



Planning and Growth

Development Planning

50 Dickson Street, 3rd Floor, P.O. Box 669

Cambridge ON N1R 5W8

Tel: (519) 621-0740 ext. 4697

Fax: (519) 622-6184

Application No.: A05/26

Meeting Date: March 11, 2026

Ward No.: 2

Property Owner: Paula Rocha and Joaoa Rocha

Applicant: Paula Rocha and Joaoa Rocha

Municipal Address: **11 Ontario Street**

General Information:

Zoning By-law 150-85 Provisions: R4

Zoning By-law 2026-007 Provisions: R1

Official Plan Designation: Low / Medium Density Residential

Adjacent By-law 150-85 Zoning : R4

Adjacent By-law 2026-007 Zoning: R1

Adjacent Land Use: Low / Medium Density Residential

Existing Use: Residential

Proposed Use: Residential

Proposal:

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

1. A rear yard setback encroachment for a deck of 3.1m, whereas the Zoning By-law permits a maximum rear yard setback encroachment for a deck of 2.5m [2.1.15.6];

The proposed minor variance would facilitate the development of a 341 sq.ft. deck in the rear yard.

Note: On February 3, 2026, Cambridge City Council approved the new Zoning By-law **26-007**. The by-law is currently within its appeal period and is therefore **not yet in full force and effect**.

Once it does come into force, the applicant is advised that this application will be compliant and the variance will not be required. **Section 4.3(a)(i)** will permit decks in the rear yard with a minimum **rear yard setback of 3.0m**

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RECOMMENDATION:

City of Cambridge Planning Staff recommend **approval** of this Minor Variance Application, subject to the following condition:

1. That the proposed deck be generally in keeping with the plans submitted with this Minor Variance Application.

Staff Comments

City of Cambridge Development Planning Section:

The subject property is located south of Ontario Street, north of Cooper Street, and currently contains a single detached dwelling.

Four Tests of a Minor Variance

Is the proposal desirable for the appropriate development and use of the lands?

It is generally desirable for property owners to reinvest in and improve their properties when such improvements can be made without creating adverse impacts on the surrounding neighbourhood. The proposed variance seeks to facilitate the construction of a deck at the rear of the property. As such, this test is met.

Is the proposal minor in nature?

The proposed rear deck complies with all other applicable provisions of the Zoning By-law. The requested 0.6 m reduction is not expected to have any significant impacts on neighbouring properties or the functionality of the subject lot, as a setback of 4.4 m from the deck to the rear lot line will be maintained and is deemed sufficient. Therefore, this test is met.

Does the proposed minor variance maintain the general intent and purpose of the Official Plan?

The City of Cambridge Official Plan designates the subject property as 'Low/Medium Density Residential'. The Official Plan supports balanced development that is compatible with existing and permitted uses on neighbouring properties, while also respecting key natural and cultural heritage resources. The policies of the Plan encourage the appropriate development and enhancement of residential properties, including accessory structures.

The requested variance to permit a rear deck supports the functional use of the property and contributes to its overall value and enjoyment. As such, staff is of

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the opinion that the proposed relief meets the general intent and purpose of the Official Plan. This test is therefore met.

Does the proposed minor variance maintain the general intent and purpose of the Zoning By-law?

The Subject Property is zoned R4 (Low Density Residential) under Zoning By-law 150-85, which permits single detached dwelling and accessory uses.

Section 2.1.15 of the Zoning By-law contains the permitted encroachments on required yards for a building or structure including unenclosed decks that are less than 3m. in height.

The purpose of the Zoning By-law regulations for such structures is to ensure they do not encroach excessively into required yards, therefore preventing negative impacts on neighbouring properties and ensuring adequate space is maintained for proper maintenance.

The applicant is requesting relief to permit an unenclosed, uncovered deck to encroach 3.1 m into the required rear yard, whereas Zoning By-law 150-85 currently permits a maximum encroachment of 2.5 m. The property benefits from a deep rear yard with an overall depth of approximately 10 m, while the By-law requires a minimum rear yard setback of 7.5 m. Under the existing provisions, a deck may encroach such that a minimum setback of 5 m is maintained. In this case, the proposed setback is 4.4 m to the stairs of the deck.

Staff are of the opinion that the proposed 3.1 m encroachment maintains an appropriate separation from neighbouring properties, respects the established character of the neighbourhood, and meets the general intent and purpose of the Zoning By-law.

Staff also note that the proposal would be fully compliant with the City's new Zoning By-law 26-007, which was passed by Council on February 3, 2026. The new By-law permits rear-yard decks with a minimum setback of 3 m. This By-law is currently within its appeal period and is therefore not yet in full force and effect. However, the applicant is advised that once the new By-law comes into full force and effect, the proposed deck would be considered compliant.

For these reasons, staff recommend that the Minor Variance application be approved, as outlined in the recommendation section of this report.

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OTHER INFORMATION FOR THE APPLICANT

- 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 not within the Mannheim Water Service Area.

OTHER COMMENTS

Regional Municipality of Waterloo

No comment.

Grand River Conservation Authority

No comment.

GrandBridge Energy

No comment.

- *Ken Redfern, Design Technician*

City of Cambridge Fire Department

No comment.

- Alison Wakefield

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City of Cambridge Bylaw Section

No comment.

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

City of Cambridge Building Section

building permit application is currently under review.

The deck was constructed without a building permit.

- *Mark Ryan, Municipal Building Official IV*

City of Cambridge Transportation Engineering Section:

No comment.

- *Irum Sannaullah, Transportation Engineering Technologist, Community Development – Engineering*

City of Cambridge Development Engineering Section

No comment.

