

# Staff Report



Development Services Department

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**REPORT TO:** Committee of Adjustment

**DATE OF MEETING:** October 15, 2024

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

**PREPARED BY:** Ben Suchomel, Student Planner, 519-741-2200 ext. 7074

**WARD(S) INVOLVED:** Ward 5

**DATE OF REPORT:** September 30, 2024

**REPORT NO.:** DSD-2024-438

**SUBJECT:** Minor Variance Application A2024-086 – 1295 Bleams Road

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## RECOMMENDATION:

That Minor Variance Application A2024-086 for 1295 Bleams Road, requesting relief from Special Regulation Provision 740R of Zoning By-law 85-1, to permit a maximum front yard setback of 11.8 metres instead of the maximum permitted 7.5 metres, to facilitate the development of a 13 storey multiple dwelling, having 202 dwelling units with associated surface/underground parking, in accordance with Conditionally Approved Site Plan Application SP23/015/F/AP, BE APPROVED.

## REPORT HIGHLIGHTS:

- The purpose of this report is to review and recommend the approval of the minor variance to facilitate the development of a 13-storey multiple dwelling having 202 dwelling units on the subject property.
- The key finding of this report is that the minor variance meets the four tests set out within 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 at the southeast corner of Bleams Road and Fischer Hallman Road. The subject site is currently vacant, as shown in Figure 1. It is located within the Rosenberg neighbourhood, which is primarily comprised of commercial uses and residential uses of varying dwelling types.

\*\*\* This information is available in accessible formats upon request. \*\*\*  
Please call 519-741-2345 or TTY 1-866-969-9994 for assistance.

The subject lands are located north of the main branch of Strasburg Creek and the Strasburg Creek Provincially Significant Wetland Complex (PSW).

Additionally, the Huron Business Park is located to the east and contains a range of uses, including industrial, office, and religious institution.

The subject property is identified as 'Urban Corridor' on Map 2 – Urban Structure of the 2014 Official Plan and is designated 'Mixed Use Two' with Special Policy Area 3 on Map 22e- Land Use Plan in the Rosenberg Secondary Plan (part of the City's 1994 Official Plan).

The property is zoned 'Mixed Use Zone' (MU-2) with Special Regulation and Use Provisions 740R, 743R, 469U) in Zoning By-law 85-1.



**Figure 1: Location Map – 1295 Bleams Road (Outlined in Red)**

It should be noted that the subject property and properties to the south were created through Consent Applications B2020-001 through B2020-004, which also established easements to facilitate future development over the severed parcels for access, servicing, and stormwater purposes.

The purpose of this minor variance application is to facilitate Site Plan Application SP23/015/F/AP to allow for the development of a 13-storey residential building containing 202 dwelling units with a permitted maximum front yard setback of 11.8 metres instead of the maximum permitted 7.5 metres.

Site Plan Application SP23/015/F/AP originally received Conditional Approval on April 6, 2023, and received updates on October 6, 2023, and September 11, 2024, to permit a 13-storey multiple residential building with 202 dwelling units, including associated

landscaped area and one level of underground parking. Additionally, the ground floor is proposed to contain 6 live/work units (see Figures 2-4 and Attachment 'A').

