

Staff Report



Development Services Department

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REPORT TO: Committee of Adjustment

DATE OF MEETING: January 20, 2026

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

PREPARED BY: Eric Schneider, Senior Planner, 519-783-8918

WARD(S) INVOLVED: Ward 1

DATE OF REPORT: January 8, 2026

REPORT NO.: DSD-2026-037

SUBJECT: Minor Variance Application A2026-007 – 56 Woolwich Street

RECOMMENDATION:

That Minor Variance Application A2026-007 for 56 Woolwich Street requesting relief from Section 7.3, Table 7-2, of Zoning By-law 2019-051 to permit:

- i) an exterior side yard setback of 1.6 metres instead of the minimum required 4.5 metres to recognize the location of the existing dwelling; and
- ii) an exterior side yard setback of 1.8 metres instead of the minimum required 4.5 metres to facilitate the construction of a second storey dormer;

to facilitate internal stairway access to the attic generally in accordance with drawings prepared by Eagleview Construction, dated October 2025, **BE APPROVED.**

REPORT HIGHLIGHTS:

- The purpose of this report is to review a Minor Variance Application to facilitate the construction of an interior stairway and dormer on an existing detached dwelling.
- The key finding of this report is that the Minor 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 southwest corner of the intersection of Woolwich Street and Hillcrest Lane and contains an existing Single Detached Dwelling constructed in approximately 1928.



Figure 1: Location Map: 56 Woolwich Street

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 Four Zone (RES-4)' in Zoning By-law 2019-051.

The purpose of the application is to facilitate the construction of a new interior stairway to provide access to the attic which requires a new 2nd storey dormer on an existing single detached dwelling.



Figure 2: View of Subject Lands (January 6, 2026)

