

SECTION 33
(By-law 92-58, S.6)

MAJOR INSTITUTIONAL ZONE (I-3)

No person shall erect, nor use any building in whole or in part, nor use any land, nor permit to use any land, in whole or in part, within an I-3 Zone for any purpose other than one or more of the following uses, or uses accessory thereto. Such erection or use shall also comply with the prescribed regulations:

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

33.1 **PERMITTED USES**

Additional Dwelling Unit (Attached) (By-law 2023-102, S.15)

Additional Dwelling Unit (Detached) (By-law 2023-102, S.15)

Arena

Auditorium

Community Centre

Convenience Retail

Day Care Facility

Educational Establishment

Financial Establishment

Health Office

Health Clinic

Home Business (By-law 94-1, S.8)

Hospital

Lodging House

Medical Laboratory

Multiple Dwelling

Museum

Personal Services

Private Home Day Care

Religious Institution

Residential Care Facility

Social Service Establishment

Stadium

Street Townhouse Dwelling

Studio

Veterinary Services

33.2

PROHIBITED USES

Notwithstanding Section 33.1, no person shall erect, nor use any building in whole or in part, nor use any land in whole or in part within an I-3 Zone for any of the following purposes even as an accessory use:

Commercial school which provides overnight accommodation or outdoor training requiring the use of vehicles or construction materials.

33.3

REGULATIONS

.1 For All Uses Except Street Townhouse Dwelling, Convenience Retail, Financial Establishment and Personal Services

Maximum Floor Space Ratio	2.0
Minimum Lot Width	15.0 metres
Minimum Front Yard	7.5 metres
Minimum Side Yard	6.0 metres or one half the building height, whichever is greater
Minimum Side Yard Abutting a Street	7.5 metres
Minimum Rear Yard	7.5 metres
Minimum Landscaped Area	30 percent of the lot area
Location of Lodging House Multiple Dwelling	Only on the same lot as an accessory use to a residential care facility containing more than 8 residents, an educational establishment or a hospital.
Off-Street Parking	In accordance with Section 6.1 of this By-law.
Private Patio Area	For each dwelling unit located at ground floor level, an exclusive use patio area adjacent to the unit with direct access to such unit shall be provided.

(By-law 2012-034, S.66)

Visual Barrier

Where a lot line forms part of a boundary between a I-3 Zone and a Residential Zone, a visual barrier shall be provided and maintained along the portion of the lot line which abuts the Residential Zone in accordance with Section 5.11 of this By-law.

.2 For Street Townhouse Dwelling

Minimum Lot Area	148.0 square metres for each dwelling unit
Minimum Lot Width	5.5 metres for each dwelling unit
Minimum Corner Lot Width (By-law 2000-86, S.12)	12.5 metres
Minimum Front Yard and Minimum Side Yard Abutting a Street	4.5 metres
Minimum Side Yard	2.5 metres except where a driveway leading to a required parking space is situated between the dwelling and the lot line, in which case the side yard on the minimum side shall be 3.0 metres.
Minimum Rear Yard	7.5 metres
Maximum Building Height	10.5 metres
Maximum Lot Coverage (By-law 2003-163, S.38)	A total of 55 percent, of which the habitable portion of the dwelling shall not exceed 45 percent and the accessory buildings or structures, whether attached or detached, shall not exceed 15 percent. (By-law 2003-163, S.38)
Location of Street Townhouse Dwelling	Only on the same lot as an accessory use to a residential care facility containing more than 8 residents, an educational establishment or a hospital.
Off-Street Parking	In accordance with Section 6.1 of this By-law.
Rear Yard Access	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 land which, if the lands are not owned by the City of Kitchener or the Regional Municipality of Waterloo, is secured by a registered easement.

(By-law 98-108, S.13)

.3 For Convenience Retail, Financial Establishment, Personal Services

Size and location of Convenience Retail, Financial Establishment, Personal Services

Only within a building used for a health clinic, multiple dwelling or residential care facility having more than 8 residents; and in total, not in excess of 20% of the gross floor area, nor more than 550.0 square metres of gross leasable commercial space.

Maximum Gross Leasable Commercial Space for Convenience Retail

No single convenience retail outlet shall exceed 225.0 square metres.

.4 For Home Business (By-law 94-1, S.8)

In accordance with regulations set out in Section 5.13 of this By-law.

.5 For Additional Dwelling Unit (Detached) (By-law 2023-102, S.17)

In accordance with regulations set out in Section 5.22 of this By-law.

.6 For Additional Dwelling Unit (Attached) (By-law 2023-102, S.18)

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 5.22.1 of this By-law.

.7 **For Lots with Four to Ten Dwelling Units** (By-law 2023-102, S.20)

4 to 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.