



## **Committee of Adjustment Agenda**

**Tuesday, January 20, 2026, 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 20, 2026, 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 2025-032 - 776 Rockway Drive, DSD-2025-485**  
*(This matter will no longer be considered this date. At the request of Staff, this matter has been rescheduled to the February 17, 2026 Committee of Adjustment meeting, in accordance with the Committee's deferral decision on December 9, 2025).*

**5.2 B 2025-033 - 104 Brentwood Avenue, DSD-2025-486**  
*(This matter will no longer be considered this date. At the request of Staff, this matter has been rescheduled to the February 17, 2026 Committee of Adjustment meeting, in accordance with the Committee's deferral decision on December 9, 2025).*

**5.3 B 2025-034, B 2025-035 & A 2025-127 - 67 & 71 Blucher Street (Severed Parcel), DSD-2026-036**

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Requesting consent to sever an irregular shaped parcel of land, municipally addressed as 71 Blucher Street, having a width of 5.8m, a depth of 108.8m and an area of 2,127.4sq.m.; and, to create an easement on the severed land having an approximate width of 6m and a depth of 110m for the purposes of shared access, servicing, and parking in favour of 67 Blucher Street; and, to create an easement on the retained land having an approximate width of 6m and a depth of 110m, for the purposes of shared access and parking in favour of 71 Blucher Street. Minor variances are also being requested to permit the severed land to have a lot width of 5.8m rather than the minimum required 19m, a rear yard of 3.2m rather than the minimum required 6m and an interior side yard setback of 3m (adjacent to 79 Blucher Street) rather than the minimum required 4.5m, to facilitate the severance from 67 Blucher Street and to recognize the lot and setbacks of the severed land.

## **6. NEW BUSINESS**

**6.1 A 2026-001 - 532 Courtland Avenue East, DSD-2026-019**

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Requesting minor variances to permit parking spaces and drive aisles not to be located entirely behind the area on the ground floor devoted to the permitted multiple dwelling use for the entire length of the street line façade, whereas the Zoning By-law requires parking and drive aisles to be located entirely behind the area on the ground floor devoted to the multiple dwelling use for the entire length of the street line façade, except for access; and, to permit a building with 5-10 units to have a depth of 30.5m rather than the maximum permitted 24m, to facilitate the construction of a 3-storey multiple dwelling having 5 dwelling units.

**6.2 A 2026-002 - 546 Courtland Avenue East, DSD-2026-020**

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Requesting minor variances to permit a drive aisle width of 5.3m rather than the required 6m; to permit parking spaces and drive aisles not to be located entirely behind the area on the ground floor devoted to the



- permitted multiple dwelling use for the entire length of the street line façade whereas the Zoning By-law requires parking and drive aisles to be located entirely behind the area on the ground floor devoted to the multiple dwelling use for the entire length of the street line façade, except for access; and, to permit a building with 5-10 units to have a depth of 36.7m rather than the maximum permitted 24m, to facilitate the construction of a 3-storey multiple dwelling having 7 dwelling units.
- 6.3 A 2026-003 - 4417 King Street East, DSD-2026-025** 96  
 Requesting a minor variance to permit a 'Car Wash' as a permitted use in the 'Mid Rise Growth (SGA-2)' Zone Category, whereas a 'Car Wash' use is not a permitted use within the 'SGA-2' Zone.
- 6.4 A 2026-004 - 37 Heiman Street, DSD-2026-027** 108  
 Requesting minor variances to permit a parking area to be located 0.5m from the westerly side lot line rather than the required 1.5m; to permit a lot width of 14.2m rather than the required 19m; and, to permit a southerly side yard setback of 2.3m rather than the required 3m to facilitate the development of a 3-storey multiple dwelling having 6 dwelling units.
- 6.5 A 2026-005 - 1541 Fischer Hallman Road, DSD-2026-031** 129  
 Requesting a minor variance to permit a lot area of 21.9 hectares rather than the required 40 hectares; and, a lot width of 243.8m rather than the minimum required 300m to facilitate the construction of a new maintenance building for the Williamsburg Cemetery.
- 6.6 A 2026-006 - 235 Hoffman Street, DSD-2026-018** 143  
 Requesting permission to expand a 'Legal Non-Conforming Use', a Single Detached Dwelling, to a Single Detached Dwelling with 2 ADUs (Attached) (Triplex); and, to permit a driveway width of 14.83m (88.3% of the lot width) rather than the maximum permitted 6.7m (40% of the lot width), to facilitate the conversion of a Single Detached Dwelling to a Triplex Dwelling.
- 6.7 A 2026-007 - 56 Woolwich Street, DSD-2026-037** 157  
 Requesting minor variances to permit a northerly exterior side yard setback of 1.6m rather than the minimum required 4.5m to recognize the location of the existing dwelling; and, to permit a proposed 2nd storey dormer to have a northerly exterior side yard setback of 1.8 m rather than the minimum required 4.5 m, to facilitate the construction of a dormer over an existing staircase to the attic.
- 6.8 A 2026-008 - 14 Sportsman Hill Street, DSD-2026-028** 186  
 Requesting a minor variance to permit a westerly side yard setback of 0.1m rather than the required 0.5 m to legalize the existing steps in the side yard and to facilitate an Additional Dwelling Unit (ADU) (Attached)

(Duplex).

7. **ADJOURNMENT**

8. **PLANNING ACT INFORMATION**

- Additional information is available at the Legislated Services Department, 2nd Floor, Kitchener 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 Marilyn Mills at [marilyn.mills@kitchener.ca](mailto: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, Kitchener City Hall, 200 King St. W., Kitchener ON, N2G 4G7.

The Notice of Hearing for this meeting was published in the Record on the 2nd day of January, 2026.

Marilyn Mills  
Secretary-Treasurer  
Committee of Adjustment

**REPORT TO:** Committee of Adjustment

**DATE OF MEETING:** January 20, 2026

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

**PREPARED BY:** Eric Schneider, Senior Planner, 519-783-8918

**WARD(S) INVOLVED:** Ward 10

**DATE OF REPORT:** January 8, 2026

**REPORT NO.:** DSD-2026-036

**SUBJECT:** Addendum and Update to DSD-2025-491  
Minor Variance Application A2025-127 - 71 Blucher Street  
Consent Application B2025-034 - 71 Blucher Street  
Consent Application B2025-035 - 67 Blucher Street

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**Note:** This report updates the Recommendations and report content of Report DSD2025-491 to include shared servicing within the requests for Consent for Easements.

**RECOMMENDATION:**

**A. Minor Variance Application A2025-127 - 71 Blucher Street**

That Minor Variance Application A2025-127 for 71 Blucher Street requesting relief from Section 7.3, Table 7-5, of Zoning By-law 2019-051 to permit the following:

- i) a lot width of 5.8 metres instead of the minimum required 19 metres;
- ii) a rear yard setback of 3.2 metres instead of the minimum required 6 metres; and
- iii) an interior side yard setback (adjacent to 79 Blucher Street) of 3 metres instead of the minimum required 4.5 metres;

to facilitate Consent Application B2025-034 and recognize the lot and setbacks of the severed parcel, municipally addressed 71 Blucher Street, generally in accordance with drawings prepared by GSP Group, dated October 24, 2025, BE APPROVED.

**B. Consent Application B2025-034 – 71 Blucher Street (Severed Parcel)**

**That Consent Application B2025-034 for 71 Blucher Street requesting Consent to sever a parcel of land having a lot width of 5.8 metres on Blucher Street, a lot depth of 108.8, metres and a lot area of 2,127.4 square metres and to create an easement having an approximate width of 6 metres and a depth of 110 metres, for the purposes of shared servicing, access and parking, in favour of 67 Blucher Street, BE APPROVED subject to the following conditions:**

- 1. That Minor Variance Application A2025-127 receive final approval.**
- 2. That the Owner's solicitor shall provide draft transfer documents and associated fees for the Certificate of Official to the satisfaction of the Secretary-Treasurer and City Solicitor, if required.**
- 3. That the Owner shall obtain a tax certificate from the City of Kitchener to verify that there are no outstanding taxes on the subject property(ies) to the satisfaction of the City's Revenue Division.**
- 4. That the owner provides a digital file of the deposited reference plan(s) prepared by an Ontario Land Surveyor in PDF and either .dwg (AutoCad) or .dgn (Microstation) format, as well as two full size paper copies of the plan(s). The digital file needs to be submitted according to the City of Kitchener's Digital Submission Standards to the satisfaction of the City's Mapping Technologist.**
- 5. That the Owner provide a Building Location Survey and/or Reference Plan, prepared by an Ontario Land Surveyor, to confirm the boundaries of the new lots and that the location of the existing building/foundation, with respect to the proposed new lot lines, conforms with the Zoning By-law to the satisfaction of the Manager, Development Approvals. Failure to comply with the Zoning By-law may result in additional Committee of Adjustment Applications at the Owner's expense.**
- 6. That the Transfer Easement document(s) required to create the Easement(s) being approved herein shall include the following, and shall be approved by the City Solicitor in consultation with the City's Manager, Development Applications:**
  - a) a clear and specific description of the purpose of the Easement(s) and of the rights and privileges being granted therein (including detailed terms and/or conditions of any required maintenance, liability and/or cost sharing provisions related thereto); and**
  - b) a clause/statement/wording confirming that the Easement(s) being granted shall be maintained and registered on title in perpetuity and shall not be amended, released or otherwise dealt with without the express written consent of the City.**

7. That a satisfactory Solicitor's Undertaking to register the approved Transfer Easement(s) and to immediately thereafter provide copies thereof to the City Solicitor be provided to the City Solicitor.
8. That the Owner install 2 "Class B" bicycle parking spaces on the retained lands and install 2 "Class B" bicycle parking spaces on the severed lands to the satisfaction of the Director of Development and Housing Approvals.
9. That at the sole option of the City's Director, Development and Housing Approvals, that the Owner shall enter into an agreement with the City of Kitchener, to be prepared by the City Solicitor, to the satisfaction of the City Solicitor and the City's Manager, Site Plans, and registered on title to the severed and retained lands, which shall include the following:
  - a) That prior to initiation of any site development works, grading or issuance of a Demolition and/or Building Permit the Owner agrees to submit and receive approval of a Site Plan to the satisfaction of the City's Manager, Site Plans, which reflects, at minimum, the proposed changes to the lot size and any associated changes to the operation and/or functioning of the site.

Should a Site Plan be approved pursuant to Section 41 of the *Planning Act* by the City's Manager, Site Plans, in accordance with the above condition prior to the Certificate of Consent being issued, then the above noted condition shall be deemed to have been waived, and no related agreement shall be required to be prepared or registered on title.

10. That at the sole option of the City's Director, Development and Housing Approvals, the Owner shall enter into an agreement with the City of Kitchener, to be prepared by the City Solicitor, to the satisfaction of the City Solicitor and the City's Director, Development and Housing Approvals, which shall include the following:
  - a) That the Owner shall prepare a Tree Preservation and Enhancement Plan for the severed and retained lands, in accordance with the City's Tree Management Policy, to be approved by the City's Manager, Site Plans, and where necessary, implemented prior to any grading, servicing, tree removal or the issuance of building permits. Such plans shall include, among other matters, the identification of a proposed building envelope/work zone, a landscaped area and the vegetation to be preserved. If necessary, the plan shall include required mitigation and or compensation measures.
  - b) The Owner further agrees to implement the approved plan. No changes to the said plan shall be granted except with the prior approval of the City's Manager, Site Plans.
  - c) The Owner shall maintain the lands, in accordance with the approved Tree Preservation and Enhancement Plan, for the life of the development.

**11. That the Owner shall:**

- a) Complete a Building Code Assessment for the existing dwellings proposed to be retained on the Severed and Retained parcel of land, prepared by a qualified person, to confirm that the proposed property line and any of the building adjacent to this new property line complies with the Ontario Building Code, to the satisfaction of the City's Chief Building Official. The assessment shall address items such as, but not limited to, spatial separation of existing buildings' wall face, and shall include recommendations such as closing in of openings pending spatial separation calculation results.**
- b) A Building Permit shall be obtained for any remedial work/ upgrades required by the Building Code Assessment.**

**12. That the Owner provides a servicing plan showing outlets to the municipal servicing system to the satisfaction of the Director of Engineering Services.**

**13. That the Owner submit a Development Asset Drawing (digital AutoCAD) for the site (servicing, SWM etc.) with corresponding layer names and asset information to the satisfaction of the City's Director of Engineering Services, prior to deed endorsement.**

**14. That the Owner makes financial arrangements for the installation of any new service connections to the severed and/or retained lands to the satisfaction of the City's Director of Engineering Services.**

**15. That any new driveways are to be built to City of Kitchener standards at the Owner's expense prior to occupancy of the building to the satisfaction of the City's Director of Engineering Services.**

**16. That the Owner provides confirmation that the basement elevation can be drained by gravity to the street sewers to the satisfaction of the City's Director of Engineering Services. If this is not the case, then the owner will need to pump the sewage via a pump and forcemain to the property line and have a gravity sewer from the property line to the street to the satisfaction of the City's Director of Engineering Services.**

**17. That prior to final approval the Owner submits the Consent Application Review Fee of \$350.00 to the Region of Waterloo.**

**18. That prior to final approval the Owner submits a valid Section 59 Notice.**

**C. Consent Application B2025-035 – 67 Blucher Street (Easement on Retained Parcel)**

**That Consent Application B2025-035 for 67 Blucher Street requesting Consent to create an easement having an approximate width of 6 metres and a depth of 110 metres, for the purposes of shared servicing, access and parking in favour of 71 Blucher Street, BE APPROVED subject to the following conditions:**

1. That Minor Variance Application A2025-127 receive final approval.
2. That the Owner's solicitor shall provide draft transfer documents and associated fees for the Certificate of Official to the satisfaction of the Secretary-Treasurer and City Solicitor, if required.
3. That the Owner shall obtain a tax certificate from the City of Kitchener to verify that there are no outstanding taxes on the subject property(ies) to the satisfaction of the City's Revenue Division.
4. That the owner provides a digital file of the deposited reference plan(s) prepared by an Ontario Land Surveyor in PDF and either .dwg (AutoCad) or .dgn (Microstation) format, as well as two full size paper copies of the plan(s). The digital file needs to be submitted according to the City of Kitchener's Digital Submission Standards to the satisfaction of the City's Mapping Technologist.
5. That the Owner provide a Building Location Survey and/or Reference Plan, prepared by an Ontario Land Surveyor, to confirm the boundaries of the new lots and that the location of the existing building/foundation, with respect to the proposed new lot lines, conforms with the Zoning By-law to the satisfaction of the Manager, Development Approvals. Failure to comply with the Zoning By-law may result in additional Committee of Adjustment Applications at the Owner's expense.
6. That the Transfer Easement document(s) required to create the Easement(s) being approved herein shall include the following, and shall be approved by the City Solicitor in consultation with the City's Manager, Development Applications:
  - a) a clear and specific description of the purpose of the Easement(s) and of the rights and privileges being granted therein (including detailed terms and/or conditions of any required maintenance, liability and/or cost sharing provisions related thereto); and
  - b) a clause/statement/wording confirming that the Easement(s) being granted shall be maintained and registered on title in perpetuity and shall not be amended, released or otherwise dealt with without the express written consent of the City.
7. That a satisfactory Solicitor's Undertaking to register the approved Transfer Easement(s) and to immediately thereafter provide copies thereof to the City Solicitor be provided to the City Solicitor.
8. That prior to final approval the Owner submits the Consent Application Review Fee of \$350.00 to the Region of Waterloo.
9. That prior to final approval the Owner submits a valid Section 59 Notice.

## REPORT HIGHLIGHTS:

- The purpose of this report is to review Minor Variance and Consent Applications to facilitate a severance of a lot and creation of reciprocal servicing and access easements for a property containing two cluster townhouse buildings, one with 10 dwelling units (71 Blucher Street) and one with 4 dwelling units (67 Blucher Street).
- The key finding of this report is that the minor variance meets the 4 tests of the Planning Act, and that the proposed consents to sever the lot and create the easements are appropriate to facilitate the functional access to the rear parking areas on each of the resultant lots.
- 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 property 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 the south side of Blucher Street between Hett Avenue and Ellis Street.



**Figure 1: Location Map: 67-71 Blucher Street**

The subject property is identified as a '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 Five Zone (RES-5)' in Zoning By-law 2019-051.



The purpose of the Applications is to facilitate a severance of a lot and creation of reciprocal servicing and access easements for a property containing two cluster townhouse buildings, one having 10 dwelling units (71 Blucher Street) and the other having 4 dwelling units (67 Blucher Street).

On March 22, 2024 the City granted Conditional Approval for Site Plan Application SP23/084/B/TS to demolish the existing 4-unit cluster townhouse building on 67 Blucher Street and replace it with a two stacked townhouse buildings containing a total of 16 dwelling units.

On May 21, 2024 the Committee of Adjustment approved minor variance application A2024-037 which granted relief for front yard setback, rear yard setback, and Floor Space Ratio (FSR) for the proposed 16-unit development, in the context of that development occurring on the whole lot containing the existing 10 unit cluster townhouse building addressed as 71 Blucher Street.

With the subject applications discussed in this report, the applicant is seeking to separate the lot into two lots, one which would contain the existing 10 unit cluster townhouse building on 71 Blucher (Severed lands) and one which would currently contain the 4 unit cluster townhouse building and is proposed to be developed with two new stacked townhouse buildings totalling 16 units on 67 Blucher Street (Retained lands).



**Figure 2: View of Subject Lands from Blucher Street (November 21, 2025)**



**Figure 3: View of Existing 4-Unit Cluster Townhouse Dwelling at 67 Blucher Street  
(November 21, 2025)**



**Figure 4: View of Existing 10-Unit Cluster Townhouse Dwelling at 71 Blucher Street  
(November 21, 2025)**

It is noted that a Reference Plan and Building Location Survey were not provided and submitted with the Consent Applications. The Applicant is submitting these applications



with confidence that the existing building/foundation will coincide with the proposed lot dimensions and setbacks, the proposed easement is in its correct location no other easements are necessary and is proceeding with the applications at this time **‘at their own risk’**. A condition is proposed to be added to these types of Consent Approvals as follows:

**“That the Owner provide a Building Location Survey and/or Reference Plan, prepared by an Ontario Land Surveyor, to confirm the boundaries of the new lots and that the location of the existing building/foundation, with respect to the proposed new lot lines, conforms with the Zoning By-law to the satisfaction of the Manager, Development Approvals. Failure to comply with the Zoning By-law may result in additional Committee of Adjustment Applications at the Owner’s expense.”**

Should the setbacks of the building/dwelling not meet zoning requirements, the location and/or configuration of the proposed easement is not correct, the Applicant will be required to rectify and/or submit Committee of Adjustment Applications to resolve the errors and/or deficiencies at their own expense.

## **REPORT:**

### **Planning Comments Minor Variance Application A2025-127:**

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 designated ‘Low Rise Residential’ in the Official Plan. The intent of this designation is to encourage a range of different forms of housing to achieve a low density neighbourhood. The requested variances will facilitate a shared driveway and support the permitted uses and continue to maintain the low rise character of the properties and surrounding neighbourhood. It is the opinion of staff that the requested variances meet the general intent of the Official Plan.

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

##### *Lot Width*

The intent of the regulation that requires a minimum lot width of 19 metres is to ensure that there is adequate lot size to accommodate a multiple dwelling building, along with sufficient space and access to street frontage for site functionality including servicing, access to parking areas, and waste collection. This regulation is intended for typical, rectangular shaped lots. The proposed new lot configuration creates an irregular shaped lot with a narrow access at the street line that widens significantly at the rear of the site. While the frontage at the street line is 5.8 metres, this increases to approximately 30 metres in width in the portion of the lot containing the existing building. The 5.8 metre lot width at the street line, along with the area proposed to be an access and servicing easement created through a concurrent Consent Application (B2025-035) on the 67

Blucher Street property provides for sufficient site functionality in the opinion of staff and therefore meets the general intent of the Zoning By-law.

#### *Rear Yard Setback*

The intent of the regulation that requires a minimum rear yard setback of 6 metres for a cluster townhouse dwelling is to provide for adequate amenity space and adequate building separation. The regulation is intended to apply to the rear of a building as it faces a rear property line, or where a functional rear yard would typically be located. The existing building at 71 Blucher Street is oriented as such that the functional rear yards face east, towards the interior property line. These functional rear yards for the cluster townhouse units are located 7.6 metres from that property line, demonstrating an adequate amenity area and building separation. Therefore, the request for a reduction in rear yard setback meets the general intent of the Zoning By-law in the opinion of staff.

#### *Interior Side Yard Setback*

The intent of the regulation that requires a minimum interior side yard setback of 4.5 metres for a cluster townhouse is to ensure adequate building separation. The requested reduction in setback to 3 metres represents an existing building that faces the rear yards of two existing detached dwellings facing Blucher Street. The adjacency to rear yards demonstrates adequate building separation as the existing detached dwellings are located approximately 24 metres from the rear lot line, totalling 27 metres of building separation. Should the detached dwellings be redeveloped in the future, it would still provide a minimum 7.5 metre rear yard setback and total building separation of 10.5 metres. Therefore, the requested variance for reduction to interior side yard setback meets the general intent of the Zoning By-law in the opinion of staff.

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

With respect to the lot width, staff are of the opinion that the site can function with a shared access and do not expect adverse impacts or effects as a result of the request for a reduction in lot width. With respect to the rear and interior side yard setbacks, this represents an existing building and no changes to the building at 71 Blucher Street are proposed. In the opinion of Staff, the effects of the requested variances can be considered minor.

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

The requested variances will facilitate the orderly development of the land with low rise residential uses that are permitted in the Zoning By-law. The requested variances are considered desirable for the appropriate development of the lands in the opinion of staff.

#### **Planning Comments Consent Applications B2025-034 and 2025-035:**

In considering all the relevant Provincial legislation, Regional and City policies and regulations, Planning staff offer the following comments:

#### Provincial Planning Statement (PPS 2024)

Staff are satisfied that the proposed consent applications are consistent with the Provincial Planning Statement in general and as it related to housing policies in Chapter 2 regarding intensification and facilitating housing options. Section 2.2 1 (b) states that Planning authorities shall provide for an appropriate range and mix of housing options and densities

to meet projected needs of current and future residents of the regional market area by permitting and facilitating all housing options required to meet the social, health, economic and well-being requirements of current and future residents.

Regional Official Plan (ROP):

ROP Urban Area policies state that the focus of the Region's future growth shall be within the Urban Area. The subject lands fall within the 'Urban Area' and are designated 'Built-Up Area' in the ROP. The proposed development conforms to Policy 2.D.1 of the ROP as this neighbourhood provides for the physical and community infrastructure required for the proposed residential development, including transportation networks, municipal water and wastewater systems, and a broad range of social and public health services. Regional policies require municipalities to plan for a range of housing in terms of form, tenure, density, and affordability to satisfy the various physical, social, economic, and personal support needs of current and future residents. Staff are satisfied that the proposed Consent Applications adhere to these policies and conforms to the ROP.

City's Official Plan (2014)

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 Official Plan.

Section 17.E.20 of the Official Plan implements Section 51 of the Planning Act and contains policies regarding infill development and lot creation (Consent Policies). Policy 17.E.20.5 states the following:

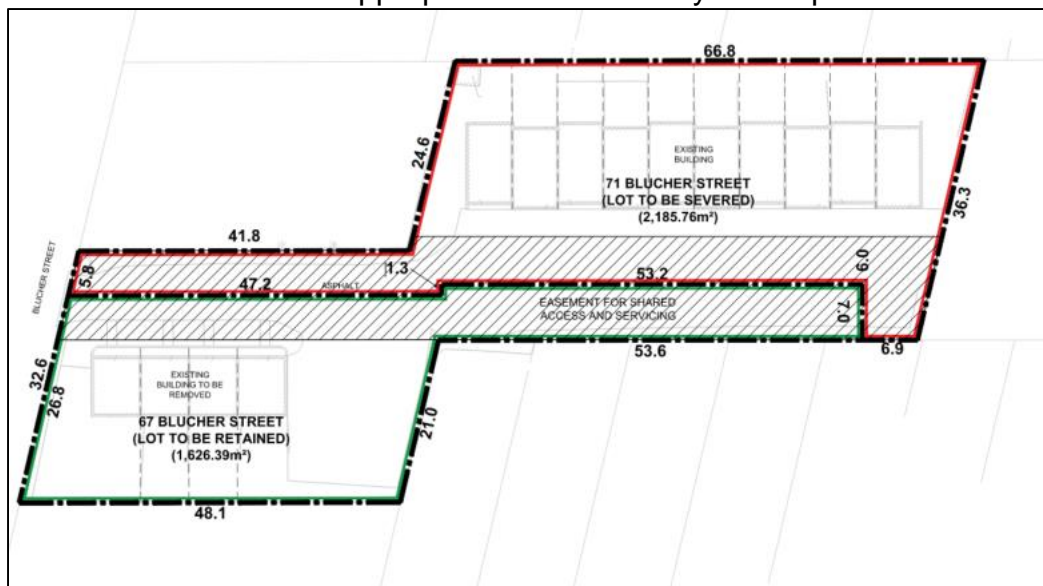
"17.E.20.5 Applications for consent to create new lots will only be granted where:

- i) the lots comply with the policies of this Plan, any Community Plan and/or Secondary Plan, and that the lots are in conformity with the Zoning By-law, or a minor variance has been granted to correct any deficiencies;
- ii) the lots reflect the general scale and character of the established development pattern of surrounding lands by taking into consideration lot frontages, areas, and configurations;
- iii) all of the criteria for plan of subdivision are given due consideration;
- iv) the lot will have frontage on a public street;
- v) municipal water services are available;
- vi) municipal sanitary services are available except in accordance with Policy 14.C.1.19;
- vii) a Plan of Subdivision or Condominium has been deemed not to be necessary for proper and orderly development; and,
- viii) the lot(s) will not restrict the ultimate development of adjacent properties."

Staff are satisfied that the proposed consent applications to sever into two lots with easements for shared access and servicing meets the criteria set out in Policy 17.E.20.5 of the Official Plan. Although the resultant lot fabrics are irregular in shape and width at the street line, the original lot is irregular in shape and represents an existing condition within the neighbourhood. Further, the shared access will result in a situation whereas legally there will be two (2) lots but will they appear to function as one (1) lot.

Section 17.E.20.4 of the Official plan states: Consents may be permitted for the creation of a new lot, boundary adjustments, rights-of-way, easements, long-term leases and to convey additional lands to an abutting lot provided an undersized lot is not created.

The applications are requesting consent to create easements on both the severed and retained lots for the purposes of shared servicing and access. Staff are satisfied that the consent to create easements is appropriate for the orderly development of the lands.



**Figure 5: Severance Sketch**

#### Zoning By-law 2019-051

The subject property is zoned as 'Low Rise Residential Five Zone (RES-5)' in Zoning By-law 2019-051. Minor variances for lot width and yard setbacks as part of concurrent Minor Variance Application A2025-127 have been discussed in this report.

#### **Planning Conclusions/Comments:**

With respect to the criteria for the subdivision of land listed in Section 51(24) of the Planning Act, R.S.O. 1990, c.P.13, staff is satisfied that the creation of the severed lots are desirable and appropriate. The severed lands front onto an established public street and are serviced with municipal services. Staff is further of the opinion that the proposal is consistent with the Region of Waterloo Official Plan, the Provincial Planning Statement, and is good planning and in the public interest.

With respect to the criteria for granting easements contained in Section 54(2) of the Planning Act, R.S.O. 1990, c.P.13, staff is satisfied that the creation of reciprocal access easements to facilitate shared access and servicing is desirable and appropriate.

**Environmental Planning Comments:**

Please include the standard consent condition to enter into an agreement to complete, submit, obtain approval of, and implement a Tree Preservation and Enhancement Plan for both the severed and retained lots. Shared ownership trees may be a concern.

**Heritage Planning Comments:**

The property municipally addressed as 71 Blucher Street has no heritage status. However, it is located within the Mt. Hope/Breithaupt Neighborhood Cultural Heritage Landscape (CHL). The Kitchener Cultural Heritage Landscape Study (CHLS) dated December 2014 and prepared by The Landplaned Collaborative Ltd. was approved by Council in 2015. The CHLS serves to establish an inventory and was the first step of a phased Cultural Heritage Landscape (CHL) conservation process. The proposed severance is not anticipated to have any adverse impacts to the CHL's attributes. Thus, staff have no comments or concerns.

The property municipally addressed as 67 & 71 Blucher Street is located within the Mt. Hope/Breithaupt Neighborhood Cultural Heritage Landscape (CHL). The Kitchener Cultural Heritage Landscape Study (CHLS) dated December 2014 and prepared by The Landplan Collaborative Ltd. was approved by Council in 2015. The CHLS serves to establish an inventory and was the first step of a phased Cultural Heritage Landscape (CHL) conservation process. The proposed easement is not anticipated to have any adverse impacts to the CHL's attributes. Thus, staff have no comments or concerns.

**Building Division Comments:**

The Building Division has no objections to the proposed consent provided for the retained land:

1. A qualified designer is retained to complete a Building Code Assessment as it relates to the new proposed property line and any of the building adjacent to this new property line shall addresses such items as: Spatial separation of existing buildings' wall face to the satisfaction of the Chief Building Official. Closing in of openings may be required, pending spatial separation calculation results.
2. A Building Permit shall be obtained for any remedial work/ upgrades that may be required by the building code assessment.

**Engineering Division Comments:****B2025-034 – 71 Blucher Street**

- Severance of any blocks within the subject lands will require separate, individual service connections for sanitary, storm, and water, in accordance with City policies.
- The owner is required to make satisfactory financial arrangements with the Engineering Division for the installation of new service connections that may be required to service this property, all prior to severance approval.
- Any new driveways are to be built to City of Kitchener standards. All works are at the owner's expense, and all work needs to be completed prior to occupancy of the building.
- A servicing plan showing outlets to the municipal servicing system will be required to the satisfaction of the Engineering Division prior to severance approval.

- A Development Asset Drawing (digital AutoCAD) is required for the new site infrastructure with corresponding layer names and asset information to the satisfaction of the Engineering Division prior to severance approval.
- The owner must ensure that the basement elevation of the building can be drained by gravity to the municipal sanitary sewer. If basement finished floor elevations do not allow for gravity drainage to the existing municipal sanitary system, the owner will have to pump the sewage to achieve gravity drainage from the property line to the municipal sanitary sewer in the right of way.
- The Owner shall implement a suitable design solution for a sump pump outlet to the satisfaction of the Director of Engineering.

#### **B2025-035 – 67 Blucher Street**

- Severance of any blocks within the subject lands will require separate, individual service connections for sanitary, storm, and water, in accordance with City policies.
- The owner is required to make satisfactory financial arrangements with the Engineering Division for the installation of new service connections that may be required to service this property, all prior to severance approval.
- Any new driveways are to be built to City of Kitchener standards. All works are at the owner's expense, and all work needs to be completed prior to occupancy of the building.
- A servicing plan showing outlets to the municipal servicing system will be required to the satisfaction of the Engineering Division prior to severance approval.
- A Development Asset Drawing (digital AutoCAD) is required for the new site infrastructure with corresponding layer names and asset information to the satisfaction of the Engineering Division prior to severance approval.
- The owner must ensure that the basement elevation of the building can be drained by gravity to the municipal sanitary sewer. If basement finished floor elevations do not allow for gravity drainage to the existing municipal sanitary system, the owner will have to pump the sewage to achieve gravity drainage from the property line to the municipal sanitary sewer in the right of way.
- The Owner shall implement a suitable design solution for a sump pump outlet to the satisfaction of the Director of Engineering.

#### **Parks/Operations Division Comments:**

##### **A2025-127 – 71 Blucher Street**

No concerns.

##### **B2025-034 – 71 Blucher Street**

All Parks and Forestry requirements, including parkland dedication, will be addressed through SP23/074/B/TS for 67 Blucher Street.

##### **B2025-035 – 67 Blucher Street**

No concerns.

#### **Transportation Planning Comments:**

Transportation Services have noted that the proposed easement is larger than what is anticipated to be required. However, staff do not object to the application, as the proposed easement is not expected to create any safety or operational concerns.



**Region of Waterloo Comments:**

The applicant/owner is proposing consent to sever to create a new residential lot and to create reciprocal easements for shared access/servicing. The lot to be severed (71 Blucher) contains an existing linear townhouse building (10 units). The lot to be retained (67 Blucher) contains an existing linear townhouse building (4 units) which would be demolished in order to develop two 8-unit linear stacked townhouse (total of 16 units).

The subject lands are currently serviced through municipal water and waste services, with access to a local road. Minor variance applications are required to facilitate the consent for the severed lands, pertaining to lot width, and setbacks. The lands were subject to Stamp B Site Plan Approval (SP23/073/B/TS) in Feb 2024 to formalize existing conditions. SP23/084/B/TS conditional site plan approval was granted in March 2024 for the redevelopment of 67 Blucher Street.

The proposed lot configuration is as follows:

Retained - B2025-034 - 67 Blucher - 1,594.68 sq. m. area with 26.8 m frontage.

Severed - B2025-035 - 71 Blucher 2,127.47 sq. m. area with 5.8 m frontage.

The subject lands are designated Built-Up Area (within the Urban Boundary), with an MTSA (Central Station) and Urban Growth Centre (Downtown Kitchener) in the Regional Official Plan (ROP), Low-Rise Residential and Community Area in the City of Kitchener Official Plan, and zoned RES-5.

*Threats Inventory Database (Advisory)*

The following information from the Region's Threat Inventory Database (TID) is provided until such time as access is transferred to the City of Kitchener. Noting, there are no medium or high threats identified on or adjacent to the subject property.

*Hydrogeology & Source Water Protection Plan*

The subject lands are located in a Source Plan Protection Area where restrictions or prohibitions may apply in accordance with the Clean Water Act, Part IV. As such a Notice of Source Protection Plan Compliance (S. 59 Notice) is required as part of a formal application for Consent. Regional Staff are not in receipt of the S. 59 Notice and this will be required as a condition of consent approval if not received by the Region prior to the Decision of the Committee of Adjustment.

*Fees*

Regional staff are not in receipt of the required consent review fee of \$350 for consent application. The outstanding fee(s) will be required as a condition of consent approval if not received by the Region prior to the Decision of the Committee of Adjustment.

Regional staff have no objection to this application, subject to the following condition(s):

- i) That the applicant submit the Regional Consent Review Fee of \$350.00 per application to the satisfaction of the Region of Waterloo.
- ii) That the applicant submit the Notice of Source Protection Plan Compliance (S. 59 Notice) to the satisfaction of the Region of Waterloo.

## **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 Planning Statement (PPS 2024)*
- *Regional Official Plan (ROP)*
- *Official Plan (2014)*
- *Zoning By-law 2019-051*
- *DSD-2024-225 (Minor Variance Application A2024-037)*
- *DSD-2025-491 (Minor Variance Application A2025-127 and Consent Applications B2025-034 and B2025-035)*

## **ATTACHMENTS:**

Attachment A – Severance Sketch

Attachment B – Severance Sketch - New Site Plan

Attachment C – Severance Sketch - Original Site Plan

**REPORT TO:** Committee of Adjustment

**DATE OF MEETING:** December 9, 2025

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

**PREPARED BY:** Eric Schneider, Senior Planner, 519-783-8918

**WARD(S) INVOLVED:** Ward 10

**DATE OF REPORT:** November 26, 2025

**REPORT NO.:** DSD-2025-491

**SUBJECT:** Minor Variance Application A2025-127 – 71 Blucher Street  
Consent Application B2025-034 - 71 Blucher Street  
Consent Application B2025-035 - 67 Blucher Street

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**RECOMMENDATION:**

**A. Minor Variance Application A2025-127 - 71 Blucher Street**

That Minor Variance Application A2025-127 for 71 Blucher Street requesting relief from Section 7.3, Table 7-5, of Zoning By-law 2019-051 to permit the following:

- i) a lot width of 5.8 metres instead of the minimum required 19 metres;
- ii) a rear yard setback of 3.2 metres instead of the minimum required 6 metres; and
- iii) an interior side yard setback (adjacent to 79 Blucher Street) of 3 metres instead of the minimum required 4.5 metres;

to facilitate Consent Application B2025-034 and recognize the lot and setbacks of the severed parcel, municipally addressed 71 Blucher Street, generally in accordance with drawings prepared by GSP Group, dated October 24, 2025, BE APPROVED.

**B. Consent Application B2025-034 – 71 Blucher Street (Severed Parcel)**

That Consent Application B2025-034 for 71 Blucher Street requesting Consent to sever a parcel of land having a lot width of 5.8 metres on Blucher Street, a lot depth of 108.8, metres and a lot area of 2127.4 square metres and to create an easement having an approximate width of 6 metres and a depth of 110 metres, for the purposes of shared access and parking, in favour of 67 Blucher Street, BE APPROVED subject to the following conditions:

- 1. That Minor Variance Application A2025-127 receive final approval.**
- 2. That the Owner's solicitor shall provide draft transfer documents and associated fees for the Certificate of Official to the satisfaction of the Secretary-Treasurer and City Solicitor, if required.**
- 3. That the Owner shall obtain a tax certificate from the City of Kitchener to verify that there are no outstanding taxes on the subject property(ies) to the satisfaction of the City's Revenue Division.**
- 4. That the owner provides a digital file of the deposited reference plan(s) prepared by an Ontario Land Surveyor in PDF and either .dwg (AutoCad) or .dgn (Microstation) format, as well as two full size paper copies of the plan(s). The digital file needs to be submitted according to the City of Kitchener's Digital Submission Standards to the satisfaction of the City's Mapping Technologist.**
- 5. That the Owner provide a Building Location Survey and/or Reference Plan, prepared by an Ontario Land Surveyor, to confirm the boundaries of the new lots and that the location of the existing building/foundation, with respect to the proposed new lot lines, conforms with the Zoning By-law to the satisfaction of the Manager, Development Approvals.**
- 6. That the Transfer Easement document(s) required to create the Easement(s) being approved herein shall include the following, and shall be approved by the City Solicitor in consultation with the City's Manager, Development Applications:**
  - a) a clear and specific description of the purpose of the Easement(s) and of the rights and privileges being granted therein (including detailed terms and/or conditions of any required maintenance, liability and/or cost sharing provisions related thereto); and**
  - b) a clause/statement/wording confirming that the Easement(s) being granted shall be maintained and registered on title in perpetuity and shall not be amended, released or otherwise dealt with without the express written consent of the City.**
- 7. That a satisfactory Solicitor's Undertaking to register the approved Transfer Easement(s) and to immediately thereafter provide copies thereof to the City Solicitor be provided to the City Solicitor.**
- 8. That the Owner install 2 "Class B" bicycle parking spaces on the retained lands and install 2 "Class B" bicycle parking spaces on the severed lands to the satisfaction of the Director of Development and Housing Approvals.**
- 9. That at the sole option of the City's Director, Development and Housing Approvals, that the Owner shall enter into an agreement with the City of**

**Kitchener, to be prepared by the City Solicitor, to the satisfaction of the City Solicitor and the City's Manager, Site Plans, and registered on title to the severed and retained lands, which shall include the following:**

- a) That prior to initiation of any site development works, grading or issuance of a Demolition and/or Building Permit the Owner agrees to submit and receive approval of a Site Plan to the satisfaction of the City's Manager, Site Plans, which reflects, at minimum, the proposed changes to the lot size and any associated changes to the operation and/or functioning of the site.**

**Should a Site Plan Application be approved, to the satisfaction of the City's Manager, Site Plans, in accordance with the condition above prior to endorsement of the deed, the above noted condition shall not be required to be registered on title.**

**10. That at the sole option of the City's Director, Development and Housing Approvals, the Owner shall enter into an agreement with the City of Kitchener, to be prepared by the City Solicitor, to the satisfaction of the City Solicitor and the City's Director, Development and Housing Approvals, which shall include the following:**

- a) That the Owner shall prepare a Tree Preservation Plan for the severed and retained lands, in accordance with the City's Tree Management Policy, to be approved by the City's Manager, Site Plans, and where necessary, implemented prior to any grading, servicing, tree removal or the issuance of building permits. Such plans shall include, among other matters, the identification of a proposed building envelope/work zone, a landscaped area and the vegetation to be preserved. If necessary, the plan shall include required mitigation and or compensation measures.**
- b) The Owner further agrees to implement the approved plan. No changes to the said plan shall be granted except with the prior approval of the City's Manager, Site Plans.**
- c) The Owner shall maintain the lands, in accordance with the approved Tree Preservation and Enhancement Plan, for the life of the development.**

**11. That the Owner shall:**

- a) Complete a Building Code Assessment for the existing dwellings proposed to be retained on the Severed and Retained parcel of land, prepared by a qualified person, to confirm that the proposed property line and any of the building adjacent to this new property line complies with the Ontario Building Code, to the satisfaction of the City's Chief Building Official. The assessment shall address items such as, but not limited to, spatial separation of existing buildings' wall face, and shall include recommendations such as closing in of openings pending spatial separation calculation results.**

b) A Building Permit shall be obtained for any remedial work/ upgrades required by the Building Code Assessment.

12. That the Owner provides a servicing plan showing outlets to the municipal servicing system to the satisfaction of the Director of Engineering Services.
13. That the Owner submit a Development Asset Drawing (digital AutoCAD) for the site (servicing, SWM etc.) with corresponding layer names and asset information to the satisfaction of the City's Director of Engineering Services, prior to deed endorsement.
14. That the Owner makes financial arrangements for the installation of any new service connections to the severed and/or retained lands to the satisfaction of the City's Director of Engineering Services.
15. That any new driveways are to be built to City of Kitchener standards at the Owner's expense prior to occupancy of the building to the satisfaction of the City's Director of Engineering Services.
16. That the Owner provides confirmation that the basement elevation can be drained by gravity to the street sewers to the satisfaction of the City's Director of Engineering Services. If this is not the case, then the owner will need to pump the sewage via a pump and forcemain to the property line and have a gravity sewer from the property line to the street to the satisfaction of the City's Director of Engineering Services.
17. That prior to final approval the Owner submits the Consent Application Review Fee of \$350.00 to the Region of Waterloo.
18. That prior to final approval the Owner submits a valid Section 59 notice.

**C. Consent Application B2025-035 – 67 Blucher Street (Easement on Retained Parcel)**

That Consent Application B2025-035 for 67 Blucher Street requesting Consent to create an easement having an approximate width of 6 metres and a depth of 110 metres, for the purposes of shared access and parking in favour of 71 Blucher Street, BE APPROVED subject to the following conditions:

1. That Minor Variance Application A2025-127 receive final approval.
2. That the Owner's solicitor shall provide draft transfer documents and associated fees for the Certificate of Official to the satisfaction of the Secretary-Treasurer and City Solicitor, if required.
3. That the Owner shall obtain a tax certificate from the City of Kitchener to verify that there are no outstanding taxes on the subject property(ies) to the satisfaction of the City's Revenue Division.
4. That the owner provides a digital file of the deposited reference plan(s)

prepared by an Ontario Land Surveyor in PDF and either .dwg (AutoCad) or .dgn (Microstation) format, as well as two full size paper copies of the plan(s). The digital file needs to be submitted according to the City of Kitchener's Digital Submission Standards to the satisfaction of the City's Mapping Technologist.

