CITY OF KITCHENER
OFFICIAL PLAN

A Complete & Healthy Kitchener

As approved, with modifications,
by the Region of Waterloo on
November 19, 2014

KITCHENER

EXPLANATORY NOTE

Council for the Regional Municipality of Waterloo approved Official Plan Amendment No. 103, which had the effect of amending the Official Plan of the city by replacing it with a new Official Plan for the City of Kitchener, in part, with modifications, on November 19, 2014. The Region's decision was released in a Notice of Decision dated November 24, 2014. The Region's decision was subject to a 20-day appeal period under the *Planning Act* and a number of policies and parts of maps were appealed by a total of 10 appellants and filed to the Ontario Municipal Board (OMB).

The Region's November 19, 2014 decision included 10 areas of deferrals where no decision was made with respect to part of the Plan in order to allow for further consideration. On January 18, 2017 the Region issued a further Notice of Decision with respect to Deferrals No. 1 to 6 inclusive, part of Deferral No. 7 and Deferral No. 10. The Region's further decision on Official Plan Amendment No. 103 was subject to a 20-day appeal period under the Planning Act and a total of 2 appeals were filed to the Ontario Municipal Board (OMB).

The appeals of the Official Plan were dealt with at a total of 7 Pre-Hearings by the Ontario Municipal Board (OMB), 2 Pre-Hearings by the Local Planning Appeal Tribunal (LPAT) and 1 Settlement Hearing by the Local Planning Appeal Tribunal (LPAT). The LPAT decisions issued in writing on March 21, 2019 and orally on June 24, 2019 had the effect of deferring certain policies, modifying certain policies and maps in the Plan and the withdrawal of all the appeals.

Items Deferred for Further Consideration – Where a decision has been deferred in relation to a part of this Plan, that part of the Plan is not in effect. Any text that has been deferred is shown through use of a bracket in the margin of the document. The numbers shown in the box beside each deferral correspond to the numbers used in the Region's and the LPAT's Notice of Decision. Any part of a Schedule that has been deferred is shown with a broken line and/or hatched tone and the word 'Deferred'.

This Explanatory Note, in conjunction with the attached City of Kitchener Official Plan, is intended to provide the reader with a "consolidated" version of the Plan which includes modifications to certain text & maps and the portions of the Plan that are not in effect as a result of deferrals. For details regarding the modifications and/or deferrals, the reader is advised to refer to the Regional Notices of Decisions dated November 19, 2014 and January 18, 2017 and the LPAT Decisions dated March 21, 2019 and July 16, 2019.

LIST OF OFFICIAL PLAN AMENDMENTS

This revision of the consolidated Official Plan includes amendments to applicable text and maps, as approved by the Region of Waterloo or the Ontario Land Tribunal (formally OMB and LPAT), as follows:

OPA #	DESCRIPTION	REVISIONS	EFFECTIVE DATE
1	593 Strasburg Road	Map 5; Section 15.D.12.37	October 3, 2017
2	Breithaupt Block Phase 3	Maps 3, 5; Section 15.D.12.39	January 4, 2019
3	1940 Fischer Hallman Road	Maps 2, 3	October 11, 2018
4	1054 & 1070 Hidden Valley Road	Section 15.D.12.2 a) iv)	December 6, 2018
5	146 Trafalgar Avenue	Maps 3, 5; Section 15.D.12.47	May 7, 2019
6	Comprehensive Review of the Zoning By-law (CRoZBy) Project	Maps 2, 3, 4, 5; Sections 15.D.1, 15.D.2.37, 15.D.2.41, 15.D.2.59 c), 15.D.2.42-68, 15.D.4.22 b), 15.D.5.12, 15.D.5.16, 15.D.5.20 a), 15.D.8.5 d), 15.D.12.4 c), 15.D.12.30, 15.D.12.48	August 21, 2019
7	100 Seabrook Drive	Maps 2, 3, 5	August 13, 2019
8	City of Kitchener	Sections 3.C.1.11, 4, 4.C.1.6, 4.C.1.23, 4.C.1.24, 15.D.3.8, Schedule A	October 29, 2019
9	155-169 Borden Avenue North	Maps 3, 5; Section 15.D.12.51	December 9, 2020
10	Block Line & Courtland Avenue East	Maps 3, 5; Section 15.D.12.38	December 3, 2020
11	859-867 Frederick Street & 39 Avon Road	Maps 3, 5; Section 15.D.12.52	May 25, 2021
12	298 Lawrence Avenue	Map 5; Section 15.D.12.53	July 29, 2021
13	239 Eden Oak Trail	Map 3	October 14, 2021
14	120 Bullock Street	Maps 2, 3, 5	November 9, 2021
15	134-152 Shanley Street	Maps 3, 5; Section 15.D.12.18	May 11, 2022
16	276 King Street East	Map 4; Section 15.D.2.68	August 17, 2022
17	368-382 Ottawa Street South & 99-115 Pattandon Avenue	Maps 3, 5; Section 15.D.12.54	December 14, 2022
18	1593 & 1603 Higlhland Road West	Map 5; Section 15.D.12.55	June 30, 2022
19	4220 King Street East & 25 Sportsworld Crossing Road	Maps 3, 5; Section 15.D.12.57	April 19, 2023
20	142-146 Fergus Avenue	Maps 3, 5; Section 15.D.12.56	May 30, 2023

21	4396 King Street East & 25 Sportsworld Drive	Map 3, 5; Section 15.D.12.59	July 27, 2023
22	507 Frederick Street and 40 & 44 Becker Street	Map 3, 5; Section 15.D.12.58	August 16, 2023
23	265 Cotton Grass Street	Map 5; Section 15.D.12.61	June 21, 2023
24	7 Morrison Road	Map 5; Section 15.D.12.60	September 6, 2023
25	455-509 Mill Street	Maps 3, 5; Section 15.D.12.62	August 8, 2023
26	146-162 Victoria Street South & 92-110 Park Street	Map 4; Section 15.D.2.69	April 27, 2023
27	528-550 Lancaster Street West	Maps 3, 5; Section 15.D.12.64	October 25, 2023
28	1157 & 1175 Weber Street East	Maps 3, 5; Section 15.D.12.59	September 6, 2023
29	Implementation of Bill 13, 23 & 109	Sections 4.C.1.7, 4.C.1.8 a), 4.C.1.23, 4.C.1.24, 11.C.1.1, 11.C.1.6, 11.C.1.9, 11.C.1.30, 11.C.1.31, 11.C.1.32, 15.D.2.31, 15.D.12.2 a), 15.D.12.16, 17.E.2.18, 17.E.3.3, 17.E.3.5, 17.E.3.6, 17.E.3.7, 17.E.3.8, 17.E.3.9, 17.E.3.10, 17.E.10.1, 17.E.10.2, 17.E.10.3, 17.E.10.4 c),17.E.12.6, 17.E.12.7, 17.E.12.8, 17.E.20, 17.E.20.11, 17.E.22.1, 17.E.22.3, 17.E.22.9, Part F – Schedules A and B	August 23, 2023
30	Bleams Road & Gehl Place	Maps 3, 22e	August 7, 2024
31	263, 321- 325 Courtland Avenue East, 230 and 240 Palmer Avenue and 30 Vernon Avenue	Map 6	January 10, 2024
32	130-142 Victoria Street South	Map 5; Section 15.D.2.77	February 28, 2024
33	83-87 Weber Street East	Map 5; Section 15.D.2.79	March 13, 2024
34	City-wide Lodging House Review	Sections 4.C.1.32, 4.C.1.33, 4.C.1.34, 4.C.1.35, 4.C.1.36, Part F – Schedule A	October 3, 2024
35	Lower Doon Land Use Study Implementation	Maps 3, 5, 9; Sections 12.C.1.49, 15.D.12.26, 15.D.12.66	March 27, 2024
36	2934 King Street East	Map 5; Section 15.D.12.68	February 28, 2024
37	417 King Street West	Map 5; Section 15.D.12.78	March 13, 2024
39	2150 Bleams Road	Map 3	February 14, 2024
40	50 Thaler Avenue & 300 Kinzie Avenue	Maps 2, 3	February 16, 2024
41	20 Woolner Trail	Maps 3, 5; Section 15.D.12.67	April 4, 2024

43	404-430 New Dundee Road	Section 15.D.12.65	May 1, 2024
44	32-44 Windom Road	Map 5; Section 15.D.12.71	May 7, 2024
46	980 & 1018 Hidden Valley Road	Section 15.D.12.2. a) v)	May 15, 2024
47	Enabling Four Units	Section 4.C.1.23	May 28, 2024
48	Inclusionary Zoning	Sections 4.1.7, 4.C.1.43 to 4.C.1.56, 17.E.17; Schedules A and B	June 20, 2024
49	Growing Together - Protected Major Transit Station Areas	Maps 2, 3, 4, 5, 9; Sections 2.B.1, 3.C.2.12, 3.C.2.14 to 3.C.2.20, 3.C.2.48, Figure 6, 6.C.3.17, 11.C.1.34 to 11.C.1.37, 12.C.1.50 to 12.C.1.53, Figure 9, 15.D.2, 15.2.1 to 15.2.13, 15.D.2.1 to 15.D.2.77, 15.D.4.1, 15.D.4.13, 15.D.4.15, 15.D.4.17, 15.D.4.20 to 15.D.4.24, 15.D.12.28, 15.D.12.39, 15.D.12.54, 15.D.12.62, 15.D.12.69, 16.D.1.1 to 16.D.1.3, 17.E.6.7; Schedule A	June 20, 2024
50	Growing Together - Non-PMTSA Lands	Maps 2, 3, 5; Sections 15.D.12.18, 15.D.12.69, 15.D.12.70	July 24, 2024
51	236-264 Victoria Street North	Map 5; Section 15.D.12.72	June 19, 2024
53	135-161 Jackson Avenue & 136 Brentwood Avenue	Map 5; Section 15.D.12.73	June 25, 2024
54	15 Laurentian Drive	Map 3	July 3, 2024
55	2219 Ottawa Street South & 808 Trussler Road	Maps 2, 3, 5; Section 15.D.12.75	June 5, 2024
56	City-wide Rental Replacement Policies	Section 17.E.25.2, 17.E.25.3, 17.E.25.3 f)	August 22, 2024
57	1082 & 1094 Wilson Avenue	Maps 2, 3	November 27, 2024
61	288-292 Lawrence Avenue	Maps 2, 3	May 5, 2025
62	Growing Together East - Protected Major Transit Station Areas	Maps 3, 5, 9; Sections 11.C.1.35 d), 12.C.1.21, 12.C.1.25, 12.C.1.49, 13.C.4.20 b), 15.D.12.6, 15.D.12.19, 15.D.12.38, 15.D.12.57, 15.D.12.59, 15.D.12.81	November 19, 2025
63	44 and 50 Arlington Boulevard	Map 5; Section 15.D.12.82	May 26, 2025
64	Hidden Valley Land Use Master Plan Implementation	Maps 2, 3, 5, 6, 9, 11; Section 13.C.4.17, 13.C.4.18, 5.D.12.2 a), 15.D.12.2 b), 15.D.2.2.d), 15.D.2.2 e), 15.D.12.2 c)	May 26, 2025
65	Block 11 58M-711, Sandra Springs Subdivision, Lackner/Keewatin	Map 3	August 25, 2025

66	132 Fairway Road North	Map 5; Section 15.D.12.83	August 25, 2025
67	468 Trussler Road	Map 5; Section 15.D.12.24	August 25, 2025
72	Dundee Secondary Plan	Map 3; Section 16.D.1.4; Part F; Schedule F	June 29, 2026
73	50 Borden Avenue South	Maps 3, 12	June 29, 2026

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INTRODUCTION

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1.A.2 Plan Organization and Structure
1.A.3 Planning Framework
1.A.4 Planning Process
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PART A: INTRODUCTION

1.A.1 Purpose of Official Plan

In accordance with the provisions of the Planning Act, the *City* is required to prepare and update an official plan. The Official Plan is a legal document that contains goals, objectives and policies to manage and direct physical and land use change and their effects on the cultural, social, economic and natural environment within the *city*. This Plan provides a framework for decision-making and plays a number of essential roles in the future planning of the *city*. Specifically, the purposes of this Plan are:

1. To guide the growth and development of the *city* to the year 2031.

2. To establish an urban structure and land use framework for all land within the jurisdiction of the *City*.

3. To provide guidelines which the *City* can evaluate the appropriateness of *development* in relation to the goals, objectives and policies in this Plan.

4. To conform to *Provincial* and *Regional* plans, policies, statements and guidelines and appropriately incorporate them in the Official Plan.

1.A.2 Plan Organization and Structure

The Official Plan is organized and structured into six parts:

Part A, The Introduction, describes the Plan's purpose and intent, the structure, and the context, effect and duration of the Plan.

Part B, Vision, Guiding Principles and Goals for a Complete & Healthy Kitchener identifies the *City's* Vision and outlines the goals and guiding principles that are used in formulating the policies of this Plan.

Part C, The General Policies for a Complete & Healthy Kitchener, contains general objectives and policies to direct growth and *development* decisions in the *city*. It consists of policies governing all aspects of community growth and *development*, community services, movement of goods and people, conservation and protection of the cultural and natural environment, and the preservation of agricultural resources. It also includes population and employment forecasts and *density* and *residential intensification targets*.

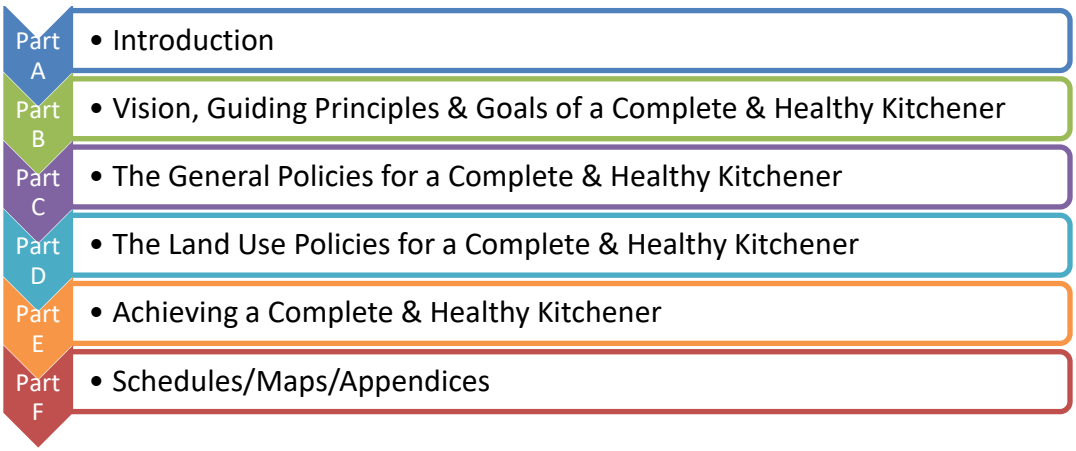
Part D, The Land Use Policies for a Complete & Healthy Kitchener, establishes the land use designations used in the Plan and specifies the type, scale and form of *development* and range of uses appropriate for each land use designation.

Part E, The Implementation Policies for Achieving a Complete & Healthy Kitchener, describes the *development* review processes and planning tools that the *City* will utilize to implement the vision, goals and policies of the Plan. In addition, Part E identifies strategies that will be used in managing, monitoring and reviewing the Plan.

Part F, The Schedules/Maps/Appendices, consists of a number of schedules and a glossary of terms.

There is no implied priority in the order in which the policies appear.

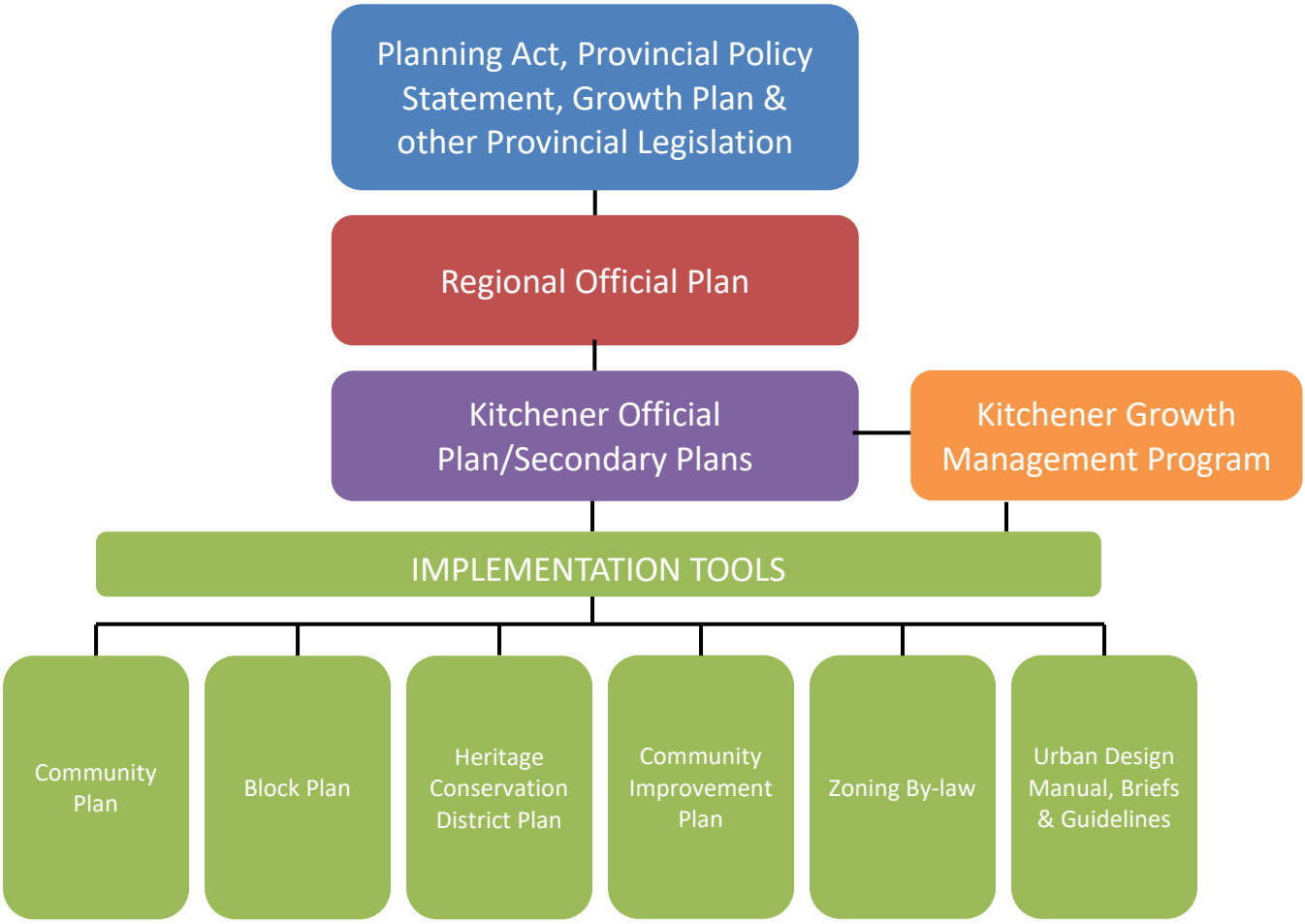
Figure 1: Organization of the Plan



1.A.3 Planning Framework

This Plan incorporates the policy and regulatory framework established by the *Province*, as outlined in the Provincial Policy Statement, Growth Plan for the Greater Golden Horseshoe (Growth Plan) and other *Provincial* legislation. This plan also incorporates policies established by the *Region* as provided in the Regional Official Plan. Within this framework, this Plan contains goals, objectives and policies that reflect the *city's* unique local needs and circumstances. Further, a series of plans and by-laws will be prepared to provide more detailed direction pertaining to growth and *development* in specific areas of the *city*, indicating the manner in which the goals, objectives, policies and land use designations of the Official Plan and Secondary Plans will be implemented. These plans and by-laws include Community and Block Plans, *Heritage Conservation District Plans*, *Community Improvement Plan*s and the *Zoning By-law*. Within the hierarchy of Plans, the Official Plan must conform to the Regional Official Plan while all the other plans and by-laws must conform to the Official Plan. Like the Regional Official Plan and the City of Kitchener Official Plan, all other plans within the hierarchy generally address the physical, social, cultural and economic aspects of the area for which they are prepared.

Figure 2: Regulatory Framework



1.A.4 Planning Process

This Plan provides a framework to guide decision-making in the planning process. An objective of the planning process is to ensure that it is a comprehensive, collaborative and collective process that is innovative, progressive and responsive and is based on effective communication and responsible public input. Accordingly, the *City* will provide opportunities for residents, property owners and stakeholders to become involved and participate in the planning process related to the implementation of this Plan. Additionally, the *city* will be planned and developed based on accountable decision making, with decisions being made from the perspective of what is best for the community and the public good as a whole.

1.A.5 Planning Context

KITCHENER TODAY is the largest municipality in Waterloo Region, with a population of approximately 224,000 people. Since Kitchener's early beginnings as an urban area, our once primarily German and Mennonite population has grown and diversified into a multi-cultural community.

Kitchener is unique with the presence of the Grand River, a Canadian Heritage River, running along the northeast side of the *city* and meandering through the southeast portion. The existence of major highways and arterials with close proximity to Highway 401 and a well-developed urban expressway, the Conestoga Parkway, offer an excellent transportation system. Our *city* has many *cultural heritage resources* that provide unique tourism and learning opportunities and contribute to our distinctive character. We have a well-developed open space system with various trails, natural and recreational parks dispersed throughout our *city* including one of our oldest parks, Victoria Park, which graces our downtown with its beauty and supports a full range of cultural and recreational functions.

Kitchener's industrial heritage has changed with many of our manufacturing industries growing and diversifying to provide our community with a new balanced industrial and economic base. New educational and knowledge sectors including health sciences and digital media have emerged in our community, particularly in our downtown core.

The commercial structure and function of our downtown has changed from its early beginnings and today our downtown primarily provides a service function and accommodates many of the *region's* socially supportive services and other government administrative offices. Our downtown and *city* as a whole has evolved into a *regional* centre for cultural, *arts* and entertainment opportunities.

Since 1917 the *City* has recognized the importance of planning for growth and has been a leader in the preparation of plans and documents that have helped shaped the community we live in today.

KITCHENER TOMORROW will continue to be the largest municipality in Waterloo *Region* with a population of greater than 300,000 by 2031. We will be a healthy and thriving *City* and will be more *walkable*, more *transit-supportive* and ultimately more 'urban' and residents will enjoy a high quality of life. Our *city* will celebrate creativity in design and support diversity in urban form. We will continue to strive for balanced growth with an ever increasing emphasis on *intensification*, particularly in our Urban Growth Centre (Downtown), Protected Major Transit Station Areas, nodes and corridors, which maximizes the use of our existing *infrastructure* and services.
We will build upon our inclusive, collaborative and comprehensive planning process to create and maintain an attractive, healthy, safe and *complete community* where residents will have convenient access by various modes of travel to employment, institutional, educational, commercial opportunities and cultural and recreational amenities. We will accommodate people at all stages of life and have a diverse mix of land uses, a range and mix of employment and housing types and high quality public spaces.

New *development* and *intensification* in our *city* will be compact, efficient, and vibrant, incorporate a high standard of quality urban design, and optimize the use of existing and new *infrastructure*. New growth will add value to our community with new people, employment, *retail* and recreational

opportunities, contribute to an integrated transportation system with convenient and complimentary choices for its residents and create a *sense of place*.

Kitchener will be a recognized centre of investment in Waterloo *Region* and will continue to support its balanced employment base. The business parks and industrial areas will be strong but flexible enough to embrace positive change to help Kitchener remain resilient, competitive and vibrant in our global economy. The *City* will embrace new and creative employment opportunities in strategic locations connected with the *region*'s central transit corridor.

We will aspire to build upon our open space system to provide residents with an interconnected and continuous *multi-use pathway* network and recreational areas while conserving and protecting our *natural heritage features*. Creating green space in our neighbourhoods for passive and active recreation uses will be a priority as we look to enhance Kitchener's environment, health and social well-being. We will seek to maximize opportunities for public access to the Grand River to enable its recreational potential to be realized.

Our downtown will serve as a major employment centre that will be a focal area for *region*-wide public services as well as commercial, recreational, *arts* and *cultural* and entertainment uses. It will grow and provide a unique opportunity for neighbourhood living as we look to increase housing in close proximity to transportation systems, employment opportunities and cultural and recreational amenities.

The Kitchener of the past will continue to be reflected in our present as we look to *conserve* the many historical and culturally *significant* features of our past. We will support the continued *conservation* of our historical roots to provide a unique *sense of place* and pride for our residents. We will also continue to conserve and protect our water, energy and air resources to support the Kitchener of tomorrow.

With innovative growth management strategies, planning policies and active and responsible public participation in an inclusive and collaborative planning process, together we will continue to guide the healthy growth of our changing *city* to the year 2031. This Official Plan will shape the Kitchener of tomorrow.

Part B

VISION, GUIDING PRINCIPLES AND GOALS OF A COMPLETE & HEALTHY KITCHENER

2.B.1 Vision

2.B.2 Accommodating and Managing Growth

2.B.3 Guiding Principles

2.B.4 Goals

PART B: VISION OF A COMPLETE AND HEALTHY KITCHENER

This Plan provides the long term land use vision for Kitchener. The vision is further articulated and implemented through the guiding principles, goals, objectives, and policies which are set out in the Plan.

2.B.1 Vision

Together we will build an innovative, vibrant, attractive, safe, complete and healthy community contributing to an exceptional quality of life.

Complete Community

A *complete community* creates and provides access to a mix of land uses including, a full range and mix of housing, including affordable housing, recreation, commerce, community and *cultural facilities*, health care facilities, employment, parks and open spaces distributed and connected in a coherent and efficient manner. A *complete community* also supports the use of public transit and *active transportation*, enabling residents to meet most of their daily needs within a short distance of their homes.

Kitchener will be planned as a *complete community* that creates opportunities for all people to live, work and interact within close proximity. Planning for a *complete community* will aid in reducing the cost of *infrastructure* and servicing, encourage the use of public transit and active modes of transportation, promote social interaction, and foster a sense of community.

Healthy Community

A healthy community provides access to clean air and water, nutritious food, a variety of employment opportunities, and safe and socially vibrant neighbourhoods. A healthy community also promotes human health and active lifestyles by providing access to *community infrastructure*, *active transportation*, parks and open space.

Kitchener will be planned as a healthy community that allows for the provision of the basic needs for all of its residents, creates and maintains strong and positive relationships within and outside the community, and offers an overall high quality of life. Planning for a healthy community will create a place where social and cultural differences are welcomed and will be a place where everyone feels a *sense of place* and belonging.

A Vision for Downtown (DTK)

Kitchener's Downtown has historically been known by its four design districts. The Innovation District, focused along Victoria Street, features the adaptive reuse of historical buildings and continues to evolve into a contemporary urban mixed-use neighbourhood with a focus on high-density residential with high-tech and health science offices. The Civic District, planned through a mid-century district plan as a centre for civic and cultural institutions, continues to evolve, maintaining its status as an arts and culture hub but adding a broader mix of uses that will help create a more complete community in and around it. The Market District is focused around the Kitchener Market mixed-use development and features a variety of building forms with unique opportunities for a market-related mix of uses such as along Market Lane and Moyer Place. The

City Centre District is the heart of urban life within the core of downtown Kitchener. Shops, services, events, and celebrations are focused along King Street and supported by Gaukel Street, Ontario Street and Queen Street. This includes the intersection of King Street and Queen Street as “The Royal Crossroads” – the historical nexus of old Berlin.

In 2023, through a city-initiated project, a community-led working group developed a vision and series of principles to guide the future of downtown Kitchener. The vision and principles are centered on radiating vibrancy, cultivating connection and belonging.

Radiating Vibrancy

DTK pulses with a positive energy that makes it feel alive – from workdays to date nights and every moment in between. It’s not just about lively programming; it’s about people, places and spaces that hum with purpose. In DTK, sustainable streetscapes blend familiar landmarks with deliberate new designs. Independent shops and restaurants flourish alongside well-known brands in DTK. It’s the place where world-class cultural institutions leave lasting impressions. Its where innovation takes root. It’s where learning never stops, work feels welcoming and creativity flows naturally. At its core, DTK is more than a desirable destination It’s an unmistakable feeling that even if something awesome isn’t happening right this minute, it’s just around the corner.

Cultivating Connection

In DTK, people routinely bump into someone they know well or someone they’d like to get to know better. From solo excursions to group events, DTK fuels shared experiences that leave a lasting impression. DTK prioritizes pedestrians while making sure smart transportation choices abound. It’s the place where accessibility is never an add-on but baked in from the start. In DTK, everyone can easily get where they need to go, within and beyond the core. DTK is the place to recall fond memories and make new ones. It’s where planning draws from rich roots to fortify the future. It’s where creating thoughtful public spaces is at the forefront, not an afterthought. It’s where being green isn’t a talk track, it’s a natural choice. It’s the place where people form those magnetic bonds that keep drawing them back to the heart of the city.

Belonging

People feel seen in DTK. The Downtown community respects and accepts every person for who they are. DTK provides the comforting feeling that they are meant to be here. Whether simply passing time or on a mission to get things done, DTK makes it easy for people to find support for their goals and acknowledgement of their progress. Working and living in DTK is not an either/or proposition. Housing is deliberately designed for the diverse majority, not the privileged few. DTK embraces a mix of residents who seek security and take care of their neighbours.

2.B.2 Accommodating and Managing Growth

Since the adoption of the 1994 City of Kitchener's Municipal Plan, Waterloo Region and Kitchener have experienced significant growth. The *region* has been identified as one of the fastest growing areas in Canada. This trend is expected to continue throughout the planning horizon of this Plan.

The population and employment forecasts contained in this Plan are allocated to the *City* by the *Region*. This Plan provides a comprehensive framework to direct and manage growth to 2031 based on the population and employment forecasts identified in Table 1. Further, this Plan makes the connection between growth, land use planning, transportation, *infrastructure*, parks and *community infrastructure*, finance and the community.

Table 1: City Population and Employment Forecasts

	2006	**2031**
Population (Residents)	**214,500**	**319,500**
Employment (Jobs)	**99,380**	**132,500**

1. Population figures in this table show "census-based population plus 4% under coverage." As such, it does not include university and college students who temporarily reside in the City (either in student residences or other accommodation) to study at post-secondary institutions.

2. All population and employment numbers in this table represent mid-year figures.

3. The above figures are intended to be forecasts. The amount or timing of development of lands within the Urban Area boundary is not to be restricted on the basis that the forecasts in Table 1 could be exceeded. This statement is not intended to restrict or otherwise prevent the City from implementing staging/phasing policies for purposes unrelated to the forecasts in Table 1, consistent with this Official Plan and the policies contained therein.

When, where and how this forecasted population and employment growth will be accommodated and managed will influence the success of achieving the vision for Kitchener to be a complete and healthy community. Land and i*nfrastructure* within the *city* must be used efficiently to ensure that forecasted growth can be accommodated.

This Plan sets out a balanced Urban Structure for the *city* and provides policies for guiding and directing growth and development within this Structure. Accordingly, the Plan strategically identifies key locations throughout the *city* as appropriate places to direct the majority of forecasted growth and provide for *intensification* of varying magnitudes and make efficient use of land and *infrastructure*. High frequency transit, *transit-supportive* and *transit-oriented development* will be necessary to support *intensification*. Further this Plan preserves the *city's* natural heritage areas by directing growth away from these areas, maintains the character of existing established neighbourhoods and protects employment lands in order to promote long term economic vitality.

The subsequent goals, objectives and policies in this Plan further articulate the *City's* requirement to plan and manage growth wisely.

2.B.3 Guiding Principles

Kitchener will continue to grow and evolve into a complete and healthy community to the year 2031. To do so, this Plan provides a framework for comprehensive, integrated, place-based and long-term planning to guide decision making. Accordingly, land use planning decisions, including how we decide land should be developed, how growth should occur and where and how resources are conserved and managed, will be guided by the following seven principles.

1. Build a compact, vibrant, complete and healthy community.

2. Plan and manage growth to support a strong and competitive economy in Waterloo *Region* and in Kitchener.

3. Protect, conserve, enhance and wisely use our valuable land, air and water resources.

4. Optimize the use of existing and new *infrastructure* to support the growth of our *city* in a compact and efficient form.

5. Utilize the Kitchener Growth Management Program to effectively manage the growth of our *city*.

6. Promote innovation, creativity and collaboration among all sectors and levels of government, public, private and not for profit organizations and our residents in order to achieve our community vision.

7. Create places and programs to recognize and celebrate our *culture* and diversity

2.B.4 Goals

It is intended that the policies of this Plan will provide an environment than can help enhance the quality of life of the residents of Kitchener. This Plan provides a framework for the creation and maintenance of a safe and healthy urban environment within which opportunities are provided for people to satisfy their social, economic, cultural and physical needs and for maintaining and conserving the integrity of the natural and cultural heritage. Within this context, the *City* is committed to creating a complete and healthy community through the promotion of a *compact urban form*, efficient and effective delivery of services, employment opportunities, environmental conservation, the provision of *arts* and *culture*, and the protection and promotion of cultural diversity.

The policies in this Plan will be based on the following nine goals. These goals will support and guide the development of the Kitchener of tomorrow and contribute to achieving the vision for a complete and healthy community. The policies in this Plan and the decisions we make will support our ability to achieve the goals of this Plan. Kitchener will be planned so as to achieve the nine goals provided in Figure 3 below.

Figure 3: Nine Goals for Achieving a Complete and Healthy Community

Part C

GENERAL POLICIES FOR A COMPLETE & HEALTHY KITCHENER

Section 3: Kitchener Structure
Section 4: Housing
Section 5: Economy
Section 6: Public Health and Safety
Section 7: Natural Heritage & Environmental Management
Section 8: Parks, Open Space, Urban Forests and Community Facilities
Section 9: Aggregates
Section 10: Arts and Culture
Section 11: Urban Design
Section 12: Cultural Heritage Resources
Section 13: Integrated Transportation System
Section 14: Servicing and Utilities

PART C: THE GENERAL POLICIES FOR A COMPLETE & HEALTHY KITCHENER

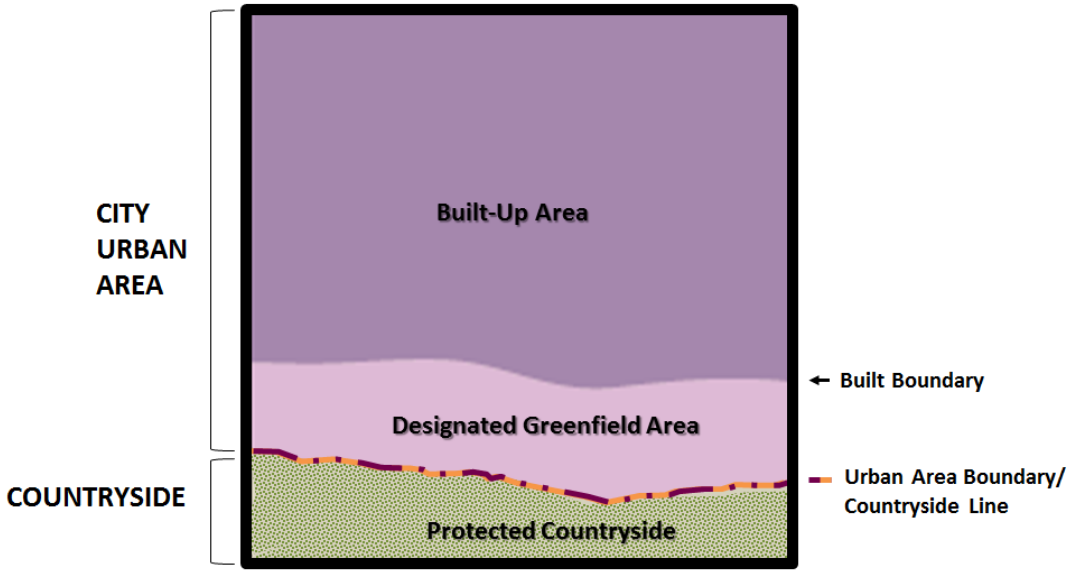
The polices in this Part of the Plan will support the *City's* overall vision, guiding principles and goals in Section 2 as our *city* continues to grow and develop as a complete and healthy community. Accordingly, this Part of the Plan outlines objectives and policies that will be used by the *City* to direct and manage growth and development to create an aesthetically pleasing community in which its residents can live, work, play, learn and move around easily and in harmony with the environment. Part C also includes objectives and policies that will promote *conservation* and protection of the cultural and natural environment, and the preservation of agricultural resources. Overall, the objectives and policies strive to improve the quality of life for the residents of Kitchener.

SECTION 3: KITCHENER STRUCTURE

3.C.1. City's Urban Area and Countryside

The forecasted population and employment growth is to be accommodated within the City's Urban Area which consists of the Built-Up Area and the Designated Greenfield Area which are designated in the Regional Official Plan. The locations of these areas are shown on Map 1 and are conceptually illustrated in Figure 4. The policies of this Plan regarding development and related matters within these areas must conform to *Provincial* and *Regional* plans.

Figure 4: Conceptual Illustration of City's Urban Area and Countryside



Directing growth to the Built-Up Area will make efficient use of land, existing physical *infrastructure*, transit, and *community infrastructure*. Accordingly, a significant portion of growth will be directed to the Built-Up Area and a certain percentage of residential growth will be required to occur within the Built-Up Area each year. Much of the Built-Up Area consists of established residential neighbourhoods where significant development is not expected during the planning horizon of this Plan. While such residential areas are regarded as stable, that does not mean they are static. These residential areas may see some physical change over time. Development within or adjacent to these neighbourhoods will be *compatible* with and respectful of the existing *built form* and character of the area.

Although much growth will be accommodated within the Built-Up Area, the Designated Greenfield Area is also an important location for planned growth. Development in these areas will contribute to a healthy, complete and balanced community. Generally, new development in this area will be planned and designed based on transit routes (existing and planned) and *walkability*.

Intensification Areas have been identified throughout the *city* in both the Built-Up Area and the Designated Greenfield Area as key locations to accommodate the majority of development or *redevelopment* at high densities and for a variety of land uses.

The countryside is made up of many unique and valuable natural resources and features, including agricultural lands, *woodlands*, mineral aggregate deposits and groundwater recharge areas. These assets contribute to the community's quality of life. The policies in this Plan seek to protect and conserve the countryside for the continued use of the lands for agricultural, environmental and other appropriate rural uses.

3.1.1. To contain growth in the City's Urban Area and plan for appropriate locations to accommodate growth both in the Built-Up Area and in the Designated Greenfield Area.

3.1.2. To meet or, when feasible, exceed *Provincial* and *Regional* minimum *density* targets and *residential intensification targets*.

3.1.3. To locate *mixed uses* and medium to high density uses in appropriate locations within the Designated Greenfield Area.

3.1.4. To protect the countryside from urbanization.

Policies

City's Urban Area

3.C.1.1. The City's Urban Area is designated in the Regional Official Plan and is shown on Map 1. The land within the Urban Area Boundary, the City's Urban Area, is comprised of designated urban land intended to accommodate the *City's* growth within the planning horizon of this Plan. Lands within this area are already serviced, or are intended to be serviced, with major roads, transit and sewer and water services in accordance with the policies of this Plan.

3.C.1.2. The City's Urban Area is comprised of two sub-areas: the Built-Up Area within the Built Boundary; and the Designated Greenfield Area. *Intensification Areas* may be located in the Built-Up Area and the Designated Greenfield Area.

3.C.1.3. Expansions of the City's Urban Area will not be permitted onto lands designated *Regional Recharge Areas* or into the Protected Countryside.

Built Boundary and Built-Up Area

3.C.1.4. The Built Boundary is designated in the Regional Official Plan and is shown on Map 1. The Built Boundary represents the limits of development within the Built-Up Area as of June 16, 2006. This boundary was established by the *Province* and will remain fixed in place for the purpose of monitoring the *residential intensification target* and any other targets of this Plan.

3.C.1.5. New residential *development* occurring within the Built-Up Area (inside the Built Boundary) will be counted towards the achievement of the *Region's* minimum annual *residential intensification target* of 45 percent. This target applies in 2016 and each year thereafter to the Region of Waterloo as a whole, and will be measured by the *Region* on average across the entire Built-Up Area designated in the Regional Official Plan.

3.C.1.6. The *City* will contribute to achieving the Region's minimum annual *residential intensification target* noted in Policy 3.C.1.5 by planning to achieve the five-year average *residential intensification targets* shown in Table 2. In addition to these average targets, the City will also plan to achieve, by 2016 and each year thereafter, a minimum annual *residential intensification target* of 50 percent within the City.

Def. No. 11

Table 2: Five-Year Average Residential Intensification Targets

Time Frame (Calendar year runs from June 17th to June 16 of next year)	Intensification Target (Average over a 5-year interval within the entire Built-Up Area)
2016-2021	50%
2021-2026	55%
2026-2031	60%

3.C.1.7. *Residential intensification targets* established in Policy 3.C.1.5 will be measured and monitored annually through the Kitchener Growth Management Program in accordance with Section 17.E.5.

3.C.1.8. The achievement of the minimum *residential intensification target* in Kitchener will be considered using an average over a 5 year interval starting June 16th of the first calendar year and ending June 15th of the last calendar year.

Def. No. 12

3.C.1.9. The relative priority for development approvals outlined in the Kitchener Growth Management Program may be adjusted depending upon the extent to which the City is achieving the minimum residential intensification targets outlined in Policy 3.C.1.5, including consideration of averaging the intensification targets over a five-year interval.

3.C.1.10. The majority of residential growth in the Built-Up Area will occur within *Intensification Areas*.

3.C.1.11. Smaller scale, site-specific *intensification* opportunities and additional *dwelling units*, attached, may be permitted throughout the Built-Up Area in accordance with the land use policies in Section 15.

3.C.1.12. The *City* will also encourage the *intensification* of non-residential uses to assist in accommodating the *City's* forecasted employment growth.

Designated Greenfield Areas

3.C.1.13. Kitchener's Designated Greenfield Areas are those lands that are located within the Urban Area Boundary of the City of Kitchener that are not part of the Built-Up Area. They are designated in the Regional Official Plan and are shown on Map 1. *Provincial* and *Regional* Plans have established a minimum *density* target for Designated Greenfield Areas.

3.C.1.14. The City will contribute to meeting the Region of Waterloo's minimum density target of 50 residents and jobs combined per hectare for the entire Designated Greenfield Area shown in the Regional Official Plan, by ensuring that Kitchener's Designated Greenfield Area is planned and developed to achieve the following density targets:

a) areas serving primarily a residential function will meet or exceed a minimum average density of 55 residents and jobs combined per hectare on not subject to a plan of subdivision application as of June 16, 2006; and

b) areas serving primarily an employment function will meet or exceed a minimum average density of 40.

3.C.1.15. The achievement of the average density targets, as indicated in Policy 3.C.1.14, will be accomplished by the following:

a) the distribution of density targets for development in specific Planning Communities or for specific parcels of land will be evaluated and adjusted in accordance with the Kitchener Growth Management Program;

b) secondary plans, development applications and a range of land use designations within the Designated Greenfield Area; and

c) continual monitoring to ensure conformity with the density targets through the development application approvals process and the Kitchener Growth Management Program.

3.C.1.16. The *City* will identify and designate locations for *mixed use* and *density* near and along existing and planned *transit corridors*, and within nodes to assist in achieving the *density* target for the Designated Greenfield Area.

3.C.1.17. Numerical targets in Policy 3.C.1.14**Error! Reference source not found.** are not the only consideration for *development* in the Designated Greenfield Area. Natural and cultural heritage conservation, design and other objectives and policies outlined in the Regional Official Plan, and in this Plan will also be given consideration.

Protected Countryside and Countryside Line

3.C.1.18. Further to Policy 3.C.1.14, the following provisions will apply to the lands noted below in Kitchener's Designated Greenfield Area:

a) for those lands added to Kitchener's Designated Greenfield Area by the final approval of the Regional Official Plan, save and except for those lands immediately to the west of Gehl Place to which this policy does not apply, *development applications* will be considered as premature for processing prior to June 30, 2019 in order to facilitate the initiation of one or more comprehensive planning exercises for such lands. Comprehensive planning will be required for all such lands, and the City shall not initiate or adopt any background studies (save and except for

subwatershed studies) or amendments to this Plan to establish land use designations for such lands prior to June 30, 2019. The comprehensive planning exercises will commence in late 2019 and will take approximately 30 months to complete. The comprehensive planning of such lands will be in priority to comprehensive planning for any lands subsequently brought into the City's Urban Area, and *development applications* for lands subsequently brought into the City's Urban Area will be considered as premature for processing until the comprehensive planning is complete for the lands added to the Kitchener's Designated Greenfield Area by the Ontario Municipal Board of the Regional Official Plan as noted above; and

b) notwithstanding Policy 3.C.1.18 a) above, for the two hectares of land located on the southwest corner of Huron Road and Fischer-Hallman Road added to Kitchener's Designated Greenfield Area by the Ontario Municipal Board of the Regional Official Plan (Case No. PL 110080), *development applications* will be considered as premature for processing prior to January 1, 2020, and the City shall not initiate or adopt any amendments to this Plan to establish land use designations for such lands prior to January 1, 2020.

3.C.1.19. The Countryside Line is designated in the Regional Official Plan and is shown on Map 1. The Countryside Line represents the long-term boundary between the City's Urban Area and the countryside. Although the lands located between the Countryside Line and the City's current Urban Area boundary are not required to accommodate any forecasted growth in population or employment within the planning horizon of this Plan, any future expansions of the City's Urban Area will only be permitted onto lands within the Countryside Line in accordance with the policies of the Regional Official Plan.

3.C.1.20. The Protected Countryside is designated in the Regional Official Plan and is shown on Map 1. This designation identifies a broad band of environmental features, groundwater recharge areas and productive agricultural lands that are intended to be permanently protected from future urban development. Where the Countryside Line coincides with the Protected Countryside designation, the Countryside Line will be considered a permanent boundary. Land within the Protected Countryside will be designated as Prime Agriculture or Rural.

3.C.1.21. Notwithstanding Policies 3.C.1.19 and 3.C.1.20, within the Southwest Kitchener Policy Area shown on Map 1, the final location of the Countryside Line and the Protected Countryside has yet to be determined in the Regional Official Plan. The final location of the Countryside Line and the Protected Countryside as it applies to the lands within the Southwest Kitchener Policy Area will be determined through the next *municipal comprehensive review* of the Regional Official Plan to be undertaken by the Region not later than 2019. The final location of the Countryside Line and the Protected Countryside as it applies to the Southwest Kitchener Policy Area will be implemented through a future amendment to this Plan. Until such time as the final location of the Countryside Line and Protected Countryside in southwest Kitchener has been determined, all lands within the Southwest Kitchener Policy Area will be

considered as developable for the purpose of *infrastructure* planning, including any *infrastructure* master plan updates undertaken by the City or the Region.

3.C.1.22 Notwithstanding Policy 3.C.1.20, the lands identified as Policy Area 3.C.1.22 on Map 1 may be used for the development of a municipal park (active or passive), athletic/community centre and associated facilities. The City will determine the extent of the municipal park use through the preparation of a master plan for the lands.

3.C.2. Urban Structure

Preamble

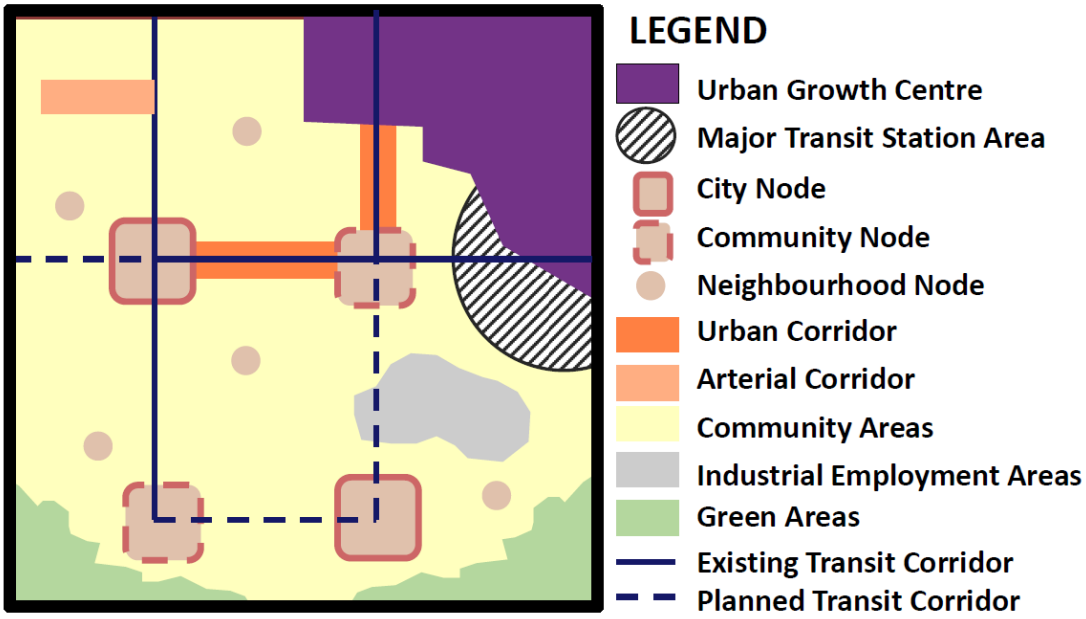
This Section of the Plan identifies Urban Structure Components that provide guidance on growth management and structure for the City's Urban Area. Understanding the organization of the *city* on a macro level is necessary for directing growth to appropriate locations while protecting established and stable areas.

The Urban Structure is composed of *Intensification Areas* which include the Urban Growth Centre (Downtown), Protected Major Transit Station Areas, City Nodes, Community Nodes, Neigbourhood Nodes, Urban Corridors and Arterial Corridors. They are connected by *transit corridors* and the integrated transportation system which are key elements in shaping growth and *built form*. As *Intensification Areas*, these areas are generally intended to provide for a broad range and mix of uses in an area of higher *density* and activity than surrounding areas.

The *City's Intensification Areas* are identified in a hierarchical manner. The hierarchy is intended to establish priority areas for *intensification*. These *intensification areas* serve different *city*, community and neighbourhood scaled *planned functions* and may be different in terms of character, scale, function, and potential to accommodate growth.

The Urban Structure also identifies Community Areas, *Industrial Employment Areas* and Green Areas that are not intended to experience major changes. The components of the Urban Structure are conceptually illustrated in Figure 5 below.

Figure 5: Conceptual Illustration of Urban Structure Components



Objectives

3.2.1. To create and maintain an urban structure for the *city* that will provide the foundation for a complete and healthy community.

3.2.2. To provide a range and mix of housing, including affordable housing, employment, service, amenity and transportation options distributed and connected in a coherent and efficient manner.

3.2.3. To establish a hierarchy of *Intensification Areas* in which to direct and accommodate population and employment growth and provide for *intensification* of varying magnitudes and range of uses.

3.2.4. To achieve higher densities in the *Intensification Areas* than in surrounding areas and to locate higher densities within *walkable* proximity of transit stop locations.

3.2.5. To maintain a *compatible* interface between *Intensification Areas* and surrounding areas and achieve an appropriate transition of *built form*.

3.2.6. To protect and conserve Green Areas for environmental and recreational purposes.

3.2.7. To maintain the stability of Community Areas for residential purposes and related *community infrastructure*.

3.2.8. To protect and preserve the *city's Industrial Employment Areas* for current and future employment uses.

Policies

3.C.2.1. The lands within Urban Structure Components will be designated an appropriate land use to achieve their planned function. The policies pertaining to each Urban Structure Component stipulate what the applicable land use designations may include. Notwithstanding these policies, Secondary Plans may contain a more detailed classification of land use than that of this Plan and will be deemed to comply to the applicable policies where the land use designation within the Secondary Plan achieves the *planned function* of the Urban Structure Component that the lands are located within.

3.C.2.2. The *City* will generally not support changes in land use designation and zoning within Urban Structure Components that could reduce the planned *density* and/or compromise the *planned function* or intended *built form* of *Intensification Areas* unless the *City* is satisfied that the change in land use designation and/or zoning will achieve other goals and objectives of this Plan.

Intensification Areas

3.C.2.3. The *city's* Primary *Intensification Areas* include the Urban Growth Centre (Downtown), Protected Major Transit Station Areas, City Nodes, Community Nodes, and Urban Corridors.

3.C.2.4. Secondary *Intensification Areas* may experience *intensification* at a smaller-scale and include Neighbourhood Nodes, Arterial Corridors and other site-specific opportunities. Such *intensification* may be permitted provided that the *planned function* of the structure component is not compromised.

3.C.2.5. The addition of new Primary *Intensification Areas* will only be considered during a *comprehensive review* of this Plan.

3.C.2.6. The *City* will only consider expansions to *Intensification Areas* identified on Map 2 as follows:

a) Primary *Intensification Areas* may be permitted to expand by way of amendment to this Plan where the *City* is satisfied, through the review of a *Planning Justification Study*, that the expansion and additional *intensification* is warranted, desirable and appropriate, subject to the following criteria:

i) the lands are located on a high frequency existing or planned *transit corridor*;

ii) the lands will contribute to the *planned function* of the *Intensification Area*;

iii) the expansion will help achieve *intensification* targets and *density* targets;

iv) the expansion to accommodate the additional lands is *compatible* with *adjacent* properties and the surrounding area.

b) Secondary *Intensification Areas* may be permitted to expand by way of amendment to this Plan where the *City* is satisfied, through the review of a *Planning Justification Study*, that the expansion and additional *intensification* is warranted, desirable and appropriate.

