



MINUTES

Corporation of the City of Cambridge COMMITTEE OF ADJUSTMENT

Date: September 11, 2024

Location: Bowman Room, Cambridge City Hall
50 Dickson Street, Cambridge

Committee Members in Attendance Frances Seward - Chair
Geraldine Stafford
Gerald Menezes
Trevor McWilliams

Committee Members Absent Clarck Perez
Majed Darr

Staff Members in Attendance Angelica Rabe – Planner, Committee of Adjustment
Michael Olivera - Council Committee Services Coordinator
Paul Kitchen - Planning Technician
Laura Dewar – Acting Manager of Site Plan and Special Projects
Claudia Beeso - Administrative Services Representative
Harleen Sodhi – Administrative Services Representative

1. Meeting Called to Order

The meeting of the Committee of Adjustment of the City of Cambridge is held in person in the Bowman Room at Cambridge City Hall. The Chair welcomed the Committee, and everyone present and called the meeting to order at 6:02 PM.

2. Indigenous Territory Acknowledgement

3. Disclosure of Pecuniary Interest

None.

4. Approval of Agenda for September 11, 2024 Meeting

The agenda for the above reference hearing date is Approved.

Motion to adopt: Geraldine Stafford

Seconded: Gerald Menezes

5. Approval of Minutes for August 14, 2024 Meeting

The Minutes for the above reference hearing date were Approved.

Motion to adopt: Gerald Menezes

Seconded: Geraldine Stafford

6. Applications

Application No. A63/24

Municipal Address: **233 Wesley Boulevard**

Proposal:

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

1. An interior side yard setback of 0.17m, whereas the Zoning By-law requires a minimum of 1.2m and permits an encroachment of 1.1m for steps or landings for the purpose of access to an attached ARU.

The variance will facilitate construction of a below grade entrance for a basement ARU.

be **deferred to the October Hearing.**

In Person Delegations:

1. Shivang Tarika, was present to speak to the application, speaking on behalf of owner.
2. Hillary Igenozza

Written Submissions:

None.

Motion to defer to October Hearing

Moved By: Gerald Menezes

Seconded By: Geraldine Stafford

Carried

RATIONALE:

The Committee considered staff's recommendation, as well as oral and/or written comments from the applicant and/or delegates. The applicant requested further deferral of the application to allow them more time to revise the proposal.

Application No. A67/24

Municipal Address: **6 The Greenway**

Proposal:

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

1. A minimum setback to the principal building of 0.75m, whereas the Zoning By-law requires a minimum of 1.0m [S.2.1.11.1(a)]
2. A minimum interior side yard setback of 0.45m, whereas the Zoning By-law requires a minimum of 1.2m for accessory structures located in the interior side yard [S.2.1.11.1(b)(iii)]
3. A minimum interior side yard setback in the rear yard of 0.45m, whereas the Zoning By-law requires a minimum of 0.6m for accessory structures located in the rear yard [S.2.1.11.1(b)(iv)]
4. A maximum lot coverage of 40.9%, whereas the Zoning By-law requires a maximum of 40% [S3.1.2.2(j)]

The variances will facilitate legalizing a constructed detached garage without a permit and a 15m² addition to the house.

be **refused**.

In Person Delegations:

1. Ivan Hegedis, owner, was present to speak to the application.

Written Submissions:

Lacey Randall

Motion to defer to October Hearing

Moved By: Geraldine Stafford

Seconded By: Gerald Menezes

Carried

RATIONALE:

The Committee considered staff's recommendation, as well as oral and/or written comments from the applicant and/or delegates. The application was deferred due to

accessibility matters that would make the applicant unable to properly participate and represent his application at the hearing.

Application No. A68/24

Municipal Address: **7 Schiedel Court**

Proposal:

Seeking relief from Zoning By-law 150-85 and previously approved minor variance A45/22 to permit:

1. A minimum parking rate of 1.57 spaces per 100 square metres, whereas A45/22 requires a flat rate of 36 parking spaces for the existing industrial building.

The new variance will facilitate the alteration of the existing building to create a new interior mezzanine floor with a floor area of 166.5 sqm.

be **approved**, subject to the following condition:

1. That site plan redline approval be obtained for the mezzanine and other site alterations.

In Person Delegations:

1. Phil Schiedel, Schiedel Construction Inc., was present to speak to the application, speaking on behalf of applicant.

Written Submissions:

None

Moved By: Gerald Menezes

Seconded By: Geraldine Stafford

Carried

RATIONALE:

The Committee considered staff's recommendation, as well as oral and/or written comments from the applicant and/or delegates. It is the opinion of Committee that the proposed variance is minor in nature, does maintain the general intent and purpose of the Official Plan and Zoning By-law and represents desirable and is appropriate development of the subject property.

Application No. A70/24

Municipal Address: **30 Charles Street**

Proposal:

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

1. An accessory structure with a maximum height of 6.5 metres, whereas S 2.1.11.1(e) permits a maximum height of 4.5 metres.

The variance will facilitate construction of a 1,536 square foot detached garage.

be **approved**, subject to the following conditions:

1. That the accessory structure be constructed substantially in keeping with the plans submitted with the minor variance application;
2. That a building permit be obtained for the proposed construction;
3. That no second storey is authorized; any overhead storage or attic space shall not be accessible by stairway;
4. That the accessory structure not be used for an additional residential unit without a building permit; and
5. That the accessory structure not be used for a home occupation without a building permit; and
6. That 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.

