consent application by the City of Cambridge. Note that any new development or site alteration associated with the existing use at 245 Clyde Road would require a permit from GRCA under Ontario Regulation 150/06.

Consistent with GRCA’s approved 2023 plan review fee schedule, these applications are considered “minor” consent and minor variance applications, and the applicant will be invoiced $465 for our review.

Should you have any questions, please contact me directly at wtowns@grandriver.ca or 519-621-2763 ext. 2232.

Sincerely,
Will Towns, RPP
Resource Planner
Grand River Conservation Authority
GrandBridge Energy:

City of Cambridge Building Section:
GIS indicates that the water and sanitary service for the existing dwelling unit will run through the conveyed parcel.

City of Cambridge Transportation Engineering Section:
Condition: An access permit must be obtained through Transportation Engineering for 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:
- City record indicate that the following municipal services are located adjacent to the severed property:
  - Clyde Road:
    - 150 mm diameter watermain
    - 450mm sanitary sewer
    - 600 mm diameter storm sewer (Region owned)
Separate municipal services (water and sanitary) will be required for each proposed lot (completed by City forces at 100% Owner/Builder’s cost).

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

City records indicate that the existing property’s sanitary service is runs across the portion of the property to be severed to Clyde Road.

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 Forestry**
If any trees are to be impacted, a Tree Management Plan or Tree Removal Permit is required pursuant to Private Tree By-Law 124-18 and City Tree By-Law 71-06, prior to any disturbance on site.

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

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

**City of Cambridge Environmental Planner:**
The subject lands are located entirely within the floodplain of Mill Creek and are regulated by the Grand River Conservation Authority (GRCA). Policies 3.B.6.1.1.10 and 3.B.6.1.1.11 in the Cambridge Official Plan do not permit development in a One-Zone Floodplain Policy Area and as such the creation of a new lot for the purposes of constructing a new dwelling are not supported.

**Aerial & Zoning**
Subject Property: R4 zoning
Site Sketch

- **Conveyed Parcel**: 877.48 m²
- **Retained Parcel**: 798.47 m²
- **Potential New House Area**: 101.55 m²

*Note: Measurements and parcel areas are approximate.*
Site Visit