



Committee of Adjustment Agenda

Tuesday, July 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, JULY 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 B 2024-031 - 829 Stirling Avenue South 5

Requesting consent to sever a parcel of land having a width of 7.9m, a depth of 45.7m and an area of 362.3 sq.m. The retained land will have a width of 7.9m, a depth of 45.7m and an area of 362.3 sq.m. The severance will allow each half of a semi-detached dwelling to be dealt with independently.

6. NEW BUSINESS

6.1 A 2025-062 - 124 Tupper Crescent, DSD-2025-300 31

Requesting a minor variance not to provide a 1.8m high 'Visual Barrier' adjacent to a low-rise residential zone whereas the Zoning By-law requires a 1.8m high Visual Barrier in this location to facilitate the development of 25 units within the existing building in accordance with Site Plan Application SP24/049/T/AP.

6.2 A 2025-063 - 55 Shoemaker Street, DSD-2025-308 44

Requesting a minor variance to permit a parking rate of 44 parking spaces (1 parking space per 66 sq.m. of the Ground Floor Area) for a multiple unit building rather than the minimum required 81 parking spaces (1 parking space per 35 sq.m. of the Ground Floor Area) to recognize the existing parking provision for the building on the subject property.

6.3 A 2025-064 & A 2025-065 - 82 Brunswick Avenue, DSD-2025-303 79

Requesting minor variances to permit a parking requirement of 1 parking space rather than the minimum required 2 parking spaces; and, to permit a rear yard setback of 5.6m rather than the minimum required 7.5m to facilitate the development of a detached dwelling with 3 dwelling units on the future severed lot; and, requesting minor variances to permit a parking requirement of 1 parking space rather than the minimum required 2 parking spaces; and, to permit a rear yard setback of 7m rather than the minimum required 7.5m to facilitate the development of a detached dwelling with 3 dwelling units on the future retained lot.

6.4 A 2025-066 - 508 New Dundee Road, DSD-2025-306 122

Requesting minor variances to permit a driveway to be comprised of grass rather than a hard surface material; and, to permit the driveway not to be of a distinguishable material to facilitate the construction of a detached garage for motor vehicles.

6.5 A 2025-067 & A 2025-068 - 38 Fifth Avenue (Units A & B), DSD-2025-311 135

Requesting minor variances to permit a driveway width of 1.5m rather than the minimum required 2.6m; to permit a driveway width of 8.5m in the rear yard rather than the maximum permitted 8m; to permit a Semi-Detached Dwelling where the Semi-Detached Dwelling units are divided

vertically by a shared driveway and common wall above the driveway extending to the roofline; and, to permit a maximum building height of 11.5m rather than the maximum permitted 11m to facilitate the development of a semi-detached dwelling on each lot, each half of the semi-detached dwellings having 4 dwelling units.

6.6 A 2025-069 & A 2025-070 - 439 Alice Avenue (Units A & B), DSD-2025-314

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Requesting minor variances to permit a driveway leading to an attached garage to be setback 0.1m from the southern side lot line rather than minimum required 1.2m; to permit a front yard setback of 5.2m rather than the minimum required 9.5m; to permit a northerly side yard setback of 0m rather than the minimum required 1.2m; to permit a southerly side yard setback of 1m rather than the minimum required 1.2m to facilitate the development of a semi-detached dwelling, each half having 3 dwelling units (left semi-detached dwelling - Unit A).

Requesting minor variances to permit 1 parking space rather than the minimum required 2 parking spaces; to permit a corner lot width of 9.3m rather than the minimum required 12m; to permit a front yard setback of 3m rather than the minimum required 9.5m; to permit a southerly interior side yard setback of 0m rather than minimum required 1.2m; and, to permit an exterior side yard setback of 2.5m rather than the minimum required 4.5m to facilitate the construction of a semi-detached dwelling, each half having 3 dwelling units (right semi-detached dwelling - Unit B).

6.7 B 2025-021 - 546 Courtland Avenue East, DSD-2025-301

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Requesting consent to sever a triangular-shaped parcel of land from the rear of the property, measuring 8.1m by 9.1m by 3m, having an area of 11.9 sq.m., shown as Part 2 on the Draft Reference Plan attached to the application, and to convey it as a lot addition to the property municipally addressed as 265 Bedford Road.

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 27th day of June, 2025.

Marilyn Mills
Secretary-Treasurer
Committee of Adjustment