BY-LAW NUMBER _____

OF THE

CORPORATION OF THE CITY OF KITCHENER

(Being a by-law to amend By-law 2019-051, as amended,
known as the Zoning By-law for the City of Kitchener
– Enabling Four Units)

WHEREAS it is deemed expedient to amend By-law 2019-051;

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

1. Section 3 of By-law Number 2019-051 is amended to add the following new definitions in proper alphabetical order:

"Bicycle Parking Stall, Class C – means a weather protected area with controlled access in which a bicycle may be parked, including but not limited to a *private garage*, an *accessory building*, a *bicycle locker*, or an indoor storage alcove.

Building Footprint – means the horizontal area of a *building*, as seen in plan, measure from the outside of all exterior wall and supporting columns.

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

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; and amenity *structures* such as playgrounds, garden trellises, pergolas. An *unobstructed walkway* may be shared between more than one *dwelling unit* on a *lot*."

2. Section 3 of By-law Number 2019-051 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 in the following definitions:

Dwelling – means a *building* containing one or more *dwelling units* and can include a *single detached dwelling*, *semi-detached dwelling*, *street townhouse dwelling*, ~~additional dwelling unit (attached),~~ *additional dwelling* ~~unit~~ (*detached*), *cluster townhouse dwelling*, *multiple dwelling*, *small residential care facility*, or *large residential care facility*.

Dwelling, Multiple – means the use of a *building* containing five ~~four~~ or more *dwelling units*, or a *building* containing two or more *dwelling units* where there are a minimum of 5 *dwelling units* located on a *lot*, and can include a *stacked townhouse dwelling* and a *back-to-back townhouse dwelling*. A *multiple dwelling* is not a *street townhouse dwelling*, *mixed use building*~~,~~ or *cluster townhouse dwelling*~~, *single detached dwelling* with *additional dwelling units (attached)* or *semi-detached dwelling* with *additional dwelling units (attached)*~~.

Dwelling Unit (Detached), Additional – means the use of a *building* where a separate self-contained *dwelling unit* is located in ~~a detached~~ an *additional dwelling (detached)* ~~building on the same lot as an associated single detached dwelling, semi-detached dwelling unit, or street townhouse dwelling unit. An additional dwelling unit (detached) is not an accessory building~~."

3. Subsection 4.5 of By-law 2019-051 is amended to add the portions of the below text that are highlighted in grey:

a) "No *buildings*, *structures*, *motor vehicles*, *food cart*, signs, *landscaping*, or other impediments shall obstruct visibility within a *corner visibility triangle*, *corner visibility area* or *driveway visibility triangle*. An obstruction to visibility shall not include objects 0.9 metres or less in height from the ground, or objects higher than 5 metres in height from the ground. This provision 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*.

b) A *corner visibility area* shall be required in MIX zones. One leg of both triangles shall measure 6 metres and the other leg of both triangle shall measure 3 metres. Subsection a) shall not apply to *existing buildings* or *new* construction which replaces an *existing building* with the same *building* footprint within the *corner visibility area*.

c) A *corner visibility area* shall be required in SGA zones. One leg of both triangles shall measure 5 metres and the other leg of both triangle shall measure 3 metres. Subsection 3 a) shall not apply to *existing buildings* or *new* construction which replaces an *existing building* with the same *building* footprint within the *corner visibility area*.

d) A *corner visibility triangle* shall be required in all zones except SGA zones and MIX zones and shall be measured at 7 metres from the point of intersection of the *street lines*.

e) A *driveway visibility triangle* shall be required in all zones except SGA zones and MIX zones and shall be measured from the point of intersection of a ~~street~~ *lot line* and the edge of a *driveway* a distance of 3 metres from the ~~street~~ *lot line* and 4.5 metres from the edge of the *driveway*."

4. The second title of Table 4-2 of By-law 2019-051 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:

"Permitted *home occupation use* in a *dwelling unit* within a *single detached dwelling* with ~~an~~ *additional dwelling* unit(s) (attached) or *additional dwelling unit(s) (detached*), *semi-detached dwelling unit* with ~~a~~ *additional dwelling unit(s) (attached)* or *additional dwelling unit(s)* (*detached*), *street townhouse dwelling* with an *additional dwelling unit(s) (attached)* or *additional dwelling unit(s)* (*detached*), *cluster townhouse dwelling*, or *multiple dwelling* (9)(10)."

