



**MINUTES**  
**Corporation of the City of**  
**Cambridge COMMITTEE OF**  
**ADJUSTMENT**

**Date:** January 14, 2025  
**Location:** Bowman Room, Cambridge City Hall  
50 Dickson Street, Cambridge

**Committee Members in Attendance** Chair – Frances Seward  
Clarck Perez  
Geraldine Stafford

**Committee Members Absent** Majed Darr

**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 6:00 P.M.

**Indigenous Territory Acknowledgement**

**Disclosure of Pecuniary Interest**

None

## **Approval of Agenda for January 14, 2025 Meeting**

That the agenda for the January 14, 2025 hearing date be approved.

Moved By: Geraldine Stafford

Seconded By: Clarck Perez

**CARRIED**

## **Approval of Minutes for January 8, 2025 Meeting**

That the Minutes for the January 8, 2025 hearing date be approved.

Moved By: Clarck Perez

Seconded By: Geraldine Stafford

**CARRIED**

## **Applications**

### **Application No. A08/25**

Municipal Address: **1102 King Street E**

#### **Proposal:**

The applicant is seeking relief from Zoning Bylaw 180-50 to permit:

1. To permit the C1 Regulations to apply to a building containing residential floor area exceeding two-thirds of the total building floor area, whereas RM2 Regulations would apply to a building exceeding two-thirds residential area [S.2.1.3.2].
2. To permit a maximum gross residential floor area of four-fifths of the total building gross floor area, whereas the Zoning Bylaw permits a maximum of two-thirds [S.3.3.1.3 (c)(iii)];
3. A parking ratio of 0.15 spaces per dwelling unit, whereas 1 space per dwelling unit is required [3.3.1.3 (iv)]. This equates to a proposed 8 total residential parking spaces and 2 commercial parking spaces, whereas 45 residential parking spaces and 2 commercial parking spaces would be required.  
The variances will facilitate redevelopment of the former Queen's Hotel heritage building with retail space on the main floor and 45 affordable apartment units on the upper floors.

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

1. That the variances apply only to a development that is generally consistent with the number of dwelling units, the composition of commercial and residential floor area, and general site layout as indicated on the plans submitted with the application;

2. That a complete Site Plan Application for the proposed development be accepted by the City no later than January 31, 2026;

3. That a building permit (**meeting condition #4**) for the proposed development be issued no later than January 31, 2027 after which time the variance will lapse if the permit has not been issued;

**4. That such building permit must have been exempted from development charges under section 4.1 or 4.2 of the Development Chage Act. A permit not qualifying for exemptions shall not be accepted for the purpose of condition #3**

5. That a Record of Site Condition (RSC) acknowledged by the Ministry of the Environment, Conservation and Parks (MECP) be provided as a mandatory filing for the change in use from a non-sensitive use to a sensitive residential use and will be required at the time of a building permit application;

6. That the associated Site Plan Application required for the development include the following, to the satisfaction of the City:

a. A building design that is focused on compatibility and sensitivity with the existing heritage building, in accordance with the Heritage Impact Assessment, prepared and submitted to the City by WSP Inc. dated June 2023;

b. a Conservation Plan, bundled with a Mothballing Plan in accordance with the Heritage Impact Assessment, prepared and submitted to the City by WSP Inc. dated June 2023. The plans should detail conservation methods, required actions and trades for the conservation methods, and an implementation schedule to conserve heritage attributes in the short, medium, and long term;

c. An outdoor amenity area containing seating and landscaping, for the recreational enjoyment of the residents of the building.

d. That at least one commercial unit directly abut the building façade along King Street.

