



Committee of Adjustment Agenda

Tuesday, April 15, 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, APRIL 15, 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. **UNFINISHED BUSINESS**

5.1 A 2025-013 - 160 Grand River Boulevard

Requesting a minor variance to permit a building to have a southerly setback of 5.1m from the property line and a westerly setback of 2.3m from the property line rather than the minimum required 7.5m to recognize the location of an existing building proposed to be used for snow/salt and yard maintenance equipment storage in accordance with Conditionally Approved Site Plan Application SP24/039/G/AA.

6. NEW BUSINESS

6.1 A 2025-028 - 250 Riverbend Drive

Requesting a minor variance to permit 52 parking spaces (1 parking space per 57sq.m of gross floor area) rather than the minimum required 90 parking spaces (1 parking space per 33sq.m of gross floor area) to facilitate the development of a new 2-storey building on the existing site of the Humane Society in accordance with Conditionally Approved Site Plan SP/24/066/R/SH.

6.2 A 2025-029 - 315 Wellington Street North

Requesting minor variances to permit an accessory structure to have a lot coverage of 16.2% rather than the maximum permitted 15%; to permit a 1.1m unobstructed walkway to share a driveway whereas the Zoning By-law does not permit this; to permit a driveway/parking in the rear yard to have a width of 9.8m rather than the maximum permitted 8m; to permit a portion of the driveway that overlaps with the walkway to have a distinguishable material whereas the Zoning By-law requires the driveway to be comprised of consistent material; to permit a westerly side yard setback of 1.1m rather than the minimum required 1.2m to facilitate the development of an Additional Dwelling Unit (ADU)(Detached) in the rear yard of the subject property.

6.3 A 2025-030 - 63 General Drive

Requesting a minor variance to permit a rear yard setback of 3.3m rather than the minimum required 7.5m to facilitate the construction of a rear yard addition onto the existing detached dwelling.

6.4 A 2025-031 - 26 Berwick Place

Requesting a minor variance to permit a lot width of 8.2m rather than the minimum required 10.5m to facilitate the construction of an Additional Dwelling Unit (ADU) (Detached) in the rear yard of the subject property.

6.5 A 2025-032 - 217 Vanier Drive

Requesting a minor variance to Zoning By-law 85-1 to permit an Additional Dwelling Unit (ADU)(Detached) to have an area of 85.5sq.m. rather than the maximum permitted 80sq.m. to facilitate the conversion of an existing detached garage into a Dwelling Unit.

- 6.6 A 2025-033 - 887 Frederick Street**
Requesting minor variances to permit a Corner Visibility Triangle (CVT) to be 6.5m from the intersection of the street rather of the required 7m; to permit ingress and egress to occur in a backward motion whereas the Zoning By-law only permits it in a forward motion; to permit 1 Visitor Parking Space (0.05 visitor parking spaces per dwelling unit) rather than the minimum required 3 Visitor Parking Spaces (0.15 visitor parking spaces per dwelling unit); and, to permit an exterior side yard setback abutting Avon Road of 1.2m rather than the required 3m to facilitate the development a multiple dwelling having 20 dwelling units.
- 6.7 A 2025-034 - 34 Hohner Avenue**
Requesting a minor variance to Zoning By-law 85-1 to permit a front yard setback of 3.1m rather than the required 4.5m; and, to permit an easterly side yard setback of 0.7m rather than the minimum required 1.2m to facilitate the conversion of the existing duplex into a triplex.
- 6.8 A 2025-035 - 53 Rusholme Road**
Requesting a minor variance to permit a westerly and easterly side yard setback of 1.8m rather than the minimum required 3m to facilitate the construction of a new 2-storey detached dwelling with a 3-car garage.
- 6.9 A 2025-036 - 15 Scenic Drive**
Requesting minor variances to Zoning By-law 2019-051 to permit 16 parking spaces (1.14 parking spaces per dwelling unit) rather than the minimum required 17 parking spaces (1.15 parking spaces per dwelling unit) to facilitate the addition of 3 dwelling units to a multiple residential development having 11 dwelling units for a total of 14 dwelling units in accordance with Conditionally Approved Site Plan Application SP24/053/S/TS.
- 6.10 A 2025-037 - 265 Breithaupt Street**
Requesting minor variances to permit a Fitness Centre use in the 'EMP-1' Zone where a Fitness Centre is not a permitted use in this Zone; and, to permit 25 parking spaces rather than the minimum required 82 parking spaces.
- 6.11 A 2025-038 - 206 Shelley Drive**
Requesting minor variances to permit an existing detached garage within the front and exterior side yards whereas the Zoning By-Law does not permit this; and, to permit a rear yard setback of 4.5m rather than the required 7.5m to recognize the location of the existing dwelling and to facilitate the development of 2 Additional Dwelling Units (ADU)(Detached) on the subject property.
- 6.12 A 2025-039 - 195 Victoria Street North**
Requesting a minor variance to permit a partially enclosed roof structure

