

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
- Lodging House Review)

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. Section 4.2 of By-law 85-1 is hereby amended by deleting the portions of the below text in the definition of “Household” with a strikethrough:

“**Household**” shall mean one or more persons living together as a single non-profit housekeeping unit, sharing all areas of the dwelling unit and may, in addition, be designed to accommodate lodging units ~~containing less than four residents.~~ (By-law 94-1, S.5[d])”

2. Section 4.2 By-law 85-1 is hereby amended by deleting the definition of “Lodging House” in its entirety and replacing thereto as follows:

“**Lodging House**” shall mean a dwelling unit, where five or more persons, not including a resident owner of the property, may rent a lodging unit and where the kitchen and other areas of the dwelling unit are shared amongst the persons occupying the dwelling unit. A lodging house can include student residences but shall not include a group home, nursing home, hospital; or any residential care facility licensed, approved, or supervised under any general or specific Act; or a hotel”.

3. Section 5.17A of By-law 85-1 is hereby amended by adding the portions of the below text in “Location of Lodging Houses” in grey, and deleting the portions of the below text in “Location of Lodging Houses” with a strikethrough:

LOCATION OF LODGING HOUSES

~~“Notwithstanding anything else in this By-law, only one Lodging House shall be permitted on a lot. No building or part thereof shall be used for a Lodging House on a lot that is situated within 400 metres of another lot on which a Lodging House is located, such minimum distance to be measured from the closest point of the lot lines associated with each lot. No building or part thereof shall be used for a Lodging House on a lot that is situated within 100 metres of the municipal limit of the City of Kitchener, such~~

~~minimum distance to be measured from the closest point of the lot line associated with such lot and the municipal limit.~~

A lodging house shall be connected to full municipal services.”

4. Section 6.1.2 a), Off-Street Parking Schedule for All Zones Except Downtown Zones, Column 2, of By-law 85-1 is hereby amended, as it pertains to Lodging House, by adding the portions of the below text that are highlighted in grey, and deleting the portions of the below text with a strikethrough:

~~“1 for each 25.0 square metres of the floor area devoted to lodging units.”~~ 1 for each Lodging House.”

5. Section 6.1.2c) Off-Street Parking Schedule for Downtown Zones, Column 2, of By-law 85-1 is hereby amended, as it pertains to Lodging House, by adding the portions of the below text that are highlighted in grey, and deleting the portions of the below text with a strikethrough:

~~“1 for each 25.0 square meters of lodging unit floor area.”~~ 0 for each Lodging House.”

6. Section 7, Subsection 7.1 Permitted Uses of By-law 85-1 is hereby amended by adding “Lodging House” after “Health Office” and before “Personal Services”.
7. Section 7, Subsection 7.2 Regulations of By-law 85-1 is hereby amended by adding “and Lodging Houses” after “Location of Dwelling Units”.
8. Section 8, Subsection 8.1 Permitted Uses of By-law 85-1 is hereby amended by adding “Lodging Houses” after “Health Office” and before “Office”.
9. Section 8, Subsection 8.2 Regulations of By-law 85-1 is hereby amended by adding “and Lodging Houses” after “Location of Dwelling Units”.
10. Section 9, Subsection 9.1 Permitted Uses of By-law 85-1 is hereby amended by adding “Lodging Houses” after Health Office” and before “Office”.
11. Section 9, Subsection 9.2 Regulations of By-law 85-1 is hereby amended by adding “and Lodging Houses” after “Location of Dwelling Units”.
12. Section 10, Subsection 10.1 Permitted Uses of By-law 85-1 is hereby amended by adding “Lodging Houses” after “Hotel” and before “Office”.
13. Section 10, Subsection 10.2 Regulations of By-law 85-1 is hereby amended by adding “and Lodging Houses” after “Location of Dwelling Units”.
14. Section 11, Subsection 11.1 Permitted Uses of By-law 85-1 is hereby amended by adding “Lodging Houses” after “Hotel” and before “Office”.

