

SECTION 44
(By-law 94-1, S.9)

COMMERCIAL RESIDENTIAL ONE ZONE (CR-1)

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 a CR-1 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)

44.1 **PERMITTED USES**

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

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

Convenience Retail (By-law 95-106, S.31)

Day Care Facility

Duplex Dwelling

Dwelling Unit

Educational Establishment

Financial Establishment

Funeral Home

Health Clinic

Health Office

Home Business

Hospice (By-law 2013-124, S.44)

Lodging House

Medical Laboratory

Multiple Dwelling

Office

Personal Services

Printing Establishment

Private Club or Lodge

Private Home Day Care

Religious Institution

Residential Care Facility

Sale, Rental, or Service of Business Machines and Office Supplies

Security or Janitorial Services

Semi-detached Dwelling existing on the date that the CR-1 Zone was applied to the land.
(By-law 94-183, S.34)

Single Detached Dwelling existing on the date that the CR-1 Zone was applied to the land.
(By-law 94-183, S.34)

Street Townhouse Dwelling

Studio

Tourist Home

Veterinary Services

44.2 **PROHIBITED USES**

Notwithstanding Section 44.1, no person shall erect, nor use any building in whole or in part nor use any land in whole or in part within a CR-1 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.

44.3 **REGULATIONS**

.1 **For all Uses**

Maximum Floor Space Ratio	1.0
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.2 **For Single Detached Dwelling Existing On The Date That The CR-1 Zone Was Applied To The Land** (By-law 94-183, S.34)

Any additions or alterations shall be in accordance with Section 39.2.1.
(By-law 94-183, S.29)

.3 **For Semi-Detached Dwelling Existing On The Date That The CR-1 Zone Was Applied To The Land** (By-law 94-183, S.34)

Any additions or alterations shall be in accordance with Section 39.2.2.
(By-law 94-183, S.30) (Amended: By-law 2016-138, S.17)

.4 For Duplex Dwelling

Only within a building existing on the date that the CR-1 Zone was applied to the land and any additions or alterations shall be in accordance with Section 39.2.1.
(By-law 94-183, S.31 & 34)

.5 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	3.0 metres
Minimum Side Yard	2.5 metres except in the case of a driveway leading to a required parking space situated between the dwelling and the lot line, in which case the minimum side yard on that 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)
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"> 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 of Kitchener or the Regional Municipality of Waterloo, is secured by a registered easement.

.6 For Educational Establishment, Financial Establishment, Funeral Home, Health Office, Health Clinic, Hospice, Medical Laboratory, Multiple Dwelling, Office, Private Club or Lodge, Religious Institution, Security or Janitorial Services, Studio, Tourist Home, Veterinary Services (Amended: By-law 2013-124, S.45) (Amended: by-law 2015-068, S.9)

Minimum Lot Width	15 metres
Minimum Front Yard and Minimum Side Yard Abutting a Street	3.0 metres
Minimum Side Yard	a) 1.2 metres for a building with a building height not exceeding 10.5 metres, or b) 3.0 metres for a building with a building height exceeding 10.5 metres.
Minimum Rear Yard	7.5 metres, or one half the building height, whichever is greater shall be required.
Minimum Landscaped Area	10 percent of the lot area
Maximum Building Height	18.0 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.
Off-Street Parking	In accordance with Section 6.1 of this By-law.
Off-Street Loading	In accordance with Section 6.2 of this By-law.

.7 For Printing Establishment and Sale, Rental and Service of Business Machines and Office Supplies

Location	Only within a building containing a minimum of 4700 square metres of gross floor area designed for office. Notwithstanding the above, commercial copy centres and screen printing establishments shall be permitted
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		provided that the maximum gross floor area of any single unit does not exceed 225 square metres. Industrial printing establishments shall not be permitted. (Amended: By-law 2010-097, S.19)
	Maximum Gross Floor Area	1000 square metres
	Off-Street Parking	In accordance with Section 6.1 of this By-law.
.8	<u>For Lodging House</u>	
	Lodging House having less than 9 residents	Only within a building existing on the date that the CR-1 Zone was applied to the land and in accordance with Section 39.2.4. (By-law 94-183, S.28 and S.34)
	Lodging House having 9 residents or more	In accordance with Section 44.3.6 of this By-law.
	Off-Street Parking	In accordance with Section 6.1 of this By-law.
.9	<u>For Residential Care Facility</u>	
	Regulations	In accordance with the regulations of the dwelling type in which such facility is located.
	Off-Street Parking	In accordance with Section 6.1 of this By-law.
.10	<u>For Personal Services and Convenience Retail</u>	
	Location	Only within a multiple dwelling or mixed commercial-residential building, containing a minimum of 20 dwelling units, a residential care facility having a minimum of 20 residents or a building containing a minimum of 4700 square metres of gross floor area designed for office.
	Maximum Total Gross Leasable Commercial Space for Personal Services and Convenience Retail	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	1 space for every 40 square metres of the gross floor area which accommodates such use.

- Off-Street Parking for Personal Services
(By-law 95-106, S.32)
- 1 space for every 80 square metres of the gross floor area which accommodates such use.
- .11 **For Day Care Facility**
- Location
Only on the same lot as a multiple dwelling or a mixed commercial-residential building, containing a minimum of 20 dwelling units, a residential care facility having a minimum of 20 residents or a building containing a minimum of 4700 square metres of gross floor space designed for office.
- Minimum Yards
In accordance with Section 44.2.6.
- Off-Street Parking
In accordance with Section 6.1 of this By-law.
- .12 **For Dwelling Unit**
- Location
Shall not be located on the ground floor, unless located within a building used only as a multiple dwelling.
- .13 **For Home Business**
- In accordance with regulations set out in Section 5.13 of this By-law.
- .14 **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.
- .15 **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.
- .16 **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.