

Staff Report



Development Services Department

www.kitchener.ca

REPORT TO: Committee of Adjustment

DATE OF MEETING: September 20, 2022

SUBMITTED BY: Tina Malone-Wright, Supervisor, Development Applications
519-741-2200 ext. 7765

PREPARED BY: Katie Anderl, Senior Planner, 519-741-2200 ext. 7987

WARD(S) INVOLVED: Ward 2

DATE OF REPORT: September 9, 2022

REPORT NO.: DSD-2022-430

SUBJECT: Consent Application B2022-046 - 78-80 Old Chicopee Drive
Owner: Estate of Mario Kruppa (Trustee Rudy Kruppa)
Applicant: Steven Grant (Madorin, Snyder LLP)

RECOMMENDATION:

That Consent Application B2022-046 requesting consent to sever a parcel of land having a lot width of 9.9 metres, a lot depth of 39.6, metres and a lot area of 392.24 square metres, BE DEFERRED to a March 2023 Committee of Adjustment meeting.

REPORT HIGHLIGHTS:

- The purpose of this report is to recommend deferral of a consent application proposing to sever an existing semi-detached dwelling.
- There are no financial implications.
- Community engagement included circulation of the application via mail and notification by way of the Record and signage placed on the property.
- This report supports the delivery of core services.

BACKGROUND:

The subject property is located at 78 – 80 Old Chicopee Drive. The property contains an existing semi-detached dwelling which was constructed in the late 1960's.



Image 1: Location Map (78-80 Old Chicopee Drive)



Image 2: photo of 78 – 80 Old Chicopee Drive (August 30, 2022)

