Attachment to Planning & Strategic Initiatives Committee Agenda

May 29, 2017

RE: CSD -17-045

Appendix A
BY-LAW NUMBER xxx-xxx
FOR THE
CORPORATION OF THE CITY OF KITCHENER

Zoning By-law
Components A, B, C, D and E

First Draft

May 2017
BY-LAW NUMBER XXXX-XXX

OF THE

CORPORATION OF THE CITY OF KITCHENER

(To be known as the Zoning By-law of the Corporation of the City of Kitchener)

WHEREAS it is desired to enact a new Zoning By-law to comprehensively deal with zoning throughout the city;

NOW THEREFORE the Council of The Corporation of the City of Kitchener enacts as follows:

Component B (2016) first draft – B-2016
Component C (2016) first draft – C-2016

Previously tabled. No additional changes proposed at this time.

Component E (May 2017) first draft

Regulation or definition remains under review and/or subject to input from Urban Design Manual update process.
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Previously tabled. No additional changes proposed at this time.

Component E (May 2017) first draft

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1.1 TITLE
This By-law shall be known as the "Zoning By-law" of The Corporation of the City of Kitchener.

1.2 CONFORMITY AND COMPLIANCE WITH BY-LAW
No person shall erect, alter, enlarge or use any building or structure within the city in whole or in part, nor use any land in whole or in part, except in accordance with the provisions of this By-law.

1.3 COMPLIANCE WITH OTHER LEGISLATION
Nothing in this By-law shall be construed to exempt any person from complying with the requirements of any other By-law of the City or any other regulation of the Region, Province, or Federal Government that may otherwise affect the use of land, buildings, or structures.

1.4 APPLICATION
The provisions of this By-law shall apply to all lands in the city, except for those lands shown on the Zoning Grid Schedules attached as Appendix A hereto with diagonal hatching and labelled with By-law Number 85-1.

1.5 VALIDITY
If any provision of this By-law including anything shown on the Zoning Grid Schedules of Appendix A is for any reason held to be invalid, it is hereby declared to be the intention that all the remaining provisions of said By-law shall remain in full force and effect until repealed, notwithstanding that one or more provisions thereof shall have been declared to be invalid.

1.6 EFFECTIVE DATE
This By-law shall come into effect on the day it was passed.

1.7 REPEAL OF EXISTING BY-LAWS
Nothing in the By-law repeals the provisions of By-law Number 85-1 or a predecessor thereof. This By-law supersedes By-law Number 85-1 or a predecessor thereof where it applies.

1.8 CONTRAVENTIONS
Every person who contravenes any of the provisions of this by-law is guilty of an offense and on conviction is liable in accordance with the Planning Act.
1.9 PENALTIES

Penalties imposed by conviction under this Section shall be recoverable under the Provincial Offences Act, as amended.

1.10 FAILURE TO COMPLY

Where a person fails to comply with the provisions of Sections 4.9 and 4.17.7 of this by-law, the City may take such actions as necessary to effect compliance with those provisions at the person’s expense, may enter upon land at any reasonable time for that purpose, and may recover the costs of doing so from the person directed or required to do it by action or by adding the costs to the tax roll and collecting them in the same manner as property taxes.

1.11 LICENCES AND PERMITS

No person is entitled to a permit, certificate, or license for a proposed use of land or a proposed alteration, erection, enlargement or use of any building that is in violation of any provisions of this By-law.

1.12 ZONING (OCCUPANCY) CERTIFICATE

No change may be made in the type of use of any land covered by this By-law or change in the type of use of any building on any such land without the issuance of a Zoning (Occupancy) Certificate. Notwithstanding the above, no Zoning (Occupancy) Certificate shall be required for a single detached dwelling, duplex dwelling, semi-detached dwelling, street townhouse dwelling, or private home day care.

1.13 TECHNICAL REVISIONS TO THE ZONING BY-LAW

Technical revisions may be made to this By-law without the need for a zoning by-law amendment. Technical revisions include:

a) Correction of numbering, cross-referencing, grammar, punctuation or typographical errors or revisions to format in a manner that does not change the intent of a regulation;

b) Adding or revising technical information on maps or schedules that does not affect the zoning of lands;

c) Refinement of the boundary of the Existing Use Floodplain (EUF-1) Zones, Natural Heritage Conservation (NHC-1) Zones and the Flooding Hazard, Slope Erosion, Significant Wildlife Habitat and Significant Landforms and Ecological Restoration Areas Overlays in accordance with Section 2.5.1: Refinement of Zone Boundaries.
SECTION 2 - Interpretation, Classification and Limits of Zones

2.1 INTERPRETATION

2.1.1 Word Usage

a) Words used in the present tense include the future; words in the singular include the plural; words in the plural include the singular.

b) Unless the contrary intention appears, words importing the masculine gender only, shall include females as well as males, and the converse.

c) The word "shall" is to be construed as being always mandatory and requires full compliance.

d) The word “herein” shall mean “in this By-Law” and shall not be limited to any particular Section of this By-Law.

2.1.2 Defined Terms

Italicized terms within this By-law are defined in Section 3. Defined terms are intended to capture both the singular and plural of forms of these terms. For non-italicized terms, the normal meaning of the word applies. Terms may be italicized only in specific regulations; for these terms, the defined meaning applies where they are italicized and the normal meaning applies where they are not italicized. Where a defined term in Section 3 is listed in a different order than it appears elsewhere in this By-law, it is done for the ease and convenience of locating and identifying the term with other like terms.

2.1.3 References to Acts

Where any Act or portion thereof is referenced in this By-law, it is intended that such references should be interpreted to include any subsequent legislation and related regulations that may amend or replace the specific statute.

2.1.4 Reference to Zone Categories

Section 6 to Section 17 inclusive comprise different zone categories that include one or more zones. A reference made to a zone category includes all zones within that zone category.

2.1.5 Permitted Uses

The uses permitted in a zone are found in tables that form part of this By-law. If a use is not listed as a permitted use in the applicable zone, it is prohibited. The uses permitted are noted by the symbol ‘✓’ in the column applicable to that zone and corresponding with the row for a specific permitted use. A number in brackets following the ‘✓’ symbol, zone heading or identified permitted use, indicates that one or more regulations apply to the use.
2.1.6 Prohibited Uses

All uses of land shall be considered a prohibited use unless specifically listed as a permitted use in one or more zones of this By-law or as set out as a permitted use in Section 4.18.

2.1.7 Illustrations

The illustrations contained within this By-law do not form a component of this By-law. The illustrations are provided for convenience only and are intended to assist in understanding the By-law.

2.1.8 Cross-References

The Zoning By-law is to be read in its entirety and the relevant regulations are to be applied to each situation. When more than one regulation is relevant, all of the relevant regulations should be considered to understand how they work together. The language of each regulation will assist in understanding how the regulations are to be implemented. While specific regulations sometimes refer to other regulations, these cross-references do not take away from the need to read the Zoning By-law as a whole.

2.2 ESTABLISHMENT OF CLASSIFICATIONS, ZONES AND OVERLAYS

The provisions of this By-law apply to all lands within the limits of the city as identified in Section 1.4 of this By-law. The identified lands have been placed within one or more of the following zones:

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<td>Mixed Use Zones (Section 8)</td>
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<td>Node - High Density Mixed Use</td>
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Component C (2016) first draft – C-2016

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Component E (May 2017) first draft

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### Commercial Zones (Section 9)

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<td>Local Commercial</td>
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<td>Arterial Corridor - Commercial</td>
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<td>COM-4</td>
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### Employment Zones (Section 10)

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<td>Neighbourhood Industrial Employment</td>
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<td>General Industrial Employment</td>
<td>EMP-2</td>
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<td>Heavy Industrial Employment</td>
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<td>Service Business Park Employment</td>
<td>EMP-4</td>
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<td>General Business Park Employment</td>
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### Institutional Zones (Section 11)

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### Agriculture Zones (Section 12)

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<td>Prime Agriculture</td>
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<td>Rural</td>
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### Natural Heritage Conservation Zones (Section 13)

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### Existing Use Floodplain Zones (Section 14)

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### Recreation Zones (Section 15)

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### Major Infrastructure and Utility Zones (Section 16)

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<td>Major Infrastructure and Utility</td>
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### Stormwater Management Facility Zones (Section 17)

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<td>Stormwater Management Facility</td>
<td>SWM-1</td>
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### Overlays (Section 18)

2.3 **USE OF ZONE SYMBOLS**

The zone symbols as set out in Section 2.2 may be used in to the By-law represent the zones. The zone symbols may be used to refer to *lots*, *buildings*, and *structures* and to the use of *lots*, *buildings*, and *structures* permitted by this By-law. Special Provisions, Holding Provisions, Temporary Use Zones, and Interim Control Zones are contained in Appendix C to Appendix G of this By-Law.

2.4 **INCORPORATION OF APPENDICES**

Appendix A, Appendix B, Appendix C, Appendix D, Appendix E, Appendix F, Appendix G, Appendix H and Appendix I attached hereto are hereby incorporated in and are declared to form part of this By-law.

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City of Kitchener First Draft Zoning By–law (May 2017)

- **Component A (2015) first draft – A-2015**
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- **Component E (May 2017) first draft**
  - Regulation or definition remains under review and/or subject to input from Urban Design Manual update process.
2.4.1 Appendix A - Zoning Grid Schedules

The location, extent, and boundaries of all the zones are shown on Zoning Grid Schedules 1-297 of Appendix A. These Schedules, together with notations and references shown thereon, form part of this By-law.

2.4.1.1 Overlays

a) Overlays are shown on Schedules in Appendix A with a hatching over top of the underlying zones.

b) Where lands are subject to an overlay, the provisions of both the overlay and the underlying zone apply. In the event of a conflict between the overlay and the underlying zones, the overlay regulations will supersede the regulations of the underlying zone.

2.4.2 Appendix B - Property Detail Schedules

Where a numerical reference enclosed by a square appears on the Zoning Grid Schedules of Appendix A, reference shall be made to the ‘Property Detail Schedules’ portion of the zoning map and shown in Appendix B, which Schedules more particularly show the boundary of the zone and the lands affected by such zone boundary. The said numeric reference represents the schedule number referenced in Appendix B.

2.4.3 Appendix C - Special Use Provisions for Specific Lands

Where a numerical reference, followed by a ‘U’ appears on the Zoning Grid Schedules of Appendix A, the special use provisions as set out in Appendix C apply to all of the lands encompassed within the zone boundary. The numerical reference represents the subsection number in Appendix C with the special use provisions as set out thereunder.

2.4.4 Appendix D - Special Regulation Provisions for Specific Lands

Where a numerical reference followed by an ‘R’ appears on the Zoning Grid Schedules of Appendix A, the special regulation provisions as set out in Appendix D apply to all of the lands encompassed within the zone boundary. The numerical reference represents the subsection number in Appendix D with the special regulation provisions as set out thereunder.

2.4.5 Appendix E - Temporary Use Provisions for Specific Lands

Where a numerical reference followed by a ‘T’ appears on the Zoning Grid Schedules of Appendix A, the special regulation provisions as set out in Appendix E apply to all of the lands encompassed within the zone boundary. The numerical reference represents the subsection number in Appendix E with the temporary use provisions as set out thereunder.
2.4.6. Appendix F - Holding Provisions for Specific Lands

Where a numerical reference followed by an ‘H’ appears on the Zoning Grid Schedules of Appendix A, the special regulation provisions as set out in Appendix F apply to all of the lands encompassed within the zone boundary. The numerical reference represents the subsection number in Appendix F with the holding provisions as set out thereunder.

2.4.7. Appendix G - Holding Provisions for Services and Roadworks

a) Where a numerical reference followed by ‘HSR’ appears on the Zoning Grid Schedules of Appendix A, the holding provisions pertaining to services and/or roadworks as defined in Section 2.4.7.3 and set out in Appendix ‘G’ shall apply to all of the lands encompassed within the zone boundary. The numerical reference represents the subsection number in Appendix G with the specific holding provisions as set out thereunder.

b) No person shall develop or redevelop lands specifically described in Appendix G to which holding provisions apply, for uses specifically set out therein until the municipal services and/or roadworks required have been provided and the holding symbol has been removed by by-law.

c) When the municipal services and/or roadworks required in each instance have been provided, holding symbols affecting one or more particular uses will be removed by by-law.

2.4.7.1. Letter Symbols for Municipal Clearances

"R" means that a clearance letter is required from the Region advising the City that adequate Regional services and/or roadworks are "available" or that "acceptable arrangements" have been made therefor. Such Regional services and/or roadworks are identified by letter symbols contained in round parentheses following "R".

"K" means that a clearance letter is required from the City advising that adequate City services and/or roadworks are "available" or that "acceptable arrangements" have been made therefor. Such City services and/or roadworks are identified by letter symbols contained in round parentheses following "K".

2.4.7.2. Letter Symbols for Municipal Services and Roadworks

The following letter symbols contained in round parentheses identify the municipal services and/or roadworks that are deficient within or unavailable to the affected lands:

(F) Full Municipal Services
(WM) Watermain
(S) Sanitary Sewer/Pumping Station/Forcemain
(SW) Storm Water Facilities
(W) Water Supply

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2.4.7.3. **Definition of Terms**

a) "Full Municipal Services" includes the provision of adequate watermains, sanitary sewer/pumping station/forcemain, storm sewers, and *City* road extension/road improvement.

b) "Acceptable Arrangements" means that the necessary agreements for the provision of services and/or roadworks have been entered into with the *City* or *Region*, as the case may be and registered on title, engineering design has been approved, and the relevant municipality has received the necessary and related financial guarantees.

c) "Available" means the necessary provision of municipal services and/or roadworks to the level of construction, state of completion or period of commissioning as the *Region* or the *City*, as the case may be, determines to be appropriate.

d) "Road Improvement" means all of the following: hard-surfaced street and any widening thereof, curb and gutter, boulevard landscaping including street trees and sidewalks subject to any reduction in requirements as approved by the *City* in the case of a *City* road or the *Region* in the case of a Regional road.

e) "Traffic Control Measures" means all of the following: turning lanes, slip-off lanes, median barriers and signalization redesign, relocation or improvements subject to any reduction in requirements as approved by the *City* in the case of a *City* road or the *Region* in the case of a Regional road.

2.4.8. **Appendix H - Grand River Conservation Authority Regulated Area**

The Grand River Conservation Authority Regulated Area, as delineated on Appendix H, illustrates areas that may be regulated under Ontario Regulation 150/06. The actual regulated area may differ from the area shown on Appendix H, which is shown for informational purposes and the regulated area, as determined by the Grand River Conservation Authority, shall prevail.

2.4.9. **Appendix I – Planning Around Rapid Transit Stations (PARTS) Areas**

The Planning Around Rapid Transit Stations (PARTS) Areas, as delineated on Appendix I, are delineated for the purposes of Section 5: Parking, Loading and Stacking. The actual PARTS Areas may differ from the area shown on Appendix I, which is shown for information purposes.
2.4.10. **Appendix J – Residential Intensification in Established Neighbourhoods Study (RIENS) Area**

The Residential Intensification in Established Neighbourhoods Study (RIENS) Area, as delineated on Appendix J, is delineated for the purposes of Section 5: Parking, Loading and Stacking.

### 2.5 ZONE BOUNDARIES

When determining the boundary of any zone as shown on Zoning Grid Schedules 1-297 of Appendix A, forming part of this By-law, the following provisions shall apply:

a) a boundary indicated as following a highway, road, street, lane, railway, right-of-way, utility corridor, or watercourse shall be the centre-line of the applicable feature and the applicable feature shall be included within the zone of the adjoining lot(s) on the sides thereof;

b) a boundary indicated as following lot lines or the municipal boundaries of the city shall follow such lot lines or boundary;

c) where the boundary appears to follow the limit of a lot as existing as of the date of the passing of this By-law or any relevant amending by-law, such lot limit shall be deemed to be the zone boundary.

d) where a zone boundary is left uncertain after reference to Section 2.5.a) through c), Appendix "B" and the distance from existing lot lines or streets is not indicated, the zone boundary shall be scaled from the Zoning Maps including Property Detail Schedules and Mapping, Studies and Reports referenced therein.

### 2.5.1 Refinement of Zone Boundaries

The precise delineation of natural hazards and natural heritage features will be determined through the development review process, and in consultation with the appropriate public agencies. Minor refinements to the boundary of:

a) the Existing Use Floodplain (EUF-1) Zone resulting from refinements of the boundaries of natural hazards will not require an amendment to this By-law where such refinements are supported through appropriate technical studies and/or assessments, site plans and/or other plans as required and approved by the Grand River Conservation Authority.

b) the Natural Heritage Conservation (NHC-1) Zone and the Flooding Hazard, Slope Erosion, Significant Wildlife Habitat and Significant Landforms and Ecological Restoration Areas Overlays resulting from refinements of the boundaries of natural heritage features and/or natural hazards will not require an amendment to this By-law.
where such refinements are supported by approved *Environmental Impact Studies* or other appropriate studies.
SECTION 3  - Definitions

A

Access Aisle – means the space abutting parking spaces or class A or class B bicycle parking stalls that allows persons to access their vehicles.

Accessory – means a use or building that is commonly incidental, subordinate and is exclusively devoted to the principal use(s) or primary building(s) situated on the same lot.

Adult Sex Film Theatre – means the use of an establishment or part thereof, for a fee, for the making of or showing of films classified as adult sex film by the Ontario Film Review Board.

Agriculture – means a premises used for the growing of crops, including nursery, biomass, and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish, aquaculture; apiaries; agro-forestry; maple syrup production; vertical farming; and associated on-farm buildings and structures, including, but not limited to livestock facilities, manure storages, and value-retaining facilities.

Agriculture-Related – means commercial and industrial uses that are directly related to, and support agriculture, benefit from being in close proximity to farm operations, and provide direct products and/or services to farm operations as a primary activity. Agriculture-related may include storage or processing of food grown in the area, and farm input supplies such as feed, seeds and fertilizer, but shall not include major equipment supply and service or equestrian establishment.

Amusement Arcade – means a building where arcade games are provided for a fee for public amusement, which accommodates three or more persons capable of playing simultaneously.

Amusement Park - means a premises wherein rides, slides, play facilities, games of chance or skill are provided for a fee for public amusement and may include a water park, go-cart track, paintball facility or miniature golf facility.

Animal Shelter – means a premises where lost, abandoned or rescued animals are boarded for the purposes of care, claiming or adoption.

Arcade Game – means a machine, device, or contrivance or part thereof designed for public amusement for the participation of one person, for a fee, excluding a machine that provides musical entertainment, rides, food or drink or a billiard table. For the purposes of regulating the number of games, the number of arcade games shall be equal to the maximum number of players able to be accommodated at any one time.

Architectural Features – means window sills, chimney breasts, belt courses, cornices, parapet, eaves, and other similar features.
Art Gallery – means a premises use for the preservation and exhibition of sculptures, paintings, photographs and other similar works for public viewing together with the accessory retailing of these works.

Artisan’s Establishment – means an establishment used for the study or instruction of a performing or visual art such as dancing, music or painting or the workplace of an artisan such as a painter, sculptor, photographer, dressmaker or tailor together with the accessory retailing of paintings, sculpture, photography or handicrafts.

Attic – means the uninhabitable portion of a building or structure that is immediately below the roof and wholly or partially within the roof framing having an interior height of 1.8 metres or less. A habitable or finished attic, or an uninhabitable or unfinished attic with an interior height greater than 1.8 metres is considered to be a storey.

Auditorium – means a premises used for athletic, civic, education, political, religious or social events.

Automotive Detailing and Repair Operation – see Repair Operation, Automotive Detailing and B

Back-to-back Townhouse Dwelling – see Dwelling, Back-to-back Townhouse

Basement – means any enclosed portion of a building that is located wholly or partially below grade.

Bed and Breakfast – means a single-detached dwelling that provides overnight accommodation of the traveling public or temporary living accommodations for a fee and shall not include a hotel, lodging house, group home, hospital, small residential care facility or large residential care facility.

Bicycle Locker – means an individual bicycle storage unit that is weather protected, enclosed and operated by a controlled access system.

Biotechnological Establishment – means premises used for the research, development, application, and production of bio-organisms, which may or may not be used in a manufacturing process, and shall in no way be construed to be the slaughtering, eviscerating, rendering, or cleaning of meat, poultry, or fish or by-products thereof, or animal husbandry, or the raising of animals.

Bonus Value – means the additional floor space ratio that may be provided on a lot in exchange for facilities, services or matters.

Brewpub – means a restaurant that includes accessory brewing or production of beer to a maximum of thirty (30) percent of the gross floor area of the building and may include the accessory retail of goods.

Building – means a structure occupying an area greater than 10.0 square metres and consisting of any combination of walls, roof, and floor.

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Building Floor Area – means the aggregate horizontal floor area measured from the exterior walls of all the floors or storeys of a building excluding any floor area located totally below grade or within an attic. The midpoint of a common wall shall be considered the face of the exterior in the case of common walls located on a property line.

Building Height – means the vertical distance between the finished grade level at the perimeter of the building and the uppermost point of the building.

Building Material Supply – means a premises used for the retail of lumber and/or building supplies including, but not limited to, roofing, masonry, plumbing, heating, electrical, paint and similar items. Building material supply may include a propane cylinder handling facility and the sale of tools and equipment used in the building trades as accessory to the main retail use, but does not include a home improvement store.

Bulk Fuel and Oil Storage Establishment – means a premises used for the bulk storage or wholesale distribution of gasoline, oil, petroleum products or other flammable liquids, but shall not include a Gas Station.

Campground – means a premises providing for the public temporary accommodation of recreational vehicles or tents or similar facilities for recreational or vacation use.

Car Wash – means a premises, include stacking lanes, used or designed to be used for the cleaning of motor vehicles but shall not include cleaning of commercial vehicles. An automatic car wash shall be considered a drive-through facility.

Catering Service Establishment – means a premises used for the preparation of food or beverages for consumption off the premises and are not served to customers on the premises or for take-out and are delivered elsewhere.

Cemetery – means a premises used for the interment of human remains and includes a mausoleum, columbarium, or other structure intended for the interment of human remains. A cemetery may include an accessory crematorium.

City – means the Corporation of the City of Kitchener.

city – means the geographic area comprising Kitchener.

Cluster Townhouse Dwelling – see Dwelling, Cluster Townhouse

Commercial Driver and Training Establishment – means a premises where teaching or instruction of commercial vehicles and heavy equipment is offered for profit or gain.
D-2017 **Commercial Entertainment** - means a *building*, or part thereof, devoted to the offering of facilities for the entertainment of the public and may include a cinema, theatre (but shall not include an *Adult Sex Film Theatre*), an *amusement arcade*, billiard room, bowling alley, bingo hall, electronic or laser game, sport simulators, miniature golf facility, paintball facility, go-cart track and/or play facility, but shall not include an *amusement park*.

D-2017 **Commercial Parking Facility** – means a *premises* available for public and/or private use, whether or not for compensation, for the temporary parking of motor vehicles, with such use forming the principal use of the premises. A commercial parking facility may include tandem parking spaces. A commercial parking facility shall not include the *storage of motor vehicles*.

A-2015 Deleted **Commercial School** – see School, Commercial

A-2015 **Commercial Vehicle** – see Vehicle, Commercial

A-2015 **Commercial Vehicle Wash Facility** – means a *car wash* for commercial vehicles.

A-2015 **Commercial Water Taking** – means a *use* of land where water is extracted from surface or ground water and where some or all of such extracted water is transported from the site for sale.

C-2016 **Community Facility** – means a *premise* that offers two or more programs of a recreational, cultural, community service, information or instructional nature and may include a library, and/or swimming facility.

D-2017 **Community Garden** – means a portion of public or private land, *used* by the community for the purpose of producing plants and/or food for personal and local consumption.

A-2015 **Computer, Electronic or Data Server or Processing Establishment** – means a *premises used* for software development and testing, or for the collection, analysis, processing, storage or distribution of electronic data.

D-2017 **Conference, Convention or Exhibition Facility** - means a *premises* having facilities for conferences, conventions, seminars, banquets or similar activities as well as product and trade fairs and similar exhibitions for the sale of goods, except livestock, on an intermittent basis and may include dining facilities to serve participants.

C-2016 **Continuing Care Community** – means a *premises* that is planned, developed, managed and operated as a continuum of accommodations and care and is comprised of a *large residential care facility* and may contain an *independent living facility*.

Deleted Canine and Feline Grooming, replaced with Pet Services Establishment

A-2015 **Convenience Retail** – see Retail, Convenience

B-2016 **Corner Lot** – see Lot, Corner

**Corner Visibility Triangle** – means a triangular area formed within a *corner lot* by the intersecting *street lines* or the projections thereof and a straight line connecting them 7.5 metres from their point of intersection.

**Correctional Group Home** – see Group Home, Correctional

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Component B (2016) first draft – B-2016
Component C (2016) first draft – C-2016

Previously tabled. No additional changes proposed at this time.

**Component E (May 2017) first draft**

Regulation or definition remains under review and/or subject to input from Urban Design Manual update process.
Craftsperson Shop – means an establishment *used* for the creation, finishing, refinishing or similar production of custom or hand–made commodities, together with the *retailing* of such commodities.

Crematorium – means a *building*, or part thereof, *used* for the purpose of cremating human remains that is approved under the *Funeral, Burial and Cremation Services Act*.

Cultural Facility – means a *premises* used for the creation, production and viewing of arts and culture and may include a *museum*, performing arts venue, *exhibition facility* and managed historic sites but shall not include an *adult sex film theatre*.

Cultural Heritage Resources - means buildings, structures and properties designated under the *Ontario Heritage Act* or listed on the Municipal Heritage Register, properties on the Heritage Kitchener Inventory of Historic Buildings, built heritage resources and cultural heritage landscapes as defined in the Provincial Policy Statement.

Day Care Facility – means a facility licensed under *Provincial* legislation that accommodates a minimum of six children, for the purpose of providing temporary care for a continuous period of time not exceeding twenty–four hours.

Day Care, Private Home – means the temporary care of five children or less at any one time, where such care is provided for a fee in a *dwelling unit*, other than the home of a parent or guardian of such child, for a continuous period of time not exceeding twenty-four hours.

Discarded Motor Vehicle – see Vehicle, Discarded Motor

Display Window – means any window which provides clear visibility from the outside to goods, exhibits or the interior of the *building*, has a vertical dimension of not less than 1.4 metres and has a base not more than 0.8 metres above *grade* for the entire width of the window.

Drive Aisle – means an internal vehicle route immediately adjacent to *parking spaces* and/or *loading spaces* which provides direct vehicular access to and from *parking spaces* or *loading spaces* and shall not include a *driveway*.

Drive–through facility – means a *premises*, including stacking lanes and an order menu station with or without voice communication, where products or services are provided through a service window or an automated machine to persons remaining in their *motor vehicle*. The principal use of the *drive–through facility* must be a permitted use. A *drive–through* facility shall include an automatic *car wash* but shall not include a *gas station*.

Driveway – means an area of land that provides vehicular access from a *street* or *lane* to a *drive aisle* or *parking space*.

City of Kitchener First Draft Zoning By–law (May 2017)


Previously tabled. No additional changes proposed at this time.

Regulation or definition remains under review and/or subject to input from Urban Design Manual update process.
Driveway Visibility Triangle – means a triangular area formed within a lot by the intersection of any driveway line and a lot line, or the projections thereof, and a straight line connecting them 4.5 metres from their point of intersection.

Dwelling – means a building containing one or more dwelling units and may include a single detached dwelling, semi-detached dwelling, street townhouse dwelling, cluster townhouse dwelling, back-to-back townhouse dwelling, and multiple dwelling or residential care facility.

Dwelling, Back-to-back Townhouse – means a building on a lot divided vertically into three or more dwelling units by common walls, including a common rear wall, which prevents internal access between dwelling units.

Dwelling, Cluster Townhouse – means a building on a lot divided vertically into three or more dwelling units by common walls which prevent internal access between dwelling units and extends from the base of the foundation to the roof line. This shall not include a street townhouse dwelling or multiple dwelling.

Dwelling, Farm-Related – means a dwelling that is accessory to agriculture.

Dwelling, Multiple – means a building on a lot containing three or more dwelling units but shall not include a street townhouse dwelling or cluster townhouse dwelling.

