



Committee of Adjustment Agenda

Tuesday, May 20, 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, MAY 20, 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 2025-021 - 2880 King Street East

Requesting a minor variance to permit a parking requirement of 27 parking spaces rather than the minimum required 44 parking spaces to recognize the parking configuration for the existing commercial retail plaza on the subject property in accordance with Site Plan Application SPB24/097/K/AS.

6. NEW BUSINESS

6.1 A 2025-043 - 82 Brunswick Avenue (Future Retained Lot)

Requesting minor variances to permit a minimum front yard landscaping area of 15% rather than the minimum required 20%; to permit a driveway width of 5.2m rather than the maximum permitted 3m; and, to permit a rear yard setback of 6.6m rather than the minimum required 7.5m to facilitate the construction of a semi-detached dwelling containing 4 units. In future, this parcel is proposed to be severed from the property municipally addressed as 84 Brunswick Avenue, so each lot can be dealt with separately.

6.2 A 2025-044 - 82 Brunswick Avenue (Future Severed Lot / 84 Brunswick Avenue)

Requesting minor variances to permit a minimum front yard landscaping area of 17% rather than the minimum required 20%; to permit a driveway width of 5.2m rather than the maximum permitted 3m; and, to permit a rear yard setback of 5.1m rather than the minimum required 7.5m to facilitate the construction of a semi-detached dwelling containing 4 units. In future, this parcel is proposed to be severed from the property municipally addressed as 82 Brunswick Avenue, so each lot can be dealt with separately.

6.3 A 2025-045 - 191 Morgan Avenue

Requesting minor variances to Zoning By-law 2019-051 to permit a parking requirement of 16 parking spaces rather than the minimum required 32 parking spaces to facilitate the development of 11 new dwelling units within an existing building having 18 dwelling units, for a total of 29 dwelling units in accordance with Site Plan Application SP24/086/M/BB.

6.4 A 2025-046 - 241 Huck Crescent

Requesting minor variances to permit an addition of a deck to have a rear yard setback of 3.9m rather than the minimum required 4.0m; and, to permit an addition (a sunroom) to have a rear yard setback of 4.8m rather than the minimum required 7.5m.

6.5 A 2025-047 - 14 Jansen Avenue

Requesting minor variances to permit a northerly side yard setback of 3.2m rather than the minimum required 7.5m; and, to permit a parking requirement of 8 parking spaces rather than the minimum required 16 parking spaces to facilitate a 2-storey addition at the rear of the existing building for the expansion of an existing daycare use in accordance with Site Plan Application SPF25/003/J.

6.6 A 2025-048 - 24 Amherst Drive

Requesting minor variances to permit a driveway width of 8.3m rather than the maximum permitted driveway width of 8m; and, to permit a southerly side yard setback of 0m rather than the minimum required 1.2m to recognize an existing driveway, and to facilitate the conversion of the existing garage into an entry area for an Additional Dwelling Unit (ADU) (Attached).

6.7 A 2025-049 - 42 Orchard Mill Crescent

Requesting a minor variance to permit a southerly side yard setback of 0m rather than the required 1.2m to recognize an existing driveway and to facilitate the conversion of the existing garage into an entry area for an Additional Dwelling Unit (ADU) (Attached).

6.8 A 2025-050 - 244 Samuel Street

Requesting a minor variance to permit a single detached dwelling to have a driveway width of 8m (68% of the lot width) rather than the maximum permitted 4.7m (40% of the lot width); and, to permit a driveway to be located 0.5m from the rear lot line rather than the minimum required setback of 1.2m to facilitate the enlargement of the existing driveway.

6.9 A 2025-051 - 503 Victoria Street North

Requesting minor variances to Zoning By-law 85-1 to permit an unobstructed walkway to overlap with the driveway whereas the Zoning By-law does not permit this; to permit a driveway to be comprised of the same material as the unobstructed walkway whereas the Zoning By-law does not permit this; to permit a residential building without central air conditioning, double-glazed windows, and EW1 exterior walls to be located 3.8m from an Arterial Road rather than the minimum permitted 12m; and, to permit a driveway width of 2.2m rather than the minimum required 2.6m to facilitate use of the existing building for a Single Detached Dwelling with 2 Additional Dwelling Units (ADU)(Attached) as a Triplex Use.

6.10 A 2025-052 - 573 Guelph Street

Requesting minor variances to permit a lot width of 7.4m rather than the minimum required 7.5m; and, to permit a side yard setback of 0.9m rather than the minimum required 1.2m to recognize the existing semi-detached dwelling.

6.11 A 2025-053 - 575 Guelph Street

Requesting minor variances to permit a lot width of 7.4m rather than the minimum required 7.5m; and, to permit a side yard setback of 0.9m rather than the minimum required 1.2m to recognize the existing semi-detached dwelling.

6.12 B 2025-014 - Part 3, Reference Plan 58R-7207

Requesting consent to sever a triangular-shaped parcel of land measuring 35.8m by 14.3m by 27.6m, having an area of 180.2 sq.m. to convey as a lot addition to the property municipally addressed as 508 Fall Harvest Place, as shown on a survey sketch prepared by Guenther Rueb Surveying Limited, dated March 19, 2025 attached to the application.

6.13 B 2025-015 - Part 3, Reference Plan 58R-7207

Requesting consent to sever an irregular-shaped parcel of land measuring 20.3m by 15.8m by 14.3m by 27.6m, having an area of 342.5 sq.m. to convey as a lot addition to the property municipally addressed as 512 Fall Harvest Place, as shown on a survey sketch prepared by Guenther Rueb Surveying Limited, dated March 19, 2025 attached to the application.

6.14 B 2025-016 - 1950 Fischer Hallman Road

Requesting consent to permit a long-term lease for a period greater than 21 years for a building and drive-through occupied by the 'McDonald's Restaurant' on the property municipally addressed as 1950 Fischer Hallman Road.

6.15 B 2025-017 & A 2025-054 - 864 King Street West

Requesting consent to sever an irregular-shaped parcel of land measuring 2.2m by 90.4m, having an area of 3,045.1 sq.m. and is proposed to be redeveloped with a 45 storey-tower building. The retained land will have a width of 54.7m, a depth of 70.5m and an area of 3,259.6 sq.m. and is proposed for a future high-density development. Minor variances are also being requested for the severed lands to permit a front yard width on King Street West of 2.28m rather than the required 48.0m; to permit a side yard setback (southerly property line, middle) of 0m rather than the required 3m; a side yard setback (westerly property line, interior) of 0m rather than the required 3m; a minimum physical separation for storeys 7-12 (southerly property line, middle) of 0m rather than the required 6m; a minimum physical separation for storeys 7-12 (westerly property line, interior) of 0m, rather than the required 6m; a minimum physical separation for storeys 13-18 (westerly property, interior) of 6.1m rather than the required 9m; a minimum physical separation for storeys 19-36 (westerly property line, interior) of 6.1m rather than the required 12m; and, a minimum physical separation for storeys 37-45 (westerly property line, interior) of 6.1m rather than the required 15m.

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 2nd day of May, 2025.

Marilyn Mills
Secretary-Treasurer
Committee of Adjustment