

Staff Report



Development Services Department

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REPORT TO: Finance and Corporate Services Committee

DATE OF MEETING: January 29, 2024

SUBMITTED BY: Garrett Stevenson, Director of Development and Housing Approvals, 519-741-2200 ext. 7070

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

WARD(S) INVOLVED: Ward 5

DATE OF REPORT: January 12, 2024

REPORT NO.: DSD-2024-053

SUBJECT: Zoning By-law Amendment Application ZBA24/025/F/CD
Lifting of Holding Provision 67H
1950 Fischer Hallman Road
Schlegel Urban Developments Corp.

RECOMMENDATION:

That Zoning By-law Amendment Application ZBA23/025/F/CD Schlegel Urban Developments Corp for the purpose of removing Holding Provision 67H from the lands specified in the attached Map No.1, in the form shown in the “Proposed By-law” attached to the Report DSD-2024-053 as Attachment ‘A’, be approved.

REPORT HIGHLIGHTS:

- The purpose of this report is to seek Council’s approval of a Zoning By-law Amendment Application to remove Holding Provision 67H from the lands municipally known as 1950 Fischer Hallman Road.
- The applicant has satisfied the conditions outlined within the Holding Provision as confirmed by receiving a letter from the Region of Waterloo.
- There are no financial implications associated with the Zoning By-law amendment application.
- Community engagement included notification of the intent to pass a by-law to remove the Holding Provision that was advertised in The Record on January 19, 2024.
- This report supports the delivery of core services.

BACKGROUND:

Schlegel Urban Developments Corp has submitted a Zoning By-law Amendment Application to lift Holding Provision 67H from 1950 Fischer Hallman Road. This report seeks Council’s approval of a Zoning By-law Amendment Application to remove the Holding Provision from the property.

REPORT:

The subject lands at 1950 Fischer Hallman Road are located within the Becker Estates (Wallaceton) Subdivision (30T-07205) which was draft approved by the Ontario Municipal Board, together with implementing Official Plan land use designations and zoning in 2009. The subdivision represents a well-designed, contemporary subdivision having a mix of residential dwelling types including low, medium, and higher density forms of housing, mixed-use blocks, an elementary school, storm water management pond, unique park spaces, and the integration of two heritage features including the Becker farmhouse at 1940 Fischer Hallman Road and the commemoration of Plains Road.

At the time of the above mentioned Draft Plan of Subdivision, Official Plan and Zoning By-law Amendment Application approvals, Holding Provision 67H was applied to the subject lands at 1950 Fischer Hallman Road to require a Traffic and Stationary noise study to be submitted and approved to the satisfaction of the Region of Waterloo.

The City is in receipt of a clearance letter from the Region of Waterloo dated December 22, 2023 (Attachment 'C') advising that a Traffic and Stationary noise study has been approved and implemented and that the applicant has met the requirements of removing Holding Provision 67H for the lands. As such planning staff is satisfied that the applicant has met the requirements of 67H and has no objection to the lifting of the Holding Provision for the development of a commercial development on the subject lands at 1950 Fischer Hallman Road.

Based on the above, Planning staff is of the opinion that the requested Zoning By-law Amendment to remove Holding Provision 67H is appropriate at this time as the requirements to release the holding provision have been met. Planning Staff recommends removing Holding Provision 67H 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 January 19, 2024 (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:

- *Planning Act, 1990*
- *Zoning By-law 85-1*

REVIEWED BY: Tina Malone-Wright, Manager, Development Approvals, Development and Housing Approvals Division

APPROVED BY: Justin Readman, General Manager Development Services

ATTACHMENTS:

Attachment A – Proposed By-law to amend Zoning By-law 85-1 and Map No. 1

Attachment B – Newspaper Notice

Attachment C – Region of Waterloo Clearance Letter

Attachment D – Holding Provision 67H