Dwelling, Semi-Detached – means a building divided vertically into two semi-detached dwelling units (as the principal use of the building) by a common wall which prevents internal access between dwelling units and extends from the base of the foundation to the roofline. Each semi-detached dwelling unit shall be designed to be located on a separate lot.

Dwelling, Single Detached – means a building on a lot containing one dwelling unit as the principal use of the building.

Dwelling, Street Townhouse – means a building divided vertically into three or more dwelling units (as the principal use of the building) by common walls which prevent internal access between dwelling units and extends from the base of the foundation to the roofline. Each street townhouse dwelling unit shall be designed to be on a separate lot. This shall not include a cluster townhouse dwelling or multiple dwelling.

Dwelling Unit – means a room or suite of habitable rooms which:

i) is located in a dwelling;

ii) is occupied or designed to be occupied by a household as a single, independent and separate housekeeping establishment;

iii) contains both a kitchen and bathroom for the exclusive common use of the occupants thereof; and,

iv) has a private entrance leading directly from outside the building or from a common hallway or stairway inside the building.
Dwelling Unit, Second – means a separate self-contained dwelling unit located within the principal building on a lot containing one other dwelling unit. A duplex dwelling unit is considered to be a second dwelling unit.

Dwelling Unit, Secondary – means a separate self-contained dwelling unit located in a detached building on the same lot as an associated principal dwelling unit. A secondary dwelling unit is not an accessory building.

E

Easement – means estate in land under which a person has the right to use the real property of another.

Electrical Transformer Station – means a premises used to manage the transmission and distribution of electrical power that is provided to the public.

Electric Vehicle Battery Charging Station – means a device that serves the primary purpose of transferring electric energy by conductive or inductive means to a battery or other energy storage device in an electric vehicle.

Elementary School – See School, Elementary

Environmental Impact Study – means a study conducted prior to development, redevelopment, or site alteration in order to investigate potential environmental impacts of the proposed development, redevelopment, or site alteration.

Equestrian Establishment – means a premises where horses are boarded, groomed, and/or available for riding, and training.

Exhibition Facility – means a place which is used to house an exhibition, operated over a duration of four consecutive weeks or less and limited to only those exhibitors registered with the organization holding the exhibition. The retailing of goods, materials or services, including motor vehicles and major recreational equipment, associated with the exhibition may be permitted in such a facility subject to municipal licencing requirements where applicable. An exhibition facility shall in no way be construed to include a conference or convention facility.

Existing – means legally existing on the day of the passing of this By-law.

Exterior Lot Line – see Lot Line, Exterior Side

Exterior Side Yard – see Yard, Exterior Side

F

Facade – means a building wall or series of building walls addressing a street excluding architectural features.

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Component C (2016) first draft – C-2016

Previously tabled. No additional changes proposed at this time.

Component E (May 2017) first draft

Regulation or definition remains under review and/or subject to input from Urban Design Manual update process.
Facade Height – means the vertical distance between the base of the facade at finished grade level and top of the facade.

Farm-Related Dwelling – See Dwelling, Farm-Related

First Storey – See Storey, First

Fineblanking – means a metal manufacturing process employing a high precision blanking or stamping technique, the finished product of which has smooth or unfractured edges and requires no further machining and, without limiting the generality of the foregoing, no further grinding, shaving, reaming or milling.

Financial Establishment – means a building, or part thereof, which is used to provide for financial services in which money is deposited, kept, lent or exchanged, including accessory clerical functions and shall include a bank, trust company, credit union or other similar banking service and shall not include a payday loan establishment.

Fitness Centre – means a premises in which facilities and activities are provided for physical exercise and may include exercise classes and associated facilities such as a sauna, retail store, office space, and related lounge facilities.

Flooding Hazard – means the inundation, under the conditions specified below, of areas adjacent to a shoreline or a river or stream system and not ordinarily covered by water. The flooding hazard limit is the greater of:

a) the flood resulting from the rainfall actually experienced during a major storm such as the Hurricane Hazel storm (1954) or the Timmins storm (1961), transposed over a specific watershed and combined with the local conditions, where evidence suggests that the storm event could have potentially occurred over watersheds in the general area;

b) the one hundred year flood;

c) a flood which is greater than a) or b) which was actually experienced in a particular watershed or portion thereof as a result of ice jams and which has been approved as the standard for that specific area by the Province; and,

d) except where the use of the one hundred year flood or the actually experienced event has been approved by the Province as the standard for a specific watershed (where the past history of flooding supports the lowering of the standard).

Floodplain – for watercourses and small inland lake systems, means the area usually low lands adjoining a watercourse, which has been or may be subject to flooding hazards.

Floodproofing Standard – means the combination of measures incorporated into the basic design and/or construction of buildings, structures, or properties to reduce or eliminate flooding hazards along watercourses and small inland lakes.

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Component B (2016) first draft – B-2016
Component C (2016) first draft – C-2016

Previously tabled. No additional changes proposed at this time.
**Floodway** – for watercourses and small inland lake systems, means the portion of the floodplain where development and *site alteration* would cause a danger to public health and safety or property damage.

**Floor Space Ratio** – means the figure obtained when the *building floor area* on a *lot* is divided by the *lot area*. In the case of a *building* or part thereof located above a *street* or *lane*, calculation of the floor space ratio shall include that portion of the *building floor area* and that portion of the area of the *street* or *lane* between the *lot line* and the centre line of the *street* or *lane*.

**Food Store** – means a *premises* devoted primarily to the *retail* of food products and may include ancillary non-food products such as toiletries, personal care products and hardware.

**Freestanding Retail Outlet** – see Retail Outlet, Freestanding

**Front Lot Line** – see Lot Line, Front

**Front Yard** – see Yard, Front

**Funeral Home** – means a *building*, or part thereof, *used* for the preparation of human remains for interment or cremation, for the viewing of the body, and for funeral services. A *funeral home* may include an *accessory crematorium*.

**G**

**Garage, Private** – means an *accessory building* or a portion of a *dwelling* which is designed and/or *used* for the parking of one or more *motor vehicles*.

**Garage Width, Private** – means the horizontal distance of a *private garage* along the *façade*, measured from the exterior walls, or in the case of an attached *private garage* that does not project beyond the *façade* of a *dwelling unit*, measured from the exterior wall abutting a *side yard* to the midpoint of the opposite interior wall.

**Garden Centre, Nursery, and/or Landscaping Supply** – means a *premises used* primarily for the display and *retail* sales of plants, trees and shrubs, gardening and *landscaping* supplies and equipment.

**Garden Suite** – means a one–unit detached residential *structure* containing bathroom and kitchen facilities that is ancillary to an *existing* residential *structure* and that is designed to be portable.

**Gas Station** – means a *premises that retails* automotive fuel and other auto–related products and may include the retail of other *accessory convenience retail* and *propane retail* but shall not include *automotive detailing and repair operation*.

**Golf Course** – means a public or private area operated for the purpose of playing golf and may include an indoor or outdoor driving range, a putting green and similar *uses* but does not include miniature golf facility. May also include accessory uses such as a clubhouse, a restaurant, banquet facility, fitness centre and retail store.
Grade – means the elevation of the finished ground or land immediately surrounding such building or structure and is determined by averaging (6) six grade elevations equally spaced apart along the exterior walls of the building.

Gross Floor Area – means the aggregate horizontal area measured from the exterior faces of the exterior walls of all floors of a building (excluding any floor area having a ceiling height of 1.8 metres or less or devoted exclusively to parking) within all buildings on a lot.

Group Home – means a residential care facility licensed or funded under federal or provincial statute for the accommodation of three (3) to ten (10) persons, exclusive of staff, that provides a group living arrangement for their well-being. A group home shall not include a correctional group home.

Group Home, Correctional – means a residential care facility licensed or funded under federal or provincial statute for the accommodation of three (3) to ten (10) persons, exclusive of staff, that provides housing and rehabilitation for persons on probation, parole, early or re-release or any other form of executive, judicial or administrative release from a penal institution. A correctional group home shall not include a group home.

Health Clinic – means a premises used by one or more health professionals for the purpose of consultation, diagnosis, and/or treatment of persons. It may include ancillary administrative offices, waiting rooms, treatment rooms, medical laboratories, dispensaries, or other similar facilities but shall not include accommodation for in-patient care or facilities for major surgical practice. The sale of health products accessory to the practice of a health professional shall be permitted only in the same unit of the building occupied by the health professional(s).

Health Office – means a premises used by a maximum of two health professionals for the purposes of provide consultation, diagnosis and/or treatment of persons.

Health Professional – means an individual who practices any of the health disciplines regulated under a Provincial Act.

Heavy Repair Operation – see Repair Operation, Heavy

Home Improvement Store – means a retail store in which housewares and a wide range of materials, merchandise and equipment for construction and home improvement are offered for sale or rent.

Home Industry – means an industrial use that is accessory to agriculture on the same lot. Home industry may include craftsperson shop, manufacturing, and light repair operation.

Home Occupation – means a business conducted on a lot used for residential purposes that is secondary to the use of the dwelling unit as a primary residence.
Hospice – means a residential facility where terminally ill patients receive palliative care treatment in a home–like setting with a maximum of ten patients at any given time.

Hospital – means a premises established for the maintenance, observation, medical care and supervision and skilled nursing care of persons afflicted with or suffering from sickness, disease, or injury or for the convalescent of chronically ill persons that is approved under the Public Hospitals Act or under the Private Hospitals Act.

Hotel – means a building or part thereof used overnight accommodation of the travelling public and includes a motel or motor hotel but does not include a lodging house, small residential care facility, large residential care facility or bed and breakfast.

Individual On–site Sewage Services – means sewage systems that are owned, operated and managed by the owner of the property upon which the system is located.

Industrial Administrative Office – means an office for the management or administration of an employment use.

Independent Living Facility – means a multiple dwelling that is part of a continuing care community and where personal support services may be provided.

Indirect Sales – means a home occupation which conducts the sale of goods via mail order, telephone, fax, or a website, but shall not include direct sales or the storage of inventory on site.

Institutional Use – see Use, Institutional

Interior Lot Line – see Lot Line, Interior Side

Interior Side Yard – see Yard, Interior Side

Landscaped Area – means any portion of lot which has no building thereon, that is accessible from the building and street on which the lot is located, used for the purpose of landscaping and/or outdoor swimming pool area.

Landscaping – means the landscaped area occupied by natural vegetation, surface walk, rooftop gardens, patios, decks, playgrounds, pathways and other similar materials.
Lane – means a public highway or road allowance having a width of less than 12.19 metres.

Large Merchandise Retail – see Retail, Large Merchandise

Light Repair Operation – see Repair Operation, Light

Loading Space – means a designated area located on a lot that is used or intended to be used for the temporary parking of any commercial vehicle while loading or unloading goods, merchandise, or materials used in connection with the main use of the lot and which has an unobstructed access to a street or lane.

Lodging House – means a dwelling unit where four 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. This shall not include a group home, hospital or any small residential care facility or large residential care facility licensed, approved, or supervised under any general or specific Act or a hotel. This shall include, but not be limited to, student residences and convents.

Lodging Unit – means a room or set of rooms located in a lodging house or other dwelling designed or intended to be used for sleeping and living accommodation, which:

i) is designed for the exclusive use of the resident or residents of the unit;

ii) is not normally accessible to persons other than the residents or residents of the unit; and

iii) does not have both a bathroom and kitchen for the exclusive use of the resident or residents of the unit.

Lot – means a parcel of land that can be legally conveyed pursuant to Section 50 of the Planning Act, R.S.O. 1990, C.P13 as amended.

Lot, Corner – means a lot situate at the intersection of and abutting two streets, or parts of the same street, the adjacent sides of which street or streets (or in the case of a curved corner, the tangents of which) contain an angle of not more than 135 degrees.

Lot, Through – means a lot bounded by streets on two opposite sides.

Lot Area – means the total horizontal area within the lot lines of a lot.

Lot Coverage – means that percentage of the lot area covered by all buildings.

Lot Line – means the line formed by the boundary of any lot.

Lot Line, Exterior Side – means the lot line abutting a street that is not the front lot line.

Lot Line, Front- means the lot line abutting a street with the following exceptions:

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Component B (2016) first draft – B-2016
Component C (2016) first draft – C-2016

Previously tabled. No additional changes proposed at this time.

Component E (May 2017) first draft

Regulation or definition remains under review and/or subject to input from Urban Design Manual update process.
a) In the case of a corner lot, the shorter lot line abutting a street, not including the lot line forming part of a corner visibility triangle, shall be the front lot line. Where such lot lines are of equal length, the City may deem any of the lot lines abutting a street as the front lot line and;

b) In the case of a through lot, the shorter lot line abutting a street shall be the front lot line. Where such lot lines are of equal length, the City may deem any of the lot lines abutting a street as the front lot line.

Lot Line, Interior Side – means a lot line other than the front lot line, rear lot line or exterior side lot line.

Lot Line, Rear – means the lot line farthest from and opposite to the front lot line, or in the case of a triangular lot, shall be that point formed by the intersection of the side lot lines.

Lot Line, Side – means an exterior side lot line and an interior side lot line

Lot Width – means the horizontal distance between the side lot lines of a lot measured at the required front yard setback. Provided, however, that in the case of a lot that has a required front yard setback of less than 6.0 metres, the lot width shall be measured at the 6.0 metre front yard setback distance.

Low Density Residential Uses – means single detached dwellings, duplex dwellings, semi-detached dwellings, street townhouse dwellings and cluster townhouse dwellings and low-rise multiple dwellings.

M

Major Equipment Supply and Service – means the service and repair of, farm, construction and large business machines.

Major Office – see Office, Major

Major Recreational Equipment – means either a portable structure designed and built to be carried by a motor vehicle, or a unit designed and built to be transported on its own wheels, for purposes of providing temporary living accommodation or recreational enjoyment for travel and shall include, for example, motor homes, travel trailers, tent trailers, boats, boat trailers, or other like or similar equipment

Manufacturing – means a premises used for the production, compounding, processing, packaging, crating, bottling, packing, finishing, treating, ornamenting, altering, fabricating or assembly of raw, semi-processed or, fully-processed goods or materials. Manufacturing shall not include Commercial Water Taking.

Mixed Use Building – means a building with a dwelling unit and a non-residential use.
**Mixed Use Development** – means a development that collectively achieves a mix of compatible land uses either in the same or separate buildings. The mix of land uses may include various non-residential land uses but must include residential uses.

**Model Home** – means a new uninhabited single detached dwelling, semi-detached dwelling, or duplex dwelling that is constructed to the requirements and provisions of the zoning category in which the model home is proposed. The model home shall be situated on lands in a draft approved plan of subdivision, with or without service connections, for the purpose of display and sale of the dwelling units.

**Motor Vehicle** – see Vehicle, Motor

**Multiple Dwelling** – see Dwelling, Multiple

**Multi-Unit Building** – means a building containing two or more non-residential uses within two or more separated spaces for lease or occupancy. A multi-unit building shall be managed and operated as one unit with shared on-site parking. A multi-unit building shall not include a mixed-use building.

**Multi-Unit Development** – means two or more buildings containing one or more non-residential uses which are planned, developed, managed and operated as one unit with shared on-site parking. A multi-unit development shall not include a mixed-use development.

**Museum** – means a premises used for the exhibition, collection, or preservation of objects of cultural, historical, or scientific interest, primarily for the recreation or cultural education of the public.

**Natural Heritage Conservation** – means the use of land, water, and/or structures for the protection and management of the natural heritage system to yield the greatest sustainable benefit to current and future generations. Natural heritage conservation uses may include the preservation, maintenance, sustainable utilization, restoration, and enhancement of the natural environment; this will include, for example, forest, fish, and wildlife management.

**Nightclub** – means a building that includes a dance floor and plays pre-recorded or live music for the entertainment of persons and may include an accessory restaurant or accessory retail of food and beverages which are consumed on the premises.

**Non-Complying** – means a lot, building, or structure that does not comply with one or more of the regulations of this By-law.

**Non-Conforming** – means a use that is not permitted in the zone in which the said use is situated.

**Noxious Use** – means a manufacturing use which from its nature or from the manner of carrying on same, causes or is liable to cause a condition which may become hazardous or injurious with regard to the health or safety of any person, including but not limited to, the escape of any destructive gas or fumes, dust, objectionable odour or a contaminant (as defined by the Environmental Protection Act, R.S.O, C.E.19, as amended). A noxious use shall include, but not be limited to: beverage...
distillation; manufacturing of asbestos, phosphate or sulphur products; primary production of chemicals, synthetic rubber, plastic, asphalt, cement or concrete; processing or refining of petroleum or coal; slaughtering, eviscerating, rendering or cleaning of meat, poultry or fish or by-products thereof; smelting, refining, rolling, forging or extruding of ore or metal; stamping, blanking (excluding fineblanking) or punch-pressing of metal; tanning or chemical processing of pelts or leather; vulcanizing of rubber or rubber products; soil remediation facility; warehousing of hazardous, toxic or contaminated materials; a truck transport terminal containing hazardous, toxic or contaminated materials.

O

Office – means a premises in which clerical, administrative, consulting, advisory, or training services are performed, but shall not include a health clinic, health office or commercial school.

Office, Major – means a freestanding office building having a minimum gross floor area of 10,000 square metres.

On-Farm Diversified – means an accessory use that includes home occupations, home industries, agri-tourism uses, uses that produce value-added agricultural products, and retail of goods produced or manufactured primarily on the premises. On-farm diversified may include the processing or packaging of agricultural products, restaurant, and/or food store, but shall not include major equipment supply and service or equestrian establishment.

Outdoor Active Recreation – see Recreation, Outdoor Active

Outdoor Passive Recreation – see Recreation, Outdoor Passive

Outdoor Storage – means the placement of goods, equipment, or materials on a lot not within a building.

P

Parcels of Tied Land – means any parcel of land legally bound and tied to a common element condominium.

Parking Lot – means an area located on a lot which contains four or more parking spaces.

Parking Space – means an area on which a motor vehicle may be parked and which has access directly or by way of an aisle or ramp, to a public lane or to a street.

i) Angled Parking Space – means the orientation of a parking space in such a manner that the side of the vehicle when parked is at an angle to the aisle or ramp, lane or street.

ii) Parallel Parking Space – means the orientation of a parking space in such a manner that the side of the vehicle when parked is parallel to the aisle, ramp, lane or street which gives direct access to such parking space.
iii) **Tandem Parking** – means the arrangement of two parking spaces such that it is necessary to traverse one space to gain vehicular access to the other from a public lane or street.

**Parking Space, Barrier-Free Accessible** – means a *parking space* provided for the use of persons with disabilities, pursuant to the Accessibility for Ontarians with Disabilities Act, 2005, S.O. 2005, c. 11 as amended.

**Parking Space, Electric Vehicle** – means a *parking space* that identifies the *use* to be for the parking of an *electric vehicle* and includes the conduit, wiring, *structures*, machinery, and equipment necessary and integral to support an *electric vehicle* and shall include *electric vehicle battery charging stations*.

**Parking Space, Electric Vehicle Ready** – means a *parking space* that identifies the *use* to be for the parking of an *electric vehicle* and includes the conduit, wiring, *structures*, machinery, and equipment necessary and integral to support an *electric vehicle* and may include *electric vehicle battery charging stations*.

**Parking Space, Visitor** – means a *parking space* for the exclusive use of visitors to a *premises*.

**Parking Stall, Class A Bicycle** – means an enclosed, secure area with controlled access on which a bicycle may parked and secured for the long term. *Class A bicycle parking stalls* may include *bicycle lockers*.

**Parking Stall, Class B Bicycle** – means an area on which a bicycle may be parked and secured for the short term, in a stable position with two points of contact with the frame of the bicycle.

**Pawn Establishment** – means a *building* where a loan may be obtained on personal property held on-site as collateral, which may be reclaimed upon receipt of payment for the loan or sold to the general public and which is regulated under the *Pawn Brokers Act*, R.S.O 1990.

**Payday Loan Establishment** – means a *building* in which personal loans are provided to consumers and which is regulated under the *Payday Loans Act*, R.S.O 2008 and shall not include a *financial establishment*.

**Pet Boarding** – means a *premises* used for the overnight accommodation of domestic animals. *Pet boarding* may include *pet services establishment* but shall not include *veterinary services* or *animal shelter*.

**Pet Services Establishment** – means a building used for the grooming, training, care and supervision of domestic animals during the day wholly within a building. *Pet services establishment* shall not include *pet boarding*, *veterinary services* or *animal shelter*.

**Person** – means any human being, association, firm partnership, incorporated company, corporation, agent or trustee, and heirs, executors or other legal representatives of a person to whom the context can apply according to law.

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**City of Kitchener First Draft Zoning By-law (May 2017)**

| Component B (2016) first draft – B-2016 | |
| Component C (2016) first draft – C-2016 | |

**Component E (May 2017) first draft**

Regulation or definition remains under review and/or subject to input from Urban Design Manual update process.
**Personal Services** – means the provision of services involving the health, beauty, or grooming of a person or the maintenance or cleaning of apparel and may include *retail* of goods *accessory* to the personal service but does not include a pharmacy.

**Pit** – means the place where unconsolidated gravel, stone, sand, earth, clay, fill, mineral or other material has been, is being, or may be removed by means of an open excavation to supply material for construction, industrial or manufacturing purposes, but does not include a *wayside pit*.

**Place of Worship** – means a *premises used* by any religious organization for faith based spiritual purposes and faith based teaching and may include the following *accessory uses*; one *dwelling unit*, a hall, a *day care facility*, a *social service establishment* and/or recreational functions.

**Podium** – means the ground floor and immediate floors above the ground floor of a building that form the base section of a mid– to high–rise building.

**Pool** – means a *structure* that is designed and capable of holding a minimum of 0.91 metres or more of water, permanently or temporarily located outdoors either above or below the ground, or partly thereabove or therebelow, that is, or is designed to be, used or maintained for the purpose of swimming, wading, diving or bathing.

**Post-Secondary School** – See School, Post-Secondary

**Premises** – means the whole or part of lands, buildings, or structures, or any combination of these.

**Principal** – means, when used to describe a use, the primary use carried out on the lot or within a building or structure, and, when used to describe a *building or structure*, means the *building or structure* in which the primary use in conducted, or intended to be conducted.

**Printing or Publishing Establishment** – means a *premises* in which books, newspapers, periodicals, flyers or other printed materials are produced.

**Print Shop** – means a *premises used* by the general public for photocopying, blueprinting, or binding and may include *accessory retail*.

**Primary Frontage** – means the *lot line* to which the front of a *building* is oriented. In the case of a *through lot*, there may only be one primary frontage.

**Private Garage** – see Garage, Private

**Private Garage Width** – see Garage Width, Private

**Private Home Day Care** – see Day Care, Private Home

**Propane Facility** – means a *retail outlet*, filling plant, cardlock/keylock, private outlet, vehicle conversion centre, or cylinder handling facility where propane is handled.

**Propane Cylinder Handling Facility** – means any facility where propane in refillable cylinders is sold or otherwise distributed to end users.

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**City of Kitchener First Draft Zoning By–law (May 2017)**

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Previously tabled. No additional changes proposed at this time.

**Component E (May 2017) first draft**

Regulation or definition remains under review and/or subject to input from Urban Design Manual update process.
**Propane Retail Outlet** – means any *premises* to which the public is invited at which propane is sold and is put into the fuel tanks of *motor vehicles* or into portable containers with a capacity exceeding 0.5 kg but not greater than 20.0 kg.

**Province** – means the Province of Ontario or one or more of its ministries or other agencies that exercise delegated authority on behalf of one or more ministries.

**Public Use** – see Use, Public

**Public Works Yard** – means a *premises* operated by or on behalf of the Federal or *Provincial* governments, the *Region*, the Grand River Conservation Authority, or the *City*, for the storage and maintenance of materials and equipment related to public infrastructure.

**Rear Lot Line** – see Lot Line, Rear

**Rear Yard** – see Yard, Rear

**Recreation, Outdoor Active** – means the *use* of land, water, *buildings* and/or *structures* for outdoor leisure and athletic activities and may include sport fields, parks and playgrounds, outdoor racquet facilities and outdoor swimming facilities but does not include *golf courses*, stadiums, water slides, wave machines, amusement parks or *campgrounds*.

**Recreation, Outdoor Passive** – means the *use* of land and/or water for non-intensive activities that are passive in nature such as access trails, boardwalks and footbridges, but does not include campgrounds, or active outdoor recreational uses or *golf courses*.

**Recycling Operation (Indoor)** – means the processing of non-hazardous, non-toxic, or un-contaminated waste into re-usable materials that is contained wholly within a *building(s)*.

**Recycling Operation (Outdoor)** – means a *premises used* for the processing of non-hazardous, non-toxic, or un-contaminated waste into re-usable materials.

**Refreshment Vehicle** – see Vehicle, Refreshment

**Region** – means the Corporation of the Regional Municipality of Waterloo.

**Repair Operation, Light** – means the servicing or repairing of household articles and appliances but does not include *heavy repair operation*, *major equipment supply and service* or *automotive detailing* and repair operation.

**Repair Operation, Heavy** – means the servicing or repairing of mechanical equipment and shall include, but not be limited to, furnace or oil burners, water and air coolers and domestic water heaters; fixtures and equipment and any other like articles, heavy and light construction equipment,

**City of Kitchener First Draft Zoning By-law (May 2017)**

- **Component A (2015) first draft – A-2015**
- **Component B (2016) first draft – B-2016**
- **Component C (2016) first draft – C-2016**
- **Component D (2017) first draft – D-2017**

Previously tabled. No additional changes proposed at this time.

**Component E (May 2017) first draft**

Regulation or definition remains under review and/or subject to input from Urban Design Manual update process.
lawn care equipment but shall not include a light repair operation, major recreational equipment or automotive detailing and repair operation.

**Repair Operation, Automotive Detailing and** – means the servicing, repair or detailing of motor vehicles but shall not include the retail of motor vehicles.

**Research and Development Establishment** – means a premises used for research, investigation, testing or experimentation including, but not limited to, laboratories, pilot plants, prototype production facilities, software development, and engineering services.

**Residential Use** – see Use, Residential

**Residential Care Facility, Large** – means a building, or part thereof, that is occupied by nine (9) or more persons, exclusive of staff, who are provided personal support services on a temporary or permanent basis in a supervised group setting and may include one or more amenity areas such as common dining, lounge, kitchen, and recreational area. A large residential care facility may include a correctional group home, and/or group home, and/or retirement home.

**Residential Care Facility, Small** – means a building, or part thereof, that is occupied by three (3) to eight (8) persons, exclusive of staff, who are provided personal support services on a temporary or permanent basis in a supervised group setting and may include one or more amenity areas such as common dining, lounge, kitchen, and recreational area. A small residential care facility may include a correctional group home, and/or group home, and/or retirement home.

**Restoration, Janitorial or Security Services** – means a premises used to accommodate an enterprise that provides maintenance, restoration, cleaning, security or similar service to industry and/or the public where such service is primarily conducted and/or provided off-site at the location in need of such service.

**Restaurant** – means a premises where food and/or drink is prepared and sold for immediate consumption on or off-site and may include service on an accessory patio. A restaurant may include a fast food restaurant, take out restaurant and/or full service restaurant and may or may not include a drive-through facility use.

**Restaurant, Fast Food** – means a restaurant where food and/or drinks are sold over a counter to its customers for consumption in the restaurant, for consumption in a motor vehicle on the premises, or for consumption off the premises;

**Restaurant, Take Out** – means a restaurant that does not have seating capacity and where food and/or drinks are sold over the counter for pick-up by the consumer for consumption off the premises, or delivers food and/or drinks directly to the consumer for consumption off the premises; and

**Restaurant, Full Service** – means a restaurant that sells and serves food and/or drinks to patrons seated at tables, for consumption on the premises.
**Retail** – means a *premises* in which goods are displayed, rented, or sold. *Retail* may include a pharmacy, *food store*, *home improvement store* and *convenience retail*, but does not include *retail and/or storage of motor vehicles and major recreation equipment and parts and accessories*.

**Retail And/or Storage Of Motor Vehicles And Major Recreation Equipment And Parts And Accessories** - means a *premises* in which motor vehicles and major recreation equipment, and parts and accessories thereto, are displayed, stored, sold, rented, and/or leased and which may include an associated *automotive detailed and repair operation*.

**Retail, Convenience** – means a *premises* in which a variety of grocery, household items and other convenience goods are sold for consumer’s daily or occasional needs.

