

**BY-LAW NUMBER 85-1
OF THE
CORPORATION OF THE CITY OF KITCHENER**

(To be known as the Zoning By-law of the Corporation of the City of Kitchener)

WHEREAS the City has had several separate by-laws with regard to Zoning which apply to the different areas heretofore incorporated into the City through The Regional Municipality of Waterloo Act, 1972;

AND WHEREAS it is desired to enact a new Zoning By-law to comprehensively deal with zoning throughout the City;

AND WHEREAS this by-law is the first stage in the process in that it deals with Commercial Zoning throughout parts of the City;

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

SECTION 1

GENERAL SCOPE

1.1 TITLE

This By-law shall be known as the "Zoning By-law" of The Corporation of the City of Kitchener.

1.2 APPLICATION

The provisions of this By-law shall apply to all lands within the limits of the zone boundaries shown on the digital zoning map and as printed on the Zoning Grid Schedules attached as Appendix 'A'. Within said area, no person shall erect, alter, enlarge or use any building or structure in whole or in part, nor use any land in whole or in part, except in accordance with the provisions of this By-law.

(By-law 2004-61, S.1)

1.3 VALIDITY

If any provision of this By-law including anything shown on the digital zoning map and printed on the Zoning Grid Schedules attached as Appendix 'A' is for any reason held to be invalid, it is hereby declared to be the intention that all the remaining provisions of said By-law shall remain in full force and effect until repealed, notwithstanding that one or more provisions thereof shall have been declared to be invalid.

(By-law 2004-61, S.2)

1.4 EFFECTIVE DATE

- .1 Subject to Sections 1.4.2 and 1.4.3, this By-law shall come into effect on the date of the final passing thereof by the Council of The Corporation of the City of Kitchener subject to compliance with the provisions of The Planning Act, S.O. 1983 and amendments thereto.
- .2 With respect to any lands within the C-6 Zone on Schedules 302 and 317 of Appendix "A" hereto and any lands within the C-6 Zone situate northerly from King's Highway No. 8 on

Schedules 303, 315 and 316 of Appendix "A" hereto, this By-law shall come into effect only upon the approval by the Minister of Municipal Affairs and Housing or his designate, of Official Plan Amendment No. 27 but, upon such approval, the provisions hereof affecting such lands shall be deemed to have come into force on the date of passing hereof.

- .3 With respect to any lands within the C-3 Zone on Schedules 303 and 316 of Appendix "A" hereto and any lands within the C-6 Zone situate southerly from King's Highway No. 8 on Schedules 303, 315 and 316 on Appendix "A" hereto, this by-law shall come into effect only upon the approval by the Minister of Municipal Affairs and Housing or his designate, of Official Plan Amendment No. 28 but, upon such approval, the provisions hereof affecting such lands shall be deemed to have come into force on the date of passing hereof.

1.5

REPEAL OF EXISTING BY-LAWS

- .1 All the provisions of By-law Number 4830 of the City of Kitchener, and all of the provisions of By-law Number 878A of the former Township of Waterloo, and all of the provisions of By-law Number 85 of the former Village of Bridgeport, all as amended, insofar as they affect the lands within the limits of the zone boundaries shown on the Zoning Grid Schedules attached as Appendix "A" hereto, shall be and the same are hereby repealed.
- .2 That Part VII (Building Lines) of By-law Number 1823 of the City of Kitchener and Section 6.6 (Building Lines) of By-law Number 3433 of the City of Kitchener, insofar as they affect the lands within the limits of the zone boundaries shown on the Zoning Grid Schedules attached as Appendix "A" hereto, shall be and the same are hereby repealed.