

**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:** Craig Dumart, Senior Planner, 519-741-2200 ext. 7073

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

**DATE OF REPORT:** July 14, 2023

**REPORT NO.:** DSD-2023-305

**SUBJECT:** Zoning By-law Amendment Application ZBA23/017/D/CD  
Lifting of Holding Provision 95H  
206, 210 Duke Street East and 46, 50 Madison Avenue North  
The Knossos Housing Corporation of Waterloo Region

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## RECOMMENDATION:

That Zoning By-law Amendment Application ZBA23/017/D/CD for The Knossos Housing Corporation of Waterloo Region for the purpose of removing Holding Provision 95H from the lands specified in the attached Map No.1, in the form shown in the “Proposed By-law” attached to the Report DSD-2023-305 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 95H from 206, 210 Duke Street and 46, 50 Madison Avenue North.
- 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 21, 2023.
- This report supports the delivery of core services.

## BACKGROUND:

An application by The Knossos Housing Corporation of Waterloo Region (the property owner) to lift Holding Provision 95H from 206, 210 Duke Street and 46, 50 Madison Avenue North has been made to facilitate the development of the property with an 8 storey multiple dwelling having 100 dwelling units, including 40 affordable housing units. This

report seeks Council's approval of zoning by-law amendment to remove the Holding Provision from the property.

### **REPORT:**

On November 6, 2022, Council approved Zoning By-law Amendment Application ZBA22/018/D/CD to change the zoning of the subject lands at 206, 210 Duke Street and 46, 50 Madison Avenue North in Zoning By-law 85-1 to Residential Seven Zone (R-7) with Special Regulation Provision 755R to further regulate parking, permit an increased floor space ratio, building heights, setbacks and with Holding Provision (95H) to require approval of a noise study by the Region of Waterloo.

Conditional Approval of the site plan was granted in March 2023, conditional upon the lifting of Holding Provision 95H. In June of 2023, a Zoning By-law Amendment application was filed requesting to lift the Holding Provision.

The City is in receipt of correspondence dated June 30, 2023 (Appendix 'C') indicating that the Regional Municipality of Waterloo is satisfied that the applicant has met the requirements of 95H related to a noise study and has no objection to the lifting of the Holding Provision as it applies to the development of an 8 storey multiple dwelling development at 206, 210 Duke Street and 46, 50 Madison Avenue North.

Based on the above, Planning staff is of the opinion that the requested zoning by-law amendment to remove Holding Provision 95H is appropriate at this time since the requirements to release the holding provision have been met. Planning Staff recommends removing Holding Provision 95H 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 21, 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:**

- DSD-2022-448
- 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:**

Appendix A – Proposed By-law with Map No. 1 to amend Zoning By-law 85-1

Appendix B – Newspaper Notice

Appendix C – Regional Municipality of Waterloo Approval Letter

Appendix D – Holding Provision 95H