PROPOSED BY – LAW

_____, 2024

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)

WHEREAS it is deemed expedient to amend By-law 85-1;

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

1. Section 4.2 of By-law Number 85-1 is hereby amended by adding the following new definitions in proper alphabetical order:

"**"Additional Dwelling (Detached)"** means a detached building containing one or two additional dwelling unit(s) (detached) on the same lot as a single detached dwelling, semi-detached dwelling, or street townhouse dwelling (as the principal use). An additional dwelling (detached) is not an accessory building.

"Building Footprint" means the horizontal area of a *building*, as seen in plan, measured from the outside of all exterior walls and supporting columns."

2. Section 4.2 of By-law Number 85-1 is hereby amended to add the portions of the below text in the definition of "Multiple Dwelling" that are highlighted in grey, and delete portions of the below text in the definition of "Multiple Dwelling" with a strikethrough:

"**Multiple Dwelling**" means a building containing ~~four~~ five (5) or more dwelling units but shall not include a street townhouse dwelling or semi-detached dwelling."

3. Section 4.2 of By-law Number 85-1 is hereby amended to add the portions of the below text in the definition of "Semi-Detached House" that are highlighted in grey, and delete portions of the below text in the definition of "Multiple Dwelling" with a strikethrough:

"**Semi-Detached House**" means that part of a semi-detached dwelling on one side of the common wall, which may contain ~~one~~ up to four (4) dwelling units."

4. Section 4.2 of By-law Number 85-1 is hereby amended to add the portions of the below text in the definition of "Townhouse" that are highlighted in grey, and delete portions of the below text in the definition of "Multiple Dwelling" with a strikethrough:

"**Townhouse**" means that part of a cluster townhouse dwelling or street townhouse dwelling divided laterally but not internally by common walls or an end

wall~~,~~ . A townhouse located within a street townhouse dwelling ~~which~~ may contain ~~one or two~~ up to four (4) dwelling units."

5. Section 4.2 of By-law Number 85-1 is hereby amended by adding the following new definition in proper alphabetical order:

"**"Unobstructed Walkway"** means a path of travel providing access to the principal entrance of an additional dwelling unit (attached) or additional dwelling unit (detached), and shall be unencumbered by obstructions including but not limited to: stairs, decks and porches (except those which form part of the path of travel to the principal entrance); parking spaces; driveways; chimney breasts; window wells; balconies; secure outdoor areas associated with pools; mechanical, heating, ventilation, air-conditioning equipment and utility meters; or amenity structures such as playgrounds, garden trellises, and pergolas. An unobstructed walkway may be shared between more than one dwelling unit on a lot."

6. Section 5.3 of By-law Number 85-1 is amended to add the portions of the below text that are highlighted in grey:

"Except in D-1 and D-2 Zones, no obstruction to visibility, whether from buildings, motor vehicles, landscaping or other impediments shall be permitted within a corner visibility triangle or any driveway visibility triangle; provided however, this shall not include objects 0.9 metres or less in height from grade. This regulation does not apply to the location of fences constructed in accordance with and regulated by Chapter 630 (Fences) of The City of Kitchener Municipal Code, or motor vehicles parked in a parking space on a driveway. The purpose being to allow complete view of oncoming motor vehicle and pedestrian traffic by other such traffic entering the intersection or street."

7. Section 5.13.3 of By-law Number 85-1 is amended to add the portions of the below text that are highlighted in grey:

".3 Home Businesses permitted in Duplex Dwellings, Multiple Dwellings, Semi Detached Houses containing two dwelling units and Street Townhouse Dwellings, or on any lot containing an Additional Dwelling Unit (Detached) or an Additional Dwelling Unit (Attached):

Academic Instruction

Artisan's Establishment (not including retail or instruction)

Office"

8. Section 5.13.4 of By-law Number 85-1 is amended to add the portions of the below text that are highlighted in grey:

".4 Regulations for Home Businesses in Duplex Dwellings, Multiple Dwellings, Semi Detached Houses containing two dwelling units and Street Townhouse Dwellings, or on any lot containing ~~an~~ Additional Dwelling Unit(s) (Detached) or Additional Dwelling Unit(s) (Attached):

a) The home business shall only be conducted by the person or persons resident in the dwelling unit.

b) The home business shall be conducted wholly within an enclosed building.

c) No outdoor storage shall be permitted.

d) No storage or display of goods shall be visible from the street.

