

# Staff Report



Development Services Department

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**REPORT TO:** Committee of Adjustment

**DATE OF MEETING:** February 21, 2023

**SUBMITTED BY:** Tina Malone-Wright, Interim Manager, Development Review  
519-741-2200 ext. 7765

**PREPARED BY:** Eric Schneider, Senior Planner, 519-741-2200 ext. 7843

**WARD(S) INVOLVED:** Ward 6

**DATE OF REPORT:** February 21, 2023

**REPORT NO.:** DSD-2023-066

**SUBJECT:** Minor Variance Application A2023-016 - 107 Chandler Drive

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## RECOMMENDATION:

### Zoning By-law 2019-51

That Minor Variance Application A2023-016 for 107 Chandler Drive requesting relief from Section 5, Table 5-5, of Zoning By-law 2019-051 to permit:

- i) A parking requirement of 0.8 parking spaces per dwelling unit instead of the minimum required 1 parking space per dwelling unit; and
- ii) A visitor parking requirement of 0.1 visitor parking spaces per dwelling unit instead of the minimum required 0.15 visitor parking spaces per dwelling unit;

to facilitate the addition of five (5) new dwelling units in the basement of the existing multiple dwelling, in accordance with Site Plan Application SP23/002/C/ES, BE APPROVED.

## REPORT HIGHLIGHTS:

- The applicant is requesting minor variances for a reduction in the required minimum parking and visitor parking requirements in Zoning By-law 2019-051 to facilitate the addition of 5 rental dwelling units to an existing building containing 15 rental dwelling units. The proposed units are within the existing basement and will not require any additional building floor area.
- There are no financial implications.
- This report supports the delivery of core services.

## BACKGROUND:

The subject property is located on the south side of Chandler Drive between Woodfern Court and Bonfield Place. The site is an interior lot with approximately 50 metres of frontage on Chandler Drive.

