

BY-LAW NUMBER _____
OF THE
CORPORATION OF THE CITY OF KITCHENER

(Being a by-law to amend By-law No. 85-1, as amended, known as the
Zoning By-law for the City of Kitchener – Cantiro Courtland General Partner Ltd.
– 45-53 Courtland Avenue East)

WHEREAS it is deemed expedient to amend Zoning 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 85 of Appendix “A” to By-law 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 Commercial Residential One Zone (CR-1) to Commercial Residential One Zone (CR-1) with Special Regulation Provision 786R and Holding Provision 98H.
2. Schedule Number 85 of Appendix “A” to By-law 85-1 is hereby amended by changing the zoning applicable to the parcel of land specified and illustrated as Area 2 on Map No. 1, in the City of Kitchener, attached hereto, from Commercial Residential One Zone (CR-1) with Special Regulation Provision 130R to Commercial Residential One Zone with Special Regulation Provision 786R and Holding Provision 98H.
3. Schedule Number 85 of Appendix “A” to By-law 85-1 is hereby further amended by incorporating additional zone boundaries as shown on Map No. 1 attached hereto.
4. Appendix “D” to By-law 85-1 is hereby amended by adding Section 786R thereto as follows:

“786. Notwithstanding, Section 6.1.2 a), 6.1.2 b) vi), Section 6 and Sections 44.3.1 and 44.3.6 of this By-law, for the lands zoned CR-1, as shown on Schedule 85 of Appendix “A”, the following additional regulations shall apply:

- i) Required off-street parking for multiple dwellings greater than 51.0 square metres in size shall be provided at a rate of 0.7 spaces per unit for a total of 52 spaces;
- ii) Required off-street visitor parking shall be provided at a rate of 10 per cent of the required parking for multiple residential uses for a total of 7 spaces;
- iii) A minimum of 10% of the parking spaces required for multiple dwellings shall be designed to permit the future installation of electric vehicle supply equipment;
- iv) Where the calculation of the total required electric vehicle parking spaces or parking spaces designed to permit the future installation of electric vehicle supply equipment results in a fraction, then the requirement shall be the next lowest number.
- v) For Multiple Residential uses, the minimum requirement for Class A bicycle parking stalls shall be 0.5 Class A Bicycle Stalls per unit;
- vi) For Multiple Residential uses, a minimum of 6 Class B Bicycle Stalls shall be provided, and these may be shared with non-residential uses.
- vii) The maximum Floor Space Ratio (FSR) for the entire site shall be 2.4;
- viii) The minimum side yard setback from eastern property line shall be 2.0 metres;
- ix) The minimum rear yard setback shall be 19 metres;

- x) The maximum building height for the entire site shall be 21 metres including roof top mechanicals”.

- 5. Appendix F of By-law 85-1 is hereby amended by adding Section 98H thereto as follows:

“98. Notwithstanding Section 44 of this Bylaw, within the lands zoned CR-1 (786R) as shown as affected by this subsection on Schedule Number 85 of Appendix “A”, only those uses which lawfully existed on the date of passing of this By-law, shall be permitted to continue until such time as this Holding Provision is removed by by-law once the City of Kitchener is in receipt of a letter from the Regional Municipality of Waterloo, advising that:

- a) a Record of Site Condition (RSC) in accordance with O. Reg. 153/04, as amended, has been filed with the Ministry of Environment, Conservation and Parks (MECP) Environmental Site Registry;
- b) the Regional Municipality of Waterloo has received and approved a copy of the RSC and the Ministry’s RSC Acknowledgement letter,
- c) a detailed stationary noise study has been completed and submitted to the satisfaction of the Regional Municipality of Waterloo which addresses implementation measures and reviews the potential impacts of the development on site noise sensitive receptors (e.g. HVAC system on the sensitive points of reception) and the impacts of the development on adjacent noise sensitive uses.”

- 6. This By-law shall become effective only if Official Plan Amendment No___, (45-53

Courtland Avenue 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