



## Committee of Adjustment Agenda

Tuesday, March 21, 2023, 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, MARCH 21, 2023, 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 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](http://www.kitchener.ca/watchnow)

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

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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](http://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**

<b>5.1</b>	<b>A 2022-126 - 44 Rusholme Road, DSD-2023-119</b>	<b>7</b>
	Requesting a minor variance to the Zoning By-law to permit an interior side yard setback of 1.5m rather than the required 3.0m, to facilitate the construction of an addition in the rear yard of an existing single detached dwelling.	
<b>5.2</b>	<b>B 2022-057 - 193 Louisa Street (Amended), DSD-2023-098</b>	<b>46</b>
	Requesting consent to sever a parcel of land to allow each half of an existing semi-detached dwelling to be dealt with independently. The severed land at the corner of Louisa Street and Weber Street will have a width of 13.18m, a depth ranging from 13.28m to 22.62m, and an area of 237.0sq.m. The retained parcel will have a width of 7.52m, a depth ranging from 22.62m to 27.94m, and an area of 190.0sq.m. Consent is also requested to create a servicing easement over Part 1 on the severed land in favour of the retained land, having a width of 4.5m, a length of 13.18m and an area of 59.3sq.m.	
<b>6.</b>	<b>NEW BUSINESS</b>	
<b>6.1</b>	<b>A 2023-024 &amp; A 2023-025 - 271 &amp; 273 Hartwood Avenue, DSD-2023-122</b>	<b>81</b>
	Requesting a minor variance to the Zoning By-law to permit a driveway with an attached garage for a semi-detached dwelling to have a width of 5.2m rather than the maximum permitted 3.0m (40% of the lot width).	
<b>6.2</b>	<b>A 2023-026 - 74 Boehmer Street, DSD-2023-105</b>	<b>96</b>
	Requesting a minor variance to the Zoning By-law to permit the conversion of the existing detached garage into an Additional Dwelling Unit (ADU) (Detached) to be located 0.5m from the rear lot line rather than the required 0.6m, an area of 391sq.m rather than the required 395sq.m; and, a width of 11.9m rather than required 13.1m.	
<b>6.3</b>	<b>A 2023-027 - 289-295 Sheldon Avenue North, DSD-2023-110</b>	<b>112</b>
	Requesting a minor variance to the Zoning By-Law to permit a southerly interior side yard setback of 2.55m rather than the required 3.0m; and, a Floor Space Ratio of 0.75 rather than the permitted 0.6, to facilitate the construction of two multi-residential buildings each containing 20 units. The two existing dwellings are proposed to be demolished.	
<b>6.4</b>	<b>A 2023-028 - 1005 Ottawa Street North, DSD-2023-117</b>	<b>128</b>
	Requesting a minor variance to the Zoning By-law to permit 0 Class A bicycle stalls rather than the required 7 Class A bicycle stalls; and, a landscaped area of 11.4% rather than the required 20%, to facilitate the redevelopment of Stanley Park Mall with a new Canadian Tire store.	

- 6.5 A 2023-029 - 57 Barbara Crescent, DSD-2023-108** 142  
 Requesting a minor variance to the Zoning By-law to permit an Additional Dwelling Unit (ADU) (Detached) on a lot having an area of 344.9sq.m rather than the required 395.0sq.m; and, on a lot having a width of 9.4m rather than the required 13.1m, to facilitate the construction of an Additional Dwelling Unit (ADU) (Detached) in the rear yard of a duplex dwelling.
- 6.6 A 2023-030 - 59 Barbara Crescent, DSD-2023-108** 158  
 Requesting a minor variance to the Zoning By-law to permit an Additional Dwelling Unit (ADU) (Detached) on a lot having an area of 344.9sq.m rather than the required 395.0sq.m; and, on a lot having a width of 9.4m rather than the required 13.1m, to facilitate the construction of an Additional Dwelling Unit (ADU) (Detached) in the rear yard of a duplex dwelling.
- 6.7 A 2023-031 - 299 Newbury Drive, DSD-2023-100** 174  
 Requesting a minor variance to the Zoning By-law to permit a required parking space to be located 2.1m from the street (property) line rather than the required 6.0m, to facilitate the conversion of the existing single detached dwelling into a duplex dwelling.
- 6.8 A 2023-032 - 22 Hebel Place, DSD-2023-102** 189  
 Requesting a minor variance to the Zoning By-law to permit a required parking space to be located 0.5m from the street (property) line rather than the required 6.0m, to facilitate the conversion of the existing semi-detached dwelling into a semi-detached duplex dwelling.
- 6.9 A 2023-033 - 364 Wellington Street North, DSD-2023-138** 202  
 Requesting a minor variance to the Zoning By-law to permit a triplex on a lot having a width of 12.1m rather than the required 13.1m; and, to permit the driveway to be comprised of concrete and grass rather than material that is consistent throughout the driveway, and material distinguishable from all other ground cover or surfacing including landscaping or walkways, to facilitate the conversion of a single detached dwelling into a triplex.
- 6.10 A 2023-034 - 106 Chandler Drive, DSD-2023-115** 222  
 Requesting a minor variance to the Zoning By-law to permit a lot width of 16.15m rather than the required 19.0m; and, a front yard setback of 5.6m rather than the required 8.63m, to facilitate the addition of 3 dwelling units to the existing 3-unit multiple dwelling, having a total of 6 dwelling units.