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

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

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

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

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

9. Section 5.22, 5.22.1, 5.22.1.1 and 5.22.2 of By-law Number 85-1 are hereby deleted and replaced with the following:

"5.22 <u>ADDITIONAL DWELLING UNIT(S) (ATTACHED) AND ADDITIONAL DWELLING UNIT(S) (DETACHED)</u>

a) a maximum of four (4) Dwelling Units are permitted on a lot which contains a Single Detached Dwelling, Semi-Detached House or a Townhouse located within a Street Townhouse Dwelling. The maximum number of units shall include the principal dwelling unit, Additional Dwelling Unit(s) (Attached) and Additional Dwelling Unit(s) (Detached);

b) for the purposes of subsection 5.22 a) the area that is designed to be a separate lot for Semi-Detached House or a Townhouse located within a Street Townhouse Dwelling shall be considered to be a lot as calculated by extending a straight line along the demising wall between Dwelling Units to the front and rear property lines;

c) Additional Dwelling Unit(s) (Attached) and Additional Dwelling Units (Detached) shall be connected to full municipal services;

d) Unless otherwise provided for in this By-law, on any lot where a Single Detached Dwelling, Semi-Detached Dwelling or Street Townhouse Dwelling is not permitted by a zone, however is permitted by a Special Use Provision,

Additional Dwelling Units(s) (Attached) and Additional Dwelling Unit(s) (Detached) shall also be permitted;

e) Unless otherwise provided for in this bylaw, where a Special Regulation Provision permits a Duplex Dwelling to be counted as one Dwelling Unit, a Single Detached Dwelling, with any permitted combination of Additional Dwelling Unit(s) (Attached) and Additional Dwelling Units (Detached) shall also be counted as one Dwelling Unit;

f) an Unobstructed Walkway that is a minimum 1.1 metres in width, shall be provided from a street to the principal entrance of each new Additional Dwelling Unit(s) (Attached) where the principal entrance is not located on a Street Line Façade, and each Additional Dwelling Unit (Detached). The Unobstructed Walkway shall not be located within a required Parking Space;

g) where three (3) or more units are located on a lot, 2 bicycle parking stalls shall be provided. Bicycle parking shall be located in a weather protected area with controlled access, and may include a private garage, an accessory structure, a bicycle locker, or an indoor storage alcove; and

h) Unless otherwise provided for in this By-law, in any zone where a Single Detached Dwelling with Additional Dwelling Unit(s) (Attached) is permitted, a new dwelling with up to four Dwelling Units shall also be permitted and considered a Single Detached Dwelling with Additional Dwelling Units (Attached).

5.22.1 <u>ADDITIONAL DWELLING UNIT (DETACHED)</u>

One Additional Dwelling (Detached) with one (1) or two (2) Additional Dwelling Units (Detached) shall only be permitted in association with a Single Detached Dwelling, Duplex Dwelling, Semi-Detached House, Semi-Detached Duplex House, or Street Townhouse Dwelling, in accordance with the regulations specified by the zone category in which an Additional Dwelling Unit (Detached) is permitted, and as amended by the following:

a) an Additional Dwelling Unit (Detached) shall not be severed from the lot containing the Single Detached Dwelling, Duplex Dwelling, Semi-Detached House, Semi-Detached Duplex House, Townhouse located within a Street Townhouse Dwelling;

b) the building footprint of the Additional Dwelling (Detached) shall not exceed or 80 square metres;

c) the maximum combined lot coverage of accessory buildings and an Additional Dwelling (Detached) shall be 15 percent;

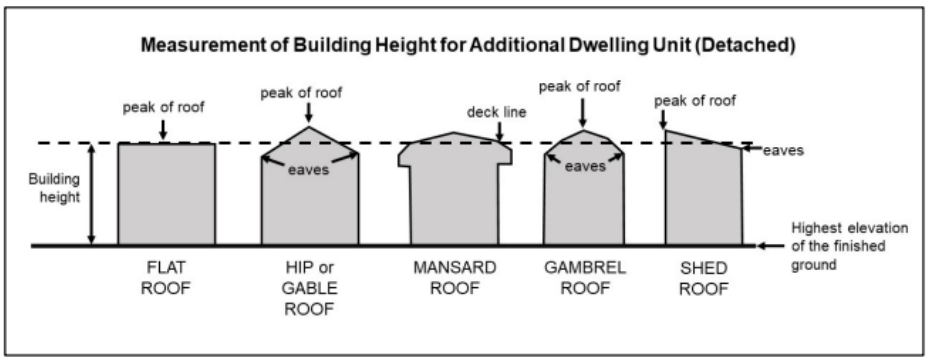
d) where a lot is located farther than 800 metres from a Light Rail Transit (LRT) Station as shown on Appendix I, and outside the Residential Intensification in Established Neighbourhoods Study (RIENS) Area as shown on Appendix H, the minimum lot area shall be 360 square metres, or in accordance with the

