



Planning and Growth

Development Planning

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Application No.: B25/25, A60/25

Meeting Date: March 11, 2026

Ward No.: 1

Property Owner: Thanh (Ken) Truong and Joanna Dinh

Applicant: Thanh (Ken) Truong and Joanna Dinh

Subject Property: CON BEASLEYS BF PT LOT 18;WDR96 PART 4

Municipal Address: **37 Banat Road**

General Information:

Zoning By-law 150-85 Provisions: RR2

Zoning By-law 2026-007 Provisions: Deferred Area

Official Plan Designation: Rural Residential

Adjacent By-law 150-85 Zoning: RR2 and M3 S.4.1.348.2

Adjacent By-law 2026-007 Zoning: Deferred Area

Adjacent Land Use: Rural Residential and Business Industrial

Existing Use: Residential

Proposed Use: Residential

Proposal:

Seeking a consent to sever lands from 37 Banat Road, creating a new residential lot:

Severed Lands

Lot Area: 2,346m²

Lot Frontage: 6.12m

Retained Lands

Lot Area: 3,139m²

Lot Frontage: 20.5m

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

Severed Lands

1. A minimum lot frontage of 6.12m, whereas the Zoning By-law requires a minimum lot frontage of 30m [3.1.2.2(a)(i)];

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2. A minimum lot area of 2,346m Zoning By-law requires a minimum lot area of 3,000m² [3.1.2.2(b)(i)];
3. A building be erected on a lot zoned RR2 that does not have frontage on an opened public street or highway, whereas the Zoning Bylaw requires that no land shall be used and no building or structure shall be erected, located or used unless the lot upon which such building or structure is located or proposed to be located has the lot frontage required by section 3 of this by-law on an opened public street or highway or a street deemed to be a public street or highway. [2.1.13.1]

The purpose of the applications is to facilitate the severance of a portion of 37 Banat Road, creating a new residential property.

RECOMMENDATION:

Staff recommend **refusal** of the Consent and Minor Variance applications as it does not meet the objective and criteria set out in Section 51(24) of the Planning Act, does not align with the policy direction of the City and Region's Official Plan, is not minor in nature and does not represent good planning.

STAFF COMMENTS

City of Cambridge Development Planning Section:

The Subject Property is located at the western dead end of Banat Road and adjacent to the North Cambridge Business Park on Allendale Road and Maple Grove Road. The property currently contains a single detached dwelling, a detached garage and a detached area at the rear.

The applicant is proposing to retain the existing single detached dwelling and detached ARU and demolish the detached garage to accommodate the proposed severance.

Provincial Policy Statement (2024)

The Provincial Policy Statement (PPS) provides policy directions on matters of provincial interest related to land use planning and development. The new PPS 2024 recently came into effect on October 20, 2024, which consolidates and combines the PPS 2020 and the Growth Plan, and inherently revoked the Growth Plan.

The subject property falls within an Employment Area per the Region's Official Plan, now part of the City of Cambridge's Official Plan. Policy 2.8.2 of the PPS

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mandates Planning authorities to plan for, protect and preserve employment areas for current and future uses, and ensure that the necessary infrastructure is provided to support current and projected needs.

Policy 2.8.2.3 further states that Planning authorities shall designate, protect and plan for all employment areas in settlement areas by prohibiting residential uses, commercial uses, public service facilities and other institutional uses.

The proposal will result in the creation of one new residential lot within the employment lands. As such, staff is of the opinion that the proposed severance does not align with the policy direction of the PPS.

Planning Act

Further, Section 51(24) of the Planning Act sets out the criteria for which all severances must adhere including:

- the effect of development of the proposed subdivision on matters of provincial interest as referred to in [section 2](#);
- whether the plan conforms to the official plan and adjacent plans of subdivision, if any;
- **the suitability of the land for the purposes for which it is to be subdivided;**
- The adequacy of the existing road network
- **the dimensions and shapes of the proposed lots;**
- the restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land;
- the adequacy of utilities and municipal services;

The subject property is located within an Employment Area in the Region of Waterloo's Official Plan, now part of the City's Official Plan. Employment Areas prohibit new residential development and are intended to support job-related land uses. Staff acknowledge that an existing residential enclave remains within this broader area; however, adding new residential units does not align with the policy direction for this designation.

