

SECTION 41
(By-law 94-1, S.9)

RESIDENTIAL SEVEN ZONE (R-7)

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-7 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)

41.1 **PERMITTED USES**

Additional Dwelling Unit (Attached) (By-law 2023-102, S.16)

Additional Dwelling Unit (Detached) (By-law 2021-040, S.16)

Duplex Dwelling

Home Business

Lodging House

Multiple Dwelling

Private Home Day Care

Residential Care Facility

Semi-Detached Duplex Dwelling (OMB Order PL140037, By-law 2013-149 (Amended), S.9)

Semi-Detached Dwelling

Single Detached Dwelling

Street Townhouse Dwelling

41.2 **REGULATIONS**

.1 **For all Uses**

Maximum Floor Space Ratio	1.0
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.2 **For Single Detached Dwelling and Duplex Dwelling** (By-law 94-183, S.21[b])

Minimum Lot Area	235.0 square metres
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Minimum Lot Width (By-law 2000-86, S.10)	9.0 metres
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Minimum Corner Lot Width (By-law 2000-86, S.9)	15.0 metres
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Minimum Front Yard
and
Minimum Side Yard
Abutting a Street

Minimum Front Yard for lands identified on Appendix 'H', and any principal dwelling constructed after the effective date of this by-law on a lot containing an Additional Dwelling Unit (Detached) (Amended: By-law 2021-040, S.19)

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.

a) For dwellings and additions to dwellings that project into the existing front yard constructed after the effective date of this by-law:

- i) The average of the front yards of the abutting lots, minus 1.0 metre;
- ii) In the case where there is a vacant lot abutting the affected lot, the average of the front yards, minus 1.0 metre, of the closest building on the next adjacent lot, which must be no more than 30 metres from the affected lot's closest side lot line;
- iii) In the case of a corner lot, the front yard, minus 1.0 metre, of the abutting lot on which the dwelling faces the same side of the street.

Notwithstanding the foregoing, no part of any building used to accommodate off-street parking shall be located closer than 6.0 metres to the street line.

b) In all other cases, the minimum front yard shall be 4.5 metres. Notwithstanding the foregoing, no part of any building used to accommodate off-street parking shall be located closer than 6.0 metres to the street line.

(By-law 2018-094, S.4)

Maximum Front Yard for lands identified on Appendix 'H', and any principal dwelling constructed after the effective date of this by-law on a lot containing an Additional Dwelling Unit (Detached) (Amended: By-law 2021-040, S.20)

a) For dwellings and additions to dwellings that project into the existing front yard constructed after the effective date of this by-law:

- i) The average of the front yards of the abutting lots, plus 1.0 metre;

- ii) In the case where there is a vacant lot abutting the affected lot, the average of the front yards, plus 1.0 metre, of the closest building on the next adjacent lot, which must be no more than 30 metres from the affected lot's closest side lot line;
- iii) In the case of a corner lot, the front yard, plus 1.0 metre, of the abutting lot on which the dwelling faces the same side of the street.

Notwithstanding the foregoing, no part of any building used to accommodate off-street parking shall be located closer than 6.0 metres to the street line.

- b) In all other cases there is no maximum front yard.
(By-law 2018-094, S.4)

Minimum Side Yard

- a) 1.2 metres, or
- b) 0 metres to a maximum of 0.2 metres on one side and a minimum of 1.5 metres on the other side for a Dwelling with a Building Height not exceeding 9.0 metres and subject to Section 5.20 of this by-law, or
Amended: (By-law 2009-105, S.17)
- c) 0 metres to a maximum of 0.2 metres on one side and a minimum of 2.5 metres on the other side for a Dwelling with a Building Height exceeding 9.0 metres and subject to Section 5.20 of this by-law.
Amended: (By-law 2009-105, S.17)
- d) 3.0 metres on one side where a driveway leading to a required parking space is located between the main building and the side lot line.

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.

.3 For Semi-Detached Dwelling and Semi-Detached Duplex Dwelling
(Amended: OMB Order PL140037, By-law 2013-149 (Amended), S.10)

Minimum Lot Area

235.0 square metres for each semi-detached house. (By-law 94-183, S.22)

Minimum Lot Width

7.5 metres for each semi-detached house.
(By-law 94-183, S.22)

Minimum Corner Lot Width
(By-law 2000-86, S.11)

- a) 20 metres for each dwelling; and
- b) 12.5 metres for each dwelling unit.

