

Staff Report



Development Services Department

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REPORT TO: Committee of Adjustment

DATE OF MEETING: August 20, 2024

SUBMITTED BY: Tina Malone-Wright, Manager, Development Approvals
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PREPARED BY: Eric Schneider, Senior Planner, 519-741-2200 ext. 7843

WARD(S) INVOLVED: Ward 9

DATE OF REPORT: August 7, 2024

REPORT NO.: DSD-2024-362

SUBJECT: Minor Variance Application A2024-058 – 175 Hoffman Street

RECOMMENDATION:

That Minor Variance Application A2024-058 for 175 Hoffman Street requesting relief from Section 5.6, Table 5-5, of Zoning By-law 2019-051 to permit 9 parking spaces (0.85 parking spaces per dwelling unit) instead of the minimum required 14 parking spaces (1 parking spaces per dwelling unit) to facilitate the conversion the existing 8-unit multiple dwelling to a 14-unit multiple dwelling in accordance with Conditionally Approved Site Plan Application SP24/009/H/ES, **BE APPROVED.**

REPORT HIGHLIGHTS:

- The purpose of this report is to review a minor variance application to facilitate the redevelopment of a vacant multiple dwelling building by adding 6 units for a total of 14 dwelling units.
- The key finding of this report is that the requested variance meets the 4 tests of the Planning Act.
- 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 on the south side of Hoffman Street between Southdale Avenue and Kehl Street. The subject lands are adjacent to Queen Elizabeth Public School.



Figure 1: Location Map

The subject property is identified as a 'Community Area' 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 Five Zone (RES-5)' in Zoning By-law 2019-051.

The purpose of the application is to facilitate the redevelopment of the lands by adding 6 dwelling units to a multiple dwelling building that currently contains 8 dwelling units, to create a total of 14 dwelling units on site. The existing building is currently vacant. The applicant proposes to redesign the interior of the existing building to add the units, no new Gross Floor Area (GFA) is proposed.

Site Plan Application SP24/009/H/ES received 'Conditional Approval' on April 16, 2024.



Figure 2: View of Existing Vacant Multiple Dwelling Building (August 1, 2024)



Figure 3: View from Hoffman Street (August 1, 2024)



Figure 4: View of Existing Rear Parking Area (August 1, 2024)

