

**(48H)** – Notwithstanding Section 7 of this Bylaw, within the lands zoned RES-5 and shown as being affected by this Subsection on Schedule Numbers 208, 209, 250 and 251 of Appendix "A":

No person shall develop or redevelop lands until such time as a clearance letter is received from the City's Director of Engineering and the Region's Commissioner of Transportation Services advising the City's Director of Planning that adequate City services are "available (1 )" or that "acceptable arrangements (2)" have been made therefor, and the holding provision has been removed by by-law.

This holding provision shall apply to all uses except those uses existing on lots existing on October 11, 1994.

- (1) "Available" means the necessary provision of municipal services to the level of construction, state of completion, or period of commissioning as the City's Director of Engineering and Region's Commissioner of Transportation Services determine to be appropriate.
- (2) "Acceptable Arrangements" means that the necessary agreements for the provision of services and/or roadworks have been entered into with the City of Kitchener, and between the City of Kitchener and the Regional Municipality of Waterloo if necessary, and that engineering design has been approved and the necessary and related financial guarantees have been received by the relevant municipality.