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The property is also on private services, which is not permitted for new development under the City's Official Plan, and it falls within the Manheim Water Service Area, where development is currently restricted. In addition, the proposed severance would not result in a lot with proper frontage on a public street.

For these reasons, the proposal does not conform with the Planning Act.

City of Cambridge Official Plan [including the Region of Waterloo's Official Plan (ROPA 6)]

The City of Cambridge Official Plan designates the subject property as Rural Residential; however, the Region's Official Plan (ROPA 6), now incorporated into the City's Official Plan, designates the lands as Employment Area. Under Section 27 of the Planning Act, where a conflict exists between an upper-tier and lower-tier official plan, the upper-tier plan prevails to the extent of the conflict. As such, the Employment Area designation takes precedence over the City's Rural Residential designation.

ROPA 6 Policy 2.H.1.8 directs that municipal official plans and zoning by-laws prohibit residential uses and limit other sensitive land uses within Employment Areas unless they are ancillary to the primary employment function.

The proposed severance to create a new residential lot is not compatible with the intended or existing land uses in the area, particularly given that the subject property directly abuts lands to the west that are zoned for heavy industrial uses within the Business Park. For these reasons, the proposal does not align with the policy direction of either the City of Cambridge or Region of Waterloo Official Plans.

City of Cambridge Zoning By-law

The subject property is zoned RR2 (Rural Residential) under the current Zoning Bylaw 150-85. This zone permits different types of residential uses including *single detached family dwellings, additional residential units (ARUs) and accessory structures*.

The following reliefs for the severed parcel are requested to permit:

1. A minimum lot frontage of 6.12m on the severed land, whereas the Zoning By-law requires a minimum lot frontage of 30m.

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2. To permit a minimum lot area of 2,346sqm. whereas a minimum lot area of 3,000sqm. is required.

3. A building be erected on a lot zoned RR2 that does not have frontage on an opened public street or highway, whereas the Zoning Bylaw requires that no land shall be used and no building or structure shall be erected, located or used unless the lot upon which such building or structure is located or proposed to be located has the lot frontage required by section 3 of this by-law on an opened public street or highway or a street deemed to be a public street or highway. [2.1.13.1]

Staff acknowledge that the proposed lot area is consistent with neighboring properties. However, staff remain concerned about the significant reduction in lot frontage and the creation of a lot that does not have proper frontage on a public street. Lot frontage requirements exist to ensure safe and functional access for vehicles and pedestrians.

In order to achieve the proposed severance and provide sufficient frontage for both lots, the applicant is proposing to convey a portion of the subject lands (123 square metres) to the City as part of an extension to the existing public road (Banat Road). Under the City's Official Plan, as a condition of any development application, the City can request a land conveyance to achieve the ultimate width for a particular road type. However, per previous discussions with Transportation, it was indicated that this would not be the most cost-effective for the City and that concerns remain regarding access to the proposed severed lot. Banat Road is an undersized local road. New development should not be accommodated on undersized roads.

In staff's opinion, the proposed reduction is not minor, as a lot with no direct street access can create safety and visibility issues and would not function in the same manner as surrounding residential lots.

The Subject Property is within the deferred lands for the new Zoning By-law 2026-007 and therefore only subject to Zoning By-law 150-85.

Based on this analysis, Staff recommends refusal of the application as outlined in the Recommendation Section of this report.

OTHER INFORMATION FOR APPLICANT

Should the Committee see fit to approve the application, the applicant is advised that the following may be required in the future:

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- Under the new Parkland By-law, cash in lieu of parkland would be collected prior to the issuance of any permit for development of the lands will now be collected at the Building Permit stage. The amount will be based on the equivalent value of 5% of the land area of the new lot.
- An access permit through Transportation Engineering 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.
- A Private Tree Removal Permit or a Site Alteration Permit is required if any trees are to be removed. Refer to [Site Alteration By-law 23-103](#), Private Tree By-Law 23-105 and City Tree By-Law 71-06 (including amendment By-Law 21-068).
<https://www.cambridge.ca/en/learn-about/Forestry.aspx>
- A Demolition Control Permit is required to remove any legal residential dwelling unit. A replacement development must have certain approvals and applications submitted to the City at the time of applying for a demolition control permit. Application instructions are found online here: <https://www.cambridge.ca/en/build-invest-grow/Planning-Process.aspx>
- A demolition permit is required to remove any non-residential building exceeding 10 sq.m. (108 sq.ft.) in area. Applications can be made online here: <https://permits.cambridge.ca/>
- **MANNHEIM SERVICING ADVISORY COMMENTS** -This property is within the Mannheim Water Service Area.