15. Section 11, Subsection 11.2 Regulations of By-law 85-1 is hereby amended by adding “and Lodging Houses” after “Location of Dwelling Units”.
16. Section 15, Subsection 15.1 Permitted Uses of By-law 85-1 is hereby amended by adding “Lodging Houses” after “Home Business” and before “Museum”.
17. Section 16.2 of By-law 85-1 is hereby amended by deleting “Minimum Size of Lodging House” and “9 lodging units”.
18. Section 31, Subsection 31.1 Permitted Uses of By-law 85-1 is hereby amended by adding “Lodging House” after “Hospice” and before “Private Home Day Care”.
19. Section 31 of By-law 85-1 is hereby amended by adding Subsection 31.3.8, titled “**For Lodging Houses**”, after subsection 31.3.7 thereto as follows:

“In accordance with the regulations of the dwelling type in which the lodging house is located.”
20. Section 32, Subsection 32.1 Permitted Uses of By-law 85-1 is hereby amended by adding “Lodging House” after “Hospice” and before “Multiple Dwelling”.
21. Section 32, of By-law 85-1 is hereby amended by adding Subsection 32.3.12 titled “**For Lodging Houses**”, after subsection 32.3.11 thereto as follows:

“In accordance with the regulations of the dwelling type in which the lodging house is located.”
22. Section 35, Subsection 35.1 Permitted Uses of By-law 85-1 is hereby amended by adding “Lodging Houses” after “Home Business” and before “Private Home Day Care”.
23. Section 35 of By-law 85-1 is hereby amended by adding Subsection 35.6, titled “**For Lodging Houses**”, after subsection 35.5 thereto as follows:

“In accordance with the regulations of the dwelling type in which the lodging house is located.”
24. Section 36, Subsection 36.1 Permitted Uses of By-law 85-1 is hereby amended by adding “Lodging Houses” after “Home Business” and before “Private Home Day Care”.
25. Section 36 of By-law 85-1 is hereby amended by adding Subsection 36.2.5, titled “**For Lodging Houses**”, after subsection 36.2.4 thereto as follows:

“In accordance with the regulations of the dwelling type in which the lodging house is located.”

26. Section 37, Subsection 37.1 Permitted Uses of By-law 85-1 is hereby amended by adding "Lodging Houses" after "Home Business" and before "Private Home Day Care".
27. Section 37 of By-law 85-1 is hereby amended by adding a Subsection 37.2.5, titled "**For Lodging Houses**", after subsection 37.2.4 thereto as follows:
- "In accordance with the regulations of the dwelling type in which the lodging house is located."
28. Section 38, Subsection 38.1 Permitted Uses of By-law 85-1 is hereby amended by adding "Lodging Houses" after "Home Business" and before "Private Home Day Care".
29. Section 38 of By-law 85-1 is hereby amended by adding a Subsection 38.2.7, titled "**For Lodging Houses**", after subsection 38.2.6 thereto as follows:
- "In accordance with the regulations of the dwelling type in which the lodging house is located."
30. Section 47A, Subsection 47A.1 Permitted Uses of By-law 85-1 is hereby amended by adding "Lodging Houses" after "Home Business" and before "Medical Laboratory".
31. Section 47A of By-law 85-1 is hereby amended by adding Subsection 47A.3.7 titled "**For Lodging Houses**", after subsection 47A.3.6 thereto as follows:
- "In accordance with the regulations of the dwelling type in which the lodging house is located."
32. Section 53, Subsection 53.2.2 of By-law 85-1 is hereby amended by deleting "and **Lodging House having 9 residents or more**" from the subsection title and adding "**and**" before "**Residential Care Facilities**" and after "For Multiple Dwellings," in subsection title.
33. Section 53, Subsection 53.2.2.3 of By-law 85-1 is hereby amended by deleting it in its entirety and replacing it thereto as follows:
- "For Lodging Houses"**
In accordance with the regulations of the dwelling type in which the lodging house is located".
34. Section 54, Subsection 54.2.2.2 of By-law 85-1 is hereby amended by deleting "and **Lodging House having 9 residents or more**" from subsection title and adding "**and**" before "**Residential Care Facilities**" and after "For Multiple Dwellings" in the subsection title.
35. Section 54, Subsection 54.2.2.3 of By-law 85-1 is hereby amended by deleting it in its entirety and replacing it thereto as follows:

“For Lodging Houses”

In accordance with the regulations of the dwelling type in which the lodging house is located”.

36. Section 55, Subsection 55.2.2.2 of By-law 85-1 is hereby amended by deleting “and **Lodging House having 9 residents or more**” from the subsection title and adding “**and**” before “**Residential Care Facilities**” and after “For Multiple Dwellings” in the subsection title.
37. Section 55, Subsection 55.2.2.3 of By-law 85-1 is hereby amended by deleting it in its entirety and replacing it thereto as follows:

“For Lodging Houses”

In accordance with the regulations of the dwelling type in which the lodging house is located”.

38. This By-law shall become effective only if Official Plan Amendment No. XX (Lodging House Review 1994 Official Plan Amendment) and Official Plan Amendment No. XX (Lodging House Review 2014 Official Plan) come 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