5. That the Owner provide a Building Location Survey and/or Reference Plan, prepared by an Ontario Land Surveyor, to confirm the boundaries of the new lots and that the location of the existing building/foundation, with respect to the proposed new lot lines, conforms with the Zoning By-law to the satisfaction of the Manager, Development Approvals.
6. That the Transfer Easement document(s) required to create the Easement(s) being approved herein shall include the following, and shall be approved by the City Solicitor in consultation with the City's Manager, Development Applications:
  - a) a clear and specific description of the purpose of the Easement(s) and of the rights and privileges being granted therein (including detailed terms and/or conditions of any required maintenance, liability and/or cost sharing provisions related thereto); and
  - b) a clause/statement/wording confirming that the Easement(s) being granted shall be maintained and registered on title in perpetuity and shall not be amended, released or otherwise dealt with without the express written consent of the City.
7. That a satisfactory Solicitor's Undertaking to register the approved Transfer Easement(s) and to immediately thereafter provide copies thereof to the City Solicitor be provided to the City Solicitor.
8. That prior to final approval the Owner submits the Consent Application Review Fee of \$350.00 to the Region of Waterloo.
9. That prior to final approval the Owner submits a valid Section 59 Notice.

#### **REPORT HIGHLIGHTS:**

- The purpose of this report is to review Minor Variance and Consent Applications to facilitate a severance of a lot and creation of reciprocal access easements for a property containing two cluster townhouse buildings, one with 10 dwelling units (71 Blucher Street) and one with 4 dwelling units (67 Blucher Street).
- The key finding of this report is that the minor variance meets the 4 tests of the Planning Act, and that the proposed consents to sever the lot and create the easements are appropriate to facilitate the functional access to the rear parking areas on each of the resultant lots.
- 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 property 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 the south side of Blucher Street between Hett Avenue and Ellis Street.



**Figure 1: Location Map:67-71 Blucher Street**

The subject property is identified as a '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 Five Zone (RES-5)' in Zoning By-law 2019-051.

The purpose of the application is to facilitate a severance of a lot and creation of reciprocal access easements for a property containing two cluster townhouse buildings, one with 10 dwelling units (71 Blucher Street) and one with 4 dwelling units (67 Blucher Street).

On March 22, 2024 the City granted Conditional Approval for Site Plan Application SP23/084/B/TS to demolish the existing 4-unit cluster townhouse building on 67 Blucher Street and replace it with a two stacked townhouse buildings containing a total of 16 dwelling units.

On May 21, 2024 the Committee of Adjustment approved minor variance application A2024-037 which granted relief for front yard setback, rear yard setback, and Floor Space Ratio (FSR) for the proposed 16-unit development, in the context of that development occurring on the whole lot containing the existing 10 unit cluster townhouse building addressed as 71 Blucher Street.



With the subject applications discussed in this report, the applicant is seeking to separate the lot into two lots, one which would contain the existing 10 unit cluster townhouse building on 71 Blucher (Severed lands) and one which would currently contain the 4 unit cluster townhouse building and is proposed to be developed with two new stacked townhouse buildings totalling 16 units on 67 Blucher Street (Retained lands).



**Figure 2: View of Subject Lands from Blucher Street (November 21, 2025)**



**Figure 3: View of Existing 4-Unit Cluster Townhouse Dwelling at 67 Blucher Street  
(November 21, 2025)**



**Figure 4: View of Existing 10-Unit Cluster Townhouse Dwelling at 71 Blucher Street  
(November 21, 2025)**

It is noted that a Reference Plan and Building Location Survey were not provided and submitted with the Consent Applications. The Applicant is submitting these applications



with confidence that the existing building/foundation will coincide with the proposed lot dimensions and setbacks, the proposed easement is in its correct location no other easements are necessary and is proceeding with the applications at this time **‘at their own risk’**. A new condition is proposed to be added to these types of Consent Approvals as follows:

**“That the Owner provide a Building Location Survey and/or Reference Plan, prepared by an Ontario Land Surveyor, to confirm the boundaries of the new lots and that the location of the existing building/foundation, with respect to the proposed new lot lines, conforms with the Zoning By-law to the satisfaction of the Manager, Development Approvals.”**

Should the setbacks of the building/dwelling not meet zoning requirements, the location and/or configuration of the proposed easement is not correct, the Applicant will be required to rectify and/or submit Committee of Adjustment Applications to resolve the errors and/or deficiencies at their own expense.

## **REPORT:**

### **Planning Comments Minor Variance Application A2025-127:**

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 designated ‘Low Rise Residential’ in the Official Plan. The intent of this designation is to encourage a range of different forms of housing to achieve a low density neighbourhood. The requested variances will facilitate a shared driveway and support the permitted uses and continue to maintain the low rise character of the properties and surrounding neighbourhood. It is the opinion of staff that the requested variances meet the general intent of the Official Plan.

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

##### *Lot Width*

The intent of the regulation that requires a minimum lot width of 19 metres is to ensure that there is adequate lot size to accommodate a multiple dwelling building, along with sufficient space and access to street frontage for site functionality including servicing, access to parking areas, and waste collection. This regulation is intended for typical, rectangular shaped lots. The proposed new lot configuration creates an irregular shaped lot with a narrow access at the street line that widens significantly at the rear of the site. While the frontage at the street line is 5.8 metres, this increases to approximately 30 metres in width in the portion of the lot containing the existing building. The 5.8 metre lot width at the street line, along with the area proposed to be an access and servicing easement created through a concurrent Consent Application (B2025-035) on the 67 Blucher Street property provides for sufficient site functionality in the opinion of staff and therefore meets the general intent of the Zoning By-law.

### *Rear Yard Setback*

The intent of the regulation that requires a minimum rear yard setback of 6 metres for a cluster townhouse dwelling is to provide for adequate amenity space and adequate building separation. The regulation is intended to apply to the rear of a building as it faces a rear property line, or where a functional rear yard would typically be located. The existing building at 71 Blucher Street is oriented as such that the functional rear yards face east, towards the interior property line. These functional rear yards for the cluster townhouse units are located 7.6 metres from that property line, demonstrating an adequate amenity area and building separation. Therefore, the request for a reduction in rear yard setback meets the general intent of the Zoning By-law in the opinion of staff.

### *Interior Side Yard Setback*

The intent of the regulation that requires a minimum interior side yard setback of 4.5 metres for a cluster townhouse is to ensure adequate building separation. The requested reduction in setback to 3 metres represents an existing building that faces the rear yards of two existing detached dwellings facing Blucher Street. The adjacency to rear yards demonstrates adequate building separation as the existing detached dwellings are located approximately 24 metres from the rear lot line, totalling 27 metres of building separation. Should the detached dwellings be redeveloped in the future, it would still provide a minimum 7.5 metre rear yard setback and total building separation of 10.5 metres. Therefore, the requested variance for reduction to interior side yard setback meets the general intent of the Zoning By-law in the opinion of staff.

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

With respect to the lot width, staff are of the opinion that the site can function with a shared access and do not expect adverse impacts or effects as a result of the request for a reduction in lot width. With respect to the rear and interior side yard setbacks, this represents an existing building and no changes to the building at 71 Blucher Street are proposed. In the opinion of Staff, the effects of the requested variances can be considered minor.

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

The requested variances will facilitate the orderly development of the land with low rise residential uses that are permitted in the Zoning By-law. The requested variances are considered desirable for the appropriate development of the lands in the opinion of staff.

### **Planning Comments Consent Application B2025-034 & 2025-035:**

In considering all the relevant Provincial legislation, Regional and City policies and regulations, Planning staff offer the following comments:

#### Provincial Planning Statement (PPS 2024)

Staff are satisfied that the proposed consent applications are consistent with the Provincial Planning Statement in general and as it related to housing policies in Chapter 2 regarding intensification and facilitating housing options. Section 2.2 1 (b) states that Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents of the regional market area by permitting and facilitating all housing options required to meet the social, health, economic and well-being requirements of current and future residents.

#### Regional Official Plan (ROP):

ROP Urban Area policies state that the focus of the Region's future growth shall be within the Urban Area. The subject lands fall within the 'Urban Area' and are designated 'Built-Up Area' in the ROP. The proposed development conforms to Policy 2.D.1 of the ROP as this neighbourhood provides for the physical and community infrastructure required for the proposed residential development, including transportation networks, municipal water and wastewater systems, and a broad range of social and public health services. Regional policies require municipalities to plan for a range of housing in terms of form, tenure, density, and affordability to satisfy the various physical, social, economic, and personal support needs of current and future residents. Staff are satisfied that the proposed consent applications adhere to these policies and conforms to the ROP.

#### City's Official Plan (2014)

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 Official Plan.

Section 17.E.20 of the Official Plan implements Section 51 of the Planning Act and contains policies regarding infill development and lot creation (Consent Policies). Policy 17.E.20.5 states the following:

"17.E.20.5 Applications for consent to create new lots will only be granted where:

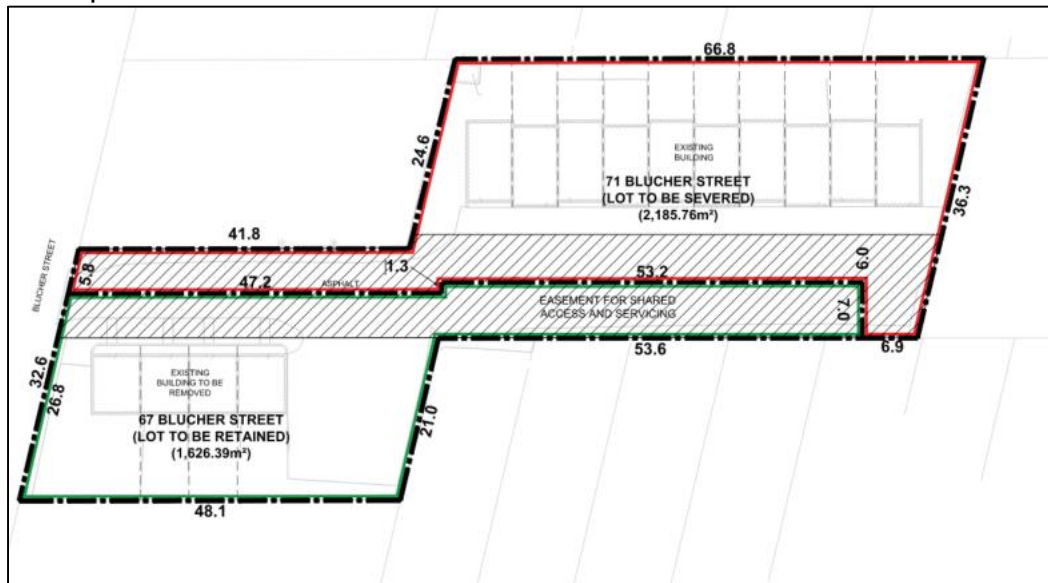
- a) the lots comply with the policies of this Plan, any Community Plan and/or Secondary Plan, and that the lots are in conformity with the Zoning By-law, or a minor variance has been granted to correct any deficiencies;
- b) the lots reflect the general scale and character of the established development pattern of surrounding lands by taking into consideration lot frontages, areas, and configurations;
- c) all of the criteria for plan of subdivision are given due consideration;
- d) the lot will have frontage on a public street;
- e) municipal water services are available;
- f) municipal sanitary services are available except in accordance with Policy 14.C.1.19;
- g) a Plan of Subdivision or Condominium has been deemed not to be necessary for proper and orderly development; and,
- h) the lot(s) will not restrict the ultimate development of adjacent properties."

Staff are satisfied that the proposed consent applications to sever into two lots with easements for shared access and servicing meets the criteria set out in Policy 17.E.20.5

of the Official Plan. Although the resultant lot fabrics are irregular in shape and width at the street line, the original lot is irregular in shape and represents an existing condition within the neighbourhood. Further, the shared access will result in a situation whereas legally it is two lots but will appear to function as one lot.

Section 17.E.20.4 of the Official plan states: Consents may be permitted for the creation of a new lot, boundary adjustments, rights of-way, easements, long-term leases and to convey additional lands to an abutting lot provided an undersized lot is not created.

The applications are requesting consent to create easements on both the severed and retained lots. Staff are satisfied that the consent to create easements is appropriate for the orderly development of the lands.



**Figure 5: Severance Sketch**

#### Zoning By-law 2019-051

The subject property is zoned as 'Low Rise Residential Five Zone (RES-5)' in Zoning By-law 2019-051. Minor variances for lot width and yard setbacks as part of concurrent Minor Variance Application A2025-127 have been discussed in this report.

#### **Planning Conclusions/Comments:**

With respect to the criteria for the subdivision of land listed in Section 51(24) of the Planning Act, R.S.O. 1990, c.P.13, staff is satisfied that the creation of the severed lots are desirable and appropriate. The severed lands front onto an established public street and are serviced with municipal services. Staff is further of the opinion that the proposal is consistent with the Region of Waterloo Official Plan, the Provincial Planning Statement, and is good planning and in the public interest.

With respect to the criteria for granting easements contained in Section 54(2) of the Planning Act, R.S.O. 1990, c.P.13, staff is satisfied that the creation of reciprocal access easements to facilitate shared access and servicing is desirable and appropriate.

**Environmental Planning Comments:**

Please include the standard consent condition to enter into an agreement to complete, submit, obtain approval of, and implement a Tree Preservation and Enhancement Plan for both the severed and retained lots. Shared ownership trees may be a concern.

**Heritage Planning Comments:**

The property municipally addressed as 71 Blucher Street has no heritage status. However, it is located within the Mt. Hope/Breithaupt Neighborhood Cultural Heritage Landscape (CHL). The Kitchener Cultural Heritage Landscape Study (CHLS) dated December 2014 and prepared by The Landplan Collaborative Ltd. was approved by Council in 2015. The CHLS serves to establish an inventory and was the first step of a phased Cultural Heritage Landscape (CHL) conservation process. The proposed severance is not anticipated to have any adverse impacts to the CHL's attributes. Thus, staff have no comments or concerns.

The property municipally addressed as 67 & 71 Blucher Street is located within the Mt. Hope/Breithaupt Neighborhood Cultural Heritage Landscape (CHL). The Kitchener Cultural Heritage Landscape Study (CHLS) dated December 2014 and prepared by The Landplan Collaborative Ltd. was approved by Council in 2015. The CHLS serves to establish an inventory and was the first step of a phased Cultural Heritage Landscape (CHL) conservation process. The proposed easement is not anticipated to have any adverse impacts to the CHL's attributes. Thus, staff have no comments or concerns.

**Building Division Comments:**

The Building Division has no objections to the proposed consent provided for the retained land:

1. A qualified designer is retained to complete a Building Code Assessment as it relates to the new proposed property line and any of the building adjacent to this new property line shall address such items as: Spatial separation of existing buildings' wall face to the satisfaction of the Chief Building Official. Closing in of openings may be required, pending spatial separation calculation results.
2. A Building Permit shall be obtained for any remedial work/ upgrades that may be required by the building code assessment.

**Engineering Division Comments:****B2025-034 – 71 Blucher Street**

- Severance of any blocks within the subject lands will require separate, individual service connections for sanitary, storm, and water, in accordance with City policies.
- The owner is required to make satisfactory financial arrangements with the Engineering Division for the installation of new service connections that may be required to service this property, all prior to severance approval.
- Any new driveways are to be built to City of Kitchener standards. All works are at the owner's expense, and all work needs to be completed prior to occupancy of the building.
- A servicing plan showing outlets to the municipal servicing system will be required to the satisfaction of the Engineering Division prior to severance approval.

- A Development Asset Drawing (digital AutoCAD) is required for the new site infrastructure with corresponding layer names and asset information to the satisfaction of the Engineering Division prior to severance approval.
- The owner must ensure that the basement elevation of the building can be drained by gravity to the municipal sanitary sewer. If basement finished floor elevations do not allow for gravity drainage to the existing municipal sanitary system, the owner will have to pump the sewage to achieve gravity drainage from the property line to the municipal sanitary sewer in the right of way.
- The Owner shall implement a suitable design solution for a sump pump outlet to the satisfaction of the Director of Engineering.

#### **B2025-035 – 67 Blucher Street**

- Severance of any blocks within the subject lands will require separate, individual service connections for sanitary, storm, and water, in accordance with City policies.
- The owner is required to make satisfactory financial arrangements with the Engineering Division for the installation of new service connections that may be required to service this property, all prior to severance approval.
- Any new driveways are to be built to City of Kitchener standards. All works are at the owner's expense, and all work needs to be completed prior to occupancy of the building.
- A servicing plan showing outlets to the municipal servicing system will be required to the satisfaction of the Engineering Division prior to severance approval.
- A Development Asset Drawing (digital AutoCAD) is required for the new site infrastructure with corresponding layer names and asset information to the satisfaction of the Engineering Division prior to severance approval.
- The owner must ensure that the basement elevation of the building can be drained by gravity to the municipal sanitary sewer. If basement finished floor elevations do not allow for gravity drainage to the existing municipal sanitary system, the owner will have to pump the sewage to achieve gravity drainage from the property line to the municipal sanitary sewer in the right of way.
- The Owner shall implement a suitable design solution for a sump pump outlet to the satisfaction of the Director of Engineering.

#### **Parks/Operations Division Comments:**

##### **A2025-127 – 71 Blucher Street**

No concerns.

##### **B2025-034 – 71 Blucher Street**

All Parks and Forestry requirements, including parkland dedication, will be addressed through SP23/074/B/TS for 67 Blucher Street.

##### **B2025-035 – 67 Blucher Street**

No concerns.

#### **Transportation Planning Comments:**

Transportation Services have noted that the proposed easement is larger than what is anticipated to be required. However, staff do not object to the application, as the proposed easement is not expected to create any safety or operational concerns.



**Region of Waterloo Comments:**

The applicant/owner is proposing consent to sever to create a new residential lot and to create reciprocal easements for shared access/servicing. The lot to be severed (71 Blucher) contains an existing linear townhouse building (10 units). The lot to be retained (67 Blucher) contains an existing linear townhouse building (4 units) which would be demolished in order to develop two 8-unit linear stacked townhouse (total of 16 units).

The subject lands are currently serviced through municipal water and waste services, with access to a local road. Minor variance applications are required to facilitate the consent for the severed lands, pertaining to lot width, and setbacks. The lands were subject to Stamp B Site Plan Approval (SP23/073/B/TS) in Feb 2024 to formalize existing conditions. SP23/084/B/TS conditional site plan approval was granted in March 2024 for the redevelopment of 67 Blucher Street.

The proposed lot configuration is as follows:

Retained - B2025-034 - - 67 Blucher – 1,594.68 sq. m. area with 26.8 m frontage

Severed – B2025-035 - 71 Blucher - – 2,127.47 sq. m. area with 5.8 m frontage

The subject lands are designated Built-Up Area (within the Urban Boundary), with an MTSA (Central Station) and Urban Growth Centre (Downtown Kitchener) in the Regional Official Plan (ROP), Low-Rise Residential and Community Area in the City of Kitchener Official Plan, and zoned RES-5.

*Threats Inventory Database (Advisory)*

The following information from the Region's Threat Inventory Database (TID) is provided until such time as access is transferred to the City of Kitchener. Noting, there are no medium or high threats identified on or adjacent to the subject property.

*Hydrogeology & Source Water Protection Plan*

The subject lands are located in a Source Plan Protection Area where restrictions or prohibitions may apply in accordance with the Clean Water Act, Part IV. As such a Notice of Source Protection Plan Compliance (S. 59 Notice) is required as part of a formal application for Consent. Regional Staff are not in receipt of the S. 59 Notice and this will be required as a condition of consent approval if not received by the Region prior to the Decision of the Committee of Adjustment.

*Fees*

Regional staff are not in receipt of the required consent review fee of \$350 for consent application. The outstanding fee(s) will be required as a condition of consent approval if not received by the Region prior to the Decision of the Committee of Adjustment.

Regional staff have no objection to this application, subject to the following condition(s):

1. That the applicant submit the regional consent review fee of \$350.00 per application to the satisfaction of the Region of Waterloo.
2. That the applicant submit the Notice of Source Protection Plan Compliance (S. 59 Notice) to the satisfaction of the Region of Waterloo.

## **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.

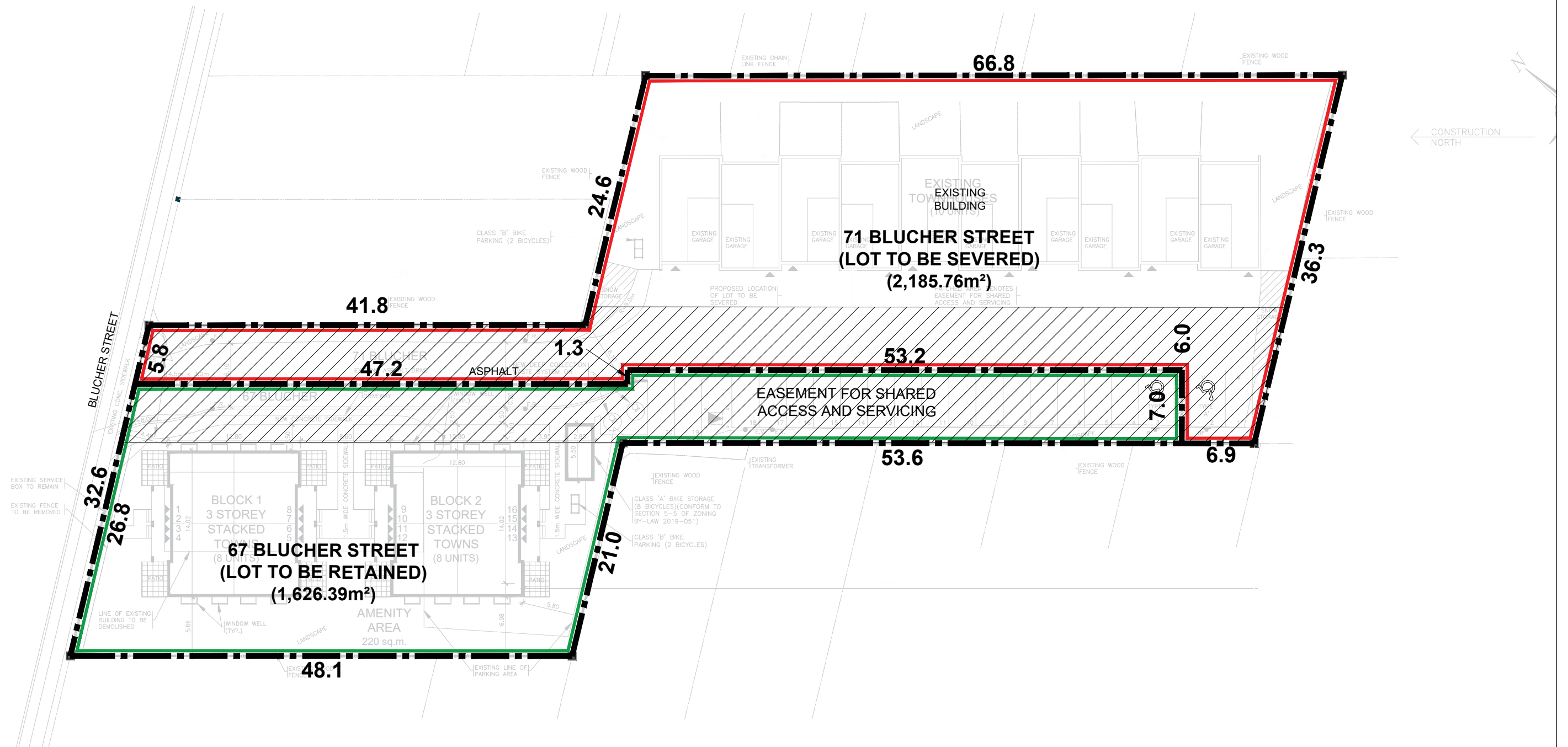
## **PREVIOUS REPORTS/AUTHORITIES:**

- *Planning Act*
- *Provincial Planning Statement (PPS 2024)*
- *Regional Official Plan (ROP)*
- *Official Plan (2014)*
- *Zoning By-law 2019-051*
- *DSD-2024-225 (Minor Variance Application A2024-037)*

## **ATTACHMENTS:**

Attachment A – Severance Sketch  
Attachment B – Severance Sketch- New Site Plan  
Attachment B – Severance Sketch- Original Site Plan





Reviewed by Patrick Haramis, OLS

# SEVERANCE SKETCH - NEW SITE PLAN

67 & 71 BLUCHER STREET, KITCHENER

NOTE: This concept should be considered as a preliminary demonstration model that illustrates an 'order of magnitude' development scenario for the site. The number of units, floor area and parking supply are approximate and subject to more detailed design as well as municipal planning approvals.

Scale 1:400 | October 29th, 2025 | Project No. 25107 | Drawn By: EF







PLANNING, DEVELOPMENT AND  
LEGISLATIVE SERVICES  
150 Frederick Street, 8<sup>th</sup> floor  
Kitchener Ontario N2G 4J3 Canada  
Telephone: 519-575-4400  
Fax: 519-575-4449  
[www.regionofwaterloo.ca](http://www.regionofwaterloo.ca)

Erica Ali, MCIP, RPP  
File: D20-20/26 KIT  
January 7, 2026

Connie Owen  
Administrative Clerk, Legislative Services  
Committee of Adjustment  
City of Kitchener  
P.O. Box 1118  
200 King Street East  
Kitchener, ON N2G 4G7

Dear Ms. Owen:

**Re: Comments on Consent Applications – B 2025-032 to B2025-035 (inclusive)**  
**Committee of Adjustment Meeting – January 20, 2026**  
**City of Kitchener**

**File: B2025-034/5**

**Address: 67/71 Blucher St**

**Description: Plan 328, Lot 6; Plan 339, Part lot 4**

**Owner: Marko Podobnik**

**Applicant: GSP Group Inc c/o Kristen Barisdale**

The applicant/owner is proposing consent to sever to create a new residential lot and to create reciprocal easements for shared access/servicing. The lot to be severed (71 Blucher) contains an existing linear townhouse building (10 units). The lot to be retained (67 Blucher) contains an existing linear townhouse building (4 units) which would be demolished in order to develop two 8-unit linear stacked townhouse (total of 16 units).

The subject lands are currently serviced through municipal water and waste services, with access to a local road. Minor variance applications are required to facilitate the consent for the severed lands, pertaining to lot width, and setbacks. The lands were subject to Stamp B Site Plan Approval (SP23/073/B/TS) in Feb 2024 to formalize existing conditions. SP23/084/B/TS conditional site plan approval was granted in March 2024 for the redevelopment of 67 Blucher.

The proposed lot configuration is as follows:

Retained - B2025-034 - - 67 Blucher – 1,594.68 sqm with 26.8m frontage

Severed – B2025-035 - 71 Blucher - – 2,127,47 sqm area with 5.8m frontage

The subject lands are designated Built-Up Area (within the Urban Boundary), with an MTSA (Central Station) and Urban Growth Centre (Downtown Kitchener) in the Regional Official Plan (ROP), Low-Rise Residential and Community Area in the City of Kitchener Official Plan, and zoned RES-5.

#### Threats Inventory Database (Advisory)

The following information from the Region's Threat Inventory Database (TID) is provided until such time as access is transferred to the City of Kitchener. Noting, there are no medium or high threats identified on or adjacent to the subject property.

#### Hydrogeology & Source Water Protection Plan

The subject lands are located in a Source Plan Protection Area where restrictions or prohibitions may apply in accordance with the Clean Water Act, Part IV. As such a Notice of Source Protection Plan Compliance (S. 59 Notice) is required as part of a formal application for Consent. Regional Staff are not in receipt of the S. 59 Notice and this will be required as a condition of consent approval if not received by the Region prior to the Decision of the Committee of Adjustment.

#### Fees

Regional staff are not in receipt of the required consent review fee of \$350 per consent application. The outstanding fee(s) will be required as a condition of consent approval if not received by the Region prior to the Decision of the Committee of Adjustment.

**Regional staff have no objection to this application, subject to the following condition(s):**

1. That the applicant submit the regional consent review fee of \$350 per application to the satisfaction of the Region of Waterloo
2. That the applicant submit the Notice of Source Protection Plan Compliance (S. 59 Notice) to the satisfaction of the Region of Waterloo



The Region is in the process of updating its Water Supply Strategy. Through this work, concerns have been identified regarding water servicing capacity within the Mannheim Service Area. Regional staff are working expeditiously to evaluate the situation and understand the magnitude of the concerns to be able to provide comments relating to water servicing capacity.

As such, the Region is not in a position to support approval of applications, **B 2025-032 and B2025-033**, at this time, and the following comments are provided for information purposes.

**File: B2025-032**

**Address: 776 Rockway Dr**

**Description: Plan 649, Lot 22**

**Owner: 2832516 Ontario Inc c/o Tara Bruwer-Sutton**

**Applicant: Masri O Inc Architects c/o Reema Masri**

The applicant/owner is proposing consent to sever to create a new residential lot. The severance will facilitate the redevelopment of each lot with a semi-detached duplex, providing 4 units per dwelling, for a total of 8 units. The existing single detached dwelling will be demolished. The subject lands are currently serviced through municipal water and waste services, with access to a local road. Minor variance applications are not required to facilitate the consent.

The proposed lot configuration is as follows:

Severed – 278.8 sqm area with 7.62m frontage

Retained – 278.422 sqm with 7.62m frontage

The subject lands are designated Built-Up Area within the Urban Boundary in the Regional Official Plan (ROP), Low-Rise Residential in the City of Kitchener Official Plan, and zoned RES-4.

#### Threats Inventory Database (Advisory)

The following information from the Region's Threat Inventory Database (TID) is provided until such time as access is transferred to the City of Kitchener. Noting, there are no medium or high threats identified on or adjacent to the subject property.

#### Hydrogeology & Source Water Protection Plan (Advisory)

The subject lands are located in a Source Plan Protection Area where restrictions or prohibitions may apply in accordance with the Clean Water Act, Part IV. As such a Notice of Source Protection Plan Compliance (Section 59 Notice) is required as part of a formal application for Consent. Regional Staff acknowledge receipt of the S. 59 Notice.

#### Fees

Regional staff are not in receipt of the required consent review fee of \$350 for consent application. The outstanding fee(s) will be required as a condition of consent approval if not received by the Region prior to the Decision of the Committee of Adjustment.

**File: B2025-033**

**Address: 104 Brentwood Ave**

**Description: Plan 651, Lot 158**

**Owner: Veasna Suon**

**Applicant: Masri O Inc Architects c/o Reema Masri**

The applicant/owner is proposing consent to sever to create a new residential lot. The severance will facilitate the redevelopment of each lot with a semi-detached duplex, providing 4 units per dwelling, for a total of 8 units. The existing single detached dwelling will be demolished. The subject lands are currently serviced through municipal water and waste services, with access to a local road. Minor variance applications are not required to facilitate the consent.

The proposed lot configuration is as follows:

Severed – 277.9 sqm area with 7.6m frontage

Retained – 277.9 sqm with 7.6m frontage

The subject lands are designated Built-Up Area within the Urban Boundary in the Regional Official Plan (ROP), Low-Rise Residential in the City of Kitchener Official Plan, and zoned RES-4.

#### Threats Inventory Database (Advisory)

The following information from the Region's Threat Inventory Database (TID) is provided until such time as access is transferred to the City of Kitchener. Noting, there are no medium or high threats identified on or adjacent to the subject property.

#### Hydrogeology & Source Water Protection Plan (Advisory)

The subject lands are located in a Source Plan Protection Area where restrictions or prohibitions may apply in accordance with the Clean Water Act, Part IV. As such a Notice of Source Protection Plan Compliance (Section 59 Notice) is required as part of a formal application for Consent. Regional Staff acknowledge receipt of the S. 59 Notice.

#### Fees

Regional staff are not in receipt of the required consent review fee of \$350 for consent application. The outstanding fee(s) will be required as a condition of consent approval if not received by the Region prior to the Decision of the Committee of Adjustment.

### **General Comments**

Any future development on the lands subject to the above-noted consent applications will be subject to the provisions of Regional Development Charge By-law 19-037 or any successor thereof. Prior to final approval, City staff must be in receipt of the above-noted Regional condition clearances. Please accept this letter as our request for a copy of the staff reports, decisions and minutes pertaining to each of the consent applications noted above. Should you require Regional Staff to be in attendance at the meeting or have any questions, please do not hesitate to contact the undersigned.

Thank you,

A handwritten signature in dark ink, appearing to read 'Erica Ali', is written over a light blue rectangular background.

Erica Ali, MCIP, RPP  
Planner  
Regional Growth, Development and Sustainability Services  
Regional Municipality of Waterloo



PLANNING, DEVELOPMENT  
AND LEGISLATIVE SERVICES

150 Frederick Street, 8th Floor  
Kitchener ON N2G 4J3 Canada  
Telephone: 519-575-4400  
TTY: 519-575-4608  
Fax: 519-575-4449  
[www.regionofwaterloo.ca](http://www.regionofwaterloo.ca)

November 18th, 2025

Connie Owen  
City of Kitchener  
200 King Street West  
P.O. Box 1118  
Kitchener, ON N2G 4G7

File No.: D20-20/  
VAR KIT GEN

**Subject: Committee of Adjustment Meeting December 9, City of Kitchener**

Regional staff has reviewed the following Committee of Adjustment applications and have the following comments:

- 1) A 2025 – 117 – 2922 King Street East – No Concerns
- 2) A 2025 – 118 – 630 Benninger Drive – No Concerns
- 3) A 2025 – 119 – 455 Old Chicopee Trail – No Concerns
- 4) A 2025 – 120 – 532 Courtland Avenue East – No Concerns
- 5) A 2025 – 121 – 546 Courtland Avenue East – No Concerns
- 6) A 2025 – 122 – 117 Samuel Street – No Concerns
- 7) A 2025 – 123 – 20 Gildner Street – No Concerns
- 8) A 2025 – 124 – 131 Gage Avenue – No Concerns
- 9) A 2025 – 125 – 50-56 Weber Street West & 107 Young Street – No Concerns
- 10) A 2025 – 126 – 1720 Glasgow Street – No Concerns
- 11) A 2025 – 127 – 71 Blucher Street – No Concerns

Please be advised that any development on the subject lands is subject to the provisions of the Regional Development Charge By-law 19-037 or any successor thereof and may require payment of Regional Development Charges for these developments prior to the issuance of a building permit.

The comments contained in this letter pertain to the Application numbers listed. If a site is subject to more than one application, additional comments may apply.

Please forward any decisions on the above-mentioned Application numbers to the undersigned.

Yours Truly,

*JFalshaw* CM

Joshua Beech Falshaw  
Transportation Planner  
jbeechfalshaw@regionofwaterloo.ca



November 21, 2025

via email

Marilyn Mills  
Secretary-Treasurer  
Committee of Adjustment  
City of Kitchener  
200 King Street West  
Kitchener, ON, N2G 4G7

Dear Marilyn Mills,

**Re: Committee of Adjustment Meeting – December 9, 2025**

**Applications for Minor Variance**

A 2025-117 2922 King Street East  
A 2025-118 630 Benninger Drive  
A 2025-119 455 Old Chicopee Trail  
A 2025-122 117 Samuel Street  
A 2025-123 20 Gildner Street  
A 2025-125 50-56 Weber Street West & 107 Young Street  
A 2025-127 71 Blucher Street

**Applications for Consent**

B 2025-032 776 Rockway Drive  
B 2025-033 104 Brentwood Avenue  
B 2025-034 71 Blucher Street  
B 2025-035 67 Blucher Street

Grand River Conservation Authority (GRCA) staff have reviewed the above-noted applications.

GRCA has no objection to the approval of the above applications. The subject properties do not contain any natural hazards such as watercourses, floodplains, shorelines, wetlands, or valley slopes. The properties are not subject to Ontario Regulation 41/24 and, therefore, a permission from GRCA is not required.

Should you have any questions, please contact me at [aherreman@grandriver.ca](mailto:aherreman@grandriver.ca) or 519-621-2763 ext. 2228.

Sincerely,

A handwritten signature in black ink, appearing to read "Andrew Herreman".

Andrew Herreman, CPT  
Resource Planning Technician  
Grand River Conservation Authority



**From:** [Landuse Planning](#)  
**To:** [Marilyn Mills](#)  
**Subject:** KITCHENER - 67 AND 71 BLUCHER ST - B 2025-034 AND B 2025-035  
**Date:** Tuesday, December 2, 2025 10:42:13 AM

You don't often get email from landuseplanning@hydroone.com. [Learn why this is important](#)

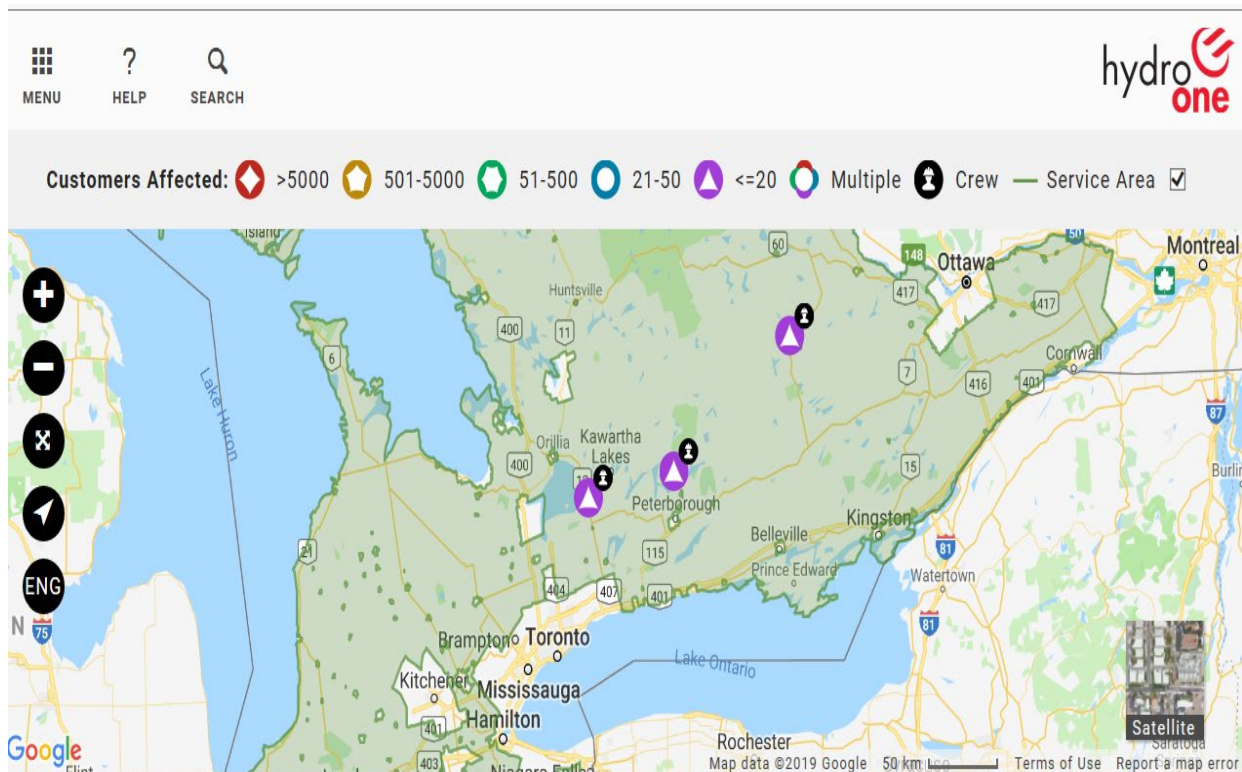
Hello,

We are in receipt of your Application for Consent, B 2025-034 AND B 2025-035 dated 2025-11-21. We have reviewed the documents concerning the noted Plan and have no comments or concerns at this time. Our preliminary review considers issues affecting Hydro One's 'High Voltage Facilities and Corridor Lands' only.

For proposals affecting 'Low Voltage Distribution Facilities' the Owner/Applicant should consult their local area Distribution Supplier. Where Hydro One is the local supplier the Owner/Applicant must contact the Hydro subdivision group at [subdivision@Hydroone.com](mailto:subdivision@Hydroone.com) or 1-866-272-3330.

To confirm if Hydro One is your local distributor please follow the following link: [Stormcentre \(hydroone.com\)](https://stormcentre.hydroone.com)

Please select "Search" and locate the address in question by entering the address or by zooming in and out of the map.



If you have any further questions or inquiries, please contact Customer Service at 1-888-664-9376 or e-mail [CustomerCommunications@HydroOne.com](mailto:CustomerCommunications@HydroOne.com) to be connected to your Local Operations Centre

If you have any questions please feel free to contact Land Use Planning.

Thank you,

Land Use Planning Department  
Hydro One Networks Inc.  
Email: [LandUsePlanning@HydroOne.com](mailto:LandUsePlanning@HydroOne.com)

**From:** [LANDUSEPLANNING](#)  
**To:** [Committee of Adjustment \(SM\)](#)  
**Subject:** Kitchener - 71 Blucher Street - B2025-034  
**Date:** Monday, December 29, 2025 11:42:03 AM

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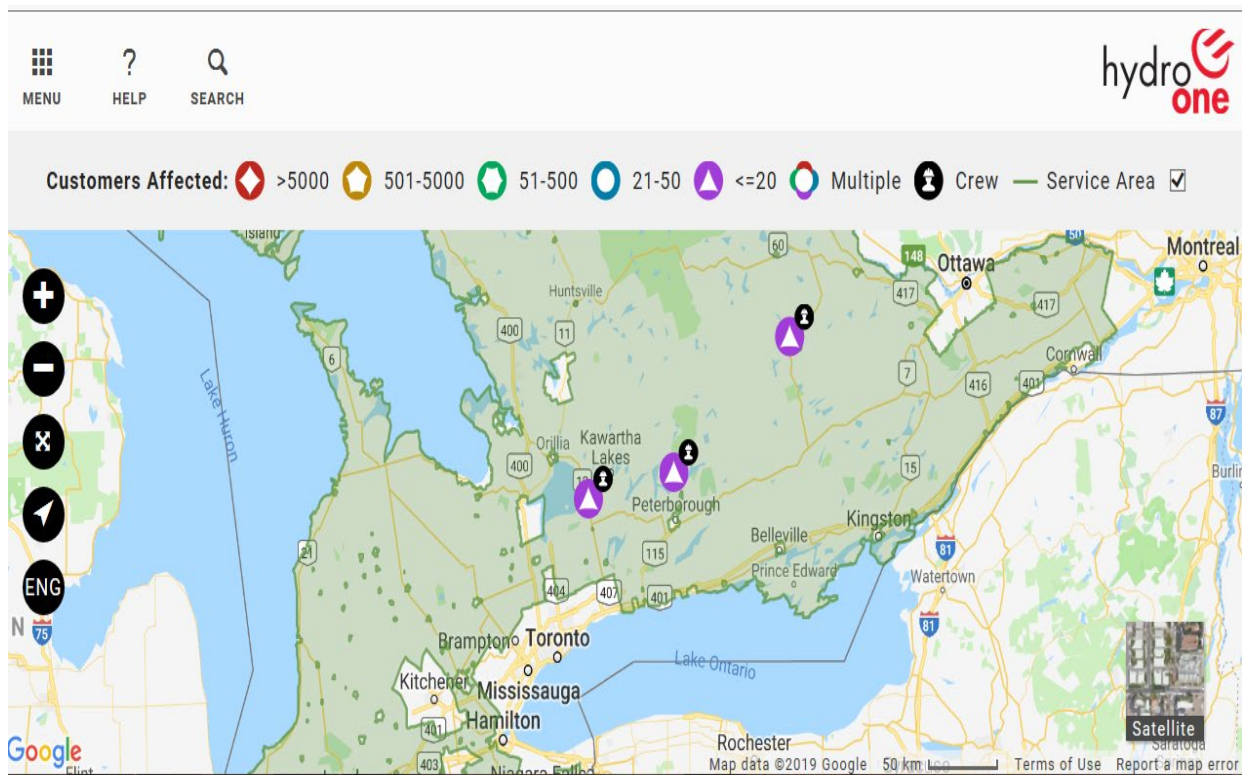
Hello,

We are in receipt of your Application for Consent, B2025-034 dated 2025-11-21. We have reviewed the documents concerning the noted Plan and have no comments or concerns at this time. Our preliminary review considers issues affecting Hydro One's 'High Voltage Facilities and Corridor Lands' only.

