

REPORT TO: Committee of Adjustment

DATE OF MEETING: August 19, 2025

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

PREPARED BY: Maitland Graham, Student Planner, 519-783-7879

WARD(S) INVOLVED: Ward 1

DATE OF REPORT: July 29, 2025

REPORT NO.: DSD-2025-337

SUBJECT: Minor Variance Application A2025-082
133 Bloomingdale Road North

RECOMMENDATION:

That Minor Variance Application A2025-082 for 133 Bloomingdale Road North requesting relief from Section 37.2.1 of Zoning By-law 85-1, to permit an interior side yard setback of 2.7 metres instead of the minimum required 3 metres, where there is a driveway leading to a required parking space situated between the dwelling and the side lot line, to construct/extend the roof from the dwelling over an existing walkway and side porch, generally in accordance with drawings prepared by Yorck Lindner, dated April 30, 2025, BE APPROVED.

REPORT HIGHLIGHTS:

- The purpose of this report is to review a Minor Variance Application requesting a reduced interior side yard setback of 2.7 metres instead of the minimum required 3 metres.
- The key finding of this report is that the requested minor variance meets the four 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 north side of Bloomingdale Road in the Bridgeport East neighbourhood, which is predominantly comprised of low rise detached dwellings.



Figure 1 – Aerial Photo of the Subject Property

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 'Residential Three Zone (R-3)' in Zoning By-law 85-1.

The purpose of the application is to request relief from Section 37.2.1 to permit an interior side yard setback of 2.7 metres instead of the minimum required 3 metres, where there is a driveway leading to a required parking space situated between the dwelling and the side lot line, in order to construct/extend the roof from the dwelling over an existing walkway and side porch. Approval of the variance will allow for the development of additional amenity space for the property owner.