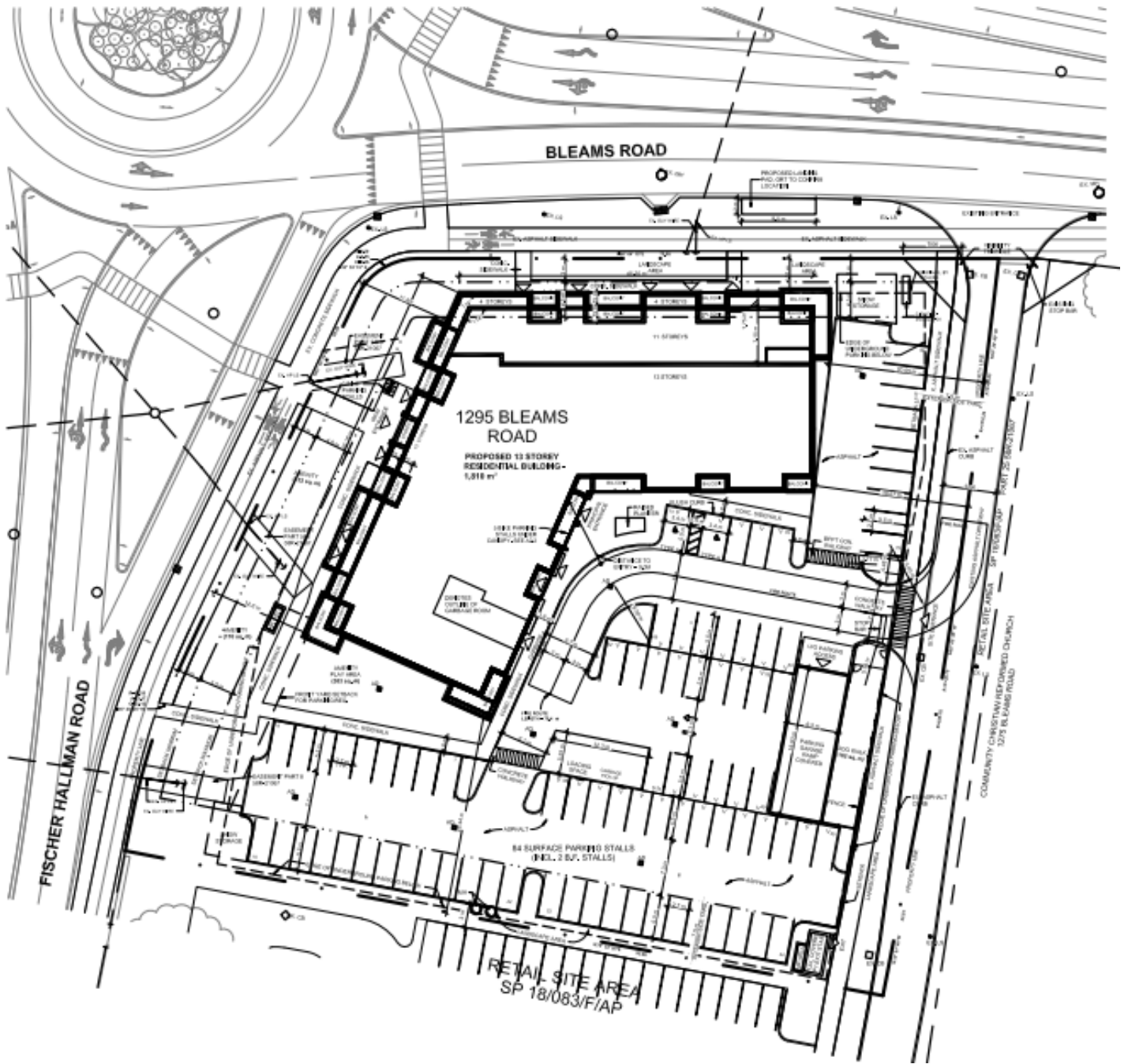
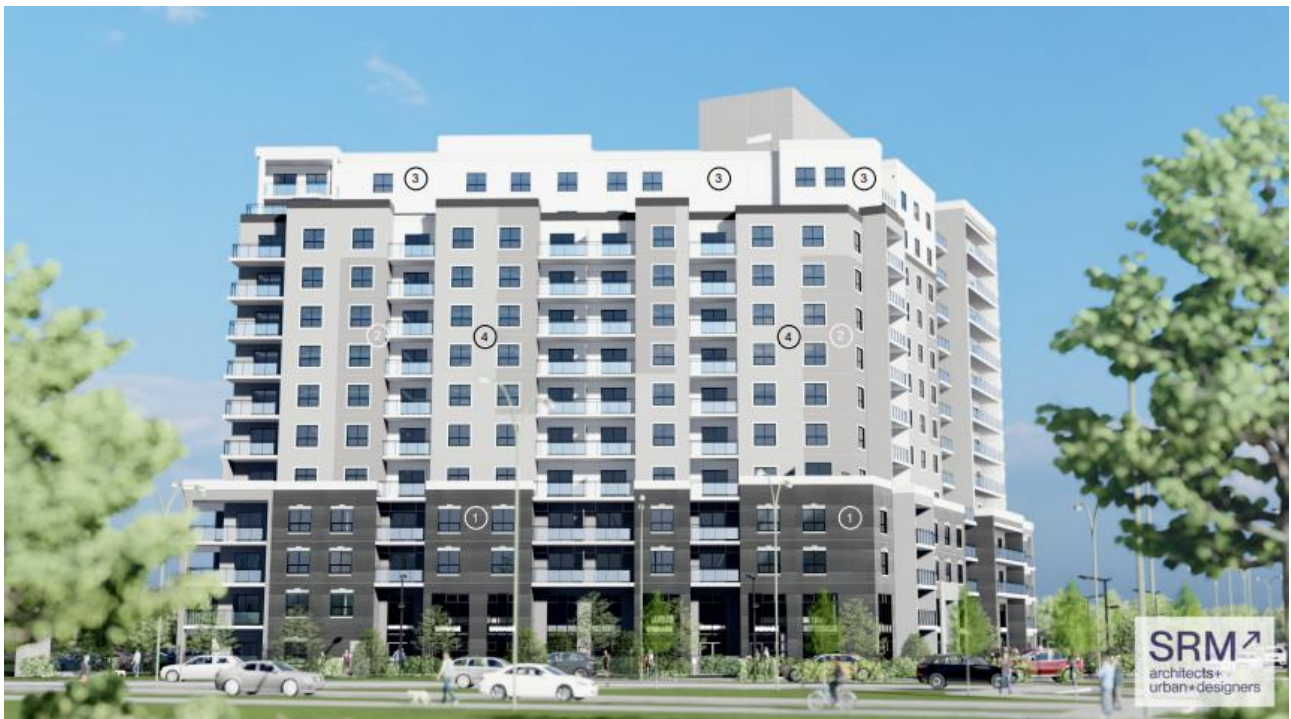