The Region of Waterloo is responsible for water treatment and supply and provides treated drinking water to the area municipalities, and the City then distributes this water to residents through the City's water distribution system. The Region is currently updating the Water Supply Strategy. Through this work, the Region has advised that concerns have been identified regarding water servicing capacity within the Mannheim Service Area at this time. Regional staff are currently undertaking work to better understand the magnitude of the concerns and to be able to

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provide comments relating to the availability of sufficient water capacity to service the development.

The City of Cambridge is responsible for, and legally obligated to, accept and review all development applications within prescribed timeframes, as outlined by legislation. The City will continue to receive and evaluate development proposals through normal channels while a plan of action is developed to address the Region's water supply and capacity issue. As such, we note that subsection 3(5) of the Planning Act requires that decisions made by approval authorities, including those made on site plan applications, be consistent with the policies of the Provincial Planning Statement, 2024 (PPS) including those policies found in Section 3.6 of the PPS relating to water services. Please be aware that because the application demonstrates this development **may** require an increase in water capacity, the City may require confirmation from the Region of Waterloo that adequate water capacity is available to service the proposed development prior to site plan approval for this development.

The Region of Waterloo has committed to updating the community as more information becomes available. You can stay informed on this issue by going to the Region's website at www.regionofwaterloo.ca/watercapacity.

OTHER COMMENTS

Regional Municipality of Waterloo

The purpose of the application is to facilitate the severance of lands from 37 Banat Road to create a new residential lot.

Water Services

The new lot is being proposed on private services. The subject property is situated within the Mannheim Service Area, should the Committee determine that the new lot is required to connect to the municipal water supply, the following comments would apply.

The Region is in the process of updating its Water Supply Strategy. Through this work, concerns have been identified regarding water servicing capacity within the Mannheim Service Area. Regional staff are working expeditiously to evaluate the situation and understand the magnitude of the concerns to be able to provide comments relating to water servicing capacity.

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As such, the Region is not in a position to support approval of this application at this time, and the following comments are provided for information purposes:

Please have the applicant circulate a functional servicing report for review and approval. The functional servicing report shall demonstrate the existing infrastructure can support the proposed development or shall make recommendations for upgrades to the existing infrastructure.

Section 59 Notice (Advisory)

The subject lands are located in a Source Plan Protection Area where restrictions or prohibitions may apply in accordance with the Clean Water Act, Part IV. As such a Notice of Source Protection Plan Compliance (Section 59 Notice) is required as part of a formal application for Consent. Regional Staff acknowledge receipt of the S. 59 Notice.

Threats Inventory Database (Advisory)

The following information from the Region's Threat Inventory Database (TID) is provided until such time as access is transferred to the City of Cambridge. Noting, there are medium threats identified adjacent to the subject property. According to the TID, the adjacent property at 27 Banat Road has been identified as a medium threat potential (Main, James Fence Ltd. based on the 2003 Dun & Bradstreet Business Listing).

Also, the adjacent property at 28 Banat Road has been identified as a medium threat potential (Petron Mechanical Ltd. based on the 2003 Dun & Bradstreet Business Listing).

Waste Management

If the newly severed parcel is classified as separate residentially-zoned and occupied property, once completed, it would be eligible to receive curbside waste collection provided by the Region of Waterloo. The newly created residential property will be able to participate independently from the other neighbouring properties as long as each property has a driveway that faces onto a municipally maintained roadway and no more than 6 self-contained residential units are present at each property. Waste limits would be based on the number of self-contained registered units on the property.