In Person Delegations:

1. James DeJonge, was present to speak to the application, speaking on behalf of applicant.

Written Submissions:

None.

Moved By: Gerald Menezes

Seconded By: Geraldine Stafford

Carried

RATIONALE:

The Committee considered staff's recommendation, as well as oral and/or written comments from the applicant and/or delegates. It is the opinion of Committee that the proposed variance is minor in nature, does maintain the general intent and purpose of the Official Plan and Zoning By-law and represents desirable and is appropriate development of the subject property.

Application No. A71/24

Municipal Address: **153 Arlington Street**

Proposal:

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

1. A total maximum lot coverage of 46%, whereas S 3.1.2.2(j) requires a total maximum lot coverage of 40%.

The variance will facilitate construction of new single detached house on the vacant lot at 153 Arlington Street. The Applicant intends to add two additional residential units to the building.

be **approved**, subject to the following conditions:

1. That total lot coverage inclusive of any accessory structures permitted under the zoning by-law shall not exceed 50%; and
2. 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.
3. That 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.

In Person Delegations:

1. Scott Patterson, Patterson Planning Consultants, was present to speak to the application, speaking on behalf of applicant.
2. Terry Daniel and Faye White

Written Submissions:

None.

Moved By: Gerald Menezes

Seconded By: Geraldine Stafford

Carried

RATIONALE:

The Committee considered staff's recommendation, as well as oral and/or written comments from the applicant and/or delegates. It is the opinion of Committee that the proposed variance is minor in nature, does maintain the general intent and purpose of the Official Plan and Zoning By-law and represents desirable and is appropriate development of the subject property.

Application No. B29/24

Municipal Address: **555 Riverbank Drive**

Proposal:

Seeking consent to sever approximately 2.4 hectares (24,269 sqm) of land (“severed parcel”) from the subject property to be combined with the adjacent property to the south at 250 Allendale Road. No new development is proposed.

be **approved**, subject to the following conditions:

1. That the applicant verifies the location of the existing septic system on the property to the satisfaction of the Building Division. The location is to confirm that the existing system will meet the minimum setback requirements of Part 8 of the Ontario Building Code and ensure that system will not cross over the proposed property lines.
2. That the Hydro easement shall be registered on title for both properties.
3. That the applicant pay the outstanding GRCA review fee.
4. 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;
5. That sections 50(3) or (5) of the Planning Act applies so that the severed lands will be merged in title with the abutting parcel and that the owner/applicant provide a draft transfer from a solicitor;
6. That the Owner/Applicant submit the required consent review fee of \$350 to the Region of Waterloo.
7. That the Owner/Applicant submit the completed Archaeological Assessment Report and Ministry Acknowledgement Letter to the satisfaction of the Region of Waterloo.
8. That the above conditions must be fulfilled and the document for conveyance be presented with the required fee for signing on or before September 11th, 2026 after which time this consent will lapse.

In Person Delegations:

1. Bernard and Elizabeth Legault, owners, were present to speak to the application.

Written Submissions:

Linda and Marcel Farley
Robert Brown

Grainne Aitken
Caroline Berch

Moved By: Gerald Menezes
Seconded By: Geraldine Stafford
Carried

RATIONALE:

The Committee considered staff's recommendation, as well as oral and/or written comments from the applicant and/or delegates. The application is approved with **eight (8) conditions**, as it is in the opinion of the Committee of Adjustment, that with the approved conditions, the application meets the criteria of Section 51(24) of the Planning Act to which all consent applications must adhere.

Application No. B30/24

Municipal Address: **23 Highgrove Court**

Proposal:

The applicant is requesting to sever a parcel of land which has an area of 153 m² (1646.93 ft²) and no frontage from 23 Highgrove Court to be added to the abutting property at 24 Highgrove Court.

The purpose of the severance is to provide additional land for a greater side yard at 24

be **approved**, subject to the following conditions:

1. That the applicant pay the outstanding GRCA review fee of \$465.00;
2. 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;
3. That sections 50(3) or (5) of the Planning Act applies so that the severed lands will be merged in title with the abutting parcel and that the owner/applicant provide a draft transfer from a solicitor;
4. That the above conditions must be fulfilled and the document for conveyance be presented with the required fee for signing on or before September 11th, 2026 after which time this consent will lapse.

In Person Delegations:

1. Steve Kirkham, was present to speak to the application, speaking on behalf of applicant.

Written Submissions:

None.

Moved By: Geraldine Stafford

Seconded By: Gerald Menezes

Carried

RATIONALE:

The Committee considered staff's recommendation, as well as oral and/or written comments from the applicant and/or delegates. The application is approved with **four (4) conditions**, as it is in the opinion of the Committee of Adjustment, that with the approved conditions, the application meets the criteria of Section 51(24) of the Planning Act to which all consent applications must adhere.

7. Ontario Land Tribunal Update

None.

8. Other Business

None.

9. Closing of Meeting

That the Committee of Adjustment Committee meeting does now adjourn at 6:44 PM.

Moved By: Gerald Menezes

Seconded By: Geraldine Stafford

Carried

Chair

Secretary Treasurer