

PROPOSED BY – LAW
_____ 2023
BY-LAW NUMBER ____
OF THE
CORPORATION OF THE CITY OF KITCHENER

(Being a by-law to amend By-law 85-1, as amended, known as
the Zoning By-law for the City of Kitchener
– King Weber Kitchener Holdings Inc. – 1770 King Street East,
815 and 825 Weber Street East)

WHEREAS it is deemed expedient to amend By-law 85-1 for the lands specified above;
NOW THEREFORE the Council of the Corporation of the City of Kitchener enacts as follows:

1. Schedule Number 173 of Appendix “A” to By-law Number 85-1 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 High Intensity Mixed Use Corridor Zone (MU-3) with Special Use Provision 401U to High Intensity Mixed Use Corridor Zone (MU-3) with Special Regulation Provision 790R and Holding Provision 102H.
2. Schedule Number 173 of Appendix “A” to By-law Number 85-1 is hereby amended by changing the zoning applicable to the parcel of land specified and illustrated as Area 2 on Map No. 1, in the City of Kitchener, attached hereto, from High Intensity Mixed Use Corridor Zone (MU-3) to High Intensity Mixed Use Corridor Zone (MU-3) with Special Regulation Provision 790R and Holding Provision 102H.
3. Schedule Number 173 of Appendix “A” to By-law Number 85-1 is hereby further amended by incorporating additional zone boundaries as shown on Map No. 1 attached hereto.
4. Appendix “D” to By-law 85-1 is hereby amended by adding Section 790 thereto as follows:

“790. Notwithstanding Sections 6.1.2, and 55.2.1 of this By-law within the lands zoned MU-3 and shown as being affected by this subsection on Schedule Number 173 of Appendix ‘A’ the following special regulations shall apply:

- a) The maximum Floor Space Ratio shall be 6.0.
- b) On-site Parking shall be provided as follows:
 - i) Parking for multiple dwellings shall be provided at a rate of 0.58 spaces per unit.
 - ii) Visitor Parking shall be sharable with non-residential uses and be provided at a rate of 7% of the required parking.
 - iii) Bicycle and electric vehicle parking are to be provided in accordance with By-law 2019-051;
- c) In no case shall any parking be located within 16.0 metres of the street line unless located underground or internal to a building.
- d) Geothermal Energy Systems shall be prohibited.”

5. Appendix “F” to By-law 85-1 is hereby amended by adding Section 102H thereto as follows:

“102. Notwithstanding Section 55 of this Bylaw, within the lands zoned MU-3 and shown as being affected by this Subsection on Schedule Number 173 of Appendix “A”:

- i) No residential use 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 (MECP). This Holding Provision shall not be removed until the Region of Waterloo is in receipt of a letter from the Ministry of the Environment, Conservation and Parks (MECP) advising that a Record of Site Condition has been completed to their satisfaction.
- ii) No residential use shall be permitted until such time as a Road Traffic, and Stationary Noise Study is submitted and approved to the satisfaction of the Regional Commissioner of Planning, Housing and Community Services, if necessary. This Holding Provision shall not be removed until the City of Kitchener is in receipt of a letter from the Regional Commissioner of Planning, Housing and Community Services advising that such noise study or studies has been approved and an agreement, if necessary, has been

entered into with the City and/or Region, as necessary, providing for the implementation of any recommended noise mitigation measures.

- iii) No development on the lands shall occur until such time as an Urban Design Brief is approved by the City's Director of Planning demonstrating a high quality of urban design that contributes positively to the public realm and streetscapes with adequate onsite amenity."

- 6. This By-law shall become effective only if Official Plan Amendment No. __ (1770 King Street East, 815 and 825 Weber Street East) 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 , 2023.

Mayor

Clerk