



PLANNING, DEVELOPMENT  
AND LEGISLATIVE SERVICES  
Community Planning  
150 Frederick Street 8th Floor  
Kitchener Ontario N2G 4J3 Canada  
Telephone: 519-575-4400  
TTY: 519-575-4608  
Fax: 519-575-4466  
www.regionofwaterloo.ca

File: C14-60/230013  
August 18, 2023

Garett Stevenson  
Interim Director of Planning  
City of Kitchener  
City Hall, P.O. Box 1118  
200 King Street West  
Kitchener, ON N2G 4G7

Dear Mr. Stevenson:

Re: **Removal of Holding Provision – 24H**  
Re: ZBA Application ZBA23/0013/S/CD  
2701098 Ontario Inc. (Shannondale Developments)  
134-152 Shanley Street  
City of Kitchener

In accordance with By-law No. 17-035 of the Regional Municipality of Waterloo, please accept the following recommendation regarding the above-noted application on behalf of the Council of the Regional Municipality of Waterloo.

In 2021, the applicant submitted an Official Plan Amendment and Zoning by-law amendment application to rezone the entirety of the lands to facilitate the construction of an eight (8) storey residential building on site. The Official Plan Amendment and Zoning By-law Amendment were adopted and Zoning By-law Amendment 2022-024 included Holding Provision 24H. Holding Provision 24H required the submission of a Record of Site Condition and Ministry Acknowledgement Letter that applies to the entirety of the subject lands (134-152 Shanley Street) to the satisfaction of the Regional Municipality of Waterloo.

The applicant has submitted a request to lift the holding provision for the site. Holding Provision 24H is as follows:

*Notwithstanding Section 7, of this By-law within the lands zoned RES-6 and shown as being affected by this subsection on Zoning Grid Schedule Number 83 of Appendix "A", no residential redevelopment shall be permitted until such time as a Record of Site*

*Condition is submitted and approved to the satisfaction of the Ministry of the Environmental, Conservation and Parks or any successor Ministry (“MECP”). This Holding Provision shall not be removed until the Region of Waterloo is in receipt of a letter from the Ministry of the Environment, Conservation and Parks advising that a Record of Site Condition has been completed to the satisfaction of the MECP.”*

The Region obtained a copy of the Record of Site Condition (RSC # B-404-6223500396) and the associated Ministry Acknowledgement Letter dated May 5, 2023 on May 26, 2023. The RSC filing was supported by a Risk Assessment and a Certificate of Property Use (#6133-07NLHQ) which was registered on title as WR1408916 on January 1, 2022. The RSC and CPU applied specifically to the lands addressed as 152 Shanley Street. Following an amendment to the CPU (dated August 11, 2023) and a consolidation of the Property Identifier Numbers (PINS) applying to 134 and 152 Shanley Street (registered as WR1508463 on May 15, 2023), the CPU requirements now apply across the entirety of the subject lands.

Based on the above, the Region has **no objection** to the removal of Holding Provision 24H.

Regional staff acknowledge receipt of the Zoning By-law Amendment fee of \$3,000.00 (received June 22, 2023).

Should you have any questions, please do not hesitate to contact Melissa Mohr, Senior Planner, at [mmohr@regionofwaterloo.ca](mailto:mmohr@regionofwaterloo.ca).

Yours truly,



Amanda Kutler, MCIP, RPP  
Manager, Community Planning

cc. Craig Dumart, Senior Planner, City of Kitchener  
Jeff Henry, Arcadis Professional Services (Canada) Inc. (Applicant)