For proposals affecting 'Low Voltage Distribution Facilities' the Owner/Applicant should consult their local area Distribution Supplier. Where Hydro One is the local supplier the Owner/Applicant must contact the Hydro subdivision group at [subdivision@Hydroone.com](mailto:subdivision@Hydroone.com) or 1-866-272-3330.

To confirm if Hydro One is your local distributor please follow the following link: [Stormcentre \(hydroone.com\)](https://stormcentre.hydroone.com)

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If you have any questions please feel free to contact Land Use Planning.

Thank you,

Land Use Planning Department  
Hydro One Networks Inc.  
Email: [LandUsePlanning@HydroOne.com](mailto:LandUsePlanning@HydroOne.com)

**From:** [LANDUSEPLANNING](#)  
**To:** [Committee of Adjustment \(SM\)](#)  
**Subject:** KITCHENER - 67 Blucher - B2025-035  
**Date:** Monday, December 15, 2025 11:00:21 AM

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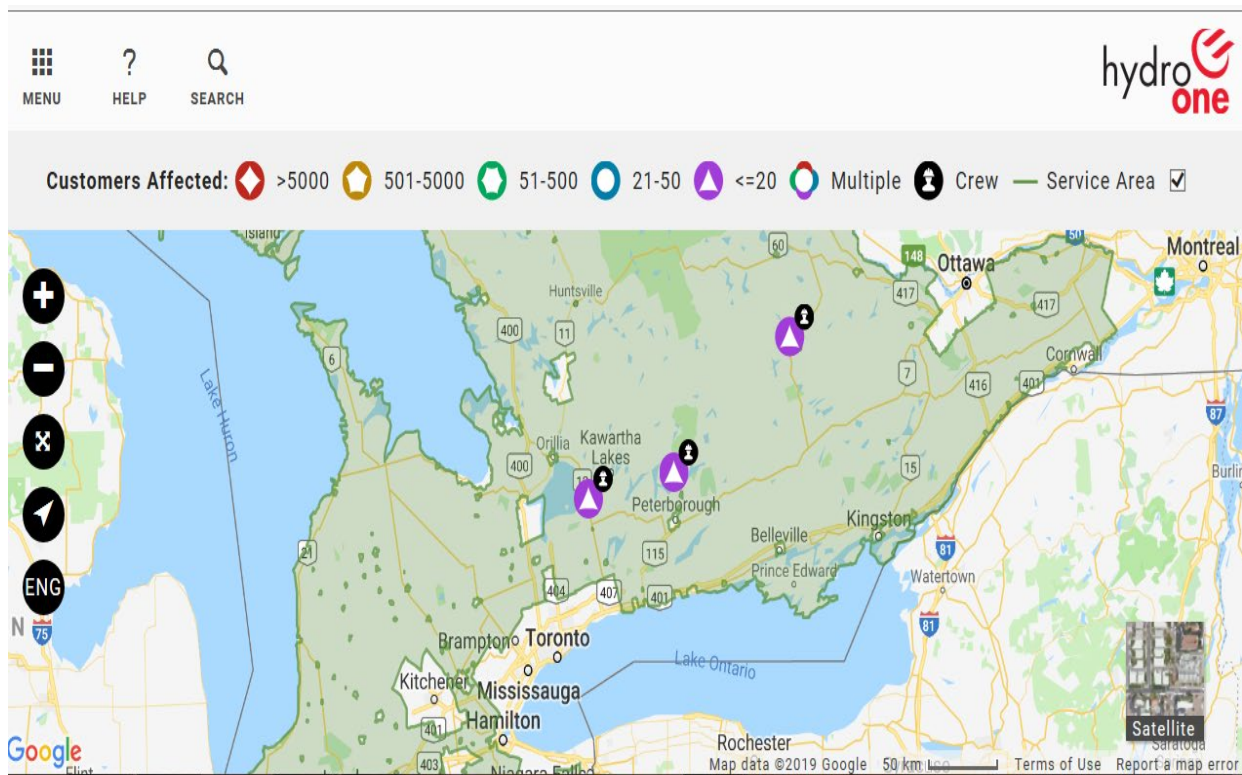
Hello,

We are in receipt of your Application for Consent, B2025-035 dated 2025-11-14. We have reviewed the documents concerning the noted Plan and have no comments or concerns at this time. Our preliminary review considers issues affecting Hydro One's 'High Voltage Facilities and Corridor Lands' only.

For proposals affecting 'Low Voltage Distribution Facilities' the Owner/Applicant should consult their local area Distribution Supplier. Where Hydro One is the local supplier the Owner/Applicant must contact the Hydro subdivision group at [subdivision@Hydroone.com](mailto:subdivision@Hydroone.com) or 1-866-272-3330.

To confirm if Hydro One is your local distributor please follow the following link: [Stormcentre \(hydroone.com\)](https://stormcentre.hydroone.com)

Please select "Search" and locate the address in question by entering the address or by zooming in and out of the map.



If you have any further questions or inquiries, please contact Customer Service at 1-888-664-9376 or e-mail [CustomerCommunications@HydroOne.com](mailto:CustomerCommunications@HydroOne.com) to be connected to your Local Operations Centre

If you have any questions please feel free to contact Land Use Planning.

Thank you,

Land Use Planning Department  
Hydro One Networks Inc.  
Email: [LandUsePlanning@HydroOne.com](mailto:LandUsePlanning@HydroOne.com)

**REPORT TO:** Committee of Adjustment

**DATE OF MEETING:** January 20, 2026

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

**PREPARED BY:** Evan Wittmann, Senior Planner, 519-783-8523

**WARD(S) INVOLVED:** Ward 9

**DATE OF REPORT:** January 14, 2026

**REPORT NO.:** DSD-2026-020

**SUBJECT:** Minor Variance Application A2026-001 – 532 Courtland Ave. E.

---

## **RECOMMENDATION:**

That Minor Variance Application A2026-001 for 532 Courtland Avenue East requesting relief from the following Sections of Zoning By-law 2019-051:

- i) Section 5.3.4 b )ii) to permit parking spaces and drive aisles to not be located entirely behind the area on the ground floor devoted to the permitted multiple dwelling use for the entire length of the street line façade, except for access, whereas the Zoning By-law requires parking and drive aisles to be located entirely behind the area on the ground floor devoted to the multiple dwelling use for the entire length of the street line façade, except for access; and,
- ii) Section 6.3.2, Table 6-3, to permit a building length of 30.5 metres instead of the maximum permitted 24 metres;

to facilitate the construction of a 3 storey multiple dwelling having 5 dwelling units, generally in accordance with drawings prepared by Freure Homes, dated May 16, 2025, BE APPROVED, subject to the following conditions:

1. That prior to any site alteration or issuance of a Demolition Permit, the Owner shall submit a Plan, prepared by a qualified consultant, to the satisfaction and approval of the City's Manager, Site Plans showing the following:
  - a) the proposed location of all buildings (including accessory buildings and structures), decks and driveways;
  - b) the location of any existing buildings or structures to be removed or relocated;
  - c) the proposed grades and drainage;
  - d) the location of all trees to be preserved, removed or potentially impacted on or adjacent to the subject lands, including notations of their size, species

- and condition;
- e) justification for any trees to be removed; and
- f) outline tree protection measures for trees to be preserved; and
- g) building elevation drawings.
- h) If necessary, the plan shall include required mitigation and/or compensation measures.
- i) That the approved elevation drawings shall be implemented as approved or be substantively similar to the approved elevations as part of issuance of any building permit(s).

Any alteration or improvement to the lands including grading, servicing, tree removal and the application or issuance of any Demolition and/or Building permits shall be in compliance with the approved plan. Any changes or revisions to the plan require the approval of the City's Manager, Site Plans.

2. That prior to any site alteration or issuance of a Demolition Permit, the Owner submits the following to the satisfaction of the Grand River Conservation Authority (GRCA).
  - a) A Topographic Survey, completed by an Ontario Licensed Surveyor, and showing the extent of the Regulatory Floodplain Elevation (RFE) as per the surveyor's measurements.
  - b) A Grading Plan, showing the post-development extent of the Regulatory Floodplain Elevation (RFE) and sufficiently floodproofing the building and driveway.
  - c) Building Plans and Cross-Sections (i.e. a revised version of building plan A11), showing metric geodetic floor elevations, and with all floor space above the Regulatory Floodplain Elevation (RFE).
  - d) Submit payment of the GRCA Review Fee of \$300.00.
  - e) The submission and approval of a Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Permit from the Grand River Conservation Authority.

#### **REPORT HIGHLIGHTS:**

- The purpose of this report is to review a Minor Variance Application to facilitate the development of the subject site with a multiple residential building with five (5) dwelling units.
- The key finding of this report is that the requested variances meet 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 property 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 site is located on the east side of Courtland Avenue East, south of the intersection of Sydney Street South. The subject site currently features a one and a half storey single detached dwelling. The subject site is approximately 22 metres in width, 55 metres in length, and has an area of 858 square metres.

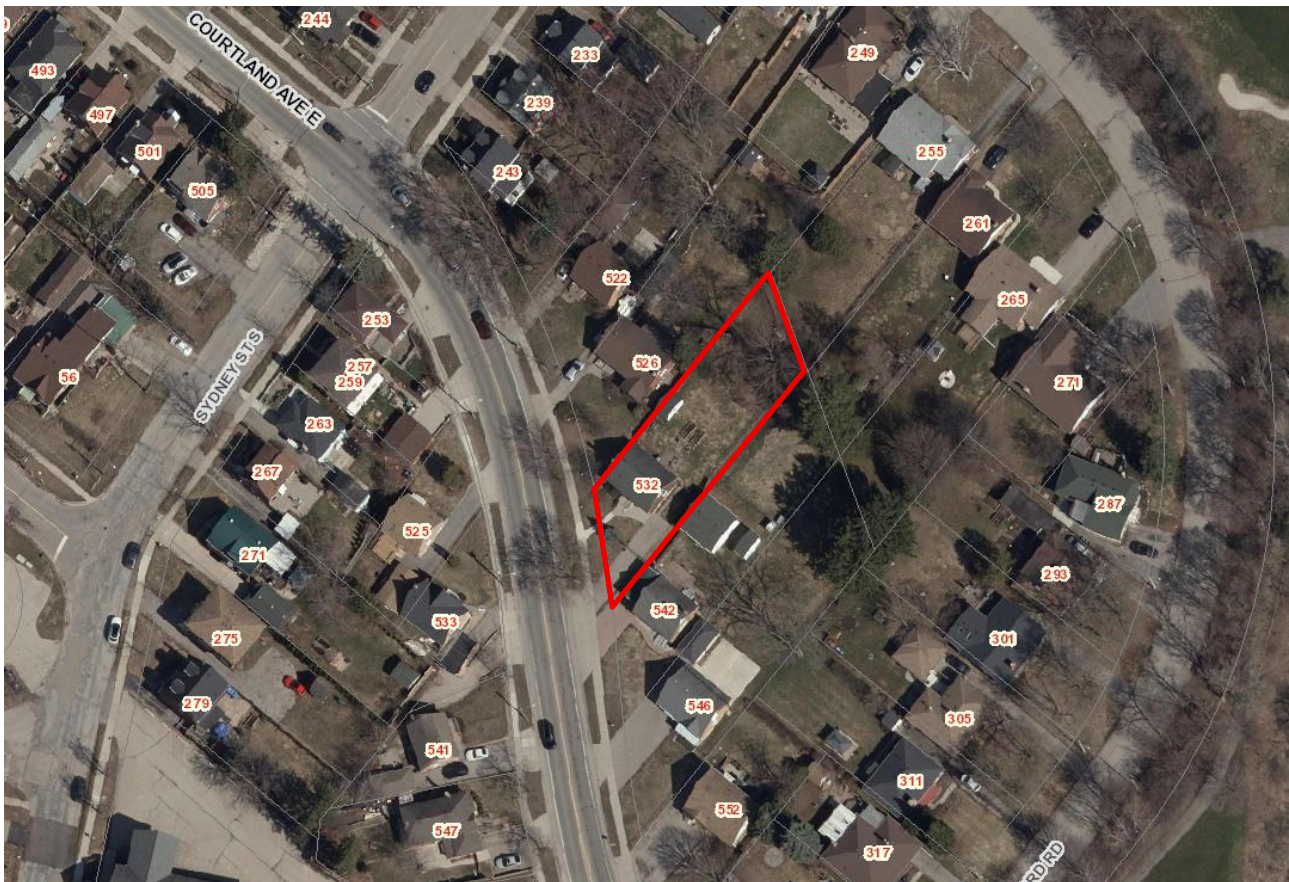


**Figure 1: View Of Subject Site From The Street (Taken January 7, 2026)**





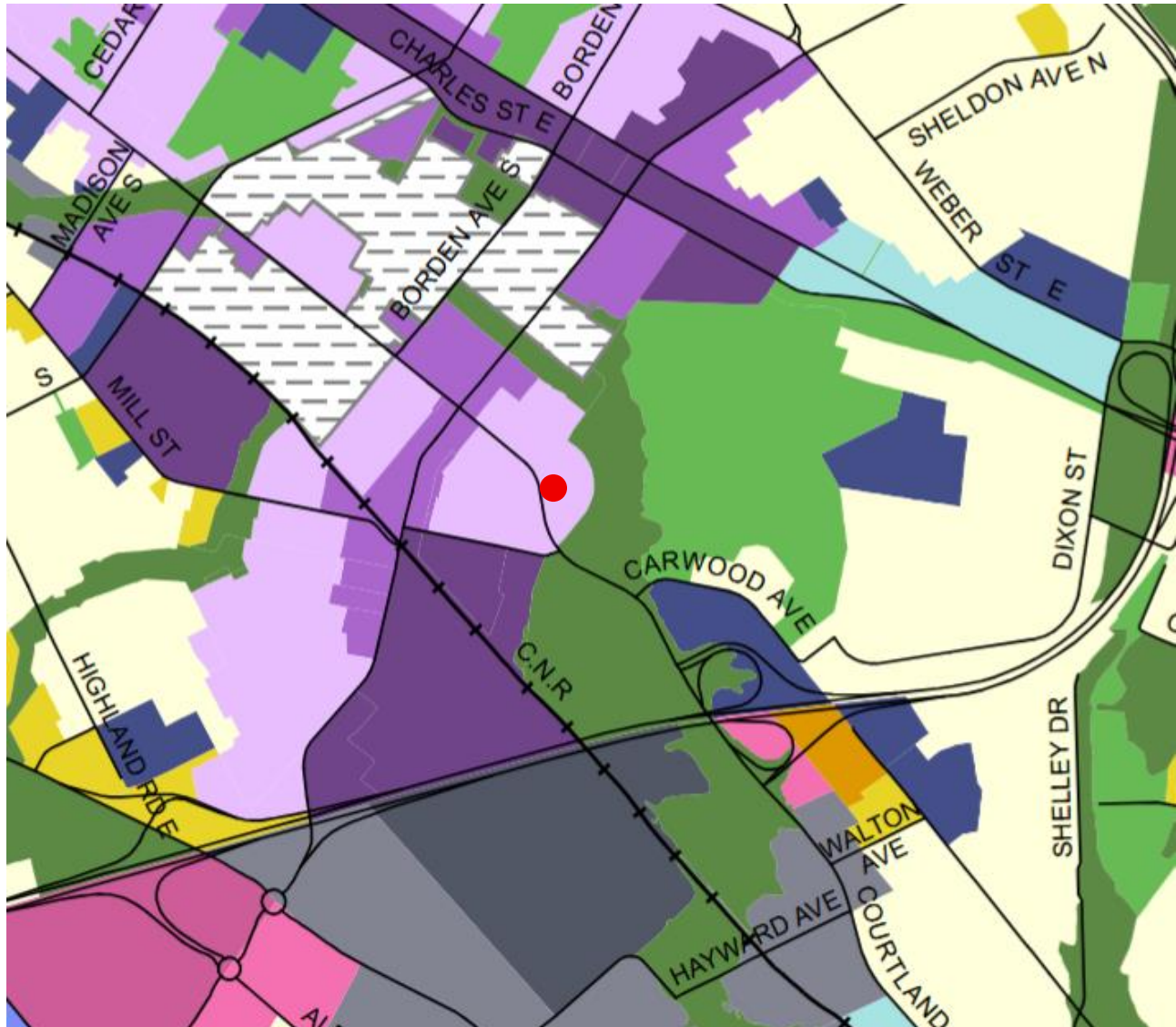
**Figure 2: View Of Rear Yard Of Subject Site**



**Figure 3: Aerial View Of Subject Site (Outlined In Red)**

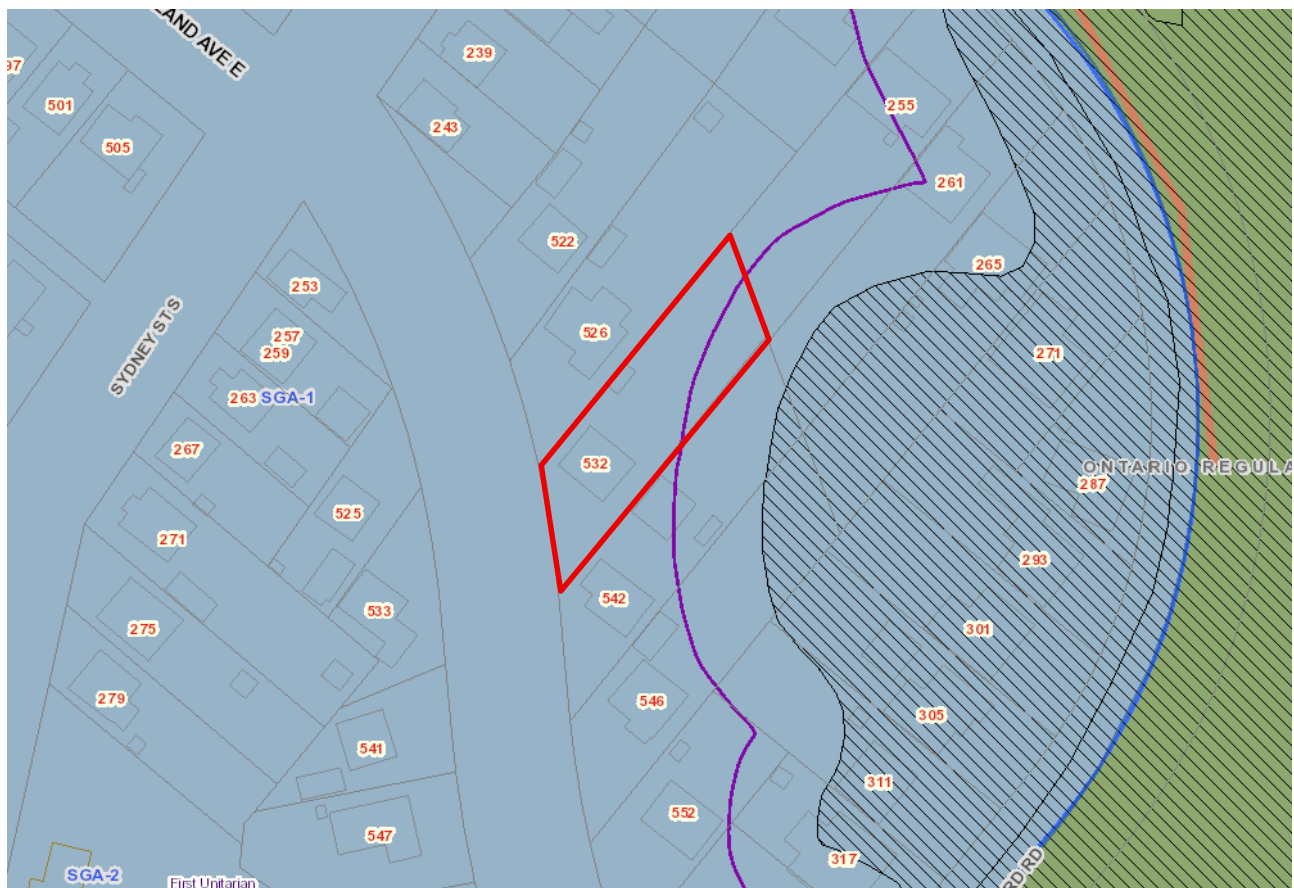


The subject site is identified as 'Protected Major Transit Station Area' on Map 2 – Urban Structure and is designated 'Strategic Growth Area A' on Map 3 – Land Use in the City's 2014 Official Plan.



**Figure 4: Official Plan Land Use Designations**

The subject site is zoned 'Low Rise Growth Zone (SGA-1)' in Zoning By-law 2019-051. A portion of the rear of the property is within the Grand River Conservation Authority (GRCA) regulated area. No floodplain is present on the subject site.



**Figure 5: Zoning By-Law 2019-051**

The purpose of the application is to facilitate the redevelopment of the subject site for a five-unit, multiple dwelling development.

## **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

Protected Major Transit Station Areas (PMTSA) are to provide a focus for accommodating growth through development to support existing and planned transit and rapid transit service levels. The proposed development contributes positively to this direction by providing five dwelling units where there is currently one.

Section 4.C.1.8. of the Official Plan provides specific policy direction regarding development applications that require minor variances. The overall impact of the minor variances will be reviewed, but not limited to the following to ensure, that:

- a) Any new buildings and any additions and/or modifications to existing buildings are appropriate in massing and scale and are compatible with the built form and the

community character of the established neighbourhood and will have regard to Section 11 of this Plan, the City's Urban Design Manual, and any site-specific Urban Design Brief or Urban Design Report and Urban Design Scorecard.

The proposed development is consistent with all built form regulations, aside from the requested building length variance. The surrounding area generally consists of single detached dwellings, being one and a half storeys. In meeting the policy direction for appropriate massing and compatible scale, the recently adopted Strategic Growth Area land use designation (and associated zoning) presents a flexible regulatory framework intended to spur redevelopment and intensification. The proposed development remains low rise in nature, provides garages for car and bicycle parking and storage, and is family oriented providing three-bedroom units. The variance to building length is appropriate to provide these characteristics, while intensifying the property to support transit.

- b) Where front yard setback reductions are proposed for new buildings in established neighbourhoods, the requested front yard setback should be similar to adjacent properties and supports and maintain the character of the streetscape and the neighbourhood.

This policy is not applicable to the application.

- c) New additions and modifications to existing buildings are to be directed to the rear yard and are to be discouraged in the front yard and side yard abutting a street, except where it can be demonstrated that the addition and/or modification is compatible in scale, massing, design and character of adjacent properties and is in keeping with the character of the streetscape.

This policy is not applicable to the application.

- d) New buildings, additions, modifications and conversions are sensitive to the exterior areas of adjacent properties and that the appropriate screening and/or buffering is provided to mitigate any adverse impacts, particularly with respect to privacy.

The subject site is flanked on both sides by properties each with a detached dwelling at similar scale to the existing building on the subject site. Generally, adverse privacy impacts are contributed due to building height and setbacks. The proposed development is consistent with the Zoning By-law permissions for these provisions. To mitigate potential impacts, a 1.8 metre privacy fence is proposed on both side lot lines, where a chain link fence is currently in place.

- e) The lands can function appropriately and not create unacceptable adverse impacts for adjacent properties by providing both an appropriate number of parking spaces and an appropriate landscaped/amenity area on the site.

This policy is not applicable to the application.

- f) The impact of each special zoning regulation or variance will be reviewed prior to formulating a recommendation to ensure that a deficiency in the one zoning requirement does not compromise the site in achieving objectives of compatible

and appropriate site and neighbourhood design and does not create further zoning deficiencies.

This policy is not applicable to the application. The requested variances to building length and parking facilities along the street line façade are independent of each other.

It is staff's opinion that the requested variances meet the general intent of the Official Plan.

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

The general intent of the Zoning By-law regarding building length is to promote parcel consolidation, control massing, and avoid orienting the majority of units to the internal lot lines. The geometry of the subject site, being a generally narrow property with a width of roughly 22 metres and length of roughly 55 metres, lends itself to a redevelopment scenario such as the one proposed to avoid the underutilization of the property. The additional length requested results in one additional unit being added to the development; a total of five units rather than four. The additional massing is generally consistent with the intent of this regulation, and the one additional unit added is a marginal increase in the permitted intensity of use of the subject site.

The general intent of the Zoning By-law regarding parking spaces and drive aisles being located entirely behind the area on the ground floor devoted to the permitted multiple dwelling use for the entire length of the street line façade, except for access, is to contribute to an animated streetscape, rather than dedicate the street façade to vehicles. The proposed development provides front yard landscaping, bicycle parking, and a walkway across the width of the development to screen and enhance the façade of the building. Additionally, this frontage provides the front door for the street facing unit and is designed with windows and consistent material treatment to give the appearance of living space rather than a parking facility. These mitigation measures positively contribute to meeting the intent of the Zoning By-law.

It is staff's 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 to exceed the maximum building length provided by the Zoning By-law by 6.5 metres generally presents the same urban design considerations as a building built to the maximum 24 metres. Fencing is proposed to mitigate privacy concerns at the lower levels of the building.

The requested variance to locate parking areas along the street line façade is generally mitigated through building materials, landscaping, and window treatments, resulting in a generally innocuous vehicle parking location at grade. No adverse impacts are anticipated by locating the vehicle parking in this location.

It is staff's opinion that the requested variances are minor in nature.

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

The subject site is within a PMTSA and is identified for intensification. The proposal consists of exclusively three-bedroom units, which are generally underrepresented unit types within multiple residential dwellings. Further, the length of the building provides larger than typical indoor storage space, which provides a potential location for the new garbage receptacles to mitigate nuisance and unsightly storage on a narrower property.

It is staff's opinion that the requested variances are desirable for the appropriate development of the land.

**Environmental Planning Comments:**

Please include standard Tree Management condition for variance. In order to responsibly address trees on neighbouring properties or in shared ownership, condition should ask for a Tree Preservation / Enhancement Plan ("Arborist's Report") prior to any Site Alteration, Demolition or Building Permit, whichever occurs first.

**Heritage Planning Comments:**

No heritage comments or concerns.

**Building Division Comments:**

The Building Division has no objections to the proposed variance provided a building permit for the 5-unit residential is obtained prior to construction. Please contact the Building Division at [building@kitchener.ca](mailto:building@kitchener.ca) with any questions.

**Engineering Division Comments:**

Engineering has no concerns.

**Parks and Cemeteries/Forestry Division Comments:**

Cash-in-lieu of parkland dedication will be required prior to issuance of a building permit. No other concerns or requirements.

**Transportation Planning Comments:**

Transportation Services have no concerns with this application.

**Region of Waterloo**

No concerns.

**SNGREC**

Bird and Light Friendly Design

SNGREC requests that the building is designed using bird and light friendly practices. This includes minimizing reflective surfaces, creating visual markers on windows, and using warmer lights that are directed downwards and away from natural areas.

Please see the City of Toronto's bird friendly practices for glass and for lighting as guidelines and implement them thoroughly across the entire design:

<https://www.toronto.ca/wp-content/uploads/2017/08/8d1c-Bird-Friendly-Best-Practices-Glass.pdf>



<https://www.toronto.ca/wp-content/uploads/2018/03/8ff6-city-planning-bird-effective-lighting.pdf>

#### Landscaping

SNGREC requires that native plant species are prioritized in landscaping efforts, and that invasive or potentially invasive species are completely avoided. Non-native species are less ecologically beneficial, and some non-native species can become invasive even after decades of seeming fine. SNGREC requires an opportunity to review any landscape plant lists before procurement begins. SNGREC requests that the proponent uses Kayanase Plant Nursery for procurement of plants if Kayanase's capacity allows.

SNGREC strongly encourages the creation of pollinator gardens using native plant species in landscaped areas not intended for human movement. Pollinator gardens can offer food, breeding space, and sanctuary for pollinators that are harmed by human expansion as they lose functional habitat, and their remaining habitat becomes more fragmented. Pollinator gardens will also increase the visual attractiveness of the area.

#### **Grand River Conservation Authority**

##### Recommendation

The GRCA recommends that the application is approved subject to the following condition:

- Prior to any grading or construction on the site, the owners or their agents submit the following to the satisfaction of the Grand River Conservation Authority.
  - a) A topographic survey by an Ontario Licensed Surveyor;
  - b) A detailed grading plan;
  - c) Building plans and cross-sections;
  - d) The submission and approval of a Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Permit from the Grand River Conservation Authority.

##### Documents Reviewed by Staff

Staff have reviewed the site and building plans (Freure Homes, dated May 16, 2025) submitted with this application.

##### Comments

The GRCA has reviewed this application under Ontario Regulation 686/21, acting on behalf of the Province regarding natural hazards identified in Section 5.2 of the Provincial Planning Statement (PPS, 2024), as a public body under the Planning Act, as well as in accordance with Ontario Regulation 41/24 and GRCA's Board approved policies.

Information currently available at our office indicates that the subject lands contain the Schneider Creek floodplain. This portion of the floodplain is the fringe of a Two-Zone Policy Area. The Regulatory Floodplain Elevation (RFE) for the property is 317.6 metres (CGVD 28).

The proposed building and associated grading must be floodproofed above the RFE, in accordance with City of Kitchener Official Plan policy 6.C.2.5 (c) (i) and GRCA Policy 8.1.31. In order to demonstrate meeting these policies, the GRCA will require the following plans, all of which must note the vertical elevation datum (e.g. CGVD28):

1. A Topographic Survey, completed by an Ontario Licensed Surveyor, and showing the extent of the Regulatory Floodplain Elevation (RFE) as per the surveyor's measurements.
2. A Grading Plan, showing the post-development extent of the Regulatory Floodplain Elevation (RFE) and sufficiently floodproofing the building and driveway.
3. Building plans and cross-sections (i.e. a revised version of building plan A11), showing metric geodetic floor elevations, and with all floor space above the Regulatory Floodplain Elevation (RFE).

The GRCA has confidence that the applicant can revise their plans accordingly to demonstrate the above. As such, the GRCA recommends approving the application conditional on providing these plans to the GRCA's satisfaction, as well as obtaining a GRCA permit.

This is considered a 'minor' minor variance application. Consistent with GRCA's 2023-2025 approved fee schedule, we will invoice the applicant \$300 for our review. A separate fee will be required for a GRCA permit.

#### **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 Planning Statement (PPS 2024)*
- *Regional Official Plan*



- *Official Plan (2014)*
- *Zoning By-law 2019-051*

**ATTACHMENTS:**

Attachment A – Site Plan



January 9, 2026

Connie Owen  
City of Kitchener  
200 King Street West  
P.O. Box 1118  
Kitchener, ON N2G 4G7

File No.: D20-20/  
VAR KIT GEN

**Subject: Committee of Adjustment Meeting December 9, City of Kitchener**

Regional staff has reviewed the following Committee of Adjustment applications and have the following comments:

- 1) A 2026-001 – 532 Courtland Avenue East – No Concerns
- 2) A 2026-002 – 546 Courtland Avenue East – No Concerns
- 3) A 2026-003 – 4417 King Street East – It is unclear if this application will result in an impact on the water supply. Please be advised that the Region is currently updating the Water Supply Strategy. We wish to bring to your attention that through this work, concerns have been identified regarding water servicing capacity within the Mannheim Service Area. Regional staff are currently undertaking work to better understand the magnitude of the concerns.  
As such, we note that subsection 3(5) of the Planning Act requires that decisions made by approval authorities be consistent with the policies of the Provincial Planning Statement, 2024 (PPS) including those policies found in s. 3.6 of the PPS relating to water services.
- 4) A 2026-004 – 37 Heiman Street – No Concerns
- 5) A 2026-005 – 1541 Fischer-Hallman Boulevard – No Concerns
- 6) A 2026-006 – 235 Hoffman Street – No Concerns
- 7) A 2026-007 – 56 Woolwich Street – No Concerns
- 8) A 2026-008 – 14 Sportsman Hill Street – No Concerns

Please be advised that any development on the subject lands is subject to the provisions of the Regional Development Charge By-law 19-037 or any successor thereof and may require payment of Regional Development Charges for these developments prior to the issuance of a building permit.

The comments contained in this letter pertain to the Application numbers listed. If a site is subject to more than one application, additional comments may apply.

Document Number: 5169327

Please forward any decisions on the above-mentioned Application numbers to the undersigned.

Yours Truly,

*Cheryl Marcy*

Cheryl Marcy  
Manager, Corridor Development



December 31, 2025

Committee of Adjustment  
City of Kitchener  
200 King Street West  
Kitchener ON N2G 4V6  
[CofA@kitchener.ca](mailto:CofA@kitchener.ca)

**Re: Minor Variance Application A2026-001  
532 Courtland Avenue East, Kitchener  
Freure Promontory Inc.**

---

Grand River Conservation Authority (GRCA) staff have reviewed the above-noted application for variances to facilitate a five-unit multiple dwelling.

### **Recommendation**

The GRCA recommends that the application is approved subject to the following condition:

- Prior to any grading or construction on the site, the owners or their agents submit the following to the satisfaction of the Grand River Conservation Authority.
  - a. A topographic survey by an Ontario Licensed Surveyor;
  - b. A detailed grading plan;
  - c. Building plans and cross-sections;
  - d. The submission and approval of a Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Permit from the Grand River Conservation Authority.

## **Documents Reviewed by Staff**

Staff have reviewed the site and building plans (Freure Homes, dated May 16, 2025) submitted with this application.

## **GRCA Comments**

The GRCA has reviewed this application under Ontario Regulation 686/21, acting on behalf of the Province regarding natural hazards identified in Section 5.2 of the Provincial Planning Statement (PPS, 2024), as a public body under the Planning Act, as well as in accordance with Ontario Regulation 41/24 and GRCA's Board approved policies.

Information currently available at our office indicates that the subject lands contain the Schneider Creek floodplain. This portion of the floodplain is the fringe of a Two-Zone Policy Area. The regulatory floodplain elevation (RFE) for the property is 317.6 metres (CGVD 28).

The proposed building and associated grading must be floodproofed above the RFE, in accordance with City of Kitchener Official Plan policy 6.C.2.5(c)(i) and GRCA Policy 8.1.31. In order to demonstrate meeting these policies, the GRCA will require the following plans, all of which must note the vertical elevation datum (e.g. CGVD28):

1. A topographic survey, completed by an Ontario Licensed Surveyor, and showing the extent of the RFE as per the surveyor's measurements.
2. A grading plan, showing the post-development extent of the RFE, and sufficiently floodproofing the building and driveway.
3. Building plans and cross-sections (i.e. a revised version of building plan A11), showing metric geodetic floor elevations, and with all floor space above the RFE.

The GRCA has confidence that the applicant can revise their plans accordingly to demonstrate the above. As such, the GRCA recommends approving the application conditional on providing these plans to the GRCA's satisfaction, as well as obtaining a GRCA permit.

---

This is considered a 'minor' minor variance application. Consistent with GRCA's 2023-2025 approved fee schedule, we will invoice the applicant \$300 for our review. A separate fee will be required for a GRCA permit.

We trust this information is of assistance. If you have any questions or require additional information, please contact me at 519-621-2761 ext. 2292 or [theywood@grandriver.ca](mailto:theywood@grandriver.ca).

Sincerely,



---

Trevor Heywood  
Resource Planner  
Grand River Conservation Authority

Encl. Resource Mapping

cc: David Freure  
Nicholas Bogaert, MHBC





Legend

- Regulation Limit (GRCA)
- Floodplain (GRCA)
  - Engineered
  - Estimated
  - Approximate
- Floodplain - Special Policy Area (GRCA)
- Slope Erosion (GRCA)
  - Steep
  - Oversteep
  - Toe
- Slope Valley (GRCA)
  - Steep
  - Oversteep
- Regulated Watercourse (GRCA)
- Regulated Waterbody (GRCA)
- Wetland (GRCA)
- Lake Erie Flood (GRCA)
- Lake Erie Shoreline Reach (GRCA)
- Lake Erie Dynamic Beach (GRCA)
- Lake Erie Erosion (GRCA)
- Parcel - Assessment (MPAC/MNRF)
- Conservation Area Boundary (GRCA)

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Disclaimer: This map is for illustrative purposes only. Information contained herein is not a substitute for professional review or a site survey and is subject to change without notice. The Grand River Conservation Authority takes no responsibility for, nor guarantees, the accuracy of the information contained on this map. Any interpretations or conclusions drawn from this map are the sole responsibility of the user.  
The source for each data layer is shown in parentheses in the map legend. See [Sources and Citations](#) for details.

Scale 1:595

NAD83 UTM zone 18Q UTM (EPSG:3147)





**From:** [Emmett Vanson](#)  
**To:** [Committee of Adjustment \(SM\)](#)  
**Cc:** [Peter Graham](#)  
**Subject:** SNGREC Comments Re: Kitchener January CofA  
**Date:** Monday, January 5, 2026 1:56:45 PM  
**Attachments:** [Outlook-kexdlfm1.png](#)

---

Hello,

The following are my comments for the January CofA for Kitchener. Comments are separated by a bold and underlined heading with addresses, and I have combined multiple applications to receive the same comment.

### **For 532 and 546 Courtland Ave**

#### **Bird and Light Friendly Design**

SNGREC requests that the building is designed using bird and light friendly practices. This includes minimizing reflective surfaces, creating visual markers on windows, and using warmer lights that are directed downwards and away from natural areas.

Please see the City of Toronto's bird friendly practices for glass and for lighting as guidelines and implement them thoroughly across the entire design:

<https://www.toronto.ca/wp-content/uploads/2017/08/8d1c-Bird-Friendly-Best-Practices-Glass.pdf>

<https://www.toronto.ca/wp-content/uploads/2018/03/8ff6-city-planning-bird-effective-lighting.pdf>

#### **Landscaping**

SNGREC requires that native plant species are prioritized in landscaping efforts, and that invasive or potentially invasive species are completely avoided. Non-native species are less ecologically beneficial, and some non-native species can become invasive even after decades of seeming fine. SNGREC requires an opportunity to review any landscape plant lists before procurement begins. SNGREC requests that the proponent uses Kayanase Plant Nursery for procurement of plants if Kayanase's capacity allows.

SNGREC strongly encourages the creation of pollinator gardens using native plant species in landscaped areas not intended for human movement. Pollinator gardens can offer food, breeding space, and sanctuary for pollinators that are harmed by human expansion as they lose functional habitat, and their remaining habitat becomes more fragmented. Pollinator gardens will also increase the visual attractiveness of the area.

### **For 56 Woolwich St, 14 Sportsman Hill St, 1541 Fischer-Hallman St, 37 Heiman St**

#### **Bird and Light Friendly Design**

SNGREC requests that the building is designed using bird and light friendly practices. This includes minimizing reflective surfaces, creating visual markers on windows, and using warmer lights that are directed downwards and away from natural areas. Hundreds of millions of birds are killed by windows in North America each year, with 56% being from low-rise residential, thus this request extends to all sizes of development (<https://ontarionature.org/sustainable-building-design-can-stop-millions-of-birds-deaths-blog/>).

Please see the City of Toronto's bird friendly practices for glass and for lighting as guidelines and implement them thoroughly across the entire design:

<https://www.toronto.ca/wp-content/uploads/2017/08/8d1c-Bird-Friendly-Best-Practices-Glass.pdf>

<https://www.toronto.ca/wp-content/uploads/2018/03/8ff6-city-planning-bird-effective-lighting.pdf>

Niá:wen (thank you),

**Emmett Vanson, BSc., Grad. Cert.** (he/him)

Land Use and Stewardship Technician

Six Nations of the Grand River Elected Council - Lands and Resources Department - Consultation and Accommodation Process Team

[lrust@sixnations.ca](mailto:lrust@sixnations.ca)



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**REPORT TO:** Committee of Adjustment

**DATE OF MEETING:** January 20, 2026

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

**PREPARED BY:** Evan Wittmann, Senior Planner, 519-783-8523

**WARD(S) INVOLVED:** Ward 9

**DATE OF REPORT:** January 14, 2026

**REPORT NO.:** DSD-2026-020

**SUBJECT:** Minor Variance Application A2026-002 – 546 Courtland Ave. E.

---

## **RECOMMENDATION:**

That Minor Variance Application A2026-002 for 546 Courtland Avenue East requesting relief from the following Sections of Zoning By-law 2019-051:

- i) Section 5.3.e ii) to permit a drive aisle width of 5.3 metres instead of the minimum required 6 metres;
- ii) Section 5.3.4 b) ii) to permit parking spaces and drive aisles to not be located entirely behind the area on the ground floor devoted to the permitted multiple dwelling use for the entire length of the street line façade, except for access, whereas the Zoning By-law requires parking and drive aisles to be located entirely behind the area on the ground floor devoted to the multiple dwelling use for the entire length of the street line façade, except for access; and,
- iii) Section 6.3.2, Table 6-3, to permit a building length of 36.6 metres instead of the maximum permitted 24 metres;

to facilitate the construction of a 3 storey multiple dwelling having six (6) dwelling units, generally in accordance with drawings prepared by Freure Homes, dated November 10, 2025, BE APPROVED, subject to the following conditions:

1. That all of the conditions of Consent Application B2025-021 be satisfied and that the Certificate of the Official is issued. The Owner shall provide final documentation of the conveyance of the lot addition to 265 Bedford Road.
2. That the Owner shall submit a Plan, prepared by a qualified consultant, to the satisfaction and approval of the City's Manager, Site Plans showing the following:
  - a) the proposed location of all buildings (including accessory buildings and

- structures), decks and driveways;
- b) the location of any existing buildings or structures to be removed or relocated;
- c) the proposed grades and drainage;
- d) the location of all trees to be preserved, removed or potentially impacted on or adjacent to the subject lands, including notations of their size, species and condition;
- e) justification for any trees to be removed; and
- f) outline tree protection measures for trees to be preserved; and
- g) building elevation drawings.
- h) If necessary, the plan shall include required mitigation and/or compensation measures.
- i) That the approved elevation drawings shall be implemented as approved or be substantively similar to the approved elevations as part of issuance of any building permit(s).

Any alteration or improvement to the lands including grading, servicing, tree removal and the application or issuance of any Demolition and/or Building permits shall be in compliance with the approved plan. Any changes or revisions to the plan require the approval of the City's Manager, Site Plans.

3. That prior to any site alteration or issuance of a Demolition Permit, the Owner submits the following to the satisfaction of the Grand River Conservation Authority (GRCA).
  - a) A Topographic Survey, completed by an Ontario Licensed Surveyor, and showing the extent of the Regulatory Floodplain Elevation (RFE) as per the surveyor's measurements.
  - b) A Grading Plan, showing the post-development extent of the Regulatory Floodplain Elevation (RFE) and sufficiently floodproofing the building and driveway.
  - c) Building Plans and Cross-Sections (i.e. a revised version of building plan A11), showing metric geodetic floor elevations, and with all floor space above the Regulatory Floodplain Elevation (RFE).
  - d) Submit payment of the GRCA Review Fee of \$300.00.
  - e) The submission and approval of a Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Permit from the Grand River Conservation Authority.

#### **REPORT HIGHLIGHTS:**

- The purpose of this report is to review a Minor Variance Application to facilitate the development of the subject site with a multiple residential building with six (6) dwelling units.
- The key finding of this report is that the requested variances meet 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 property 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 site is located on the east side of Courtland Avenue East, south of the intersection of Sydney Street South. The subject site currently features a one and a half storey single detached dwelling. The subject site is approximately 20 metres in width, 67 metres in length, and has an area of 998 square metres.