**In Person Delegations:**

Keith Rivers  
Katelyn Gillis

**Written Submissions:**

Eric Avner  
Pat Singleton  
Dan Clements  
Keith Rivers  
Bob Howison  
John Egoff  
Anne Tinker  
June Anderson  
Amanda Maxwell  
Leanne Taylor Shanks  
Diane Goodwin  
George Sousa  
David Berg  
Bonnie Berg  
Rose Bettio  
Jonathan Stairs

Motion to approve with 6 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 six (6) conditions**, as 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. A04/25**

Municipal Address: **16 Sacha Road**

**Proposal:**

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

1. A detached Additional Residential Unit (ARU) interior side yard of 0.6m, whereas the Zoning By-law requires a detached ARU minimum interior side yard of 1.2m [3.1.1.11.2.1(i)];
2. A detached ARU rear yard of 0.6m, whereas the Zoning By-law requires a detached ARU minimum rear yard of 1.2m [3.1.1.11.2.1(iii)];
3. A detached ARU separation distance from the principal dwelling of 1.5m, whereas the Zoning By-law requires a detached ARU minimum separation distance of 3.0m [3.1.1.11.2.2];
4. A detached ARU maximum lot coverage of 13.03%, whereas the Zoning By-law requires a detached ARU maximum lot coverage of 10% [3.1.1.11.2.5];  
The proposed variance would facilitate the construction of a 398 sqft detached additional residential unit.

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

1. That the proposed detached additional residential unit (ARU) be generally in keeping with the drawing submitted to the Committee of Adjustment;
2. That architectural projections, including roof overhangs, of the detached ARU be setback a minimum of 0.3m from all property lines;
3. That total lot coverage inclusive of all accessory structures permitted under the zoning by-law shall not exceed 50%, and the existing shed be removed.
4. That the facades of the detached ARU opposite the rear and side lot lines (north and east facades) contain no windows or other openings;
5. That the detached ARU not contain a second story; any overhead storage or attic space shall not be accessible by stairway;
6. That a building permit be obtained for the proposed construction;
7. That if any trees are to be impacted, an Arborist Report and Tree Management Plan (TMP) or Tree Removal Permit be obtained 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; AND

8. That a grading plan be prepared, to the satisfaction of City of Cambridge Development Engineering, including proposed locations of roof leaders.

**In Person Delegations:**

Michael Emanuel

**Written Submissions:**

None.

Motion to approve with 8 conditions

Moved By: Geraldine Stafford

Seconded By: Clarck Perez

**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 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. B01/25**

Municipal Address: **167 Dundas Street N**

**Proposal:**

Seeking consent to sever 387m<sup>2</sup> from 167 Dundas Street North. The proposed severance would result in one (1) new residential lot with 10.31m of frontage onto Dundas Street North. The retained lands would have an area of 361m<sup>2</sup> and 9.64m of frontage onto Dundas Street North.

Through minor variance application **A01/25 and A18/25**, the applicant is also seeking relief from Zoning By-law 150-85 to permit:

1. For the retained (easterly) lot, a minimum lot frontage of 9.64m, whereas the Zoning By-law, as amended requires a minimum lot frontage of 12.0m [3.1.2.2(a)(i)];

2. For the severed (westerly) lot, a minimum lot frontage of 10.31m, whereas the Zoning By-law, as amended requires a minimum lot frontage of 12.0m [3.1.2.2(a)(i)];

The proposed consent to sever and minor variances would facilitate the creation of a new residential lot with a proposed single detached dwelling with two (2) additional residential units.

The single detached dwelling on the retained lot is also intended to be expanded to include two (2) additional residential units. The site plan submitted proposes a shared driveway located on the severed lands to access parking in the rear yard for both lots. An easement would be required on the severed lands to allow the retained lands to access the parking in the rear yard.

