

Staff Report



Development Services Department

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REPORT TO: Committee of Adjustment

DATE OF MEETING: December 9, 2025

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

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

WARD(S) INVOLVED: Ward 10

DATE OF REPORT: November 26, 2025

REPORT NO.: DSD-2025-491

SUBJECT: Minor Variance Application A2025-127 – 71 Blucher Street
Consent Application B2025-034 - 71 Blucher Street
Consent Application B2025-035 - 67 Blucher Street

RECOMMENDATION:

A. Minor Variance Application A2025-127 - 71 Blucher Street

That Minor Variance Application A2025-127 for 71 Blucher Street requesting relief from Section 7.3, Table 7-5, of Zoning By-law 2019-051 to permit the following:

- i) a lot width of 5.8 metres instead of the minimum required 19 metres;
- ii) a rear yard setback of 3.2 metres instead of the minimum required 6 metres; and
- iii) an interior side yard setback (adjacent to 79 Blucher Street) of 3 metres instead of the minimum required 4.5 metres;

to facilitate Consent Application B2025-034 and recognize the lot and setbacks of the severed parcel, municipally addressed 71 Blucher Street, generally in accordance with drawings prepared by GSP Group, dated October 24, 2025, BE APPROVED.

B. Consent Application B2025-034 – 71 Blucher Street (Severed Parcel)

That Consent Application B2025-034 for 71 Blucher Street requesting Consent to sever a parcel of land having a lot width of 5.8 metres on Blucher Street, a lot depth of 108.8, metres and a lot area of 2127.4 square metres and to create an easement having an approximate width of 6 metres and a depth of 110 metres, for the purposes of shared access and parking, in favour of 67 Blucher Street, BE APPROVED subject to the following conditions:

- 1. That Minor Variance Application A2025-127 receive final approval.**
- 2. That the Owner's solicitor shall provide draft transfer documents and associated fees for the Certificate of Official to the satisfaction of the Secretary-Treasurer and City Solicitor, if required.**
- 3. That the Owner shall obtain a tax certificate from the City of Kitchener to verify that there are no outstanding taxes on the subject property(ies) to the satisfaction of the City's Revenue Division.**
- 4. That the owner provides a digital file of the deposited reference plan(s) prepared by an Ontario Land Surveyor in PDF and either .dwg (AutoCad) or .dgn (Microstation) format, as well as two full size paper copies of the plan(s). The digital file needs to be submitted according to the City of Kitchener's Digital Submission Standards to the satisfaction of the City's Mapping Technologist.**
- 5. That the Owner provide a Building Location Survey and/or Reference Plan, prepared by an Ontario Land Surveyor, to confirm the boundaries of the new lots and that the location of the existing building/foundation, with respect to the proposed new lot lines, conforms with the Zoning By-law to the satisfaction of the Manager, Development Approvals.**
- 6. That the Transfer Easement document(s) required to create the Easement(s) being approved herein shall include the following, and shall be approved by the City Solicitor in consultation with the City's Manager, Development Applications:**
 - a) a clear and specific description of the purpose of the Easement(s) and of the rights and privileges being granted therein (including detailed terms and/or conditions of any required maintenance, liability and/or cost sharing provisions related thereto); and**
 - b) a clause/statement/wording confirming that the Easement(s) being granted shall be maintained and registered on title in perpetuity and shall not be amended, released or otherwise dealt with without the express written consent of the City.**
- 7. That a satisfactory Solicitor's Undertaking to register the approved Transfer Easement(s) and to immediately thereafter provide copies thereof to the City Solicitor be provided to the City Solicitor.**
- 8. That the Owner install 2 "Class B" bicycle parking spaces on the retained lands and install 2 "Class B" bicycle parking spaces on the severed lands to the satisfaction of the Director of Development and Housing Approvals.**
- 9. That at the sole option of the City's Director, Development and Housing Approvals, that the Owner shall enter into an agreement with the City of**

Kitchener, to be prepared by the City Solicitor, to the satisfaction of the City Solicitor and the City's Manager, Site Plans, and registered on title to the severed and retained lands, which shall include the following:

- a) That prior to initiation of any site development works, grading or issuance of a Demolition and/or Building Permit the Owner agrees to submit and receive approval of a Site Plan to the satisfaction of the City's Manager, Site Plans, which reflects, at minimum, the proposed changes to the lot size and any associated changes to the operation and/or functioning of the site.**

Should a Site Plan Application be approved, to the satisfaction of the City's Manager, Site Plans, in accordance with the condition above prior to endorsement of the deed, the above noted condition shall not be required to be registered on title.