Minimum Front Yard
and
Minimum Side Yard
Abutting a Street

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 Front Yard for lands identified on Appendix 'H', any Semi-Detached Duplex Dwelling in a building constructed after the effective date of this by-law, and any principal dwelling constructed after the effective date of this by-law on a lot containing an Additional Dwelling Unit (Detached)
(Amended: By-law 2021-040, S.24)

- a) For dwellings and additions to dwellings that project into the existing front yard constructed after the effective date of this by-law:
 - i) The average of the front yards of the abutting lots, minus 1.0 metre;
 - ii) In the case where there is a vacant lot abutting the affected lot, the average of the front yards, minus 1.0 metre, of the closest building on the next adjacent lot, which must be no more than 30 metres from the affected lot's closest side lot line;
 - iii) In the case of a corner lot, the front yard, minus 1.0 metre, of the abutting lot on which the dwelling faces the same side of the street.

Notwithstanding the foregoing, no part of any building used to accommodate off-street parking shall be located closer than 6.0 metres to the street line.

- b) In all other cases, the minimum front yard shall be 4.5 metres. Notwithstanding the foregoing, no part of any building used to accommodate off-street parking shall be located closer than 6.0 metres to the street line.

(By-law 2018-094, S.4)

Maximum Front Yard for lands identified on Appendix 'H', any Semi-Detached Duplex Dwelling in a building constructed after the effective date of this by-law, and any principal dwelling constructed after the effective date of this by-law on a lot containing an Additional Dwelling Unit (Detached) (Amended: By-law 2021-040, S.25)

- a) For dwellings and additions to dwellings that project into the existing front yard constructed after the effective date of this by-law:

- i) The average of the front yards of the abutting lots, plus 1.0 metre;
- ii) In the case where there is a vacant lot abutting the affected lot, the average of the front yards, plus 1.0 metre, of the closest building on the next adjacent lot, which must be no more than 30 metres from the affected lot's closest side lot line;
- iii) In the case of a corner lot, the front yard, plus 1.0 metre, of the abutting lot on which the dwelling faces the same side of the street.

Notwithstanding the foregoing, no part of any building used to accommodate off-street parking shall be located closer than 6.0 metres to the street line.

- b) In all other cases there is no maximum front yard.

(By-law 2018-094, S.4)

Minimum Side Yard	1.2 metres, except in the case of a driveway leading to a required parking space situated between the main building and the side lot line, in which case the minimum side yard 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 Pedestrian Entrance (B-law 2021-040, S.26)	In accordance with Section 6.1 of this By-law. A maximum of one pedestrian entrance for each semi-detached house or semi-detached duplex house may be located on each street line façade.
.4	Omitted (By-law 94-183, S.18)
.5	<u>For Street Townhouse Dwelling</u>
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 (By-law 2005-106, S.25)	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 Front Yard for lands identified on Appendix 'H'	a) For dwellings and additions to dwellings that project into the existing front yard constructed after the effective date of this by-law: i) The average of the front yards of the abutting lots, minus 1.0 metre;

- ii) In the case where there is a vacant lot abutting the affected lot, the average of the front yards, minus 1.0 metre, of the closest building on the next adjacent lot, which must be no more than 30 metres from the affected lot's closest side lot line;
- iii) In the case of a corner lot, the front yard, minus 1.0 metre, of the abutting lot on which the dwelling faces the same side of the street.

Notwithstanding the foregoing, no part of any building used to accommodate off-street parking shall be located closer than 6.0 metres to the street line.

- b) In all other cases, the minimum front yard shall be 4.5 metres. Notwithstanding the foregoing, no part of any building used to accommodate off-street parking shall be located closer than 6.0 metres to the street line.