**Retail, Large Merchandise** - means a *premises* in which primarily large or bulky goods are displayed, rented, or sold. Large merchandise retail may include *building material supply*, *garden centre*, *nursery*, and/or *landscaping supply*, *home improvement store* and *major equipment supply and service* but does not include *convenience retail* or *retail and/or storage of motor vehicles and major recreation equipment and parts and accessories*.

**Retail Outlet, Freestanding** – means a *building* containing one *retail store*.

**S**

**Salvage or Scrap Yard** – means a *premises used* for the handling, storage, baling, packing, disassembly, buying or *accessory sale* of scrap material such as *motor vehicles*, machinery, or building materials.

**School, Commercial** – means a *premises* where teaching or instruction is offered for profit or gain in subjects such as, but not limited to academics, arts, crafts, *motor vehicle* driving, language, modelling, hairdressing, gymnastics, beauty, culture, dancing, music, golf, yoga, martial arts, photography, business or trade, or other similar subjects but shall not include an elementary *school*, *secondary school* or *post-secondary school*.

**School, Elementary** – means a *provincially approved* institution for academic instruction for kindergarten to grade eight including a public, private, or separate school but does not include a *commercial school*.

**School, Post-Secondary** – means a *premises* used for educational purposes by a degree granting college or university under Provincial legislation but does not include a *commercial school*.

**School, Secondary** – means a *provincially approved* institution for academic instruction for grade nine to grade twelve including a public, private, or separate school but does not include a *commercial school*.

**Second Dwelling Unit** – see *Dwelling Unit, Second*

**Secondary Dwelling Unit** – see *Dwelling Unit, Secondary*
**Service Bay** – means a repair or service area within a building able to accommodate one vehicle at any given time.

**Semi–Detached Dwelling** – see Dwelling, Semi–Detached

**Setback** – means the minimum regulated distance measured at right angles between a *lot line* and the nearest part of any above *grade building*, *structure*, *parking space*, *parking lot*, or *driveway*.

**Shower and Change Facility** – means a portion of a *building* containing shower rooms, and change rooms, or locker rooms, or other similar facilities.

**Side Lot Line** – see Lot Line, Side

**Side Yard** – see Yard, Side

**Single Detached Dwelling** – see Dwelling, Single Detached

**Site Alteration** – means activities that would change the landform or natural vegetative characteristics of a site such as tree removal, grading, excavation and the placement of fill.

**Snow Disposal Site** – means only those lands on which snow is placed after being brought to the *lot* from another *lot*, *street* or *lane*, and shall not include areas to which snow is moved to one portion of a *lot* after being cleared from the rest of the *lot*.

**Social Service Establishment** – means a *premise used* by a non-profit organization or a registered charity to provide goods or services on-site for the betterment of the community. A *social service establishment* shall not include facilities for overnight accommodation.

**Stacking Lane** – means a continuous on-site queuing lane that includes *stacking spaces* for *motor vehicles* which is separated from other vehicular traffic and pedestrian circulation by barriers, markings, or signs.

**Stacking Space** – means a rectangular space that may be provided in succession and is designed to be used for the temporary queuing of a *motor vehicle* in a *stacking lane*.

**Stepback** – means the horizontal distance a *building façade* is recessed, on a horizontal plane, from the *building façade* immediately below it.

**Storage of Motor Vehicles** – means the placement and stocking of *motor vehicles* on a *lot* not within a *building*. This may include a towing compound but does not include a *Salvage or Scrap Yard*, *Recycling Operation (Indoor)*, *Recycling Operation (Outdoor)* or the Storage of Discarded Motor Vehicles.

**Storm Water Management Facility** – means a constructed system of drainage infrastructure designed to ensure that both the quantity and quality of storm runoff is managed to mitigate flood risk and the potential for erosion in receiving water bodies and enhance the quality of the water draining from paved/hard/urban surfaces into streams, wetlands and other receivers.

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**Kitchener First Draft Zoning By-law (May 2017)**

| Component B (2016) first draft – B-2016 |
| Component C (2016) first draft – C-2016 |

Previously tabled. No additional changes proposed at this time.

Regulation or definition remains under review and/or subject to input from Urban Design Manual update process.
Storey means the portion of a building, structure, or part thereof, that is situated between the top of any floor and the top of the floor next above it, and if there is no floor above it, that portion between the top of the floor and the ceiling above it. A habitable or finished attic, or an uninhabitable or unfinished attic with an interior height greater than 1.8 metres, is considered to be a storey.

Street means a public highway greater than 12.19 metres as defined under the Highway Traffic Act or the Municipal Act which affords the principal means of access to an abutting lot and, which is dedicated, assumed, and/or maintained by and under the jurisdiction of the City, Region, or Province. For the purposes of this By-law, a street does not include a lane or any private street.

Street Line means the limit of the street allowance and is the dividing line between a lot and a street.

Street Townhouse Dwelling see Dwelling, Street Townhouse

Structure means anything constructed or erected, the use of which requires location on or in the ground or attached to something having location on or in the ground but excluding an underground servicing facility.

Studio means a premises used for the study or instruction of an art; or for the workplace and retail shop of a painter, sculptor or photographer; or for the making or transmission of motion pictures (but shall not include an Adult Sex Film Theatre or the making of Adult Sex Films), radio or television programs.

Surveying, Engineering, Planning, or Design Establishment means a premises used by professionals to provide technical consultation, analysis, advisory or administrative services.

Temporary Farmers’ Markets means outdoor food stands using temporary structures to sell food products to the public for a maximum of two days per week. The foods sold would be primarily from local sources, and may include processed foods such as jams and preserves.

Through Lot see Lot, Through

Townhouse Dwelling Unit see Dwelling Unit, Townhouse

Tradesperson or Contractor’s Establishment means a premises in which manual or mechanical skills are used to build, install, maintain, or repair goods, equipment, or real property.

Transportation Depot means a premises used for the dispatching of commercial motor vehicles transporting goods or passengers and the parking and servicing of such commercial motor vehicles when not in service.

Kitchener First Draft Zoning By-law (May 2017)

Component B (2016) first draft – B-2016
Component C (2016) first draft – C-2016

Previously tabled. No additional changes proposed at this time.

Component E (May 2017) first draft

Regulation or definition remains under review and/or subject to input from Urban Design Manual update process.
**Transportation Facility** – means a *premises used* for the maintenance and storage of public transportation vehicles and related equipment and may include a *transportation depot*.

**Truck Transport Terminal** – means a *premises used* for the storage of commercially licensed *motor vehicles* for the purpose of dispatching as common carriers or where goods and materials are temporarily stored in bulk quantities at a transfer point for further shipment and shall include the rental or leasing of trucks.

**U**

**Use** – means:

a) as a noun, the purpose for which any land, *building*, or *structure* is arranged, designed, or intended to be *used*, occupied or maintained.

b) as a verb, anything done or permitted by the owner or occupant, of any land, *building* or *structure*, directly or indirectly or by or through any trustee, tenant, servant or agent of such owner or occupant, for the purpose of making use of the said land, *building* or *structure*.

**Use, Institutional** – for the purposes of Section 18.2, means *uses* where there is a threat to the safe evacuation of vulnerable populations such as older persons, persons with disabilities, and those who are sick or young, during an emergency as a result of flooding, failure of floodproofing measures or protection works, or erosion.

**Use, Public** – means the *use* of any land, *building or structure* by or on behalf of the Federal or *Provincial* governments, the *Region*, the Grand River Conservation Authority, or the *City*.

**Use, Residential** – means a *building* or portion thereof comprised of one or more *dwelling units* and includes: *single-detached dwelling*, *duplex dwelling*, *semi-detached dwelling*, *semi-detached duplex dwelling*, *street townhouse dwelling*, *cluster townhouse dwelling*, *multiple dwelling*, *coach house dwelling unit*, *mixed use building* and *residential care facility*.

**Utilities** – means an essential commodity or service such as water, sewer, electricity, gas, oil, television, or communications/telecommunications that is provided to the public by a regulated company or government agency.

**V**

**Vehicle, Commercial** – means any *motor vehicle* having permanently or temporarily attached thereto a truck box or any other form of delivery body, tow trucks, tilt/n/load trucks, buses exceeding 7 metres in length and 4,000 kilograms in gross vehicle weight, and shall include, for example, tractor trailers or semi–trailers and any component thereof, or other like or similar vehicle, but excludes *major recreational equipment* and industrial equipment as otherwise defined and regulated.
**Vehicle, Discarded Motor** – means a motor vehicle which is unlicensed and/or a vehicle which is in disrepair, has missing parts, including tires, or damaged or missing glass, or deteriorated or removed metal adjunctions which make its normal use impossible.

**Vehicle, Electric** – means a vehicle that is powered partially or exclusively on electrical energy from the grid, or an off-board source, that is stored on-board via a battery for motive purposes. An electric vehicle shall include a battery electric vehicle or plug-in hybrid electric vehicle.

**Vehicle, Motor** – means any equipment self-propelled by an engine or motor mounted on the vehicle.

**Vehicle, Refreshment** – means a vehicle that is licensed by the City as a Class A Refreshment Vehicle from which food or drink is offered for sale.

**Veterinary Services** – means a premises used for the purposes of consultation, diagnosis, and treatment of animals and related boarding, grooming and accessory retail of pet supplies.

**Warehouse** – means a building, or part thereof, used for the storage and distribution of goods and may include self-storage warehouses and may include facilities for wholesaling or the accessory retail of goods otherwise stored or manufactured within the building, but shall not include a truck transport terminal.

**Waste Management Facility** – means a premises used for the collection, sorting and processing of waste material for long term disposal on-site or for transfer to another site and shall include a landfill, recycling facility, incinerator, composting facility, waste transfer station or other like or similar uses but shall not include a salvage or scrap yard.

**Water and Wastewater Treatment Facility** – means a premises used for the collection, treatment, storage and distribution of water or wastewater.

**Wayside Pit** – means a temporary pit opened and used by a public road authority solely for the purpose of a particular project or contract of road construction and not located on the road right-of-way.

**Yard** – means any open, uncovered, unoccupied area of a lot abutting a building.

**Yard, Front** – means a yard that extends across the full width of a lot between the front lot line and the nearest point of the principal building.
Yard, Rear – means a yard that extends across the full width of a lot between the rear lot line and the nearest point of the principal building.

Yard, Interior Side – means a yard that extends from the front yard to the rear yard between the interior side lot line and the nearest point of the principal building.

Yard, Exterior Side – means a yard abutting a street on a corner lot that extends from the front yard to the rear yard from the exterior side lot line to the nearest point of the principal building.

Yard, Side – means an exterior side yard and an interior side yard.

Z

Zone – means a designated area of land shown on the Zoning Grid Schedules contained in Schedule A to this By–Law.
SECTION 4   - General Regulations

Unless specifically exempted or regulated elsewhere in this By-law, the following regulations shall apply to all lands covered by this By-law.

4.1 ACCESSORY BUILDINGS AND STRUCTURES

a) Unless otherwise provided for in this By-law, no accessory building or structure shall be used for human habitation.

b) Accessory buildings or structures to dwelling units having a maximum gross floor area of less than 10.0 square metres and a maximum building height of 3.0 metres are permitted to locate in a required rear yard or a required interior side yard; provided, however, no parts thereof may encroach beyond the lot line.

c) For accessory buildings or structure to single detached dwellings, semi-detached dwellings and street townhouse dwellings, the maximum building or structure height shall be 5.5 metres, the maximum height of the underside of any fascia shall be 3.0 metres and the maximum lot coverage shall be 15 percent.

d) Accessory buildings or structures to dwelling units that have a gross floor area equal to or greater than 10.0 square metres or a building height is greater than 3.0 metres shall have a minimum interior side yard and minimum rear yard of 0.6 metres.

e) Accessory buildings or structures to dwelling units shall not be located in the front yard or exterior side yard.

4.2 ACCESSORY USES

Where this By-law provides that land may be used or a building or structure may be erected and used for a permitted use, that use shall include any accessory use provided that the accessory use is located within the same premises.

4.3 BONUSING

a) The maximum floor space ratio of a lot within a UGC zone may be increased up to a maximum floor space ratio as set out in section 6.3 in return for facilities, services or matters that benefit the community and in accordance with the regulations set out in 4.2 b) through h).

b) Section 4.2 only pertains to lots and developments:
   i) That comply with the Official Plan;
   ii) That are suitable for the proposed floor space ratio;
   iii) Where the increase in the maximum permitted floor space ratio is compatible with the planned scale, function and, character of adjacent lots and the surrounding area;

City of Kitchener First Draft Zoning By-law (May 2017)

Component B (2016) first draft – B-2016
Component C (2016) first draft – C-2016

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Component E (May 2017) first draft

Regulation or definition remains under review and/or subject to input from Urban Design Manual update process.
iv) Where infrastructure, including engineering, transportation and community, is sufficient;
v) That have suitable urban design and architecture;
vi) Where the facilities, services or matters provide a positive benefit to the applicable zone that permits bonusing.

c) The facilities, services or matters provided must be over and above the standard requirements of the development review process.

d) No bonus value shall apply for existing facilities, services or matters on the lot.

e) The owner of the lot upon which facilities, services or matters are to be provided or contributed from in return for an increase in floor space ratio shall enter into an agreement pursuant to section 37 of the Planning Act, R.S.O., 1990, with the City to be registered on title.

f) No site plan agreement shall be entered into and no building permit shall be issued until such time as the agreement referenced in section 4.2 e) is entered into and has been registered on the title of the lot to which it applies.

g) More than one community benefit identified in section 4.2. h) may be used or where applicable, more than one additional bonus value within a community benefit may be used.

h) The bonus values are identified in Table 4.2.1 and may be further described in a Bonusing Implementation Guide.

Table 4.1.1: Bonus Values in Exchange for Facilities, Services or Matters

<table>
<thead>
<tr>
<th>Community Benefit</th>
<th>Facility, Service or Matter</th>
<th>Provision or Amount of Facility, Service or Matter in exchange for Bonus Value on a lot zoned UGC</th>
</tr>
</thead>
<tbody>
<tr>
<td>Energy, water and waste management/conservation, stormwater management</td>
<td>Eco/green roof</td>
<td>1 to 2 items - 0.25</td>
</tr>
<tr>
<td></td>
<td>Green wall</td>
<td>3 items or greater – 0.5</td>
</tr>
<tr>
<td></td>
<td>Energy conservation glazing greater than 25 per cent above the standard Ontario Building Code requirement</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Energy or heat reuse/conservation system</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Exfiltration system</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Grey water system</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Rain gardens and/or rain water harvesting</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Bioswales</td>
<td></td>
</tr>
</tbody>
</table>

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<table>
<thead>
<tr>
<th>Community Benefit</th>
<th>Facility, Service or Matter</th>
<th>Provision or Amount of Facility, Service or Matter in exchange for Bonus Value on a lot zoned UGC</th>
</tr>
</thead>
<tbody>
<tr>
<td>Porous/permeable paving</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Transportation Demand Management</td>
<td>Class A or Class B Bicycle Parking Stalls, Shower and Change Facility, Dedicated bicycle share space, Dedicated motor vehicle share space, Dedicated motor vehicle share vehicle, Dedicated motor vehicle pool space, Subsidized transit passes, Membership with a Transportation Demand Management Association, Installation of monitors and provision of materials that promote transit, Bicycle repair station, Unbundled parking spaces</td>
<td>4 to 7 items – 0.5 8 items or greater – 1.0</td>
</tr>
<tr>
<td>Land for public use</td>
<td>Infrastructure corridor, Stormwater management facility, Additional road or trail widening</td>
<td>1 item or greater – 1.0</td>
</tr>
<tr>
<td>Non-profit arts, cultural, community or institutional use</td>
<td>Dedicated space on the first storey or accessible second storey for a non-profit organization related to arts, culture, community or institutional uses</td>
<td>20m² to 100m² – 0.5 Greater than 100m² – 1.0</td>
</tr>
<tr>
<td>Additional parkland</td>
<td>Provision of public parkland or financial contribution thereof</td>
<td>5 to 10 percent greater than required – 0.5 10 percent or greater than required – 1.0</td>
</tr>
<tr>
<td>Conservation, restoration or enhancement of natural heritage features</td>
<td>Planting of additional vegetation or enhanced urban forest, Provision of funds towards off-site vegetation or ecological restoration area (ERA) project</td>
<td>Provide greater than 25 percent of the required vegetation on site – 0.25 Contribution of $100,000 or greater for vegetation off site or restoration of an ERA – 0.5</td>
</tr>
<tr>
<td>Public parking</td>
<td>Secured, accessible public parking in a structure not visible from a street, either in an underground or other internal shared arrangement</td>
<td>25 to 50 parking spaces – 0.5 51 or greater parking spaces – 1.0</td>
</tr>
</tbody>
</table>

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<table>
<thead>
<tr>
<th>Community Benefit</th>
<th>Facility, Service or Matter</th>
<th>Provision or Amount of Facility, Service or Matter in exchange for Bonus Value on a lot zoned UGC</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public transit</td>
<td>Provision of infrastructure, facilities or services for public transit</td>
<td>On-site transit shelter/facility – 0.25</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Contribution of $25,000 or greater for off-site works – 0.25</td>
</tr>
<tr>
<td>Renewable or alternative energy systems</td>
<td>Incorporates solar, wind, or other renewable generation into the development</td>
<td>1 item – 0.5</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2 or more items – 1.0</td>
</tr>
<tr>
<td>Conservation and maintenance of cultural heritage resources</td>
<td>Heritage conservation on a lot that is designated under the Ontario Heritage Act and for which a heritage conservation easement or a preservation and maintenance agreement is registered on title</td>
<td>Entire building - 1.0</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Façade – 0.25 per façade to a maximum of 1.0</td>
</tr>
<tr>
<td>Equivalent to LEED standards or equivalent rating system</td>
<td>Buildings are equivalent to a LEED or other similar rating system level by a certified professional</td>
<td>Equivalent to certified or bronze – 0.5</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Equivalent to silver or above – 1.0</td>
</tr>
<tr>
<td>Affordable, special needs, assisted or subsidized housing</td>
<td>Provision of dwelling units that meet the definition of affordable, special needs, assisted or subsidized or funds towards City or Region affordable housing programs</td>
<td>10 to 25 percent of the dwelling units – 0.5</td>
</tr>
<tr>
<td></td>
<td></td>
<td>25 to 75 percent of the dwelling units – 1.0</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Greater than 75 percent of the dwelling units – 1.5</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Contribution of funds towards City or Region affordable housing programs: $75,000 to $124,999 – 0.5</td>
</tr>
<tr>
<td></td>
<td></td>
<td>$125,000 to $224,999 – 1.0</td>
</tr>
<tr>
<td></td>
<td></td>
<td>$250,000 or greater – 1.5</td>
</tr>
<tr>
<td>Community Benefit</td>
<td>Facility, Service or Matter</td>
<td>Provision or Amount of Facility, Service or Matter in exchange for Bonus Value on a lot zoned UGC</td>
</tr>
<tr>
<td>-------------------</td>
<td>-----------------------------</td>
<td>--------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Indoor or outdoor amenity area accessible to the public</td>
<td>Provision of indoor or outdoor amenity area, that is accessible to and equipped for use by the general public for passive or active recreation or public gatherings</td>
<td>20m² to 100m² – 0.5&lt;br&gt;Greater than 100m² – 1.0</td>
</tr>
<tr>
<td></td>
<td>Provision of enhanced streetscape elements</td>
<td>$50,000 to $100,000 – 0.25&lt;br&gt;Greater than $100,000 – 0.5</td>
</tr>
<tr>
<td>Public art</td>
<td>Provision of one or more pieces of art that is visually accessible to the public</td>
<td>$75,000 to $150,000 – 0.25&lt;br&gt;$Greater than $150,000 – 0.5</td>
</tr>
<tr>
<td>Residential dwelling units</td>
<td>Inclusion of a multiple dwelling within a mixed-use building</td>
<td>25 to 100 dwelling units – 1.0&lt;br&gt;Greater than 100 dwelling units – 1.5</td>
</tr>
<tr>
<td>Architectural excellence</td>
<td>Design of the building meets or exceeds the highest standard of City design expectations identified through City approved Urban Design Guidelines or other</td>
<td>Uses a national or international design competition – 0.25&lt;br&gt;Greater than 60 percent of the building façade utilizes glazing – 0.5&lt;br&gt;Building design achieves an A score within the evaluation of the architectural section of the applicable Urban Design Guidelines – 1.0</td>
</tr>
<tr>
<td>Food store</td>
<td>Provision of a food store on the first storey of a multi-unit building or mixed use building</td>
<td>Food store between 2,000m² or 4,500m² – 1.0</td>
</tr>
</tbody>
</table>
4.4 CONDOMINUMS

4.4.1 Standard Condominiums

Internal lot lines created by:

a) a registration of a plan of condominium; or

b) a plan or plans of condominium registered on all or a portion of a lot which is part of a comprehensively planned development subject to a Development Agreement pursuant to Section 41 of the Planning Act;

shall not be construed to be lot lines for the purposes of zoning regulations provided that all applicable regulations of this By-law relative to the whole lot and its external lot lines, existing prior to any condominium plan registration are strictly observed.

4.4.2 Vacant Land Condominiums

Notwithstanding Section 4.15 of this By-law, more than one single detached dwelling, semi-detached dwelling, or street townhouse dwelling shall be permitted on a lot provided that each has direct access to a public street or an internal private driveway or road that is a common element in a registered Condominium connecting to a public street and is located on a unit in a Vacant Land Condominium. For purposes of this regulation, the front lot line for each unit in a Vacant Land Condominium shall be deemed to be that lot line abutting the internal driveway portion of the common element or the lot line abutting a public street wherever the driveway access is, and the single detached dwelling, semi-detached dwelling, or street townhouse dwelling shall comply with all applicable zoning regulations.

4.4.3 Common Element Condominiums

Notwithstanding Section 4.7 of this By-law, single detached dwelling, semi-detached dwelling, or street townhouse dwellings shall be permitted on lots without frontage on a public street provided that they are located on Parcels of Tied Lands (POTL’s) to a Common Element Condominium (CEC) consisting of at least a private driveway connecting to a public street.

Where lands have been comprehensively planned and are subject to an approved Site Plan and a Development Agreement pursuant to Section 41 of the Planning Act, any zoning deficiencies resulting from the creation of the POTL’s, shall be deemed to conform to the regulations of the By-law, provided that:

a) all applicable regulations of the By-law relative to the whole lot and its external lot lines, existing prior to any condominium plan registration are complied with, and

b) each dwelling unit shall have an unobstructed access at grade or ground floor level, having a minimum width of 0.9 metres, from the front yard to the rear yard of the lot either by:
i) direct access on the lot without passing through any portion of the dwelling unit; or,

ii) direct access through the dwelling unit without passing through a living or family room, dining room, kitchen, bathroom, bedroom, or recreation room or any hallway that is not separated by a door to any such room; or,

iii) access over adjacent lands that, if the lands are not owned by the City or the Region, are secured by an easement or are a common element of the condominium.

Any additions or alterations to the dwelling unit; accessory structures; yard projections; and driveways and widenings of driveways added subsequent to the registration of the condominium, which are not shown on the approved Site Plan must comply with the applicable zoning regulations for the single detached dwellings, semi-detached dwellings, or street townhouse dwellings contained within the POTL. For the purposes of this regulation, the front lot line shall be deemed to be the shortest lot line abutting the public street, internal driveway or internal walkway which provides primary access to the dwelling unit.

4.5 CONSOLIDATED LOT DEVELOPMENT

Where two or more abutting lots under one identical ownership are consolidated for the purpose of development, the internal lot lines of the original lots shall not be construed to be lot lines for the purposes of any zoning regulations provided that all applicable regulations of this By-law relative to the whole lot and its external lot lines are observed.

4.6 CORNER VISIBILITY TRIANGLE AND DRIVEWAY VISIBILITY TRIANGLES

No obstruction to visibility, whether from buildings, structures, motor vehicles, refreshment vehicles, landscaping or other impediments shall be permitted within a corner visibility triangle or any driveway visibility triangle, provided however, this shall not include objects 0.9 metres or less in height from grade.

4.7 FRONTAGE ON A STREET

4.7.1 Except as outlined elsewhere in this By-law, no person shall erect any building or structure or use any building, structure, or lot unless the lot meets one or more of the following requirements:

a) The lot has frontage on a public street;

b) The lot is separated from a public street by land owned by a public agency for future road widening purposes or as a 0.3 metre reserve if registered rights-of-way giving access to a street have been granted and such access scheme is part of a Development Agreement pursuant to The Planning Act, as may be outstanding as at the date of passage hereof, or as may be hereafter agreed to.

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4.7.2 Principal buildings shall have an entrance at grade for any façade fronting on a public street.

4.8 HOME OCCUPATION

No person or persons shall conduct a home occupation except as permitted herein and in accordance with the following regulations:

4.8.1 Home Occupations in Single Detached Dwellings and Semi-Detached Dwelling Units Containing Only One Dwelling Unit

a) The following uses shall be permitted as home occupations in single detached dwellings and semi-detached dwelling units containing only one dwelling unit:

i) Artisan’s Establishment

ii) Bed and Breakfast (only in a single detached dwelling to a maximum of two bedrooms)

iii) Canine and Feline Grooming (only in a single detached dwelling)

iv) Catering Service Establishment

v) Commercial School

vi) Health Office (not including physician, surgeon or dentist)

vii) Indirect sales

viii) Light Repair Operation

ix) Office

x) Personal Service (not including the cleaning of apparel)

b) The person or persons resident in the single detached dwelling or semi-detached dwelling unit shall conduct the home occupation, and may include one non-resident employee and shall not attract any additional employees directly to the lot containing the home occupation.

c) The home occupation shall be conducted so as not to attract more than two customers or clients to the home at any one time.

d) Only one home occupation shall be permitted, except in the case in which one home occupation is conducted so as not to attract customers, clients or employees directly to the lot containing the home occupation, in which case a maximum of two home occupations shall be permitted.

e) The home occupation shall be conducted wholly within an enclosed building.
f) An area not exceeding 25 per cent of the gross floor area of the single detached dwelling or semi-detached dwelling unit may be used for a home occupation and in no case shall the gross floor area that accommodates the home occupation exceed 50.0 square metres.

g) The building containing the home occupation shall comply with all regulations for the single detached dwelling or semi-detached dwelling unit in the zone in which it is located.

h) The home occupation shall not be permitted in a single detached dwelling or semi-detached dwelling unit containing lodging units.

i) No outdoor storage shall be permitted and no storage or display of goods shall be visible from the street.

j) The home occupation shall not create noise, vibration, fumes, odour, dust, glare, or radiation that is evident outside of the building.

k) No combustion engine shall be used in the process of conducting any home occupation.

4.8.1.1 Canine and Feline Grooming

The following regulations apply to a canine and feline grooming home occupation:

i) Permitted only in a single detached dwelling.

ii) A maximum of two dogs and two cats are allowed on the premises at any one time, excluding pets residing at the same address as the home occupation, as evidenced by a valid pet license issued pursuant to the City's By-law pertaining to same in existence at the time.

iii) No veterinary services shall be provided on the premises.

iv) No breeding, boarding or overnight accommodation of dogs or cats for grooming shall be permitted on the premises, excluding pets residing at the same address as the home occupation, as evidenced by a valid pet license issued pursuant to the City's By-law pertaining to same in existence at the time.

v) Non-resident dogs and cats that are on the premises for the purpose of grooming shall have a maximum stay of three (3) hours at any one time, on any given day, during regular operating hours.

vi) All pet related commercial uses and services, including any associated retail, are prohibited, except for Canine and Feline Grooming.
4.8.2 Home Occupations in Second Dwellings, Multiple Dwellings and Street Townhouse Dwellings

a) The following uses shall be permitted as home occupations in second dwellings, multiple dwellings, and street townhouse dwellings:

i) Artisan’s Establishment (not including retail or instruction)

ii) Commercial School

iii) Office

iv) Indirect Sales

v) Private Home Day Care

b) The person or persons resident in the dwelling unit shall only conduct the home occupation.

c) The home occupation shall not attract customers, clients, or employees directly to the lot containing the home occupation, except for academic instruction to one customer or client at a time.

d) The home occupation shall be conducted wholly within an enclosed building.

e) No outdoor storage shall be permitted and no storage or display of goods shall be visible from the street.

f) Only one home occupation shall be permitted for each dwelling unit and the gross floor area of such use shall not exceed 15.0 square metres.

g) The building containing the home occupation shall comply with all applicable regulations for the dwelling type in the zone in which it is located.

h) The home occupation shall not create noise, vibration, fumes, odour, dust, glare, or radiation that is evident outside of the building.

i) No combustion engine shall be used in the process of conducting any home occupation.

