



MINUTES

Corporation of the City of Cambridge COMMITTEE OF ADJUSTMENT

Date:	January 8, 2025
Location:	Bowman Room, Cambridge City Hall 50 Dickson Street, Cambridge
Committee Members in Attendance	Chair – Frances Seward Clarck Perez Majed Darr Geraldine Stafford
Committee Members Absent	None
Staff Members in Attendance	Jake Clarmo – Secretary Treasurer and Council Committee Services Coordinator Michael Oliveri- Council Committee Services Coordinator Angelica Rabe - Planning Technician Paul Kitchen – Planning Technician

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 6:01 P.M.

Indigenous Territory Acknowledgement

Disclosure of Pecuniary Interest

None

Approval of Agenda for January 8, 2025 Meeting

THAT the agenda for the January 8, 2025 hearing date be approved.

Moved By: Clarck Perez

Seconded By: Majed Darr

CARRIED

Approval of Minutes for November 13, 2024 Meeting

That the Minutes for the November 13, 2024 hearing date be approved.

Moved By: Clarck Perez

Seconded By: Geraldine Stafford

CARRIED

Appointment of Jake Clarmo as Secretary/Treasurer

That Jake Clarmo be appointed as the Secretary Treasurer of the Committee of Adjustment.

Moved By: Majed Darr

Seconded By: Clarck Perez

CARRIED

Applications

Application No. B32/24

Municipal Address: **71 Bradbury Crescent**

Proposal:

Seeking consent to sever a residential lot for the creation of one (1) new residential lot, being:

Severed Lot (vacant)

Area: 354.2 m²

Frontage 17.99 m on Macatee Place

Retained Lot (Containing an existing single detached dwelling)

Area: 450 m²

Frontage 16.76 m on Bradbury Crescent

The proposed severance would create a new 354.2m² vacant residential lot.

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

1. That the proposed lots be generally in keeping with the plans submitted with the minor variance application;
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 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 existing storm sewer easement shall be registered on title for the severed property;
5. That a servicing plan be prepared, to the satisfaction of City of Cambridge Development Engineering, detailing the location of the existing and proposed services for each lot;
6. That 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;
7. That if any trees are to be impacted, a Private Tree Removal Permit or a Site Alteration Permit is required pursuant to Private Tree By-Law 23-105 and City Tree By-Law 71-06 (including amendment By-Law 21-068), prior to any disturbance on site;
8. 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. 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 January 8, 2027, after which time this consent will lapse.

In Person Delegations:

Pat Haramis was present to speak to the application

Written Submissions:

None.

Motion to approve with 9 conditions

Moved By: Clarck Perez

Seconded By: Majed Darr

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 **nine (9) 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. A90/24

Municipal Address: **71 Bradbury Crescent**

Proposal:

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

Retained Lands (B32/24)

1. A minimum rear yard setback of 4.86m, whereas the Zoning By-law, as amended requires a minimum rear yard setback of 7.5m [3.1.2.2(g)];

The proposed minor variance would accommodate the existing house on the retained lot with a smaller rear yard as a result of the proposed severance (B32/24).

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

1. That the minor variance applies to the retained lands described in provisional consent B32/24. Should this consent lapse prior to final approval and issuance of a Certificate of Official the minor variance shall also lapse.

In Person Delegations:

Pat Haramis was present to speak to the application

Written Submissions:

None.

Motion to approve with 1 condition

Moved By: Clarck Perez

Seconded By: Majed Darr

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. A05/25

Municipal Address: **71 Bradbury Crescent**

Proposal:

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

Severed Lands (A05/25)

1. A minimum rear yard setback of 5.5m, whereas the Zoning By-law, as amended requires a minimum rear yard setback of 7.5m [3.1.2.2(g)];

The proposed minor variance would accommodate the future residential development on the severed lot with a smaller rear yard as a result of the proposed severance (B32/24).

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

1. That the minor variance applies to the severed lands described in provisional consent B32/24. Should this consent lapse prior to final approval and issuance of a Certificate of Official the minor variance shall also lapse.

In Person Delegations:

Pat Haramis was present to speak to the application

Written Submissions:

None.

Motion to approve with 1 condition

Moved By: Clarck Perez

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. B33/24

Municipal Address: **69 Ontario Street**

Proposal:

Seeking consent to sever two lots that are approximately 251.8m² each from 69 Ontario St. This would result in two new residential lots. The proposed new severed lots and the retained lot would each have 10.78m of frontage onto Ontario Street.