3.C.2.7. Locations meeting the criteria for Reurbanization Corridors and Major Local Nodes in accordance with the Regional Official Plan are located within Protected Major Transit Station Areas or have been identified as City Nodes. Accordingly, Reurbanization Corridors and Major Local Nodes are not identified in this Plan.

3.C.2.8. The *City* may, if and where applicable, identify a Reurbanization Corridor and/or Major Local Node in accordance with the Regional Official Plan and in consultation with the *Region* through amendment to this Plan. Through such amendment, the *City* will apply policies and appropriate land use designations to ensure that development and/or *redevelopment* within these areas are in conformity with the Regional Official Plan and the policies of this Plan.

3.C.2.9. A high level of urban design will be expected of all new *development* and *redevelopment* within all primary *Intensification Areas*. In accordance with Section 11, the *City* may impose appropriate urban design requirements affecting, but not limited to, site landscaping, the massing and placement of buildings and the provision of cycling and *pedestrian* facilities.

3.C.2.10. The *intensification* and *development* of *mixed use* and commercial lands within *Intensification Areas* will be the primary means of accommodating additional commercial development to meet future growth needs.

3.C.2.11. The *City* will discourage a reduction in the lot area of property if the reduction in lot area has the potential to compromise *intensification*. Consolidation of properties will be encouraged in the interest of comprehensive planning to achieve better site configuration, the provision of amenities and land use and design efficiency.

Urban Growth Centre (Downtown)

3.C.2.12. The Urban Growth Centre (Downtown) is a primary Urban Structure Component and *Intensification Area*. The *planned function* of the Urban Growth Centre (Downtown) is to accommodate a significant share of the *region's* and *city's* future population and employment growth.

3.C.2.13. The Urban Growth Centre (Downtown) is planned to achieve, by 2031 or earlier, a minimum *density* of 225 residents and jobs combined per hectare and assist in achieving the minimum *residential intensification target* identified in Policy 3.C.1.6.

3.C.2.14. The Urban Growth Centre (Downtown) is planned to be a vibrant *regional* and *city*-wide focal point and destination and is intended to be a primary focal point for *residential intensification* as well as for investment in institutional and region-wide public services, commercial, office, recreational, cultural and entertainment uses.

3.C.2.15. The predominant land use designations as detailed in Section **Error! Reference source not found.** will include Strategic Growth Area A, Strategic Growth Area B, and Strategic Growth Area C.

Protected Major Transit Station Area

3.C.2.16. Protected Major Transit Station Areas are delineated in the Regional Official Plan and are identified on Map 2 and Map 4. Major Transit Station Areas are Protected Major Transit Station Areas in accordance with Section 16(16) of the Planning Act.

3.C.2.17. The *planned function* of Protected Major Transit Station Areas, in order to support transit and *rapid transit,* is to:

a) provide a focus for accommodating growth through development to support existing and planned transit and *rapid transit* service levels;

b) provide connectivity of various modes of transportation to the transit system;

c) achieve a mix of residential, office (including *major office*), institutional (including *major institutional*) and commercial development (including *retail commercial centres*), wherever appropriate; and,

d) have streetscapes and a *built form* that is pedestrian-friendly and transit-oriented.

Policies a) through d) above should not be interpreted to mean that every property located within a Protected Major Transit Station Area is necessarily appropriate for major intensification.

3.C.2.18. The following Protected Major Transit Station Areas shall be planned to achieve the following minimum densities:

a) Grand River Hospital Station: 160 residents and jobs combined per hectare;

b) Central Station: 160 residents and jobs combined per hectare;

c) Victoria Park and Kitchener City Hall Station: 160 residents and jobs combined per hectare;

d) Queen and Frederick Station: 160 residents and jobs combined per hectare;

e) Kitchener Market Station: 160 residents and jobs combined per hectare;

f) Borden Station: 160 residents and jobs combined per hectare;

g) Mill Station: 160 residents and jobs combined per hectare;

h) Block Line Station: 80 residents and jobs combined per hectare;

i) Fairway Station: 160 residents and jobs combined per hectare; and,

j) Sportsworld Station: 160 residents and jobs combined per hectare.

3.C.2.19. The *City*, in collaboration with the *Region* and in accordance with the Regional Official Plan, will prepare *Station Area Plans* for each Protected Major Transit Station Area located outside of the Urban Growth Centre (Downtown). Each *Station Area Plan* will provide direction on how Protected Major Transit Station Areas are to be planned, designed, developed and phased-in over time.

3.C.2.20. *Station Area Plans* will include, but not be limited to, the following:

a) a comprehensive plan that defines the station area's boundaries, unique characteristics, development concept(s), minimum *density* requirements and recommendations for land use;

b) design guidelines and development standards, as necessary, to achieve *transit-supportive* and *transit-oriented development*;

c) a parking management and *transportation demand management* strategy for land uses within the station area to maximize *intensification* opportunities, minimize surface parking areas, to encourage large *mixed use* development and discourage auto-oriented land uses. Such strategies may include reduced

parking requirements, shared parking, development of structured or underground parking facilities, parking pricing and other appropriate strategies; and,

d) a description of the future actions required to implement the *Station Area Plan*, which may include preparing new or updating existing Secondary Plans, Official Plan Amendments, *Zoning By-law* Amendments, updates to the *City's Urban Design Manual*, updates to the type, scale and timing of capital *infrastructure* projects and/or improvements, Regional and/or Area Municipal *Community Improvement Plans* and associated financial incentive programs, and other appropriate policies *and* tools.

3.C.2.21. *Development applications* proposing the conversion of *industrial employment areas*, lands designated for industrial uses, to other employment and non-employment uses in Protected Major Transit Station Areas may be considered in advance of the implementation of approved *Station Area Plans*, subject to the completion of a *comprehensive review* and provided any proposal is in accordance with the Regional Official Plan and the Transit-Oriented Development Policies in Section 13.C.3.

3.C.2.22. Until such time as *Station Area Plans* are completed and this Plan is amended accordingly, in the interim, any *development application* submitted within a Protected Major Transit Station Area will be reviewed generally in accordance with the Station Study Areas contained in the *City's* Planning Around Rapid Transit Station Areas (PARTS) Project Plan and Background Report;

a) in areas that are intended to be the focus for intensification, development applications will support the planned function of Protected Major Transit Station Areas and have regard for the following:

i) the Regional Official Plan and the Transit-Oriented Development Policies included in Section 13.C.3;

ii) new non-transit-supportive uses such as low density uses and/or auto-oriented uses will be discouraged;

iii) appropriate *pedestrian* and public transit facilities may be required with all major *development* or *redevelopment* proposals;

iv) vehicular access points will be controlled to minimize disruption to traffic flow and new *development* may be required to share common driveways and provide for maneuverability between sites.

Any such applications that do not fully meet a) i) through iv) above, may be permitted, provided the owner/applicant demonstrates, to the satisfaction of the *City* and the *Region*, that the proposed *development* is designed in such a way that subsequent phases or infilling would meet the Transit-Oriented Development Policies.

Existing developments within areas intended to be the focus for *intensification* that do not meet a) i) through iv) above, will be encouraged to redevelop in a manner consistent with these policies.

b) in areas that are intended to remain stable, *development applications* will have regard for the policies included in Sections 4, 11 and 12 and support and maintain the existing character and *planned function* of the stable area.

City Nodes

3.C.2.23. City Nodes are existing or planned clusters of *development* located along or at the key intersections of existing or planned *transit corridors*.

3.C.2.24. The *planned function* of City Nodes is to provide primarily for commercial, and/or institutional uses that have a *regional* and/or *city*-wide orientation. Currently, or over time, City Nodes may include residential uses where appropriate and *compatible*. City Nodes are intended to intensify, be *transit-supportive* and cycling and *pedestrian*-friendly.

3.C.2.25. City Nodes that overlay on top of lands designated Mixed Use, Commercial Campus or Commercial will be considered Major Local Nodes, in accordance with the Regional Official Plan, only for the purposes of establishing new *retail commercial centres* or expanding *existing retail commercial centres*.

3.C.2.26. City Nodes that overlay on top of lands designated Institutional will be considered Major Local Nodes, in accordance with the Regional Official Plan, only for the purposes of locating *major institutional* uses within the City Node.

3.C.2.27. Notwithstanding Policies 3.C.2.25 and 3.C.2.26, City Nodes that overlay lands designated Commercial Campus, Commercial and/or Institutional are not intended to accommodate significant additional population and/or employment growth.

3.C.2.28. Within an area identified as a City Node on Map 2 the applicable land use designations may include Commercial Campus, Commercial, Mixed Use, Institutional, Open Space, Medium Rise Residential and High Rise Residential as shown on Map 3 and detailed in Sections 15.D.3, 15.D.4, 15.D.5, 15.D.7 and 15.D.10 depending on the context and the range of uses deemed appropriate for achieving the *planned function* of that node.

3.C.2.29. The implementing zoning may impose a minimum and/or maximum percentage or amount of floor space for residential and/or non-residential uses to ensure an appropriate combination of uses and to achieve the *planned function* of City Nodes.

Community Nodes

3.C.2.30. Community Nodes are located along existing or planned *transit corridors*.

3.C.2.31. The *planned function* of Community Nodes is to provide for commercial uses with a mix of residential and institutional uses necessary to support and complete surrounding residential communities. Community Nodes primarily serve an inter-

neighbourhood market and are intended to intensify, be *transit-supportive* and cycling and *pedestrian*-friendly.

3.C.2.32. Within an area identified as a Community Node on Map 2 the applicable land use designations may include Commercial, Mixed Use, Institutional, Open Space, Medium Rise Residential and High Rise Residential as shown on Map 3 and detailed in Sections 15.D.3, 15.D.4, 15.D.5, 15.D.7 and 15.D.10 depending on the context and the range of uses deemed appropriate for achieving the *planned function* of that Community Node. Where the Community Node is located at the intersection of existing or planned *transit corridors* as identified on Map 2, the predominate land use designation on lands abutting the intersection of the *transit corridors* will be Mixed Use.

3.C.2.33. The implementing zoning may impose a minimum and/or maximum percentage or amount of floor space for residential and/or non-residential uses to ensure an appropriate combination of uses and to achieve the *planned function* of Community Nodes.

Neighbourhood Nodes

3.C.2.34. The *planned function* of Neighbourhood Nodes is to serve the day to day commercial needs of surrounding residential areas and are encouraged to be cycling and *pedestrian*-friendly.

3.C.2.35. Within an area identified as a Neighbourhood Node on Map 2 the applicable land use designations may include Mixed Use and/or Commercial as shown on Map 3 and detailed in Sections 15.D.4 and 15.D.5 depending on the context and the range of uses deemed appropriate for achieving the *planned function* of that Neighbourhood Node.

3.C.2.36. The implementing zoning may impose a minimum and/or maximum percentage or amount of floor space for residential and/or non-residential uses to ensure an appropriate combination of uses and to achieve the *planned function* of Neighbourhood Nodes.

Urban Corridors

3.C.2.37. Urban Corridors are generally linear in form and are located along existing or planned *transit corridors*. They are intended to have strong *pedestrian* linkages and be integrated with neighbouring residential and employment uses.

3.C.2.38. The *planned function* of Urban Corridors is to provide for a range of *retail* and commercial uses and *intensification* opportunities that should be *transit-supportive*. Urban Corridors function as the spine of a community as well as a destination for surrounding neighbourhoods. Strengthening linkages and establishing *compatible* interfaces between the Urban Corridors and surrounding Community Areas and *Industrial Employment areas* are priorities for development in these areas.

3.C.2.39. Within areas identified as Urban Corridor on Map 2 the applicable land use designations may include Mixed Use and/or Commercial as shown on Map 3 and detailed in Sections 15.D.4 and 15.D.5 depending on the context and the range of uses deemed appropriate for achieving the *planned function* of that Urban Corridor.

Arterial Corridors

3.C.2.40. Arterial Corridors are generally located along arterial streets in locations that have historically developed with a range of auto-oriented, service commercial uses.

3.C.2.41. The *planned function* of Arterial Corridors is to provide for a limited range of *retail* and service commercial uses intended to predominately serve those travelling by automobile and to accommodate a limited range of land extensive *retail* uses which require outdoor storage or sales.

3.C.2.42. Within areas identified as Arterial Corridor on Map 2 the applicable land use designation will be Commercial as shown on Map 3 and detailed in Section 15.D.5.

Specific Major Uses

Retail Commercial Centre

3.C.2.43. New *retail commercial centres* will be required to locate within the Urban Growth Centre (Downtown), a Protected Major Transit Station Area or a City Node as identified on Map 2 and in accordance with the applicable land use policies in Section 15.

3.C.2.44. *Development applications* to establish a new *retail commercial centre* within the Urban Growth Centre (Downtown), a Protected Major Transit Station Area or a City Node or to expand an *existing retail commercial centre* or to expand an *existing* development into a *retail commercial centre* up to 42,000 square metres of *gross floor area*, will be in conformity with all the applicable policies in this Plan and will be subject to *City* and/or *Regional* approval of the following:

a) a *Planning Justification Study*;

b) a Transportation Impact Study; and,

c) a Retail Impact Study.

3.C.2.45. *Development applications* to establish a new *retail commercial centre* exceeding 42,000 square metres of *gross floor area*, expand an *existing retail commercial centre* or expand an *existing* development into a *retail commercial centre* exceeding 42,000 square metres will only be considered in areas located within a Protected Major Transit Station Area or a City Node on Map 2. Such *development applications* will be in conformity with all applicable policies within this land use designation and will be subject to the *City* and/or *Regional* approval of the following:

a) a *Planning Justification Study* demonstrating how the proposed *development application* supports the *planned function* of the Urban Structure Component;

b) a Transportation Impact Study;

c) a Retail Impact Study demonstrating that the proposed development does not adversely affect the *planned function* of the Planned Community Structure of the Regional Official Plan; and,

d) a Water and Wastewater Servicing Plan demonstrating that the proposed *development application* can be adequately serviced.

3.C.2.46. Notwithstanding Policies 3.C.2.44 and 3.C.2.45, any studies that are required for a *development application* to expand an *existing retail commercial centre* or expand an *existing* development into a *retail commercial centre* may be scoped or waived by the *City* and/or the *Region*, as deemed appropriate.

Major Office

3.C.2.47. *New major office* should be located within the Urban Growth Centre (Downtown) or a Protected Major Transit Station Area as identified on Map 2 and in accordance with the applicable land use policies in Section 15.

Major Institutional

3.C.2.48. New *major institutional* uses should be located in the Urban Growth Centre (Downtown), a Protected Major Transit Station Area or a City Node in accordance with the applicable land use policies in Section 15.

3.C.2.49. Lands containing *existing major institutional* uses which are not located in the Urban Growth Centre (Downtown), a Protected Major Transit Station Area, or a City Node as identified on Map 2 will be encouraged to be retained and recognized as a permitted use. Such uses will be permitted to expand, beyond the boundary of their Institutional land use designation, provided such expansion does not adversely impact surrounding uses or the integrated *transportation system* as supported by a *Planning Justification Study*.

Community Areas

3.C.2.50. The *planned function* of Community Areas is to provide for residential uses as well as non-residential supporting uses intended to serve the immediate residential areas.

3.C.2.51. Within areas identified as Community Areas on Map 2 the applicable land use designation may include Low Rise Residential, Medium Rise Residential, High Rise Residential, Open Space, Institutional and/or Major Infrastructure and Utilities as shown on Map 3 and detailed in Sections 15.D.3, 15.D.7, 15.D.10 and 15.D.11.

3.C.2.52. Limited *intensification* may be permitted within Community Areas in accordance with the applicable land use designation on Map 3 and the Urban Design Policies in Section 11. The proposed development must be sensitive to and *compatible* with the character, form and *planned function* of the surrounding context.

Industrial Employment Areas

3.C.2.53. The *planned function* of *Industrial Employment Areas* is to support and maintain economic activity in the *city* by providing an adequate supply of land for a range of industrial-related employment uses and appropriate accessory and *ancillary* uses.

3.C.2.54. *Industrial Employment Areas* will be protected from non-employment uses that would destabilize their *planned function* in accordance with policies in Section 15.D.6.

3.C.2.55. Employment growth and *intensification* is anticipated and encouraged within *Industrial Employment Areas*.

3.C.2.56. Within areas identified as *Industrial Employment Area*s on Map 2 the applicable land use designation may include Heavy Industrial Employment, General Industrial Employment and Business Park Employment as shown on Map 3 and detailed in Section 15.D.6.

Green Areas

3.C.2.57. The *planned function* of Green Areas is to protect and conserve the *ecological functions* and features and passive and active recreation that these areas provide.

3.C.2.58. Within areas identified as of Green Areas on Map 2 the applicable land use designation may include Natural Heritage Conservation and Open Space as shown on Map 3 and detailed in Sections 15.D.9 and 15.D.10.

Figure 6: Summary of the Urban Structure and Predominant Land Uses

	Structure Component	Predominant Land Use Designation
SECONDARY	Urban Growth Centre (Downtown)	Strategic Growth Area A
		Strategic Growth Area B
		Strategic Growth Area C
	Protected Major Transit Station Area	Strategic Growth Area A
		Strategic Growth Area B
		Strategic Growth Area C
	City Node	Commercial Campus
		Commercial
		Mixed Use
		Institutional
		Medium Rise Residential
		High Rise Residential
	Community Node	Commercial
		Mixed Use
		Institutional
		Medium Rise Residential
		High Rise Residential
	Urban Corridor	Commercial
		Mixed Use
	Neighbourhood Node	Commercial
		Mixed Use
	Arterial Corridor	Commercial
COMMUNITY AREAS		Low Rise Residential
		Medium Rise Residential
		High Rise Residential
		Institutional
		Major Infrastructure & Utilities
INDUSTRIAL EMPLOYMENT AREAS		Heavy Industrial Employment
		General Industrial Employment
		Business Park Employment
GREEN AREAS		Natural Heritage Conservation
		Open Space

SECTION 4: HOUSING

Preamble

The policies of this Plan will support the provision of suitable, affordable and attractive living accommodations for all its residents as housing is a basic necessity and determinant of quality of life. The policies will also seek to address the characteristics and types of housing that may be required to support Kitchener's residents' needs as well as the appropriateness and quality of the community settings in which the housing is located to support our complete and healthy community.

Objectives

4.1.1. To provide for an appropriate range, variety and mix of housing types and styles, densities, tenure and *affordability* to satisfy the varying housing needs of our community through all stages of life.

4.1.2. To ensure the *city's* housing supply is consistent with our needs and in accordance with the Kitchener Growth Management Program.

4.1.3. To ensure that new residential areas and the *redevelopment* of lands for residential uses and residential infill projects reflect a high standard of urban design.

4.1.4. To locate and integrate housing opportunities with local stores and services that are accessible by *active transportation* and public transit.

4.1.5. To encourage and support the retention and rehabilitation of older housing or the reconstruction of existing housing to maintain the housing stock and the stability and *community character* of established residential neighbourhoods.

4.1.6. To encourage and support *live/work units* and home occupations at appropriate locations throughout the *city*.

4.1.7. To ensure that new affordable housing is provided alongside market housing within Protected Major Transit Station Areas through Inclusionary Zoning.

Policies

Supply – Development, Redevelopment and Intensification

4.C.1.1. The *City* will maintain at all times the ability to accommodate residential growth for a minimum of ten years through *residential intensification* and *redevelopment* and, if necessary, lands which are designated and available for residential *development*.

4.C.1.2. The *City* will maintain at all times where new *development* is to occur, land with servicing capacity sufficient to provide at least a three year supply of residential units available through lands suitably zoned to facilitate *residential intensification* and *redevelopment*, and land in draft approved and registered plans.

4.C.1.3. The majority of new residential growth in the Built-Up Area will occur within *Intensification Areas* in accordance with Policies 3.C.1.4 through 3.C.1.12 inclusive.

4.C.1.4. The prioritization of new growth in Designated Greenfield Areas will be in accordance with Kitchener's Growth Management Program and applicable policies in Section 17.E.5.

4.C.1.5. The *City* will support and assist the *Region* in the creation and implementation of a regional housing statement and/or strategy.

4.C.1.6. The *City* will identify and encourage *residential intensification* and/or *redevelopment*, including *adaptive re-use* and infill opportunities, including additional *dwelling units*, attached and detached, in order to respond to changing housing needs and as a cost-effective means to reduce *infrastructure* and servicing costs by minimizing land consumption and making better use of existing *community infrastructure*.

4.C.1.7. The *City* may require a site plan, elevation drawings, cross-sections, landscaping plans and any other appropriate plans and/or studies, to support and demonstrate that a proposed *development* or *redevelopment* is *compatible* with respect to *built form*, landscaping, screening and/or buffering, conforms to zoning, and provides for a healthy, safe, accessible and sustainable building and site design. These requirements are intended to address the relationship to *adjacent* residential development, to ensure *compatibility* with the existing *built form* and the *community character* of the established neighbourhood and to minimize *adverse impacts*.

4.C.1.8. Where a special zoning regulation(s) or minor variance(s) is/are requested, proposed or required to facilitate *residential intensification* or a *redevelopment* of lands, the overall impact of the special zoning regulation(s) or minor variance(s) will be reviewed, but not limited to the following to ensure, that:

a) Any new buildings and any additions and/or modifications to existing buildings are appropriate in massing and scale and are *compatible* with the *built form* and the *community character* of the established neighbourhood and will have regard to Section 11 of this Plan, the City's Urban Design Manual, and any site-specific Urban Design Brief or Urban Design Report and Urban Design Scorecard.

b) Where front yard setback reductions are proposed for new buildings in established neighbourhoods, the requested front yard setback should be similar to *adjacent* properties and supports and maintain the character of the streetscape and the neighbourhood.

c) New additions and modifications to existing buildings are to be directed to the rear yard and are to be discouraged in the front yard and side yard abutting a street, except where it can be demonstrated that the addition and/or modification is *compatible* in scale, massing, design and character of *adjacent* properties and is in keeping with the character of the streetscape.

d) New buildings, additions, modifications and *conversion*s are sensitive to the exterior areas of *adjacent* properties and that the appropriate screening and/or

buffering is provided to mitigate any *adverse impacts*, particularly with respect to privacy.

e) The lands can function appropriately and not create unacceptable *adverse impacts* for *adjacent* properties by providing both an appropriate number of parking spaces and an appropriate landscaped/amenity area on the site.

f) The impact of each special zoning regulation or variance will be reviewed prior to formulating a recommendation to ensure that a deficiency in the one zoning requirement does not compromise the site in achieving objectives of *compatible* and appropriate site and neighbourhood design and does not create further zoning deficiencies.

4.C.1.9. *Residential intensification* and/or *redevelopment* within existing neighbourhoods will be designed to respect existing character. A high degree of sensitivity to surrounding context is important in considering *compatibility*.

4.C.1.10. Where appropriate, and without limiting opportunities for *intensification*, the *City* will encourage and support the ongoing maintenance and stability of existing housing stock in the *city* by:

a) supporting the reuse and adaption of the housing stock through renovation, *conversion* and rehabilitation;

b) supporting community access to funding programs for the rehabilitation and repair of housing.

4.C.1.11. A demolition control application will be required for any requests to remove residential *dwelling units* from the housing supply in accordance with the Demolition Control Policies in Section 17.E.25.

Variety and Integration

4.C.1.12. The *City* favours a land use pattern which mixes and disperses a full range of housing types and styles both across the *city* as a whole and within neighbourhoods.

4.C.1.13. The *City* will work with the development industry and other community members to identify and encourage innovative housing types and designs in the *city* where such innovation would:

a) be *compatible* with surrounding land uses;

b) support the development of *complete communities*;

c) provide *live/work* and home occupation opportunities;

d) incorporate energy conservation features and the use of *alternative energy systems* and/or *renewable energy systems*;

e) reduce municipal expenditures;

f) protect *natural heritage features*;

g) provide accessible and *affordable housing* to residents;

h) *conserve* and/or enhance our *cultural heritage resources*;

i) celebrate the cultural diversity of the community;
j) be *transit-supportive* and/or *transit-oriented*; or,

k) reflect, add and/or enhance architectural interest and character.

4.C.1.14. The *City* will have standards/guidelines for non-residential sites which are *adjacent* to residential sites, including, but not limited to screening, berming, fencing, or landscaping where appropriate and in accordance with the Urban Design Policies in Section 11.

4.C.1.15. The *City* will collaborate and plan to implement the *affordable housing* targets and other recommendations established in the *Region's* Housing Action Plan.

4.C.1.16. Where a *development application* proposing residential uses is submitted for a site containing two hectares or more of developable lands, the *City* will require, wherever appropriate, a minimum of 30 percent of new residential *dwelling units* to be planned in forms other than single detached and semi-detached dwellings, and may include housing forms such as street or cluster townhouses and multiple residential buildings.

4.C.1.17. The *City* may require the allocation of lands for a minimum number of units of *affordable housing* when considering applications for new residential *development* to ensure that new residential *developments* satisfy the requirements of the Provincial Policy Statement relating to the provision of *affordable housing*. These lands will either be retained and developed by a developer as *affordable housing* or made available to a cooperative or non-profit housing group

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4.C.1.18. The *City* supports the principle that housing assistance be provided to members of the community who have difficulty accessing safe, suitable and *affordable housing*. The *City*, in cooperation with senior levels of government, the *Region*, private landlords, builders and community groups will continue to utilize existing programs and seek improved and cost effective senior government assistance to provide a range of housing options that address *affordable housing* needs across the housing continuum.

4.C.1.19. The *City* will encourage and support *affordable housing* to locate in close proximity to public transit, commercial uses and other *compatible* non-residential land uses, parks and community facilities and have convenient access to community, social and health services.

4.C.1.20. The *City* will support and attempt to accommodate residents who may wish to adapt their housing to better suit their circumstances and needs that may change over time, provided these changes to the housing do not significantly impact the nature or *community character* of the surrounding residential area.

4.C.1.21. The *City* will support developments in appropriate locations that allow residents to age in place.

4.C.1.22. The *City* will encourage the provision of a range of innovative housing types and tenures such as rental housing, freehold ownership and condominium ownership including common element condominium, phased condominium and vacant land condominium, as a means of increasing housing choice and diversity.

Additional Dwelling Units, Attached and Detached

4.C.1.23. The City may permit up to three additional *dwelling units*, attached and/or detached, on a lot which contains a single detached dwelling, a semi-detached dwelling or a street-townhouse dwelling as the principal use, unless otherwise limited by the policies of this Plan, and in accordance with the *City's Zoning By-law*, in order to provide additional housing options to Kitchener homeowners and residents.

Additional dwelling units will be permitted as follows:

a) The addition of up to three additional *dwelling units* (attached), within a single detached dwelling, a semi-detached dwelling or a street-townhouse dwelling;

b) The addition of up to two additional *dwelling units* (attached) within a single detached dwelling, a semi-detached dwelling or a street-townhouse dwelling and one additional *dwelling unit* (detached); and

c) The addition of up to one additional *dwelling unit* (attached) within a single detached dwelling, a semi-detached dwelling or a street-townhouse dwelling and two additional *dwelling units* (detached).

Additional *dwelling units* (attached) and additional *dwelling units* (detached) may be further regulated by the *City's Zoning By-law*.

4.C.1.24. The following criteria will be considered as the basis for permitting additional *dwelling unit(s)* (detached):

a) The use is subordinate to the main dwelling on the lot;

a) The use can be integrated into its surroundings with negligible visual impact to the streetscape;

b) The use is compatible in design and scale with the built form on the lot and the surrounding residential neighbourhood in terms of massing, height and visual appearance;

c) The site layout considers other requirements including servicing, pedestrian and vehicular access, stormwater management, grading and drainage, tree reservation, and provision of amenity areas, landscaped buffers and visual screening; and,

d) Up to one parking space may be required for each Additional *Dwelling Unit*.

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Special Needs Housing

4.C.1.25. The *City* recognizes the need for *special needs housing* in our community and supports the integration of these housing types at appropriate locations, subject to any locational criteria.

4.C.1.26. Appropriately scaled *special needs housing* will be permitted in any land use designation which permits residential uses.

4.C.1.27. The *City* will encourage and support the creation and retention of *special needs housing*.

4.C.1.28. The *City* will ensure that new *special needs housing* or the *adaptive reuse* of existing buildings for *special needs housing* is *compatible* in terms of use and *built form* with the surrounding context.

4.C.1.29. The *City* will encourage and support *special needs housing* to locate in close proximity to public transit, commercial uses and other *compatible* non-residential land uses, parks and community facilities and have convenient access to community, social and health services.

Residential Care Facilities

4.C.1.30. *Residential care facilities* will be permitted in any land use designation which permits residential uses. The size, scale, types, location and concentration of *residential care facilities* may be further regulated in the *City's Zoning By-law*.

4.C.1.31. The *City* will support comprehensively planned and developed *residential care facilities* that vary housing forms to allow residents to transition through life stages.

Lodging Houses

4.C.1.32. The City will permit lodging houses in any land use designation permitting residential uses, provided that full municipal servicing is available.

4.C.1.33. Deleted (OPA 34)

4.C.1.34. The *City's Zoning By-law* will specifically permit and regulate *lodging houses* and the appropriate zones in which they may be permitted subject to licensing, and safety regulations.

4.C.1.35. Deleted (OPA 34)

4.C.1.36. Deleted (OPA 34)

Live/Work Units

4.C.1.37. *Live/work units* will be permitted in any land use designation which permits residential uses subject to the following:

a) the *live/work* unit is appropriate in massing and scale and are compatible with the *built form* and the character of the neighbourhood;

b) the *live/work* unit can function appropriately and not create unacceptable adverse impacts for adjacent properties; and,

c) adequate parking is available.

4.C.1.38. *Live/work units* are encouraged to locate on major collector and arterial streets and roads.

4.C.1.39. A *live/work unit* will have a dwelling component located in the unit and any appropriate business or work purpose use will be located on the ground floor.

4.C.1.40. The location, scale, types of business or work purpose uses, size of units will be further regulated in the *City's Zoning By-law.*

Home Occupations

4.C.1.41. A home occupation may be permitted as an *ancillary use* within a *dwelling unit* subject to all of the following:

a) the home occupation functions as a subordinate activity to the main residential use;

b) the home occupation does not generate *adverse impacts*, traffic or parking problems in the immediate area;

c) the home occupation does not alter the principal character or external appearance of the dwelling and the property involved;

d) the home occupation is at a scale and nature that is *compatible* with the surrounding residential neighbourhood; and,

e) there is no outside storage of goods associated with the home occupation.

The *Zoning By-law* may provide regulations for home occupations in residential *dwelling units*.

Condominium Conversions

4.C.1.42. A *development application* to create a plan of condominium, which would result in the *conversion* of rental *affordable housing* to condominium ownership, may only be permitted where:

a) the rental vacancy rate for comparable units for the City of Kitchener or the Kitchener Census Metropolitan area, if not available for the City of Kitchener, has been at or above 3 percent for the preceding three years; or,

b) the *conversion* will address and result in the creation of *affordable housing* for affordable home ownership; or,

c) the *conversion* will rectify existing health and safety issues through the completion of building renovations/retrofits, the cost of which would necessitate an increase in rent levels above the *affordability* threshold; and,

d) the owner/applicant submits a detailed inspection report on the physical condition of the property by a qualified architect or engineer to the satisfaction of the *City*;

e) tenants have the option to continue to lease their units following the approval of the *conversion* to condominium in accordance with the provisions of the Residential Tenancies Act; and,

f) the owner enters into an agreement with the *City* which states that tenants may have first right to purchase their units or allows them to continue to rent despite the tenure of the building.

Inclusionary Zoning

4.C.1.43 Inclusionary Zoning is a tool that allows the *City* to require *affordable housing* to be provided in new *developments* within Protected Major Transit Station Areas. Policies for Inclusionary Zoning are intended to support the development of mixed-income communities and equitable access to higher order transit by increasing the supply of *affordable housing* for low and moderate income households within these areas.

a) Inclusionary Zoning will be implemented in conjunction with other planning tools to increase the supply of *affordable housing* within Protected Major Transit Station Areas that might not otherwise be built, contributing to diverse, mixed-income communities that offer a range of housing options that are *affordable* for a range of household incomes.

b) Inclusionary Zoning policies will be informed by ongoing monitoring and periodic assessment reports in accordance with Provincial requirements, or more frequently as necessary, to create and increase the supply of *affordable housing* without negatively impacting new market housing supply.

c) The *City* will work collaboratively with the *Region*, private and non-profit developers and housing providers, to leverage expertise to achieve affordable housing objectives.

d) Inclusionary zoning will be implemented through the *Zoning By-law* and guided by Inclusionary Zoning Implementation Guidelines.

4.C.1.44 The *City* will enact a Zoning by-law for Inclusionary Zoning, pursuant to the Planning Act and in accordance with the policies of this Plan, to require *affordable housing* to be included in *developments* containing *dwelling units* located within a Protected Major Transit Station Area as shown on Map 4.

4.C.1.45 Notwithstanding policy 4.C.1.44, Inclusionary Zoning will not apply to:

a) *Development* containing fewer than 50 new *dwelling units*;

b) The portions of a *development* containing residential care homes, retirement homes, group homes, nursing homes or post-secondary student residences;

c) The *development* or *redevelopment* proposed by a non-profit housing provider or is proposed by a partnership in which:

i) A *non-profit housing provider* has an interest that is greater than 51 per cent, and

ii) A minimum of 51 per cent of the *dwelling units* are intended as affordable housing, excluding any offsite *dwelling units* that would be located in the development or redevelopment;

d) Developments that are otherwise exempt under the Planning Act;

e) Lands located within the Block Line, Fairway or Sportsword Protected Major Transit Station Areas until such time as a comprehensive city-initiated Official Plan Amendment updating the planning framework for these areas has been completed.

4.C.1.46 *Development* subject to Inclusionary Zoning shall provide a minimum percentage of new gross leasable residential floor area as *affordable dwelling units* in accordance with Table 3.

Table 3: Inclusionary Zoning Set-Aside Requirements

Market Area	**Protected Major Transit Station Area**	**Minimum Percentage of Gross Leasable Residential Floor Area to be provided as affordable dwelling units by date of building permit issuance**			
		2025-2026	**2027-2028**	**2029-2030+**	**2031+**
Prime	• Central • Victoria Park and Kitchener City Hall • Queen and Frederick	2%	2-3%	2-4%	5%
Established	• Grand River Hospital • Kitchener Market • Borden • Mill	1%	1-2%	1-3%	5%

Market Area	Protected Major Transit Station Area	Minimum Percentage of Gross Leasable Residential Floor Area to be provided as affordable dwelling units by date of building permit issuance			
		2025-2026	2027-2028	2029-2030+	2031+
Emerging	• Block Line • Fairway • Sportsworld	0%	0-1%	0-2%	5%

4.C.1.47 Notwithstanding Policy 4.C.1.46, any lands within a Protected Major Transit Station Area that were designated for employment or industrial purposes in accordance with the Secondary Plan or Official Plan in effect on the day prior to the effective date of Official Plan Number 48, must provide *affordable dwelling units* in accordance with the Prime Market Area in Table 3.

4.C.1.48 *Affordable dwelling units* required under Policy 4.C.1.46 will be provided as rental *dwelling units*.

4.C.1.49 The *City*, in consultation with the *Region* and the Cities of Waterloo and Cambridge will establish maximum rents for the required *affordable dwelling units* on an annual basis as described in definition of *affordable housing/affordability* in Schedule A.

4.C.1.50 *Affordable dwelling units* required under Policy 4.C.1.46 shall be:

a) Occupied by low or moderate income renter households as described in the definition of *affordable housing/affordability* in Schedule A, with a maximum income at the time of their initial tenancy of 3.5 times the *dwelling unit*'s rent;

(b) Rented in accordance with policies of this plan for a period of at least 25 years from the date of first residential occupancy of the *affordable dwelling unit*;

(c) Similar to the market-rate portion of the *development* giving rise to the requirement for *affordable dwelling units* in terms of *dwelling unit* mix and size, as appropriate, to achieve a balanced mix of *dwelling unit* types and sizes and support the creation of affordable units suitable for a range of household sizes; and,

(d) First occupied prior to or coincident and proportional to the first occupancy of the market *dwelling units* in the *development* giving rise to the *affordable dwelling units*.

4.C.1.51 The *City*, in consultation with the *Region*, will support *developments* in meeting their Inclusionary Zoning requirements by exempting *developments* that contain the required *affordable dwelling units*, on a prorated basis, from park dedication requirements, development charges, and community benefit charges in accordance with Provincial legislation.

4.C.1.52 *Affordable dwelling units* will be provided within the building giving rise to the Inclusionary Zoning requirements, or offsite in a building located within a Protected

Major Transit Station Area as shown on Map 4, and on lands subject to the Inclusionary Zoning provisions of the *zoning by-law.*

4.C.1.53 Further to Policy 4.C.1.50 d), the timing of first occupancy of offsite *affordable dwelling units* will be prior to or coincident and proportional to the occupancy of market units on the site giving rise to the requirement for the *affordable dwelling units*.

4.C.1.54 The *City*, with support from the *Region*, will ensure ongoing *affordable* rents of the *dwelling units*, and their occupancy by eligible households, by establishing and maintaining a list of eligible tenants, outlining reporting requirements, and securing these requirements through agreements as outlined in section 17.E.17.

4.C.1.55 The *City* shall prepare an assessment report a minimum of every 5 years, in accordance with the Provincial requirements, for the purpose of determining whether any Inclusionary Zoning policies in this Plan should be amended.

4.C.1.56 The *City*, together with the *Region*, shall monitor the impact of Inclusionary Zoning on the *affordable* housing supply and will prepare and make publicly available a report every two years in accordance with Provincial requirements. The report will contain information including:

a) The number of *affordable dwelling units;*

b) The types of *affordable dwelling units*;

c) The location of the *affordable dwelling units*;

d) The range of household incomes for which the *affordable dwelling units* were provided;

e) The number of *affordable dwelling units* that were converted to units at market value; and,

f) The proceeds (if any) that were received by the municipality from the sale of *affordable dwelling units*.

The *City* may initiate amendments to these policies is response to the findings of this report in advance of the 5-year assessment report update.

4.C.1.5**7** The City will preprare a report to Council before the end of 2024, 2026, 2028 and 2030, on local market conditions, including engagement with the development industry, and provide a recommendation on whether the Minimum Percentage of Gross Leasable Residential Floor Area to be provided as *affordable dwelling units* should be imposed or increased in January the following year; and if any of the Protected Major Trasnit Station Areas should be reclassified with as a different Market Area in Table 3. This report will analyse factors such as market rents, condominium sale prices, presales and market unit absorption, financing costs, construction costs, building permits, construction starts and lands sales.

SECTION 5: ECONOMY

Preamble

Industrial activities have played a vital role in shaping the *city* to its current form. From the older and more historically significant industries to the newer technology and research oriented operations of the *City's* business parks, industry is integral to the development and growth of the local economy.

Kitchener's economy has and continues to transition to a more post-industrial economy with an increased focus on technology and knowledge industries and institutions. The existence of universities, colleges, among other post-secondary educational establishments in Kitchener has increased the advanced knowledge and skills of residents in the area and is creating and contributing to a strong technological sector.

A strong, robust economy is integral to a complete and healthy community. The creation of a strong and healthy economy is contingent upon several key factors including: providing necessary *infrastructure*; protecting *industrial employment areas*; developing and retaining a talented labour force; economic diversification; supporting and enhancing the *arts* and *culture* sector, focusing on creative and cultural industries and promoting tourism.

The policies of this Section of the Plan will seek to strengthen the existing *industrial employment areas* and support the transition to a more post-industrial economy.

Objectives

5.1.1. To support a diverse range of employment opportunities which are distributed throughout the *city*.

5.1.2. To protect the *city's* areas of employment.

5.1.3. To encourage and support environmental remediation.

5.1.4. To support a diverse range and mix of housing, employment, amenity and *arts* and *culture* opportunities to attract and retain talent.

5.1.5. To support existing and new clusters of cultural and *creative industries* within *intensification areas* and employment area*s*.

5.1.6. To promote tourism in our community.

Policies

5.C.1.1. A strong and healthy economy will be supported by:

a) encouraging a mix of uses within *Intensification Areas* as defined in the land use policies in Section 15;

b) planning for the provision of a range of appropriate *community infrastructure* and facilities in accordance with the policies in Section 8.C.1;

c) constructing, upgrading and maintaining high quality municipal services and *infrastructure* in accordance with the policies in Section 15.D.11;

d) facilitating efficient and convenient transportation options for people and goods in accordance with the policies in Section 13;

e) supporting options to work from home by planning for an appropriate range of home-based occupations within land use designations that permit residential uses in accordance with the policies in Section 4;

f) supporting and promoting development that features sustainable design in accordance with policies in Section 7.C.4;

g) planning for a range of commercial uses of varying sizes and *planned functions* in accordance with the policies in Sections 15.D.4 and 15.D.5;

h) planning for an adequate supply of lands that is sufficient to accommodate the forecasted employment to the year 2031 in accordance with the policies in Section 15.D.6; and,

i) applying, where appropriate, minimum *density* targets for development occurring within land use designations that are anticipated to accommodate higher *density* employment uses.

Economic Development Strategy

5.C.1.2. The *City* will support and update the Economic Development Strategy in order to plan for a strong and healthy economy and anticipate changing economic trends. The Economic Development Strategy will be used to diversify and strengthen the economy, to attract, retain and develop talent and to support sectors of the economy that are critical to the *City's* future competitiveness.

Industrial Employment Areas

5.C.1.3. *Industrial Employment Areas* are identified on Map 2 and designated on Map 3. Policies pertaining to the industrial employment land use designations are included in Section 15.D.6.

5.C.1.4. Lands designated for Industrial Employment are critical to the local economy, and are anticipated to accommodate a significant share of employment growth to 2031 and beyond. Policies 15.D.6.5 through 15.D.6.7 inclusive address the protection of *industrial employment areas* from conversion to non-employment uses.

Environmental Remediation

5.C.1.5. The *City* will encourage and support the remediation, development, *redevelopment* and *adaptive reuse* of contaminated lands, *brownfield* and *greyfield* sites in accordance with the policies in Section 6.C.4.

5.C.1.6. *Community Improvement Plans* may be prepared and adopted in accordance with the policies in Section 17.E.9 to encourage the remediation and *redevelopment* of *brownfields*, *greyfields* or underutilized properties and/or buildings.

Retention and Diversification

5.C.1.7. To help attract a diverse and skilled labour force, the *City* will:

a) strive to foster a vibrant and healthy community and high quality of life;

b) require a high standard of urban design in accordance with the policies in Section 11; and,

c) provide for a full range and mix of housing, recreation, *community infrastructure* and *cultural facilities*, employment, parks and open spaces.

5.C.1.8. The *City* will continue to diversify its economic base by supporting its Urban Growth Centre (Downtown), Protected Major Transit Station Areas, City Nodes, Community Nodes, Neigbourhood Nodes, Urban Corridors and Arterial Corridors to be developed with an appropriate range of economic uses, including office, institutional, commercial activity and technology based businesses.

5.C.1.9. Collectively, lands designated Commercial, Commercial Campus and Mixed Use will provide for a sufficient supply and a complete range of commercial goods and services. It is intended that these areas may intensify and provide for a broader range of uses to provide additional employment opportunities and support the *City's* economic base.

5.C.1.10. The *City* recognizes that the Protected Major Transit Station Area located on lands generally bounded by Highway 8, Fairway Road, Wilson Avenue and Kingsway Drive contains an existing shopping centre which serves as a primary shopping area with a regional and *city*-wide orientation. Over time, this primary shopping centre will support the planned function of the Protected Major Transit Station Area and in accordance with the Mixed Use land use designations in Section 15.D.4, this area is intended to intensify and include a broader range of uses.

5.C.1.11. The *City* will continue to collaborate with and support economic development entities in an effort to grow in a manner that provides employment opportunities, supports a diverse economy, and contributes to Kitchener's future prosperity.

Creativity and Culture

5.C.1.12. The *City* will support the growth and expansion of creative and cultural industries and clusters throughout the *city* as an important sector of the economy.

5.C.1.13. The *City* will plan for *arts*, *culture*, heritage, recreation and leisure opportunities that serve a diverse population through *City* facilities, services and programs.

Tourism

5.C.1.14. The *City* will support tourism as an integral part of economic development.

SECTION 6: PUBLIC HEALTH AND SAFETY

6.C.1 Public Health

Preamble

This Plan recognizes that there is a relationship and direct linkage between land use planning, *infrastructure* projects and health. The design and development of our *city* has multiple impacts on peoples' lives. Not only can the *built form* of a community impact where people live, work, interact with one another and move around, but it can also affect the physical and mental health of its residents, employees and visitors. The policies in this Section will ensure that land use planning decisions promote and protect the health and well-being of people and achieve a complete and healthy community.

Objectives

6.1.1. To ensure development, redevelopment and infrastructure projects support physical and mental health.

Policies

6.C.1.1. The *City* will require *development, redevelopment* and *infrastructure* projects to have regard for and promote health.

6.C.1.2. The *City* may require a Health Impact Assessment in support of a major *development application* or as part of an *Environmental Assessment* to ensure the proposal supports a complete and healthy community. The contents of a Health Impact Assessment will be outlined in Terms of Reference to be developed in consultation with the proponent. In general, the contents of *a Health Impact Assessment* may include, but not be limited to addressing the following:

a) the impacts on the environment including air quality, water quality, climate change, the preservation of the *natural heritage system* and the provision of green space;

b) whether and how the proposal supports physical activity having regard for:

i) a mix of land uses having regard to the proximity of services, amenities and places of employment to residential uses;

ii) accessible connectivity between places and various modes of transportation;

iii) the streetscape/*public realm*;

iv) reducing the dependency on the automobile and encouraging *active transportation* and *transportation demand management* measures.

c) the impacts on physical safety;
d) sun safety;

e) proximity to food destinations to facilitate access to fresh and healthy food;

f) the built environment and its impact on quality of life, social cohesion and well-being; and,

g) the identification of any other potential health impacts or risks of the proposal and how the potential risks are mitigated and potential benefits are maximized.

6.C.2 Natural Hazards

Preamble

Kitchener's long term prosperity, human and environmental health and social well-being depend on reducing the potential for public cost or the risk to Kitchener's residents from natural and human-made hazards. *Development* will be directed away from areas of natural or human-made hazards where there is an unacceptable risk to public health or safety or property damage and not create new or aggravate existing hazards.

Objectives

6.2.1. To prevent injury or the loss of life and minimize property damage and social disruption through the restriction of land use activities on lands susceptible to flooding or erosion.

6.2.2. To provide for limited and controlled *development* on natural *hazardous lands* where it is determined that such *development* is appropriate and safe.

Policies

6.C.2.1. Natural *hazardous lands* and *hazardous sites*, as determined by the Grand River Conservation Authority, are generally shown on Map 7. The precise delineation of natural *hazardous lands* and *hazardous sites* will be determined in consultation with the Grand River Conservation Authority. An Official Plan Amendment will not be required for minor revisions to the boundaries of natural *hazardous lands* and *hazardous sites*, where such revisions are supported through appropriate technical studies and/or assessments, site plans and/or other plans as required and approved by the Grand River Conservation Authority.

6.C.2.2. The *City* will consider the potential impacts of climate change that may increase the risk associated with natural hazards when evaluating development applications and infrastructure projects.

6.C.2.3. *Development* will generally be directed to areas outside of:

a) natural *hazardous lands adjacent* to river, stream and small inland lake systems which are impacted by *flooding hazards* and/or *erosion hazard*s; and,

b) natural *hazardous sites*.

6.C.2.4. *Development* and *site alteration* will not be permitted within:

a) *hazardous lands* which are impacted by *flooding hazards* and/or *erosion hazards*;

b) erosion access allowances, which will not be less than six metres; and

c) *hazardous sites*.

6.C.2.5. Notwithstanding Policy 6.C.2.4, *development* or *site alteration* may be permitted in *hazardous lands* and *hazardous sites* where;

a) a *special policy area* has been approved by the *Province*; or

b) the *development* is limited to land uses that, by their nature, must locate within the *floodway*, including flood and/or erosion control works, structures necessary for conservation, water supply, wastewater management, or minor additions or passive non-structural uses which do not affect flood flows; or

c) a two-zone policy area has been designated to permit *development* or *site alteration* in the *flood fringe*, and the effects and risk to public safety are minor so as to be managed or mitigated in accordance with the *Province's* standards, as determined by the demonstration and achievement of all of the following:

i) *development* or *site alteration* is carried out in accordance with *floodproofing standards*, *protection works standards*, and access standards;

ii) vehicles and people have a way of safely entering and exiting the area during times of flooding, erosion and other emergencies;

iii) new *hazards* are not created and existing *hazards* are not aggravated; and

iv) no *adverse environmental impacts* will result.

6.C.2.6. Notwithstanding Policy 6.C.2.5, *development* proposing the following land uses will not be permitted within *hazardous lands* and *hazardous sites*:

a) an *institutional* land use associated with hospitals, nursing homes, pre-school, school nurseries, day care and schools, where there is a threat to the safe evacuation of the sick, the elderly, persons with disabilities or the young during an emergency as a result of flooding, failure of *floodproofing standards* or *protection works standards*, or erosion;

b) an *essential emergency service* such as that provided by fire, police and ambulance stations and electrical substations, which would be unacceptably impaired during an emergency as a result of flooding, the failure of *floodproofing standards* or *protection works standards*, or erosion;

c) land uses associated with the outdoor storage of any materials, either temporary or permanent; and

d) land uses associated with the disposal, manufacture, treatment or storage of *hazardous chemicals and/or substances.*

6.C.2.7. For the purposes of this Plan, lands will be identified as a One Zone or a Two Zone Policy Area, as shown on Map 7.

a) Where a One Zone Policy Area has been applied, the entire *flood plain* will be considered the *floodway*. No new *development* or *site alteration* will be permitted in the *floodway* except in accordance with Policy 6.C.2.5.

b) Where a Two Zone Policy Area has been applied, *development* or *site alteration* in the *floodway* will not be permitted except in accordance with Policy 6.C.2.5.

c) Where a Two Zone Policy Area has been applied, *development* or *site alteration* may be permitted in the *flood fringe* subject to appropriate *floodproofing standards* to the *flooding hazard* elevation.

6.C.2.8. A Two Zone Policy Area may only be applied to lands where significant urban uses currently exist with the *flood plain*, and where there is significant potential for further infilling and *redevelopment* with no *adverse effects* on flood flow. *Flood fringe* and *floodway* designations within the Two Zone Policy Areas will be in conformity with mapping approved by the Grand River Conservation Authority as amended from time to time.

6.C.2.9. For lands where the Two Zone Policy Area is applied, *development*, *redevelopment* or *site alteration* may be permitted in the *flood fringe*, subject to appropriate *floodproofing standards* to the *flooding hazard* elevation or another *flooding hazard* standard approved by the Minister of Natural Resources.

6.C.2.10. Further to Policy 6.C.2.9 and except as prohibited in Policies 6.C.2.4 and 6.C.2.6, *development*, *redevelopment* or *site alteration* may be permitted in those portions of natural *hazardous lands* and *hazardous sites* where the effects and risk to public safety are minor could be mitigated in accordance with the *Province*'s standards, and where all of the following are demonstrated and achieved:

a) *development*, *redevelopment* or *site alteration* is carried out in accordance with *floodproofing standards*, *Protection Works Standards*, and access standards;

b) vehicles and people have a way of safely entering and exiting the area during the times of flooding, erosion and other emergencies;

c) new hazards are not created and existing hazards are not aggravated;

d) no *adverse environmental impacts* will result; and,

e) a Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Permit (Pursuant to Ontario Regulation 150/06) is issued by the Grand River Conservation Authority.

6.C.2.11. Underground parking facilities associated with any use will be prohibited in a One Zone Policy Area and the *floodway* of a Two Zone Policy Area. Where permitted in the *flood fringe* of a Two Zone Policy Area, the installation of stringent *floodproofing standards* to the elevation of the Regulatory Floodline will be required as specified by the Grand River Conservation Authority.

6.C.2.12. Notwithstanding Policies 6.C.2.3 and 6.C.2.4, *development* or *site alteration* associated with *existing* uses may be permitted within the limits of an *erosion hazard* where it is demonstrated through a site-specific geotechnical or engineering assessment that:

a) there is no feasible alternative location outside of the *erosion hazard*;

b) any proposed building or structure is located in the area of least risk;

c) there is no impact on existing or future slope stability and bank stabilization or erosion protection works are not required;

d) access for maintenance or emergency purposes is not prevented; and,

e) where unavoidable, impacts on *natural heritage features* or *ecological functions* are minimized and appropriate mitigative and remedial measures will adequately enhance or *restore* features and functions.

6.C.2.13. Minor alterations and additions to *existing* buildings or structures or the replacement of buildings or structures within the limits of an *erosion hazard* may be permitted in accordance with Policy 6.C.2.12.

