

PROPOSED BY – LAW

_____, 2024

BY-LAW NUMBER ____

OF THE

CORPORATION OF THE CITY OF KITCHENER

(Being a by-law to amend By-law 2019-051, as amended, known
as the Zoning By-law for the City of Kitchener
– 1000589420 Ontario Inc. – 179 Jansen Avenue)

WHEREAS it is deemed expedient to amend By-law 2019-051 for the lands specified above;

NOW THEREFORE the Council of the Corporation of the City of Kitchener enacts as follows:

1. Schedule Number 239 of Appendix "A" to By-law Number 2019-051 is hereby amended by changing the zoning applicable to the parcel of land specified and illustrated as Area 1 on Map No. 1, in the City of Kitchener, attached hereto, from Low Rise Residential Four Zone (RES-4) to Low Rise Residential Five Zone (RES-5) with Site Specific Provision (403) and Holding Provision (86).
2. Section 19 of By-law 2019-051 is hereby amended by adding Section 19 (403) thereto as follows:

"403. Notwithstanding Table 7-6 of this By-law within the lands zoned Low Rise Residential Five Zone (RES-5) and shown as affected by this subsection on Schedule Number 239 of Appendix 'A', the following special regulations shall apply:

 - a) The maximum *Floor Space Ratio* shall be 0.75.
 - b) Geothermal wells are prohibited on site."
3. Section 20 of By-law 2019-051 is hereby amended by adding Holding Provision (86) thereto as follows:

"(86). Notwithstanding Section 7 of this By-law within the lands zoned Low Rise Residential Five Zone (RES-5) and shown as being affected by this subsection on Schedule Number 239 of Appendix "A";

 - a) no residential redevelopment shall be permitted until such time as a Record of Site Condition is submitted and approved to the satisfaction of the Ministry of the

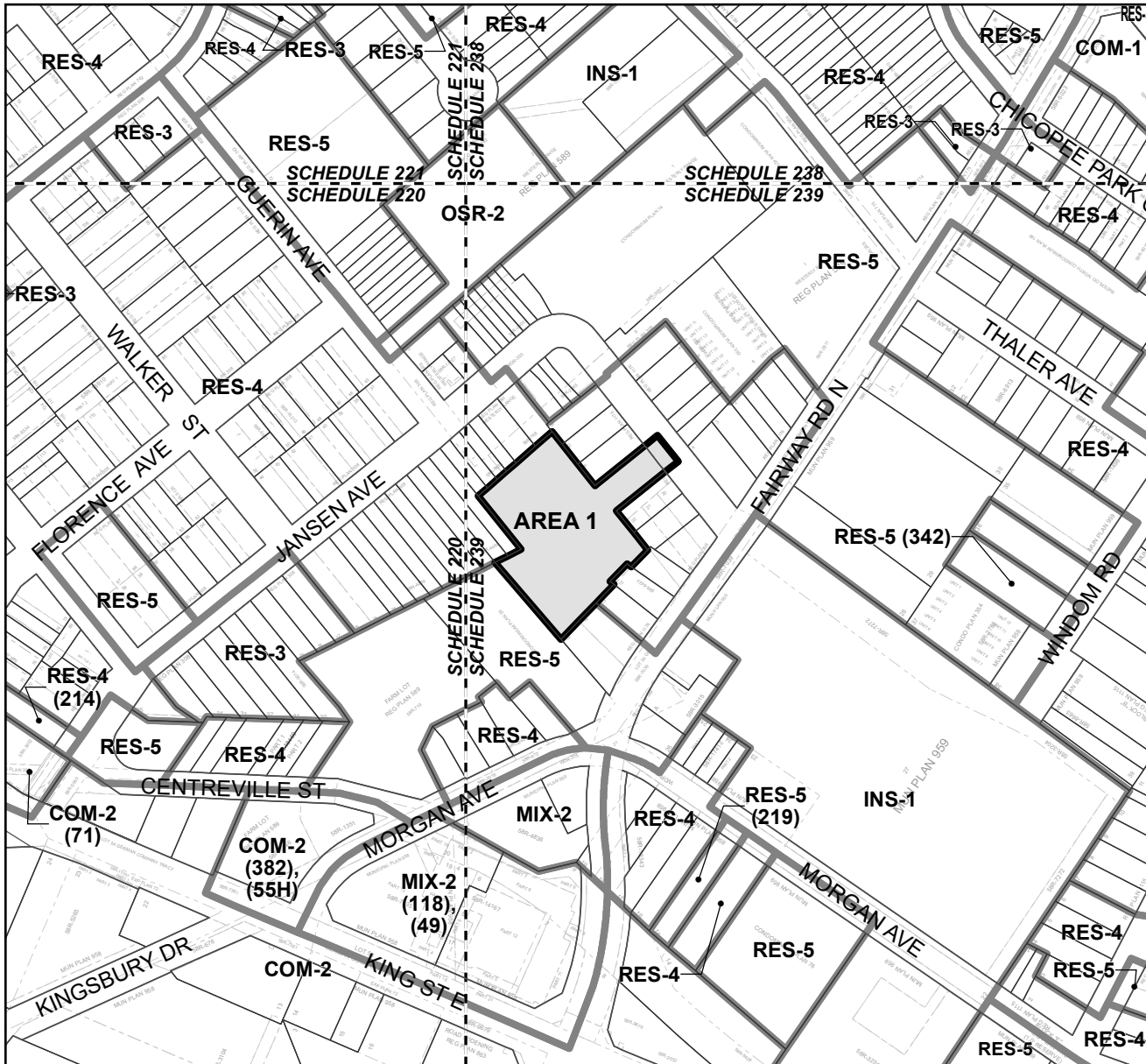
Environment, Conservation and Parks or any successor Ministry ("MECP"). This Holding Provision shall not be removed until the *Region* is in receipt of a letter from the Ministry of the Environment, Conservation and Parks advising that a Record of Site Condition has been completed to the satisfaction of the MECP.