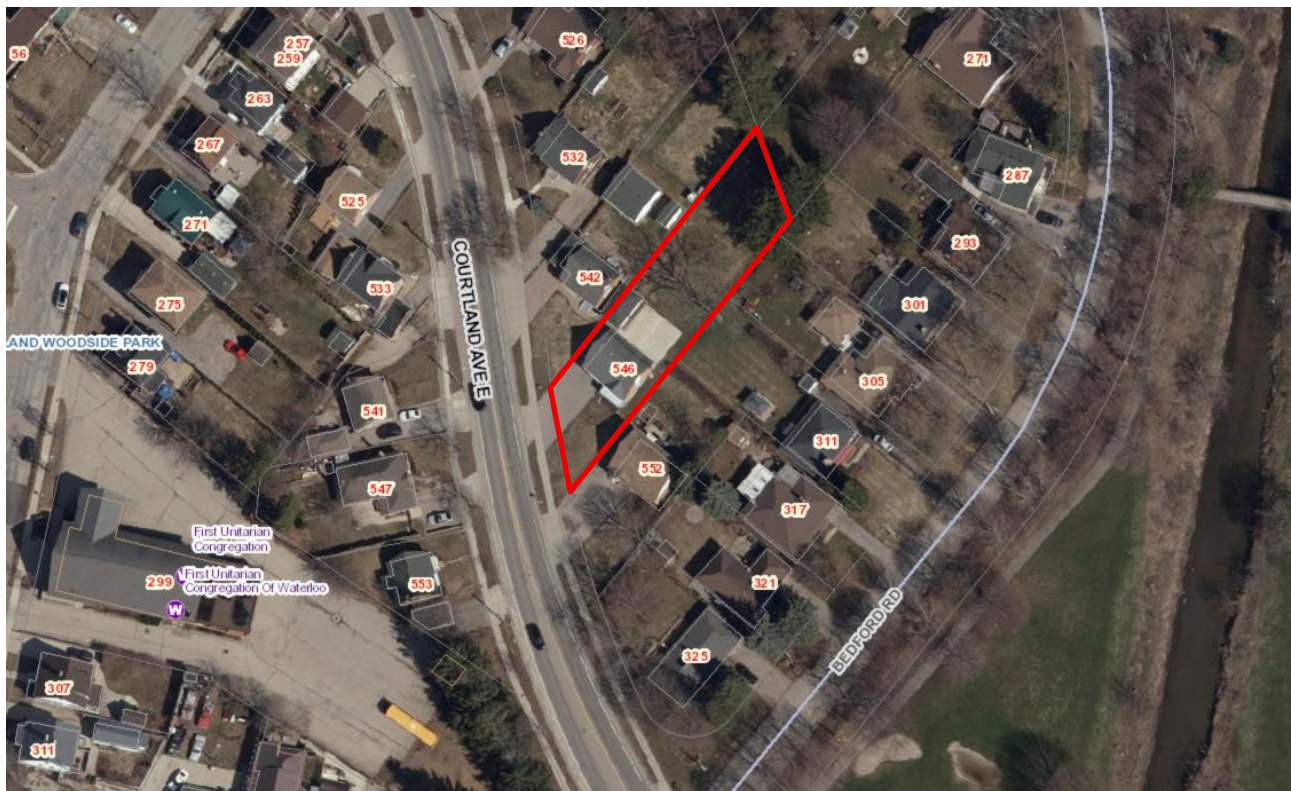


**Figure 1: View Of Subject Site From The Street (Taken January 7, 2026)**





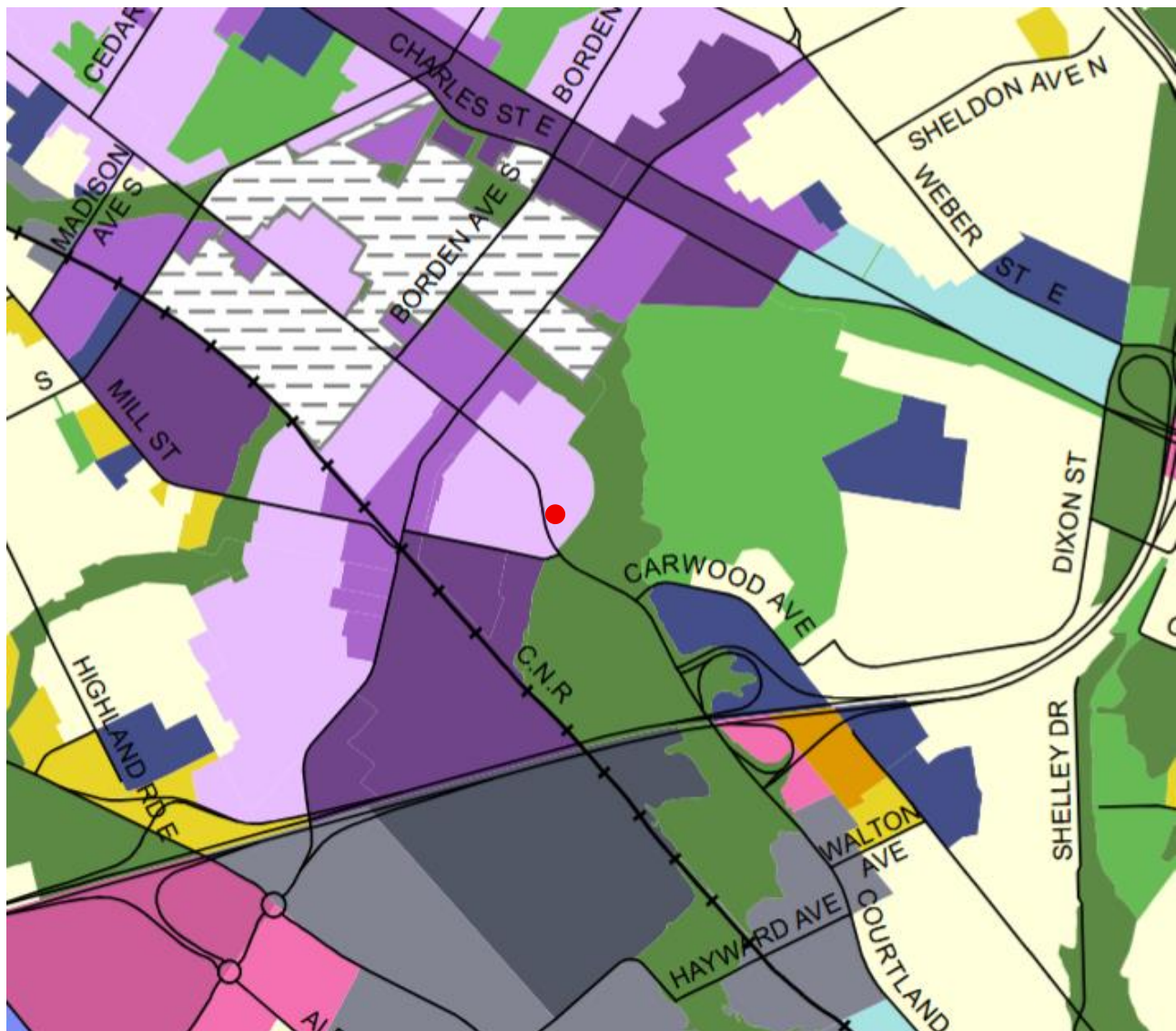
**Figure 2: View Of Rear Yard Of Subject Site**



**Figure 3: Aerial View Of Subject Site**

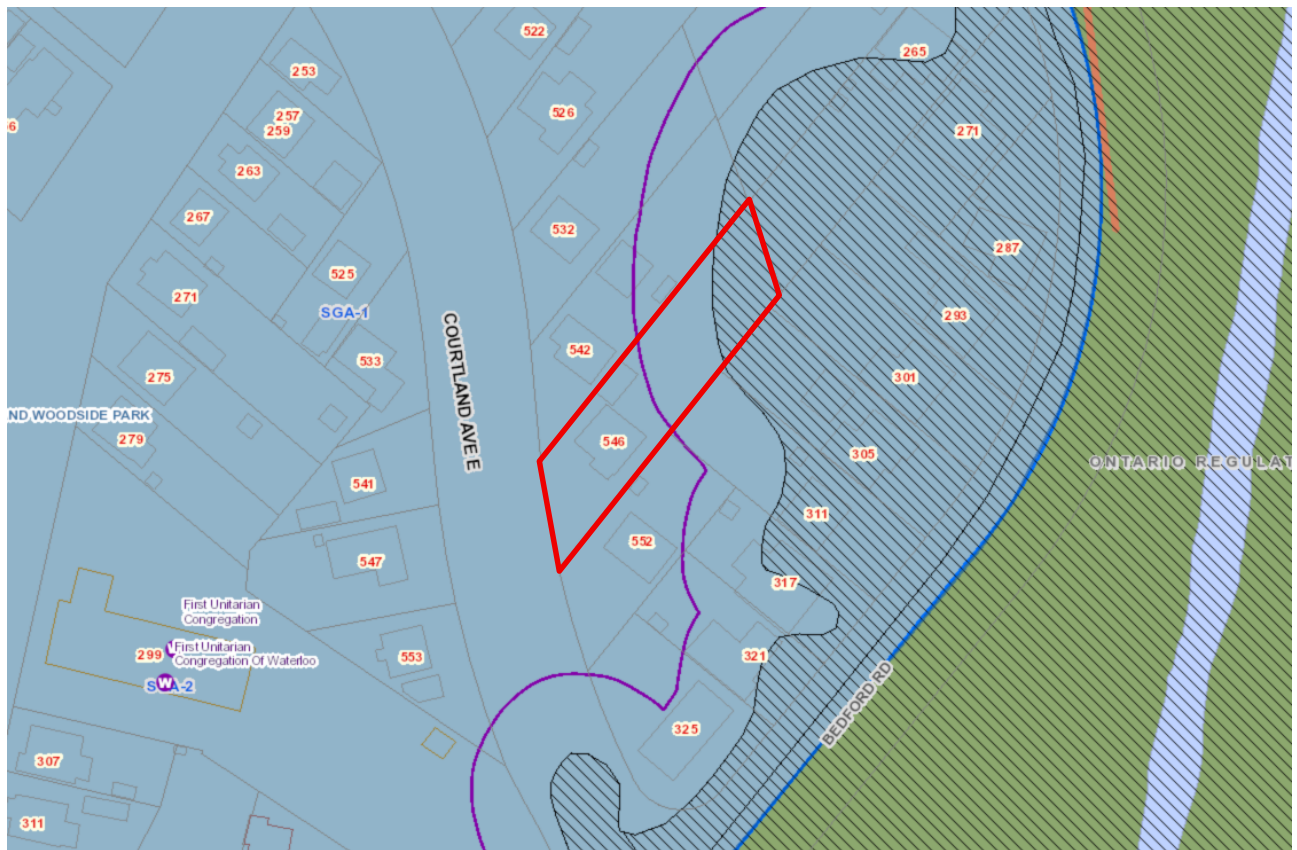


The subject site identified as 'Protected Major Transit Station Area' on Map 2 – Urban Structure and is designated 'Strategic Growth Area A' on Map 3 – Land Use in the City's 2014 Official Plan.



**Figure 4: Official Plan Land Use Designations**

The subject site is zoned 'Low Rise Growth Zone (SGA-1)' in Zoning By-law 2019-051. A portion of the rear of the property is within the Grand River Conservation Authority (GRCA) regulated area. A portion of the regulated area is floodplain (black hatched area on Figure 5).



**Figure 5: Zoning By-Law 2019-051**

The purpose of the application is to facilitate the redevelopment of the subject site for a six-unit, multiple dwelling development. The subject site was part of Consent Application B2025-021, which was considered and approved by the Committee of Adjustment at their July 15, 2025 meeting, and was subsequently conditionally approved. This application was for a lot addition to convey a small triangular portion at the rear of the subject site to 265 Bedford Road. This Consent Application is yet to have all conditions of approval completed.

## **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

Protected Major Transit Station Areas (PMTSA) are to provide a focus for accommodating growth through development to support existing and planned transit and rapid transit service levels. The proposed development contributes positively to this direction by providing six dwelling units where there is currently one.

Section 4.C.1.8. of the Official Plan provides specific policy direction regarding development applications that require minor variances. The overall impact of the minor variances will be reviewed, but not limited to the following to ensure, that:

- a) Any new buildings and any additions and/or modifications to existing buildings are appropriate in massing and scale and are compatible with the built form and the community character of the established neighbourhood and will have regard to Section 11 of this Plan, the City's Urban Design Manual, and any site-specific Urban Design Brief or Urban Design Report and Urban Design Scorecard.

The proposed development is consistent with all built form regulations, aside from the requested building length variance. The surrounding area generally consists of single detached dwellings, being one and a half storeys. In meeting the policy direction for appropriate massing and compatible scale, the recently adopted Strategic Growth Area land use designation (and associated zoning) presents a flexible regulatory framework intended to spur redevelopment and intensification. The proposed development remains low rise in nature, provides garages for car and bicycle parking and storage, and is family oriented providing three-bedroom units. The variance to building length is appropriate to provide these characteristics, while intensifying the property to support transit.

- b) Where front yard setback reductions are proposed for new buildings in established neighbourhoods, the requested front yard setback should be similar to adjacent properties and supports and maintain the character of the streetscape and the neighbourhood.

This policy is not applicable to the application.

- c) New additions and modifications to existing buildings are to be directed to the rear yard and are to be discouraged in the front yard and side yard abutting a street, except where it can be demonstrated that the addition and/or modification is compatible in scale, massing, design and character of adjacent properties and is in keeping with the character of the streetscape.

This policy is not applicable to the application.

- d) New buildings, additions, modifications and conversions are sensitive to the exterior areas of adjacent properties and that the appropriate screening and/or buffering is provided to mitigate any adverse impacts, particularly with respect to privacy.

The subject site is flanked on both sides by properties with a single detached dwelling at similar scale to the existing building on the subject site. Generally, adverse privacy impacts are contributed due to building height and setbacks. The proposed development is consistent with the Zoning By-law permissions for these provisions. To mitigate potential impacts, a 1.8 metre privacy fence is proposed on both side lot lines. There is currently no fence on the subject site.

- e) The lands can function appropriately and not create unacceptable adverse impacts for adjacent properties by providing both an appropriate number of parking spaces and an appropriate landscaped/amenity area on the site.

The variance to drive aisle width maintains enough width to have two-way travel, and parking spaces can be adequately entered and exited, resulting in no adverse impacts to adjacent properties.

- f) The impact of each special zoning regulation or variance will be reviewed prior to formulating a recommendation to ensure that a deficiency in the one zoning requirement does not compromise the site in achieving objectives of compatible and appropriate site and neighbourhood design and does not create further zoning deficiencies.

This policy is not applicable to the application. The requested variances are independent of each other. There may be the perception that the reduced driveway width necessitates the need for wider garages to accommodate vehicular turning radii, resulting in a longer building. If the building length was reduced, the parking aisle width variance would still be required; if the parking aisle width was increased, the building length variance would still be required. Resolving one variance does not “naturally” resolve the other, suggesting that one is not causing the other.

It is staff's opinion that the requested variances meet the general intent of the Official Plan.

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

The general intent of the Zoning By-law regarding building length is to promote parcel consolidation, control massing, and avoid orienting the majority of units to the internal lot lines. The geometry of the subject site, being a generally narrow property with a width of roughly 20 metres and length of roughly 67 metres, lends itself to a redevelopment scenario such as the one proposed to avoid the underutilization of the property. The rear yard setback remains significant, being roughly 15 metres. In considering the length of the property, roughly 54% (36.6 building length vs 67 metre lot length) of the lot line is occupied by the building face. This suggests that the lot is not being over-developed. Additionally, the southern lot line does not solely abut one property; three other properties share a rear lot line with the subject site. This reduces the overlook of the proposed development onto one property, and functions more similarly to a corner lot. Additionally, the proposed development is oriented towards this southern lot line, which obstructs overlook side-to-side on the adjacent properties.

The general intent of the Zoning By-law regarding parking spaces and drive aisles being located entirely behind the area on the ground floor devoted to the permitted multiple dwelling use for the entire length of the street line façade, except for access, is to contribute to an animated streetscape, rather than dedicate the street façade to vehicles. The proposed development provides front yard landscaping, bicycle parking, and a walkway across the width of the development to screen and enhance the façade of the building. Additionally, this frontage provides the front door for the street facing unit and is designed with windows and consistent material treatment to give the appearance of living space rather than a parking facility. These mitigation measures positively contribute to meeting the intent of the Zoning By-law.

The intent of the minimum drive aisle width is to ensure that vehicles have sufficient space to make proper turning movement in and out of parking spaces. Due to the width of the

proposed garages, vehicles can adequately move in and out of the subject site, meeting the intent of the Zoning By-law.

It is staff's 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 to exceed the maximum building length provided by the Zoning By-law by 6.5 metres generally presents the same urban design considerations as a building built to the maximum 24 metres. Fencing is proposed to mitigate privacy concerns at the lower levels of the building.

The requested variance to locate parking areas along the street line façade is generally mitigated through building materials, landscaping, and window treatments, resulting in a generally innocuous vehicle parking location at grade. No adverse impacts are anticipated by locating the vehicle parking in this location.

As vehicles can adequately turn in and out of the parking spaces proposed, no adverse impacts are anticipated due to the reduced drive aisle width.

It is staff's opinion that the requested variances are minor in nature.

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

The subject site is within a PMTSA and is identified for intensification. The proposal consists of exclusively three-bedroom units, which are generally underrepresented unit types within multiple residential dwellings.

As the proposed development contains six or fewer dwelling units, curbside, municipal waste collection will be provided for the subject site. The building length, and associated wider than typical garages, results in indoor storage space that otherwise would not be available and can be used to store the waste receptacles required for each unit. This allows the outdoor areas to function purely for recreational purposes rather than additional storage.

It is staff's opinion that the requested variances are desirable for the appropriate development of the land.

**Environmental Planning Comments:**

Please include standard Tree Management condition for variance. In order to responsibly address trees on neighbouring properties or in shared ownership, condition should ask for a Tree Preservation / Enhancement Plan ("Arborist's Report") prior to any Site Alteration, Demolition or Building Permit, whichever occurs first.

**Heritage Planning Comments:**

No heritage comments or concerns.



**Building Division Comments:**

The Building Division has no objections to the proposed variance provided a building permit for the 6-unit residential is obtained prior to construction. Please contact the Building Division at [building@kitchener.ca](mailto:building@kitchener.ca) with any questions.

**Engineering Division Comments:**

Engineering has no concerns.

**Parks and Cemeteries/Forestry Division Comments:**

Cash-in-lieu of parkland dedication will be required prior to issuance of a building permit. No other concerns or requirements.

**Transportation Planning Comments:**

Transportation Services have no concerns with this application.

Staff note that without the garage access width of approximately 4.87 metres, the 5.32 metres drive aisle width would not be able to support vehicle access to a typical parking space.

**Region of Waterloo Comments:**

No concerns.

**Six Nations of the Grand River Elected Council (SNGREC) Comments:**Bird and Light Friendly Design

SNGREC requests that the building is designed using bird and light friendly practices. This includes minimizing reflective surfaces, creating visual markers on windows, and using warmer lights that are directed downwards and away from natural areas.

Please see the City of Toronto's bird friendly practices for glass and for lighting as guidelines and implement them thoroughly across the entire design:

<https://www.toronto.ca/wp-content/uploads/2017/08/8d1c-Bird-Friendly-Best-Practices-Glass.pdf>

<https://www.toronto.ca/wp-content/uploads/2018/03/8ff6-city-planning-bird-effective-lighting.pdf>

Landscaping

SNGREC requires that native plant species are prioritized in landscaping efforts, and that invasive or potentially invasive species are completely avoided. Non-native species are less ecologically beneficial, and some non-native species can become invasive even after decades of seeming fine. SNGREC requires an opportunity to review any landscape plant lists before procurement begins. SNGREC requests that the proponent uses Kayanase Plant Nursery for procurement of plants if Kayanase's capacity allows.

SNGREC strongly encourages the creation of pollinator gardens using native plant species in landscaped areas not intended for human movement. Pollinator gardens can offer food, breeding space, and sanctuary for pollinators that are harmed by human expansion as they



lose functional habitat, and their remaining habitat becomes more fragmented. Pollinator gardens will also increase the visual attractiveness of the area.

## **Grand River Conservation Authority**

### **Recommendation**

The GRCA recommends that the application is approved subject to the following condition:

- Prior to any grading or construction on the site, the owners or their agents submit the following to the satisfaction of the Grand River Conservation Authority.
  - a) A topographic survey by an Ontario Licensed Surveyor;
  - b) A detailed grading plan;
  - c) Building plans and cross-sections;
  - d) The submission and approval of a Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Permit from the Grand River Conservation Authority.

### **GRCA Comments**

The GRCA has reviewed this application under Ontario Regulation 686/21, acting on behalf of the Province regarding natural hazards identified in Section 5.2 of the Provincial Planning Statement (PPS, 2024), as a public body under the Planning Act, as well as in accordance with Ontario Regulation 41/24 and GRCA's Board approved policies. Information currently available at our office indicates that the subject lands contain the Schneider Creek floodplain. This portion of the floodplain is the fringe of a Two-Zone Policy Area. The Regulatory Floodplain Elevation (RFE) for the property is 317.6 metres (CGVD 28).

The proposed building and associated grading must be floodproofed above the RFE, in accordance with City of Kitchener Official Plan policy 6.C.2.5 (c) (i) and GRCA Policy 8.1.31. In order to demonstrate meeting these policies, the GRCA will require the following plans, all of which must note the vertical elevation datum (e.g. CGVD28):

1. A Topographic Survey, completed by an Ontario Licensed Surveyor, and showing the extent of the Regulatory Floodplain Elevation (RFE) as per the surveyor's measurements.
2. A Grading Plan, showing the post-development extent of the Regulatory Floodplain Elevation (RFE), and sufficiently floodproofing the building and driveway.
3. Building plans and cross-sections (i.e. revised versions of building plans A02 and A06), showing metric geodetic floor elevations and with all floor space above the Regulatory Floodplain Elevation (RFE).

The GRCA has confidence that the applicant can revise their plans accordingly to demonstrate the above. As such, the GRCA recommends approving the application conditional on providing these plans to the GRCA's satisfaction, as well as obtaining a GRCA permit.

This is considered a 'minor' minor variance application. Consistent with GRCA's 2023-2025 approved fee schedule, we will invoice the applicant \$300 for our review. A separate fee will be required for a GRCA permit.

#### **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.

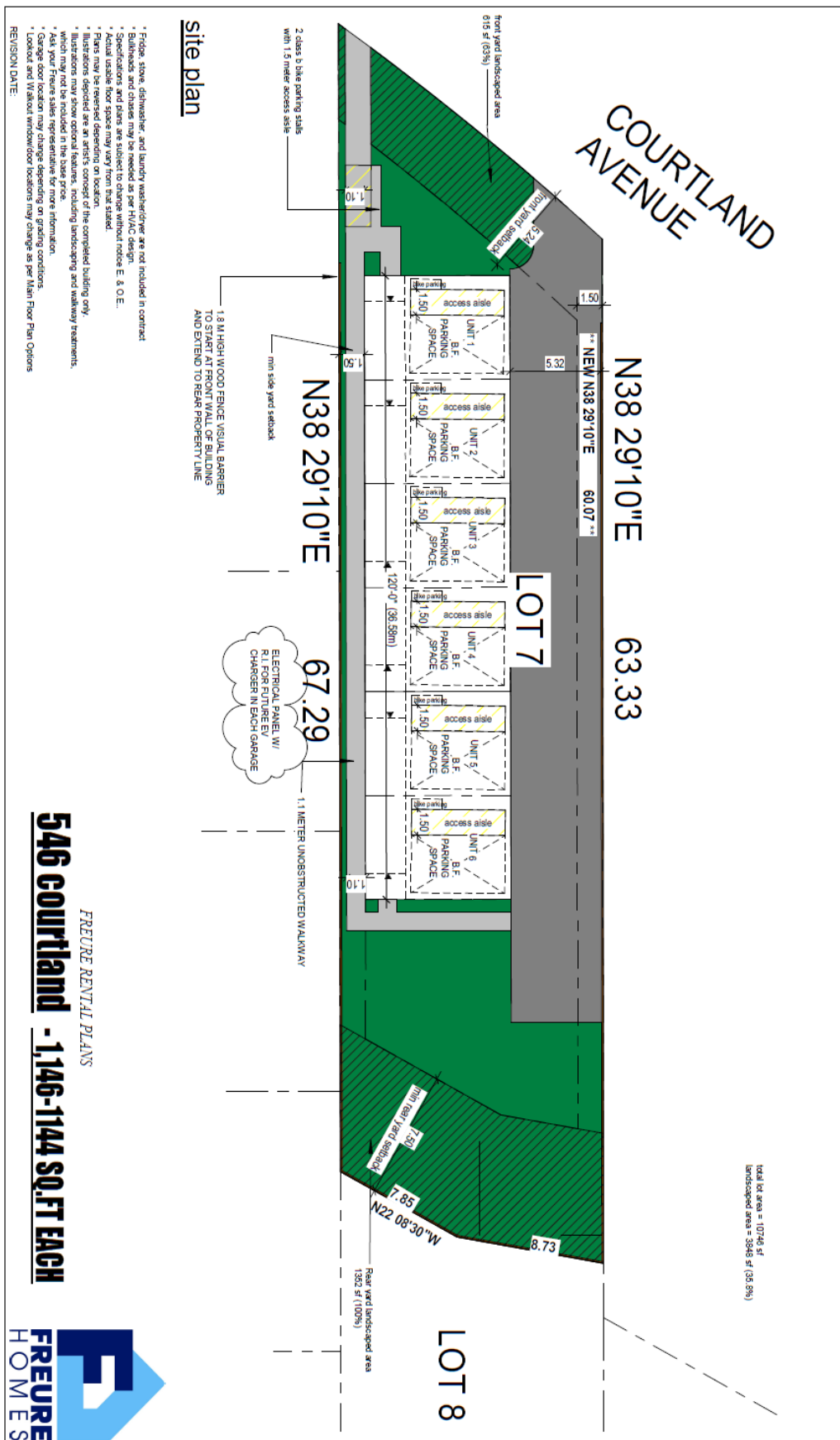
#### **PREVIOUS REPORTS/AUTHORITIES:**

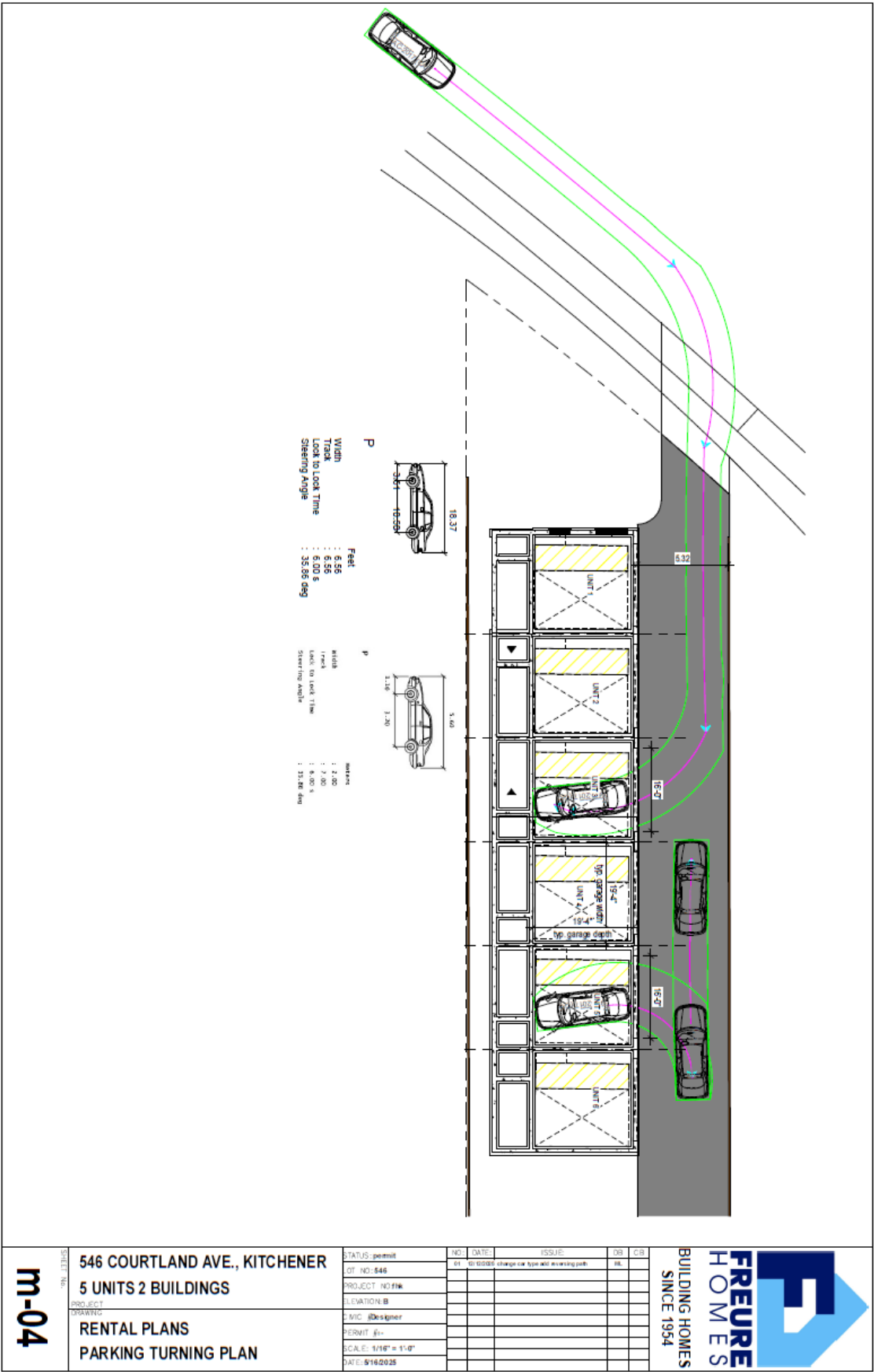
- *Planning Act*
- *Provincial Planning Statement (PPS 2024)*
- *Regional Official Plan*
- *Official Plan (2014)*
- *Zoning By-law 2019-051*
- *DSD-2025-301*

#### **ATTACHMENTS:**

Attachment A – Site Plan

Attachment B – Turning Radius Diagram





January 9, 2026

Connie Owen  
City of Kitchener  
200 King Street West  
P.O. Box 1118  
Kitchener, ON N2G 4G7

File No.: D20-20/  
VAR KIT GEN

**Subject: Committee of Adjustment Meeting December 9, City of Kitchener**

Regional staff has reviewed the following Committee of Adjustment applications and have the following comments:

- 1) A 2026-001 – 532 Courtland Avenue East – No Concerns
- 2) A 2026-002 – 546 Courtland Avenue East – No Concerns
- 3) A 2026-003 – 4417 King Street East – It is unclear if this application will result in an impact on the water supply. Please be advised that the Region is currently updating the Water Supply Strategy. We wish to bring to your attention that through this work, concerns have been identified regarding water servicing capacity within the Mannheim Service Area. Regional staff are currently undertaking work to better understand the magnitude of the concerns.  
As such, we note that subsection 3(5) of the Planning Act requires that decisions made by approval authorities be consistent with the policies of the Provincial Planning Statement, 2024 (PPS) including those policies found in s. 3.6 of the PPS relating to water services.
- 4) A 2026-004 – 37 Heiman Street – No Concerns
- 5) A 2026-005 – 1541 Fischer-Hallman Boulevard – No Concerns
- 6) A 2026-006 – 235 Hoffman Street – No Concerns
- 7) A 2026-007 – 56 Woolwich Street – No Concerns
- 8) A 2026-008 – 14 Sportsman Hill Street – No Concerns

Please be advised that any development on the subject lands is subject to the provisions of the Regional Development Charge By-law 19-037 or any successor thereof and may require payment of Regional Development Charges for these developments prior to the issuance of a building permit.

The comments contained in this letter pertain to the Application numbers listed. If a site is subject to more than one application, additional comments may apply.

Document Number: 5169327

Please forward any decisions on the above-mentioned Application numbers to the undersigned.

Yours Truly,

*Cheryl Marcy*

Cheryl Marcy  
Manager, Corridor Development





December 31, 2025

Committee of Adjustment  
City of Kitchener  
200 King Street West  
Kitchener ON N2G 4V6  
[CofA@kitchener.ca](mailto:CofA@kitchener.ca)

**Re: Minor Variance Application A2026-002  
546 Courtland Avenue East, Kitchener  
Freure Promontory Inc.**

---

Grand River Conservation Authority (GRCA) staff have reviewed the above-noted application for variances to facilitate a six-unit multiple dwelling.

### **Recommendation**

The GRCA recommends that the application is approved subject to the following condition:

- Prior to any grading or construction on the site, the owners or their agents submit the following to the satisfaction of the Grand River Conservation Authority.
  - a. A topographic survey by an Ontario Licensed Surveyor;
  - b. A detailed grading plan;
  - c. Building plans and cross-sections;
  - d. The submission and approval of a Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Permit from the Grand River Conservation Authority.

## **Documents Reviewed by Staff**

Staff have reviewed the site plan (Freure Homes, undated) and building plans (Freure Homes, dated May 16, 2025) submitted with this application.

## **GRCA Comments**

The GRCA has reviewed this application under Ontario Regulation 686/21, acting on behalf of the Province regarding natural hazards identified in Section 5.2 of the Provincial Planning Statement (PPS, 2024), as a public body under the Planning Act, as well as in accordance with Ontario Regulation 41/24 and GRCA's Board approved policies.

Information currently available at our office indicates that the subject lands contain the Schneider Creek floodplain. This portion of the floodplain is the fringe of a Two-Zone Policy Area. The regulatory floodplain elevation (RFE) for the property is 317.6 metres (CGVD 28).

The proposed building and associated grading must be floodproofed above the RFE, in accordance with City of Kitchener Official Plan policy 6.C.2.5(c)(i) and GRCA Policy 8.1.31. In order to demonstrate meeting these policies, the GRCA will require the following plans, all of which must note the vertical elevation datum (e.g. CGVD28):

1. A topographic survey, completed by an Ontario Licensed Surveyor, and showing the extent of the RFE as per the surveyor's measurements.
2. A grading plan, showing the post-development extent of the RFE, and sufficiently floodproofing the building and driveway.
3. Building plans and cross-sections (i.e. revised versions of building plans A02 and A06), showing metric geodetic floor elevations and with all floor space above the RFE.

The GRCA has confidence that the applicant can revise their plans accordingly to demonstrate the above. As such, the GRCA recommends approving the application conditional on providing these plans to the GRCA's satisfaction, as well as obtaining a GRCA permit.

---

This is considered a 'minor' minor variance application. Consistent with GRCA's 2023-2025 approved fee schedule, we will invoice the applicant \$300 for our review. A separate fee will be required for a GRCA permit.

We trust this information is of assistance. If you have any questions or require additional information, please contact me at 519-621-2761 ext. 2292 or [theywood@grandriver.ca](mailto:theywood@grandriver.ca).

Sincerely,



---

Trevor Heywood  
Resource Planner  
Grand River Conservation Authority

Encl. Resource Mapping

cc: David Freure  
Nicholas Bogaert, MHBC





Legend

- Regulation Limit (GRCA)
- Floodplain (GRCA)
  - Engineered
  - Estimated
  - Approximate
- Floodplain - Special Policy Area (GRCA)
- Slope Erosion (GRCA)
  - Steep
  - Oversteep
  - Toe
- Slope Valley (GRCA)
  - Steep
  - Oversteep
- Regulated Watercourse (GRCA)
- Regulated Waterbody (GRCA)
- Wetland (GRCA)
- Lake Erie Flood (GRCA)
- Lake Erie Shoreline Reach (GRCA)
- Lake Erie Dynamic Beach (GRCA)
- Lake Erie Erosion (GRCA)
- Parcel - Assessment (MPAC/MNRF)
- Conservation Area Boundary (GRCA)



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Disclaimer: This map is for illustrative purposes only. Information contained herein is not a substitute for professional review or a site survey and is subject to change without notice. The Grand River Conservation Authority takes no responsibility for, nor guarantees, the accuracy of the information contained on this map. Any interpretations or conclusions drawn from this map are the sole responsibility of the user. The source for each data layer is shown in parentheses in the map legend. See [Sources and Citations](#) for details.

Scale 1:595

NAD83 UTM zone 18T (EPSG:3147)





**From:** [Emmett Vanson](#)  
**To:** [Committee of Adjustment \(SM\)](#)  
**Cc:** [Peter Graham](#)  
**Subject:** SNGREC Comments Re: Kitchener January CofA  
**Date:** Monday, January 5, 2026 1:56:45 PM  
**Attachments:** [Outlook-kexdlfm1.png](#)

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Hello,

The following are my comments for the January CofA for Kitchener. Comments are separated by a bold and underlined heading with addresses, and I have combined multiple applications to receive the same comment.

### **For 532 and 546 Courtland Ave**

#### **Bird and Light Friendly Design**

SNGREC requests that the building is designed using bird and light friendly practices. This includes minimizing reflective surfaces, creating visual markers on windows, and using warmer lights that are directed downwards and away from natural areas.

Please see the City of Toronto's bird friendly practices for glass and for lighting as guidelines and implement them thoroughly across the entire design:

<https://www.toronto.ca/wp-content/uploads/2017/08/8d1c-Bird-Friendly-Best-Practices-Glass.pdf>

<https://www.toronto.ca/wp-content/uploads/2018/03/8ff6-city-planning-bird-effective-lighting.pdf>

#### **Landscaping**

SNGREC requires that native plant species are prioritized in landscaping efforts, and that invasive or potentially invasive species are completely avoided. Non-native species are less ecologically beneficial, and some non-native species can become invasive even after decades of seeming fine. SNGREC requires an opportunity to review any landscape plant lists before procurement begins. SNGREC requests that the proponent uses Kayanase Plant Nursery for procurement of plants if Kayanase's capacity allows.

SNGREC strongly encourages the creation of pollinator gardens using native plant species in landscaped areas not intended for human movement. Pollinator gardens can offer food, breeding space, and sanctuary for pollinators that are harmed by human expansion as they lose functional habitat, and their remaining habitat becomes more fragmented. Pollinator gardens will also increase the visual attractiveness of the area.

### **For 56 Woolwich St, 14 Sportsman Hill St, 1541 Fischer-Hallman St, 37 Heiman St**

#### **Bird and Light Friendly Design**

SNGREC requests that the building is designed using bird and light friendly practices. This includes minimizing reflective surfaces, creating visual markers on windows, and using warmer lights that are directed downwards and away from natural areas. Hundreds of millions of birds are killed by windows in North America each year, with 56% being from low-rise residential, thus this request extends to all sizes of development (<https://ontarionature.org/sustainable-building-design-can-stop-millions-of-birds-deaths-blog/>).

Please see the City of Toronto's bird friendly practices for glass and for lighting as guidelines and implement them thoroughly across the entire design:

<https://www.toronto.ca/wp-content/uploads/2017/08/8d1c-Bird-Friendly-Best-Practices-Glass.pdf>

<https://www.toronto.ca/wp-content/uploads/2018/03/8ff6-city-planning-bird-effective-lighting.pdf>

Niá:wen (thank you),

**Emmett Vanson, BSc., Grad. Cert.** (he/him)

Land Use and Stewardship Technician

Six Nations of the Grand River Elected Council - Lands and Resources Department - Consultation and Accommodation Process Team

[lrlust@sixnations.ca](mailto:lrlust@sixnations.ca)



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**REPORT TO:** Committee of Adjustment

**DATE OF MEETING:** January 20, 2026

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

**PREPARED BY:** Tim Seyler, Senior Planner, 519-783-8920

**WARD(S) INVOLVED:** Ward 3

**DATE OF REPORT:** January 6, 2026

**REPORT NO.:** DSD-2026-025

**SUBJECT:** Minor Variance Application A2026-003 – 4417 King Street East

---

## RECOMMENDATION:

That Minor Variance Application A2026-003 for 4417 King Street East requesting relief from Section 6.2, Table 6-1 of Zoning By-law 2019-051 to permit a 'Car Wash' as a permitted use, **BE REFUSED**.

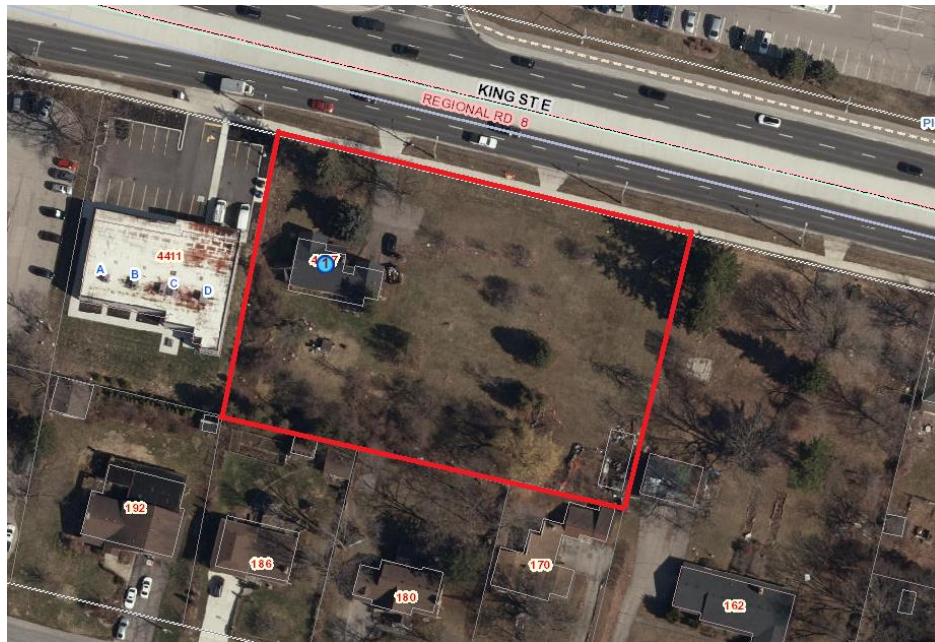
## REPORT HIGHLIGHTS:

- The purpose of this report is to review a Minor Variance Application to permit a 'Car Wash' as a permitted use in the 'Mid Rise Growth Zone (SGA-2 Zone)'.
- The key finding of this report is that the Minor Variance to permit a 'car wash' use does not meet all 4 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 property 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 the south side of King Street East, near the intersection of King Street East and Sportsworld Drive.





**Figure 1 - Location Map: 4417 King Street East**

The subject property is identified as 'Protected Major Transit Station Area' on Map 2 – Urban Structure and is designated 'Strategic Growth Area B' on Map 3 – Land Use in the City's 2014 Official Plan.

The property is zoned 'Arterial Commercial (COM-3)' in Zoning By-law 2019-051 and is also zoned 'Mid Rise Growth Zone (SGA-2)' in the Growing Together East update to Zoning By-law 2019-051, which was Council approved on May 5, 2025 and is currently under appeal.

The purpose of the application is to review a Minor Variance Application to permit a 'Car Wash' as a permitted use in the 'Mid Rise Growth Zone (SGA-2)'. The applicant is requesting to add the Car Wash use to the property. The property currently contains a Single Detached Dwelling.

The identification of the lands in a 'Protected Major Transit Station Area' and the 'Strategic Growth Area B' Official Plan land use designation are now in effect, and the Growing Together East Zoning By-law Amendment is currently under appeal. Staff are currently dual testing planning applications under both zoning categories, with the most restrictive regulations within each Zone Category being applied, because once the appeal is resolved the effective date of the new 'SGA-2 Zone will be May 5, 2005..

