

SECTION 14A
(By-law 92-232, S.6)

EAST MARKET ZONE (D-2)

No person shall erect, nor use any building in whole or in part, nor use any land, nor permit to use any land, in whole or in part, within a D-2 Zone for any purpose other than one or more of the following uses, or uses accessory thereto. Such erection or use shall also comply with the prescribed regulations:

(Amended: By-law 2006-174, S.1) (City of Kitchener Housekeeping Amendment)

14A.1 PERMITTED USES

Any type of use permitted in any other zone except as listed in Section 14A.2. (Amended: By-law 2013-138, S. 26)

14A.2 PROHIBITED USES

No person shall erect, nor use any building in whole or in part, nor use any land in whole or in part, even as an accessory use, within a D-2 Zone for any of the following purposes:

Beverage Distillation

Carwash

Commercial Water Taking (By-law 2006-174, S.16)

Gas Station

Manufacturing of Asbestos, Phosphate or Sulphur Products

Primary Production of Chemicals, Synthetic Rubber, Plastic, Asphalt, Cement or Concrete

Processing or Refining of Petroleum or Coal

Processing, Milling or Packaging of Animal Feed

Recycling of hazardous, toxic or contaminated materials whether or not completely contained within a building (By-law 2001-161, S.4)

Sale, Rental, Service, Storage or Repair of Motor Vehicles or Major Recreational Equipment; and Rental, Service, Storage or Repair of Parts and Accessories for Motor Vehicles or Major Recreational Equipment

Salvage, Recycling or Scrap Yard

Slaughtering, Eviscerating, Rendering or Cleaning of Meat, Poultry or Fish or by-products thereof

Smelting, Refining, Rolling, Forging, or Extruding of Ore or Metal

Stamping, Blanking, Punch-Pressing, Pressing, Cutting, Drawing, Machining and Fabricating of Metal

Tanning or Chemical Processing of Pelts or Leather

Transportation Depot for hazardous, toxic or contaminated materials (By-law 2001-161, S.4)

Truck Transport Terminal

Vulcanizing of Rubber or Rubber Products

Warehousing of hazardous, toxic or contaminated materials, except as an accessory use (By-law 2001-161, S.4)

14A.3

REGULATIONS

Minimum Yard abutting a Lane	1.0 metres; provided, however, that this requirement shall not apply to storeys above the ground floor.
Building Elevation	No part of a building shall be higher, measured from finished grade level, than the dimension of its horizontal distance from the vertical projection of the street line on the opposite side of King Street.
Maximum Floor Space Ratio	2.0
Residential Bonus Value	4, in accordance with the provisions of Section 5.19 of this by-law.
Amenity Area Bonus Value	10, in accordance with the provisions of Section 5.19 of this by-law.
Heritage Bonus Value:	
i) For Buildings	2, in accordance with the provisions of Section 5.19 of this by-law.
ii) For Facades	7, in accordance with the provisions of Section 5.19 of this by-law.
Minimum Outdoor Area	10 per cent of lot area, but not less than 20.0 square metres.
Facade Openings	Not less than 50 per cent of the area of a ground floor facade shall be devoted to display windows or entrances to the building; the horizontal distance between display windows or entrances shall not exceed 4.0 metres.
Location of Residential Use abutting King Street (By-law 95-181, S.1)	Shall not be located on the ground floor, except for access.

Location of Amusement Arcade
(By-law 2004-229, S.3)

- i) Interior to a building having a minimum gross floor area of 10,000 square metres and where such arcade does not face any part of a street or lane; or
- ii) Within a restaurant which has a minimum gross leasable commercial space of 800 square metres, to a maximum of 16 arcade games. The amusement arcade shall not occupy more than 15% of the gross leasable commercial space devoted to the restaurant and shall not face any part of a street or lane.

Maximum Gross Floor Area for Warehouse, Manufacturing, Printing Establishment, Repair Service, Brewery

1,000 square metres

Maximum Gross Floor Area for Retail other than a retail outlet primarily involved in food sales

5,000 square metres; provided, however, that no single establishment shall exceed 1,000 square metres.

Frontage on a Street

Notwithstanding Section 5.2 of this by-law, a building may be located on a lot which abuts a lane only.

Off-Street Parking for Commercial Entertainment, Financial Establishment (ground floor only), Museum, Personal Services, Restaurant, Retail
(By-law 96-36, S.4)

No parking required.

Off-Street Parking for all uses other than Commercial Entertainment, Financial Establishment (ground floor only), Hotel, Museum, Personal Services, Restaurant, Retail
(By-law 96-36, S.4)

- i) No parking required if such uses are located within a building or part thereof existing on the day of the passing of By-law 92-232.
- ii) In accordance with the requirements of Section 6.1 of this By-law, when such uses are located within a building or part thereof constructed after the day of the passing of By-law 92-232.

Off-Street Parking for Hotel

In accordance with the requirements of Section 6.1 of this by-law.

Off-Street Loading

In accordance with Section 6.2 of this by-law.

Outdoor Storage

No outdoor storage of goods, materials or equipment shall be permitted. This shall not,

however, prevent the display of goods or materials for retail purposes.

(Amended: By-law 2006-174, S.1) (City of Kitchener Housekeeping Amendment)