

Staff Report



Development Services Department

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REPORT TO: Committee of Adjustment

DATE OF MEETING: July 18, 2023

SUBMITTED BY: Tina Malone-Wright, Interim Manager, Development Review
519-741-2200 ext. 7765

PREPARED BY: Tara Zhang, Planner, 519-741-2200 ext. 7760

WARD(S) INVOLVED: Ward 1

DATE OF REPORT: July 5, 2023

REPORT NO.: DSD-2023-311

SUBJECT: Minor Variance Application A2023-082 – 685 Frederick Street

RECOMMENDATION:

That Minor Variance Application A2023-082 for 685 Frederick Street requesting relief from Section 4.12.3.1 a) a. of Zoning By-law 2019-051, to permit the principal dwelling to have a side yard setback of 1 metre instead of the minimum required side yard setback of 1.2 metres to facilitate the development of an Additional Dwelling Unit (ADU) (Detached) in the rear yard, **BE APPROVED.**

REPORT HIGHLIGHTS:

- The purpose of this report is to review a minor variance to permit the construction of an Additional Dwelling Unit (Detached) in the rear yard.
- There are no financial implications.
- Community engagement included a notice sign being placed on the property advising that a Committee of Adjustment application has been received, notice of the application was mailed to all property owners within 30 metres of the subject property and this report was posted to the City's website with the agenda in advance of the Committee of Adjustment meeting.
- This report supports the delivery of core services.

BACKGROUND:

The subject property is in the Rosemount neighbourhood with the closest intersection at Frederick Street and River Road East. The subject property is identified as 'Community Areas' on Map 2 – Urban Structure and is designated 'Low Rise Residential' on Map 3 – Land Use in the City's 2014 Official Plan. The property is zoned 'Low Rise Residential Two Zone (RES-2)' in Zoning By-law 2019-051.

City staff has conducted a site visit on June 30th, 2023.