10. That at the sole option of the City's Director, Development and Housing Approvals, the Owner shall enter into an agreement with the City of Kitchener, to be prepared by the City Solicitor, to the satisfaction of the City Solicitor and the City's Director, Development and Housing Approvals, which shall include the following:

- a) That the Owner shall prepare a Tree Preservation Plan for the severed and retained lands, in accordance with the City's Tree Management Policy, to be approved by the City's Manager, Site Plans, and where necessary, implemented prior to any grading, servicing, tree removal or the issuance of building permits. Such plans shall include, among other matters, the identification of a proposed building envelope/work zone, a landscaped area and the vegetation to be preserved. If necessary, the plan shall include required mitigation and or compensation measures.**
- b) The Owner further agrees to implement the approved plan. No changes to the said plan shall be granted except with the prior approval of the City's Manager, Site Plans.**
- c) The Owner shall maintain the lands, in accordance with the approved Tree Preservation and Enhancement Plan, for the life of the development.**

11. That the Owner shall:

- a) Complete a Building Code Assessment for the existing dwellings proposed to be retained on the Severed and Retained parcel of land, prepared by a qualified person, to confirm that the proposed property line and any of the building adjacent to this new property line complies with the Ontario Building Code, to the satisfaction of the City's Chief Building Official. The assessment shall address items such as, but not limited to, spatial separation of existing buildings' wall face, and shall include recommendations such as closing in of openings pending spatial separation calculation results.**

b) A Building Permit shall be obtained for any remedial work/ upgrades required by the Building Code Assessment.

- 12. That the Owner provides a servicing plan showing outlets to the municipal servicing system to the satisfaction of the Director of Engineering Services.**
- 13. That the Owner submit a Development Asset Drawing (digital AutoCAD) for the site (servicing, SWM etc.) with corresponding layer names and asset information to the satisfaction of the City's Director of Engineering Services, prior to deed endorsement.**
- 14. That the Owner makes financial arrangements for the installation of any new service connections to the severed and/or retained lands to the satisfaction of the City's Director of Engineering Services.**
- 15. That any new driveways are to be built to City of Kitchener standards at the Owner's expense prior to occupancy of the building to the satisfaction of the City's Director of Engineering Services.**
- 16. That the Owner provides confirmation that the basement elevation can be drained by gravity to the street sewers to the satisfaction of the City's Director of Engineering Services. If this is not the case, then the owner will need to pump the sewage via a pump and forcemain to the property line and have a gravity sewer from the property line to the street to the satisfaction of the City's Director of Engineering Services.**
- 17. That prior to final approval the Owner submits the Consent Application Review Fee of \$350.00 to the Region of Waterloo.**
- 18. That prior to final approval the Owner submits a valid Section 59 notice.**

C. Consent Application B2025-035 – 67 Blucher Street (Easement on Retained Parcel)

That Consent Application B2025-035 for 67 Blucher Street requesting Consent to create an easement having an approximate width of 6 metres and a depth of 110 metres, for the purposes of shared access and parking in favour of 71 Blucher Street, BE APPROVED subject to the following conditions:

- 1. That Minor Variance Application A2025-127 receive final approval.**
- 2. That the Owner's solicitor shall provide draft transfer documents and associated fees for the Certificate of Official to the satisfaction of the Secretary-Treasurer and City Solicitor, if required.**
- 3. That the Owner shall obtain a tax certificate from the City of Kitchener to verify that there are no outstanding taxes on the subject property(ies) to the satisfaction of the City's Revenue Division.**
- 4. That the owner provides a digital file of the deposited reference plan(s)**

prepared by an Ontario Land Surveyor in PDF and either .dwg (AutoCad) or .dgn (Microstation) format, as well as two full size paper copies of the plan(s). The digital file needs to be submitted according to the City of Kitchener's Digital Submission Standards to the satisfaction of the City's Mapping Technologist.

