

APPENDIX "F" - HOLDING PROVISIONS FOR SPECIFIC LANDS

46. Notwithstanding Section 46.1 of this by-law, within the lands zoned CR-3 on Schedule 88 of Appendix 'A' as affected by this subsection and legally described as Part of Lots 11-20 inclusive, Registered Plan 398 and Part Lot 174, Subdivision of Lot 17, German Company Tract, being Part 1, Reference Plan 58R-7055, in the City of Kitchener, Dwelling Units, Lodging House, Multiple Dwelling and Tourist Home shall not be permitted until such time as:
- i) The City of Kitchener and the Regional Municipality of Waterloo are in receipt of a Record of Site Condition, prepared in accordance with the Guideline for Use at Contaminated Sites in Ontario and acknowledged by the Ministry of Environment, confirming that the subject property is suitable for residential purposes; and
 - ii) The City of Kitchener is in receipt of a letter from the Regional Municipality of Waterloo, advising that the Region's requirements have been satisfied with respect to the submission of a noise study addressing traffic noise impacts from Benton Street and Courtland Avenue, and an agreement has been entered into between the City and the Owner, providing for the implementation of any recommended noise mitigation measures;
 - iii) The holding symbol affecting these lands has been removed by By-law.
(By-law 2004-6, S.4) (Arrow Lofts Inc. - Benton Street)