4.9 LEGAL NON-COMPLIANCE OF LOTS, BUILDINGS AND STRUCTURES

Nothing in this By-law shall apply to prevent the use of any lot, building, or structure that does not comply with this By-law if such lot, building, or structure legally existed on the date of passing of this By-law and provided that:
4.9.1 Replacement

Nothing in this By-law shall prevent the replacement of a legal non-complying building or structure if destroyed by fire or natural disaster provided that the dimensions of the building and/or structure are not increased.

4.9.2 Non-Compliance as a Result of Land Acquisition

If the acquisition of land, by registration on title on or after February 11, 1985, to widen a street or to provide a corner visibility triangle results in non-compliance with regulations existing on the date of acquisition and respecting lot area, floor space ratio, lot width or yards, a building or use shall be deemed to comply with such regulations only in the circumstances which follows:

a) where the building or use existed at the date of the acquisition;

b) where a building or use is proposed to be developed by the same owner who conveyed the land for street widening or corner visibility triangle; or

c) where a building or use is proposed to be developed in strict accordance with an approved site plan applied for by a previous owner, which required the conveyance of land for street widening or corner visibility triangle;

provided that:

i) where the lot is rezoned after the acquisition of land for street widening or corner visibility triangle, no greater benefit shall be obtained than that which could be obtained based on the zoning in effect on the date of such acquisition; and

ii) the provisions of this section shall not apply in circumstances where the conveyance of land for street widening or corner visibility triangle is a requirement of a subdivision of land approval.
4.10 LEGAL NON-CONFORMING USES

Nothing in this By-Law shall apply to prevent the use of any lot, building or structure for any purpose which does not conform with this By-Law, if such lot, building or structure was lawfully established and used for such purpose on the date of the passing of this By-Law, and provided that it continues to be used for that purpose.

4.10.1 Replacement

Nothing in this By-law shall prevent a building containing a legal non-conforming use which is destroyed by fire or natural disaster from being restored or replaced on its original site provided the dimensions are not increased.

4.11 GROUP HOMES

Only one group home shall be permitted on a lot.

4.12 CORRECTIONAL GROUP HOMES

a) Only one correctional group home shall be permitted on a lot.

b) No building or part thereof shall be used for a correctional group home on a lot situated within 400 metres of another lot on which either a group home or correctional group home is located. This distance shall be measured from the closest point of the lot lines associated with each lot.

c) No building or part thereof shall be used for a correctional group home on a lot that is situated within 100 metres of the city limit of the city. This distance shall be measured from the closest point of the lot line associated with such lot and the city limit.

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

4.14 MUNICIPAL SERVICES

4.14.1 Water Services

a) Except as provided elsewhere in this By-law, all development, including lot creation, must be connected with municipal water services.

b) A private well shall not be permitted as a principal or accessory structure on any lands within the limits of the city where municipal water services are available within the road right-of-way abutting the property, with the exception of the following:

City of Kitchener First Draft Zoning By-law (May 2017)
i) A well which legally existed prior to October 1, 2003;

ii) A well which is installed for the purposes of environmental site remediation, water monitoring, or site de-watering; or

iii) A property used for non-residential purposes other than human consumption such as irrigation, cooling, or manufacturing purposes.

4.14.2 Sanitary Services

Except as provided elsewhere in this By-law, all development, including lot creation, must be connected with full municipal sanitary services, with the exception of the following:

a) development will be permitted on individual on-site sewage services when associated with severances and existing lots in agricultural areas and infilling situations in existing unserviced developed areas where other forms of servicing are not feasible, provided it can be demonstrated to the satisfaction of the Province or the Region that the individual on-site sewage services will not result in an unacceptable level of environmental impact.

b) development will be permitted on private communal sewage services and full municipal water in areas where it can be demonstrated to the satisfaction of the Province and the Region that the provision of full municipal services is not feasible and that the proposed method of servicing will not result in an unacceptable level of environmental impact. Development of all communal sewage systems will be in accordance with the policies of the Region and the Province.

4.15 NUMBER OF DWELLINGS PER LOT

a) Unless otherwise provided for in this By-law, in any zone where a single detached dwelling or semi-detached dwelling, is permitted, no more than one such dwelling shall be erected on a lot.

b) On a lot or block against which a Part Lot Control Exemption By-law is registered, those parts on a reference plan which are intended to constitute a future lot shall be deemed to be a lot for the purposes of this Section of the By-law, provided that such parts are in compliance with all applicable regulations of this By-law, in which case, one single detached dwelling or semi-detached dwelling shall be permitted on each future lot.

4.15.1 Second Dwelling Units

The regulations specified by the zone category in which a second dwelling unit is permitted shall apply in addition to and as amended by the following:
4.15.2 Secondary Dwelling Units

The regulations specified by the RES Zone in which a secondary dwelling unit is permitted and the dwelling type the dwelling unit is secondary to shall apply in addition to and as amended by the following:

a) shall only be permitted on the same lot as a single detached dwelling, semi-detached dwelling or street townhouse dwelling where the single detached dwelling, semi-detached dwelling or street townhouse dwelling does not contain a second dwelling unit;

b) shall not be severed from the lot containing the single detached dwelling, semi-detached dwelling or street townhouse dwelling;

c) the secondary dwelling unit shall be connected to full municipal services;

d) no more than one secondary dwelling unit is permitted on a lot;

e) the gross floor area shall not exceed forty percent of the gross floor area of the single detached dwelling, semi-detached dwelling or street townhouse dwelling on the same lot;

f) the minimum lot area shall be 325.0 square metres;

g) the minimum lot width shall be 12.8 metres;

h) minimum rear yard setback of 3.0 metres;

i) shall not be located in the front yard or exterior side yard;

j) shall have a maximum building height of 6.0 metres, and,

k) a walkway that is a minimum 0.9 metres in width shall be provided from a driveway, street or lane to the secondary dwelling unit.
4.16 PERMITTED PROJECTIONS ABOVE HEIGHT RESTRICTIONS

The height restrictions of this By-law shall not apply to the structures listed below or to other similar structures that may require a height in excess of maximum height limits in order to serve their intended purpose:

i) antennae
ii) chimneys
iii) spires
iv) cupolas
v) flag poles
vi) elevator penthouses
vii) roof access stairways and railings

4.17 PERMITTED PROJECTIONS INTO REQUIRED YARDS

No buildings or structures shall be erected within any required yard, except as provided elsewhere in this By-law.

4.17.1 Architectural Features

Architectural features may be permitted in any required yard, provided that no such feature shall project more than 0.6 metres into the required yard.

4.17.2 Balconies

Balconies associated with a dwelling unit are permitted to extend within any required yard only in accordance with the following regulations:

a) they are not enclosed and are not supported by the ground;
b) the minimum setback from an interior side lot line or rear lot line is 0.75 metres; and,
c) the minimum setback from a front lot line or exterior side lot line is 3.0 metres.

4.17.3 Canopies

Canopies are permitted to extend within any required yard only in accordance with the following regulations:

a) they are not supported by the ground;
b) they do not encroach more than 1.8 metres into a required front yard or an exterior side yard; and

c) they are located greater than 0.5 metres from a street line, a side lot line, or a rear lot line.

4.17.4 Decks

Decks associated with a dwelling unit are permitted to locate only within a required interior side yard, exterior side yard or rear yard, only in accordance with the following regulations:

a) subject to no minimum setback from an interior side lot line or rear lot line provided they are not covered or enclosed and do not exceed 0.6 metres in height above finished grade level at that point on the interior side lot line or rear lot line closest to the porch or deck;

b) set back a minimum of 4.0 metres from a rear lot line provided they are not enclosed and exceed 0.6 metres in height above finished grade level; and

c) in compliance with the setback provisions required for the dwelling for interior side yards, exterior side yards and rear yards in all other cases.

4.17.5 Heating, Ventilation and Air Conditioning Equipment

a) Heating, ventilation and air conditioning equipment and other similar mechanical equipment associated with a dwelling unit are permitted to locate within any required yard, only in accordance with the following regulations:

i) within a front yard or exterior side yard, provided such equipment has a minimum setback of 3.0 metres from the street line and is screened from the street by an enclosure or landscaping.

ii) within a rear yard or interior side yard.

b) Heating, ventilation and air conditioning equipment and other similar mechanical equipment associated with a non-residential building are permitted to locate within any required yard, only in accordance with the following regulations:

i) within a front yard or exterior side yard, provided such equipment has a minimum setback of 3.0 metres from the street line and is screened from the street by an enclosure or landscaping.

ii) within a rear yard or interior side yard.

iii) the minimum setback from an abutting RES Zone is 3.0 metres.
4.17.6 Pools and Hot Tubs

Pools and Hot Tubs associated with a dwelling unit are permitted to locate within any required yard, only in accordance with the following regulations:

a) setback a minimum of 0.6 metres from an interior side lot line or rear lot line;

b) setback a minimum of 2.1 metres from an exterior side lot line;

c) shall not be located in a front yard.

4.17.7 Porches

Porches associated with a dwelling unit are permitted to locate only within a front yard or exterior side yard, only in accordance with the following regulations:

a) set back a minimum of 3.0 metres from the front lot line or exterior side lot line, whether or not covered, provided they do not exceed 0.6 metres in height above finished grade level and in addition, a cold room may be located beneath the porch;

b) in compliance with the setback provisions required for the dwelling for front yards or exterior side yards in all other cases; and,

c) notwithstanding Error! Reference source not found. and b) porches attached or unattached to the principal building of a structure designated under the Ontario Heritage Act, may be located, or reconstructed, within a required front yard or exterior side yard provided that the setback, dimensions and height do not exceed what legally existed on or before the date of passing of this By-law and provided that a Heritage Permit application is approved.

4.17.8 Restaurant Patios, Decks and Outdoor Recreation

Patios, decks and outdoor recreation associated with a restaurant are permitted to locate within a required yard, only in accordance with the following regulations:

a) setback a minimum of 30.0 metres from any Residential Zone or Institutional Zone except for lands fully developed with a non-residential use;

b) in a Commercial Zone or Industrial Zone, set back a minimum of 3.0 metres from any lot line abutting a street;

c) in an Urban Growth Centre Zone, Mixed Use Zone, a minimum set back of 0.0 metres from any lot line abutting a street.
4.17.9 Satellite Dishes and Antennas

ii) Satellite dishes and antennas associated with a dwelling unit are not permitted to locate within a front yard, interior side yard or exterior side yard.

iii) Notwithstanding c) ii), satellite dishes and antennas may be attached to a building provided they do not exceed 0.9 metres in diameter.

4.17.10 Steps and Access Ramps

Unenclosed steps or access ramps are permitted to locate within any required yard only in accordance with the following regulations:

a) the minimum setback from an interior side lot line or rear lot line for steps and access ramps located above grade is 0.75 metres;

b) the maximum area of steps and access ramps shall not exceed 40% of the front yard area;

c) notwithstanding clauses Error! Reference source not found. and Error! Reference source not found., unenclosed steps or access ramps attached or unattached to the principal building of a structure designated under the Ontario Heritage Act, may be located, or reconstructed, within a required front yard or interior side yard, provided that the setback, dimensions and height do not exceed what legally existed on or before the date of passing of this By-law and provided that a Heritage Permit application is approved.

4.18 PERMITTED USES

4.18.1 Accessory Bio-Solid Storage

An accessory bio-solid storage facility shall be used only to spread bio-solids on a farm field containing said facility and no other farms off-site, shall be constructed of solid concrete material; and:

a) shall not be located within 300 metres of a residence on an adjacent lot, or any building used for recreational, institutional, religious or educational purposes;

b) shall not be located within 600 metres of an area zoned residential; and,

c) no residence shall be constructed within 300 metres of an accessory bio-solid storage facility.
4.18.2 Automotive Detailing and Repair Operation and Heavy Repair Operation

Any portion of a building used for an automotive detailing and repair operation and/or heavy repair operation shall be setback a minimum 14 metres from any lot line abutting a RES Zone or INS Zone; unless such building or portion thereof is constructed without an opening, such as a vent, door or window.

4.18.3 Community Garden

a) A community garden shall be permitted in all UGC, RES, MIX, COM, EMP, INS, AGR, and REC Zones.

b) Buildings or structures shall be subject to setback regulations in the applicable zone.

c) A community garden shall be no larger than the lesser of 2000 square metres or 10 percent of the total lot area.

4.18.4 Construction Uses

Any part of a lot in any zone, other than a corner visibility triangle, may be used for temporary buildings and trailers associated with construction work occurring on such lot, provided that the building and trailer is located thereon only for the duration of construction work or as long as the building permit for construction is valid, whichever comes first. No temporary building or trailer intended for construction work purposes shall be used for human habitation.

4.18.5 Drive-Through Facility

The regulations specified by the zone category in which a drive-through facility is permitted shall apply in addition to and as amended by the following:

a) A drive-through facility shall be setback a minimum distance of:

i) 15.0 metres from an abutting RES Zone where a visual barrier is provided along the abutting lot line in accordance with Section 4.24 and 9.4 of this By-law.

ii) 7.5 metres from an abutting RES Zone where an acoustic barrier, certified by a professional engineer, is installed along the abutting lot line prior to occupancy of the drive-through facility.
4.18.6 Gas Station

The regulations specified by the zone category in which a gas station is permitted shall apply in addition to and as amended by the following:

a) A fuel pump island shall be setback 6.0 metres from a street line and a canopy structure above a fuel pump island shall be setback 3.0 metres from a street line.

b) A fuel pump island and a canopy structure above a fuel pump island shall be setback 30.0 metres from an abutting RES Zone.

c) No underground or above-ground fuel storage tank shall be located within 3.0 metres of a street line.

d) The rear yard setback for a building associated with a gas station shall be 3.0 metres.

e) The minimum interior side yard setback for a building associated with a gas station abutting a RES Zone shall be 3.0 metres.

4.18.7 Model Home

A maximum of ten (10) single detached dwellings, semi-detached dwellings may be permitted on a lot in any zone for model home purposes in accordance with the policy for model homes and the approval of the Chief Building Official.

4.18.8 Public Uses and Utilities

Unless otherwise limited by this By-law, public uses and utilities may be permitted in any zone, only in accordance with the following regulations:

a) such use, building or structure complies with all applicable regulations, parking and loading requirements of the zone in which it is located;

b) such use, building or structure shall not adversely affect the character or amenity of the neighbourhood in which it is located; and,

c) accessory outdoor storage may be permitted, except where the property abuts a Residential Zone.

4.18.9 Refreshment Vehicle

A refreshment vehicle shall be permitted in all zones except Residential zones, Natural Heritage Conservation Zones and Storm Water Management Zones, provided that it does not occupy any drive aisle or required parking space.
4.18.10 Temporary Farmers’ Market

a) A temporary farmers’ market shall be permitted in all UGC, MIX, COM, EMP, INS, AGR, and REC zones.

b) A temporary farmers’ market shall be permitted in any yard.

c) A temporary farmers’ market may temporarily occupy some of the required parking spaces on a lot.

4.19 PORCHES

The minimum depth of a porch associated with a dwelling unit shall be 1.5 metres.

4.20 SETBACKS FROM A PROVINCIAL HIGHWAY

All lands, buildings, and structures located within a controlled Provincial Highway Right-of-way shall be subject to all regulations of Province.

4.21 SETBACKS FROM RAILWAYS

All new dwelling units, new lodging houses, new residential care facilities and new hospitals or any additions to existing dwelling units, lodging houses, residential care facilities and hospitals on lots abutting a railway right-of-way shall be subject to the following regulations:

a) A minimum setback of 30.0 metres from the lot line of the railway right-of-way for a Principal or Secondary Main Line shall be required together with a berm or a combination berm and fence along such lot line.

b) A minimum setback of 15.0 metres from the lot line of the railway right-of-way for a Principal or Secondary Branch Line shall be required together with a berm or combination berm and fence along such lot line.

c) A minimum setback of 15.0 metres from the lot line of the railway right-of-way for a Tertiary Branch Line shall be required.

d) The definition and classification of each railway right-of-way shall be as determined by the respective railway company.

e) Where a railway right-of-way has been declared redundant by the respective railway company, the requirements of clauses a), b), or c) shall not apply.

4.22 TWO OR MORE USES ON A LOT

Unless otherwise provided for in this By-law, where two or more uses are located on a lot and the uses are governed by different regulations, the most restrictive regulations shall apply.
4.23 TWO OR MORE ZONES ON A LOT

a) Where a lot is divided into two or more zones, each portion of the lot shall be used in accordance with the provisions of this By-law for the applicable zone as if it were a separate lot. However, the zone boundary dividing a lot into two or more zones is not a lot line for the purposes of this By-law.

b) Where a building is on a lot divided into two or more zones having different floor space ratio regulations, floor space ratios shall be obtained using only that portion of the building floor area and only that portion of the lot area within each zone.

4.24 VISUAL BARRIER

Where in any zone a visual barrier is required to be provided and maintained, such barrier shall act as a screen between uses and be constructed to a minimum height of 1.8 metres and shall consist of the following:

a) a wall, fence; or
b) trees or shrubs or
c) earth berms; or
d) any combination of the above.
SECTION 5 – Parking, Loading, and Stacking

5.1 PARKING PROVISIONS

a) Parking spaces shall be provided and maintained for each use located on a lot.

b) Parking spaces and class A and class B bicycle parking stalls shall be located on the same lot as the use requiring the parking spaces.

c) Despite Subsection b), parking spaces may be located on another lot within 400 metres of the lot containing the use requiring the parking spaces. These parking spaces shall not be located on a lot within a RES, REC, NHC, EUF, or SWM Zone unless it is within the same zone as the use requiring the parking spaces.

d) Where the required parking spaces, other than barrier-free accessible parking spaces, electric vehicle parking spaces, electric vehicle ready parking spaces, and visitor parking spaces, are provided in accordance with Subsection c), the owner of both lots shall enter into an agreement with the City to be registered against the title of both lots to guarantee that the land required for parking spaces shall continue to be used only for such purpose until parking spaces are provided on the same lot as the use requiring the parking spaces.

e) Where the required parking spaces are provided in accordance with Subsection c), and are located within a Hydro Electric Power Corridor, the agreement shall be registered on the title of only the lot containing the use for which the parking spaces are required.

5.2 PARKING SPACE PROVISIONS

a) Where a parking lot is situated on a lot which abuts a RES or MIX zone, a visual barrier shall be provided and maintained along such abutting residential lot line in accordance with Section 4.23 of this By-law.

b) All parking lots shall be provided with adequate means of ingress and egress to and from a street or lane in a forward motion, and shall be arranged so as not to interfere with the normal public use of a street or lane.

c) Parking spaces, drive aisles, driveways and any widenings thereof, and parking lots shall be provided and maintained with stable surfaces such as asphalt, concrete or other hard-surfaced material as approved by the Director of Planning or designate.

5.2.1 Angled Parking Space Dimensions

An angled parking space shall be a minimum of 2.6 metres in width, and a minimum of 5.5 metres in length.
5.2.2 Parallel Parking Space Dimensions

a) A parallel parking space shall be a minimum of 2.4 metres in width and a minimum of 6.7 metres in length.

b) Despite Subsection a), an end space shall be a minimum of 5.5 metres in length provided it is located a minimum of 1.5 metres from any intersecting street, lane, drive aisle, or obstruction.

c) Despite Subsection a), parallel parking spaces adjacent to a wall shall have an access aisle. The access aisle shall be a minimum of 1.5 metres in width and shall extend the full length of the parking space.

5.2.3 Parking Space Provided Within a Residential Building

a) For all residential uses other than multiple dwellings containing 4 or more dwelling units, and/or residential care facilities, parking spaces within a building with direct access from a driveway shall be a minimum of 3.04 metres in width, and a minimum of 5.5 metres in length.

b) Despite Subsection a), the following may project into a parking space:

i) A maximum of two risers without handrails may project 0.46 metres into the width (side) of the parking space; and,

ii) A maximum of two walls may project 0.15 metres into the width (side) of the parking space for a maximum of 1.6 metres in length for each wall, provided that the walls do not obstruct access to the driver's door.
5.2.4 Location of Parking Spaces for Non-Residential Uses

a) Parking spaces, loading spaces, display areas for motor vehicles or major recreational equipment for sale or rental, stacking lanes, or drive aisles shall not be located within 3.0 metres of a front lot line or exterior side lot line.

b) Despite Subsection a), in any MIX zone, parking spaces, loading spaces, or drive aisles shall not be located within 4.5 metres of a front lot line or exterior side lot line.

c) Despite Subsection a), in any UGC zone, parking spaces, loading spaces, or drive aisles shall not be located within 1.0 metre of a front lot line or exterior side lot line provided that a structure, such as a landscaped wall, is constructed. Such structure shall be a minimum of 0.9 metres in height and a maximum of 1.2 metres in height, and shall be approved by the Director of Planning or designate.

d) Despite Subsections a) through c), parking spaces, loading spaces, display areas for motor vehicles or major recreational equipment for sale or rental, stacking lanes, or drive aisles that are located interior to a building are subject to setback regulations in the applicable zone.

e) In a UGC zone, parking spaces and drive aisles associated with a use or a commercial parking facility within a building shall not be located on the first storey of such building.

f) Despite Subsection e) in a UGC zone, parking spaces and drive aisles may be located on the first storey of a building in a UGC zone provided that:

i) The first storey of the building shall have one or more permitted uses other than a commercial parking facility that abut the building facade; and

ii) Parking spaces are located entirely behind the area on the first storey devoted to the uses in subsection i) for the entire length of the building facade.
5.2.5 Location of Parking Spaces for Residential Uses

a) On a lot containing a second dwelling, secondary dwelling unit, home occupation, lodging house having less than 9 residents, semi-detached dwelling, single detached dwelling, or small residential care facility:

i) Parking spaces shall be located a minimum distance of 6 metres from the front lot line or exterior side lot line.

ii) Despite Subsection i), where two or more parking spaces are required, one parking space may locate on the driveway within 6 metres of the front lot line or exterior side lot line and those parking spaces may be tandem parking spaces.

iii) Not more than one parking space for a home occupation may be located in a rear yard, except in the case of a corner lot, a through lot, or a lot abutting a lane.

b) On a lot containing a street townhouse dwelling:

i) Parking spaces shall be located a minimum distance of 6 metres from the front lot line or exterior side lot line.

c) On a lot containing a multiple dwelling, cluster townhouse, large residential care facility, or a lodging house having 9 residents or more:
5.3 **DRIVEWAY AND GARAGE PROVISIONS FOR RESIDENTIAL USES**

a) For all residential uses other than large residential care facilities, multiple dwellings containing 4 or more dwelling units, and mixed use buildings, a required parking space shall have direct access from a street or lane via a driveway.

b) A maximum of one driveway with one access point from each street or lane shall be permitted on a lot, except in the case of:

i) A lot having a minimum lot width of 30 metres, where a maximum of two driveways may be permitted; and,

ii) A semi-detached dwelling, where each dwelling unit may have one driveway.

c) A driveway shall be a minimum of 2.6 metres in width.

d) The provisions in Table 5-1 apply to single detached dwellings with or without a second dwelling unit, semi-detached dwellings, multiple dwellings containing a maximum of 3 dwelling units, and street townhouse dwellings.

Table 5-1: Private Garage Width and Driveway Width Regulations by Lot Size

<table>
<thead>
<tr>
<th>Lot width, or in the case of dwelling unit parcels that are not severed, street frontage width</th>
<th>Maximum private garage width and maximum driveway width</th>
</tr>
</thead>
<tbody>
<tr>
<td>Corner lot</td>
<td>Interior lot</td>
</tr>
<tr>
<td>Less than 15.4 metres</td>
<td>Less than 12.1 metres</td>
</tr>
<tr>
<td>Greater than or equal to 15.4 metres and less than 20.2 metres</td>
<td>Greater than or equal to 12.1 metres and less than 20.2 metres</td>
</tr>
<tr>
<td>Greater than or equal to 20.2 metres</td>
<td>Greater than or equal to 20.2 metres</td>
</tr>
</tbody>
</table>

e) For lands identified on Appendix J, a private garage shall not project beyond the façade of the dwelling unit.

f) For lands not identified on Appendix J, the following provisions apply to single detached dwellings with or without a second dwelling unit, semi-detached dwellings, multiple dwellings containing a maximum of 3 dwelling units, and street townhouse dwellings.

i) A private garage may project beyond the façade of the dwelling unit a maximum of 1.8 metres.
ii) Where a private garage projects beyond the façade of the dwelling unit, a porch abutting the private garage shall be provided in accordance with Section 4.19.

iii) A private garage shall not project beyond the front of a porch.

5.4 BICYCLE PARKING STALL PROVISIONS
a) Class A bicycle parking stalls shall be located within:
   i) A building or structure;
   ii) A secure area such as a supervised parking lot or enclosure with a secure entrance; or

h) Within a front yard, interior side yard or exterior side yard, motor vehicles shall only be parked on a driveway that conforms to Section 5.3.

i) The driveway shall be comprised of a material that is consistent throughout the driveway, and that is distinguishable from all other ground cover or surfacing including landscaping or walkways within the front yard, interior side yard, or exterior side yard.
iii) **Bicycle lockers.**

b) *Class B bicycle parking stalls* shall be located in accessible and highly visible locations near the entrance of a *building*.

c) *Class A and class B bicycle parking stalls* shall be a minimum of 1.8 metres in length, a minimum of 0.6 metres in width, and overhead clearance in covered spaces shall be a minimum of 2.1 metres.

d) Despite Subsections a) and c), where a *class A bicycle parking stall* is located within a *bicycle locker*, overhead clearance shall not be required.

e) *Class A and class B bicycle parking stalls* shall abut an *access aisle* which shall be a minimum of 1.5 metres in width.
f) For buildings containing non-residential uses, shower and change facilities shall be provided in conjunction with the Class A bicycle parking stalls required for non-residential uses in accordance with Table 5-2.
g) Despite Table 5-3 and/or Table 5-4, the parking stalls required for any non-residential use shall be reduced in accordance with Table 5-2.

**Table 5-2: Shower and Change Facilities and Parking Space Reductions**

<table>
<thead>
<tr>
<th>Required Number of Class A Bicycle Parking Stalls</th>
<th>Minimum Shower and Change Facility Requirements</th>
<th>Parking Space Reduction</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than 5</td>
<td>Not required</td>
<td>Not applicable</td>
</tr>
<tr>
<td>5-60</td>
<td>2 showers located within 8 m² of shower and change facilities</td>
<td>2 parking spaces</td>
</tr>
<tr>
<td>61-120</td>
<td>4 showers located within 12 m² of shower and change facilities</td>
<td>4 parking spaces</td>
</tr>
<tr>
<td>121-180</td>
<td>6 showers located within 16 m² of shower and change facilities</td>
<td>6 parking spaces</td>
</tr>
<tr>
<td>Greater than 180</td>
<td>8 showers located within 20 m² of shower and change facilities</td>
<td>8 parking spaces</td>
</tr>
</tbody>
</table>

**5.5 MINIMUM PARKING SPACE PROVISIONS**

a) Parking spaces, visitor parking spaces and class A and class B bicycle parking stalls shall be provided in accordance with Table 5-3. Where a zone permits a use, the minimum parking space requirement shall apply at the rate specified for the lot located within:

i) UGC Zones;

ii) Planning Around Rapid Transit Station (PARTS) Areas (Appendix I);

iii) MIX Zones (Outside PARTS Areas); or,

iv) All Other Areas

b) If the calculation of the required parking spaces, visitor parking spaces, and class A and class B bicycle parking stalls results in a fraction, then the requirement shall be the next higher whole number.

c) A parking space shall not be used to store or display motor vehicles or major recreational equipment for sale or rental.

d) All required visitor parking spaces shall be clearly identified, demarcated and reserved.
### Table 5-3: Minimum Parking Space and Bicycle Parking Schedule

<table>
<thead>
<tr>
<th>Use</th>
<th>Minimum Number of Required Parking Spaces where Permitted</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential Uses</td>
<td>UGC Zones</td>
</tr>
<tr>
<td>Cluster Townhouse Dwelling, Multiple Dwelling</td>
<td>0.9 per dwelling unit</td>
</tr>
<tr>
<td></td>
<td>Class A Bicycle Parking Stalls: 1 per dwelling unit</td>
</tr>
<tr>
<td></td>
<td>Class B Bicycle Parking Stalls: 2, or 6 if greater than 20 dwelling units</td>
</tr>
<tr>
<td>Semi-Detached Dwelling, Single-Detached Dwelling, Street Townhouse Dwelling</td>
<td>Not applicable</td>
</tr>
<tr>
<td>Second Dwelling Unit, Secondary Dwelling Unit</td>
<td>Not applicable</td>
</tr>
<tr>
<td>Care Facilities</td>
<td></td>
</tr>
<tr>
<td>Day Care Facility</td>
<td>1 per 125 m² GFA</td>
</tr>
<tr>
<td></td>
<td>Class A Bicycle Parking Stalls: 1 per 333 m² GFA</td>
</tr>
<tr>
<td>Hospice</td>
<td>1 per bed</td>
</tr>
<tr>
<td></td>
<td>Class A Bicycle Parking Stalls: 1 per 125 m² GFA</td>
</tr>
<tr>
<td></td>
<td>Class B Bicycle Parking Stalls: 1 per 167 m² GFA</td>
</tr>
</tbody>
</table>

City of Kitchener First Draft Zoning By-law (May 2017)

Component B (2016) first draft – B-2016
Component C (2016) first draft – C-2016

Previously tabled. No additional changes proposed at this time.

