

APPENDIX "C" - SPECIAL USE PROVISIONS FOR SPECIFIC LANDS

344. Notwithstanding Section 8.1 and 8.2 of this By-law, within the lands zoned C-2 as shown on Schedule 65 of Appendix "A" and described as Part of Lots 5 and 6, Registrar's Compiled Plan 1470, in the City of Kitchener:
- a) Gas Station and carwash shall not be permitted;
 - b) Dwelling units may be located in buildings used solely for residential purposes, and may be located on the ground floor;
 - c) There shall be no minimum lot area, minimum lot width, minimum front yard setback, or minimum side yard abutting a street setback;
 - d) Multiple dwellings and street townhouses shall also be permitted, subject to the following:
 - i) The maximum front yard and side yard abutting a street setback shall be 6.0 metres;
 - ii) In no case shall the width of an attached garage facing Max Becker Drive exceed 50% of the width of the front façade closest to the street at ground level;
 - iii) The maximum distance that the front façade of an attached garage may project from the front façade of the habitable portion of the dwelling is 1.2 metres;
 - iv) Any required parking spaces shall not be located between the front façade and the street line;
 - v) The maximum width of a driveway within the front yard, being any hard surface designed to accommodate vehicle parking, shall be 50% of the lot width;
 - vi) No building permit shall be issued until such time as:
 - a) Any new residential dwelling units are designed to 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 Max Becker Drive 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 the clause above by the employment of measures to mitigate noise and such measures are employed prior to occupancy of any new dwelling unit.

(By-law 2005-89, S.2) (Max Becker Drive)

(Amended: By-law 2006-174, S.1) (City of Kitchener Housekeeping Amendment)