

**(61H)** – Within the lands zoned MIX-2 and shown as affected by this provision on Zoning Grid Schedules 173 and 174 of Appendix A, dwelling units shall not be permitted until such a time as:

- a) A detailed Noise and Vibration Assessment, to assess both potential off-site and on-site transportation and stationary noise sources, has been completed to the satisfaction of the *Region* and any necessary agreement has been entered into, between the City of Kitchener and/or the *Region* and the owner of the property, providing for the implementation of any recommended noise mitigation measures; and,
- b) The City of Kitchener has received acknowledgement from the Ministry of Environment, Conservation and Parks advising that a Record of Site Condition has been completed in accordance with the relevant Ontario legislation.

(By-law 2024-066, S.23 – March 18, 2024)