

What is a Committee of Adjustment?

The Planning Act allows a municipal council to appoint a Committee of Adjustment to consider the following:

- Minor Variances from zoning by-laws
- Changes to legal non-conforming uses
- Interpretations to generalized by-laws.

The Regional Municipality of Waterloo has also delegated its approval authority to the City of Cambridge Committee of Adjustment with regards to consents, which include the following:

- Severances
- Lot additions
- Access rights-of-way
- Service easements
- Leases over 21 years

The City of Cambridge Committee of Adjustment is made up of five members appointed by Council from the community. All decisions of the Committee are available to the public.

Timing

The process usually takes 8-10 weeks:

1. 5 weeks from application submission deadline until the hearing date;
2. 10 days after the hearing until the written decision is mailed
3. The 20 day appeal period;
4. The decision is final and binding following the appeal period if no appeals are received.
5. Appeals are dealt with at the Ontario Municipal Board

PLEASE NOTE: If the consent is subject to conditions, **the applicant** must fulfill the conditions within **one year** from the date of the notice of decision to receive consent.



Minor Variances

All development proposals must comply with the City of Cambridge Zoning By-law, which sets out detailed requirements for the use of land and for buildings including building setbacks. Where a project design or lot size/shape makes it impossible to comply with all zoning requirements, the Committee of Adjustment may consider a variation from the requirements, called a minor variance.

Example: Reduction in the required distance from the rear property line as a result of a proposed deck.



Consents

Land Severance, Lot Additions, Easements

Where land division by a plan of subdivision is not necessary, the Planning Act allows the consent granting process. This usually involves a land severance (dividing parcels of land into 2 or more new lots or as lot additions to abutting properties) or the establishment of a right-of-way, easement or lease.

Applications & Fees

Applications may be obtained from the 3rd Floor at 50 Dickson Street in the City of Cambridge or online at www.cambridge.ca.

Minor variance application fee	\$600.00
Consent application fee	\$700.00
Deed stamping fee (for consents)	\$100.00
Revision of consent conditions	\$200.00
Applicant initiated deferral request	\$200.00

Fees are subject to change. Please confirm with Planning Services.

For Additional Information Contact:

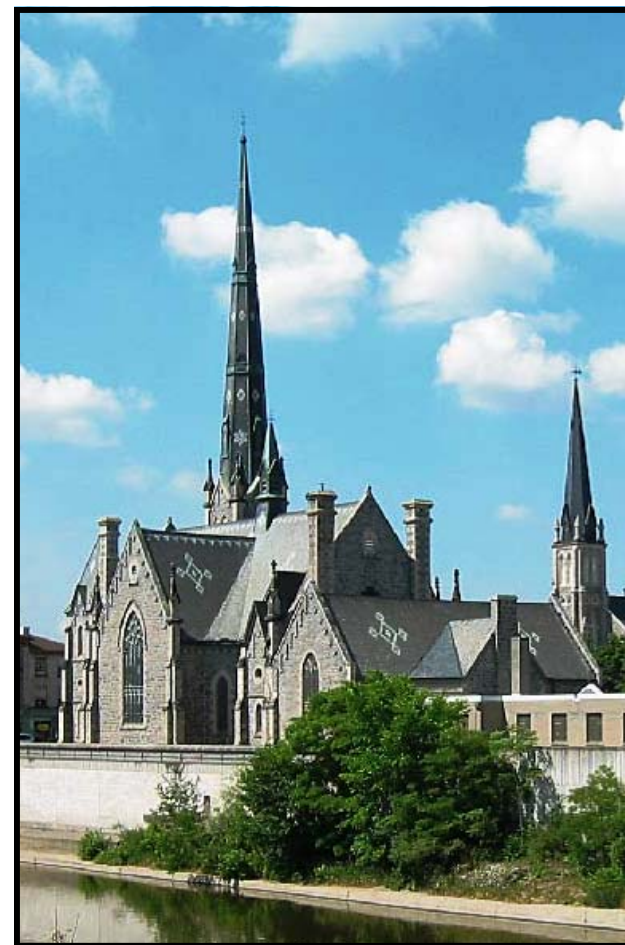
City of Cambridge Planning Services Department
50 Dickson Street, 3rd Floor P.O. Box 669
Cambridge, Ontario, N1R5W8

Telephone (519) 740-4650 ext 4598



COMMITTEE OF ADJUSTMENT INFORMATION BROCHURE

2012



The Process

The Committee of Adjustment process begins with the submission of the application form and associated drawing.

