SECTION 19 – Site Specific Provisions

19.1 SITE SPECIFIC PROVISIONS

Site specific provisions modify other provisions of this By-law for specific lots. All other provisions of this By-law shall continue to apply. In the event of a conflict between a site specific provision and any other Section of this By-law, the site specific provision will supersede only to the extent of the conflict.
(74) – Within the lands zoned NHC-1 and shown as affected by this provision on a Zoning Grid Schedule of 30, 48, 88, 126, 27, 130, 131, 132, 184, 185, 213, 214, 215, 237, 244, 245, 250, 252, 254, 255, 257, 258, 262, 264 and 266 of Appendix A, existing driveways, existing residential dwellings and any existing buildings or structures accessory thereto shall be permitted.
(81) – Within the lands zoned EMP-1 and shown as affected by this provision on Zoning Grid Schedule 83 of Appendix A, the following shall apply:

a) for all uses, a minimum of 1 parking space for every 45 square metres of gross floor area shall be required;

b) research and development establishment and artisan’s establishment shall be permitted within the existing building;

c) office shall be permitted to occupy 65% of the gross floor area of the existing building; and,

d) The maximum gross floor area of any individual unit of office and artisan’s establishment shall be 250 square metres.
(176) – Within the lands zoned RES-7 and shown as affected by this provision on Zoning Grid Schedules 11 and 36, the *building height* shall not exceed 25 metres within 30 metres of a *lot* with a *low-rise residential zone*. 

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(179) – Within the lands zoned RES-1 and shown as affected by this provision on Zoning Grid Schedule 253 of Appendix A, a small residential care facility shall be permitted in accordance with the regulations of the dwelling type in which the use is located.
Within the lands zoned INS-1 and shown as affected by this provision on Zoning Grid Schedule 247 of Appendix A, only the following uses shall be permitted:

a) *place of worship*; and,

b) *small residential care facility.*
(181) – Within the lands zoned RES-3 and shown as affected by this provision on Zoning Grid Schedule 247 and 248 of Appendix A, only the following uses shall be permitted:

a) single detached dwelling within the existing building;

b) one additional dwelling unit (attached) within the existing building; and,

c) accessory buildings or structures.
(182) – Within the lands zoned RES-6 and shown as affected by this provision on Zoning Grid Schedules 35 and 43 of Appendix A, the following uses shall be permitted in accordance with the regulations of the RES-5 zone:

a) single detached dwelling, with or without additional dwelling units (attached or detached);

b) semi-detached dwelling, with or without additional dwelling units (attached or detached); and,

c) street townhouse dwelling, with or without additional dwelling units (attached or detached).
(185) – Within the lands zoned NHC-1 and shown as affected by this provision on Zoning Grid Schedules 30 and 48 of Appendix A, the following shall apply:

a) existing driveways, existing residential dwellings and any existing buildings or structures accessory thereto shall be permitted; and,

b) expansion of existing buildings or accessory structures, to a maximum of 25% of the existing ground floor footprint, shall only be permitted where a Tree Preservation and Enhancement Plan has been approved by the City’s Director of Planning. The maximum building height of any expansion shall be 11 metres.
(186) – Within the lands zoned INS-1 and shown as affected by this provision on Zoning Grid Schedules 206 and 207 of Appendix A, the permitted uses of the RES-5 zone shall also be permitted in accordance with the regulations of the RES-5 zone.
(187) – Within the lands zoned RES-5 and shown as affected by this provision on Zoning Grid Schedules 122 and 173, place of worship shall be permitted in accordance with the regulations of the INS-1 zone in Section 11.
(190) – Within the lands zoned RES-5 and shown as affected by this provision on Zoning Grid Schedule 153 of Appendix A, for a public use and/or utility, accessory outdoor storage shall be permitted within any yard.
(191) – Despite the intent of the NHC-1 zone, within the lands zoned NHC-1 and shown as affected by this subsection on a Zoning Grid Schedule of Appendix A, accessory buildings and structures may be permitted, if appropriate as determined by the Director of Planning through consideration of potential impacts to natural heritage features and ecological functions. Where deemed appropriate, a Plan under the City’s Tree Management Policy is to be completed, submitted, approved, and implemented, as deemed necessary. In all cases, a pool shall not be permitted.
(192) – Within the lands zoned FTR-1 and shown as affected by the subsection on Zoning Grid Schedule 250 of Appendix A, *agriculture* shall be permitted in accordance with the regulations of the AGR-1 zone and *accessory buildings or structures* shall be permitted within the boundaries of this provision in accordance with the regulations of the AGR-1 zone.
(193) – Within the lands zoned RES-4 and shown as affected by this provision on Zoning Grid Schedule 178 of Appendix A, *health clinic* shall also be permitted in accordance with the regulations of the COM-1 zone.
(194) – Within the lands zoned RES-5 and shown as affected by this provision on Zoning Grid Schedule 128 of Appendix A, a *health clinic* shall also be permitted, in accordance with the regulations for non-residential uses in the RES-5 zone.
(195) – Within the lands zoned RES-2 and shown as affected by this provision on Zoning Grid Schedules 127 and 128 of Appendix A, a maximum of two *single detached dwellings* with or without up to 1 *additional dwelling unit (attached)* each shall be permitted on a *lot*, in accordance with the following regulations:

a) the minimum *lot area* shall be 2.59 hectares;

b) the minimum *lot width* shall be 32.0 metres; and,

c) the minimum distance between *dwellings* shall be 7.6 metres.
(196) – Within the lands zoned RES-2 and shown as affected by this provision on Zoning Grid Schedule 127 of Appendix A, a building may be located on a lot which abuts a lane having a minimum width of 5.4 metres.
(197) – Within the lands zoned RES-6 and shown as affected by this provision on Zoning Grid Schedule 140 of Appendix A, convenience retail, financial establishment, health clinic, personal services and restaurant shall also be permitted in accordance with the Section 7, Table 7-1, Non-Residential Uses specific permissions.
(198) – Within the lands zoned RES-2 and shown as affected by this provision on Zoning Grid Schedule 127 of Appendix A, the minimum *lot width* shall be 3 metres and the minimum *lot area* shall be the *existing lot area*. 
(199) – Within the lands zoned RES-4 and shown as affected by this provision on Zoning Grid Schedules 79 and 80 of Appendix A, the minimum lot width for a semi-detached dwelling or multiple dwelling shall be 14.5 metres.
(200) – Within the lands zoned RES-4 and shown as affected by this provision on Zoning Grid Schedule 178 of Appendix A, veterinary services shall also be permitted in accordance with the Section 7, Table 7-1, Non-Residential Uses specific permissions.
(201) – Within the lands zoned RES-6 and shown as affected by this provision on Zoning Grid Schedule 178 of Appendix A, social service establishment shall also be permitted in accordance with the RES-6 regulations for multiple dwelling and non-residential uses.
(202) – Within the lands zoned RES-4 and shown as affected by this provision on Zoning Grid Schedule 140 of Appendix A, health clinic shall also be permitted within a building containing a minimum of one dwelling unit, in accordance with the regulations for non-residential uses in the RES-4 zone.
(203) – Within the lands zoned NHC-1 and shown as affected by this provision on Zoning Grid Schedule 232 of Appendix A, a **driveway** for the purpose of residential access shall be permitted.
(204) – Within the lands zoned RES-2 and shown as affected by this provision on Zoning Grid Schedule 232 of Appendix A, the minimum lot area shall be 2,023.36 square metres and the minimum lot width shall be 45.72 metres.
(205) – Within the lands zoned RES-5 and shown as affected by this provision on Zoning Grid Schedules 140 of Appendix A, a commercial parking facility associated with a funeral home shall also be permitted.
(206) – Within the lands zoned RES-2 and shown as affected by this provision on Zoning Grid Schedule 127 of Appendix A, the minimum *lot width* shall be 3.0 metres.
(207) – Within the lands zoned RES-4 and shown as affected by this provision on Zoning Grid Schedule 80 of Appendix A, the following regulations shall apply:

a) For a semi-detached dwelling, the minimum lot area shall be 222.97 square metres for each semi-detached house;

b) For semi-detached dwelling, the minimum lot width shall be 7.32 metres for each semi-detached house;

c) For semi-detached dwelling, the minimum corner lot width shall be 19.51 metres for each dwelling and 12.19 metres for each semi-detached house;

d) The minimum setback for a semi-detached dwelling or part thereof, located on a lot which abuts Bridgeport Road, shall be 5.7 metres;

e) A semi-detached dwelling shall be constructed with the following features in accordance with the approved noise assessment report entitled Noise Impact Study, Development of 439 Bridgeport Road East, Kitchener, Ontario, dated January 13, 2012 and the associated Noise Impact Study Addendum, dated February 21, 2012, both prepared by Conestoga-Rovers and Associates:

i) a forced air ducted heating system suitably sized, designed for, and fitted with a central air conditioning system,

ii) double-glazed windows (minimum 3mm panes, with 3mm air space), and

iii) acoustical door and window seals; and

(208) – Within the lands zoned RES-2 and shown as affected by this provision on Zoning Grid Schedule 134 of Appendix A, the minimum lot width shall be 13.5 metres.
(209) – Within the lands zoned RES-5 and shown as affected by this provision on Zoning Grid Schedules 226 and 227 of Appendix A, the maximum building height for a multiple dwelling located within 15 metres of the Lackner Boulevard street line shall be 14 metres, and the maximum floor space ratio shall be 0.75.
(210) – Within the lands zoned RES-5 and shown as affected by this provision on Zoning Grid Schedules 177 and 178 of Appendix A,

a) the minimum *lot width* shall be 13.2 metres;

b) the minimum *rear yard setback* shall be 7.0 metres for a *multiple dwelling* with a maximum *building height* of two storeys (9.4 metres) above grade;

c) the minimum *side yard setback* from properties municipally addressed 165, 169, 175, 179, 185, 189, 195 and 199 River Road shall be 7.55 metres for a *multiple dwelling* with a maximum *building height* of two storeys (9.4 metres) above grade;

d) the minimum westerly *side yard setback* shall be 5.95 metres for a *multiple dwelling* with a maximum *building height* of 9.4 metres above grade;

e) the maximum *building height* shall be 11 metres for *back-to-back townhouse dwellings* and shall be 9.4 metres for townhouse dwellings;

f) the maximum *floor space ratio* shall be 0.63; and

g) the maximum number of *dwelling units* shall be 76.
(211) – Within the lands zoned RES-1 and shown as affected by this provision on Zoning Grid Schedule 80 of Appendix A, a maximum of eight (8) single detached dwellings shall be permitted on one lot and the following shall apply:

a) the minimum lot area shall be 6,600 square metres;

b) the minimum front yard shall be 5.9 metres;

c) the maximum front yard shall be 9 metres;

d) the minimum side yard shall be 3 metres;

e) the minimum distance between dwellings shall be 2.4 metres;

f) the minimum setback from a dwelling to an internal, private roadway granting access to individual dwellings shall be 6 metres;

g) the minimum lot width for each Vacant Land Condominium Unit shall be 14.1 metres; and,

h) The minimum lot area for each Vacant Land Condominium Unit shall be 443 square metres.
(212) – Within the lands zoned RES-2 and shown as affected by this provision on Zoning Grid Schedule 262 of Appendix A, two lots each having one single detached dwelling, with or without additional dwelling units (attached or detached), shall be permitted fronting a 7.62 metre private right-of-way providing access from Morrison Road.
(213) – Within the lands zoned RES-4 and shown as affected by this provision on Zoning Grid Schedule 194 of Appendix A, one *multiple dwelling* having a maximum of five *dwelling units* shall be permitted only in the *building* existing on the day of passing of By-law Number 94-183.
(214) – Within the lands zoned RES-4 and shown as affected by this provision on Zoning Grid Schedule 220 of Appendix A, a day care facility shall also be permitted in accordance with the INS-1 regulations of Table 11-2.
(215) – Within the lands zoned RES-2 and shown as affected by this provision on Zoning Grid Schedule 238 of Appendix A, in addition to parking requirements for the dwelling unit and non-resident employee, only one parking space shall be required for the health office of a dietician as a home occupation and the required off-street parking may be arranged in tandem.
Within the lands zoned RES-2 and shown as affected by this provision on Zoning Grid Schedules 268 of Appendix A, no buildings or structures shall be permitted including accessory buildings, decks and pools.
(217) – Within the lands zoned RES-2 and shown as affected by this provision on Zoning Grid Schedules 261 and 262 of Appendix A, the following shall apply:

