

Staff Report



Development Services Department

www.kitchener.ca

REPORT TO: Committee of Adjustment

DATE OF MEETING: February 17, 2026

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

PREPARED BY: Julia Moldenhauer, Student Planner, 519-783-4592

WARD(S) INVOLVED: Ward 2

DATE OF REPORT: February 4, 2026

REPORT NO.: DSD-2026-064

SUBJECT: Minor Variance Application A2026-009 - 451 Old Chicopee Tr.

RECOMMENDATION:

That Minor Variance Application A2026-009 for 451 Old Chicopee Trail requesting relief from Section 7.3, Table 7-2 , Zoning By-law 2019-051 to permit a rear yard setback of 4.9 metres instead of the minimum required 7.5 metres to facilitate the construction of a new sunroom at the rear of the existing detached dwelling, generally in accordance with drawings prepared by Tropical Sunrooms, dated November 10, 2025, BE APPROVED.

REPORT HIGHLIGHTS:

- The purpose of this report is to review and make a recommendation with respect to the Minor Variance Application to facilitate the construction of a new sunroom at the rear of the existing single detached dwelling of 451 Old Chicopee Trail.
- 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 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 Old Chicopee Trail. To the east is a public walkway, to the south is Fairway Road North and to the north and west are more residential uses.



Figure 1: Location Map

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 Two Zone (RES-2)' in Zoning By-law 2019-051.

The purpose of this application is to facilitate the construction of a new sunroom at the rear of the existing single detached dwelling addressed as 451 Old Chicopee Trail. A Minor Variance is required to allow a rear yard setback of 4.9 metres where 7.5 metres is required.



Figure 2: Street View of Existing Single Detached Dwelling



Figure 3: Current Backyard

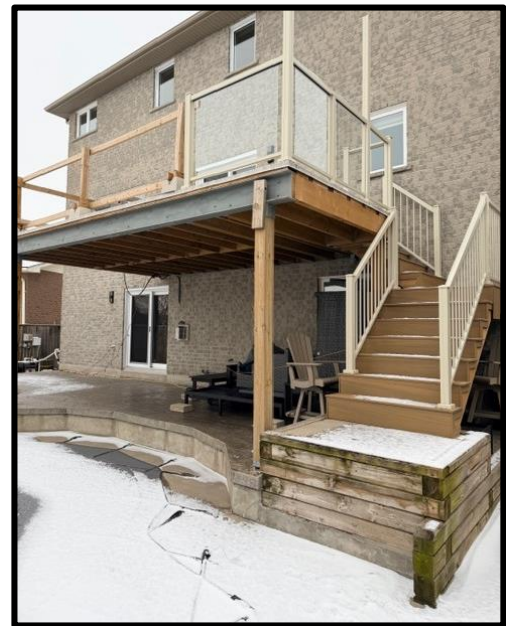


Figure 4: Current Deck/Stairs

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 designed as 'Low Rise Residential' in the City's Land Use Map 3 of the Official Plan. This designation encourages a variety of housing forms within the low-rise residential area. The proposed sunroom will not exceed the maximum permitted height or encroach into the side yard setback. The sunroom is a natural extension of the existing dwelling. Therefore, Planning staff are of the opinion that the requested variance maintains the general intent of the Official Plan.

General Intent of the Zoning By-law

The subject property is zoned 'RES-2' in Zoning By-Law 2019-051. Section 7.3, Table 7-2, regulations for single detached dwellings in a 'RES-2' zone states the minimum rear yard set back is 7.5 metres. The property is asking for a reduction from 7.5 to a 4.9 metre minimum rear yard set back. Due to the proposed sunroom being built onto the existing dwelling, which is on an angle, as seen in Figure 2, the left corner will have a 6.1 metre setback and the right corner will have a 4.9 metre setback. Neither of these reductions will affect the privacy of the area or jut out further than the existing deck and stairs to (Figure 4). Therefore, Planning staff are of the opinion that the requested variance maintains the general intent of the Zoning By-Law.

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

The proposed sunroom addition will be in the location of an existing deck and will generally maintain the same footprint. We do not anticipate any significant effects resulting from the new addition of the proposed sunroom or the rear yard setback. Therefore, Planning staff are of the opinion that the effects of the requested variance will be minor.

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

The proposed sunroom addition will provide additional interior living space for the existing dwelling and not significantly change the current backyard of the property. Therefore, Planning staff are of the opinion that the requested variance is desirable and appropriate for the development and use of the land.

Environmental Planning Comments:

No comments or concerns.

Heritage Planning Comments:

No comments or concerns.

Parks Planning/Forestry Comments:

No concerns and no requirements.

Building Services Comments:

No objections to the proposed variance. A Building Permit Application has been made for the unheated sunroom addition.

Engineering Services Comments:

No comments or concerns.

Transportation (Planning) Services Comments:

No concerns with this application.

Region of Waterloo Comments:

No comments or concerns.

Grand River Conservation Authority Comments:

No concerns, no requirements.

Six Nations of the Grand River Elected Council (SNGREC) Comments:

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 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*