regulations of the zone as may be applicable for the principal dwelling type within which the Additional Dwelling (Detached) is associated, whichever is greater.

e) where a lot is located farther than 800 metres from a Light Rail Transit (LRT) Station as shown on Appendix I, and outside the Residential Intensification in Established Neighbourhoods Study (RIENS) Area as shown on Appendix H, the minimum lot width shall be 10.5 metres, or in accordance with the regulations of the zone as may be applicable for the principal dwelling type within which the Additional Dwelling (Detached) is associated, whichever is greater;

f) the maximum building height for an Additional Dwelling (Detached) shall be:
   a. 4.5 metres for a hip, gable, shed, or gambrel roof, measured to the midpoint between the eaves and the peak of the roof, excluding the eaves of any projections;
      i) for a shed roof the lower exterior wall shall face a rear lot line or the nearest side lot line, except where the lot line is a street line or lane;
   b. 4.5 metres for a mansard roof, measured to the deck line;
   c. 3 metres for a flat roof, measured to the peak of the roof;

g) despite subsection h), the maximum building height for an Additional Dwelling (Detached) where the principal dwelling has a height equal to or greater than 9.1 metres shall be:
   a. 6.0 metres for a hip, gable, shed, or gambrel roof, measured to the midpoint between the eaves and the peak of the roof, excluding the eaves of any projections;
      i) for a shed roof the lower exterior wall shall face a rear lot line or the nearest side lot line, except where the lot line is a street line or lane;
   b. 6.0 metres for a mansard roof, measured to the deck line;
   c. 4.5 metres for a flat roof, measured to the peak of the roof;



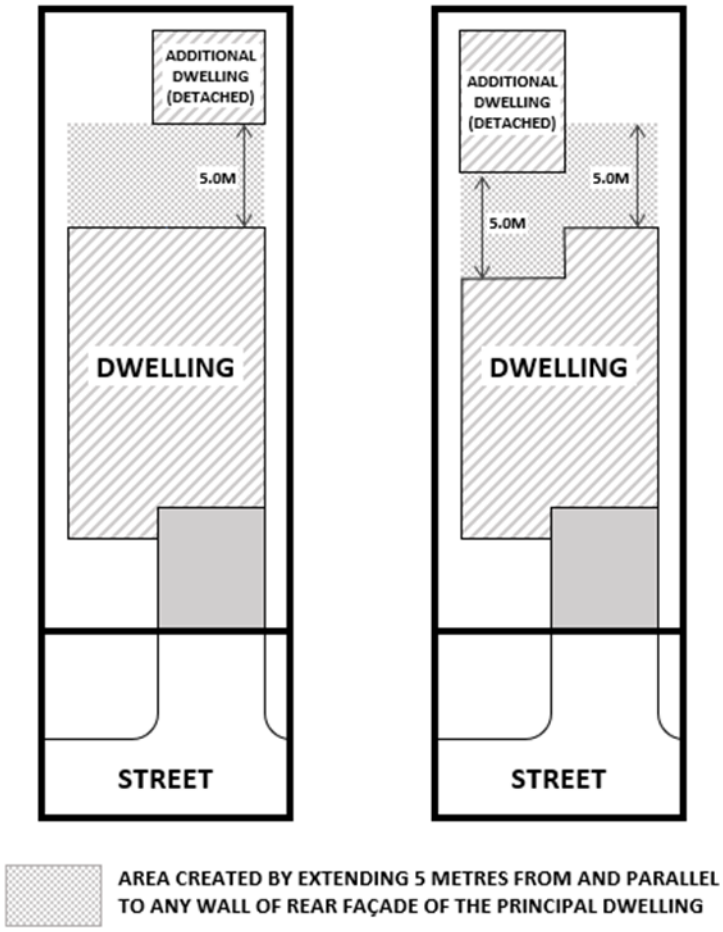
h) an Additional Dwelling (Detached) which has a maximum height of 4.5 metres shall have a minimum setback of 0.6 metres from a rear lot line and interior side lot line;