a) Any building or structure, including accessory buildings, decks, pools, or retaining walls, constructed after July 2, 2002, being the date of the passing of By-law No. 2002-133, shall have a minimum setback from the easterly zone boundary of 9 metres; and,

b) To mitigate noise emanating from Highway 8, any residential dwelling constructed after July 2, 2002, shall:

i) have a minimum setback from the southerly lot line of 33 metres;

ii) have a maximum building height of 7.5 metres between 33 metres and 39 metres, from the southerly lot line, and shall not include a mezzanine, loft or similar structure; and,

iii) have a central air conditioning system, double glazed windows and EW1 exterior wall sections pursuant to the Underwriter’s Laboratories List or equivalent material as approved by the City’s Chief Building Official.
(218) – Within the lands zoned RES-5 and shown as affected by this provision on Zoning Grid Schedules 264 and 265 of Appendix A, the minimum setback for a residential dwelling from the Fairway Road street line shall be 15.5 metres.
(219) – Within the lands zoned RES-5 and shown as affected by this provision on Zoning Grid Schedule 256 of Appendix A, a maximum of six dwelling units may be permitted and the minimum lot width shall be 15 metres. No more than three dwelling units may be permitted until such time as:

a) any new residential dwelling units have a central air conditioning system, double glazed windows and EW1 exterior wall sections pursuant to the Underwriter’s Laboratories List or equivalent material as approved by the City’s Chief Building Official; or,

b) a noise study certified by a professional engineer demonstrates that noise levels from Fairway Road will not exceed the maximum levels specified by the Ministry of the Environment in publication NPC-206 as amended from time to time; or,

c) a noise study certified by a professional engineer demonstrates that noise levels will not exceed the maximum levels set out in clause b) above by the employment of measures to mitigate noise and such measures are employed prior to occupancy of any new dwelling unit.

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(220) – Within the lands zoned RES-5 and shown as affected by this provision on Zoning Grid Schedules 271, 272, 291, and 292 of Appendix A, the following shall apply:

a) Convenience retail and personal services (except dry cleaning), shall be permitted within a multiple dwelling or a residential care facility. The maximum total gross leaseable commercial space shall not exceed 20% of the gross floor area and such uses shall only be permitted to be located on the ground floor. No single outlet shall exceed 225 square metres.

b) The maximum permitted building height of a multiple dwelling shall be 12 metres, a private patio area shall not be required for ground floor units abutting Fairway Road North, the minimum setback to the Fairway Road North street line shall be 7.5 metres and the maximum setback to Fairway Road North shall be 12 metres. Any multiple dwelling located less than 12 metres from Fairway Road North (an arterial road) shall have a central air conditioning system, double glazed windows and EW1 exterior wall type pursuant to the Supplementary Standard SB-3 of the Ontario Building Code or equivalent material as approved by the City’s Chief Building Official.
(221) – Within the lands zoned RES-1 and shown as affected by this provision on Zoning Grid Schedule 264 of Appendix A, the minimum *front yard setback* shall be 10 metres, the minimum *side yard setback* shall be 2 metres, the minimum *rear yard setback* shall be 10 metres and the maximum *building height* shall be 13 metres.
(222) – Within the lands zoned RES-1 and shown as affected by this provision on Zoning Grid Schedule 264 of Appendix A, the minimum *lot area* shall be 1 hectare, the minimum *lot width* shall be 81 metres, the minimum *front yard setback* shall be 64 metres and the maximum *building height* shall be 13 metres.
(223) – Within the lands zoned RES-5 and shown as affected by this provision on Zoning Grid Schedule 239 of Appendix A, the maximum number of dwelling units in a multiple dwelling shall be five and the following uses shall not be permitted:

a) hospice;

b) lodging house;

c) an additional dwelling unit (attached) associated with a semi-detached dwelling; and,

d) street townhouse dwelling.
(224) – Within the lands zoned RES-1 and shown as affected by this provision on Zoning Grid Schedule 264 of Appendix A, the minimum *front yard setback* shall be 7.5 metres, the minimum *side yard setback* shall be 2 metres, and the maximum *building height* shall be 13 metres.
(225) – Within the lands zoned RES-2 on Schedule 264 of Appendix A, the minimum *lot area* shall be 0.13 hectares, the minimum *lot width* shall be 88 metres, the minimum *front yard setback* shall be 3.5 metres, the minimum westerly *side yard setback* shall be 13 metres and the *minimum rear yard setback* shall be 2.3 metres.
(226) – Within the lands zoned RES-5 and shown as affected by this provision on Zoning Grid Schedule 193 of Appendix A, the following shall apply:

a) the only form of multiple dwelling permitted shall be cluster townhouse dwelling, in accordance with the following regulations:

i. the maximum building height shall be 9.0 metres, and residential buildings are permitted to have a maximum of one-storey;

ii. parking shall be provided at a rate of 1.3 spaces per dwelling unit;

iii. off-street parking may not be located between any building façade and Trafalgar Avenue; and,

iv. fences with a height greater than 0.9 metres shall not be permitted between any building façade and Trafalgar Avenue.

b) additional dwelling unit (detached) and lodging house shall not be permitted.
(227) – Within the lands zoned FTR-1 and shown as affected by this provision on Zoning Grid Schedules 162, 163, 204 and 205 of Appendix A, the following shall apply:

a) *agriculture* shall be permitted in accordance with the regulations of the AGR-1 zone; and,

b) *bed and breakfast* shall be permitted as a *home occupation* within a *single detached dwelling* to a maximum of three bedrooms.
(228) – Notwithstanding anything else in this by-law, geothermal wells shall not be permitted on lands affected by this provision.
(229) – Within the lands zoned RES-4 and shown as affected by this provision on Zoning Grid Schedule 272 of Appendix A, no buildings or structures shall be permitted including accessory buildings, decks and pools.
(230) – Within the lands zoned RES-4 and shown as affected by this provision on Zoning Grid Schedule 270 of Appendix A, placement or construction of dwellings, sheds, containers, detached garages, accessory buildings, indoor pools, outdoor pools, and any other building or structure and storage and parking of vehicles, trailers, and major recreation equipment and any other outdoor storage shall not be permitted on lands shown in Figure 1.

Figure 1
(231) – Within the lands zoned RES-4 and shown as affected by this provision on Zoning Grid Schedule 271 of Appendix A, building or structures shall be not be permitted on lands shown on Figure 1.
(232) – Within the lands zoned RES-5 and shown as affected by this provision on Zoning Grid Schedule 239 of Appendix A, the maximum number of dwelling units in a multiple dwelling shall be five and the following uses shall not be permitted:

a) hospice;

b) lodging house;

c) additional dwelling unit (attached) in association with a semi-detached dwelling; and,

d) street townhouse dwelling.
Within the lands zoned RES-6 and shown as affected by this provision on Zoning Grid Schedule 178 of Appendix A, the following regulations shall apply for multiple dwelling:

a) The minimum yard abutting the property municipally addressed as 45 Avon Road, for any building or portion thereof, greater than one storey in height, shall be 58 metres.

b) The maximum building height shall be 10 storeys and 33.75 metres.

c) The minimum setback for surface parking shall be 3.8 metres from Avon Road street line.

d) A visual barrier shall be required between any surface parking and Avon Road street line.

e) The minimum yard abutting Frederick Street shall be 4 metres.

f) The minimum yard abutting from Avon Road shall be 3 metres.

g) The minimum setback from Avon Road shall be 5 metres for any portion of a building greater than four storeys and less than ten storeys.

h) The minimum setback from Avon Road shall be 7 metres for the tenth storey portion of a building.

i) The minimum yard abutting the property municipally addressed as 843 Frederick Street shall be 9 metres.

j) A minimum of 0.5 bicycle parking spaces, which is either in a building or structure or within a secure area such as a supervised parking lot or enclosure with a secure entrance or within a bicycle locker, per dwelling unit shall be provided.

k) A minimum of 6 bicycle parking spaces, which are located in accessible and highly visible locations near the entrance of a building and are accessible to the general public, shall be provided.

l) The off-street parking rate shall be 1.2 spaces per unit, inclusive of 0.2 visitor parking spaces per unit.

m) Prior to final site plan approval, the Owner shall pay to the City of Kitchener $25,000 for improvement to Rosemount Park.

n) Prior to final site plan approval, the Owner shall pay to the City of Kitchener $25,000 to be allocated for affordable housing.

o) This Site Specific Provision shall prevail over Section 4.19 (Transition to Low-Rise Residential).
(234) – Within the lands zoned RES-4 and shown as affected by this provision on Zoning Grid Schedule 42 of Appendix A, a health clinic with a maximum gross floor area of 83.7 square metres shall also be permitted only within the building existing on March 29, 1999, and one parking space for the health clinic shall be located no closer than 1.6 metres from the street line abutting Alice Avenue.
(235) – Within the lands zoned RES-5 and shown as affected by this provision on Zoning Grid Schedule 13 of Appendix A, the minimum easterly side yard setback shall be 1.5 metres.
(236) – Within the lands zoned RES-5 and shown as affected by this provision on Zoning Grid Schedule 13 of Appendix A, the minimum rear yard setback shall be 3 metres.
(237) – Within the lands zoned RES-4 and RES-5 and shown as affected by this provision on Zoning Grid Schedules 11 and 12 of Appendix A, dwellings shall have a 23.5 metre setback from the Ira Needles Boulevard street line.
(238) – Within the lands zoned RES-5 and shown as affected by this provision on Zoning Grid Schedule 20 of Appendix A, the following shall apply:

a) no building or structure, including balconies and stairs, shall be located within 2.6 metres of the defined area containing Region-owned piezometers, as shown on Figure 1;

b) the minimum westerly side yard setback shall be 4.6 metres;

c) the minimum southeasterly side yard setback shall be 22 metres;

d) the minimum rear yard setback shall be 21.5 metres;