5. Subsection 4.12 of By-law 2019-051 is amended by inserting subsection c) thereto:

"c) A maximum of four (4) *dwelling units* are permitted on a lot which contains a *single detached dwelling*, *semi-detached dwelling unit* or *street townhouse dwelling unit*, subject to the regulations contained herein. The maximum number of units shall include the principal *dwelling unit*, *additional dwelling unit(s) (attached)* and *additional dwelling unit(s)* (*detached*)."

6. Subsection 4.12.1 of By-law 2019-051 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:

"4.12.1 One Additional Dwelling Unit (Attached)

One *additional dwelling unit* (*attached*) may be permitted in association with a *single detached dwelling*, *semi-detached dwelling unit* or *street townhouse dwelling unit* in accordance with the regulations specified by the *zone* category in which an *additional dwelling unit (attached)* is permitted, and the *dwelling* type in which the *additional dwelling unit (attached)* is located and ~~in addition~~ subject to and as amended by the following:

a) one *additional dwelling unit (attached)* shall only be located in the same *building* as a *single detached dwelling*, *semi-detached dwelling*, or *street townhouse dwelling*;

b) an *additional dwelling unit (attached)* shall be connected to full municipal services;

Unless otherwise provided for in this By-law, in any *zone* where a *single detached dwelling* with one *additional dwelling unit (attached)* is permitted, a *new dwelling* with two *dwelling units* shall also be permitted and considered a *single detached dwelling* with an *additional dwelling unit (attached)* in accordance with regulations specified by the *zone* category and in this section."

7. Subsection 4.12.2 of By-law Number 2019-051 is deleted in its entirety and replaced with the following:

"4.12.2 Two or Three Additional Dwelling Units (Attached)

Two (2) or Three (3) *additional dwelling units* (*attached*) may be permitted in association with a *single detached dwelling*, *semi-detached dwelling unit* or *street townhouse dwelling unit* in accordance with the regulations specified by the *zone* category in which *additional dwelling unit(s) (attached)* are permitted, and the *dwelling* type in which the *additional dwelling unit(s) (attached)* are located and subject 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) *additional dwelling unit(s) (attached)* shall be connected to full municipal services;

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

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

e) 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 (attached)*, where the principal entrance is not located on a *street line façade*.

f) where a *lot* is located farther than 800 metres from a *Light Rail Transit* (LRT) station as shown on Appendix E, and outside the Central Neighbourhood Area as shown on Appendix C – Central Neighbourhood Area the minimum *lot area* shall be 360 square metres or in accordance with Table 7-2, 7-3 or 7-4, as may be applicable for the *principal dwelling* type in which the *additional dwelling unit (attached)* is located, whichever is greater;

g) where a *lot* is located farther than 800 metres from a *Light Rail Transit* (LRT) station as shown on Appendix E, and outside the Central Neighbourhood Area as shown on Appendix C – Central Neighbourhood Area the minimum *lot width* shall be 10.5 metres or in accordance with Table 7-2, 7-3 or 7-4, as may be applicable for the *principal dwelling* type in which the *additional dwelling unit (attached)* is located, whichever is greater;

h) the minimum *front yard landscaped area* shall be 20%, excluding surface walkways, patios, decks, playgrounds or pathways;

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

j) Unless otherwise provided for in this By-law, in any *zone* where a *single detached dwelling* with two (2) or three (3) *additional dwelling units (attached)* are permitted, a

new dwelling with three (3) or four (4) *dwelling units* shall also be permitted and considered a *single detached dwelling* with *additional* dwelling *units (attached)* in accordance with regulations specified by the *zone* category and in this section."