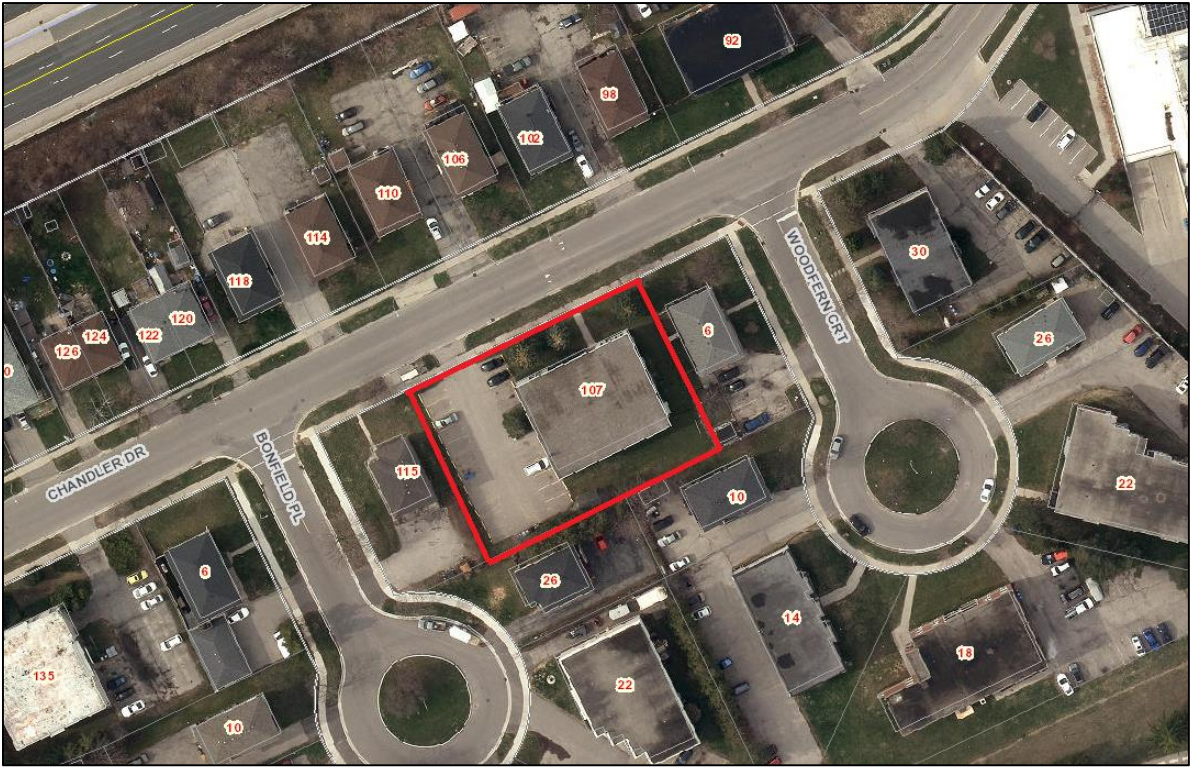


Figure 1: View of Subject Property (107 Chandler Drive)



Figure 2: View of Existing Building (January 30, 2023)

The subject property is identified as 'Community Area' 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 the addition of 5 dwelling units to the existing multiple dwelling building. The parking area will be altered to remove parking spaces from the Driveway Visibility Triangles, improving the safety of sightlines for pedestrians, cyclists, and motorists on the subject lands.