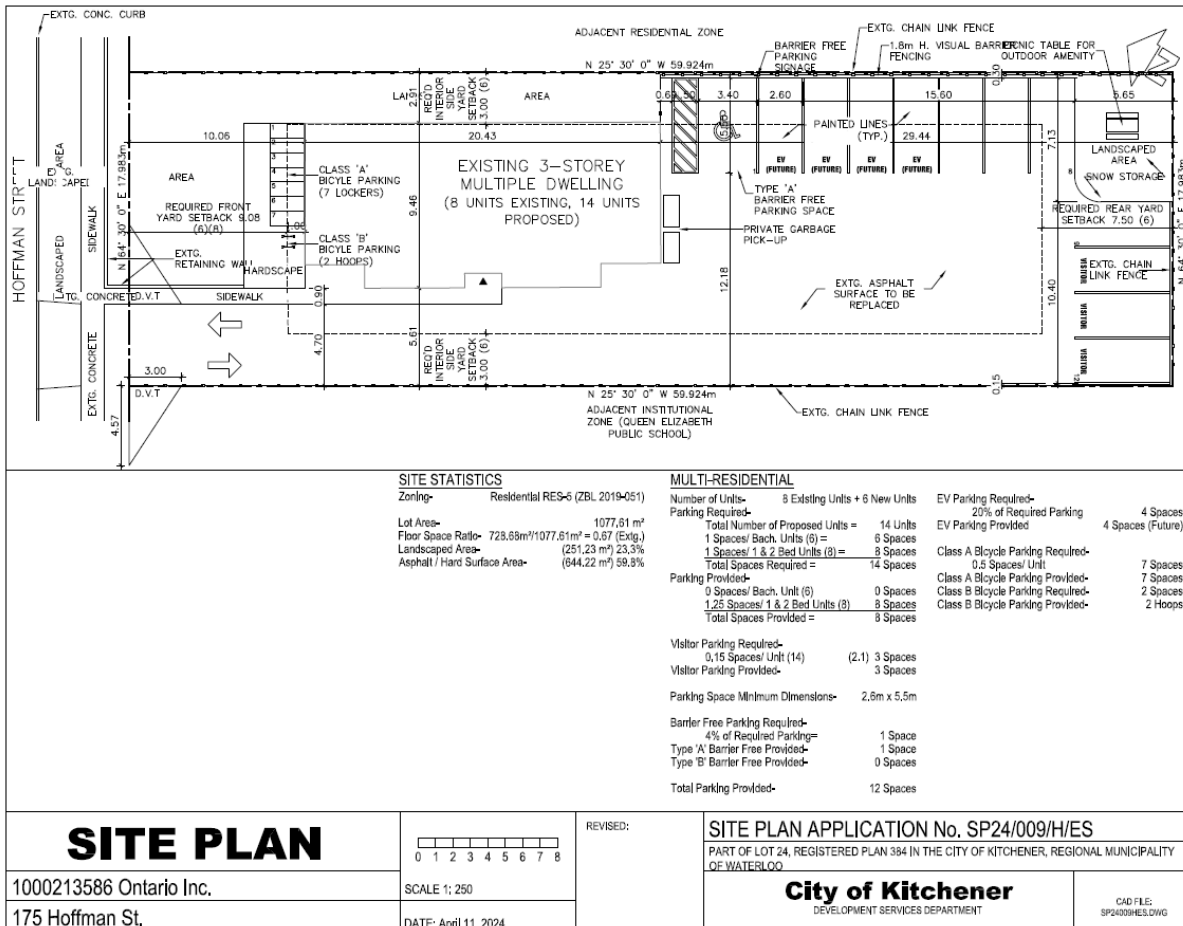


Figure 5: Conditionally Approved Site Plan SP24/009/H/ES

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 intent of the Low Rise Residential land use designation is to accommodate a full range of low density housing types, including the proposed multiple dwelling use. The Low Rise Residential designation encourages the mixing and integrating of different forms of housing to achieve and maintain a low rise built form. The requested variance to facilitate the redevelopment of the site by adding additional dwelling units maintains a low-rise form of development, while the use of multiple dwelling is permitted and would remain as the use on site. Planning Staff are of the opinion that the proposed development meets the general intent of the Official Plan.

General Intent of the Zoning By-law

The intent of the regulation that requires 1 parking space per unit is to ensure that there is adequate storage for motor vehicles on site.

While parking demands can fluctuate based on unit types, the Zoning By-law does not differentiate between a bachelor sized unit and larger family sized units (2-3 bedroom) in terms of minimum required parking per unit. The applicant is proposing to offer bachelor sized units with no parking space provided (6 bachelor units) and provide one parking space for each of the 1 and 2 bedroom units (8 units), plus one barrier-free space. This represents “unbundled” parking, in which parking is not included with each unit. Each potential lease of a bachelor unit would be aware that there is no parking provided with the unit.

To support and encourage alternative modes of transportation including active transportation, secure bicycle parking is provided (7 Class A spaces) in accordance with the Zoning By-law. In regard to public transit, the subject lands are well served by GRT routes 3 and 16 and are located a 10 minute walk from the Mill Street LRT station. In the opinion of Planning Staff, the proposed provided parking of 9 resident spaces and 3 visitor spaces for a total of 12 parking spaces is adequate for a 14-unit multiple dwelling on the subject lands with the provision of unbundled parking, and therefore meets the general intent of the Zoning By-law.

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

Staff are of the opinion that the effects of the requested variance are minor, as the proposed development would provide a balance of options for parking for larger units, and alternative transportation modes are provided and supported in the site location and design.

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

The lands are located just outside of a Major Transit Station Area and are well connected to bus transit and active transportation routes. The requested variance for reduction in vehicle parking is desirable and appropriate for the development of the lands.

Environmental Planning Comments:

Tree Management will be addressed via Site Plan Application SP24/009/H/ES.

Heritage Planning Comments:

There are no heritage concerns with the proposed variances. It should be noted the subject lands are adjacent to 191 Hoffman Street, which is part of the Heritage Kitchener inventory.

Building Division Comments:

The Building Division has no objections to the proposed variance. A Building Permit Application has been made for 6 additional units to the existing apartment building.

Engineering Division Comments:

No concerns.

Parks/Operations Division Comments:

Park Dedication fees and Tree Protection requirements will be addressed through SP24/009/H/ES.

Transportation Planning Comments:

Transportation Services recommends that the vehicle parking for tenants be unbundled from the cost of a unit. This is more equitable for a tenant, as they do not pay for a parking space that they do not have.

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*

ATTACHMENTS:

Attachment A – Conditionally Approved Site Plan SP24/009/H/ES