8. Subsection 4.12.3 of By-law Number 2019-051 is deleted in its entirety and replaced with the following:

"4.12.3 Additional Dwelling (Detached)

An *additional dwelling* (*detached*) with one (1) or two (2) *additional dwelling units* (*detached*) may be permitted in association with a *single detached dwelling*, *semi-detached dwelling unit* or *street townhouse dwelling unit* 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) for the purposes of Section 4.12.3, the area that is designed to be a separate *lot* for a *street townhouse dwelling* or *semi-detached 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;

b) an *additional dwelling* (*detached*) shall only be permitted on the same *lot* as a *single detached dwelling*, *semi-detached dwelling* or *street townhouse dwelling*;

c) an *additional dwelling* (*detached*) shall not be severed from the *lot* containing the *single detached dwelling*, *semi-detached dwelling unit* or *street townhouse dwelling unit*;

d) *additional dwelling units* (*detached*) shall be connected to full municipal services;

e) the *building footprint* of the *additional dwelling* (*detached*) shall not exceed 80 square metres, and shall comply with the maximum *lot coverage* included in Table 7-2, 7-3 or 7-4;

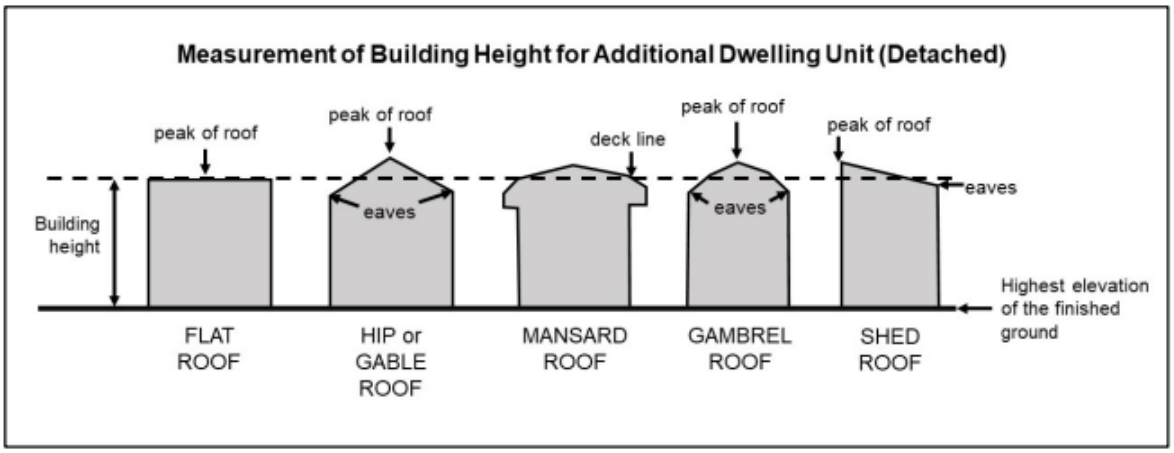
f) where a *lot* is located farther than 800 metres from a *Light Rail Transit* (LRT) station as shown on Appendix E, and outside the Central Neighbourhood Area as shown on Appendix C – Central Neighbourhood Area the minimum *lot area* shall be 360 square metres or in accordance with Table 7-2, 7-3 or 7-4 as may be applicable for the *principal dwelling* type with which the *additional dwelling unit* (*detached*) is associated, whichever is greater;

g) where a *lot* is located farther than 800 metres from a *Light Rail Transit* (LRT) station as shown on Appendix E, and outside the Central Neighbourhood Area as shown on Appendix C – Central Neighbourhood Area the minimum *lot width* shall be 10.5 metres in accordance with Table 7-2, 7-3 or 7-4, as may be applicable for the *principal dwelling* type with which the *additional dwelling unit* (*detached*) is associated, whichever is greater;

h) the maximum *building height* for an *additional dwelling* (*detached*) shall be:

i) 4.5 metres for a hip, gable, shed, or gambrel roof, measured to the mid point 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*;
ii) 4.5 metres for a mansard roof, measured to the deck line;
iii) 3 metres for a flat roof, measured to the peak of the roof.

i) despite subsection h), the maximum *building height* for an *additional dwelling* (*detached*) where the *principal dwelling* has a *building height* equal to or greater than 9.1 metres shall be:
    i) 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*;
    ii) 6.0 metres for a mansard roof, measured to the deck line;
    iii) 4.5 metres for a flat roof, measured to the peak of the roof.

