

PROPOSED BY – LAW
XXXXX, 2022
BY-LAW NUMBER ____
OF THE
CORPORATION OF THE CITY OF KITCHENER
(Being a by-law to amend By-law 85-1, as amended, known as
the Zoning By-law for the City of Kitchener)
22 Weber Street West

WHEREAS it is deemed expedient to amend By-law 85-1 for the lands specified above;

NOW THEREFORE the Ontario Land Tribunal enacts as follows:

1. Schedule Number 121 of Appendix “A” to By-law Number 85-1 are hereby amended by changing the zoning applicable to 22 Weber Street West, in the City of Kitchener, from Commercial Residential Three Zone (CR-3) to Commercial Residential Three Zone (CR-3) with Special Regulation Provision XXXR and Holding Provision XXXH.
2. Appendix “D” to By-law 85-1 is hereby amended by adding Section XXXR thereto as follows:

XXXR

Notwithstanding Section 46.3, Section 6.1.2a), and 6.1.2b)vi) of this By-law, within the lands zoned Commercial Residential Three Zone (CR-3), shown as affected by this subsection, on Schedule 121 of Appendix “A”, a Multiple Dwelling shall be permitted in accordance with the following:

Design Standards & Parking

- a. The maximum Floor Space Ratio shall be 7.95.
- b. The maximum Building Height shall be 19 storeys and 59 metres.
- c. The minimum Front Yard shall be 0.0 metres.
- d. For portions of the building up to 5.0 metres in height, the minimum Rear Yard shall be 8.0 metres.
- e. For portions of the building greater than 5.0 metres in height, the minimum Rear Yard shall be 14 metres.
- f. The minimum Side Yard shall be 2.5 metres.
- g. The minimum landscape area shall be 5%.
- h. Dwelling Units shall be permitted on the ground floor within either a mixed-use or multiple dwelling building.

- i. Exclusive use patio areas are not required for ground floor units.
- j. Rear Yard Access requirements do not apply.
- k. The minimum ground floor height shall be 4.5 metres.
- l. The minimum Class A Bicycle Parking Stall requirement shall be 1 per dwelling unit, located within the unit or within a secure bicycle storage room.
- m. The minimum Class B Bicycle Parking Stall requirement shall be 6.
- n. The minimum parking requirement shall be 0 spaces per unit.
- o. The minimum visitor parking requirement shall be 0 spaces per unit.
- p. A minimum amenity area of 1,500 square metres shall be provided and shall include balconies and shared amenity space.
- q. Geothermal Energy Systems shall be prohibited.

3. Appendix "F" to By-law 85-1 is hereby amended by adding Section XXXH as follows:

XXXH

Notwithstanding Section 46.1 of this By-law, within the lands zoned CR-3 and shown as affected by this subsection on Schedule Numbers 84 and 121 of Appendix "A":

No residential use shall be permitted until a detailed transportation (road) and stationary noise study has been completed and implementation measures recommended to the satisfaction of the Regional Municipality of Waterloo or the City of Kitchener. The detailed stationary noise study shall review stationary noise sources in the vicinity of the site, the potential impacts of noise (e.g. HVAC systems) on the on-site sensitive points of reception and the impacts of the development on adjacent noise sensitive uses.

4. This By-law shall come into effect only upon approval of Official Plan Amendment No. XX, for 22 Weber Street West, but upon such approval, the provisions hereof affecting such lands shall be deemed to have come into force on the date of passing hereof.