

**REPORT TO:** Committee of Adjustment

**DATE OF MEETING:** October 17<sup>th</sup>, 2023

**SUBMITTED BY:** Tina Malone-Wright, Supervisor, Development Applications  
519-741-2200 ext. 7765

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

**WARD(S) INVOLVED:** Ward 3

**DATE OF REPORT:** October 3<sup>rd</sup>, 2023

**REPORT NO.:** DSD-2023-450

**SUBJECT:** Minor Variance Application A2023-116 – 267 Traynor Avenue

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## RECOMMENDATION:

That Minor Variance Application A2023-116 for 267 Traynor Avenue requesting relief from Section 6.1.2 a) of Zoning By-law 85-1, to permit a parking requirement of 1.38 parking spaces per dwelling unit (25 parking spaces) instead of the minimum required 1.75 parking spaces per dwelling unit (32 parking spaces) to facilitate an additional dwelling unit within an existing 17-unit multiple dwelling for a total of 18 dwelling units, in accordance with Site Plan Application SP23/031/T/TZ, BE APPROVED.

## REPORT HIGHLIGHTS:

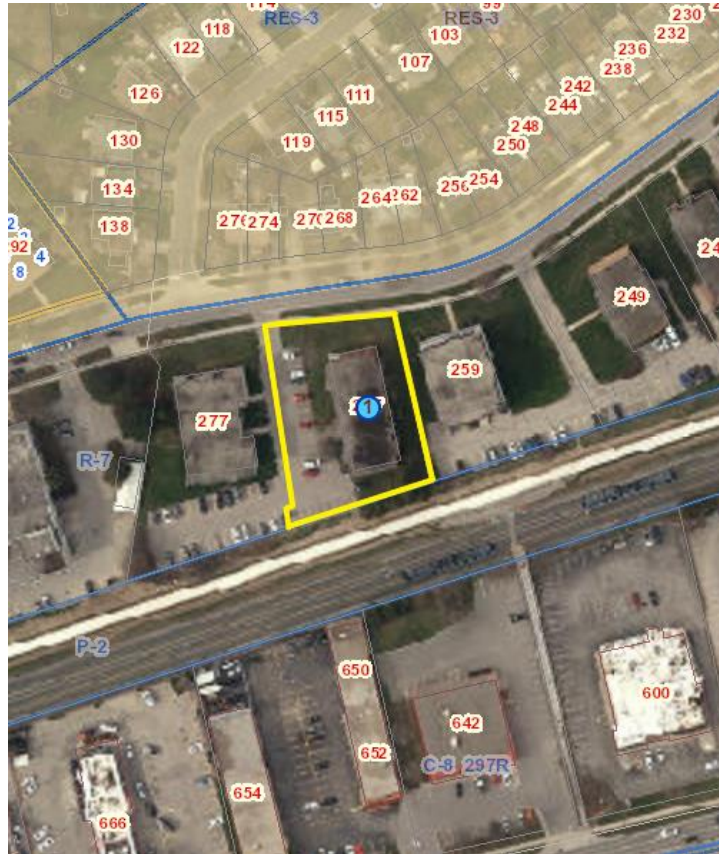
- The purpose of this report is to review and provide a recommendation for the requested minor variance application for 267 Traynor Avenue.
- There are no financial implications.
- Community engagement included a notice sign being placed on the property advising that a Committee of Adjustment application 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 located in the Vanier neighbourhood, North of the ION line and the closest intersection at Traynor Avenue and Wilson Ave. The subject property is identified as 'Major Transit Station Area' on Map 2 – Urban Structure and is designated 'Medium Rise Residential' on Map 3 – Land Use in the City's 2014 Official Plan. The property is zoned 'Residential Seven Zone (R-7)' in Zoning By-law 85-1.

Staff can confirm that there is a shared agreement of the driveway access between 277 and 267 Traynor Avenue.