over below grade stairs to be located 2.1m from the rear lot line rather than the minimum required 7.5m.

6.13 A 2025-040 - 160 Charles Best Place

Requesting a minor variance to permit a building height of 4.9m for the proposed Additional Dwelling Unit (ADU)(Detached) rather than the maximum permitted 4.5m; and, to permit an exterior side yard setback of 4.2m rather than the required 4.5m to facilitate the construction of an Additional Dwelling Unit (ADU)(Detached) in the rear yard of the subject property.

6.14 A 2025-041 - 249 West Oak Trail

Requesting minor variances to Zoning By-law 85-1 to permit 17 visitor parking spaces (10% of the required parking) rather than the minimum required 35 visitor parking spaces (20% of the required parking); and, to permit 18 parking spaces (10% of the required parking) to have a width of 2.4m and a length of 4.8m (compact spaces) rather than the required width of 2.6m and length of 5.5m, to facilitate the development of a multiple dwelling having 172 dwelling units.

6.15 B 2025-009 - 179 Jansen Avenue

Requesting consent to create an easement having a width of 20.1m, a depth of 38m and an area of 760sq.m, over lands municipally addressed as 179 Jansen Avenue, to facilitate driveway access to the rear yards of adjacent land municipally addressed as 177 and 181 Jansen Avenue.

6.16 B 2025-010 - 57 & 59 Iron Gate Street

Requesting consent to sever a parcel of land having a width of 7.8m, a depth of 31.8m and an area of 251sq.m. The retained land will have a width of 7.8m, a depth of 31.8 m and an area of 251sq.m. The consent will allow each half of an existing semi-detached dwelling to be dealt with independently.

6.17 B 2025-011 - 400 Westwood Drive

Requesting consent to sever a parcel of land having a width of 46.6m, a depth of 39.4m and an area of 1,789sq.m to convey as a lot addition to the property municipally addressed as 787 Glasgow Street. The retained land municipally addressed as 400 Westwood Drive, will have a width of 49.9m, a depth of 41.3m and an area of 2,501sq.m and will contain an existing detached dwelling.

6.18 B 2025-012 - 112 Kehl Street

Requesting consent to sever a parcel of land having a width of 8.3m, a depth of 46.3m and an area of 388sq.m. The retained land will have a width of 8.3 m, a depth of 46.3m and an area of 388sq.m. The consent will allow each half of an existing semi-detached dwelling duplex to be dealt with independently.

6.19 B 2025-013 & A 2025-042 - 1100 Union Street

Requesting consent to sever a parcel of land having a width of 17.1m on Union Lane, a depth of 16.8m and an area of 235sq.m and is proposed for a new detached dwelling. The retained land will have a width of 16.8m, a depth of 22.9m and an area of 378sq.m and will contain an existing triplex dwelling. Minor variances are also being requested to permit the severed land not to have a frontage on a street whereas the Zoning By-law requires all lots to have a frontage on a street; and, to permit a rear yard setback of 5m rather than the required 7.5m, to facilitate the development of the new detached dwelling on the proposed severed parcel.

7. ADJOURNMENT

8. 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 28th day of March, 2025.

Marilyn Mills

Secretary-Treasurer
Committee of Adjustment