6.C.2.14. *Development* or *site alteration adjacent* to a steep slope will be subject to a setback from the stable top of bank. The stable top of bank will be determined in consultation with the Grand River Conservation Authority. A minimum setback of 6 metres will be required to accommodate an erosion access allowance.

6.C.2.15. Private sewage disposal systems will not be permitted within the *floodway* portion of the *flood plain*. Where private sewage disposals systems are proposed within the *flood fringe*, an assessment of the site in consultation with the Grand River Conservation Authority will be undertaken to ensure that the system will not be adversely affected by incidental flooding.

6.C.2.16. Notwithstanding Policy 6.C.2.4, all proposed Regional Roads and City Arterial Streets and Collector Streets whose general alignment is shown on Map 11 will be permitted within the *flood plain* when an *Environmental Assessment* has been completed.

6.C.2.17. The *City* will consider funding requests for inclusion in the City Capital Forecast for stream bank stabilization, dam, dyke and reservoir construction projects, or land acquisition for any of these projects by the *Region*, the *City* or the Grand River Conservation Authority, based on appropriate studies. Priority will be given to projects that are to be effective in reducing the hazards to life and property caused by flooding within *Special Policy Areas*.

Implementation

6.C.2.18. Prior to *development*, the *City* will require detailed hydrogeological and/or geotechnical studies to assess potential risks to persons, buildings, structures, or public *infrastructure* occasioned by groundwater discharge or high water tables. Such studies should demonstrate that engineering solutions designed to protect structures from the effects of groundwater discharge and high water tables will be effective, will not require significant on-going maintenance to remain effective and will not divert or impede natural groundwater flows so as to create hazards or annoyances to *adjacent lands* and buildings. Discharge Constraint Areas as identified in this Plan should be identified further in community plans or secondary plans.

6.C.2.19. All natural *hazardous lands* and *hazardous sites* identified by this Plan and those lands defined further as being within the One Zone Policy Area and within the *floodway* of the Two Zone Policy Area, as shown on Map 7, will be designated and zoned as follows:

a) all vacant or otherwise undeveloped lands at the time of adoption of this Plan will be designated Natural Heritage Conservation and zoned accordingly; and,

b) all lands where development exists at the time of adoption of this Plan will be designated Natural Heritage Conservation and zoned to recognize the *existing* use.

6.C.2.20. Zoning applied in accordance with Policy 6.C.2.19 b) will recognize legally *existing* development and allow for minor expansions and alterations subject to the issuance of a Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Permit (Pursuant to Ontario Regulation 150/06) and the implementation of *floodproofing standards* and/or *Protection Works Standards*, as deemed necessary by the Grand River Conservation Authority.

6.C.2.21. A special regulation provision will be applied to the zoning category of all lands identified by this Plan as being with the *flood fringe* of the Two Zone Policy Area to serve as notice that properties so zoned will be constrained beyond the regulations of the *Zoning By-law*. In this circumstance, new *development*, expansions, or alterations will be subject to implementation of *floodproofing standards* and/or *Protection Works Standards*, as deemed necessary by the Grand River Conservation Authority and the issuance of a Development, Interference with Wetlands and Alteration to Shorelines and Watercourses Permit (pursuant to Ontario Regulation 150/06).

6.C.2.22. On lands zoned to recognize an *existing* use, a change in use may be permitted through a *Zoning By-law* Amendment provided:

a) that the subsequent use is *compatible* with surrounding land use;

b) no new *dwelling units* are created;

c) the new use presents less of a risk to life and property in the event of flooding;

d) the new use is not specifically prohibited by Policy 6.C.2.23;

e) approval is received from the Grand River Conservation Authority; and,

f) any application for a *Zoning By-law* Amendment for expansion or alteration will initiate a review of all existing outdoor storage areas.

6.C.2.23. An *existing* building within a Commercial or Mixed Use land use designation that is also within a natural *hazardous lands* designation may change to any other permitted use within the same land use designation without a *Zoning By-law* Amendment, save and except:

a) residential uses;

b) certain institutional uses;

c) gas stations (including gas bars);

d) sale, rental, service, storage or repair of motor vehicles, major recreational equipment and parts and accessories for motor vehicles or major recreational equipment; and,

e) *sensitive land uses*.

6.C.2.24. For the purpose of determining boundaries within the *Zoning By-law*, the following guidelines will apply:

a) Zone lines that are intended to indicate the *floodway* of the Two Zone Policy Area will follow the actual floodline contours and limits of encroachment as provided by the Grand River Conservation Authority.

b) On lands and portions thereof within the *flood fringe* of the Two Zone Policy Area:

i) the entire lot will be considered to be within the Regulatory Flood and regulated by the Grand River Conservation Authority.

ii) a special regulation provision will be applied in the zoning category where the lot or portion thereof and any part of the potential building envelope is located within the *flood fringe* of the Two Zone Policy Area.

6.C.2.25. Notwithstanding the policies in this Plan, where it has been determined by the Grand River Conservation Authority that *development* in any part of the *floodplain* would pose an unacceptable risk to life and/or property, such *development* will not be permitted.

6.C.3 Noise, Vibration, Light and Other Emissions

Preamble

The *City* recognizes that there may be noise, vibration and emission issues associated with *development* and that these can adversely impact surrounding land uses, and the residents, businesses and visitors of the *city*. The *City* will strive to minimize land use conflicts between *sensitive land uses*, including residential uses, and uses creating noise and vibration and provide mitigation measures wherever possible.

Light emissions can become a nuisance and environmentally detrimental when site lighting spills beyond the extents of the feature that it is intended to illuminate. Excess artificial light can disrupt the natural rhythms of wildlife and vegetation. Accordingly, the policies of this Plan are intended to reduce excessive light emissions wherever possible.

Managing noise, vibration and emissions, including light emissions, in the *city* is important to ensuring the health and well-being of the residents of Kitchener.

Objectives

6.3.1. To minimize and mitigate land use conflicts between *sensitive land uses*, and noise, vibration and emission sources in accordance with all applicable *Provincial*, *Regional* and *City* regulations and guidelines.

6.3.2. To reduce the occurrence of excessive light emissions while still ensuring that adequate levels are maintained for public safety.

Policies

6.C.3.1. The *City* will have regard for the *Provincial* Land Use Compatibility Guidelines relating to noise, vibration, odour and particulate matter when considering the siting of *sensitive land uses*.

6.C.3.2. The *City* will ensure that noise, vibration and light emissions from municipal facilities and operations meet or exceed applicable *Provincial* standards.

6.C.3.3. During the construction phase of development, owners/applicants will be encouraged, and where appropriate, required to establish noise and vibration attenuation strategies based on relevant regulations, guidelines and best practices to minimize noise and vibration impacts.

6.C.3.4. The *City* will encourage the use of new, proven and innovative techniques for noise and vibration attenuation, where feasible.

6.C.3.5. The development of new employment uses and *sensitive land uses* will have regard for *Provincial* guidelines respecting separation distances between industrial uses and sensitive uses. In locating any *sensitive land uses* in the vicinity of any established or approved employment use and vice versa, the *City* will have regard for the relevant *Provincial* guidelines.

Light Emissions

6.C.3.6. The *City* will use and promote the use of responsible lighting practices that eliminate or reduce light pollution and glare and restore unobscured views of the night sky, while maintaining sufficient light levels for a safe built environment.

6.C.3.7. The *City* may consider an outdoor lighting by-law that would help prevent the negative impacts of excessive or misdirected light and encourage responsible lighting that is purposeful and energy efficient for lighting not already covered in the *Urban Design Manual* and/or *Urban Design Guidelines*/*Brief*.

6.C.3.8. The *City* may require an owner/applicant to submit a light assessment and/or photometric plan to support the submission of a *development* application, as per the Complete Application Requirements Policies in Section 17.E.10.

Noise

6.C.3.9. The *City* will encourage the minimization of noise levels in the urban environment, particularly where sites are located *adjacent* or near *sensitive land uses*, by supporting the use of mitigation techniques such as building orientation, location of open spaces relative to noise sources and other internal or external noise attenuation measures.

6.C.3.10. Design solutions for attenuating noise will be in accordance with the *City's Urban Design Manual*.

6.C.3.11. The *City* will require design solutions that avoid or minimize the need for physical attenuation measures such as barriers. The design must first look at locating sensitive receivers away from the noise source.

6.C.3.12. Any approved noise attenuation measures will be implemented through methods such as the use of holding provisions or through the subdivision or condominium approval process.

6.C.3.13. The *City* will consider the installation of noise attenuation measures, in accordance with *Urban Design Guidelines* and the *Urban Design Manual*, for *existing* residential areas located near City Arterial and Major Community Collector Streets.

6.C.3.14. Where the *Region* or the *Province* requires that an assessment of the noise impact of existing or proposed roads or railways on new land uses, subdivision *development* or where an Official Plan Amendment is proposed, the noise study will be undertaken by a qualified professional as recognized by the *Province*. The noise study will recommend design solutions that avoid or minimize noise barriers along with addressing any other noise attenuation measures which may be needed, to the satisfaction of the *City*, *Region* and the *Province*. Where a noise study addresses the noise impact of existing or proposed railways on new residential *development* or *redevelopment*, the affected railways will be consulted during the preparation of the assessment.

Vibration

6.C.3.15. Until such time as the *Province* adopts standardized methods for preparing vibration impact assessments and establishes vibration level objectives for new residential *development* or *redevelopment*, assessments of the vibration impact of existing or proposed roads or railways on new residential *development* or *redevelopment* will not be required prior to approval of such a *development* or *redevelopment* unless otherwise requested by the *Province* or the *Region*.

Region of Waterloo International Airport

6.C.3.16. The *City* supports the long-term operation of the Region of Waterloo International Airport and recognizes the positive economic role and service it provides to the public.

6.C.3.17. The *City*, in planning for land uses in the vicinity of the Region of Waterloo International Airport, will:

a) Ensure conformity with the applicable policies in the Regional Official Plan;

b) Prohibit any land use or structure which could affect the operation of the Airport, cause a potential aviation safety hazard, or be *incompatible* for reasons of public health, safety or environmental concerns;

c) Ensure that *sensitive land uses* are designed, buffered and/or separated from each other to prevent *adverse effects* from odour, noise and other contaminants;

d) Require the provision of warning clauses, where appropriate through the *development* review process, advising owners in the vicinity of the Region of Waterloo International Airport of potential lighting and height restrictions and of the potential for noise-related impacts; and,

e) Ensure conformity with Transport Canada's Region of Waterloo International Airport Zoning Regulations.

f) For those lands designated SGA C and zoned SGA 4 a maximum height regulation will be included in the zoning by-law to ensure that no building or structure (including any cranes, antennas, or any on-roof attachments) exceeds the maximum heights as set out in the 2024 IDS Aeronautical Assessment for Kitchener MTSAs dated June 2024.

g) For those lands designated SGA C and zoned SGA 4 a zoning by-law amendment application to increase the maximum height may be considered where there will be no negative impact on the Region of Waterloo International Airport and aviation or public safety as demonstrated either through an aeronautical assessment prepared by a qualified consultant or a Land Use Assessment from NAV Canada, to the satisfaction of the Region of Waterloo.

Railways

6.C.3.18. All proposed *development* or *redevelopment adjacent* to railways will ensure that appropriate safety measures such as setbacks, berms and security fencing are approved to the satisfaction of the *City* in consultation with the appropriate railways.

Propane Installations/Facilities

6.C.3.19. The use of properties for propane installations or facilities will be regulated through the *City's Zoning By-law* and further by the *City's* Risk and Safety Management Plan requirements.

6.C.4 Human-Made Hazards

Preamble

Contaminated lands and former waste disposal sites pose a risk to human and environmental health but also provide opportunities for potential *redevelopment* and *intensification* and the efficient use of land, resources and existing *infrastructure*. Prior to permitting *development* or *redevelopment*, it is important to identify these sites and reduce the potential risks and costs associated with such human-made hazards by ensuring that sites do not pose *adverse effects* and ensure they are suitable for the proposed land uses.

Objectives

6.4.1. To endeavour to ensure that the decommissioning and remediation of sites, including *brownfields* and *greyfields*, are completed in an environmentally acceptable manner.

Policies

6.C.4.1. *Community Improvement Plans* may be prepared and adopted in accordance with the policies in Section 17.E.5 to encourage the remediation of environmentally contaminated lands.

Known or Potentially Contaminated Lands

6.C.4.2. The *City* will require the submission of a Record of Site Condition where *development* is proposed on, or adjacent to, a known or potentially contaminated site as required by the *Region*, in accordance with the procedures contained in the Regional Implementation Guideline for the Review of Development Applications on or Adjacent to Known and Potentially Contaminated Sites.

6.C.4.3. The *City* will require the submission of an *Environmental Site Assessment* where a change in the permitted or legal use of lands is proposed on or *adjacent* to a known or potentially contaminated site.

6.C.4.4. Where an *Environmental Site Assessment* and/or Record of Site Condition are required in accordance with Policies 6.C.4.2 and 6.C.4.3, the *City* will defer a decision upon a *development application* until notification is received from the *Province* and/or *Region* that the *Environmental Site Assessment* and/or Record of Site Condition is/are satisfactory. Where site clean-up is required, final planning approvals will be withheld until the *Province* has provided confirmation that the lands have been made suitable for the proposed use. The content, procedures and recommendations of any decommissioning or site remediation program will follow the guidelines established by the *Province*.

6.C.4.5. Where the *City* accepting any lands dedicated for parkland, stormwater management, public highways, road widenings, easements or for any other public use, entering into any land exchange agreement, or purchasing any land for any purpose, the *City* will require evidence that no environmental contamination has occurred on the lands, that

the lands have been satisfactorily restored, or that a record of on-site contaminants is provided. Unless satisfied, the lands may not be accepted or purchased by the *City*.

6.C.4.6. The policies of this Section are not intended to apply to the closure of waste disposal sites or other facilities that are required to meet closure conditions of an Environmental Compliance Approval issued under the Environmental Protection Act or to terms and conditions attached to an Exemption Order issued under the Environmental Assessment Act, except to the extent that the *Provincial* guidelines for decommissioning and remediation are made applicable by such an approval or order.

Former Waste Disposal Sites

6.C.4.7. The *City* recognizes the existence of a number of abandoned landfill and former waste disposal sites within the municipality. These sites are identified in Schedule C.

6.C.4.8. No uses except those approved by the *City*, and where appropriate the *Region*, and in writing by the *Province* pursuant to the Environmental Protection Act, will be permitted on formal waste disposal sites within 25 years of termination of waste disposal activities.

6.C.4.9. Where development or change in the legal use of land is proposed within 150 metres of the perimeter of McLennan Park and 30 metres of the perimeter of all other former waste disposal sites identified in Schedule C, the owner/applicant will be responsible for:

a) identifying any existing or potential *adverse environmental impacts* or risks to health and safety;

b) providing the *City*, the *Province* and where appropriate, the *Region*, with whatever consultant reports may be required in order to satisfy the *Province*, the *Region* and the *City* that the proposed development can take place; and,

c) in consultation with the *City*, the *Province*, and where appropriate, the *Region*, proposing and undertaking any necessary remedial measures to enable the proposed development to take place.

6.C.4.10. Factors to be considered in the development or change in the legal use of lands on or near any operating or former waste disposal site include, but will not be limited to any other contaminates, landfill generated gases, ground and surface water contamination by leachate, odour, litter, truck traffic, visual impact, dust, noise, air emissions from machinery and trucks, disposal site fires, vectors and vermin. Particular attention will be given to methane gas.

SECTION 7: NATURAL HERITAGE & ENVIRONMENTAL MANAGEMENT

7.C.1 Source Water Protection

Preamble

Clean and plentiful drinking-water is essential for maintaining human health, economic prosperity and a high quality of life in Kitchener. As such, it is critical to protect Kitchener's drinking-water resources, drawn from both the Grand River and *groundwater features*, from contamination and from land uses that could hinder surface and groundwater recharge.

This Plan contains policies for the protection and conservation of the *City's* drinking water resources and the implementation of the Regional Official Plan. Source Water Protection Areas are identified by the *Region* and mapped in the Regional Official Plan. These protection areas are significant in that they contribute water, or are in close proximity, to municipal drinking-water supply wells and surface water intakes that are *vulnerable* to contamination and or depletion from *incompatible* land uses.

Objectives

7.1.1. To protect existing and future sources of drinking water from *incompatible* land uses.

7.1.2. To maintain and, wherever feasible, enhance the quantity and quality of water infiltration and recharge to groundwater aquifers.

7.1.3. To minimize the potential for contamination, including potential contamination from de-icing salts, on sources of municipal drinking-water.

7.1.4. To promote informed stewardship of Source Water Protection Areas in collaboration with the *Region*, the *Province* and the Grand River Conservation Authority.

Policies

7.C.1.1. Source Water Protection Areas are designated in the Regional Official Plan and *identified* on Map 8 and policies that are applied to them are in the Regional Official Plan.

7.C.1.2. Source Water Protection Areas are identified to protect the current and future *municipal drinking-water supply system*. These protection areas are significant in that they contribute water, or are in close proximity, to municipal drinking-water supply wells and surface water intakes that are *vulnerable* to contamination and/or depletion from *incompatible* uses. Source Water Protection Areas consist of *Wellhead Protection Sensitivity Areas*, *High Microbial Risk Management Zones*, *Surface Water Intake Protection Zones* and *Regional Recharge Areas*.

7.C.1.3. The *City* will ensure *development applications* within Source Water Protection Areas are in conformity with the applicable policies of the Regional Official Plan.

7.C.1.4. The *City's Zoning By-law* will regulate the permitted uses within Source Water Protection Areas to ensure conformity with the Regional Official Plan in terms of *compatible* land uses.

7.C.1.5. New water taking will not be permitted for any new or expanding uses within the City's Urban Area.

7.C.1.6. The *City*, in accordance with the Clean Water Act, will collaborate with other public agencies having jurisdiction to develop and implement a *Source Water Protection Plan*. This Plan will be amended, from time to time, to implement the recommendations of the approved *Source Water Protection Plan*.

7.C.2 Natural Heritage System

Preamble

The *city* has a diverse and abundant supply of various natural resources that must be managed wisely in order to ensure the continued existence and viability of the *Natural Heritage System*. These resources provide a wide range of public health, recreational, environmental and economic benefits to the *city* and its citizens. This *green infrastructure* is just as valued and valuable as other municipal assets such as roads and sewers, critical to a high quality of life, and deserving of careful planning, management and adequate resourcing. As such, the *City* is committed to preserving, conserving, restoring and enhancing its *Natural Heritage System* that contributes to the character of the *city* and the quality of life of its citizens. The policies of this Section will seek to ensure that *development* which meets the needs of the current generation may proceed without compromising the ability of the future generations to meet their own needs.

Kitchener's *Natural Heritage System* is comprised of *natural heritage feature*s that maintain local and regional biological, hydrological, ecological and geological diversity and functions, support viable populations of indigenous species, and sustain local ecosystems.

The *Natural Heritage System* policies aim to strike a balance between protection of the *Natural Heritage System* while providing for growth and *development* in accordance with the policies of this Plan. Each feature in the System contains policies that provide appropriate protection based on the feature's significance and sensitivity. Features categorized as Core Natural Heritage Features are afforded the greatest level of protection and are designated Natural Heritage Conservation, which generally prohibits *development*. The features identified as *Significant Wildlife Habitat*, Significant Landforms and *Ecological Restoration Areas* also place limitations on *development*; requiring further studies to determine whether *development* within the feature is appropriate and how it should occur. Accordingly, the features identified as *Significant Wildlife Habitat*, Significant Landforms and *Ecological Restoration Areas* will be treated as an overlay to land use designations. Features identified as Supporting Natural Heritage Features, such as *Natural Linkages and Corridors*, help contribute to the overall ecological integrity and connectivity of the *Natural Heritage System*. It is intended that these features and their functions will be conserved and enhanced.

Objectives

7.2.1. To ensure that all features of the *Natural Heritage System* are identified and protected within a comprehensive planning process and that criteria identifying the *Natural Heritage System* features are applied in a transparent and consistent manner.

7.2.2. To provide for the protection, conservation, *restoration*, or enhancement of the *ecological functions*, hydrological functions and biodiversity of the *Natural Heritage System*.

7.2.3. To ensure no decrease in the quality of the *Natural Heritage System*.

7.2.4. To support the ongoing monitoring and management of Kitchener's *Natural Heritage System*.

7.2.5. To promote informed stewardship and community involvement in natural heritage maintenance and enhancement.

Policies

7.C.2.1. The *Natural Heritage System* includes all the *natural heritage feature*s which have been identified by the Kitchener Natural Heritage System Technical Background Report for protection, conservation, *restoration* and/or enhancement. The features of the *Natural Heritage System* include but are not limited to the following:

a) *Provincially Significant Wetlands;*

b) *Locally Significant Wetlands;*

c) *Significant Valleys;*

d) *Environmentally Significant Valley Features;*

e) Locally *Significant Valleylands;*

f) Environmentally Sensitive Policy Areas;

g) *Significant Woodlands;*

h) *Locally Significant Woodlands;*

i) *Significant Habitat of Endangered or Threatened Species;*

j) *Significant Wildlife Habitat;*

k) *Fish Habitat;*

l) *Regional Recharge Areas;*

m) *Environmentally Significant Discharge Areas;*

n) *Environmentally Significant Recharge Areas;*

o) Significant Landforms (*Earth Science Areas of Natural and Scientific Interest*);

p) *Ecological Restoration Areas*; and,

q) *Natural Linkages and Corridors*.

7.C.2.2. The *City* is committed to protecting, conserving, restoring and enhancing its *Natural Heritage System* which contributes to the character of the *city* and the quality of life of its residents.

7.C.2.3. Illegal acts resulting, or having resulted, in a reduction in the form or function of a *natural heritage feature*, including but not limited to such acts as tree removal, *wetland* filling or draining, or the diverting of watercourses, will not be recognized as existing conditions within the *development* review process. *Restoration* of the damaged area may be required prior to, or as a condition of, approval of any *development applications*.

7.C.2.4. The removal, destruction or injuring of *woodlands* and/or trees will be regulated through the *City's* Tree Conservation By-law.

7.C.2.5. The policies pertaining to the *Natural Heritage System* are intended to maintain, *restore* or improve the diversity, connectivity and *ecological function*s of the *city's natural heritage features*. Land uses and activities that do not achieve these ends will be prohibited or generally not supported, as appropriate.

7.C.2.6. Notwithstanding Policy 7.C.2.5, the identification of lands as Core Natural Heritage Features, Significant Landforms, *Ecological Restoration Areas* or Supporting Natural Heritage Features will not limit the abilty of *agricultural uses* and associated normal farm practices to continue as defined in applicable *provincial* legislation and regulations in conformity with this Plan and the *City's Zoning By-Law*, as well as statutes, policies, and regulations of other government agencies, including agricultural drainage through municipal or agreement drains.

Identification of Natural Heritage Features

7.C.2.7. The *Natural Heritage System* is shown on Map 6 and designated accordingly on Map 3. The boundary of the System is approximate and the exact delineation will be determined more precisely through the *development* review process and, in consultation with the appropriate public agencies. Owners/applicants may be required to undertake the necessary studies to facilitate this process.

7.C.2.8. The mapping and criteria for identifying individual *natural heritage features* are included in the Kitchener Natural Heritage System Technical Background Report.

7.C.2.9. In accordance with common practices to protect the associated habitat and species from disturbance, *Habitat of Endangered Species and Threatened Species* are not shown on the maps of this Plan.

7.C.2.10. The *City* will collaborate with *Provincial* and *Federal* governments to ensure that *Significant Habitat of Endangered or Threatened Species* on lands affected by, or *lands adjacent* to, any proposed *development*, *redevelopment* or *site alteration* is properly identified.

7.C.2.11. This Plan may not reflect the most up-to-date information on the precise location and boundaries of *natural heritage feature*s. Interpretation of the boundaries of *natural heritage features*, as required to support the review of *development applications*, will be achieved through the completion of *Environmental Impact Studies* or other appropriate studies in accordance with the policies in Section 17.E.11 and will not require an Official Plan Amendment.

7.C.2.12. Boundary interpretations not generally in conformity with the *Natural Heritage System* as shown on Map 6 will require an Official Plan Amendment. Instances where an Official Plan Amendment will be required, unless otherwise provided for in this Plan, include a change in the classification of a *natural heritage feature* or a significant change in the spatial extent or boundaries of a feature.

7.C.2.13. On lands where features of the *Natural Heritage System* have not been adequately identified through a *watershed* study or other appropriate study, *development* and/or *site alteration* will be prohibited until such time as an *Environmental Impact Study* has been prepared by an owner/applicant in accordance with the policies in Section 17.E.11 to identify and evaluate any such features located on the subject lands and, wherever appropriate, *adjacent lands*.

7.C.2.14. Where lands have been identified by the *Province*, or through a *watershed* study or other appropriate study accepted by the *City* and/or the *Region* as fulfilling the criteria to be designated as a feature of the *Natural Heritage System*, an Official Plan Amendment will be considered to designate such lands as part of the *Natural Heritage System*. Prior to the approval of the amendment, any *development*, *redevelopment* or *site alteration* proposed on or within *adjacent lands* of a *Natural Heritage System* feature will be considered premature, or will proceed on the basis that the lands identified as meeting the criteria are protected as though they are a Core Natural Heritage feature in accordance with the policies in this Plan.

7.C.2.15. Where lands contain two or more features of the *Natural Heritage System*, the more restrictive policies in this Plan pertaining to those features will apply in the event of any conflict.

7.C.2.16. The extent of *adjacent lands* to a *natural heritage feature* that trigger an *Environmental Impact Study* will be determined by the *City* in consultation with other public agencies having jurisdiction.

7.C.2.17. This Plan recognizes that several of the features in the Natural Heritage System are also included as part of the *Landscape Level System* or as *Core Environmental Features* outlined in the Regional Official Plan. This includes, *Significant Valleys*, *Regional Recharge Areas*, *Provincially Significant Wetlands*, *Environmentally Significant Valley Features*, Environmentally Sensitive Policy Areas, *Significant Woodlands* and *Significant Habitat of Endangered or Threatened Specie*s. Further, any boundaries associated with these features may be refined by the *Region* in accordance with the policies in the Regional Official Plan.

7.C.2.18. All proposals for *development*, *redevelopment* or *site alteration* within, or *adjacent* to, any features included as part of the *Landscape Level System* or *Core Environmental Features* outlined in Policy 7.C.2.17 will be reviewed in accordance with the Regional Official Plan.

Figure 7: Natural Heritage System, Features and Designations

Natural Heritage System	Natural Heritage Features	Land Use Designation
Core Natural Heritage Features	Provincially Significant Wetlands**	Natural Heritage Conservation
	Locally Significant Wetlands	
	Significant Valleys*	
	Environmentally Significant Valley Features**	
	Locally Significant Valleylands	
	Environmentally Sensitive Policy Areas**	
	Significant Woodlands**	
	Locally Significant Woodlands	
	Significant Habitat of Endangered or Threatened Species**	
	Fish Habitat	
Significant Wildlife Habitat	Significant Wildlife Habitat	Multiple designations (treated as overlay)
Significant Landforms	Significant Landforms	Multiple designations (treated as overlay)
Ecological Restoration Areas	Ecological Restoration Areas	Multiple designations (treated as overlay)
Regional Recharge Area	Regional Recharge Area*	Multiple designations (treated as overlay)
Supporting Natural Heritage Features	Environmentally Significant Discharge Area***	Multiple designations (features not mapped)
	Environmentally Significant Recharge Area***	
	Natural Linkages and Corridors	

** Identified as a Landscape Level System Feature within the Regional Official Plan*
*** Identified as a Core Environmental Feature within the Regional Official Plan*
**** Identified as Supporting Environmental Feature within the Regional Official Plan*

Features of the Natural Heritage System

Core Natural Heritage Features

7.C.2.19. Core Natural Heritage Features include the following:

a) *Provincially Significant Wetlands*;

b) *Locally Significant Wetlands*;

c) *Significant Valleys*;

d) *Environmentally Significant Valley Features*;

e) Locally *Significant Valleylands*;

f) Environmentally Sensitive Policy Areas;

g) *Significant Woodlands*;

h) *Locally Significant Woodlands*;

i) *Significant Habitat of Endangered or Threatened Species*; and,

j) *Fish Habitat*.

7.C.2.20. Areas identified as Core Natural Heritage Features on Map 6 are designated as Natural Heritage Conservation on Map 3. *Development*, *redevelopment* or *site alteration* will not be permitted on these lands. Uses permitted on these lands are stipulated in Section 15.D.9.

7.C.2.21. Notwithstanding Policy 7.C.2.20, *development* and *site alteration may* be permitted in *habitat of endangered species and threatened species* in accordance with provincial and federal requirements.

7.C.2.22. Notwithstanding Policy 7.C.2.20, the extension of existing municipal *infrastructure* projects where the alignments or locations of those facilities have been established in this Plan, approved Community Plans, Secondary Plans, Plans of Subdivisions and/or approved *Environmental Assessments* and receipt of any other applicable approvals, may be permitted within Core Natural Heritage Features subject to the application of specific mitigative measures set out in an approved *Environmental Impact Study* and in accordance with the applicable policies of the Regional Official Plan.

7.C.2.23. *Development*, *redevelopment* or *site alteration* will only be permitted on *lands adjacent* to the Natural Heritage Conservation features where an *Environmental Impact Study* or other appropriate study has determined to the satisfaction of the *City*, *Region*, Grand River Conservation Authority and/or *Province*, as appropriate, that approval of the proposed d*evelopment*, *redevelopment* or *site alteration* would not result in *adverse environmental impacts* on the *natural heritage feature* or the *ecological functions* of the feature.

7.C.2.24. The valley of the Grand River is designated as a *Significant Valley* in the Regional Official Plan and shown within the Core Natural Heritage Features on Map 6. The *City* will collaborate with the *Region* and the Grand River Conservation Authority to maintain the character of the Grand River by identifying, conserving, interpreting and enhancing *cultural heritage resources* of recreational and scenic value.

Significant Wildlife Habitat

7.C.2.25. Areas identified as *Significant Wildlife Habitat* on Map 6 will be treated as on overlay to land use designations on Map 3.

7.C.2.26. The *City* will, in conjunction with other interested groups and agencies, seek opportunities to acquire, manage and maintain *Significant Wildlife Habitat* areas in the *city*.

7.C.2.27. In *Significant Wildlife Habitat* areas, *development*, *redevelopment* or *site alteration* will not be permitted unless it is demonstrated through an *Environmental Impact Study* or other appropriate study to the satisfaction of the *City*, *Region*, Grand River Conservation Authority and/or *Province*, as appropriate, that there will be no *adverse environmental impacts* on the *natural heritage feature* or *ecological functions*.

7.C.2.28. *Development*, *redevelopment*, and/or *site alteration* will not be permitted on *lands adjacent* to *Significant Wildlife Habitat* unless it is demonstrated through an *Environmental Impact Study* or other appropriate study to the satisfaction of the *City*, *Region*, Grand River Conservation Authority and/or *Province*, as appropriate, that there will be no *adverse environmental impacts* on the *natural heritage feature* or the *ecological functions* of the feature.

7.C.2.29. A special regulation provision will be applied to the zoning category of lands identified as *Significant Wildlife Habitat* and may be applied to *lands adjacent* to *Significant Wildlife Habitat* to serve notice that properties so zoned with will be further regulated to implement Policies 7.C.2.27 and 7.C.2.28 respectively.

Significant Landforms

7.C.2.30. Areas identified as Significant Landforms on Map 6 will be treated as on overlay to land use designations on Map 3.

7.C.2.31. In Significant Landform areas, *development*, *redevelopment* or *site alteration* will not be permitted unless it is demonstrated through an *Environmental Impact Study* or other appropriate study to the satisfaction of the *City*, *Region*, Grand River Conservation Authority and/or *Province*, as appropriate, that the *ecological function*s, topography, stratigraphic exposures and other geologically defining features for which the area was identified are conserved.

7.C.2.32. *Development*, *redevelopment* or *site alteration* will only be permitted on *lands adjacent* to Significant Landforms where an *Environmental Impact Study* or other appropriate study has determined to the satisfaction of the *City*, *Region*, Grand River Conservation Authority and/or *Province*, as appropriate, that approval of the proposed d*evelopment*,

redevelopment or *site alteration* would not result in *adverse environmental impacts* on the *natural heritage feature* or the *ecological functions* of the feature.

7.C.2.33. A special regulation provision will be applied to the zoning category of lands identified as Significant Landforms and may be applied to *lands adjacent* to Significant Landforms to serve notice that properties so zoned with will be further regulated to implement Policies 7.C.2.31 and 7.C.2.32 respectively.

Ecological Restoration Areas

7.C.2.34. *Ecological Restoration Areas* are identified in both aquatic and terrestrial ecosystem components of the *Natural Heritage System*. Areas identified as *Ecological Restoration Areas* on Map 6 will be treated as on overlay to land use designations on Map 3.

7.C.2.35. *Ecological Restoration Areas* are identified by the *City* in order to enhance the diversity and connectivity of the *Natural Heritage System* and to provide habitat supportive of the overall *sustainability* of the System.

7.C.2.36. The *City* will continue to identify *Ecological Restoration Areas* through such means as technical studies undertaken or accepted by the *City*, through the *development* review process, through the conservation, *restoration* and land securement programs of public agencies, and through private land stewardship.

7.C.2.37. The *City* will rely upon recommendations from a wide variety of studies and undertakings which have or will identify *Ecological Restoration Areas* in the *city* to *restore* their *ecological function*s.

7.C.2.38. *Ecological Restoration Areas* may overlay another *natural heritage feature* within the *Natural Heritage System*. Where *Ecological Restoration Areas* overlay a Core Natural Heritage Feature in accordance with 7.C.2.19, the more restrictive applicable policies will apply.

7.C.2.39. *Ecological Restoration Areas* will be reclassified as Core Natural Heritage Features in accordance with 7.C.2.19 and redesignated Natural Heritage Conservation following their *restoration* in accordance with Policies 7.C.2.40 and 7.C.2.41.

7.C.2.40. In *Ecological Restoration Areas*, *development*, *redevelopment* or *site alteration* will not be permitted unless an *Environmental Impact Study* or other appropriate study evaluates the area's *ecological function*s in its *optimal ecological state* in accordance with Policy 7.C.2.42, and demonstrates to the satisfaction of the *City*, *Region*, Grand River Conservation Authority and/or *Province,* as appropriate, that there will be no *adverse environmental impacts* on the restored feature or the *ecological functions* of the feature in its *optimal ecological state*.

7.C.2.41. *Development*, *redevelopment* or *site alteration* will not be permitted on *lands adjacent* to an *Ecological Restoration Area* unless an *Environmental Impact Study* or other appropriate study evaluates the area's *ecological function*s in its *optimal ecological state* in accordance with Policy 7.C.2.42, and demonstrates to the satisfaction of the

City, *Region*, Grand River Conservation Authority and/or *Province*, as appropriate, that there will be no *adverse environmental impacts* on the *restored* feature or the *ecological function*s of the feature in its *optimal ecological state*.

7.C.2.42. The *optimal ecological state* of an ecosystem may be determined through watershed studies, *environmental assessments*, or other similar master plans or studies. Where no such guidance exists, the *optimal ecological state* of an ecosystem will be determined by the appropriate agencies having jurisdiction in consultation with the owner/applicant.

7.C.2.43. A special regulation provision will be applied to the zoning category of lands identified as *Ecological Restoration Areas* and may be applied to *lands adjacent* to *Ecological Restoration Areas* to serve notice that properties so zoned with will be further regulated to implement Policies 7.C.2.34 and 7.C.2.42 respectively.

Regional Recharge Areas

7.C.2.44. Areas identified as *Regional Recharge Areas* on Map 8 will be treated as an overlay to land use designations on Map 3.

7.C.2.45. *Development applications*, excluding site plan applications, within a *Regional Recharge Area* on lands designated for urban development in this Plan will comply with the following:

a) Category 'A' uses, as defined in the Regional Official Plan, or employment land uses restricted under the Source Water Protection policies of the Regional Official Plan, will not be permitted;

b) the development maintains, enhances, or *restores* the hydrogeologic and *hydrologic functions* of the *Regional Recharge Area* as established through watershed studies, community plans or through further study in accordance with the Source Water Protection policies of the Regional Official Plan;

c) the development incorporates best management practices, where appropriate, developed in accordance with the provisions of the Regional Implementation Guideline for Source Water Protection Studies; and,

d) the development is in conformity with all other applicable policies of this Plan and the Regional Official Plan.

Supporting Natural Heritage Features

7.C.2.46. Supporting Natural Heritage Features (unmapped) include *Environmentally Significant Discharge Areas*, *Environmentally Significant Recharge Areas* and *Natural Linkages and Corridors*.

7.C.2.47. The *City*, the *Region*, Grand River Conservation Authority and other stakeholders will identify Supporting Natural Heritage Features through (sub)watershed studies, Natural Heritage Inventories, *Environmental Impact Studies* or other appropriate studies.

7.C.2.48. Where feasible, development, *redevelopment or site alteration* will avoid Supporting Natural Heritage Features. Where it is not feasible to avoid these areas, development, *redevelopment or site alteration* within Supporting Natural Heritage Features will be designed to maintain, enhance and where feasible, *restore* the *ecological functions* of Supporting Natural Heritage Features.

7.C.2.49. Notwithstanding 7.C.2.48, where *Environmentally Significant Discharge Areas* or *Environmentally Significant Recharge Areas* sustain Core Natural Heritage Features, as determined through a *watershed study* or other appropriate study accepted by the *City* and other public agencies having jurisdiction, *development* or *site alteration* will only be permitted within the *Environmentally Significant Discharge Areas* or *Environmentally Significant Recharge Areas* where it is demonstrated through an *Environmental Impact Study* or other appropriate study accepted by the *City* and other public agencies having jurisdiction that there will be no *adverse environmental impacts* on the Core Natural Heritage Features or their *ecological functions*.

7.C.2.50. The incorporation of *Natural Linkages and Corridors* will be required in the design of new *development* or *redevelopment* with the intent of maintaining, enhancing or, wherever feasible, restoring linkages among *natural heritage features*.

7.C.2.51. The introduction of recreational trails or other uses that could harm *Natural Linkages and Corridors* is discouraged unless it can be demonstrated to the satisfaction of the appropriate approval authority that the proposed use will not harm the natural habitat.

Environmental Impact Studies

7.C.2.52. Any required *Environmental Impact Study* will be completed in accordance with the Environmental Impact Studies Policies in Section 17.E.11.

7.C.2.53. An Official Plan Amendment will not be required for consideration of a *Zoning By-law* Amendment to change the legal use of land on all or part of adjacent lands provided it conforms to the policies of the abutting Official Plan land use designation and is supported by the required *Environmental Impact Study* as set out in the Environmental Impact Studies Policies in Section 17.E.11.

Land Division

7.C.2.54. Land division through severance or plan of subdivision (or condominium) that has the effect of fragmenting lands within the *Natural Heritage System* will not be permitted in Core Natural Heritage Features and will be discouraged in all other *natural heritage features*, except where such division will facilitate public acquisition of the elements of the *Natural Heritage System*.

7.C.2.55. Land division that results in the creation of a new lot will be discouraged on *lands adjacent* to *natural heritage features* unless the *ecological features and functions* of the *adjacent lands* have been evaluated and it has been demonstrated through an *Environmental Impact Study* or other appropriate study to the satisfaction of the *City*, *Region*, Grand River Conservation Authority and/or *Province* that there will be no negative impacts on the *natural heritage features*, or on their *ecological functions*.

Land Stewardship and Ownership

7.C.2.56. Public agencies, community organizations, and private landowners will be encouraged to protect and enhance the *city's Natural Heritage System*.

7.C.2.57. Where components of a *Natural Heritage System* are held in private ownership, nothing in this Plan will require that these lands be available for public use, and the identification of land will not oblige the *City* or other public agencies to purchase the land.

7.C.2.58. Notwithstanding Policy 7.C.2.57, where feasible, the *City* will consider acquiring land to protect and improve the *Natural Heritage System*.

Regulation Authority

7.C.2.59. Any decision considered by the *City* for any *development application* with respect to land on or within *adjacent lands* of a *natural heritage feature* will be made in consultation with the appropriate authorities, in accordance with the policies of this Plan, using the best available information at that time.

7.C.2.60. Lands within river or stream valleys, *floodplains*, *wetlands*, watercourses, lakes or natural *hazardous lands*, or lands within 120 metres of *Provincially Significant Wetlands* and *wetlands* greater than or equal to two hectares, or lands within 30 metres of *wetlands* less than two hectares are regulated by the Grand River Conservation Authority. *Development*, *redevelopment* or *site alteration* within these regulated areas will require a permit from the Grand River Conservation Authority in accordance with the applicable regulation approved under the Conservation Authorities Act.

7.C.3 Watershed Planning

Preamble

Watershed planning is an integrated and comprehensive, ecosystem-based approach to land use planning based on *watershed* or *subwatershed* boundaries. *Watershed* planning identifies known and expected impacts of human activities prior to *development* and seeks to address these impacts through proper management of the resource. Accordingly, it provides a framework for protecting, maintaining and enhancing *natural heritage features* and their associated *ecological functions*.

The *City* recognizes *watershed* planning as an important tool for guiding planning decisions to ensure the *natural heritage features* and water resources are protected from individual or cumulative impacts to ensure long term ecosystem health.

Unlike municipal boundaries, *watershed* boundaries are defined by nature and, as a result, *watersheds* often overlap a number of jurisdictions. *Watershed* planning implies the coordinated management and *restoration* of *watersheds* by the *City*, the Conservation Authority, the *Region* and various other public agencies having jurisdiction in the *watershed*. Figure 8 below illustrates the hierarchy of *watershed* and land use plans within the *city*.

Figure 8: Watershed and Planning Hierarchy

Objectives

7.3.1. To ensure the proper management of the *watershed*/*subwatershed* and the conservation of the *natural heritage features*.

7.3.2. To *restore*, protect and enhance the ecological, historic, cultural, recreational and visual amenities of urban and rural areas within the *watershed*/*subwatershed* particularly along stream corridors.

7.3.3. To minimize the threat to life, social disruption and destruction of property and natural resources as a result of surface ponding, stormwater flows and flooding through the re-establishment and protection of natural *flood plain hydrologic function*s.

7.3.4. To reduce sedimentation and pollution through the coordination of stormwater management facilities within a *watershed*/*subwatershed*.

7.3.5. To *restore*, protect and/or enhance the quality and quantity of surface water and *groundwater features* and functions through sound stormwater management.

Policies

Watershed/Subwatershed Plans

7.C.3.1. The *City* will work co-operatively with the *Province*, the *Region* and the Grand River Conservation Authority to prepare and implement *Watershed*/*Subwatershed* Plans. The primary focus will be to develop detailed targets and objectives for resource management, environmental protection and how these relate to *development*. *Watershed*/*Subwatershed* Plans will also determine the type, level and intensity of *development* which may occur in the *watershed*/*subwatershed*.

7.C.3.2. The priorities and process for undertaking and updating a *Watershed*/*Subwatershed* Plan will be jointly determined by the *Province*, the *Region*, the *City* and the Grand River Conservation Authority.

7.C.3.3. The *Watershed*/*Subwatershed* Plan process will precede or run concurrently with the Official Plan process for land use designation. This will ensure consistency between the land use objectives, the provision of major municipal *infrastructure* and transportation systems, the management of the water resources and the retention of key *natural heritage features* and maintenance of *ecological functions* of the *watershed*. Through the integration of these processes, future *development* will be assessed in terms of its cumulative impact on the *watershed*/*subwatershed*.

7.C.3.4. The *City* will require the finalization of a Watershed/Subwatershed Plan prior to an Official Plan Amendment or the adoption of a community plan or secondary plan, which would have the effect of permitting significant areas of *development* within the *watershed*/*subwatershed*.

7.C.3.5. This Plan will be amended to implement recommendations from a Watershed/Subwatershed Plan, where appropriate. Recommendations from the Watershed/Subwatershed Plan will also be implemented through the *development* review process. The *City* will also encourage other parties to undertake whatever actions are within their jurisdiction to implement the *Watershed/Subwatershed Plan*.

7.C.3.6. Subwatershed Plans have or will be undertaken for the Strasburg Creek, Laurel Creek, Doon South Creek, Bauman Creek, Bechtel Creek, Blair Creek and Alder Creek *watersheds*. The *City*, *Region* and/or the Grand River Conservation Authority may identify other *subwatersheds* for a similar level of study including the updating of existing *Master Drainage Plans* to meet the objectives of a Watershed/Subwatershed Plan.

7.C.3.7. The *City*, the *Province*, the *Region*, the Grand River Conservation Authority and, where applicable, other affected Area Municipalities, in consultation with affected landowners and the general public, will jointly determine the terms of reference for *watershed*/*subwatershed studies*. At a minimum, the terms of reference for *watershed*/*subwatershed studies* will include:

a) identification, maintenance, *restoration* and, wherever feasible, enhancement of *natural heritage features*, *groundwater feature*s, surface water features and *ecological functions* which are necessary for the *ecological* and *hydrological* integrity of the *watershed*/*subwatershed*;

b) identification, maintenance, *restoration* and, wherever feasible, enhancement of *Natural Linkages and Corridors* among *natural heritage features* and *ecological functions*, *groundwater feature*s and surface water features;

c) identification of issues with respect to *development* impacts on the *Natural Heritage System* and the identification of the requirements to be fulfilled by the completion of an *Environmental Impact Study* for *development* on *adjacent lands*;

d) determination of areas where *development* and/or *site alteration* will be prohibited to:

   i) protect actual and potential municipal drinking-water supplies and identified *vulnerable* areas; and,

   ii) maintain, enhance or, wherever feasible, *restore* sensitive and *vulnerable* surface water and *groundwater features*, and their *hydrologic function*s, and *floodplains*;

e) protection of the quality, quantity, distribution and direction of flow of existing surface and groundwater processes and other mitigative measures;

f) identification of stormwater management practices that maintain or enhance the quality, quantity and distribution of stormwater including flood risk and *floodplain* management, preservation of erosion and sedimentation, infiltration measures, and minimize stormwater volumes and contaminant loads;

g) identification of areas where site-specific *Environmental Impact Studies* may be required for the review of *development* and/or *site alteration* proposals. Wherever feasible, *watershed*/*subwatershed studies* should partially fulfill the *Environmental Assessment* requirements for major *infrastructure* works to be located within that *watershed*, and/or a Comprehensive *Environmental Impact Study* for all or part of the *watershed*/*subwatershed* and including *wetlands*; and,

h) develop a monitoring plan and define roles and responsibilities for pre-, during- and post-construction monitoring to determine and address the impact of *development* on the *Natural Heritage System* and surface and *groundwater features*.

Stormwater Management Plans

7.C.3.8. A *Stormwater Management Plan* may be required in support of a Plan of Subdivision application and/or Site Plan application to the satisfaction of the *City*, Grand River Conservation Authority or the *Region*, in accordance with the policies in Section 17. The *Stormwater Management Plan* must meet stormwater management requirements and, where applicable, will implement the recommendations of a *Subwatershed* Master Plan or *Master Drainage Plan*.

7.C.3.9. In areas where an approved *Master Drainage Plan* has been adopted, a *Stormwater Management Plan* will be required to be submitted to and approved by the *City* as a condition of the Draft Approval of a Plan of Subdivision or Site Plan Approval if specifically required by the *Master Drainage Plan*. Further, any *Stormwater Management Plan* must be in conformity with the objectives established in the *Master Drainage Plan*.

7.C.3.10. *Stormwater Management Plans* will consider the guidelines and policies provided in the *City*-adopted Stormwater Management Facilities Design Principles to ensure that modern stormwater management techniques are employed and to ensure that these facilities are considered aesthetic amenities in community design.

7.C.4 Sustainable Development

Preamble

Development that meets the needs of the present without compromising the ability of future generations to meet their own needs is often what is referred to as "*sustainable*" *development*. *Sustainable development* promotes a holistic approach to planning to achieve a balance between the social and economic needs of the community, and environmental conservation.

A broad range of practices, including: developing communities and buildings that are energy and water efficient; reducing greenhouse gas emissions; using environmentally friendly building materials; efficiently managing stormwater; reducing and/or managing solid waste; and, creating complete, healthy, *walkable*, *transit-supportive*, cycling and *pedestrian*-friendly communities are often associated with *sustainable development*.

The *City* is committed to accommodating growth in a *sustainable* manner.

Objectives

7.4.1. To promote *sustainable development* through conservation, efficiency and design.

7.4.2. To manage our natural resources wisely to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

7.4.3. To require site development and *building design* to utilize appropriate *sustainable development* practices.

Policies

7.C.4.1. The *City* will ensure that *development* and *redevelopment* strives to be increasingly *sustainable* by encouraging, supporting and, where appropriate, requiring:

a) compact *development* and efficient *built form*;

b) environmentally responsible design (from community design to *building design*) and construction practices;

c) the integration, protection and enhancement of natural features and landscapes into building and site design;

d) the reduction of resource consumption associated with *development*; and,

e) *transit-supportive development* and *redevelopment* and the greater use of other active modes of transportation such as cycling and walking.

7.C.4.2. The *City* will use strategies, plans and design manuals such as the Kitchener Growth Management Program, the Transportation Master Plan, and the *Urban Design Manual* to help guide *development* and *redevelopment* to be more *sustainable* and implement Policy 7.C.4.1.

7.C.4.3. The *City* will periodically review and/or update the City of Kitchener *Urban Design Manual* to consider the development and inclusion of guidelines and/or briefs relating to *sustainable development* design standards and matters such as, but not limited to, a Sustainability Report/Checklist, the creation of green or white roofs, living walls, bird-friendly *development* guidelines, dark sky requirements, and guidelines for "greening" surface parking lots.

7.C.4.4. *Development applications* will be required to demonstrate to the satisfaction of the *City*, through the completion of a Sustainability Report/Checklist in accordance with the Complete Application Requirements Policies in Section 17.E.10, that the proposal meets the *sustainable* development policies of the Plan and that *sustainable development* design standards are achieved.

7.C.4.5. The *City* will encourage and support, where feasible and appropriate, *alternative energy systems*, *renewable energy systems* and *district energy* in accordance with Section 7.C.6 to accommodate current and projected needs of energy consumption.

7.C.4.6. The *City* may develop bonusing regulations in the *Zoning By-law* for *development* satisfying the *sustainable development* design standards established in accordance with Section **Error! Reference source not found.**. The bonusing regulations may include provisions permitting building elements with a demonstrated benefit to the community, such as, but not limited to community rooftop gardens, living walls or *district energy* systems.

7.C.4.7. The *City* will consider the use of a *Community Improvement Project Area* and associated plan and programs to assist with the implementation of *sustainable development* design standards.

7.C.4.8. The *City* will support, where appropriate, the creation of *community gardens* and other *compatible* forms of urban agriculture in accordance with the other policies in this Plan.

7.C.4.9. The *City* will encourage and support recycling programs and efforts particularly in the case of the demolition of *existing* buildings and structures, where the re-use of building materials, where feasible and appropriate, will be strongly encouraged.

7.C.5 Water Conservation

Preamble

Water is one of our most precious resources; it is essential to human life and the health of our environment and our community. With continuing urban growth and only a finite supply of clean water, it is important for the *City* to work with residents and partners to build public awareness and provide knowledge about how to conserve and make efficient use of water to ensure a steady supply of water.

Objectives

7.5.1. To support the efficient use of water resources, including practices to conserve water, and protect, or enhance, water quality.

7.5.2. To increase potable and non-potable water conservation and efficiency.

7.5.3. To encourage and maximize the reuse and recycling of water.

7.5.4. To promote informed stewardship and awareness on conserving and enhancing water resources.

Policies

7.C.5.1. The *City* will encourage the reduction of water consumption levels through the promotion of the efficient use of water and the implementation of water saving technologies and may specify appropriate water conservation measures within existing and new *development*.

7.C.5.2. The *City* will encourage the use of alternative water supply and demand management systems such as, rain water harvesting and grey water reuse in all new *development* and/or *redevelopment*.

7.C.5.3. The *City* encourages property owners to utilize low water use landscaping alternatives to minimize water consumption.

7.C.5.4. The *City* will support water efficiency measures that reduce the demand for energy to pump and treat water resources.

7.C.5.5. The *City* will discourage land uses that use large amounts of water.

7.C.5.6. In accordance with the Complete Application Requirements Policies in Section 17.E.10, a Water Conservation Plan will be required for a *development* proposing a large use of municipally treated and supplied water. The plan will consider alternatives to the use of water and evaluate mitigation measures to reduce the use of water, where technically feasible.

7.C.5.7. The *City* will work with the *Region* and the Grand River Conservation Authority to promote water conservation measures and public educational initiatives.

7.C.6 Energy Conservation and Generation

Preamble

The *City* is committed to the wise and efficient use of energy and the establishment of energy sources that will protect the interests of future generations of citizens, such as *alternative energy systems* and *renewable energy systems*. The benefits that may be realized from using such systems should be balanced with a consideration for their *compatibility* with the natural environment and surrounding land uses.

Energy consumption can be reduced through the development of an energy efficient urban form. Using less energy is beneficial for the environment as it reduces the demand on resources to create energy and the *infrastructure* required for its distribution.

