



PLANNING, DEVELOPMENT
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File: C16-40/23024

December 22, 2023

Craig Dumart, MCIP, RPP
Senior Planner
City of Kitchener
City Hall, P.O. Box 1118
200 King Street West
Kitchener, ON N2G 4G7

Dear Mr. Dumart:

Re: Clearance for Removal of Holding Provision 67H
Zone Change Application ZBA 23/024/F/CD
(Plan of Subdivision 30T-07205, Stage 7)
Schlegel Urban Developments
1950 Fischer-Hallman Road
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, as it applies to Holding Provision No. 67H of Appendix F to City Zoning By-law 85-1.

Holding Provision 67H reads,

- i) None of the uses permitted by the R-8 Zone in Area 1 shall be permitted until such time as a Traffic and Stationary noise study is submitted and approved to the satisfaction of the Regional Commissioner of Planning, Housing and Community Services, if necessary. This Holding Provision shall not be removed until the City of Kitchener is in receipt of a letter from the Regional Commissioner of Planning, Housing and Community Services advising that such noise study or studies has been approved and an agreement, as necessary, has been entered into with the City and/or Region, as necessary, providing for the implementation of any recommended noise mitigation measures.
- ii) None of the uses permitted by the MU-2 Zone in Area 2 shall be permitted until such time as a Traffic and Stationary noise study is submitted and approved to

the satisfaction of the Regional Commissioner of Planning, Housing and Community Services. This Holding Provision shall not be removed until the City of Kitchener is in receipt of a letter from the Regional Commissioner of Planning, Housing and Community Services advising that such noise study or studies has been approved and an agreement has been entered into with the City and/or Region, as necessary, providing for the implementation of any recommended noise mitigation measures.

With respect to i) and ii) above, the applicant has submitted a road traffic and stationary noise study entitled, "Noise Feasibility Study, Proposed Mixed-Use Development, Wallacetown Mixed-Use Phase 1, Kitchener, Ontario" (HGC Engineering, July 13, 2023) and Addendum (HGC Engineering, August 1, 2023). The reports have been peer reviewed by the Region's peer review consultant, and conclusions and recommendations found acceptable.

Implementation of study recommendations associated with stationary noise sources have been secured in a City supplementary agreement registered as WR1550907 on December 15, 2023. The recommendations associated with road traffic noise (Fischer-Hallman Road) have been included in a draft Regional development agreement related with registration of Stage 7 of plan of subdivision 30T-07205 (the subject lands).

The Region is satisfied that the applicant has met the requirements of holding provision 67H for the lands and have no objection to the City of Kitchener lifting holding provision 67H at this time.

Should you have any questions, please do not hesitate to contact Shilling Yip, Senior Planner, at syip@regionofwaterloo.ca or (226) 753-1064 (mobile).

Yours truly,

A handwritten signature in blue ink that reads "Brenna MacKinnon".

Brenna MacKinnon, MES, MCIP, RPP
Manager, Development Planning

cc. Alex Robinson, Schlegel Urban Developments