Component E (May 2017) first draft

Regulation or definition remains under review and/or subject to input from Urban Design Manual update process.
<table>
<thead>
<tr>
<th>Use</th>
<th>Minimum Number of Required Parking Spaces where Permitted</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>UGC Zones</td>
</tr>
<tr>
<td>Large Residential Care Facility</td>
<td>1 per 124 m² GFA</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>Class A Bicycle Parking Stalls: 1</td>
<td></td>
</tr>
<tr>
<td>Class B Bicycle Parking Stalls: 2, or 6 if greater than 550 m² GFA</td>
<td></td>
</tr>
<tr>
<td>Small Residential Care Facility</td>
<td>Not applicable</td>
</tr>
<tr>
<td>Overnight Accommodation</td>
<td></td>
</tr>
<tr>
<td>Home Occupation: Bed and Breakfast</td>
<td>1 per non-resident employee, plus 0.5 per guest room</td>
</tr>
<tr>
<td>Hotel</td>
<td>0.7 per guest room</td>
</tr>
<tr>
<td>Class A Bicycle Parking Stalls: 1</td>
<td></td>
</tr>
<tr>
<td>Class B Bicycle Parking Stalls: 2, or 6 if greater than 75 guest rooms</td>
<td></td>
</tr>
<tr>
<td>Lodging House</td>
<td>1 per 125 m² GFA</td>
</tr>
<tr>
<td>Institutional Uses</td>
<td></td>
</tr>
<tr>
<td>Artisan’s Establishment, Commercial School</td>
<td>1 per 55 m² GFA</td>
</tr>
<tr>
<td>Class A Bicycle Parking Stalls: 1</td>
<td></td>
</tr>
<tr>
<td>Class B Bicycle Parking Stalls: 1</td>
<td></td>
</tr>
<tr>
<td>Class B Bicycle Parking Stalls: 1</td>
<td></td>
</tr>
</tbody>
</table>

City of Kitchener First Draft Zoning By-law (May 2017)

Component E (May 2017) first draft

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<table>
<thead>
<tr>
<th>Use</th>
<th>Minimum Number of Required Parking Spaces where Permitted</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>UGC Zones</td>
</tr>
<tr>
<td>Elementary School</td>
<td>Not applicable</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>Hospital</td>
<td>1 per 70 m² GFA</td>
</tr>
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<td></td>
<td></td>
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<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>Secondary School</td>
<td>1 per 166 m² GFA, plus 2 per portable</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>Post-Secondary School</td>
<td>1 per 170 m² GFA</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

City of Kitchener First Draft Zoning By–law (May 2017)

**Component E (May 2017) first draft**

Regulation or definition remains under review and/or subject to input from Urban Design Manual update process.

Previously tabled. No additional changes proposed at this time.

**Component A (2015) first draft – A-2015**
**Component B (2016) first draft – B-2016**
**Component C (2016) first draft – C-2016**
**Component D (2017) first draft – D-2017**
## Places of Assembly

<table>
<thead>
<tr>
<th>Use</th>
<th>Minimum Number of Required Parking Spaces where Permitted</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>UGC Zones</td>
</tr>
<tr>
<td>Art Gallery, Community Facility, Conference or Convention Facility, Cultural Facility, Exhibition Facility, Museum, Private Club or Lodge</td>
<td>1 per 100 m² GFA</td>
</tr>
<tr>
<td></td>
<td>Class A Bicycle Parking Stalls: 1 per 500 m² GFA</td>
</tr>
<tr>
<td></td>
<td>Class B Bicycle Parking Stalls: 1 per 250 m² GFA</td>
</tr>
<tr>
<td>Funeral Home</td>
<td>Not applicable</td>
</tr>
<tr>
<td>Funeral Home, Place of Worship</td>
<td>1 per 40 m² GFA</td>
</tr>
<tr>
<td></td>
<td>Class A Bicycle Parking Stalls: 1 per 500 m² GFA</td>
</tr>
<tr>
<td></td>
<td>Class B Bicycle Parking Stalls: 1 per 250 m² GFA</td>
</tr>
</tbody>
</table>

### Agriculture and Recreation

<table>
<thead>
<tr>
<th>Use</th>
<th>Minimum Number of Required Parking Spaces where Permitted</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>UGC Zones</td>
</tr>
<tr>
<td>Agriculture</td>
<td>Not applicable</td>
</tr>
<tr>
<td>Campground</td>
<td>Not applicable</td>
</tr>
<tr>
<td>Equine Boarding Service, Riding Stable or Riding Academy</td>
<td>Not applicable</td>
</tr>
<tr>
<td>Fitness Centre</td>
<td>1 per 77 m² GFA</td>
</tr>
<tr>
<td></td>
<td>Class A Bicycle Parking Stalls: 1 per 500 m² GFA</td>
</tr>
<tr>
<td></td>
<td>Class B Bicycle Parking Stalls: 1 per 250 m² GFA</td>
</tr>
<tr>
<td>Golf Course</td>
<td>Not applicable</td>
</tr>
<tr>
<td></td>
<td>Class A Bicycle Parking Stalls: 1 per 500 m² GFA</td>
</tr>
</tbody>
</table>

City of Kitchener First Draft Zoning By–law (May 2017)

Component E (May 2017) first draft

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---

Component B (2016) first draft – B-2016
Component C (2016) first draft – C-2016

Previously tabled. No additional changes proposed at this time.
<table>
<thead>
<tr>
<th>Use</th>
<th>Minimum Number of Required Parking Spaces where Permitted</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>UGC Zones</td>
</tr>
<tr>
<td>Indoor Recreation</td>
<td></td>
</tr>
<tr>
<td>Class A Bicycle Parking Stalls</td>
<td>1 per 77 m² GFA</td>
</tr>
<tr>
<td>Class B Bicycle Parking Stalls</td>
<td>1 per 250 m² GFA</td>
</tr>
<tr>
<td>Outdoor Active Recreation</td>
<td>Not applicable</td>
</tr>
<tr>
<td>Outdoor Passive Recreation</td>
<td>Not applicable</td>
</tr>
<tr>
<td>Office Uses</td>
<td></td>
</tr>
<tr>
<td>Biotechnological Establishment,</td>
<td>1 per 69 m² GFA</td>
</tr>
<tr>
<td>Computer, Electronic or Data</td>
<td></td>
</tr>
<tr>
<td>Server or Processing Establishment</td>
<td>Class A Bicycle Parking Stalls: 1 per 333 m² GFA</td>
</tr>
<tr>
<td>Industrial Administrative Office,</td>
<td>Class A Bicycle Parking Stalls: 1 per 500 m² GFA</td>
</tr>
<tr>
<td>Major Office, Office, Research &amp;</td>
<td>Class A Bicycle Parking Stalls: 1 per 1000 m² GFA</td>
</tr>
<tr>
<td>Development Establishment, Social</td>
<td>Class A Bicycle Parking Stalls: 1 per 167 m² GFA</td>
</tr>
<tr>
<td>Service Establishment, Surveying,</td>
<td>Class A Bicycle Parking Stalls: 1 per 167 m² GFA</td>
</tr>
<tr>
<td>Engineering, Planning, or Design</td>
<td>Class A Bicycle Parking Stalls: 1 per 167 m² GFA</td>
</tr>
<tr>
<td>Establishment</td>
<td>Class A Bicycle Parking Stalls: 1 per 167 m² GFA</td>
</tr>
<tr>
<td>Health Clinic</td>
<td>1 per 30 m² GFA</td>
</tr>
<tr>
<td>Class A Bicycle Parking Stalls</td>
<td>Class B Bicycle Parking Stalls: 1 per 500 m² GFA</td>
</tr>
<tr>
<td>Class B Bicycle Parking Stalls</td>
<td>Class B Bicycle Parking Stalls: 1 per 500 m² GFA</td>
</tr>
</tbody>
</table>

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City of Kitchener First Draft Zoning By-law (May 2017)

Component E (May 2017) first draft

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Component B (2016) first draft – B-2016
Component C (2016) first draft – C-2016

Previously tabled. No additional changes proposed at this time.
<table>
<thead>
<tr>
<th>Use</th>
<th>Minimum Number of Required Parking Spaces where Permitted</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>UGC Zones</td>
</tr>
<tr>
<td>Health Office</td>
<td>1 per 40 m² GFA</td>
</tr>
<tr>
<td></td>
<td>Class A Bicycle Parking Stalls: 1 per 500 m² GFA</td>
</tr>
<tr>
<td></td>
<td>Class B Bicycle Parking Stalls: 1 per 167 m² GFA</td>
</tr>
<tr>
<td>Service Uses</td>
<td></td>
</tr>
<tr>
<td>Brewpub, Night Club, Restaurant</td>
<td>1 per 19 m² GFA</td>
</tr>
<tr>
<td></td>
<td>For a restaurant within a multi-unit building or development a rate of 1 per 19 m² GFA shall apply to the first 750 m², and a rate of 1 per 13 m² shall apply thereafter.</td>
</tr>
<tr>
<td></td>
<td>Class A Bicycle Parking Stalls: 1 per 100 m² GFA of fast food or takeout restaurant, or 1 per 250 m² GFA of full service restaurant, brewpub, and night club</td>
</tr>
</tbody>
</table>

City of Kitchener First Draft Zoning By-law (May 2017)

Component B (2016) first draft – B-2016
Component C (2016) first draft – C-2016

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Component E (May 2017) first draft
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<table>
<thead>
<tr>
<th>Use</th>
<th>Minimum Number of Required Parking Spaces where Permitted</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>UGC Zones</td>
</tr>
<tr>
<td>Canine and Feline Grooming, Convenience Retail, Craftsperson Shop,</td>
<td>1 per 95 m² GFA</td>
</tr>
<tr>
<td>Financial Establishment, Food Store, Garden Centre, Nursery and/or</td>
<td></td>
</tr>
<tr>
<td>Landscaping Supply, Building Material Supply, Major Equipment Supply</td>
<td></td>
</tr>
<tr>
<td>Service, Pawn Establishment, Payday Loan Establishment, Print Shop,</td>
<td></td>
</tr>
<tr>
<td>Propane Retail Outlet, Retail, Studio</td>
<td></td>
</tr>
<tr>
<td>Home Occupation: Artisan’s Establishment (1), Canine and Feline</td>
<td>1 per home occupation, plus 1 per non-resident</td>
</tr>
<tr>
<td>Grooming, Catering Service Establishment, Commercial School (1),</td>
<td>employee</td>
</tr>
<tr>
<td>Health Office, Indirect Sales (1), Light Repair Operation, Office</td>
<td>1 per 125 m² GFA</td>
</tr>
<tr>
<td>(1), Personal Service, Private Home Day Care (1)</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>Light Repair Operation</td>
<td>1 per 125 m² GFA</td>
</tr>
<tr>
<td></td>
<td>Class A Bicycle Parking Stalls: 1 per 1000 m² GFA</td>
</tr>
<tr>
<td></td>
<td>Class B Bicycle Parking Stalls: 1 per 2000 m² GFA</td>
</tr>
</tbody>
</table>

Additional Regulations for Home Occupation Table 5-3

(1) No parking spaces are required for a home occupation in a second dwelling unit, multiple dwelling, and street townhouse dwelling.

(2) No parking spaces are required provided that the office is conducted in such a manner as to not to attract customers, clients or employees to the home occupation.
### Use of Minimum Number of Required Parking Spaces where Permitted

<table>
<thead>
<tr>
<th>Use</th>
<th>UGC Zones</th>
<th>PARTS Areas</th>
<th>MIX Zones</th>
<th>All Other Areas</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gas Station</td>
<td>Not applicable</td>
<td>No requirement, provide stacking spaces in accordance with Section 5.13</td>
<td>Not applicable</td>
<td>No requirement, provide stacking spaces in accordance with Section 5.13</td>
</tr>
<tr>
<td>Personal Services</td>
<td>1 per 69 m² GFA</td>
<td>1 per 69 m² GFA</td>
<td>1 per 40 m² GFA</td>
<td>1 per 40 m² GFA</td>
</tr>
<tr>
<td></td>
<td>Class A Bicycle Parking Stalls: 1 per 500 m² GFA</td>
<td>Class A Bicycle Parking Stalls: 1 per 1000 m² GFA</td>
<td>Class A Bicycle Parking Stalls: 1 per 1000 m² GFA</td>
<td>Class A Bicycle Parking Stalls: 1 per 1000 m² GFA</td>
</tr>
<tr>
<td></td>
<td>Class B Bicycle Parking Stalls: 1 per 167 m² GFA</td>
<td>Class B Bicycle Parking Stalls: 1 per 333 m² GFA</td>
<td>Class B Bicycle Parking Stalls: 1 per 333 m² GFA</td>
<td></td>
</tr>
<tr>
<td>Transportation Depot, Truck Transport Terminal</td>
<td>Not applicable</td>
<td>1 per 50 m² GFA, exclusive of any parking for fleet vehicles</td>
<td>Not applicable</td>
<td>1 per 40 m² GFA, exclusive of any parking for fleet vehicles</td>
</tr>
<tr>
<td></td>
<td>Class A Bicycle Parking Stalls: 1 per 1000 m² GFA</td>
<td>Class A Bicycle Parking Stalls: 1 per 1500 m² GFA</td>
<td>Class A Bicycle Parking Stalls: 1 per 1500 m² GFA</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Class B Bicycle Parking Stalls: 1 per 2000 m² GFA</td>
<td></td>
<td>Class B Bicycle Parking Stalls: 1 per 3000 m² GFA</td>
<td></td>
</tr>
<tr>
<td>Veterinary Services</td>
<td>1 per 69 m² GFA</td>
<td>1 per 69 m² GFA</td>
<td>1 per 40 m² GFA</td>
<td>1 per 40 m² GFA</td>
</tr>
<tr>
<td></td>
<td>Class A Bicycle Parking Stalls: 1 per 500 m² GFA</td>
<td>Class A Bicycle Parking Stalls: 1 per 1000 m² GFA</td>
<td>Class A Bicycle Parking Stalls: 1 per 1000 m² GFA</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Class A Bicycle Parking Stalls: 1 per 1500 m² GFA</td>
<td>Class A Bicycle Parking Stalls: 1 per 1500 m² GFA</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Class B Bicycle Parking Stalls: 1 per 2000 m² GFA</td>
<td>Class B Bicycle Parking Stalls: 1 per 3000 m² GFA</td>
<td></td>
</tr>
</tbody>
</table>

City of Kitchener First Draft Zoning By–law (May 2017)

Component B (2016) first draft – B-2016
Component C (2016) first draft – C-2016

Previously tabled. No additional changes proposed at this time.

Component E (May 2017) first draft

Regulation or definition remains under review and/or subject to input from Urban Design Manual update process.
### Use of Minimum Number of Required Parking Spaces where Permitted

<table>
<thead>
<tr>
<th>Employment Uses</th>
<th>UGC Zones</th>
<th>PARTS Areas</th>
<th>MIX Zones</th>
<th>All Other Areas</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Bulk Fuel and Oil Storage Establishment, Salvage or Scrap Yard, Truck Transport Terminal, Warehousing</strong></td>
<td>Not applicable</td>
<td>The greater of 1 per 1500 m² GFA, or 1 Class A Bicycle Parking Stalls: 1 per 1000 m² GFA</td>
<td>Not applicable</td>
<td>The greater of 1 per 1500 m² GFA, or 1 Class A Bicycle Parking Stalls: 1 per 1500 m² GFA</td>
</tr>
<tr>
<td><strong>Automotive Detailing Repair Operation, Heavy Repair Operation, Indoor Recycling Operation, Catering Service Establishment, Manufacturing, Outdoor Recycling Operation, Propane Cylinder Handling Facility, Printing or Publishing Establishment, Propane Facility Restoration or Janitorial or Security Services Tradesperson or Contractor’s Establishment</strong></td>
<td>1 per 125 m² GFA, or 4 per service bay Class A Bicycle Parking Stalls: 1 per 1000 m² GFA</td>
<td>1 per 125 m² GFA, or 4 per service bay Class A Bicycle Parking Stalls: 1 per 1000 m² GFA</td>
<td>1 per 90 m² GFA, or 4 per service bay Class A Bicycle Parking Stalls: 1 per 1500 m² GFA</td>
<td>1 per 90 m² GFA, or 4 per service bay Class A Bicycle Parking Stalls: 1 per 1500 m² GFA</td>
</tr>
<tr>
<td><strong>Car Wash</strong></td>
<td>Not applicable</td>
<td>3 per bay, plus 1 per vacuum hose. No requirement for automatic car wash, provide stacking spaces in accordance with Section 5.13</td>
<td>Not applicable</td>
<td>3 per bay, plus 1 per vacuum hose. No requirement for automatic car wash, provide stacking spaces in accordance with Section 5.13</td>
</tr>
<tr>
<td><strong>Commercial Vehicle Wash Facility</strong></td>
<td>Not applicable</td>
<td>1 per bay</td>
<td>Not applicable</td>
<td>1 per bay</td>
</tr>
</tbody>
</table>
5.6 PARKING PROVISIONS FOR UGC ZONES

a) In a UGC-1, UGC-3, or UGC-4 zone, an exemption from the parking spaces required in Table 5-3 may apply up to the first 10,000 m² of gross floor area of buildings on a lot for non-residential uses, and up to the first 100 dwelling units for residential uses.

b) In a UGC-2 zone, an exemption from the parking spaces required in Table 5-3 may apply to the first 930 m² of gross floor area of buildings on a lot for non-residential uses.

5.7 MAXIMUM PARKING SPACE PROVISIONS

a) Where a lot is located within a UGC zone the number of parking spaces including visitor parking spaces provided for a use on that lot shall not exceed 120 percent of the parking spaces required in Table 5-3.

b) Where a lot is located in the PARTS areas, the number of parking spaces including visitor parking spaces provided for a use on that lot shall not exceed 120-130 percent of the parking spaces required in Table 5-3.

c) Where a lot is located within a MIX zone (outside the PARTS areas), the number of parking spaces including visitor parking spaces provided for a use on that lot shall not exceed 125-140 percent of the parking spaces required in Table 5-3.

d) Where a lot is located in all other areas not defined in Subsections a) through c), the number of parking spaces including visitor parking spaces provided for a use on that lot shall not exceed 125-140 percent of the parking spaces required in Table 5-3.
e) Despite Subsection a) through d), where the minimum parking spaces required for a building or a portion thereof is zero, the number of parking spaces shall not exceed 1 per 55 m² gross floor area for non-residential uses, and 1.1 per dwelling unit for residential uses. Any parking spaces required for the remainder of a building shall comply with Subsections a) through d).

5.8 SHARED PARKING SPACE REDUCTIONS

a) Where two or more uses listed in Table 5-4 are permitted and located on the same lot, parking spaces may be shared between uses.

b) The number of parking spaces required for the lot under Subsection a) shall be calculated as follows:
   
   i) Multiply the number of parking spaces for a use in Table 5-3 by the percentages in Table 5-4 for that use in each of the eight time periods;
   
   ii) Repeat (i) for each use on the lot that is listed in Table 5-4;
   
   iii) For each time period, add the parking space calculations derived through Subsections i) and ii) to arrive at the total number of parking spaces for each time period; and,
   
   iv) The largest total number of parking spaces in any time period shall be the number of parking spaces required for the proposed uses listed in Table 5-4.

c) Only permitted uses listed in Table 5-4 shall be eligible for a reduced shared parking rate; the total parking space requirement for all other uses on the lot shall be the aggregate sum of the requirements for each individual use at the rates in Table 5-3.
### Table 5-4: Shared Parking Space Schedule (1)

<table>
<thead>
<tr>
<th>Use</th>
<th>Percentage of Peak Time Period</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Morning</td>
</tr>
<tr>
<td>Time of Week</td>
<td>Week</td>
</tr>
<tr>
<td>Day Care Facility, Health Clinic, Health Office, Major Office, Office, Veterinary Services</td>
<td>100%</td>
</tr>
<tr>
<td>Financial Establishment</td>
<td>70%</td>
</tr>
<tr>
<td>Artisan’s Establishment, Art Gallery, Canine and Feline Grooming, Craftsperson Shop, Light Repair Operation, Museum, Personal Service, Print Shop, Retail, Studio</td>
<td>50%</td>
</tr>
<tr>
<td>Brewpub, Fitness Centre, Indoor Recreation, Private Club or Lodge, Restaurant</td>
<td>25%</td>
</tr>
<tr>
<td>Place of Worship</td>
<td>25%</td>
</tr>
<tr>
<td>Hotel</td>
<td>50%</td>
</tr>
<tr>
<td>Conference or Convention Facility</td>
<td>95%</td>
</tr>
<tr>
<td>Cluster Townhouse Dwelling, Multiple Dwelling (Resident Parking Spaces)</td>
<td>90%</td>
</tr>
<tr>
<td>Cluster Townhouse Dwelling, Multiple Dwelling (Visitor Parking Spaces)</td>
<td>20%</td>
</tr>
<tr>
<td>Total number of parking spaces for each time period</td>
<td></td>
</tr>
</tbody>
</table>

**Additional Regulations for Shared Parking Table 5-4**

1. All parking spaces shall be shared between uses and unassigned.

### 5.9 ELECTRIC VEHICLE PARKING SPACE PROVISIONS

- **a)** The following provisions shall not apply for existing buildings.
- **b)** All multiple dwellings shall provide electric vehicle ready parking spaces in accordance with Table 5-5.
- **c)** All non-residential uses requiring more than 49 parking spaces shall provide electric vehicle parking spaces in accordance with Table 5-5.
- **d)** All required electric vehicle parking spaces shall be clearly identified and demarcated.
Table 5-5: Electric Vehicle Parking Space Schedule

<table>
<thead>
<tr>
<th>Minimum number of required parking spaces</th>
<th>Minimum Number of Electric Vehicle Parking Spaces or Electric Vehicle Ready Parking Spaces</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 - 49</td>
<td>1 of the total required parking spaces</td>
</tr>
<tr>
<td>50 - 84</td>
<td>2 of the total required parking spaces</td>
</tr>
<tr>
<td>85 - 119</td>
<td>3 of the total required parking spaces</td>
</tr>
<tr>
<td>120 - 149</td>
<td>4 of the total required parking spaces</td>
</tr>
<tr>
<td>Greater than 149</td>
<td>3 percent of total required parking spaces rounded up to the nearest whole number</td>
</tr>
</tbody>
</table>

5.10 COMPACT VEHICLE PARKING SPACE PROVISIONS

Despite Section 5.2.1, a maximum of 10 percent of the total required parking spaces may be reduced to a minimum of 2.4 metres in width and a minimum of 4.8 metres in length, provided that these parking spaces are clearly identified, demarcated and reserved for compact motor vehicles.

5.11 BARRIER-FREE ACCESSIBLE PARKING SPACE PROVISIONS

a) Type A barrier-free accessible parking spaces must be a minimum of 3.4 metres in width and a minimum of 5.5 metres in length.

b) Type B barrier-free accessible parking spaces must be a minimum of 2.4 metres in width and a minimum of 5.5 metres in length.

c) Where one barrier-free accessible parking space is required, it shall be a Type A barrier-free accessible parking space.

d) Where an even number of barrier-free accessible parking spaces are required, an equal number of Type A and Type B barrier-free accessible parking spaces shall be provided.

e) Where an odd number of barrier-free accessible parking spaces are required, an equal number of Type A and Type B barrier-free accessible parking spaces shall be provided, where the additional parking space may be a Type B barrier-free accessible parking space.

f) Access aisles shall be provided for all barrier-free accessible parking spaces.

g) Access aisles may be shared by two parking spaces and shall meet the following requirements:

i) The access aisles shall be a minimum of 1.5 metres in width.

ii) The access aisle shall extend the full length of the parking space.

iii) The access aisles shall be marked with high tonal contrast diagonal lines, which discourage parking in them, where the surface is asphalt, concrete or some other hard surface.
h) *Barrier-free accessible parking spaces* shall be provided in accordance with Table 5-6, rounding up to the nearest whole number:

<table>
<thead>
<tr>
<th>Number of Parking Spaces Required</th>
<th>Number of Barrier-free Accessible Parking Spaces Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>1-12</td>
<td>1</td>
</tr>
<tr>
<td>13-100</td>
<td>4% of total required parking spaces</td>
</tr>
<tr>
<td>101-200</td>
<td>1, plus 3% of total required parking spaces</td>
</tr>
<tr>
<td>201-1000</td>
<td>2, plus 2% of total required parking spaces</td>
</tr>
<tr>
<td>1000 +</td>
<td>11, plus 1% total required parking spaces</td>
</tr>
</tbody>
</table>

Previously tabled. No additional changes proposed at this time.

5.12 **LOADING SPACE PROVISIONS**

a) *Loading spaces* shall be provided and maintained for each *use* in a COM or EMP zone, or for each non-residential *use* in a MIX zone.

b) Each *loading space* in a COM or MIX zone shall be a minimum of 3 metres by 10.7 metres with a height clearance of 4.3 metres. Each loading space in an EMP zone shall be a minimum of 4.3 metres by 15.2 metres with a height clearance of 4.3 metres.

c) *Loading space* shall not be permitted within 6 metres of a street line.

d) *Loading spaces* shall not be permitted within 7.5 metres of an abutting RES Zone.

e) *Loading spaces* shall be provided in accordance with Table 5-7.

<table>
<thead>
<tr>
<th>Gross Floor Area devoted to the use requiring the loading spaces</th>
<th>Minimum Number of Loading Spaces</th>
</tr>
</thead>
<tbody>
<tr>
<td>Over 0 m² up to and including 2,320 m²</td>
<td>1</td>
</tr>
<tr>
<td>Over 2,320 m² up to and including 3,700 m²</td>
<td>2</td>
</tr>
<tr>
<td>Over 3,700 m² up to and including 9,290 m²</td>
<td>3</td>
</tr>
<tr>
<td>Over 9,290 m² up to and including 14,860 m²</td>
<td>4</td>
</tr>
<tr>
<td>Over 14,860 m² up to and including 22,290 m²</td>
<td>5</td>
</tr>
<tr>
<td>Over 22,290 m² up to and including 29,720 m²</td>
<td>6</td>
</tr>
<tr>
<td>Over 29,720 m² up to and including 37,160 m²</td>
<td>7</td>
</tr>
<tr>
<td>Over 37,160 m² up to and including 45,520 m²</td>
<td>8</td>
</tr>
<tr>
<td>For each additional 8,360 m² over 45,520 m²</td>
<td>1 additional</td>
</tr>
</tbody>
</table>
5.13 STACKING PROVISIONS

a) Stacking lanes for a drive-through facility shall not be located within a front yard or exterior side yard.

b) Entrance ways to stacking lanes shall be separated a minimum travelled distance of 16.5 metres from the closest driveway, measured from the centre point of the closest driveway at the lot line along the route travelled to the last required stacking space in the stacking lane.

c) A stacking space shall be a minimum of 2.6 metres in width and a minimum of 6.5 metres in length.

d) A stacking space shall lead both to and from a fueling area, window, kiosk or booth in accordance with Table 5-8.