- b) A satisfactory detailed stationary noise study has been completed and implementation measures addressed to the satisfaction of the *Region*. The detailed stationary noise study shall review stationary noise sources in the vicinity of the site, the potential impacts of noise (e.g. HVAC systems) on the on-site sensitive points of reception and the impacts of the development on adjacent noise sensitive uses."

PASSED at the Council Chambers in the City of Kitchener this _____ day of _____, 2024.

Mayor

Clerk



SUBJECT AREA(S)



**AMENDMENT TO BY-LAW 2019-051
AREA 1 -**
FROM LOW RISE RESIDENTIAL FOUR ZONE (RES-4)
TO LOW RISE RESIDENTIAL FIVE ZONE (RES-5)
WITH SITE SPECIFIC PROVISION (403)
AND HOLDING PROVISION (86)

BY-LAW 2019-051
COM-1 LOCAL COMMERCIAL ZONE
COM-2 GENERAL COMMERCIAL ZONE
INS-1 NEIGHBOURHOOD INSTITUTIONAL ZONE
MIX-2 MIXED USE TWO ZONE
OSR-2 OPEN SPACE: GREENWAYS ZONE
RES-3 LOW RISE RESIDENTIAL THREE ZONE
RES-4 LOW RISE RESIDENTIAL FOUR ZONE
RES-5 LOW RISE RESIDENTIAL FIVE ZONE

ZONE GRID REFERENCE
SCHEDULE NO. 239
OF APPENDIX 'A'
KITCHENER ZONING BY-LAW 85-1 AND 2019-051

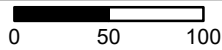
— ZONE LIMITS



MAP NO. 1

1000589420 ONTARIO INC.

179 JANSEN AVE



METRES

SCALE 1:4,000

DATE: APRIL 30, 2024

ZONING BY-LAW AMENDMENT ZBA24/009/J/TS

OFFICIAL PLAN AMENDMENT N/A

City of Kitchener

DEVELOPMENT SERVICES DEPARTMENT, PLANNING

FILE:
ZBA24009JTS_MAP1
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