i) an Additional Dwelling (Detached) which exceeds a height of 4.5 metres shall have a minimum setback of 0.9 metres from a rear lot line and interior

side lot line. Notwithstanding the foregoing, where an interior side or rear lot line abuts a lane the minimum setback shall be 0.6 metres, and there shall be no restrictions on façade openings for the façade facing the lane;

j) an Additional Dwelling (Detached) shall not be located in the front yard of the principal dwelling; and shall not be located in the area created by extending 5 metres from and parallel to any wall of rear façade of the principal dwelling;

Illustration 4-2: Minimum Separation of Principal Dwelling and Additional Dwelling (detached)



k) an Additional Dwelling (Detached) may be located in an exterior side yard of the principal dwelling, subject to the required exterior side yard setback required for the dwelling in the applicable zone;

l) For a lot containing Three (3) or Four (4) Dwelling Units, the minimum front yard landscaped area shall be 20%, excluding surface walkways, patios, decks, playgrounds or pathways; and

m) the minimum rear yard landscaped area shall be 30%;

5.22.2 ONE ADDITIONAL DWELLING UNIT (ATTACHED)

One Additional Dwelling Unit (Attached) may be permitted in association with a Single Detached Dwelling, a Semi-Detached House or a Townhouse located in a Street Townhouse Dwelling in accordance with the regulations specified by the zone category and applying to principal dwelling type in which the Additional Dwelling Unit (Attached) is located, and in addition to and as amended by the following:

a) Additional Dwelling Unit(s) (Attached) shall only be located in the same building as a Single Detached Dwelling, Semi-Detached Dwelling, or Street Townhouse Dwelling;

5.22.2.1 ONE ADDITIONAL DWELLING UNIT (ATTACHED) AND DUPLEXES

.1 A Duplex Dwelling shall be considered as a Single Detached Dwelling with one Additional Dwelling Unit (Attached) and a Semi-Detached Duplex House shall be considered as a Semi-Detached House with one Additional Dwelling Unit (Attached).

.2 New Duplex Dwellings or Semi-Detached Duplex House may be permitted in accordance with regulations set out in sections 5.22 and 5.22.2 one Additional Dwelling Unit (Attached).

5.22.3 TWO OR THREE ADDITIONAL DWELLING UNITS (ATTACHED)

Two (2) or three (3) Additional Dwelling Unit(s) (Attached) may be permitted in association with a Single Detached Dwelling, a Semi-Detached House or a Townhouse located in a Street Townhouse Dwelling in accordance with the regulations specified by the zone category and applying to Single Detached Dwelling, Semi-Detached House, or Street Townhouse Dwelling in which the Additional Dwelling Unit(s) (Attached) are located and in addition to and as amended by the following:

a) Additional Dwelling Unit(s) (Attached) shall only be located in the same building as a Single Detached Dwelling, Semi-Detached Dwelling, or Street Townhouse Dwelling;

b) a minimum of one pedestrian entrance to the principal building is required to face a street line;

c) a maximum of two pedestrian entrances shall be permitted to face each street line, except where more pedestrian entrances are existing;

d) where a lot is located farther than 800 metres from a Light Rail Transit (LRT) Station as shown on Appendix I, and outside the Residential Intensification in Established Neighbourhoods Study (RIENS) Area as shown on Appendix H, the minimum lot area shall be 360 square metres, or in accordance with the regulations of the zone as may be applicable for the principal dwelling

type within which the Additional Dwelling (Attached) is associated, whichever is greater.

e) where a lot is located farther than 800 metres from a Light Rail Transit (LRT) Station as shown on Appendix I, and outside the Residential Intensification in Established Neighbourhoods Study (RIENS) Area as shown on Appendix H, the minimum lot width shall be 10.5 metres, or in accordance with the regulations of the zone as may be applicable for the principal dwelling type within which the Additional Dwelling (Detached) is associated, whichever is greater*;*

f) For a lot containing Three (3) or Four (4) dwelling units, the minimum front yard landscaped area shall be 20%, excluding surface walkways, patios, decks, playgrounds or pathways;

g) the minimum rear yard landscaped area shall be 30%;

5.22.3.1 TWO OR THREE ADDITIONAL DWELLING UNITS (ATTACHED) AND MULTIPLE DWELLINGS

.1 An existing Multiple Dwelling with Three (3) or Four (4) Dwelling Units shall be considered as a Single Detached Dwelling with Additional Dwelling Units (Attached).