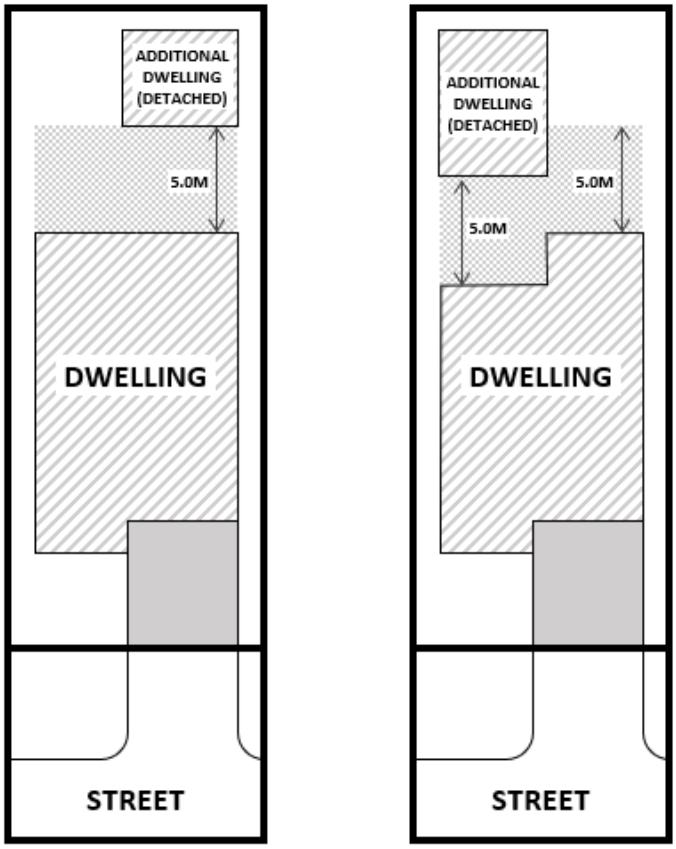


j) an *additional dwelling* (*detached*) which has a maximum *building height* of 4.5 metres shall have a minimum *setback* of 0.6 metres from a *rear lot line* and *interior side lot line*;

k) an *additional dwelling* (*detached*) which exceeds a *building height* of 4.5 metres shall have a minimum *setback* of 0.9 metres from a *rear lot line* and *interior side lot line*; and notwithstanding the foregoing, where an *interior side lot line* or *rear lot line* abuts a *lane* the minimum *setback* shall be 0.6 metres;

l) 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)



m) an *additional dwelling* (*detached*) may be located in an *exterior side yard* of the *principal dwelling*, and must be *setback* in accordance with the required *exterior side yard setback* of the *principal dwelling* in the applicable zone;

n) an *unobstructed walkway* that is a minimum 1.1 metres in width, shall be provided from a *street* to the principal entrance of each *additional dwelling unit* (*detached*);

o) 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;

p) For a *lot* containing three (3) or four (4) *dwelling units*, the minimum *rear yard landscaped area* shall be 30%."

9. Subsection 4.12.3.1 of By-law 2019-051 shall be deleted in its entirety.

10. Section 4.12.4 of By-law Number 2019-051 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:

"4.12.4 ~~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 occupation 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 4.12.4 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. Section 5.3 e) of By-law Number 2019-051 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:

"e) 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; and.

iii) *Parking spaces* and *drive aisles* shall not be located within the *front yard* or an *exterior side yard*. In no case shall any *parking spaces* be located within 3 metres of the *front lot line*, *exterior side lot line* or a *street line*.

iv) 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."

12. Section 5.3.3 of By-law Number 2019-051 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:

a) "On a *lot* containing a *single detached dwelling*, *semi-detached dwelling*, *street townhouse dwelling*, *additional dwelling unit(s) (attached)*, *additional dwelling unit*(s) (*detached*), *small residential care facility*, *lodging house* having less than 9 residents, or *home occupation*:

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

ii) ~~Despite Subsection i), where two or more parking spaces are required, one parking space may locate on the driveway within 6 metres of the front lot line or exterior side lot line and may be a tandem parking space~~ Up to three required *parking spaces* may be *tandem parking spaces*; ~~and~~,

