

**(50H)** – Notwithstanding Section 8 of this By-law within the lands zoned MIX-3 and shown as being affected by this subsection on Zoning Grid Schedule Number 73 of Appendix “A”:

- a) No residential use shall be permitted until a Record of Site Condition (RSC) has been filed on the Ministry of Environment, Conservation and Parks (MECP) Environmental Site Registry in accordance with O. Reg. 153/04, as amended. This Holding Provision shall not be removed until the Regional Municipality 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.
- b) No residential redevelopment shall be permitted until such time as a detailed stationary noise study has been completed and implementation measures addressed to the satisfaction of the Regional Municipality of Waterloo. The detailed stationary noise study shall review the potential impacts of the development on itself (e.g. HVAC system on the sensitive points of reception) and the impact of the development on the adjacent sensitive land uses.
- c) No residential redevelopment shall be permitted until such time as the City is in receipt of correspondence from CN indicating that an updated noise and vibration assessment report has been completed to their satisfaction, and at the sole discretion of CN, that a CN Agreement has been entered into, environmental easement for operational noise and vibration emissions has been granted, and a restrictive covenant regarding implementation and maintenance of noise isolation measures has been registered, as may be required by CN.