

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
- 2821889 Ontario Inc.
– 1198 Fischer Hallman Road

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 93 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 Residential Six Zone (R-6) to High Intensity Mixed Use Corridor Zone (MU-3) with Special Regulation Provision 806R and Holding Provision 111H and Property Detail Schedule Number 45.
2. Schedule Number 93 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 “B” to By-law 85-1 is hereby amended by adding Property Detail Schedule Number 45 which is attached hereto, as Map No. 2.
4. Appendix “D” to By-law 85-1 is hereby amended by adding Section 806 thereto as follows:

“806. Notwithstanding Sections 6.1.2 and 55.2.1 of this By-law within the lands zoned MU-3 and shown as affected by this subsection on Schedule Number 93 of Appendix ‘A’, the following special regulations shall apply:

a) the maximum floor space ratio shall be 6.3;
b) the maximum building height shall be 22 storeys (75.0 metres);
c) the minimum yard setback abutting a residential zone shall be 7.3 metres;

- d) the minimum street line setback, the horizontal distance of the portion of the building above the base recessed from Fischer Hallman Road street line façade of the base, shall be 2.7 metres;
- e) A minimum parking rate of 0.8 spaces per dwelling unit;
- f) A minimum visitor parking rate of 0.04 spaces per dwelling unit.
- g) Bicycle and electric vehicle parking are to be provided in accordance with Table 5-5 in Zoning By-law 2019-051;
- h) Shared visitor and commercial parking spaces are permitted in accordance with Section 5 of Zoning By-law 2019-051.”

5. Appendix “F” to By-law 85-1 is hereby amended by adding Section 111H thereto as follows:

“111. Notwithstanding Section 55 of this By-law within the lands zoned MU-3 and shown as being affected by this subsection on Zoning Grid Schedule Number 93 of Appendix “A”:

- a) No development on the lands shall occur until an updated noise study has been submitted and approved to the satisfaction of the Regional Municipality of Waterloo.”

6. This By-law shall become effective only if Official Plan Amendment No. ___ (1198 Fischer Hallman Road) 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