

**REPORT TO:** Committee of the Whole

**DATE OF MEETING:** August 28, 2023

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

**PREPARED BY:** Katie Anderl, Project Manager, 519-741-2200 ext. 7987

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

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

**REPORT NO.:** DSD-2023-369

**SUBJECT:** Zoning By-law Amendment Application ZBA23/021/C/KA  
Removal of Holding Provision - 265 Cotton Grass Street  
Schlegel Urban Developments Corp.

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**RECOMMENDATION:**

That Zoning By-law Amendment Application ZBA23/021/C/KA for Schlegel Urban Development Corp. for the purpose of removing Holding Provision 99H from the lands specified on the attached Map No.1, in the form shown in the “Proposed By-law” attached to the Report DSD-2023-369 as Appendix A, be approved; and further,

That the Zoning By-law be considered to be read the first and second time and referred to the third reading of the By-laws on the agenda this date.

**REPORT HIGHLIGHTS:**

- The purpose of this report is to seek Council’s approval of a zoning by-law amendment to remove Holding Provision 99H from 265 Cotton Grass Street.
- The applicant has satisfied the condition 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 August 18, 2023.
- This report supports the delivery of core services.

**BACKGROUND:**

An application has been made by Schlegel Urban Developments Corp. (property owner) to lift Holding Provision 99H from 265 Cotton Grass Street facilitate the development of the property with a multiple dwelling development containing 32 residential units. This report seeks Council’s approval of a zoning by-law amendment to remove the Holding Provision from the property.



**REPORT:**

In April 2023, Council approved Zoning By-law Amendment Application ZBA22/015/C/KA to permit the lands to be developed with a 32-unit multiple dwelling, subject to Holding Provision 99H. Holding Provision 99H 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 Road Traffic and Stationary Noise Study.

Conditional approval of the associated site plan was granted in June 2023, conditional upon the lifting of Holding Provision 99H. In July of 2023, a Zoning By-law Amendment Application was submitted requesting removal of the Holding Provision.

The City is in receipt of correspondence dated August 14, 2023 (Appendix 'C') indicating that the Regional Municipality of Waterloo is satisfied that the applicant has met the requirements of 99H related to the Road Traffic and Stationary Noise Study and has no objection to the lifting of the Holding Provision as it applies to the development of a 32-unit multiple dwelling proposed for 265 Cotton Grass Street.

Based on the above, Planning staff is of the opinion that the requested Zoning By-law Amendment to remove Holding Provision 99H is appropriate at this time since the requirements to release the holding provision have been met. Planning Staff recommends removing Holding Provision 99H 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 August 18, 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-2023-111
- Planning Act
- 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 99H