

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. A minimum of three members must be present at all meetings, and a majority vote is used to make decisions.

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 Local Planning Appeal Tribunal

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 buildings, including building size and location on a property. 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.

Criteria for Considering Minor Variances

Section 45(1) of the Planning Act establishes four tests that must be applied to every application for a minor variance. Variances are to current by laws in force, not future by laws.

1. Is the variance minor?
2. Is the general intent & purpose of the Zoning by law maintained?
3. Is the general intent and purpose of the Official Plan maintained?
4. Is the variance desirable for the appropriate development of use of land, building or structure?

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.

The Process

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.

Please note the following for presentations at the public meeting:

- 5 minutes per individual speaker
- Representatives for a larger group can ask the Chair for more than 5 minutes speaking time
- 6 copies of a written or digital presentation should be provided at or before the meeting, to the Recording Secretary.

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 or before the public meeting. The Committee considers the submissions and staff's recommendations before making the decision. The decision is made at the end of hearing each application. 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

There is fee of \$300.00 for each application. All appeals must be received in writing to the Secretary Treasurer to the Committee of Adjustment within 20 days of the notice of decision for consent and within 20 days from the date of decision for minor variances. The LPAT 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 LPAT schedules and holds a hearing and makes a decision.

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.**

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

Schedule of Dates

January 1st 2020 to March 10, 2021

Deadline to Submit	Notice of Meeting	Public Meeting Date	Final Appeal Date for Variances	Final Appeal Date for Consents
January 8, 2020	January 16, 2020	February 5, 2020	February 25, 2020	March 5, 2020
February 12, 2020	February 20, 2020	March 11, 2020	March 31, 2020	April 9, 2020
March 11, 2020	March 19, 2020	April 8, 2020	April 28, 2020	May 7, 2020
April 15, 2020	April 23, 2020	May 13, 2020	June 2, 2020	June 11, 2020
May 20, 2020	May 28, 2020	June 17, 2020	July 7, 2020	July 16, 2020
June 24, 2020	July 2, 2020	July 22, 2020	August 11, 2020	August 20, 2020
July 29, 2020	August 6, 2020	August 26, 2020	September 15, 2020	September 24, 2020
September 2, 2020	September 10, 2020	September 30, 2020	October 20, 2020	October 29, 2020
October 7, 2020	October 15, 2020	November 4, 2020	November 24, 2020	December 3, 2020
November 11, 2020	November 19, 2020	December 9, 2020	December 29, 2020	January 7, 2021
January 6, 2021	January 14, 2021	February 3, 2021	February 23, 2021	March 4, 2021
February 10, 2021	February 18, 2021	March 10, 2021	March 20, 2021	April 8, 2021

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. Conditions may be imposed on a minor variance application.

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	\$1,200.00
Consent application fee	\$1,550.00
Deed stamping fee (for consents)	\$250.00
Revision of consent conditions	\$530.00
Applicant initiated deferral request	\$250.00

Region of Waterloo Planning & Development

Fees (required for newly created lots only)
 Schedule "A" To By Law 15-019
 Consent Application Fee \$350.00

Fees are subject to change
 Please confirm with:

City of Cambridge, Community Development Department

50 Dickson Street, 3rd floor
 P.O. Box 669
 Cambridge, Ontario N1R 5W8
 Telephone: (519) 519-621-0740, Ext. 4289
 Fax: (519) 740-9545
 Email: planning@cambridge.ca
 Website: www.cambridge.ca

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Information Brochure