Objectives

7.6.1. To promote energy conservation and a reduction in energy demand and consumption within the built environment.

7.6.2. To maximize opportunities to support the use of public transit and *active transportation*.

7.6.3. To support and maximize the use of *alternative energy systems* and/or *renewable energy systems* in appropriate locations and reduce the use of non-renewable energy sources.

7.6.4. To promote energy efficient site and *building design*.

Policies

Development and Building Design

7.C.6.1. The *City* will seek to minimize energy consumption by:

a) promoting a *compact urban form*;

b) maximizing the use of existing *infrastructure*;

c) directing growth to *Intensification Areas*;

d) encouraging the *adaptive reuse* of existing buildings;

e) encouraging *mixed use development* and *complete communities*;

f) encouraging the use of landscaping options that will reduce energy consumption of buildings and sites;

g) promoting *building designs* and orientations that incorporate energy conservation features; and,

h) promoting walking, cycling and the use of public transit.

7.C.6.2. The *City* will encourage the maintenance and upgrading of existing buildings through a Minimum *Property Standards By-law* and any available incentive programs to increase energy efficiency and reduce energy consumption.

7.C.6.3. The *City* will encourage existing development to consider passive solar energy gain and increased insulation when upgrading/retrofitting to support energy conservation.

7.C.6.4. In areas of new development, the *City* will encourage orientation of streets and/or lot design/*building design* with optimum southerly exposures. Such orientation will optimize opportunities for active or passive solar space heating and water heating.

7.C.6.5. The *City*, where appropriate, will encourage direct sunlight access to all existing or future solar collector panels or solar oriented glass be protected during daylight hours.

7.C.6.6. The *City* will promote energy efficient *building design*.

7.C.6.7. The *City* will promote conformity with LEED certification or equivalent building rating systems in all new buildings.

7.C.6.8. *Development applications* will be required to demonstrate, to the satisfaction of the *City*, energy is being conserved or low energy generated. Such studies may include, but not limited to an Energy Conservation Efficiency Study, a Feasibility Study for Renewable or Alternative Energy Systems, District Heating Feasibility Study, and the completion of a Sustainability Report/Checklist in accordance with the Complete Application Requirements Policies in Section 17.E.10.

7.C.6.9. Zoning regulations may be developed or considered to accommodate building orientation, landscaping, lot coverage and other design features in exchange for increased energy efficiency and enhancement of renewable energy resources.

Energy Conservation and Efficiency Measures

7.C.6.10. The *City* will continue to pursue energy conservation strategies and measures to reduce the need for energy and non-renewable resources.

7.C.6.11. The *City* will develop a program for updating a Community Energy Profile which will document energy consumption by energy source and land use type. This profile will be used to identify areas for potential energy conservation.

7.C.6.12. The *City* will support initiatives that promote the benefits of reducing energy use, car dependence and idling times, and other initiatives that encourage public agencies, private industries and individuals to participate in energy conservation programs.

7.C.6.13. The *City* will cooperate with other levels of government and the private sector to encourage innovative energy conserving measures within the *city*.

7.C.6.14. The *City* will support educational programs that promote energy conservation and efficiency measures.

Municipal Operations and Facilities

7.C.6.15. The *City* will promote the reduction in energy consumption in all *City*-owned, maintained and operated facilities and equipment in a cost-effective manner.

7.C.6.16. The *City* will effectively use and manage energy resources by using energy conservation techniques in *City* projects, wherever feasible.

7.C.6.17. The *City* will ensure that all new *City* facilities are designed to meet a high standard of environmentally conscious design such as Leadership in Energy and Environmental Design (LEED) or alternative equivalent environmental building rating tools, including energy and water conservation.

Alternative Energy Systems and Renewable Energy Systems

7.C.6.18. The *City* will explore the benefit of developing a plan or strategy to assess energy demand and requirements, available resources and to establish targets for renewable energy use.

7.C.6.19. Energy that is producted by an *alternative energy system* or *renewable energy system* will generally be preferred over conventional forms of energy production, subject to potential negative impacts being mitigated.

7.C.6.20. The *City* will encourage proposals for *alternative energy systems* and *renewable energy systems* at appropriate scales in accordance with *provincial* and *federal* requirements, which are *compatible* with surrounding existing and proposed land uses and the environment. During the *Province's* Renewable Energy Approvals consultations, the *City* will emphasize the need for *compatibility* with all surrounding *existing* and proposed *sensitive land uses*.

7.C.6.21. Notwithstanding any *federal* or *provincial* notice/public consultation requirements regarding energy production facilities, the *City* will encourage proponents to undertake sufficient public notice and consultation so as to ensure members of the community and the *City* have sufficient opportunity to provide comment on proposed facilities to the proponent and/or approval authority.

7.C.6.22. *Alternative energy systems* and/or *renewable energy systems* will be subject to studies to demonstrate, to the satisfaction of the *City*, how potential *adverse effects*, on *existing* or proposed *development* with regard to the *natural heritage system*, noise, dust, vibration, plume, air quality, *cultural heritage resources*, *views and vistas*, shadows, land use compatibility, public health and safety, risk, and soils stability and water quality and quantity will be mitigated.

District Energy

7.C.6.23. The *City* supports *district energy* systems as an efficient method of supplying heating, cooling and electricity to buildings.

7.C.6.24. The *City* will establish standardized guidelines and technical standards to encourage the implementation of a *district energy* system.

7.C.6.25. New *development* and *redevelopment* will be encouraged to connect to the *district energy* system, when a *district energy* system is in place.

7.C.6.26. Large scale *developments* will be encouraged to include an assessment of the viability of a *district energy* system as part of an Integrated Energy Master Plan, using tools such as an Energy Audit and District Energy System Feasibility Study.

7.C.6.27. The *City* will encourage developments to incorporate the necessary *infrastructure* for *district energy* in the detailed engineering designs where the potential for implementing *district energy* exists.

7.C.6.28. For areas designated for industrial or commercial uses, the possibility of a multi-utility district system should be explored. This could include not only district heating and cooling, but also process steam, compressed air and potentially other *utilities*.

7.C.6.29. The *City* will work with retail gas and electric *utilities* to ensure that the maximum economic, technical and environmental synergies are captured where *district energy* is utilized.

7.C.6.30. The *City* will explore the availability of current and future heat sources from *City*-owned facilities that would otherwise be wasted.

7.C.7 Air Quality

Preamble

Clean air is essential for healthy, strong, liveable communities. Many day-to-day activities such as driving, home heating and industrial activities diminish air quality by producing a variety of harmful emissions and are a major source of pollution. One of the most effective strategies to ensure air quality is to encourage and achieve a complete and healthy community with a *compact urban form* and promote active modes of transportation such as walking, cycling and public transit and *Transportation Demand Management* (TDM) measures. The policies of this Plan seek to improve air quality in the *city*.

Objectives

7.7.1. To support land use and *development* patterns that minimize *adverse effects* to air quality.

7.7.2. To reduce levels of private automobile use to reduce harmful emissions.

7.7.3. To encourage the reduction of pollution, including dust and odour, from point source.

7.7.4. To improve air quality by protecting, maintaining and enhancing Kitchener's *urban forest*.

Policies

7.C.7.1. The *City* will continue to partner and work with other levels of governments, other municipalities, community members, and local industries to develop and implement Air Quality and Climate Change Initiatives.

7.C.7.2. The *City* will ensure that municipal operations and facilities meet or exceed applicable *Provincial* regulations with respect to air quality.

7.C.7.3. The *City* will promote the development of *compact*, *mixed use*, *transit-supportive*, cycling and *pedestrian*-friendly community as a means of improving air quality and minimizing contributions to air pollution through reduced reliance on private automobiles.

7.C.7.4. The *City* will support policies and initiatives to facilitate the establishment of *rapid transit* in the community.

7.C.7.5. The *City* will promote *sustainable development* and construction standards and the use of *alternative energy systems* or *renewable energy systems* as a means of improving air quality and minimizing contributions to air pollution through reduced resource consumption and air pollutant generation.

7.C.7.6. *Development applications* which have the potential to generate dust, odour or other emissions to air must be evaluated in accordance with *Provincial* guidelines and approval requirements. The *City* may require the owner/applicant of such proposals to demonstrate compliance with *Provincial* requirements.

7.C.7.7. *Transportation Demand Management* (TDM) measures will be used in accordance with the policies in Section 13.C.7 to reduce the use of single occupancy vehicles and encourage increased transit ridership, walking and cycling.

7.C.7.8. The *City* will endeavour to improve air quality by continuing to improve and enhance the *city's urban forest* through the Urban Forest Policies in Section 8.C.2 in this Plan.

7.C.7.9. The *City* will encourage appropriate landscaping and opportunities to increase and enhance the *urban forest* on private property to improve air quality.

7.C.7.10. The *City* will support initiatives to reduce and/or eliminate idling times.

7.C.8 Waste Reduction and Management

Preamble

While primarily a *Regional* responsibility, waste management is the responsibility of everyone; government, industries, businesses, communities, and individuals at both the *regional* and *city* level. Effectively managing, collecting and disposing of waste is one way to ensure human and environmental health. In order to assist in reducing the amount of waste generated, the *City* is committed to promoting and supporting waste diversion strategies and waste management techniques.

Objectives

7.8.1. To support and promote recycling, composting and waste diversion programs.

7.8.2. To efficiently use materials and resources and minimize waste generation through reduction, reuse, recycling and diversion.

Policies

7.C.8.1. The *City* will contribute to play a leadership role in waste management by considering reductions in material consumption and waste production and increases in diversion and reuse within its municipal culture, decision making, and operations.

7.C.8.2. The *City* will continue to support the *Region's* waste collection, recycling, composting and waste diversion programs.

7.C.8.3. The *City* will work with all levels of government and agencies in promoting public awareness of waste issues and in promoting waste diversion strategies as well as other alternative waste management techniques.

7.C.8.4. In partnership with the *Region*, the *City* will develop and promote public and/or private programs to implement consistent industrial, commercial and institutional waste diversion and gradually implement targets and requirements for industrial, commercial and institutional waste diversion.

7.C.8.5. The *City* will consider the design and location of on-site waste management facilities including recycling and composting during the *development application* review processes in accordance with the Site Plan Control Policies in Section 17.E.22 and the Urban Design Policies in Section 11.

7.C.8.6. The *City* will promote the reuse and recycling of construction materials for new *development* and *redevelopment* projects.

SECTION 8: PARKS, OPEN SPACE, URBAN FORESTS AND COMMUNITY FACILITIES

8.C.1 Parks, Open Space and Community Infrastructure

Preamble

The provision of *community infrastructure* and facilities is essential for the enhancement of the quality of life for residents in Kitchener. There are a wide range of facilities that are required to meet the physical, social, cultural and recreational needs of its residents. While the *City* may not be directly involved in the provision of all community and *cultural facilities* and services, it can help ensure the provision and expansion of some of these facilities and services through facilitation.

The *City* recognizes the importance of parks, open space, *multi-use pathways* and trails as key elements in providing the Kitchener residents with a healthy physical environment and a high quality of life. As such, the *City* is committed to providing and maintaining sufficient publicly accessible parks and open space for both active and passive recreational pursuits to satisfy the recreational needs of all age groups and lifestyles, while having regard for the *city's* natural areas.

The foregoing policies will endeavour to ensure that a range of uses to support the needs of our residents are situated in locations that will encourage and support a complete and healthy community.

Objectives

8.1.1. To provide and maintain a balanced distribution and sufficient supply of accessible and inclusive parks, open space and community facilities for both active and passive recreational uses to satisfy the needs of all residents of Kitchener.

8.1.2. To ensure that the *city* has sufficient *community infrastructure* and facilities to meet the current and projected needs of all its population.

8.1.3. To ensure that *community infrastructure* uses and facilities are appropriately and conveniently located throughout our *city* to support a *complete community*.

8.1.4. To enhance access to parkland and open space in the *City's Planning Communities* that are underserviced.

8.1.5. To provide for a continuous public open space system, which includes the diverse natural areas of the Grand River and its major tributaries, supporting diverse recreational pursuits, environmental *sustainability*, *active transportation* and a high quality *public realm* and urban landscape.

8.1.6. To promote the use of open space as a buffer between *incompatible* land uses.

8.1.7. To provide parks and community facilities in an efficient and *sustainable* manner that optimizes their use, minimizes environmental impacts, supports *intensification* and promotes flexibility to adapt to changing needs.

Policies

Parks Strategic Plan and the Leisure Facilities Master Plan

A Parks Strategic Plan and Leisure Facilities Master Plan has been adopted by Council to guide the planning, provision and maintenance of public parks, open space and community facilities. The policies of this Plan will act as one means for implementation of these Plans.

8.C.1.1. The *City* will undertake monitoring and periodic reviews of the Parks Strategic Plan and the Leisure Facilities Master Plan. This review process will assess considerations such as population trends and utilization, housing trends, social, economic, cultural and environmental conditions as well as other relevant data that will inform and guide park, open space and community facility planning.

8.C.1.2. The Parks Strategic Plan provides an implementation strategy for the Grand River Corridor Conservation Plan and the *City* will endeavour to implement its recommendations where appropriate. In doing so, the *City* will strive to maximize public access along the Grand River in order that its recreational potential is realized.

Public Parks and Community Infrastructure and Facilities

8.C.1.3. The *City* will support and facilitate the provision of an appropriate mix and range of *community infrastructure* in our community to meet the needs of our residents resulting from population changes and to foster a *complete community*.

8.C.1.4. The *City* will consider the projected needs of the population and the provision of *community infrastructure* in planning for growth and in the formulation of Kitchener's Growth Management Program in accordance with Section 17.E.5.

8.C.1.5. The *City* will encourage the optimization of existing *community infrastructure* uses and opportunities for *adaptive re-use*, wherever feasible, before consideration is given to developing new *community infrastructure* uses.

8.C.1.6. The *City* will encourage the strategic and co-location of *community infrastructure* uses*:*

a) to promote cost-effectiveness;

b) to facilitate service integration, access to transit and *active transportation*; and,

c) to support the effective and efficient delivery of emergency management services.

8.C.1.7. The *City* will provide a balance of a public parks and leisure services system that provides opportunities for physical recreation, socialization, cultural pursuits, community identification, *active transportation*, nature appreciation and education.

8.C.1.8. The *City* will endeavour to expand the supply of parkland, community facilities and recreation services through facilitation, partnership arrangements and direct provision. Emphasis will be placed on maximizing the use of existing facilities and services, as well as joint ventures and facility sharing with other institutions and community groups.

8.C.1.9. The *City* will, where possible and appropriate, plan for and design parks and *multi-use pathways* to be flexible and adaptable to respond to anticipated changes in demand and to serve the needs of as many user groups as possible and appropriate. They will be planned to accommodate the needs of residents with varying levels of mobility and throughout life stages.

8.C.1.10. The *City* will consider the provision of shade as an essential component when planning, developing or retrofitting community facilities and public parks.

8.C.1.11. The *City* will consider opportunities to enhance access to local parkland resources in areas that are underserviced for neighbourhood parks and facilities based on the service area, provision level and location and targets established through the implementation of the Parks Strategic Plan.

8.C.1.12. The *City* will develop a system of complete streets, linked open spaces, *multi-use pathways* and bikeways throughout the *city* relying heavily on the *city's* parklands, watercourses, *utility* corridors, *natural heritage areas* and schools.

8.C.1.13. The amount and character of open space and public parkland required in each neighbourhood will be in accordance with the Parks Strategic Plan and the requirements of the Parkland and Open Space Acquisition Policies contained within this Plan.

8.C.1.14. The *City* encourages the joint development and use of open space and community facilities by school boards, libraries, religious institutions, citizen groups and the *City*. However, a full assessment of all possible options will be undertaken to ensure adequate parkland in the event of circumstances such as the closure and sale of a school property.

8.C.1.15. The Parks Strategic Plan has identified where future parkland is required. The *City* will select suitable sites, and plan for the complete integration of these sites with the integrated transportation system, the public transit system and *multi-use pathway* network. In addition, where possible *the City* will seek to incorporate abandoned railway tracks into its *multi-use pathway* network.

8.C.1.16. The *City*, in accordance with the needs established in the Leisure Facilities Master Plan, will consider planning for the provision of a freestanding community centre in circumstances where adequate leisure facilities cannot be provided.

Educational Establishments

8.C.1.17. The *City* will work with the relevant school boards and public agencies to ensure that, in locating educational establishments, consideration will be given to:

a) *compatible* surrounding uses such as residential, parks, open space, and community facilities;

b) the safety of children;

c) the protection of the amenity of surrounding development; and,

d) the provision of necessary facilities including but not limited to building space, outdoor play areas, parking and drop-off areas.

8.C.1.18. The *City* will encourage the relevant school boards to participate with the *City* in providing community and recreational facilities or to provide facilities that are jointly shared between the school boards which are available to the public.

8.C.1.19. The *City* will encourage the relevant school boards to communicate and cooperate with the *City* to determine the most appropriate use of school sites or buildings which are no longer required by the school boards for school purposes.

Fire Emergency Services

8.C.1.20. The *City* will ensure that new *development* and *redevelopment* can be serviced adequately by fire protection services by coordinating the demand for fire protection services with Kitchener's Growth Management Program in accordance with Section 17.E.5.

Private Greenspace and Facilities

8.C.1.21. The *City* will require the development of on-site recreation facilities and usable greenspace areas in multiple housing developments and *affordable housing* developments, in particular, multiple dwellings and cluster townhouse developments.

8.C.1.22. The *City* may consider other forms of parkland provision for *intensification* and *redevelopment* projects in accordance with Parks Strategic Plan and the *City's* Parkland Dedication Policy.

8.C.1.23. The *City* will encourage, wherever reasonable and possible, the provision of useable and accessible semi-public spaces in private *developments* that provide linkages and/or support *arts*, *culture*, recreation and leisure opportunities for its residents. Using applicable planning tools as outlined in Section 17, the *City* may encourage the provision of public spaces including but not limited to, indoor amenity areas such as community rooms, fitness areas, change rooms and other supporting amenities, and outdoor amenity or landscaped areas such as courtyards, rooftop landscaped areas or green roofs, walking and cycling linkages.

Parks Classification System

8.C.1.24. The *City* has adopted a Parks Classification System to guide it in the acquisition of parkland and open space. Parks are differentiated primarily on the basis of function, size, amenity and population served. In certain cases, individual parks may have more than one classification recognizing that parks have multiple functions. The provision of parkland will be guided by the Parks Classification System outlined in the Parks Strategic Plan for the *City* as amended from time to time.

8.C.1.25. The Parks hierarchy that will be used in planning and locating parks in the *city* consists of:

a) **Natural Areas** - parkland owned or managed by the *City* generally intended to be preserved in its natural state. Service areas vary, ranging from the immediate local neighbourhood to *city*-wide natural areas based on the size and location of the natural area and the level of public access that can be supported at a *sustainable* level in the context of the primary conservation objective. The number of Natural Areas will be based on the availability of qualifying land. The conveyance of non-*City* owned natural areas to the *City* will be required as a condition of *development* or *redevelopment* approval.

b) **City-Wide Parks** - parks that provide multi-activity or multisport venues and/or serve specialized recreational, social and economic functions. Victoria Park, Kiwanis Park and McLennan Park will continue to be the primary locations and focus of *city*-wide park provision. The *City* will consider opportunities for the ongoing acquisition of open space land within the Grand River corridor and the development of a continuous Riverside Park to facilitate *city*-wide access for the use and enjoyment of Kitchener residents.

c) **District Parks** - community-level parks providing access to formal and/or informal active and/or passive outdoor recreation facilities and amenities servicing multiple neighbourhoods. These may be associated with senior elementary and secondary schools.

d) **Neighbourhood Parks** - local parks providing *walkable* access within a residential neighbourhood to passive open space areas, playground facilities and other neighbourhood-scale outdoor recreational amenities to support unorganized, unstructured and spontaneous activities. These may be associated with elementary schools.

e) **Urban Greens** - smaller greenspaces designed to provide rest and shade areas along trails and within the urban environment, including parkettes, commons and lookouts.

   i) Parkettes, small parks for local access to playground facilities.

   ii) Commons, passive green space providing social gathering and passive leisure opportunities located in highly visible areas with greater street frontage.

   iii) Lookouts, providing interesting or scenic views.

f) **Urban Plazas -** an open area designed for public use, generally defined by surrounding buildings and/or streets. Urban Plazas function to encourage a diversity of opportunities for social interaction, activities and public gathering, provide relief and relaxation, and expand and reinforce the *public realm*. They are generally located within *Intensification Areas*.

g) **Greenways** - linear greenspaces providing linkages among parks, trails and other open space areas and *public realm* elements within the urban environment. These may be associated with watercourses, *utility* corridors, servicing easements and mid-block *pedestrian* walkways and typically service the immediate area but may also form part of the broader *multi-use pathway* network augmenting district or *city*-wide open space connections. Greenways will be

located as lands become available and where needed to augment local access to park resources.

8.C.1.26. Natural Areas, *City*-Wide Parks, District Parks, and Neighbourhood Parks, as identified in the Parks Master Plan will be designated as Open Space, Natural Heritage Conservation or Institutional on Map 3. Urban Greens, Urban Plazas and Greenways, as identified in the Parks Master Plan may be designated as Open Space on Map 3. Map 3 may be revised without the need for an Official Plan Amendment at such time as new parks are identified and approved through the Community Plan, Secondary Plan or Subdivision Approval Process.

Parkland and Open Space Acquisition

8.C.1.27. The Parks Strategic Plan and Leisure Facilities Master Plan identify the parkland and open space needs and deficiencies in the *city*. Recommendations are made for the acquisition of parkland within each of the *City's Planning Communities*. These recommendations are based on the Parks Classification System established in Policies 8.C.1.24 through 8.C.1.26 and may be used in conjunction with the requirement for parkland dedication.

8.C.1.28. The *City* may exercise the following powers in order to acquire and/or protect open space areas from urban *development*:

a) land purchase or lease at fair market value;

b) the enactment of a *Zoning By-law* prohibiting the erection of buildings or structures on any open space or part thereof that is subject to flooding, or any such land where, because of its steep slope, rocky, low lying, marshy or unstable character, the cost of construction of satisfactory water works, sewage or drainage facilities is prohibitive;

c) entering into an agreement with a subdivider of land, which may contain clauses relating to the conservation or preservation of land and flood control and may have regard to the health, safety, convenience and welfare of the future inhabitants, as a condition of the approval of the Plan of Subdivision;

d) negotiating with the owner of any open space area with a view to having all or part of the area either preserved by the owner in a natural and undisturbed state or conveyed to the *City* for preservation as a condition of the approval for *development* or *redevelopment*;

e) implementing *Provincial* legislation;

f) using any other present or future legislative authority to acquire lands to protect open space areas; and,

g) cooperating with the *Region* to acquire and/or protect Major Urban Greenlands.

8.C.1.29. The *City* will, as a condition of the subdivision or the *development* or *redevelopment* of land:

a) for residential and institutional purposes, require 5 percent of all the land proposed for *development* or *redevelopment*, or alternatively require up to one hectare for each 300 *dwelling units* proposed be conveyed to the *City* for parkland, open space, or *multi-use pathway* purposes;

b) for commercial and industrial *development*, require a maximum of 2 percent of the land proposed for *development* or *redevelopment* be conveyed to the *City* for parkland, open space or *multi-use pathway* purposes; or,

c) for *mixed use* development, require land to be conveyed to the *City* for parkland, open space or *multi-use pathway* purposes in accordance with a) and b) for each type of use;

8.C.1.30. Notwithstanding 8.C.1.29, the *City's* Parkland Dedication Policy may include provisions for reductions or exemptions from parkland dedication requirements for the purposes of achieving *intensification* and other objectives of this Plan.

8.C.1.31. Dedicated land will be developed in accordance with the standards set out in the *City's Urban Design Manual*, Development Manual, Parks Strategic Plan, Multi-Use Pathways and Trails Master Plan and Leisure Facilities Master Plan.

8.C.1.32. The *City* may require *cash-in-lieu* of all or part of the required parkland dedication under the following circumstances:

a) where the required land dedication fails to provide an area of suitable shape, size or location for development of public parkland. Generally a parcel of land may be considered to be of unsuitable size if it is less than 0.10 hectare in area;

b) where the required dedication of land would render the remainder of the site unsuitable or impractical for *development* or *redevelopment*;

c) where, using the guidelines established in the Parks Strategic Plan and the Leisure Facilities Master Plan, it is determined that existing park and community leisure facilities in the *Planning Community* are clearly adequate to serve the projected increase in population; or,

d) where, using the guidelines established in the Parks Strategic Plan and the Leisure Facilities Master Plan, funds are required to upgrade or expand existing parks or community leisure facilities in the *Planning Community* to meet the needs of the projected increase in population.

8.C.1.33. The amount paid for *cash-in-lieu* of parkland dedication will be based on fair market value and such cash will be placed in a Park Trust Fund to be expended solely for the purchase of additional parks and open space or community leisure facilities as set out in the Parks Strategic Plan and Leisure Facilities Master Plan. In the case of the subdivision of land, the value of the land will be determined as of the day before the day of draft plan approval. In the case of the *development* or *redevelopment* of land, the value will be determined as of the day before the day of issuance of the first necessary building permit.

8.C.1.34. Privately built urban squares and parks held in private ownership will not be considered part of parkland dedication.

8.C.1.35. Natural *hazard lands* and *natural heritage features* will not normally be accepted as part of parkland dedication under the Planning Act.

8.C.1.36. The *City* may require the dedication of all land below the Regulatory Floodline and up to 7.5 metres of land beyond the Regulatory Floodline on the banks of the Grand River, its tributaries, and all other water courses where necessary to provide *floodplain* protection, continuous trail links and corridors along the banks of the river and for maintenance access. The dedication will serve as part of waterway consolidation and drainage improvement and help to facilitate safe public access to the Grand River Corridor and other water courses.

8.C.1.37. Notwithstanding Policy 8.C.1.35, the *City* may in special circumstances accept woodlots and other natural areas both as a means for protection of the natural amenity and for potential use as a passive recreational and educational feature where this use has been identified in Natural Area Management Plans.

8.C.1.38. Lands conveyed to the *City* for active parkland and other community leisure facilities will be required to meet minimum standards in terms of drainage, grading and site condition.

Major Urban Greenlands

Major Urban Greenlands are relatively large, publicly accessible parklands or open spaces located within the City's Urban Area that are owned and maintained by the *Region*, the *City* or the Grand River Conservation Authority. These urban greenlands are valued for their environmental, *hydrological*, recreational and public health benefits, and are intended to help maintain a balance between the built and natural environment in the City's Urban Area.

8.C.1.39. The *City*, in collaboration with the *Region*, the Grand River Conservation Authority and other stakeholders, will identify and designate Major Urban Greenlands and develop and implement an Urban Greenlands Strategy in accordance with the applicable policies in the Regional Official Plan.

8.C.2 Urban Forests

Preamble

Kitchener's *urban forest* is comprised of trees, including the associated living and non-living components, on public and private lands, residential streets, parks and natural areas. The *urban forest* is an integral part of the *city's green infrastructure* and a *sustainable city*. The treed urban landscape provides significant ecological, social, and economic benefits including but not limited to: improved air and water quality; reduced erosion and stormwater runoff; energy conservation; habitat and food for wildlife; improved health and quality of life; enhanced livability; recreation opportunities, shade; aesthetic and heritage value.

While individual trees are very important, the sum of the effects of a continuous tree canopy provides the greatest benefit. Additionally, large, mature canopy trees provide significantly more benefits than small trees. The *City* will encourage the conservation and wise management of the *urban forest*, strive to increase the urban tree canopy, and continue to reintroduce the natural environment into the urban fabric.

The policies of this Plan are not intended to prohibit all *development* from every woodland. They will however serve as the basis for protecting the most valuable forest resource areas in terms of ecology, composition and habitat.

Objectives

8.2.1. To protect, manage and enhance the *urban forest* through long-term planning, management, monitoring and best management practices in ways which are economically, ecologically, and socially desirable for current and future generations.

8.2.2. To conserve and enhance Kitchener's urban tree canopy at the *city* and neighbourhood level with a focus to increase tree canopy cover.

8.2.3. To manage, maintain and enhance trees along *city* streets, parks and other *city* lands as a vital component of the *city's public realm*, *green infrastructure* and an essential part of a healthy community.

8.2.4. To maintain trees and vegetation, where appropriate, in an effort to preserve the natural appearance, character and aesthetics of the *city*.

8.2.5. To engage, educate, and assist with the conservation and stewardship of the *urban forest* through community engagement, inter-department and agency co-operation, leadership, and effective policy.

Policies

8.C.2.1. The *City* will preserve, protect, manage, replace and where appropriate acquire significant tree stands, hedgerows, *woodlands* and forested areas within the *city* boundaries.

8.C.2.2. The *City*, in accordance with the Parks Strategic Plan, will develop an Urban Forest Management Strategy including a tree inventory and an update of the Woodland Management Program.

8.C.2.3. The *City*, in accordance with the Parks Strategic Plan, will protect the natural environment through greening and *naturalization* initiatives and policies, *restoration* and management of *City*-owned natural areas and the *urban forest*, and natural areas stewardship and education programs.

8.C.2.4. The *City*, in accordance with the Parks Strategic Plan, will implement a tree planting and replacement program and support natural area and urban woodland retention and maintenance.

8.C.2.5. The *City* will encourage landscaping on public and private lands to preserve and complement the existing natural landscape. The *City* will direct the use of a mix of indigenous plant species and trees having historic or cultural significance in these landscape areas.

8.C.2.6. The *City* will incorporate existing and/or new trees into the streetscape or road rights-of-way and encourage new *development* or *redevelopment* to incorporate, protect and conserve existing healthy trees and *woodlands* in accordance with the Urban Design Policies in Section 11, the *Urban Design Manual* and the Development Manual.

Trees and Natural Areas on Public Property

8.C.2.7. The *City* will, where appropriate, reforest and *naturalize* parks, open space and stormwater management areas.

8.C.2.8. Wherever feasible and appropriate, species native to the *region* will be used in roadside plantings, stormwater management facilities and park *naturalization* projects.

8.C.2.9. The *City* will promote and encourage the protection and wise management of trees located within and outside a road right-of-way and encourage public authorities to give due consideration to their preservation when undertaking *infrastructure* projects and regular maintenance.

8.C.2.10. The *City* will require the replacement of any trees damaged or removed from an existing road right-of-way due to a *development* or *infrastructure* project.

8.C.2.11. By-laws enacted under the Municipal Act will contain details and regulations pertaining to protection, planting, care and maintenance of *City* trees within a public right-of-way and regulate and ensure the appropriate use of the *City's* natural areas including parks.

Trees on Private Property

8.C.2.12. The *City* will encourage the reforestation, wise management and improvement of privately owned trees and *woodlands* within the *City*.

8.C.2.13. Tree removal on private property will be subject to the *City* Tree Conservation By-law where applicable.

8.C.2.14. The *City* will, whenever possible, provide guidance and advice for the reforestation, wise management and improvement of privately owned trees and *woodlands* within the *city*.

8.C.2.15. The *City* may require existing trees and vegetation to be retained through the Site Plan Approval process to act as buffers to minimize potential *adverse effects* to sensitive natural areas.

Development or Site Alteration

8.C.2.16. The *City* will require the preparation and submission of a tree management plan in accordance with the *City's* Tree Management Policy, where applicable, as a condition of a *development application*. Any tree management plan must identify the trees proposed to be removed, justify the need for removal, identify the methods of removal and specify an ecologically sound tree replacement scheme and any mitigative measures to be taken to prevent detrimental impacts on remaining trees.

8.C.2.17. The *City* will consider the importance of *woodlands*, not classified as *significant*, during the *development* review process by considering the following:

a) the potential impact of the proposed *development*, *redevelopment* or *site alteration* on the *ecological function*s of the woodland;

b) the impact of the proposed *development*, *redevelopment* or *site alteration* on the extent and distribution of woodland cover in the *watershed*, the *city* and the local *planning community*; and,

c) opportunities to *restore* or re-establish productive forest habitats consisting of native species following the completion of the proposed *development*.

8.C.2.18. The *City* will minimize the impact of *development*, *redevelopment or site alteration* on *woodlands*, not classified as *significant* through the implementation of appropriate mitigation measures, which may include compensation.

8.C.2.19. When considering *development*, *redevelopment* or *site alteration* proposals, the *City* may require the protection and enhancement of hedgerows, especially where:

a) they link other elements of the *Natural Heritage System*;

b) wildlife regularly use them as habitat or movement corridors;

c) they are composed of mature, healthy trees;

d) they contain trees that are rare, unique, culturally important or over 100 years in age; or,

e) they contribute to the aesthetics of the landscape.

8.C.2.20. Where trails may be permitted within *woodlands* and natural areas, trails will be designed to allow for educational and/or interpretive opportunities and informal trails and trail widenings will be discouraged.

SECTION 9: AGGREGATES

Preamble

Def. No. 7

Mineral aggregates are a valuable non-renewable resource that provide significant material used in the construction of buildings and *infrastructure*. The policies in this Plan are intended to protect *mineral aggregate resource* areas for long term use while ensuring that extraction occurs in a manner that minimizes environmental and social impacts and conflicts with *incompatible* land uses. The policies in this Plan reflect the *Provincial* and *Regional* policies regarding aggregate extraction which are subject to the Aggregate Resources Act.

Objectives

9.1.1. To identify and protect Mineral Aggregate Resource Areas for current and future needs.

9.1.2. To prevent any changes in land use that could conflict with existing or future *mineral aggregate operations*.

9.1.3. To ensure potential impacts of new *mineral aggregate operations* are prevented or minimized through the *development application* review process.

9.1.4. To ensure the progressive rehabilitation of pits and quarries to an appropriate after use.

9.1.5 To ensure the availability of *mineral aggregate resources* as close to markets as possible.

Policies

Identification and Protection of Mineral Aggregate Resource Area

Def. No. 7

9.C.1.1. The Mineral Aggregate Resource Areas are designated in the Regional Official Plan and are shown on Map 10. Boundaries of the Mineral Aggregate Resource Area are approximate and may be refined without an Official Plan Amendment. The identification of this resource in this Plan does not presume that all lands located within this area are suitable for the establishment of new, or expansions to existing, *mineral aggregate operations*.

9.C.1.2. This Plan recognizes extraction in Mineral Aggregate Resource Areas as an interim use of land and as such, these lands are designated for their ultimate intended land use on Map 3 in this Plan.

9.C.1.3. Extraction of *mineral aggregate resources* may be permitted outside the Mineral Aggregate Resource Area where there is a sufficient quantity and quality of resources to warrant extraction as demonstrated to the satisfaction of the *Province*, the *Region* and the *City*, subject to policies in this Plan and the Regional Official Plan. An Official Plan Amendment will be required for proposed extraction operations outside of the Mineral Aggregate Resource Area.

Mineral Aggregate Operations

9.C.1.4. Existing licensed *mineral aggregate operations* will be recognized as a legal use of land and will be permitted to continue without the need for an Official Plan Amendment or a *Zoning By-law* Amendment. Existing licensed operations will be zoned appropriately in the City's *Zoning By-law* to permit aggregate extraction.

Def. No. 7

9.C.1.5. Existing licensed *mineral aggregate operations* will be protected from new *development* that would preclude or hinder their expansion or continued use, or which would be *incompatible* for reasons of public health, public safety or environmental concerns.

9.C.1.6. New *mineral aggregate operations* will require a site-specific *Zoning By-law Amendment*. A *complete development application* will be required to be submitted in accordance with the applicable policies in the Regional Official Plan, as well as supporting information identified in Section 17.E.10.

9.C.1.7. Any *Zoning By-law* Amendments approved under Policy 9.C.1.6 will apply only to the boundary of the licensed area, and will limit the depth of extraction to that which is specified on the proposed site plan.

9.C.1.8. New *mineral aggregate operations* proposed within a Source Water Protection Area as shown on Map 8, may be permitted, except where such uses are prohibited in accordance with the applicable policies of the Regional Official Plan.

9.C.1.9. New *mineral aggregate operations* proposed within or on *land adjacent* to *Core Environmental Features* may be permitted in accordance with the applicable policies in the Regional Official Plan

9.C.1.10. *Development* that would preclude or hinder the establishment of *mineral aggregate operations* or access to the resources will be prohibited within or on *lands adjacent* to any Mineral Aggregate Resource Area, except where:

a) extraction of the resource would not be feasible;

b) the proposed land use or *development* serves a greater long term public interest; or,

c) issues of public health, public safety and environmental impact are appropriately addressed.

9.C.1.11. Any proposed *development* identified in Policy 9.C.1.10 will be required to minimize the amount of land in order to retain as much of the *mineral aggregate resource* potential as possible. Where feasible, any on-site *mineral aggregate resources* should be extracted prior to *development* occurring or used in the development of the area.

9.C.1.12. Where mineral aggregate extraction is permitted by way of site-specific *Zoning By-law* Amendment, the *City* will also permit accessory uses that are directly associated with the *mineral aggregate operation*, such as crushing, screening, washing, stockpiling,

blending with recycled asphalt or concrete materials, storage, weigh scales, and parking and office facilities.

9.C.1.13. *Ancillary uses* such as asphalt plants, concrete plants and aggregate depots that blend and stockpile aggregate materials with salt, except where such uses are identified as a prohibited use in accordance with the applicable policies in the Regional Official Plan, will require a site specific *Zoning By-law* Amendment.

Def. No. 7

9.C.1.14. Proposed applications for *mineral aggregate operations* will demonstrate adequate buffering, screening, or other mitigation measures to prevent or minimize any potential *adverse effects* on the *natural heritage system* or surrounding *sensitive land uses*.

9.C.1.15. Proposed amendments to the *Zoning By-law* to permit mineral aggregate extraction will be evaluated based on:

a) whether the proposed mineral aggregate extraction will have *adverse effects* on the *natural heritage system*;

b) anticipated impacts on roads under *City* jurisdiction;

c) anticipated impacts on the surrounding community;

d) anticipated impact of the noise, odour, dust and vibration generated by the proposed use on *adjacent* land uses;

e) anticipated impacts to *cultural heritage resources* in the area;

f) potential impacts on natural hazards;

g) how the site will be progressively rehabilitated to accommodate subsequent land uses after the extraction is completed; and,

h) applicable policies contained within the Regional Official Plan.

9.C.1.16. Where a situation warrants, the *City* will request the applicant to voluntarily set and meet timelines for the operation, final extraction and rehabilitation of the proposed *mineral aggregate operation* in a timely manner. This may be considered desirable in order to minimize the impact on the surrounding environment depending on such factors as location of site relative to a *sensitive land use*, scale and type of deposit, desirability of stockpiling and anticipated time of *development* on or near the site.

Extraction Below the Water Table

9.C.1.17. Extraction below the water table will only be permitted as per the applicable policies in the Regional Official Plan.

Def. No. 7

Wayside Pits and Quarries, Portable Asphalt and Concrete Plants

9.C.1.18. *Wayside pits and quarries, portable asphalt plants* and *portable concrete plants* used for public road authority contracts will be permitted on a temporary basis in all land

Def. No. 7

Def. No. 7

use designations, without the need for an Official Plan Amendment or *Zoning By-law* Amendment, except where:

a) the use would be located within or *adjacent* to an existing Built-Up Area that would be *incompatible* with aggregate extraction and associated activities;

b) the use would be located within lands designated Natural Heritage Conservation as shown on Map 3; and,

c) the use is identified as a prohibited use elsewhere in this Plan and the Regional Official Plan.

9.C.1.19. Proposals to expand the licensed boundary of existing pit and quarry operations will be evaluated relative to the characteristics of the surrounding environment. If the expansion to the existing licensed boundary of a pit or quarry would cause unnecessary conflict or an unjustifiable *adverse effect* on existing land uses surrounding the aggregate operation, such expansion will not be permitted. Any proposal to expand existing pit or quarry operations may require a *Zoning By-law* Amendment, if not already permitted, and will require a license issued by *Province*. Adequate buffering, screening and appropriate mitigation measures may be required between *adjacent sensitive land uses* and a proposed expansion to an existing pit or quarry operation to reduce noise, dust and visual impacts.

9.C.1.20. *Portable asphalt plants* and *portable concrete plants* will be discouraged on lands containing active agricultural operations. If asphalt or concrete for a public road project cannot be obtained from an existing asphalt or concrete plant, attempts should be made to locate the portable plant in *wayside pits and quarries*, vacant industrial sites, or on inactive or less productive agricultural lands.

Rehabilitation of Mineral Aggregate Operations

9.C.1.21. *Portable asphalt plants* and *portable concrete plants* will obtain appropriate approvals pursuant to the Environmental Protection Act and will include provisions to prevent spills of petroleum chemicals to surface and groundwater resources.

9.C.1.22. All proposals for new *mineral aggregate operations*, including *wayside pits and quarries* will include a rehabilitation plan to the satisfaction of the *City* and the *Region* in accordance with the applicable policies in the Regional Official Plan.

Conservation of Mineral Aggregate Resources

9.C.1.23. The City will ensure that *mineral aggregate resource conservation* will be undertaken, including through the use of aggregate recycling facilities within operations, wherever feasible.

SECTION 10: ARTS AND CULTURE

Preamble

The *City* recognizes that the pursuit, enhancement and retention of *arts* and *cultural* effects and activities are integral to its attractiveness as a place of business and tourism, the quality of life of its residents and the overall health of the community. It is the intent of the policies in this Plan to provide direction to guide decision-making to support and promote *arts* and *cultural* development in Kitchener.

Objectives

10.1.1. To promote and support *arts* and *culture* in our community.

10.1.2. To embrace and foster cultural diversity and achieve a *culture* of inclusion.

10.1.3. To support the provision and inclusion of *public art*.

10.1.4. To support and provide opportunities for place-making, art, ethnic and cultural events and experiences throughout our *city*.

10.1.5. To encourage and support cultural programs and facilities throughout the *City* as a means to foster community and neighbourhood identity, promote social cohesion and contribute to a vibrant and creative *city*.

Policies

10.C.1.1. The *City* will support and participate in cultural planning initiatives that serve the community. Municipal cultural planning will guide policies and implementation strategies.

10.C.1.2. The *City* will develop and implement a Culture Master Plan to identify and leverage the community's *cultural resources* and to ensure the integration of *culture* in decision-making and in the planning of our *city*.

10.C.1.3. *Public art* will be encouraged throughout the *city* in prominent public locations in accordance with the *City's* Public Art Policy and any associated master plans. *Public art* may reflect local history or traditions and where appropriate, should be relevant in some way to the area in which it is placed.

10.C.1.4. The placement of *public art* will be encouraged at appropriate sites to create *landmarks*, humanize the physical environment and foster the growth of a culturally informed public and to enhance and heighten the *city's* image and identity.

10.C.1.5. The *City* will incorporate a *public art* component in its municipal projects and properties under jurisdiction of the *City*.

10.C.1.6. The *City* will encourage the inclusion of *public art* on properties under the jurisdiction of other levels of government.

10.C.1.7. The *City* will encourage, using applicable planning tools and other processes as outlined in Section 17, *public art* to be incorporated into large-scale private *developments* where there will be a significant amount of *pedestrian* traffic and/or at *priority locations*. The location of the *public art* should be publicly accessible. *Public art* should contribute to the unique identity and vibrancy of the site.

10.C.1.8. The design and placement of *public art* on public and private properties will be consistent with the Public Art Policy, associated master plans and/or Urban Design Policies in Section 11 and with the *City's Urban Design Manual*.

10.C.1.9. The *City* recognizes the *City's* Urban Growth Centre (Downtown), as a major business, *arts*, *cultural*, entertainment and tourism centre and will endeavour to create and promote an environment that is conducive to the growth and development of these activities and functions through the Urban Growth Centre (Downtown) policies in this Plan. The *City* will encourage major *arts* and *cultural facilities* in the Urban Growth Centre (Downtown) and the use of open public areas, specifically the *city's* civic square, for major festivals and community gathering events.

10.C.1.10. The *City* will encourage the incorporation of indoor and outdoor exhibition and performance facilities.

10.C.1.11. The *City* will provide opportunities for *live/work units* that will allow for the integration of residential accommodation with workplace, gallery and *retail* space for artists through flexible zoning and encouraging the incorporation of such spaces in publicly and privately planned *developments*.

SECTION 11: URBAN DESIGN

Preamble

Kitchener will be a *city* designed for people. The *City* is committed to achieving a high standard of urban design, architecture and place-making to positively contribute to quality of life, environmental viability and economic vitality. Urban design is a vital component of *city* planning and goes beyond the visual and aesthetic character of individual buildings and also considers the functionality and *compatibility* of *development* as a means of strengthening *complete communities*.

The emphasis on urban design in our community is consistent with and supports both the *City's* Strategic Plan and the Kitchener's Growth Management Program.

It is intended that the Urban Design Policies for communities, neighbourhoods, sites and *buildings* will provide guidance and direction to our *city* and its residents as our *city* grows, develops and evolves. The additional details of implementation to be able to achieve and maintain our community vision will be contained in the *City's* Council adopted and approved *Urban Design Manual*.

Objectives

11.1.1. To support and achieve a high standard of urban design in order to help create a complete and healthy community that is safe, attractive, thriving, innovative and inclusive in which to live, work and interact.

11.1.2. To create visually distinctive and identifiable places, structures and spaces that contribute to a strong *sense of place* and community pride, a distinct character and community focal points.

11.1.3. To create a built environment of human scale that respects and enhances *cultural heritage resources*, *natural heritage features*, *community character* and streetscape.

11.1.4. To design individual site elements, buildings, structures and spaces to have mutually supportive relationships with one another and with the overall urban fabric and interrelated networks and systems.

11.1.5. To minimize and mitigate potential *adverse impacts* of *development* and *infrastructure* works on surrounding land uses, the built and natural environments, the integrated transportation system and *infrastructure* through careful design considerations and solutions.

11.1.6. To create a safe, secure and *walkable* community dedicated to *pedestrian* activity.

11.1.7. To promote and recognize excellence and innovation in architecture, urban design, *sustainable building design* and landscape design.

11.1.8. To encourage and support the provision of *public art* in private and public *developments*.

General Policies

11.C.1.1. The *City* will require high quality urban design in the review of all *development applications* through the implementation of the policies of this Plan and the *City's Urban Design Manual* and in accordance with the Planning Act.

11.C.1.2. The *City* will exemplify high quality urban design in *City infrastructure* projects through the implementation of the policies of this Plan and the *Urban Design Manual*.

11.C.1.3. The policies in this Section will be considered in the review and approval of all *infrastructure* projects, *public realm* improvements and all *development applications* to aid in achieving the Community Vision for the *City* as outlined in Section 2. The *City* will balance the Urban Design Policies with any other applicable policies in this Plan.

11.C.1.4. The policies in this Section will be used to evaluate matters such as, but not limited to:

a) patterns of movement and the physical and social connections that exist between people and places;

b) the interrelationship between built and unbuilt spaces that comprise both the *public realm* and private *developments*;

c) the protection and integration of the natural environment and *cultural heritage resources*; and,

d) potential *adverse impacts* to the urban fabric, the community and *infrastructure*.

11.C.1.5. More detailed *urban design guidelines* and/or *urban design briefs* may be prepared by the *City* for the *city* as a whole or for specific geographic areas, land uses or *built form* typologies to augment the Urban Design Policies in this Section of the Plan.

11.C.1.6. A site specific *urban design brief, urban design report* and/or *urban design scorecard* may be required of an owner/applicant in support of a *development application* in accordance with Section 17.E.10 and which may be adopted by Council.

11.C.1.7. *Urban design guidelines* and/or *urban design briefs* prepared in accordance with Policies 11.C.1.5 and 11.C.1.6 will be prepared in consultation with appropriate stakeholders, including citizens, businesses, public agencies, organizations, school boards and any other appropriate levels of government, and will be Council adopted or approved.

11.C.1.8. *Urban design guidelines*, *urban design briefs* and/or *urban design report*s prepared in accordance with Policies 11.C.1.5 and 11.C.1.6 will supplement the Urban Design Policies and all other applicable policies of this Plan and will be used in conjunction with other available legislation, standards and guidelines and/or briefs.

11.C.1.9. Detailed standards to achieve urban design objectives will be contained in and implemented through a number of supporting documents and processes, including, but not limited to: the *City's Urban Design Manual*, including detailed *Urban Design Briefs*, the *Zoning By-law*, Community Plans, Secondary Plans, the Sign By-Law,

*Heritage Conservation District Plan*s, the Development Manual, Subdivision Control and Site Plan Control, and in accordance with the Planning Act.

11.C.1.10. The *City* will encourage qualified individuals from the public to participate in and contribute, where desirable and appropriate, to the physical development of the *city* through various means which may include design competitions, urban design awards, a design review committee/panel and other similar initiatives.

Streetscape

11.C.1.11. The *City* will support the character of streets through the coordination of site, building and landscape design on and between individual sites with the design of the street.

Skyline

11.C.1.12. The *City* will have regard for the *city's* skyline when considering development *applications* and *infrastructure* projects and in the formulation of *urban design guidelines* and/or *urban design briefs*.

Safety

11.C.1.13. The *City* will apply *Crime Prevention through Environmental Design* principles in the review of new *developments*, *redevelopments* and *infrastructure* projects to implement crime prevention strategies that will enhance the effective use of the space.

11.C.1.14. Where feasible and in compliance with the other policies of this Plan, the *City* will ensure that the efficiency of emergency medical, fire, and police services be considered in the design of communities, neighbourhoods and individual sites.

11.C.1.15. *Development applications* will be reviewed to ensure that they are designed to accommodate fire prevention and timely emergency response.

Universal Design

11.C.1.16. The *City* will encourage new sites to be designed, *existing* sites to be redeveloped, the *public realm* and *community infrastructure* to be planned to be *barrier-free* and *universal accessibility* by all citizens. In this regard, the *City* will enforce the Ontario Building Code and other accessibility related legislation and regulations.

Public Art

11.C.1.17. The *City* will encourage new neighbourhoods and individual sites to be designed and redeveloped, and that *community infrastructure* is planned to incorporate *public art* as an integral component of, *public realm* planning, private *development applications* and *infrastructure* works in accordance with the Arts and Culture Policies in Section 10 this Plan in order to enhance the enjoyment of the built environment while contributing to a *sense of place*, meaning and context.

11.C.1.18. The *City* will encourage *public art* as an integral component of *public realm* planning, private *development applications* and *infrastructure* works in order to enhance the enjoyment of the built environment while contributing to a *sense of place*, meaning and context.

11.C.1.19. *Public art* will be encouraged throughout the *city* in *priority locations*. *Public art* may reflect local history or traditions or may commemorate significant persons or events.

11.C.1.20. The *City* will encourage *public art* to be incorporated into large-scale private *developments* in accordance with Policy 10.C.1.7.

Priority Locations

11.C.1.21. The *City* will promote the utmost standard of urban design for sites located at strategic or prominent locations in the *City*, such as at *priority locations* in the Urban Growth Centre (Downtown), along major arterial streets, at street intersections and at entrance points into the *City*, communities, neighbourhoods or design districts.

Shade

11.C.1.22. The *City* will require the provision of shade, either natural or constructed, to provide protection from sun exposure, mitigate the urban heat island, and reduce energy demands provided it does not does not generate unacceptable *adverse impacts*.

Design Policies

The following design policies are structured hierarchically: Community Design Policies address urban design at the *Planning Community* scale; Neighbourhood Design policies address urban design at the neighbourhood scale. Site Design Policies address detailed site planning considerations; and *Building Design*, Massing and Scale Policies address specific *building design* considerations. Although the policies relate to different scales and aspects of the urban environment, they should be read in their entirety. The intent of these design policies is to contribute to achieving the overall Vision of a complete and healthy community as outlined in Section 2 and are generally intended to enhance many aspects of Kitchener residents' quality of life and contribute positively to functionality, aesthetics, *compatibility*, environmental viability and economic goals. These policies correspond with, and are further refined by, guidelines in the *City's Urban Design Manual*.

Community Design

11.C.1.23. The *City* will ensure that the design of new communities, *development* and/or *redevelopment* within existing communities and the planning and designing of *community infrastructure*, adheres to a high standard of community design in accordance with the *City's Urban Design Manual*.

11.C.1.24. The *City* will, through Community Design, aim to:

a) promote a *sense of place*;

b) have integrated street networks with *transit-supportive development*;

c) integrate natural and *cultural heritage resources*; and,

d) include *walkable* neighbourhoods with interesting *streetscapes*, focal points and destinations.

11.C.1.25. The *City* will, in the Community Design process, encourage:

a) integration of a mix of land uses including a variety of housing types and park spaces, schools, shopping areas and employment opportunities;

b) creation of communities that have a distinctive *community character*;

c) creation of communities that have cycling and *pedestrian*-friendly streets;

d) creation of communities that have prominent *landmarks*, *views and vistas*;

e) new development to *conserve*, complement and incorporate natural and *cultural heritage resources*;

f) creation of a highly connected street network providing for appropriate traffic distribution, safe *pedestrian* and cycling conditions, *barrier-free* access and efficient public transit use;

g) new *development* to be *transit-supportive*;

h) provision of a variety of outdoor recreational and amenity opportunities for all age groups; and,

i) provision of an accessible linked parks and open space system.