10. Section 5.33 of By-law Number 85-1 is amended to add the portions of the below text that are highlighted in grey, and delete portions of the below text with a strikethrough:

"5.33 ~~Four~~ Five to Ten Dwelling Units on a Lot

~~Four (4)~~ Five (5) to ten (10) Dwelling Units on a lot without any non-residential use except permitted home business uses shall be permitted in accordance with the regulations specified by the zone category for the Dwelling(s) and shall have:

a) a minimum of 20% street line façade opening which includes at least one (1) pedestrian entrance to the principal building;

b) a minimum 20% of the front yard landscaped, excluding surface walkways, patios, decks, playgrounds or pathways;

c) a minimum driveway width of 2.6 metres;

d) despite section 5.33 c), where a driveway is immediately adjacent to any building or structure on a lot, the driveway including any curbing shall be a minimum 3.0 metres wide."

11. Subsection 6.1.1.1 b) of By-law Number 85-1 is amended to add the portions of the below text that are highlighted in grey, and delete portions of the below text with a strikethrough:

"b) Single Detached Dwellings with or without Additional Dwelling Unit(s) (Attached) or Additional Dwelling Unit(s) (Detached), Semi-Detached

Dwellings with or without Additional Dwelling Unit(s) (Attached) or Additional Dwelling Unit(s) (Detached), and Duplex Dwellings with or without ~~one~~ Additional Dwelling Unit(s) (Attached) or ~~an~~ Additional Dwelling Unit(s) (Detached); Residential Care Facility having less than 9 residents; and a Lodging House having less than 9 residents

On a lot containing a Single Detached Dwelling with or without Additional Dwelling Unit(s) (Attached) or Additional Dwelling Unit(s) (Detached), Semi-Detached Dwellings with or without Additional Dwelling Unit(s) (Attached) or Additional Dwelling Unit(s) (Detached), and Duplex Dwellings with or without ~~one~~ Additional Dwelling Unit(s) (Attached) or ~~an~~ Additional Dwelling Unit(s) ~~-~~(Detached), Semi-Detached Dwelling with or without Additional Dwelling Unit(s), or Duplex Dwelling with or without one Additional Dwelling Unit (Attached) or an Additional Dwelling Unit (Detached); Residential Care Facility having less than 9 residents; or a Lodging House having less than 9 residents: (Amended: By-law 2021-040, S.9)

i) The following provisions shall apply to off-street parking spaces: ~~The off-street parking required for such dwellings shall be located a minimum distance of 6 metres from the street line.~~

~~Notwithstanding the above, where two or three parking spaces are required, one of the required parking spaces shall be permitted to locate on the driveway less than 6 metres from the street line and up to three parking spaces may be arranged in tandem."~~

a) Parking spaces located within a building shall be setback a minimum distance of 6 metres from a street line;

b) One off-street parking space required for such dwellings shall be located a minimum distance of 0.5 metres from the street line. Notwithstanding the foregoing, where a special regulation permits a portion of a building which accommodates off-street parking to be setback 5.7 metres from the front lot line, one parking space located on a driveway shall be located a minimum distance of 0.2 metres from the street line; and

c) Up to three required parking spaces may be arranged in tandem."

12. Subsection 6.1.1.1 c) of By-law Number 85-1 is amended to add the portions of the below text that are highlighted in grey, and delete portions of the below text with a strikethrough:

"c) Street Townhouse Dwellings with or without ~~an~~ Additional Dwelling Unit(s) (Attached) or Additional Dwelling Unit(s) (Detached)

On a lot containing a Street Townhouse Dwelling with or without ~~an~~ Additional Dwelling Unit(s) (Attached) or Additional Dwelling Unit(s) (Detached):

i) The following provisions shall apply to off-street parking spaces: ~~The off-street parking required for such dwelling shall not be located within the~~