Table 5-8- Minimum Number of Stacking Spaces

<table>
<thead>
<tr>
<th>Use</th>
<th>Minimum Number of Stacking Spaces</th>
</tr>
</thead>
<tbody>
<tr>
<td>Financial Establishment</td>
<td>3</td>
</tr>
<tr>
<td>Automatic Car Wash</td>
<td>10</td>
</tr>
<tr>
<td>Self Service Car Wash</td>
<td>2 per washing bay</td>
</tr>
<tr>
<td>Gas Station</td>
<td>2 per fueling area</td>
</tr>
<tr>
<td>Restaurant</td>
<td>10 between the entrance of drive-through stacking lane and the order menu station, plus 3 between the order menu station and the pickup window.</td>
</tr>
</tbody>
</table>

5.14 EQUIPMENT AND VEHICLE STORAGE PROVISIONS

5.14.1 Commercial Vehicles and Equipment

Parking or storage of commercial vehicles on lots within a RES zone shall be located fully within an enclosed building or structure.

5.14.2 Major Recreational Equipment

a) Parking or storage of major recreational equipment on lots within a RES zone shall be located fully within an enclosed building or structure.

b) Despite Subsection a), major recreational equipment may be parked or stored in a rear yard, an interior side yard, or in a carport provided that it is screened by a visual barrier in accordance with Section 4.23 of this By-law. Major recreational equipment that exceeds 1.4 metres in height and is located within an interior side yard shall be located a minimum of 1.2 metres from an interior side lot line.

c) Despite Subsection a), major recreational equipment may be parked or stored on a driveway between May 1 and October 31 provided that such equipment is located outside of a driveway visibility triangle.
d) *Major recreational equipment* shall not be used for living, sleeping, or housekeeping purposes when located on a *lot* within any *zone*.

**5.14.3 Utility Trailers**

a) On a *lot* containing a *residential use*, a utility trailer shall not be parked or stored in a *front yard*, or *exterior side yard*, except in a *driveway*.

b) Despite Subsection a), a utility trailer that exceeds 6 metres in length inclusive of projections and attachments shall not be permitted on a *lot*.

**5.14.4 Vehicles with a Snow Plough Blade**

No more than one *motor vehicle* with an attached snow plough blade shall be parked or stored on a *lot* within a RES *zone*.
SECTION 6 - Urban Growth Centre (Downtown) Zones (UGC)

The Urban Growth Centre Zones apply to lands designated City Centre District, Civic District, Innovation District and Market District in the Official Plan.

6.1 Applicable Zones

UGC-1: City Centre District – the purpose of this zone is to be a significant location for pedestrian-oriented retail, commercial and entertainment uses. This zone also provides for residential uses in multiple dwellings, along with large-scale office and institutional uses.

UGC -2: Civic District – the purpose of this zone is to accommodate cultural, entertainment and office uses in a civic setting. This zone also provides for residential uses in multiple dwellings, institutional and complementary commercial uses.

UGC -3: Innovation District – the primary purpose of this zone is to accommodate high-tech, research and health science-related uses, along with post-secondary and other institutional uses. This zone also provides for supporting commercial uses and residential uses in multiple dwellings.

UGC -4: Market District – the purpose of this zone is to accommodate a range of uses in a distinctive, market-like setting.

6.2 Permitted Uses

No person shall, within any Urban Growth Centre Zone use or permit the use of any lot or erect, alter or use any building or structure for any purpose other than those permitted uses within Table 6.2.1 below.

Table 6.2.1: Permitted Uses within the Urban Growth Centre Zones

<table>
<thead>
<tr>
<th>Use</th>
<th>UGC-1</th>
<th>UGC -2</th>
<th>UGC -3</th>
<th>UGC -4</th>
</tr>
</thead>
<tbody>
<tr>
<td>Art Gallery</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Artisan’s Establishment</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Biotechnological Establishment</td>
<td>✓</td>
<td>✓ (1)</td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>Brewpub</td>
<td>✓</td>
<td>✓ (1)</td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>Canine and Feline Grooming</td>
<td>✓ (2)</td>
<td>✓ (1)</td>
<td>✓</td>
<td>✓ (2)</td>
</tr>
<tr>
<td>Commercial Parking Facility</td>
<td>✓ (2)</td>
<td>✓ (1)</td>
<td>✓</td>
<td>✓ (2)</td>
</tr>
<tr>
<td>Commercial School</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Community Facility</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Conference or Convention Facility</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Cultural Facility</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Craftsperson Shop</td>
<td>✓ (2)</td>
<td>✓ (1)</td>
<td>✓</td>
<td>✓ (2)</td>
</tr>
<tr>
<td>Day Care Facility</td>
<td>✓</td>
<td>✓ (1)</td>
<td>✓</td>
<td>✓</td>
</tr>
</tbody>
</table>

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Component B (2016) first draft – B-2016
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Component E (May 2017) first draft

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<table>
<thead>
<tr>
<th>Use</th>
<th>UGC-1</th>
<th>UGC -2</th>
<th>UGC -3</th>
<th>UGC -4</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dwelling Unit</td>
<td>✓ (3)</td>
<td>✓ (3)</td>
<td>✓ (3)</td>
<td>✓ (3)</td>
</tr>
<tr>
<td>Financial Establishment</td>
<td>✓</td>
<td>✓ (1)</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Fitness Centre</td>
<td>✓ (2)</td>
<td>✓ (1)</td>
<td>✓</td>
<td>✓ (2)</td>
</tr>
<tr>
<td>Health Clinic</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Health Office</td>
<td>✓</td>
<td>✓ (1)</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Home Occupation</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Hospice</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Hotel</td>
<td>✓</td>
<td>✓ (1)</td>
<td>✓</td>
<td>✓ (4)</td>
</tr>
<tr>
<td>Indoor Recreation</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Light Repair Operation</td>
<td>✓ (2)</td>
<td>✓</td>
<td>✓</td>
<td>✓ (2)</td>
</tr>
<tr>
<td>Lodging House</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Major Office</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Multiple Dwelling</td>
<td>✓ (5)</td>
<td>✓</td>
<td>✓ (5)</td>
<td>✓ (5)</td>
</tr>
<tr>
<td>Museum</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Night Club</td>
<td>✓ (2)</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Office</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Pawn Establishment</td>
<td>✓ (2)</td>
<td>✓</td>
<td>✓</td>
<td>✓ (2)</td>
</tr>
<tr>
<td>Payday Loan Establishment</td>
<td>✓ (2)</td>
<td>✓</td>
<td>✓ (2)</td>
<td>✓ (2)</td>
</tr>
<tr>
<td>Personal Services</td>
<td>✓</td>
<td>✓ (1)</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Place of Worship</td>
<td>✓ (2)</td>
<td>✓</td>
<td>✓</td>
<td>✓ (2)</td>
</tr>
<tr>
<td>Post-Secondary School</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Printing or Publishing Establishment</td>
<td>✓ (2)</td>
<td>✓</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Print Shop</td>
<td>✓</td>
<td>✓ (1)</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Private Club or Lodge</td>
<td>✓ (2)</td>
<td>✓</td>
<td>✓</td>
<td>✓ (2)</td>
</tr>
<tr>
<td>Research and Development Establishment</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Residential Care Facility, Large</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Restaurant</td>
<td>✓</td>
<td>✓ (1)</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Retail (6)</td>
<td>✓</td>
<td>✓ (1)</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Secondary School</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Social Service Establishment</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Studio</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Veterinary Services</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
</tbody>
</table>

Additional Regulations for Permitted Uses Table 6.2.1

(1) Shall be located within a multi-unit building or a mixed use building containing at least one permitted use listed in Table 6.2.1 not subject to this regulation.

(2) Shall be permitted except that for any lot or building with frontage or access to King Street, after the date of this by-law, there shall be no more than one of each of the

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uses to which this regulation applies per block on the ground floor facing King Street. This does not apply to above or below the ground floor nor to buildings on a street or lane other than King Street. For the purposes of this regulation, a block means land on one side of a public street between two public streets. A block may be bisected by a lane or walkway.

(3) Shall be located within a mixed use building above the first storey of a building fronting a street except for access.

(4) Shall be located within an existing building.

(5) Shall not be permitted on the first storey of a building fronting King Street except for access.

(6) Shall be located within a multi-unit building or a mixed use building. A free-standing retail outlet shall only be located within an existing building.

### Regulations

The regulations for lots in an Urban Growth Centre Zone are set out in Table 6.3.1 below.

<table>
<thead>
<tr>
<th>Regulation</th>
<th>UGC-1</th>
<th>UGC-2</th>
<th>UGC-3</th>
<th>UGC-4</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum Lot Width (1)</td>
<td></td>
<td>15.0m (2)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Minimum Front Yard Setback and Minimum Exterior Side Yard Setback</td>
<td>*</td>
<td>6.0m (3)</td>
<td>(4)*</td>
<td></td>
</tr>
<tr>
<td>Maximum Front Yard Setback and Maximum Exterior Side Yard Setback</td>
<td>2.0m</td>
<td>4.0m (4)*</td>
<td>3.0m (5)*</td>
<td></td>
</tr>
<tr>
<td>Minimum Interior Side Yard Setback</td>
<td>(6)*</td>
<td>1.0m (7)*</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Minimum Rear Yard Setback</td>
<td></td>
<td>4.5m*</td>
<td>4.5m*</td>
<td></td>
</tr>
<tr>
<td>Minimum Yard Setback Abutting a Lane (8)</td>
<td></td>
<td>2.0m</td>
<td></td>
<td>2.0m</td>
</tr>
<tr>
<td>Minimum Yard Setback Abutting a Rail Right-of-Way</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Minimum Floor Space Ratio</td>
<td>1.0</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Maximum Floor Space Ratio</td>
<td>3.0</td>
<td>3.0</td>
<td>3.0</td>
<td>3.0 (9)</td>
</tr>
<tr>
<td>Maximum Floor Space Ratio in accordance with Section 4.2</td>
<td></td>
<td>6.0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Minimum Façade Height</td>
<td>10.5m*</td>
<td>9.0m*</td>
<td>9.0m*</td>
<td>7.5m*</td>
</tr>
<tr>
<td>Building Height</td>
<td>(11)*</td>
<td>(11)*</td>
<td>(11)*</td>
<td>(11)*</td>
</tr>
<tr>
<td>Minimum Podium Height</td>
<td>3 storeys*</td>
<td>3 storeys*</td>
<td>3 storeys*</td>
<td></td>
</tr>
<tr>
<td>Maximum Podium Height</td>
<td>5 storeys*</td>
<td>6 storeys*</td>
<td>5 storeys*</td>
<td></td>
</tr>
<tr>
<td>Stepback</td>
<td>(12)*</td>
<td>(12)*</td>
<td>(12)*</td>
<td>(12)*</td>
</tr>
<tr>
<td>Minimum Percentage of Ground Floor Façade Width facing King Street</td>
<td>90%*</td>
<td>*</td>
<td>70%*</td>
<td>90%*</td>
</tr>
</tbody>
</table>

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*Regulation remains under review pending input from the Urban Growth Centre Design Guideline update process.
Additional Regulations for Zone Regulations Table 6.3.1

(1) Despite Section 4 of this by-law, a lot may have frontage on a lane.

(2) A use listed in Table 6.2.1 may locate on an existing lot that is less than 15.0 metres.

(3) Except for Otto Street where the minimum front yard setback and minimum exterior side yard setback shall be 1.0 metres.

(4) The yard setback abutting Victoria Street shall be a minimum of 2.0 metres and a maximum of 4.0 metres for the ground floor only. Portions of the building above the ground floor shall have a minimum setback to Victoria Street of 0.0 metres up to the maximum podium height. Portions of the building above the maximum podium height shall be in accordance with the stepback provisions of regulation (12).*

(5) The maximum yard abutting King Street shall be for the first four storeys of a building, except for recessed entrances. Portions of a building above four storeys along all other streets shall be in accordance with the stepback provisions of regulation (12).*

*Regulation remains under review pending input from the Urban Growth Centre Design Guideline update process
(6) The minimum interior side yard setback:

   a) for buildings or podiums up to 10.5 metres in height shall be 3.0 metres;

   b) for buildings or podiums greater than 10.5 metres in height, shall be ½ the height of the building up to the maximum podium height.
6.4 Outdoor Storage

No outdoor storage of goods, materials, or equipment shall be permitted. However, this shall not prevent the display of goods or materials for retail purposes.

6.5 Other Applicable Regulations and Sections

For other applicable regulations and sections see Section 3: Definitions, Section 4: General Regulations and Section 5: Parking, Loading, and Stacking.

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Component C (2016) first draft – C-2016

*Regulation remains under review pending input from the Urban Growth Centre Design Guideline update process
SECTION 7 – Residential Zones (RES)

The Residential Zones apply to lands designated Low Rise Residential, Medium Rise Residential and High Rise Residential in the Official Plan.

7.1 Applicable Zones

RES-1: Low Rise Residential One Zone – the purpose of this zone is to accommodate limited dwelling types in areas with an estate character and/or limited municipal services in low rise areas.

RES-2: Low Rise Residential Two Zone – the purpose of this zone is to accommodate a limited range of low density dwelling types on larger lots than the RES-3 Zone in low rise areas.

RES-3: Low Rise Residential Three Zone – the purpose of this zone is to accommodate a limited range of low density dwelling types on smaller lots than the RES-2 Zone in low rise areas.

RES-4: Low Rise Residential Four Zone – the purpose of this zone is to accommodate a range of low density dwelling types that allow up to four dwelling units on a range of lot sizes in low rise areas.

RES-5: Low Rise Residential Five Zone – the purpose of this zone is to accommodate the widest range of low density dwelling types on the widest range of lot sizes in low rise areas.

RES-6: Medium Rise Residential Six Zone – the purpose of this zone is to accommodate medium density dwelling types and some complementary non-residential uses in medium rise residential areas.

RES-7: High Rise Residential Seven Zone – the purpose of this zone is to accommodate high density dwelling types and a range of complementary non-residential uses in high rise residential areas.
7.2 Permitted Uses

No person shall, within any Residential Zone use or permit the use of any lot or erect, alter or use any building or structure for any purpose other than those permitted uses within Table 7-1 below.

**Table 7-1: Permitted Uses within the Residential Zones**

<table>
<thead>
<tr>
<th>Use</th>
<th>RES-1</th>
<th>RES-2</th>
<th>RES-3</th>
<th>RES-4</th>
<th>RES-5</th>
<th>RES-6</th>
<th>RES-7</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Residential Uses</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Single Detached Dwelling</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Second Dwelling Unit (1)</td>
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<td>✓</td>
<td>✓</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Secondary Dwelling Unit (1)</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
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<td></td>
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<tr>
<td>Semi-Detached Dwelling</td>
<td>✓</td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Townhouse Dwelling – Street</td>
<td>✓ (2)</td>
<td>✓ (3)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Townhouse Dwelling – Cluster</td>
<td>✓ (3)</td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Multiple Dwelling</td>
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<td>✓</td>
<td>✓</td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lodging House</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hospice</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Residential Care Facility, Small</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Residential Care Facility, Large</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
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<tr>
<td><strong>Non-Residential Uses</strong></td>
<td></td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Artisan’s Establishment (4)</td>
<td></td>
<td></td>
<td></td>
<td></td>
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<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Community Facility (4)</td>
<td></td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Convenience Retail (4)</td>
<td></td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Day Care Facility (4)</td>
<td></td>
<td>✓</td>
<td></td>
<td></td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Financial Establishment (4)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Health Office (4)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Home Occupation (5)</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Office (4)</td>
<td></td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Personal Services (4)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Studio (4)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>✓</td>
<td>✓</td>
</tr>
</tbody>
</table>

(1) Shall be permitted in accordance with 4.15.

(2) The maximum number of dwelling units in a dwelling shall be 4.

(3) The maximum number of dwelling units in a dwelling shall be 6.

(4) Complementary non-residential uses must be located within a multiple dwelling and are limited in size in accordance with the regulations in Table 7-6.

(5) Shall be permitted in accordance with 4.8.
7.3 Regulations
The regulations for lots in a Residential Zone are set out in Tables 7-2 through 7-7 below.

Table 7-2: For Single Detached Dwellings

<table>
<thead>
<tr>
<th>Regulation</th>
<th>RES-1</th>
<th>RES-2</th>
<th>RES-3</th>
<th>RES-4</th>
<th>RES-5</th>
<th>RES-6</th>
<th>RES-7</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum Lot Area</td>
<td>929m² (1)</td>
<td>411m²</td>
<td>288m²</td>
<td>235m²</td>
<td>235m²</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Minimum Lot Width</td>
<td>24.0m (2)</td>
<td>13.7m</td>
<td>10.5m</td>
<td>9.0m</td>
<td>9.0m</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Minimum Corner Lot Width</td>
<td>24.0m (2)</td>
<td>15.0m</td>
<td>12.8m</td>
<td>12.8m</td>
<td>12.8m</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Minimum Front Yard or Exterior Yard Setback</td>
<td>6.0m (3)</td>
<td>4.5m (3)</td>
<td>4.5m (3)</td>
<td>4.5m (3)</td>
<td>4.5m (3)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Minimum Interior Side Yard Setback</td>
<td>3.0m</td>
<td>1.2m</td>
<td>1.2m</td>
<td>1.2m</td>
<td>1.2m</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Minimum Rear Yard Setback</td>
<td>7.5m</td>
<td>7.5m</td>
<td>7.5m</td>
<td>7.5m</td>
<td>7.5m</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Maximum Lot Coverage</td>
<td>55% (4)</td>
<td>55% (4)</td>
<td>55% (4)</td>
<td>55% (4)</td>
<td>55% (4)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Maximum Building Height</td>
<td>11.0m (5)</td>
<td>11.0m (5)</td>
<td>11.0m (5)</td>
<td>11.0m (5)</td>
<td>11.0m (5)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Maximum number of storeys</td>
<td>3 (6)</td>
<td>3 (6)</td>
<td>3 (6)</td>
<td>3 (6)</td>
<td>3 (6)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(1) The minimum lot area shall be 0.4 hectares on lots without full municipal services.
(2) The minimum lot width shall be 30.0 metres on lots without full municipal services.
(3) The front yard setback or exterior side yard setback shall be within 1 metre in front and within 2 metres behind the average front yard setback and/or exterior side yard setback of the nearest adjacent principal dwellings on either side of the lot where:
  - a new dwelling replaces an existing dwelling,
  - there is an addition to an existing dwelling, or;
  - a new dwelling is erected on a lot created by consent between two existing dwellings.

(4) A combined total of 55 percent for all buildings and structures on the lot, of which the habitable portion of the principal dwelling shall not exceed 45 percent and accessory buildings or structures, whether attached or detached, shall not exceed 15 percent.
(5) The maximum building height on lots having primary frontage on a Regional Road or City Arterial Street shall be 14.0 metres.
(6) The maximum number of storeys on lots having primary frontage on a Regional Road or City Arterial Street shall be 4.
### Table 7-3: For Semi-Detached Dwelling Unit

<table>
<thead>
<tr>
<th>Regulation</th>
<th>RES-1</th>
<th>RES-2</th>
<th>RES-3</th>
<th>RES-4</th>
<th>RES-5</th>
<th>RES-6</th>
<th>RES-7</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum Lot Area</td>
<td>235m²</td>
<td>235m²</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Minimum Lot Width</td>
<td>7.5m</td>
<td>7.5m</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Minimum Corner Lot Width</td>
<td>12.8m</td>
<td>12.8m</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Minimum Front Yard or Exterior Yard Setback</td>
<td>4.5m(1)</td>
<td>4.5m(1)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Minimum Interior Side Yard Setback</td>
<td>1.2m</td>
<td>1.2m</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Minimum Rear Yard Setback</td>
<td>7.5m</td>
<td>7.5m</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Maximum Lot Coverage</td>
<td>55%(2)</td>
<td>55%(2)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Maximum Building Height</td>
<td>11.0m(3)</td>
<td>11.0m(3)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Maximum number of storeys</td>
<td>3(4)</td>
<td>3(4)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(1) The front yard setback or exterior side yard setback shall be within 1 metre in front and within 2 metres behind the average front yard setback and/or exterior side yard setback of the nearest adjacent principal dwellings on either side of the lot where:
- a new dwelling replaces an existing dwelling,
- there is an addition to an existing dwelling, or;
- a new dwelling is erected on a lot created by consent between two existing dwellings.

Future diagrams to illustrate regulation (1)

(2) A combined total of 55 percent for all buildings and structures on the lot, of which the habitable portion of the principal dwelling shall not exceed 45 percent and accessory buildings or structures, whether attached or detached, shall not exceed 15 percent.

(3) The maximum building height on lots having primary frontage on a Regional Road or City Arterial Street shall be 14.0m.

(4) The maximum number of storeys on lots having primary frontage on a Regional Road or City Arterial Street shall be 4.
### Table 7-4: For Street Townhouse Dwelling Units

<table>
<thead>
<tr>
<th>Regulation</th>
<th>RES-1</th>
<th>RES-2</th>
<th>RES-3</th>
<th>RES-4</th>
<th>RES-5</th>
<th>RES-6</th>
<th>RES-7</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum Lot Area</td>
<td></td>
<td></td>
<td></td>
<td>148m(^2)</td>
<td>135m(^2)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Minimum Lot Width (Internal Unit)</td>
<td></td>
<td></td>
<td></td>
<td>6.0m</td>
<td>5.5m</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Minimum Lot Width (External Unit)</td>
<td></td>
<td></td>
<td></td>
<td>7.5m</td>
<td>6.7m</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Minimum Corner Lot Width</td>
<td></td>
<td></td>
<td></td>
<td>12.8m</td>
<td>12.8m</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Minimum Front Yard or Exterior Yard Setback</td>
<td></td>
<td></td>
<td></td>
<td>4.5m(1)</td>
<td>4.5m(1)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Minimum Rear Yard Setback</td>
<td></td>
<td></td>
<td></td>
<td>7.5m</td>
<td>7.5m</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rear Yard Access</td>
<td></td>
<td>(2)</td>
<td>(2)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Maximum Lot Coverage</td>
<td></td>
<td>55%(3)</td>
<td>55%(3)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Maximum Building Height</td>
<td></td>
<td>11.0m(4)</td>
<td>11.0m(4)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Maximum number of storeys</td>
<td>3(5)</td>
<td>3(5)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(1) The front yard setback or exterior side yard setback shall be within 1 metre in front and within 2 metres behind the average front yard setback and/or exterior side yard setback of the nearest adjacent principal dwellings on either side of the lot where:

- a new dwelling replaces an existing dwelling,
- there is an addition to an existing dwelling, or;
- a new dwelling is erected on a lot created by consent between two existing dwellings

(2) Each dwelling unit shall have an unobstructed access at grade or ground floor level, having a minimum width of 0.9 metres, from the front yard to the rear yard of the lot either by:

a) direct access on the lot without passing through any portion of the dwelling unit; or,
b) direct access through the dwelling unit without passing through a living or family room, dining room, kitchen, bathroom, bedroom, or recreation room or any hallway that is not separated by a door to any such room; or,
c) access over adjacent lands which, if the lands are not owned by the City of Kitchener or the Regional Municipality of Waterloo, is secured by a registered easement.

(3) A combined total of 55 percent for all buildings and structures on the lot, of which the habitable portion of the principal dwelling shall not exceed 45 percent and accessory buildings or structures, whether attached or detached, shall not exceed 15 percent.

(4) The maximum building height on lots having primary frontage on a Regional Road or City Arterial Street shall be 14.0 metres.

(5) The maximum number of storeys on lots having primary frontage on a Regional Road or City Arterial Street shall be 4.
### Table 7-5: For Cluster Townhouse Dwelling Units

<table>
<thead>
<tr>
<th>Regulation</th>
<th>RES-1</th>
<th>RES-2</th>
<th>RES-3</th>
<th>RES-4</th>
<th>RES-5</th>
<th>RES-6</th>
<th>RES-7</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum Lot Area</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>525m²</td>
<td>525m²</td>
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<tr>
<td>Minimum Lot Width</td>
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<td></td>
<td></td>
<td>19.0m</td>
<td>19.0m</td>
<td></td>
</tr>
<tr>
<td>Minimum Front Yard or Exterior Yard Setback</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>4.5m</td>
<td>3.0m</td>
<td></td>
</tr>
<tr>
<td>Minimum Interior Side Yard Setback</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>4.5m</td>
<td>4.5m</td>
<td></td>
</tr>
<tr>
<td>Minimum Rear Yard Setback</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>6.0m</td>
<td>4.5m</td>
<td></td>
</tr>
<tr>
<td>Minimum Landscaped Area</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>20%</td>
<td>20%</td>
<td></td>
</tr>
<tr>
<td>Minimum Floor Space Ratio</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>0.6(1)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Maximum Floor Space Ratio</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>0.6</td>
<td>2.0(1)</td>
<td></td>
</tr>
<tr>
<td>Minimum Building Height</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>7.5m</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Maximum Building Height</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>11.0m(2)</td>
<td>25.0m</td>
<td></td>
</tr>
<tr>
<td>Maximum number of storeys</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>3(3)</td>
<td>8</td>
<td></td>
</tr>
<tr>
<td>Minimum number of dwelling units</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>5</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Minimum outdoor amenity area</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>(4)</td>
<td>(4)</td>
<td></td>
</tr>
<tr>
<td>Private Patio Area</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>(5)</td>
<td>(5)</td>
<td></td>
</tr>
</tbody>
</table>

(1) Combined total Floor Space Ratio of all uses on the lot.
(2) The maximum building height on lots having *primary frontage* on a Regional Road or City Arterial Street shall be 14.0 metres.
(3) The maximum number of storeys on lots having *primary frontage* on a Regional Road or City Arterial Street shall be 4.
(4) 40 square meters or 2.0 square metres per *dwelling unit*, whichever is greater.
(5) For each *dwelling unit* located at ground floor level, an exclusive use patio area adjacent to the *dwelling unit* with direct access to such *dwelling unit* shall be provided.
### Table 7-6: For Multiple Dwellings and Non-Residential Uses

<table>
<thead>
<tr>
<th>Regulation</th>
<th>RES-1</th>
<th>RES-2</th>
<th>RES-3</th>
<th>RES-4</th>
<th>RES-5</th>
<th>RES-6</th>
<th>RES-7</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum Lot Area</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Minimum Lot Width</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Minimum Front Yard or Exterior Yard Setback</td>
<td>4.5m</td>
<td>4.5m</td>
<td>3.0m(2)</td>
<td>3.0m(2)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Minimum Interior Side Yard Setback</td>
<td>3.0m</td>
<td>3.0m</td>
<td>4.5m(2)</td>
<td>4.5m(2)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Minimum Rear Yard Setback</td>
<td>7.5m</td>
<td>7.5m</td>
<td>7.5m(2)</td>
<td>7.5m(2)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Minimum Landscaped Area</td>
<td>20%</td>
<td>20%</td>
<td>20%</td>
<td>20%</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Minimum Floor Space Ratio</td>
<td>0.6(3)</td>
<td>2.0(3)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Maximum Floor Space Ratio</td>
<td>0.6</td>
<td>0.6</td>
<td>2.0(3)</td>
<td>4.0(3)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Minimum Building Height</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>7.5m</td>
<td>11.0m</td>
<td></td>
</tr>
<tr>
<td>Maximum Building Height</td>
<td>11.0m(4)</td>
<td>11.0m(4)</td>
<td>25.0m(2)</td>
<td>(2)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Maximum number of storeys</td>
<td>3(5)</td>
<td>3(5)</td>
<td>8</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Minimum number of dwelling units</td>
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<td>5</td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Maximum number of dwelling units</td>
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<td></td>
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<td></td>
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<td></td>
</tr>
<tr>
<td>Minimum outdoor amenity area</td>
<td>(6)</td>
<td>(6)</td>
<td>(6)</td>
<td>(6)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Private Patio Area</td>
<td>(7)</td>
<td>(7)</td>
<td>(7)</td>
<td>(7)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Maximum Gross Floor Area of Individual Non-Residential Use</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>600m²(8)</td>
<td>600m²(8)</td>
<td></td>
</tr>
</tbody>
</table>

(1) A multiple dwelling up to 4 dwelling units shall have a minimum lot width of 15.0m.
(2) Buildings greater than 14 metres in height will require a podium. Each storey of a building located above the building’s podium shall have a stepback of 1.5 metres to a maximum stepback of 10 metres.
(3) Combined total Floor Space Ratio of all uses on the lot.
(4) The maximum building height on lots having primary frontage on a Regional Road or City Arterial Street shall be 14.0 metres.
(5) The maximum number of storeys on lots having primary frontage on a Regional Road or City Arterial Street shall be 4.
(6) For multiple dwellings with 4 dwelling units or more, 2.0 square metres per dwelling unit or a total of 40 square meters, whichever is greater.
(7) For multiple dwellings with 4 dwelling units or more, each dwelling unit located at ground floor.

