

REPORT TO: Committee of Adjustment

DATE OF MEETING: April 15, 2025

SUBMITTED BY: Tina Malone-Wright, Manager, Development Approvals
519-783-8913

PREPARED BY: Tim Seyler, Senior Planner, 519-783-7820

WARD(S) INVOLVED: Ward 2

DATE OF REPORT: April 2, 2025

REPORT NO.: DSD-2025-165

SUBJECT: Minor Variance Application A2025-036 – 15 Scenic Drive

RECOMMENDATION:

That Minor Variance Application A2025-036 for 15 Scenic Drive requesting relief from Section 5.6, Table 5-5, of Zoning By-law 2019-051, to permit a parking requirement of 16 spaces (1.14 parking spaces per dwelling unit) instead of the required 17 parking spaces (1.15 parking spaces per dwelling unit), in accordance with Site Plan Application SP24/053/S/TS, BE APPROVED.

REPORT HIGHLIGHTS:

- The purpose of this report is to review a minor variance application to permit a reduced parking requirement to facilitate the construction of an additional 3 units, on an existing 11 unit multiple dwelling.
- 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 corner of Scenic Drive and River Road East. The applicant is proposing to construct 3 additional dwelling units on the subject property. The existing 11 units will remain.

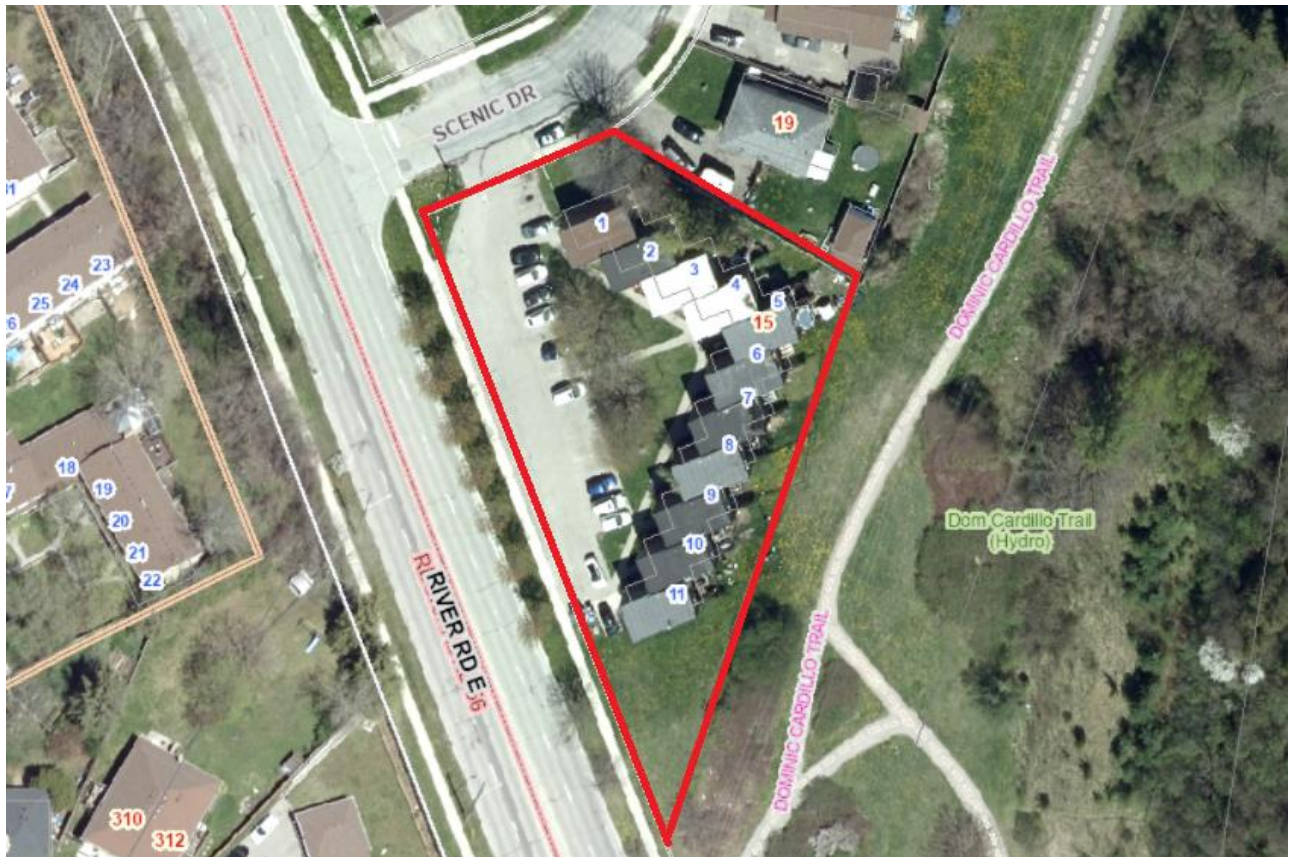


Figure 1: Location Map: 15 Scenic Drive

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 Five Zone (RES-5)' in Zoning By-law 2019-051.



Figure 2: Existing Conditions: 15 Scenic Drive

The purpose of the application is to review a minor variance application to facilitate the construction of 3 additional units, within an existing 11 unit multiple dwelling. The applicant has received 'Conditional Site Plan Approval' for the 3 additional residential units. The required parking for the site is 17 spaces, as a result of a rounding up calculation for the parking rate of 1.15 spaces per dwelling unit. The applicant is requesting one less parking space be provided on site for a total of 16 parking spaces. The applicant has also submitted a Parking Justification Report that has been reviewed by staff to support the parking reduction.

