

REPORT TO: Committee of Adjustment

DATE OF MEETING: May 20, 2025

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

PREPARED BY: Brian Bateman, Senior Planner, 519-783-8905

WARD(S) INVOLVED: Ward 2

DATE OF REPORT: May 8, 2025

REPORT NO.: DSD-2025-224

SUBJECT: Minor Variance Application A2025-045 – 191 Morgan Avenue

RECOMMENDATION:

That Minor Variance Application A2025-045 for 191 Morgan Avenue requesting relief from Section 5.6 a), Table 5-5, of Zoning By-law 2019-051 to permit a parking requirement of 16 parking spaces instead of the minimum required 32 parking spaces, to facilitate the development of 11 new dwelling units within an existing building having 18 dwelling units, for a total of 29 dwelling units, in accordance with Site Plan Application SP24/086/M/BB, **BE APPROVED.**

REPORT HIGHLIGHTS:

- The purpose of this report is to assess a request to support a minor variance for reduced parking to facilitate the construction of 11 new dwelling units through the re-configuration of three-bedroom units to one-bedroom within an existing multiple dwelling units for a total unit count of 29 dwelling units.
- The key finding of this report is that staff can support a reduction based on several supporting measures outlined in a Parking Justification Brief prepared by Croziers.
- 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 191 Morgan Avenue in Centreville-Chicopee Neighbourhood. It is an existing 18-unit multiple residential dwelling.



Figure 1 – Aerial Photo of Subject Site and Area

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



Figure 2 – Photo of 191 Morgan Avenue

The owner is proposing interior renovations to re-configure existing 3-bedroom units into 3 one-bedroom units thus increasing the overall unit count to 29. There are only 16 existing parking spaces thus a minor variance for reduced parking is required. In support of the application, the owner has submitted a Parking Justification Brief (March 2025) prepared by Crozier. The Brief has been reviewed and accepted by Transportation Planning staff. Although there are no exterior alterations being proposed, a Site Plan Application is required and has been filed under SP24/086/M/BB (Figure 3). It has received 'Conditional Approval'.

A site visit occurred on May 4, 2025, and sign installed (see Figure 2).