More specifically, the proposed consent would result in the following three lots:

Retained Lot (B33/24)

Total Lot Area: 249.5 sqm.

Lot Frontage: 10.78 m

Severed Lot 1 (B33/24)

Total Lot Area: 250.15 sqm

Lot Frontage: 10.78 m

Severed Lot 2 (B34/24)

Total Lot Area: 251.9 sqm

Lot Frontage: 10.78 m

In Person Delegations:

Farhan Mahmood was present to speak to the application

Written Submissions:

None.

Motion to Refuse

Moved By: Clarck Perez

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 **not** minor in nature, does **not** maintain the general intent and purpose of the Official Plan and Zoning By-law and **does not** represent desirable and is appropriate development of the subject property.

Application No. B34/24

Municipal Address: **69 Ontario Street**

Proposal:

Seeking consent to sever two lots that are approximately 251.8m² each from 69 Ontario St. This would result in two new residential lots. The proposed new severed lots and the retained lot would each have 10.78m of frontage onto Ontario Street.

More specifically, the proposed consent would result in the following three lots:

Retained Lot (B33/24)

Total Lot Area: 249.5 sqm.

Lot Frontage: 10.78 m

Severed Lot 1 (B33/24)

Total Lot Area: 250.15 sqm
Lot Frontage: 10.78 m

Severed Lot 2 (B34/24)

Total Lot Area: 251.9 sqm
Lot Frontage: 10.78 m

In Person Delegations:

Farhan Mahmood was present to speak to the application

Written Submissions:

None.

Motion to Refuse

Moved By: Clarck Perez

Seconded By: Majed Darr

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 **not** minor in nature, does **not** maintain the general intent and purpose of the Official Plan and Zoning By-law and **does not** represent desirable and is appropriate development of the subject property.

Application No. A83/24

Municipal Address: **69 Ontario Street**

Proposal:

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

Retained Lot (B33/24)

1. A minimum lot frontage of 10.78m, whereas the Zoning By-law, as amended requires a minimum lot frontage of 15.0m [3.1.2.2(a)(i)];
2. A minimum lot area of 249.5m², whereas the Zoning By-law as amended requires a minimum lot area of 450m² [3.1.2.2(b)(i)];

3. A minimum rear yard of 5.0m, whereas the Zoning By-law as amended requires a minimum rear yard of 7.5m [3.1.2.2(g)];

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

In Person Delegations:

Farhan Mahmood was present to speak to the application

Written Submissions:

None.

Motion to refuse

Moved By: Clarck Perez

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 **not** minor in nature, does **not** maintain the general intent and purpose of the Official Plan and Zoning By-law and **does not** represent desirable and is appropriate development of the subject property.

Application No. A84/24

Municipal Address: **69 Ontario Street**

Proposal:

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

Severed Lot 1 (B33/24)

1. A minimum lot frontage of 10.78m, whereas the Zoning By-law, as amended requires a minimum lot frontage of 15.0m [3.1.2.2(a)(i)];
2. A minimum lot area of 250.15m², whereas the Zoning By-law as amended requires a minimum lot area of 450m² [3.1.2.2(b)(i)];

3. A minimum rear yard of 5.0m, whereas the Zoning By-law as amended requires a minimum rear yard of 7.5m [3.1.2.2(g)];

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

In Person Delegations:

Farhan Mahmood was present to speak to the application

Written Submissions:

None.

Motion to Refuse

Moved By: Clarck Perez

Seconded By: Majed Darr

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 **not** minor in nature, does **not** maintain the general intent and purpose of the Official Plan and Zoning By-law and **does not** represent desirable and is appropriate development of the subject property.

Application No. A85/24

Municipal Address: **69 Ontario Street**

Proposal:

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

Severed Lot 1 (B34/24)

1. A minimum lot frontage of 10.78m, whereas the Zoning By-law, as amended requires a minimum lot frontage of 15.0m [3.1.2.2(a)(i)];
2. A minimum lot area of 251.9m², whereas the Zoning By-law as amended requires a minimum lot area of 450m² [3.1.2.2(b)(i)];
3. A minimum rear yard of 5.0m, whereas the Zoning By-law as amended requires a minimum rear yard of 7.5m [3.1.2.2(g)];

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

In Person Delegations:

Farhan Mahmood was present to speak to the application

Written Submissions:

None.