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**City of Kitchener First Draft Zoning By-law (May 2017)**

- **Component A (2015) first draft – A-2015**: Previously tabled. No additional changes proposed at this time.
- **Component B (2016) first draft – B-2016**: Regulation or definition remains under review and/or subject to input from Urban Design Manual update process.
- **Component C (2016) first draft – C-2016**: Component E (May 2017) first draft
level shall have an exclusive use patio area adjacent to the *dwelling unit* with direct access to such *dwelling unit*.

(8) The total gross floor area of all non-residential uses shall not exceed 25% of the total gross floor area on a *lot*.

<table>
<thead>
<tr>
<th>Regulation</th>
<th>RES-1</th>
<th>RES-2</th>
<th>RES-3</th>
<th>RES-4</th>
<th>RES-5</th>
<th>RES-6</th>
<th>RES-7</th>
</tr>
</thead>
<tbody>
<tr>
<td>Regulations</td>
<td>(1)</td>
<td>(1)</td>
<td>(1)</td>
<td>(1)</td>
<td>(1)</td>
<td>(1)</td>
<td>(1)</td>
</tr>
</tbody>
</table>

(1) Shall be in accordance with the regulations of the RES Zone and dwelling type in which the *lodging house, hospice, small residential care facility* or *large residential care facility* is located.

### 7.4 Outdoor Storage

No *outdoor storage* shall be permitted in an RES zone.

### 7.5 Other Applicable Regulations and Sections

For other applicable regulations and sections see Section 3: Definitions, Section 4: General Regulations and, Section 5: Parking, Loading, and Stacking.
SECTION 8 - Mixed-Use Zones (MIX)

The Mixed Use Zones apply to lands designated Mixed Use in the Official Plan.

8.1 Applicable Zones

MIX-1: Low Density Mixed Use – the purpose of this zone is to accommodate a variety of uses within mixed use buildings and mixed use developments at a low density and scale in areas that are adjacent to properties zoned for low density residential uses.

MIX-2: Urban Corridor - High Density Mixed Use – the purpose of this zone is to accommodate a variety of uses within mixed use buildings and mixed use developments at a high density within the City’s Urban Corridors.

MIX-3: Node - High Density Mixed Use - the purpose of this zone is to accommodate a variety of uses within mixed use buildings and mixed use developments at a high density within the City’s Community and City Nodes.

MIX-4: Major Transit Station Area - High Density Mixed Use - the purpose of this zone is to accommodate a variety of uses within mixed use buildings and mixed use developments at a high density within the City’s Major Transit Station Areas.

8.2 Permitted Uses

No person shall, within any Mixed Use Zone use or permit the use of any lot or erect, alter or use any building or structure for any purpose other than those permitted uses within Table 8.1 below.

<table>
<thead>
<tr>
<th>Use</th>
<th>MIX-1</th>
<th>MIX-2</th>
<th>MIX-3</th>
<th>MIX-4</th>
</tr>
</thead>
<tbody>
<tr>
<td>Artisan's Establishment (1)</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Canine and Feline Grooming</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Commercial School</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Craftsperson Shop (1)</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Day Care Facility (1)(3)</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Fitness Centre</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Financial Establishment</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Health Clinic</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Home Occupation</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Hospice</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Hotel</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Indoor Recreation</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
</tbody>
</table>

City of Kitchener First Draft Zoning By-law (May 2017)

Component B (2016) first draft – B-2016
Component C (2016) first draft – C-2016

Previously tabled. No additional changes proposed at this time.

Component E (May 2017) first draft

Regulation or definition remains under review and/or subject to input from Urban Design Manual update process.
### Additional Regulations for Permitted Uses Table 8.1

1. Shall be located in a building with three or more permitted uses listed in Table 8.2
2. A *dwelling unit* is not permitted on the first storey of a building fronting a street.
3. Shall only be permitted within a *mixed use building* or *mixed use development* containing a minimum of 20 *dwelling units* or a *Large Residential Care Facility* occupied by 20 persons or a *building* containing a minimum of 4,700 square metres of *gross floor area* for an *office*.
4. A maximum *gross floor area* of 3,500 square metres is permitted for each individual *freestanding retail outlet*.
5. A maximum *gross floor area* of 2,500 square metres is permitted for each individual *freestanding retail outlet*. A *food store* is only permitted in a *mixed use development* to a maximum *gross floor area* of 5,000 square metres.
6. A maximum *gross floor area* of 5,000 square metres is permitted within each *freestanding retail outlet*. A *food store* is only permitted in a *mixed use development* to a maximum *gross floor area* of 10,000 square metres.

### 8.3 Regulations

The regulations for lots in a Mixed Use Zone are set out in Table 8.2 below.

<table>
<thead>
<tr>
<th>Regulation</th>
<th>MIX-1</th>
<th>MIX-2</th>
<th>MIX-3</th>
<th>MIX-4</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum Lot Width</td>
<td>15m</td>
<td>15m</td>
<td>15m</td>
<td>15m</td>
</tr>
<tr>
<td>Minimum Front Yard Setback</td>
<td>1.5m</td>
<td>1.5m</td>
<td>1.5m</td>
<td>1.5m</td>
</tr>
</tbody>
</table>

City of Kitchener First Draft Zoning By-law (May 2017)

Component B (2016) first draft – B-2016
Component C (2016) first draft – C-2016

Previously tabled. No additional changes proposed at this time.

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Regulation or definition remains under review and/or subject to input from Urban Design Manual update process.
<table>
<thead>
<tr>
<th>Regulation</th>
<th>MIX-1</th>
<th>MIX-2</th>
<th>MIX-3</th>
<th>MIX-4</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum <em>Exterior Side Yard Setback</em></td>
<td>1.5m</td>
<td>1.5m</td>
<td>1.5m</td>
<td>1.5m</td>
</tr>
<tr>
<td>Minimum <em>Rear Yard Setback</em></td>
<td>7.5m</td>
<td>7.5m</td>
<td>7.5m</td>
<td>7.5m</td>
</tr>
<tr>
<td>Minimum <em>Yard Setback</em> abutting a property zoned for a low density residential use</td>
<td>7.5m</td>
<td>7.5m</td>
<td>7.5m</td>
<td>7.5m</td>
</tr>
<tr>
<td>Minimum <em>Building Height</em></td>
<td>7.5m</td>
<td>11m</td>
<td>11m</td>
<td>11m</td>
</tr>
<tr>
<td>Maximum <em>Building Height</em></td>
<td>14m</td>
<td>24m(1)</td>
<td>32m(1)</td>
<td></td>
</tr>
<tr>
<td>Minimum <em>Floor Space Ratio</em></td>
<td>0.6</td>
<td>1.0</td>
<td>0.6</td>
<td>1.0</td>
</tr>
<tr>
<td>Maximum <em>Floor Space Ratio</em></td>
<td>1.0</td>
<td>2.0</td>
<td>2.0</td>
<td>4.0</td>
</tr>
<tr>
<td>Maximum non-residential <em>Gross Floor Area</em></td>
<td>7,500m²(2)</td>
<td>7,500m²(2)</td>
<td>10,000m²</td>
<td></td>
</tr>
<tr>
<td>Minimum Percent of non-residential <em>Gross Floor Area</em></td>
<td></td>
<td></td>
<td>20%</td>
<td></td>
</tr>
<tr>
<td>Maximum Percent of non-residential <em>Gross Floor Area</em></td>
<td></td>
<td></td>
<td>60%</td>
<td></td>
</tr>
<tr>
<td>Minimum Width of Primary <em>First Storey Façade</em></td>
<td>50% of the length of the fronting street</td>
<td>50% of the length of the fronting street</td>
<td>50% of the length of the fronting street</td>
<td>50% of the length of the fronting street</td>
</tr>
<tr>
<td>Minimum Percent of <em>Façade Openings</em></td>
<td>40% (3)</td>
<td>40%(3)</td>
<td>40% (3)</td>
<td>40% ((3)</td>
</tr>
<tr>
<td>Minimum Landscaped Area</td>
<td>15%</td>
<td>15%</td>
<td>15%</td>
<td>15%</td>
</tr>
</tbody>
</table>

**Additional Regulations for Zone Regulations Table 8.2**

1. **Buildings** greater than 14 metres in height will require a *podium*. Each storey of a **building** located above the **building’s podium** shall have a *stepback* of 1.5 metres to a maximum *stepback* of 10 metres.

2. Of which a maximum *gross floor area* of 5,000 square metres for *retail* or *office* shall be permitted.

3. The horizontal distance between *display windows* or entrances shall not exceed 4.0 metres.
8.4 **Visual Barrier**

Where a property zoned MIX abuts a property zoned for a *residential use*, a visual barrier shall be provided in accordance with Section 4.23 of this By-law.

8.5 **Outdoor Storage**

No *outdoor storage* of goods, materials or equipment shall be permitted in any *front yard* or *exterior side yard*. This shall not, however, prevent the display of goods or materials for *retail* purposes.

8.6 **Other Applicable Regulations and Sections**

For other applicable regulations and sections see Section 3: Definitions, Section 4: General Regulations and, Section 5: Parking, Loading, and Stacking.

8.6.1. Notwithstanding Section 5 of this by-law, for *buildings* constructed after the date that the MIX zone was applied to the land, parking spaces and/or loading spaces shall not be permitted to locate in the *front yard* or *exterior side yard(s)*.
SECTION 9 - Commercial Zones (COM)

The Commercial Zones apply to lands designated Commercial and Commercial Campus in the Official Plan as well as certain lands designated Residential.

9.1 Applicable Zones

COM-1: Local Commercial – the purpose of this zone is to accommodate complementary commercial uses within residential neighbourhoods in Community Areas.

COM-2: General Commercial – the purpose of this zone is to accommodate retail and commercial uses within the City’s Urban Corridors and Community and City Nodes.

COM-3: Arterial Corridor - Commercial – the purpose of this zone is to accommodate the retailing of bulky, space intensive goods and service commercial uses predominately serving the travelling public within Arterial Corridors.

COM-4: Commercial Campus – the purpose of this zone is to accommodate a range of retail and commercial uses functioning as a unit within comprehensively planned campuses within City Nodes.

COM-5: Major Transit Station Area - Commercial – the purpose of this zone is to accommodate transit supportive and transit-oriented commercial uses within the City’s Major Transit Station Areas.

9.2 Permitted Uses

No person shall, within any Commercial Zone use or permit the use of any lot or erect, alter or use any building or structure for any purpose other than those permitted uses within Table 9-1 below.

Table 9-1: Permitted Uses within the Commercial Zones

<table>
<thead>
<tr>
<th>Use</th>
<th>COM-1</th>
<th>COM-2</th>
<th>COM-3</th>
<th>COM-4</th>
<th>COM-5</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amusement Park</td>
<td>✓ (1)</td>
<td>✓ (1)</td>
<td>✓ (1)</td>
<td>✓ (1)</td>
<td>✓</td>
</tr>
<tr>
<td>Artisan’s Establishment</td>
<td>✓ (2)</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Automotive Detailing and Repair Operation</td>
<td>✓ (3)</td>
<td>✓ (3)</td>
<td>✓ (3)</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Brewpub</td>
<td>✓ (2)</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Car Wash</td>
<td>✓ (4)</td>
<td>✓ (4)</td>
<td>✓ (4)</td>
<td>✓ (4)</td>
<td>✓</td>
</tr>
<tr>
<td>Catering Service Establishment</td>
<td>✓ (2)</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
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<tr>
<td>Commercial Entertainment</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Commercial Parking Facility</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Use</td>
<td>COM-1</td>
<td>COM-2</td>
<td>COM-3</td>
<td>COM-4</td>
<td>COM-5</td>
</tr>
<tr>
<td>-----------------------------------------------</td>
<td>-------</td>
<td>-------</td>
<td>-------</td>
<td>-------</td>
<td>-------</td>
</tr>
<tr>
<td>Commercial School</td>
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<td>✗</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Conference, Convention or Exhibition Facility</td>
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<td>✗</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Craftsperson Shop</td>
<td>✓ (2)</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Day Care Facility</td>
<td>✓ (2)</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Drive-Through Facility</td>
<td>✓ (4)</td>
<td>(4)</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Dwelling Unit</td>
<td>✓ (5)</td>
<td>✓ (5)</td>
<td>✓</td>
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<td>✓</td>
</tr>
<tr>
<td>Financial Establishment</td>
<td>✓ (2)</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Fitness Centre</td>
<td>✓ (2)</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Funeral Home</td>
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</tr>
<tr>
<td>Gas Station</td>
<td>✓ (2)</td>
<td>✓ (7)</td>
<td>✓ (7)</td>
<td>✓ (7)</td>
<td>✓ (7)</td>
</tr>
<tr>
<td>Health Clinic</td>
<td>✓ (2)</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Health Office</td>
<td>✓ (2)</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
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<tr>
<td>Home Occupation</td>
<td>✓ (8)</td>
<td>✓ (8)</td>
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<td>✓</td>
<td>✓</td>
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<td>Hotel</td>
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<td>Manufacturing</td>
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<td>✗</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
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<tr>
<td>Office</td>
<td>✓ (2)</td>
<td>✓ (10)</td>
<td>✓ (10)</td>
<td>✓ (10)</td>
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<tr>
<td>Payday Loan Establishment</td>
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<td>✓</td>
<td>✓</td>
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<tr>
<td>Pet Services Establishment</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
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<tr>
<td>Personal Services</td>
<td>✓ (2)</td>
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<td>✓</td>
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<td>✓</td>
</tr>
<tr>
<td>Place of Worship</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Print Shop</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Repair Operation, Heavy</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Repair Operation, Light</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
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<td>Restaurant</td>
<td>✓ (2)</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Retail</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Retail, Convenience</td>
<td>✓ (2)</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Retail, Large Merchandise</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Retail And/or Storage Of Motor Vehicles And Major Recreation Equipment And Parts And Accessories</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Retail Outlet, Propane</td>
<td>✓ (2)</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Studio</td>
<td>✓ (2)</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Tradesperson or Contractor’s Establishment</td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Transportation Depot</td>
<td>✓ (14)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Veterinary Services</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
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<tr>
<td>Warehouse</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
</tbody>
</table>

City of Kitchener First Draft Zoning By-law (May 2017)

Component E (May 2017) first draft

Regulation or definition remains under review and/or subject to input from Urban Design Manual update process.

Component B (2016) first draft – B-2016
Component C (2016) first draft – C-2016

Previously tabled. No additional changes proposed at this time.
Additional Regulations for Permitted Uses Table 9-1

(1) Shall not be permitted on a lot abutting a RES Zone.
(2) A maximum gross floor area of 300 square metres is permitted.
(3) Shall be permitted in accordance with 4.19.2.
(4) Shall be permitted in accordance with 4.19.5.
(5) Shall be located within a multi-unit building or a mixed use building containing at least one permitted use listed in Table 9.1, and except for access, shall not be located on the ground floor.
(6) The maximum Floor Space Ratio for dwelling units shall be 2.0.
(7) Shall be permitted in accordance with 4.19.6.
(8) Shall be permitted in accordance with 4.9.
(9) Only existing uses as of the date of the passing of this By-Law shall be permitted.
(10) A total maximum gross floor area of 4,000 square metres is permitted on a lot.
(11) Despite Section 4.2, a maximum of 25 per cent of the gross floor area of building(s) occupied by a light repair operation, heavy repair operation or warehouse shall be used for accessory retail purposes.
(12) Individual retail outlets shall have a minimum gross floor area of 1,500 square metres.
(13) Individual retail outlets shall have a maximum of gross floor area of X square metres.
(14) Shall not include a noxious use.

9.3 Regulations

The regulations for lots in a Commercial Zone are set out in Table 9-2 below.

Table 9-2: Commercial Zones Regulations

<table>
<thead>
<tr>
<th>Regulation</th>
<th>COM-1</th>
<th>COM-2</th>
<th>COM-3</th>
<th>COM-4</th>
<th>COM-5</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum Lot Width</td>
<td>15m</td>
<td>15m</td>
<td>15m</td>
<td>30m</td>
<td>15m</td>
</tr>
<tr>
<td>Minimum Front Yard Setback</td>
<td>3m</td>
<td>3m</td>
<td>6m</td>
<td>6m</td>
<td>1.5m</td>
</tr>
<tr>
<td>Minimum Exterior Side Yard Setback</td>
<td>3m</td>
<td>3m</td>
<td>6m</td>
<td>6m</td>
<td>1.5m</td>
</tr>
<tr>
<td>Minimum Interior a) Abutting a RES zoned property</td>
<td>1.5m</td>
<td>7.5m</td>
<td>7.5m</td>
<td>7.5m</td>
<td>7.5m</td>
</tr>
</tbody>
</table>
### 9.4 Visual Barrier

Where a property zoned COM abuts a property zoned RES, a visual barrier shall be provided along the abutting lot line in accordance with Section 4.24 of this By-law.

### 9.5 Outdoor Storage

No outdoor storage of goods, materials, or equipment shall be permitted in a front yard, an exterior side yard, or within 7.5 metres of an abutting RES Zone. However, this shall not prevent the display of goods or materials for retail purposes.

### 9.6 Other Applicable Regulations and Sections

For other applicable regulations and sections see Section 3: Definitions, Section 4: General Regulations and, Section 5: Parking, Loading, and Stacking.

#### 9.6.1 Despite Section 5 of this by-law, for buildings constructed after the date that the COM-5 zone was applied to the land, parking spaces and/or loading spaces shall not be permitted to locate in the front yard or exterior side yard(s).
SECTION 10 - Employment Zones (EMP)

The Employment Zones apply to lands designated General Industrial Employment, Heavy Industrial Employment and Business Park Employment in the Official Plan

### 10.1 Applicable Zones

EMP-1: Neighbourhood Industrial Employment – the purpose of this zone is to accommodate a limited range of industrial uses on lands located within Neighbourhoods and/or Station Areas.

EMP-2: General Industrial Employment – the purpose of this zone is to accommodate a broad range of industrial uses that are not noxious uses.

EMP-3: Heavy Industrial Employment – the purpose of this zone is to accommodate industrial uses, including noxious uses, on lands that are separated from sensitive land uses. This zone also accommodates uses that require larger tracts of land for large buildings, materials or products.

EMP-4: Service Business Park Employment – the purpose of this zone is to accommodate industrial uses and limited complimentary uses that support adjacent EMP-1 and EMP-2 zoned lands. EMP-4 zoned lands are located within 450 metres of existing or planned transit corridors.

EMP-5: General Business Park Employment - the purpose of this zone is to accommodate a limited range of industrial employment uses on lands that are generally located adjacent to EMP-2 and EMP-3 lands to provide a transition from noxious uses.

### 10.2 Permitted Uses

No person shall, within any Employment Zone use or permit the use of any lot or erect, alter or use any building or structure for any purpose other than those permitted uses within Table 10-1 below.

<table>
<thead>
<tr>
<th>Use</th>
<th>EMP-1</th>
<th>EMP-2</th>
<th>EMP-3</th>
<th>EMP-4</th>
<th>EMP-5</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adult Sex Film Theatre (1)</td>
<td></td>
<td></td>
<td>✓</td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>Automotive Detailing and Repair Operation (2)</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Biotechnological Establishment</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>Building Material Supply</td>
<td>✓</td>
<td>✓</td>
<td></td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Bulk Fuel and Oil Storage Establishment</td>
<td>✓</td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Canine and Feline Grooming (3) (5)</td>
<td></td>
<td></td>
<td></td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Car Wash (4)</td>
<td></td>
<td></td>
<td></td>
<td>✓</td>
<td></td>
</tr>
</tbody>
</table>

City of Kitchener First Draft Zoning By-law (May 2017)

Component B (2016) first draft – B-2016
Component C (2016) first draft – C-2016

Previously tabled. No additional changes proposed at this time.

Component E (May 2017) first draft

Regulation or definition remains under review and/or subject to input from Urban Design Manual update process.
<table>
<thead>
<tr>
<th>Use</th>
<th>EMP-1</th>
<th>EMP-2</th>
<th>EMP-3</th>
<th>EMP-4</th>
<th>EMP-5</th>
</tr>
</thead>
<tbody>
<tr>
<td>Catering Service Establishment</td>
<td></td>
<td></td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Commercial Driver and Training Establishment</td>
<td>✓</td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Commercial Vehicle Wash Facility</td>
<td></td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Computer, Electronic or Data Server or Processing Establishment</td>
<td></td>
<td></td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Craftsperson Shop</td>
<td>✓</td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Day Care Facility (5)</td>
<td>✓</td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Existing Residential Uses (6)</td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Financial Establishment (5)</td>
<td></td>
<td></td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Fitness Centre (5)</td>
<td>✓</td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Garden Centre, Nursery, and/or Landscaping Supply</td>
<td></td>
<td></td>
<td>✓</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Gas Station (4)</td>
<td></td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Health Clinic (5)</td>
<td></td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Major Equipment Supply and Service</td>
<td></td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Manufacturing (2)(7)</td>
<td>✓ (8)</td>
<td>✓ (8)</td>
<td>✓ (8)</td>
<td>✓ (8)</td>
<td>✓ (8)</td>
</tr>
<tr>
<td>Office</td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Personal Services (5)</td>
<td>✓</td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Printing or Publishing Establishment</td>
<td>✓</td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Print Shops (5)</td>
<td></td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Propane Facility</td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Propane Cylinder Handling Facility</td>
<td></td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Propane Retail Outlet</td>
<td></td>
<td></td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Recycling Operation (Indoor)</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Recycling Operation (Outdoor)</td>
<td></td>
<td></td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Repair Operation, Heavy (7)</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Research and Development Establishment</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Restaurant (5)</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
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<tr>
<td>Restoration, Janitorial or Security Services (7)</td>
<td></td>
<td></td>
<td>✓</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Salvage or Scrap Yard</td>
<td></td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Surveying, Engineering, Planning or Design Establishment</td>
<td></td>
<td></td>
<td>✓</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Tradesperson or Contractor’s Establishment (7)</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Truck Transport Terminal</td>
<td>✓ (8)</td>
<td>✓</td>
<td>✓ (8)</td>
<td>✓ (8)</td>
<td>✓ (8)</td>
</tr>
<tr>
<td>Veterinary Services (5)</td>
<td>✓</td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Warehousing</td>
<td>✓ (8)</td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Previously tabled. No additional changes proposed at this time.
Additional Regulations for Permitted Uses Table 10.2

(1) No building or part thereof shall be used for an Adult Sex Film Theatre on a lot that is situated within 300 metres of a day care facility, elementary, secondary or post-secondary schools (including offices of the Waterloo Region District School Board), place of worship, offices of the Family and Children Services of Waterloo Region or a lot zoned to permit a residential use or another lot on which an Adult Sex Film Theatre is located. Such separation distance is to be measured from the closest points of the lot lines associated with each lot.

(2) Retail uses are permitted as an accessory use and shall be located on the same premises as the principal use to a maximum of 25 per cent of the gross floor area of the building.

(3) Shall also permit associated canine and feline boarding and training.

(4) Permitted in accordance with Sections 12.2.2 and 13.3. of Zoning By-law 85-1

(5) Shall be located within a multi-unit building containing at least one permitted use listed in Table 10-1 not subject to this provision. Individual units shall not exceed 1,500 square metres of gross floor area.

(6) Any additions or alterations shall be in accordance with Section 39.2 of Zoning By-law 85-1.

(7) Industrial Administrative Office uses are permitted as an accessory use and shall be located on the same premises as the principal use to a maximum of 25 percent of the gross floor area of the building.

(8) Shall not include a noxious use.

10.3 Regulations

The regulations for lots in an Employment Zone are set out in Table 10-3 below.

<table>
<thead>
<tr>
<th>Regulation</th>
<th>EMP-1</th>
<th>EMP-2</th>
<th>EMP-3</th>
<th>EMP-4</th>
<th>EMP-5</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum Lot Area</td>
<td>2,000m²</td>
<td>2,000m²</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Minimum Lot Width</td>
<td>12.0m</td>
<td>12.0m</td>
<td>12.0m</td>
<td>25.0m</td>
<td>25.0m</td>
</tr>
<tr>
<td>Minimum Front Yard Setback</td>
<td>6.0m</td>
<td>6.0m</td>
<td>6.0m</td>
<td>6.0m</td>
<td>6.0m</td>
</tr>
<tr>
<td>Minimum Interior Side Yard Setback</td>
<td>1.5m</td>
<td>1.5m</td>
<td>1.5m</td>
<td>1.5m</td>
<td>1.5m</td>
</tr>
<tr>
<td>Minimum Exterior Side Yard Setback</td>
<td>6.0m</td>
<td>6.0m</td>
<td>6.0m</td>
<td>6.0m</td>
<td>6.0m</td>
</tr>
<tr>
<td>Minimum Rear Yard Setback</td>
<td>7.5m</td>
<td>7.5m</td>
<td>7.5m</td>
<td>7.5m</td>
<td>7.5m</td>
</tr>
<tr>
<td>Minimum Rear Yard or Side Yard Setback Abutting a Rail right-of-way or Ontario Hydro right-of-way</td>
<td>1.5m</td>
<td>1.5m</td>
<td>1.5m</td>
<td>1.5m</td>
<td>1.5m</td>
</tr>
</tbody>
</table>
10.4 Visual Barrier

Where a property zoned EMP abuts a property zoned for a residential use, a visual barrier shall be provided in accordance with Section 4.23 of this By-law.

10.5 Outdoor Storage

No outdoor storage of goods, materials, or equipment shall be permitted in a front yard, an exterior side yard, or within 7.5 metres of a property zoned for a residential use. However, this shall not prevent the display of goods or materials for retail purposes.

10.6 Other Applicable Regulations and Sections

For other applicable regulations and sections see Section 3: Definitions, Section 4: General Regulations and, Section 5: Parking, Loading, and Stacking.

10.6.1 Notwithstanding Section 5 of this By-law, no parking spaces and/or loading spaces shall be permitted to locate within 7.5 metres of that part of a lot line that forms part of a boundary with a property zoned for a residential use.
SECTION 11 – Institutional (INS) Zones

The Institutional Zones apply to lands designated Institutional in the Official Plan.

11.1 Applicable Zones

INS-1: Community Institutional Zone – the purpose of this zone is to accommodate institutional uses that are intended to serve the immediate surrounding residential areas.

INS-2: Major Institutional Zone – the purpose of this zone is to accommodate institutional uses that are intended to serve a region and/or city-wide population on lands located within Major Transit Station Areas or City Nodes or on lands elsewhere in the City that currently contains these uses.

11.2 Permitted Uses

No person shall, within any Institutional Zone use or permit the use of any lot or erect, alter or use any building or structure for any purpose other than those permitted uses within Table 11-1 below.

Table 11-1: Permitted Uses within the Institutional Zones

<table>
<thead>
<tr>
<th>Use</th>
<th>INS-1 (1)</th>
<th>INS-2 (1)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Artisan’s Establishment</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Auditorium</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Cemetery</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Community Centre</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Continuing Care Community</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Cultural Facility</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Day Care Facility</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Funeral Home</td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>Health Clinic</td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>Health Office</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Hospice</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Hospital</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Place of Worship</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Residential Care Facility, Large</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Residential Care Facility, Small</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>School, Elementary</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>School, Post-Secondary</td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>School, Secondary</td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>Social Service Establishment</td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>Studio</td>
<td>✓</td>
<td></td>
</tr>
</tbody>
</table>
Additional Regulations for Permitted Uses Table 11-1

(1) Despite Section 4.2, accessory Convenience Retail, Office, Financial Establishment, Restaurant, and Personal Services shall be located in the same building as the principal use.

