



Committee of Adjustment Agenda

Tuesday, October 15, 2024, 10:00 a.m. - 12:00 p.m.

Council Chambers

City of Kitchener

200 King Street W, Kitchener, ON N2G 4G7

(Pursuant to the Planning Act, R.S.O. 1990, c.P. 13, as amended,
and Ontario Regulations 197/96 and 200/96, as amended)

TAKE NOTICE THAT the Committee of Adjustment for the City of Kitchener **will meet in Council Chambers, 2nd Floor, Kitchener City Hall, 200 King Street West, on Tuesday, OCTOBER 15, 2024, commencing at 10:00 a.m.** for the purpose of hearing the following applications for Minor Variance and/or Consent.

Applicants or Agents must attend in support of the application. This is a public meeting. Anyone having an interest in any of these applications may make an oral submission at the meeting or provide a written submission for Committee consideration. Please note this is a public meeting and will be livestreamed and archived at www.kitchener.ca/watchnow.

The complete agenda, including staff reports will be available online the Friday prior to the week of the meeting date.

Pages

1. **COMMENCEMENT**

2. **MINUTES**

3. **DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF**

Members of Council and members of the City's local boards/committees are required to file a written statement when they have a conflict of interest. If a conflict is declared please visit www.kitchener.ca/conflict to submit your written form.

4. **APPLICATIONS FOR MINOR VARIANCE AND / OR CONSENT PURSUANT TO THE PLANNING ACT**

5. **NEW BUSINESS**

5.1 A 2024-080 - 92 River Road East

Requesting minor variances to permit no pedestrian entrance on the front façade of the principal building whereas the Zoning By-law requires 1 pedestrian entrance for a building having 5 to 10 dwelling units; the parking lot to be setback 0.15m from the rear lot line and 0.5m from the southerly side lot line rather than the minimum required 1.5m; a lot width of 19.47m rather than the required 30.0m; and, an easterly side yard setback of 3.0m rather than the minimum required 4.5m to facilitate the development of a 3-storey multiple dwelling having 10 dwelling units.

5.2 A 2024-081 - 236 Margaret Avenue

Requesting a minor variance to permit 7 parking spaces including 2 visitor parking spaces (0.43 parking spaces per dwelling unit) rather than the required 17 parking spaces including 3 visitor parking spaces (1.15 parking spaces per dwelling unit) to facilitate the renovation of the existing 2-storey building with 14 dwelling units.

5.3 A 2024-082 - 685 Frederick Street

Requesting minor variances to permit an unobstructed walkway to have a width of 1.0m rather than the required 1.1m; and a westerly side yard setback of 1.0m rather than the required 1.2m to recognize the location of the existing building and to facilitate the development of an Additional Dwelling Unit (ADU)(Attached).

5.4 A 2024-083 - 361 Westmeadow Drive

Requesting a minor variance to permit a pool in the front yard, whereas the Zoning By-law only permits a pool in the interior, exterior or rear yards, to facilitate the installation of a pool on an irregularly shaped property.

5.5 A 2024-084 - 18 Pine Street

Requesting minor variances to permit a canopy to project 3.3m into the front yard rather than the maximum permitted 1.8m and for the canopy to be supported by the ground whereas the Zoning By-law requires a canopy in the front yard not to be supported by the ground; and having steps and access ramps that exceed 0.6m in height to be located 1.2m from the street line rather than the required 3.0m; having a minimum landscaped area of 23% rather than the required 30%; and, a rear landscaped area of 23% rather than the required 40% to facilitate an internal renovation for health clinic and pharmacy uses.

5.6 A 2024-085 - 62 Gage Avenue

Requesting minor variances to permit a front yard setback of 2.89m rather than the required 9.0m; and, to permit an unenclosed front porch to be located 1.8m from a street line rather than the minimum required 3.0m to facilitate the construction of a semi-detached dwelling.

5.7 A 2024-086 - 1295 Bleams Road

Requesting a minor variance to Zoning By-law 85-1 to permit a front yard setback of 11.8m rather than the maximum permitted 7.5m, to facilitate the development of a 13-storey apartment building having 202 dwelling units in accordance with Site Plan Application SP23/015/F/AP.

5.8 B 2024-026 & A 2024-087 - 211 Lancaster Street West

Requesting consent to sever a parcel of land having a width of 7.9m, a depth of 36.5m and an area of 292 sq.m. The retained land will have a width of 10.9m, a depth of 36.5m and an area of 399 sq.m. Minor variances are also being requested for the retained land to permit a lot width of 7.9m rather than the required 9.0m; and a parking space within the existing garage to have a width of 2.78m rather than the required 3.0m. The existing dwelling is proposed to be retained and a new dwelling is proposed to be constructed on the severed land.

5.9 B 2024-027, B 2024-088, A 2024-088 & A 2024-089 - 130 & 132 Edmund Road

Requesting consent to sever a parcel of land having a width of 7.9m, a depth of 40.3m and an area of 318.6 sq.m. The retained land will have a width of 7.9m, a depth of 40.3m and an area of 318.8 sq.m. Consent is also being requested to grant easements having a width of 1.5m at the front and rear of the building where the common wall is not shared for the purposes of access and maintenance. The consent will allow each half of two proposed semi-detached dwellings to be on a separate lot and to be dealt with independently. Minor variances are also being requested for the severed and retained lands to permit interior yard setbacks of 0m where there is not a shared common wall rather than the required 1.2m to facilitate the severance of the existing semi-detached dwelling into 2 separate lots; and, to permit decks greater than 0.6m in height to be located 0m from the interior side lot line (common lot line) rather than the required 1.2m.

6. ADJOURNMENT

7. PLANNING ACT INFORMATION

- Additional information is available at the Legislated Services Department, 2nd Floor, Kitchener City Hall, 200 King Street West, Kitchener 519-741-2203 or by emailing CofA@kitchener.ca.
- Copies of written submissions/public agencies' comments are available the Friday afternoon prior to the meeting on the City of Kitchener website www.kitchener.ca/meetings in the online Council and Committee calendar; see the meeting date for more details.
- Anyone having an interest in any of these applications may attend this meeting.
- Only the Applicant, Minister, **specified person (as defined in Section 1 of the Planning Act)** or public body that has an interest in the matter has the right to appeal decisions of the Committee of Adjustment. These parties must make written submissions to the Committee prior to the Committee granting or refusing Provisional Consent otherwise, the Ontario Land Tribunal (OLT) may dismiss the appeal.
- Any personal information received in relation to this meeting is collected under the authority s. 28(2) of the Planning Act, R.S.O. 1990, c. P.13, and will be used by the City of Kitchener to process Committee of Adjustment applications. Questions about the collection of information should be directed to Marilyn Mills at marilyn.mills@kitchener.ca.
- If you wish to be notified of a decision, you must make a written request to the Secretary-Treasurer, Committee of Adjustment, Kitchener City Hall, 200 King St. W., Kitchener ON, N2G 4G7.

The Notice of Hearing for this meeting was published in the Record on the 27th day of September, 2024.

Marilyn Mills
Secretary-Treasurer
Committee of Adjustment