Figure 2: Excerpt of Conditionally Approved Site Plan Drawing





**Figure 3: – Approved Building Rendering of 1295 Bleams Road**



**Figure 4: Approved Building Rendering of 1295 Bleams Road**

The applicant has stated that requested variance to permit a greater maximum from yard setback is a result of the existing utility easements in the front yard for hydro poles and guy wires. These facilities prevent the planned building from being located closer to Fischer Hallman Road.

Planning staff conducted a site visit on September 26, 2024.



**Figure 5: Existing Site Conditions at 1295 Bleams Road on September 26, 2024.**

## **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 property is designated 'Mixed Use Two' within the Rosenberg Secondary Plan. The purpose of the Mixed Use Two land use designation is to achieve an appropriate mix of commercial, residential, and institutional uses. This allows for the change and intensification of lands over time, as well as a broad range of uses. Additionally, the property is situated in an Urban Corridor and is meant to have strong pedestrian connections while being connected to nearby residential and commercial areas. It is staff's opinion that this proposal aligns with these objectives. A 13-storey residential dwelling having 202 dwelling units is permitted within Mixed Use Two land use designation, and the residential use complements the range of non-residential uses on lands located directly adjacent to the subject property along Fischer Hallman Road.

Therefore, Planning staff is of the opinion that the requested variance meets the general intent of the City's Official Plan.

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

The purpose of the maximum permitted setback is to ensure that the proposed development contributes to the built form of the future community. Additionally, the maximum permitted setback is intended to ensure a consistent streetscape.

The requested variance is a result of existing utility easements on title. It is the staff's opinion that the proposed increase to the permitted maximum setback, will not significantly impact the streetscape and will be allow an opportunity for a front yard amenity area. Moreover, the variance will not hinder the potential future development of the adjacent properties and will enhance the quality of life for future residents.

Staff is of the opinion that the variance meets the general intent of the Zoning By-Law.

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

With respect to the requested variance to allow for a permitted maximum front yard setback of 11.8 metres instead of the maximum permitted 7.5 metres, staff is of the opinion that the requested variance is minor. Planning staff is of the opinion that the proposed amenity area will add to both the livability and functionality of the property. The proposed setback is also considered compatible with the current context of the area. For the reasons previously noted, staff is of the opinion that the requested variance satisfies the 'minor' test to facilitate the proposed increase in the permitted maximum setback, since it will not cause unacceptably adverse impacts on adjacent properties or the Fischer Hallman Road right-of-way.

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

The requested variance does not negatively affect the ability to develop the subject lands, or adjacent lands with appropriate development. The requested variance will facilitate a desirable form of development on the existing site. The planned scale, massing, and setbacks of the building are compatible and support the planned vision of the corridor and surrounding area, assisting in the provision of a variety of dwelling types and land uses. The planned increased density along Bleams Road will support the City's Housing Pledge. Planning staff is of the opinion that the requested variance is appropriate and desirable for the use of the lands.

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

Environmental planning concerns have been addressed through SP23/015/F/AP.

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

No Heritage comments or concerns.

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

The Building Division has no objections to the proposed variance.

**Engineering Division Comments:**

No concerns

**Parks/Operations Division Comments:**

Park planning concerns have been addressed through SP23/015/F/AP.

**Transportation Planning Comments:**

Transportation Services have no concerns with this application.

**Grand River Conservation Authority (GRCA) Comments:**

GRCA has no objection to the approval of this application.

**Region of Waterloo:**

No concerns.

**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*
- *DSD-20-080*

**Attachments:**

- Attachment A - Conditionally-Approved Site Plan Drawing (SP23/015/F/AP)