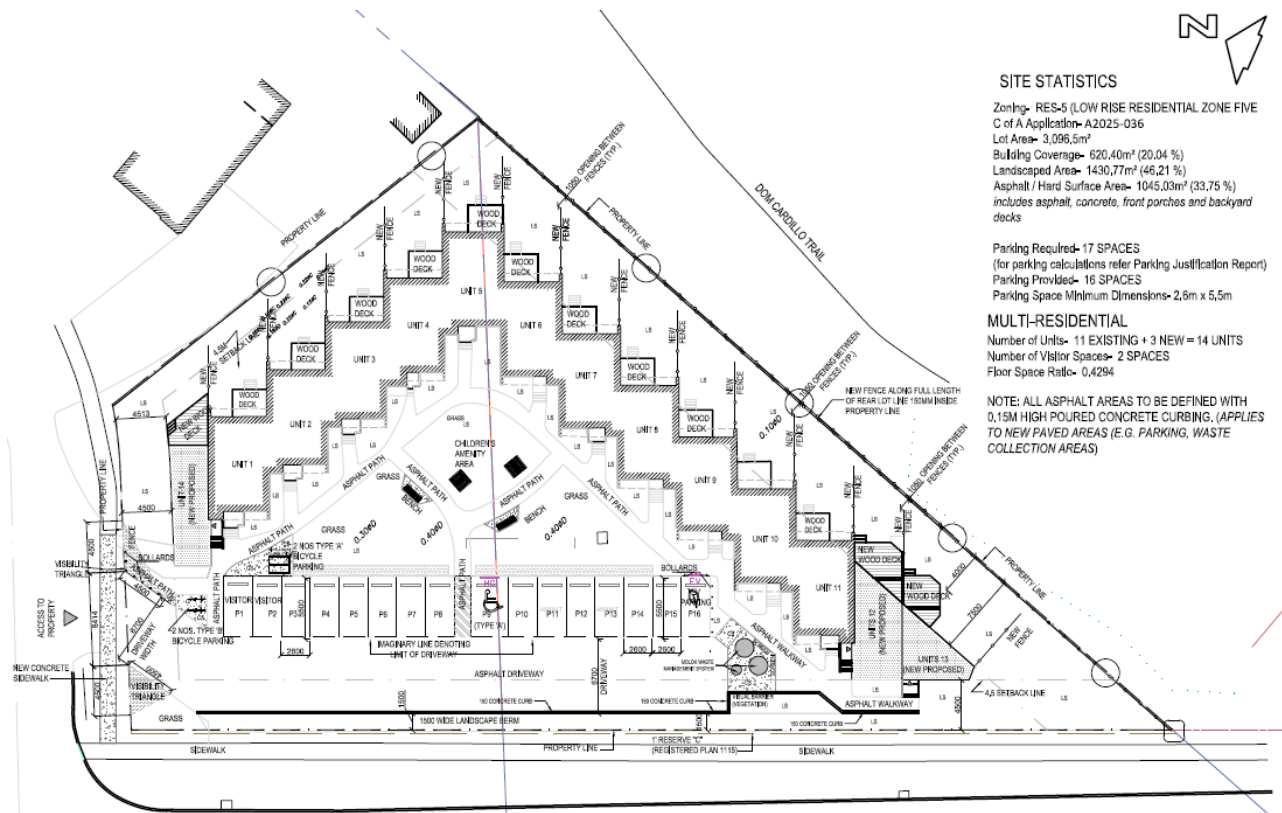


Figure 2: Conditionally approved Site Plan: 15 Scenic Drive

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 designated 'Low Rise Residential' in the City's Official Plan. This designation permits low density forms of housing such as multiple dwellings. The proposed variance meets the intent of the Official Plan which encourages a range of different forms of housing and encourages a mix of residential uses in residential areas. The proposed use

conforms to the land use designation, and it is the opinion of staff that the requested variance meets the general intent of the Official Plan.

General Intent of the Zoning By-law

The intent of the minimum parking regulations is to ensure that there is enough parking for residents and visitors within the property. The reduction of parking results in 1 less visitor parking space provided on site. Each unit will have the required one space provided. Further through the update of the site plan, Class A and Class B bicycle parking and future EV parking are being provided as part of the 'Conditional Approved Site Plan'.

Staff is of the opinion that the requested 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 as the variance that is requested is to support additional dwelling units on an existing residential development. The proposed variance will not present any significant impacts to adjacent properties or the overall streetscape and neighbourhood as the provided parking will be sufficient for the residential units.

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

The proposed variance is desirable and appropriate for the development of the land as it will facilitate the addition of 3 dwelling units which is a gentle intensification on an existing residential property, encourages infill development and supports the City's Housing Pledge.

Environmental Planning Comments:

No environmental planning concerns.

Heritage Planning Comments:

No heritage concerns or comments. The applicant is advised that the subject property is adjacent to the Walter Bean Trail Cultural Heritage Landscape.

Building Division Comments:

The Building Division has no objections to the proposed variance provided a building permits for the new townhouse units is obtained prior to construction. Please contact the Building Division at building@kitchener.ca with any questions.

Engineering Division Comments:

Engineering division has no comments.

Parks and Cemeteries/Forestry Division Comments:

All Parks requirements will be addressed through SP24/052/S/TS.

Transportation Planning Comments:

As part of the Site Plan Approval process in August 2024, a Parking Justification Report was submitted (December 2023) by Trans-Plan Transportation Engineers. Based on the parking analysis completed, Transportation Services are of the opinion that the proposed

parking supply of 16 spaces for 14 units is adequate. Also, of the 16 spaces provided, 2 spaces are being allocated for visitor parking.

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 Planning Statement (PPS 2024)*
- *Regional Official Plan*
- *Official Plan (2014)*
- *Zoning By-law 2019-051*