Neighbourhood Design

11.C.1.26. The *City* will ensure that the design of new neighbourhoods, *development* and/or *redevelopment* within existing neighbourhoods and the planning and designing of *community infrastructure* adheres to a high standard of neighbourhood design in accordance with the *City's Urban Design Manual*.

11.C.1.27. The *City* will, through Neighbourhood Design, aim to achieve *walkability*, variety, place making, conservation, connectivity, *transit-supportive* and safety of all neighbourhoods.

11.C.1.28. Neighbourhoods in the *City* can be characterized as either suburban or central neighbourhoods. The *Urban Design Manual* provides design direction with respect to character, *built form* and amenities in both typologies of neighbourhoods.

a) In the Central Neighbourhoods the *City's* primary focus will be to ensure that new infill development is *compatible* with the existing neighbourhood.

b) In Suburban Neighbourhoods, the *City's* primary focus will be to create diverse, attractive, *walkable* neighbourhoods that contribute to *complete and healthy communities*.

Site Design

11.C.1.29. The *City* will ensure that new sites are designed, *existing* sites are redeveloped, and *community infrastructure* is planned to enhance the site, buildings, open spaces and the streetscape.

11.C.1.30. The *City* will, through the Site Plan Control process:

a) consider individual site elements to improve the quality of the development from the *public realm*, *adjacent* properties and on site;

b) ensure safe, comfortable and functional on and off site circulation for all modes of transportation;

c) ensure that site servicing components are functional, attractive and appropriately screened from view from the *public realm*;

d) provide landscaping which enhances each building or project as well as the streetscape;

e) ensure that exterior site signage integrates into the design style of the development and the streetscape and does not dominate or clutter the streetscape;

f) provide clarity of night-time visibility for *pedestrians* and motorists;

g) minimize *adverse impacts* on site, onto adjacent properties (particularly where sites are *adjacen*t to *sensitive land uses*) and to the *public realm* through mitigating techniques; and,

h) arrange building clusters to create safe, secure and usable internal spaces.

Building Design, Massing and Scale Design

11.C.1.31. The *City* will ensure new buildings are designed, existing buildings are redeveloped, expanded, converted or renovated to enhance *pedestrian* and cycling usability, respects and reinforce human scale, create streetscapes that are accessible, safe and have a functional relationship to the street, and contribute to rich and vibrant urban places.

11.C.1.32. The *City* will require special design consideration for buildings located at *priority locations*. An owner/applicant may be required to prepare an *Urban Design Brief*, *Urban Design Report*, *Urban Design Scorecard* and/or *Urban Design Guidelines*, in support of a *development application*.

11.C.1.33. The *City* will encourage the following:

a) Provision of attractive building forms, façades and roof designs which are *compatible* with surrounding buildings;

b) Infill *development* to complement *existing* buildings and contribute to neighbourhood character, particularly if located within close proximity of a recognized *cultural heritage resource* or *Heritage Conservation District*;

c) Minimization of *adverse impacts* on site, onto *adjacent* properties (particularly where sites are *adjacent* to *sensitive land uses*) and into the *public realm* through *building design*;

d) Individual architectural innovation and expression that reinforces and positively contributes to achieving the *City's* urban design goals and objectives; and,

e) The highest standard of *building design* for buildings located at *priority locations*, with particular emphasis on architectural detailing for all façades addressing the *public realm*.

11.C.1.34. New tall building development and/or redevelopment will have consideration for tall building design principles including physical separation, overlook, relative height, floor plate area, building length, tower placement, orientation and building proportion, among others. The City will provide design criteria for tall buildings through zoning regulations and the urban design manual, where appropriate. This is to:

a) Mitigate environmental impacts caused by tall buildings such as shadows, accelerated winds, access to light and sky and more;

b) Create high-quality design relationships between the built-forms of multiple adjacent or nearby towers that account for occupant privacy and quality of life, contribute toward a visually interesting skyline, and ensure good compatibility between buildings in dense, urban environments.

c) Ensure good compatibility with surrounding low and mid-rise contexts.

d) Ensure that the development of future, adjacent or nearby tall buildings is not frustrated and can continue to achieve high-quality design principles.

Design in Cultural Heritage Landscapes

11.C.1.35. New development or redevelopment in a cultural heritage landscape will:

a) Support, maintain and enhance the major characteristics and attributes of the cultural heritage landscape further defined in the City's 2014 City of Kitchener Cultural Heritage Landscapes;

b) Support the adaptive reuse of existing buildings;

c) Be compatible with the existing neighbourhood, including but not limited to the streetscape and the built form; and,

d) Respond to the design, massing and materials of the adjacent and surrounding buildings.

Design in Protected Major Transit Station Areas

11.C.1.36. In addition to the policies in this section, development and/or redevelopment and public works will require a high standard of urban design in Protected Major Transit Station Areas and will require a site-specific urban design brief and/or urban design report in accordance with Section 17.E.10 to demonstrate how the development application exemplifies high quality urban design and will contribute to the public realm and placemaking in the station area and around the station stop.

11.C.1.37. The City will require development and/or redevelopment and public works in the Protected Major Transit Station Area to support and contribute to a high quality public realm. To do this the City will:

a) Ensure streetscape design supports safe and comfortable walking, cycling and rolling throughout the station area, including to and from transit stops.

b) Require a high quality public realm at grade which includes sidewalks, street furniture, street trees and landscaping. Where this is not achieved within the public right of way, encourage these placemaking elements to be located on private property or in shared ownership.

c) Require developments to support, maintain and/or increase the tree canopy, where possible, to support Kitchener's Sustainable Urban Forestry Strategy.

d) Encourage Low Impact Development ("LID") water management techniques, including materials and plantings that have a high infiltration rate within boulevards and setbacks, to reduce the impact on the city's stormwater management system only in those areas and circumstances where LID is permitted, consistent with the City's Stormwater Master Plan, as amended;

e) Encourage landscape screening between the public right of way and any visible surface parking, loading/service areas or back of house functions.

f) Encourage pedestrian shelter and bicycle parking along streets that connect to transit stops and/or contain existing or planned active transportation infrastructure.

g) Encourage direct connections from private and public development to existing and proposed active transportation infrastructure, such as public trails;

h) Encourage the provision of public open spaces, public art, wayfinding, and other creative placemaking interventions in private developments; and,

i) Require active transportation connections and mid-block connections through development and/or redevelopment, where appropriate.

SECTION 12: CULTURAL HERITAGE RESOURCES

Preamble

Cultural heritage resources are built or natural features which may have design or physical value, associative or historic value and/or contextual value. *Cultural heritage resources* may include properties, structures, buildings, rivers, roads, communication corridors and sites or areas including streetscapes, landscapes, cemeteries and burial places.

The *City's cultural heritage resources* provide a link to the past and are an expression of the *city's culture* and history. They contribute in a very significant way to the *city's* identity and unique character. While Kitchener's *cultural heritage resources* are important from a historical and cultural perspective, they are also of social, economic, environmental and educational value. They help to instill civic pride, foster a sense of community, contribute to tourism and stimulate the building renovation industry.

The policies of this Section will provide the framework to ensure the *conservation* of those *cultural heritage resources* which reflect and contribute to the history, identity and character of Kitchener.

Objectives

12.1.1. To *conserve* the *city's cultural heritage resources* through their identification, protection, use and/or management in such a way that their heritage values, attributes and integrity are retained.

12.1.2. To ensure that all *development* or *redevelopment* and *site alteration* is sensitive to and respects *cultural heritage resources* and that *cultural heritage resources* are *conserved*.

12.1.3. To increase public awareness and appreciation for *cultural heritage resources* through educational, promotional and incentive programs.

12.1.4. To lead the community by example with the identification, protection, use and/or management of *cultural heritage resources* owned and/or leased by the *City*.

Policies

12.C.1.1. The *City* will ensure that *cultural heritage resources* are *conserved* using the provisions of the Ontario Heritage Act, the Planning Act, the Environmental Assessment Act, the Funeral, Burial and Cremation Services Act and the Municipal Act.

12.C.1.2. The *City* will establish and consult with a Municipal Heritage Committee (MHC) on matters relating to *cultural heritage resources* in accordance with provisions of the Ontario Heritage Act.

12.C.1.3. The *City* will develop, prioritize and maintain a list of *cultural heritage resources* which will include the following:

a) properties listed as non-designated properties of cultural heritage value or interest on the *Municipal Heritage Register*;

b) properties designated under Part IV and V of the Ontario Heritage Act;

c) *cultural heritage landscapes*; and,

d) *heritage corridors*.

The list may also include *cultural heritage resources* identified in *Federal*, *Provincial* and *Regional* inventories and properties listed on the Heritage Kitchener Inventory of Historic Buildings until such time as these properties are re-evaluated and considered for listing on the *Municipal Heritage Register*.

12.C.1.4. The *City* acknowledges that not all of the *city's cultural heritage resources* have been identified as a *cultural heritage resource* as in Policy 12.C.1.3. Accordingly, a property does not have to be listed or designated to be considered as having cultural heritage value or interest.

12.C.1.5. Through the processing of applications submitted under the Planning Act, resources of potential cultural heritage value or interest will be identified, evaluated and considered for listing as a non-designated property of cultural heritage value or interest on the *Municipal Heritage Register* and/or designation under the Ontario Heritage Act.

12.C.1.6. The *City*, in consultation with the Municipal Heritage Committee (MHC), will develop, maintain and implement a Municipal Heritage Conservation Master Plan to be adopted by Council. The Municipal Heritage Conservation Master Plan will establish goals, objectives, strategies, policies, criteria and guidelines related to the *conservation* of the *city's cultural heritage resources*. The Master Plan will include a descriptive and mapped inventory of all *cultural heritage resources* recognized by the *City* and will establish priority levels for the protection of each *cultural heritage resource*.

12.C.1.7. Properties that are of cultural heritage value or interest will be considered for designation under the Ontario Heritage Act. The cultural heritage value or interest associated with the *cultural heritage resource* will be evaluated based on the regulation in the Ontario Heritage Act which provides criteria for determining cultural heritage value or interest.

Cultural Heritage Landscapes

12.C.1.8. The *City*, in cooperation with the *Region* and the Municipal Heritage Committee (MHC), will *identify*, inventory and list on the *Municipal Heritage Register*, *cultural heritage landscapes* in the *city*.

12.C.1.9. *Significant cultural heritage landscapes* will be *identified* on Map 9 in accordance with the Regional Official Plan and this Plan. An amendment to this Plan will not be required to identify *cultural heritage landscapes* on the *Municipal Heritage Register*.

12.C.1.10. The *City* will require the *conservation* of *significant cultural heritage landscapes* within the *city*.

12.C.1.11. The *City* will require the *conservation* of cemeteries of cultural heritage significance (including human beings' remains, animals' remains, vegetation and landscapes of historic, aesthetic and contextual values) in accordance with the Funeral, Burial and Cremation Services Act and the provisions of Parts IV, V and/or VI of the Ontario Heritage Act.

12.C.1.12. The *City* recognizes the Grand River as a Canadian Heritage River and will co-operate with the *Region* and the Grand River Conservation Authority in efforts to *conserve*, manage and enhance, where practical, the river's natural, cultural, recreational, scenic and ecological features.

Heritage Conservation Districts

12.C.1.13. Areas that are of cultural heritage value or interest may be designated as a *Heritage Conservation District* under the Ontario Heritage Act. In the identification and evaluation of a potential *Heritage Conservation District*, regard will be had to, but not limited to, the following criteria:

a) the area contains a concentration of *cultural heritage resources* such as buildings, structures or landscapes, which reflect an aspect of the history of the community by nature of their location and the historical significance of the setting in which they are located;

b) the area contains a concentration of *cultural heritage resources* that are of a particular style of architecture or a method of construction which is historically *significant* or architecturally *significant* to the community, *Region*, or *Province*;

c) the area may contain other important physical, archaeological, environmental, cultural or aesthetic characteristics that individually do not constitute sufficient grounds for the designation of a district, but when considered together with other *cultural heritage resources* collectively support the reason for designation; or,

d) the area has a special association that is distinctive within the community and, as a result, contributes to the character of the entire community.

12.C.1.14. In evaluating the rationale for the designation of an area as a *Heritage Conservation District*, the *City* will prepare a *Heritage Conservation District* Study in accordance with the Ontario Heritage Act. The Study will be considered by Council and will form the basis for the preparation of a *Heritage Conservation District Plan*, which will contain policies and guidelines for the *conservation* of properties within the district. The policies and guidelines will serve to manage change including *development* or *redevelopment* and alterations, to be in keeping with the scale, form and heritage character of the properties in the district. The *Heritage Conservation District Plan* will be considered by Council for adoption together with designation of the *Heritage Conservation District* by by-law.

12.C.1.15. The features which collectively warrant the creation of a *Heritage Conservation District* will be identified and included in a *Heritage Conservation District* Study and Plan. These features may include the following:

a) the placement and relationship of *cultural heritage resources*;

b) the scale and character of the *cultural heritage resources*;

c) the architectural details of the buildings and/or structures;

d) elements of *cultural heritage landscapes* such as natural areas, *vistas* and streetscapes; and,

e) the unique historical, social or cultural association of the area.

12.C.1.16. It is the intent that the features which give the area its distinctive character and contribute to the area's merit as a *Heritage Conservation District* will be *conserved* through the adoption by by-law of a *Heritage Conservation District Plan*.

Archaeology

12.C.1.17. During the review of *development applications* or applications for *site alteration,* ~~The~~ the *City* and/or the *Region* will require an owner/applicant to submit an archaeological assessment conducted by a licensed archaeologist in accordance with any applicable Regional or Provincial Standards and Guidelines, to the satisfaction of the *Province*, where *archaeological resources* and/or areas of archaeological potential have been identified in the Regional Archaeological Master Plan.

12.C.1.18. Where an archaeological assessment identifies a *significant archaeological resource*, the *City* and/or the *Region* and the *Province* will require the owner/applicant to *conserve* the *significant archaeological resource* in accordance with Ministry approvals by:

a) ensuring the site remains undeveloped and, wherever appropriate, designated as open space by the *City*; or,

b) removing the *significant archaeological resource* from the site by a licensed archaeologist, prior to site grading or construction.

Conservation Measures

12.C.1.19. In addition to listing and designating properties under the Ontario Heritage Act, the *City* may use and adopt further measures to encourage the protection, maintenance and conservation of the *city's cultural heritage resources* including built heritage and significant *cultural heritage landscapes* and implement Cultural Heritage Resource Conservation Measures Policies in this Plan. These may include, but are not limited to covenants and easements pursuant to the Ontario Heritage Act; by-laws and agreements pursuant to the Planning Act (*Zoning By-law*, demolition control, site plan control, *community improvement* provisions, provisions in a subdivision agreement);

and by-laws and agreements pursuant to the Municipal Act (*Property Standards By-law*, tree by-law, sign by-law).

12.C.1.20. The *City* will make decisions with respect to *cultural heritage resources* that are consistent with the policies of the Provincial Policy Statement, which require the *conservation* of *significant cultural heritage resources*. In addition, such decisions will be consistent with the Parks Canada Standards and Guidelines for the Conservation of Historic Places in Canada.

12.C.1.21. All *development*, *redevelopment* and *site alteration* permitted by the land use designations and other policies of this Plan will *conserve* Kitchener's *cultural heritage resources*. The *conservation* of *cultural heritage resources* will be a requirement and/or condition in the processing and approval of applications for any property as prescribed in policy 12.C.1.23 submitted under the Planning Act and must:

a) Follow best heritage practices and national and provincial heritage conservation standards and guidelines, and principles;

b) Be integral to the design of the *development, redevelopment, and/or site alteration* in a manner that conserves, enhances, and maintains the integrity of the *cultural heritage resource*; and

c) Integrate any *protected heritage property* in a way that recognizes and conserves its associated *heritage attributes* and value in a respectful, sympathetic, and prominent manner to the satisfaction of the *City*.

12.C.1.22. The *City* may require financial securities from the owner/applicant of an application submitted under the Planning Act, including applications for consent, site plan, draft plan of vacant land condominium and draft plan of subdivision, to ensure the *conservation* of the *city's cultural heritage resources* both during and after the *development* process.

Heritage Impact Assessments and Heritage Conservation Plans

12.C.1.23. The *City* will require the submission of a *Heritage Impact Assessment* and/or a *Heritage Conservation Plan* for *development*, *redevelopment* and *site alteration* that has the potential to impact a *cultural heritage resource* and is proposed:

a) on or *adjacent* to a *protected heritage property*;

b) on or *adjacent* to a *heritage corridor* in accordance with Policies 13.C.4.6 through 13.C.4.18 inclusive;

c) on properties listed as non-designated properties of cultural heritage value or interest on the *Municipal Heritage Register*;

d) on properties listed on the Heritage Kitchener Inventory of Historic Buildings; and/or,

e) on or *adjacent* to an identified *cultural heritage landscape*.

12.C.1.24. Where a *Heritage Impact Assessment* required under Policy 12.C.1.23 relates to a *cultural heritage resource* of *Regional* interest, the *City* will ensure that a copy of the assessment is circulated to the *Region* for review prior to final consideration by the *City*.

12.C.1.25. A *Heritage Impact Assessment*, *Heritage Conservation Plan* and/or other heritage studies required by the *City* must be prepared by a *qualified person* in accordance with the minimum requirements as provided in the City of Kitchener's Terms of Reference for *Heritage Impact Assessment*s, *Heritage Conservation Plans,* or other heritage studies. The *City* may conduct a peer review of any submissions in accordance with policy 17.E.10.8.

12.C.1.26. The contents of a *Heritage Impact Assessment* will be outlined in a Terms of Reference. In general, the contents of a *Heritage Impact Assessment* will include, but not be limited to, the following:

a) historical research, site analysis and evaluation;

b) identification of the significance and *heritage attributes* of the *cultural heritage resource*;

c) description of the proposed development or *site alteration*;

d) assessment of development or *site alteration* impact or potential *adverse impacts*;

e) consideration of alternatives, mitigation and conservation methods;

f) implementation and monitoring; and,

g) summary statement and conservation recommendations.

12.C.1.27. Any conclusions and recommendations of the *Heritage Impact Assessment* and *Heritage Conservation Plan* approved by the *City* will be incorporated as mitigative and/or *conservation* measures into the plans for *development* or *redevelopment* and into the requirements and conditions of approval of any application submitted under the Planning Act.

12.C.1.28. *Heritage Impact Assessment*s and *Heritage Conservation Plans* required by the *City* may be scoped or waived by the *City*, as deemed appropriate.

Heritage Permit Application

12.C.1.29. Where a Heritage Permit Application is required for a property designated under the Ontario Heritage Act, the owner/applicant will be required to submit supporting information in accordance with the *City's* Heritage Permit Application submission requirements and guidelines such as:

a) a detailed site plan drawn to scale with metric dimensions;

b) details of the work that is proposed to be completed including materials, samples, colours, and elevation drawings; and,

c) an explanation of the reason for the work that is proposed to be completed.

12.C.1.30. Heritage Permit Applications are reviewed and considered by Council or by delegated authority in accordance with the Ontario Heritage Act.

12.C.1.31. Heritage Permit Application submission requirements may be scoped or waived by the *City*, as deemed appropriate.

Demolition/Damage of Cultural Heritage Resources

12.C.1.32. Where a *cultural heritage resource* is proposed to be demolished, the *City* may require all or any part of the demolished *cultural heritage resource* to be given to the *City* for re-use, archival, display or commemorative purposes, at no cost to the *City*.

12.C.1.33. In the event that demolition, salvage, dismantling, relocation or irrevocable damage to a *significant cultural heritage resource* is proposed and permitted, the owner/applicant will be required to prepare and submit a thorough archival documentation, to the satisfaction of the *City*, prior to the issuance of an approval and/or permit.

12.C.1.34. Where archival documentation is required to support the demolition, salvage, dismantling, relocation or irrevocable damage to a *significant cultural heritage resource*, such documentation must be prepared by a *qualified person* and must include the following:

a) architectural measured drawings;

b) a land use history; and,

c) photographs, maps and other available material about the *cultural heritage resource* in its surrounding context.

Archival documentation may be scoped or waived by the *City*, as deemed appropriate.

12.C.1.35. In the event that demolition is proposed to a non-designated property of cultural heritage value or interest listed on the *Municipal Heritage Register*, the owner/applicant will be required to provide written notice to the *City* of the intent to demolish, 60 days prior to the date demolition is proposed. The significance of the *cultural heritage resource* will be evaluated and Council may use the 60 days to pursue designation of the *cultural heritage resource* under the Ontario Heritage Act.

12.C.1.36. The *City* may give due consideration to designate under the Ontario Heritage Act any *cultural heritage resource* if that resource is threatened with demolition, significant alterations or other potentially *adverse impacts*.

Public Infrastructure

12.C.1.37. The *City* will ensure that all private and public works projects affecting a *cultural heritage resource* will be consistent with the Parks Canada Standards and Guidelines for the Conservation of Historic Places in Canada, and where such projects are within or *adjacent* to a *Heritage Conservation District* they will be consistent with the guidelines and the policies of the applicable *Heritage Conservation District Plan*. Private and public works projects may require the submission and approval of a *Heritage Impact Assessment*, *Heritage Conservation Plan* and/or Heritage Permit Application.

Incentives

12.C.1.38. The *City* may establish and support financial recognition and other incentive programs to assist with the *conservation* of *cultural heritage resources*.

12.C.1.39. The *City* will consider establishing and applying incentives such as increasing height and *density* through the use of bonusing provisions in accordance with Section **Error! Reference source not found.**; considerations of extensions of land use; and parking relaxations to encourage and assist in the *conservation* of protected *cultural heritage resources*. The application of such incentives will not be restricted to *cultural heritage resources* but may be transferred to other properties in proximity to the protected *cultural heritage resource*.

12.C.1.40. A *Heritage Impact Assessment* and/or Conservation Plan may be required and the conclusions and recommendations of the approved *Heritage Impact Assessment* and/or approved Conservation Plan will be made conditions of receiving any incentive for the *conservation* of *cultural heritage resources*.

City Resources/Role

12.C.1.41. The *City* will promote the heritage of the *city* through the development of heritage sites, trails, interpretive plaques, public archives, awards, educational programs and by any other means deemed appropriate in order to enhance public appreciation, stewardship and the visibility of *cultural heritage resources*.

12.C.1.42. Commemoration of *cultural heritage resources* is strongly encouraged, whenever a new private *development* or public work is undertaken in the vicinity of a lost site of cultural heritage value or interest, including sites where:

a) major events occurred of historical significance;

b) *cultural heritage landscape* features such as rivers, streams and shorelines, have disappeared from the cityscape; and,

c) important institutions, residences, industries, *landmark* buildings or settlements of cultural heritage value or interest once existed.

12.C.1.43. The *City* will lead the community by example in the management and care of *City*-owned *cultural heritage resources* by following good *conservation* practice consistent with the Parks Canada Standards and Guidelines for the Conservation of Historic Places in Canada. In the event that the ownership status of the *City*-owned *significant cultural heritage resource* changes, the *City* will designate and/or enter into an easement agreement with the new owner or lessee to ensure that the continuous care of, and where appropriate, community access to these resources is maintained.

12.C.1.44. The *City* will *conserve* and consider designation under the Ontario Heritage Act for all *City*-owned *cultural heritage resources* and prepare strategies and plans for their care, management and stewardship.

12.C.1.45. The *City* will have regard to the administration of the Accessibility for Ontarians With Disabilities Act, 2005 and the Ontario Building Code and other related codes and regulations as they relate to *cultural heritage resources*. Application of the codes and regulations will be assessed on a case-by-case basis to balance accessibility needs with the need to *conserve* the cultural heritage value of the property with the objective of providing the highest degree of access with the lowest level of impact on the *heritage attributes* of the property.

Design/Integration

12.C.1.46. The *City* will prepare guidelines as part of the *Urban Design Manual* to address the *conservation* of *cultural heritage resources* in the *city* and to recognize the importance of the context in which the *cultural heritage resources* are located.

12.C.1.47. The *City* may require architectural design guidelines to guide *development*, *redevelopment* and *site alteration* on, *adjacent* to, or in close proximity to properties designated under the Ontario Heritage Act or other *cultural heritage resources*.

12.C.1.48. Signage on *protected heritage properties* will be *compatible* and complementary to the *heritage attributes* of the *protected heritage property* and in accordance with and consistent with good *conservation* practice.

12.C.1.49. The *City* may prepare heritage conservation guidelines for the *city* as a whole or for specific geographic areas, land uses, or built form typologies to implement cultural heritage related policies of this Plan.

Lower Doon

12.C.1.50. The following policies apply to lands identified as Lower Doon Cultural Heritage Landscape on Map 9 - Cultural Heritage Resources:

a) The cultural heritage resources and heritage attributes identified in the Lower Doon Cultural Heritage Landscape Study and shown on Map 1 and Map 2 of the Lower Doon Cultural Heritage Landscape Report will be conserved.

b) The City will require the submission of a Heritage Impact Assessment and/or a Heritage Conservation Plan for development, redevelopment, demolition, and

site alteration for designated properties within or adjacent to the Cultural Heritage Landscape, where it has been determined that this may result in a significant negative impact on a cultural heritage resource or heritage attribute of the Cultural Heritage Landscape as deemed appropriate by the City's Director of Planning.

i. The Heritage Impact Assessment shall be completed in accordance with the City of Kitchener Heritage Impact Assessment Terms of Reference, or a Scoped Heritage Impact Assessment Terms of Reference which will be provided by the City's Heritage Planner and will recommend an appropriate conservation strategy for the cultural heritage resource or heritage attribute. The Heritage Conservation Plan shall be completed in accordance with the City of Kitchener Conservation Plan Terms of Reference and will recommend appropriate conservation measures and work for the cultural heritage resource or heritage attribute.

ii. The City may require the submission of additional documents and/or studies as deemed appropriate by the City's Heritage Planner.

c) The City will ensure that new developments are designed and planned to ensure that views and vistas of Kitchener's significant cultural heritage resources are created, maintained, and /or enhanced where appropriate, as referenced in the Lower Doon Cultural Heritage Landscape Report (ASI Heritage, September 2023).

d) Any new development that may be proposed within any part of the Lower Doon Cultural Heritage Landscape identified as exhibiting archaeological potential (as shown on Map 3 of the Lower Doon Cultural Heritage Landscape Report) that will result in subsurface impacts must be preceded by Stage 2 Archaeological Assessment. Any such assessment(s) must be conducted in accordance with the 2011 Standards and Guidelines for Consultant Archaeologists (Ministry of Tourism and Culture 2011).

e) New development and alterations on properties within and adjacent to the Cultural Heritage Landscape must be compatible with and complementary to the Cultural Heritage Landscape's cultural heritage value and heritage attributes.

f) Demolition or removal of heritage attributes within the Lower Doon Cultural Heritage Landscape is not permitted.

g) The City acknowledges that accessibility requirements are an important consideration for public and private properties and that a balance must be found between meeting accessibility requirements and conserving cultural heritage resources and heritage attributes in order to achieve solutions that meet the needs of both, as much as is feasible.

Cedar Hill and Schneider Creek Neighbourhood Cultural Heritage Landscape

12.C.1.50 Policies 12.C.1.51 through 12.C.1.53 apply to lands identified as Cedar Hill and Schneider Creek Neighbourhood Cultural Heritage Landscape on Map 9 – Cultural Heritage Resources.

12.C.1.51. The Cedar Hill and Schneider Creek Neighbourhood contains several Priority Locations at gateway locations which facilitate views into and out of the neighbourhoods, accentuating the unique topography of Cedar Hill interfacing with existing low density residential uses on local streets. They include:

a) The intersection of Charles Street East and Cedar Street looking to the southwest;

b) The intersection of Courtland Avenue East and Cedar Street looking to the northeast;

c) The intersection of Courtland Avenue East and Madison Avenue North looking to the northeast;

d) The intersection of Courtland Avenue East and Peter Street looking to the northeast;

e) The intersection of Charles Street East and Eby Street looking to the southwest;

f) The intersection of Benton Street at St. George Street looking to the southeast; and,

g) The intersection of Benton Street at Church Street looking to the southeast.

Corner properties framing the above referenced intersections are identified as being Property of Specific Cultural Heritage Landscape Interest. In these locations, consideration will be giving to transition of built form to protect and enhance views of the hill and the local streetscape features characteristic of this neighbourhood. New development and/or redevelopment should appropriately frame the intersection, especially where a building of cultural heritage interest is located at the corner.

12.C.1.52. The view atop Cedar Hill from Cedar Street looking to the southwest is a unique view from the Cedar Hill Schneider Creek Neigbourhood of the City and of the countryside beyond. Properties contained within Cedar Hill viewshed are identified as being Property of Specific Cultural Heritage Landscape Interest. The City will regulate building height, setbacks and built form along Cedar Street and along Courtland Avenue East to protect and enhance this view. The City will also encourage and support enhancements to the public realm in the location atop of Cedar Hill to contribute and enhance the pedestrian experience and enjoyment of the view.

12.C.1.53. The principal facades of buildings and park frontages will be encouraged to locate and orient themselves at the termination of a street or view corridor or at a street intersection, in order to support and enhance the significance of the Priority Location or the view or vista.

SECTION 13: INTEGRATED TRANSPORTATION SYSTEM

Preamble

This Plan recognizes the relationship between transportation and land use. An integrated transportation system is an essential part of the *city's* urban structure and a key element in shaping the form and character of growth in the *city*. Transportation is made more efficient when complemented by appropriate *built form*, mix of land uses and appropriate population and employment densities. In order for the *city* to grow and evolve into a complete and healthy community, it is critical that land use and transportation policies be mutually supportive.

This Plan, along with the *City's* Transportation Master Plan, Transportation Demand Management Plan, Cycling Master Plan, Multi-Use Pathways and Trail Master Plan and the Pedestrian Charter, establishes the framework for the creation of an integrated transportation system that incorporates *active transportation*, allows for the movement of people and goods and promotes a vibrant, healthy community using a combination of land use designations and urban design initiatives that make a wide range of transportation choices viable in Kitchener.

Objectives

13.1. To develop, support and maintain a complete, convenient, accessible and integrated transportation system that incorporates *active transportation*, public transit and accommodates vehicular traffic.

13.2. To promote and encourage walking and cycling as safe and convenient modes of transportation and ensure that the *pedestrian* and cycling networks are integrated with other modes of transportation.

13.3. To have a *walkable* and *transit-supportive* community.

13.4. To have an integrated transportation system which facilitates the convenient movement of persons between residences, places of employment, shopping areas, cultural and recreational facilities and community resources.

13.5. To promote land use planning and development that is integrated and conducive to the efficient and effective operation of public transit, and encourages increased ridership of the public transit system.

13.6. To increase the efficiency of existing transportation *infrastructure* and facilities through improvements, restoration, and maintenance, prior to investing in new *infrastructure* and facilities.

13.7. To collaborate with the *Province*, *Region* and other agencies to create an integrated transportation system that can accommodate current and anticipated transportation needs.

Policies

13.C.1. The *City* will implement the recommendations of *Regional* and/or *City* Transportation Master Plans, Transportation Demand Management Plans, Cycling Master Plans, Multi-Use Pathways and Trails Master Plans and Pedestrian Charters through the development review process, *infrastructure* projects and *public realm* improvements.

13.C.2. The *City* will seek to implement *Provincial*, *Regional* and *City* plans and initiatives.

13.C.3. The *City*, in collaboration with the *Region* and other agencies will seek to protect and, wherever feasible, acquire abandoned rail corridors for their possible inclusion in walking, cycling and transit networks, and future *utility* corridors.

13.C.4. The *City* may require the extension or creation of a street to facilitate the creation of mid-block connections to support and enhance street connectivity and provide alternative routes for *pedestrian*, cycling, and vehicular movements within and between neighbourhoods where it is appropriate and feasible.

13.C.1 Active Transportation

Objectives

13.1.1. To enhance the *pedestrian* realm in order to increase levels of convenience, comfort and safety, and encourage more *pedestrian* movement and trips.

13.1.2. To ensure barriers to *pedestrian* movement are limited and where feasible eliminated, and that *pedestrian* facilities accommodate persons with varying degrees of mobility.

13.1.3. To ensure *universally accessible pedestrian* elements are planned for in the development of buildings, sites, public spaces and transportation facilities.

13.1.4. To encourage *pedestrian* movement and cycling as viable means of travel among destinations within the *City*.

13.1.5. To build upon and improve the connections of sidewalks, *multi-use pathways* and walking paths to major destinations, neighbourhoods, and transit routes.

13.1.6. To create a safe and comfortable cycling network on streets and multi-use trails that offer cyclists an array of connected travel route options.

13.1.7. To support the provision of cycling facilities, including bicycle parking, on public and private lands.

13.1.8. To support programs, strategies and funding which promote and encourage cycling as a safe and efficient means of travel.

Policies

13.C.1.1. The *City* will ensure, whenever feasible, the provision of facilities to encourage walking and cycling, and to address the needs, safety and convenience of *pedestrians* and cyclists when constructing or reconstructing public facilities.

13.C.1.2. The *City* will support the enhancement of *pedestrian* and cycling environments so that people have more opportunities to walk and cycle for convenient travel, recreational, health, environmental and economic reasons through such means as:

a) providing consistent information and signage systems to support exploration, discovery and travel throughout the community on foot and bicycle;

b) integrating *pedestrian* and cycling facilities into existing, expanded and new development areas;

c) ensuring, wherever feasible and appropriate, that urban greenlands are *pedestrian*-friendly, safe and accessible;

d) implementing *Crime Prevention Through Environmental Design* (CPTED) principles;

e) securing dedications for trail corridors, wherever appropriate;

f) providing *pedestrian* and cyclist connections to transit stops; and,

g) encouraging safe and secure bicycle storage facilities at transit stops and station areas.

13.C.1.3. The *City* will support walking, cycling and transit through promotional and educational initiatives that address issues such as personal security; safe behaviour by vehicle drivers, *pedestrians* and cyclists; *barrier-free* access; an appreciation of the health and environmental benefits of walking; and the comparative costs of private and public travel choices.

Pedestrian Movement

13.C.1.4. The *City* will design *pedestrian*-friendly streets by:

a) providing sidewalks with sufficient width to accommodate comfortable *pedestrian* flows and be *universally accessible*;

b) where feasible, minimizing conflicts with vehicular traffic by reducing vehicular speeds (traffic calming) and/or providing a buffer within the designated street right-of-way between motorized traffic and *pedestrian* movements;

c) developing site design guidelines and policies that support safe and convenient access by all persons; and,

d) providing more visually appealing, comfortable and safe streetscapes through such means as:

i) implementing a high standard of urban design for the scale and siting of buildings;

ii) implementing a high standard of urban design for the façades and the signage addressing the street;

iii) installing *street furniture* and incorporating *public art* at *priority locations*;

iv) coordinating site, building and landscape design on and between individual sites;

v) providing shade as an essential component of streetscape design; and,

vi) installing adequate lighting.

13.C.1.5. The *City* will provide sidewalks on both sides of streets with minimal exceptions in accordance with the *City's* Sidewalk Policy.

13.C.1.6. The *City* will encourage a mix of land uses to ensure that residents' access to basic *community infrastructure*, amenities and services does not depend on car ownership or public transit use.

13.C.1.7. The *City* will have regard for *pedestrian* connectivity in the review of individual *development* or *redevelopment applications* as well as in the design of roads. The *City* will seek to minimize travel distances between *pedestrian* origins and destinations and clearly demarcate *pedestrian* routes through such means as alternative materials for *pedestrian* crossings and signage to identify connections to the off-road trails network.

13.C.1.8. The *City* will develop a *city*-wide *pedestrian* strategy to identify and implement the *pedestrian* network improving connectivity among on- and off-road *pedestrian* facilities (sidewalks, trails, paths) and linking public transit, schools, recreational facilities, *multi-use pathways*, commercial facilities, places of employment and other municipalities.

13.C.1.9. The *City* will utilize the Pedestrian Charter as a tool to promote and recognize the social, economic, environmental and health benefits of walking as a form of travel, exercise and recreation.

13.C.1.10. The *City* will collaborate with the *Region* on updates to plans relating to the *pedestrian* network that are part of the *region's* transportation system.

Cycling

13.C.1.11. The *City*, in accordance with the Cycling Master Plan, will develop a network of on-street and off-street cycling lanes, local bicycle priority streets, signed routes to key destinations, and *multi-use pathways*.

13.C.1.12. The *City* will design, build and maintain roadways in a manner that reduces the risk of accidents and injuries to cyclists.

13.C.1.13. The *City* will require new, multi-unit residential, commercial, industrial, office and institutional developments to provide secure bicycle parking and will encourage, where appropriate, shower/change facilities for cycling commuters.

13.C.1.14. The *City* will, as appropriate, systematically coordinate, integrate, and improve cycling conditions within the *City's* transportation *infrastructure*, services and programs.

13.C.2 Multi-Use Pathways and Trails

Objectives

13.2.1. To recognize that *multi-use pathways* and trails are an important component of the *public realm*, an integrated Transportation system and a complete and healthy community.

13.2.2. To provide, maintain and expand a continuous, connected and efficient *multi-use pathway* network throughout the *city*.

13.2.3. To provide a hierarchy of route types in a variety of locations throughout the *city* to appeal to a range of user abilities and interests.

Policies

13.C.2.1. The Multi-Use Pathways and Trails Master Plan for the *City* is the guiding document that provides the framework for the design, development and operation of a *multi-use pathway* network in the *city*. *Infrastructure* projects, *public realm* improvements and *development* and *redevelopment applications* must be consistent with the Multi-Use Pathways and Trails Master Plan.

13.C.2.2. The location of existing and future *multi-use pathway* routes throughout the *city* are shown on Map 11. Primary Multi-use Pathways provide a four-season transportation corridor. Secondary Multi-use Pathways are available as a transportation route during the spring, summer and fall seasons.

13.C.2.3. The *City* may permit changes to the location and/or alignment of existing and future *multi-use pathway* as identified on Map 11 to accommodate the actual on-ground route, and to respond to new opportunities and/or constraints that arise from time-to-time, without the need for an Official Plan Amendment.

13.C.2.4. The *City* will plan and develop a continuous and linked *multi-use pathway* network recognizing that it is a vital component of Kitchener's urban fabric and *public realm* and to an integrated Transportation system.

13.C.2.5. The *City* will promote *multi-use pathways* as opportunities to pursue healthy, active lifestyles, experience parks, public open spaces and natural areas, as well as the option to travel off-road throughout the *city*.

13.C.2.6. The location and design of *multi-use pathways* will have regard for the *Natural Heritage System* and its features. *Development*, *redevelopment* or *site alteration* may be permitted on *lands adjacent* to the Natural Heritage System features where an *Environmental Impact Study* demonstrates that the location and design of the *multi-use pathway* will not result in *adverse environmental impacts* on the natural heritage feature or *ecological functions* of the feature.

13.C.2.7. The *City* will work collaboratively with other agencies and area municipalities to plan for, and assist in developing recreation and transportation *multi-use pathways* and related trail amenities and facilities.

13.C.2.8. The *City* will use the following measures to enhance the continuity and connectivity of the *multi-use pathway* network:

a) acquiring land to complete the system through purchases, leases, easements, rights-of-way, dedications and any other applicable means; and,

b) integrating abandoned railway properties, *utility* corridors and/or unused/unopened road allowances into the system as they become available.

13.C.2.9. The *City* will provide appropriately designed and properly located amenities at new municipal facilities throughout the *multi-use pathway* network.

13.C.2.10. The *City* will require all *infrastructure* projects, *public realm* improvements and all new *development* or *redevelopment* to include recreation and transportation *multi-use pathways* and related facilities where they have been identified as required in the *City's* Multi-Use Pathways and Trails Master Plan.

13.C.2.11. The *City* will encourage all *infrastructure* projects, *public realm* improvements and all new *development* or *redevelopment* to provide *multi-use pathway* related facilities, such as access to the *multi-use pathway* network, bicycle parking, benches, and waste receptacles that are appropriately designed and properly located.

13.C.2.12. Design considerations for *multi-use pathways* should apply *universal design* principles, wherever possible, to encourage use by people of all levels of ability and mobility.

13.C.2.13. *Multi-use pathways* will be clearly signed regarding permitted uses. Wayfinding signage will be provided in appropriate locations along the *multi-use pathway* network.

13.C.3 Public Transit

Objectives

13.3.1. To encourage and foster the increased use of public transit.

Policies

13.C.3.1. The *City* will ensure that all *development* and/or *redevelopment* proposals in areas serviced or planned to be serviced by public transit support the provision of an efficient, convenient and safe public transit service.

13.C.3.2. The *City* will endeavour to ensure an arrangement of development and streets whereby the maximum walking distance to a planned or existing transit stop will not exceed 450 metres for 95 percent of residences, places of employment and community facilities.

13.C.3.3. The *City* will support and collaborate with the *Region* in the planning and implementation of existing and planned *transit corridors*, as identified on Map 2. Minor adjustment and modifications to alignments and transit facilities will not require an Official Plan Amendment.

13.C.3.4. The *City* will work with the *Region* to support the planning and implementation of *rapid transit* service within the *City* along the established *rapid transit* route and at planned *rapid transit* station stops, as well as existing and future Express Bus and Local Bus networks.

13.C.3.5. *Development* may be required to provide, at no public expense, the dedication of a public transit rights-of-way and lands for related facilities for the purpose of implementing the *regional* transit network.

13.C.3.6. The *City* will, where appropriate, locate lands designated for high rise residential, office, *retail*, community services, institutional and other high transit trip generators in close proximity to existing and planned transit services.

13.C.3.7. The *City* will ensure that the layout of new arterial and collector streets promote efficient and direct transit routes within and between neighbourhoods.

13.C.3.8. The *City* will require appropriate *pedestrian* facilities and road improvements and will work with the *Region* to provide for on- or off-site transit facilities in order to integrate transit use within large individual developments.

13.C.3.9. The *City* will support a multi-modal transportation hub at the intersection of King Street and Victoria Street, and will work with the *Region* to support the associated street design provides safe, efficient and effective access by non-motorized (*pedestrian*s, cyclists) and motorized (transit vehicles, motorists) users.

13.C.3.10. The *City* will ensure developments in close proximity to the multi-modal transportation hub at King and Victoria streets are *transit-supportive*, well-designed, *pedestrian*-friendly and transit-oriented.

13.C.3.11. The *City* will support access and traffic control devices that give priority to transit vehicles particularly in the Downtown, along the King Street corridor and the light rail *transit corridor*.

Transit-Oriented Development

13.C.3.12. The *City* will apply the following Transit-Oriented Development provisions as contained in the Regional Official Plan in reviewing *development* and/or *redevelopment applications* on or near sites that are served by existing or planned *rapid transit*, or higher frequency transit to ensure that *development* and/or *redevelopment*:

a) creates an interconnected and multi-modal street pattern that encourages walking, cycling or the use of transit and supports *mixed use* development;

b) supports a more *compact urban form* that locates the majority of *transit-supportive* uses within a comfortable walking distance of the transit stop or Protected Major Transit Station Area;

c) provides an appropriate mix of land uses, including a range of food destinations, that allows people to walk or take transit to work, and also provides for a variety of services and amenities that foster vibrant, *transit-supportive* neighbourhoods;

d) promotes medium and higher density development as close as possible to the transit stop to support higher frequency transit service and optimize transit rider convenience;

e) fosters *walkability* by creating *pedestrian*-friendly environments that allow walking to be a safe, comfortable, *barrier-free* and convenient form of urban travel;

f) supports a high quality *public realm* to enhance the identity of the area and create gathering points for social interaction, community events and other activities; and,

g) provides access from various transportation modes to the transit facility, including consideration of *pedestrian*s, bicycle parking, and where applicable, passenger transfer and commuter pick-up/drop off areas.

13.C.4 Street System

Objectives

13.4.1. To maintain and develop an appropriate hierarchy of streets to ensure the desired movement of people and goods within and through the *city*.

13.4.2. To plan for a street system with differentiated speeds and vehicular capacities.

Policies

13.C.4.1. The *City*, in cooperation with the *Region* and the *Province* will coordinate the *City's* portion of the integrated transportation system which includes and identifies six classifications of streets as shown on Map 11 and outlined below.

a) **Provincial Highways**

Provincial Highways are expressways within the *City* under the jurisdiction of the *Province*. They provide high volume and high speed inter-provincial and inter-regional motorized travel within and through the *City*. They are constructed to Provincial Highway standards and access to abutting lands is prohibited except at controlled access interchanges. Provincial Highways can support conventional and *rapid transit* service.

b) **Regional Roads**

Regional Roads are primary arterial streets under the jurisdiction of the *Region*. The *Region* is responsible for the planning, construction and maintenance of these streets. Regional Roads will be planned, designed and operated in accordance with the Context Sensitive Regional Transportation Corridor Design Guidelines, Regional Transportation Master Plan, Regional Road Access By-law, Regional Road Access Guideline, Regional Pedestrian Master Plan, Regional Active Transportation Master Plan and Transportation Impact Study Guidelines. Generally, their function is to distribute large volumes of traffic between other Regional Roads, City Arterial Streets and Major Community Collector Streets.

The primary purpose of these Roads is people and goods movement within, through and between municipalities. Regional Roads can support conventional transit and *rapid transit* service. Sidewalks are generally to be provided on both sides of the street. Dedicated on-street cycling facilities are to be provided, where appropriate, in accordance with the Regional Active Transportation Master Plan. Generally, the *built form* should consider the width and function of the street and have noise sensitive receivers as far away from the street as possible.

To minimize the impact of development on the existing or planned Regional Road system, the *City* will:

i) accommodate *Regional* conditions of approval where appropriate and permitted by legislation for *development applications* with respect to the

operation of the Regional Road system which may include transportation impact analysis, land dedications, noise attenuation, fencing, grading and drainage plans and stormwater management and other measures; and,

ii) consult the *Region* regarding any *development application* associated with a Regional Road or Regional Transit System and the owner/applicant may be required to undertake various measures, such as but not limited to transportation impact analysis and associated improvements as outlined in the Regional Official Plan, land dedication for various purposes, easements, noise attenuation, fencing, grading, associated transit and *active transportation* amenities and stormwater management, as well as obtain the necessary road access permits, from the *Region*.

The *City* will collaborate with the *Region* to regulate the number of access points, adopt standards to regulate new development adjacent to Regional Roads which may include, for example, provision for minimum and/or maximum setbacks for buildings and structures and, where feasible, intersections spaced approximately 250 metres apart to encourage transit use and walking.

The *City* will, in cooperation with the *Region*, regulate the number of new access points onto Regional Roads in order to preserve the traffic carrying capacity of these streets. Access to Regional Roads will be subject to the requirements of the Regional Road Access By-law and associated Implementation Guidelines.

c) **City Arterial Streets**

Generally, City Arterial Streets distribute large volumes of traffic (people and goods) between other Regional Roads and City Arterial Streets and Major Community Collector Streets. The primary purpose of these streets is to provide mobility for people and goods through and within the *city* while also providing a positive image of the *city*. The number and design of accesses onto abutting lands will be regulated in recognition of the need to protect the function served by City Arterial Streets. City Arterial Streets can support conventional and *rapid transit* service. Sidewalks are to be provided on both sides of the street. Dedicated cycling facilities are to be provided, separated from vehicular traffic where possible, and where appropriate, in accordance with the *City's* Cycling Master Plan. Locating safe *pedestrian* and cycling crossings are important so that the street is not a barrier. Generally, the *built form* should consider the width and function of the street and have noise sensitive receivers as far away from the street as possible.

d) **Major Community Collector Streets**

Generally, the function of Major Community Collectors Streets is to balance the provision of mobility in the *city* with land accesses. They do this by collecting and distributing people and goods between communities from Local Streets and Minor Neighbourhood Collector Streets to City Arterial Streets and Regional Roads. Direct accesses to properties may be permitted. Major Community Collector Streets can support conventional transit and *rapid transit* service. Sidewalks are to be provided on both sides of the street. Dedicated cycling facilities are to be provided where appropriate in accordance with the *City's*

Cycling Master Plan. These street are typically important connections through communities and a high level of streetscapes and urban design is expected.

e) **Minor Neighbourhood Collector Streets**

Generally, Minor Neighbourhood Collector Streets connect Local Streets within individual neighbourhoods to Major Community Collector Streets, and are intended to move people and goods primarily within neighbourhoods. Minor Neighbourhood Collector Streets support conventional transit service. Sidewalks are to be provided on both sides of the street. Cycling facilities are to be accommodated safely within the street right-of-way utilizing the "Share the Road" approach in accordance with the *City's* Cycling Master Plan. These streets may mark the entrance to a neighbourhood through urban design features.

f) **Local Streets**

Local Streets generally provide access to abutting properties and are not intended to carry high volumes of through traffic. Local Streets support conventional transit service. Sidewalks are to be provided on both sides of the street. Cycling facilities are to be accommodated safely within the street right-of-way utilizing the "Share the Road" approach in accordance with the *City's* Cycling Master Plan.

13.C.4.2. Map 11 identifies the locations of Proposed Road/Street Corridors. These corridors identify desired Regional Road or City Street connections within the Integrated Transportation System. The general alignment for the proposed road/street corridors are broadly shown on Map 11 and are not considered final until the preferred actual alignment is confirmed through the completion of an *Environmental Assessment*. An Official Plan Amendment will be required to reflect the more detailed alignment of the road/street within a proposed road/street corridor on Map 11. However, *development applications* and the construction of a road/street alignment, in accordance with an approved *Environmental Assessment*, may proceed in advance of the necessary official plan amendment.

13.C.4.3. Maps contained in this Plan may be revised as follows without the need for an Official Plan Amendment:

a) the alignment of Planned Streets may change as more detailed planning and design for the streets occurs. The alignments of Planned Streets are not final until they are confirmed through the completion and acceptance of an *Environmental Assessment* or through the approval of a draft plan of subdivision;

b) at such time as Planned Streets are constructed and open to public traffic, the maps in this Plan may be changed to show such streets as Existing Streets;

c) changes to the names of streets may occur to reflect legal street name changes; or,

d) local streets may be updated as the existing street network changes.

13.C.4.4. The *City* will, in conjunction with the appropriate school boards, locate new elementary schools in such a manner as to minimize potential conflicts between vehicular traffic and children walking to and from school. This will include efforts to discourage locating elementary schools along Regional Roads and City Arterial Streets.

13.C.4.5. The *City* will encourage the separation of industrial traffic from residential traffic where possible.

Heritage Corridors

13.C.4.6. *Heritage Corridors* are identified as a *cultural heritage resource* on Map 9. *Heritage Corridors* are also shown as an overlay designation on top of a particular class of street on the street network or *multi-use pathway* on the *multi-use pathway* network shown on Map 11.

13.C.4.7. Where identified *Heritage Corridors* are located within a *Heritage Conservation District*, the policies of the applicable *Heritage Conservation District Plan* will also apply.

13.C.4.8. The *City*, in consultation with its Municipal Heritage Committee will identify new *Heritage Corridors*.

13.C.4.9. *Heritage Corridors* may be designated in accordance with the provisions of the Ontario Heritage Act. However, designation in the context of Policy 13.C.4.6 implies an overlay designation over the classification of the street or *multi-use pathway* and should not be interpreted as meaning designation under the Ontario Heritage Act.

13.C.4.10. The extent of the *Heritage Corridor* overlay designation on Map 11 will be restricted to the street right-of-way or the limits of the *multi-use pathway*; however, potential impacts from *adjacent development* and/or *site alteration* must be evaluated and mitigated.

13.C.4.11. In cases where an existing street or *multi-use pathway* has an overlay designation of *Heritage Corridor*, alterations to the *heritage attributes* such as widening the carriage way or changing the surface treatment will be discouraged, and where required, will be subject to the preparation and approval of a scoped *Heritage Impact Assessment* and may be subject to the preparation of a Corridor Enhancement Plan.

13.C.4.12. The *City* will permit maintenance required to ensure the safety of *Heritage Corridors* and the ongoing operation of any municipal services located within the *Heritage Corridor*.

13.C.4.13. The *City* will regulate access to lands abutting *Heritage Corridors* in order to avoid or mitigate impacts to the cultural heritage value or interest of the street. Where proven unavoidable in planning and transportation studies accepted by the *City*, new streets may be permitted to cross proposed or existing *Heritage Corridors* subject to the preparation and approval of a *Heritage Impact Assessment* and may be subject to the preparation of a Corridor Enhancement Plan.

13.C.4.14. The *City* may require the necessary planning and transportation studies to identify and put into place alternative routes capable of off-loading higher speed traffic and future increases in traffic volumes from a proposed *Heritage Corridor* prior to applying an overlay designation of a *Heritage Corridor*.

13.C.4.15. The *City* will encourage the formulation and use of Community, Secondary and other Plans and special land use guidelines and development controls on and in the vicinity of *Heritage Corridors* to maintain the overall visual character of such streets and *multi-use pathway* and their functional operation.

13.C.4.16. The *City* may require the preparation of a Corridor Enhancement Plan where *development* and/or *site alteration* is proposed on or *adjacent* to an existing or proposed *Heritage Corridor* or on or *adjacent* to scenic roads or special character streets identified by the *Region*. The Corridor Enhancement Plan will be prepared by the owner/applicant and include, but not be limited to, the following:

a) the measures to be implemented to *conserve* and enhance the scenic *heritage attributes;*

b) confirm the amount of dedication required to allow for the protection of existing significant vegetation;

c) identify opportunities for replanting and enhancement of vegetation along the corridor;

d) address the preservation of grades and road profile; and,

e) the location and design of fencing separating public and private spaces.