Figure 1
(239) – Within the lands zoned RES-2 and shown as affected by this provision on Zoning Grid Schedules 67 and 68 of Appendix A, the following regulations shall apply:

a) parking shall be permitted within 0 metres of the *front lot line*;

b) parking shall be permitted within 6 metres of the *side lot line*;

c) a minimum of 3 off-street *parking spaces* shall be provided; and

d) a solid wood fence with a minimum height of 1.8 metres shall enclose the *rear yard*, in accordance with the Fence By-law.
(240) – Within the lands zoned RES-4 and shown as affected by this provision on Zoning Grid Schedule 68 of Appendix A, the minimum lot area shall be 190 square metres for each semi-detached dwelling unit and the minimum rear yard setback shall be 6.5 metres.
(241) – Within the lands zoned RES-4 and shown as affected by this provision on Zoning Grid Schedule 68 of Appendix A, the minimum rear yard setback shall be 6.5 metres.
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(242) – Within the lands zoned RES-4 and shown as affected by this provision on Zoning Grid Schedule 68 of Appendix A, the minimum *rear yard setback* shall be 3.5 metres for an *existing single detached dwelling*.
(243) – Within the lands zoned RES-5 and shown as affected by this provision on Zoning Grid Schedules 91 and 92 of Appendix A, the following regulations shall apply:

a) the minimum arterial road **setback** shall be 7.5 metres;

b) a 1.8 metre minimum visual barrier shall be required along both the northerly and easterly **lot lines** in accordance with Section 4.18;

c) for **cluster townhouse dwelling** the minimum **rear yard setback** shall be 5.48 metres;

d) 18 **street townhouse dwellings** shall: be permitted with minimum **side yard setbacks** of 0 metres for units adjacent to a Common Elements Condominium; a minimum **side yard setback** of 1.46 metres and 0.6 metres for the south-easterly and south-westerly units respectively when adjacent to a Common Elements Condominium; a minimum **rear yard setback** of 7.34 metres for the easterly units; a minimum **rear yard setback** of 6.0 metres for the westerly units; a maximum **lot coverage** of 60% for the westerly units and 57.0% for the easterly units; and without frontage on a public street provided that all such dwellings are **Parcels of Tied Lands** (POTL’s) to a Common Elements Condominium consisting of at least a private **driveway** connecting to a public street. For purposes of this special regulation the **front lot line** shall be deemed to be that **lot line** abutting the internal **driveway** portion of the Common Elements Condominium.
Within the lands zoned RES-6 and shown as affected by this provision on Zoning Grid Schedules 114 and 115 of Appendix A, the following regulations shall apply to a multiple dwelling:

a) the maximum floor space ratio shall be 2.1;
b) the minimum lot width shall be 15 metres;
c) the minimum southeasterly side yard setback shall be 3.54 metres;
d) a maximum of 14 required off-street parking spaces shall be permitted between the façade and the front lot line, including within the required front yard, but not within a driveway visibility triangle;
e) any parking spaces located within a portion of a building located more than 30 metres from the street line of Strasburg Road may be permitted at grade level but no higher. Parking spaces located within any portion of the building less than 30 metres from the street line of Strasburg Road are required to be fully below grade and not visible from the street line of Strasburg Road;
f) any parking within a structure above grade shall contain dwelling units above;
g) the vehicle entrance/exit opening to a private garage shall not be located within the wall of the building facing the rear yard;
h) no driveway or ramp leading directly to the vehicle entrance/exit of a private garage shall be located within 7 metres of the rear lot line. Underground ramping may be permitted within this 7 metre setback; and,
i) a minimum 7-metre-wide landscaped buffer shall be provided along the full length of the rear lot line.
(245) – Within the lands zoned RES-5 and shown as affected by this provision on Zoning Grid Schedule 149 of Appendix A, required parking spaces provided within a building shall have a minimum width of 2.5 metres and a minimum length of 4.4 metres. Any stairs and/or landings may encroach within the required parking space.
(246) – Within the lands zoned RES-5 and shown as affected by this provision on Zoning Grid Schedules 91 and 114 of Appendix A, 45 parking spaces shall be required for a 54-unit multiple dwelling.
(247) – Within the lands zoned RES-5 and shown as affected by this provision on Zoning Grid Schedule 29 and 30 of Appendix A the following shall apply:

a) the maximum building height for a multiple dwelling shall be 13.3 metres;

b) the minimum property frontage onto Gravel Ridge Trail shall be 14 metres;

c) the maximum number of dwelling units for the entire site shall be 144;

d) all land on the lot legally existing on September 15, 2020 including all open space, hydro corridors and buffers shall be used for the purpose of calculating floor space ratio, lot coverage and lot area; and,

e) Geothermal energy systems are not permitted.
(248) – Within the lands zoned OSR-2 and shown on as affected by this provision on Zoning Grid Schedules 29 and 30 of Appendix A, off-street parking and private amenity space shall be permitted when associated with a *multiple dwelling* located on adjacent residential lands.
(249) – Within the lands zoned COM-1 and shown as affected by this provision on Zoning Grid Schedule 250 of Appendix A, the following shall apply:

a) restaurant shall not be permitted;

b) veterinary services shall be permitted to a maximum gross floor area of 300 square metres per unit; and,

c) the maximum gross leasable space for office shall not exceed 170 square metres.
(250) – Within the lands zoned RES-6 and shown as affected by this provision on Zoning Grid Schedules 108 and 154 the following shall apply for multiple dwelling:

a) the minimum front yard setback and exterior side yard setback shall be 3.5 metres for that portion of a dwelling not exceeding 11.5 metres in height, and an additional setback of 1.5 metres shall be required for every additional 3 metres of building height thereafter;

b) the minimum side yard setback shall be 1.5 metres for that portion of a dwelling not exceeding 11.5 metres in heights, and an additional setback of 1 metre shall be required for every additional 3 metres of building height thereafter;

c) the minimum rear yard setback shall be 7 metres; and,

d) a private patio area shall not be required adjacent to each dwelling unit located at ground floor level.
(251) – Within the lands zoned RES-5 and shown as affected by this subsection on Zoning Grid Schedules 107 and 108, the following shall apply:

**For street townhouse dwelling unit:**

a) The minimum *lot width* for a *corner lot* shall be 9.5 metres;

b) excluding a *corner lot*, there shall be no minimum *lot width* for an external unit;

c) the minimum *front yard setback* shall be 3.5 metres, except no part of any *building* used to accommodate off-street parking shall be located closer than 6 metres to a *street line*;

d) the minimum *exterior side yard setback* shall be 3, except no part of any *building* used to accommodate off-street parking shall be located closer than 6 metres to a *street line*, where an access driveway crosses the *side lot line* and leads to the space inside the garage.

e) the minimum *side yard setback* shall be 0.6 metres on one side and 1.2 metres on the other, provided that:

   i) on the side with the *setback* less than 1.2 metres, a 0.6 metre easement must be granted by the owner of the abutting lands for the maintenance of the walls, eaves and real property;

   ii) where a *side lot line* abuts lands zoned OSR-1, OSR-2, OSR-3, or INS-1 in Zoning By-law 2019-051, the minimum side yard setback of 1.2 metres is required for the *lot line* abutting the aforementioned zones; and,

   iii) where a *side lot line* abuts lands zoned Public Park Zone (P-1), Open Space Zone (P-2), Hazard Land Zone (P-3) or Community Institutional Zone (I-2) in Zoning By-law 85-1, the minimum *side yard setback* of 1.2 metres is required for the *lot line* abutting the aforementioned zones.

f) the minimum *rear yard setback* shall be 7 metres;

g) the maximum *building height* shall be 11.5 metres;

h) the minimum contiguous *front yard* landscape area shall be 8 m². The minimum contiguous landscaped area must be located within the *front yard*, and must be unencumbered by *buildings*, *structures*, and hardscape or impervious features such as driveways, walkways, sidewalks, porches, stairs and ramps;

i) A fence having a height greater than 0.9 metres shall not be located between a *building* and any *front lot line* or *exterior side lot line*;

j) the maximum *lot coverage* shall be 60 percent, of which the habitable portion of the *dwelling* shall not exceed 50 percent and the *accessory buildings* or *structures*, whether attached or detached, shall not exceed 15 percent.

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For multiple dwelling:

a) the minimum front yard and exterior side yard shall be 3.5 metres;
b) the minimum side yard setback shall be 1.2 metres;
c) the minimum rear yard setback shall be 7 metres;
d) the maximum floor space ratio shall be 0.75;
e) the maximum building height shall be 11.5 metres; and,
f) a private patio area shall not be required adjacent to each dwelling unit located on the ground floor.
(252) – Within the lands zoned RES-3, RES-4, & RES-5 on Zoning Grid Schedules 107, 108, 109, 153, 154 and 155 of Appendix A, the following shall apply:

a) Stairs and access ramps may encroach into a required front yard or exterior side yard, provided the minimum setback to the encroachment is 1 metres from the street line;

b) Porches attached to the main building may be located within a required front yard or exterior side yard provided the porch is setback a minimum of 1.5 metres from the street line, whether or not covered, and provided they are not enclosed and do not exceed 1.2 metres in height above finished grade. Notwithstanding the foregoing, where any such porch is located in a driveway visibility triangle, the porch shall not exceed 0.9 metres in height above finished grade, and railings shall be constructed in a manner and of materials that do not obstruct visibility.

c) On a corner lot, an access driveway shall not be located closer than 6 metres to the intersection of street lines abutting the lot and shall permit the parking of motor vehicles, with the exception of the following:

i) 8 metres shall be required for corner lots with frontage on a Major Community Collector Street;

ii) 7 metres shall be required for corner lots with frontage on a Local Street and flankage on a Minor Neighbourhood Collector Street or a Major Community Collector Street, and which have a single driveway on the same side of the road as a stop control; and

iii) 4 metres shall be required for corner lots with frontage and flankage on one street only.

d) The following regulations shall apply to any lot or block which abuts the Huron Road Landscape Buffer:

i) The minimum setback for any residential building, or part thereof, which abuts the Huron Road Landscape Buffer, shall be 1.5 metres from the property line and any such building having flankage on the Huron Road Landscape Buffer shall provide for ground floor and upper storey windows along the exterior side yard elevation;

ii) Fences and noise attenuation walls may only be located within a rear yard, and may not be located in the front yard or between the building and the side lot line abutting the Huron Road Landscape Buffer.
(253) – Within the lands zoned RES-5 and shown as affected by this provision on Zoning Grid Schedule 107 and 108 of Appendix A, the following uses shall not be permitted:

a)   *additional dwelling unit (attached)*;

b)   *additional dwelling unit (detached)*;

c)   *lodging house*;

d)   *semi-detached dwelling*; and,

e)   *single detached dwelling*.
(254) – Within the lands zoned RES-5 and shown as being affected by this subsection on Zoning Grid Schedule 107, 108, 154 and 155 the following shall apply:

For single detached dwelling:

a) the minimum *lot width* for a *corner lot* shall be 12 metres;

b) the minimum *front yard setback* shall be 3.5 metres, except no part of any *building* used to accommodate off-street parking shall be located closer than 6 metres to a *street line*;

c) the minimum *exterior side yard setback* shall be 3, except no part of any *building* used to accommodate off-street parking shall be located closer than 6 metres to a *street line*, where an access driveway crosses the *side lot line* and leads to the space inside the garage.

d) the minimum *side yard setback* shall be 0.6 metres on one side and 1.2 metres on the other, provided that:

   i) on the side with the *setback* less than 1.2 metres, a 0.6 metre easement must be granted by the owner of the abutting lands for the maintenance of the walls, eaves and real property;

   ii) where a *side lot line* abuts lands zoned OSR-1, OSR-2, OSR-3, or INS-1 in Zoning By-law 2019-051, the minimum side yard setback of 1.2 metres is required for the *lot line* abutting the aforementioned zones; and,

   iii) where a *side lot line* abuts lands zoned Public Park Zone (P-1), Open Space Zone (P-2), Hazard Land Zone (P-3) or Community Institutional Zone (I-2) in Zoning By-law 85-1, the minimum *side yard setback* of 1.2 metres is required for the *lot line* abutting the aforementioned zones.

e) the minimum *rear yard setback* shall be 7 metres;

f) Garage façade:

   i) the maximum width of a *private garage* attached to a *single detached dwelling* located on a lot having a width of 11 metres or less shall be 72.5% of the width of front façade closest to the street at ground level;

   ii) Any attached *private garage* designed to accommodate 2 or more vehicles and located on a *lot* with a width of 11 metres or less must be designed with separate garage doors for each parking space located within the garage, and the garage doors must be separated by a pier;
g) the minimum contiguous *front yard* landscape area shall be \(17 \text{ m}^2\). The minimum contiguous landscaped area must be located within the *front yard*, and must be unencumbered by *buildings*, *structures*, and hardscape or impervious features such as *driveways*, walkways, sidewalks, porches, stairs and ramps; and,

h) A fence having a height greater than 0.9 metres shall not be located between a *building* and any *front lot line* or *exterior side lot line*.

