

Staff Report



Development Services Department

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REPORT TO: Committee of Adjustment

DATE OF MEETING: September 17, 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 6

DATE OF REPORT: September 4, 2024

REPORT NO.: DSD-2024-414

SUBJECT: Minor Variance Application A2024-068 – 22 Woodfern Court

RECOMMENDATION:

That Minor Variance Application A2024-068 for 22 Woodfern Court requesting relief from Section 5.6 a), Table 5-5, of Zoning By-law 2019-051 to permit a reduction in the number of required parking spaces from 34 to 20 parking spaces for 34 dwelling units and a reduction in the number of required visitor spaces from 6 to 3 visitor parking spaces to facilitate the conversion of the existing 17-unit apartment building into a combination of 34 new one-bedroom and studio dwelling units, in accordance with Site Plan Application SP24/052/W/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 17 units for a total of 34 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 east side of Woodfern Court. The site directly abuts the Grand River Transit Operations Centre located at 250 Strasburg Drive and there is an

existing noise wall on the abutting property line. The site also abuts City Neighbourhood Park Elmsdale Park at 13 Elmsdale Drive.



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 17 dwelling units to a multiple dwelling building that previously contained 17 dwelling units, to create a total of 34 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 SP24/052/W/ES is currently under review.



Figure 2: View of Existing Vacant Multiple Dwelling Building from Woodfern Court (September 3, 2024)



Figure 3: View of Existing Parking Area and Noise Wall (September 3, 2024)



**Figure 4: View of Rear of Existing Building
(September 3, 2024)**

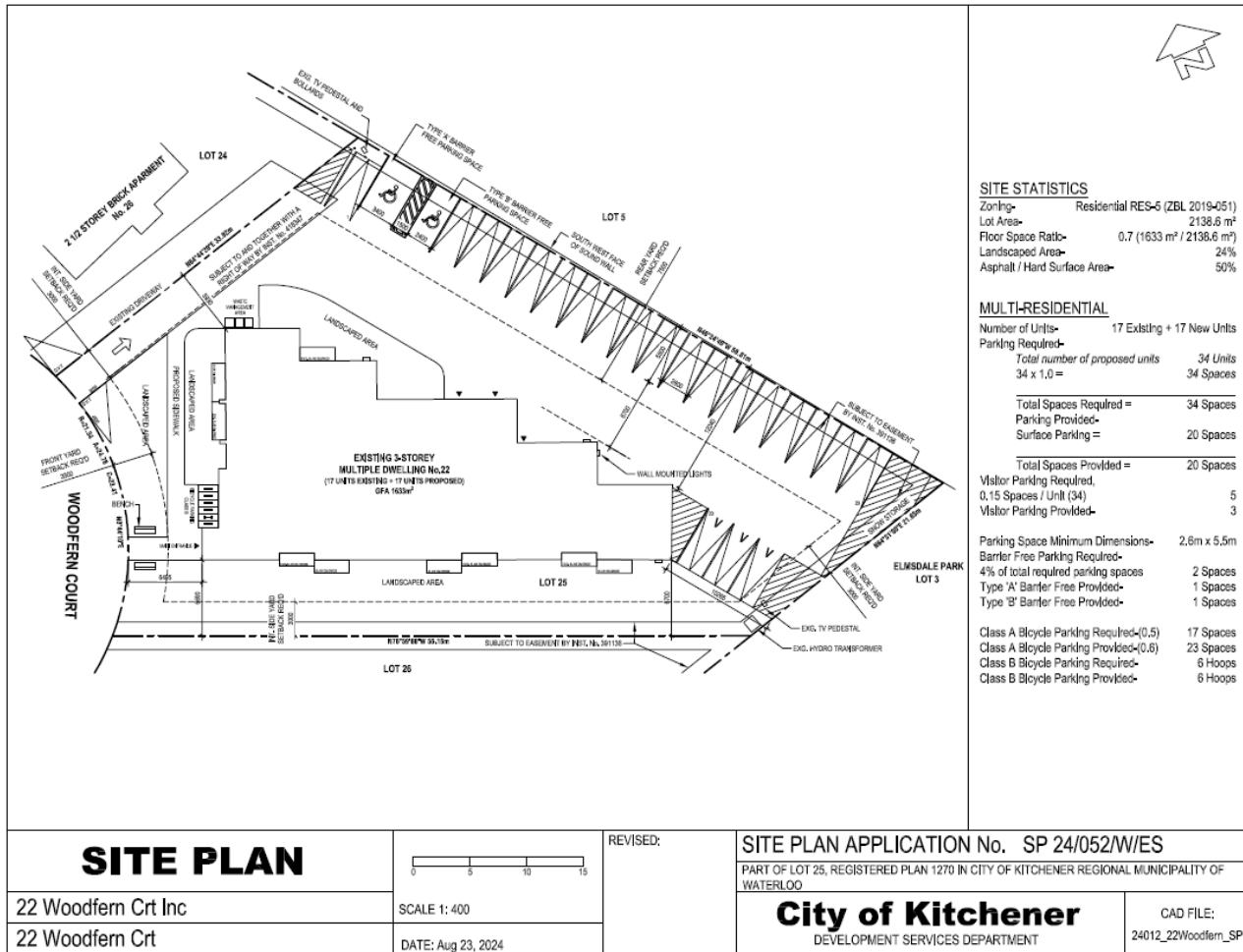


Figure 5: Site Plan SP24/052/W/ES

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, and 0.15 visitor parking spaces 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 studio or one-bedroom sized unit and larger family sized units (2-3 bedroom) in terms of minimum required parking per dwelling unit. The applicant is proposing to offer studio and one-bedroom units as part of this development, which typically carry a lesser parking demand and are more likely to be one person households.

To support and encourage alternative modes of transportation including active transportation, secure bicycle parking is provided (23 Class A spaces) in excess of the minimum required by the Zoning By-law (17 Class A spaces). In regards to public transit, the subject lands are well served by GRT routes 3 and 16, and iXpress 205. In the opinion of Planning Staff, the proposed provided parking of 20 resident spaces and 3 visitor spaces for a total of 23 parking spaces is adequate for a 34-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 some 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 close to commercial amenities and are well connected to bus transit and active transportation routes. Accordingly, the requested variance for reduction in vehicle parking is desirable and appropriate for the development of the lands with 34 dwelling units and will support the City's Housing Pledge.

Environmental Planning Comments:

No natural heritage features/functions on/adjacent to property. Compliance with Tree Management Policy is addressed through Site Plan Application SP24/052/W/ES.

Heritage Planning Comments:

No Heritage comments or concerns.

Building Division Comments:

The Building Division has no objections to the proposed variance provided a building permit for the additional units being added to the existing apartment is obtained prior to construction. Please contact the Building Division at building@kitchener.ca with any questions.

Engineering Division Comments:

No concerns.

Parks/Operations Division Comments:

All Parks requirements will be addressed through the Site Plan Application SP24/052/W/ES.

Transportation Planning Comments:

Transportation Services reviewed the parking study that was submitted Paradigm Transportation Solutions Limited and provided our comments in July 2024 as part of the Stamp Plan 'A' Site Plan Application process. Transportation Services supported the 22 parking spaces of which 3 are allocated for visitor parking.

Transportation Services recommends that the vehicle parking be unbundled and offered at a separate cost to leasing or owning a unit. This approach is more equitable and effective as tenants are not forced to pay for parking that they do not need.

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 – Site Plan