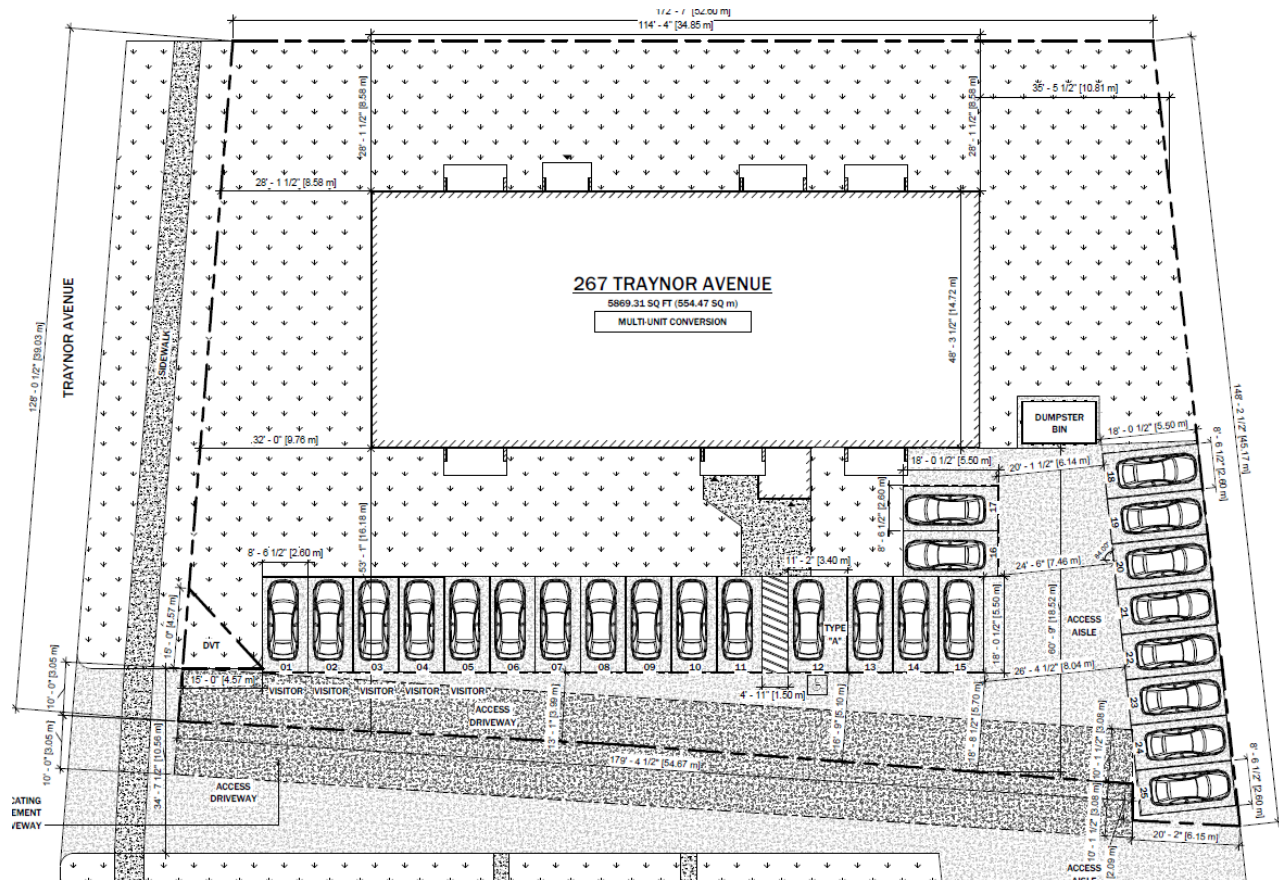
City staff has conducted a site visit on September 29<sup>th</sup>, 2023.



**Figure 1: Aerial view of the subject property**



**Figure 2: Front view of the subject property**



**Figure 3: Site plan for conditional approval**

## 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

The subject property is identified as 'Major Transit Station Area' on Map 2 – Urban Structure, and 'Medium Rise Residential' on Map 3 – Land Use in the City's 2014 Official Plan.

Lands identified as 'Major Transit Station Areas' represent an area of a ten-minute walking radius centered around the location of Rapid Transit Station Stops. They are planned to support transit and rapid transit infrastructure by:

- accommodating growth through development,
- providing connectivity of various modes of transportation to the transit system,
- achieving a mix of residential, office, institutional and commercial development, and
- having pedestrian-friendly and transit-oriented built form.

Lands designed as 'Medium Rise Residential' are intended accommodate a range of medium density housing types including multiple dwellings. The proposed variance

confirms to the designation, and staff is of the opinion that the requested parking reduction variance meets the general intent of the Official Plan.

#### General Intent of the Zoning By-law

The subject property is zoned 'Residential Seven' (R-7) in Zoning By-law 85-1. This zone permits various residential uses such as Multiple Dwelling, Residential Care Facility, Semi-Detached Duplex Dwelling. The intent of the parking regulation is to ensure that the residents on site have sufficient parking spaces for travelling. Since the property is located within a Major Transit Station Area (MTSA), residents of 267 Traynor Avenue will have various options for modes of transportation locally and the reduction of parking spaces will still allow minimum 1 parking space per unit. Transportation staff has confirmed that the reduction of parking spaces also meets the intention of the future implementation of Zoning By-law 2019-051. Staff is of the opinion that the reduced parking variance 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 in nature and will not create unacceptably adverse impacts on the subject property itself or on adjacent lands. The variance will create a new unit in the existing building without exterior changes.

#### 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 variance is appropriate for the use of the building. The current building is existing and will provide an additional dwelling unit within an MTSA and near an ION station stop.

#### **Environmental Planning Comments:**

No concerns.

#### **Heritage Planning Comments:**

No concerns.

#### **Building Division Comments:**

The Building Division has no objections to the proposed variance provided building permit for the additional dwelling unit is obtained prior to construction. Please contact the Building Division at [building@kitchener.ca](mailto:building@kitchener.ca) with any questions.

#### **Engineering Division Comments:**

No comments.

#### **Parks/Operations Division Comments:**

Parks and Cemeteries requirements will be addressed through SP23/031/T/TZ

#### **Transportation Planning Comments:**

Transportation Services have no concerns with this application, as the 25 parking spaces being provided meets the intent of Zoning By-law 2019-051 which will be applied in the future.

## **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 85-1*