5. That the Owner provide a Building Location Survey and/or Reference Plan, prepared by an Ontario Land Surveyor, to confirm the boundaries of the new lots and that the location of the existing building/foundation, with respect to the proposed new lot lines, conforms with the Zoning By-law to the satisfaction of the Manager, Development Approvals.
6. That the Transfer Easement document(s) required to create the Easement(s) being approved herein shall include the following, and shall be approved by the City Solicitor in consultation with the City's Manager, Development Applications:
 - a) a clear and specific description of the purpose of the Easement(s) and of the rights and privileges being granted therein (including detailed terms and/or conditions of any required maintenance, liability and/or cost sharing provisions related thereto); and
 - b) a clause/statement/wording confirming that the Easement(s) being granted shall be maintained and registered on title in perpetuity and shall not be amended, released or otherwise dealt with without the express written consent of the City.
7. That a satisfactory Solicitor's Undertaking to register the approved Transfer Easement(s) and to immediately thereafter provide copies thereof to the City Solicitor be provided to the City Solicitor.
8. That prior to final approval the Owner submits the Consent Application Review Fee of \$350.00 to the Region of Waterloo.
9. That prior to final approval the Owner submits a valid Section 59 Notice.

REPORT HIGHLIGHTS:

- The purpose of this report is to review Minor Variance and Consent Applications to facilitate a severance of a lot and creation of reciprocal access easements for a property containing two cluster townhouse buildings, one with 10 dwelling units (71 Blucher Street) and one with 4 dwelling units (67 Blucher Street).
- The key finding of this report is that the minor variance meets the 4 tests of the Planning Act, and that the proposed consents to sever the lot and create the easements are appropriate to facilitate the functional access to the rear parking areas on each of the resultant lots.
- 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 south side of Blucher Street between Hett Avenue and Ellis Street.



Figure 1: Location Map:67-71 Blucher Street

The subject property is identified as a '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.

The purpose of the application is to facilitate a severance of a lot and creation of reciprocal access easements for a property containing two cluster townhouse buildings, one with 10 dwelling units (71 Blucher Street) and one with 4 dwelling units (67 Blucher Street).

On March 22, 2024 the City granted Conditional Approval for Site Plan Application SP23/084/B/TS to demolish the existing 4-unit cluster townhouse building on 67 Blucher Street and replace it with a two stacked townhouse buildings containing a total of 16 dwelling units.

On May 21, 2024 the Committee of Adjustment approved minor variance application A2024-037 which granted relief for front yard setback, rear yard setback, and Floor Space Ratio (FSR) for the proposed 16-unit development, in the context of that development occurring on the whole lot containing the existing 10 unit cluster townhouse building addressed as 71 Blucher Street.

With the subject applications discussed in this report, the applicant is seeking to separate the lot into two lots, one which would contain the existing 10 unit cluster townhouse building on 71 Blucher (Severed lands) and one which would currently contain the 4 unit cluster townhouse building and is proposed to be developed with two new stacked townhouse buildings totalling 16 units on 67 Blucher Street (Retained lands).



Figure 2: View of Subject Lands from Blucher Street (November 21, 2025)



Figure 3: View of Existing 4-Unit Cluster Townhouse Dwelling at 67 Blucher Street (November 21, 2025)



Figure 4: View of Existing 10-Unit Cluster Townhouse Dwelling at 71 Blucher Street (November 21, 2025)

It is noted that a Reference Plan and Building Location Survey were not provided and submitted with the Consent Applications. The Applicant is submitting these applications

with confidence that the existing building/foundation will coincide with the proposed lot dimensions and setbacks, the proposed easement is in its correct location no other easements are necessary and is proceeding with the applications at this time **'at their own risk'**. A new condition is proposed to be added to these types of Consent Approvals as follows:

“That the Owner provide a Building Location Survey and/or Reference Plan, prepared by an Ontario Land Surveyor, to confirm the boundaries of the new lots and that the location of the existing building/foundation, with respect to the proposed new lot lines, conforms with the Zoning By-law to the satisfaction of the Manager, Development Approvals.”

