

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,  
and By-law 2019-051, as amended, known as the  
Zoning By-laws for the City of Kitchener  
– 2415274 Ontario Inc. – 67-71 Nelson Ave)

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 181 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 181 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.
3. Zoning Grid Schedule Number 181 of Appendix “A” to By-law Number 2019-051 is hereby amended by adding hereto 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 Low Rise Residential Four Zone (RES-4) with Site Specific Provision (365) and Holding Provision (45H).
4. Zoning Grid Schedule Number 181 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.
5. Section 19 of By-law 2019-51 is hereby amended by adding Site Specific Provision (365) thereto as follows:  
“(365). Notwithstanding Section 4.4.2, Section 5.4, Table 5-2, Section 7.3, Table 7-2, and Section 7.6 of this By-law within the lands zoned RES-4 and shown as being affected by this subsection on Zoning Grid Schedule Number 181 of Appendix “A”, the following site specific provisions shall apply:  
a) The minimum lot area shall be 224 square metres;

- b) The minimum corner lot width shall be 12.5 metres;
- c) The minimum front yard setback shall be 4.5 metres for any dwelling not directly abutting Nelson Avenue, provided that no part of any building used to accommodate off street parking shall be located closer than 6.0 metres to the street line;
- d) The minimum front yard setback shall be 6.0 metres for any dwelling directly fronting Nelson Avenue;
- e) No maximum front yard setback shall be required; and
- f) A single detached dwelling directly abutting the easterly lot line shall be permitted to have an associated driveway with a maximum width of 4.5 metres as measured at the garage attached to the dwelling. Any increased driveway width resulting from the intersection of the driveway at the curvature of a private road will not result in non-compliance.”

6. Section 20 of By-law 2019-051 is hereby amended by adding Section (45H) thereto as follows:

“(45). Notwithstanding Section 8 of this By-law within the lands zoned RES-4 and shown as being affected by this subsection on Zoning Grid Schedule Number 181 of Appendix “A”, no land uses shall be permitted until such time as a Stationary Noise Study has been completed and implementation measures have been addressed to the satisfaction of the Regional Municipality of Waterloo and this holding provision has been removed by by-law.”

PASSED at the Council Chambers in the City of Kitchener this       day of  
, 2023.

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Mayor

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Clerk