

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
– 1000160668 Ontario Corp. – 60 Trussler Road)

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. Zoning Grid Schedule Numbers 7 and 10 of Appendix "A" to By-law Number 2019-051 are 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 One Zone (RES-1) to Low Rise Residential Five Zone (RES-5) with Site Specific Provision (411) and Holding Provision (93H).
2. Zoning Grid Schedule Numbers 7 and 10 of Appendix "A" to By-law Number 2019-051 are hereby further amended by incorporating additional zone boundaries as shown on Map No. 1 attached hereto.
3. Section 19 of By-law 2019-051 is hereby amended by adding Section 19 (411) thereto as follows:

"411. 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 Zoning Grid Schedule Numbers 7 and 10 of Appendix 'A', the following special regulations shall apply:

a) The minimum *side yard setback* shall be 2.4 metres.
b) The minimum height for a *visual barrier* shall be 2.4 metres."
4. Section 20 of By-law 2019-051 is hereby amended by adding Holding Provision (93H) thereto as follows:

"93. Notwithstanding Section 8 of this By-law within the lands zoned Low Rise Residential Five Zone (RES-5) and shown as being affected by this

subsection on Zoning Grid Schedule Numbers 7 and 10 of Appendix "A", no *residential uses* shall be permitted until such time as the following condition has been met and this holding provision has been removed by by-law:

- a) A detailed transportation (road) and stationary noise study has been completed and implementation measures recommended to the satisfaction of the *Region*.
- b) A satisfactory 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 MECP advising that a Record of Site Condition has been completed to the satisfaction of the MECP."

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

Mayor

Clerk