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Review Fees

Pursuant to Regional Fee By-law 25-066, the fee for consent review is \$350.00. This fee remains outstanding, and will be required as a condition of consent approval if not received by the Region prior to the Decision of the Committee of Adjustment.

Fee Advisory

Regional staff is in receipt of the required consent review fee of \$350, paid on August 27, 2025

Regional Staff have no objection to this application, subject to the following condition(s):

1. That the applicant/landowner enter into a registered development agreement with the Region of Waterloo to either 1) complete technical studies as required pursuant to Policy 8.A.4 of the Regional Official Plan for the use of geothermal energy systems; or
2. to prohibit the use of geothermal energy systems on the subject property.
2) That the applicant/landowner submit the regional consent review fee of \$350.00 to the satisfaction of the Region of Waterloo.

General Comments

Any future development on the lands subject to the above-noted consent applications will be subject to the provisions of Regional Development Charge By-law 19-037 or any successor thereof. Prior to final approval, City staff must be in receipt of the above noted Regional condition clearances. Please accept this letter as our request for a copy of the staff reports, decisions and minutes pertaining to each of the consent applications noted above. Should you require Regional Staff to be in attendance at the meeting or have any questions, please do not hesitate to contact the undersigned.

- *Shilling Yip, MCIP, RPP, Planner, Regional Growth, Development and Sustainability Services, Community Planning, Region of Waterloo*

Grand River Conservation Authority

No comment.

- *John Brum, Resource Planner, Grand River Conservation Authority*

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GrandBridge Energy

None received.

City of Cambridge Bylaw Section

No By-law complaints on file.

- *Cameron Lattanville BA, Acting Manager of Municipal By-Law Compliance*

City of Cambridge Building Section

Comments

A building permit application has been issued in 2023 for the detached ARU indicated on the drawings; however, construction has not started. The water service to the ARU was proposed to be provided through a shared water pump station with the main dwelling unit. The septic design proposed through the application will result in the new septic system being located too close to the proposed property line location.

A two-storey detached garage was constructed on the property without a permit and is not being depicted on the submitted severance drawings. A building permit application has been submitted (Jan 2026) to legalize this structure, but remains incomplete. This structure is located on the east side of the property and will be located on the retained and severed properties.

Conditions

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 (or window area for single family dwellings) of the east side elevation of the existing dwelling unit on the retained lands permitted to face the new property line.

A demolition permit is required for the demolition of the two storey detached garage constructed without a permit.

A building permit revision will be required to the 2023 detached ARU permit for a new water servicing proposal and to relocate the new septic system on the severed property in accordance with Part 8 of the Ontario Building Code.

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- *Mark Ryan, Municipal Building Official IV*

City of Cambridge Transportation Engineering Section:

Comments

- Driveway access must comply with the City's access requirements. The minimum required separation from adjacent access is 7m.
 - Provide a truck turning drawing showing truck movements throughout the site including but not limited to waste collection and fire route access.
- *Irum Sanaullah, Transportation Planning Specialist, Infrastructure Services - Operations*

City of Cambridge Development Engineering Section

Comments

- Municipal services are not available on Banat Road.
- All applicable work within the road allowance for the retained and severed lot, including but not limited to site services, curb cuts, driveway ramps and sidewalks, will be completed by the City at 100% Owner's expense.
- Consideration for drainage will be required to ensure no impacts on adjacent properties. A drainage easement may be required if the revised properties drain across each other.

Conditions

- 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, sump pump discharge and swales.
- *Kulveen Joginder, Project Engineer, Community Development - Engineering*

City of Cambridge Heritage Planner

Property is not on the Heritage Register nor is adjacent to one.

- *Laura Waldie, Senior Heritage Planner*

City of Cambridge Forestry

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.

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Please refer to the City of Cambridge's Forestry webpage and the Engineering Standards and Development Manual (2023) for a comprehensive guideline of Arborist Report and TMP requirements.

- *Alex Bryski, Forestry Technician, Infrastructure Services - Operations*

Six Nations of the Grand River (SNGR)

No comment.

City of Cambridge Environmental Planner

No comment.

- *Kathy Padgett, Senior Environmental Planner*

Public Comments

Two written comments of support have been received.

Draft Severance

