



Committee of Adjustment Agenda

Tuesday, November 15, 2022, 10:00 a.m. - 12:00 p.m.

Electronic Meeting

(Pursuant to the Planning Act, R.S.O. 1990, c.P. 13, as amended,
and Ontario Regulations 197/96 and 200/96, as amended)

TAKE NOTICE THAT the Committee of Adjustment for the City of Kitchener **will meet electronically TUESDAY, NOVEMBER 15, 2022, commencing at 10:00 a.m.** for the purpose of hearing the following applications for Minor Variance and/or Consent.

Applicants or Agents must register to participate electronically in support of the application. This is a public meeting, anyone having an interest in any of these applications may register to participate electronically as a delegation or submit comments for Committee consideration.

If you wish to register, please email CofA@kitchener.ca or via phone at 519-741-2203. Please note this electronic meeting is a public meeting and will be recorded.

Pages

1. COMMENCEMENT

2. MINUTES

That the regular minutes of the Committee of Adjustment meeting held October 18th, 2022, as circulated to the members, be accepted.

3. UNFINISHED BUSINESS

3.1. A 2022-069 – 92 River Road East, DSD-2022-293

Requesting a minor variance to the Zoning By-law to demolish the existing single detached dwelling to construct a 5-storey apartment building containing 14 units having a northerly yard setback of 3.5m rather than the required 6m; an easterly side yard setback of 1.5m rather than the required 6m; a lot width of 19.6m rather than the minimum required 30m; an off-street parking ratio of 1.14 parking spaces/unit (16 spaces total) rather than the required 1.75 spaces/unit (25 spaces total); and, a Floor Space Ratio (FSR) of 2.1 instead of the maximum permitted 2.0.

4. APPLICATIONS FOR MINOR VARIANCE AND / OR CONSENT PURSUANT TO THE PLANNING ACT

4.1. A 2022-129 - 103 Peter Street

Requesting a minor variance to the Zoning By-law to permit a minimum westerly interior side yard setback of 0.8m rather than the minimum required 1.2m, to facilitate the construction of a second storey addition onto the existing dwelling.

4.2. A 2022-130 - 252 Mountain Laurel Crescent

Requesting a minor variance to the Zoning By-law from Zoning By-law 85-1 to permit a driveway with a maximum width of 6.5m rather than the maximum permitted 5.2m; and, a variance from Zoning By-law 2019-051 to permit a driveway with a maximum width of 6.5m rather than the maximum permitted 4.5m (50% of the lot width), to facilitate the widening of an existing driveway.

4.3. A 2022-131 - 1388 Highland Road West

Requesting a minor variance to the Zoning By-law from Zoning By-law 85-1 to permit 0.68 parking spaces per dwelling unit, inclusive of visitor parking, rather than the minimum required 1.5 parking spaces per dwelling unit with a minimum of 20% of the required parking allocated for visitor parking; and, a variance from Zoning By-law 2019-051 to permit 0.68 parking spaces per dwelling unit, inclusive of visitor parking, rather than the minimum required 1 parking space per dwelling unit with 0.1 parking spaces per dwelling unit allocated for visitor parking, to facilitate the construction of a 10 storey multiple residential building having 151 dwelling units, 40% of the units are proposed to be affordable housing units.

4.4. A 2022-132 - 85 Byron Avenue

Requesting a minor variance to the Zoning By-law from Zoning By-law 85-1 to permit a multiple dwelling having 3-units, whereas the By-law does not permit a triplex use; to legalize 2 off-street parking spaces between the front façade and front lot line, whereas the By-law does not permit parking between the front façade and the front lot line; and, to legalize parking in tandem whereas the By-law does not permit tandem parking; and, a variance from Zoning By-law 2019-051 to legalize a westerly side yard setback of 0.9m rather than the required 1.2m for an existing side yard condition, to facilitate the conversion of an existing single detached dwelling with 1 additional dwelling unit (attached) into a single detached dwelling with 2 additional dwelling units (attached); and, to permit two of the three required parking spaces to locate on the driveway within 6m of the front lot line, whereas only 1 parking space is permitted within 6m of the front lot line.

4.5. A 2022-133 - 130 Weber Street West

Requesting a minor variance to the Zoning By-law to permit an increase to the “Maximum Floor Area Devoted to Retail where permitted as an Accessory Use” in the M-2 from 25% to 35% as per the illustration included in the application.

4.6. B 2022-057 - 193 Louisa Street

Requesting permission to sever a parcel of land so each half of a semi-detached dwelling can be dealt with separately. The severed land at the corner of Louisa Street and Weber Street will have a width of 13.8m, a depth of 22.6m and an area of 237 sq.m. The retained land will have a width of 7.52m, a depth of 27.94m and an area of 190 sq.m.

5. ADJOURNMENT

6. PLANNING ACT INFORMATION

- additional information is available at the Legislated Services Department, 2nd Floor, City Hall, 200 King Street West, Kitchener (519-741-2203).
- copies of written submissions/public agencies' comments are available the Friday afternoon prior to the meeting on the City of Kitchener website www.kitchener.ca in the online Council and Committee calendar; see the meeting date for more details.
- anyone having an interest in any of these applications may attend this meeting.
- a person or public body that files an appeal of a consent decision of the Committee of Adjustment must make written submissions to the Committee before the Committee gives or refuses to give a Provisional Consent otherwise the Ontario Land Tribunal (OLT) may dismiss the appeal.
- any personal information received in relation to this meeting is collected under the authority s. 28(2) of the Planning Act, R.S.O. 1990, c. P.13, and will be used by the City of Kitchener to process Committee of Adjustment applications. Questions about the collection of information should be directed to Marilyn Mills at marilyn.mills@kitchener.ca.
- if you wish to be notified of a decision you must make a written request to the Secretary-Treasurer, Committee of Adjustment, City Hall, 200 King St. W., Kitchener ON, N2G 4G7; this request also entitles you to be advised of a possible Ontario Land Tribunal hearing; even if you are the successful party you should make this request as the decision could be appealed by the applicant or another party.

The Notice of Hearing for this meeting was published the Record on the 28th day of October, 2022.

Marilyn Mills
Secretary-Treasurer
Committee of Adjustment