

**SECTION 43**  
(By-law 94-1, S.9)

**RESIDENTIAL NINE ZONE (R-9)**

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 R-9 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)

43.1 **PERMITTED USES**

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

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

Convenience Retail

Day Care Facility

Financial Establishment

Home Business

Lodging House

Multiple Dwelling

Office

Personal Services

Private Home Day Care

Residential Care Facility

Street Townhouse Dwelling

43.2 **REGULATIONS**

.1 **For all Uses**

Minimum Floor Space Ratio for Buildings constructed after the date that the R-9 Zone was applied to the land. (By-law 94-183, S.33)	1.0
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Maximum Floor Space Ratio	4.0
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.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	15.0 metres for each dwelling unit, except where a lot has both its front and side lot lines abutting streets having widths of 18.0 metres or less in which case the minimum corner lot width shall be 12.5 metres. (By-law 95-106, S.29)
Minimum Front Yard (By-law 2005-106, S.29)	4.5 metres except no part of any building used to accommodate off-street parking shall be located closer than 6.0 metres to the street line.
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 minimum side yard on that side shall be 3.0 metres; or one half of the building height whichever is greater.
Minimum Side Yard Abutting a Street (By-law 2005-106, S.30)	4.5 metres
Minimum Rear Yard	7.5 metres
Off-Street Parking	In accordance with Section 6.1 of this By-law.
Rear Yard Access (By-law 96-185, S.1)	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: <ul style="list-style-type: none"> <li>a) direct access on the lot without passing through any portion of the dwelling unit; or,</li> <li>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,</li> <li>c) access over adjacent lands which, if the lands are not owned by the City of Kitchener or the Regional Municipality of Waterloo, is secured by a registered easement.</li> </ul>

**.3 For Multiple Dwelling and Lodging House**

Minimum Lot Width	15 metres
Minimum Front Yard and Minimum Side Yard Abutting a Street	4.5 metres, for that portion of a dwelling with a building height not exceeding 10.5 metres, and an additional setback of 1.5 metres shall be required for every additional portion of 3.0 metres of building height thereafter. (Amended: By-law 2013-124, S.43)
Minimum Side Yard	6.0 metres
Minimum Rear Yard	7.5 metres
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.
Minimum Landscaped Area	20 percent of the lot area.
Minimum Size of Lodging House	9 residents
Off-Street Parking	In accordance with Section 6.1 of this By-law.

**.4 For Residential Care Facility**

Residential Care Facility having less than 9 residents	In accordance with the regulations of the dwelling type in which such facility is located.
Residential Care Facility having 9 residents or more	In accordance with Section 43.2.3 of this By-law.
Off-Street Parking (By-law 95-106, S.30)	In accordance with Section 6.1 of this By-law.

**.5 For Convenience Retail, Financial Establishment, Office and Personal Services**

Location	Only within a multiple dwelling containing a minimum of 20 dwelling units or a residential care facility having a minimum of 20 residents, provided however that any office shall be located only on the ground floor.
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Maximum Total Gross Leasable Commercial Space for all Uses Not in excess of 20 percent of the gross floor area and in no case in excess of 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.

Off-Street Parking for Convenience Retail, Office and Financial Establishment 1 space for every 40 square metres of the gross floor area which accommodates such use.

Off-Street Parking for Personal Services 1 space for every 80 square metres of gross floor area which accommodates such use.

**.6 For Day Care Facility**

Location Only on the same lot as a multiple dwelling containing a minimum of 20 dwelling units.

Minimum Yards In accordance with Section 43.2.3 above.

Off-Street Parking In accordance with Section 6.1 of this By-law.

**.7 For Home Business**

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

**.8 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.

**.9 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.

**.10 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.