For *street townhouse dwelling unit*:

a) the minimum *lot width* for a *corner lot* shall be 9.5 metres;

b) excluding a *corner lot*, there shall be no minimum *lot width* for an external unit;

c) the minimum *front yard setback* shall be 3.5 metres, except no part of any *building* used to accommodate off-street parking shall be located closer than 6 metres to a *street line*;

d) the minimum *exterior side yard setback* shall be 3, except no part of any *building* used to accommodate off-street parking shall be located closer than 6 metres to a *street line*, where an access driveway crosses the *side lot line* and leads to the space inside the garage.

e) the minimum *side yard setback* shall be 0.6 metres on one side and 1.2 metres on the other, provided that:

i) on the side with the *setback* less than 1.2 metres, a 0.6 metre easement must be granted by the owner of the abutting lands for the maintenance of the walls, eaves and real property;

ii) where a *side lot line* abuts lands zoned OSR-1, OSR-2, OSR-3, or INS-1 in Zoning By-law 2019-051, the minimum side yard setback of 1.2 metres is required for the *lot line* abutting the aforementioned zones; and,

iii) where a *side lot line* abuts lands zoned Public Park Zone (P-1), Open Space Zone (P-2), Hazard Land Zone (P-3) or Community Institutional Zone (I-2) in Zoning By-law 85-1, the minimum *side yard setback* of 1.2 metres is required for the *lot line* abutting the aforementioned zones.

f) the minimum *rear yard setback* shall be 7 metres;

g) the maximum *building height* shall be 11.5 metres;

h) the minimum contiguous *front yard* landscape area shall be \(8 \text{ m}^2\). The minimum contiguous landscaped area must be located within the *front yard*, and must be unencumbered by *buildings*, *structures*, and hardscape or impervious features such as *driveways*, walkways, sidewalks, porches, stairs and ramps;

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i) a fence having a height greater than 0.9 metres shall not be located between a building and any front lot line or exterior side lot line; and,

j) the maximum lot coverage shall be 60 percent, of which the habitable portion of the dwelling shall not exceed 50 percent and the accessory buildings or structures, whether attached or detached, shall not exceed 15 percent.
(255) – Within the lands zoned RES-3 and RES-4 and shown as affected by this provision on Zoning Grid Schedules 107, 108, 109, 153, 154 and 155 the following shall apply for single detached dwelling:

a) The minimum **lot width** for a **corner lot** shall be 12 metres;

b) the minimum **front yard setback** shall be 3.5 metres, except no part of any **building** used to accommodate off-street parking shall be located closer than 6 metres to a **street line**;

c) the minimum **exterior side yard setback** shall be 3, except no part of any **building** used to accommodate off-street parking shall be located closer than 6 metres to a **street line**, where an access driveway crosses the **side lot line** and leads to the space inside the garage.

d) the minimum **side yard setback** shall be 0.6 metres on one side and 1.2 metres on the other, provided that:

i) on the side with the **setback** less than 1.2 metres, a 0.6 metre easement must be granted by the owner of the abutting lands for the maintenance of the walls, eaves and real property;

ii) where a **side lot line** abuts lands zoned OSR-1, OSR-2, OSR-3, or INS-1 in Zoning By-law 2019-051, the minimum side yard setback of 1.2 metres is required for the **lot line** abutting the aforementioned zones; and,

iii) where a **side lot line** abuts lands zoned Public Park Zone (P-1), Open Space Zone (P-2), Hazard Land Zone (P-3) or Community Institutional Zone (I-2) in Zoning By-law 85-1, the minimum **side yard setback** of 1.2 metres is required for the **lot line** abutting the aforementioned zones.

e) the minimum **rear yard setback** shall be 7 metres;

f) **Garage façade**:

i) the maximum width of a **private garage** attached to a **single detached dwelling** located on a lot having a width of 11 metres or less shall be 72.5% of the width of front façade closest to the street at ground level;

ii) Any attached **private garage** designed to accommodate 2 or more vehicles and located on a **lot** with a width of 11 metres or less must be designed with separate garage doors for each parking space located within the garage, and the garage doors must be separated by a pier;
g) the minimum contiguous front yard landscape area shall be 17 m². The minimum contiguous landscaped area must be located within the front yard, and must be unencumbered by buildings, structures, and hardscape or impervious features such as driveways, walkways, sidewalks, porches, stairs and ramps; and,

h) A fence having a height greater than 0.9 metres shall not be located between a building and any front lot line or exterior side lot line.
(256) – Within the lands zoned RES-3 and shown as affected by this provision on Zoning Grid Schedules 153 and 154 of Appendix A, where a lot has a side yard adjacent to an OSR-1 zone, the minimum front yard setback for that lot shall be 12 metres and the minimum setback for a side yard abutting an OSR-1 zone shall be 4.5 metres.
(257) – Within the lands zoned RES-6 and shown as affected by this provision on Zoning Grid Schedule 108 of Appendix A, the following shall apply for *multiple dwelling*:

a) the minimum *setback* to a *street line* shall be 1.5 metres;

b) the maximum *setback* to a *street line* shall be 4.5 metres

c) the maximum *building height* shall be 4 *storeys* or 15 metres;

d) a private patio area shall not be required adjacent to each *dwelling unit* located at ground floor level;

e) parking shall be provided at a rate of 1.25 spaces per unit;

f) off-street parking shall not be located between any *building façade* and the *street line*; and,

g) stairs and access ramps may encroach into a required *front yard* or *exterior side yard*, provided the minimum *setback* to the encroachment is 1 metre from the *street line*. 

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(258) – Within the lands zoned RES-4 and shown as being affected by this provision on Zoning Grid Schedules 153 and 154 the following shall apply for a single detached dwelling:

a) the minimum interior side yard setback shall be 0.6 metres on one side and 1.2 metres on the other, provided that on the side with the setback less than 1.2 metres, a 0.6 metre easement must be granted by the owner of the abutting lands for the maintenance of the walls, eaves and real property.
(259) – Within the lands zoned RES-4 and shown as being affected by this provision on Zoning Grid Schedules 153, the minimum rear yard setback shall be 7 metres.
Within the lands zoned RES-5 and shown as affected by this provision on Zoning Grid Schedules 153, 154, 163, and 164 of Appendix A, the following shall apply:

a) for multiple dwelling, 1.1 parking spaces per dwelling unit shall be required;

b) the maximum building height for multiple dwellings located within 8 metres of the front lot line shall be 11 metres;

c) the maximum building height for multiple dwellings located greater than 8 metres from the front lot line shall be 14 metres;

d) the maximum number of dwelling units for the entire lot shall be 200;

e) the maximum floor space ratio shall be 0.75.

f) for the purposes of this regulation, building height shall be measured as the vertical distance between the highest finished grade level at the perimeter of the building and the uppermost point of the building. Antennae, chimneys spires, cupolas, elevator penthouses or other similar features shall be disregarded in calculating building height.

g) a private patio area for dwelling units facing Strasburg Road shall not be required;

h) yard requirements are to be measured from lot lines that existed on March 17, 2017; and,

i) for the purposes of calculating the maximum floor space ratio, the lot area used shall be 27,843 square metres, being the area of the lot as it existed on March 17, 2017.
(261) – Within the lands zoned RES-4 and RES-5 and shown as affected by this provision on Zoning Grid Schedule 28 and 50 of Appendix A, the following minimum setbacks from the Bleams Road right-of-way (not measured from landscape buffer block) shall be required for any residential dwelling that is rear lotted to Bleams Road:

a) west of Nyles Drive, 18.5m;

b) between Nyles Drive and Isaiah Drive, 19.5m; and,

c) east of Isaiah Drive, 18.5m.
(262) – Within the lands zoned RES-1 and shown as affected by this provision on Zoning Grid Schedule 212, 213, 246, 247, 255 and 256 of Appendix A, the following shall apply:

a) small residential care facility shall be permitted;

b) for single detached dwelling, the minimum lot width shall be 30.48 metres and the minimum lot area shall be 2,023 square metres;

c) the maximum building height shall be 11 metres, except for accessory buildings;

d) street townhouse dwelling, multiple dwelling, place of worship, and elementary school existing as of January 11, 1988 shall be permitted; and,

e) the agricultural raising of equine and/or fowl shall also be permitted as a home occupation.
(263) – Within the lands zoned COM-1 and shown as affected by this provision on Zoning Grid Schedule 206 and 207 of Appendix A, the following uses shall also be permitted:

a) *Place of worship*; and,

b) *Multiple dwelling*. 
Within the lands zoned COM-1 and shown as affected by this provision on Zoning Grid Schedule 206 and 207 of Appendix A, the following shall apply:

a) the maximum *building height* shall be 15.3 metres;

b) the maximum gross leasable commercial space shall be 2,000 square metres; and,

c) a single *convenience retail* unit may exceed 300 square metres.
(265) – Within the lands zoned RES-2 and shown as affected by this provision on Zoning Grid Schedules 166 and 201 of Appendix A, the minimum front yard shall be 9 metres.
(266) – Within the lands zoned RES-4 and shown as affected by this provision on Zoning Grid Schedules 166 and 201 of Appendix A, the minimum front yard shall be 11 metres.
(267) – Within the lands zoned RES-1 and shown as affected by this provision on Zoning Grid Schedule 255 of Appendix A, the minimum lot width shall be 29.5 metres. This shall prevail over any other Site Specific Provision.
(268) – Within the lands zoned RES-1 and shown as affected by this provision on Zoning Grid Schedules 257 and 258 of Appendix A, the following uses shall be permitted:

a) an equine boarding service, riding stable, or riding academy shall be permitted in accordance with the following regulations:

   i) the minimum front yard setback shall be 10 metres;

   ii) the minimum rear yard setback shall be 10 metres;

   iii) the minimum side yard setback shall be 7.5 metres; and,

   iv) the maximum building height shall be 11 metres;

b) a bed and breakfast only within the dwelling existing on December 2, 1996.
(269) – Within the lands zoned OSR-2 and shown as affected by this provision on Zoning Grid Schedule 257 of Appendix A, the following shall apply:

a) accessory buildings to a permitted use in the RES-1 zone shall be permitted in accordance with Section 4 (General Regulations); and,

b) an equine boarding service, riding stable, or riding academy shall be permitted in accordance with the following regulations:

   i) the minimum front yard setback shall be 10 metres;

   ii) the minimum rear yard setback shall be 10 metres;

   iii) the minimum side yard setback shall be 7.5 metres; and,

   iv) the maximum building height shall be 11 metres;
(270) – Within the lands zoned RES-1 and shown as affected by this provision on Zoning Grid Schedules 257 and 258 of Appendix A, the minimum *lot width* shall be 50 metres.
Within the lands zoned RES-1 and shown as affected by this provision on Zoning Grid Schedule 258 of Appendix A, the following uses shall be also permitted within the dwelling existing on March 17, 2008:

a) bed and breakfast; and,

b) personal services as an accessory use to a bed and breakfast.
(272) – Within the lands zoned RES-1 and shown as affected by this provision on Zoning Grid Schedules 278, 279, 280, 288, 289, 296 and 297 of Appendix A, the following shall apply:

a) the minimum *lot width* shall be 30 metres;

b) the minimum *front yard setback* and *exterior side yard setback* shall be 7.62 metres; and,

c) the minimum *lot area* shall be 2,023 square metres.
(273) – Within the lands zoned RES-2 and shown as affected by this provision on Zoning Grid Schedule 258 of Appendix A, the following shall apply:

a) the minimum *lot width* shall be 16.5 metres;

b) the minimum *building height* for the residential portion of the dwelling shall be 6.5 metres;

c) the minimum *side yard setback* shall be 1.8 metres, except in the case where a *driveway* leading to a required *parking space* is situated between the *dwelling* and the *side lot line* or behind the *dwelling*, in which case the *side yard setback* shall be 3 metres;

d) the maximum width of a *private garage* shall be 50% of the width of the *façade* closest to the *street* at ground level; and,

e) the front *façade* of any parking structure or the location of any legal *parking space* shall not be closer to the *front lot line* than any part of the front *façade* of the main *dwelling*. 
(274) – Within the lands zoned RES-2 and shown as affected by this provision on Zoning Grid Schedule 279 and 280 of Appendix A, the minimum *front yard setback* shall be 10 metres.
(275) – Within the lands zoned RES-2 and shown as affected by this provision on Zoning Grid Schedule 258 of Appendix A, the following shall apply:

a) the minimum *lot width* shall be 17 metres;

b) the minimum *building height* for the residential portion of the *dwelling* shall be 6.5 metres;

