

**From:** [Johnston, Jeremiah \(MTO\)](#)  
**To:** [Committee of Adjustment \(SM\)](#)  
**Cc:** [Alison Fox; McIver, Maureen \(MTO\)](#)  
**Subject:** RE: ACTION REQUIRED - Committee of Adjustment Application Review - March 21, 2023 Meeting (A 2023-034 - 106 Chandler Drive)  
**Date:** Tuesday, February 28, 2023 7:47:21 AM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)  
[image006.png](#)  
[image007.png](#)  
[image008.png](#)  
[image009.png](#)  
[A 2023-034 - 106 Chandler Drive.pdf](#)

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Good morning Alison,

The Ministry of Transportation (MTO) has completed a cursory review of the documents received February 24<sup>th</sup> 2023 for site located at 106 Chandler Drive. The site has been considered in accordance with the *Public Transportation and Highway Improvement Act* (PTHIA), MTO's Highway Corridor Management Manual (HCMM) and all related guidelines and policies. MTO has no specific requirement for the Minor Variance (to permit a minimum lot width of 16.15 metres instead of the required 19.0 metres, and a minimum front yard setback of 5.6 metres rather than the required minimum front yard setback of 8.63 metres), however the following outlines our comments:

The site is along Highway 7, a ***Class 1A - Freeway*** and is designated as a ***Controlled Access Highway*** (CAH). As such, all requirements, guidelines and best practices in accordance with this classification and designation shall apply;

The owner should be aware that the property falls within MTO's Permit Control Area (PCA), and as such, MTO Permits are required before any demolition, grading, construction or alteration to the site commences. In accordance with the Ontario Building Code, municipal permits may not be issued until such time as all other applicable requirements (i.e.: MTO permits/approvals) are satisfied. As a condition of MTO permit(s) MTO will require the following for review approval;

### **Building and Land Use Permit**

MTO Building and Land Use Permit(s) will be required. As a condition of MTO permits, the following shall be provided:

- The Proponent shall submit an acceptable Site Plan, and Drainage Plan for MTO review and approval. These plans shall clearly identify all structures/works (existing and proposed).
- The required setback for this Highway is 14m. The existing parking lot shall is setback approximately 8m from the Highway property limit.
- MTO will permit a reduced setback in this instance, however, a condition of the permit will be:

The removal of parking within the 8m setback will be at the owners

expense if future expansion by MTO is required.

- MTO requires any other structure or element integral to the site to be set back a minimum of 8m from the property line.
- The parking lot set back must be clearly identified on the drawings submitted to MTO for the permit application.

Thank you,

Jeremiah Johnston Corridor Management Planner  
Corridor Management Section  
Ministry of Transportation Operations Branch West  
659 Exeter Road, London, ON N6E 1L3  
M: (226)-980-6407

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**From:** Johnston, Jeremiah (MTO)  
**Sent:** February 27, 2023 3:51 PM  
**To:** CofA@kitchener.ca  
**Cc:** Alison.Fox@kitchener.ca  
**Subject:** RE: ACTION REQUIRED - Committee of Adjustment Application Review - March 21, 2023 Meeting

Hello,

A 2023-024 - 271 Hartwood Avenue

The Ministry of Transportation (MTO) has no requirement for this application. The subject property is located beyond MTO limits of permit control and therefore MTO review, acceptance and permits will not be required.

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A 2023-025 - 273 Hartwood Avenue

The Ministry of Transportation (MTO) has no requirement for this application. The subject property is located beyond MTO limits of permit control and therefore MTO review, acceptance and permits will not be required.

A 2023-026 - 74 Boehmer Street

The Ministry of Transportation (MTO) has no requirement for this application. The subject property is located beyond MTO limits of permit control and therefore MTO review, acceptance and permits will not be required.

A 2023-027 - 289-295 Sheldon Avenue North

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Comments provided by a separate email.

A 2023-028 - 1005 Ottawa Street North

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The Ministry of Transportation (MTO) has no requirement for this application. The subject property is located beyond MTO limits of permit control and therefore MTO review, acceptance and permits will not be required.

A 2023-029 - 57 Barbara Crescent

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The Ministry of Transportation (MTO) has no requirement for this application. The subject property is located beyond MTO limits of permit control and therefore MTO review, acceptance and permits will not be required.

A 2023-030 - 59 Barbara Crescent

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The Ministry of Transportation (MTO) has no requirement for this application. The subject property is located beyond MTO limits of permit control and therefore MTO review, acceptance and permits will not be required.

A 2023-031 - 299 Newbury Drive

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The Ministry of Transportation (MTO) has no requirement for this application. The subject property is located beyond MTO limits of permit control and therefore MTO review, acceptance and permits will not be required.