- *Alex Nichols, Project Engineer, Community Development - Engineering*

City of Cambridge Heritage Planner

No comment.

- *Nick Borcescu, Senior Heritage Planner*

City of Cambridge Forestry

No comment.

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

Six Nations of the Grand River (SNGR)

No comment.

City of Cambridge Environmental Planner

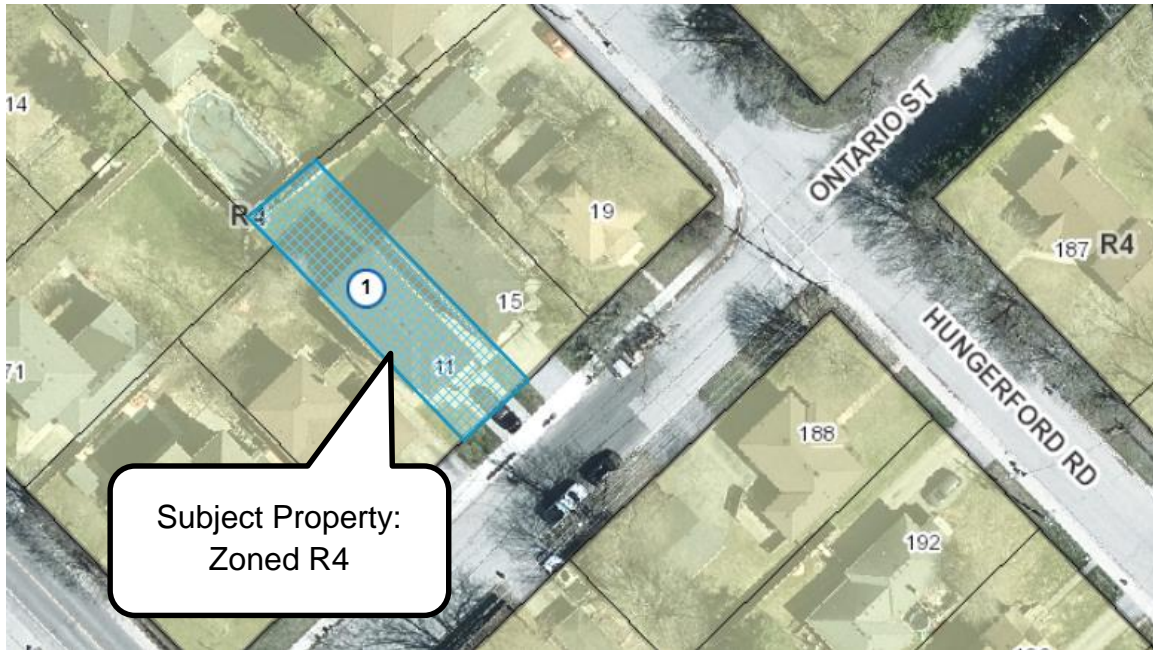
No comment.

- *Kathy Padgett, Senior Environmental Planner*

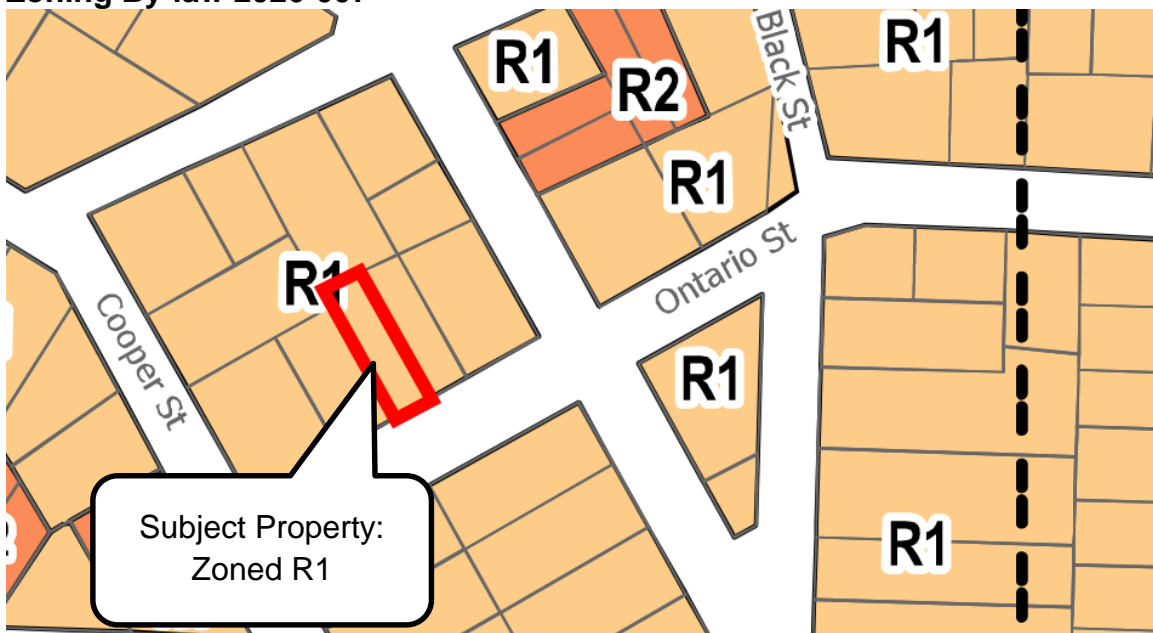
Public Comments

No formal written or oral feedback was received from the public prior to when this recommendation was prepared.

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Aerial & Zoning By-law 150-85



Zoning By-law 2026-007



Site Plan