It is recommended that each application be discussed with Planning staff prior to submission.

The Committee of Adjustment meets once every five weeks as per the following schedule:

Deadline to Submit	Notice of Meeting	Public Meeting Date	Final Appeal Date for Variances	Final Appeal Date for Consents
December 7, 2011	December 15, 2011	<u>January 4, 2012</u>	January 24, 2012	February 3, 2012
January 11, 2012	January 19, 2012	<u>February 8, 2012</u>	February 28, 2012	March 9, 2012
February 15, 2012	February 23, 2012	<u>March 14, 2012</u>	April 3, 2012	April 12, 2012
March 21, 2012	March 29, 2011	<u>April 18, 2012</u>	May 8, 2012	May 18, 2012
April 25, 2012	May 3, 2012	<u>May 23, 2012</u>	June 12, 2012	June 22, 2012
May 30, 2012	June 7, 2012	<u>June 27, 2012</u>	July 17, 2012	July 27, 2012
July 4, 2012	July 12, 2012	<u>August 1, 2012</u>	August 21, 2012	August 31, 2012
August 8, 2012	August 16, 2012	<u>September 5, 2012</u>	September 25, 2012	October 5, 2012
September 12, 2012	September 20, 2012	<u>October 10, 2012</u>	October 30, 2012	November 9, 2012
October 17, 2012	October 25, 2012	<u>November 14, 2012</u>	December 4, 2012	December 14, 2012

1. Notice

A **written notice** is mailed out to all property owners who appear on the last assessed tax roll within a specified radius of the subject property depending on the application. The **applicant** is also required to **post a sign** on the subject property, which is provided by the City of Cambridge.

2. Circulation

Each application is circulated to **internal staff** and **external agencies** for their comments or concerns regarding the proposal. Planning staff take all agencies' comments into consideration before making a recommendation to the Committee of Adjustment.

3. Public Meeting

A public meeting is held to hear all applications. The applicant or a representative must be present to make a brief presentation of their application to the Committee. The recommended presentation length is less than 10 minutes. The Committee will also hear anyone else who has concerns or questions regarding the application.

All presenters will be required to state their name, address and if they are representing someone else. The Committee may ask questions of the applicant or other interested parties for clarification.

4. Decisions

Staff recommendations are provided to the Committee and copies of the recommendations are available for the applicant and interested parties at the public meeting. The Committee considers the submissions and staff's recommendations before making the decision. The decision is made at the end of the public meeting and the public is welcome to stay to hear the deliberations and decision. A copy of the decision is mailed to the applicant and all others who provided their name at the public meeting or submitted written comments.

If the decision of the Committee of Adjustment is not appealed, it becomes final and binding following the appeal period.

5. Appeals

If there is an objection to the Committee of Adjustment decision, it can be appealed to the Ontario Municipal Board (OMB) at a cost of **\$125.00** for each application. All appeals must be received in writing to the Secretary Treasurer to the Committee of Adjustment within the prescribed appeal period. The OMB is an independent quasi-judicial administrative tribunal established by the Provincial Government, for hearing and deciding on a variety of contentious municipal matters. On receiving a notice of appeal, the OMB schedules and holds a hearing and makes a decision.

All appeals for consents must be filed **within 20 calendar days** after the Notice of Decision

All appeals for minor variances must be filed **within 20 calendar days** from the day that the Committee made the decision at the public meeting.

6. Conditions

The Committee of Adjustment is authorized to impose conditions in the decision. **In order for an application to be complete, all conditions imposed by the Committee of Adjustment must be fulfilled to the satisfaction of the specified agency.**

PLEASE NOTE: For consent applications, the conditions must be fulfilled and the deed stamped within **one year** from the date of the notice of decision.