Should the setbacks of the building/dwelling not meet zoning requirements, the location and/or configuration of the proposed easement is not correct, the Applicant will be required to rectify and/or submit Committee of Adjustment Applications to resolve the errors and/or deficiencies at their own expense.

REPORT:

Planning Comments Minor Variance Application A2025-127:

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 variances will facilitate a shared driveway and support the permitted uses and continue to maintain the low rise character of the properties 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

Lot Width

The intent of the regulation that requires a minimum lot width of 19 metres is to ensure that there is adequate lot size to accommodate a multiple dwelling building, along with sufficient space and access to street frontage for site functionality including servicing, access to parking areas, and waste collection. This regulation is intended for typical, rectangular shaped lots. The proposed new lot configuration creates an irregular shaped lot with a narrow access at the street line that widens significantly at the rear of the site. While the frontage at the street line is 5.8 metres, this increases to approximately 30 metres in width in the portion of the lot containing the existing building. The 5.8 metre lot width at the street line, along with the area proposed to be an access and servicing easement created through a concurrent Consent Application (B2025-035) on the 67 Blucher Street property provides for sufficient site functionality in the opinion of staff and therefore meets the general intent of the Zoning By-law.

Rear Yard Setback

The intent of the regulation that requires a minimum rear yard setback of 6 metres for a cluster townhouse dwelling is to provide for adequate amenity space and adequate building separation. The regulation is intended to apply to the rear of a building as it faces a rear property line, or where a functional rear yard would typically be located. The existing building at 71 Blucher Street is oriented as such that the functional rear yards face east, towards the interior property line. These functional rear yards for the cluster townhouse units are located 7.6 metres from that property line, demonstrating an adequate amenity area and building separation. Therefore, the request for a reduction in rear yard setback meets the general intent of the Zoning By-law in the opinion of staff.

Interior Side Yard Setback

The intent of the regulation that requires a minimum interior side yard setback of 4.5 metres for a cluster townhouse is to ensure adequate building separation. The requested reduction in setback to 3 metres represents an existing building that faces the rear yards of two existing detached dwellings facing Blucher Street. The adjacency to rear yards demonstrates adequate building separation as the existing detached dwellings are located approximately 24 metres from the rear lot line, totalling 27 metres of building separation. Should the detached dwellings be redeveloped in the future, it would still provide a minimum 7.5 metre rear yard setback and total building separation of 10.5 metres. Therefore, the requested variance for reduction to interior side yard setback meets the general intent of the Zoning By-law in the opinion of staff.

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

With respect to the lot width, staff are of the opinion that the site can function with a shared access and do not expect adverse impacts or effects as a result of the request for a reduction in lot width. With respect to the rear and interior side yard setbacks, this represents an existing building and no changes to the building at 71 Blucher Street are proposed. In the opinion of Staff, the effects of the requested variances can be considered minor.

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

The requested variances will facilitate the orderly development of the land with low rise residential uses that are permitted in the Zoning By-law. The requested variances are considered desirable for the appropriate development of the lands in the opinion of staff.

Planning Comments Consent Application B2025-034 & 2025-035:

In considering all the relevant Provincial legislation, Regional and City policies and regulations, Planning staff offer the following comments:

Provincial Planning Statement (PPS 2024)

Staff are satisfied that the proposed consent applications are consistent with the Provincial Planning Statement in general and as it related to housing policies in Chapter 2 regarding intensification and facilitating housing options. Section 2.2 1 (b) states that Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents of the regional market area by permitting and facilitating all housing options required to meet the social, health, economic and well-being requirements of current and future residents.