~~minimum front yard or the minimum side yard abutting a street, except in the case of a Street Townhouse Dwelling containing Additional Dwelling Unit(s) (Attached) or Additional Dwelling Unit (Detached), in which case one required off-street parking space may be located in a driveway within the minimum front yard or minimum side yard abutting a street. (Amended: By-law 2021-040, S.12)~~

a) Parking spaces located within a building shall be setback a minimum distance of 6 metres from a street line;

b) One off-street parking space required for such dwellings shall be located a minimum distance of 0.5 metres from the street line. Notwithstanding the foregoing, where a special regulation permits a portion of a building which accommodates off-street parking to be setback 5.7 metres from the front lot line, one parking space located on a driveway shall be located a minimum distance of 0.2 metres from the street line; and

c) Up to three required parking spaces may be arranged in tandem.

ii) The following provisions shall apply to driveways and driveway widenings:

a) A driveway shall be located leading directly from a street or lane to a parking space located a minimum distance of 6.0 metres from the street line and shall have a minimum width of 2.6 metres.

b) A driveway may be widened to a maximum of 65% of the lot width or 6 metres, whichever is the lesser.

c) A driveway and widening thereof may be used for the parking of vehicles provided that a parking space on the driveway or the widening meets the minimum length requirements of Section 6.1.1.2 d). (Amended: By-law 2018-125, S.13)

iii) Notwithstanding clause ii) above, on a corner lot an access driveway shall not be located closer than 9 metres to the intersection of the street lines abutting the lot. For the purpose of this subsection iii), where one or more parking spaces are provided with a setback of less than 12 metres, the driveway including any widening shall be deemed to be at least the same width as the parking spaces, for a minimum distance of 12 metres from the parking space, measured perpendicular to the end of the parking space closest to the street.

iv) In the case of a Street Townhouse Dwelling containing Additional Dwelling Unit(s) (Attached) or Additional Dwelling Unit(s) (Detached), each additional required parking space may be arranged in tandem behind the first required space.

v) Within a front yard, side yard or side yard abutting a street, motor vehicles shall only be parked on a driveway conforming with Section 6.1.1.1.

vi) The driveway shall be comprised of a material that is consistent throughout the driveway and that is distinguishable from all other ground cover or surfacing, including landscaping or walkways, within the front yard, side yard or side yard abutting a street."

13. Subsection 6.1.1.2 h) of By-law Number 85-1 is amended to add the portions of the below text that are highlighted in grey:

"h) Where a parking lot is provided for a development that does not require site plan approval pursuant to Section 41 of the Planning Act, the following regulations shall apply:

i) the parking lot shall be setback a minimum of 1.5 metres from side lot line and rear lot line. Notwithstanding the foregoing, a parking lot may be located as close to an interior side lot line as the driveway which provides access to the parking lot, and only for the interior side lot line on the same side of the lot as the driveway; and,

ii) the minimum drive aisle width shall be 6 metres."

14. Subsection 6.1.2 a) of By-law Number 85-1 is amended to add the portions of the below text that are highlighted in grey, and delete portions of the below text with a strikethrough:

Column 1	**Column 2**
Additional Dwelling Unit (Attached)	~~1 for each dwelling unit~~ a) 0 for each dwelling unit where the lot is located within 800 metres of a Light Rail Transit (LRT) Station as shown on Appendix I; b) 0.3 for each dwelling unit where the lot is located farther than 800 metres of a Light Rail Transit (LRT) Station as shown on Appendix I, and located within the Residential Intensification in Established Neighbourhoods Study (RIENS) Area as shown on Appendix H; and c) 0.6 for each dwelling unit where the lot is located farther than 800 metres of a Light Rail Transit (LRT) Station as shown on Appendix I, and outside the Residential Intensification in Established Neighbourhoods Study (RIENS) Area as shown on Appendix H;
Additional Dwelling Unit (Detached)	~~1 for each dwelling unit, or 0 where the lot is located within 800 metres of a Light Rail Transit (LRT) station as shown on Appendix I.~~ a) 0 for each dwelling unit where the lot is located within 800 metres of a Light Rail Transit (LRT) station as shown on Appendix I; b) 0.3 for each dwelling unit where the lot is located farther than 800 metres of a Light Rail Transit (LRT) station as shown on Appendix I, and located within

	the Residential Intensification in Established Neighbourhoods Study (RIENS) Area as shown on Appendix H; and c) 0.6 for each dwelling unit where the lot is located farther than 800 metres of a Light Rail Transit (LRT) station as shown on Appendix I, and outside the Residential Intensification in Established Neighbourhoods Study (RIENS) Area as shown on Appendix H;