11.3 Regulations

The regulations for lots in an Institutional Zone are set out in Table 11-2 below.

### Table 11-2: Institutional Zone Regulations

<table>
<thead>
<tr>
<th>Regulation</th>
<th>INS-1</th>
<th>INS-2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum Lot Width</td>
<td>15m</td>
<td>15m</td>
</tr>
<tr>
<td>Minimum Front Yard Setback</td>
<td>6m</td>
<td>4.5m (1)</td>
</tr>
<tr>
<td>Minimum Exterior Side Yard Setback</td>
<td>6m</td>
<td>4.5m (1)</td>
</tr>
<tr>
<td>Minimum Interior Side Yard Setback</td>
<td>3m</td>
<td>3m (1)</td>
</tr>
<tr>
<td>Minimum Rear Yard Setback</td>
<td>7.5m</td>
<td>7.5m (1)</td>
</tr>
<tr>
<td>Maximum Building Height</td>
<td>14m</td>
<td></td>
</tr>
<tr>
<td>Minimum Floor Space Ratio</td>
<td>N/A</td>
<td>1.0 (2)</td>
</tr>
<tr>
<td>Maximum Floor Space Ratio</td>
<td>1.0 (3)</td>
<td>3.0</td>
</tr>
<tr>
<td>Minimum Landscaped Area</td>
<td>20%</td>
<td>30%</td>
</tr>
</tbody>
</table>

Additional Regulations for Zone Regulations Table 11-2

(1) Buildings greater than 14 metres in height will require a podium. Each storey of a building located above the building’s podium shall have a stepback of 1.5 metres to a maximum stepback of 15 metres.

(2) The minimum floor space ratio does not apply to a Secondary School or Post-Secondary School.

(3) The maximum floor space ratio for a Large Residential Care Facility or a Continuing Care Community is 1.5.

11.4 Outdoor Storage

No outdoor storage shall be permitted in an INS zone.

11.5 Other Applicable Regulations and Sections

For other applicable regulations and sections see Section 3: Definitions, Section 4: General Regulations and, Section 5: Parking, Loading, and Stacking.

11.5.1. Despite Section 5.2.4 a) of this by-law, for buildings constructed after the date that the INS zone was applied to the land, parking spaces and/or loading spaces shall not be permitted to located in the front yard or exterior side yard.

City of Kitchener First Draft Zoning By–law (May 2017)

Component B (2016) first draft – B-2016
Component C (2016) first draft – C-2016

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Component E (May 2017) first draft

Regulation or definition remains under review and/or subject to input from Urban Design Manual update process.
SECTION 12 - Agriculture Zones (AGR)

The Agriculture Zones apply to lands designated Prime Agriculture and Rural in the Official Plan.

12.1 Applicable Zones

AGR-1: Prime Agriculture – the purpose of this zone is to protect the land base for agriculture, and support a thriving agricultural industry and rural economy.

AGR-2: Rural – the purpose of this zone is to permit a range of uses that support rural and agricultural communities.

12.2 Permitted Uses

No person shall, within any Agriculture Zone use or permit the use of any lot or erect, alter or use any building or structure for any purpose other than those permitted uses within Table 12-1 below.

Table 12-1: Permitted Uses within the Agriculture Zones

<table>
<thead>
<tr>
<th>Use</th>
<th>AGR-1</th>
<th>AGR-2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agriculture (1)</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Agriculture-Related (2)</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Equestrian Establishment</td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>Existing Residential Use</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Major Equipment Supply and Service (3)</td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>Pet Boarding</td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>Pet Services Establishment</td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>Veterinary Services</td>
<td></td>
<td>✓</td>
</tr>
</tbody>
</table>

Additional Regulations for Permitted Uses Table 12-1

(1) On-farm diversified uses are permitted as accessory uses, shall be located on the same premises as the principal use, and the total area of land occupied by the on-farm diversified use shall not exceed 2 percent of the total lot area.

(2) The total area of land occupied by the use shall not exceed 2 percent of the total lot area.

(3) Retail, service and repair of construction and large business machines shall be prohibited.
12.3 Regulations

The regulations for lots in an Agriculture Zone are set out in Table 12-2 below.

**Table 12-2: Agriculture Zones Regulations**

<table>
<thead>
<tr>
<th>Regulation</th>
<th>AGR-1</th>
<th>AGR-2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum Lot Area (1)</td>
<td>40 hectares</td>
<td>40 hectares</td>
</tr>
<tr>
<td>Minimum Lot Width (1)</td>
<td>300.0m</td>
<td>300.0m</td>
</tr>
<tr>
<td>Minimum Front Yard</td>
<td>10.0m</td>
<td>10.0m</td>
</tr>
<tr>
<td>Minimum Side Yard</td>
<td>10.0m</td>
<td>10.0m</td>
</tr>
<tr>
<td>Minimum Rear Yard</td>
<td>10.0m</td>
<td>10.0m</td>
</tr>
</tbody>
</table>

Additional Regulations for Zone Regulations Table 12-2

(1) An existing lot with a lot area of less than 40 hectares and/or a lot width of less than 300 metres may only be used for agriculture.

12.4 Other Applicable Regulations and Sections

For other applicable regulations and sections see Section 3: Definitions, Section 4: General Regulations and, Section 5: Parking, Loading, and Stacking.
Section 13 - Natural Heritage Conservation Zones (NHC)

The Natural Heritage Conservation Zone applies to lands designated Natural Heritage Conservation in the Official Plan and is comprised of lands located within the natural heritage system and natural hazardous lands, being floodplain, floodway and slope erosion hazard.

13.1 Applicable Zones

NHC-1: Natural Heritage Conservation - the purpose of this zone is to protect and/or conserve natural heritage features and their ecological functions. Further, it is intended to prevent the aggravation of existing natural hazards and the creation of new ones.

13.2 Permitted Uses

No person shall, within any Natural Heritage Conservation Zone use or permit the use of any lot or erect, alter or use any building or structure for any purpose other than those permitted uses within Table 13-1 below.

Table 13-1: Permitted Uses within the Natural Heritage Conservation Zone

<table>
<thead>
<tr>
<th>Use</th>
<th>NHC-1</th>
</tr>
</thead>
<tbody>
<tr>
<td>Existing Agriculture</td>
<td>✓</td>
</tr>
<tr>
<td>Natural Heritage Conservation</td>
<td>✓ (1)</td>
</tr>
</tbody>
</table>

Additional Regulation for Permitted Uses Table 13.1

(1) Outdoor Passive Recreation is permitted as an accessory use where it has been demonstrated that such uses will have no significant negative impact on natural heritage features or ecological functions of the Natural Heritage System.

13.3 Other Applicable Regulations and Sections

For other applicable regulations, and sections see Section 3: Definitions, Section 4: General Regulations and Section 5: Parking, Loading and Stacking.
Section 14 - Existing Use Floodplain Zones (EUF)

The Existing Use Floodplain Zone applies to lands designated Natural Heritage Conservation in the Official Plan that are located within the floodway where there is existing development subject to flooding hazards.

14.1 Applicable Zones

EUF-1: Existing Use Floodplain Zone - the purpose of this Zone is to recognize existing uses and development, and not aggravate existing flooding hazards or create new ones, and to reduce the risk to life and property in the event of flooding.

14.2 Permitted Uses

No person shall, within any Existing Use Floodplain Zone use or permit the use of any lot or erect, alter or use any building or structure for any purpose other than those permitted uses within Table 14-1 below.

Table 14-1: Permitted Uses within the Existing Use Floodplain Zones

<table>
<thead>
<tr>
<th>Use</th>
<th>EUF-1</th>
</tr>
</thead>
<tbody>
<tr>
<td>Only that use existing on and continually used for, since the date that the EUF Zone was applied to the land.</td>
<td>✓</td>
</tr>
<tr>
<td>A use within the same type of use as the use existing on and continually used for, since the date that the EUF Zone was applied to the land. The subsequent use must present less of a risk to life and property in the event of flooding and be approved by the Grand River Conservation Authority.</td>
<td>✓</td>
</tr>
<tr>
<td>A Residential use with the same or less residential units than that existing on, and continually used for, since the date that the EUF Zone was applied to the land in a residential dwelling that was existing on the date that the EUF Zone was applied to the land.</td>
<td>✓</td>
</tr>
</tbody>
</table>

14.3 Regulations

The regulations for lots in an Existing Use Floodplain Zone are set out in Table 14-2 below.

Table 14-2: Regulations for Existing Use Floodplain Zones

<table>
<thead>
<tr>
<th>Regulation</th>
<th>EUF-1</th>
</tr>
</thead>
<tbody>
<tr>
<td>For All Uses</td>
<td></td>
</tr>
<tr>
<td>Minimum Lot Width</td>
<td>Width existing on date that the EUF Zone was applied to the land.</td>
</tr>
<tr>
<td>Location and Size of Accessory Retail</td>
<td>Not more than 25% of the gross floor area used for manufacturing, light repair operation or heavy repair operation.</td>
</tr>
<tr>
<td>Regulation</td>
<td>EUF-1</td>
</tr>
<tr>
<td>--------------------------------------------------------------------------</td>
<td>-----------</td>
</tr>
<tr>
<td><strong>For Additions And Alterations To or Replacement of Buildings Existing On The Date That The EUF Zone Was Applied To The Lands</strong></td>
<td></td>
</tr>
<tr>
<td>Minimum Front Yard</td>
<td>4.5m</td>
</tr>
<tr>
<td>Minimum Exterior Side Yard Setback</td>
<td>4.5m</td>
</tr>
</tbody>
</table>
| Minimum Interior Side Yard Setback                                       | i) 1.2m for a building less than 9.0m in height.  
  ii) 2.5m for a building between 9.0 m and 10.5m in height.  
  iii) 6.0m for a building exceeding 10.5m in height. |           |
| Minimum Rear Yard Setback                                               | 7.5m      |
| Location of New Habitable Floor Space and New Mechanical, Electrical and Heating Equipment | Where permitted, above the elevation of the regulatory floodline or at or above the elevation of the ground floor existing on the date that the EUF Zone was applied to the land, as authorized under a permit obtained from the Grand River Conservation Authority. |
| Location of Basement                                                    | None are permitted. |
| Permit Requirement                                                      | A Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Permit (pursuant to Ontario Regulation 150/06) shall be obtained from the Grand River Conservation Authority, where required by the said Authority, in accordance with Regulation 150/06. |

14.4 **Accessory Buildings**

In accordance with Section 4.1 and as authorized under a permit obtained from the Grand River Conservation Authority.

14.5 **Outdoor Storage**

*Outdoor storage existing* on and continually *used* since the date that the EUF Zone was applied to the land shall be permitted. No *person* shall *use* any land in whole or in part within a EUF Zone for new *outdoor storage*, even as an *accessory use*.

14.6 **Other Applicable Regulations and Sections**

For other applicable regulations, and sections see Section 3: Definitions, Section 4: General Regulations and Section 5: Parking, Loading, and Stacking.

Notwithstanding Section 5, no underground parking facilities associated with any *use* will be permitted.
Section 15 - Recreation Zones (REC)

The Recreation Zone predominantly applies to lands designated Open Space in the Official Plan, but may also be applied to lands designated Mixed Use, Institutional, Residential and Urban Growth Centre (Downtown).

15.1 Applicable Zones

REC-1: Recreation - the purpose of this Zone is to provide a comprehensive and connected parkland and open space system. REC-1 lands provide opportunities for recreation in the form of parks, trails, playgrounds and outdoor sports facilities as well as community facilities including community centres, libraries and pools. REC-1 lands may also comprise of lands not used for park or other public recreational purposes but form part of the overall open space system.

15.2 Permitted Uses

No person shall, within any Recreation Zone use or permit the use of any lot or erect, alter or use any building or structure for any purpose other than those permitted uses within Table 15-1 below.

<table>
<thead>
<tr>
<th>Use</th>
<th>REC-1</th>
</tr>
</thead>
<tbody>
<tr>
<td>Community Facility</td>
<td>✓</td>
</tr>
<tr>
<td>Outdoor Active Recreation</td>
<td>✓</td>
</tr>
<tr>
<td>Outdoor Passive Recreation</td>
<td>✓</td>
</tr>
</tbody>
</table>

15.3 Regulations

The regulations for lots in a Recreation Zone are set out in Table 15-2 below.

<table>
<thead>
<tr>
<th>Regulation</th>
<th>REC-1</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum Front Yard Setback</td>
<td>6.0m</td>
</tr>
<tr>
<td>Minimum Interior Side Yard Setback</td>
<td>6.0m</td>
</tr>
<tr>
<td>Minimum Exterior Side Yard Setback</td>
<td>6.0m</td>
</tr>
<tr>
<td>Minimum Rear Yard Setback</td>
<td>7.5 metres or one-half the building height, whichever is greater.</td>
</tr>
<tr>
<td>Minimum Setback of Any Principal Building from Residential Zone</td>
<td>6.0m</td>
</tr>
</tbody>
</table>
15.4 Other Applicable Regulations and Sections

For other applicable regulations and sections see Section 3: Definitions, Section 4: General Regulations and Section 5: Parking, Loading, and Stacking.
Section 16 - Major Infrastructure and Utility Zones (MIU)

The Major Infrastructure and Utility Zone applies to lands designated Major Infrastructure and Utility in the Official Plan.

16.1 Applicable Zones

MIU-1: Major Infrastructure and Utility - the purpose of this zone is to provide for large scale infrastructure and utilities public uses.

16.2 Permitted Uses

No person shall, within any Major Infrastructure and Utility Zone use or permit the use of any lot or erect, alter or use any building or structure for any purpose other than those permitted uses within Table 12.1 below.

Table 16-1: Permitted Uses within the Mixed Use Zones

<table>
<thead>
<tr>
<th>Use</th>
<th>MIU-1</th>
</tr>
</thead>
<tbody>
<tr>
<td>Electrical Transformer Station</td>
<td>✓</td>
</tr>
<tr>
<td>Public Works Yard</td>
<td>✓</td>
</tr>
<tr>
<td>Transportation Facility</td>
<td>✓</td>
</tr>
<tr>
<td>Waste Management Facility</td>
<td>✓</td>
</tr>
<tr>
<td>Waste and Wastewater Treatment Facility</td>
<td>✓</td>
</tr>
</tbody>
</table>

16.3 Regulations

The regulations for lots in a Major Infrastructure and Utility Zone are set out in Table 12.2 below.

Table 16-2: Major Infrastructure and Utility Regulations

<table>
<thead>
<tr>
<th>Regulation</th>
<th>MIU-1</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum Front Yard Setback</td>
<td>7.5m</td>
</tr>
<tr>
<td>Minimum Exterior Side Yard Setback</td>
<td>6.0m</td>
</tr>
<tr>
<td>Minimum Interior Side Yard Setback</td>
<td>6.0m</td>
</tr>
<tr>
<td>Minimum Rear Yard Setback</td>
<td>7.5m</td>
</tr>
<tr>
<td>Minimum Front Yard, Side Yard and Rear Yard Setback abutting a property zoned for a residential use</td>
<td>15m</td>
</tr>
</tbody>
</table>

16.4 Visual Barrier

Where a property zoned MIU abuts a property zoned for a residential use, a visual barrier shall be provided in accordance with Section 4.23 of this By-law. The minimum depth of a visual barrier shall be 6.0m.
16.5 Outdoor Storage

No outdoor storage of materials or equipment shall be permitted in any front yard or exterior side yard or within 7.5m of a property zoned for a residential use.

16.6 Other Applicable Regulations and Sections

For other applicable regulations and sections see Section 3: Definitions, Section 4: General Regulations and, Section 5: Parking, Loading, and Stacking.
Section 17  - Stormwater Management Zones (SWM)

The Stormwater Management (SWM) Zone may be applied to lands within any land use designation in the Official Plan with stormwater management facilities.

17.1 Applicable Zones

SWM-1: Stormwater Management - the purpose of this Zone is for lands to be used only for stormwater management facilities and for passive non-intensive outdoor recreation activities.

17.2 Permitted Uses

No person shall, within any Stormwater Management Zone use or permit the use of any lot or erect, alter or use any building or structure for any purpose other than those permitted uses within Table 17-1 below.

Table 17-1: Permitted Uses within the Stormwater Management Zone

<table>
<thead>
<tr>
<th>Use</th>
<th>SWM-1</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stormwater Management Facility</td>
<td>✓ (1)</td>
</tr>
</tbody>
</table>

Additional Regulation for Permitted Uses Table 17.1

(1) Outdoor, Recreation, Passive is permitted as an accessory use.

17.3 Other Applicable Regulations and Sections

For other applicable regulations and sections see Section 3: Definitions, Section 4: General Regulations and Section 5: Parking, Loading, and Stacking.
Section 18 - Overlays

Overlays are shown on the Schedules in Appendix A with a hatching over top of the underlying zones. Overlays are a second layer of regulations that take precedence over the underlying zone and may alter, add or remove some of the regulations affecting the use of land within the overlay.

18.1 Applicable Overlays

Flooding Hazard: the purpose of this overlay is to identify lands that are susceptible to flooding hazards and prevent the: injury or the loss of life and minimize property damage and social disruption; and, the aggravation of existing hazards and the creation of new ones.

Slope Erosion Hazard: the purpose of this overlay is to identify lands that are susceptible to slope erosion hazards and prevent the: injury or the loss of life and minimize property damage and social disruption; and, the aggravation of existing hazards and the creation of new ones.

Significant Wildlife Habitat and Significant Landforms: the purpose of this overlay is to identify lands within Significant Wildlife and Significant Landforms that subject to an Environmental Impact Study or other appropriate study prior to development, redevelopment, or site alteration.

Ecological Restoration Areas: the purpose of this overlay is to identify lands within Ecological Restoration Areas subject to an Environmental Impact Study or other appropriate study prior to development, redevelopment, or site alteration.

18.2 Regulations

18.2.1 Flooding Hazard

ii) Notwithstanding anything else in this By-law, the following uses shall not be permitted to locate within lands containing a Flooding Hazard Overlay:

i) An institutional use including a hospital, elementary school, secondary school, day care facility, small residential care facility and large residential care facility:

ii) an essential emergency service such as that provided by fire, police, and ambulance stations and electrical substations;

iii) a use with outdoor storage of any materials, either temporary or permanent; or,

iv) a use with the disposal, manufacturing, treatment, or storage of hazardous chemicals and/or substances.

City of Kitchener First Draft Zoning By-law (May 2017)

Component E (May 2017) first draft

Regulation or definition remains under review and/or subject to input from Urban Design Manual update process.
iii) Prior to the development of any land, interference with wetlands or alterations to shorelines or watercourses in accordance with the underlying zone, a permit shall be obtained from the Grand River Conservation Authority, where required by the said Authority, in accordance with Regulation 150/06.

iv) Prior to new development, expansions, or alterations in accordance with the underlying zone, floodproofing standards and/or Protection Works Standards shall be implemented.

18.2.2 Slope Erosion Hazard

a) Notwithstanding anything else in this By-law, the following uses shall not be permitted to locate within lands containing a Slope Erosion Hazard Overlay:

i) An institutional use including a hospital, elementary school, secondary school, day care facility, small residential care facility and large residential care facility:

ii) an essential emergency service such as that provided by fire, police, and ambulance stations and electrical substations;

iii) a use with outdoor storage of any materials, either temporary or permanent; or,

iv) a use with the disposal, manufacturing, treatment, or storage of hazardous chemicals and/or substances.

b) Prior to development, redevelopment or site alteration in accordance with the underlying zone, the following must be demonstrated and achieved:

i) the effects and risk to public safety are minor and can be mitigated in accordance with the Province’s standards;

ii) development, redevelopment or site alteration is carried out in accordance with Protection Works Standards, and access standards;

iii) vehicles and people have a way of safely entering and exiting the area during the times of erosion and other emergencies;

iv) new hazards are not created and existing hazards are not aggravated;

v) no adverse environmental impacts will result; and,

vi) a Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Permit (Pursuant to Ontario Regulation 150/06) is issued by the Grand River Conservation Authority.
c) Prior to any development or site alteration associated with existing uses within the limits of a slope erosion hazard, it must be demonstrated through a site-specific geotechnical or engineering assessment that:

i) there is no feasible alternative location outside of the slope erosion hazard;

ii) any proposed building or structure is located in the area of least risk;

iii) there is no impact on existing or future slope stability and bank stabilization or erosion protection works are not required;

iv) access for maintenance or emergency purposes is not prevented; and,

v) where unavoidable, impacts on natural heritage features or ecological functions are minimized and appropriate mitigative and remedial measures will adequately enhance or restore features and functions.

18.2.3 Significant Wildlife Habitat and Significant Landforms

Any development, redevelopment, or site alteration in accordance with the underlying zone will be subject to an approved Environmental Impact Study or other appropriate study.

18.2.4 Ecological Restoration Areas

Any development, redevelopment or site alteration in accordance with the underlying zone will be subject to an Environmental Impact Study or other appropriate study.
Section 19 – Transition Provisions

19.1 General Transition Matters

Subject to section 1.4 and except as provided in sections 19.2 and 19.3, the provisions of this by-law will otherwise apply.

19.2 Complete Application Transition Matters

For the purposes of Section 19.2, complete application means an application that contains sufficient particulars and information to allow it to be processed and approved. An application that is incomplete becomes a complete application on the date that the required particulars and information are provided to the City.

a) Despite sections 1.7 and 1.12, nothing in this By-law applies to prevent the issuance of any building permit if:
   i) A complete application for such building permit was made on or before the effective date of this By-law and the said complete application complied with the provisions of By-law 85-1 as it existed immediately before its repeal; or,
   ii) A complete application for such building permit was made after the effective date of this By-law and is in respect of a lot to which subsections (b) or (c) apply and the said complete application complied with the provisions of By-law 85-1 as it existed immediately before its repeal;

b) Despite sections 1.7 and 1.12, nothing in the By-law applies to prevent the issuance of any site plan control approval if:
   i) A complete application for such site plan control approval was made on or before the effective date of this By-law and the said complete application complied with the provisions of By-law 85-1 as it existed immediately before its repeal;

c) Despite sections 1.7 and 1.12, nothing in the By-law applies to prevent the issuance of the final approval of a plan of subdivision or plan of condominium if:
   i) A complete application for such plan of subdivision or plan of condominium was made on or before the Effective Date of this By-law and the said complete application complied with the provisions of By-law 85-1 as it existed immediately before its repeal.

19.3 Transition Sunset Clause

Sections 19.1 to 19.3 are automatically repealed on the third anniversary of the Effective Date of this By-law, and the provisions of section 34(9) of the Planning Act shall thereafter apply in respect of any buildings, structures, or uses established or erected pursuant to any such complete application.
19.4 Site Plan Agreements and Site Plan Approvals

a) Where a complete Site Plan application has been received by the City prior to July 31, 2014, and where a Site Plan Agreement has been entered into and signed by Owner and the City prior to December 31, 2014, and where a building permit is issued prior to July 31, 2016, the following shall apply:

i) Notwithstanding Section 3 of this By-law, Building Height shall mean the vertical distance between the highest finished grade level at the perimeter of the building and the uppermost point of the building. Provided, however, where this By-law requires building height to be calculated to determine a minimum rear yard or a minimum side yard requirement, building height shall mean the vertical distance between the lowest finished grade elevation along the lot line related to such yard at that point closest to the building and the horizontal extension of the uppermost point of the building. Antennae, chimneys, spires, cupolas, elevator penthouses, or other similar features shall be disregarded in calculating building height. In the case of a building on a lot within more than one zone, building heights shall be measured to the uppermost point of that portion of the building within each zone.

ii) Notwithstanding Section 6.1.2.a of By-law 85-1, the minimum required off-street parking for a Multiple Dwelling totaling 4 or more dwelling units containing dwelling units having a floor area of 51.0 square metres or less may be 0.165 spaces for each dwelling unit less than 51.0 square metres in size, provided that this does not apply to more than 60% of all dwelling units on a lot.

19.5 Property Specific Site Plan Agreements and Site Plan Approvals

Where a complete Site Plan application has been received by the City prior to June 30, 2016, and where a Site Plan Agreement has been entered into and signed by Owner and the City and a building permit is issued prior to December 31, 2016; the following shall apply:

a) Notwithstanding Section 6.1.2.a of this By-law 85-1, the minimum required off-street parking for a Multiple Dwelling totaling 4 or more dwelling units containing dwelling units having a floor area of 51.0 square metres or less may be 0.165 spaces for each dwelling unit less than 51.0 square metres in size, provided that this does not apply to more than 60% of all dwelling units on a lot.

b) Regulations outlined in subsection a) above shall apply only for properties municipally addressed as:

- 54 Bridge Street West (Pt. Lot 59 GCT, being Pts 2 & 3 on 58R-17146; Kitchener),
- 190 Century Hill Drive (Block 425, Plan 1375 Kitchener),
- 51-53 David Street (Lot 146 Subdivision of Lot 17 GCT, Kitchener),
- 58 Howe Drive (Part Lot 47 GCT, Being Part 1 on 58R-13007; Kitchener),
• 169 Lancaster Street West (Part Park Lot 551, Plan 378, Kitchener; Part Lot 119 Streets & Lanes Kitchener Part 1, 2, 58R3605; Kitchener),
• 361-371 Lancaster Street West (Part Lot 19-20 Plan 789, Kitchener as in 286987 & 833644; Kitchener),
• 65 Madison Avenue South (Part Lot 4 E/S Albert St. Plan 365, Kitchener as in 1385735; Kitchener),
• 71 Madison Avenue South (Part Lot 4 E/S Albert St. Plan 365 Kitchener as in 743228; Kitchener),
• 79 Madison Avenue South (Part Lot 4 E/S Albert St. Plan 365 Kitchener; Part Lot 5 Plan 390 Kitchener as in 480694; Kitchener; and
• 24 Morrison Road (Part Lot 2, Plan 987 Kitchener; Part Lot 12 Beasley’s Old Survey Kitchener; Part Lot 53 GCT Kitchener Part 2 to 9, 11 & 12, 58R-5522; Kitchener).
Appendix A - Zoning Grid Schedules

Zoning Grid Schedules can be accessed at www.kitchener.ca/crozby

City of Kitchener First Draft Zoning By-law (May 2017)

| Component B (2016) first draft – B-2016 | |
| Component C (2016) first draft – C-2016 | |

Component E (May 2017) first draft

Regulation or definition remains under review and/or subject to input from Urban Design Manual update process.
Appendix B - Property Detail Schedules

Property Detail Schedules can be accessed at www.kitchener.ca/crozby
Appendix C  - Special Use Provisions for Specific Lands

Special Use Provisions for Specific Lands can be accessed at www.kitchener.ca/crozby
Appendix D - Special Regulation Provisions for Specific Land

Special Regulation Provisions for Specific Lands can be accessed at www.kitchener.ca/crozby

City of Kitchener First Draft Zoning By-law (May 2017)

Component B (2016) first draft – B-2016
Component C (2016) first draft – C-2016

Previously tabled. No additional changes proposed at this time.

Component E (May 2017) first draft

Regulation or definition remains under review and/or subject to input from Urban Design Manual update process.
Appendix E - Temporary Use Provisions for Specific Lands

City of Kitchener First Draft Zoning By-law (May 2017)

Component B (2016) first draft – B-2016
Component C (2016) first draft – C-2016

Previously tabled. No additional changes proposed at this time.

Component E (May 2017) first draft

Regulation or definition remains under review and/or subject to input from Urban Design Manual update process.
Appendix F - Holding Provisions for Specific Lands

Holding Provisions for Specific Lands can be accessed at www.kitchener.ca/crozby
Appendix G  - Holding Provisions for Services and Roadworks

Holding Provisions for Services and Roadworks can be accessed at www.kitchener.ca/crozby
Appendix H - Grand River Conservation Authority Regulated Area

Grand River Conservation Authority Regulated Area can be accessed at www.kitchener.ca/crozby
Appendix I – Planning Around Rapid Transit Stations (PARTS) Areas

The Planning Around Rapid Transit Stations (PARTS) Areas can be accessed at www.kitchener.ca/crozby
Appendix J – Residential Intensification in Established Neighbourhoods Study (RIENS) Area

The Planning Around Rapid Transit Stations (PARTS) Areas can be accessed at www.kitchener.ca/crozby