Regional Official Plan (ROP):

ROP Urban Area policies state that the focus of the Region's future growth shall be within the Urban Area. The subject lands fall within the 'Urban Area' and are designated 'Built-Up Area' in the ROP. The proposed development conforms to Policy 2.D.1 of the ROP as this neighbourhood provides for the physical and community infrastructure required for the proposed residential development, including transportation networks, municipal water and wastewater systems, and a broad range of social and public health services. Regional policies require municipalities to plan for a range of housing in terms of form, tenure, density, and affordability to satisfy the various physical, social, economic, and personal support needs of current and future residents. Staff are satisfied that the proposed consent applications adhere to these policies and conforms to the ROP.

City's Official Plan (2014)

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 Official Plan.

Section 17.E.20 of the Official Plan implements Section 51 of the Planning Act and contains policies regarding infill development and lot creation (Consent Policies). Policy 17.E.20.5 states the following:

"17.E.20.5 Applications for consent to create new lots will only be granted where:

- a) the lots comply with the policies of this Plan, any Community Plan and/or Secondary Plan, and that the lots are in conformity with the Zoning By-law, or a minor variance has been granted to correct any deficiencies;
- b) the lots reflect the general scale and character of the established development pattern of surrounding lands by taking into consideration lot frontages, areas, and configurations;
- c) all of the criteria for plan of subdivision are given due consideration;
- d) the lot will have frontage on a public street;
- e) municipal water services are available;
- f) municipal sanitary services are available except in accordance with Policy 14.C.1.19;
- g) a Plan of Subdivision or Condominium has been deemed not to be necessary for proper and orderly development; and,
- h) the lot(s) will not restrict the ultimate development of adjacent properties."

Staff are satisfied that the proposed consent applications to sever into two lots with easements for shared access and servicing meets the criteria set out in Policy 17.E.20.5

of the Official Plan. Although the resultant lot fabrics are irregular in shape and width at the street line, the original lot is irregular in shape and represents an existing condition within the neighbourhood. Further, the shared access will result in a situation whereas legally it is two lots but will appear to function as one lot.

Section 17.E.20.4 of the Official plan states: Consents may be permitted for the creation of a new lot, boundary adjustments, rights-of-way, easements, long-term leases and to convey additional lands to an abutting lot provided an undersized lot is not created.

The applications are requesting consent to create easements on both the severed and retained lots. Staff are satisfied that the consent to create easements is appropriate for the orderly development of the lands.

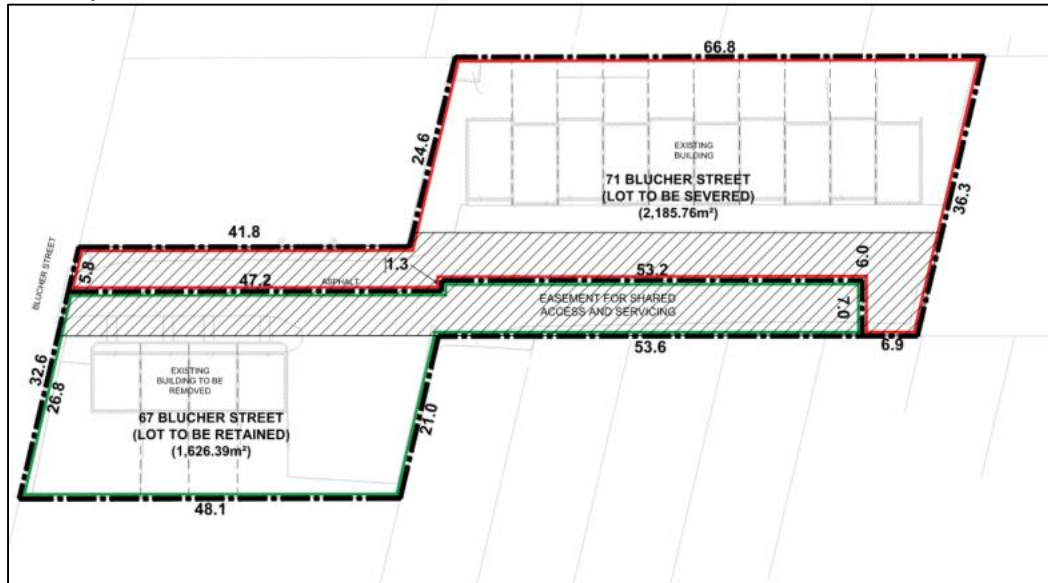


Figure 5: Severance Sketch

Zoning By-law 2019-051

The subject property is zoned as 'Low Rise Residential Five Zone (RES-5)' in Zoning By-law 2019-051. Minor variances for lot width and yard setbacks as part of concurrent Minor Variance Application A2025-127 have been discussed in this report.