Motion to refuse

Moved By: Clarck Perez

Seconded By: Majed Darr

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 **not** minor in nature, does **not** maintain the general intent and purpose of the Official Plan and Zoning By-law and **does not** represent desirable and is appropriate development of the subject property.

Application No. A91/24

Municipal Address: **96 Ridgewood Crescent**

Proposal:

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

1. A maximum driveway width of 9.15m, whereas the Zoning By-law, requires a maximum lot driveway width of 7.0m [2.2.4.5].

The variance would legalize the widened driveway.

Recommendation: to Be **approved**, subject to the following conditions:

1. That the additional driveway width shall be generally in keeping with the drawing submitted to the Committee of Adjustment;
2. That at least 45% of the front yard shall be maintained as landscaped

open area as defined in Zoning By-law 85-150; AND

3. That only a single driveway is permitted on the subject property.

In Person Delegations:

Terry Resendes was present to speak to the application

Written Submissions:

None.

Motion to approve with 3 conditions

Moved By: Geraldine Stafford

Seconded By: Majed Darr

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. B13/25

Municipal Address: **8 McDonald Avenue**

Proposal:

Seeking consent to sever a residential lot for the creation of one (1) new residential lot, being:

Severed Land (Part 1)

Lot Area: 371.6m²

Lot Frontage: 12.19m

Retained Land (Part 2)

Lot Area: 371.6m²

Lot Frontage: 12.19m

The proposed consent to sever would facilitate the demolition of all existing

buildings on the property and redevelopment of single detached houses on each lot.

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

1. That the proposed lots be generally in keeping with the plans submitted with the minor variance application;
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 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 in order to confirm that no services will cross over any proposed property lines or are shared with any adjacent properties. Each property will need to be independently serviced;
5. That a demolition permit be obtained for the demolition of all buildings on the property;
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 if any trees are to be impacted, a Private Tree Removal Permit or a Site Alteration Permit is required pursuant to Private Tree By-Law 23-105 and City Tree By-Law 71-06 (including amendment By-Law 21-068), prior to any disturbance on site;
9. 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. AND
10. That the above conditions must be fulfilled and the document for conveyance be presented with the required fee for signing on or before January 8, 2027, after which time this consent will lapse.

In Person Delegations:

Jeff Henry, Chris McMurray, Campbell Blair were present to speak to the application

Written Submissions:

None.

Motion to approve with 10 conditions

Moved By: Clarck Perez

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 **ten (10) 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. A03/25

Municipal Address: **8 McDonald Avenue**

Proposal:

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

1. A minimum lot frontage of 12.19m, whereas the Zoning By-law, as amended requires a minimum lot frontage of 15.0m [3.1.2.2(a)(i)];
2. A minimum lot area of 371.6m², whereas the Zoning By-law as amended requires a minimum lot area of 450m² [3.1.2.2(b)(i)];
3. A front yard setback of 3.0m, whereas the Zoning By-law as amended requires a minimum front yard setback of 6.0m [3.1.2.2(d)];

The proposed minor variances would facilitate the demolition of all existing buildings on the property and redevelopment of single detached houses on each lot.

In addition, the Applicant is also proposing a front yard setback for a garage of

6.0m as a condition of the severance for both lots. However, the Zoning By-law does not regulate the front yard setback for the garage separately from the building front.

Recommendation: To be **approved in part**, permitting variances #1 and #2, and refusing variance #3, subject to the following conditions:

1. That the minor variance applies to the retained lands described in provisional consent B13/25. Should this consent lapse prior to final approval and issuance of a Certificate of Official the minor variance shall also lapse.

In Person Delegations:

Jeff Henry, Chris McMurray, Campbell Blair was present to speak to the application

Written Submissions:

None.

Motion to approve in part variances #1 and #2 with one condition

Moved By: Clarck Perez

Seconded By: Majed Darr

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. A12/25

Municipal Address: **8 McDonald Avenue**

Proposal:

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

1. A minimum lot frontage of 12.19m, whereas the Zoning By-law, as amended requires a minimum lot frontage of 15.0m [3.1.2.2(a)(i)];
2. A minimum lot area of 371.6m², whereas the Zoning By-law as amended requires a minimum lot area of 450m² [3.1.2.2(b)(i)];
3. A front yard setback of 3.0m, whereas the Zoning By-law as amended requires a minimum front yard setback of 6.0m [3.1.2.2(d)];

The proposed minor variances would facilitate the demolition of all existing buildings on the property and redevelopment of single detached houses on each lot.

