

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
– Schlegel Urban Developments Corp. – 265 Cotton Grass
Street)

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 66 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 Neighbourhood Shopping Centre Zone (C-2) with Special Regulation Provision 356R to Neighbourhood Shopping Centre Zone (C-2) with Special Regulation Provision 356R and Special Use Provision 483U, Special Regulation Provision 787R, and Holding Provision 99H.
2. Schedule Number 66 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 “C” to By-law 85-1 is hereby amended by adding Section 483U thereto as follows:
“483. Notwithstanding Sections 8.2 of this By-law, within the lands zoned Neighbourhood Shopping Centre Zone (C-2), shown as affected by this subsection, on Schedule 66 of Appendix “A”, a Multiple Dwelling shall be permitted.”
4. Appendix “D” to By-law 85-1 is hereby amended by adding Section 787R thereto as follows:
“787 i. Notwithstanding Sections 5.6 and 8.2 of this By-law, within the lands zoned Neighbourhood Shopping Centre Zone (C-2), shown as affected by this

subsection, on Schedule 66 of Appendix “A”, a Multiple Dwelling shall be permitted in accordance with the following:

- a. The minimum lot area shall be 3,400 metres squared.
 - b. Dwelling units are permitted to be located in a building not containing commercial uses, and may be located on the ground floor.
 - c. The minimum setback to Cotton Grass Street shall be 1.95 metres.
 - d. A porch attached to a multiple dwelling shall be set back a minimum of 0.9 metres from Cotton Grass Street, whether or not covered, provided it is not enclosed.
 - e. An architectural screening feature may project up to 0.6 metres from the dwelling or porch into a required yard abutting a street.
- ii. Notwithstanding Sections 6.1.2a) of this By-law, within the lands zoned Neighbourhood Shopping Centre Zone (C-2), shown as affected by this subsection, on Schedule 66 of Appendix “A” the following off-street parking regulations shall apply:

Use	Minimum Off-Street Parking Spaces Required
Multiple Dwelling	1.5 spaces per unit
Visitor	15% of required parking

- iii. The following minimum bicycle parking requirements shall apply:

Use	Class A Bicycle Stall	Class B Bicycle Stall
Multiple Dwelling	0.5 per unit without a private garage	6

- iv. A minimum of 20 percent of the parking spaces required for multiple dwellings shall be designed to permit the future installation of electric vehicle supply equipment.
- v. For the purpose of regulation iii. above, a Class A Bicycle Stall shall be a bicycle space which is either in a building or structure or within a secure area such as a supervised parking lot or enclosure with a secure entrance or within a bicycle locker.

vi. For the purpose of regulation iii. above, a Class B Bicycle Stall shall be a bicycle space which is located in accessible and highly visible locations near the entrance of a building and are accessible to the general public.

vii. Geothermal Energy Systems shall be prohibited.”

5. Appendix “F” to By-law 85-1 is hereby amended by adding Section 99H thereto as follows:

“99. Notwithstanding Section 8 of this Bylaw, within the lands zoned C-2 and shown as being affected by this Subsection on Schedule Number 66 of Appendix “A”:

i) No residential use shall be permitted until such time as a Road Traffic, and 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. This By-law shall become effective only if Official Plan Amendment No. __, (265 Cotton Grass Street) 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