

ROPOSED BY – LAW

_____, 2025

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
- M.S.S.E. Inc. and S & S Stemco Inc.
- 288-292 Lawrence 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. Zoning Grid Schedule Number 42 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 Neighbourhood Industrial Zone (EMP-1) to Low Rise Residential Five Zone (RES-5) with Site Specific Provision (418) and Holding Provision (103H).
2. Zoning Grid Schedule Number 42 of Appendix "A" to By-law 2019-051 is 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 (418) thereto as follows:
 - "418. Notwithstanding Section 5.6, Table 5-5, and Section 7.2, Table 7-1, and 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 Number 42 of Appendix 'A', the following site-specific uses and regulations shall apply:
 - a) A minimum parking rate of 1 *parking space per dwelling unit* inclusive of visitor for 18 *dwelling units*.
 - b) *Artisan's establishment, Day Care Facility, Personal Services, Office, Community Facility and Studio* shall also be permitted and only within a *multiple dwelling* in accordance with the regulations in Table 7-6.

- c) A geothermal well is prohibited.
- d) A maximum *Floor Space Ratio* of 0.75".

4. Section 20 of By-law 2019-051 is hereby amended by adding 103H thereto as follows:

"103H. Notwithstanding Section 7 of this By-law within the lands zoned Low Rise Residential Five Zone (RES-5) with Site Specific Provision (418) and shown as affected by this subsection on Zoning Grid Schedule Number 42 of Appendix 'A', the following holding provision shall apply:

- a) That a holding provision shall apply until a satisfactory detailed stationary noise study has been completed and implementation measures addressed to the satisfaction of the *City*. The detailed stationary noise study shall review the potential impacts of noise (e.g. HVAC systems) on the sensitive points of reception and the impacts of the development on adjacent noise sensitive uses.
- b) That a holding provision shall apply until 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 *City* is in receipt of a letter from MECP, to the satisfaction of the *City's* Director of Development and Housing Approvals, advising that a Record of Site Condition has been completed and filed to the satisfaction of the MECP."

5. This By-law shall become effective only if Official Plan Amendment No. __ (288 and 292 Lawrence Avenue) comes into effect, pursuant to Section 24(2) of The Planning Act, R.S.O. 1990, c. P.13, as amended.

PASSED at the Council Chambers in the City of Kitchener this _____day of _____, 2025.

Mayor

Clerk