

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
– 332 Charles GP Inc, 332 Charles 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 120 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 Regulation Provision 544R to High Intensity Mixed Use Corridor Zone (MU-3) with Special Regulation Provision 803R and Holding Provision 108H.

2. Schedule Number 120 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.

3. Appendix “D” to By-law 85-1 is hereby amended by adding Section 803 thereto as follows:
“803. 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 120 of Appendix ‘A’ the following special regulations shall apply:
 - a) The maximum Floor Space Ratio shall be 9.8.
 - b) On-site Parking shall be provided as follows:
 - i) Parking for multiple dwellings shall be provided at a rate of 0.4 spaces per unit.
 - ii) Visitor Parking shall be sharable with non-residential uses and be provided at a rate of 8% of the required parking.

- iii) Bicycle and electric vehicle parking are to be provided in accordance with By-law 2019-051;
 - c) The minimum rear yard (opposite Charles Street East) setback shall be 3.0 metres from the building and a 0 metre setback from the stairwell.
 - d) The minimum ground floor building height along the Charles Street East street line façade shall be 4.5 metres.
 - e) The minimum Side Yard Abutting a Street setback (setback to Betzner Avenue South) shall be 0.0 metres and shall allow the projections into Driveway Visibility Triangles.”
- 4. Appendix “F” to By-law 85-1 is hereby amended by adding Section 108H thereto as follows:
 - “108. Notwithstanding Section 55 of this Bylaw, within the lands zoned MU-3 and shown as being affected by this Subsection on Schedule Number 120 of Appendix “A”:
 - i) No residential use shall be permitted until a detailed transportation (road) and stationary noise study has been completed and implementation measures recommended to the satisfaction of the Regional Municipality of Waterloo. The detailed stationary noise study shall review the potential impacts of noise (e.g. HVAC systems) on the sensitive points of reception and the impacts of the development on adjacent noise sensitive uses.
 - ii) No development on the lands shall occur until a detailed Site Servicing Study has been completed and implementation measures addressed to the satisfaction of the Regional Municipality of Waterloo.
 - 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.”
- 5. This By-law shall become effective only if Official Plan Amendment No. XX (332 Charles

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