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File: D20-20/24 KIT  
May 6, 2024

VIA EMAIL

Connie Owen  
Administrative Clerk, Legislative Services  
City of Kitchener  
200 King Street West  
Kitchener, ON N2G 4G7

**Re: Comments on Consent Applications - B 2024-008, B 2024-009  
Committee of Adjustment Hearing May 21<sup>st</sup>, 2024  
City of Kitchener**

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Please accept the following comments for the above-noted Consent applications to be considered at the upcoming Committee of Adjustment Hearing.

**B 2024-008**

**B7-7 Upper Mercer St**

**Owner – Penny Reitzel; Applicant – Jeff Reitzel**

The owner/applicant proposes consent to sever in order to correct an accidental merger of title in 2010 (townhome/condominium units 6 and 7).

**Regional Fee:**

Regional Staff are not in receipt of the required consent review fee of \$350. The fee is required as a condition of final approval for the consent application.

**Source Water Protection Policy**

The subject lands are identified within Source Water Protection Areas subject to the Clean Water Act (Part IV) and/or Regional policies (ROP Map 6a). A Notice of Source Water Protection Plan Compliance issued under S. 59(2) is required by the Region.

**Regional Staff has no objection to this application subject to the following condition(s):**

1. That the Owner/Applicant submit the required consent review fee of \$350 to the Regional Municipality of Waterloo.
2. That the Owner/Applicant submit a Notice of Source Water Protection Plan Compliance, to the satisfaction of the Region.

**B 2024-009**

**500 Stauffer Dr**

**Parts 1 & 2, Plan 58R20312, Parts 3,4 & 5, Plan 58R-5762 and Part of Lot 9, Biehn's Tract, City of Kitchener,**

**Owner: Activa Holdings Inc. / Agent: MHBC (Pierre Chauvin)**

The owner/applicant proposes consent to sever for a portion of the subject lands (6.3ha of 46ha), in order to create a sanitary servicing block that is to be conveyed to Activa Holdings Inc for future sanitary servicing of lands west of Strasburg Rd (extension of proposed truck sanitary sewer from Sunvest-Reid subdivision). A minor variance is required to facilitate the severance, recognizing the deficient lot width given the irregularly shaped parcel.

### **Archaeological Assessment**

Regional Staff note the subject property of 500 Stauffer Dr possesses the potential for the recovery of archaeological resources due to its location on a historic landform, having a historic building on the property, proximity to a known archaeological resource located both within the property and within the vicinity of the property. The entire property is considered a potential heritage area of interest, and the building itself is an 1850's OHA Designated Part IV site. There is also a registered find spot on the site.

In accordance with Regional Official Plan Policy 3.G.9, the owner/applicant is required to have a licensed Archaeologist complete an Archeological Assessment of the subject property. The owner/applicant must submit the Archaeological Assessment to the Ministry of Citizenship and Multiculturalism, and once reviewed and accepted, provide a copy of the Ministry's Acknowledgement Letter and the Assessment Report to the satisfaction of the Region of Waterloo. The completed Archaeological Assessment and Ministry Acknowledgement will be required as a condition of approval for consent.

### **Source Water Protection Policy**

The subject lands are identified within Source Water Protection Areas subject to the Clean Water Act (Part IV) and/or Regional policies (ROP Map 6a). A Notice of Source Water Protection Plan Compliance issued under S. 59(2) is required by the Region.

**Regional Staff has no objection to this application subject to the following condition(s):**

1. That as a condition of approval the Owner/Applicant submit a S. 59 Notice in accordance with the Clean Water Act and Waterloo Region policies.
2. That as a condition of approval the Owner/Applicant submit the completed Archaeological Assessment Report and Ministry Acknowledgement Letter to the satisfaction of the Region of Waterloo.

General Comments:

Any submission requirements may be subject to peer review, at the owner/ applicant's expense as per By-law 23-062. If any other applications are required to facilitate the application, note that fees are subject to change and additional requirements may apply.

Any future development on the lands subject to the above-noted consent applications will be subject to the provisions of Regional Development Charge By-law 19-037 or any successor thereof. Prior to final approval, City staff must be in receipt of the above-noted Regional condition clearances.

Please accept this letter as our request for a copy of the staff reports, decisions and minutes pertaining to each of the consent applications noted above. Should you require Regional Staff to be in attendance at the meeting or have any questions, please do not hesitate to contact the undersigned.

Thank you,

*Erica Ali*

Erica Ali  
Planner, Community Planning