

**(44H)** – Notwithstanding Section 8 of this By-law within the lands zoned MIX-3 and shown as being affected by this subsection on Zoning Grid Schedules Numbered 194 and 195 of Appendix "A", no residential use or other sensitive land use shall be permitted until such time as a detailed stationary noise study and a Record of Site Condition (RSC), in accordance with O. Reg. 153/04, have been addressed to the satisfaction of the Region of Waterloo. 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 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, and the RSC has been filed with the Ministry of Environment, Conservation and Parks (MECP) Environmental Site Registry and the Ministry Acknowledgement letter has been submitted to the satisfaction of the Region.