

Staff Report



Development Services Department

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REPORT TO: Planning and Strategic Initiatives Committee

DATE OF MEETING: August 14, 2023

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

PREPARED BY: Tim Seyler, Senior Planner, 519-741-2200 ext. 7860

WARD(S) INVOLVED: Ward 5

DATE OF REPORT: July 18, 2023

REPORT NO.: DSD-2023-330

SUBJECT: Zoning By-law Amendment Application ZBA22/020/H/TS
Lifting of Holding Provision 15H
495 Huron Road
Activa Holdings Inc.

RECOMMENDATION:

That Zoning By-law Amendment Application ZBA22/020/H/TS for Activa Holdings Inc. 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 the Report DSD-2023-330 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 495 Huron Road.
- The applicant has satisfied the conditions outlined within the Holding Provision as confirmed by the Regional Municipality of Waterloo.
- 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 July 28, 2023.
- This report supports the delivery of core services.

BACKGROUND:

An application by Activa Holdings Inc.(property owner) to lift Holding Provision 15H from 495 Huron Road has been made to facilitate the development of the property with a multiple dwelling development containing 148 residential units. This report seeks Council’s approval of zoning by-law amendment to remove the Holding Provision from the property.

REPORT:

In March 2022, a Site Plan Application (SP22/128/H/TS) was submitted for the development of a 148 residential unit multiple dwelling. Conditional Approval of the site plan was granted in March 2023, conditional upon the lifting of Holding Provision 15H, among other conditions. Holding Provision 15H prohibits residential uses until such time as the City is in receipt of a letter from the Region of Waterloo, advising that the Region's requirements have been satisfied with respect to a land use compatibility study and a road traffic noise study.

In June of 2022, a Zoning By-law Amendment Application was submitted requesting to lift the Holding Provision. Staff advised that the application should be brought forward after conditional approval was given. In March 2023, site plan conditional approval was granted.

The City is in receipt of correspondence dated July 19, 2023 (Appendix 'C') indicating that the Regional Municipality of Waterloo is satisfied that the applicant has met the requirements of 15H related to the land use compatibility study and road traffic noise study and has no objection to the lifting of the Holding Provision as it applies to the development of a 148 residential unit multiple dwelling proposed for 495 Huron Road.

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 Appendix '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 July 28, 2023 (Appendix '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:

- Planning Act, 1990
- Zoning By-law 2019-051

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

APPROVED BY: Justin Readman, General Manager Development Services

ATTACHMENTS:

Appendix A – Proposed By-law with Map No. 1 to amend Zoning By-law 2019-051

Appendix B – Newspaper Notice

Appendix C – Regional Municipality of Waterloo Clearances

Appendix D – Holding Provision 15H