

PROPOSED BY – LAW
_____ 2022
BY-LAW NUMBER ____
OF THE
CORPORATION OF THE CITY OF KITCHENER

(Being a by-law to amend By-law 85-1, as amended and By-law 2019-051, as amended, known as the Zoning By-laws for the City of Kitchener
– 2701098 Ontario Inc. – 134 and 152 Shanley Street)

WHEREAS it is deemed expedient to amend By-law 85-1 and 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. Schedule Number 83 of Appendix “A” to By-law Number 85-1 is hereby amended by removing 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.
2. Schedule Number 83 of Appendix “A” to By-law Number 85-1 is hereby amended by removing 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.
3. Schedule Number 83 of Appendix “A” to By-law Number 85-1 is hereby further amended by removing the zone boundaries as shown on Map No. 1 attached hereto.
4. Zoning Grid Schedule Number 83 of Appendix “A” to By-law Number 2019-051 is hereby further amended by adding thereto the lands specified and illustrated as Area 1 on Map No. 1, in the City of Kitchener, attached hereto, and by zoning the Area 1 lands thereafter as Medium Rise Residential Six Zone (RES-6) with Site Specific Provision (189) and Holding Provision (24).

5. Zoning Grid Schedule Number 83 of Appendix “A” to By-law Number 2019-051 is hereby further amended by adding thereto the lands specified and illustrated as Area 2 on Map No. 1, in the City of Kitchener, attached hereto, and by zoning the Area 2 lands thereafter as Medium Rise Residential Six Zone (RES-6) with Site Specific Provision (189) and Holding Provision (24).
6. Zoning Grid Schedule Number 83 of Appendix “A” to By-law Number 2019-051 is hereby further amended by incorporating additional zone boundaries as shown on Map No. 1 attached hereto.
7. Section 20 of By-law 2019-51 is hereby amended by adding Holding Provision (24) thereto as follows:

“(24). Notwithstanding Section 7, of this By-law within the lands zoned RES-6 and shown as being affected by this subsection on Zoning Grid Schedule Number 83 of Appendix “A”, no redevelopment 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 or any successor Ministry (“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 advising that a Record of Site Condition has been completed to the satisfaction of the MECP.”

8. Section 19 of By-law 2019-51 is hereby amended by adding Site Specific Provision (189) thereto as follows:

“(189). Notwithstanding Sections 4.18, 4.19, 5.6, table 5-5, 7.2 table 7-1, and 7.3 table 7-6 of this By-law within the lands zoned RES-6 and shown as being affected by this subsection on Zoning Grid Schedule Number 83 of Appendix “A”, the following special regulations shall apply:

- a) On-site Parking shall be provided as follows:

Parking for multiple dwellings shall be provided at a rate of 0.7 spaces per unit plus 0.1 visitor spaces per unit.

- b) Minimum and maximum height of the required visual barrier shall be 2.44 metres.
- c) The maximum building height shall be 27.75 metres.
- d) The maximum floor space ratio shall be 3.0.
- e) The minimum front yard setback (Duke Street frontage) shall be 4.1 metres.
- f) The minimum exterior side yard setback (Shanley Street frontage) shall be 5.8 metres.
- g) The minimum side yard setback shall be:
 - i. 3.0 metres for buildings up to 5 storeys.
 - ii. 9.3 metres for any portion of the building 6 or more storeys.
- h) The minimum rear yard setback shall be:
 - i. 9.0 metres for buildings up to 2 storeys.
 - ii. 12.0 metres for any portion of the building 3 or more storeys.
- i) The following uses shall also be permitted on the ground floor:
 - artisans' establishment, studio and craftsman shop;
 - convenience retail;
 - day care facilities;
 - health offices;
 - personal services;
 - offices;
 - restaurants;
 - social service establishments.
- j) Geothermal Energy Systems shall be prohibited."

9. This By-law shall become effective only if Official Plan Amendment No. __ (134-152 Shanley Street) 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 ,
2022.

Mayor

Clerk