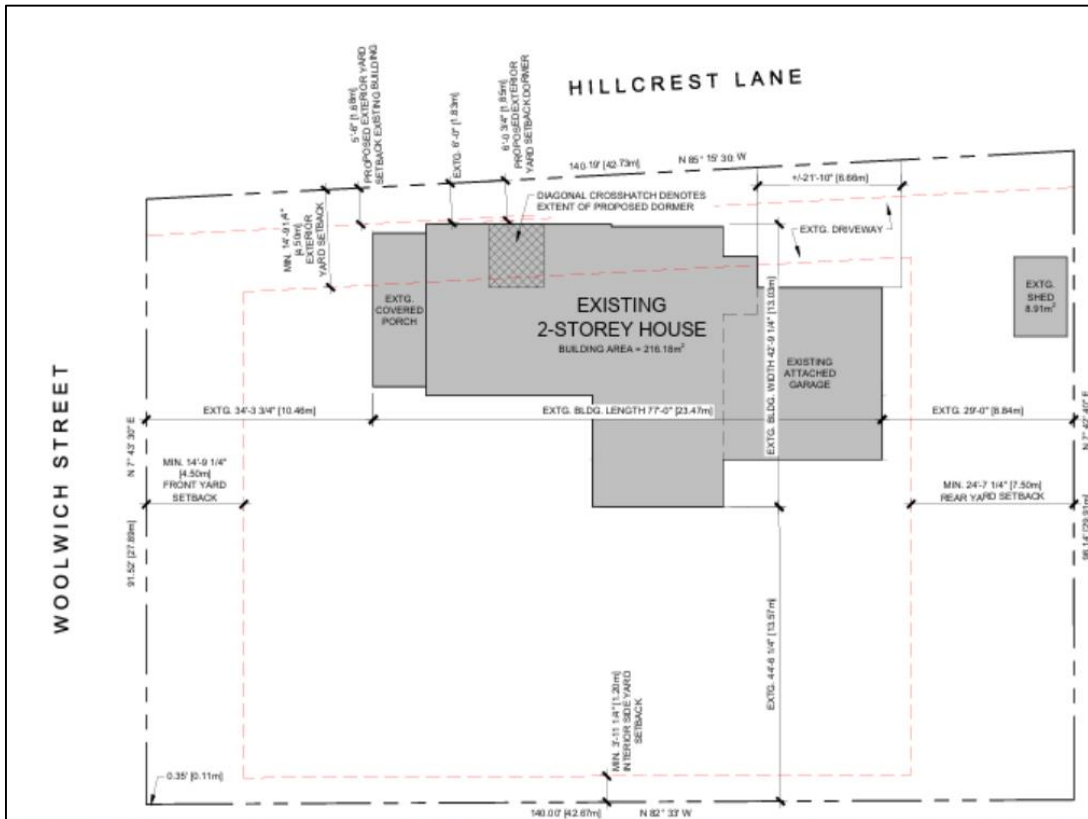
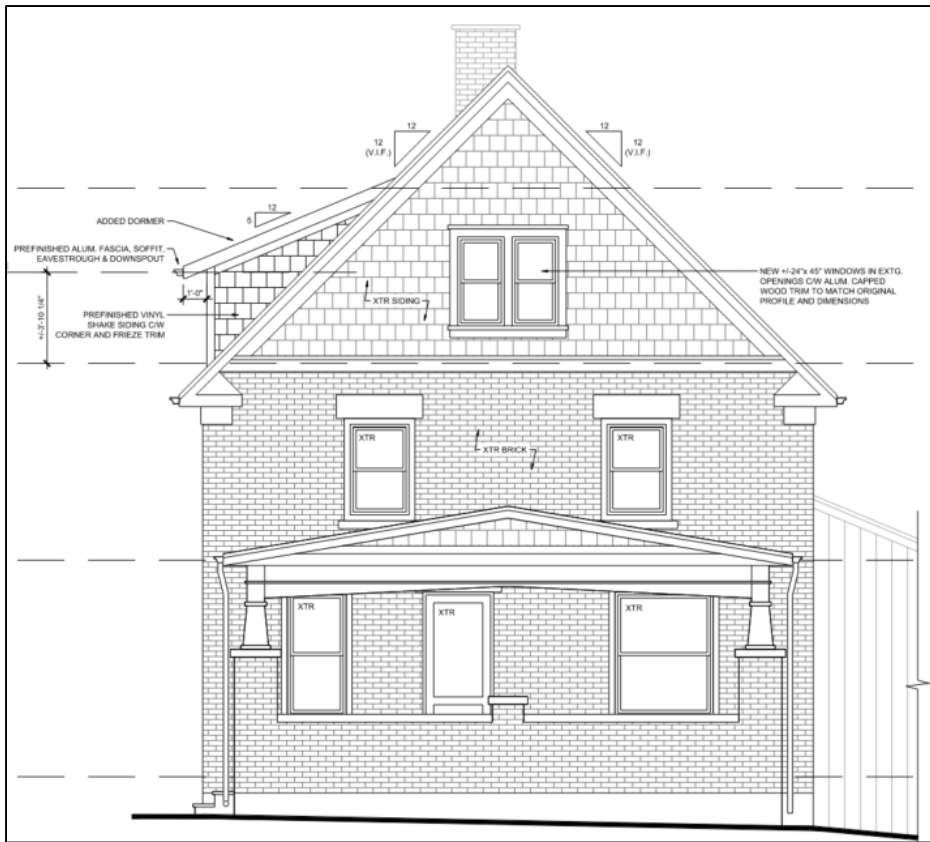
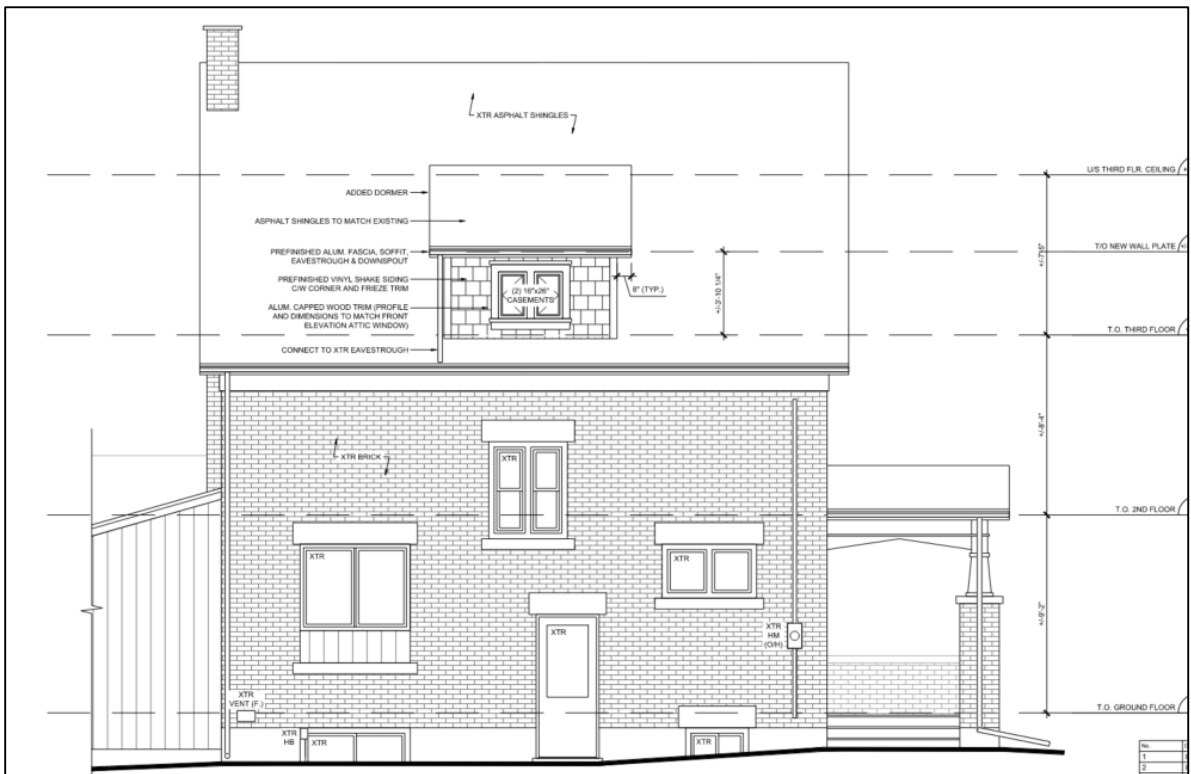


