

**(77H)** – Within the lands zoned SGA-4 and shown as affected by this provision on Zoning Grid Schedule 143 of Appendix A, the following shall apply:

- a) *Dwelling units* shall not be permitted until such time as the *City* 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 and the holding symbol affecting these lands has been removed by by-law.
- b) *Dwelling units* shall not be permitted until such time as a 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.

(By-law 2024-065, S.67 – March 18, 2024)