13.C.4.17. The following additional policies will apply to the specified *Heritage Corridor*s listed below:

a) Stauffer Drive from Forest Creek to Reidel.

It is intended that Stauffer Drive will be closed to vehicular traffic and incorporated as part of the *multi-use pathway* network. The use of Stauffer Drive as an emergency access to 500 Stauffer Drive will be permitted.

b) Tilt Drive from Doon Mills Drive to Stauffer Drive.

This section of Tilt Drive is closed to vehicular traffic. Local road crossings provide access to the abutting lands on the west side of Tilt Drive. Every effort will be made to maintain and conserve existing trees and hedgerows within its existing right-of-way.

c) Tilt Drive from Doon Mills Drive to Doon Village Road.

It is intended that this section of Tilt Drive will be closed to vehicular traffic. Every effort will be made to maintain and conserve existing trees and hedgerows within its existing right-of-way.

d) Groh Drive in its entirety.

Groh Drive is closed to vehicular traffic and has been incorporated as part of the *multi-use pathway* network.

The *City* may require the dedication of up to 5 metres of land *adjacent* to Groh Drive in order to protect and/or enhance significant existing vegetation located beyond the road right-of-way. Such lands will be considered eligible towards fulfillment of the required parkland dedication.

A Corridor Enhancement Plan will be required to be prepared for *development adjacent* to Groh Drive in accordance with Policy 13.C.4.16.

All planned collector crossings of Groh Drive will be subject to specific design studies which recommend mitigative measures such as enhancement plantings, surface treatment, the location of municipal services, *pedestrian* crossing features, road design and maintenance. These studies will be undertaken by the owner/applicant as part of the development approval process.

e) Dodge Drive in its entirety.

It is intended that Dodge Drive will continue to serve as a local road/access for existing residential lots and any infill lots created through the consent process. Other than infill lots, new development will not be permitted to have direct vehicular access to Dodge Drive unless access to New Dundee Road is prohibited for those lands fronting New Dundee Road and located between the west and east legs of Dodge Drive.

A Corridor Enhancement Plan will be required to be prepared for development *adjacent* to Dodge Drive in accordance with Policy 13.C.4.16.

The construction of an approved sanitary sewer pursuant to a completed *Environmental Assessment* will be permitted within the Dodge Drive right-of-way.

f) Mill Park Drive from Huron Road to Old Mill Road and Old Mill Road from Mill Park Drive to Doon Valley Drive.

Despite the overlay designation as a *Heritage Corridor*, this Plan recognizes the Minor Neighbourhood Collector Street function of Mill Park Drive and Old Mill Road.

g) Pioneer Tower Road between Marquette Drive and the Grand River.

Notwithstanding Policy 13.C.4.11, widening of the carriage way, changes to the surface treatment and other changes may be permitted.

h) Huron Road between Trussler Road and Fischer Hallman Road.

Notwithstanding Policy 13.C.4.11, widening of the carriage-way, changes to the surface treatment, and other changes may be permitted. This plan recognizes the City Arterial Street function of Huron Road. Further, every effort will be made to maintain the existing street profile (rolling/undulating) in recognition of the historical significance of the street, taking into account engineering design considerations.

i) Hidden Valley Road

A Corridor Enhancement Plan will be required to be prepared for development adjacent to Hidden Valley Road in accordance with Policy 13. C.4.16. The City reserves the right to ask for additional studies including but not limited to Heritage Impact Assessments, Conservation Plans to identify and mitigate any potential impacts to Hidden Valley Road as a result of any proposed development on adjacent lands.

13.C.4.18. Streets identified as having potential cultural heritage value or interest to be considered a potential *cultural heritage resource* include:

a) Reidel Drive;

b) Huron Rd between Homer Watson Boulevard and Mill Park Drive;

c) Pinnacle Drive between the northerly leg of New Dundee Road and Pine Hill Place;

d) Old Chicopee Trail between Fairway Road and Daimler Drive;

e) Patricia Avenue between Queen's Boulevard and Highland Road; and,

f) Plains Road between Fischer Hallman Road and Trussler Road.

Specific Streets

13.C.4.19. The *City* will, in cooperation with the *Province* and *Region*, seek to improve vehicular access to the Bridgeport East Planning Community. In this regard, the *City* supports the development of a partial interchange of the Highway 7 Realignment with Bridge Street East.

13.C.4.20. The following transportation policies will apply to Pioneer Tower West:

a) The *City* will minimize the number of access points onto King Street East between Baxter Place and Highway 401 by requiring mutual points of access, where possible.

b) The *City* will restrict new vehicular access points to Baxter Place, Cressman Avenue and Limerick Drive from new or expanded development on lands designated as Strategic Growth Area and Commercial.

13.C.4.21. The following transportation policies will apply to Doon South in order to reduce the development impacts on *natural heritage features* and *cultural heritage resources*, appropriately connect all parts of the Doon South community to facilities such as schools, facilitate the provision of public transit to all parts of the Doon South community and to evenly distribute traffic volumes to all collector streets:

a) providing additional road connections to New Dundee Road as shown on Map 11;

b) emphasizing connections to new collector streets in the subdivision design;

c) distributing densities and land uses such that traffic is weighted towards arterial and collector streets; and,

d) providing a planned collector crossing of Blair Creek as shown on Map 11. Construction of Blair Creek Drive will be subject to the preparation and approval of a Class *Environmental Assessment*. Detailed design will include a clear span bridge over the meanderbelt width of Blair Creek and implement appropriate mitigation measures as detailed in supporting *Environmental Assessments*. Design and construction of the street crossing will avoid the loss of *Provincially Significant Wetland* along Blair Creek and mitigation measures will be implemented to address other *natural heritage features* and natural hazard features and functions.

Intersection and Road Widenings

13.C.4.22. For the purposes of the Planning Act, each street listed in Schedule D and/or each intersection listed in Schedule E is a “highway to be widened” and the designated road allowance plus any additional widening specified indicates the “extent of the proposed widening”.

13.C.4.23. The *City* has established a Designated Road Allowance for each municipal street listed in Schedule D.

13.C.4.24. The *City* will obtain road and intersection widenings to meet the designated Road Allowances listed in Schedule D and E through the development approval process by land dedication or purchase in accordance with the Planning Act.

13.C.4.25. Intersections that require widenings greater than the Designated Road Allowance are listed in Schedule E.

13.C.4.26. The boundaries of the Designated Road Allowance will generally be equidistant from and parallel to the centre line of the original road allowance.

13.C.4.27. The *City* may take additional road and intersection widenings to those listed in Schedules D and E as a condition of the subdivision approval, the site plan approval or the consent process pursuant to the Planning Act.

13.C.4.28. The *City* may take additional widenings for cut and fill purposes through procedures other than site plan control where the proposed widening cannot be achieved within the Designated Road Allowance.

13.C.4.29. The *City* may take additional widenings at intersections to provide for daylight triangles, to provide sufficient distances and room for right-turn lanes and for traffic control devices. The maximum length of the side of a daylight triangle will be 15 metres.

13.C.4.30. The *City* may require additional road widenings at intersections or from major traffic generators for turning lanes, radii refinement and other intersection improvements.

13.C.4.31. Additional widenings not listed in Schedules D and E will require an Official Plan Amendment.

13.C.4.32. Specific locations where the Designated Road Allowance will be reduced or not taken equidistant from the centre line of the original road allowance may be listed or described in Secondary or Community Plans.

13.C.4.33. The closing of a road section listed in Schedule D or any other street in the *city* will not require an Official Plan Amendment. Streets may be closed by by-law in accordance with the Municipal Act and subject to an approved class *Environmental Assessment*.

13.C.4.34. The *City* may allow a reduction in the road widening requirements for a specific development where special circumstances warrant such a reduction.

13.C.4.35. In addition to Schedules D and E, widenings of roads and intersections in the *City* under the control of the *Region* are described in the Regional Official Plan.

13.C.4.36. Where, required, street widenings, intersection improvements and road closures will comply with an approved class *Environmental Assessment* process with respect to a class of undertaking in accordance with the Environmental Assessment Act.

13.C.4.37. The impact on the streetscape will be considered prior to undertaking any road or intersection widening.

13.C.5 Goods Movement

Objectives

13.5.1. To ensure the safe, efficient and *sustainable* movement of goods within and through the *City* to support economic development and growth of the *city*.

Policies

13.C.5.1. The *City* will work with the *Region* and other levels of government to plan for a strategic goods movement network, including movements by road, rail and air, which promote efficiency and direct access, supports economic growth and development, and maximizes safety.

13.C.5.2. The *City* will, in conjunction with the *Region*, work to ensure industrial and commercial developments are located in close proximity to major arterial routes, to direct higher volumes of goods so as to minimize traffic impacts on local neighbourhood streets.

13.C.5.3. The *City* will advocate for improvements to the Provincial Highway system to support more effective movement of people and goods within and beyond the *region*.

13.C.5.4. The *City* will promote the Region of Waterloo International Airport as an integral element in moving people and goods to and from the *region*.

13.C.5.5. The *City* will encourage innovative strategies and *sustainable* practices in goods movement and services that reduce environmental and neighbourhood impacts of heavy commercial vehicles.

13.C.5.6. The *City* will encourage the movement of goods by rail where available and accessible.

13.C.6 Neighbourhood Traffic Management (Traffic Calming)

Objectives

13.6.1. To reduce the negative impacts of vehicular traffic on the quality of life for residents in existing and planned neighbourhoods.

13.6.2. To reduce conflicts between active and motorized transportation modes.

Policies

13.C.6.1. The *City's* Traffic Calming Policy describes how, where and when traffic calming will be considered for implementation. The *City* will review its Traffic Calming Policy to ensure traffic calming measures and criteria outlined are up to date, reflect current design standards and maximize effectiveness in reducing speeds and increasing safety for all roadway users.

13.C.6.2. On-street parking is encouraged on roads and streets to promote convenience and traffic calming, where it is *compatible* with or does not conflict with the provision of transit services.

13.C.6.3. The *City* may, where deemed appropriate, require a Transportation Impact Study for new *development* and *redevelopment* to assess current and future travel patterns, and potential impacts to the transportation system and travelers in the area. Multiple route options and traffic calming features will be incorporated into the *development/redevelopment* where appropriate.

13.C.7 Transportation Demand Management (TDM)

Objectives

13.7.1. To support and enhance *sustainable* transportation choices and discourage single occupant vehicle trips.

13.7.2. To reduce traffic congestion, parking supply needs, and demand for parking spaces by encouraging various modes of travel.

Policies

13.C.7.1. The *City* will support the Region's Transportation Demand Management Policies and initiatives to reduce automobile dependency, make alternative travel modes more attractive, and influence people to adopt *sustainable* trip behaviours and practices.

13.C.7.2. The *City* will implement a comprehensive Transportation Demand Management program as recommended in the City of Kitchener *Transportation Demand Management* Plan which may include, but not limited to:

a) community-wide, area-specific or site-specific practices or initiatives;

b) employer programs that support and enhance *sustainable* transportation choices; and,

c) requirements for features such as: car sharing, bike sharing facilities, van and carpool spaces, electric vehicle charging stations, shared parking, bicycle parking, transit waiting areas, and *pedestrian* facilities.

13.C.7.3. The *City* may require the incorporation of *Transportation Demand Management* measures.

13.C.7.4. The *City* will consider reduced parking requirements for *development* and/or *redevelopment* in accordance with Policy 13.C.8.2 where a comprehensive Transportation Demand Management Report is submitted to the satisfaction of the *City*.

13.C.8 Parking

Objectives

13.8.1. To ensure adequate parking standards and regulations are in place and enforced.

13.8.2. To reduce parking space demand in support of *active transportation* and transit and potential *redevelopment* of surface parking lots especially in *intensification areas*.

Policies

13.C.8.1. Parking standards and regulations for all types of land uses will be provided in the *City's zoning by-law*. Specific uses may be required to provide easily accessible parking for electric and hybrid vehicles, carpool/vanpool/car share and bicycles. Minimum and maximum parking standards may be defined, as appropriate, to maximize the efficient use of land, and promote *active transportation* and the use of public transit.

13.C.8.2. The *City* may consider adjustments to parking requirements for properties within an area or areas, where the *City* is satisfied that adequate alternative parking facilities are available, where developments adopt *transportation demand management* (TDM) measures or where sufficient transit exists or is to be provided.

13.C.8.3. The *City* will periodically review its policies and parking standards for various land uses to establish parking standards which encourage the use of alternative means of transportation.

13.C.8.4. All parking areas or facilities will be designed, constructed and maintained:

a) to be consistent with the *City's Urban Design Manual*;

b) for the safe and efficient movement of all users, on the site, and at points of ingress and egress related to the site;

c) so that runoff from the parking area drains properly from the site;

d) to minimize negative impacts on the environment;

e) to provide the required amount and design of barrier-free spaces; and,

f) to result in aesthetically acceptable parking areas which blend into the general environment of the area.

13.C.8.5. The *City* will pursue a Long-Term Parking Strategy for the Urban Growth Centre (Downtown).

13.C.8.6. The *City* will develop a parking reduction strategy for lands located within the Urban Growth Centre (Downtown) and Protected Major Transit Station Areas to recognize the availability of and encourage the use of rapid and public transit. The parking strategy will consider parking regulations for lands located outside of these areas and

requirements in neighboring municipalities. The resultant parking strategy will be implemented through the *City's Zoning By-law*.

SECTION 14: SERVICING AND UTILITIES

Preamble

Municipal services and *utilities* that support the day-to-day needs of a community are an important part of a complete and healthy community. This includes ensuring the economical and efficient provision of adequate water, sewage disposal, solid waste collection and distribution and *utilities* for energy and communication/telecommunications. While the *City* does not have jurisdiction for the provision and maintenance of all the aforementioned servicing and *utilities*, the *City* will play a role in collaborations to ensure that appropriate facilities and *infrastructure* are in place to provide for the *city's* needs.

Objectives

14.1.1. To provide *infrastructure*, municipal services and *utilities* in a coordinated, efficient and cost-effective manner to meet the *City's* current and projected needs.

14.1.2. To maximize the use of existing municipal services and *utilities* before consideration is given to extending and/or developing new municipal services.

14.1.3. To promote cost-effective development patterns and standards to assist in minimizing servicing costs.

14.1.4. To ensure coordination and efficient planning and management of *City*, *Regional*, *Provincial* and *Federal* scale services.

Policies

14.C.1.1. Larger scale *infrastructure* uses and *utilities* will be designated Major Infrastructure and Utilities in accordance with policies in Section 15.D.11.

14.C.1.2. Municipal services and *utilities* which are required to service the public will be permitted to locate in any land use designation.

14.C.1.3. Notwithstanding Policy 14.C.1.2, where construction of a road on a new right-of-way, widening or upgrading of an existing roadway, construction or upgrading of a trunk sewer, trunk watermain, gas pipeline or electrical transmission line, wastewater treatment facility, waste management facility or groundwater taking project is proposed within or on *lands adjacent* to designated Natural Heritage Conservation, the submission of an *Environmental Impact Study*, or other appropriate study, in accordance with the policies in Section 17.E.11 will be required.

14.C.1.4. Where a study completed in accordance with Policy 14.C.1.3 demonstrates to the satisfaction of the *City* that the construction of the *infrastructure* work will:

a) result in localized and/or reversible impacts to a Core Natural Heritage Feature or its *ecological functions*, and that other alternatives are less feasible from a technical, environmental, and/or financial perspective, the *City* will, without the need for an Official Plan Amendment;

i) require that appropriate mitigation measures be implemented; and,

ii) approve the undertaking; or,

iii) support the undertaking in comments, submissions or recommendations;

b) result in widespread *adverse environmental impacts* to the Core Natural Heritage Feature or its *ecological functions* or result in long-term damage to its significant features and functions, and that other technically and financially feasible alternatives exist that would have fewer *adverse environmental impacts*, the *City* will:

i) not approve the undertaking; or,

ii) not support the undertaking in comments, submissions or recommendations; or,

c) result in widespread *adverse environmental impacts* to the Core Natural Heritage Feature or its *ecological functions*, or result in long-term damage to its significant features and functions, but that there is a clearly demonstrated need for the project, and that all other alternatives to the recommended project are substantially less feasible from a technical, environmental, and/or financial perspective, the *City* will, without the need for an Official Plan Amendment:

i) require that appropriate mitigation measures be implemented to reduce the impact of the undertaking to greatest extent feasible; and,

ii) approve the undertaking; or,

iii) support the undertaking in comments, submissions or recommendations.

14.C.1.5. *Infrastructure* work will avoid Supporting Natural Heritage Features wherever feasible. Where it is not feasible to avoid these areas, the construction of the *infrastructure* project will be designed to maintain, enhance and where feasible, *restore ecological functions*.

14.C.1.6. The *City* will not support changes in the land use designation and zoning of lands which will result in the underutilization of previously planned and/or constructed municipal services and other *infrastructure*.

14.C.1.7. The *City* will coordinate the location, scale and timing of *development* with the appropriate provision of services/*utilities* and municipal financial responsibilities, through the implementation of Kitchener's Growth Management Program in accordance with Section 17.E.5

14.C.1.8. Longer term forecasts, beyond the 2031 planning horizon, may be used for *infrastructure* planning studies undertaken by or for the *City* provided that they are prepared uses the same methodology as the *Region's* forecasts.

14.C.1.9. The *City* will endeavour to ensure that any *density* increases will not overload the existing municipal water, sanitary and storm sewer systems.

14.C.1.10. The *City* will give priority to the *development* and *intensification* of lands that are presently serviced by municipal services, or to those areas that can most easily be serviced, at minimal expense.

14.C.1.11. Prior to the approval of an application for new *development*, infill *development*, *intensification* and the *redevelopment* of sites and buildings, the *City* must be satisfied that adequate services are available and can be provided to support the proposal. Where adequate services do not exist, the *City* may use Holding provisions in accordance with Section 17.E.13 in the *City's Zoning By-law* to regulate the timing of *development*.

14.C.1.12. Where adequate services do not exist to support a proposed *development*, the *City* will not be obligated to provide such services in advance of the intended timing and funding.

14.C.1.13. The *City* will encourage *existing* developments/areas on private services to connect to municipal services wherever feasible and possible.

Water Services

14.C.1.14. The *City* will direct and accommodate growth or development in manner that promotes the efficient use and optimization of existing municipal water services.

14.C.1.15. Unless otherwise provided for in this Plan, all *development*, including lot creation, will be on municipal water services.

14.C.1.16. Unless otherwise provided for in this Plan, *individual on-site water services* will not be permitted on any lands within the *City* where municipal water services are available, with the exception of the following:

a) *individual on-site water services* which legally existed prior to October 1, 2003;

b) *individual on-site water services* which were installed for the purposes of environmental site remediation, water monitoring, or site de-watering; or,

c) a property used for non-residential purposes which, prior to October 1, 2003, relies upon a legally existing *individual on-site water services* for purposes other than human consumption such as irrigation, cooling, or manufacturing purposes.

14.C.1.17. The *City* will operate and maintain a network of local watermains to meet its obligations for the distribution of potable water supplied by the *Region*. From time to time, the *City* will conduct studies and evaluations of its water *infrastructure* to assess maintenance needs, service capacity and requirements for upgrades or rehabilitation work.

Sanitary Services

14.C.1.18. The *City* will direct and accommodate growth and development in a manner that promotes the efficient use and optimization of existing municipal sanitary services and minimize the number of pumping stations required. Unless otherwise provided for in this Plan, all *development*, including lot creation, will be on full municipal sanitary services.

14.C.1.19. Unless otherwise provided for in this Plan, all *development*, including lot creation, will be on full municipal sanitary services, with the exception of the following:

a) *Development* will be permitted on *individual on-site sewage services* when associated with severances and *existing* lots in agricultural areas and infilling situations in *existing* unserviced developed areas where other forms of servicing are not feasible, provided it can be demonstrated to the satisfaction of the *Province* or the *Region* that the *individual on-site sewage services* will not result in an unacceptable level of environmental impact.

14.C.1.20. The *City* will prepare and update as appropriate, studies to assess *City*-wide or area-specific sanitary sewer capacity in order to assess requirements for upgrades and maintenance and plan for long-term sanitary sewer needs.

14.C.1.21. Where a temporary pumping station is proposed by an owner/applicant to service a proposed development, the cost related to the feasibility studies, *environmental assessment*, design, construction and start up, operation and maintenance, removal and decommissioning, and the integration of the system with the permanent servicing solution will be the responsibility of the developer.

14.C.1.22. The *City* will monitor inflow and infiltration for wastewater collection systems within the *city* and will complete inflow and infiltration studies and implement the recommendations of these studies prior to consideration being given to the expansion of wastewater treatment plants.

14.C.1.23. Sanitary sewer planning, engineering and design work for *development applications* will be conducted and submitted to the *City* in accordance with the *City's* specifications, guidelines and objectives as may be defined the *City's* Development Manual or other *City* documents.

Stormwater Management

14.C.1.24. The *City* will apply best management practices in dealing with stormwater management.

14.C.1.25. The *City* will prepare and update as appropriate, studies to assess *city*-wide or area-specific storm sewer capacity in order to plan for long-term storm sewer needs.

14.C.1.26. Stormwater management facilities will be designed to manage stormwater quality and quantity, at an appropriate level, as defined by the most current targets and standards set out by the *Province*, *City* and the Grand River Conservation Authority.

14.C.1.27. Stormwater management designs will address and conform to the recommendations of any applicable *subwatershed* study or master drainage study.

14.C.1.28. Stormwater management designs will be encouraged to use appropriate on-site infiltration measures to the maximum extent feasible in areas where soil types permit.

Utilities

14.C.1.29. The *City* will confirm, as part of the *development* review process, that *utility* providers are able to provide services to support a proposed *development* in a timely manner and that, if required, appropriate locations for large *utility* equipment and *utility* cluster sites have been determined.

14.C.1.30. The *City*, the *Region* and other agencies will seek to protect and, wherever feasible, acquire abandoned rail corridors for their possible inclusion in future *utility* corridors.

14.C.1.31. Where feasible, *utilities* within new *development* and *redevelopment* should be located underground. Upon replacement, *utilities* within the Built-Up Area are encouraged to be located underground where technically and economically feasible.

14.C.1.32. The construction of *utility* lines for electric power, gas and other services will be installed and located so as to minimize their impact on *adjacent* land uses and the environment.

14.C.1.33. The *City* will promote the shared placement of *utilities* within easements and rights-of-way to minimize land requirements and increase the efficiency of *utility* construction and maintenance.

14.C.1.34. All proposed *development adjacent* to *utility* corridors will ensure that appropriate safety and environmental protection measures such as setbacks and fencing are provided to the satisfaction of the *utility* provider in consultation with the *Region* and/or the *Province* where appropriate.

14.C.1.35. Any undertaking of a hydro facility operated by the *Province* or other level of government which has been exempted from the provisions of the Planning Act by virtue of approval under the Environmental Assessment Act is not subject to the policies of this Plan.

14.C.1.36. *Existing* electric power facilities and those facilities for which exemptions under the Environmental Assessment Act have previously been granted are not subject to the policies of this Plan.

14.C.1.37. Shared land uses on hydro right-of-ways will be allowed without an Official Plan Amendment provided that the shared use is associated and *compatible* with *adjacent* land uses and *compatible* with surrounding uses and has been approved by the public body operating the hydro facilities. Shared uses may include, but are not limited to, open space links, parking lots, outside industrial storage or other uses accessory to *adjacent* land uses.

14.C.1.38. The *City* will not permit any residential buildings and/or structure encroachments on abutting hydro easements.

Services Under Regio*n*al, Other agencies and Levels of Government Jurisdiction

14.C.1.39. The *City* will endeavour to ensure that the *Region*, other agencies and other levels of government are informed of Kitchener's *city*-wide and site specific *development* and land use plans and will cooperate in the planning and location of *City*, *Regional*, *Provincial* and *Federal* scale services.

14.C.1.40. The *City* will support the *Region*, other agencies and levels of government in their efforts to ensure there is an adequate water supply, sewage and solid waste disposal system for all existing and new *development*.

Cross-Border & Special Servicing Agreements

14.C.1.41. Council may, at its discretion, approve servicing of lands outside of the *City* in accordance with the provisions of the Municipal Act. All cross border servicing proposals must demonstrate that the capacity of the *City's* storm, sanitary and water systems can accommodate the needs of the proposed cross-border servicing without limiting the potential for *City* services to accommodate growth and *density* increases within the *City*.

14.C.1.42. Subject to the approval of Council, owners/applicants of cross-border servicing proposals and the local municipality within which the services will extend will be required to enter into formal cross border servicing agreements with the *City*.

Part D

THE LAND USE POLICIES FOR A COMPLETE AND HEALTHY KITCHENER

15.D.1 General Policies for All Land Use Designations
15.D.2 Urban Growth Centre (Downtown)
15.D.3 Residential
15.D.4 Mixed Use
15.D.5 Commercial
15.D.6 Industrial Employment
15.D.7 Institutional
15.D.8 Agriculture
15.D.9 Natural Heritage Conservation
15.D.10 Open Space
15.D.11 Major Infrastructure and Utilities
15.D.12 Area Specific/Site Specific Policy Areas
16.D.1 Secondary Plan Land Use Policies

PART D: THE LAND USE POLICIES FOR A COMPLETE & HEALTHY KITCHENER

The land use policies set out in this Part of the Plan build upon the framework provided in the previous parts of this Plan to achieve a complete and healthy Kitchener. Accordingly, the policies in this Part of the Plan must be read in conjunction with the guiding principles, objectives and policies in the previous parts of this Plan.

This Part of the Plan provides direction for the use of land and forms the basis for zoning and development control. More specifically, the objectives and policies of Part D outline the desired land use pattern and establish the land use designations used in the Plan as outlined below in Figure 9. They also specify the type and standards for *development* and range of uses appropriate for each land use designation. Land use designations are mapped on Map 3.

Figure 9: Land Use Designations

LAND USE CATEGORY	LAND USE DESIGNATION
Strategic Growth Area	Strategic Growth Area A
	Strategic Growth Area B
	Strategic Growth Area C
	Innovation District
	Market District
Residential	Low Rise Residential
	Medium Rise Residential
	High Rise Residential
Mixed Use	Mixed Use
Commercial	Commercial Campus
	Commercial
Industrial Employment	Heavy Industrial Employment
	General Industrial Employment
	Business Park Employment
Institutional	Institutional
Agriculture	Prime Agriculture
	Rural
Natural Heritage Conservation	Natural Heritage Conservation
Open Space	Open Space
Major Infrastructure and Utilities	Major Infrastructure and Utilities

SECTION 15

15.D.1 General Policies for All Land Use Designations

The following may be permitted in all land use designations subject to the applicable policies of this Plan.

Existing Uses

15.D.1.1. Legal non-conforming uses may continue in accordance with the Non-Conforming and Non-Complying Policies in Section 17.E.21.

Public Service Facilities

15.D.1.2. Public service facilities and systems owned and operated by, or on behalf of, the *Federal* or *Provincial* governments, the *Region*, the Grand River Conservation Authority or the *City* may be permitted in any land use designation, unless otherwise limited by the policies of this Plan.

Community Gardens, Temporary Farmers' Markets and Urban Agriculture

15.D.1.3. *Community gardens*, *temporary farmers' markets*, and other *compatible* forms of urban agriculture may be permitted in any land use designation, unless otherwise limited by the policies of this Plan and will be subject to *City* by-laws and guidelines.

Food Stores

15.D.1.4. The City recognizes small to mid-size *food store*s as an integral use in the health and design of *walkable* and *complete communities*. Where *food stores* exist or are planned within land use designations, planning decisions will have regard for the retention, construction, development and enhancement of *food store(s)*.

15.D.1.5. The *City* will plan for the distribution of *food stores* uses such that residents will generally have access to a *food store* within one kilometer of their residence.

Multi-use Pathway Network

15.D.1.6. The *multi-use pathway* network will be permitted in all land use designations unless otherwise limited by the policies of this Plan.

Alternative Energy Systems and Renewable Energy Systems

15.D.1.7. *Alternative energy systems* and/or *renewable energy systems* will be permitted in all land use designations in the Plan, in accordance with *Provincial* and *Federal* requirements, including appropriate separation distances to address land use *compatibility*.

15.D.2 Strategic Growth Area

Preamble

Strategic growth area land use designations are applied within the Urban Growth Centre and Protected Major Transit Station Areas, which are Intensification Areas that will be planned and designed to meet the needs of all who live, work, and visit here. These lands will provide opportunities for all housing types and a range of commercial, employment and institutional uses to create complete communities.

Strategic growth areas include lands within the Urban Growth Centre (Downtown) and Protected Major Transit Station Areas. These areas will accommodate a significant portion of Kitchener's growth. Strategic growth areas will prioritize housing and employment growth, sustainability, active transportation and public transit, and high-quality urban design.

The whole of the Downtown is identified as an Urban Growth Centre in both the Province's A Place to Grow: Growth Plan for the Greater Golden Horseshoe and the Regional Official Plan which demonstrates the importance of Kitchener's Downtown. The Urban Growth Centre (Downtown) will accommodate a significant portion of the city's new population and employment growth.

Strategic growth areas predominantly include three land use designations: Strategic Growth Area A; Strategic Growth Area B; and Strategic Growth Area C.

Objectives

15.2.1. To create and maintain vibrancy, connection and belonging in strategic growth areas.

15.2.2. To encourage non-residential uses that support complete communities.

15.2.3. To support King Street within the Downtown as a primary *retail* and events destination.

15.2.4. To increase all forms of residential development in strategic growth areas.

15.2.5. To inspire and promote creative, high quality design through the encouragement and support of architectural excellence.

15.2.6. To *conserve* our *cultural heritage resources* and ensure new *development* and *redevelopment* is sensitive to, enhances and reflects our past.

15.2.7. To facilitate and encourage a mixture of uses that will contribute to a vibrant and safe atmosphere.

15.2.8. To promote the effective use of existing *infrastructure* by attracting and encouraging more residents and jobs to strategic growth areas.

15.2.9. To support the Downtown as a centre for government, culture, entertainment and events.

15.2.10. To create and maintain walkable, cyclable and rollable strategic growth areas.

15.2.11. To implement the policies in Section 3.

Policies

15.D.2.1. The Urban Growth Centre (Downtown) and Protected Major Transit Station Areas, as shown on Map 3 and Map 4, will be the primary focus areas in the *city* for *intensification*.

15.D.2.2. The Strategic Growth Area land use designation will only apply to lands identified on Map 2 as Urban Growth Centre (Downtown) or Protected Major Transit Station Areas. The City may apply the Strategic Growth Area land use designations to other areas though a future City-initiated process.

15.D.2.3. The Urban Growth Centre (Downtown) and Protected Major Transit Station Areas will be planned:

a) As a focal area for public gatherings, institutions and services, as well as commercial recreational, cultural and entertainment uses;

b) To accommodate and support major transit *infrastructure*;

c) To serve as a high *density* major employment location that will attract provincially, nationally and internationally significant employment uses;

d) To accommodate a significant share of the *city's* population and employment growth; and,

e) To provide services and amenities to attract population growth.

15.D.2.4. The Urban Growth Centre (Downtown) and Protected Major Transit Station Areas will be planned for continued commercial viability and all other land use designations allowing commercial development will have regard for and in no way compromise this *planned function* of the Urban Growth Centre (Downtown) and Protected Major Transit Station Areas.

15.D.2.5. Notwithstanding policies 4.C.1.8 and 4.C.1.9, site specific applications which seek relief from the implementing zoning through a minor variance(s) or amendment to the Zoning By-law, and/or seek to amend this Plan will consider the following factors:

a) Compatibility with the planned function of the subject lands and adjacent lands;

b) Suitability of the lot for the proposed use and/or built-form;

c) Lot area and consolidation as further outlined in Policy 3.C.2.11;

d) Compliance with the City's Urban Design Manual and Policy 11.C.1.34;

e) Cultural heritage resources, including Policy 15.D.2.8; and,

f) Technical considerations and other contextual or site specific factors.

15.D.2.6. The implementing zoning may regulate matters related to built form including, but not limited to, building length, floor plate area, on-site separation between buildings, and off-site separation between buildings.

15.D.2.7. Large scale developments will be expected to provide appropriate landscaping in accordance with the City's Urban Design Manual through the Site Plan Control process.

15.D.2.8. In a Heritage Conservation District, where there is a conflict between the policies in this land use designation and the Heritage Conservation District Plan, the Heritage Conservation District Plan will prevail.

General Uses

15.D.2.9. The *City* will direct new *major office* and *major institutional* developments to locate within the Urban Growth Centre (Downtown) and Protected Major Transit Station Areas.

15.D.2.10. The *City* will discourage the development or retention of some uses within or in close proximity to the Downtown and Protected Major Transit Station Areas which would conflict with the *planned function* of the Urban Growth Centre (Downtown) and Protected Major Transit Station Areas.

15.D.2.11. The *City* will encourage the development and retention of *food stores* within the Urban Growth Centre (Downtown) and Protected Major Transit Station Areas.

15.D.2.12. The *City* will encourage the development and retention of institutional uses and *cultural facilities* within the Urban Growth Centre (Downtown) and Protected Major Transit Station Areas.

15.D.2.13. The *City* will encourage and support affordable live-work developments, such as those which include studio or office spaces within a self-contained multiple residential unit, through flexible zoning provisions and consideration of incentives.

15.D.2.14. New predominately auto-exclusive uses such as car washes, drive-through facilities, gas stations, the sale and/or repair of motor vehicles and commercial parking facilities will only be permitted in the Urban Growth Centre (Downtown) and Protected Major Transit Station Areas on the basis of a site-specific amendment to this Plan. In considering applications for site-specific Official Plan amendments, such applications will need to demonstrate the following:

a) The use can maintain consistency with the objectives of this Plan, and in particular the objectives of the Urban Growth Centre (Downtown) and Protected Major Transit Station Areas;

b) Will not conflict with the *planned function* of the Urban Growth Centre (Downtown) and Protected Major Transit Station Areas, and will not preclude the intensification of the site;

c) maintains the planned scale of the urban environment;

d) gives priority to the comfort, safety and efficient movement of *pedestrians* and cyclists.

e) the use conforms to the Urban Design Policies of this Plan and to the *Urban Design Manual*; and

f) in the case of *drive-through facilities*:
   i) must be located within a mixed use building or *multi-unit building*;

   ii) the *drive-through facility* does not conflict with the planned character of the area by accommodating the operational and functional requirements of the *drive-through facility*;

   iii) does not conflict with the planned urban design and architectural characteristics of the predominant uses on the site in a *mixed use* development; and

   iv) ensures that if co-located in a *mixed use* development, which includes residential uses and/or office uses, the proposed *drive-through facility* does not compromise the use and enjoyment of outdoor amenity areas, impact other uses on the site as a result of noise and odour effects and, does not affect the functional support systems for the other uses on the site, including loading, refuse pick-up, on-site visitor and resident/tenant vehicular and *pedestrian* circulation, access and egress.

15.D.2.15. The *City* recognizes that new sensitive uses will be introduced through *development* and *redevelopment* within areas historically designated for industrial employment. The *City* anticipates the eventual relocation of existing industrial uses. In the interim, new sensitive uses should prioritize sensitivity to existing industrial uses, acknowledging their unique operational requirements. Emphasizing land use compatibility, *development applications* for new sensitive uses should proactively engage with industrial stakeholders to address potential conflicts and implement measures that enable coexistence until a full land use transition is realized.

Public Realm and Place Making

15.D.2.16. All *development* or *redevelopment* will have regard for the contribution to the *public realm* through the design of public, semi-public and private spaces and buildings.

15.D.2.17. The *City* will encourage the design of public, semi-public and private spaces and buildings to be linked with special events, *public art* and cultural programming in order to celebrate and enhance the cultural experiences in each of the areas of the Downtown and to create vibrant people spaces.

15.D.2.18. The *City* will encourage and promote the use of sidewalks and/or streets for people activity, such as outdoor *retailing*, restaurants, performance spaces and festivals.

Arts and Culture

15.D.2.19. The *City* will support and provide opportunities for place-making, art, ethnic and cultural events and experiences in the Urban Growth Centre (Downtown) in accordance with the Arts and Culture Policies in Section 10.

15.D.2.20. The *City* will support the growth of cultural experiences in the Urban Growth Centre (Downtown) through the development of a Public Art Master Plan to identify potential locations for new *public art*, preferred themes for each location and methods for funding *public art*, such as a private sector percent-for-art policy, financial incentives, special design studies or bonusing provisions.

15.D.2.21. The *City* will encourage *arts* and *culture* and the physical and visual expression of various ethnic traditions in the Urban Growth Centre (Downtown) through land use, the review of signage and architecture, streetscapes, the use of public spaces and the encouragement of the provision of *public art*. It is expected that each distinct area of the Downtown will generate its own *culture* and create a diversity of cultural experiences.

Streetscape

15.D.2.22. The *City*, in consultation with the *Region*, may complete Streetscape Master Plans for specific streets in the Urban Growth Centre (Downtown). The primary intent of the Streetscape Master Plans are to implement design policies and guidelines that can be followed through capital *infrastructure* projects and *development* and/or *redevelopment*.

15.D.2.23. The *City* will limit the height of buildings along King Street West between Water Street and Queen Street to conserve a historical mid-rise main street condition intended to serve a public realm where frequent large scale events and celebrations are held.

Parkland

15.D.2.24. New parks and active or passive recreational uses will be permitted within any Strategic Growth Area land use designation.

15.D.2.25. As a part of the required parkland dedication, land dedication will be encouraged over alternative forms such as cash-in-lieu for the creation of new public parks.

Transportation

15.D.2.26. The Urban Growth Centre (Downtown) and Protected Major Transit Station Areas will be part of an integrated provincial, *regional* and *city* transportation system while at the same time provide a transit-oriented, *pedestrian*-friendly and *walkable* environment.

15.D.2.27. The *City* will give *pedestrian*, cycling and rapid and public transit modes of transportation the priority over vehicular circulation and accommodation within the overall transportation system.

15.D.2.28. Where new parking spaces are proposed to be developed in combination with all new *development* or *redevelopment*, the *City* will:

a) Consider parking space reductions where warranted where such new *development* or *redevelopment* will enhance and contribute to the *planned function* of the Urban Growth Centre (Downtown);

b) Encourage owners/applicants to utilize *Transportation Demand Management* (TDM) measures;

c) Encourage owners/applicants to provide *cash-in-lieu* of required parking;

d) Encourage parking structures that are integrated with other uses as the desired form of parking;

e) Encourage required off-street parking to be located away from and/or screened from the view of the *public realm*; and,

f) Discourage the creation of new surface parking lots and commercial parking facilities.

Cultural Heritage Resources

15.D.2.29. All *development* or *redevelopment* will embrace, celebrate and *conserve* the *Cultural Heritage Resources* in the Urban Growth Centre (Downtown) and Protected Major Transit Station Areas, and will be subject to the Cultural Heritage Resources Policies in Section 12 and subject to any other supporting documents, adopted by Council, including *Heritage Conservation District Plans*.

15.D.2.30. The *City* will undertake an evaluation of the Urban Growth Centre (Downtown) to identify *significant cultural heritage resources*, to include individual properties as well as clusters of buildings and/or storefronts having design or physical value, historic or associative value, or contextual value, worthy of being added to the *Municipal Heritage Register*, as well as those worthy of being designated under the Ontario Heritage Act. Such evaluation will include the identification of specific *heritage attributes* which will be referenced and guide the review and approval of plans for heritage *conservation*, *adaptive reuse*, new *development* and *infrastructure* works.

15.D.2.31. The *City* will undertake an evaluation of the *views and vistas* identified below to determine the cultural heritage value of each *vista* and the *heritage attributes* worthy of *conservation*:

a) Gaukel Street from King Street to Victoria Park;

b) Ontario Street from Duke Street to Joseph Street;

c) Queen Street south from Duke Street to St. George Street;
d) Queen Street from Ellen Street to King Street;

e) Frederick Street from Duke Street to Weber Street.

Urban Design

15.D.2.32. A high quality of urban design will be expected of the buildings, building elevations, building massing, storefronts, store signs, patios, streetscapes and public spaces to enhance street life and create local pride and interest as well as tourism interest. The *City* will encourage innovation and architectural excellence in urban development.

15.D.2.33. The *City* will prepare and maintain *Urban Design Guidelines* for the Downtown and Protected Major Transit Station Areas that will provide new guidelines and standards for new buildings, new storefronts, storefront modifications, new outdoor patios and will also address such elements as the streetscape, massing of buildings, architecture, *cultural heritage resource conservation*, *public art*, signage, and the landscaping of private property abutting green areas.

15.D.2.34. For all major new *development* or *redevelopment* in the Downtown, the *City*, in consultation with land owners and stakeholders, may require site specific *urban design briefs* and/or *urban design reports* to support the proposal. The *urban design brief* will be subject to all applicable urban design policies contained in this Plan and all applicable *urban design guidelines* in the *City's Urban Design Manual* and be prepared to the satisfaction of the *City*. The specifics of the *urban design brief* may be incorporated into the *City's Zoning By-law* and will be endorsed by Council.

15.D.2.35. Where a specific *development* or *redevelopment* may benefit from one or more financial incentive programs offered by the *City* such as reduced Development Charge, rates or programs contained in *Community Improvement Plans*, the *City* may require the strictest adherence to any and all of its urban design polices contained in this Plan and all applicable *urban design guidelines* contained in the *City's Urban Design Manual*. This could include adherence to *urban design briefs* and/or *urban design reports* specifically developed for projects eligible to benefit from any financial incentive program.

15.D.2.36. Applications for development and/or redevelopment will be reviewed to ensure conformity with to Section 11 of this Plan and the *Urban Design Guidelines* contained within *the City's Urban Design Manual*, and any site-specific *Urban Design Guidelines*, *Urban Design Brief*, *Urban Design Report* and/or *Urban Design Scorecard*.

15.D.2.37. Where new *development* or *redevelopment* is proposed at the edge of a strategic growth area land use designation, the scale and massing will consider *compatibility* with and transition to the *adjacent* land use designation.

Priority Streets

15.D.2.38. The *City* may identify street segments within the Strategic Growth Area land use designation as *priority streets*. The Zoning By-law may provide additional regulations for *priority streets*.

15.D.2.39. The following will be considered in identifying *priority streets*:

a) Proximity to *rapid transit* and high frequency transit corridors;

b) Proximity to major trip generators; and,

c) Walking, rolling, and cycling connectivity between *Rapid Transit* station stops, key destinations, active uses, *cultural facilities*, and *community infrastructure*.

15.D.2.40. The *City* may require *pedestrian* refuge for *development* and *redevelopment* along *priority streets*.

Land Use Designations

The City's strategic growth areas include three lands use designations: Strategic Growth Area A, Strategic Growth Area B, and Strategic Growth Area C. Certain lands within the Urban Growth Centre (Downtown) that at the time of the application of the Strategic Growth Area land uses were part of active development applications or were under appeal continue to be designated, including lands designated Innovation District and Market District.

Innovation District

The Innovation District is situated at the most northwesterly end of the Downtown, centred around the intersection of King Street and Victoria Street. This district is characterized by many large, old industrial buildings which have already been converted or have the potential for *conversion* to loft style office and residential uses and other viable uses. This area is different from the rest of the Downtown as Victoria Street carries through traffic not necessarily destined for the City Centre. It is anticipated that this district will evolve with the development of a *regional* transportation hub within the lifetime of this Plan.

The Innovation District will continue to transform into a dense contemporary urban setting. The presence of high-tech and health science related office uses, as well as new post-secondary and research related institutional uses, is expected to grow over the lifetime of this Plan. The policies in this Section will support and encourage this trend to continue.

15.D.2.41. The primary uses permitted in the Innovation District will be:

a) offices, particularly research and high tech offices and *creative industry*;

b) institutional;

c) residential;

d) studios;

e) exhibition and/or conference facilities;

f) *existing* light industrial employment; and,

g) complementary commercial uses such as restaurants and bars, personal services, craftsman shops, commercial entertainment, specific types of *retail*, and those uses that service the office sector and residential uses will also be permitted.

15.D.2.42. The full range of *retail* uses will be permitted on the lots fronting on Victoria Street and lots fronting on King Street to maintain the continuity of *retail* uses with adjacent areas and to recognize their location at the entrance to the Downtown.

15.D.2.43. The *City* will encourage the development of high *density* residential uses, however some *existing* properties and buildings may be subject to Holding provisions in the *Zoning By-law* due to potential adverse environmental conditions or constraints caused by adjacent industrial uses, transportation corridors and/or site decommissioning requirements.

15.D.2.44. The maximum *Floor Space Ratio* for all new *development* and *redevelopment* will be 3.0.

15.D.2.45. Several of the industrial buildings within the District contribute to the character of the area and are *cultural heritage resources*, or have the potential to be, and are either designated under Part IV of the Ontario Heritage Act or listed as a non-designated property of cultural heritage value or interest on the *Municipal Heritage Register*. *Cultural heritage resources* will be *conserved* with the *redevelopment* and reuse of *existing* buildings and the use of the Bonusing Provisions of the *Zoning By-law* may be used to assist and promote the *conservation* of these *cultural heritage resources*.

15.D.2.46. It is recognized that some *existing* industrial uses within the Innovation District contain a component of their operation which would normally be prohibited from locating within the District. Where appropriate, these uses may be recognized as a permitted use in the *Zoning By-law* to allow for expansions and their continued contribution to the local economy.

15.D.2.47. *Existing low density residential uses* will be permitted to continue to locate within the District, particularly where these residential uses interface with adjacent *low density residential* neighbourhoods. *Redevelopment* of these *low density residential* properties will be permitted provided such *redevelopment* is of a *compatible* scale and massing with *adjacent* properties.

15.D.2.48. The *City* may require new buildings to be set back from the street line to accommodate continuous landscaped promenades for sitting and walking. The *City* will encourage the enhancement of streetscapes within this District to soften the District's bold building edges by encouraging the maximizing of street trees and the incorporation of decorative landscaping and *public art*.

Market District

The Market District is located at the eastern entrance to the Downtown and functions as a unique village-like setting anchored by market uses. Many of the properties which were originally developed as single detached residential dwellings have been converted to commercial uses given their proximity to the City Centre District. The collection of buildings on Market Lane and

others on Eby Street have converted or redeveloped with a similar design theme creating a unique and attractive environment.

15.D.2.49. The Market District will permit a broad range of uses. Specifically:

a) the predominant use along King Street will be commercial focusing on small *retail* outlets to provide for the day to day shopping needs with residential, restaurants, institutional and some commercial and office uses above. *Mixed use* buildings will be encouraged.

b) the *conversion* of *existing* residential buildings on side streets and Duke Street to commercial uses such as small offices, restaurants, studios, galleries and boutiques and uses which provide a unique range of specialty products and services or to mixed commercial-residential use, is encouraged.

c) uses with an outdoor component will be encouraged to locate within the District to sustain and further develop the market-like theme and encourage *pedestrian* activity. In particular, those uses which promote the use of outdoor public spaces and amenity areas such as boutiques, cafes and *arts* and crafts displays will be encouraged particularly along Market Lane.

d) residential uses along Market Lane will be strictly *ancillary* to the specialty commercial function of this area of the District.

e) those uses which appeal to the cultural and leisure interests of the tourist such as small studios, galleries and museums and other tourist-oriented uses will be encouraged.

15.D.2.50. The following uses will not be permitted:

a) adult entertainment uses;

b) amusement arcades;

c) new industrial uses, especially those having a noxious component to their operation or requiring outdoor storage or large land areas; and,

d) large *retail* outlets, with the exception of *food stores*.

15.D.2.51. The maximum *Floor Space Ratio* for all new *development* and/or *redevelopment*, except those lands with frontage on Market Lane or Duke Street, will be 3.0.

15.D.2.52. The maximum *Floor Space Ratio* for all new *development* or *redevelopment* having frontage on Market Lane or Duke Street will be 1.0.

15.D.2.53. The building and façade heights may be regulated through the *Zoning By-law*.

15.D.2.54. The *City* will encourage the preservation and enhancement of the *built form* and *pedestrian*-oriented environment along Market Lane, Duke Street and Cedar Street by permitting the *conversion* of *existing* buildings that do not have frontage on a public

street nor require additional parking and the *redevelopment* of properties that do not have frontage on a public street.

Strategic Growth Area A

The Strategic Growth Area A land use designation is generally intended to accommodate *intensification* within existing predominantly low-rise residential neighbourhoods, lands further away from *Rapid Transit* station stops, and/or lands where existing lots are generally too small to support high rise buildings. It is anticipated that the majority of *development* and/or *redevelopment* will occur through infill including missing middle housing and *compatible* non-residential uses.

15.D.2.55. The Strategic Growth Area A land use designation will accommodate a range of low and medium density residential housing types including those permitted in the Low Rise Residential and Medium Rise Residential land use designation.

15.D.2.56. Where *compatible*, permitted non-residential uses within the Strategic Growth Area A land use designation may include the following:

a) Commercial uses such as, but not limited to, retail, commercial entertainment, restaurants, financial establishments, and light repair operations;

b) Personal services;

c) Offices;

d) Health-related uses such as health offices and health clinics;

e) Institutional uses such as daycare facilities, religious institutions, community facilities, and educational establishments;

f) Social service establishment; and,

g) Studio and artisan-related uses.

15.D.2.57. To ensure *compatibility*, the implementing zoning may limit the full range and scale of uses listed in Policy 15.D.2.42.

15.D.2.58. No building will exceed 8 storeys in height. The implementing zoning may permit maximum building heights of less than 8 storeys.

15.D.2.59. Where the implementing zoning does not permit the maximum building height outlined in Policy 15.D.2.58, the *City* may consider site specific increases to the permitted building height in accordance with Policy 15.D.2.5. On these lands, a *Zoning By-law Amendment* will be required for a building more than 4 storeys in height.

15.D.2.60. A minimum *Floor Space Ratio* of 0.6 will apply to all *development* and *redevelopment*. The implementing zoning may exempt single detached dwellings, additional dwelling units, semi-detached dwellings, street townhouse dwellings, and low-rise multiple dwellings from the minimum *Floor Space Ratio*.

Strategic Growth Area B

The Strategic Growth Area B land use designation is intended to accommodate significant *intensification* at building heights between those in the Strategic Growth Area A land use designation and those in the Strategic Growth Area C land use designation. Lands designated Strategic Growth Area B are also intended to serve as a transition between *Low Rise Residential* Uses on lands within the Strategic Growth Area A designation, and medium and high *density* uses within the Strategic Growth Area C designation. Some areas within the Strategic Growth Area B land use designation contain smaller lots and/or existing *Low Rise Residential Uses*. While significant intensification is planned for these lands, the implementing zoning may restrict building heights as an interim measure to ensure orderly development through a *development application*.

15.D.2.61. The Strategic Growth Area B land use designation will accommodate a range of medium and high density residential housing types including those permitted in the Medium Rise Residential and High Rise Residential land use designations.

15.D.2.62. Permitted non-residential uses within the Strategic Growth Area B land use designation may include the following:

a) *Compatible* commercial uses such as, but not limited to, *retail*, commercial entertainment, restaurants, financial establishments, hotels, and light repair operations;

b) Personal services;

c) Office;

d) Exhibition and/or conference facilities;

e) Health-related uses such as health offices and health clinics;

f) Institutional uses such as hospitals, daycare facilities, religious institutions, community facilities, and educational establishments;

g) Social service establishment; and,

h) Studio and artisan-related uses.

15.D.2.63. No building will exceed 28 storeys in height. The implementing zoning may permit maximum building heights of less than 28 storeys.

15.D.2.64. Where the implementing zoning does not permit the maximum building height outlined in Policy 15.D.2.63, the *City* may consider site specific increases to the permitted building height in accordance with Policy 15.D.2.5. On these lands, a *Zoning By-law Amendment* will be required for a building more than 10 storeys in height.

15.D.2.65. A minimum *Floor Space Ratio* of 1.0 will apply to all *development* and *redevelopment*. The implementing zoning may contain transition regulations to facilitate and permit lands to ultimately meet the minimum *Floor Space Ratio* requirements.

Strategic Growth Area C

The Strategic Growth Area C land use designation is intended to accommodate significant intensification at high *density*. Lands designated Strategic Growth Area C are generally centrally located within *Intensification Areas* and/or represent *redevelopment* opportunities at higher density. It is anticipated that some areas within the Strategic Growth Area C land use designation will require the assembly of lands for *development*. Further, some lands designated Strategic Growth Area C are adjacent to lands planned for medium density uses or which contain existing *Low Rise Residential Uses*. As such, the implementing zoning may restrict building height as an interim measure to ensure orderly development through a *development application* demonstrating that the policies of this plan are met.

15.D.2.66. Permitted uses may include those permitted in the Strategic Growth Area B land use designation.

15.D.2.67. Deleted (Regional modification to OPA 49)

15.D.2.68. Where the implementing zoning has a maximum building height, the *City* may consider site specific increases to the permitted building height in accordance with Policy 15.D.2.5.

15.D.2.69. A minimum *Floor Space Ratio* of 2.0 will apply to all *development* and *redevelopment*. The implementing zoning may contain transition regulations to facilitate and permit lands to ultimately meet the minimum *Floor Space Ratio* requirements.