15. Section 6.7.2 is amended to add the portions of the below text that are highlighted in grey, and delete portions of the below text with a strikethrough:

"2. The provisions outlined in subsection 6.7.1 above shall not apply to any off-street parking facility constructed or redeveloped that is used exclusively for one of the following:

a) Parking for buses.

b) Parking for delivery vehicles.

c) Parking for law enforcement vehicles.

d) Parking for medical transportation vehicles, such as ambulances.

e) Parking used as a parking lot for impounded vehicles.

f) Any residential use with ~~less than~~ four (4) or fewer dwelling units on a lot."

16. Section 19.1 of By-law Number 85-1 is hereby amended by inserting "Additional Dwelling Unit (Attached)" and "Additional Dwelling Unit (Detached)" into the existing list of permitted uses thereto in proper alphabetical order.

17. Section 19 of By-law Number 85-1 is hereby amended by inserting the following new regulations thereto in proper numerical order:

*"***19.6 For Additional Dwelling Unit (Attached)**
In accordance with regulations set out in Sections 5.22, 5.22.2 and 5.22.3 of this By-law.

19.7 For Additional Dwelling Unit (Detached)
In accordance with regulations set out in Sections 5.22 and 5.22.1 of this By-law.

19.8 <u>For Lots with Five to Ten Dwelling Units</u>
Five (5) to Ten (10) dwelling units on a lot provided without any non-residential use except permitted home business uses shall be permitted in accordance with the regulations in this Section as applicable and Section 5.33."

18. Sections 31.3.6, 32.3.9, 33.3.5, 35.4, 36.2.3, 37.2.2, 38.2.3, 39.2.5, 40.2.7, 41.2.7, 42.2.12, 43.2.8, 44.3.14, 45.3.14, 46.4, 47.2.7, 47A.3.4, 53.2.7, 54.2.7, 55.2.7 of By-law Number 85-1 are hereby amended to add the portions of the below text that are highlighted in grey, and delete portions of the below text with a strikethrough:

"**For Additional Dwelling Unit (Detached)**

In accordance with regulations set out in Sections 5.22 and 5.22.1 of this By-law."

19. Sections 31.3.7, 32.3.10, 33.3.6, 35.5, 36.2.4, 37.2.4, 38.2.6, 39.2.8, 40.2.10, 41.2.11, 42.2.13, 43.2.9, 44.3.15, 45.3.15, 46.5, 47.2.8, 47A.3.5, 53.2.8, 54.2.8, 55.2.8 of By-law Number 85-1 are hereby amended to add the portions of the below text that are highlighted in grey, and delete portions of the below text with a strikethrough:

"**For Additional Dwelling Unit (Attached)**

~~One Additional Dwelling Unit (attached) may be permitted in accordance with regulations set out in Section 5.22.1 of this By-law.~~
~~Two Additional Dwelling Units (Attached) may be permitted in accordance with regulations set out in Section 5.22.2 of this By-law.~~
In accordance with regulations set out in Sections 5.22, 5.22.2 and 5.22.3 of this By-law."

20. Sections 32.3.11, 33.3.7, 40.2.11, 41.2.12, 42.2.14, 43.2.10, 44.3.16, 45.3.16, 46.6, 47.2.9, 47A.3.6, 53.2.9, 54.2.9, 55.2.9 of By-law Number 85-1 are hereby amended to add the portions of the below text that are highlighted in grey, and delete portions of the below text with a strikethrough:

"**For Lots with ~~Four~~ Five to Ten Dwelling Units**
~~4 to 10~~ 5 to 10 dwelling units on a lot provided without any non-residential use except permitted home occupation uses shall be permitted in accordance with the regulations in this Section as applicable and Section 5.33."

21. Section 39.2A of By-law Number 85-1 is hereby deleted in its entirety.

22. Section 129 of "Appendix C – Special Use Provisions for Specific Lands" of By-law Number 85-1 is hereby deleted in its entirety.

23. This By-law shall become effective only if Official Plan Amendment No. ___ comes into effect, pursuant to Section 24(2) of The Planning Act, R.S.O. 1990, c. P.13, as amended.

PASSED at the Council Chambers in the City of Kitchener this

day of , 2023.

_____
Mayor

_____
Clerk