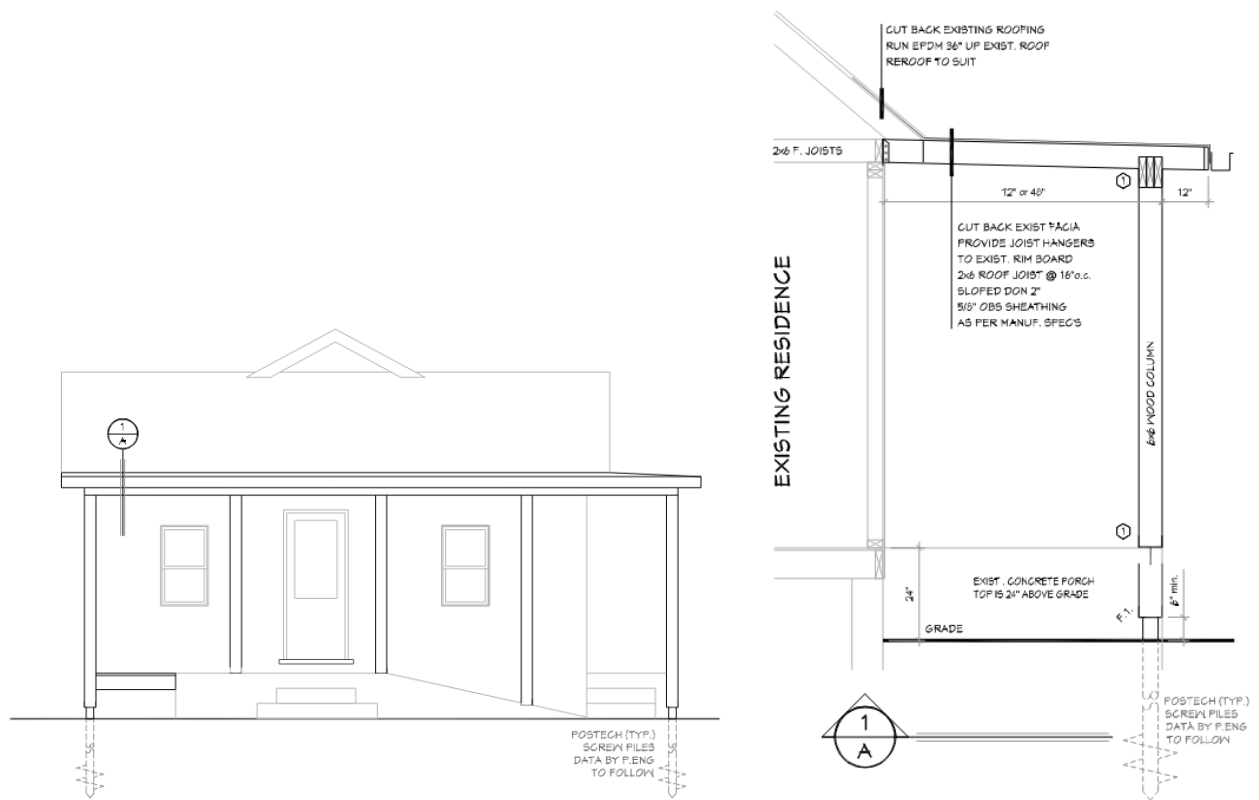


Figure 2 – Proposed Addition, Front Elevation



Figure 3 – Proposed Addition, East Elevation



Figure 4 – Existing front yard where the porch addition is proposed.



Figure 5 – Existing interior side yard where the porch addition is proposed.

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 as 'Low Rise Residential' on Map 3 – Land Use. The intent of the Low Rise Residential designation is to accommodate a diverse range of low-rise housing types while maintaining the low-density character of the neighbourhood. The use of the property for a detached dwelling is permitted and the extension of the roof providing a shaded walkway and porch area is a natural extension of the living space. Planning Staff is of the opinion that the proposed minor variance meets the general intent of the Official Plan.

General Intent of the Zoning By-law

The purpose of the minimum side yard setback is to ensure that an adequate separation from the side yard property line to accommodate for fire separation, to provide privacy to abutting neighbours, access to the rear yard and in the case of Section 37.2.1 - where there is a driveway leading to a required parking space situated between the dwelling and side lot line, to accommodate an adequately sized parking space at the side of the dwelling along with sufficient access to the parking space and rear yard.

Fire separation is not anticipated to be a concern, as there is still an adequate amount of space between the subject property and abutting property, with both driveways positioned adjacent to each other providing approximately 8 metres of space between the subject property's dwelling and abutting neighbour's dwelling. Privacy concerns are not anticipated to be a concern as no further façade openings are proposed - only an extension of the roof to provide additional amenity space.

The current walkway and side entrance stairs currently occupy a width comparable to the proposed addition. The variance of 0.3 metres allows for full functionality of the walkway and side entrance stairs while accommodating the structural support for the roof addition.

Should the variance be refused, an addition with a 3 metre setback would significantly reduce the functionality of the walkway further, as there is an existing window well projecting approximately 0.3 metres into the walkway, which would allow only 0.9 metres remaining for walkway use and side entrance stair access. Approval of the proposed variance would provide 1.2 metres for the walkway and side entrance stair access and also provide a driveway width of 2.6 metres, which adheres to the minimum driveway width regulation in Zoning By-law 85-1.

Planning Staff is of the opinion that the proposed 2.7 metre setback of the addition meets the intent of the side yard setback regulation and will provide an alternative type of passive outdoor recreational space.

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

Planning Staff is of the opinion that the requested variance of 0.3 metres to permit a roof extension is minor as the reduction of the setback is not discernible, allows an adequate amount of space for fire separation, privacy, and parking, and would promote greater use of the land by providing additional useable amenity space. Furthermore, a similarly sized awning previously occupied the same area as the proposed roof addition, providing shade and weather coverage, before sustaining damage in a storm and subsequently being removed.

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

The variance is desirable and appropriate for the use of the land as it will facilitate the construction of useable amenity space for the residents of the dwelling.

Environmental Planning Comments:

There are no concerns as there are no natural heritage features, no trees and accordingly no issues with compliance with the Tree Management Policy.

Grand River Conservation Authority:

GRCA has no objection to the approval of the application. The subject property does not contain any natural hazards such as watercourses, floodplains, shorelines, wetlands, or valley slopes. The property is not subject to Ontario Regulation 41/24 and, therefore, a permission from the GRCA is not required.

Heritage Planning Comments:

No Heritage comments or concerns

Building Division Comments:

The Building Division has no objections to the proposed variance. A Building Permit Application has been made for the new roof structure.

Engineering Division Comments:

Engineering has no concerns.

Parks and Cemeteries/Forestry Division Comments:

No concerns.

Transportation Planning Comments:

Transportation Services have no concerns with this application.

Region of Waterloo Comments:

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 Planning Statement (PPS 2024)*
- *Regional Official Plan*
- *Official Plan (2014)*
- *Zoning By-law 85-1*