Staff note that within the 2019-051 Zone Category of 'COM-3', a 'car wash' would be a permitted use however, the new zoning of the property has been approved by Kitchener City Council to be 'Mid Rise Growth Zone (SGA-2)', effective May 5, 2025. The purpose of the 'SGA-2' Zone is to create opportunities for moderate growth in mid-rise forms up to 8 storeys in height and permit a mix of residential and non-residential uses. A 'Car Wash' use is not one of the permitted uses in the 'SGA-2' Zone. Staff are under the opinion that the future direction of the site is to not permit primary car-oriented uses on properties that are to be developed within the area.





**Figure 2 - Front property view – 4417 King Street East**



**Figure 3 – Existing single detached dwelling – 4417 King Street East**

## 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 lands are designated 'Strategic Growth Area B' in the City's Official Plan. 'Strategic Growth Area B' lands are intended to accommodate significant intensification at building heights between those in Strategic Growth Area A and Strategic Growth Area C and serve as a transition between low rise residential uses and medium and high density uses. Permitted non-residential uses within the land use designation may include compatible commercial uses such as retail, restaurant, personal services, and office uses.

Policy 15.D.2.14 of the Official Plan states that new predominately auto-exclusive uses such as car washes, drive-through facilities, gas stations, the sale and/or repair of motor vehicles and commercial parking facilities will only be permitted in the Urban Growth Centre (Downtown) and Protected Major Transit Station Areas on the basis of a site-specific amendment to this Plan (Official Plan Amendment). As per Official Plan policy, a Minor Variance Application is not the appropriate application to add this specific use to the property and if the Applicant/Owner wants to continue with this type of use and development an Official Plan Amendment Application would be required.

15.D.2.14. **New predominately auto-exclusive uses such as car washes, drive-through facilities, gas stations, the sale and/or repair of motor vehicles and commercial parking facilities will only be permitted in the Urban Growth Centre (Downtown) and Protected Major Transit Station Areas on the basis of a site-specific amendment to this Plan.** In considering applications for site-specific Official Plan amendments, such applications will need to demonstrate the following:

- a) The use can maintain consistency with the objectives of this Plan, and in particular the objectives of the Urban Growth Centre (Downtown) and Protected Major Transit Station Areas;
- b) Will not conflict with the planned function of the Urban Growth Centre (Downtown) and Protected Major Transit Station Areas, and will not preclude the intensification of the site;
- c) maintains the planned scale of the urban environment;
- d) gives priority to the comfort, safety and efficient movement of pedestrians and cyclists.
- e) the use conforms to the Urban Design Policies of this Plan and to the Urban Design Manual;

Further, the property is identified as a 'Protected Major Transit Station Area' in the City's Urban Structure. The planned function of PMTSA's is to provide focus for accommodating growth through development which support existing and planned transit and rapid transit service levels, while also providing connectivity of various modes of transportation to the

transit system. The 'Car Wash' use is not transit or pedestrian oriented and will not contribute to the planned density of 160 residents and jobs per hectare for the Sportsworld Station.

3.C.2.17. The planned function of Protected Major Transit Station Areas, in order to support transit and rapid transit, is to:

- a) provide a focus for accommodating growth through development to support existing and planned transit and rapid transit service levels;
- b) provide connectivity of various modes of transportation to the transit system;
- c) achieve a mix of residential, office (including major office), institutional (including major institutional) and commercial development (including retail commercial centres), wherever appropriate; and,
- d) have streetscapes and a built form that is pedestrian-friendly and transit-oriented.

Policies a) through d) above should not be interpreted to mean that every property located within a Protected Major Transit Station Area is necessarily appropriate for major intensification.

3.C.2.18. The following Protected Major Transit Station Areas shall be planned to achieve the following minimum densities:

- j) Sportsworld Station: 160 residents and jobs combined per hectare.

3.C.2.22. a) in areas that are intended to be the focus for intensification, development applications will support the planned function of Protected Major Transit Station Areas and have regard for the following:

- i) the Regional Official Plan and the Transit-Oriented Development Policies included in Section 13.C.3;
- ii) new non-transit-supportive uses such as low density uses and/or auto-oriented uses will be discouraged;**
- iii) appropriate pedestrian and public transit facilities may be required with all major development or redevelopment proposals;
- iv) vehicular access points will be controlled to minimize disruption to traffic flow and new development may be required to share common driveways and provide for maneuverability between sites.

Existing developments within areas intended to be the focus for intensification that do not meet a) i) through iv) above, will be encouraged to redevelop in a manner consistent with these policies.

Section 17.E.20.10 of the Official Plan states that the Committee of Adjustment may permit a use of the property that is similar to the purpose for which it was used, or a use that is more compatible with the uses permitted by the Zoning By-law, provided that the proposed use will be an improvement over the existing use in terms or appearance and function in relation to the surrounding area and more closely approach the intent of the policies of the Official Plan and provisions of the Zoning By-law.

It is the position of staff that the proposed use of a 'Car Wash' is not permitted in the land use designation without an Official Plan Amendment (Policy 15.D.2.14) and cannot be considered by the Committee of Adjustment, will not improve the functionality of the property and area, and is not a use that is more compatible with the uses permitted in the 'SGA-2' Zone.

The proposed 'Car Wash' use does not meet the intent of the policies of the 'Protected Major Transit Station Area' Urban Structure component or the 'Strategic Growth Area B' land use designation of the City's Official Plan.

General Intent of the Zoning By-law

The intent of the 'SGA-2' Zone is to create opportunities for moderate growth in mid-rise forms up to 8 storeys in height. A wide mix of residential and non-residential uses are permitted. In May 2025 it was the City's direction to move this area away from the commercial uses, and plan for development that was medium density in scale, to support ION being in a Major Transit Station Area. This change has been approved by Kitchener City Council and is currently under appeal. The request to add a use that is not permitted within the proposed new zoning framework and does not meet the general intent of the Zoning By-law.

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

Staff is of the opinion that the effects of the requested variance are not minor as the variance to add the 'Car Wash' use cannot be considered minor as the use was not established prior to the Council approving the new 'SGA-2' zone category. Adding a use permitted by the 'COM-3' Zoning within Zoning By-law 2019-051 does seem minor in nature at first, however by permitting a new use on the site that is not a permitted use in the 'in effect' Official Plan and requiring an OP Amendment, and not permitted in the new zone category applied to the lands, mitigates the future direction of these properties and the surrounding area that could hinder the redevelopment of the lands in the future.

Also, the Region of Waterloo has indicated that it is unclear if this application will result in an impact on the water supply. As such, the Region notes that subsection 3(5) of the Planning Act requires that decisions made by approval authorities be consistent with the policies of the Provincial Planning Statement, 2024 (PPS) including those policies found in s. 3.6 of the PPS relating to water services.

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

The proposed variance to add the 'Car Wash' use is not desirable and appropriate for the development and use of the land as the use does not meet the Council approved direction for the lands. The approval of adding a use will not encourage the lands to be developed in a more desirable nature and will not help facilitate increased density. The use does not support a complete and healthy community and does not contribute to the walkability of the area, as the intent is an auto oriented use, rather than a pedestrian oriented use.

**Environmental Planning Comments:**

No natural heritage planning comments or concerns.



**Heritage Planning Comments:**

No heritage comments or concerns.

**Building Division Comments:**

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

**Engineering Division Comments:**

Engineering has no concerns.

**Parks and Cemeteries/Forestry Division Comments:**

No concerns or requirements at this time.

**Transportation Planning Comments:**

Transportation Services have no concerns with this application.

Transportation Staff suggest that the Applicant considers reducing the width of the 9.0 metre drive aisle between the vacuum parking spaces, as current urban design guidelines require a minimum width of 6.1 metres for a two-way drive aisle.

**Region of Waterloo Comments:**

It is unclear if this application will result in an impact on the water supply. Please be advised that the Region is currently updating the Water Supply Strategy. We wish to bring to your attention that through this work, concerns have been identified regarding water servicing capacity within the Mannheim Service Area. Regional staff are currently undertaking work to better understand the magnitude of the concerns.

As such, we note that subsection 3(5) of the Planning Act requires that decisions made by approval authorities be consistent with the policies of the Provincial Planning Statement, 2024 (PPS) including those policies found in s. 3.6 of the PPS relating to water services.

**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 property 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*
- *Growing Together East Zoning By-law 2019 update*



January 9, 2026

Connie Owen  
City of Kitchener  
200 King Street West  
P.O. Box 1118  
Kitchener, ON N2G 4G7

File No.: D20-20/  
VAR KIT GEN

**Subject: Committee of Adjustment Meeting December 9, City of Kitchener**

Regional staff has reviewed the following Committee of Adjustment applications and have the following comments:

- 1) A 2026-001 – 532 Courtland Avenue East – No Concerns
- 2) A 2026-002 – 546 Courtland Avenue East – No Concerns
- 3) A 2026-003 – 4417 King Street East – It is unclear if this application will result in an impact on the water supply. Please be advised that the Region is currently updating the Water Supply Strategy. We wish to bring to your attention that through this work, concerns have been identified regarding water servicing capacity within the Mannheim Service Area. Regional staff are currently undertaking work to better understand the magnitude of the concerns.  
As such, we note that subsection 3(5) of the Planning Act requires that decisions made by approval authorities be consistent with the policies of the Provincial Planning Statement, 2024 (PPS) including those policies found in s. 3.6 of the PPS relating to water services.
- 4) A 2026-004 – 37 Heiman Street – No Concerns
- 5) A 2026-005 – 1541 Fischer-Hallman Boulevard – No Concerns
- 6) A 2026-006 – 235 Hoffman Street – No Concerns
- 7) A 2026-007 – 56 Woolwich Street – No Concerns
- 8) A 2026-008 – 14 Sportsman Hill Street – No Concerns

Please be advised that any development on the subject lands is subject to the provisions of the Regional Development Charge By-law 19-037 or any successor thereof and may require payment of Regional Development Charges for these developments prior to the issuance of a building permit.

The comments contained in this letter pertain to the Application numbers listed. If a site is subject to more than one application, additional comments may apply.

Please forward any decisions on the above-mentioned Application numbers to the undersigned.

Yours Truly,

*Cheryl Marcy*

Cheryl Marcy  
Manager, Corridor Development

**From:** [Trevor Heywood](#)  
**To:** [Committee of Adjustment \(SM\)](#)  
**Cc:** [Andrew Herreman](#); [Anab Siraj](#)  
**Subject:** Re: ACTION REQUIRED - Committee of Adjustment Application Review – January 20, 2026 Meeting  
**Date:** Wednesday, December 31, 2025 9:39:44 AM  
**Attachments:** [2025-12-31 A2026-001 GRCA comments.pdf](#)  
[2025-12-31 A2026-002 GRCA comments.pdf](#)  
[2025-12-31 A2026-004 GRCA comments.pdf](#)

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Hi there,

Please see the GRCA's comments attached for applications:

- A2026-001 - 532 Courtland Ave E
- A2026-002 - 546 Courtland Ave E
- A2026-004 - 37 Heiman St

Additional comments will follow in a separate email for A2026-005 - 1541 Fischer-Hallman Road.

All other applications are not regulated by the GRCA, and we have no comments or concerns with them:

- A2026-003 - 4417 King St E
- A2026-006 - 235 Hoffman St
- A2026-007 - 56 Woolwich St
- A2026-008 - 14 Sportsman Hill St

Thank you. Regards,

**Trevor Heywood B.Sc.(Env.)**  
Resource Planner  
Grand River Conservation Authority

400 Clyde Road, PO Box 729  
Cambridge, ON N1R 5W6  
Phone: 519-621-2761 ext. 2292  
Email: [theywood@grandriver.ca](mailto:theywood@grandriver.ca)  
[www.grandriver.ca](http://www.grandriver.ca) | [Connect with us on social media](#)

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**From:** Committee of Adjustment (SM) <[CommitteeofAdjustment@kitchener.ca](mailto:CommitteeofAdjustment@kitchener.ca)>  
**Sent:** December 22, 2025 3:08 PM  
**Subject:** ACTION REQUIRED - Committee of Adjustment Application Review – January 20, 2026 Meeting

Hello,

Please be advised the applications for the City of Kitchener Committee of Adjustment meeting scheduled for Tuesday, January 20, 2026, have been loaded and circulated through ShareFile. You should have already received the necessary link.

If you wish to make comments, provide advice, or request the imposition of any conditions on any of these applications, please provide the Committee with a written report.

**Please note: If you have comments, your written report must be sent to [CofA@kitchener.ca](mailto:CofA@kitchener.ca) no later than 12 noon on Monday, January 5, 2026.**

If you have no comments for the Committee's consideration, you do not need to respond.

**Connie Owen**

Administrative Clerk | Legislated Services | City of Kitchener

519-741-2203 | TTY 1-866-969-9994 | [cofa@kitchener.ca](mailto:cofa@kitchener.ca)

**REPORT TO:** Committee of Adjustment

**DATE OF MEETING:** January 20, 2026

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

**PREPARED BY:** Brian Bateman, Senior Planner, 519-783-8905

**WARD(S) INVOLVED:** Ward 9

**DATE OF REPORT:** January 5, 2026

**REPORT NO.:** DSD-2026-027

**SUBJECT:** Minor Variance Application A2026-004 - 37 Heiman Street

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## RECOMMENDATION:

That Minor Variance Application A2026-004 for 37 Heiman Street requesting relief from the following Sections of Zoning By-law 2019-051 to:

- i) Section 5.3 e) i), permit a parking area to be located 0.5 metres from a side lot line instead of the minimum required 1.5 metres;
- ii) Section 7.3, Table 7-6, to permit a lot width of 14.2 metres instead of the minimum required 19 metres; and
- iii) Section 7.3, Table 7-6, to permit a right side yard setback of 2.3 metres instead of the minimum required 3 metres;

to facilitate the development of a 3-storey multiple dwelling having 6 dwelling units in accordance drawings, dated December 11, 2025, prepared for a Zoning Occupancy Permit, BE DEFERRED until June 20, 2026 or sooner to allow the Applicant/Owner:

- i) To prepare a Scoped Environmental Impact Study (EIS) and Tree Management and Enhancement Plan (TMEP) to the satisfaction of the Director of Development and Housing Approvals; and
- ii) To satisfy the Conditions of the Grand River Conservation Authority as noted in their comments dated December 31, 2025.

## REPORT HIGHLIGHTS:

- The purpose of this report is to assess Minor Variances requested to facilitate a plan to develop 37 Heiman Street with a 3-storey, 6 unit multiple dwelling.
- The key finding of this report is that a decision on whether these variances are 'minor' is premature until such time as a Scoped Environmental Impact Study (EIS) and Tree

Management and Enhancement Plan (TMP) have been submitted and approved to the satisfaction of the Director of Development and Housing Approvals, and satisfaction of the Grand River Conservation Authority conditions. Therefore staff are recommending Deferral at this time.

- This property was created through Consent Applications B2018-021 to B2018-023. Agreement WR1125863 was entered into requiring the preparation of a Tree Management and Enhancement Plan (TMP) and Scoped Environmental Impact Study (EIS) prior to issuance of a Building Permit.
- 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 property 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:**

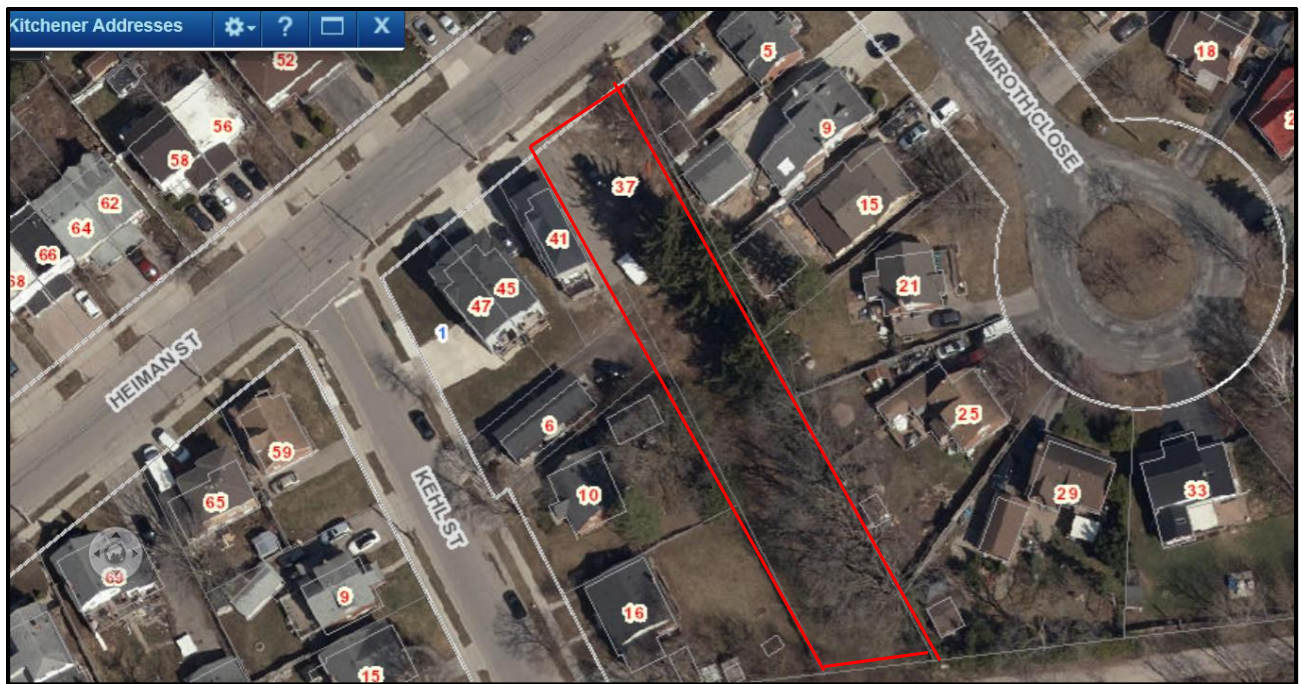
The subject property is a vacant undeveloped parcel of land addressed as 37 Heiman Street (see Figure 1). This rectangular parcel of land was created through Consent Applications B2018-021 to B2018-023 with the intent of developing the property at a future date.

Because there are trees on-site, the owner was required to enter into an Agreement with the City (WR1125863 – see attachment) as part of Consent Approval. The agreement requires the preparation of a Tree Management and Enhancement Plan (TMP) and Scoped Environmental Impact Study (EIS) prior to issuance of a Building Permit. When the agreement was entered into, it was anticipated that the development would require Site Plan Approval and these studies would have been required at this time to support the proposed development. The requested variances would have been reviewed and assessed as part of the Site Plan Approval process. In the absence of a Site Plan Application, as none is required, the studies need to be submitted as part of the review of this Minor Variance Application. Also, as the variances implement a plan that will remove and/or impact trees, staff feel it is imperative to require the environmental work upfront.

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 rear portion of 37 Heiman Street is also within the Grand River Conservation Authority's Regulatory Limit.

The property is zoned 'Low Rise Residential Five Zone (RES-5)' in Zoning By-law 2019-051.



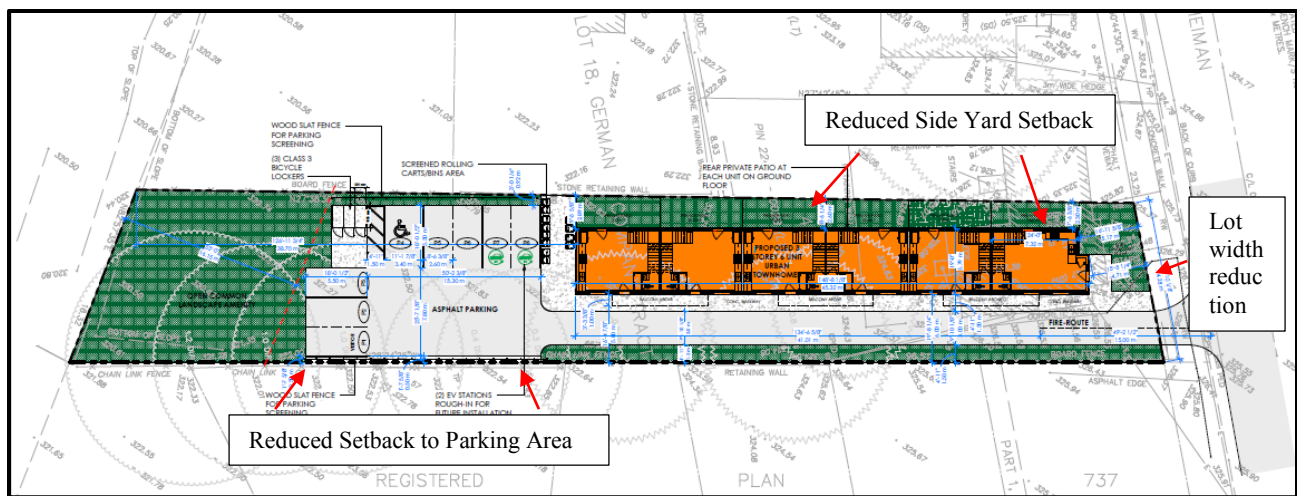


**Figure 1 – Subject Property (outlined in red) and Surrounding Lands**



**Figure 2 – Photograph of Subject Property**

The purpose of the application is to seek approval of 3 variances for the existing lot width, the side yard setback to a parking area and the side yard setback for a multiple dwelling, which are required to facilitate the plan shown in Figure 3 below:



**Figure 3 – Proposed Site Plan**

## REPORT:

### Planning Comments:

Staff is recommending Deferral so that the applicant can prepare the required Scoped EIS and TMP as required through Agreement (WR1125863) to support his request for the Minor Variances and built form under consideration. A 6 month Deferral, (or sooner if the reports are completed and reviewed in advance), is suggested so that the Applicant/Owner has time to prepare the necessary work and for staff to review it and report back to Committee.

The Deferral would also allow satisfaction of the GRCA comments/conditions.

### Environmental Planning Comments:

A Tree Management and Enhancement Plan (TMP) and Scoped Environmental Impact Study (EIS) is required through Agreement (WR1125863).

### Heritage Planning Comments:

No comments or concerns.

### Building Division Comments:

The Building Division has no objections to the proposed variance provided a building permit for the 6-unit residential building 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 concerns.

### Parks and Cemeteries/Forestry Division Comments:

Cash-in-lieu of parkland dedication will be required prior to issuance of a building permit. No other concerns or requirements.

**Transportation Planning Comments:**

Transportation Services have no concerns with this application but note that drivers are expected to face some delays as the proposed drive aisle can only facilitate one direction of vehicle travel at a time.

The wider area near the parking spaces will help facilitate an approximate 5-point turn if all parking spaces are occupied to allow a vehicle to exit the site in a forward motion.

**GRCA Comments:**

The GRCA has reviewed this application under Ontario Regulation 686/21, acting on behalf of the Province regarding natural hazards identified in Section 5.2 of the Provincial Planning Statement (PPS, 2024), as a public body under the Planning Act, as well as in accordance with Ontario Regulation 41/24 and GRCA's Board approved policies.

Information currently available at our office indicates that the subject lands contain the Shoemaker Creek floodplain. This portion of the floodplain is a Two-Zone Policy Area. The Regulatory Floodplain Elevation (RFE) for the property is 321.8 metres (CGVD28).

The proposed building elevations indicate the top of the ground floor will be 425.75 metres, which seems implausible, but no vertical datum is cited. The site plan also appears to show all development will be outside of the floodway portion of the floodplain, but GRCA staff cannot be certain without grading details and a higher resolution drawing that does not blur the measurement text. These issues will need to be corrected in the final drawings.

The proposed building and associated grading must be above the RFE, and all development activity is outside of the floodway, in accordance with City of Kitchener Official Plan Policies 6.C.2.5(c)(i) and 6.C.2.7(b), as well as GRCA Policies 8.1.30 and 8.1.31. In order to demonstrate meeting these policies, the GRCA will require the following plans, all of which must note the horizontal and vertical datums (e.g., NAD83 UTM Zone 17, CGVD28):

1. A Topographic Survey, completed by an Ontario Licensed Surveyor, showing the extent of the Regulatory Floodplain Elevation (RFE) as per the surveyor's measurements.
2. A Grading Plan showing:
  - a) The floodway/flood fringe boundary as derived directly from our floodplain layer, which can be downloaded from the Grand River Information Network at <https://data.grandriver.ca/>.
  - b) The post-development extent of the Regulatory Floodplain Elevation (RFE), sufficiently floodproofing the building and driveway / parking.
3. Building plans and cross-sections (i.e., a revised version of building plan A-300), showing corrected geodetic floor elevations, and with all floor space above the Regulatory Floodplain Elevation (RFE).

The GRCA has confidence that the applicant can revise their plans accordingly to demonstrate the above. As such, the GRCA recommends approving the application



conditional on providing these plans to the GRCA's satisfaction, as well as obtaining a GRCA permit.

**Region of Waterloo Comments;**

No concerns.

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

*Bird and Light Friendly Design*

SNGREC requests that the building is designed using bird and light friendly practices. This includes minimizing reflective surfaces, creating visual markers on windows, and using warmer lights that are directed downwards and away from natural areas. Hundreds of millions of birds are killed by windows in North America each year, with 56% being from low-rise residential, thus this request extends to all sizes of development.

(<https://ontarionature.org/sustainable-building-design-can-stop-millions-of-birds-deaths-blog/>).

Please see the City of Toronto's bird friendly practices for glass and for lighting as guidelines and implement them thoroughly across the entire design:

<https://www.toronto.ca/wp-content/uploads/2017/08/8d1c-Bird-Friendly-Best-Practices-Glass.pdf>

<https://www.toronto.ca/wp-content/uploads/2018/03/8ff6-city-planning-bird-effective-lighting.pdf>

**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 Planning Statement (PPS 2024)*
- *Regional Official Plan*
- *Official Plan (2014)*

- *Zoning By-law 2019-051*
- *Planning Report for B2018-021 to B2018-023*

**ATTACHMENTS:**

Attachment A – Agreement WR1125863

## Dianna Saunderson

---

**From:** Beth Bruno  
**Sent:** July 18, 2018 1:23 PM  
**To:** Holly Dyson  
**Cc:** Dianna Saunderson  
**Subject:** CofA # B2018-021, B2018-022 and B2018-023 - 37 and 45 Heiman Street - 2466457 Ontario Inc.

Hi Holly,

I have registered the Agreement required to satisfy the following Conditions, so they can now be cleared:

B2018-021 – Condition 7  
B2018-022 – Condition 13  
B2018-023 – Condition 13

Kind Regards,

**Beth Bruno**

Legal Services Administrator | Legal Services | The Corporation of the City of Kitchener  
519-741-2200, Ext. 7713 | TTY 1-866-969-9994 | [beth.bruno@kitchener.ca](mailto:beth.bruno@kitchener.ca) | [www.kitchener.ca](http://www.kitchener.ca)

**Confidentiality Notice:** This email correspondence (including any attachments) may contain information which is confidential; privileged; and/or exempt from disclosure under applicable law. It is intended only for the use of the designated recipient(s) listed above. Any unauthorized use, distribution or disclosure is strictly prohibited. If you are not the intended recipient, or have otherwise received this message by mistake, please notify the sender immediately by replying via email, and destroy all copies of this original correspondence (including any attachments). Thank you for your cooperation.



**Date:** July 18, 2018  
**To:** Connie Owen, Legislated Services  
**From:** Beth Bruno, Legal Services (ext. 7713)  
**cc:** Juliane von Westerholt, Catherine Lowery, Tammy Hogg, Dianna Saunderson  
(cc'd parties by email only)  
**Subject:** C of A Submission No. B2018-021, B2018-022, B2018-023  
2466457 Ontario Inc.  
37 and 45 Heiman Street, Kitchener

In order to satisfy Condition No. 7 of B2018-021 and Condition No. 13 of B2018-022 and B2018-023 of the above-noted Committee of Adjustment Decision, we were asked to prepare and register an Agreement on title to the subject lands. The original copy of this Agreement, which was registered on title on July 18, 2018 and receipted as Instrument No. WR1125863, is enclosed herewith for safekeeping.

By copy of this memo, the Agreement is being provided to Planning and Building departments to ensure that the conditions in the Agreement are satisfied in due course, prior to issuance of building permits. Please forward this information on to any other parties you feel necessary. Please also ensure that any required information regarding the conditions is entered into AMANDA.



Beth Bruno  
Legal Services  
Encls.

File No. 3.7.445

Properties

PIN

22494 - 0383    LT

☒ Redescription

Description

PART OF LOT 44, SUBDIVISION OF LOT 18 GERMAN COMPANY TRACT KITCHENER,  
BEING PARTS 1, 2, 3, 4, 5 AND 6 ON 58R-20182; CITY OF KITCHENER

Address

HEIMAN STREET  
KITCHENER

Consideration

Consideration    \$1.00

Applicant(s)

The notice is based on or affects    a valid and existing estate, right, interest or equity in land

Name

THE CORPORATION OF THE CITY OF KITCHENER

Address for Service

P.O. BOX 1118  
200 KING STREET  
WEST  
KITCHENER, ON N2G 4G7

This document is not authorized    under Power of Attorney by this party.

This document is being authorized by a municipal corporation BERRY VRBANOVIC, MAYOR and CHRISTINE TARLING, CLERK.

Statements

This notice is pursuant to Section 71 of the Land Titles Act.

This notice is for an indeterminate period

Schedule: See Schedules

Signed By

Elizabeth M. Bruno

200 King St. W.  
Kitchener  
N2G 4G7

acting for  
Applicant(s)

Signed    2018 07 18

Tel    519-741-2268

Fax    519-741-2702

I have the authority to sign and register the document on behalf of the Applicant(s).

Submitted By

CITY OF KITCHENER

200 King St. W.  
Kitchener  
N2G 4G7

2018 07 18

Tel    519-741-2268

Fax    519-741-2702

Fees/Taxes/Payment

Statutory Registration Fee

\$63.65

Total Paid

\$63.65

File Number

Applicant Client File Number :    3.7.445

Notice of Agreement registered pursuant to Section 71 of the Land Titles Act and  
Section 53(12) of the Planning Act, R.S.O. 1990, c. P. 13.

This Notice affects the selected PIN(s):

22494-0383 (LT)

AGREEMENT made this ~~22~~<sup>10th</sup> day of ~~February~~<sup>July</sup> A.D. 2018.

BETWEEN:

**2466457 ONTARIO INC.**  
hereinafter called the "Owner" of the FIRST PART

- and -

**THE CORPORATION OF THE CITY OF KITCHENER**  
hereinafter called the "City" of the SECOND PART

- and -

**ROYAL BANK OF CANADA**  
hereinafter called the "Mortgagee" of the THIRD PART

WHEREAS the Owner represents it is the owner of the lands described as Part Lot 44, Municipal Compiled Plan of Subdivision of Lot 18, German Company Tract, more particularly described as Parts 1, 2, 3, 4, 5 and 6 on Plan 58R-20182, in the City of Kitchener, in the Regional Municipality of Waterloo, (hereinafter referred to as the "Lands");

AND WHEREAS the Owner has agreed to perform the covenants herein contained in consideration of conditions imposed by Committee of Adjustment Decisions for Submission Numbers B2018-021, B2018-022 and B2018-023 (hereinafter referred to as the "Decisions") and of the rights and privileges conferred thereby;

AND WHEREAS pursuant to the Decisions, the Lands are to be severed to create four (4) separate parcels of land which are legally described as follows:

- a. Parcel 1: Part Lot 44, Municipal Compiled Plan of Subdivision of Lot 18, German Company Tract, more particularly described as Part 1 on Plan 58R-20182, in the City of Kitchener, in the Regional Municipality of Waterloo, (hereinafter referred to as "Parcel 1");
- b. Parcel 2: Part Lot 44, Municipal Compiled Plan of Subdivision of Lot 18, German Company Tract, more particularly described as Parts 2 and 6 on Plan 58R-20182, in the City of Kitchener, in the Regional Municipality of Waterloo, (hereinafter referred to as "Parcel 2");
- c. Parcel 3: Part Lot 44, Municipal Compiled Plan of Subdivision of Lot 18, German Company Tract, more particularly described as Parts 3 and 4 on Plan 58R-20182, in the City of Kitchener, in the Regional Municipality of Waterloo, (hereinafter referred to as "Parcel 3");
- d. Parcel 4: Part Lot 44, Municipal Compiled Plan of Subdivision of Lot 18, German Company Tract, more particularly described as Part 5 on Plan 58R-20182, in the City of Kitchener, in the Regional Municipality of Waterloo, (hereinafter referred to as "Parcel 4");

AND WHEREAS the Lands are subject to two (2) mortgages in favour of Royal Bank of Canada registered on title as Instrument Numbers WR886335 and WR886336 and the Mortgagee enters this Agreement to acknowledge its consent to the registration of this Agreement on title to the Lands;

NOW THEREFORE IN CONSIDERATION of the premises and the sum of ONE (\$1.00) DOLLAR paid by the Owner to the City, (receipt of which is hereby acknowledged) and other consideration, the Owners hereto covenant and agree:

1. That the Owner shall prepare a Tree Preservation/Enhancement Plan for each of Parcel 1, Parcel 2, Parcel 3 and Parcel 4 in accordance with the City's Tree Management Policy, to be approved by the City's Director of Planning and the Director of Operations – Environmental Services Division, and where necessary, implemented prior to any grading, tree removal or the issuance of building permits. Such plans shall include, among other matters, the identification of a proposed building envelope/work zone, landscaped area and vegetation (including street trees) to be preserved. The Owner further agrees to implement the approved Tree Preservation/Enhancement Plan(s). No changes to the said plan(s) shall be granted except with the prior approval of the City's Director of Planning and the Director of Operations – Environmental Services Division.
2. That the Owner shall submit a scoped Environmental Impact Study for Parcel 1 to the satisfaction of the Director of Planning, prior to any grading, tree removal or the issuance of building permits.
3. That this agreement will be registered on title to the Lands.

This Agreement shall enure to the benefit of and be binding upon the parties hereto, their heirs, executors, administrators, successors and assigns.

IN WITNESS WHEREOF the Parties hereto have hereunto set their hands and seals and affixed their corporate seals under the hands of their proper signing officers, duly authorized in that behalf.

Signed, Sealed & Delivered  
In the presence of

2466457 ONTARIO INC.

Name: Trisha Ann Montag  
Title: President

July 5/18  
Date

Name: Michael Christopher Tenki  
Title: Secretary

July 5/18  
Date

I/We have authority to bind the Corporation.

THE CORPORATION OF THE CITY OF KITCHENER

Mayor

Clerk

July 10/18  
Date

July 10/18  
Date

ROYAL BANK OF CANADA

Name: Omia Sobana  
Title: MORTGAGE SERVICE REPRESENTATIVE

06/28/18  
Date

Name: CATHERINE NAKATA  
Title: MORTGAGE SERVICE REPRESENTATIVE

06/22/18  
Date

I/We have authority to bind the Corporation.

RBC Witness  
Lester Clements

January 9, 2026

Connie Owen  
City of Kitchener  
200 King Street West  
P.O. Box 1118  
Kitchener, ON N2G 4G7

File No.: D20-20/  
VAR KIT GEN

**Subject: Committee of Adjustment Meeting December 9, City of Kitchener**

Regional staff has reviewed the following Committee of Adjustment applications and have the following comments:

- 1) A 2026-001 – 532 Courtland Avenue East – No Concerns
- 2) A 2026-002 – 546 Courtland Avenue East – No Concerns
- 3) A 2026-003 – 4417 King Street East – It is unclear if this application will result in an impact on the water supply. Please be advised that the Region is currently updating the Water Supply Strategy. We wish to bring to your attention that through this work, concerns have been identified regarding water servicing capacity within the Mannheim Service Area. Regional staff are currently undertaking work to better understand the magnitude of the concerns. As such, we note that subsection 3(5) of the Planning Act requires that decisions made by approval authorities be consistent with the policies of the Provincial Planning Statement, 2024 (PPS) including those policies found in s. 3.6 of the PPS relating to water services.
- 4) A 2026-004 – 37 Heiman Street – No Concerns
- 5) A 2026-005 – 1541 Fischer-Hallman Boulevard – No Concerns
- 6) A 2026-006 – 235 Hoffman Street – No Concerns
- 7) A 2026-007 – 56 Woolwich Street – No Concerns
- 8) A 2026-008 – 14 Sportsman Hill Street – No Concerns

Please be advised that any development on the subject lands is subject to the provisions of the Regional Development Charge By-law 19-037 or any successor thereof and may require payment of Regional Development Charges for these developments prior to the issuance of a building permit.

The comments contained in this letter pertain to the Application numbers listed. If a site is subject to more than one application, additional comments may apply.



Please forward any decisions on the above-mentioned Application numbers to the undersigned.

Yours Truly,

*Cheryl Marcy*

Cheryl Marcy  
Manager, Corridor Development



December 31, 2025

Committee of Adjustment  
City of Kitchener  
200 King Street West  
Kitchener ON N2G 4V6  
[CofA@kitchener.ca](mailto:CofA@kitchener.ca)

**Re: Minor Variance Application A2026-004  
37 Heiman Street, Kitchener  
Shanaya Ventures**

---

Grand River Conservation Authority (GRCA) staff have reviewed the above-noted application for variances to facilitate a six-unit multiple dwelling.

### **Recommendation**

The GRCA recommends that the application is approved subject to the following condition:

- Prior to any grading or construction on the site, the owners or their agents submit the following to the satisfaction of the Grand River Conservation Authority.
  - a. A topographic survey by an Ontario Licensed Surveyor;
  - b. A detailed grading plan;
  - c. Building plans and cross-sections;
  - d. The submission and approval of a Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Permit from the Grand River Conservation Authority.

### **Documents Reviewed by Staff**

Staff have reviewed the site and building plans (Khalsa Design, dated December 11, 2025) submitted with this application. This follows our August 3, 2021 pre-consultation comments.

## **GRCA Comments**

The GRCA has reviewed this application under Ontario Regulation 686/21, acting on behalf of the Province regarding natural hazards identified in Section 5.2 of the Provincial Planning Statement (PPS, 2024), as a public body under the Planning Act, as well as in accordance with Ontario Regulation 41/24 and GRCA's Board approved policies.

Information currently available at our office indicates that the subject lands contain the Shoemaker Creek floodplain. This portion of the floodplain is a Two-Zone Policy Area. The regulatory floodplain elevation (RFE) for the property is 321.8 metres (CGVD28).

The proposed building elevations indicate the top of the ground floor will be 425.75 metres, which seems implausible, but no vertical datum is cited. The site plan also appears to show all development will be outside of the floodway portion of the floodplain, but GRCA staff cannot be certain without grading details and a higher resolution drawing that does not blur the measurement text. These issues will need to be corrected in the final drawings.

The proposed building and associated grading must be above the RFE, and all development activity is outside of the floodway, in accordance with City of Kitchener Official Plan Policies 6.C.2.5(c)(i) and 6.C.2.7(b), as well as GRCA Policies 8.1.30 and 8.1.31. In order to demonstrate meeting these policies, the GRCA will require the following plans, all of which must note the horizontal and vertical datums (e.g. NAD83 UTM Zone 17, CGVD28):

1. A topographic survey, completed by an Ontario Licensed Surveyor, showing the extent of the RFE as per the surveyor's measurements.
2. A grading plan, showing:
  - a. The floodway/flood fringe boundary as derived directly from our floodplain layer, which can be downloaded from the Grand River Information Network at <https://data.grandriver.ca/>.
  - b. The post-development extent of the RFE, sufficiently floodproofing the building and driveway / parking.
3. Building plans and cross-sections (i.e. a revised version of building plan A-300), showing corrected geodetic floor elevations, and with all floor space above the RFE.

The GRCA has confidence that the applicant can revise their plans accordingly to demonstrate the above. As such, the GRCA recommends approving the application

conditional on providing these plans to the GRCA's satisfaction, as well as obtaining a GRCA permit.

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This is considered a 'minor' minor variance application. Consistent with GRCA's 2023-2025 approved fee schedule, we will invoice the applicant \$300 for our review. A separate fee will be required for a GRCA permit.

We trust this information is of assistance. If you have any questions or require additional information, please contact me at 519-621-2761 ext. 2292 or [theywood@grandriver.ca](mailto:theywood@grandriver.ca).

Sincerely,



---

Trevor Heywood  
Resource Planner  
Grand River Conservation Authority

Encl. Resource Mapping

cc: Sharath Samudrala  
Amritpal Bansal, Khalsa Design





37 Heiman Street, Kitchener

Legend

- Regulation Limit (GRCA)
- Floodplain (GRCA)
  - Engineered
  - Estimated
  - Approximate
- Floodplain - Special Policy Area (GRCA)
- Slope Erosion (GRCA)
  - Steep
  - Oversteep
  - Toe
- Slope Valley (GRCA)
  - Steep
  - Oversteep
- Regulated Watercourse (GRCA)
- Regulated Waterbody (GRCA)
- Wetland (GRCA)
- Lake Erie Flood (GRCA)
- Lake Erie Shoreline Reach (GRCA)
- Lake Erie Dynamic Beach (GRCA)
- Lake Erie Erosion (GRCA)
- Parcel - Assessment (MPAC/MNRF)
- Conservation Area Boundary (GRCA)

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Disclaimer: This map is for illustrative purposes only. Information contained herein is not a substitute for professional review or a site survey and is subject to change without notice. The Grand River Conservation Authority takes no responsibility for, nor guarantees, the accuracy of the information contained on this map. Any interpretations or conclusions drawn from this map are the sole responsibility of the user.

The source for each data layer is shown in parentheses in the map legend. See [Sources and Citations](#) for details.

Scale 1:991

NAD83 UTM Zone 18N (GRCA)





**From:** [Emmett Vanson](#)  
**To:** [Committee of Adjustment \(SM\)](#)  
**Cc:** [Peter Graham](#)  
**Subject:** SNGREC Comments Re: Kitchener January CofA  
**Date:** Monday, January 5, 2026 1:56:45 PM  
**Attachments:** [Outlook-kexdlfm1.png](#)

---

Hello,

The following are my comments for the January CofA for Kitchener. Comments are separated by a bold and underlined heading with addresses, and I have combined multiple applications to receive the same comment.

### **For 532 and 546 Courtland Ave**

#### **Bird and Light Friendly Design**

SNGREC requests that the building is designed using bird and light friendly practices. This includes minimizing reflective surfaces, creating visual markers on windows, and using warmer lights that are directed downwards and away from natural areas.

Please see the City of Toronto's bird friendly practices for glass and for lighting as guidelines and implement them thoroughly across the entire design:

<https://www.toronto.ca/wp-content/uploads/2017/08/8d1c-Bird-Friendly-Best-Practices-Glass.pdf>

<https://www.toronto.ca/wp-content/uploads/2018/03/8ff6-city-planning-bird-effective-lighting.pdf>

#### **Landscaping**

SNGREC requires that native plant species are prioritized in landscaping efforts, and that invasive or potentially invasive species are completely avoided. Non-native species are less ecologically beneficial, and some non-native species can become invasive even after decades of seeming fine. SNGREC requires an opportunity to review any landscape plant lists before procurement begins. SNGREC requests that the proponent uses Kayanase Plant Nursery for procurement of plants if Kayanase's capacity allows.

SNGREC strongly encourages the creation of pollinator gardens using native plant species in landscaped areas not intended for human movement. Pollinator gardens can offer food, breeding space, and sanctuary for pollinators that are harmed by human expansion as they lose functional habitat, and their remaining habitat becomes more fragmented. Pollinator gardens will also increase the visual attractiveness of the area.