Figure 3: Site Plan showing Proposed Dormer (hatched) Eagleview Construction, October 2025



**Figure 4: Front Elevation Showing Dormer
Eagleview Construction, October 2025**



**Figure 5: Exterior Side Elevation Showing Dormer
Eagleview Construction, October 2025**

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 Official Plan. The intent of this designation is to encourage a range of different forms of housing to achieve a low density neighbourhood. The requested variance will facilitate a dormer addition and the property use as a single detached dwelling is proposed to remain. The proposed dormer and use of the lands will continue to maintain the low rise character of the property and surrounding neighbourhood. It is the opinion of staff that the requested variances meet the general intent of the Official Plan.

General Intent of the Zoning By-law

The intent of the regulation that requires a minimum exterior side yard setback of 4.5 metres is to ensure adequate building separation from the street line/public realm. The requested reduction in setback to 1.8 metres for the dormer is generally in line with the 1.6 metre existing building setback, which is also requesting to be legalized with this application. The 1.8 metre setback for the dormer representing the new construction exists on the second floor, reducing the impact to the public realm at ground level. There are no sidewalks on Hillcrest Lane, and there is an approximately 5 metre deep landscaped area in in the right-of-way between the travelled portion of the road and the exterior side property line on Hillcrest Lane. Therefore, there is adequate separation between the proposed dormer on the detached dwelling and the street line/public realm, and in in the opinion of staff the requested variances meet the general intent of the Zoning By-law.

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

Staff do not anticipate adverse impacts to the streetscape and public realm, nor do staff expect any impacts to adjacent properties as the dormer faces toward the street. In the opinion of staff, the effects of the requested variances are considered minor.

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

The variances are desirable in that they will legalize the location of the existing dwelling and facilitate the addition of a dormer in order to provide a safe internal access to the attic. The small addition and dormer are considered appropriate development of the land in the opinion of staff.

Environmental Planning Comments:

No comments.

Heritage Planning Comments:

No heritage comments or concerns. However, the subject property is located adjacent to 49 Woolwich Street, which is listed as a non-designated property of cultural heritage value or interest on the City's Municipal Heritage Register. The subject 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. The proposed variance is not anticipated to have any adverse impacts to the CHL's attributes. Thus, staff have no comments or concerns.

Building Division Comments:

The Building Division has no objections to the proposed variance provided a building permit for renovations and dormer addition is obtained prior to construction. Please contact the Building Division at building@kitchener.ca with any questions.

Engineering Division Comments:

Engineering has no concerns.

Parks and Cemeteries/Forestry Division Comments:

Please note that there are multiple existing City-owned street trees within the right-of-way on Hillcrest Lane. The trees could be impacted by proposed construction activities. It is expected that all City owned tree assets will be fully protected to City standards throughout demolition and construction as per [Chapter 690 of the current Property Maintenance By-law](#). Tree Protection and Enhancement Plans to Forestry's satisfaction will be required outlining complete protection of City assets prior to any demolition or building permits being issued.

Transportation Planning Comments:

Transportation Services have no concerns with this application.

Region of Waterloo Comments:

No concerns.

Six Nations of the Grand River Elected Council Comments:

Bird and Light Friendly Design

SNGREC requests that the building is designed using bird and light friendly practices. This includes minimizing reflective surfaces, creating visual markers on windows, and using warmer lights that are directed downwards and away from natural areas. Hundreds of millions of birds are killed by windows in North America each year, with 56% being from low-rise residential, thus this request extends to all sizes of development (<https://ontarionature.org/sustainable-building-design-can-stop-millions-of-birds-deaths-blog/>).

Please see the City of Toronto's bird friendly practices for glass and for lighting as guidelines and implement them thoroughly across the entire design:

<https://www.toronto.ca/wp-content/uploads/2017/08/8d1c-Bird-Friendly-Best-Practices-Glass.pdf>

<https://www.toronto.ca/wp-content/uploads/2018/03/8ff6-city-planning-bird-effective-lighting.pdf>

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*

ATTACHMENTS:

Attachment A – Drawings Package (Floor Plans, Elevations, Site Plan, Sections)