(By-law 2018-094, S.4)

Maximum Front Yard for lands identified on Appendix 'H'

- a) For dwellings and additions to dwellings that project into the existing front yard constructed after the effective date of this by-law:
 - i) The average of the front yards of the abutting lots, plus 1.0 metre;
 - ii) In the case where there is a vacant lot abutting the affected lot, the average of the front yards, plus 1.0 metre, of the closest building on the next adjacent lot, which must be no more than 30 metres from the affected lot's closest side lot line;
 - iii) In the case of a corner lot, the front yard, plus 1.0 metre, of the abutting lot on which the dwelling faces the same side of the street.

Notwithstanding the foregoing, no part of any building used to accommodate off-street parking shall be located closer than 6.0 metres to the street line.

	b) In all other cases there is no maximum front yard. (By-law 2018-094, S.4)
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 Side Yard Abutting a Street (By-law 2005-106, S.26)	4.5 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 Multiple Dwelling**

Minimum Lot Width	15.0 metres
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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 additional 3.0 metres of building height thereafter.

(Amended: By-law 2013-124, S.41)

Minimum Front Yard for lands identified on Appendix 'H'

a) For dwellings and additions to dwellings that project into the existing front yard constructed after the effective date of this bylaw:

i) For that portion of a dwelling with a building height not exceeding 10.5 metres, the average of the front yards of the abutting lots, minus 1.0 metre. An additional setback of 1.5 metres shall be required for every additional portion of additional 3.0 metres of building height thereafter;

ii) In the case where there is a vacant lot abutting the affected lot, for that portion of a dwelling with a building height not exceeding 10.5 metres, the average of the front yards, minus 1.0 metre, of the closest building on the next adjacent lot, which must be no more than 30 metres from the affected lot's closest side lot line. An additional setback of 1.5 metres shall be required for every additional portion of additional 3.0 metres of building height thereafter;

iii) In the case of a corner lot, for that portion of a dwelling with a building height not exceeding 10.5 metres, the front yard, minus 1.0 metre, of the abutting lot on which the dwelling faces the same side of the street. An additional setback of 1.5 metres shall be required for every additional portion of additional 3.0 metres of building height thereafter.

b) In all other cases the minimum front yard shall be 4.5 metres for that portion of a multiple dwelling within a building height

not exceeding 10.5 metres, and an additional setback of 1.5 metres shall be required for every additional portion of additional 3.0 metres of building height thereafter.

(By-law 2018-094, S.5)

Maximum Front Yard for lands identified on Appendix 'H'

a) For dwellings and additions to dwellings that project into the existing front yard constructed after the effective date of this by-law:

i) For that portion of a dwelling with a building height not exceeding 10.5 metres, the average of the front yards of the abutting lots, plus 1.0 metre, on which the dwellings face the same side of the street;

ii) In the case where there is a vacant lot abutting the affected lot, for that portion of a dwelling with a building height not exceeding 10.5 metres, the average of the front yards, plus 1.0 metre, of the closest building on the next adjacent lot, which must be no more than 30 metres from the affected lot's closest side lot line;

iii) In the case of a corner lot, for that portion of a multiple dwelling with a building height not exceeding 10.5 metres, the front yard, plus 1.0 metre, of the abutting lot on which the dwelling faces the same side of the street.

b) In all other cases there is no maximum front yard.

(By-law 2018-094, S.5)

Minimum Side Yard

a) 1.5 metres for a Dwelling with a Building Height not exceeding 9.0 metres, or

b) 2.5 metres for a Dwelling with a Building Height between 9.0 metres and 10.5 metres, or

c) 6.0 metres for a Dwelling with a Building Height exceeding 10.5 metres.

Minimum Rear Yard

7.5 metres

Minimum Landscaped Area	20 percent of the lot area
Maximum Building Height	24.0 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.

.7 For Additional Dwelling Unit (Detached)

In accordance with regulations set out in Section 5.22 of this By-law.
(Amended: By-law 2021-040, S.21)

.8 For Lodging House

Lodging House having less than 9 residents	In accordance with Section 39.2.4 of this By-law. (By-law 94-183, S.27)
Lodging House having 9 residents or more	In accordance with Section 41.2.6 of this By-law.
Off-street Parking	In accordance with Section 6.1 of this By-law.

.9 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 41.2.6 of this By-law.
Off-Street Parking (By-law 95-106, S.26)	In accordance with Section 6.1 of this By-law.

.10 For Home Business

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

.11 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.

.12 **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.