Illustration 5-1: One Tandem Parking Space – Option A

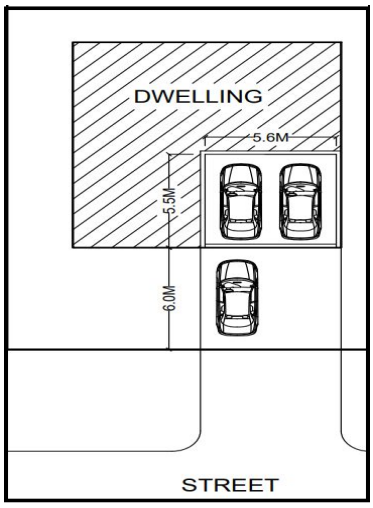
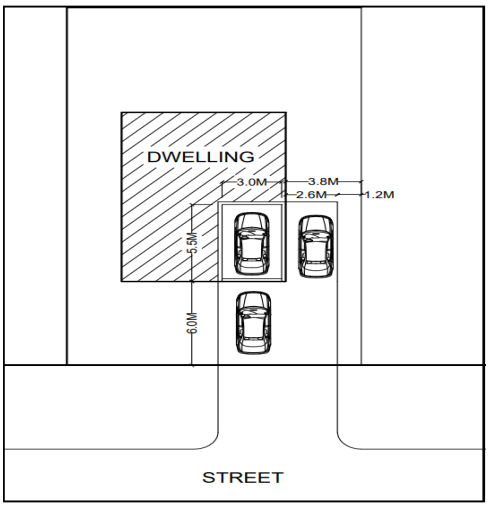


Illustration 5-2: One Tandem Parking Space – Option B



iii) One *parking space* located on a *driveway* shall be *setback* a minimum distance of 0.5 metres from a *street line* ~~Despite Subsection ii) where three parking spaces are required on a lot one parking space may locate on the driveway within 6 metres of the front lot line or exterior side lot line and three parking spaces may be tandem parking spaces~~; ~~and~~

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

v) where three (3) or more *dwelling units* are located on a *lot*, parking may be located in a *parking lot* in accordance with the regulations of sections 5.3, 5.3.1, and 5.3.3 b) i); and

vi) where three (3) or more *dwelling units* are located on a lot, and despite regulations in Table 5-2 and 5-3, a *driveway* located in the *rear yard* may be permitted to have a maximum width of up to 8 metres."

13. Section 5.4 a) of By-law Number 2019-051 is amended to delete portions of the below text with a strikethrough:

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

14. Section 5.5 of By-law Number 2019-051 is amended by inserting subsection f) thereto:

f) "Notwithstanding subsection c) and e), *Class C Bicycle Parking Stalls* are not required to provide overhead clearance, and are not required to abut an *access aisle*."

15. Table 5-5 of By-law Number 2019-051 *for Additional Dwelling Unit (Attached) and Additional Dwelling Unit (Detached)* 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, and to add footnote (5) thereto:

Table 5-5: Regulations for Minimum and Maximum Parking Requirements

Additional Dwelling Unit (Attached) and Additional Dwelling *Unit (Detached)*	Minimum *parking spaces*:	n/a	n/a	~~1 per *dwelling unit* (5)~~

5) *Parking spaces* and *bicycle parking stalls* for *additional dwelling unit(s) (attached)* and/or *additional dwelling unit*(s) (*detached*) shall be provided at a minimum rate as specified within Table 5-5-1.

Table 5-5-1: Regulations for Minimum Parking Requirements for Lots containing Additional Dwelling Unit(s) (Attached) and/or Additional Dwelling Unit(s) (Detached)

		Lands within 800 metres of a Light Trail Transit (LRT)	Lands farther than 800 metres of a Light Rail Transit (LRT) Station as shown on	Lands farther than 800 metres from a Light Rail Transit (LRT) Station as shown on

		Station (Appendix E)	Appendix E, and within the Central Neighbourhood Area (Appendix C)	Appendix E, and outside the Central Neighbourhood Area (Appendix C)
Additional Dwelling Unit (Attached) and *Additional Dwelling Unit* (*Detached*)	Minimumn *parking spaces*:	No minimum	0.3 per *dwelling unit*	0.6 per *dwelling unit*
	Minimum *Class C Bicycle Parking Stalls*:	0.5 per *dwelling unit* without a *private garage*, where there are a minimum of 3 *dwelling unit*s on a *lot*.	0.5 per *dwelling unit* without a *private garage*, where there are a minimum of 3 *dwelling units* on a *lot*.	0.5 per *dwelling unit* without a *private garage*, where there are a minimum of 3 *dwelling units* on a *lot*.

