

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
– St. Mary Coptic Orthodox Church, Kitchener, Ontario
and Coptic Orthodox Patriarchate Saint Maurice Coptic
Orthodox Church – 368, 372, 374 and 382 Ottawa St.
South 99, 103, 107, 111 and 115 Pattandon Avenue)

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 Numbers 117 and 118 of Appendix “A” to By-law Number 85-1 are 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 Numbers 117 and 118 of Appendix “A” to By-law Number 85-1 are hereby further amended by removing the zone boundaries as shown on Map No. 1 attached hereto.
3. Zoning Grid Schedule Numbers 117 and 118 of Appendix “A” to By-law Number 2019-051 are 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 (348) and Holding Provision (37).
4. Zoning Grid Schedule Numbers 117 and 118 of Appendix “A” to By-law Number 2019-051 are hereby further amended by incorporating additional zone boundaries as shown on Map No. 1 attached hereto.
5. Section 20 of By-law 2019-51 is hereby amended by adding Holding Provision (37) thereto as follows:

“(37). 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 Numbers 117 and 118 of Appendix “A”, no residential use shall be permitted until such time as a Stationary Noise Study is submitted and approved to the satisfaction of the Regional Commissioner of Planning, Housing and Community Services, if necessary. This Holding Provision shall not be removed until the City of Kitchener is in receipt of a letter from the Regional Commissioner of Planning, Housing and Community Services advising that such noise study or studies has been approved and an agreement, if necessary, has been entered into with the City and/or Region, as necessary, providing for the implementation of any recommended noise mitigation measures.”

6. Section 19 of By-law 2019-51 is hereby amended by adding Site Specific Provision (348) thereto as follows:

“(348). Notwithstanding Sections 5.6, table 5-5, 7, 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 Numbers 117 and 118 of Appendix “A”, the following special regulations shall apply:

- a) That the maximum Floor Space Ratio shall be 2.5 and shall be calculated pre road widening.
- b) That parking be provided at a rate of 0.84 spaces per dwelling unit plus 0.1 visitor spaces per dwelling unit.
- c) The minimum rear yard setback shall be:
 - i. 22.5 metres, for any portion of the building 4 or more storeys in height;
 - ii. 26.2 metres abutting any portion of the building 7 or more storeys;
 - iii. 33.3 metres for any portion of the building 8 storeys.
- d) Geothermal Energy Systems shall be prohibited.”

7. This By-law shall become effective only if Official Plan Amendment No. ___ (368, 372, 374 and 382 Ottawa Street South, 99, 103, 107, 111 and 115 Pattandon Avenue) 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

DRAFT