c) the minimum *side yard setback* shall be 1.8 metres, except in the case where a *driveway* leading to a required *parking space* is situated between the *dwelling* and the *side lot line* or behind the *dwelling*, in which case the *side yard setback* shall be 3 metres;

d) the front *façade* of any parking structure or the location of any legal *parking space* shall not be closer to the *front lot line* than any part of the front *façade* of the main *dwelling* or covered porch extending the full width of the *dwelling*; and,

e) the maximum width of a *private garage* shall be 50% of the width of the *façade* closest to the *street* at ground level.
(276) – Within the lands zoned RES-1 and shown as affected by this provision on Zoning Grid Schedule 258 of Appendix A, the following shall apply:

a) the minimum front yard setback shall be 12 metres;

b) the minimum lot width shall be 26 metres, measured at the 12 metre front yard setback;

c) the minimum westerly and easterly side yard setback shall be 10 metres;

d) the location of any required parking space and the front façade of any accessory building shall be set back a minimum of 2 metres from the front façade of the main dwelling excluding any porch;

e) the maximum building floor area of an additional dwelling unit (detached) shall be 100 square metres; and,

f) the minimum westerly side yard setback of any accessory buildings and structures, whether attached or detached, shall be 10 metres.
(277) – Within the lands zoned RES-4 and shown as affected by this provision on Zoning Grid Schedules 64 and 65 of Appendix A, the minimum rear yard setback for any residential dwelling shall be 18 metres.
(278) – Within the lands zoned RES-4 and shown as affected by this provision on Zoning Grid Schedule 203 of Appendix A, a 3-unit *multiple dwelling* with a *lot width* of 12.43 metres shall be permitted.
(279) – Within the lands zoned RES-5 and shown as affected by this provision on Zoning Grid Schedules 214 and 245 of Appendix A, the following shall apply:

a) any residential building or structure shall be setback a minimum of 12.2 metres from the Homer Watson Boulevard street line; and,

b) off-street parking shall be permitted within 1.5 metres of the Homer Watson Boulevard street line.
(280) – Within the lands zoned RES-4 and shown as affected by this provision on Zoning Grid Schedules 64 and 65 of Appendix A, the minimum rear yard setback shall be 18.5 metres for any residential dwelling.
(281) – Within the lands zoned RES-2 and shown as affected by this provision on Zoning Grid Schedule 203 of Appendix A, a park shall also be permitted.
(282) – Within the lands zoned RES-4 and shown as affected by this provision on Zoning Grid Schedule 203 of Appendix A, a community centre shall be permitted to a maximum gross floor area of 2,500 square metres.
(283) – Within the lands zoned RES-4 and RES-5 and shown as affected by this provision on Zoning Grid Schedule 50 and 64, a residential dwelling shall have a minimum setback of 25 metres from the Bleams Road street line.
(284) – Within the lands zoned RES-2 and shown as affected by this provision on Zoning Grid Schedule 258 of Appendix A, the following shall apply:

a) the minimum *lot width* shall be 41 metres; and,

b) the minimum *rear yard setback* shall be 1.2 metres for a maximum of 50% of the *lot width*. 
(285) – Within the lands zoned RES-5 and shown as affected by this provision on Zoning Grid Schedule 165 and 166 of Appendix A, the minimum setback from any lot line abutting a Natural Heritage Conservation (NHC-1) zone for a building or structure, accessory building, fence, or retaining wall shall be 7.5 metres.
(286) – Within the lands zoned RES-5 and shown as affected by this provision on Zoning Grid Schedule 248 of Appendix A, the following shall apply to street townhouse dwelling:

a) where street townhouse dwellings do not have frontage on a public street, they shall be permitted without frontage on a public street, provided that all such dwellings are Parcels of Tied Lands (POTL’s) to a Common Elements Condominium consisting of a private driveway connecting to a public street. For the purposes of this regulation, the front lot line for units not abutting a public street shall be deemed to be the shortest lot line abutting the private driveway portion of the Common Elements Condominium;

b) street townhouse dwellings having frontage on a public street shall be permitted to have a minimum corner lot width of 9 metres, and a minimum side yard abutting a private driveway portion of the Common Elements Condominium of 2.75 metres;

c) street townhouse dwellings having frontage on the private driveway portion of a Common Elements Condominium shall be permitted to have a minimum corner lot width of 7.7 metres and a minimum side yard abutting a private driveway portion of a Common Elements Condominium of 2.1 metres;

d) street townhouse dwellings having frontage on the private driveway portion of a Common Elements Condominium shall be permitted to have a minimum side yard setback of 1.4 metres;

e) street townhouse dwellings shall be permitted to have a minimum rear yard setback of 7 metres; and,

f) despite subsection (e), street townhouse dwellings having a rear yard abutting a landscaped area within a Common Element Condominium shall be permitted to have a minimum rear yard setback of 5 metres.
(287) – Within the lands zoned RES-4 and shown as affected by this provision on Zoning Grid Schedule 195 of Appendix A, the following shall apply:

a) an additional dwelling unit (detached) shall be permitted within the accessory building built in 2004;

b) the parking lot may provide for ingress and egress from a street in a manner other than a forward motion; and,

c) one required parking space may be located within 3 metres of a street line.
Within the lands zoned RES-1 and shown as affected by this provision on Zoning Grid Schedule 253 of Appendix A, the following shall apply:

a) *semi-detached dwellings* shall be permitted in accordance with the regulations of the RES-5 zone, and shall only be permitted as part of a multiple/cluster development;

b) *multiple dwelling* shall be permitted in accordance with the regulations of the RES-5 zone;

c) *artisan’s establishment, craftsperson shop, day care facility, dwelling unit, health office, health clinic, studio, office, personal services, social service establishment, bed and breakfast, and veterinary services* shall be permitted within *existing buildings* and within an addition not exceeding 25% of the *gross floor area* of the *existing building*. The regulations for an addition shall be in accordance with the regulations for *multiple dwelling* and non-residential *uses* in the RES-5 zone.

d) *a bed and breakfast* shall have a maximum of four bedrooms and may include up to two non-resident employees, may exceed 25% of the building gross floor area or 50 square metres, may provide parking in the rear yard, and may attract up to 8 overnight guests at any one time. Parking shall be provided in accordance with the parking regulations for a *home occupation* in Section 5, and *parking lots* shall be in accordance with regulations of Section 5. A *bed and breakfast* with more than 2 bedrooms shall not be considered a *home occupation* and site plan control shall be required; and,

e) one *dwelling unit* shall be permitted in addition to any permitted non-residential use.
(289) – Within the lands zoned RES-5 and shown as affected by this provision on Zoning Grid Schedules 248 and 249 of Appendix A, 37 street townhouse dwellings shall be permitted without frontage on a public street provided that all such dwellings are Parcels of Tied Lands (POTL’s) to a Common Elements Condominium consistent of at least a private driveway connecting to both Doon South Drive and Robert Ferrie Drive. For the purposes of this provision, the front lot line shall be deemed to be that lot line abutting the internal private driveway portion of the Common Elements Condominium.
(290) – Within the lands zoned RES-4, and RES-5 and shown as affected by this provision on Zoning Grid Schedules 258, 249, 253, and 254 of Appendix A, *semi-detached dwellings* shall not be permitted.
Within the lands zoned RES-5 and shown as affected by this provision on Zoning Grid Schedule 50 of Appendix A, the following shall apply:

a) the maximum setback from the Isaiah Drive street line shall be 6 metres;

b) convenience retail, day care facility, and personal services shall be permitted in accordance with the regulations of the RES-5 zone for multiple dwellings and non-residential uses; and,

c) a home occupation shall be permitted to occupy up to 40% of the floor area to a maximum of 75 square metres, and to have a maximum of 2 non-resident employees provided that there are no more than 2 customers/clients at one time.
(292) – Within the lands zoned RES-2 and shown as affected by this provision on Zoning Grid Schedule 28 and 50 of Appendix A, the minimum *lot width* shall be 33 metres and the minimum *lot area* shall be 1,350 square metres.
(293) – Within the lands zoned RES-2 and shown as affected by this provision on Zoning Grid Schedule 258 of Appendix A, the rear building wall or walls shall be limited to one storey plus a cellar but not a basement and shall not include an interior mezzanine or similar feature. The maximum height of the rear wall at grade to the lowest point of the fascia/eaves shall be 5.5 metres. For the purposes of this provision, a “storey” means that portion of a building which is situated between the top of any floor and the top of the floor next to it and, if there is no floor above it, that portion between the top of such floor and the ceiling above it.
(294) – Within the lands zoned RES-1 and shown as affected by this provision on Zoning Grid Schedules 212 and 213 of Appendix A, the minimum **setback** for any **structure** from lands zoned NHC-1 shall be 1.2 metres.
(295) – Within the lands zoned RES-2 and shown as affected by this provision on Zoning Grid Schedule 209 of Appendix A, the following shall apply:

a) a maximum of 23 single detached dwellings may be permitted on a lot or block provided that a Plan or Plans of condominium are registered on all or a portion of the lot which is part of a comprehensively planned development; and,

b) a maximum of 7 single detached dwellings may back onto adjacent residential lands which front Dodge Drive.
(296) – Within the lands zoned RES-4 and shown as affected by this provision on Zoning Grid Schedule 93 of Appendix A, the minimum side yard setback abutting the Bleams Road street line for the building existing on August 24, 2007 shall be 10.45 metres.
(297) – Within the lands shown as affected by this provision on Zoning Grid Schedule 62, 96, and 97 of Appendix A, covered porches that are open on the first floor with or without railings and with or without living space above may encroach into the driveway visibility triangle to a maximum of 2.5 metres.
(298) – Within the lands zoned RES-3 and shown as affected by this provision on Zoning Grid Schedule 165 of Appendix A, the following shall apply:

a) the minimum *lot width* shall be 53.2 metres and the minimum *lot area* shall be 3,357 square metres;

b) the minimum *front yard setback* shall be 14.2 metres; and,

c) the minimum northerly *side yard setback* shall be 16.7 metres.
(299) – Within the lands zoned RES-5 and shown as affected by this provision on Zoning Grid Schedule 201 and 202 of Appendix A, the following shall apply to the existing 17-unit multiple dwelling:

a) the maximum floor space ratio shall be 0.9; and,

b) the maximum number of dwelling units shall be 17.
(300) – Within the lands zoned RES-6 and shown as affected by this provision on Zoning Grid Schedule 195 of Appendix A, the following shall apply to a *multiple dwelling* except a *cluster townhouse*:

a) the maximum *front yard setback* shall be 12 metres;

b) the minimum *rear yard setback* shall be 57 metres;

c) the minimum right and left *side yard setbacks* shall be 2.5 metres;

d) the maximum *floor space ratio* shall be 1;

e) the minimum number of *parking spaces* shall be 16; and,

f) the maximum *building height* shall be 15 metres.
(301) – Within the lands zoned RES-3, RES-4, and RES-5 and shown as affected by this provision on Zoning Grid Schedules 8, 23, 24, and 29 of Appendix A, the following shall apply:

a) for single detached dwellings and multiple dwellings, balconies may extend within a required front yard or exterior side yard provided that the minimum setback from a front lot line and exterior side lot line is 2.5 metres;

b) terraces, porches and decks shall have a minimum 2.5 metre front yard setback and street line setback, whether or not covered, provided they are not enclosed, and provided they do not exceed 1.2 metres in height above finished grade level;

c) the minimum setback for any residential building or part thereof, located on a lot which is abutting an arterial road, as defined and classified in the City’s Official Plan, shall be 12 metres from the street line, provided however that for multiple dwellings and street townhouses containing a minimum of four dwelling units, or any residential building with primary access from such arterial road, the setback requirements of the applicable zone shall apply. Any buildings located less than 12 metres from an arterial road shall be developed in accordance with mitigation measures recommended in the approved Noise Study as part of the Plan of Subdivision approval for the lands, but such mitigation measures shall not include noise walls or berms; and,

d) on a corner lot, an access driveway for lots fronting a collector street (Benninger Drive) shall be located a minimum of 7 metres from the intersection of the street lines abutting the lot. For all other street (local streets), the minimum shall be 4.5 metres. In all cases, the parking of motor vehicles shall be permitted.
(302) – Within the lands zoned RES-3 and RES-4 and shown as affected by this provision on Zoning Grid Schedules 23 and 24 of Appendix A, the following shall apply for single detached dwelling and semi-detached dwelling:

a) for single detached dwelling, the minimum corner lot width shall be 11 metres.

