

APPENDIX "F" - HOLDING PROVISIONS FOR SPECIFIC LANDS

104. Notwithstanding Section 55 of this Bylaw, within the lands zoned MU-3 and shown as being affected by this Subsection on Schedule Number 73 of Appendix "A":

- i) No residential use shall be permitted until a Record of Site Condition (RSC) has been filed on the Ministry of the Environment, Conservation and Parks (MECP) Environmental Site Registry. 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 (MECP) advising that a Record of Site Condition has been filed.
- ii) No residential use shall be permitted until such time as a Road, Vibration 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, if necessary, has been entered into with the City and/or Region, as necessary, providing for the implementation of any recommended noise mitigation measures.
- iii) Vehicular access is prohibited off of Victoria Street South until a satisfactory Transportation Impact Study (TIS) that includes a sensitivity analysis has been submitted and approved to the satisfaction of the Regional Municipality of Waterloo.
- iv) No development on the lands shall occur until such time as an Urban Design Brief is approved by the City's Director of Planning demonstrating a high quality of urban design that contributes positively to the public realm and streetscapes with adequate tower separation and onsite amenity.

(By-law 2023-091, S.5) (97-101 Park Street & 186-194 Victoria Street South)