In addition, the Applicant is also proposing a front yard setback for a garage of 6.0m as a condition of the severance for both lots. However, the Zoning By-law does not regulate the front yard setback for the garage separately from the building front.

Recommendation: to be **approved in part**, permitting variances #1 and #2, and refusing variance #3, subject to the following conditions:

1. That the minor variance applies to the severed lands described in provisional consent B13/25. Should this consent lapse prior to final approval and issuance of a Certificate of Official the minor variance shall also lapse.

In Person Delegations:

Jeff Henry, Chris McMurray, Campbell Blair was present to speak to the application

Written Submissions:

None.

Motion to approve in part variances #1 and #2 with one condition

Moved By: Clarck Perez

Seconded By: Majed Darr

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. A94/24

Municipal Address: **6 Donlea Drive**

Proposal:

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

1. A maximum lot coverage of 43.7%, whereas the Zoning By-law requires a maximum lot coverage of 40% [3.1.2.2(j)].
2. A maximum rear yard encroachment of 3.62m for a covered deck not exceeding 3m in building height, whereas the Zoning By-law permits a maximum rear yard encroachment of 2.5m [2.1.15.6].

The proposed variance would facilitate the construction of a 4.27m x 11.91m covered unenclosed deck.

Recommendation: to Be **approved**, subject to the following conditions:

1. That the proposed covered unenclosed deck shall be generally in keeping with the drawing submitted to the Committee of Adjustment;
2. That the proposed covered unenclosed deck not exceed 3m in building height, measuring from the finished grade to the highest point of the surface of the deck;
3. That the maximum lot coverage inclusive of primary and accessory structures shall not exceed 50%;
4. 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
5. That a building permit be obtained for the proposed construction.

In Person Delegations:

Graham McDougall was present to speak to the application

Written Submissions:

None.

Motion to approve with 5 conditions

Moved By: Majed Darr

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. A95/24

Municipal Address: **135 Langridge Way**

Proposal:

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

1. An interior side yard of 0.85m, whereas the Zoning By-law requires a minimum interior side yard of 1.2m [4.1.359.1].

The proposed variance would facilitate the construction of 4 street townhouse units.

Recommendation: to Be **approved**, subject to the following conditions:

1. That the proposed development be generally in keeping with the drawing submitted to the Committee of Adjustment;
2. That a building permit be obtained for the proposed construction; AND
2. That no encroachment into the reduced side yard is approved by this application. Should any further projection into required yards, such as for a landing, be required a new application to the Committee of Adjustment will be necessary.

In Person Delegations:

Dave Aston was present to speak to the application

Written Submissions:

None.

Motion to approve with 3 conditions

Moved By: Clarck Perez

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. A96/24

Municipal Address: **136 Langridge Way**

Proposal:

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

1. An interior side yard of 1.1m, whereas the Zoning By-law requires a minimum interior side yard of 1.2m [4.1.359.1].
2. A minimum lot width of 5.45m, whereas the Zoning By-law requires a minimum interior side yard of 5.5m [4.1.359.1].

The proposed variance would facilitate the construction of 2 street townhouse blocks totaling 9 units.

Recommendation: to Be **approved**, subject to the following conditions:

1. That the proposed development be generally in keeping with the drawing submitted to the Committee of Adjustment;

2. That a building permit be obtained for the proposed construction; AND
3. That no encroachment into the reduced side yard is approved by this application. Should any further projection into required yards, such as for a landing, be required a new application to the Committee of Adjustment will be necessary.

In Person Delegations:

Dave Aston was present to speak to the application

Written Submissions:

None.

Motion to approve with 3 conditions

Moved By: Clarck Perez

Seconded By: Majed Darr

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.

Ontario Land Tribunal Update

None.

Closing of Meeting

That the Committee of Adjustment Committee meeting does now adjourn at 6:52 p.m.

Moved By: Geraldine Stafford

Seconded By: Clarck Perez

Carried

Chair

Secretary Treasurer