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

1. That the proposed lots be generally in keeping with the plans submitted with the consent 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 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 permitted to face the new property line;
5. 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.
6. That the easement approval should also allow for drainage;
7. That the owner/applicant enter into a development agreement with the City of Cambridge, registered on title for both retained and severed lands, to implement the following noise mitigation measures, all to the satisfaction of the Region of Waterloo: a. That the following warning clause be included in all agreements of Offers of Purchase and Sale, lease/rental agreements and condominium declarations for all units:  
  
*“Purchasers/tenants are advised that sound levels due to increasing road traffic on Dundas Street North may occasionally interfere with some activities of the dwelling occupants as the sound levels exceed the sound level limits of the Municipality and the Ministry of the Environment, Conservation and Parks.”*
8. That the owner/applicant convey the required road widening on Dundas Street North, to the satisfaction of the Region of Waterloo.
9. That a road widening across the frontage of the lots be conveyed to the City of Cambridge;
10. That the owner/applicant submit a copy of the Mutual Access Agreement, to the satisfaction of the Region of Waterloo.
11. That the owner/application obtain the required Regional Access Permit, to the satisfaction of the Region of Waterloo.
12. That the owner/applicant submit the consent review of \$350 per application, to the satisfaction of the Region of Waterloo.
13. 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;



14. 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](http://www.cambridge.ca)

15. That the above conditions must be fulfilled and the document for conveyance be presented with the required fee for signing on or before January 14, 2027, after which time this consent will lapse.

**In Person Delegations:**

Matt Morningstar

**Written Submissions:**

None.

Motion to approve with 15 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 fifteen (15) 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. A01/25**

Municipal Address: **167 Dundas Street N.**

**Proposal:**

Seeking consent to sever 387m<sup>2</sup> from 167 Dundas Street North. The proposed severance would result in one (1) new residential lot with 10.31m of frontage onto Dundas Street North. The retained lands would have an area of 361m<sup>2</sup> and 9.64m of frontage onto Dundas Street North.

Through minor variance application **A01/25 and A18/25**, the applicant is also seeking relief from Zoning By-law 150-85 to permit:

1. For the retained (easterly) lot, a minimum lot frontage of 9.64m, whereas the Zoning By-law, as amended requires a minimum lot frontage of 12.0m [3.1.2.2(a)(i)];
2. For the severed (westerly) lot, a minimum lot frontage of 10.31m, whereas the Zoning By-law, as amended requires a minimum lot frontage of 12.0m [3.1.2.2(a)(i)];

The proposed consent to sever and minor variances would facilitate the creation of a new residential lot with a proposed single detached dwelling with two (2) additional residential units.

The single detached dwelling on the retained lot is also intended to be expanded to include two (2) additional residential units. The site plan submitted proposes a shared driveway located on the severed lands to access parking in the rear yard for both lots. An easement would be required on the severed lands to allow the retained lands to access the parking in the rear yard.

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

1. That the minor variance applies to the severed lands described in provisional consent **B01/25**. Should this consent lapse prior to final approval and issuance of a Certificate of Official the minor variance shall also lapse.
2. That prior to the issuance of a building permit on either lot, a reciprocal easement shall be registered on title to both lots allowing a shared driveway/drive aisle no less than 4.0 meters in width providing direct access to at least 1 legal parking space for each unit on each lot.

**In Person Delegations:**

Matt Morningstar

**Written Submissions:**

None.

Motion to approve with 2 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 two (2) conditions**, as 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. A18/25**

Municipal Address: **167 Dundas Street N.**

**Proposal:**

Seeking consent to sever 387m<sup>2</sup> from 167 Dundas Street North. The proposed severance would result in one (1) new residential lot with 10.31m of frontage onto Dundas Street North. The retained lands would have an area of 361m<sup>2</sup> and 9.64m of frontage onto Dundas Street North.

Through minor variance application **A01/25 and A18/25**, the applicant is also seeking relief from Zoning By-law 150-85 to permit:

1. For the retained (easterly) lot, a minimum lot frontage of 9.64m, whereas the Zoning By-law, as amended requires a minimum lot frontage of 12.0m [3.1.2.2(a)(i)];
2. For the severed (westerly) lot, a minimum lot frontage of 10.31m, whereas the Zoning By-law, as amended requires a minimum lot frontage of 12.0m [3.1.2.2(a)(i)];

The proposed consent to sever and minor variances would facilitate the creation of a new residential lot with a proposed single detached dwelling with two (2) additional residential units.