15.D.3 Residential

Preamble

Residential lands are important components of Kitchener. They are the places where a majority of Kitchener's residents live and they need to support a high quality of life. High quality residential areas provide varied housing options for residents in different life circumstances in locations which are supported by *community infrastructure* such as parks and schools and an integrated *transportation system*, as well as commercial uses, employment uses and other services which are essential to day-to-day life.

The *city's* main residential areas include three land use designations; Low Rise Residential, Medium Rise Residential and High Rise Residential.

Objectives

15.3.1. To support a high quality of life in residential areas.

15.3.2. To encourage the distribution of local convenience commercial uses, institutional, personal services and other complementary non-residential uses in appropriate locations within residential areas.

15.3.3. To ensure that existing and new residential areas are *walkable* and are supported by all modes of transportation.

15.3.4. To implement the policies in Section 4.

Policies

15.D.3.1. Where lands designated Low Rise Residential, Medium Rise Residential or High Rise Residential are identified as part of the Urban Structure as shown on Map 2, the applicable Urban Structure Policies in Section 3.C.2 will also apply.

15.D.3.2. The *City* is strongly committed to excellence in community and neighbourhood design as a way of creating and maintaining pleasant, attractive, safe and functional neighbourhoods. The *City* will take an active role in identifying, evaluating, developing and implementing improved community design approaches through the Community Design and Neighbourhood Design Policies in Section 11 as well as the *City's Urban Design Manual* and *Urban Design Briefs*.

15.D.3.3. To support the successful integration of different housing types, specifically multiple residential developments, through new *development/redevelopment* and/or *residential intensification*, within lands designated Low Rise Residential, Medium Rise Residential or High Rise Residential, the *City* will apply design principles in accordance with the Urban Design Policies in Section 11. An emphasis will be placed on:

a) *compatibility* of building form with respect to massing, scale, design;

b) the relationship of housing to *adjacent* buildings, streets and exterior areas;
c) adequate and appropriate parking areas are provided on site; and,

d) adequate and appropriate amenity areas and landscaped areas are provided on site.

15.D.3.4. All new residential buildings, additions and/or modifications to existing residential buildings and *conversions* in predominantly low *density* neighbourhoods should be *compatible* with and respect the massing, scale, design and physical character of the established neighbourhood and have both appropriate landscaped areas and parking areas provided on site.

15.D.3.5. Lands designated Low Rise Residential, Medium Rise Residential or High Rise Residential will be planned to have a range of *community facilities*, institutional and commercial uses, at appropriate locations, in close proximity to housing to support a *walkable* and *complete community*.

15.D.3.6. Each residential land use designation is described in terms of type of use and/or *Floor Space Ratio* of buildings and the number of *dwelling units* per net hectare. *Densities* as measured by net residential *dwelling units* per net hectare are guidelines for the preparation of Secondary and Community Plans and are not meant to apply to individual *developments*.

15.D.3.7. Lands designated Low Rise Residential, Medium Rise Residential or High Rise Residential within the Designated Greenfield Area will be planned to achieve an overall minimum *density* target of 55 residents and jobs combined per hectare in accordance with Section 3.C.1.

Land Use Designations

Low Rise Residential

15.D.3.8. The Low Rise Residential land use designation will accommodate a full range of low density housing types which may include single detached dwellings, additional *dwelling units*, attached and detached, semi-detached dwellings, street townhouse dwellings, townhouse dwellings in a cluster development, low-rise multiple dwellings, *special needs housing*, and other forms of low-rise housing.

15.D.3.9. The *City* will encourage and support the mixing and integrating of innovative and different forms of housing to achieve and maintain a low-rise *built form*.

15.D.3.10. The maximum *net residential density* for lands which are designated Low Rise Residential will be 30 units per hectare.

15.D.3.11. A maximum *Floor Space Ratio* of 0.6 will apply to all *development* and *redevelopment*. Site-specific increases to allow up to a maximum *Floor Space Ratio* of 0.75 may be considered where it can be demonstrated that the increase in the *Floor Space Ratio* is *compatible* and meets the general intent of the policies in this Plan. An Official Plan Amendment will be required to consider an increase in the *Floor Space Ratio* greater than 0.75.

15.D.3.12. No building will exceed 3 storeys or 11 metres in height, at the highest grade elevation. Relief from the building height may be considered for properties with unusual grade conditions and for buildings and/or structures with increased floor to ceiling heights and architectural features provided the increased building height is *compatible* with the *built form* and physical character of the neighbourhood.

15.D.3.13. Notwithstanding Policy 15.D.3.12, a maximum building height of 4 storeys or 14 metres, at the highest grade elevation, whichever is the lesser, may be permitted on lands having primary frontage on to a Regional Road or City Arterial Street.

15.D.3.14. The predominant land use within the Low Rise Residential designation will be residential but it is intended that complementary non-residential land uses may be permitted to locate within this designation subject to any locational criteria and the appropriate zoning being in place. The *City* will encourage and support complementary non-residential land uses to be mixed with residential uses at a scale and in appropriate locations within *low density residential* areas subject to the Non-Residential Supporting Land Uses Policies 15.D.3.27 through 15.D.3.31 inclusive and the appropriate zoning.

Medium Rise Residential

15.D.3.15. The Medium Rise Residential land use designation will accommodate a range of medium *density* housing types including townhouse dwellings in a cluster development, multiple dwellings and *special needs housing*.

15.D.3.16. The *City* will encourage and support the mixing and integrating of innovative and different forms of housing to achieve and maintain a medium-rise *built form*.

15.D.3.17. The *net residential density* for lands which are designated Medium Rise Residential will be a minimum of 30 units per hectare to a maximum of 200 units per hectare.

15.D.3.18. A minimum *Floor Space Ratio* of 0.6 and maximum *Floor Space Ratio* of 2.0 will apply to all *development* and *redevelopment*.

15.D.3.19. No building will exceed 8 storeys or 25 metres in height, whichever is the lesser, at the highest grade elevation. Relief from the building height may be considered for properties with unusual grade conditions and for buildings and/or structures with increased floor to ceiling heights and architectural features provided the increased building height is *compatible* with the *built form* and physical character of the neighbourhood.

15.D.3.20. The predominant land use within the Medium Rise Residential land use designation will be multiple residential but it is intended that complementary non-residential land uses may be permitted to locate within this land use designation subject to any locational criteria and the appropriate zoning being in place. The *City* will encourage and support complementary non-residential land uses to be mixed with residential uses at a scale and in appropriate locations within land designated Medium Rise Residential subject to the Non-Residential Supporting Land Uses Policies 15.D.3.27 through 15.D.3.31 inclusive and the appropriate zoning.

15.D.3.21. When planning for new Medium Rise Residential locations in new community plans and secondary plans or when considering *redevelopment* opportunities, consideration will be given to whether the proposed Medium Rise Residential uses will:

a) result in the preservation of features of the natural environment which may otherwise be compromised with more dispersed low density development;

b) take advantage of vistas;

c) constitute neighbourhood landmarks or reference points;

d) be located within walking distance of nodes, corridors and public transit stops and non-residential uses; and,

e) have a strong focus placed on the creation of links for pedestrians and cyclists with surrounding non-residential uses.

High Rise Residential

15.D.3.22. The High Rise Residential land use designation will primarily accommodate high density multiple dwellings and *special needs housing* to achieve a high intensity of residential use.

15.D.3.23. The *net residential density* for lands which are designated High Rise Residential will be a minimum of 100 units per hectare.

15.D.3.24. A minimum *Floor Space Ratio* of 2.0 and maximum *Floor Space Ratio* of 4.0 will apply to all *development* and *redevelopment*.

15.D.3.25. The predominant land use within the High Rise Residential land use designation will be multiple residential but it is intended that complementary non-residential land uses may be permitted to locate internal to a multiple residential building in this land use designation subject to any locational criteria and the appropriate zoning being in place. The *City* will encourage and support complementary non-residential land uses to be mixed with multiple residential uses at a scale and in appropriate locations within lands designated High Rise Residential areas subject to the Non-Residential Supporting Land Use Policies 15.D.3.27 through 15.D.3.31 inclusive and the appropriate zoning.

15.D.3.26. When planning for new High Rise Residential locations in new community plans and secondary plans or when considering *redevelopment* opportunities, High Rise Residential uses will generally:

a) result in the preservation of features of the natural environment which may otherwise be compromised with more dispersed low *density* development;

b) take advantage of *views and vistas*;

c) constitute neighbourhood *landmarks* or reference points;

d) be located within walking distance of nodes, corridors and public transit stops and non-residential uses; and,

e) have a strong focus placed on the creation of links for *pedestrians* and cyclists with surrounding non-residential uses.

Non-Residential Supporting Land Uses

15.D.3.27. The *City* will support the integration of non-residential land uses, which are complementary and serve the needs of residents, at appropriate locations in the residential land use designations to support the development of a *walkable* and *complete community*. Within the Residential land use designations individual properties will be zoned to achieve an appropriate mix of uses that are *compatible* with the surrounding residential neighbourhoods. Such uses may include:

a) artisans' establishment, studio and craftsman shop;

b) convenience commercial;

c) day care facilities;

d) gas bar;

e) health offices and health clinics;

f) large *residential care facilities*;

g) personal services;

h) religious institutions;

i) restaurants, provided they are located with another non-residential use;

j) small offices;

k) small scale community facilities;

l) social service establishments;

m) temporary sales centre; and,

n) veterinary services, provided they are not located within a building containing residential uses.

15.D.3.28. The *City* will have regard to the following when considering implementing zoning and a *Zoning By-law* Amendment application to permit non-residential uses in the residential land use designations:

a) the extent to which the immediate area, as well as the trade area, are presently serviced by similar non-residential land uses;

b) whether the non-residential use will contribute to creating a *walkable* and *complete community*;

c) whether the site is more suited to the *development* of non-residential land uses due to matters such as noise, vibration, and other incompatibilities and *adverse effects*;

d) whether existing residential units or future potential multiple residential *dwelling units* would be lost as a result of the rezoning to permit a non-residential land use;

e) whether the design, location and massing of the existing building or any new building, including lighting and signage, will be *compatible* with the surrounding residential buildings and the area;

f) whether the site is located on or has access to an Arterial Street or Major Community Collector Street. Where this is not the case, consideration needs to be given as to whether the non-residential use would negatively impact traffic on the local streets;

g) whether the lands have been identified for non-residential or *mixed use* in a community plan and/or secondary plan or are identified as a node or corridor on Map 2; and,

h) whether the non-residential use is in conformity with the applicable Source Water Protection Policies in the Regional Official Plan.

15.D.3.29. Where appropriate and desirable, the *City* will encourage non-residential uses to locate together and be integrated with residential uses in *mixed use developments* or in *mixed use* buildings to form community focal points.

15.D.3.30. Non-residential land uses in the High Rise Residential land use designation will be encouraged to locate on the ground floor of any multiple residential building.

15.D.3.31. The *City* will consider the need to accommodate non-residential uses in neighbourhoods and their location in the development of new community and/or secondary plans and will implement the appropriate zoning.

15.D.4 Mixed Use

Preamble

The Mixed Use land use designation is intended to be flexible and responsive to land use pattern changes and demands and permit a broad range of uses at different scales and intensities depending on the lands' geographic location and identification at the urban structure level. As such, an appropriate and *compatible* mix and range of commercial, *retail*, institutional and residential uses, at different scales and intensities will be encouraged and supported within lands designated Mixed Use depending on their location within the *City's* Urban Structure. The implementing zoning will be applied to allow for and promote a *compatible* mix of uses within the same building or on the same site. A mix of uses within the same building is preferred. The implementing zoning will also recognize and facilitate those lands which are intended and expected to evolve over time to achieve an optimum *built form* and mix of uses.

The Mixed Use land use designation plays an important role in achieving the *planned function* of the *Intensification Areas* of the City Urban Structure. Lands designated Mixed Use have the capacity to accommodate additional density and *intensification* of uses. The permitted scale and intensity of uses and development may be dependent upon the Urban Structure Component the site is within and the context of the site. *Development* and *redevelopment* of properties will be encouraged to achieve a high standard of urban design, be *compatible* with surrounding areas, be *transit-supportive* and cycling and *pedestrian*-friendly. Further, the permitted commercial and *retail* uses within lands designed Mixed Use play a key role in achieving and maintaining the *planned function* and ensuring the vibrancy of the Urban Structure Components these uses are within. Accordingly, although residential development is permitted and encouraged within lands designated Mixed Use, it is not the intent of lands designated Mixed Use to lose the planned *retail* and commercial function to service surrounding neighbourhoods. As such, the implementing zoning may not permit a site designated Mixed Use to be developed exclusively with one use.

Objectives

15.4.1. To achieve an appropriate mix of commercial, residential and institutional uses on lands designated Mixed Use.

15.4.2. To support and provide opportunities for lands to evolve and intensify over time.

15.4.3. To support and allow for a broad range of uses within lands designated Mixed Use.

15.4.4. To retain and support a viable *retail* and commercial presence within lands designated Mixed Use by protecting and improving existing commercial uses and allowing for new appropriately scaled commercial uses that primarily serve the surrounding areas.

15.4.5. To ensure that lands designated Mixed Use are *transit-supportive*, *walkable* and integrated and interconnected with other areas of the *city*.

15.4.6. To ensure uses, *built form* and *building design* are *compatible* with surrounding low rise neighbourhoods and are *pedestrian*-oriented and human-scaled in order to positively contribute to the *public realm*.

15.4.7. To ensure that *development* and *redevelopment* of lands within lands designated Mixed Use implement a high standard of urban design.

15.4.8. To implement the policies in Section 3.

Policies

15.D.4.1. Lands designated Mixed Use are located within a Protected Major Transit Station Area, a City Node, a Community Node, a Neighbourhood Nodes or an Urban Corridor as identified on Map 2. Accordingly, the applicable Urban Structure in Section 3.C.2 will also apply.

Land Use Designation

15.D.4.2. Permitted residential uses may include those medium and high rise residential uses permitted in the Medium Rise Residential and High Rise Residential land use designation, including *special needs housing*.

15.D.4.3. Permitted non-residential uses within the Mixed Use land use designation may include the following:

a) *compatible* commercial uses such as, but not limited to, *retail*, commercial entertainment, restaurants, financial establishments;

b) personal services;

c) office;

d) health-related uses such as health offices and health clinics and institutional uses such as daycare facilities, religious institutions, and educational establishments;

e) social service establishment; and,

f) studio and artisan-related uses.

15.D.4.4. *Retail Commercial Centres*, *Major Office* and *Major Institutional* will only be permitted in accordance with the applicable policies in Section 3.C.2.

15.D.4.5. The zoning may legalize and permit expansions of *low density residential* housing forms legally *existing* as of the date of approval of this Plan or deem them to be legal non-conforming.

15.D.4.6. The zoning of individual sites designated Mixed Use may not allow the full range and scale of uses at every location. Permitted uses and scale of uses will be dependent upon the Urban Structure Component the site is within and its *planned function* and density, *compatibility* with surrounding areas, technical considerations and other contextual or site specific factors. Collectively, all the lands designated Mixed Use will achieve the intended mix of uses and scale deemed appropriate.

15.D.4.7. Individual properties within the Mixed Use land use designation may be zoned to discourage uses that would negatively affect the planned density and/or function of the Urban Structure Component in which they are located. Accordingly, the implementing zoning may exclude:

a) predominately auto-exclusive uses such as car washes; *drive-through facilities*; gas stations; sale and/or repair of motor vehicles; commercial parking facilities;

b) commercial uses not *compatible* with residential such as funeral homes and commercial recreation; and,

c) elementary schools.

15.D.4.8. Applications for new uses listed in Policy 15.D.4.7 may be considered by way of an amendment to the implementing *Zoning By-law* where it is demonstrated to the satisfaction of the *City* that the proposed use would not:

d) negatively affect the planned density and/or function of the Urban Structure Component in which the use would be located in; and/or,

e) compromise the functionality of the site.

15.D.4.9. Applications for new *drive-through facilities* within the Mixed Use land use designation may require supporting studies and reports as set out in Section 17.E.10 to enable the *City* to fully evaluate the appropriateness of the proposed *drive-through facility*. Detailed requirements and regulations will be determined through *urban design guidelines*, *urban design briefs*, implementing *zoning by-laws* and/or site plan approval. Applications will only be considered for approval in circumstances where the following are satisfied:

a) the *drive-through facility* must be located within a *mixed use* building or *multi-unit building*;

b) the *drive-through facility* does not conflict with the planned character of the area by accommodating the operational and functional requirements of the *drive-through facility*;

c) does not conflict with the planned urban design and architectural characteristics of the predominant uses on the site in a *mixed use* development; and

d) in a *mixed use* development, which includes residential uses and/or office uses, the proposed *drive-through facility* does not compromise the use and enjoyment of outdoor amenity areas, impact other uses on the site as a result of noise and odour effects and, does not affect the functional support systems for the other uses on the site, including loading, refuse pick-up, on-site visitor and resident/tenant vehicular and pedestrian circulation, access and egress.

e) access and egress to *drive-through facilities* generally should not be located in close proximity to intersections and transit stops;

f) the *drive-through facility* must safely accommodate *pedestrian* access into and through the site and minimizes *pedestrian* and vehicular conflict;

g) drive-through aisles and stacking lanes should not be located between the building's primary façade and a roadway that is an existing or planned transit route, important *pedestrian* linkage and/or destination; and,

i) the *drive-through facility* must provide space for vehicle stacking so as to not impede on or off site traffic flow.

15.D.4.10. The implementing zoning may require that a minimum and/or maximum amount of commercial floor area and/or residential floor area be provided on site.

15.D.4.11. The *City* will encourage a mixture of permitted uses within a building.

15.D.4.12. The *City* may:

a) require that a portion of the building mass as well as primary façades and building entrances be oriented towards the *public realm* by imposing maximum front yard setbacks and façade design policies, guidelines and zoning regulations;

b) encourage the location of active uses such as *retail*, service shops and restaurants at the street level by imposing locational criteria and zoning regulations for specific uses;

c) limit vehicular parking between the building façade and the street by imposing parking setbacks and parking design policies, guidelines and zoning regulations; and,

d) require that buildings maintain a human-scaled form of development along the street by imposing façade and building height regulations in the *Zoning By-law* and the *City's Urban Design Manual* and *Urban Design Briefs*.

15.D.4.13. Individual freestanding *retail* outlets will be restricted to a maximum *gross floor area* of:

a) 5,000 square metres within lands designated Mixed Use identified as a City Node or Community Node on Map 2.

b) 3,500 square metres within lands designated Mixed Use identified as a Neighbourhood Node on Map 2.

15.D.4.14. The combined total non-residential *gross floor area* per property will be restricted to 7,500 square metres and will not exceed 5,000 square metres of combined *gross floor area* devoted to *retail* uses or 5,000 square metres of combined *gross floor area* devoted to office uses within lands designated Mixed Use identified as an Neighbourhood Node or Urban Corridor on Map 2.

15.D.4.15. Notwithstanding the *gross floor area* restrictions of Policies 15.D.4.13 and 15.D.4.14, the *City* may:

a) Permit *food store* outlets of up to a maximum *gross floor area* of 10,000 square metres within lands designated Mixed Use identified as a City Node or Community Node on Map 2 in both freestanding buildings and *mixed use* developments provided that all applicable policies within this land use designation are satisfied.

b) Permit *food store* outlets of up to a maximum *gross floor area* of 5,000 square metres within lands designated Mixed Use identified as an Urban Corridor on Map 2, if the *food store* outlet is located in a *mixed use* development and provided all applicable policies within this land use designation are satisfied.

15.D.4.16. Notwithstanding the *gross floor area* restrictions of Policies 15.D.4.13 and 15.D.4.14, permitted non-residential uses located interior to buildings legally *existing* as of the date of approval of this Plan will be recognized and such uses will be permitted to expand on the *existing* lot by a maximum of 25 percent of the *existing gross floor area* of the individual outlet, provided that all the applicable policies within this land use designation are satisfied.

15.D.4.17. The *Floor Space Ratio* requirements for all new residential or *mixed use* building *development* or *redevelopment* within lands designated Mixed Use will be as follows:

a) A minimum *Floor Space Ratio* of 0.6 and a maximum of *Floor Space Ratio* of 1.0 on lands within a Neighbourhood Node on Map 2.

b) A minimum *Floor Space Ratio* of 0.6 and a maximum *Floor Space Ratio* of 2.0 on lands within a City Node, Community Node, or Urban Corridor on Map 2.

Further to the above, the implementing zoning will consider and may contain transition regulations to facilitate and permit lands to ultimately meet the minimum *Floor Space Ratio* requirements as noted above.

15.D.4.18. Notwithstanding Policy 15.D.4.17 b), the *City* may permit *development* or *redevelopment* having a *Floor Space Ratio* of less than 0.6 on lands within an Urban Corridor on Map 2 where lower intensity development is desirable and appropriate. The following criteria will be considered as the basis for the implementing zoning:

a) the parcel fabric is not conducive to compact *mixed use* development and consolidation is not appropriate or desirable;

b) the *development* potential of a property or area is constrained by the existence of a *cultural heritage resource*, an environmental constraint or servicing limitations; and/or,

c) a lower intensity form of development is preferred for *compatibility* with the surrounding residential neighbourhoods, district character or for cultural heritage reasons.

15.D.4.19. Notwithstanding Policy 15.D.4.17 b), a minimum *Floor Space Ratio* of 1.0 and a maximum *Floor Space Ratio* of up to 4.0 will apply to individual properties where higher density *development* or *redevelopment* is desirable and appropriate. The following criteria will be considered as the basis for the implementing zoning:

a) the property abuts or has direct access to an arterial or collector road;

b) the property is adequately buffered from lands designated Low Rise Residential; and,

c) there is adequate existing or planned *infrastructure*.

15.D.4.20. Generally no building will exceed:

a) 10 storeys or 32 metres in height, whichever is greater, at the elevation, on lands designated Mixed Use identified as a City Node, or Community Node on Map 2.

b) 8 storeys or 25 metres in height, whichever is greater at the highest grade elevation, on lands designated Mixed Use as a Urban Corridor on Map 2.

c) 4 storeys or 14 metres in height. whichever is greater, at the highest grade elevation on lands designated Mixed Use identified as a Neighbourhood Node on Map 2.

15.D.4.21. Notwithstanding Policy 15.D.4.20, the *City* may consider increases to the permitted building height of up to 50 percent of the permitted building height where a *development* or *redevelopment* provides a *mixed use* building containing residential units. It must be demonstrated that a *pedestrian* scale base, appropriate massing along the streetscape and *compatibility* with adjacent lands is achieved and that all the applicable policies within this Plan are satisfied.

15.D.4.22. The *City* may impose minimum façade and building height regulations in the *Zoning By-law*.

15.D.5 Commercial

Preamble

Commercial activities contribute to the economic activity, health and vitality of the *city* and play an important role in achieving the *planned function* of the various components of the Urban Structure.

Some commercial activities will be located in the Urban Growth Centre (Downtown) and others will be distributed throughout the *city* on lands designated for Mixed Use. However, the commercial land use designations are intended for areas that serve primarily a commercial function such as those supporting a *city*-serving or community-serving commercial function or those areas having an auto-oriented commercial function. The *planned function* of the commercial lands and the permitted uses and scale and intensity of use will be dependent upon the Urban Structure Component the lands are located within.

Lands designated for commercial use will provide for a range of commercial activities and are intended to ensure that commercial activities are well distributed, accessible and able to respond to the needs of the *city's* residents, employees, businesses and visitors. These commercial lands will be sufficient in number, size and location to serve the existing and future population of Kitchener.

The *city's* commercial lands include two land use designations; Commercial Campus and Commercial.

Objectives

15.5.1. To plan for a sufficient supply and range of commercial goods and services to meet the needs of the *city's* residents, employees, businesses and visitors.

15.5.2. To provide commercial *development* opportunities in locations close to where people live and work to help achieve *complete communities*.

15.5.3. To encourage the *intensification* and *redevelopment* of existing commercial lands.

15.5.4. To retain a viable commercial presence by protecting, improving and providing flexibility for *existing* commercial developments.

15.5.5. To implement the policies in Section 3.

Policies

15.D.5.1. Where lands designated Commercial Campus or Commercial are identified as part of the Urban Structure as shown on Map 2, the applicable Urban Structure in Section 3.C.2 will also apply.

15.D.5.2. *Development* within lands designated Commercial Campus or Commercial will not have an unacceptable impact on the Urban Growth Centre (Downtown) and on the other commercial areas and will not compromise their *planned function*. Accordingly, the *City* may impose maximum *gross floor area* restrictions on commercial

development and *redevelopment*, including limiting both the *gross floor area* of individual outlets as well as the combined total *gross floor area* of commercial outlets and *multi-unit building development*.

15.D.5.3. The *City* may impose minimum and maximum size restrictions and special use provisions upon specified uses within the *Zoning By-law* in response to Integrated Transportation system capacity and/or quality issues. Such restrictions and special use provisions may be modified or removed following the completion and approval of a Transportation Impact Study and the completion of any necessary or required road improvements.

15.D.5.4. Vehicular access points will be controlled to minimize disruption to traffic flow and new development may be required to share common driveways and provide for maneuverability between sites to reduce traffic impacts on abutting streets.

15.D.5.5. The zoning of individual sites within the commercial land use designations may not allow the full range of permitted commercial uses or the full extent of *development* intensity at every location based on site specific factors.

15.D.5.6. The height and *density* of an office *development* within the commercial land use designations may be limited through provisions in the *Zoning By-law* to require small to moderate-scale office development.

15.D.5.7. Site specific *urban design briefs* and/or *urban design reports* will be prepared in accordance with the policies in Section 11 by the owner/applicant as part of a *complete application* for a site plan application, or to amend this Plan and/or the *Zoning By-law* in areas with a Commercial Campus or Commercial land use designation.

Commercial Inventory

15.D.5.8. The *City* will maintain a commercial inventory to assess whether there is a sufficient supply of commercial land and floor space to meet the current and future needs of the *city*. It will assist in ensuring that an oversupply of commercial land or floor space does not exist, either in total or of a specific type or area that it may compromise the *planned function* of lands with commercial land use designations.

Land Use Designations

Commercial Campus

15.D.5.9. Lands designated as Commercial Campuses are intended to serve the day-to-day and weekly commercial needs of the surrounding community and developed as comprehensively planned commercial uses functioning as a unit and consisting of individual buildings or *multi-unit building* groupings.

15.D.5.10. Commercial Campuses have a *regional* and/or *city*-wide orientation and are intended to represent a key commercial component of the Urban Structure. While these areas are focal points for commercial development, Commercial Campuses will be designed and developed with regard for the planned distribution of commercial uses throughout the *city* as intended by the overall Urban Structure.

15.D.5.11. Commercial Campuses will contribute to a comprehensively planned and balanced commercial land use structure in the *City*, and will not undermine the structure by having a significant detrimental impact to existing and future commercial areas.

15.D.5.12. The permitted uses within the Commercial Campus land use designation may include:

a) auto service stations which may include car washes, gas stations and/or gas bars;

b) commercial entertainment;

c) conference/convention/exhibition facilities;

d) drive-through facilities;

e) financial establishments;

f) funeral homes;

g) health offices and health clinics;

h) hotel;

i) office;

j) personal services;

k) religious institutions;

l) restaurants; and,

m) retail.

15.D.5.13. *Retail Commercial Centres* will only be permitted in accordance with the applicable policies in Section 3.C.2.

15.D.5.14. Individual *retail* outlets will be restricted to those having a minimum size of 1,500 square metres of *gross floor area*. A certain amount of smaller *retail* establishments may be permitted based on either a percentage of the overall *gross floor area* within a particular Commercial Campus or on other factors such as lot size and configuration. All other *retail* uses legally *existing* as of the date of approval of this Plan will be recognized and will be permitted to expand on the *existing* lot.

Commercial

15.D.5.15. Lands designated as Commercial are intended to provide for a range of *retail* and service commercial uses that cater primarily to the weekly and daily needs of residents within the surrounding neighbourhoods.

15.D.5.16. The permitted uses on lands designated Commercial and identified as a Protected Major Transit Station Area, City Node, Community Node, Arterial Corridor or Urban Corridor on Map 2, may include:

a) auto service stations which may include car washes, gas stations and/or gas bars;

b) commercial entertainment uses as an accessory use within a hotel, motel, restaurant or planned commercial recreation complex;

c) commercial recreation;

d) conference / convention / exhibition facilities;

e) *drive-through facilities*;

f) financial establishments;

g) funeral homes;

h) hotels and motels;

i) health offices and health clinics;

j) office;

k) personal services;

l) religious institutions;

m) restaurants;

n) sale, rental, service, storage or repair of motor vehicles, major recreational equipment and parts and accessories for motor vehicles or major recreational equipment; and,

o) vehicle and recreational equipment sales/rental and service.

15.D.5.17. In addition to Policy 15.D.5.16, the permitted uses on lands designated Commercial and identified as a Protected Major Transit Station Area, City Node, Community Node or Urban Corridor on Map 2:

a) will include *retail*, and may include *retail commercial centres* where they are permitted in accordance with the applicable policies in Section 3.C.2; and,

b) may include *dwelling units*, where appropriate, provided that they are located in the same building as *compatible* commercial uses and are not located on the ground floor to a maximum *Floor Space Ratio* of 2.0.

15.D.5.18. Notwithstanding Policies 15.D.5.16 and Policy 15.D.5.17, lands designated Commercial and identified within a Protected Major Transit Station Area may be zoned to exclude uses that would negatively affect the planned density and/or function of Protected Major Transit Station Areas. Accordingly, the implementing zoning may exclude low density uses and/or auto-oriented uses in accordance with Policy 3.C.2.22.

15.D.5.19. Individual *retail* outlets, including *food store* outlets, will have no *gross floor area* restrictions except in accordance with the applicable policies in Section 3.C.2.

15.D.5.20. Lands designated Commercial and identified as an Arterial Corridor on Map 2:

a) are not intended to accommodate *retail* activities that are more appropriately located and otherwise permitted in the Urban Growth Centre (Downtown), or on lands designated Commercial Campus, Mixed Use, or on lands designated for commercial uses within Urban Corridors. Accordingly, permitted *retail* uses will be restricted to only *retail* uses that are:

i) accessory to a warehouse, storage or distribution facility;

ii) form part of an establishment relating to the servicing of motor vehicles or major recreational equipment;

iii) accessory to or contained within permitted service commercial uses;

iv) require large enclosed or open storage areas to sell bulky, space intensive goods;

v) convenience retail.

b) will also permit a limited range of light industrial uses which by the nature of their operation are well suited for location on Regional Roads and City arterial streets. Accordingly, the following uses may also be permitted:

i) contractor's establishment, with the exception of craftsman shops used for the production of handmade or custom commodities, industrial uses that engage in on-site manufacturing or processing will not be permitted;

ii) manufacturing uses will be permitted on specific properties zoned to permit manufacturing as of the date of approval of this Plan;

iii) warehousing; and,

iv) wholesaling.

15.D.5.21. The *City* will have regard to the following criteria when considering *development* or *redevelopment applications* for new uses in lands designated Commercial and

identified with an Arterial Corridor on Map 2 and/or justification to expand or create a new Commercial land use designation within an Arterial Corridor on Map 2:

a) the uses are not *compatible* or feasible to locate in the other lands designated for commercial uses or within the Urban Growth Centre (Downtown);

b) the use requires exposure and accessibility afforded by Regional or City Arterial Streets given the nature of their goods and services;

c) the use relies on business from and exposure to the travelling public; and/or,

d) the use is not required to locate within an *industrial employment area* due to the characteristics of the operation.

15.D.6 Industrial Employment

Industrial employment has always been an important component of Kitchener's economy and has played a vital role in the *city*. Industrial employment is integral to the development, growth and vitality of the local economy which is closely linked to the quality of life of the residents of the *city*. These types of areas/uses may be needed in the long term, even beyond the horizon of this Plan, and are difficult to establish.

The policies of this Section seek to strengthen and maintain the existing *industrial employment areas*, while providing some opportunities for new and complementary employment uses through effective land use planning. In addition, it is recognized that some areas can act as incubators for new or expanding industrial employment uses, and, as such, will promote the retention of these existing *industrial employment areas* as a complement to the *city's* developing industrial and business parks.

The *city's industrial employment areas* are the focus of major concentrations of industrial-related employment and include three land use designations; Heavy Industrial Employment, General Industrial Employment and Business Park Employment. These *industrial employment area* land use designations permit a broad range of industrial employment uses. Permitted accessory or *ancillary uses* are anticipated to directly support the primary employment uses on the lands and *adjacent* areas. *Industrial Employment Areas* are not intended for institutional uses or destination-oriented commercial and *retail* uses.

Objectives

15.6.1. To protect and preserve *industrial employment areas* for current and future uses and ensure that the necessary *infrastructure* is provided to support current and projected needs.

15.6.2. To provide opportunities for a diversified economic base by maintaining a range and choice of suitable sites for industrial employment uses which support a wide range of economic activities and *ancillary uses* and take into account market trends and the needs of existing and future businesses.

15.6.3. To provide a municipal environment, including the necessary *infrastructure*, and policies that encourages the establishment, retention and expansion of industrial employment uses.

15.6.4. To ensure that the development and maintenance of *industrial employment areas* will occur within the context of a balanced consideration of social, economic, and environmental interests, demands and constraints.

15.6.5. To ensure that *industrial employment areas* are accessible by all modes of transportation.

15.6.6. To implement the policies in Section 5.

Policies

15.D.6.1. Where lands designated Heavy Industrial Employment, General Industrial Employment or Business Park Employment are identified as part of the Urban Structure as shown on Map 2, the applicable Urban Structure Policies in Section 3.C.2 will also apply.

15.D.6.2. Lands designated Heavy Industrial Employment, General Industrial Employment and Business Park Employment, as shown on Map 3 be protected for *industrial employment area* purposes. The *city's industrial employment areas* will provide an adequate supply of industrial lands and provide for a diversity of employment opportunities for the long term.

15.D.6.3. The *City* will support existing *industrial employment areas*, including those established *industrial employment areas* within the central neighbourhoods given their importance to help achieve and contribute to a balanced and *complete community*.

15.D.6.4. The *City* will encourage the retention of *industrial employment areas* which are accessible to major existing or proposed transportation facilities including rail lines and roads.

15.D.6.5. A *conversion* of an *industrial employment area* to a non-employment use, which includes any use not otherwise permitted in the *industrial* employment area designations of this Plan, may only be permitted through a *municipal comprehensive review* where it has been demonstrated that:

a) there is a need for the *conversion*;

b) the *conversion* will not compromise the *City's* ability to meet the employment forecasts of this Plan as allocated by the *Region* and further defined in the *City's* Comprehensive Review of Employment Lands Study;

c) the *conversion* will not adversely affect the overall viability of the *industrial employment area* and achievement of other *density* targets set out in this Plan and will not impact the ability of *adjacent industrial employment areas* to be used or continue to be used for employment purposes;

d) there is existing or planned *infrastructure* to accommodate the proposed *conversion*;

e) the lands are not required in the long term for the employment purposes for which they are currently designated; and,

f) cross-jurisdictional issues have been considered.

15.D.6.6. For the purposes of Policy 15.D.6.5:

a) residential, institutional, non-*ancillary* commercial, non-*ancillary retail* and major *retail* will be considered a non-employment use and any *conversion* to such uses use will require a *municipal comprehensive review*;

b) for the purposes of this Policy, major *retail* will mean a development having a collective minimum *retail gross floor area* of 5,000 square metres or greater and any freestanding building or individual *retail* outlet in a *multi-unit building* within the development cannot exceed 2,500 square metres in *gross floor area*;

c) the addition of any non-employment uses constitutes a *conversion*.

15.D.6.7. Proposals to convert from one *industrial employment area* land use designation to another *industrial employment area* land use designation may be permitted provided that a sufficient and adequate supply of *industrial employment area* in each category remains and that the *conversion* to another *industrial employment area* land use designation does not adversely impact any *adjacent sensitive land uses* and will not compromise the function and ability of the *industrial employment areas* to continue to be used for the purposes originally contemplated under this Plan.

15.D.6.8. The zoning of individual sites may not allow the full range of permitted uses or the full extent of *development* intensity at every location based on site specific factors that may include, but are not limited to:

a) adverse traffic impacts;

b) environmental factors such as soil contamination;

c) land use *compatibility*;

d) market impact;

e) natural *hazards* and other features;

f) the availability of public transit; and/or,

g) the Source Water Protection Policies in Section 7.C.1 and the Source Water Protection Policies in the Regional Official Plan.

15.D.6.9. The *City* will encourage the development of *industrial employment areas* that are *transit-supportive*, incorporate *Transportation Demand Management* measures, have a compact *built form* and minimize surface parking areas.

15.D.6.10. The *City* encourages the retention, renewal and expansion of *compatible existing* industrial uses, and encourages new industrial uses which are *compatible* with the surrounding areas to locate within central neighbourhoods.

15.D.6.11. A number of *existing* industrial uses which are located in older neighbourhoods in proximity to existing residential areas contain a component of their operations which would normally be prohibited in such an area. To recognize their historical development, their importance as major employers, and to encourage the retention of some of these uses, they may be recognized as permitted uses and if so, will be permitted to expand.

15.D.6.12. The *City* recognizes that it may be desirable to protect *existing* residential enclaves in industrial areas or provide for the creation of new residential areas *adjacent* to industrial uses. This will be encouraged where through special studies, the long term viability of the *adjacent* industrial use and the long term viability of the residential area, including the long term suitability of the area for residential use is demonstrated.

15.D.6.13. In order to minimize the impacts of new industrial employment uses on the environment, including ground water resources and on *adjacent sensitive land uses*, the *City* will use Provincial Guidelines and consult with the *Region* to ensure that new industrial employment uses are in compliance with the standards and provisions related to:

a) the emission of light, sound and vibrations;

b) the emission of permissible concentrations of air contaminants such as dust, smoke, odour, fumes and other particulate; and,

c) water quality and waste control, including the quality of discharge and runoff and ground water recharge areas.

15.D.6.14. The *City* will ensure visual and physical separation of *industrial employment areas* from *sensitive land uses*, where possible, and require buffering and landscaping to facilitate the protection of *industrial employment areas* and to minimize any proven or recognized negative impacts of the *industrial employment areas* on *sensitive land uses*.

15.D.6.15. The *City* will encourage *alternative energy systems* or *renewable energy systems*, *district energy* and conservation or efficiencies of energy and water, to be achieved within and between employment uses and where possible surrounding land uses.

15.D.6.16. The *City* will require industrial uses which use large amounts of water and/or dispose of large amounts of liquid or solid wastes to discuss with the *City* and the *Region* any proposal to expand or relocate within the *city*. Further, the *City* will encourage industrial uses to develop water and waste product recycling processes.

Land Use Designations

General Industrial Employment

15.D.6.17. The General Industrial Employment land use designation will provide for a broad range of industrial uses, some of which by virtue of their operation or site utilization may need to locate within an industrial area or require appropriate buffering to mitigate potential impacts on residential areas. The permitted uses may include:

a) construction uses and contractor/service trades;

b) industrial uses with a commercial component which require large areas for the storage of goods, such as a building materials or decorating supply sales business (lumber yards), industrial office supply or industrial service;

c) major recreation equipment sales and service;

d) manufacturing, assembling, processing, fabricating, refining;

e) repair operations;

f) printing and publishing operations;

g) recycling operations completely contained within a building;

h) transportation facilities, terminals and depots;

i) *utilities*; and,

j) warehousing, storage, distribution and wholesaling.

15.D.6.18. The General Industrial Employment land use designation may also permit a limited number of accessory or *ancillary uses* which support the primary function of the General Industrial Employment land use designation: The uses may include:

a) *retail* sales and administrative offices permitted accessory to any *industrial employment area* use, provided they are located on the same lot and are to be clearly subordinate to and support the main use to which they are accessory to;

b) automotive repair and detailing;

c) accessory or *ancillary uses* such as restaurants, fitness centres, day care facilities will be permitted provided:

i) they are located within a building containing at least one primary permitted *industrial employment area* use as identified in Policy 15.D.6.17;

ii) the individual units will not exceed 1,500 square metres of *gross floor area*; and,

iii) they will not conflict or interfere with the satisfactory operation and development of the lands for *industrial employment area* purposes.

15.D.6.19. Prohibited manufacturing uses in the General Industrial Employment land use designation will include:

a) manufacturing of asbestos, phosphates or sulphur products;

b) primary production of chemicals, synthetic rubber, plastic, asphalt or cement;

c) processing or refining of petroleum or coal;

d) processing, milling or packaging animal feed;

e) salvage or scrap yards;

f) slaughtering, eviscerating, rendering, cleaning of meat, poultry, fish or by-products thereof;

g) smelting, refining, rolling, forging, or extruding of ore or metal;

h) tanning or chemical processing of pelts or leather;

i) transportation depot for hazardous, toxic or contaminated materials;

j) vulcanizing of rubber or rubber products; and,

k) warehousing or recycling of hazardous, toxic or contaminated materials.

15.D.6.20. Outdoor storage or display areas should not be visible from lands designated for residential or open space purposes and should not be visible from an Arterial Street or Major Community Collector Road.

15.D.6.21. Exhibition display facilities will be permitted within the General Industrial Employment area provided adequate parking is available in accordance with *Zoning By-law* requirements.

15.D.6.22. Some General Industrial Employment areas currently act as a buffer or transition area between more intensive industrial uses and residential uses. They may function as mixed-industrial residential areas which could provide locational opportunities for small incubator industries. *Existing* areas that have evolved into a mixture of residential and industrial uses may be recognized by the *Zoning By-law*.

15.D.6.23. *Existing* single detached, duplex, and triplex dwellings as well as small free standing offices will be permitted in a mixed industrial-residential area designated as General Industrial Employment.

15.D.6.24. In mixed industrial-residential areas which have been designated as General Industrial Employment, certain uses which are not *compatible* with residential development, such as the sale, rental, service, storage or repair of motor vehicles or major recreational equipment, transportation depots, and truck transport terminals, will not be permitted.

Heavy Industrial Employment

15.D.6.25. Heavy Industrial uses are defined in accordance with Provincial Guidelines and generally refer to those characterized by large volumes of materials and products, truck traffic, and as being noxious due to vibration, noise, emissions or odour. In addition to these uses, the *City* will permit a wide variety of industrial uses typically found in the General Industrial Employment areas while avoiding the introduction of those uses which are *incompatible* with heavy industrial activities.

15.D.6.26. Salvage, recycling or scrap yards are permitted uses in the Heavy Industrial Employment areas provided that they meet Provincial Guidelines and the Environmental Protection Act.

15.D.6.27. Areas identified as Heavy Industrial Employment should be separated from residential areas due to the possibility of *adverse effects*. Undeveloped areas may be designated Heavy Industrial Employment provided they are adequately separated from residential areas.

15.D.6.28. Adult sex film theatres will be permitted within the Heavy Industrial Employment areas provided they are separated by a minimum distance of 300 metres from any property containing a residential use, day care facility, educational establishment, religious institution, or other uses in accordance with the *Zoning By-law*. In order to prevent an undue concentration of adult sex film theatres in any Heavy Industrial Employment land use designation, adult sex film theatres will be separated from each other by a minimum distance of 300 metres.

Business Park Employment

15.D.6.29. The Business Park Employment land use designation will apply to lands which are planned as a unit and tend to be regarded as a prestigious location for certain industrial uses due to its access to major transportation corridors, high visibility, and distinct identity.

15.D.6.30. In addition to manufacturing and the other employment uses typically found in the General Industrial Employment land use designation, as outlined in Policy 15.D.6.17, the following additional uses will be permitted:

a) catering uses;

b) automotive service stations, automotive repair and detailing;

c) industrial administrative office uses, and other offices related to the management of industrial uses;

d) free-standing office, but not *major office*, provided it is located within 450 metres of an existing or planned *transit corridor* as identified on Map 2;

e) *retail* sales permitted accessory to any *industrial employment area* use, provided they are located on the same lot and are to be clearly subordinate to and support the main use to which they are accessory to;

f) scientific, technological and/or communications establishments such as computer, electronic, data processing, research and development and consulting uses;

g) heavy equipment, motorcycle, motor vehicle, truck training and related commercial training establishments;

h) complementary service commercial uses such as restaurants, print shops, computer service facilities, financial establishments, personal services, fitness centres, recreational facilities, day care facilities, health offices and clinics and veterinary services provided:

i) they are located within a building containing at least one primary permitted *industrial employment area* use as identified in Policies 15.D.6.17 and Policy 15.D.6.30 a) through g) inclusive;

ii) no individual unit used will exceed 1,500 square metres of *gross floor area*; and,

iii) they will not conflict or interfere with the satisfactory operation and development of the lands for Business Park employment area purposes.

15.D.6.31. Outdoor storage and display areas will generally not be permitted and will be restricted through implementing zoning.

15.D.6.32. The prohibited manufacturing uses outlined in Policy 15.D.6.19 in the General Industrial Employment land use designation will also be prohibited in the Business Park Employment land use designation.

15.D.6.33. Those areas within the Business Park Employment area that are in close proximity to *existing* or proposed residential areas will be subject to additional buffering requirements by means of building setback, berming, land use, open space, or landscape screening.

15.D.6.34. New *development* or *redevelopment* of existing sites, especially those sites at key intersections in the Business Park Employment area, will contribute to a quality image of the Business Park Employment area by incorporating quality building and landscape designs. These sites will also, where possible, locate loading areas and large parking areas at the side and at the rear of buildings and appropriately screen these areas with landscaping and fencing.

15.D.7 Institutional

Preamble

The primary use of land within the Institutional land use designation is intended for institutional uses that are of a community or *regional* nature, such as secondary and post-secondary educational facilities, long-term care facilities and social, cultural and administrative facilities. This land use designation also includes small-scale institutional uses *compatible* with surrounding uses such as public and private elementary schools, libraries, day care centres, and places of worship. Some of these small-scale institutional uses may also be permitted in other land use designations found in this Plan.

Objectives

15.7.1. To provide appropriate locations and opportunities for *community infrastructure*, facilities and amenities to support a complete and healthy community.

15.7.2. To implement the policies in Section 7.

Policies

15.D.7.1. Where lands designated Institutional are identified as part of the Urban Structure as shown on Map 2, the applicable Urban Structure Policies in Section 3.C.2 will also apply.

15.D.7.2. Lands which are designated Institutional may have the following characteristics:

a) they serve a population beyond that found in the immediate neighbourhood surrounding their location;

b) they can generate large volumes of vehicular traffic which generally cannot be accommodated on local streets;

c) they may require large areas of land to accommodate buildings, outdoor activity areas and on-site parking; and,

d) they generally have extended hours of operation including weekday evenings and weekends and in some cases they may operate 24 hours a day, all year round.

15.D.7.3. The *City* may designate small scale institutional uses as Institutional in order to protect areas for institutional use and ensure their continued contribution to supporting a *complete community*.

15.D.7.4. Where a use on a site with an Institutional land use designation ceases, the *City* may consider the redesignation of the site to an appropriate alternative land use designation only after examination of the following options for part or all of the site:

a) the use of the site for a suitable alternative institutional purpose;

b) acquisition of the site or a portion of it by the *City* for institutional or open space use, based on the park needs of the surrounding area; and,

c) the use of the site to meet housing targets, particularly for *special needs* or *affordable housing*.

15.D.7.5. When planning for new small and large sized institutional locations in community plans and secondary plans or when considering an Official Plan Amendment for new institutional uses, the *City* will have regard to the following:

a) the lands are within walking distance to existing or planned public transit;

b) the location would contribute to creating and maintaining a *walkable* and *complete community*;

c) the lands can incorporate a strong focus on the creation of links for *pedestrians* and cyclists with surrounding uses;

d) the *compatibility* of the proposed community institutional use with surrounding height, massing and scale of other community institutional uses or *adjacent* residential buildings;

e) whether the lands are of an appropriate size to accommodate such use, buffering as necessary to ensure *compatibility* with *adjacent* uses, recreational amenities as necessary and sufficient on-site parking;

f) the location of community institutional uses to form neighbourhood focal points and to facilitate and encourage the sharing of complementary facilities;

g) the adequacy of municipal *infrastructure*;

h) for large sized institutional uses, the lands are located on a Regional Road, Arterial Street or Major Community Collector Street.

Land Use Designation

15.D.7.6. The Institutional land use designation will provide for a range of institutional uses that are primarily of a community or *regional* scale which may not be appropriate for some areas of the *city* due to traffic and other impacts and other small-scale institutional uses. The permitted uses may include:

a) cemeteries;

b) community facilities, including auditoriums, community centres, libraries, sports and/or recreation facilities;

c) *cultural facilities*;

d) day care facilities;

e) educational establishments;

f) funeral home;

g) hospitals, health offices and health clinics, medical laboratories;

h) *major institutional* in accordance with Policies 3.C.2.48 and 3.C.2.49;

i) municipal services and *infrastructure*;

j) religious institutions;

k) small and large *residential care facilities* to a maximum *net residential density* of 200 units per hectare;

l) social service establishments; and,

m) studio and artisan-related uses.

15.D.7.7. Complementary uses such as convenience *retail*, *ancillary* office, service commercial, a financial establishment and personal services will be permitted to locate internal to an institutional use provided their use is *ancillary* to the main community institutional use and they are located so as not to attract or serve the general public.

15.D.8 Agriculture

Preamble

Kitchener's agricultural area is located in the southwest part of the *city* and is made up of many unique *natural heritage features* and *cultural heritage resources* as well as valuable natural resources, including agricultural lands, *woodlands*, mineral aggregate deposits and groundwater recharge areas. Although they only comprise a small area of the *city* relative to other areas of the *city* they are important to the local economy with respect to employment and food production and contribute to our quality of life. The *City* recognizes the significance of our agricultural areas and will encourage their preservation and efficient use of these areas. Accordingly, the predominant use of agricultural areas will be for agriculture to ensure maximum flexibility for farm operators to engage in differing types and sizes of agricultural operations by providing *agricultural uses* with large continuous areas free from conflicting and *incompatible* land uses.

The *city's* agricultural areas include two land use designations; Prime Agriculture and Rural.

Objectives

15.8.1. To protect land in close proximity to the City's Urban Area for agriculture and related uses.

15.8.2. To encourage and support agriculture and agriculture related uses to help strengthen the viability of the local farm economy.

15.8.3. To support the use of agricultural lands for *mineral aggregate resources* and the subsequent rehabilitation of the affected lands.

15.8.4. To protect and enhance the open character, topography, rural landscapes, groundwater recharge areas and *natural heritage features* and *cultural heritage resources* of the *city's* agricultural areas.

Policies

15.D.8.1. All types, sizes and intensities of *agricultural uses, agriculture-related uses*, *on-farm diversified uses* and normal farm practices will be promoted and protected in accordance with *Provincial* standards.

15.D.8.2. New land uses, including the creation of separate lots, expansions of *existing* uses and *existing* lots and the *development* of new or expanding livestock facilities will comply with the *Minimum Distance Separation Formulae*.

15.D.8.3. The placing of fill, removal of topsoil or extraction of peat will generally be discouraged within the Prime Agriculture and Rural land use designations. Such activities will be regulated through *site alteration* by-laws passed under the provisions of the Municipal Act or Topsoil Preservation Act and the rehabilitation of the lands from which peat or topsoil has been removed will be required.

15.D.8.4. Where lands are identified as Significant Landforms, *Ecological Restoration Areas* or Supporting Natural Heritage Features as shown on Map 6, the applicable policies in Section 7.C.2 and any applicable policies in the Regional Official Plan will also apply.

Land Use Designations

15.D.8.5. The Prime Agriculture and Rural land use designations will permit the following subject to any applicable policies in this Plan:

a) *agricultural uses* (including vertical farming);

b) *on-farm diversified uses;*

c) *existing* residential uses;

d) small-scale *alternative energy systems* and/or *renewable energy systems* in accordance with *City*, *Regional*, *Provincial* and *Federal* requirements.

15.D.8.6. *Mineral aggregate operations* may be permitted as an interim use in the Prime Agriculture and Rural land use designations in accordance with the policies in Section 9.

15.D.8.7. *Agriculture-related uses* will be permitted in the Prime Agriculture and Rural land use designations subject to the following:

a) the use minimizes the amount of land removed from agricultural production and is suitable for the site in comparison to other reasonable alternatives available in the *city*, including sites with poorer agricultural soils or where fragmented or smaller lots and/or a mix of farm lots may already exist;

b) the use mitigates any potential land use conflicts with *adjacent* farms and other land uses; and,

c) the use can be appropriately serviced by private wells and individual wastewater treatment systems.

15.D.8.8. *On-farm diversified uses* will be permitted in the Prime Agriculture and Rural land use designations subject to the following:

a) the *on-farm diversified uses* will be clearly accessory to the principal use of the property;

b) the *on-farm diversified uses* will be small in scale and *compatible* with and not hinder surrounding agricultural operations;

c) for *on-farm diversified uses* located on a farm, any buildings, structures or facilities associated with the *secondary use*, except roadside produce stands, will be integrated with the main farm building and can be constructed in a manner that will allow for ease of *conversion* to an *agricultural use* should the *on-farm diversified uses* cease to exist. Minor *retailing* of products will be permitted

directly from the farm provided that sales are limited to those goods produced or manufactured primarily on the farm; and,

d) the severance of a lot for a *on-farm diversified uses* created in accordance with this Policy will not be permitted.