Planning Conclusions/Comments:

With respect to the criteria for the subdivision of land listed in Section 51(24) of the Planning Act, R.S.O. 1990, c.P.13, staff is satisfied that the creation of the severed lots are desirable and appropriate. The severed lands front onto an established public street and are serviced with municipal services. Staff is further of the opinion that the proposal is consistent with the Region of Waterloo Official Plan, the Provincial Planning Statement, and is good planning and in the public interest.

With respect to the criteria for granting easements contained in Section 54(2) of the Planning Act, R.S.O. 1990, c.P.13, staff is satisfied that the creation of reciprocal access easements to facilitate shared access and servicing is desirable and appropriate.

Environmental Planning Comments:

Please include the standard consent condition to enter into an agreement to complete, submit, obtain approval of, and implement a Tree Preservation and Enhancement Plan for both the severed and retained lots. Shared ownership trees may be a concern.

Heritage Planning Comments:

The property municipally addressed as 71 Blucher Street has no heritage status. However, it is located within the Mt. Hope/Breithaupt Neighborhood Cultural Heritage Landscape (CHL). The Kitchener Cultural Heritage Landscape Study (CHLS) dated December 2014 and prepared by The Landplanned 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 severance is not anticipated to have any adverse impacts to the CHL's attributes. Thus, staff have no comments or concerns.

The property municipally addressed as 67 & 71 Blucher Street is located within the Mt. Hope/Breithaupt Neighborhood 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 easement 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 consent provided for the retained land:

1. A qualified designer is retained to complete a Building Code Assessment as it relates to the new proposed property line and any of the building adjacent to this new property line shall address such items as: Spatial separation of existing buildings' wall face to the satisfaction of the Chief Building Official. Closing in of openings may be required, pending spatial separation calculation results.
2. A Building Permit shall be obtained for any remedial work/ upgrades that may be required by the building code assessment.

Engineering Division Comments:**B2025-034 – 71 Blucher Street**

- Severance of any blocks within the subject lands will require separate, individual service connections for sanitary, storm, and water, in accordance with City policies.
- The owner is required to make satisfactory financial arrangements with the Engineering Division for the installation of new service connections that may be required to service this property, all prior to severance approval.
- Any new driveways are to be built to City of Kitchener standards. All works are at the owner's expense, and all work needs to be completed prior to occupancy of the building.
- A servicing plan showing outlets to the municipal servicing system will be required to the satisfaction of the Engineering Division prior to severance approval.

- A Development Asset Drawing (digital AutoCAD) is required for the new site infrastructure with corresponding layer names and asset information to the satisfaction of the Engineering Division prior to severance approval.
- The owner must ensure that the basement elevation of the building can be drained by gravity to the municipal sanitary sewer. If basement finished floor elevations do not allow for gravity drainage to the existing municipal sanitary system, the owner will have to pump the sewage to achieve gravity drainage from the property line to the municipal sanitary sewer in the right of way.
- The Owner shall implement a suitable design solution for a sump pump outlet to the satisfaction of the Director of Engineering.