The single detached dwelling on the retained lot is also intended to be expanded to include two (2) additional residential units. The site plan submitted proposes a shared driveway located on the severed lands to access parking in the rear yard for both lots. An easement would be required on the severed lands to allow the retained lands to access the parking in the rear yard.

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

1. That the minor variance applies to the severed lands described in provisional consent **B01/25**. Should this consent lapse prior to final approval and issuance of a Certificate of Official the minor variance shall also lapse.
2. That prior to the issuance of a building permit on either lot, a reciprocal easement shall be registered on title to both lots allowing a shared driveway/drive aisle no less than 4.0 meters in width providing direct access to at least 1 legal parking space for each unit on each lot.

**In Person Delegations:**

Matt Morningstar

**Written Submissions:**

None.

Motion to approve with 2 conditions

Moved By: Geraldine Stafford

Seconded By: Clarck Perez

**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 two (2) conditions**, as 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. B02/25**

Municipal Address: **355 Guelph Ave and 11 Fletcher Circle**

**Proposal:**

The applicant is seeking consent to sever 7 new parcels from the parcel assigned municipal address 355 Guelph Ave and 11 Fletch Cir. The severances will facilitate construction of 8 new townhouse dwellings, 4 fronting Guelph Ave and 4 fronting Fletcher Cir.

These applications were previously heard and approved on April 13, 2022, as applications B14/22, B15/22, B16/22, B17/22, B18/22, B19/22, and B20/22. The Applicant is resubmitting because the conditions had not been cleared and the approval lapsed.

Recommendation: to be **deferred**, for 60 days.

**In Person Delegations:**

Matt Morningstar

**Written Submissions:**

None.

Motion to defer

Moved By: Clarck Perez

Seconded By: Geraldine Stafford

**Carried**

**RATIONALE:**

City of Cambridge Planning Staff recommend **deferral** of the application for 60 days for the purpose of incorporating the required easements and provide proper public notice.

**Application No. B03/25**

Municipal Address: **355 Guelph Ave and 11 Fletcher Circle**

**Proposal:**

The applicant is seeking consent to sever 7 new parcels from the parcel assigned municipal address 355 Guelph Ave and 11 Fletch Cir. The severances will facilitate construction of 8 new townhouse dwellings, 4 fronting Guelph Ave and 4 fronting Fletcher Cir.

These applications were previously heard and approved on April 13, 2022, as applications B14/22, B15/22, B16/22, B17/22, B18/22, B19/22, and B20/22. The Applicant is resubmitting because the conditions had not been cleared and the approval lapsed.

Recommendation: to be **deferred**, for 60 days.

**In Person Delegations:**

Matt Morningstar

**Written Submissions:**

None.

Motion to defer

Moved By: Clarck Perez

Seconded By: Geraldine Stafford

**Carried**

**RATIONALE:**

City of Cambridge Planning Staff recommend **deferral** of the application for 60 days for the purpose of incorporating the required easements and provide proper public notice.

**Application No. B04/25**

Municipal Address: **355 Guelph Ave and 11 Fletcher Circle**

**Proposal:**

The applicant is seeking consent to sever 7 new parcels from the parcel assigned municipal address 355 Guelph Ave and 11 Fletch Cir. The severances will facilitate construction of 8 new townhouse dwellings, 4 fronting Guelph Ave and 4 fronting Fletcher Cir.

These applications were previously heard and approved on April 13, 2022, as applications B14/22, B15/22, B16/22, B17/22, B18/22, B19/22, and B20/22. The Applicant is resubmitting because the conditions had not been cleared and the approval lapsed.

Recommendation: to be **deferred**, for 60 days.

**In Person Delegations:**

Matt Morningstar

**Written Submissions:**

None.

Motion to defer

Moved By: Clarck Perez

Seconded By: Geraldine Stafford

**Carried**

**RATIONALE:**

City of Cambridge Planning Staff recommend **deferral** of the application for 60 days for the purpose of incorporating the required easements and provide proper public notice.