### **For 56 Woolwich St, 14 Sportsman Hill St, 1541 Fischer-Hallman St, 37 Heiman St**

#### **Bird and Light Friendly Design**



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Niá:wen (thank you),

**Emmett Vanson, BSc., Grad. Cert.** (he/him)

Land Use and Stewardship Technician

Six Nations of the Grand River Elected Council - Lands and Resources Department - Consultation and Accommodation Process Team

[lrlust@sixnations.ca](mailto:lrlust@sixnations.ca)



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**REPORT TO:** Committee of Adjustment

**DATE OF MEETING:** January 20, 2026

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

**PREPARED BY:** Tara Zhang, Planner, 519-783-8304

**WARD(S) INVOLVED:** Ward 5

**DATE OF REPORT:** January 6, 2026

**REPORT NO.:** DSD-2026-031

**SUBJECT:** Minor Variance Application A2026-005  
1541 Fischer Hallman Road

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## RECOMMENDATION:

That Minor Variance Application A2026-005 for 1541 Fischer Hallman Road requesting relief from Section 34.3.1 of Zoning By-law 85-1 to permit a lot area of 21.9 hectares instead of the minimum required 40 hectares and a lot width of 243.8 metres instead of the minimum required 300 metres to facilitate the construction of a new maintenance building for Williamsburg Cemetery, generally in accordance with drawings prepared by McCallum Sather, dated November 27, 2025, BE APPROVED.

## REPORT HIGHLIGHTS:

- The purpose of this report is to review and provide a recommendation for Minor Variance Application A2026-005.
- The key finding of this report is that the Minor Variances meet the 4 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 property 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 in the Rosenberg Neighbourhood between major intersections of Bleams Road and Huron Road. The subject property is identified as 'Green Areas' on Map 2 – Urban Structure and is designated 'Open Space' and 'Natural Heritage Conservation'

on Map 22e Rosenberg Secondary Plan Land Use Plan. The property is zoned 'Agricultural Zone (A-1)' in Zoning By-law 85-1.

The application is requesting the variances to permit the construction of a new maintenance building for Williamsburg Cemetery on a lot where it does not meet the minimum required lot area and lot width.

City Staff conducted a site inspection of the property on January 5<sup>th</sup>, 2026.



**Figure 1: Aerial View of Subject Property**

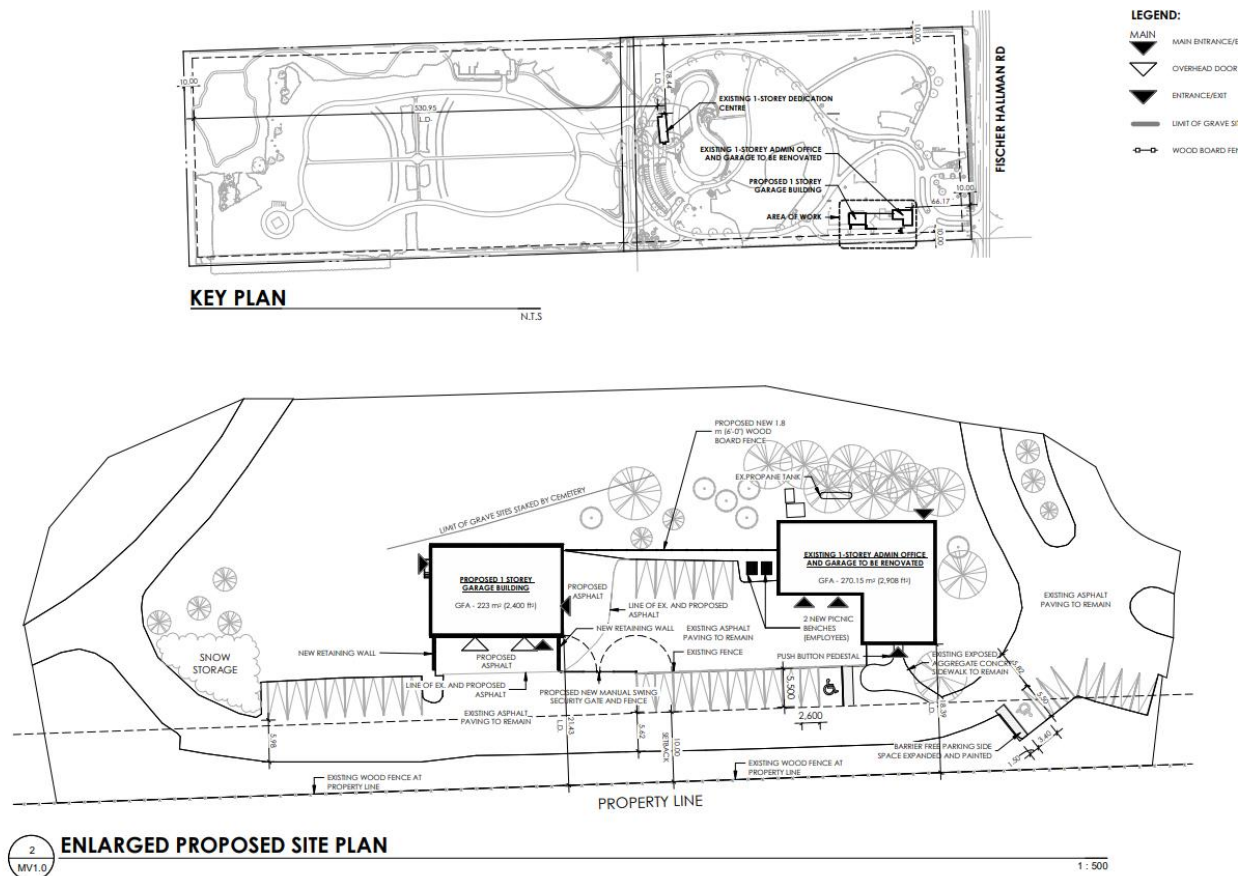




**Figure 2: Posted Notification Sign**



**Figure 3: Proposed location for construction of a maintenance building**



**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 subject property is identified as 'Green Areas' on Map 2 – Urban Structure and is designated 'Open Space' and 'Natural Heritage Conservation' on Map 22e Rosenberg Secondary Plan Land Use Plan.

Section 15.D.9 and Section 15.D.10 of the Official Plan are intended to protect and/or conserve the natural heritage features and their ecological functions as well as increasing opportunities to support a complete and healthy community through the provision of open spaces.

Staff is of the opinion that the minor variances to recognize the existing lot area and lot width to facilitate the construction of a new maintenance building will support the existing cemetery use which use meets the general intent of the Official Plan.

### General Intent of the Zoning By-law

The intent of the minimum lot width and lot area requirements is to ensure the site has sufficient space and access for the intended permitted uses in an Agricultural Zone. Staff is of the opinion that the construction of the maintenance building with a total gross floor area of 223 square metres supports the existing use of a cemetery which is permitted in Zoning By-law 85-1.

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

Staff is of the opinion that the effects of the requested variances are minor as the reduced lot area and lot width will not affect the neighbouring properties and will not have environmental or natural heritage impacts.

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

The requested variances are desirable for the appropriate development and the use of the land as they will facilitate the construction of a maintenance building which is necessary for the support and functioning of the cemetery use of the property.

### **Environmental Planning Comments:**

No natural heritage features/function or Tree Management Policy compliance issues in this portion of the subject property. The assigned Urban Designer will ensure compliance with Tree Management policies through the Site Plan Approval process.

### **Heritage Planning Comments:**

The subject property municipally addressed as 1541 Fischer Hallman Road is listed as a non-designated property of cultural heritage value or interest on the City's Municipal Heritage Register. The Dedication Center and the landscaping are the main features that contribute to the cultural heritage value of this property. The new maintenance building is not anticipated to have an adverse impact on the Dedication Center. However, the applicant is encouraged to use materials, colors, and designs that are compatible and sympathetic to the existing dedication center.

Given the location and context of this property, it is encouraged that a licensed archaeologist be consulted prior to development. Please note the following:

1. If archaeological resources are discovered during future or site alteration of the subject property, the applicant will need to immediately cease alteration/development and contact the Ministry of Citizenship and Culturalism. If it is determined that additional investigation and reporting of the archaeological resources is needed, a licensed archaeologist will be required to conduct this field work in compliance with S. 48(a) of the Ontario Heritage Act.
2. If human remains/or a grave site is discovered during development or site alteration of the subject property, the applicant will need to immediately cease alteration/development and must contact the proper authorities (police or coroner) and the Registrar and the Bereavement Authority of Ontario in Compliance with the Funeral, Burial and Cremation Services Act, 2002 S.96 and associated Regulations.



**Building Division Comments:**

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

**Engineering Division Comments:**

Engineering has no concerns.

**Parks and Cemeteries/Forestry Division Comments:**

No concerns, no requirements.

**Transportation Planning Comments:**

Transportation Services have no concerns with this variance.

Staff note:

- The primary drive aisle is deficient and is not expected to accommodate vehicle movements into a parking space with the City's minimum parking space dimensions. City Staff do not recognize most of the parking spaces along the main drive aisle as legal parking spaces.
- All barrier-free parking spaces are to be appropriately signed.

**GRCA Comments:**

GRCA has reviewed this application under the Mandatory Programs and Services Regulation (Ontario Regulation 686/21), including acting on behalf of the Province regarding natural hazards identified in Section 5.2 of the Provincial Planning Statement (PPS, 2024), as a regulatory authority under Ontario Regulation 41/24 and as a public body under the Planning Act as per our CA Board approved policies.

Information currently available at this office indicates that the subject property contains wetlands. As such, a portion of the subject property is regulated by the GRCA under Ontario Regulation 41/24. However, the proposed development is outside of these features and thus, not regulated. Please be advised that any proposed development shall maintain a minimum setback of 30 metres from the regulated area. Any new development/site alteration within the regulated area will require a permit from the GRCA.

The GRCA has no objection to the proposed site plan application.

**Region of Waterloo Comments:**

No concerns.

**Six Nations of the Grand River Elected Council (SNGREC) Comments:*****Bird and Light Friendly Design***

SNGREC requests that the building is designed using bird and light friendly practices. This includes minimizing reflective surfaces, creating visual markers on windows, and using warmer lights that are directed downwards and away from natural areas. Hundreds of millions of birds are killed by windows in North America each year, with 56% being from low-rise residential, thus this request extends to all sizes of development.

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<https://www.toronto.ca/wp-content/uploads/2018/03/8ff6-city-planning-bird-effective-lighting.pdf>

### **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 Planning Statement (PPS 2024)*
- *Regional Official Plan*
- *Official Plan (2014)*
- *Zoning By-law 85-1*

January 9, 2026

Connie Owen  
City of Kitchener  
200 King Street West  
P.O. Box 1118  
Kitchener, ON N2G 4G7

File No.: D20-20/  
VAR KIT GEN

**Subject: Committee of Adjustment Meeting December 9, City of Kitchener**

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- 7) A 2026-007 – 56 Woolwich Street – No Concerns
- 8) A 2026-008 – 14 Sportsman Hill Street – No Concerns

Please be advised that any development on the subject lands is subject to the provisions of the Regional Development Charge By-law 19-037 or any successor thereof and may require payment of Regional Development Charges for these developments prior to the issuance of a building permit.

The comments contained in this letter pertain to the Application numbers listed. If a site is subject to more than one application, additional comments may apply.

Please forward any decisions on the above-mentioned Application numbers to the undersigned.

Yours Truly,

*Cheryl Marcy*

Cheryl Marcy  
Manager, Corridor Development



January 2<sup>nd</sup>, 2026

Via email  
A2026- 005

Connie Owen  
City of Kitchener  
200 King St W,  
N2G 4V6  
[CofA@kitchener.ca](mailto:CofA@kitchener.ca)

**Re: Site Plan Application A2026-005  
1541 Fischer Hallman Rd, Kitchener  
ON, N2R 1P6**

---

Dear Connie

Grand River Conservation Authority (GRCA) staff have reviewed the above-noted application for building a new stand-alone garage building for property maintenance and vehicle storage and repair.

**Recommendation**

The GRCA has no objection to the proposed site plan application. Please see detailed comments below.

**Documents Reviewed by Staff**

Staff have reviewed the following documents submitted with this application:

- Site Plan (Prepared by McCallum Sather; Dated September 24<sup>th</sup>, 2025).

**GRCA Comments**

GRCA has reviewed this application under the Mandatory Programs and Services Regulation (Ontario Regulation 686/21), including acting on behalf of the Province regarding natural hazards identified in Section 5.2 of the Provincial Planning Statement (PPS, 2024), as a regulatory authority under Ontario Regulation 41/24 and as a public body under the *Planning Act* as per our CA Board approved policies.

Information currently available at this office indicates that the subject property contains wetlands. As such, a portion of the subject property is regulated by the GRCA under Ontario Regulation 41/24. However, the proposed development is outside of these features and thus, not regulated. Please be advised that any proposed development shall maintain a minimum

setback of 30 meters from the regulated area. Any new development/site alteration within the regulated area will require a permit from the GRCA.

This is considered a minor site plan application. Consistent with GRCA's 2023-2025 approved fee schedule, the applicant will be invoiced \$465.00 for our review of this application.

Should you have any questions, please contact the undersigned at 519-621-2763 (Ext 2232) or [asiraj@grandriver.ca](mailto:asiraj@grandriver.ca).

Sincerely,



---

**Anab Siraj**  
Intermediate Resource Planner  
Grand River Conservation Authority

Encl: Resource Mapping

CC: Ryan Meane (Via email)  
Erin Marriott (Via email)





1541 Fischer-Hallman Rd, Kitchener



Legend

- Regulation Limit (GRCA)
- Floodplain (GRCA)
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  - Approximate
- Floodplain - Special Policy Area (GRCA)
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**From:** [Emmett Vanson](#)  
**To:** [Committee of Adjustment \(SM\)](#)  
**Cc:** [Peter Graham](#)  
**Subject:** SNGREC Comments Re: Kitchener January CofA  
**Date:** Monday, January 5, 2026 1:56:45 PM  
**Attachments:** [Outlook-kexdlfm1.png](#)

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Niá:wen (thank you),

**Emmett Vanson, BSc., Grad. Cert.** (he/him)

Land Use and Stewardship Technician

Six Nations of the Grand River Elected Council - Lands and Resources Department - Consultation and Accommodation Process Team

[lrust@sixnations.ca](mailto:lrust@sixnations.ca)



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**REPORT TO:** Committee of Adjustment

**DATE OF MEETING:** January 20, 2026

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

**PREPARED BY:** Arwa Alzoor, Planner, 519-783-8903

**WARD(S) INVOLVED:** Ward 9

**DATE OF REPORT:** December 30, 2025

**REPORT NO.:** DSD-2026-08

**SUBJECT:** Minor Variance Application A2026-006 – 235 Hoffman Street

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## RECOMMENDATION:

That Minor Variance Application A2026-006 for 235 Hoffman Street requesting Permission under Section 45(2)(a)(ii) of the Planning Act to expand a 'Legal Non-Conforming Use', a Single Detached Dwelling, to a Single Detached Dwelling with 2 Additional Dwelling Units (ADUs) (Attached) (Triplex), generally in accordance with drawings prepared by MW Drafting and Design Inc., dated December 15, 2025, BE APPROVED.

That Minor Variance Application A2026-006 for 235 Hoffman Street requesting relief from Section 5.4 f), Table 5-3, of Zoning By-law 2019-051 to permit a driveway width of 14.9 metres (88.3% of the lot width) instead of the maximum permitted driveway width of 6.7 metres (40% of the lot width), generally in accordance with drawings prepared by MW Drafting and Design Inc., dated December 15, 2025, BE REFUSED.

## REPORT HIGHLIGHTS:

- The purpose of this report is to review a Minor Variance Application for Permission for expansion of a 'Legal Non-Conforming Use' to allow two (2) new Additional Dwelling Units (ADUs) (Attached) in a Single Detached Dwelling. The Minor Variance Application also requests relief of a zoning regulation to permit the widening of the driveway beyond the permitted maximum.
- The key finding of this report is that the Application for Permission for the expansion of the Legal Non-Conforming meets the 2 tests of Case Law and that the Application for Minor Variance does not meet the 4 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 property 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 in the Southdale neighbourhood, north of Homer Watson Boulevard, on the intersection of Highland Road East and Hoffman Street.



Figure 1: Location Map



Figure 2: Zoning Map

The subject property is identified as 'Community Areas' on Map 2 – Urban Structure and is designated 'Medium Rise Residential' on Map 3 – Land Use in the City's 2014 Official Plan.

The property is zoned 'Medium Rise Residential Six Zone (RES-6)' in Zoning By-law 2019-051.

The purpose of this application is to request Permission under Section 45(2)(a)(ii) of the Planning Act to expand 'Legal Non-Conforming Use, and a Minor Variance to permit a driveway widening. The Application for Permission would facilitate the addition of two Additional Dwelling Units (ADUs) (Attached) within an existing Single Detached Dwelling located on a corner lot that is zoned 'Medium Rise Residential Six Zone (RES-6)'. The Minor Variance for a driveway widening would increase the parking provision beyond the Zoning By-law requirements.

#### Zoning Context and Legal Non-Conforming Use

The subject property is zoned 'Medium Rise Residential Six Zone (RES-6)', where Single Detached Dwellings and Additional Dwelling Units (ADUs) are not permitted uses in this zone. The existing Single Detached Dwelling is recognized as a 'Legal Non-Conforming Use.' To accommodate the proposed ADUs, exterior exit stairs are proposed to be added to provide access, requiring Permission to expand the 'Legal Non-Conforming Use' under Section 45(2)(a)(ii) of the Planning Act.

#### Details of the Minor Variance

The requested Minor Variance relates to the widening of the existing driveway on the flanking side of the subject property, accessed from Highland Road East. The current driveway is 6.1 metres wide and leads to a detached garage used for storage and bicycle parking. The proposed modification would increase the driveway width by 8.73 metres at its widest point, accommodating two (2) additional parking spaces and a turning hammerhead. The overall driveway width would be 14.83 metres as per Figure 3.



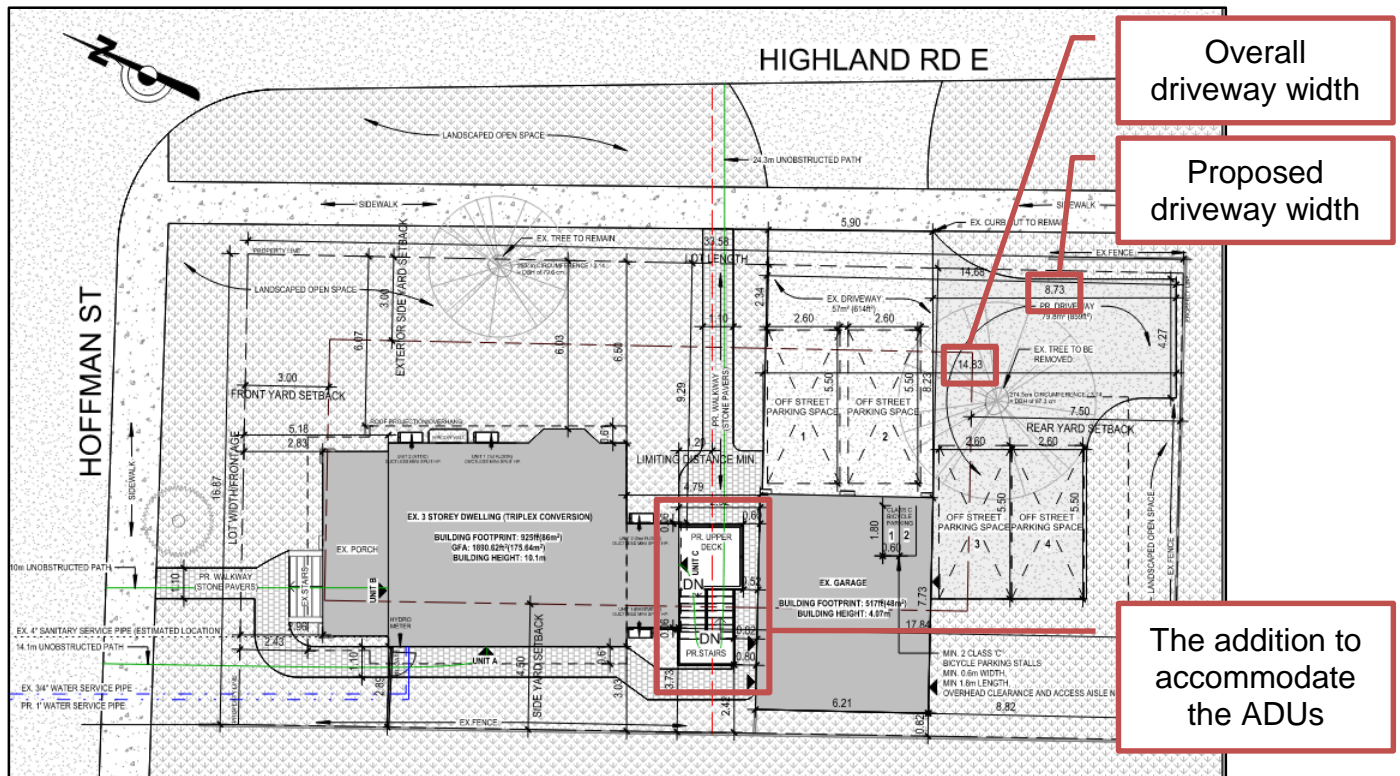


Figure 3: Proposed Site Plan

Development and Housing Approvals Staff visited the Site on January 5, 2026.



Figure 4: An Image of the Subject Property from the Flanking Side



**Figure 5: An Image of the Subject Property Showing the Existing Garage and Tree**





**Figure 6: An Image of the Subject Property from the Front**

## **REPORT:**

### **Planning Comments:**

#### **For Section 45(2)(a)(ii)**

Case law sets out the tests to be applied by the Committee of Adjustment in considering applications under Section 45(2)(a)(ii). It should be noted that the test to be applied is not the four-part test for minor variances under Section 45(1) but rather whether the approval of the application:

1. Is in the public interest; and
2. Creates unacceptable or adverse impact upon abutting properties.

#### **Is Approval in the Public Interest?**

Staff are of the opinion that approval of this application is in the public interest. The proposal allows the continued use of the existing Single Detached Dwelling while introducing two Additional Dwelling Units, creating a Triplex. This represents a form of gentle intensification that supports the City's Housing Pledge and aligns with Official Plan Policy 4.C.1.24 by increasing the range of housing options. Given that the Southdale neighbourhood already contains a mix of residential forms, the proposed development is not expected to have a detrimental impact on surrounding uses.

### Any Adverse or Unacceptable Impacts?

Staff are of the opinion that permitting two attached Additional Dwelling Units (ADUs) would not result in any adverse or unacceptable impacts. The existing building currently functions as a Single Detached Dwelling, and adding two dwelling units would better align the property with the intent of the Medium Density Residential land use designation. No land use conflicts are anticipated, as the required parking for a triplex is two (2) parking spaces, which can be accommodated within the existing detached garage and driveway. While the proposed increase in driveway width does not comply with the Zoning By-law and the associated variance is recommended for refusal, the expansion of the dwelling to include two ADUs is considered appropriate and would be able to function appropriately with the two (2) required parking spaces and would not create negative impacts on the surrounding neighbourhood.

### Minor Variance Analysis

In considering the four tests for 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 Official Plan provides several policies regarding the intensification of housing, with more specific direction to the requested variances. Policy 4.C.1.8 provides direction for minor variance applications proposing residential intensification:

*4.C.1.8. Where a special zoning regulation(s) or minor variance(s) is/are requested, proposed or required to facilitate residential intensification or a redevelopment of lands, the overall impact of the special zoning regulation(s) or minor variance(s) will be reviewed, but not limited to the following to ensure, that:*

*e) The lands can function appropriately and not create unacceptable adverse impacts for adjacent properties by providing both an appropriate number of parking spaces and an appropriate landscaped/amenity area on the site.*

*f) The impact of each special zoning regulation or variance will be reviewed prior to formulating a recommendation to ensure that a deficiency in the one zoning requirement does not compromise the site in achieving objectives of compatible and appropriate site and neighbourhood design and does not create further zoning deficiencies.*

The proposed wide driveway will create a streetscape that contains more asphalt and vehicles and reduce the appearance of the existing landscape, amenity area, which does not make the site compatible and appropriate for the neighbourhood

Additional policy direction regarding compatibility is provided in the Residential land use designation policies, specifically 15.D.3.3:

*15.D.3.3. To support the successful integration of different housing types, specifically multiple residential developments, through new development/redevelopment and/or residential intensification, within lands designated Low Rise*

*Residential, Medium Rise Residential or High Rise Residential, the City will apply design principles in accordance with the Urban Design Policies in Section 11. An emphasis will be placed on:*

- b) the relationship of housing to adjacent buildings, streets and exterior areas;*
- c) adequate and appropriate parking areas are provided on site; and,*
- d) adequate and appropriate amenity areas and landscaped areas are provided on site.*

Policy 15.D.3.3 further emphasizes the appropriateness of parking spaces, amenity areas, and landscaped areas in Residential areas. Widening the driveway will have an adverse impact on the streetscape, and reductions in the landscape visibility and existing tree canopy

Based on the above review, the requested variances do not meet the intent of the Official Plan.

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

The maximum driveway width provision intends to preserve the visual relationship between residential properties and the streetscape, ensuring that neighbourhoods are not dominated by paved surfaces. This regulation promotes a balanced streetscape with adequate landscaping, tree retention, and pedestrian-friendly design, contributing to the overall character and livability of the area.

Under Zoning By-law 2019-051, the maximum permitted driveway width is 40% of the lot width for properties located within a Central Neighbourhood. For the subject property, the maximum permitted driveway width is 6.7 metres. The requested driveway width of 14.8 metres represents approximately 88% of the lot width, which significantly exceeds Zoning By-law standard and intent.

The proposed increase is intended to accommodate additional parking spaces and a hammerhead-turning area; however, this design introduces several concerns:

- **Visual Impact:** The expanded driveway would substantially increase the amount of visible asphalt, alter the streetscape and create a more vehicle-dominated exterior side yard.
- **Excess Parking:** The proposal provides parking beyond the zoning requirement, which conflicts with the Zoning By-law's intent to limit hard surfaces and prioritize landscaping.
- **Loss of Green Space/Amenity Area:** The increased width would reduce landscaped and outdoor amenity area and necessitate a large tree removal.

Transportation Planning Staff note that due to the proposed driveway configuration outside of Parking Spaces 3 and 4, the turnaround area east of Parking Space 4 would not functionally support any vehicle movements. As the addition of driveway width in this area would not function appropriately, the proposed width of the driveway does not meet the general intent of the Zoning By-law.

Overall, the requested variance does not align with the general intent of the Zoning By-law, which seeks to maintain a harmonious streetscape, minimize impervious surfaces, and support sustainable urban design principles.

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

The requested variance to increase the maximum permitted driveway width from 6.7 metres (40% of the lot width) to 14.8 metres (approximately 88% of the lot width) is not considered minor in nature. The proposed width will be more than double the permitted maximum and the increased driveway width will have negative visual impact of the residential property and the residential streetscape. The wider driveway will have the rear yard appear as a parking lot from the street yard, with the majority of it be covered by a detached garage with two (2) parking spaces, four (4) parking spaces on a paved surface and a hammerhead. While the Applicant/Owner indicates that the additional driveway area is a convenient option for a building with additional dwelling units to avoid parking conflicts between tenants, it presents a situation where a significant portion of the rear yard and exterior side yard will be covered by a detached garage and a paved, impervious surface.

Transportation Planning Staff note that due to the proposed driveway configuration outside of Parking Spaces 3 and 4, the turnaround area east of Parking Space 4 would not functionally support any vehicle movements.

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

The requested variance is not considered desirable for the appropriate development or use of the land. Although the Applicant/Owner intends to provide additional parking spaces and provide unobstructed vehicular access for the additional dwelling units, the proposed driveway width would result in a streetscape dominated by asphalt, reduce landscaped areas, and require the removal of an exceptionally large tree. These changes conflict with the residential character and urban design objectives of the neighbourhood. As such, the variance does not support a balanced or sustainable form of development. Therefore, the requested variance related to widening the driveway is not required to facilitate the addition of dwelling units and is not desirable and appropriate.

**Environmental Planning Comments:**

City trees may be impacted by the proposal; Serena Soucy is the contact. No other natural heritage issues; no other tree issues.

**Heritage Planning Comments:**

No heritage comments or concerns.

**Building Division Comments:**

The Building Division has no objections to the proposed variance provided a building permit for the two additional attached dwelling 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 concerns.



**Parks and Cemeteries/Forestry Division Comments:**

No concerns.

**Transportation Planning Comments:**

Transportation Services does not support a proposed driveway width beyond 8.0 metres for this Minor Variance Application, which is consistent with Table 5-2 of the Zoning By-law and applied throughout the City for this type of parking configuration and land use.

Staff also note that due to the proposed driveway configuration outside of Parking Spaces 3 and 4, the turnaround area east of Parking Space 4 would not functionally support any vehicle movements.

**Grand River Conservation Authority Comments:**

No comments or concerns.

**Region of Waterloo Comments:**

No concerns.

**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 property 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*

January 9, 2026

Connie Owen  
City of Kitchener  
200 King Street West  
P.O. Box 1118  
Kitchener, ON N2G 4G7

File No.: D20-20/  
VAR KIT GEN

**Subject: Committee of Adjustment Meeting December 9, City of Kitchener**

Regional staff has reviewed the following Committee of Adjustment applications and have the following comments:

- 1) A 2026-001 – 532 Courtland Avenue East – No Concerns
- 2) A 2026-002 – 546 Courtland Avenue East – No Concerns
- 3) A 2026-003 – 4417 King Street East – It is unclear if this application will result in an impact on the water supply. Please be advised that the Region is currently updating the Water Supply Strategy. We wish to bring to your attention that through this work, concerns have been identified regarding water servicing capacity within the Mannheim Service Area. Regional staff are currently undertaking work to better understand the magnitude of the concerns. As such, we note that subsection 3(5) of the Planning Act requires that decisions made by approval authorities be consistent with the policies of the Provincial Planning Statement, 2024 (PPS) including those policies found in s. 3.6 of the PPS relating to water services.
- 4) A 2026-004 – 37 Heiman Street – No Concerns
- 5) A 2026-005 – 1541 Fischer-Hallman Boulevard – No Concerns
- 6) A 2026-006 – 235 Hoffman Street – No Concerns
- 7) A 2026-007 – 56 Woolwich Street – No Concerns
- 8) A 2026-008 – 14 Sportsman Hill Street – No Concerns

Please be advised that any development on the subject lands is subject to the provisions of the Regional Development Charge By-law 19-037 or any successor thereof and may require payment of Regional Development Charges for these developments prior to the issuance of a building permit.

The comments contained in this letter pertain to the Application numbers listed. If a site is subject to more than one application, additional comments may apply.

Document Number: 5169327

Please forward any decisions on the above-mentioned Application numbers to the undersigned.

Yours Truly,

*Cheryl Marcy*

Cheryl Marcy  
Manager, Corridor Development

**From:** [Trevor Heywood](#)  
**To:** [Committee of Adjustment \(SM\)](#)  
**Cc:** [Andrew Herreman](#); [Anab Siraj](#)  
**Subject:** Re: ACTION REQUIRED - Committee of Adjustment Application Review – January 20, 2026 Meeting  
**Date:** Wednesday, December 31, 2025 9:39:44 AM  
**Attachments:** [2025-12-31 A2026-001 GRCA comments.pdf](#)  
[2025-12-31 A2026-002 GRCA comments.pdf](#)  
[2025-12-31 A2026-004 GRCA comments.pdf](#)

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Hi there,

Please see the GRCA's comments attached for applications:

- A2026-001 - 532 Courtland Ave E
- A2026-002 - 546 Courtland Ave E
- A2026-004 - 37 Heiman St

Additional comments will follow in a separate email for A2026-005 - 1541 Fischer-Hallman Road.

All other applications are not regulated by the GRCA, and we have no comments or concerns with them:

- A2026-003 - 4417 King St E
- A2026-006 - 235 Hoffman St
- A2026-007 - 56 Woolwich St
- A2026-008 - 14 Sportsman Hill St

Thank you. Regards,

**Trevor Heywood B.Sc.(Env.)**  
Resource Planner  
Grand River Conservation Authority

400 Clyde Road, PO Box 729  
Cambridge, ON N1R 5W6  
Phone: 519-621-2761 ext. 2292  
Email: [theywood@grandriver.ca](mailto:theywood@grandriver.ca)  
[www.grandriver.ca](http://www.grandriver.ca) | [Connect with us on social media](#)

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**From:** Committee of Adjustment (SM) <[CommitteeofAdjustment@kitchener.ca](mailto:CommitteeofAdjustment@kitchener.ca)>  
**Sent:** December 22, 2025 3:08 PM  
**Subject:** ACTION REQUIRED - Committee of Adjustment Application Review – January 20, 2026 Meeting

Hello,

Please be advised the applications for the City of Kitchener Committee of Adjustment meeting scheduled for Tuesday, January 20, 2026, have been loaded and circulated through ShareFile. You should have already received the necessary link.

If you wish to make comments, provide advice, or request the imposition of any conditions on any of these applications, please provide the Committee with a written report.

**Please note: If you have comments, your written report must be sent to [CofA@kitchener.ca](mailto:CofA@kitchener.ca) no later than 12 noon on Monday, January 5, 2026.**

If you have no comments for the Committee's consideration, you do not need to respond.

**Connie Owen**

Administrative Clerk | Legislated Services | City of Kitchener

519-741-2203 | TTY 1-866-969-9994 | [cofa@kitchener.ca](mailto:cofa@kitchener.ca)



**REPORT TO:** Committee of Adjustment

**DATE OF MEETING:** January 20, 2026

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

**PREPARED BY:** Eric Schneider, Senior Planner, 519-783-8918

**WARD(S) INVOLVED:** Ward 1

**DATE OF REPORT:** January 8, 2026

**REPORT NO.:** DSD-2026-037

**SUBJECT:** Minor Variance Application A2026-007 – 56 Woolwich Street

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## RECOMMENDATION:

That Minor Variance Application A2026-007 for 56 Woolwich Street requesting relief from Section 7.3, Table 7-2, of Zoning By-law 2019-051 to permit:

- i) an exterior side yard setback of 1.6 metres instead of the minimum required 4.5 metres to recognize the location of the existing dwelling; and
- ii) an exterior side yard setback of 1.8 metres instead of the minimum required 4.5 metres to facilitate the construction of a second storey dormer;

to facilitate internal stairway access to the attic generally in accordance with drawings prepared by Eagleview Construction, dated October 2025, **BE APPROVED.**

## REPORT HIGHLIGHTS:

- The purpose of this report is to review a Minor Variance Application to facilitate the construction of an interior stairway and dormer on an existing detached dwelling.
- The key finding of this report is that the Minor Variance meets the 4 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 property 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 the southwest corner of the intersection of Woolwich Street and Hillcrest Lane and contains an existing Single Detached Dwelling constructed in approximately 1928.



**Figure 1: Location Map: 56 Woolwich Street**

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 Four Zone (RES-4)' in Zoning By-law 2019-051.

The purpose of the application is to facilitate the construction of a new interior stairway to provide access to the attic which requires a new 2<sup>nd</sup> storey dormer on an existing single detached dwelling.



Figure 2: View of Subject Lands (January 6, 2026)

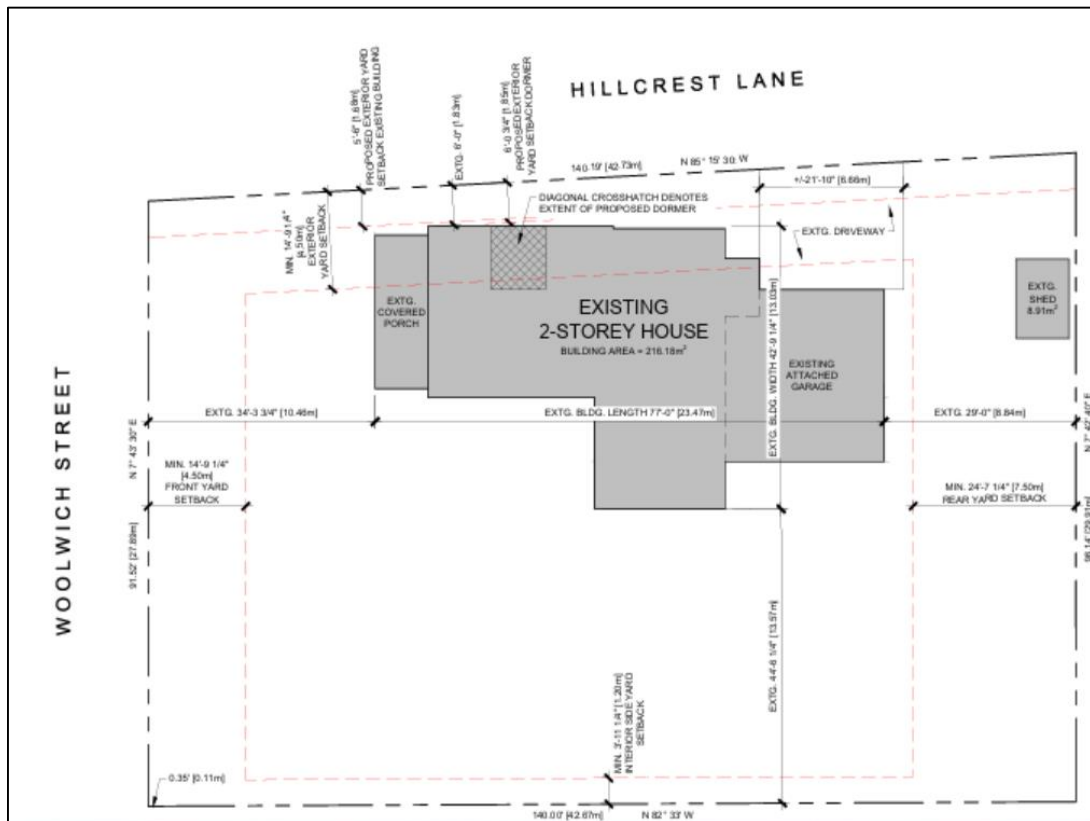
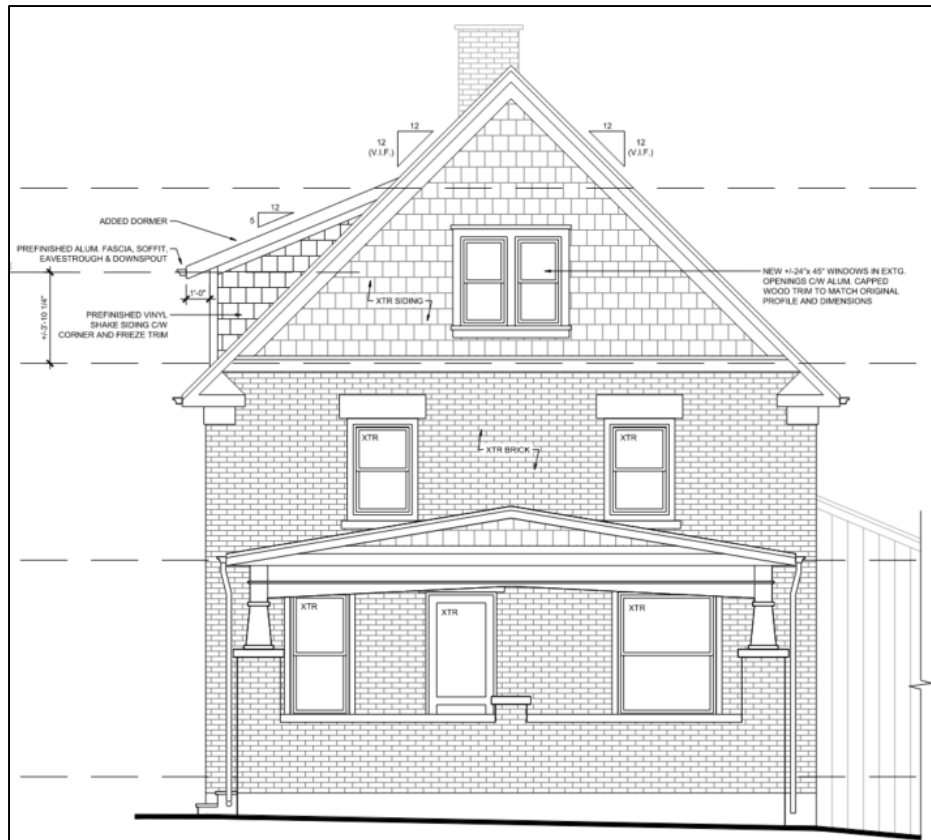
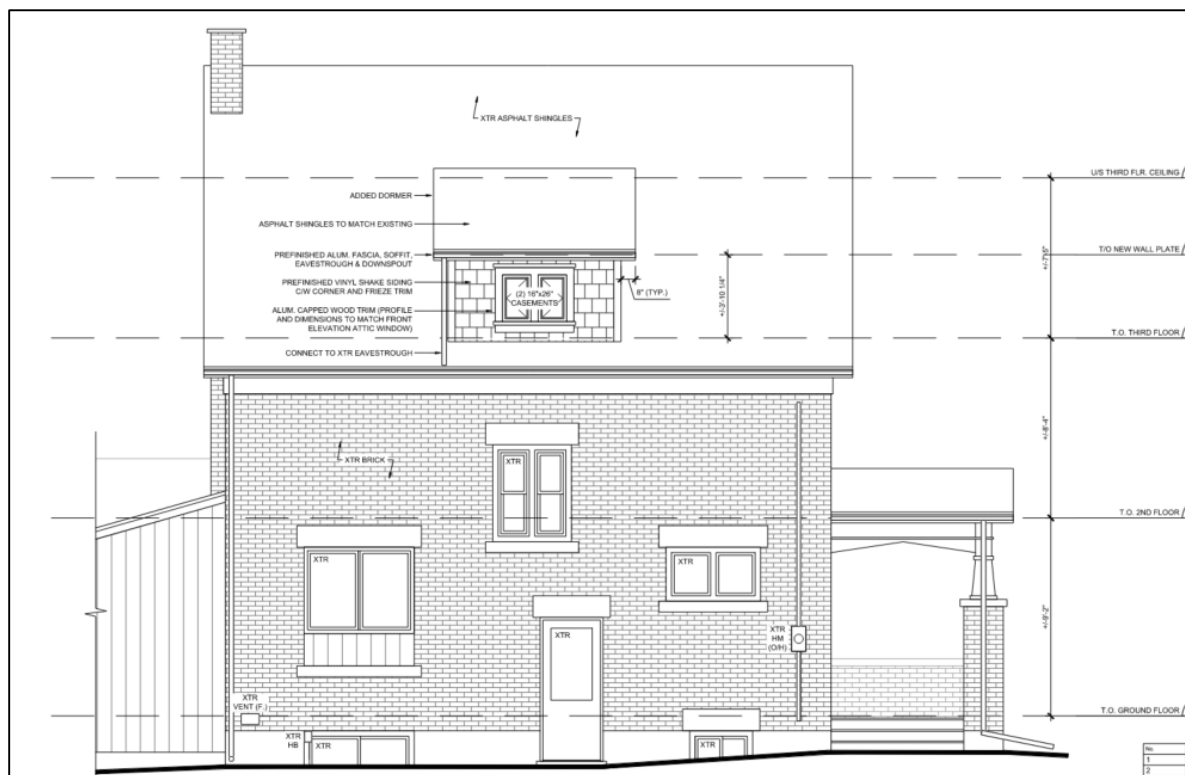


Figure 3: Site Plan showing Proposed Dormer (hatched)  
Eagleview Construction, October 2025



**Figure 4: Front Elevation Showing Dormer  
Eagleview Construction, October 2025**



**Figure 5: Exterior Side Elevation Showing Dormer  
Eagleview Construction, October 2025**

## **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 designated 'Low Rise Residential' in the Official Plan. The intent of this designation is to encourage a range of different forms of housing to achieve a low density neighbourhood. The requested variance will facilitate a dormer addition and the property use as a single detached dwelling is proposed to remain. The proposed dormer and use of the lands will continue to maintain the low rise character of the property and surrounding neighbourhood. It is the opinion of staff that the requested variances meet the general intent of the Official Plan.

