

SECTION 46
(By-law 94-1, S.9)

COMMERCIAL RESIDENTIAL THREE ZONE (CR-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 a CR-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)

46.1 **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

Dwelling Unit

Educational Establishment

Financial Establishment

Funeral Home

Health Clinic

Health Office

Home Business

Hospice (By-law 2013-124, S.48)

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

Street Townhouse Dwelling

Studio

Tourist Home

Veterinary Services

46.2 **PROHIBITED USES**

Notwithstanding Section 46.1, 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-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.

46.3 **REGULATIONS**

Minimum Floor Space Ratio for Buildings constructed after the date that the CR-3 Zone was applied to the land. (By-law 94-183, S.36)	1.0
Maximum Floor Space Ratio	4.0
Minimum Lot Width	15 metres
Minimum Front Yard and Minimum Side Yard Abutting a Street	3.0 metres
Minimum Side Yard	1.2 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
Location of Dwelling Unit	Shall not be located on the ground floor unless located within a building used only as a multiple dwelling.

Location of a Residential Care Facility having less than 9 residents	Only within a multiple dwelling.
Lodging House having less than 9 residents	Only within a building existing on the date that the CR-3 Zone was applied to the land. (By-law 94-183, S.36)
Location of Printing Establishment and Sale, Rental and Service of Business Machines and Office Supplies	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 provided that the maximum gross floor area of any single unit does not exceed 225 square metres. Industrial printing establishments shall not be permitted. (By-law 2010-097, S.21)
Maximum Gross Floor Area for Printing Establishment and Sale, Rental and Service of Business Machines and Office Supplies	1000 square metres
Location of Personal Services and Convenience Retail	Only within a multiple dwelling or mixed commercial-residential building, containing a minimum of 20 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.
Location of Day Care Facility	Only on the same lot as 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.
Off-Street Parking	In accordance with Section 6.1 of this By-law except as follows: 1 space for every 40 square metres of the gross floor area which accommodates Convenience Retail.

1 space for every 80 square metres of the gross floor area which accommodates Personal Services.

Off-Street Loading

In accordance with Section 6.2 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.68)

Home Business

In accordance with Section 5.13 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:

- 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.

46.4 **For Additional Dwelling Unit (Detached)** (By-law 2023-102, S.24)

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

46.5 **For Additional Dwelling Unit (Attached)** (By-law 2023-102, S.24)

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.

46.6 **For Lots with Four to Ten Dwelling Units** (By-law 2023-102, S.24)

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.