**Application No. B05/25**

Municipal Address: **355 Guelph Ave and 11 Fletcher Circle**

**Proposal:**

The applicant is seeking consent to sever 7 new parcels from the parcel assigned municipal address 355 Guelph Ave and 11 Fletch Cir. The severances will facilitate construction of 8 new townhouse dwellings, 4 fronting Guelph Ave and 4 fronting Fletcher Cir.

These applications were previously heard and approved on April 13, 2022, as applications B14/22, B15/22, B16/22, B17/22, B18/22, B19/22, and B20/22. The Applicant is resubmitting because the conditions had not been cleared and the approval lapsed.

Recommendation: to be **deferred**, for 60 days.

**In Person Delegations:**

Matt Morningstar

**Written Submissions:**

None.

Motion to defer

Moved By: Clarck Perez

Seconded By: Geraldine Stafford

**Carried**

**RATIONALE:**

City of Cambridge Planning Staff recommend **deferral** of the application for 60 days for the purpose of incorporating the required easements and provide proper public notice.

**Application No. B06/25**

Municipal Address: **355 Guelph Ave and 11 Fletcher Circle**

**Proposal:**

The applicant is seeking consent to sever 7 new parcels from the parcel assigned municipal address 355 Guelph Ave and 11 Fletch Cir. The severances will facilitate construction of 8 new townhouse dwellings, 4 fronting Guelph Ave and 4 fronting Fletcher Cir.

These applications were previously heard and approved on April 13, 2022, as applications B14/22, B15/22, B16/22, B17/22, B18/22, B19/22, and B20/22. The Applicant is resubmitting because the conditions had not been cleared and the approval lapsed.

Recommendation: to be **deferred**, for 60 days.

**In Person Delegations:**

Matt Morningstar

**Written Submissions:**

None.

Motion to defer

Moved By: Clarck Perez

Seconded By: Geraldine Stafford

**Carried**

**RATIONALE:**

City of Cambridge Planning Staff recommend **deferral** of the application for 60 days for the purpose of incorporating the required easements and provide proper public notice.

**Application No. B07/25**

Municipal Address: **355 Guelph Ave and 11 Fletcher Circle**

**Proposal:**

The applicant is seeking consent to sever 7 new parcels from the parcel assigned municipal address 355 Guelph Ave and 11 Fletch Cir. The severances will facilitate construction of 8 new townhouse dwellings, 4 fronting Guelph Ave and 4 fronting Fletcher Cir.

These applications were previously heard and approved on April 13, 2022, as applications B14/22, B15/22, B16/22, B17/22, B18/22, B19/22, and B20/22. The Applicant is resubmitting because the conditions had not been cleared and the approval lapsed.

Recommendation: to be **deferred**, for 60 days.

**In Person Delegations:**

Matt Morningstar

**Written Submissions:**

None.

Motion to defer

Moved By: Clarck Perez

Seconded By: Geraldine Stafford

**Carried**

**RATIONALE:**

City of Cambridge Planning Staff recommend **deferral** of the application for 60 days for the purpose of incorporating the required easements and provide proper public notice.

**Application No. B08/25**

Municipal Address: **355 Guelph Ave and 11 Fletcher Circle**

**Proposal:**

The applicant is seeking consent to sever 7 new parcels from the parcel assigned municipal address 355 Guelph Ave and 11 Fletch Cir. The severances will facilitate construction of 8 new townhouse dwellings, 4 fronting Guelph Ave and 4 fronting Fletcher Cir.

These applications were previously heard and approved on April 13, 2022, as applications B14/22, B15/22, B16/22, B17/22, B18/22, B19/22, and B20/22. The Applicant is resubmitting because the conditions had not been cleared and the approval lapsed.

Recommendation: to be **deferred**, for 60 days.

**In Person Delegations:**

Matt Morningstar

**Written Submissions:**

None.

Motion to defer

Moved By: Clarck Perez

Seconded By: Geraldine Stafford

**Carried**

**RATIONALE:**

City of Cambridge Planning Staff recommend **deferral** of the application for 60 days for the purpose of incorporating the required easements and provide proper public notice.