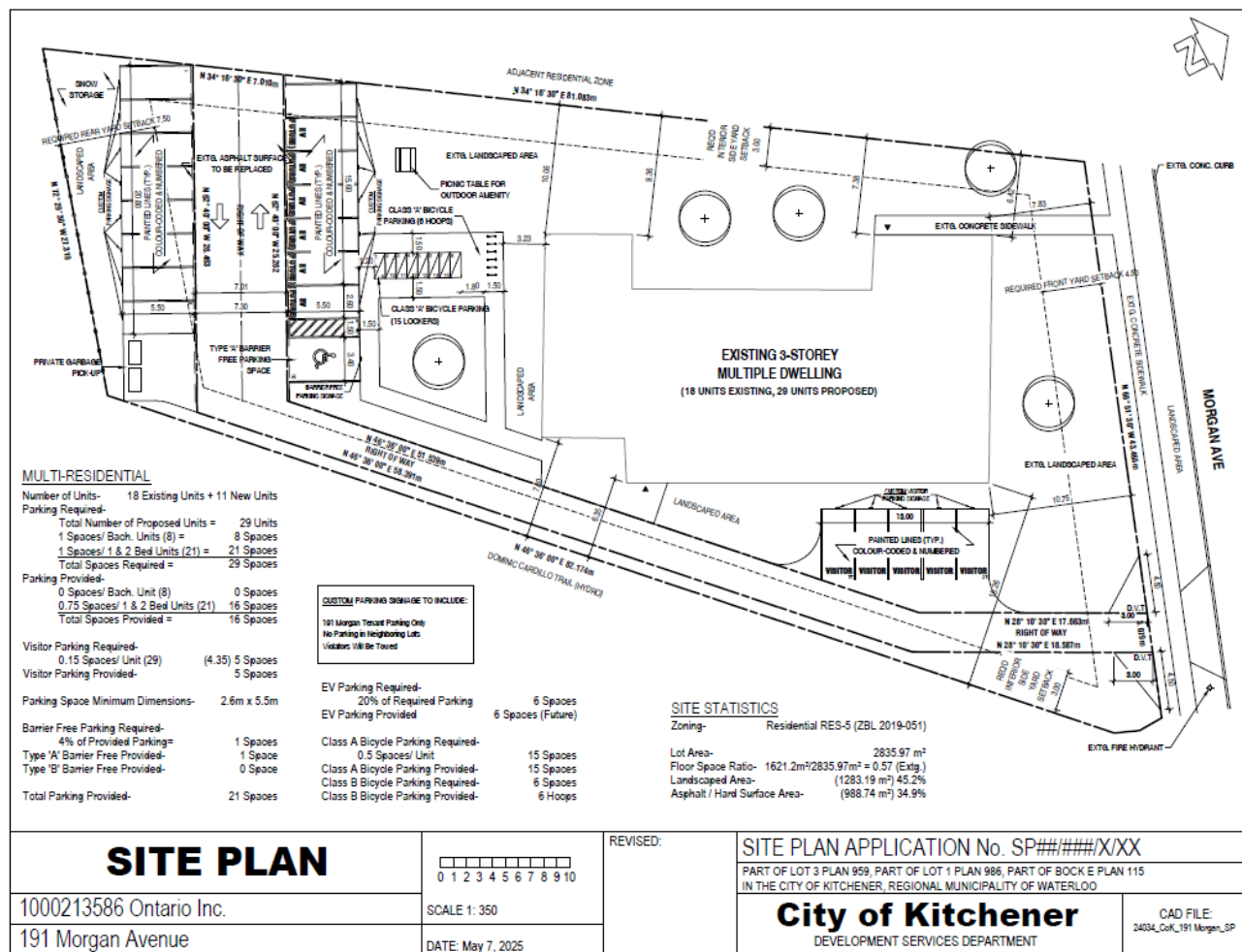


Figure 3 – Site Plan

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 lands are designated 'Low Rise Residential' in the City's Official Plan (Map 3). Low Rise Residential areas are intended to accommodate a full range of low-density housing types including single detached, semi-detached, townhouse, and low-rise multiple dwellings. The Low Rise Residential designation states that the City will encourage and support the mixing and integrating of innovative and different forms of housing to achieve and maintain a low-rise built form. As this is an existing building being intensified through interior renovations, it would meet the intent of the land use.

The City's Official Plan contains policies to develop, support, and maintain a complete, convenient, accessible and integrated transportation system that incorporates active transportation, public transit, and accommodates vehicular traffic.

Regarding alternate modes of transportation, objectives of the Official Plan include promoting land use planning and development that is integrated and conducive to the efficient and effective operation of public transit and encourages increased ridership of the public transit system. The City shall promote and encourage walking and cycling as safe and convenient modes of transportation.

The proposed development aims to increase density on an existing site that is served well by public transit, and within walking distance to the Fairview Station Stop. The proposed development is required to provide safe, secure bicycle storage and other TDM measures to encourage active transportation and use of public transit..

Policy 13C.6.2 of the Official Plan states, “the City may consider adjustments to parking requirements for properties within an area or areas, where the City is satisfied that adequate alternative parking facilities are available, where developments adopt transportation demand management (TDM) measures or where sufficient transit exists or is to be provided.” In support of a reduced parking rate, the applicant has submitted a Parking Justification Brief prepared by Crozier. It has been reviewed by Transportation staff. The study indicates the proposed parking reduction could be supported given location next to bus routes and shopping, policies that support alternate modes of travel and implementation of (TDM) measures. Staff can support the requested parking reduction as outlined in Transportation Planning staff comments below in the ‘Staff Comments’ section.

Given all the above, staff are of the opinion that the requested parking variance meets the general intent of transportation policies of the City’s Official Plan.

General Intent of the Zoning By-law

The intent of parking regulations is to ensure developments are adequately parked to avoid spillover onto streets or adjacent properties. Given location, proximity to public transportation, adoption of TDM measures and signage requirements outlined in the Parking Justification Brief, staff can support the reduction and are generally satisfied the intent of the by-law is being maintained.

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

Providing the owner follows through with all the measures outlined in the Parking Justification Brief, staff are confident the variance is considered minor.

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

Given location and proximity to public transportation, adoption of TDM measures and signage, the parking variance is considered both desirable and appropriate for the proposed development and use of land.

Environmental Planning Comments:

No concerns.

Heritage Planning Comments:

The property is located adjacent to the Walter Bean Trail Cultural Heritage Landscape (CHL). The Kitchener Cultural Heritage Landscape Study (CHLS) dated December 2014

and prepared by The Landplan Collaborative Ltd. was approved by Council in 2015. The CHLS serves to establish an inventory and was the first step of a phased Cultural Heritage Landscape (CHL) conservation process.

Building Division Comments:

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

Engineering Division Comments:

No concerns.

Parks and Cemeteries/Forestry Division Comments:

All Parks requirements will be addressed through Site Plan Application SP24/086/M/BB.

Transportation Planning Comments:

Transportation Services staff reviewed the Parking Justification Brief submitted by Crozier (March 2025) and can support the proposed reduction in parking supply based on the proposed Visitor On-Site Parking Management measures.

The dimensions of the proposed Class 'A' bicycle parking lockers were reviewed and despite the triangular shape, the lockers have an increased length over by-law requirements and is expected to sufficiently accommodate most bicycles.

GRCA

No concerns.

Region

No comments.

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*