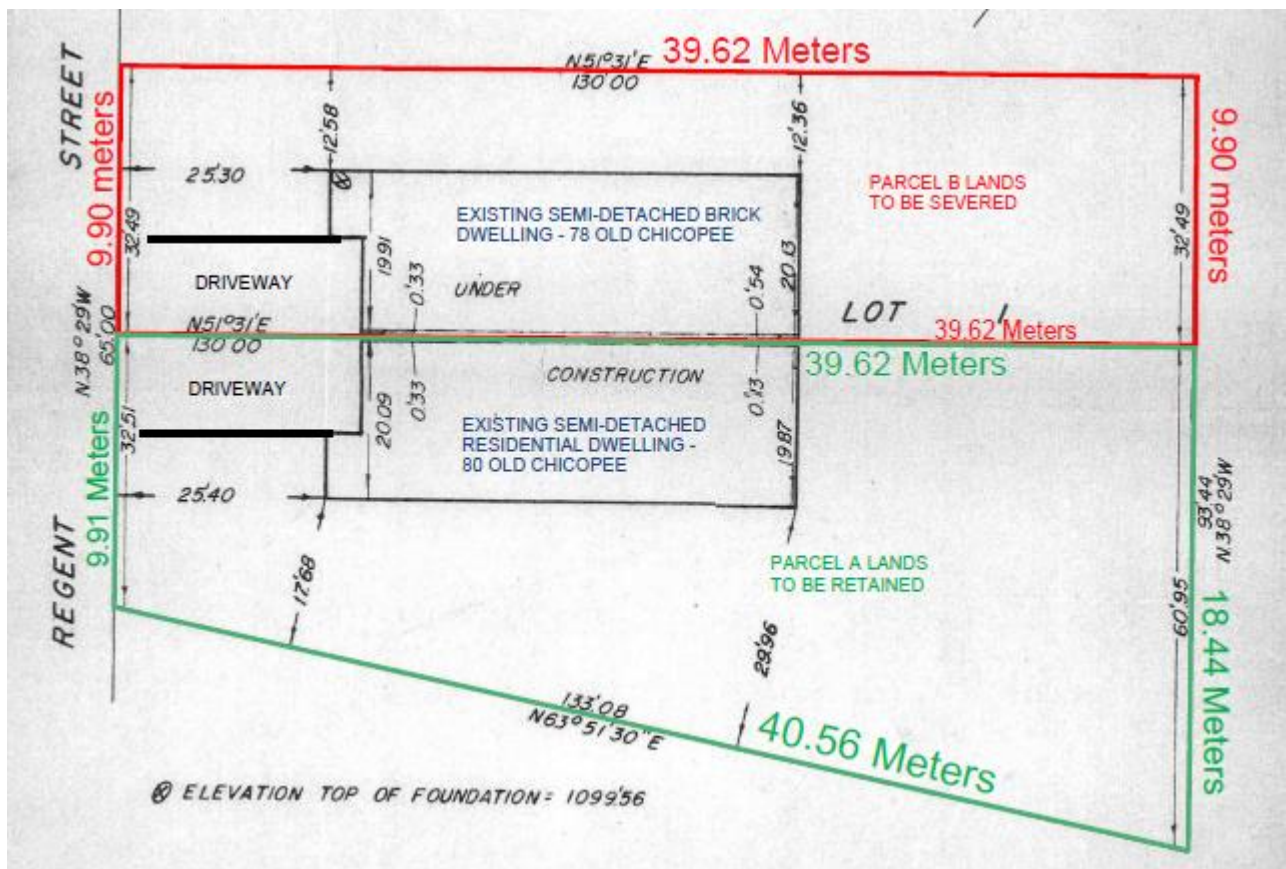


Image 3 – Severance Sketch

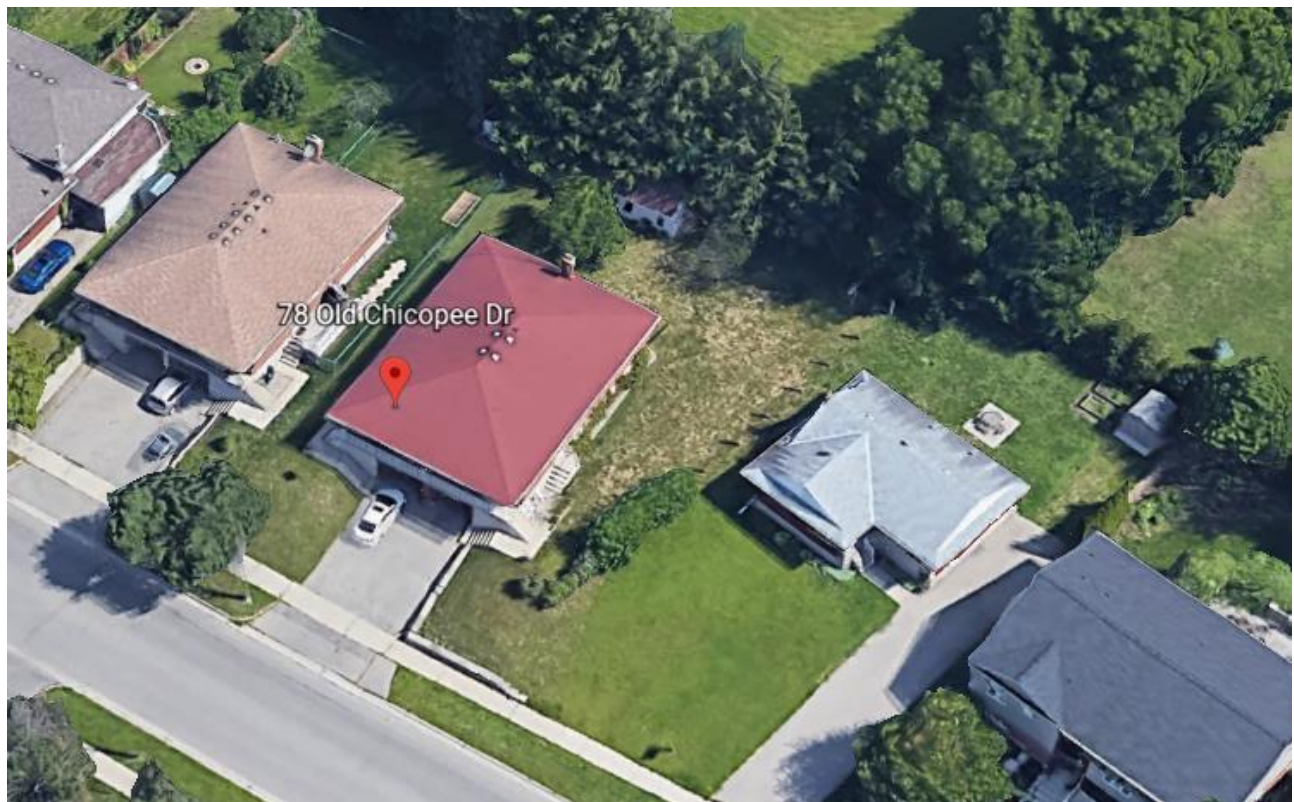


Image 4 – Aerial view of 78-80 Old Chicopee Drive (Google Earth)

REPORT:

Planning Comments:

Through the detailed review of the consent application, staff observed that there is an existing shed in the center of the shared rear yard which is located such that it would be bisected by the proposed property line. This shed is not shown on the proposed severance plan; however, it can be seen in Google Earth photography (Image 4). The owner has confirmed that the shed exists. In such circumstances, staff typically recommend that conditions be included requiring that the accessory structure be demolished or relocated so that it is fully located on either the severed or retained lands. The owner of the subject lands prefers to retain the shed 'in situ' and would like to explore alternative options including adjusting the proposed lot line in the rear yard. These solutions will require that the severance plans be updated to accurately show the size and location of the shed, together with any revisions to the lot line.

Staff recommend that the proposed consent application be deferred, for a period of up to 6 months (March 2023) so that plans can be updated and resubmitted for consideration. Depending on the timing of the solutions, the application may be able to be considered at an earlier meeting of the Committee of Adjustment. Also, depending on the preferred solution, the application may be subject to a Deferral Fee.

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 Policy Statement (PPS 2014)*
- *A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020*
- *Regional Official Plan (ROP)*
- *Official Plan (2014)*
- *Zoning By-laws 85-1 and 2019-051*