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

The intent of the regulation that requires a minimum exterior side yard setback of 4.5 metres is to ensure adequate building separation from the street line/public realm. The requested reduction in setback to 1.8 metres for the dormer is generally in line with the 1.6 metre existing building setback, which is also requesting to be legalized with this application. The 1.8 metre setback for the dormer representing the new construction exists on the second floor, reducing the impact to the public realm at ground level. There are no sidewalks on Hillcrest Lane, and there is an approximately 5 metre deep landscaped area in the right-of-way between the travelled portion of the road and the exterior side property line on Hillcrest Lane. Therefore, there is adequate separation between the proposed dormer on the detached dwelling and the street line/public realm, and in the opinion of staff the requested variances meet the general intent of the Zoning By-law.

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

Staff do not anticipate adverse impacts to the streetscape and public realm, nor do staff expect any impacts to adjacent properties as the dormer faces toward the street. In the opinion of staff, the effects of the requested variances are considered minor.

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

The variances are desirable in that they will legalize the location of the existing dwelling and facilitate the addition of a dormer in order to provide a safe internal access to the attic. The small addition and dormer are considered appropriate development of the land in the opinion of staff.

### **Environmental Planning Comments:**

No comments.

### **Heritage Planning Comments:**

No heritage comments or concerns. However, the subject property is located adjacent to 49 Woolwich Street, which is listed as a non-designated property of cultural heritage value or interest on the City's Municipal Heritage Register. The subject property is located



adjacent to the Walter Bean Trail Cultural Heritage Landscape (CHL). The Kitchener Cultural Heritage Landscape Study (CHLS) dated December 2014 and prepared by The Landplan Collaborative Ltd. was approved by Council in 2015. The CHLS serves to establish an inventory and was the first step of a phased Cultural Heritage Landscape (CHL) conservation process. The proposed variance is not anticipated to have any adverse impacts to the CHL's attributes. Thus, staff have no comments or concerns.

**Building Division Comments:**

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

**Engineering Division Comments:**

Engineering has no concerns.

**Parks and Cemeteries/Forestry Division Comments:**

Please note that there are multiple existing City-owned street trees within the right-of-way on Hillcrest Lane. The trees could be impacted by proposed construction activities. It is expected that all City owned tree assets will be fully protected to City standards throughout demolition and construction as per [Chapter 690 of the current Property Maintenance By-law](#). Tree Protection and Enhancement Plans to Forestry's satisfaction will be required outlining complete protection of City assets prior to any demolition or building permits being issued.

**Transportation Planning Comments:**

Transportation Services have no concerns with this application.

**Region of Waterloo Comments:**

No concerns.

**Six Nations of the Grand River Elected Council Comments:**

*Bird and Light Friendly Design*

SNGREC requests that the building is designed using bird and light friendly practices. This includes minimizing reflective surfaces, creating visual markers on windows, and using warmer lights that are directed downwards and away from natural areas. Hundreds of millions of birds are killed by windows in North America each year, with 56% being from low-rise residential, thus this request extends to all sizes of development (<https://ontarionature.org/sustainable-building-design-can-stop-millions-of-birds-deaths-blog/>).

Please see the City of Toronto's bird friendly practices for glass and for lighting as guidelines and implement them thoroughly across the entire design:

<https://www.toronto.ca/wp-content/uploads/2017/08/8d1c-Bird-Friendly-Best-Practices-Glass.pdf>

<https://www.toronto.ca/wp-content/uploads/2018/03/8ff6-city-planning-bird-effective-lighting.pdf>



**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 Planning Statement (PPS 2024)*
- *Regional Official Plan*
- *Official Plan (2014)*
- *Zoning By-law 2019-051*

**ATTACHMENTS:**

Attachment A – Drawings Package (Floor Plans, Elevations, Site Plan, Sections)

ASSEMBLY SCHEDULE

GENERAL NOTES:

1. U.N.O., CONCRETE STRENGTH TO BE MIN. 20MPa
2. IN BATHROOMS, INSTALL MMR GWB I.L.O. REGULAR GWB.
3. AROUND SHOWERS/ BATHTUBS, INSTALL TILE BACKER (DENSIELD OR EQUIVALENT) I.L.O. MMR GWB.

WALLS



W1 - INTERIOR WALL (WOOD STUD PARTITION)

- 1/2" GYPSUM WALL BOARD E/S OF
- UNLESS OTHERWISE DIMENSIONED, 2X4 WOOD STUDS @ 16" O.C.
- WHERE SHOWN ON PLANS, PROVIDE SOUND BATT INSULATION FULL DEPTH OF STUDS



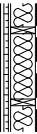
W2 - INTERIOR WOOD STUD WALL BUILD-OUT

- 1/2" GYPSUM WALL BOARD
- UNLESS OTHERWISE DIMENSIONED, 2X4 WOOD STUDS @ 16" O.C.



W3 - INSULATED KNEE WALL

- 1/2" GYPSUM WALL BOARD
- 6mil. POLY VAPOUR RETARDER
- 2X6 WOOD STUDS @ 16" O.C.
- R22 BATT INSULATION
- CONTINUOUS 1 1/4" (R5) SEMI-RIGID MINERAL WOOL INSULATION (ROXUL COMFORTBOARD OR EQUIVALENT)



W4 - EXTERIOR WALL (DORMER)

- PREFINISHED VINYL SIDING
- CONTINUOUS 1" (R5) ISO BOARD RIGID INSULATION W/ INTEGRAL AIR/ WATER BARRIER
- 7/16" OSB WALL SHEATHING
- 2x6 WOOD STUDS @ 16" O.C.
- R22 BATT INSULATION
- 6mil. POLY VAPOUR RETARDER
- 1/2" GYPSUM BOARD

ROOFS



R1 - DORMER ROOF (UNVENTED ASSEMBLY)

- ASPHALT SHINGLES
- ROOFING FELT C/W ICE AND WATER BARRIER (GAF WEATHERWATCH ICE SHIELD OR EQ.) TO MIN. 36" UP SLOPE
- 7/16" OSB ROOF SHEATHING
- 2x10 WOOD ROOF RAFTERS AT 16" O.C.
- R31 SPRAY POLYURETHANE FOAM INSULATION
- 1/2" GYPSUM BOARD

GENERAL NOTES

GENERAL

1. WRITTEN DIMENSIONS TO BE USED. DO NOT SCALE DRAWINGS.
2. ALL DIMENSIONS ARE TAKEN FROM FACE OF FRAMING OR MASONRY, OR FROM FACE OF EXTG. SURFACE, U.N.O.
3. ALL DIMENSIONS ARE TO BE SITE VERIFIED.
4. ALL EXISTING CONDITIONS ARE TO BE SITE VERIFIED AND THE COMPLETE EXTENT OF WORK TO BE DETERMINED AT THE TIME OF CONSTRUCTION.

ASSUMPTIONS

1. ALL EXISTING FOUNDATION WALLS, SLABS AND FLOOR, WALL, CEILING AND ROOF FRAMING ARE PRESUMED SUITABLE TO ACCEPT NEW APPLICATIONS AND FINISHES, INCLUDING BUT NOT LIMITED TO BEING SUITABLY DRY, FREE FROM CRACKS, LEAKS, MOLD AND/ OR ROT.
2. SECOND FLOOR FRAMING IS PRESUMED TO SPAN NORTH-SOUTH, ALLOWING FOR PLUMBING MODIFICATIONS AND INSTALLATIONS WITHIN THE ENSUITE TO BE CARRIED OUT FROM ABOVE THE FLOOR STRUCTURE WITHOUT REQUIRING REMOVAL OR DISTURBANCE OF FINISHED CEILINGS OR SURFACES BELOW.
3. INSULATION AND VAPOUR RETARDER WITHIN THE EXTERIOR WALLS OF THE ENSUITE ARE PRESUMED EXISTING TO REMAIN.
4. THIRD FLOOR FRAMING AND SUPPORTING STRUCTURE IS PRESUMED SUITABLE TO ACCEPT ADDED LOADS.

FRAMING

1. ALL FRAMING LUMBER TO BE SPF No.1/No.2 KILN DRIED UNLESS OTHERWISE NOTED.

WINDOWS AND EXTERIOR DOORS:

1. GENERAL
  - 1.1. WINDOWS:
    - 1.1.1. U.N.O., ALL WINDOWS TO BE VINYL C/W SEALED DOUBLE GLAZING.
    - 1.1.2. REFER TO FLOOR PLANS AND/ OR ELEVATIONS FOR SIZE, CONFIGURATION AND OPERABILITY.
  - 1.2. EXTERIOR DOORS:
    - 1.1.1. ENTRANCE DOORS:
      - 1.1.1.1. U.N.O., ALL DOORS TO BE INSULATED STEEL DOORS.
      - 1.1.1.2. GLAZING: SEALED DOUBLE GLAZING, U.N.O..
      - 1.1.1.3. FINISH: FACTORY-APPLIED PAINT, U.N.O.
      - 1.1.1.4. HARDWARE: ENTRANCE LOCKSET C/W DEADBOLT, U.N.O.
      - 1.1.1.5. REFER TO ELEVATIONS FOR SIZE, CONFIGURATION AND GLAZING REQUIREMENTS. OPERATION AS PER PLANS.
    - 1.1.2. PATIO SLIDERS:
      - 1.1.1.1. U.N.O., ALL PATIO SLIDERS TO BE INSULATED VINYL C/W SEALED DOUBLE GLAZING.
      - 1.1.1.2. HARDWARE: PATIO SLIDER LOCKSET.
      - 1.1.1.3. REFER TO PLANS AND/OR ELEVATIONS FOR SIZING, CONFIGURATION AND OPERATION.
2. BASEMENT:
  - 2.1. COLD ROOM: NEW +/-30"x69" INSULATED STEEL DOOR TO REPLACE EXISTING C/W ALUMINUM THRESHOLD, WEATHER STRIPPING AND PASSAGE SET.

HVAC, ELECTRICAL AND PLUMBING:

1. GENERAL:
  - 1.1. REFER TO THE FLOOR PLANS FOR MEP EQUIPMENT AND COMPONENTS TO BE REMOVED, RELOCATED AND/OR ADDED.
  - 1.2. WHERE PLUMBING FIXTURES ARE REMOVED, REMOVE ASSOCIATED PIPING DOWN TO BELOW FINISHED SURFACES AND CAP.
  - 1.3. WHERE ELECTRICAL COMPONENTS ARE REMOVED, REMOVE ALL WIRING BACK TO SOURCE AND MAKE SAFE.
  - 1.4. REFER TO THE SCHEDULE OF FINISHES FOR THE COMPLETE SPECIFICATION OF HVAC, PLUMBING AND ELECTRICAL FIXTURES.
  - 1.5. ALL MEP WORK IS TO BE PROVIDED IN ACCORDANCE TO ALL APPLICABLE CODES AND REQUIREMENTS.
2. WATER HEATER: TO BE REPLACED NEW - VERIFY CAPACITY AND AND POWER SOURCE IN FIELD.

SHEET LIST

SHEET No.	TITLE	REV. No.	REV. DATE
A0.0	PROJECT INFORMATION	5	2025-12-04
EX-A2.0	EXTG./ DEMOLITION SECOND FLOOR PLAN	5	2025-12-04
EX-A2.1	EXTG./ DEMOLITION THIRD FLOOR PLAN	5	2025-11-07
EX-A2.2	EXTG./ DEMOLITION ROOF PLAN	5	2025-12-04
EX-A3.0	EXTG./ DEMOLITION FRONT ELEVATION	5	2025-12-04
EX-A3.1	EXTG./ DEMOLITION LEFT SIDE ELEVATION	5	2025-12-04
A1.0	PROPOSED SITE PLAN	5	2025-12-04
A2.0	PROPOSED SECOND FLOOR PLAN	5	2025-12-04
A2.1	PROPOSED THIRD FLOOR PLAN	5	2025-12-04
A2.2	PROPOSED ROOF PLAN	5	2025-12-04
A3.0	PROPOSED FRONT ELEVATION	5	2025-12-04
A3.3	PROPOSED LEFT SIDE ELEVATION	5	2025-12-04
A4.0	BUILDING SECTIONS	5	2025-12-04

ABBREVIATIONS

ACM	ASBESTOS CONTAINING MATERIAL	O/H	OVERHEAD
AH	ATTIC HATCH	PB	PUSH BUTTON
CONC.	CONCRETE	P.ENG.	PROFESSIONAL ENGINEER
CO	CARBON MONOXIDE	PL	POINT LOAD (LOCATION V.I.F.)
CTE	CONNECT TO EXISTING	PLBG.	PLUMBING
DSS	DESIGNATED SUBSTANCE SURVEY	PREFIN.	PREFINISHED
E/E	EACH END	P.T.	PRESSURE TREATED
EF	EXHAUST FAN	R&D	REMOVE AND DISPOSE
ELEC.	ELECTRICAL	R&R	REMOVE AND RELOCATE
E/S	EACH SIDE	RA	RETURN AIR VENT/ GRILLE
EXTG.	EXISTING	RECEPT.	RECEPTACLE
FIN.	FINISHED	RELOC.	RELOCATE(D)
FL.	FLUSH	REV.	REVISION
GALV.	GALVANIZED	SA	SUPPLY AIR VENT/ GRILLE
GM	GAS METER	SCWD	SOLID CORE WOOD
GWB	GYPSUM WALL BOARD (DRYWALL)	SMEP	STRUCTURAL, MECHANICAL (HVAC),
HB	HOSE BIB		ELECTRICAL, PLUMBING
HCWD	HOLLOW CORE WOOD	TYP.	TYPICAL (APPLIES TO MULTIPLE
HM	HYDRO METER		SIMILAR ELEMENTS OR LOCATIONS
I.L.O.	IN LIEU OF		THROUGHOUT A DRAWING, U.N.O.)
MLWK.	MILLWORK	U/G	UNDERGROUND
MECH.	MECHANICAL	U.N.O.	UNLESS NOTED OTHERWISE
MMR	MOISTURE AND MOULD RESISTANT (DRYWALL)	U.N.P.	TO BE VERIFIED IN FIELD
		XTR	EXISTING TO REMAIN
NC	NO CHANGE		

FINISHED FLOOR AREA STATISTICS (sf):

FLOOR LEVEL	EXISTING	RENOVATED/ ADDED
BASEMENT	0	0
GROUND FLOOR	1540	0
SECOND FLOOR	728	74
ATTIC FLOOR	0	430
TOTALS	2268 (210.70m <sup>2</sup> )	117 (10.87m <sup>2</sup> )
TOTAL FINISHED FLOOR AREA AFTER RENOVATION:	2698 (250.65m <sup>2</sup> )	

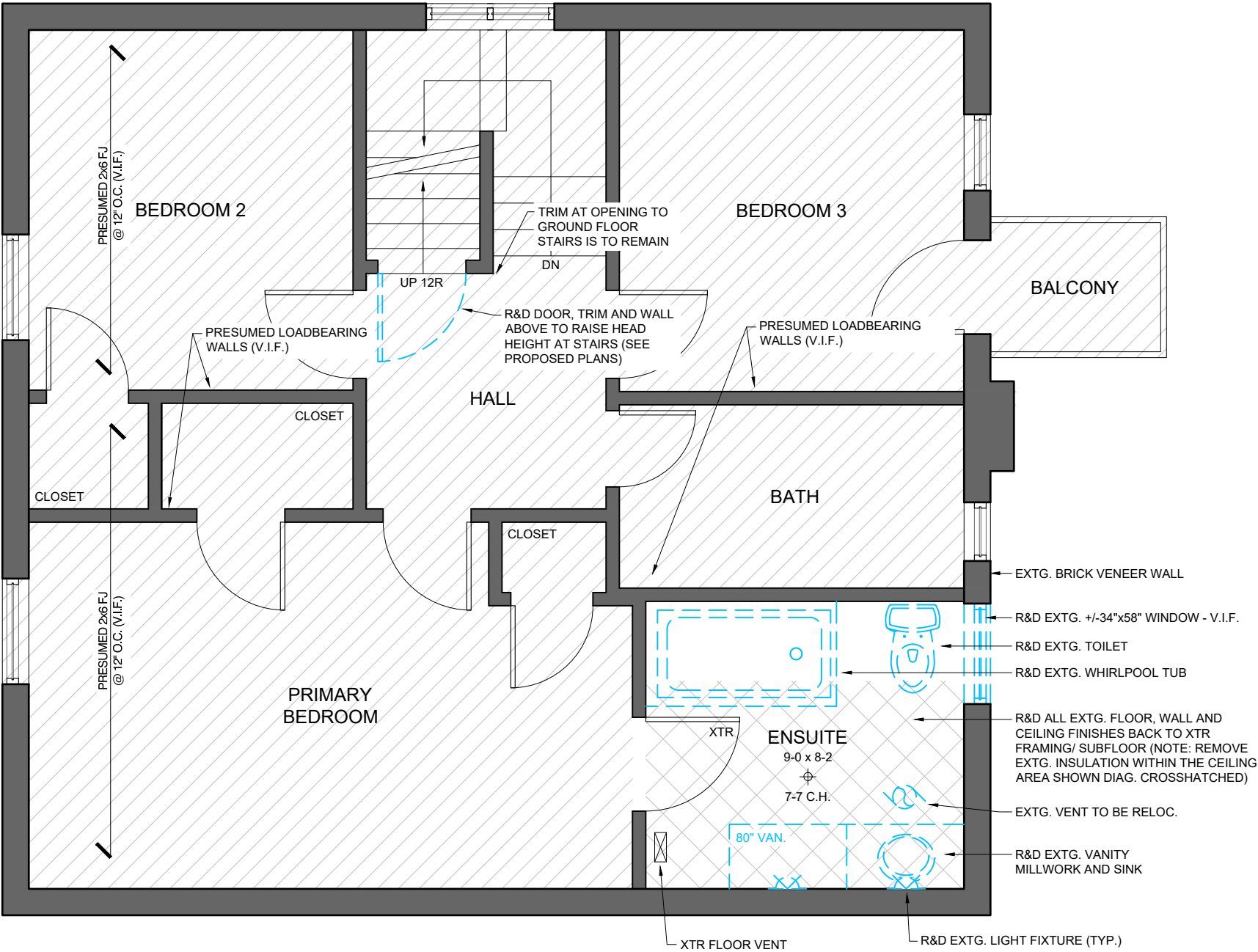
No.	Description	Date
1	ISSUED FOR AS-BUILTS	2025-10-20
2	ISSUED FOR PRICING	2025-11-06
3	RE-ISSUED FOR PRICING	2025-11-07
5	ISSUED FOR MINOR VARIANCE APPLICATION	2025-12-04

56 WOOLWICH ST., KITCHENER

PROJECT INFORMATION

DRAWN BY	DATE	A0.0
N.McNAMARA	OCTOBER 2025	
SCALE		Page 164 of 197





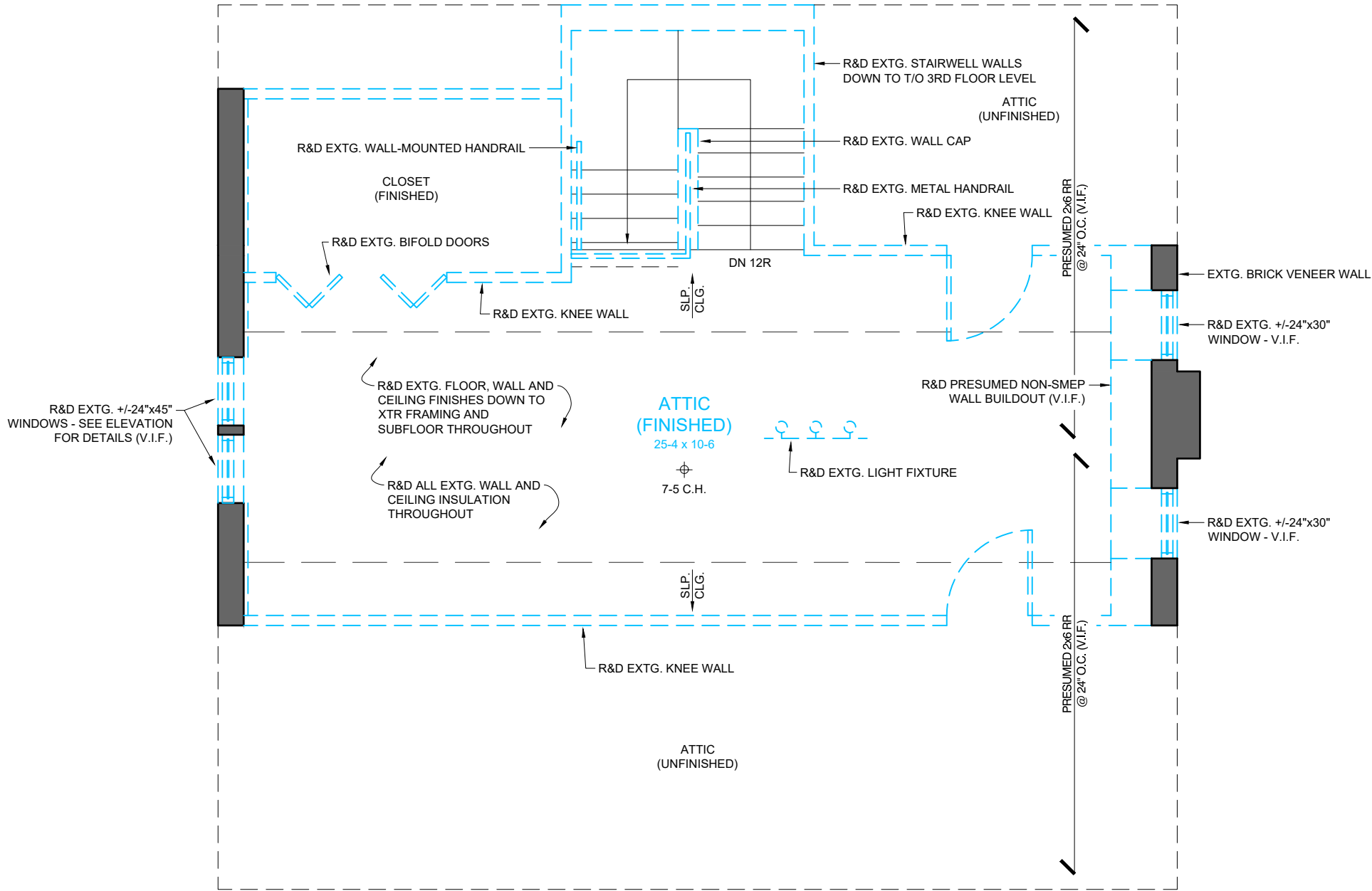
- DRAWING LEGEND**
- EXISTING WALLS TO REMAIN
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  - EXHAUST FAN VENTED TO EXTERIOR
  - INTERCONNECTED CARBON MONOXIDE ALARM
  - INTERCONNECTED SMOKE ALARM W/ VISUAL SIGNALING DEVICE
  - STRUCTURAL POST BUILT-UP TO MATCH WIDTH OF BEAM/LINTEL, UNLESS OTHERWISE NOTED

No.	Description	Date
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56 WOOLWICH ST., KITCHENER		
EXTG./ DEMOLITION SECOND FLOOR PLAN		
DRAWN BY N.McNAMARA	DATE OCTOBER 2025	EX-A2.0
PROJECT NORTH	TRUE NORTH	
SCALE 1/4" = 1'-0"		Page 165 of 197

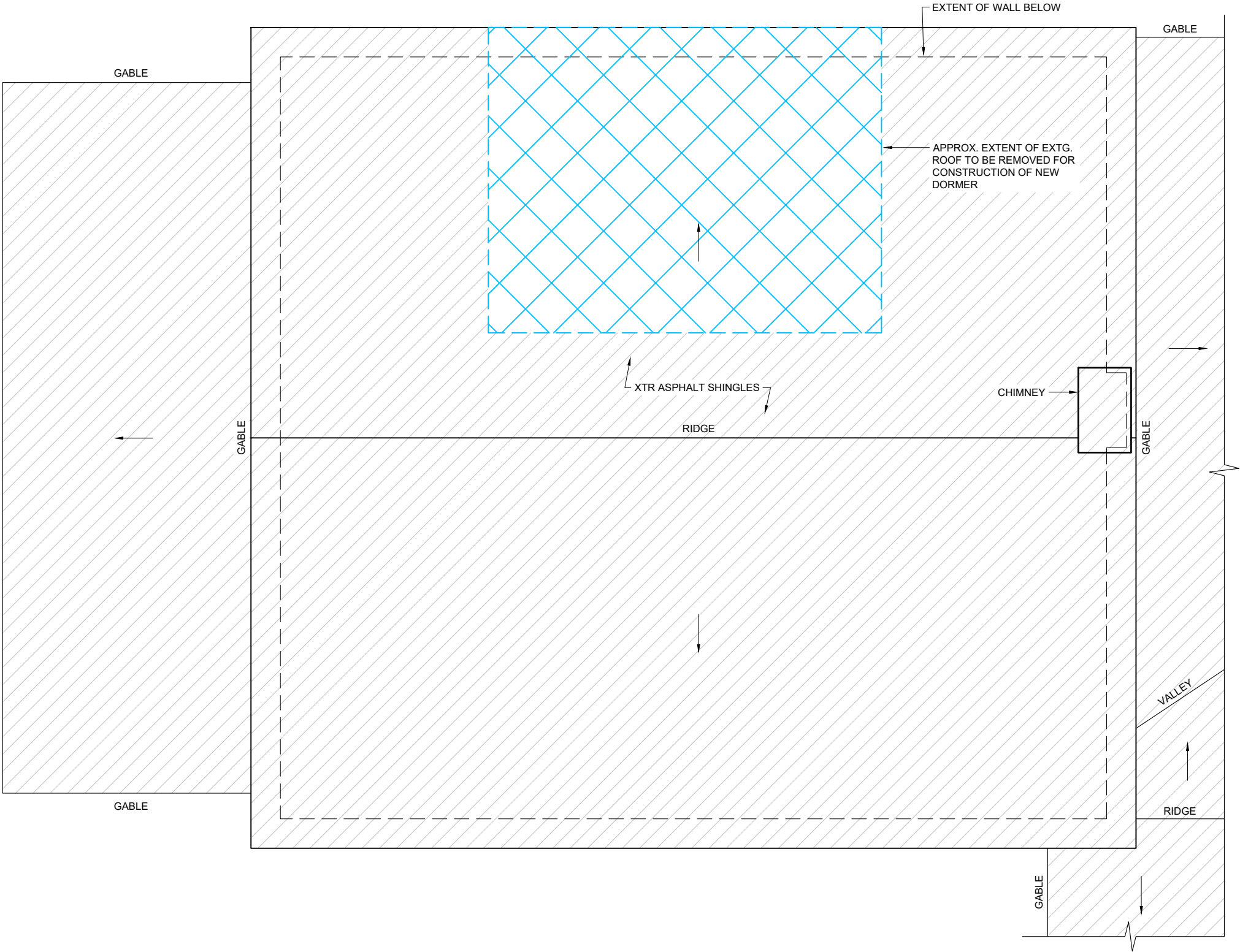
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56 WOOLWICH ST., KITCHENER		
EXTG./ DEMOLITION THIRD FLOOR PLAN		
DRAWN BY N.McNAMARA	DATE OCTOBER 2025	EX- A2-1
PROJECT NORTH	TRUE NORTH	
SCALE 1/4" = 1'-0"		Page 166 of 197

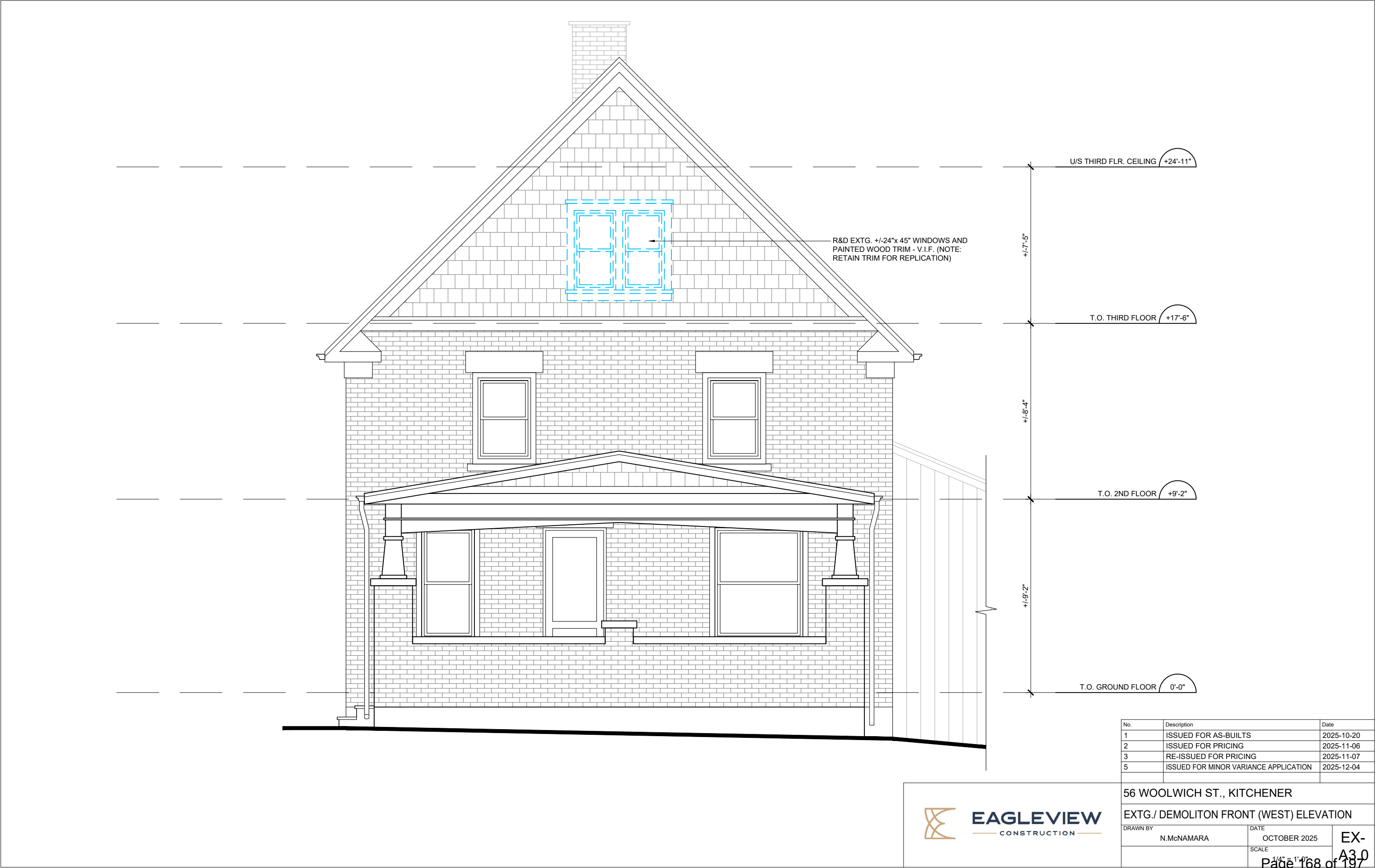


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56 WOOLWICH ST., KITCHENER		
EXTG./ DEMOLITION ROOF PLAN		
DRAWN BY	DATE	EX-A22
N.McNAMARA	OCTOBER 2025	
PROJECT NORTH	TRUE NORTH	SCALE 1/4" = 1'-0"



U/S THIRD FLR. CEILING +24'-11"

+/-7'-5"

T.O. THIRD FLOOR +17'-6"

+/-8'-4"

T.O. 2ND FLOOR +9'-2"

+/-9'-2"

T.O. GROUND FLOOR 0'-0"

R&D EXTG. +/-24"x 45" WINDOWS AND  
PAINTED WOOD TRIM - V.I.F. (NOTE:  
RETAIN TRIM FOR REPLICATION)

No.	Description	Date
1	ISSUED FOR AS-BUILTS	2025-10-20
2	ISSUED FOR PRICING	2025-11-06
3	RE-ISSUED FOR PRICING	2025-11-07
5	ISSUED FOR MINOR VARIANCE APPLICATION	2025-12-04

56 WOOLWICH ST., KITCHENER		
EXTG./ DEMOLITON FRONT (WEST) ELEVATION		
DRAWN BY	DATE	EX- A3.0
N.McNAMARA	OCTOBER 2025	
SCALE		1/4" = 1'-0"







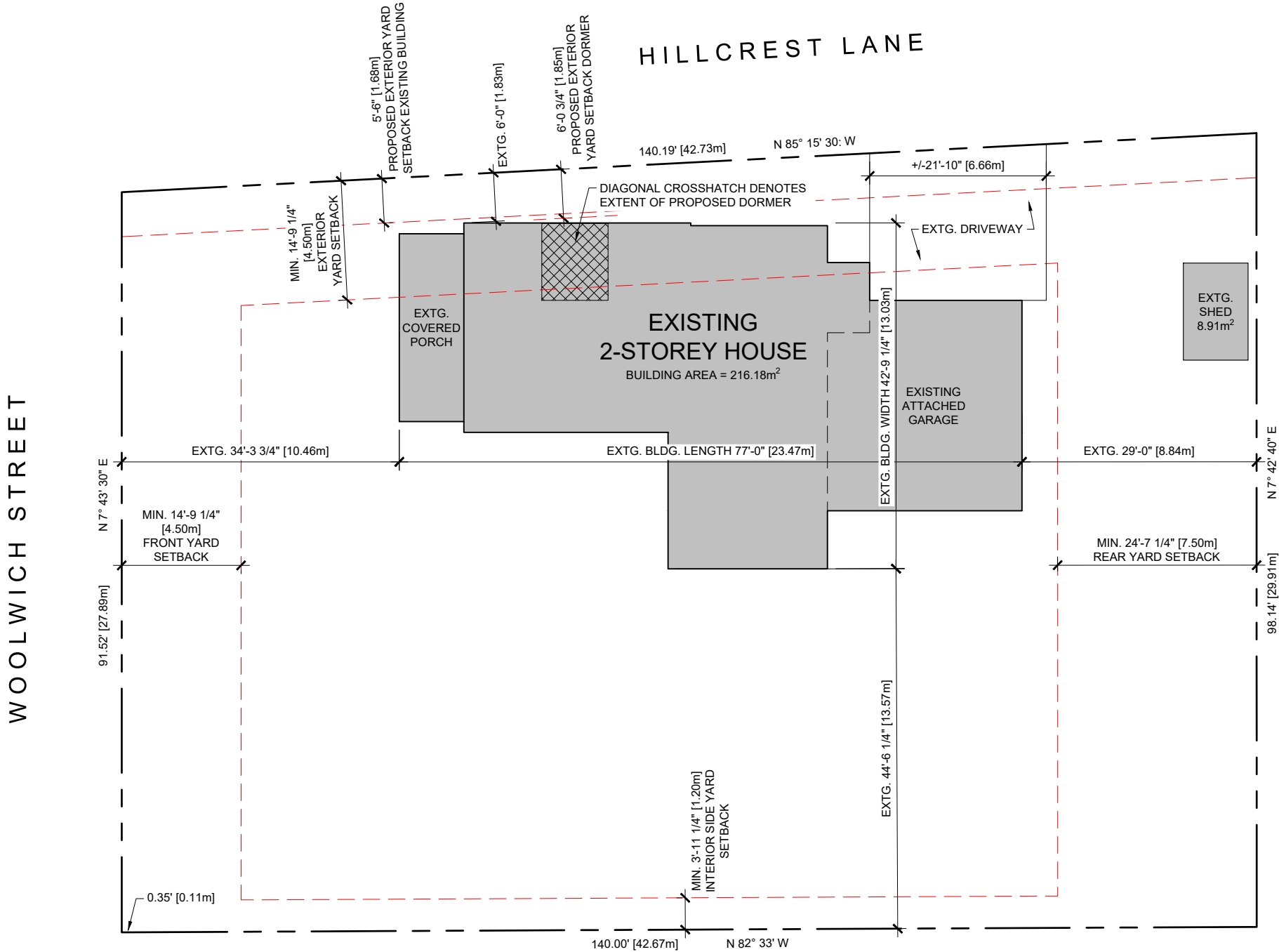
No.	Description	Date
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2	ISSUED FOR PRICING	2025-11-06
5	ISSUED FOR MINOR VARIANCE APPLICATION	2025-12-04

56 WOOLWICH ST., KITCHENER		
EXTG./ DEMOLITION LEFT SIDE (NORTH) ELEVATION		
DRAWN BY	DATE	EX- A3-1
N.McNAMARA	OCTOBER 2025	
	SCALE	
	1/4" = 1'-0"	



ZONING STATISTICS			
CITY OF KITCHENER ZONING BY-LAW 2019-051			
RESIDENTIAL TWO ZONE (R-2)			
REGULATION	REQUIRED	EXISTING	PROPOSED
MIN. LOT AREA:	411m <sup>2</sup>	1236.36m <sup>2</sup>	NO CHANGE
MIN. LOT WIDTH:	n/a		
MIN. CORNER LOT WIDTH:	15.0	27.89m	NO CHANGE
MIN. FRONT YARD SETBACK (WEST):	4.5m	10.46m	NO CHANGE
MIN. EXTERIOR YARD SETBACK (NORTH):	4.5m	1.83m	1.68m
MIN. INTERIOR SIDE YARD SETBACK (SOUTH):	1.2m	13.57m	NO CHANGE
MIN. REAR YARD SETBACK (EAST):	7.5m	8.84m	NO CHANGE
MAX. LOT COVERAGE:	55%	18.2%	NO CHANGE
MAX. BUILDING HEIGHT:	11.0m	7.72m	NO CHANGE
MAX. NUMBER OF STOREYS	3	3	NO CHANGE

NOTE: LOT INFORMATION ON THIS DRAWING IS TAKEN FROM PROPERTY SURVEY PREPARED BY WAYNE D. BRUBACHER O.L.S., DATED MARCH 10th, 1999.