A 2023-032 - 22 Hebel Place

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The Ministry of Transportation (MTO) has no requirement for this application. The subject property is located beyond MTO limits of permit control and therefore MTO review, acceptance and permits will not be required.

A 2023-033 - 364 Wellington Street North

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The Ministry of Transportation (MTO) has no requirement for this application. The subject property is located beyond MTO limits of permit control and therefore MTO review, acceptance and permits will not be required.

A 2023-034 - 106 Chandler Drive

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**Comments will be provided by a separate email.**

A 2023-035 - 12 Orchard Mill Crescent

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The Ministry of Transportation (MTO) has no requirement for this application. The subject property is located beyond MTO limits of permit control and therefore MTO review, acceptance and permits will not be required.

A 2023-036 - 183 Ottawa Street South

The Ministry of Transportation (MTO) has no requirement for this application. The subject property is located beyond MTO limits of permit control and therefore MTO review, acceptance and permits will not be required.

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A 2023-037 - 709 Glasgow Street

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The Ministry of Transportation (MTO) has no requirement for this application. The subject property is located beyond MTO limits of permit control and therefore MTO review, acceptance and permits will not be required.

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A 2023-038 - 131 St George Street

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The Ministry of Transportation (MTO) has no requirement for this application. The subject property is located beyond MTO limits of permit control and therefore MTO review, acceptance and permits will not be required.

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A 2023- 013, 014, 015 & 039 - 137 Queen Street South

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The Ministry of Transportation (MTO) has no requirement for this application. The subject property is located beyond MTO limits of permit control and therefore MTO review, acceptance and permits will not be required.

B 2022-057 - 193 Louisa Street

The Ministry of Transportation (MTO) has no requirement for this application. The subject property is located beyond MTO limits of permit control and therefore MTO review, acceptance and permits will not be required.

B 2023-007 - 60 Third Avenue

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The Ministry of Transportation (MTO) has no requirement for this application. The subject property does fall within the MTO permit control, however given the proposed scope of work and separation from the highway network, MTO review, approval and permits will not be required.

B 2023-008 - 241-243 Victoria

The Ministry of Transportation (MTO) has no requirement for this application. The subject property is located beyond MTO limits of permit control and therefore MTO review, acceptance and permits will not be required.

B 2023-009 - 241-243 Victoria

The Ministry of Transportation (MTO) has no requirement for this application. The subject property is located beyond MTO limits of permit control and therefore MTO review, acceptance and permits will not be required.

B 2023-010 - 709 Glasgow Street

The Ministry of Transportation (MTO) has no requirement for this application. The subject property is located beyond MTO limits of permit control and therefore MTO review, acceptance and permits will not be required.

B 2023-011 - 131 St George Street

The Ministry of Transportation (MTO) has no requirement for this application. The subject property is located beyond MTO limits of permit control and therefore MTO review, acceptance and permits will not be required.

B 2023-012 - 160 Weber Street West

The Ministry of Transportation (MTO) has no requirement for this application. The subject property is located beyond MTO limits of permit control and therefore MTO review, acceptance and permits will not be required.

If there are any questions about the above please direct them to me by email.

Thank you,

Jeremiah Johnston Corridor Management Planner  
Corridor Management Section  
Ministry of Transportation Operations Branch West  
659 Exeter Road, London, ON N6E 1L3  
M: (226)-980-6407

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**From:** Committee of Adjustment (SM) <[CommitteeofAdjustment@kitchener.ca](mailto:CommitteeofAdjustment@kitchener.ca)>

**Sent:** February 24, 2023 3:57 PM

**Subject:** ACTION REQUIRED - Committee of Adjustment Application Review - March 21, 2023 Meeting

**CAUTION -- EXTERNAL E-MAIL - Do not click links or open attachments unless you recognize the sender.**

Hello,

Please be advised the applications for the City of Kitchener Committee of Adjustment meeting scheduled for Tuesday, March 21, 2023, have been loaded and circulated through Sharefile. You should have already received the necessary link.

If you wish to make comments, provide advice, or request the imposition of any conditions on any of these applications, please provide the Committee with a written report.

**Please note: If you have comments, your written report must now be sent to**

[CofA@kitchener.ca](mailto:CofA@kitchener.ca) no later than **12 noon on Monday, March 6, 2023.**

If you have no comments for the Committee's consideration, you do not need to respond to this email.

Best,

**Alison Fox** (she/her)

Administrative Clerk | Legislated Services | City of Kitchener

519-741-2200 ext. 7594 | TTY 1-866-969-9994 | [cofa@kitchener.ca](mailto:cofa@kitchener.ca)

