



## Committee of Adjustment Agenda

Tuesday, January 16, 2024, 10:00 a.m. - 12:00 p.m.

Council Chambers

City of Kitchener

200 King Street W, Kitchener, ON N2G 4G7

(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 in Council Chambers, 2nd Floor, Kitchener City Hall, 200 King Street West, on TUESDAY, JANUARY 16, 2024, commencing at 10:00 a.m.** for the purpose of hearing the following applications for Minor Variance and/or Consent.

Applicants or Agents must attend in support of the application. This is a public meeting. Anyone having an interest in any of these applications may make an oral submission at the meeting or provide a written submission for Committee consideration. Please note this is a public meeting and will be livestreamed and archived at [www.kitchener.ca/watchnow](http://www.kitchener.ca/watchnow).

The complete agenda, including staff reports will be available online the Friday prior to the week of the meeting date.

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Pages

1. **COMMENCEMENT**

2. **MINUTES**

3. **DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF**

Members of Council and members of the City's local boards/committees are required to file a written statement when they have a conflict of interest. If a conflict is declared please visit [www.kitchener.ca/conflict](http://www.kitchener.ca/conflict) to submit your written form.

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

5. **UNFINISHED BUSINESS**

- 5.1 B 2023-042 & A 2023-135-136 - 52 Edgehill Drive, DSD-2024-032** 5
- Requesting consent to sever a parcel of land at the rear of the existing dwelling, having a width of 32m, a depth of 45m, and an area of 1253.6sq.m. The retained land will have a width of 52m, a depth of 45m, and an area of 1741sq.m. Minor Variances are also being requested to permit a driveway width of 16.5m for an existing driveway rather than maximum width of 8m, and to permit reduced lot areas for both the proposed severed and retained lands of 1,253sq.m. and 1,741sq.m., rather than the minimum required 2,023sq.m. The retained parcel will maintain the existing dwelling, while the severed parcel is intended for a residential dwelling.

## **6. NEW BUSINESS**

- 6.1 A 2024-001 - 3273 King Street East, DSD-2024-039** 41
- Requesting permission to permit a legal non-conforming single detached dwelling in a RES-7 zone to be used for a Single Detached Dwelling and a Personal Services Use (Hair Salon); to permit a parking space to be located 0.5m from the street line rather than the minimum required 3m, to permit a parking space to be located in a Driveway Visibility Triangle (DVT), whereas the By-law does not permit encroachments into the DVT; and, to permit one barrier-free parking space to be 2.4m wide rather than the required 3.4m, to facilitate the use of the existing building for a Single Detached Dwelling and a Personal Services Use (Hair Salon).
- 6.2 A 2024-002 - 44 Patricia Avenue, DSD-2024-041** 50
- Requesting a minor variance to permit a westerly interior side yard setback of 0.5m rather than the minimum required 1.2m to facilitate the construction of a second-storey addition above the existing attached garage of the single detached dwelling.
- 6.3 A 2024-003 to 008 – 1388 New Dundee Road (Parts 111, 112, 115, 116, 119 and 120, Registered Plan 58M-671, Future addresses 6, 7, 10, 11, 14 and 15 Winter Wren Crescent), DSD-2024-045** 66
- Requesting minor variances to permit 6 external/end townhouse dwelling units in a future townhouse block to have a lot width of 6.9m rather than the minimum required lot width for an external/end townhouse dwelling unit of 9.5m to facilitate the development of townhouse dwelling units on Winter Wren Crescent.
- 6.4 A 2024-009 - 169 Otterbein Road, DSD-2024-036** 75
- Requesting a minor variance to permit a rear yard setback of 2.08m rather than the minimum required 7.5m to facilitate the construction of a detached dwelling on a vacant irregular sized corner lot.

- 6.5 A 2024-010 - 7 Morrison Road, DSD-2024-038** 84  
Requesting a minor variance to permit a Floor Space Ratio (FSR) of 1.0 rather than the maximum permitted 0.9 to facilitate the redevelopment of the property with two (2) 3-storey stacked townhouse buildings with 16 units each, for a total of 32 dwelling units.
- 6.6 A 2024-011 - 1955 Fischer Hallman Road, DSD-2024-030** 92  
Requesting a minor variance to permit a minimum parking requirement of 1 parking space for each 30 sq.m. of Gross Floor Area (GFA) rather than the required 1 parking space for each 23 sq.m., to facilitate the final stages of development for a Community Facility and a Fieldhouse.
- 6.7 B 2024-001 & B 2024-002 - 46 Shanley Street, DSD-2024-025** 102  
Requesting consent to sever a parcel of land so each half of a semi-detached dwelling, municipally addressed as 46 and 46A Shanley Street, so each half can be dealt with separately. The severed parcel (46A Shanley Street) will have a width of 8.9m, a depth of 45.4m and an area of 385 sq.m.; and, to grant an easement on the severed land in the front yard, along the common wall, having a width of 1.5m, and a depth of 1.82m for maintenance purpose in favour of the retained land. The retained land (46 Shanley Street) will have a width of 10.2m, a depth of 45.4m; and an area of 485 sq.m.; and, to grant an easement on the retained land in the rear yard, along the common wall, having a width of 1.5m, and a depth of 1.82m for maintenance purpose in favour of the severed land.

## **7. ADJOURNMENT**

## 8. PLANNING ACT INFORMATION

- Additional information is available at the Legislated Services Department, 2nd Floor, City Hall, 200 King Street West, Kitchener 519-741-2203 or by emailing [CofA@kitchener.ca](mailto:CofA@kitchener.ca).
- 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/meetings](http://www.kitchener.ca/meetings) 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.
- Only the Applicant, Minister, **specified person (as defined in Section 1 of the Planning Act)** or public body that has an interest in the matter has the right to appeal of decisions of the Committee of Adjustment. These parties must make written submissions to the Committee prior to the Committee granting or refusing 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 Mariah Blake at [mariah.blake@kitchener.ca](mailto:mariah.blake@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.

The Notice of Hearing for this meeting was published in the Record on the 29th day of December, 2023.

Mariah Blake  
Secretary-Treasurer  
Committee of Adjustment