16. Table 7-1 of By-law Number 2019-051 is amended to delete portions of the below text with a strikethrough:

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

Use	RES-1	RES-2	RES-3	RES-4	RES-5	RES-6	RES-7
Residential Uses							
Single Detached Dwelling	✓	✓	✓	✓	✓		
Additional Dwelling Units (*Attached*)(1)	✓	✓	✓	✓	✓		
Additional Dwelling Units (*Detached*)(2)	✓	✓	✓	✓	✓		
Semi-Detached Dwelling			✓	✓	✓		
Townhouse Dwelling – Street				✓(3)	✓(4)		
Townhouse Dwelling – Cluster (7)					✓(4)	✓	
Multiple Dwelling (7)				~~✓(3)~~	✓	✓	✓
Lodging House				✓	✓	✓	✓
Continuing Care Community					✓	✓	✓
Hospice		✓	✓	✓	✓	✓	✓
Residential Care Facility, *Small*		✓	✓	✓	✓	✓	✓
Residential Care Facility, Large					✓	✓	✓
Non-Residential Uses							
Artisan's Establishment (5)						✓	✓
Community Facility (5)						✓	✓
Convenience Retail (5)						✓	✓
Day Care Facility (5)						✓	✓
Financial Establishment (5)							✓
Health Office (5)							✓

Home Occupation (6)	✓	✓	✓	✓	✓	✓	✓
Office (5)						✓	✓
Personal Services (5)							✓
Studio (5)						✓	✓

17. "Additional Regulations for Permitted Uses Table 7-1" of By-law Number 2019-051 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:

"Additional Regulations for Permitted Uses Table 7-1

(1) Shall be permitted in accordance with 4.12.1 and 4.12.2.

(2) Shall be permitted in accordance with 4.12.3.

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

(4) The maximum number of *dwelling units* in a *dwelling* shall be 8.

(5) Permitted non-residential uses must be located within a *multiple dwelling* (despite the definition of *multiple dwelling* in Section 3) and are limited in size in accordance with the regulations in Table 7-6.

(6) Shall be permitted in accordance with 4.7.

(7) 45 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 Table 7-5 or Table 7-6 as applicable and Section 4.12.4."

18. "Additional Regulations for Permitted Uses Table 7-2" of By-law Number 2019-051 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:

"Additional Regulations for Single Detached Dwellings Table 7-2

(1) The minimum *lot area* shall be 0.4 hectares on *lots* without full municipal services.

(2) The minimum *lot width* shall be 30.0 metres on *lots* without full municipal services.

(3) For lands identified in Appendix D – Established Neighbourhoods Area, the minimum and maximum front yard shall be in accordance with Section 7.6.

(4) A combined total of 55 percent for all *buildings* and *structures* on the *lot*. *Accessory buildings* or *structures*, whether attached or detached, and *additional dwellings* ~~*units*~~ *(detached)* shall not exceed 15 percent.

(5) The regulations within Table 7-2 shall not apply to an existing *single detached dwelling* on an *existing lot* with or without one *existing additional dwelling unit (attached).*

(6) For lands identified in Appendix C – Central Neighborhoods, the maximum building height shall be in accordance with Section 7.5."

19. "Additional Regulations for Permitted Uses Table 7-3" of By-law Number 2019-051 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:

"Additional Regulations for Semi-Detached Dwelling Unit Table 7-3

(1) For lands identified in Appendix D – Established Neighbourhoods Area, the minimum and maximum front yard shall be in accordance with Section 7.6.

(2) A combined total of 55 percent for all *buildings* and *structures* on the lot. *Accessory buildings* or *structures*, whether attached or detached, and *additional dwellings* ~~*units*~~ *(detached)* shall not exceed 15 percent.

(3) The regulations within Table 7-3 shall not apply to an *existing semi-detached dwelling* on an *existing lot* with or without one *existing additional dwelling unit (attached).*

(4) For land identified in Appendix C – Central Neighborhoods, the maximum building height shall be in accordance with Section 7.5.

20. "Additional Regulations for Permitted Uses Table 7-4" of By-law Number 2019-051 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:

"Additional Regulations for Street Townhouse Dwelling Units Table 7-4

(1) For lands identified in Appendix D – Established Neighbourhoods Area, the minimum and maximum front yard shall be in accordance with Section 7.6.

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

a) direct access on the *lot* without passing through any portion of the *dwelling unit*; or,

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

c) access over adjacent lands which, if the lands are not owned by the *City* or the *Region*, is secured by a registered easement.

