



Committee of Adjustment Agenda

Tuesday, February 18, 2025, 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, FEBRUARY 18, 2025, 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 2025-005 - 42 Hillcrest Lane

Requesting a minor variance to permit a driveway to be located 0.6m from the southerly side lot line rather than the minimum required 1.2m to facilitate a driveway widening to improve functionality of the driveway.

5.2 A 2025-006 - 19 Carlin Avenue

Requesting a minor variance to permit a deck to be located 2.3m from the rear lot line rather than the required 4.0m; and, to permit a rear yard setback of 4.4m rather than the required 7.5m as the rear lot currently functions as a side yard to facilitate the development of 2 Additional Dwelling Units (ADU) (Attached) in the existing Single Detached Dwelling. The minor variances are required as the Zoning By-law defines the technical front yard for the property to be on Dixon Street.

5.3 A 2025-007 - 864 King Street West

Requesting a minor variance to permit the physical separation of the 7th storey of a proposed multiple dwelling to be setback 3.1m from the easterly lot line rather than the required 4.2m to facilitate the development of the site with a 45-storey building in accordance with Site Plan Application SP24/069/K/ES.

5.4 A 2025-008 - 1035 Ottawa Street North

Requesting minor variances to permit a canopy to be ground supported, having a projection of 1.5m into the front yard, and being located 0m from the street line whereas the Zoning By-Law requires a canopy not to be ground supported, having a maximum projection of 1.8m, and being located a minimum of 0.6m from the street line; to permit the proposed multiple dwelling to have 53 parking spaces (0.74 parking spaces per dwelling unit, inclusive of visitor parking) rather than the minimum required 72 parking spaces (0.9 parking spaces per dwelling unit and 0.1 visitor parking spaces per dwelling unit); to permit a southerly side yard abutting a residential zone to be setback 5.3m rather than the minimum required 7.5m; to permit a rear yard setback of 3.9m rather than the minimum required 7.5m; to permit 0% non-residential gross floor area rather than the minimum required 20% non-residential gross floor area; to permit a minimum ground floor building height for any building with a street line façade of 4.0m along River Road East, and a street line façade of 3.0m along Holborn Court rather than the minimum required 4.5m; to permit a minimum of 35% of street line façade openings along River Road East, and 10% of street line façade openings along Holborn Court rather than the minimum of 50% street line façade openings to facilitate the development of a 6-storey multiple dwelling having 53 dwelling units and three 3-storey buildings having 6 unit stacked townhouse dwellings for a total of 71 affordable housing units.

5.5 A 2025-009 - 775 Queen Street South

Requesting permission for the enlargement or extension of a legal non-conforming use, a Single Detached Dwelling with an Additional Dwelling Unit (ADU) (Attached) (Duplex) to facilitate the addition of an Additional Dwelling Unit (ADU) (Detached) with 2 dwelling units, for a total of 4 dwelling units on the subject property in a "Mixed Use Zone (MIX-1)".

5.6 B 2025-002 - 685 Fischer Hallman Road

Requesting consent to permit a long-term lease, for a period of greater than 21 years for a building and drive-through, occupied by the 'Wendy's Restaurant' identified as Building 'B' on the plan submitted with the application.

5.7 B 2025-003 & A 2025-010 - 180 Ahrens Street West

Requesting consent to sever a parcel of land having a width of 14.8m on Wilhelm Street, a depth of 22.8m and an area of 318sq.m. The retained land will have a width of 13.7m on Ahrens Street West, a depth of 24m and an area of 372sq.m. The severed and retained lands are each proposed to be developed with a new detached dwelling. A minor variance is also requested to permit the severed land to have a front yard setback of 4.5m rather than the minimum required 9.75m to facilitate the creation of the proposed lot and the future detached dwelling.

5.8 B 2025-004, B 2025-005, A 2025-011 & A 2025-012 - 86 Florence Avenue

Requesting consent to sever a parcel of land having a width of 9.9m, a depth of 48.7m and an area of 582.6sq.m. The retained land will have a width of 10.5m, a depth of 48.7m and an area of 512.7sq.m. Consent is also requested to create an easement on the severed land having a width of 1.45m, a length of 48.7m and an area of 70.71sq.m; and, to create an easement on the retained land having a width of 2m, a length of 48.7m and an area of 98.51sq.m for the purpose of a shared driveway between the severed and retained lands. Minor variances are also requested to permit the severed land to have a width of 9.9m rather than the minimum required 10.5m; a front yard setback of 7.92m rather than the minimum required 9.65m; to permit a driveway to have a minimum width of 1.45m rather the required 2.6m; and, a maximum driveway width in the rear yard of 10m rather than the permitted 8.0m. Minor variances are also requested to permit the retained land to have a front yard setback of 7.92m rather than the minimum required 11.65m; to permit a driveway to have a minimum width of 2m rather than the required 2.6m; and, a maximum driveway width in the rear yard of 9m rather than the permitted 8.0m. The severed and retained lands are each proposed for residential dwellings each containing 4 dwelling units.

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 of 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 31st day of January, 2025.

Marilyn Mills
Secretary-Treasurer
Committee of Adjustment