**Application No. B09/25**

Municipal Address: **157 Tiffany Drive**

**Proposal:**

The applicant is seeking consent to sever 2 new parcels from the parcel assigned municipal address 157 Tiffany St. The severed lots would have a lot frontage of 8.3m and 6.8m, and an area of 170.6m<sup>2</sup> and 137m<sup>2</sup> respectively. The retained lot would have a frontage of 8.3m and a lot area of 167.7m<sup>2</sup>.

The severances will facilitate construction of 3 new freehold townhouse units fronting onto Tiffany Street.

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

1. That the retained lot shall include the 1.2m easement. The access easement is not to be a separate lot.
2. That the proposed lots be generally in keeping with the plans submitted with the consent application;
3. 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;
4. That the draft reference plan shall also identify the 1.2m wide access easement on the retained lot, in favour of Severed Lot 2. The easement should be registered concurrently with the newly created lots;
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; 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 January 14, 2027, after which time this consent will lapse.

**In Person Delegations:**

Kate Wills

**Written Submissions:**

None.

Motion to approve with 7 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 seven (7) 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. B10/25**

Municipal Address: **18 Oak Street**

**Proposal:**

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

**Retained Land (Lot 1)**

Lot Area: 368.4m<sup>2</sup>

Lot Frontage: 10m

**Severed Land (Lot 2)**

Lot Area: 371.5m<sup>2</sup>

Lot Frontage: 8.1m

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

**Retained Land (Lot 1)**

1. A minimum lot frontage of 10m, 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 368.4m<sup>2</sup>, whereas the Zoning By-law as amended requires a minimum lot area of 450m<sup>2</sup> [3.1.2.2(b)(i)];
3. A front yard setback of 4.8m, whereas the Zoning By-law requires a minimum front yard setback of 6.0m [3.1.2.2(d)];
4. To modify the legal non-conforming semi-detached building with both units on the same lot, to a semi-detached building with each unit on its own lot, by way of consent application B10/25.

**Severed Land (Lot 2)**

1. A minimum lot frontage of 8.1m, whereas the Zoning By-law requires a minimum corner lot frontage of 15.0m [3.1.2.2(a)(ii)];
2. A minimum lot area of 371.5m<sup>2</sup>, whereas the Zoning By-law requires a minimum corner lot area of 450m<sup>2</sup> [3.1.2.2(b)(ii)];
3. A front yard setback of 4.3m, whereas the Zoning By-law requires a minimum front yard setback of 6.0m [3.1.2.2(d)];
4. To modify the legal non-conforming semi-detached building with both units on the same lot, to a semi-detached building with each unit on its own lot, by way of consent application B10/25.

The proposed consent to sever and minor variances would divide the existing property in two so that each side of the existing legal non-conforming semidetached dwelling is on a 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 consent application;
2. That the owner/applicant submit the consent review of \$350 per application, to the satisfaction of the Region of Waterloo.
3. 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;
4. 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;
5. 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.
6. 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 the proposed property line. Alex Pacheco can be contacted at 519-623-1340 Ext. 4260 or [PachecoA@cambridge.ca](mailto:PachecoA@cambridge.ca)
7. That where the existing fire separations are not acceptable or nonexistent, 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
8. That the above conditions must be fulfilled and the document for conveyance be presented with the required fee for signing on or before January 14, 2027, after which time this consent will lapse.



**In Person Delegations:**

Nick Bogart

**Written Submissions:**

None.