B2025-035 – 67 Blucher Street

- Severance of any blocks within the subject lands will require separate, individual service connections for sanitary, storm, and water, in accordance with City policies.
- The owner is required to make satisfactory financial arrangements with the Engineering Division for the installation of new service connections that may be required to service this property, all prior to severance approval.
- Any new driveways are to be built to City of Kitchener standards. All works are at the owner's expense, and all work needs to be completed prior to occupancy of the building.
- A servicing plan showing outlets to the municipal servicing system will be required to the satisfaction of the Engineering Division prior to severance approval.
- A Development Asset Drawing (digital AutoCAD) is required for the new site infrastructure with corresponding layer names and asset information to the satisfaction of the Engineering Division prior to severance approval.
- The owner must ensure that the basement elevation of the building can be drained by gravity to the municipal sanitary sewer. If basement finished floor elevations do not allow for gravity drainage to the existing municipal sanitary system, the owner will have to pump the sewage to achieve gravity drainage from the property line to the municipal sanitary sewer in the right of way.
- The Owner shall implement a suitable design solution for a sump pump outlet to the satisfaction of the Director of Engineering.

Parks/Operations Division Comments:

A2025-127 – 71 Blucher Street

No concerns.

B2025-034 – 71 Blucher Street

All Parks and Forestry requirements, including parkland dedication, will be addressed through SP23/074/B/TS for 67 Blucher Street.

B2025-035 – 67 Blucher Street

No concerns.

Transportation Planning Comments:

Transportation Services have noted that the proposed easement is larger than what is anticipated to be required. However, staff do not object to the application, as the proposed easement is not expected to create any safety or operational concerns.

Region of Waterloo Comments:

The applicant/owner is proposing consent to sever to create a new residential lot and to create reciprocal easements for shared access/servicing. The lot to be severed (71 Blucher) contains an existing linear townhouse building (10 units). The lot to be retained (67 Blucher) contains an existing linear townhouse building (4 units) which would be demolished in order to develop two 8-unit linear stacked townhouse (total of 16 units).

The subject lands are currently serviced through municipal water and waste services, with access to a local road. Minor variance applications are required to facilitate the consent for the severed lands, pertaining to lot width, and setbacks. The lands were subject to Stamp B Site Plan Approval (SP23/073/B/TS) in Feb 2024 to formalize existing conditions. SP23/084/B/TS conditional site plan approval was granted in March 2024 for the redevelopment of 67 Blucher Street.

The proposed lot configuration is as follows:

Retained - B2025-034 - - 67 Blucher – 1,594.68 sq. m. area with 26.8 m frontage
Severed – B2025-035 - 71 Blucher - – 2,127.47 sq. m. area with 5.8 m frontage

The subject lands are designated Built-Up Area (within the Urban Boundary), with an MTSA (Central Station) and Urban Growth Centre (Downtown Kitchener) in the Regional Official Plan (ROP), Low-Rise Residential and Community Area in the City of Kitchener Official Plan, and zoned RES-5.

Threats Inventory Database (Advisory)

The following information from the Region's Threat Inventory Database (TID) is provided until such time as access is transferred to the City of Kitchener. Noting, there are no medium or high threats identified on or adjacent to the subject property.

Hydrogeology & Source Water Protection Plan

The subject lands are located in a Source Plan Protection Area where restrictions or prohibitions may apply in accordance with the Clean Water Act, Part IV. As such a Notice of Source Protection Plan Compliance (S. 59 Notice) is required as part of a formal application for Consent. Regional Staff are not in receipt of the S. 59 Notice and this will be required as a condition of consent approval if not received by the Region prior to the Decision of the Committee of Adjustment.

Fees

Regional staff are not in receipt of the required consent review fee of \$350 for consent application. The outstanding fee(s) will be required as a condition of consent approval if not received by the Region prior to the Decision of the Committee of Adjustment.

Regional staff have no objection to this application, subject to the following condition(s):

1. That the applicant submit the regional consent review fee of \$350.00 per application to the satisfaction of the Region of Waterloo.
2. That the applicant submit the Notice of Source Protection Plan Compliance (S. 59 Notice) to the satisfaction of the Region of Waterloo.

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 (ROP)*
- *Official Plan (2014)*
- *Zoning By-law 2019-051*
- *DSD-2024-225 (Minor Variance Application A2024-037)*

ATTACHMENTS:

Attachment A – Severance Sketch

Attachment B – Severance Sketch- New Site Plan

Attachment B – Severance Sketch- Original Site Plan