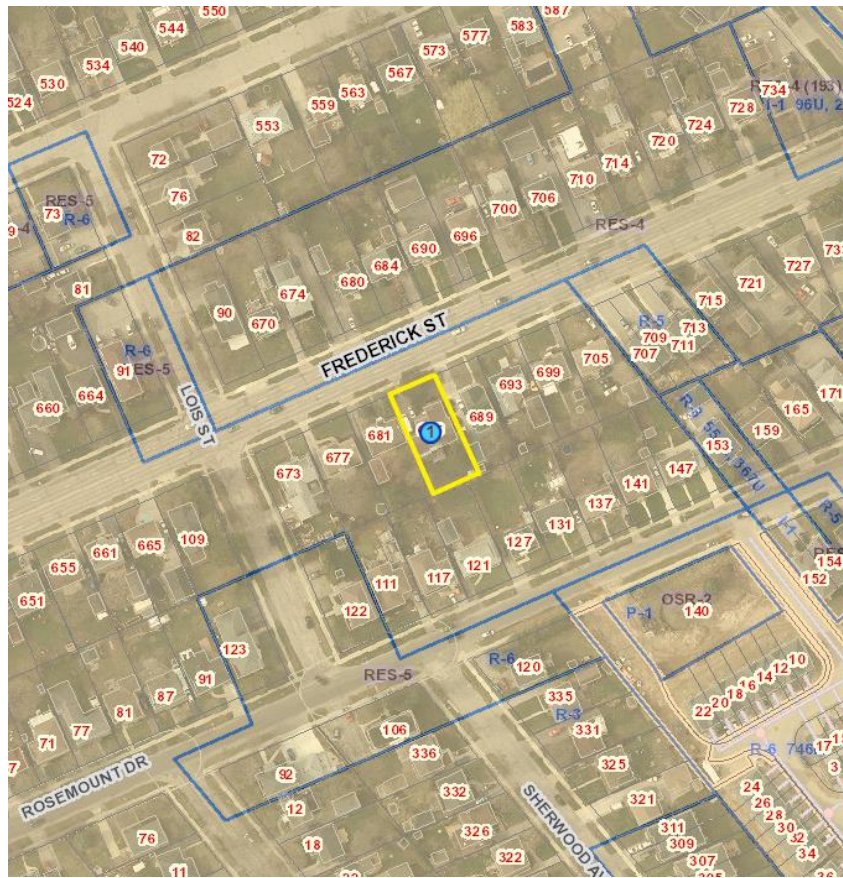


Figure 1: Map location of 385 Frederick St



Figure 2: Front view of the property during site visit

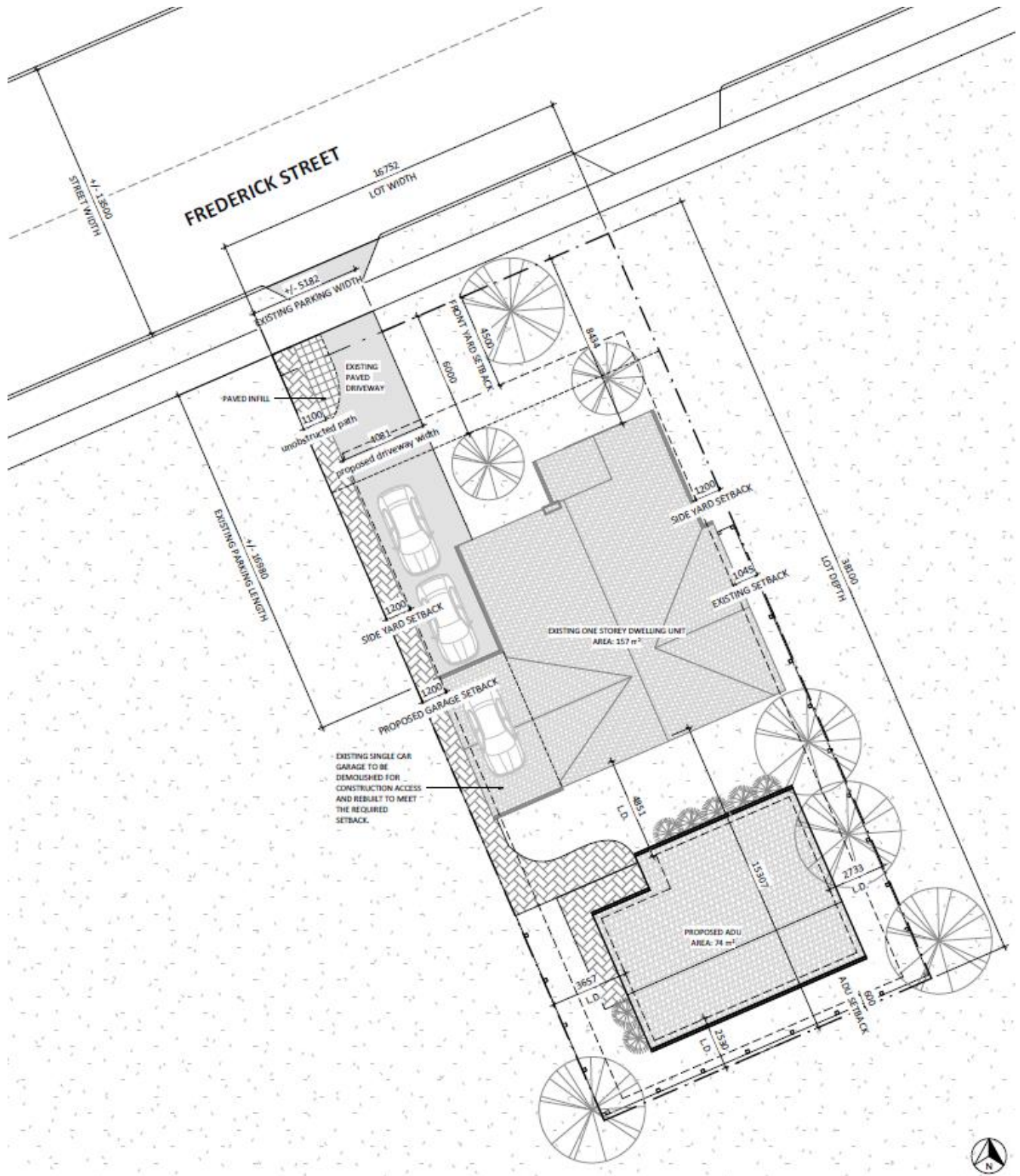


Figure 3: Proposed site plan

REPORT:

Planning Comments:

In considering the four tests for the minor variances as outlined in Section 45(1) of the Planning Act, R.S.O, 1990 Chap. P 13, as amended, Planning staff offers the following comments:

General Intent of the Official Plan

Staff is of the opinion that the requested variance to recognize the principal dwelling's existing side yard setback meets general intent of the Official Plan. The subject property is designated 'Low Rise Residential' in the City's Official Plan. The intent of this designation is to emphasize the compatibility of building form with respect to massing, scale and design in order to support the successful integration of different building types. It also places emphasis on the relationship of buildings to adjacent properties, streets, and exterior areas.

General Intent of the Zoning By-law

The general intent of the principal dwelling's 1.2 metre side yard setback is to provide adequate space for emergency access to the rear yard. The proposed site plan demonstrates that the 1.1 metre minimum walkway will be located on the West side of the property, providing an unobstructed walkway leading to the entrance of the Additional Dwelling Unit. Staff is of the opinion that the proposed Additional Dwelling Unit (Detached) meets the general intent of the Zoning By-law.

Is/Are the Effects of the Variance(s) Minor?

Staff is of the opinion that the requested variance is minor as the principal dwelling is already existing, no changes will be conducted on the East side of the building.

Is/Are the Variance(s) Desirable For The Appropriate Development or Use of the Land, Building and/or Structure?

Staff is of the opinion that the requested variance is appropriate for the development of the land as it is an existing dwelling unit with no exterior changes. The proposed Additional Dwelling Unit (Detached) meets all zoning regulations and promotes a gentle intensification in the neighbourhood without any impacts to neighbouring properties.

Environmental Planning Comments:

No concerns.

Heritage Planning Comments:

No concerns.

Building Division Comments:

The Building Division has no objections to the proposed variance. A Building Permit Application has been made for the detached additional unit and it is currently under review.

Engineering Division Comments:

No comment.

Parks/Operations Division Comments:

No concerns, no comments.

Transportation Planning Comments:

Transportation Services have no concerns with the proposed application. As a cautionary note, while tandem parking is permitted, triple tandem parking may become problematic at times for residents.

STRATEGIC PLAN ALIGNMENT:

This report supports the delivery of core services.

FINANCIAL IMPLICATIONS:

Capital Budget – The recommendation has no impact on the Capital Budget.

Operating Budget – The recommendation has no impact on the Operating Budget.

COMMUNITY ENGAGEMENT:

INFORM – This report has been posted to the City's website with the agenda in advance of the Committee of Adjustment meeting. A notice sign was placed on the property advising that a Committee of Adjustment application has been received. The sign advises interested parties to find additional information on the City's website or by emailing the Planning Division. A notice of the application was mailed to all property owners within 30 metres of the subject property.

PREVIOUS REPORTS/AUTHORITIES:

- *Planning Act*
- *Provincial Policy Statement (PPS 2020)*
- *A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020*
- *Regional Official Plan*
- *Official Plan (2014)*
- *Zoning By-law 2019-051*