b) for semi-detached dwelling, the minimum corner lot width shall be 17.5 metres for each dwelling, and 10 metres for each corner dwelling unit;

c) the minimum front yard setback shall be 4 metres, and no part of any building used to accommodate off-street parking shall be located closer than 6 metres from the front lot line;

d) the minimum interior side yard setback shall be 0.6 metres of one side, and 1.2 metres on the other;

e) the minimum exterior side yard setback shall be 4 metres;

f) the minimum rear yard setback shall be 7 metres;

g) the maximum building height shall be 12.5 metres;

h) encroachments shall be permitted for stairs and access ramps, provided the minimum setback to the encroachment is 2.5 metres from a street line; and,

i) porches are included in lot coverage.
(303) – Within the lands zoned RES-5 and shown as affected by this provision on Zoning Grid Schedule 8, 23, 24, and 29 of Appendix A, the following shall apply:

For single detached dwelling and semi-detached dwelling:

a) for single detached dwelling, the minimum corner lot width shall be 11 metres.

b) for semi-detached dwelling, the minimum corner lot width shall be 17.5 metres for each dwelling, and 12.5 metres for each dwelling unit;

c) the minimum front yard setback shall be 4 metres, and not part of any building used to accommodate off-street parking shall be located closer than 6 metres from the front lot line;

d) the minimum interior side yard setback shall be 0.6 metres of one side, and 1.2 metres on the other;

e) the minimum exterior side yard setback shall be 4 metres;

f) the minimum rear yard setback shall be 7 metres;

g) the maximum building height shall be 12.5 metres;

h) encroachments shall be permitted for stairs and access ramps, provided the minimum setback to the encroachment is 2.5 metres from a street line; and,

i) porches are included in lot coverage.

For street townhouse dwelling:

a) the minimum corner lot width shall be 9.5 metres;

b) the minimum front yard setback shall be 4 metres, and not part of any building used to accommodate off-street parking shall be located closer than 6 metres from the front lot line;

c) the minimum interior side yard setback shall be 0.6 metres (end units);

d) the minimum exterior side yard setback shall be 4 metres;

e) the minimum rear yard setback shall be 7 metres;

f) the maximum lot coverage shall be a total of 60%, of which the habitable portion of the dwelling shall not exceed 50% and the accessory buildings or structures (whether attached or detached) shall not exceed 15%;

g) the maximum building height shall be 12.5 metres;
h) encroachments shall be permitted for stairs and access ramps, provided the minimum setback to the encroachment is 2.5 metres from a street line; and,

i) porches are included in lot coverage.

For multiple dwelling:

a) the minimum front yard setback shall be 4 metres, and not part of any building used to accommodate off-street parking shall be located closer than 6 metres from the front lot line;

b) the minimum interior side yard setback shall be 1.2 metres;

c) the minimum exterior side yard setback shall be 4 metres;

d) the minimum rear yard shall be 7 metres;

e) the minimum landscaped area shall be 15%;

f) the maximum floor space ratio shall be 0.75;

g) the maximum building height shall be 12.5 metres;

h) encroachments shall be permitted for stairs and access ramps, provided the minimum setback to the encroachment is 2.5 metres from a street line; and,

i) porches are included in lot coverage.

For the purposes of this Site Specific Provision, Outdoor Amenity Area shall mean an area in a rear yard used for landscaping and/or an area on a front, rear, side, or roof top balcony or deck which has direct access from the interior of the dwelling unit but which does not serve as a primary access into the dwelling unit.
(304) – Within the lands zoned RES-1 and shown as affected by this provision on Zoning Grid Schedule 253 of Appendix A, the driveway existing as of April 20, 2015 shall be deemed to comply with the regulations of this by-law for the existing *single detached dwelling* and any *home occupations* added thereto.
(305) – Within the lands zoned RES-4 and RES-5 and shown as affected by this provision on Zoning Grid Schedules 248, 249, 253, and 254 of Appendix A, the minimum front yard setback shall be 6 metres.
(306) – Within the lands zoned RES-4, RES-5, COM-1, and INS-1 and shown as affected by this provision on Zoning Grid Schedules 205, 206, 207, 208, 209, and 210 of Appendix A, the following shall apply:

a) terraces, porches and decks associated with a dwelling may be located within a required exterior side yard provided the terrace, porch or deck is set back a minimum of 1.5 metres from the street line whether or not covered and provided they are not enclosed and do not exceed 1.2 metres in height above finished grade level. All railings that are attached to a terrace, porch or deck shall be constructed in a manner and of materials that do not obstruct visibility of approaching traffic;

b) the minimum setback for any residential building or part thereof, located on a lot which is abutting an arterial road, as defined and classified in the City’s Official Plan, shall be 12 metres from the street line, provided however that for multiple dwellings and street townhouses containing a minimum of four dwelling units, or any residential building with primary access from such arterial road, the setback requirements of the applicable zone shall apply. Any buildings located less than 12 metres from an arterial road shall be developed in accordance with mitigation measures recommended in the approved Noise Study as part of the Plan of Subdivision approval for the lands, but such mitigation measures shall not include noise walls or berms;

c) on a corner lot abutting two streets, the driveway shall not be located closer than 7 metres to the intersection of the street lines abutting the lot; and,

d) on a corner lot abutting the same street, the driveway shall not be located closer than 4.5 metres to the intersection of the street lines abutting the lot.
(307) – Within the lands zoned RES-4 and shown as affected by this provision on Zoning Grid Schedules 205, 206, 207, 208, 209 and 210 of Appendix A, the following shall apply for single detached dwelling and semi-detached dwelling:

a) for single detached dwelling, the minimum corner lot width shall be 11 metres.

b) for semi-detached dwelling, the minimum corner lot width shall be 17.5 metres for each dwelling, and 10 metres for each corner dwelling unit;

c) the minimum interior side yard setback shall be 0.6 metres of one side, and 1.2 metres on the other. In no case shall a dwelling be located closer than 1.8 metres to a dwelling on the adjoining lot;

d) the minimum exterior side yard setback shall be 3 metres from the street line of Blair Creek Drive, Thomas Slee Drive, Stauffer Woods Trail, or Blair Valley Street. For all other street lines, the minimum exterior side yard setback shall be 2 metres;

e) the minimum rear yard setback shall be 7 metres;

f) the maximum building height shall be 12.5 metres; and,

g) encroachments shall be permitted for stairs and access ramps, provided the minimum setback to the encroachment is 1 metre from the exterior side lot line.
Within the lands zoned RES-5 and INS-1 and shown as affected by this provision on Zoning Grid Schedules 205, 206, 207, 208, 209, and 210 of Appendix A, the following shall apply:

For single detached dwelling and semi-detached dwelling:

a) for single detached dwelling, the minimum corner lot width shall be 11 metres.

b) for semi-detached dwelling, the minimum corner lot width shall be 17.5 metres for each dwelling, and 10 metres for each corner dwelling unit;

c) the minimum interior side yard setback shall be 0.6 metres of one side, and 1.2 metres on the other. In no case shall a dwelling be located closer than 1.8 metres to a dwelling on the adjoining lot;

d) the minimum exterior side yard setback shall be 3 metres from the street line of Blair Creek Drive, Thomas Slee Drive, Stauffer Woods Trail, or Blair Valley Street. For all other street lines, the minimum exterior side yard setback shall be 2 metres;

e) the minimum rear yard setback shall be 7 metres;

f) the maximum building height shall be 12.5 metres; and,

g) encroachments shall be permitted for stairs and access ramps, provided the minimum setback to the encroachment is 1 metre from the exterior side lot line.

For street townhouse dwelling:

a) the minimum corner lot width shall be 9.5 metres;

b) the minimum interior side yard setback shall be 0.6 metres (end units). In no case shall end units be located closer than 1.8 metres to the dwelling on the adjacent lot;

c) the minimum exterior side yard setback shall be 3 metres from the street line of Blair Creek Drive, Thomas Slee Drive, Stauffer Woods Trail, or Blair Valley Street. For all other street lines, the minimum exterior side yard setback shall be 2 metres;

d) the minimum rear yard setback shall be 7 metres;

e) the maximum lot coverage shall be a total of 60%, of which the habitable portion of the dwelling shall not exceed 50% and the accessory buildings or structures (whether attached or detached) shall not exceed 15%;

f) the maximum building height shall be 12.5 metres; and,

g) encroachments shall be permitted for stairs and access ramps, provided the minimum setback to the encroachment is 1 metre from the exterior side lot line.

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For back-to-back townhouse dwelling

a) the minimum yard setback shall be 3 metres from the street line of Blair Creek Drive, Thomas Slee Drive, Stauffer Woods Trail, Blair Valley Street, Reidel Drive, or New Dundee Road. From all other street lines, the minimum setback shall be 2 metres. No part of any building used to accommodate off-street parking shall be located closer than 6 metres from the front lot line;

b) the minimum lot area shall be 78 square metres;

c) the minimum lot width shall be 6 metres;

d) the minimum corner lot width shall be 9.5 metres for each dwelling, and 12.5 metres for each dwelling unit;

e) the minimum interior side yard setback shall be 0.6 metres (end units). In no case shall end units be located closer than 1.8 metres to the dwelling on the adjacent lot;

f) the minimum rear yard setback shall be 0 metres;

g) the minimum landscaped area shall be 6.5%;

h) the maximum number of attached units shall be 16;

i) the maximum building height shall be 12.5 metres;

j) encroachments shall be permitted for stairs and access ramps, provided the minimum setback to the encroachment is 1 metre from the exterior side lot line.

For multiple dwelling:

a) the minimum yard setback shall be 3 metres from the street line of Blair Creek Drive, Thomas Slee Drive, Stauffer Woods Trail, Blair Valley Street, Reidel Drive, or New Dundee Road. From all other street lines, the minimum setback shall be 2 metres. No part of any building used to accommodate off-street parking shall be located closer than 6 metres from the front lot line;

b) the minimum interior side yard setback shall be 1.2 metres;

c) the minimum rear yard setback shall be 7 metres;

d) the minimum landscaped area shall be 15%;

e) the maximum floor space ratio shall be 0.75;

f) the maximum building height shall be 12.5 metres;
g) a 0.5 metre encroachment shall be permitted for a porch and/or balcony provided the porch and/or balcony is located a minimum of 1.5 metres from a street line; and,

h) a 1 metre encroachment may be permitted for stairs and access ramps, provided the stairs and/or access ramps are located a minimum of 1 metre from a street line.

For the purposes of this Site Specific Provision, Outdoor Amenity Area shall mean an area in a rear yard used for landscaping and/or an area on a front, rear, side, or roof top balcony or deck which has direct access from the interior of the dwelling unit but which does not serve as a primary access into the dwelling unit.
(309) – Within the lands zoned COM-1 and shown as affected by this provision on Zoning Grid Schedules 206 and 207, the following shall apply:

**For street townhouse dwelling:**

a) the minimum *corner lot width* shall be 9.5 metres;

b) the minimum *interior side yard setback* shall be 0.6 metres (end units) and in no case shall an end unit be located closer than 1.8 metres to the *dwelling* on the adjacent *lot*;

c) the minimum *exterior side yard setback* shall be 3 metres;

d) the minimum *rear yard* shall be 7 metres;

e) the maximum *lot coverage* shall be a total of 60%, of which the habitable portion of the *dwelling* shall not exceed 50% and the *accessory buildings or structures*, whether attached or detached, shall not exceed 15%;

f) the maximum *building height* shall be 12.5 metres; and,

g) encroachments shall be permitted for stairs and access ramps, provided the minimum *setback* to the encroachment is 1 metre from the *exterior side lot line*.

