

APPENDIX "F" - HOLDING PROVISIONS FOR SPECIFIC LANDS

103. Notwithstanding Section 46 of this Bylaw, within the lands zoned Commercial Residential Three Zone CR-3 (791 R) as shown as affected by this subsection on Schedule Numbers 86 and 87 of Appendix "A", only those uses which lawfully existed on the date of passing of this By-law, shall be permitted to continue until such time as this Holding Provision is removed by by-law once the City of Kitchener is in receipt of a letter from the Regional Municipality of Waterloo, advising that:

- a) A Record of Site Condition (RSC) in accordance with O. Reg. 153/04, as amended, has been filed with the Ministry of Environment, Conservation and Parks (MECP) Environmental Site Registry;
- b) The Regional Municipality of Waterloo has received an approved copy of the RSC and the Ministry's RSC Acknowledgement letter;
- c) A detailed stationary noise study has been completed and submitted to the satisfaction of the Regional Municipality of Waterloo which addresses implementation measures and reviews the potential impacts of the development on site noise sensitive receptors (e.g. HVAC system on the sensitive points of reception) and the impacts of the development on adjacent noise sensitive uses.
- d) Legal access is obtained over Highland Courts Park to the satisfaction of the City of Kitchener.

(By-law 2023-099, S.4) (130-140 Highland Road East)