

SECTION 22
(By-law 87-67, S.9)

HEAVY INDUSTRIAL ZONE (M-4)

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 an M-4 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)

22.1 **PERMITTED USES**

Adult Sex Film Theatres (By-law 2000-53, S3)

Beverage-Making Equipment Sales

Biotechnological Establishment (By-law 2000-114, S.2)

Building Material and Decorating Supply Sales

Canine or Feline Boarding, Breeding, Grooming or Training (Amended by By-law 93-129, S.12)

Carwash

Commercial Parking Facility

Commercial Weighing

Craftsman Shop

Day Care Facility

Dwelling Unit

Exhibition Facility (By-law 98-108, S.10)

Financial Establishment

Garden Centre and Nursery

Gas Station

Health Clinic

Health Office

Laboratory

Manufacturing

Office

Printing Establishment

Private Club or Lodge, Union Hall

Repair Service

Sale and Storage of Heating Fuel

Sale of Monuments

Sale, Rental or Service of Business Machines and Office Supplies

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

Sale, Rental, Storage or Service of Tools and Industrial, Farm or Catering Equipment

Salvage, Recycling or Scrap Yard

Security or Janitorial Services

Surveying, Engineering, Planning or Design Business

Tradesman or Contractor's Establishment

Transportation Depot

Truck Transport Terminal

Veterinary Services

Warehouse

Wholesaling

(Amended: By-law 2013-138, S.33)

22.2

PROHIBITED USES

No person shall erect, nor use any building in whole or in part, nor use any land in whole or in part, within an M-4 Zone for the purpose of retail accessory to a warehouse or wholesaling operation where such an operation has a gross floor area less than 10,000 square metres.

22.3 **REGULATIONS****.1 For All Permitted Uses Except Gas Station and Carwash**

Minimum Lot Width	15.0 metres
Minimum Front Yard	6.0 metres
Minimum Side Yard	1.2 metres on one side and 3.0 metres on the opposite side, except where: <ul style="list-style-type: none"> a) The side lot line forms part of a boundary between an M-4 Zone and a Residential Zone, in which case the minimum side yard along that portion of the lot line which abuts the Residential Zone shall be 6.0 metres from a building wall constructed without a door or window, or 14.0 metres from a wall constructed with a door or window. b) The side lot line forms part of a boundary between an M-4 Zone and a railway right-of-way or Ontario Hydro right-of-way, in which case no side yard shall be required along that portion of the lot line.
Minimum Side Yard Abutting a Street	6.0 metres
Minimum Rear Yard	7.5 metres, except where: <ul style="list-style-type: none"> a) The rear lot line forms part of a boundary between an M-4 Zone and a Residential Zone, in which case a minimum rear yard of 14.0 metres shall be required along that portion of the lot line which abuts the Residential Zone. b) The rear lot line forms part of a boundary between an M-4 Zone and a railway right-of-way or Ontario Hydro right-of-way, in which case no rear yard shall be required along that portion of the lot line.

Maximum Number and Use of Dwelling Units
(By-law 95-106, S.13)

A maximum of one dwelling unit shall be permitted on a lot containing another permitted M-4 use only as an accessory use thereto, and for the exclusive use of the owner of the lot or a caretaker or security guard, whose presence on the premises is necessary for the protection and maintenance thereof.

Maximum Floor Area Devoted to Retail where permitted as an Accessory Use.
(By-law 2003-163, S.37)

Not more than 25 percent of the amount of gross floor area used for a permitted main use shall be used for accessory retail purposes. Provided, however, that a warehouse or wholesaling operation in which the gross floor area of the operation is 10,000 square metres or more shall be permitted to use not more than 10 percent of the gross floor area of the operation for accessory retail purposes. A warehouse or wholesaling operation in which the gross floor area of the operation is less than 10,000 square metres shall not be permitted to use any of the gross floor area for accessory retail purposes.
(By-law 2003-163, S.37)

Location and Gross Floor Area for Office Use

Office use, excluding accessory office use, shall only be located within a building used for other permitted M-4 uses and shall not exceed 25 percent of the gross floor area

Location of Adult Sex Film Theatre

No building or part thereof shall be used for an Adult Sex Film Theatre on a lot that is situated within 300 metres from a day care facility, educational establishment (including offices of the Waterloo Region District School Board), religious institution, offices of the Family and Children Services of Waterloo Region or a lot zoned to permit a residential use except for an accessory dwelling unit to a use permitted in any of the industrial or Business Park Zones (Sections 19 through 26 inclusive), or another lot on which an adult sex film theatre is located. Such separation distance is to be measured from the closest points of the lot lines associated with each lot.
(By-law 2000-53, S4)

Off-Street Parking

In accordance with Section 6.1 of this By-law.

Off-Street Loading

In accordance with Section 6.2 of this By-law and with the following:

No loading space shall be permitted to locate within 7.0 metres of that part of a side lot line or rear lot line which forms a boundary between an M-4 Zone and a Residential Zone.

Visual Barrier

Where a lot line forms part of a boundary between an M-4 Zone and a Residential Zone, a visual barrier shall be provided and maintained along the portion of the lot line which abuts the Residential Zone in accordance with Section 5.11 of this By-law.

Outdoor Storage

a) No outdoor storage shall be permitted in a front yard, in a side yard abutting a street or within 6.0 metres of any other lot line abutting a street. This shall not, however, prevent the display of goods or materials for retail purposes.
(Amended: By-law 2012-034, S.52)

b) No outdoor storage shall be permitted within 7.0 metres of that part of a side lot line or rear lot line which forms a boundary between an M-4 Zone and a Residential Zone.

(Amended: By-law 2013-138, S.34)

.2 **Regulations for Gas Station**

The use of any M-4 land for a Gas Station shall be in accordance with the requirements of Section 13 of this By-law.

.3 **Regulations for Carwash**

The use of any M-4 land for a carwash shall be in accordance with the requirements of Section 12.2.2 of this By-law.

(By-law 2000-53, S4)

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