(3) A combined total of 55 percent for all *buildings* and *structures* on the *lot*. *Accessory buildings* or *structures*, whether attached or detached, and *additional dwellings* ~~*units*~~ *(detached)* shall not exceed 15 percent.

(4) The regulations within Table 7-4 shall not apply to an existing *street townhouse dwelling* on an *existing lot* with or without one *existing additional dwelling unit (attached)*.

(5) For lands identified in Appendix C – Central Neighborhoods, the maximum building height shall be in accordance with Section 7.5.

21. Table 7-6 of By-law Number 2019-051 is amended to delete portions of the below text with a strikethrough:

Table 7-6: For Multiple Dwellings and Non-Residential Uses

Regulation	RES-1	RES-2	RES-3	~~RES-4 (6)~~	RES-5 (6)	RES-6 (6)	RES-7 (6)
Minimum *Lot Area*				~~495m^2~~	495m^2		
Minimum *Lot Width*				~~15.0m~~	19.0m~~(1)~~	30.0m	30.0m
Minimum *Front Yard* or *Exterior Yard Setback*				~~4.5m (8)~~	4.5m (8)	3.0m	3.0m
Minimum *Interior Side Yard Setback*				~~3.0m~~	3.0m	4.5m	4.5m (5)
Minimum *Rear Yard Setback*				~~7.5m~~	7.5m	7.5m	7.5m (5)
Minimum *Landscaped Area*				~~20%~~	20%	20%	20%
Minimum *Floor Space Ratio*						0.6 (2)(7)	2.0 (2)(7)
Maximum *Floor Space Ratio*				~~0.6~~	0.6	2.0 (2)	4.0 (2)
Minimum *building height*						11.0 m	14.0 m
Maximum *Building Height*				~~11.0m (9)~~	11.0m (9)	25.0m	(5)
Maximum number of *storeys*				~~3~~	3	8	
Minimum number of *dwelling units*						5	5
Maximum number of *dwelling units*				~~4~~			
Private Patio Area				~~(3)~~	(3)	(3)	(3)
Maximum *Gross Floor Area* of Individual Non-Residential Use						600m^2(4)	600m^2(4)

22. "Additional Regulations for *Multiple Dwellings* and Non-Residential Uses Table 7-6" of By-law Number 2019-051 is amended to delete portions of the below text with a strikethrough:

"Additional Regulations for Multiple Dwellings and Non-Residential Uses Table 7-6

(1) ~~A *multiple* dwelling with *4* dwelling units shall have a minimum *lot width* of 15.0 metres.~~

(2) Combined total *Floor Space Ratio* of all uses on the *lot*.

(3) For *multiple dwellings*, each *dwelling unit* located at ground floor level shall have a patio area adjacent to the *dwelling unit* with direct access to such *dwelling unit*.

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

(5) The maximum *building height* shall be 25 metres *w*ithin 15 metres of a *lot* with a (RES-6) Medium Rise Residential Six Zone.

(6) The regulations within Table 7-6 shall not apply to an *existing multiple dwelling* on an *existing lot.*

(7) Individual *buildings* will not be required to achieve the minimum *floor space ratio* where there is an approved Urban Design Brief that includes a Master Site Plan that demonstrates the overall development can achieve the minimum *floor space ratio.*
(8) For lands identified in Appendix D – Established Neighbourhoods Area, the minimum and maximum *front yard* shall be in accordance with Section 7.6.
(9) For lands identified in Appendix C – Central Neighborhoods, the maximum *building height* shall be in accordance with Section 7.5."

23. Site Specific Provision (312) of Section 19 of By-law Number 2019-051 is amended to add the portions of the below text that are highlighted in grey to subsection b):

"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*, and the minimum *setback* to one *parking space* located on a driveway shall be 0.2 metres."

24. Site Specific Provision (313) of Section 19 of By-law Number 2019-051 is amended to add the portions of the below text that are highlighted in grey:

*"*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, and the minimum *setback* to one parking space located on a driveway shall be 0.2 metres;
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*, and the *minimum setback* to one *parking space* located on a driveway shall be 0.2 metres;

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%;
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.*"*

25. This By-law shall become effective only if Official Plan Amendment No.__ (Enabling Four Units) 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 , 2024.

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Mayor

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Clerk