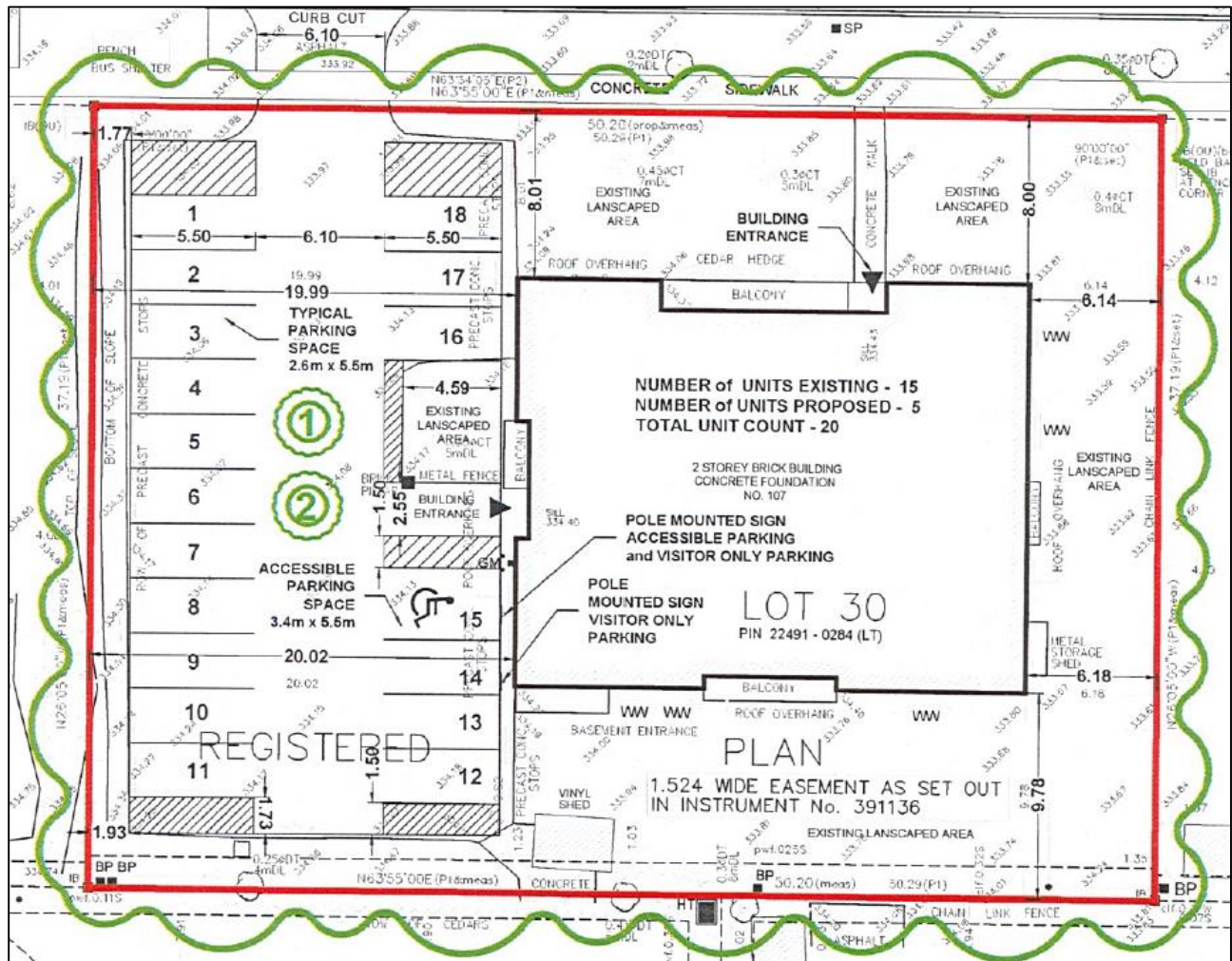


Figure 3: Proposed Site Plan

**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 Low Rise Residential designation is intended to accommodate a full range of housing types, including multiple dwellings in a low rise form of housing. Policy 4.1.5 encourages the retention and rehabilitation of older housing to maintain the City's housing stock. Policy 4.C.1.6 encourages residential intensification and redevelopment in order to respond to changing housing needs and as

a cost-effective means to reduce infrastructure and servicing costs by minimizing land consumption and making better use of existing community infrastructure. Regarding an integrated transportation network, the Official Plan encourages promoting walking and cycling as safe and convenient modes of transportation and reducing the modal share of trips from automobiles. Therefore, the requested variances meet the general intent of the Official Plan.

**General Intent of the Zoning By-law**

The intent of the zoning regulations for required minimum parking and visitor parking spaces is to ensure the adequate vehicle storage on site. The applicant operates a rental tenure type for the current 15-unit multiple dwelling. The applicant can use “unbundled parking”, in that a rental of a dwelling unit does not automatically come with a parking space. This will allow the leases to suit the needs of individual tenants. For site context, the site is well served by transit, and contains a transit pad for Route 4 directly in front of the subject lands. The Laurentian shopping centre is within walking distance, providing groceries and other commercial amenities within a 15 minute walk. The transit availability and amenities within walking distance facilitate the ability for an active transportation/transit supportive development type and provide adequate justification for the requested variances for reduction to vehicle parking. Therefore, Planning Staff is of the opinion that the requested variances meet the general intent of the Zoning By-law.

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

The requested variance for reduction in vehicle parking represents a small decrease from the required minimums:

	Required	Provided
Total Parking	1.15	0.9
Resident Spaces	1.0	0.8
Visitor Spaces	0.15	0.1

Planning Staff are of the opinion that the requested variances for reduction in standard and visitor parking are minor, and that they will not cause adverse impacts.

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

The requested variances facilitate the desirous outcome of gentle intensification/redevelopment on the existing site while preserving the existing housing stock and increasing the amount of rental dwelling units. Planning Staff is of the opinion that the requested variances are appropriate and desirable for the use of the lands.

**Environmental Planning Comments:**

There are no natural heritage features/functions. Trees are limited to planted trees required as part of the landscaping for previous Site Plan.

**Heritage Planning Comments:**

No Heritage concerns.

**Building Division Comments:**

The Building Division has no objections to the proposed variance provided building permit for the additional units is obtained prior to construction. Please contact the Building Division at [building@kitchener.ca](mailto:building@kitchener.ca) with any questions.

**Engineering Division Comments:**

No Engineering concerns.

**Parks/Operations Division Comments:**

No Parks/Operations Concerns.

**Transportation Planning Comments:**

Based on the submitted application, the applicant is proposing a redevelop the existing site with 20 units and provide total of 18 parking spaces, of which 2 parking spaces will be allocated for visitor parking and 16 spaces for the residential use. The proposed parking supply is in keeping with Transpiration Services comments that were provided as part of the Site Plan process for this development. Therefore, Transportation Services have no concerns with the variance being sought to parking.

**Ministry of Transportation (MTO) Comments:**

As proposed, the Ministry of Transportation (MTO) has no objection to this application. The subject property is located beyond MTO limits of permit control and therefore MTO review, approval and permits will not be required.

**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 2020)*
- *A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020*
- *Regional Official Plan*
- *Official Plan (2014)*
- *Zoning By-law 2019-051*

**ATTACHMENTS:**

No attachments