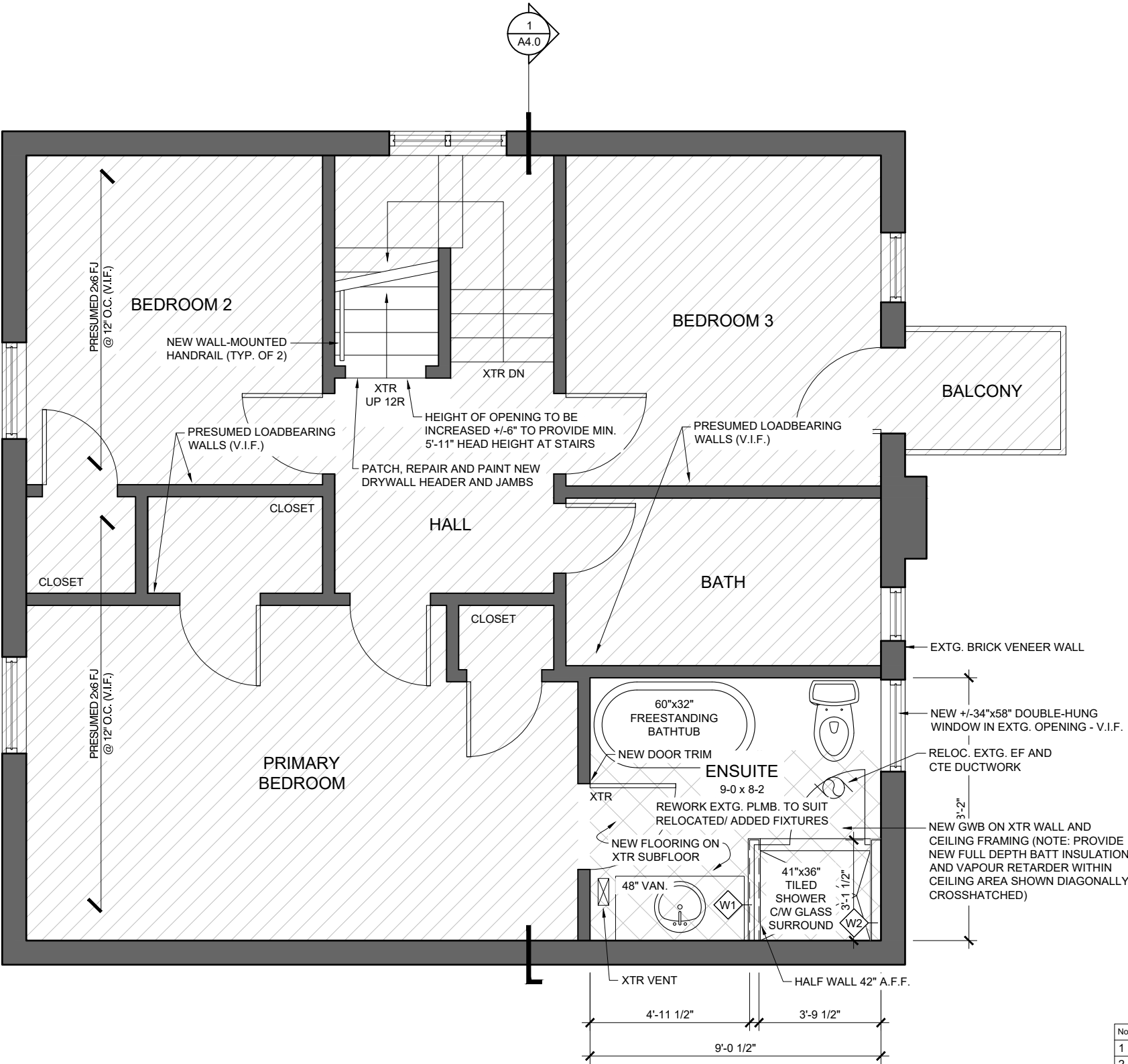


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5	ISSUED FOR MINOR VARIANCE APPLICATION	2025-12-04



56 WOOLWICH ST., KITCHENER		
PROPOSED SITE PLAN		
DRAWN BY	DATE	A1.0
N. McNAMARA	OCTOBER 2025	
PROJECT	TRUE NORTH	SCALE
NORTH		1:200

- DRAWING LEGEND**
- EXISTING WALLS TO REMAIN
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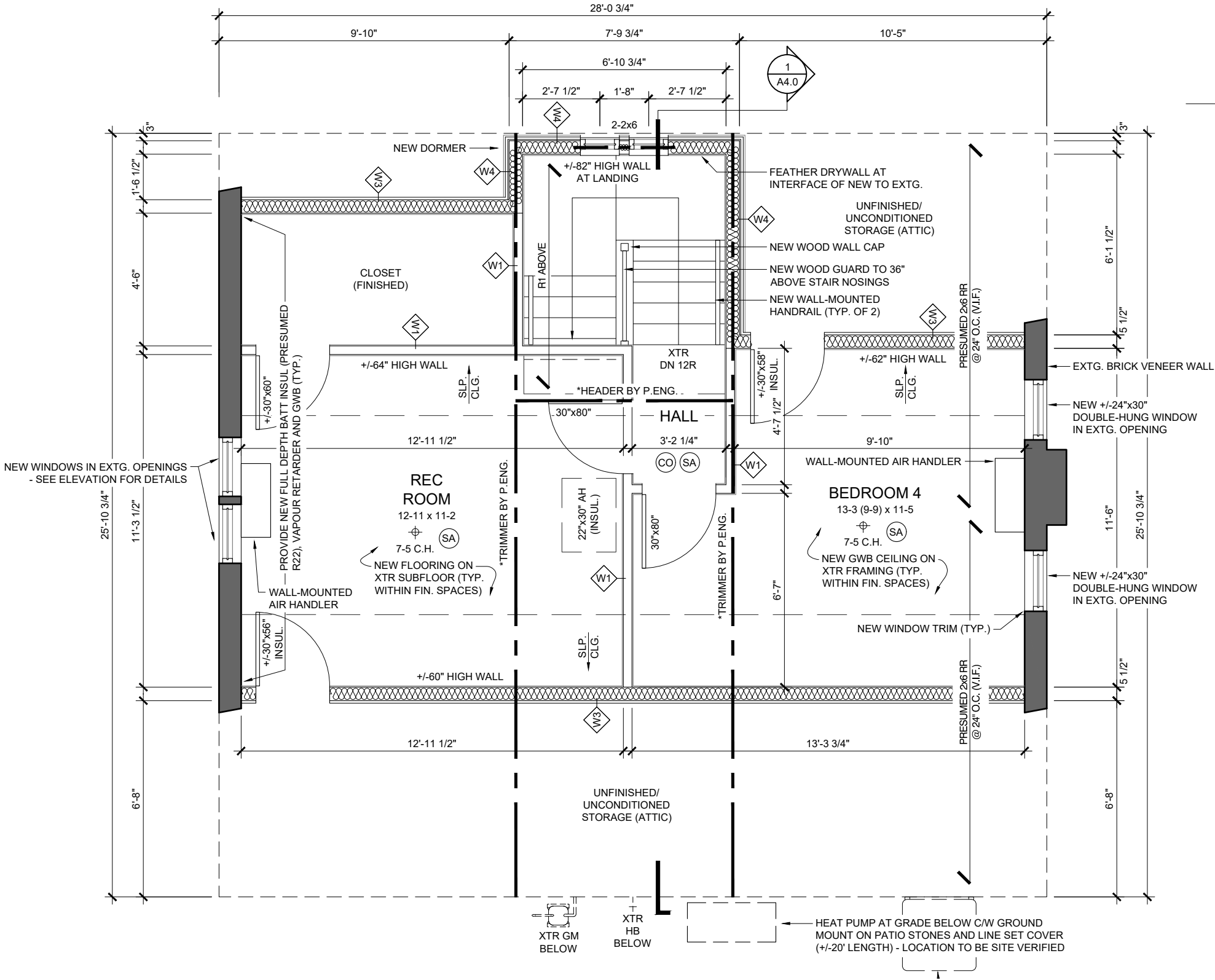
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5	ISSUED FOR MINOR VARIANCE APPLICATION	2025-12-04

56 WOOLWICH ST., KITCHENER		
PROPOSED SECOND FLOOR PLAN		
DRAWN BY	DATE	A2.0
N.McNAMARA	OCTOBER 2025	
PROJECT	TRUE NORTH	SCALE
NORTH		1/4" = 1'-0"



**DRAWING LEGEND**

- EXISTING WALLS TO REMAIN
- AREA NOT IN SCOPE OF WORK, U.N.O.
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5	ISSUED FOR MINOR VARIANCE APPLICATION	2025-12-04

56 WOOLWICH ST., KITCHENER

PROPOSED THIRD FLOOR PLAN

DRAWN BY  
N.McNAMARA

DATE  
OCTOBER 2025

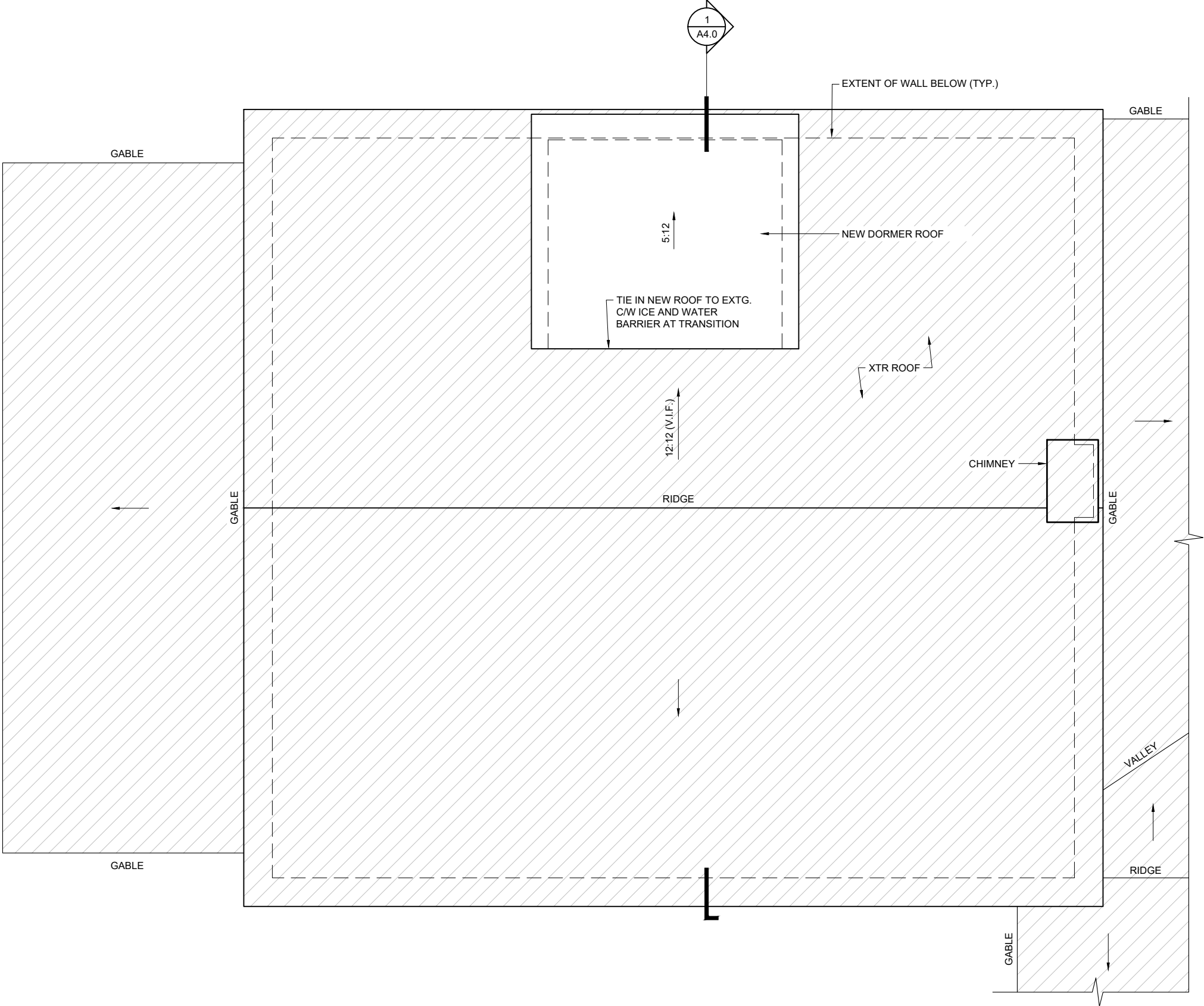
PROJECT  
NORTH

TRUE  
NORTH

SCALE  
1/4" = 1'-0"

A2.1  
Page 172 of 197



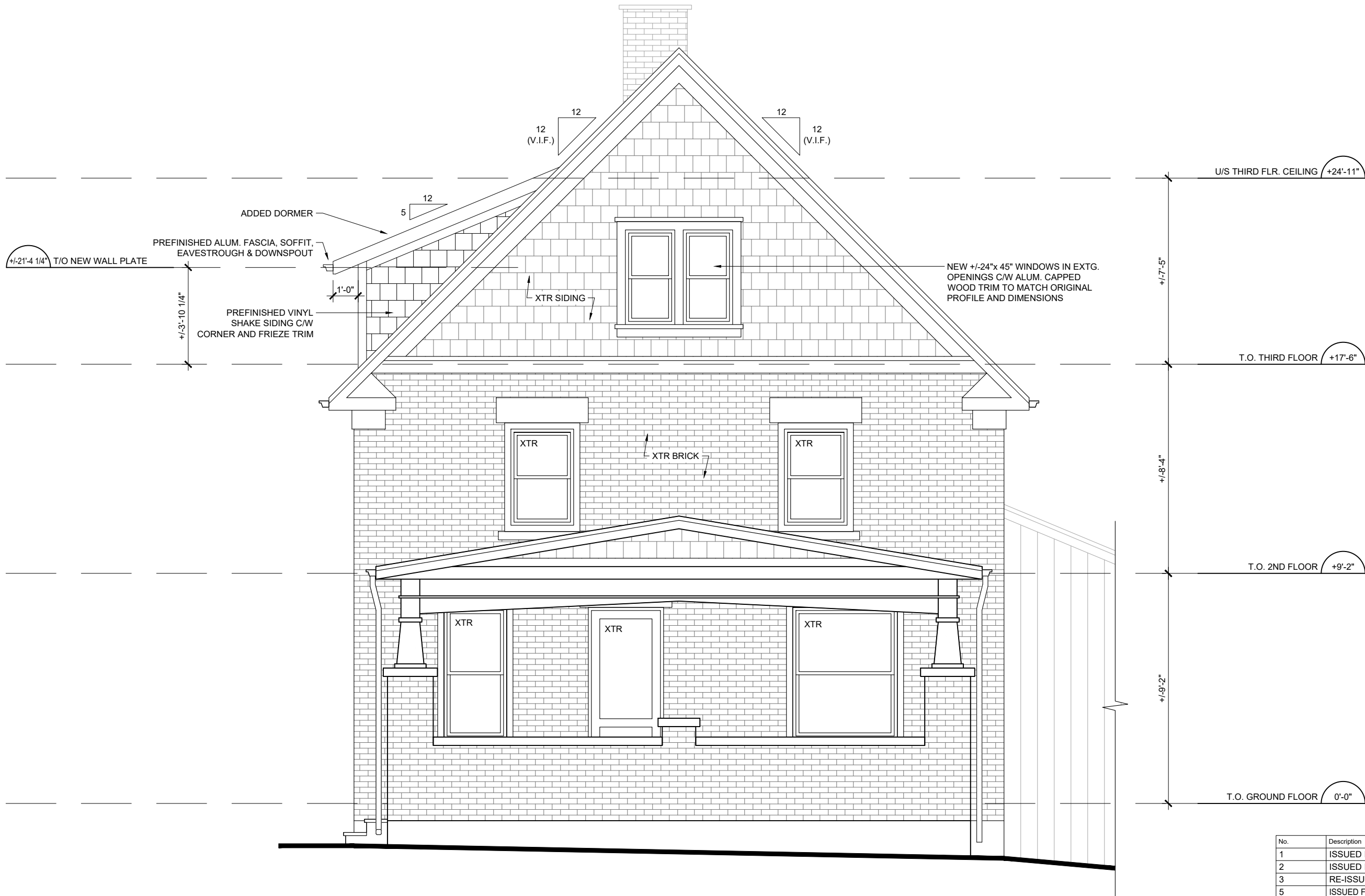


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56 WOOLWICH ST., KITCHENER		
PROPOSED ROOF PLAN		
DRAWN BY	DATE	A2.2
N.McNAMARA	OCTOBER 2025	
PROJECT	TRUE NORTH	SCALE
NORTH		1/4" = 1'-0"

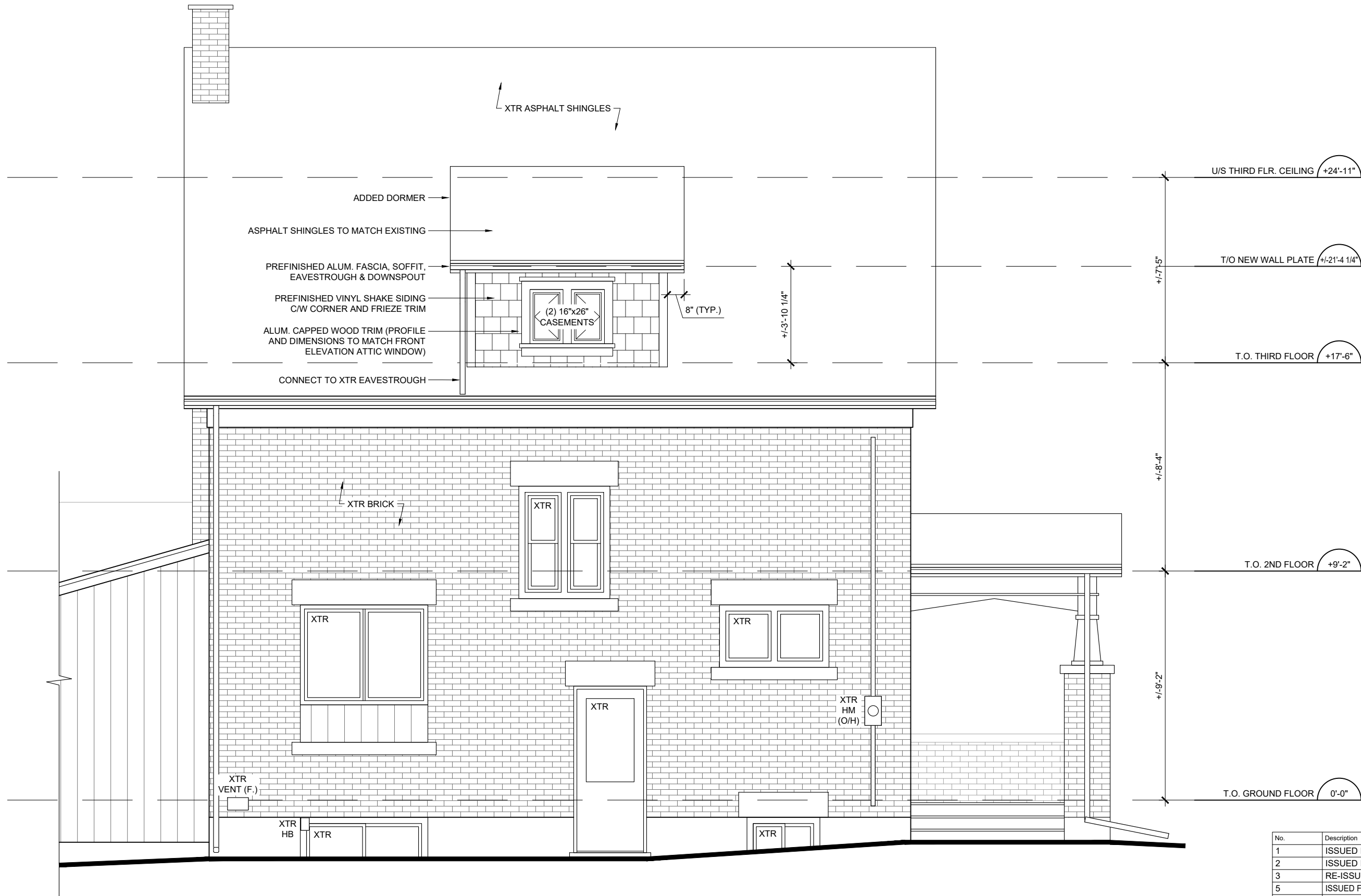


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56 WOOLWICH ST., KITCHENER		
PROPOSED FRONT (WEST) ELEVATION		
DRAWN BY	DATE	A3.0
N.McNAMARA	OCTOBER 2025	
SCALE		1/4" = 1'-0"

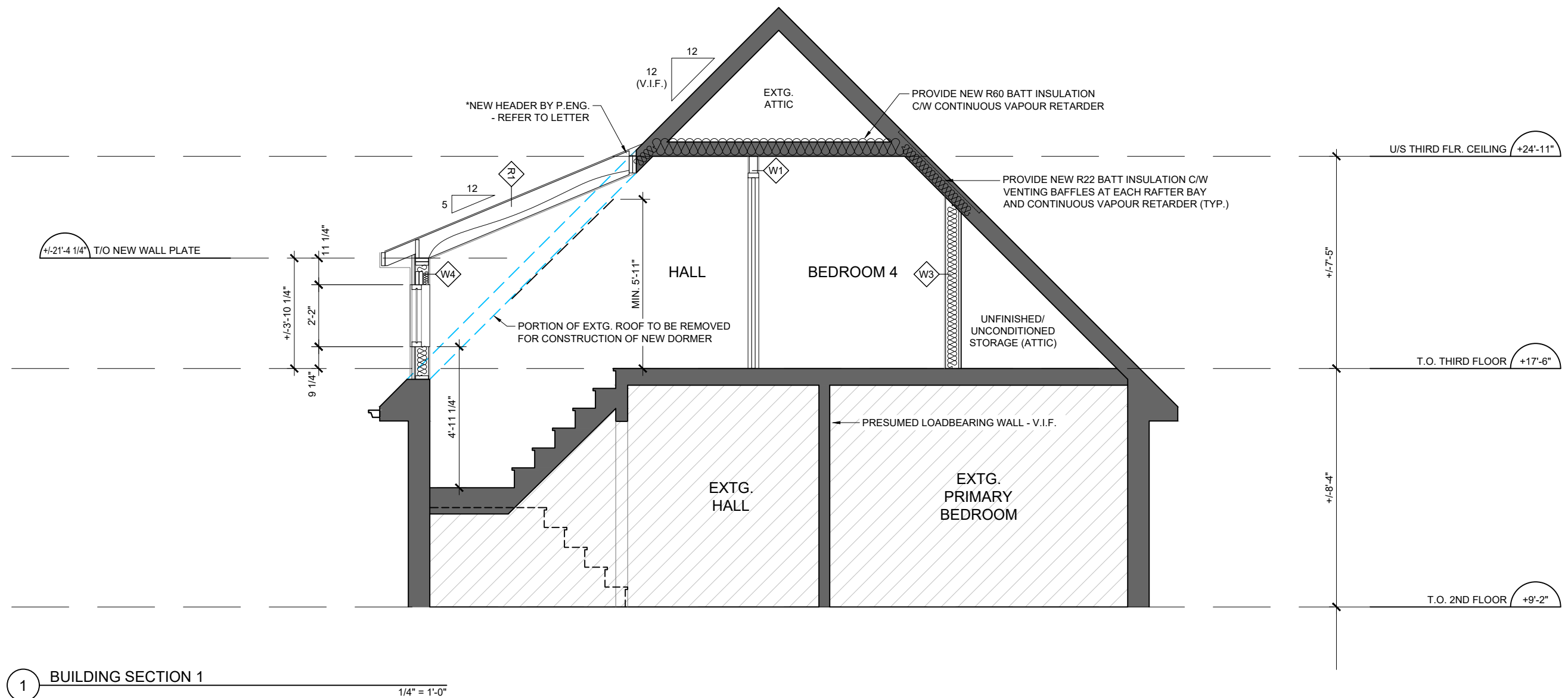




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56 WOOLWICH ST., KITCHENER		
PROPOSED LEFT SIDE (NORTH) ELEVATION		
DRAWN BY	DATE	A3.1
N.McNAMARA	OCTOBER 2025	
SCALE		1/4" = 1'-0"

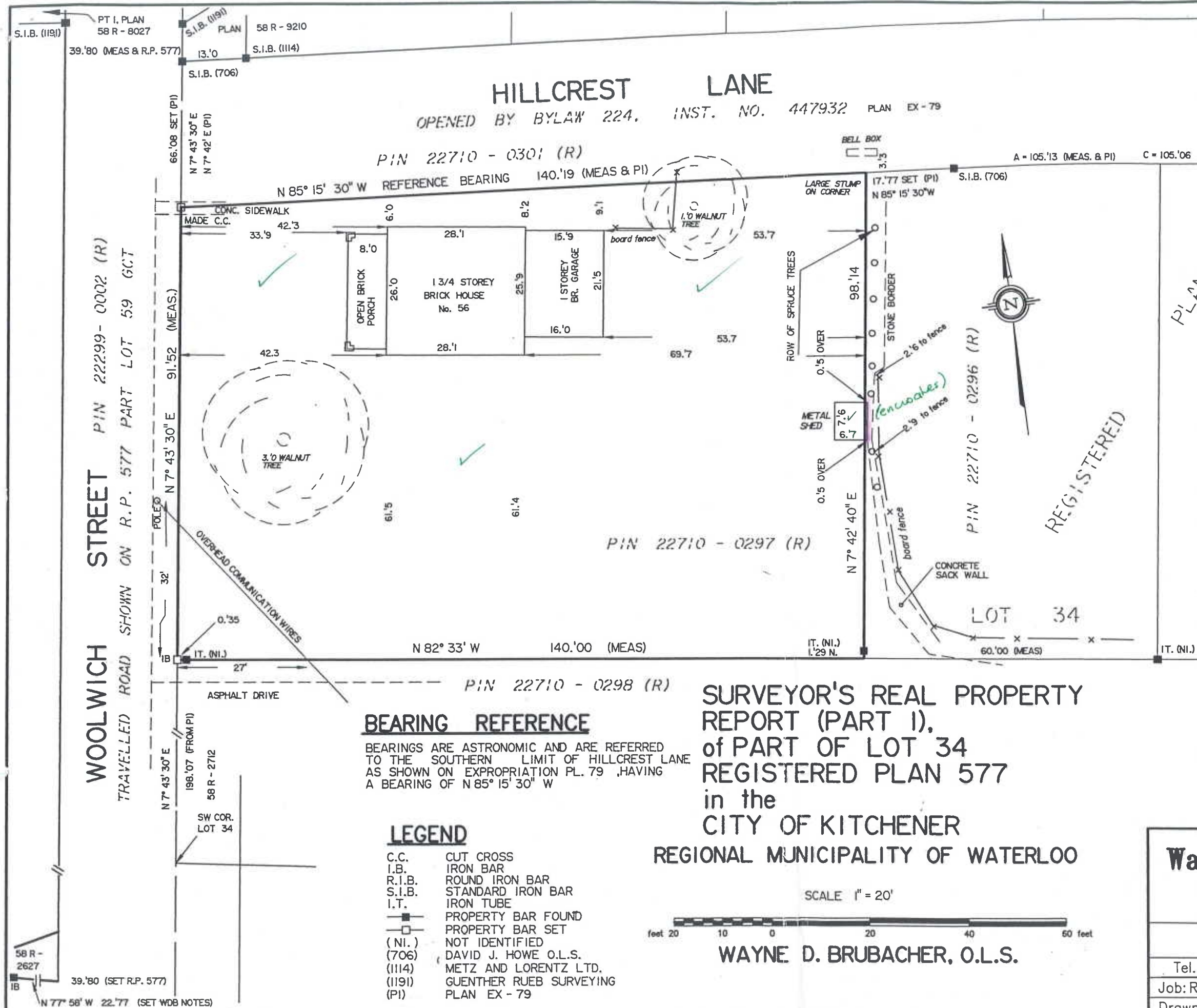




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56 WOOLWICH ST., KITCHENER		
BUILDING SECTIONS		
DRAWN BY	DATE	A4.0
N.McNAMARA	OCTOBER 2025	
	SCALE	A4.0
	1/4" = 1'-0"	



**IMPERIAL**

MEASUREMENTS SHOWN ON THIS PLAN ARE IN FEET AND MAY BE CONVERTED TO METRES BY MULTIPLYING BY 0.3048

ASSOCIATION OF ONTARIO  
LAND SURVEYORS  
PLAN SUBMISSION FORM  
1224109



THIS PLAN IS NOT VALID  
UNLESS IT IS AN EMBOSSED  
ORIGINAL COPY  
ISSUED BY THE SURVEYOR  
In accordance with  
Regulation 1026, Section 29(3).

AOLS PLAN SUBMISSION FORM  
NO. 1224109 MUST APPEAR ABOVE.

**NOTE**

PART TWO, THE REPORT PRINTED ON THE  
REVERSE SIDE HEREOF, IS TO BE READ  
WITH, AND FORMS PART OF THIS PLAN.

**SURVEYOR'S CERTIFICATE**

- I CERTIFY THAT:
1. THIS SURVEY AND PLAN ARE CORRECT AND  
IN ACCORDANCE WITH THE SURVEYS ACT, THE  
SURVEYORS ACT AND THE REGISTRY ACT  
AND THE REGULATIONS MADE THEREUNDER.
  2. THE SURVEY WAS COMPLETED ON THE  
10th DAY OF MARCH, 1999

DATE: MARCH 10th, 1999

*Wayne D. Brubacher*  
WAYNE D. BRUBACHER, ONTARIO LAND SURVEYOR

SURVEY FOR: ELEANOR QUANZ

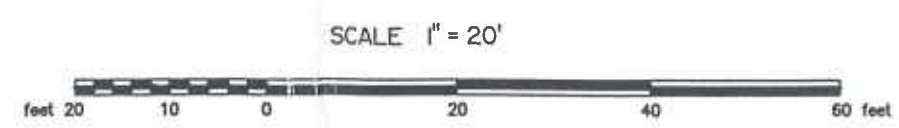
**Wayne D. Brubacher O.L.S.**  
Ontario Land Surveyor

550 Trillium Drive, Unit 15,  
Kitchener, Ontario N2R 1K3

Tel. (519) 896-7878 Fax. (519) 896-7509

Job: RMW-577-1020 Name: 577RMW.DWG

Drawn: W.D.B. Checked: W.D.B. Serial: 10,567



**WAYNE D. BRUBACHER, O.L.S.**

**SURVEYOR'S REAL PROPERTY  
REPORT (PART I),  
of PART OF LOT 34  
REGISTERED PLAN 577  
in the  
CITY OF KITCHENER  
REGIONAL MUNICIPALITY OF WATERLOO**

**BEARING REFERENCE**

BEARINGS ARE ASTRONOMIC AND ARE REFERRED  
TO THE SOUTHERN LIMIT OF HILLCREST LANE  
AS SHOWN ON EXPROPRIATION PL. 79 ,HAVING  
A BEARING OF N 85° 15' 30" W

**LEGEND**

- |        |                         |
|--------|-------------------------|
| C.C.   | CUT CROSS               |
| I.B.   | IRON BAR                |
| R.I.B. | ROUND IRON BAR          |
| S.I.B. | STANDARD IRON BAR       |
| I.T.   | IRON TUBE               |
| ■      | PROPERTY BAR FOUND      |
| □      | PROPERTY BAR SET        |
| (NI.)  | NOT IDENTIFIED          |
| (706)  | DAVID J. HOWE O.L.S.    |
| (1114) | METZ AND LORENTZ LTD.   |
| (1191) | GUENTHER RUEB SURVEYING |
| (PI)   | PLAN EX - 79            |

56 Woolwich St 82-118 R-3

January 9, 2026

Connie Owen  
City of Kitchener  
200 King Street West  
P.O. Box 1118  
Kitchener, ON N2G 4G7

File No.: D20-20/  
VAR KIT GEN

**Subject: Committee of Adjustment Meeting December 9, City of Kitchener**

Regional staff has reviewed the following Committee of Adjustment applications and have the following comments:

- 1) A 2026-001 – 532 Courtland Avenue East – No Concerns
- 2) A 2026-002 – 546 Courtland Avenue East – No Concerns
- 3) A 2026-003 – 4417 King Street East – It is unclear if this application will result in an impact on the water supply. Please be advised that the Region is currently updating the Water Supply Strategy. We wish to bring to your attention that through this work, concerns have been identified regarding water servicing capacity within the Mannheim Service Area. Regional staff are currently undertaking work to better understand the magnitude of the concerns.  
As such, we note that subsection 3(5) of the Planning Act requires that decisions made by approval authorities be consistent with the policies of the Provincial Planning Statement, 2024 (PPS) including those policies found in s. 3.6 of the PPS relating to water services.
- 4) A 2026-004 – 37 Heiman Street – No Concerns
- 5) A 2026-005 – 1541 Fischer-Hallman Boulevard – No Concerns
- 6) A 2026-006 – 235 Hoffman Street – No Concerns
- 7) A 2026-007 – 56 Woolwich Street – No Concerns
- 8) A 2026-008 – 14 Sportsman Hill Street – No Concerns

Please be advised that any development on the subject lands is subject to the provisions of the Regional Development Charge By-law 19-037 or any successor thereof and may require payment of Regional Development Charges for these developments prior to the issuance of a building permit.

The comments contained in this letter pertain to the Application numbers listed. If a site is subject to more than one application, additional comments may apply.

Please forward any decisions on the above-mentioned Application numbers to the undersigned.

Yours Truly,

*Cheryl Marcy*

Cheryl Marcy  
Manager, Corridor Development

**From:** [Trevor Heywood](#)  
**To:** [Committee of Adjustment \(SM\)](#)  
**Cc:** [Andrew Herreman](#); [Anab Siraj](#)  
**Subject:** Re: ACTION REQUIRED - Committee of Adjustment Application Review – January 20, 2026 Meeting  
**Date:** Wednesday, December 31, 2025 9:39:44 AM  
**Attachments:** [2025-12-31 A2026-001 GRCA comments.pdf](#)  
[2025-12-31 A2026-002 GRCA comments.pdf](#)  
[2025-12-31 A2026-004 GRCA comments.pdf](#)

---

Hi there,

Please see the GRCA's comments attached for applications:

- A2026-001 - 532 Courtland Ave E
- A2026-002 - 546 Courtland Ave E
- A2026-004 - 37 Heiman St

Additional comments will follow in a separate email for A2026-005 - 1541 Fischer-Hallman Road.

All other applications are not regulated by the GRCA, and we have no comments or concerns with them:

- A2026-003 - 4417 King St E
- A2026-006 - 235 Hoffman St
- A2026-007 - 56 Woolwich St
- A2026-008 - 14 Sportsman Hill St

Thank you. Regards,

**Trevor Heywood B.Sc.(Env.)**  
Resource Planner  
Grand River Conservation Authority

400 Clyde Road, PO Box 729  
Cambridge, ON N1R 5W6  
Phone: 519-621-2761 ext. 2292  
Email: [theywood@grandriver.ca](mailto:theywood@grandriver.ca)  
[www.grandriver.ca](http://www.grandriver.ca) | [Connect with us on social media](#)

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**From:** Committee of Adjustment (SM) <[CommitteeofAdjustment@kitchener.ca](mailto:CommitteeofAdjustment@kitchener.ca)>  
**Sent:** December 22, 2025 3:08 PM  
**Subject:** ACTION REQUIRED - Committee of Adjustment Application Review – January 20, 2026 Meeting

Hello,

Please be advised the applications for the City of Kitchener Committee of Adjustment meeting scheduled for Tuesday, January 20, 2026, have been loaded and circulated through ShareFile. You should have already received the necessary link.



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If you have no comments for the Committee's consideration, you do not need to respond.

**Connie Owen**

Administrative Clerk | Legislated Services | City of Kitchener

519-741-2203 | TTY 1-866-969-9994 | [cofa@kitchener.ca](mailto:cofa@kitchener.ca)

**From:** [Emmett Vanson](#)  
**To:** [Committee of Adjustment \(SM\)](#)  
**Cc:** [Peter Graham](#)  
**Subject:** SNGREC Comments Re: Kitchener January CofA  
**Date:** Monday, January 5, 2026 1:56:45 PM  
**Attachments:** [Outlook-kexdlfm1.png](#)

---

Hello,

The following are my comments for the January CofA for Kitchener. Comments are separated by a bold and underlined heading with addresses, and I have combined multiple applications to receive the same comment.

**For 532 and 546 Courtland Ave**

**Bird and Light Friendly Design**

SNGREC requests that the building is designed using bird and light friendly practices. This includes minimizing reflective surfaces, creating visual markers on windows, and using warmer lights that are directed downwards and away from natural areas.

Please see the City of Toronto's bird friendly practices for glass and for lighting as guidelines and implement them thoroughly across the entire design:

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**For 56 Woolwich St, 14 Sportsman Hill St, 1541 Fischer-Hallman St, 37 Heiman St**

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Niá:wen (thank you),

**Emmett Vanson, BSc., Grad. Cert.** (he/him)

Land Use and Stewardship Technician

Six Nations of the Grand River Elected Council - Lands and Resources Department - Consultation and Accommodation Process Team

[lrust@sixnations.ca](mailto:lrust@sixnations.ca)



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**From:** [Danielle Ingram](#)  
**To:** [Committee of Adjustment \(SM\)](#)  
**Subject:** RE: A2026-007 - 56 Woolwich St  
**Date:** Wednesday, January 14, 2026 3:42:15 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)

---

Good Afternoon,

Thank you for providing the drawing associated with the above noted minor variance application. The City of Waterloo has no comment on the application. The City of Waterloo will rely on the City of Kitchener planning staff to undertake a fulsome review and evaluate the merits of the application.

Thank you,

**Danielle Ingram** (she/her)

Development Application Coordinator, Development Planning  
IPPW

City of Waterloo

100 REGINA ST. S.

PO BOX 337, STN WATERLOO

WATERLOO, ON, N2J 4A8

**P:** 519.747.8773

**TTY:** 1.886.786.3941

**E:** [danielle.ingram@waterloo.ca](mailto:danielle.ingram@waterloo.ca)

**W:** [www.waterloo.ca](http://www.waterloo.ca)

Connect with us: @cityofwaterloo on [Instagram](#), [Facebook](#), [Youtube](#) and [X](#)



For **Committee of Adjustment** submissions, please refer to

<https://www.waterloo.ca/planning-and-development/submit-a-development-application/>

For **General Inquiries**, please email [devservices@waterloo.ca](mailto:devservices@waterloo.ca) or call (519)747-8752

For **Zoning** matters, please email [zoning@waterloo.ca](mailto:zoning@waterloo.ca)

For **Site Plan** matters, please email [siteplan@waterloo.ca](mailto:siteplan@waterloo.ca)

For **Condominium** matters, please email [condominiums@waterloo.ca](mailto:condominiums@waterloo.ca)

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**From:** Committee of Adjustment (SM) <CommitteeofAdjustment@kitchener.ca>

**Sent:** January 12, 2026 2:05 PM

**To:** Danielle Ingram <Danielle.Ingram@waterloo.ca>

**Subject:** [EXTERNAL] RE: A2026-007 - 56 Woolwich St

**CAUTION:**

This email originated from outside the organization. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hi Danielle,

Attached is the application with the drawings included.

Connie

---

**From:** Danielle Ingram <[Danielle.Ingram@waterloo.ca](mailto:Danielle.Ingram@waterloo.ca)>

**Sent:** Monday, January 12, 2026 1:36 PM

**To:** Committee of Adjustment (SM) <[CommitteeofAdjustment@kitchener.ca](mailto:CommitteeofAdjustment@kitchener.ca)>

**Subject:** A2026-007 - 56 Woolwich St

Hello,

Would you please forward the drawings for the above noted application?

Thank you,

**Danielle Ingram** (she/her)

Development Application Coordinator, Development Planning  
IPPW

City of Waterloo

100 REGINA ST. S.

PO BOX 337, STN WATERLOO

WATERLOO, ON, N2J 4A8

**P:** 519.747.8773

**TTY:** 1.886.786.3941

**E:** [danielle.ingram@waterloo.ca](mailto:danielle.ingram@waterloo.ca)

**W:** [www.waterloo.ca](http://www.waterloo.ca)

Connect with us: @cityofwaterloo on [Instagram](#), [Facebook](#), [Youtube](#) and [X](#)



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For **Condominium** matters, please email [condominiums@waterloo.ca](mailto:condominiums@waterloo.ca)

**REPORT TO:** Committee of Adjustment

**DATE OF MEETING:** January 20, 2026

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

**PREPARED BY:** Sheryl Rice Menezes, Senior Planning Technician  
519-783-8944

**WARD(S) INVOLVED:** Ward 4

**DATE OF REPORT:** January 7, 2026

**REPORT NO.:** DSD-2026-028

**SUBJECT:** Minor Variance Application A2026-008 – 14 Sportsman Hill St.

---

## RECOMMENDATION:

That Minor Variance Application A2026-008 for 14 Sportsman Hill Street requesting relief from Section 4.14.10 (b) of Zoning By-law 2019-051, to permit a westerly side yard setback of 0.1 metres instead of the minimum required 0.5 metres, to legalize the existing steps in the side yard and to facilitate an Additional Dwelling Unit (ADU) (Attached) (Duplex), in accordance with the drawings prepared by Prism Design Space, dated Nov 13, 2025, BE APPROVED.

## REPORT HIGHLIGHTS:

- The purpose of this report is to review a Minor Variance Application to facilitate the conversion of the existing Single Detached Dwelling (1 dwelling unit) to a Single Detached Dwelling with one (1) Additional Dwelling Unit (ADU) (Attached) (2 dwelling units - Duplex).
- The key finding of this report is that the requested Minor Variance meets all 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 property 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 the south side of Sportsman Hill Street and east of Blair Creek Drive and currently contains a Single Detached Dwelling constructed in 2021.





**Image 1: Aerial photo**

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 Four Zone (RES-4)' in Zoning By-law 2019-051.

The purpose of the application is to facilitate the conversion of the existing Single Detached Dwelling to a Single Detached Dwelling with One Attached Additional Dwelling Unit (Duplex).

## **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 property is designated as 'Low Rise Residential.' The intent of this land use designation is to encourage residential intensification and/or redevelopment which includes additional dwelling units to respond to changing housing needs and as a cost-effective means to reduce infrastructure and service costs by minimizing land consumption and making better use of existing community infrastructure. The variance meets the general intent of the Official Plan.



**Image 2: Streetview**

General Intent of the Zoning By-law

The intent of the regulation requiring a minimum 0.5 metre setback for steps is to ensure that there is adequate setback to maintain the steps, to ensure adequate drainage in the side yard and to ensure that no part of the steps will encroach onto the neighbouring lands.

As noted by Engineering staff, the side yard currently accommodates overland stormwater flows. An existing sidewalk is being requested to be legalized to the rear yard. The final grading of this property shall not adversely affect the drainage of adjacent properties or the overall grading control plan. The Owner is responsible to address storm water drainage at the Building Permit stage.

As the steps are at grade, they can be maintained. And they are setback 0.1 metre from the side lot line. As noted by Engineering staff, the owner shall ensure that storm water drainage does not adversely affect the neighbouring lands. Staff are of the opinion that the intent of the Zoning Bylaw is being maintained.

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

The creation of a second dwelling unit in the existing building requires the subject variance. As noted above, the variance meets the intent of the Official Plan and Zoning By-law. As the effects of the variance are minimal and will permit the property to add a second dwelling unit, staff are of the opinion that they may be considered minor.

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

Staff are of the opinion that the variance for the second dwelling unit is desirable and appropriate for the property and will provide a gentle form of intensification which can be

considered appropriate use for the property and compatible with the surrounding neighbourhood.



**Image 3: View of side lot line from sidewalk**

**Environmental Planning Comments:**

No concerns.

**Heritage Planning Comments:**

No concerns.

**Building Division Comments:**

The Building Division has no objections to the proposed variance. A Building Permit Application has been made for the additional attached dwelling unit.



**Image 4: Photo submitted by applicant (taken on different date from staff photos).**

**Engineering Division Comments:**

The side yard currently accommodates overland stormwater flows. A sidewalk is requested to the rear yard. The final grading of this property shall not adversely affect the drainage of adjacent properties or the overall grading control plan. The Owner is responsible to address storm water drainage at the Building Permit stage.

**Parks and Cemeteries/Forestry Division Comments:**

No concerns or requirements.

**Transportation Planning Comments:**

No concerns with this application.

**Region of Waterloo Comments:**

No concerns.

**Six Nations Grand River Elected Council**

*Bird and Light Friendly Design*



SNGREC requests that the building is designed using bird and light friendly practices. This includes minimizing reflective surfaces, creating visual markers on windows, and using warmer lights that are directed downwards and away from natural areas. Hundreds of millions of birds are killed by windows in North America each year, with 56% being from low-rise residential, thus this request extends to all sizes of development (<https://ontarionature.org/sustainable-building-design-can-stop-millions-of-birds-deaths-blog/>).

Please see the City of Toronto's bird friendly practices for glass and for lighting as guidelines and implement them thoroughly across the entire design:

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### **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 Planning Statement (PPS 2024)*
- *Regional Official Plan*
- *Official Plan (2014)*
- *Zoning By-law 2019-051*

January 9, 2026

Connie Owen  
City of Kitchener  
200 King Street West  
P.O. Box 1118  
Kitchener, ON N2G 4G7

File No.: D20-20/  
VAR KIT GEN

**Subject: Committee of Adjustment Meeting December 9, City of Kitchener**

Regional staff has reviewed the following Committee of Adjustment applications and have the following comments:

- 1) A 2026-001 – 532 Courtland Avenue East – No Concerns
- 2) A 2026-002 – 546 Courtland Avenue East – No Concerns
- 3) A 2026-003 – 4417 King Street East – It is unclear if this application will result in an impact on the water supply. Please be advised that the Region is currently updating the Water Supply Strategy. We wish to bring to your attention that through this work, concerns have been identified regarding water servicing capacity within the Mannheim Service Area. Regional staff are currently undertaking work to better understand the magnitude of the concerns. As such, we note that subsection 3(5) of the Planning Act requires that decisions made by approval authorities be consistent with the policies of the Provincial Planning Statement, 2024 (PPS) including those policies found in s. 3.6 of the PPS relating to water services.
- 4) A 2026-004 – 37 Heiman Street – No Concerns
- 5) A 2026-005 – 1541 Fischer-Hallman Boulevard – No Concerns
- 6) A 2026-006 – 235 Hoffman Street – No Concerns
- 7) A 2026-007 – 56 Woolwich Street – No Concerns
- 8) A 2026-008 – 14 Sportsman Hill Street – No Concerns

Please be advised that any development on the subject lands is subject to the provisions of the Regional Development Charge By-law 19-037 or any successor thereof and may require payment of Regional Development Charges for these developments prior to the issuance of a building permit.

The comments contained in this letter pertain to the Application numbers listed. If a site is subject to more than one application, additional comments may apply.



Please forward any decisions on the above-mentioned Application numbers to the undersigned.

Yours Truly,

*Cheryl Marcy*

Cheryl Marcy  
Manager, Corridor Development

**From:** [Trevor Heywood](#)  
**To:** [Committee of Adjustment \(SM\)](#)  
**Cc:** [Andrew Herreman](#); [Anab Siraj](#)  
**Subject:** Re: ACTION REQUIRED - Committee of Adjustment Application Review – January 20, 2026 Meeting  
**Date:** Wednesday, December 31, 2025 9:39:44 AM  
**Attachments:** [2025-12-31 A2026-001 GRCA comments.pdf](#)  
[2025-12-31 A2026-002 GRCA comments.pdf](#)  
[2025-12-31 A2026-004 GRCA comments.pdf](#)

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Hi there,

Please see the GRCA's comments attached for applications:

- A2026-001 - 532 Courtland Ave E
- A2026-002 - 546 Courtland Ave E
- A2026-004 - 37 Heiman St

Additional comments will follow in a separate email for A2026-005 - 1541 Fischer-Hallman Road.

All other applications are not regulated by the GRCA, and we have no comments or concerns with them:

- A2026-003 - 4417 King St E
- A2026-006 - 235 Hoffman St
- A2026-007 - 56 Woolwich St
- A2026-008 - 14 Sportsman Hill St

Thank you. Regards,

**Trevor Heywood B.Sc.(Env.)**  
Resource Planner  
Grand River Conservation Authority

400 Clyde Road, PO Box 729  
Cambridge, ON N1R 5W6  
Phone: 519-621-2761 ext. 2292  
Email: [theywood@grandriver.ca](mailto:theywood@grandriver.ca)  
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**Connie Owen**

Administrative Clerk | Legislated Services | City of Kitchener

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**Emmett Vanson, BSc., Grad. Cert.** (he/him)

Land Use and Stewardship Technician

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