

Staff Report



Development Services Department

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REPORT TO: Community and Infrastructure Services Committee

DATE OF MEETING: April 24, 2023

SUBMITTED BY: Garrett Stevenson, Interim Director of Planning, 519-741-2200 ext. 7070

PREPARED BY: Brian Bateman, Senior Planner, 519-741-2200 ext. 7869

WARD(S) INVOLVED: Ward 9

DATE OF REPORT: March 27, 2023

REPORT NO.: DSD-2023-156

SUBJECT: Zoning By-law Amendment Application ZBA23/006/C/BB
Lifting of Holding Provision
9 Cameron Street North
550 King Street GP Inc.

RECOMMENDATION:

That Zoning By-law Amendment Application ZBA23/006/C/BB for 9 Cameron Street North Kitchener Incorporated for the purpose of removing Holding Provision 15H from the lands specified in the attached Map No.1, in the form shown in the “Proposed By-law” attached to as Appendix A, be approved.

REPORT HIGHLIGHTS:

- The purpose of this report is to seek Council's approval of a zoning by-law amendment to remove Holding Provision 15H from 9 Cameron Street North.
- The applicant has satisfied the requirements outlined within the holding provision as confirmed by Planning staff.
- There are no financial implications associated with the zoning by-law amendment.
- Community engagement included notification of the intent to pass a by-law to remove the Holding Provision that was advertised in The Record on March 31, 2023.
- This report supports the delivery of core services.

BACKGROUND:

An application by 550 King Street GP Inc. (property owner) to lift Holding Provision 15H from 9 Cameron Street North has been made to facilitate the redevelopment of the property with a 9 storey 60-unit multiple dwelling. This report seeks Council's approval of zoning by-law amendment to remove the Holding Provision from the property.

REPORT:

The Owner has consolidated 9 Cameron Street North with their landholdings addressed as 550 King Street East located between Cameron Street North and Betzner Avenue North in the King Street East Neighbourhood. The intent is to redevelop the lands with a nine-storey multiple dwelling. To facilitate the development proposal, applications for consent and minor variance were submitted to the Committee of Adjustment in December 2022. The applications were circulated to area residents

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at that time. B2023-004 and A2023-014 and A2023-015 were subsequently approved by the Committee of Adjustment in January 2023.

Additionally, in November 2022, Site Plan Application (SP22/164/K/BB) was submitted to Planning for the development of a 9 storey 60-unit multiple dwelling. Approval was granted March 6, 2023, conditional upon the lifting of Holding Provision 15H. On March 24, 2023, a Zoning By-law Amendment Application was submitted requesting to lift the Holding Provision.

Holding Provision 15H requires that 9 Cameron Street North be consolidated with lands fronting King Street and that access and buffering considerations be approved by the City's Director of Planning. The City is in receipt of correspondence from the applicant confirming the lands have been consolidated (Attachment C). The City has granted Conditional Approval of a Site Application (SP22/164/K/BB) and the Committee of Adjustment has approved consent and minor variance applications to facilitate the proposed development. As such, Planning is satisfied that the requirements of 15H have been achieved and has no objection to the lifting of the Holding Provision.

Based on the above, Planning staff is of the opinion that the requested zoning by-law amendment to remove Holding Provision 15H is appropriate at this time since the requirements to release the holding provision have been met. Planning Staff recommends removing Holding Provision 15H as shown on Map No. 1 contained within Attachment 'A'.

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 council / committee meeting. Notice of the intention to pass a By-law to remove the Holding Provision was placed in the Record on March 10, 2023 (Attachment B). Under the Planning Act a statutory public meeting is not required for zoning by-law amendments to remove holding provisions and a neighbourhood circulation is not required.

PREVIOUS REPORTS/AUTHORITIES:

- DSD-2022-042
- March 6, 2023, Conditional Site Plan Approval Letter for SP22/164/K/BB
- Planning Act, 1990
- Zoning By-law 85-1

REVIEWED BY: Malone-Wright, Tina – Interim Manager of Development Review, Planning Division

APPROVED BY: Justin Readman, General Manager Development Services

ATTACHMENTS:

- Attachment A – Proposed Zoning By-law to amend By-law 85-1 and Map No. 1
- Attachment B – Newspaper Notice
- Attachment C – Letter from Applicant
- Attachment D – Holding Provision 15H