- 6.11 A 2023-035 - 12 Orchard Mill Crescent, DSD-2023-103** 238  
 Requesting a minor variance to the Zoning By-law to permit a required parking space to be located 2.4m from the street (property) line rather than the required 6.0m, to facilitate the conversion of the existing single detached dwelling into a duplex dwelling.
- 6.12 A 2023-036 - 183 Ottawa Street South, DSD-2023-106** 253  
 Requesting a minor variance to the Zoning By-law to permit an 8-unit multiple unit dwelling to have a parking requirement of 0 rather than the required 10 parking spaces and to permit 0 visitor parking spaces rather than the required 2 parking spaces.
- 6.13 B 2023-007 - 60 Third Avenue, DSD-2023-118** 267  
 Requesting consent to sever a parcel of land having a width of 9.6m, a depth of 40.0m, an area of 384.2sq.m.. The retained land will have a width of 9.6m, a depth of 40.0m, and an area of 384.5sq.m. Both parcels will continue to be a residential use, the retained land with the existing detached dwelling, the severed land is proposed for a residential duplex dwelling.
- 6.14 B 2023-008 to 009 - 241-243 Victoria Street South, DSD-2023-126** 296  
 Requesting consent to sever a parcel of land having a width of 9.4m along Victoria Street South, a depth of 41.4m, an area of 389.3sq.m to be conveyed as a lot addition to the adjacent property municipally addressed as 239 Victoria Street South. Consent is also requested to create an easement on the retained lands, having a width of 13.1m along Victoria Street South, a depth of 41.4m, an area of 545.2sq.m and will provide access to the adjacent property municipally addressed as 239 Victoria Street South.
- 6.15 B 2023-012 - 160 Weber Street West, DSD-2023-081** 330  
 Requesting consent to sever a parcel of land having a width of 9.4m, a southerly depth of 41.3m, an area of 366sq.m. The retained land will have a width of 9.4m, a northerly depth of 27.9m and, an area of 295sq.m. Both parcels are intended to be constructed with detached dwellings.
- 6.16 B 2023-010 & A 2023-037 - 709 Glasgow Street, DSD-2023-107** 355  
 Requesting consent to sever a parcel of land having a width of 20.0m, a depth of 126.0m, and an area of 2,581.0sq.m. The retained land will have a width of 26.0m, a depth of 125.0m, and an area of 4,043sq.m. In addition, a minor variance to the Zoning By-law is requested, to permit a width of 20.0m rather than the required 24.0m, to facilitate the creation of a lot for the proposed single detached dwelling. Both parcels will continue to be a residential use, the retained land with the existing detached dwelling, the severed land is proposed for a new residential dwelling.

- 6.17 B 2023-011 & A 2023-038 - 131 St. George Street , DSD-2023-099** 418
- Requesting consent to sever a parcel of land having a width of 11.0m along St. George Street, a depth of 23.7m, and an area of 263.6sq.m. The retained parcel will have a width of 12.8m along Cedar Street, a depth of 21.9m, an area of 280.9sq.m and will contain the existing single detached dwelling municipally addressed as 131 St. George Street. In addition, a minor variance to the Zoning By-law is requested, to permit the existing dwelling to have a rear yard setback of 6.3m rather than the required 7.5m.
- 6.18 B 2023-013 to 015 & A 2023-039 - 137 Queen Street South, DSD-2023-123** 450
- Requesting consent to sever a parcel of land having a width of 16.3m along Queen Street South, a depth of 27.0m and an area of 440.6sq.m and will contain an existing dwelling municipally addressed as 149 Queen Street South (B 2023-013 - Parcel B on the application). Consent is also requested to sever an irregular shaped parcel of land having a width of 7.4m along Queen Street South, an approximate depth of 60.0m, an area of 1,663.5sq.m and is proposed for an affordable housing development (B 2023-014 - Parcel C on the application). The retained parcel (Parcel A on the application) will have a width of 29.4m along Queen Street South, a depth of 47.0m and an area of 1,935.9sq.m and will contain an existing building, St. Paul's Church, municipally addressed as 137 Queen Street South. Consent is also requested to create two easements over the severed lands (Parcel B) for parking and access; Easement 1 at the rear of the property is in favour of 137 Queen Street South and will have a width of 12.0m, a length of 36.7m and an area of 440sq.m; Easement 2 at the front of the property is in favour of 137 and 149 Queen Street South having a width 7.5m on Queen Street South, a length of 27.0m and an area of 203 sq.m. Consent is also requested to create an easement on the retained land, Easement 3 in favour of Parcel C having a width of 3.2m, a length of 24.4m and an area of 78.0sq.m, for parking and access. Lastly, a minor variance to the Zoning By-law is being requested to provide 0 parking spaces rather than the required 37 parking spaces, to facilitate the severance of lands for an affordable housing development on Parcel C.

## **7. ADJOURNMENT**

## 8. PLANNING ACT INFORMATION

- Additional information is available at the Legislated Services Department, 2nd Floor, City Hall, 200 King Street West, Kitchener (519-741-2203).
- 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](http://www.kitchener.ca) 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](mailto: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, City Hall, 200 King St. W., Kitchener ON, N2G 4G7.

The Notice of Hearing for this meeting was published in the Record on the 3rd day of March, 2023.

Marilyn Mills  
Secretary-Treasurer  
Committee of Adjustment