**For back-to-back townhouse dwelling**

a) the minimum *yard setback* shall be 3 metres and no part of any *building* used to accommodate off-street parking shall be located closer than 6 metres from the *front lot line*;

b) the minimum *lot area* shall be 78 square metres;

c) the minimum *lot width* shall be 6 metres;

d) the minimum *corner lot width* shall be 9.5 metres for each dwelling, and 12.5 metres for each *dwelling unit*;

e) the minimum *interior side yard setback* shall be 0.6 metres (end units). In no case shall end units be located closer than 1.8 metres to the *dwelling* on the adjacent lot;

f) the minimum *exterior side yard setback* shall be 3 metres;

g) the minimum *rear yard setback* shall be 0 metres;

h) the minimum *landscaped area* shall be 6.5%;

i) the maximum number of attached units shall be 16;

j) the maximum *building height* shall be 12.5 metres; and,
k) encroachments shall be permitted for stairs and access ramps, provided the minimum setback to the encroachment is 1 metre from the exterior side lot line.

For multiple dwelling:

a) the minimum front yard setback shall be 3 metres, and no part of any building used to accommodate off-street parking shall be located closer than 6 metres from the front lot line;

b) the minimum interior side yard setback shall be 1.2 metres;

c) the minimum exterior side yard setback shall be 3 metres;

d) the minimum rear yard setback shall be 7 metres;

e) the minimum landscaped area shall be 15%;

f) a 0.5 metre encroachment shall be permitted for a porch and/or balcony provided the porch and/or balcony is located a minimum of 1.5 metres from a street line; and,

g) a 1 metre encroachment may be permitted for stairs and access ramps, provided the stairs and/or access ramps are located a minimum of 1 metre from a street line.

For the purposes of this Site Specific Provision, Outdoor Amenity Area shall mean an area in a rear yard used for landscaping and/or an area on a front, rear, side, or roof top balcony or deck which has direct access from the interior of the dwelling unit but which does not serve as a primary access into the dwelling unit.
SECTION 19 – Site Specific Provisions

(310) – Within the lands zoned RES-5, COM-1, and INS-1 and shown as affected by this provision on Zoning Grid Schedules 205, 206, 207, 208, 209, and 210 of Appendix A, the following shall apply to back-to-back townhouse dwellings:

a) the minimum yard setback shall be 3 metres from the street line of Blair Creek Drive, Thomas Slee Drive, Stauffer Woods Trail, Blair Valley Street, Reidel Drive, or New Dundee Road. From all other street lines, the minimum setback shall be 2 metres. No part of any building used to accommodate off-street parking shall be located closer than 6 metres from the front lot line;

b) the minimum lot area shall be 78 square metres;

c) the minimum lot width shall be 6 metres;

d) the minimum corner lot width shall be 9.5 metres for each dwelling, and 12.5 metres for each dwelling unit;

e) the minimum interior side yard setback shall be 0.6 metres (end units). In no case shall end units be located closer than 1.8 metres to the dwelling on the adjacent lot;

f) the minimum rear yard setback shall be 0 metres;

g) the minimum landscaped area shall be 6.5%;

h) the maximum number of attached units shall be 16;

i) the maximum building height shall be 12.5 metres;

j) encroachments shall be permitted for stairs and access ramps, provided the minimum setback to the encroachment is 1 metre from the exterior side lot line; and,

k) more than one single detached dwelling (with or without any additional dwelling units (attached)), semi-detached dwelling, street townhouse dwelling, or back-to-back townhouse dwelling, shall be permitted on a lot provided that each dwelling has direct access to an internal private driveway or road that is a common element in a registered Condominium connecting to a public street or direct access to a public street and that each dwelling is located on a ‘unit’ in a Plan of Condominium. For the purposes of this regulation, the front lot line for each Unit in a Plan of Condominium shall be deemed to be that lot line abutting the internal driveway portion of the common element or a public street, and the dwelling on such a Unit shall comply with all applicable zoning regulations, including but not limited to setbacks, lot area, lot width, and parking.
(311) – Within the lands zoned RES-3, RES-4, and RES-5 and shown as affected by this provision on Zoning Grid Schedules 209, 210, 249, and 250 of Appendix A, the following shall apply:

a) the maximum height of stairs and access ramps within 1 metre of a street line shall be 0.6 metres above finished grade level;

b) terraces, porches and decks associated with a dwelling may be located within a required exterior side yard provided the terrace, porch or deck is set back a minimum of 1.5 metres from the street line whether or not covered and provided they are not enclosed and do not exceed 1.2 metres in height above finished grade level. All railings that are attached to a terrace, porch or deck shall be constructed in a manner and of materials that do not obstruct visibility of approaching traffic;

c) the minimum setback for any residential building or part thereof, located on a lot which is abutting an arterial road, as defined and classified in the City’s Official Plan, shall be 12 metres from the street line, provided however that for multiple dwellings and street townhouse dwellings containing a minimum of four dwelling units, or any residential building with primary access from such arterial road, the setback requirements of the applicable zone shall apply. Any buildings located less than 12 metres from an arterial road shall be developed in accordance with mitigation measures recommended in the approved Noise Study as part of the Plan of Subdivision approval for the lands, but such mitigation measures shall not include noise walls or berms;

d) on a corner lot abutting two streets, the driveway shall not be located closer than 7 metres to the intersection of the street lines abutting the lot; and,

e) on a corner lot abutting the same street, the driveway shall not be located closer than 4.5 metres to the intersection of the street lines abutting the lot.
(312) – Within the lands zoned RES-3 and RES-4 and shown as affected by this provision on Zoning Grid Schedules 209, 210, 249, and 250 of Appendix A, the following shall apply for single detached dwelling:

a) the minimum corner lot width shall be 12 metres;

b) the minimum front yard setback shall be 4.5 metres and no part of any building used to accommodate off-street parking shall be located closer than 5.7 metres to the front lot line;

c) the minimum interior side yard setback shall be 0.6 metres on one side, 1.2 metres on the other, and in the case of a corner lot the 1.2 metres setback shall be applied to the exterior side yard;

d) the minimum exterior side yard setback shall be 3 metres;

e) the minimum rear yard setback shall be 7 metres;

f) the maximum building height shall be 11.5 metres; and,

g) encroachments may be permitted for stairs and access ramps, provided the minimum setback to the encroachment is 1 metre from the exterior side lot line.
Within the lands zoned RES-5 and shown as affected by this provision on Zoning Grid Schedules 210, 249, and 250 of Appendix A, the following shall apply:

For single detached dwelling:

a) the minimum corner lot width shall be 12 metres;

b) the minimum front yard setback shall be 4.5 metres and no part of any building used to accommodate off-street parking shall be located closer than 5.7 metres to the front lot line;

c) the minimum interior side yard setback shall be 0.6 metres on one side, 1.2 metres on the other, and in the case of a corner lot the 1.2 metres setback shall be applied to the exterior side yard;

d) the minimum exterior side yard setback shall be 3 metres;

e) the minimum rear yard setback shall be 7 metres;

f) the maximum building height shall be 11.5 metres; and,

g) encroachments may be permitted for stairs and access ramps, provided the minimum setback to the encroachment is 1 metre from the exterior side lot line.

For street townhouse dwelling:

a) the minimum lot width shall be 6 metres;

b) the minimum corner lot width shall be 9.5 metres;

c) the minimum front yard setback shall be 4.5 metres and no part of any building used to accommodate off-street parking shall be located closer than 5.7 metres to the front lot line;

d) the minimum interior side yard setback shall be 0.6 metres (end units);

e) the minimum exterior side yard setback shall be 3 metres;

f) the minimum rear yard setback shall be 7 metres;

g) the maximum lot coverage shall be 60%, of which the habitable portion of the dwelling shall not exceed 50% and the accessory buildings, whether attached or detached, shall not exceed 15%;

h) the maximum building height shall be 11.5 metres;

i) encroachments may be permitted for stairs and access ramps, provided the minimum setback to the encroachment is 1 metre from the exterior side lot line.
SECTION 19 – Site Specific Provisions

For multiple dwelling:

a) the minimum front yard setback shall be 4.5 metres and no part of any building used to accommodate off-street parking shall be located closer than 5.7 metres to the front lot line;

b) the minimum interior side yard setback shall be 1.2 metres;

c) the minimum exterior side yard setback shall be 3 metres;

d) the minimum rear yard setback shall be 7 metres;

e) the minimum landscaped area shall be 15%;

f) the maximum floor space ratio shall be 0.75;

g) the maximum building height shall be 11.5 metres;

h) a 0.5 metre encroachment shall be permitted for a porch and/or balcony provided the porch and/or balcony is located a minimum of 1.5 metres from a street line; and,

i) a 1 metre encroachment may be permitted for stairs and access ramps, provided the stairs and/or access ramps are located a minimum of 1 metre from a street line.

For the purposes of this Site Specific Provision, Outdoor Amenity Area shall mean an area in a rear yard used for landscaping and/or an area on a front, rear, side, or roof top balcony or deck which has direct access from the interior of the dwelling unit but which does not serve as a primary access into the dwelling unit.
(314) – Within the lands zoned RES-5 and shown as affected by this provision on a Zoning Grid Schedule 153 of Appendix A, the minimum interior side yard setback for a street townhouse shall be 1.5 metres, the minimum lot width shall be 5.486 metres, and the minimum setback to a City Arterial Street as defined and classified in the City’s Official Plan shall be 11.6 metres from the street line.
(315) – Within the lands zoned RES-5 and shown as affected by this provision on Zoning Grid Schedules 153 and 154 of Appendix A, *multiple dwellings* (including *cluster townhouse*) shall be **setback** a minimum of 7.5 metres from the property addressed as 760 Huron Road, and the maximum **building height** of any **building** located less than 30 metres from 760 Huron Road shall be 9.65 metres and two **storeys**.
(316) – Within the lands zoned RES-1 and shown as affected by this provision on Zoning Grid Schedule Appendix A, a single detached dwelling shall be permitted without frontage on a street.
(317) – Within the lands zoned RES-5 and shown as affected by this provision on Zoning Grid Schedule 153 of Appendix A, the maximum height of a *multiple dwelling* shall be 13.6 metres.
(318) – Within the lands zoned COM-1 and shown as affected by this provision on Zoning Grid Schedule 87 of Appendix A, the following shall apply:

a) automotive detailing and repair operation (including for major recreation equipment) shall be permitted within the existing building and shall exclude body repair or rust proofing. A visual barrier shall also be provided abutting any residential zone in accordance with Section 4.18; and,

b) retail of motor vehicles and major recreation equipment shall be permitted as an accessory use to an automotive detailing and repair operation or an existing gas station.
(319) – Within the lands zoned COM-1 and shown as affected by this Provision on Zoning Grid Schedule 71 of Appendix A, the following shall apply for the existing building:

a) the minimum southerly side yard setback shall be 2.1 metres;

b) a drive aisle giving direct access to abutting parking spaces within a parking area adjacent to Queens Boulevard shall be located 2.1 metres from the Queens Boulevard street line and 2.6 metres from the Belmont Avenue West street line; and,

c) ingress and egress in a forward motion shall not be required for the required parking spaces adjacent to Belmont Avenue West.
(320) – Within the lands zoned COM-1 and shown as affected by this provision on Zoning Grid Schedules 142, 143, 174 and 175 of Appendix A, *retail of motor vehicles* and *automotive detailing and repair operation* shall be permitted.
(321) – Within the lands zoned RES-3 and shown an affected by this provision on Zoning Grid Schedules 86 and 87 of Appendix A, the following shall apply:

a) the maximum building height shall be 8 metres;