Motion to approve with 8 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 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. A06/25**

Municipal Address: **18 Oak Street**

**Proposal:**

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

**Retained Land (Lot 1)**

Lot Area: 368.4m<sup>2</sup>

Lot Frontage: 10m

**Severed Land (Lot 2)**

Lot Area: 371.5m<sup>2</sup>

Lot Frontage: 8.1m

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

**Retained Land (Lot 1)**

1. A minimum lot frontage of 10m, 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 368.4m<sup>2</sup>, whereas the Zoning By-law as amended requires a minimum lot area of 450m<sup>2</sup> [3.1.2.2(b)(i)];
3. A front yard setback of 4.8m, whereas the Zoning By-law requires a minimum front yard setback of 6.0m [3.1.2.2(d)];
4. To modify the legal non-conforming semi-detached building with both units on the same lot, to a semi-detached building with each unit on its own lot, by way of consent application B10/25.

**Severed Land (Lot 2)**

1. A minimum lot frontage of 8.1m, whereas the Zoning By-law requires a minimum corner lot frontage of 15.0m [3.1.2.2(a)(ii)];
2. A minimum lot area of 371.5m<sup>2</sup>, whereas the Zoning By-law requires a minimum corner lot area of 450m<sup>2</sup> [3.1.2.2(b)(ii)];
3. A front yard setback of 4.3m, whereas the Zoning By-law requires a minimum front yard setback of 6.0m [3.1.2.2(d)];
4. To modify the legal non-conforming semi-detached building with both units on the same lot, to a semi-detached building with each unit on its own lot, by way of consent application B10/25.

The proposed consent to sever and minor variances would divide the existing property in two so that each side of the existing legal non-conforming semidetached dwelling is on a lot.

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

1. That the minor variance applies to the retained lands described in provisional consent **B10/25**. Should this consent lapse prior to final approval and issuance of a Certificate of Official the minor variance shall also lapse.
2. That should the existing building be demolished; the legal non-conforming status ceases.

**In Person Delegations:**

Nick Bogart

**Written Submissions:**

None.

Motion to approve with 2 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 two (2) conditions**, as 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. A07/25**

Municipal Address: **18 Oak Street**

**Proposal:**

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

**Retained Land (Lot 1)**

Lot Area: 368.4m<sup>2</sup>

Lot Frontage: 10m

**Severed Land (Lot 2)**

Lot Area: 371.5m<sup>2</sup>

Lot Frontage: 8.1m

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

**Retained Land (Lot 1)**

1. A minimum lot frontage of 10m, 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 368.4m<sup>2</sup>, whereas the Zoning By-law as amended requires a minimum lot area of 450m<sup>2</sup> [3.1.2.2(b)(i)];
3. A front yard setback of 4.8m, whereas the Zoning By-law requires a minimum front yard setback of 6.0m [3.1.2.2(d)];
4. To modify the legal non-conforming semi-detached building with both units on the same lot, to a semi-detached building with each unit on its own lot, by way of consent application B10/25.

**Severed Land (Lot 2)**

1. A minimum lot frontage of 8.1m, whereas the Zoning By-law requires a minimum corner lot frontage of 15.0m [3.1.2.2(a)(ii)];
2. A minimum lot area of 371.5m<sup>2</sup>, whereas the Zoning By-law requires a minimum corner lot area of 450m<sup>2</sup> [3.1.2.2(b)(ii)];
3. A front yard setback of 4.3m, whereas the Zoning By-law requires a minimum front yard setback of 6.0m [3.1.2.2(d)];
4. To modify the legal non-conforming semi-detached building with both units on the same lot, to a semi-detached building with each unit on its own lot, by way of consent application B10/25.

The proposed consent to sever and minor variances would divide the existing property in two so that each side of the existing legal non-conforming semidetached dwelling is on a lot.

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

1. That the minor variance applies to the retained lands described in provisional consent **B10/25**. Should this consent lapse prior to final approval and issuance of a Certificate of Official the minor variance shall also lapse.
2. That should the existing building be demolished; the legal non-conforming status ceases.

**In Person Delegations:**

Nick Bogart

**Written Submissions:**

None.

Motion to approve with 2 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 two (2) conditions**, as 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 6:49 p.m.

Moved By: Geraldine Stafford

Seconded By: Clarck Perez

**Carried**

\_\_\_\_\_  
Chair

\_\_\_\_\_  
Secretary Treasurer