b) new semi-detached dwellings shall not be permitted; and,

c) in no case shall the building height of an additional dwelling unit (detached) be permitted to exceed the building height of the single detached dwelling or semi-detached dwelling on the same lot.
(322) – Within the lands zoned RES-4 and shown as affected by this provision on Zoning Grid Schedule 71 of Appendix A, a small residential care facility shall be permitted to be occupied by up to 10 persons, exclusive of staff.
(323) – Within the lands zoned RES-6 and shown as affected by this provision on Zoning Grid Schedules 83 and 123 of Appendix A, the following shall apply:

a) social service establishment, place of worship, restaurant (provided it is located in a building containing at least one other non-residential use), and personal services shall be permitted in accordance with the regulations for non-residential uses in the RES-6 zone;

b) veterinary service shall also be permitted in accordance with the regulations for multiple dwelling in the RES-6 zone, and provided it is not located in a building containing a dwelling unit;

c) the minimum rear yard setback for multiple dwellings shall be 6 metres;

d) the minimum front yard and minimum exterior side yard for multiple dwellings shall be 1.2 metres;

e) the maximum front yard and maximum exterior side yard for multiple dwellings shall be 7.5 metres;

f) the minimum side yard setback for multiple dwellings shall be 1.2 metres;

g) the maximum building height shall be 36 metres;

h) the minimum floor space ratio (FSR) for multiple dwellings and street townhouse dwellings shall be 2 and the maximum shall be 4. For the purposes of calculating the FSR for lands affected by this subsection, FSR shall mean the figure obtained when the total building floor area of all buildings within Block 9 included in Draft Approved Plan of Subdivision 30T-11203, is divided by the total area of those lands being, 1.97 hectares;

i) off-site parking facilities may be located within 400 metres of the lot or block containing the use requiring the parking, and such alternate parking may be provided in a RES-5 or RES-6 zone; and,

j) an exclusive use patio area shall not be required for dwelling units located on the ground floor.
(324) – Within the lands zoned RES-6 and shown as affected by this provision on Zoning Grid Schedules 82, 83, 122, and 123 of Appendix A, the following shall apply:

a) social service establishment, place of worship, and personal services shall be permitted in accordance with the regulations for non-residential uses in the RES-6 zone;

b) the minimum rear yard setback for street townhouse dwellings and multiple dwellings (cluster townhouse dwellings) shall be 6 metres;

c) the minimum lot width for street townhouse dwellings shall be 4.5 metres;

d) the minimum corner lot width for street townhouse dwellings shall be 9.8 metres;

e) the minimum side yard for street townhouse dwellings or multiple dwellings (cluster townhouse dwellings) shall be 1.2 metres;

f) the minimum exterior side yard for street townhouse dwellings shall be 4 metres;

g) for street townhouse dwellings located on a corner lot, an access driveway shall not be located closer than 7.5 metres to the intersection of the street lines abutting the lot;

h) the maximum building height for street townhouse dwellings and multiple dwellings (cluster townhouses dwellings) shall be 12.6 metres;

i) the minimum lot area for street townhouse dwellings shall be 95 square metres;

j) there shall be no maximum lot coverage for street townhouse dwellings;

k) an exclusive use patio area shall not be required for dwelling units located on the ground floor;

l) the minimum floor space ratio (FSR) for multiple dwellings and street townhouse dwellings shall be 0.5 and the maximum shall be 1. For the purposes of calculating the FSR for lands affected by this subsection, FSR shall mean the figure obtained when the total building floor area of all buildings within Blocks 1, 2, 3, 4, 5, 6, 7, and 8 included in Draft Approved Plan of Subdivision 30T-11203, is divided by the total area of those lands being, 4.15 hectares;

m) multiple dwellings (cluster townhouse dwellings) shall be permitted on blocks having no frontage on a public street, or multiple dwellings having a lot width of less than 15 metres provided that each dwelling has direct access to an internal private driveway or road that is a common element in a registered condominium connecting to a public street and that each dwelling unit is a unit of the Condominium. Notwithstanding the foregoing special regulations, all minimum yards pertaining to cluster townhouse dwellings within such blocks or lots shall be 1.2 metres; and
n) off-site parking facilities may be located within 400 metres of the lot or block containing the use requiring the parking, and such alternate parking may be provided in a RES-5 or RES-6 zone.
(325) – Within the lands zoned RES-5 and shown as affected by this provision on Zoning Grid Schedule 72 of Appendix A, personal services shall be permitted to a maximum gross floor area of 70 square metres, in accordance with the regulations for non-residential uses in the RES-5 zone.
(326) – Within the lands zoned RES-4 and shown as affected by this provision on Zoning Grid Schedule 72 of Appendix A, the following shall apply:

a)  *personal services* shall be permitted within the *existing building* and any additions thereto;

   and,

b)  a *parking space* shall be permitted to be setback a minimum of 2 metres from the Belmont Avenue *street line*.
(327) – Within the lands zoned RES-5 and shown as affected by this provision on Zoning Grid Schedule 71 of Appendix A, a *commercial parking facility* shall be permitted.
(328) – Within the lands zoned RES-5 and shown as affected by this provision on Zoning Grid Schedule 83 of Appendix A, the following uses shall be permitted in accordance with the regulations for multiple dwellings and non-residential uses in the RES-5 zone, or within the existing building:

a) convenience retail, design business, financial establishment, health clinic, office, personal services, place of worship, restaurant (provided it is located in a building containing at least one other non-residential use), sales centre, social services establishment, and veterinary services (except where located in a building containing dwelling units).
SECTION 19 – Site Specific Provisions

(329) – Within the lands zoned RES-5 and shown as affected by this provision on Zoning Grid Schedule 175 of Appendix A, the following shall apply:

a) the maximum building height measured from lowest grade level shall be 13.5 metres and may exceed 110% of the building height measured from the highest grade level;

b) where lands affected by Site Specific Provision (329) is dedicated to the City, the maximum floor space ratio for development on the retained portion may be calculated based on a lot area of 4639.1 m² (being the size of the lands prior to any dedication);

c) that on a lot containing a group home or small residential care facility with up to 6 bedrooms and a multiple dwelling with up to 25 dwelling units, parking shall be shared between uses and unassigned, and shall be provided as follows:

i) group home or small residential care facility – 2 spaces per facility

ii) multiple dwelling with up to 25 units – 0.4 spaces per unit.

d) off-street parking and loading spaces may be located between the façade of a new building and the front lot line (Sheldon Avenue North), and between the façade of an existing building and the exterior side lot line (Highway #7). Parking and loading spaces must be setback a minimum of 10 metres from the street line of Sheldon Avenue North;

e) a small residential care facility or a group home shall be permitted to have up to 6 residents, shall only be located in an existing building, and may be located on the same lot as a multiple dwelling; and,

f) a multiple dwelling shall have a central air conditioning system, and special building components as identified in the Preliminary Environmental Noise Assessment, for 290 Sheldon Avenue North, dated October 24, 2019, and the addendum thereto dated August 18, 2020, prepared by MTE Consultants Inc.
(330) – Within the lands zoned RES-5 and shown as affected by this provision on Zoning Grid Schedule 72 of Appendix A, for the building existing on May 22, 2001, the following shall apply:

a) driveways leading to parking spaces may be located within 0.5 metres of a street line;

b) required parking spaces may be permitted to locate between the façade of the building and the front lot line;

c) the minimum westerly side yard shall be 1.2 metres; and,

d) the maximum building height shall be 16.1 metres.
(331) – Within the lands zoned RES-4 and shown as affected by this provision on Zoning Grid Schedule 73 of Appendix A, the rear yard setback shall be 7 metres and the front lot line shall be deemed to be the lot line abutting the street line on Walnut Street.
(332) – Within the lands zoned RES-4 and shown as affected by this provision on Zoning Grid Schedule 82 of Appendix A, one dwelling unit within the existing building shall also be permitted on an adjoining lot in accordance with the regulations of the RES-4 zone, provided that the minimum rear yard for such adjoining lot shall be 4.9 metres.
(333) – Within the lands zoned RES-6 and shown as affected by this provision on Zoning Grid Schedule 178 of Appendix A, *multiple dwelling* shall be permitted in accordance with the following:

a) the maximum *building height* shall be 6 *storeys* and 19 metres;

b) the minimum *yard* abutting the properties municipally addressed as 181 Borden Avenue North and 435 East Avenue, shall be 8.5 metres;

c) the minimum *setback* from the properties municipally addressed as 181 Borden Avenue North and 435 East Avenue shall be 28 metres for any portion of a building greater than four *storeys*;

d) the minimum *yard* abutting the properties municipally addressed as 441, 449, 455, and 459 East Avenue shall be 14.5 metres;

e) the minimum *setback* from the properties municipally addressed as 441, 449, 455, and 459 East Avenue shall be 28 metres for any portion of a *building* greater than five *storeys*;

f) the minimum *yard* abutting the property municipally addressed as 141-149 Borden Avenue North shall be 1.5 metres;

g) the minimum *setback* from the property municipally addressed as 141-149 Borden Avenue North shall be 21 metres for any portion of a *building* greater than five *storeys*;

h) the minimum *yard* abutting the Borden Avenue North *street line* shall be 6 metres;

i) the minimum *setback* from the Borden Avenue North *street line* shall be 10 metres for any portion of a *building* greater than five *storeys*;

j) a minimum of 1 bicycle stall, which is either in a *building* or *structure* or within a secure area such as a supervised *parking lot* or enclosure with a secure entrance or within a bicycle locker, per *dwelling unit* shall be provided;

k) a minimum of 6 bicycle stalls, which are located in accessible and highly visible locations near the entrance of a *building* and are accessible to the general public, shall be provided;

l) the off-street parking rate shall be 0.85 spaces per unit, inclusive of 0.1 visitor parking spaces per unit;

m) one off-street visitor car share space shall be provided per lot; and,

n) the minimum setback for surface parking shall be 2.3 metres from properties municipally addressed as 181 Borden Avenue North and 435, 441, 449, 455, and 459 East Avenue.
(334) – Within the lands zoned RES-1 and EUF-1 and shown as affected by this provision on Zoning Grid Schedules 250 and 251 of Appendix A, a tradesperson or contractor's establishment shall be permitted as a home occupation (indoor storage and administrative office only) within a single detached dwelling and/or existing accessory structure, in accordance with Section 4.7 (Home Occupation) and the following regulations:

a) the maximum area of the home occupation in all buildings shall not exceed the lesser of 25% of the gross floor area of the single detached dwelling, or 50 square metres;

b) no activities associated with the home occupation shall occur outside of a building;

c) the home occupation shall not create noise, vibration, fumes, odour, dust, glare, or radiation which is evident outside the building;

d) no repair of parts of accessories for motor vehicles or major recreation equipment shall be permitted; and,

e) no repair service shall be conducted in a detached accessory building.
Within the lands zoned RES-5 and shown as affected by this provision on Zoning Grid Schedule 107 of Appendix A, at no point shall the vertical distance between the lowest finished grade and the uppermost point of the building exceed 135% of the maximum building height for street townhouse dwellings.
(336) – Within the lands zoned RES-6 and shown as affected by this provision on Zoning Grid Schedules 65 and 66 of Appendix A, the following shall apply:

a) the maximum building height for multiple dwellings shall be 30 metres and may exceed 8 storeys; and,

b) the minimum height of the ground floor shall be 4.5 metres.
(337) – Within the lands zoned RES-5 and shown as affected by this provision on Zoning Grid Schedule 221 of Appendix A, the maximum floor space ratio shall be 0.85 and the maximum building height shall be 12.5 metres and 4 storeys.
(338) – Within the lands zoned RES-5 and shown affected by this provision on Zoning Grid Schedule 234 of Appendix A, the following shall apply:

a) on-site parking shall be provided at a minimum rate of 1.3 parking spaces per dwelling unit;

b) visitor parking shall be provided at a minimum rate of 15% of the total required parking spaces;

c) the minimum rear yard setback shall be 1.5 metres;

d) the minimum easterly side yard setback shall be 7 metres; and,

e) the maximum building height shall be 10.5 metres and in no case shall exceed 356.5 metres above sea level.