15.D.8.9. Any forested areas and *woodlands* within the Prime Agriculture and Rural land use designations will be subject to the policies in Section 7.C.2 and any applicable policies in the Regional Official Plan.

15.D.8.10. The establishment or expansion of a recreational and tourism use may be permitted on lands designated Rural by an Official Plan Amendment provided that:

a) any buildings or structures associated with the use are small-in-scale and do not include overnight guest accommodation, with the exception of campgrounds;

b) the use is *compatible* with surrounding agricultural operations;

c) the use minimizes the amount of land removed from agricultural production;

d) the use complies with other policies in this Plan regarding mineral aggregate extraction, source water protection, the natural environment and water and wastewater servicing; and,

e) for proposed golf courses, the owner/applicant submits a Best Management Practices report to the satisfaction of the *City* that outlines measures to minimize irrigation, fertilizer and pesticide use requirements through use of Integrated Pest Management, promotes native and *naturalized* vegetation and minimizes active use areas.

15.D.8.11. The establishment or expansion of a rural institutional use may be permitted within lands designated Rural, by an Official Plan Amendment and/or *Zoning By-law* Amendment, provided that the proposed use:

a) has a demonstrated need to locate within the Rural Areas;

b) will be in conformity with Policy 15.D.8.10 a) to d) inclusive.

15.D.8.12. *Compatible* uses such as farm equipment sales, repair and service of farm equipment, veterinary services, canine, feline and equine boarding and grooming services, equestrian/riding facilities will also be permitted within lands designated Rural in accordance with the *Zoning By-law*.

15.D.8.13. Minor *intensification* of *existing* industrial, commercial, recreational and/or institutional uses, including minor changes to the uses thereof, may be permitted within the limits of the *existing* property.

Severance Policies For Lot Creation/Lot Adjustment

15.D.8.14. Unless otherwise specified by the policies in this Plan, severances for the purposes of lot creation or lot adjustment in the Prime Agriculture and Rural land use designations is discouraged and may only be permitted in accordance with the applicable policies for severance in the Regional Official Plan.

15.D.8.15. Additional or temporary *farm-related residential units* may be permitted on a farm in the Prime Agriculture and Rural land use designations without severance to accommodate farm employees, including members of the farm household directly involved in the farm operation, provided that:

a) the size, nature and productive capability of the farm operation warrant additional farm employment for extended periods of time such that additional on-site accommodation is considered necessary;

b) any new permanent dwellings will be limited to bunkhouses or the *conversion* and/or expansion of *existing farm-related residential* units;

c) any new temporary dwellings will be located near *existing* farm buildings and will be removed if they are no longer required to accommodate farm employees; and,

d) the site can be appropriately serviced by private wells and individual wastewater treatment systems.

15.D.9 Natural Heritage Conservation

Preamble

The primary intent of the Natural Heritage Conservation land use designation is to protect and/or conserve our *natural heritage features* and their *ecological functions*.

Objectives

15.9.1. To implement the policies in Section 7.

Land Use Designation

15.D.9.1. The Natural Heritage Conservation land use designation will include:

a) *Provincially Significant Wetlands*;

b) *Locally Significant Wetlands*;

c) *Significant Valleys*;

d) *Environmentally Significant Valley Features*;

e) Locally *Significant Valleylands*;

f) Environmentally Sensitive Policy Areas;

g) *Significant Woodlands*;

h) *Locally Significant Woodlands*;

i) *Significant Habitat of Endangered or Threatened Species*;

j) *Fish Habitat*;

k) natural *hazardous lands* and *hazardous sites*; and,

l) those lands considered to be in the *floodway* and subject to *flooding hazard*

15.D.9.2. The Natural Heritage Conservation land use designation may only permit those uses which fulfill at least one of the following objectives:

a) conservation activities;

b) forest, fish and wildlife management;

c) small scale, passive recreational uses and accessory uses such as trails, boardwalks, footbridges, and picnic facilities which will have no significant negative impact on *natural heritage features* or *ecological functions* of the *Natural Heritage System* are permitted;

d) conservation and flood or erosion control projects where it has been demonstrated that they are necessary in the public interest and other alternatives are not available; and/or,

e) *infrastructure* projects in accordance with Policies 14.C.1.3 and 14.C.1.4 inclusive,

f) new *mineral aggregate operations* in accordance with Policy 9.C.1.9.

g) *existing* legal uses as of the Plan's date of adoption by Council.

The above uses may be further limited through the specific policies for each *natural heritage feature*, applicable policies of the Regional Official Plan, the zoning of specific lands or other applicable legislation.

15.D.9.3. The Natural Heritage Conservation land use designation will apply to those lands located within the *floodway* portion of the *flood plain* in areas identified as Two- Zone Policy Areas. *Existing* development will be zoned to permit all legal *existing* uses and will be subject to Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Permit (Pursuant to Ontario Regulation 150/06) administered by the Grand River Conservation Authority. Alternative uses may be permitted through a *Zoning By-law* Amendment provided that:

a) the subsequent use is *compatible* with the surrounding land use designations;

b) no new *dwelling units* are created;

c) the use presents less of a risk to life and property in the event of flooding;

d) the new use is not specifically prohibited by the Natural Hazard Policies in Section 6.C.2; and,

e) approval is received from the Grand River Conservation Authority.

15.D.9.4. The Natural Heritage Conservation land use designation includes natural *hazardous lands*. *Development*, alteration to a watercourse or interference with a *wetland* (as defined under the Conservation Authorities Act) associated with a permitted use will not be permitted without the prior issuance of a permit from the Grand River Conservation Authority in accordance with the applicable regulation approved under the Conservation Authorities Act.

15.D.9.5. New *development*, *redevelopment*, and/or *site alteration* may only be permitted in accordance with the uses permitted in this land use designation and in accordance with the Natural Hazard Policies in Section 6.C.2 and the Source Water Protection Policies in Section 7.C.1.

Existing Uses

15.D.9.6. Legally *existing* uses as of the date of approval of this Plan may be permitted and zoned accordingly unless there is a significant threat to health and safety.

15.D.9.7. A minor expansion of a legally *existing* building, structure, use or *conversion* to a less intense use may be permitted within lands designated as Natural Heritage Conservation without an Official Plan Amendment provided that it can be demonstrated, to the satisfaction of the *City*, *Region* and the Grand River Conservation Authority, where applicable, through an *Environmental Impact Study* or other appropriate study, that the objectives of the land use designation can be met and that the proposed minor expansion or *conversion* will not have a negative impact on the *natural hazard*, *natural heritage features* or *ecological functions* for which the area is identified.

15.D.10 Open Space

Preamble

Open Space is a valuable resource to the community and contributes to the quality of life in Kitchener. The primary intent of the Open Space land use category is to provide for a comprehensive and connected open space system of parks and trails, a buffer between land uses, and increase the opportunities for recreation and general enjoyment of an area while having regard for the *City's* natural areas that not designated as part of the *Natural Heritage System*.

Objectives

15.10.1. To provide for a comprehensive and connected open space system to support a complete and healthy community.

15.10.2. To implement the policies in Section 8.

Land Use Designation

15.D.10.1. The Open Space land use designation may permit the following uses:

a) parks;

b) active or passive outdoor recreational uses, including *multi-use pathways* and trails;

c) cemeteries;

d) community centres;

e) conservation uses;

f) *cultural heritage resource* uses;

g) essential public works including transportation, *utility*, *watershed* management and *flood* and *erosion hazard* control facilities;

h) golf courses; and

i) shared uses on hydro rights-of-way including, open space links, parking lots, outside industrial storage or other uses accessory to *adjacent* land uses, in accordance with Policy 14.C.1.37.

15.D.10.2. Where lands are designated Open Space;

a) it is not the intent of this Plan to permit all uses listed in Policy 15.D.10.1 in *every* Open Space land use designation. Permitted uses within individual Open Space land use designations will be further defined in the *Zoning By-law*.

b) hydro rights-of-way will be included in the calculation of permitted *net residential density* and the maximum *Floor Space Ratio* with adjacent land use designations, provided such increase in *net residential density* or *Floor Space Ratio* does not result in an increase in the maximum number of storeys or building height permitted by the adjacent land use designation.

15.D.10.3. Lands which are designated as Open Space will also be subject to the applicable Parks, Open Space and Community Infrastructure Policies in Section 8.C.1.

15.D.10.4. Open Space linkages may also include *utility* corridors, abandoned railway lines, wildlife passages, stormwater management areas or any other landforms which provide for a continuous linear open space system.

15.D.10.5. Where land designated Open Space is under private ownership, this Plan does not imply that such areas are free and open to the general public or will be purchased by the *City* or other public agency.

15.D.10.6. An application for the redesignation of Open Space for other purposes may be given due consideration by the *City*, subject to the application of the other policies in this Plan. However, the *City* will not be obligated to redesignate or to purchase any land if there is an existing or potential hazard that is not feasible for the owner to overcome.

15.D.11 Major Infrastructure and Utilities

Preamble

The Major Infrastructure and Utilities land use designation includes large scale *infrastructure* uses *utilities* which are operated by the *City*, the *Region*, the *Province*, *utility* or other public agency. The intent of this land use designation is to identify large public *infrastructure* uses which may not be *compatible* with surrounding land uses. Accordingly, the Major Infrastructure and Utilities land use designation recognizes large municipal, *Regional* and/or *Provincial* services and *utilities* which may affect surrounding areas due to their size, operation, appearance, noise, traffic and hours of operation.

Objectives

15.11.1. To ensure that *infrastructure* uses, including *utilities*, are located in a manner that maximizes their performance while limiting any land use incompatibilities.

15.11.2. To ensure there is a sufficient amount of land designated to accommodate larger scale *infrastructure* uses and *utilities*.

15.11.3. To implement the policies in Section 14.

Policies

15.D.11.1. Where lands designated Major Infrastructure and Utilities are identified as part of the Urban Structure as shown on Map 2, the applicable Urban Structure Policies in Section 3.C.2 will also apply.

Land Use Designation

15.D.11.2. The Major Infrastructure and Utilities land use designation may permit the following uses, subject to the policies of this Plan:

a) electrical transformer stations and associated facilities;

b) facilities for waste reuse, recycling, reclamation, recovery, composting or anaerobic digestion;

c) municipal or *Regional* works yards;

d) major transit and transportation facilities;

e) transfer stations; and,

f) water and wastewater treatment facilities.

15.D.12 Area Specific/Site Specific Policy Areas

Notwithstanding the requirements of the land use designations and the policies in this Plan, certain sites or areas within the *City* are subject to more detailed and specific policies. These specific policies are intended to recognize sites or areas within the *City* where special conditions, other than those specified in the land use designations, will also apply. The following are sites and areas where specific policies apply. Site Specific Policy Areas are used to apply site specific planning policies to defined properties. Area Specific Policy Areas are used to apply policies to larger areas, containing multiple properties.

15.D.12.1. ***Bingemans Centre Drive***

Notwithstanding the Business Park Employment, Heavy Industrial Employment and Natural Heritage Conservation land use designations on lands legally known as legally known as Part of Lot 122 and Part of Lot 123, German Company Tract, more specifically described as Part 1 on 58R-2761, Part of Part 1 on 58R-4230, Parts 14-20 inclusive on 58R-13438 and Part 1 on Plan 58R-4606; the following uses will also be permitted:

a) agriculture;
b) campground;
c) commercial recreation entertainment uses;
d) conference, convention or exhibition facilities;
e) convenience retail;
f) office;
g) hotels and motels; and,
h) *retail* sales permitted accessory to any of the above listed uses, provided they are located on the same lot and are to be clearly subordinate to and support the main use to which they are accessory to.

All the above permitted uses and those listed in Policy 15.D.6.30 h) are not subject to Policy 15.D.6.30 h) i) through ii) inclusive.

15.D.12.2. ***Hidden Valley***

Low Rise Residential

a) Notwithstanding the Low Rise Residential land use designation on lands within Hidden Valley, it is recognized that portions of the community have limited access to municipal sanitary services. Accordingly the following will apply:

    i) Where individual septic systems are the only feasible servicing option, only single detached dwellings will be permitted to a maximum net residential density of 2.5 units per hectare;

    ii) All lots fronting onto Hidden Valley Road will have a minimum lot width of approximately 30 metres and comprise approximately 0.4 hectares of land above the Regulatory Floodline. The City will review and approve whether lots can utilize individual septic systems or whether they must connect to a municipal wastewater system.

iii) Notwithstanding Policy 15.D.12.2.a) ii), on lands municipally addressed as 1054 and 1070 Hidden Valley Road, described as Part of Lots 3 and 4, RCP 1519, and subject to Draft Plan of Subdivision 30T-11204, all lots fronting onto Hidden Valley Road and having a connection to a municipally-provided wastewater collection system, will have a minimum lot width of approximately 24 metres and a minimum lot area of approximately 929 square metres.

iv) Notwithstanding Policy 15.D.12.2.a) ii), on lands municipally addressed as 980 and 1018 Hidden Valley Road and subject to Draft Plan of Condominium 30CDM-23024, having a connection to a municipally-provided wastewater collection system, these lands will a minimum lot width of approximately 24 metres and a minimum lot area of approximately 929 square metres.

Natural Heritage Conservation

b) Notwithstanding Policy 7.C.2.25, *Significant Wildlife Habitat* in Hidden Val!ey as identified on Map 6 comprises both candidate and confirmed *significant wildlife habitat* and forms part of the *Natural Heritage System*.

c) Notwithstanding Policy 7.C.2.29, to protect federally, Rrovincially, regionally and locally significant species, a special zoning regulation provision will be applied, where appropriate, to lands identified as:

i) *Significant Habitat of Endangered or Threatened Species* where development or site alteration shall not be ermitted in such habitat, except in accordance with provincial and federal requirements; and

ii) *Significant Wildlife Habitat*, confirmed and candidate, where an *Environmental Impact Study* shall be completed and approved demonstrating that there will be no negative impact on such identified habitat.

d) Nothwithstanding Policy 17.E.11.12 the following minimum buffer criteria will apply to the Natural Heritage System as shown on Map 6:

i) 30 metres for wetlands and watercourses;

ii) 10 metres for all other natural heritage features if physical barriers are installed; and

iii) 20 metres for all other natural heritage features if no physical barriers are installed.

Natural Heritage & Environmental Management

e) Notwithstanding Section 17.E.11 or Policy 7.C.3.8, where an Environmental Impact Study or Stormwater Management Plan is prepared for lands in and adjacent to the natural heritage system, direct, indirect, and cumulative impacts including but not limited to chloride, water balance, enhancements, buffer widths, corridor/linkage design, and mitigation measures to achieve a net benefit are to be considered.

f) Notwithstanding Section 17.E.11 or Policy 7.C.3.8, where an Environmental Impact Study or Stormwater Management Plan is prepared for lands in and adjacent to the natural heritage system a monitoring program is to be prepared that will include three phases:

"pre-construction" that will document current conditions, and be used as baseline information, "during-construction" that will ensure stormwater management, vegetation protection measures, sedimentation and siltation control measures and mitigation measures, etc. are maintained and function as approved and "post-construction" that will ensure systems/facilities continue to satisfy the design criteria and to identify any specific additional monitoring and maintenance requirements that may be necessary.

g) Notwithstanding Section 17.E.11, the specific location, width and optimal habitat characteristics of linkages will be determined through the completion of an Environmental Impact Study in accordance with the Comprehensive Environmental Impact Study prepared by LGL Environmental Research Associates (November 2024) at the time of development or site alteration. The identification of linkage corridors will not require an amendment to this Plan.

Source Water Protection

h) Notwithstanding Section 7.C.13, as part of a complete application or prior to issuance of a building permit or site alteration permit, a salt management Plan, prepared in accordance with the Regional Salt Management Planning Implementation Guideline, will be submitted with the objective of minimizing the environmental impact of winter maintenance activities involving the use of de-icing salt on surface and groundwater resources. In addition, the City through consultation with the Region and the GRCA may consider allowing the use of winter stormwater bypass, so long as it is demonstrated in technical studies submitted with development applications that groundwater infiltration targets can continue to be achieved and a satisfactory fluvial geomorphologic study determines that there will be no significant impact to the fluvial regime or *natural heritage system*.

i) Notwithstanding Section 7.C.1, development is encouraged to minimize the amount of lot area dedicated to roadways and surface parking lots which require the application of de-icing salts.

j) Notwithstanding Section 7.C.1, to minimize chloride loading in runoff to protect water quality and ecosystem health, the use of salt will be reduced through the implementation of operational measures described in the Hidden Valley Source Water Protection Assessment Study (2024).

k) Notwithstanding Section 7.C.1, since snow can be contaminated with salt, oil, grease and heavy metals from vehicles, litter, and airborne pollutants, it must be handled and stored in ways that protect both the natural heritage system and Wellhead Protection Sensitivity Areas. In order to reduce chloride loading, snow storage will not be permitted on site and must be transported to an appropriate location where it is either melted or stockpiled and allowed to melt.

l) Notwithstanding Policy 7.C.1.6, a Notice of Source Protection Plan Compliance (Section 59 Notice) pursuant to the Clean Water Act, issued by the Risk

Management Official, will be reguired as part of complete application requirements or prior to issuance of a building permit or site alteration permit.

Stormwater Management

m) Notwithstanding Policy 7.C.3.8, a Stormwater Management Report, with a focus on maintaining quality and quantity characteristics for both the surface water and groundwater receiving systems in Hidden Valley in accordance with the Stormwater Management Strategy prepared by Matrix Solutions (December 2024) will be required at the time of development or site alteration to support future development applications.

n) Notwithstanding Section 7.C.1 and Policy 7.C.3.8, the design of drainage systems and lot grading will include consideration for cold weather stormwater flows and winter maintenance. Development applications will promote and may require the strategic design of new road networks. to reduce the need for road salt application.

Transportation

o) Any development located with the Ministry of Transportation's permit control area will be subject to Ministry of Transportation review and approval prior to the issuance of a building permit or site alteration permit.

15.D.12.3. ***235 Ira Needles Boulevard***

Notwithstanding the Commercial land use designation on lands municipally known as 235 Ira Needles Boulevard, *retail* uses will be permitted to a maximum *gross floor area* of 10,662 square metres and such *retail* uses can include a *food store* with a maximum *gross floor area* of 4,645 square metres.

15.D.12.4. ***Doon South***

Low Rise Residential

a) Notwithstanding the Low Rise Residential land use designation on lands in the Doon South Community, residential densities greater than 30 units per hectare will be encouraged at the intersection of arterial streets and collector streets. Community focal points consisting of a mix and range of residential, *retail*, office, institutional, service commercial, community and park uses will be permitted and encouraged at these locations. *Development* within each of these focal points:

   i) will be designed and have a *built form* which is *transit-supportive* and *pedestrian* oriented;

   ii) will have a maximum *Floor Space Ratio* of 1.0;

   iii) may have *retail* floor area which is limited to approximately 930 square metres of *gross floor area*.

b) Notwithstanding the Low Rise Residential land use designation on lands located on the east side of Pinnacle Drive within the Doon South Community, it is recognized that portions of these lands have limited access to municipal sanitary services and contain estate residential lots. Accordingly the following will apply:

i) All lots will have a minimum lot width of approximately 30 metres and comprise approximately 0.4 hectares of land above the Regulatory Floodline. The *City* will review and approve whether lots can utilize individual septic systems or whether they must connect to a *municipal wastewater system*.

ii) Where individual septic systems are the only feasible servicing option, only single detached dwellings will be permitted to a maximum *net residential density* of 2.5 units per hectare.

Mixed Use

c) Notwithstanding the Mixed Use land use designations on lands on New Dundee Road the following will apply:

i) a maximum *Floor Space Ratio of 2.0*;

ii) the amount of commercial floor area permitted to be developed at each location will be limited to a maximum of 3,250 square metres of *gross floor area*.

iii) a maximum building height of 36 metres.

Commercial

d) Notwithstanding the Commercial land use designation on lands generally located on New Dundee Road the following uses will also be permitted:

i) religious institutions;

ii) small and large *residential care facilities*;

iii) office, including free-standing office to a maximum *Floor Space Ratio* of 0.5; and,

iv) multiple residential *dwelling units* provided they are located in a *mixed use* building together with other *compatible* commercial and office uses to a maximum *Floor Space Ratio* of 2.0.

Natural Heritage Conservation

e) The *City* will prepare a Management Plan for *Ecological Restoration Areas*, identified on Map 6, which come into public ownership.

f) Subdivision and street design will minimize changes to the existing topography, ensure the protection of *natural heritage features* and use existing drainage systems to the greatest extent practical.

Business Park Employment Area

g) Notwithstanding the Business Park Employment Area land use designation on lands south of New Dundee Road, recreational uses and facilities which are private or open to the members may be permitted, including commercial riding stables or academies and equine boarding services, provided that they are *compatible* with residential development both north and south of New Dundee Road as determined by an approved Community Plan for all lands south of New Dundee Road.

h) Recreational uses including snowmobiling, trail biking, go-carts, amusement arcades, miniature golf, water slides, wave machines, amusement parks and other such uses will be not be permitted.

i) Development of these lands will be permitted only after an *Environmental Impact Study* has demonstrated that the intended development of these lands will not have a serious impact on the natural ecosystem of the area. All development will be subject to subdivision approval or a site plan. Circulation and consultation with property owners within 500 metres will occur on any recreational development proposal prior to approval by Council.

Institutional

j) Notwithstanding the Institutional land use designation and policies on the lands legally described as Block 1, Stage 8, in Draft Plan of Subdivision 30T-08203, low rise residential uses in accordance with Policy 15.D.3 will also be permitted.

404-430 New Dundee Road

k) Notwithstanding the Low Rise Residential land use designation and policies, on lands municipally addressed as 404-430 New Dundee Road, the maximum permitted Floor Space Ratio will be 0.9.

15.D.12.5. ***300 Joseph Schoerg Crescent***

Notwithstanding the Low Rise Residential land use designation on lands municipally known as 300 Joseph Schoerg Crescent, a tourist home located only within the *existing* heritage buildings will be a permitted use.

15.D.12.6. Deleted (OPA 62)

15.D.12.7. ***Steckle Heritage Homestead***

Notwithstanding the Institutional land use designation of the lands legally known as Part of Lot 12 and Lot 13, Registrar's Compiled Plan 1471, an agricultural heritage

exhibition will be a permitted use to recognize the historical, cultural and architectural value of the Steckle Heritage Homestead. In keeping with the heritage designation and purpose of preservation of the Steckle Heritage Homestead, those uses which support the agricultural heritage exhibition will also be permitted. They include:

a) agriculture;
b) horticulture;
c) market gardening;
d) craftsman shop and studio;
e) exhibition and display facilities;
f) two single detached dwellings; and,
g) an accessory parking lot.

All uses listed in the Institutional land use designation will also be permitted on the subject lands provided they are *compatible* with *adjacent industrial employment area* lands

15.D.12.8. ***Upper Doon***

Low Rise Residential

a) Notwithstanding the Low Rise Residential land use designation on lands within the Upper Doon Community, the intent is to maintain the long term conservation of the *existing* rural and historic character of the Upper Doon planning area. Accordingly the following will apply;

   i) Permitted uses will be restricted to single detached dwellings and accessory uses, home businesses, small *residential care facilities*, public parks and recreation facilities and municipal services and *utilities*.

   ii) Row house dwellings, multiple dwellings, religious institutions, and schools which existed as of January 1, 1988 will be recognized as a permitted use.

   iii) All new lots will be planned to a maximum *net residential density* of 5 units per hectare.

   iv) New lots may be created by consent where such lots have *existing* frontage on a public road or by a plan of subdivision in accordance with the policies and regulations of the Upper Doon Community Plan and the Upper Doon *Heritage Conservation District Plan*, to the satisfaction of the appropriate approval authorities.

Institutional

b) Notwithstanding the Institutional land use designation on lands within the Upper Doon Community, permitted uses will be restricted to religious institutions and small residential care facilities.

15.D.12.9. ***Lancaster Business Park***

Notwithstanding the Business Park Employment land use designation on those lands bounded generally by the Conestoga Parkway, Lancaster Street, the Grand River and Guelph Street, free-standing office will also be permitted and certain industrial, commercial, manufacturing and storage uses will be prohibited.

15.D.12.10. ***Lackner/Fairway Road***

Notwithstanding the Mixed Use land use designation of the lands fronting on Lackner Boulevard and Fairway Road, the *Floor Space Ratio* to be applied to these lands will be no less than 1.0 and no more than 4.0 and any new *development* will achieve a minimum *density* of no less than 150 residents and jobs per hectare. The implementing zoning will consider and may contain transition regulations to facilitate and permit lands to ultimately meet the minimum Floor Space Ratio requirement of 1.0.

A *food store* and/or uses that comprise a *food store* will be encouraged and will be permitted to have a maximum *gross floor area* of 5,000 square metres.

15.D.12.11. ***24 Morrison Road***

Notwithstanding the Low Rise Residential land use designation on lands municipally known as 24 Morrison Road, legally known as Parts 2 to 9 and Parts 11 and 12 on Reference Plan 58R-5522, a craftsman shop only for a sign-making business will also be permitted.

15.D.12.12. ***535 Manitou Drive***

Notwithstanding the Business Park Employment land use designation on lands municipally known as 535 Manitou Drive, legally known as Part 1 on Reference Plan 58R-5097 and Part 1 on Reference Plan 58R-14797, the sale of religious supplies will also be permitted.

15.D.12.13. ***1701 Glasgow Street***

Notwithstanding the General Industrial Employment land use designation on lands municipally known as 1701 Glasgow Street, a salvage, recycling or scrap yard will be permitted provided there is adequate fencing and screening provided in conjunction with such use.

15.D.12.14. ***Bridgeport North***

Notwithstanding the Low Rise Residential land use designation on lands above the *floodplain* of the Grand River, buildings and uses accessory to outdoor recreation use of adjoining *floodplain* lands will not be permitted as such buildings would be inappropriate development within the *floodplain*. Such buildings and uses may be developed on privately owned land or on *City* owned land, being that portion of Kiwanis Park which is above the floodline of the Grand River is designated as Low Rise Residential and has long term development potential for residential and related uses.

a) In order to minimize *adverse impacts* on the residential community, the traffic access route will be designed to encourage a direct flow of traffic between the outdoor recreation use and the intersection of Woolwich Street and Kiwanis Park Drive, and development will be designed in harmony with adjoining residential lands.

b) That in the area south of Melitzer Creek, land severances which prejudice the potential for orderly in filling development will not be supported and applications for draft plan of subdivision will not be accepted until a block plan for the area is prepared and approved by Council.

15.D.12.15. ***Lancaster Urban Corridor***

Notwithstanding the Mixed Use land use designation along Lancaster Street West, free-standing *retail* uses will be permitted to locate within new buildings, to a maximum *gross floor area* of 1,000 square metres.

15.D.12.16. ***Deleted*** *(OPA 29)*

15.D.12.17. ***1077 Queens Boulevard***

Notwithstanding the Low Rise Residential land use designation on lands municipally known as 1077 Queens Boulevard, a commercial parking lot will also be a permitted use.

15.D.12.18. ***301 Victoria Street South***

Notwithstanding the Major Infrastructure and Utilities land use designation which applies to the lands located on the block generally bounded by Patricia Avenue, Victoria Street South, the Grand River Railway, West Avenue and the Henry Sturm Greenway, the executive and administrative offices of Enova Power Corporation located at 301 Victoria Street South and the associated warehousing and outdoor storage uses shall be permitted uses.

15.D.12.19. Deleted (OPA 62)

15.D.12.20. ***65 Hanson Avenue and 300 Ardelt Avenue***

Notwithstanding the General Industrial Employment land use designation on lands municipally known as 65 Hanson Avenue and 300 Ardelt Avenue, a social services establishment will also be permitted.

15.D.12.21. ***Ira Needles Boulevard/The Boardwalk***

Notwithstanding the Commercial Campus land use designation on lands described as Part of Lot 39, German Company Tract, Ira Needles Boulevard and The Boardwalk:

a) The maximum *gross floor area* permitted on the site will be 49,515.7 square metres (533,000 square feet).

b) The amount of *gross floor area* of *retail* uses as defined by the City of Kitchener *Zoning By-law* will be limited to a maximum of 43,384.3 square metres (467,000 square feet). *Gross floor area* will not include outdoor garden centres.

c) The amount of *gross floor area* devoted to anchor store uses (*retail* establishments over 4,645 square metres (50,000 square feet) will be limited to a maximum of 17,186.5 square metres (185,000 square feet).

d) The amount of *gross floor area* of individual *retail* stores specializing in the *retail* of apparel and accessories will be limited to a maximum of 9,290 square metres (100,000 square feet).

e) A large free-standing *food store* will not be permitted. However, the storage, preparation and display of food for sale may be permitted to a maximum of 4,645 square metres of *gross floor area* if located internal to not more than one *retail* store.

f) Individual *retail* outlets having a minimum size of less than 465 square metres may be permitted provided the total amount of *gross floor area* of such individual outlets does not exceed 4,645 square metres.

g) The amount of *gross floor area* for individual stores specializing in restaurant uses will be limited to a maximum of 1,858 square meters (20,000 square feet). *Drive-through facilities* for restaurant uses will not be permitted.

h) The minimum amount of *gross floor area* for office uses will be 2,229.6 square meters (24,000 square feet). Expansion of the maximum *gross floor area* permitted on the site for the purposes of permitting additional office uses will not require an Official Plan Amendment, but will be subject to a *Zoning By-law* Amendment approval.

i) The *City* will promote and require a high standard of urban design to all *development* and that will result in a coordinated design theme. Site *development* will include a high standard of site amenities and features such as enhanced perimeter landscape treatment, internal landscape areas and amenity spaces, and integrated transit, walking and cycling facilities.

j) The City of Kitchener and the *City* of Waterloo work together to review and approve site *development* based on the Council adopted "Ira Needles Commercial Centre Urban Design Guidelines" dated May 2009, as adopted by City of Kitchener Council on June 29, 2009. The "Ira Needles Commercial Centre Urban Design Guidelines" will form the primary basis for any site plan *development* and approval, including transit routing and the provision of transit facilities.

k) That holding provisions be established in the *Zoning By-law* to provide for the *development* of the City of Kitchener portion of the site in three phases, with such phases being:

i) Phase 1: consisting of up to a maximum of 32,050.5 square metres (345,000 square feet) of *gross floor area*, which will include an anchor store of up to 17,186.5 square metres (185,000 square feet);

ii) Phase 2: consisting of up to an additional 6,967.7 square metres (75,000 square feet) of *gross floor area*. Phase 1 and Phase 2 provide for a cumulative total of 39,018 square metres (420,000 square feet) of *gross floor area* on the City of Kitchener portion of the site.

iii) Phase 3: consisting of the remainder of the cumulative total of 49,515.7 square metres (533,000 square feet) of *gross floor area* permitted on the City of Kitchener portion of the site.

15.D.12.22. ***Industrial Employment Area Lands***

a) Notwithstanding the Heavy Industrial Employment, General Industrial Employment and the Business Park Employment land use designations, proposals to convert lands to other non-industrial employment uses or non-employment uses may be considered without the requirement for a *municipal comprehensive review* provided any proposal is in accordance with the Transit-Oriented Development Policies in the Section 13.C.3. Any proposal that does not fully meet the Transit-Oriented Development Policies may still be permitted provided the owner/applicant demonstrates, to the satisfaction of the *Region* and the *City* that the proposed *development* or *redevelopment* is designed in such a way that subsequent phases or infilling would meet the Transit-Oriented Development Policies.

b) A Holding provision pursuant to Section 17.E.13 will apply to residential uses, day care uses and other sensitive uses. The Holding provision will not be removed until such time as a Record of Site Condition has been acknowledged by the *Province* and a release has been issued by the *Region*.

15.D.12.23. ***St. Leger Street (1 Adam Street)***

Notwithstanding the Medium Rise Residential land use designation on lands located at the northwesterly corner of St. Leger Street and Louisa Street, minimum and maximum *Floor Space Ratios* and building heights may be varied across the properties to which this specific policy applies in order to achieve an overall maximum *Floor Space Ratio* of 2.0. Accordingly:

a) Multiple dwellings will be permitted to be developed having a minimum *Floor Space Ratio* of 2.0, a maximum *Floor Space Ratio* of 4.0 and a maximum building height of 36 metres; save and except for:

i) the portion of the overall site generally within 116 metres of the properties fronting on Blucher Street, where multiple dwellings will be permitted to be developed having a minimum *Floor Space Ratio* of 0.5, a maximum *Floor Space Ratio* of 1.0 and a maximum building height of 12.6 metres; and,

ii) the portion of the overall site generally within 84 metres of Louisa Street, where multiple dwellings will be permitted to be developed having a minimum *Floor Space Ratio* of 0.5, a maximum *Floor Space Ratio* of 1.0 and a maximum building height of 12.6 metres;

15.D.12.24. ***Deleted (OPA 67)***

15.D.12.25. ***689 Doon Village Road***

Notwithstanding the Low Rise Residential land use designation, on lands municipally known as 689 Doon Village Road, a maximum *Floor Space Ratio* of 0.9 and a maximum of 4 storeys in height at street elevation will be permitted for the *existing* 17-unit multiple dwelling.

15.D.12.26. ***Deleted (OPA 35)***

15.D.12.27. ***6 Shirley Avenue***

Notwithstanding the Commercial land use designation of the lands legally described as Part of Lots 34, 35 and 36, Registered Plan 763, municipally known as 6 Shirley Avenue, office uses up to a maximum of 100 percent of the *gross floor area* and to a maximum *Floor Space Ratio* of 0.5 will also be permitted.

15.D.12.28. ***Glasgow Street/Strange Street***

a) Notwithstanding the Strategic Growth Area C land use designation on lands located near the southwesterly corner of Glasgow Street and Strange Street, the continuation of the existing industrial and commercial parking facility uses will be permitted until such time as the site transitions into uses permitted by the land use designation The transition of the site may occur in phases.

b) A Holding provision pursuant to Section 17.E.13 will apply to residential uses, day care uses and other sensitive uses. The Holding provision will not be removed until such time as a Record of Site Condition has been acknowledged by the *Province* and a release has been issued by the *Region*.

15.D.12.29. ***820 Victoria Street North***

Notwithstanding the Commercial land use designation, on lands municipally known as 820 Victoria Street North, a religious Institution will also be permitted.

15.D.12.30. ***1011 and 1111 Homer Watson Boulevard***

a) Notwithstanding the Commercial land use designation and policies on the lands legally described as Part of Lot 31, Registered Plan 1489, more particularly described as Block 5, Draft Approved Plan of Subdivision 30T-13202, municipally known as 1011 Homer Watson Boulevard, the following additional uses will also be permitted:

i) *retail* centre which will include one or more *retail* outlets in one or more freestanding buildings which have been planned and developed as a unit, having common or shared parking, but which will not be considered a *Retail Commercial Centre* for the purposes of the Specific Major Uses policies in Section 3.C.2 of this Plan; and

ii) free-standing neighbourhood entertainment uses.

b) Notwithstanding the Commercial land use designation and policies on the lands legally described as Part of Lot 31, Registered Plan 1489, more particularly described as Block 5, Draft Approved Plan of Subdivision 30T-13202, municipally known as 1011 Homer Watson Boulevard, the following uses are not permitted:

i) residential uses;

ii) vehicle service;

iii) automobile service stations; and

iv) hotels, motels and conference/convention facilities with overnight accommodation.

c) Notwithstanding the Commercial land use designation and policies on the lands legally described as Part of Lot 31, Registered Plan 1489, more particularly described as Block 5, Draft Approved Plan of Subdivision 30T-13202, municipally known as 1011 Homer Watson Boulevard, the following additional provisions will apply:

i) The maximum total commercial development on the lands inclusive of *retail* uses other than a home improvement store will be 17,650 square metres of *gross floor area*;

ii) The maximum total commercial development on the lands inclusive of *retail* uses may increase up to 25,500 square metres of *gross floor area* with the addition of a home improvement store;

iii) The maximum size of any one store will be 5,000 square metres of *gross floor area* with the exception of one home improvement store (no maximum *gross floor area*) and one food store (maximum of 4,645 square metres of *gross floor area*); and

iv) The maximum size of free-standing office buildings will be 10,000 square metres of *gross floor area*.

d) Notwithstanding the Commercial land use designation and policies on the lands legally described as Part of Lot 31, Registered Plan 1489, more particularly described as Block 6, Draft Approved Plan of Subdivision 30T-13202, municipally known as 1011 Homer Watson Boulevard, only the following uses will be permitted:

i) office with a maximum size of 10,000 square metres of *gross floor area* for any one building;

ii) *retail* with a maximize size of 1,000 square metres of *gross floor area* for any one *retail* store on the ground floor of a building that is 3 or more storeys in height; and

iii) day care facility.

e) Notwithstanding the General Industrial Employment land use designation and policies on the lands legally described as Part of Lot 31, Registered Plan 1489, more particularly described as Blocks 1-3, 7-14 and, 23 of Draft Approved Plan of Subdivision 30T-13202 (last revised July 27, 2016), municipally known as 1011 and 1111 Homer Watson Boulevard, the following additional uses will also be permitted:

i) canine or feline grooming and associated boarding and training;

ii) commercial recreation, for Block 2 only;

iii) computer, electronic or data server or processing establishment;

iv) financial establishment;

v) health office;

vi) private club or lodge;

vii) scientific, technological or communications establishment;

viii) surveying, engineering, planning or design establishment only as an accessory use to a permitted use or located in a building used for other permitted uses, and shall not exceed 25 per cent of the gross floor area to a maximum gross floor area of 10,000 square metres; and,

ix) veterinary services.

15.D.12.31. ***83 Elmsdale Drive***

The vision for this site is to revitalize an underutilized brownfield property to become a new mixed use focal point in the community. The vision contemplates mid-rise residential development on the site, as well as a variety of office, *retail*, convenience and service oriented uses that serve the day-to-day needs of the surrounding neighbourhood.

Through Site Plan Control, the *City* will implement architectural and urban design measures to ensure the development complements and contributes to the existing building environment. The *City* will review and approve the site development based on the Council adopted “Urban Design Guidelines” dated March 31, 2014 and any other relevant design studies and guidelines.

Notwithstanding the Mixed Use land use designation, on the lands municipally known as 83 Elmsdale Drive:

a) The combined total of all non-residential *gross floor area* will not exceed 10,000 square metres and will not exceed 7,000 square metres of combined *gross floor area* devoted to retail uses or 5,000 square metres of combined *gross floor area* devoted to office uses.

b) One individual freestanding *retail* outlet will be permitted to have a maximum *gross floor area* of 6,500 square metres. All other individual freestanding retail outlets will be restricted to a maximum *gross floor area* of 3,500 square metres.

c) Multiple residential uses are permitted to a medium intensity of use. The net residential density will range from 26 to 200 units per hectare.

d) The minimum *Floor Space Ratio* for a site developed exclusively with residential uses, or with a mix of commercial and residential uses will be 0.6, and the minimum *Floor Space Ratio* for any site developed exclusively with commercial uses will be 0.3. Individual buildings may be permitted with a *Floor Space Ratio* lower than the minimum *Floor Space Ratio* during initial phases of development, without amendment to this plan, provided the development is consistent with the Council approved Urban Design Guidelines and a Comprehensive Master Plan is prepared in support of the Site Plan Application which demonstrates that the overall development will achieve the minimum *Floor Space Ratio* for the lands subject to this policy.

e) The maximum *Floor Space Ratio* will be 1.0. Where it has been demonstrated to the satisfaction of the City's Director of Engineering Services that storm water and sanitary sewers have sufficient capacity, and to the satisfaction of the City's Director of Transportation Services and the *Region* that surrounding streets and intersections have sufficient capacity, a maximum *Floor Space Ratio* of 2.0 will be permitted.

f) No residential building will exceed 8 storeys or 24.0 metres in height.

15.D.12.32. ***491, 525 and 563 Highland Road West***

Notwithstanding the Mixed Use land use designation:

a) of the lands legally described as Part of Lots 20 and 21, Registered Plan 1004, more particularly described as Parts 1 to 6 on Reference Plan 58R-5638, municipally known as 491, 525 and 563 Highland Road West, drive-throughs existing as of the date of approval of this plan will be permitted in any form of building; and

b) of the lands legally described as Registered Plan 1004, Part Lot 21, more particularly described as Parts 5 and 6 on Reference Plan 58R-5638, municipally known as 563 Highland Road West, clause 15.D.4.9 a) will not apply."

15.D.12.33. ***1215 and 1225 Courtland Avenue East***

Notwithstanding the Natural Heritage Conservation land use designation and policies applied to a portion of the lands municipally known as 1215 and 1225 Courtland Avenue East, the automotive sales use existing as of the date of approval of this plan will be permitted along with redevelopment opportunities associated with the existing automotive sales use subject to the development approval process, the completion and acceptance of any necessary Environmental Impact Study (EIS), and any required permits.

15.D.12.34. ***809 Wellington Street North***

Notwithstanding the Business Park Employment land use designation of the lands legally described as Part of Lots 32, 33 and 34, Registered Plan 763, more particularly described as Parts 1 to 3 on Reference Plan 58R-3130 and Part 1 on Reference Plan 58R-10424, municipally known as 809 Wellington Street North, office uses will be permitted up to a maximum of 100 percent of the *gross floor area* to a maximum *Floor Space Ratio* of 0.5.

15.D.12.35. ***16 Centennial Road***

Notwithstanding the General Industrial Employment land use designation and policies, on the lands legally described as Part of Lot 123, German Company Tract, more specifically described as Part 1 on Reference Plan 58R-5888, municipally known as 16 Centennial Road, outdoor recycling of non-hazardous materials including wood, concrete, mixed aggregate, cardboard and metals will also be permitted.

15.D.12.36. ***69 Amherst Drive***

The application for this Official Plan Amendment is currently under appeal to the Ontario Municipal Board.

15.D.12.37. ***593 Strasburg Road***

Notwithstanding the Medium Rise Residential land use designation, on lands municipally known as 593 Strasburg Road, a maximum Floor Space Ratio of 2.1 and a maximum building height of 9 storeys or 24 metres, whichever is the greater, will be permitted.

15.D.12.38. ***Block Line Road and Courtland Avenue East***

a) i) That the subject lands be designated as a Class 4 Noise Area pursuant to the Ministry of the Environment, Conservation and Parks Publication NPC-300 Environmental Noise Guideline – Stationary and Transportation Sources – Approval and Planning. For the purpose of Stationary Noise Assessment (Steady and Impulsive), the following uses shall include receptor-based mitigation measures, where required:

Day Care Facility
Dwelling Units
School
Health Clinic
Health Office
Hospice
Hotel
Lodging House
Place of Worship
Large Residential Care Facility
Small Residential Care Facility

ii) Notwithstanding the Class 4 Area classification, any daycare use shall satisfy the Environmental Noise Guideline NPC-300 Class 1 area acoustical environment noise level objectives.

b) i) A Holding Provision shall be applied to the subject lands in the site specific zoning with regards to the use of geothermal energy systems.

ii) Prior to passing of a by-law to remove the holding (H) symbol, the owner of the lands shall submit any required technical study(ies), to the satisfaction of the Region of Waterloo, to evaluate the use of geothermal energy systems in accordance with Policy 8.A.4. of the Regional Official Plan.

c) i) A Holding Provision shall be applied to the subject lands in the site specific zoning with regards to sensitive land uses, as defined in this Plan.

ii) Prior to passing of a by-law to remove the holding (H) symbol, the owner of the lands shall submit any required technical study(ies), plans, reports, and/or drawings, to address land use compatibility and railway safety with the adjacent railway and rail yard use, prior to final site plan approval, to the satisfaction of the City of Kitchener.

15.D.12.39. ***607-641 King Street West***

Notwithstanding the Strategic Growth Area C land use designation and policies:

a) Retail uses shall be permitted to have a maximum gross floor area of 10,000 square metres.

b) Prior to development and/or redevelopment of the lands municipally addressed as 607-641 King Street West, a Master Plan will be required to be completed and approved by the City. The Master Plan will be required to be updated and approved by the City through the City's Site Plan Approval Process prior to and in conjunction with each stage of development and/or redevelopment.

Substantial deviation from the approved Master Plan will require Council approval.

15.D.12.40. ***Southeasterly and southwesterly corners of Huron Road and Strasburg Road***

Notwithstanding the Commercial and Mixed Use land use designations and policies on the lands located at the southeasterly and southwesterly corners of Huron Road and Strasburg Road:

a) dwelling units will not be permitted on the lands designated Commercial at the southwesterly corner of Huron Road and Strasburg Road , notwithstanding these lands may be used for parking and access to uses permitted on the Mixed Use designated portion of the site;

b) *dwelling units* will be permitted on the lands designated Commercial at the southeasterly corner of the Huron Road and Strasburg Road provided that they are located in the same building as *compatible* commercial uses and are not located on the ground floor to a maximum Floor Space Ratio of 2.0;

c) for the lands designated Commercial, at the southeasterly and southwesterly corners of Huron Road and Strasburg Road, the full range of retail and commercial uses listed in Policy 15.D.5.16 and Policy 15.D.5.17 a), save and except *retail commercial centres and major office*, will be permitted; and

d) for the lands designated Mixed Use, the full range of uses listed in Policy 15.D.4.2 and Policy 15.D.4.3, will be permitted. Non-residential uses will be encouraged on the ground floor of any building within 25 metres of the Strasburg Road lot frontage, with provisions in the *Zoning By-law* to require the ground floor of any building, within such area, to have a minimum height of 4.5 metres.

15.D.12.41. ***Huron Road***

Notwithstanding the Commercial and Mixed Use land use designations and policies on the lands legally described as Part of Lot 1, Registered Plan 1382, Huron Road:

a) *dwelling units* will not be permitted on lands designated Commercial, notwithstanding these lands may be used for parking and access to uses permitted on the Mixed Use designated portion of the site;

b) a Holding provision pursuant to Section 17.E.13 will apply to residential and institutional uses on the lands designated Mixed Use. The Holding provision will not be removed until such time as a land use compatibility study to address the compatibility of residential and institutional uses with the lands designated as Business Park Employment, and a road traffic noise study, have been submitted to the satisfaction of the Region;

c) for the lands designated Commercial, the full range of retail and commercial uses listed in Policy 15.D.5.16 and Policy 15.D.5.17 a), save and except *retail commercial centres* and *major office*, will be permitted; and

d) for the lands designated Mixed Use, the full range of uses listed in Policy 15.D.4.2 and Policy 15.D.4.3, will be permitted subject to the removal of the Holding provision in respect of residential and institutional uses. Non-residential uses will be encouraged on the ground floor of any building within 25 metres of the Huron Road lot frontage, with provisions in the *Zoning By-law* to require the ground floor of any building within such area, to have a minimum height of 4.5 metres.

15.D.12.42. ***1405 Ottawa Street North***

Notwithstanding the Commercial land use designation and policies on the lands located at the southwesterly corner of Ottawa Street North and Lackner Boulevard, legally described as Block 1, Registered Plan 1669, municipally known as 1405 Ottawa Street North:

a) the full range of *retail* and commercial uses listed in Policy 15.D.5.16 and Policy 15.D.5.17 a), save and except *retail commercial centres* and *major office*, will be permitted;

b) *dwelling units* will be permitted provided that they are located in the same building as *compatible* commercial uses and are not located on the ground floor to a maximum *Floor Space Ratio* of 2.0; and

c) a *residential care facility* will also be permitted at such time as a Traffic Noise Study is completed and approved by the *Region*.

15.D.12.43. ***1020 Ottawa Street North***

Notwithstanding the Commercial land use designation and policies on the lands located at the northeasterly corner of Ottawa Street North and River Road, municipally known as 1020 Ottawa Street North:

a) the full range of *retail* and commercial uses listed in Policy 15.D.5.16 and Policy 15.D.5.17 a), save and except *retail commercial centres* and *major office*, will be permitted; and

b) *dwelling units* will be permitted provided that they are located in the same building as *compatible* commercial uses and are not located on the ground floor to a maximum *Floor Space Ratio* of 2.0.

15.D.12.44. ***Lands Designated Low Rise Residential in the Trussler Road Subdivision***

Notwithstanding the Low Rise Residential land use designation and policies on the lands legally described as Block 1, Stage 3 in Draft Plan of Subdivision 30T-08204, an educational establishment will also be permitted.

15.D.12.45. ***Hydro Corridor Lands in the Brigadoon Subdivision***

Notwithstanding the Open Space land use designation and policies on the Hydro Corridor in the Brigadoon Subdivision (30T-88006) shared uses on hydro rights-of-way including open space links, parking lots or other uses accessory to *adjacent* land uses in accordance with Policy 14.C.1.37 and Policy 15.D.10.1 i) will be permitted.

15.D.12.46. ***300 Bridge Street East***

Notwithstanding the Business Park Employment land use designation and policies on lands legally described as Part of Lot 112 and Part of Lot 113, German Company Tract, municipally known as 300 Bridge Street East the following additional provisions will apply:

a) Free-standing office, but not major office, up to a maximum of 5,000 square metres of gross floor area, will be permitted on a lot as a primary industrial employment area use provided the lot is located within 450 metres of an existing or planned transit stop and the lands are developed in a transit-supportive form in accordance with the Regional Official Plan and the Transit-Oriented Development Policies included in Section 13.C.3; and

b) Complementary service commercial uses, as identified in Policy 15.D.6.30 h) will be permitted in individual free-standing buildings provided:

   i) The lot contains at least one primary permitted industrial employment area use as identified in 15.D.12.46 a) above and in Policies 15.D.6.17 and Policy 15.D.6.30 a) to g) inclusive;

   ii) No individual unit will exceed 1,500 square metres of gross floor area; and

   iii) The complementary service commercial uses will not exceed 9,000 square metres or 20% of the total gross floor area of the primary industrial employment area uses on a lot.

15.D.12.47. ***146 Trafalgar Avenue***

Notwithstanding the Low Rise Residential land use designation and policies of the lands located at 146 Trafalgar Avenue, the following site-specific policy will also apply:

The vision for this site is to develop the lands with low rise residential dwellings which are universally accessible and are designed to be barrier-free. Any multiple dwellings in the form of cluster townhouses shall provide *Special Needs Housing.* Through Site Plan Control, the City will implement architectural and urban design measures to ensure the development utilizes design practices which are inclusive and enhance mobility, independence and achieve quality of life for all residents.

15.D.12.48. ***110, 130 & 136 Fergus Avenue***

Notwithstanding the Low Rise Residential land use designation, on lands municipally known as 110, 130 & 136 Fergus Avenue, the maximum Floor Space Ratio shall be 0.85 and the maximum building height shall be 12.5m and 4 storeys.

15.D.12.51 ***155 & 169 Borden Avenue North***

Notwithstanding the Medium Rise residential land use designation and policies, on the lands municipally known as 155 & 169 Borden Avenue North, a maximum building height of 6 storeys and 19.0 metres will be permitted.

15.D.12.52 ***859-867 Frederick Street and 39 Avon Road***

Notwithstanding the Medium Rise residential land use designation and policies, on the lands municipally known as 39 Avon Road and 859 and 867 Frederick Street, a maximum building height of 10 storeys and 33.75 metres will be permitted.

That prior to final site plan approval, the Owner pay to the City of Kitchener $25,000 for improvement to Rosemount Park.

That prior to final site plan approval, the Owner pay to the City of Kitchener $25,000 to be allocated for affordable housing.

15.D.12.53 ***298 Lawrence Avenue***

Notwithstanding the General Industrial Employment land use designation on lands municipally known as 298 Lawrence Avenue, Residential Care Facility, Large will be a permitted use.

15.D.12.54 ***79 Joseph Street***

Notwithstanding the Open Space land use designation and policies on the lands municipally known as 79 Joseph Street, office uses will also be permitted.

15.D.12.55 ***1593 & 1603 Highland Road West***

Notwithstanding the Arterial Corridor designation and policies and the Commercial land use designation and policies, on the lands municipally known as 1593 and 1603 Highland Road West, a maximum of 403 dwelling units located above the ground floor within a building that contains a permitted commercial use shall be permitted to a maximum building height of 55 metres.

15.D.12.56 ***142-146 Fergus Avenue***

Notwithstanding the Medium Rise Residential land use designation and policies on the lands municipally known as 142-146 Fergus Avenue:

a) A Maximum Floor Space Ratio (FSR) of 2.3 will be permitted.

b) A Holding provision pursuant to Section 17.E.13 will apply to residential uses, day care uses and other sensitive uses. The Holding provision will not be

removed until such time as a detailed Stationary Noise Study has been acknowledged by the Province and a release has been issued by the Region.

15.D.12.57 Deleted (OPA 62)

15.D.12.58 ***507 Frederick Street and 40 and 44 Becker Street***

Notwithstanding the Commercial land use designation and policies on the lands municipally known as 507 Frederick Street and 40 and 44 Becker Street, and a triangular-shaped parcel of land west of Becker Street and north of Fife Avenue, one crematorium/cremator unit will be permitted as an accessory use to a funeral home.

15.D.12.59 ***4396 King Street East & 25 Sportsworld Drive***

Notwithstanding the Strategic Growth Area C land use designation and the policies of the lands located at 4396 King Street East and 25 Sportsworld Drive:

i) The maximum floor space ratio will be 6.2;

ii) The maximum number of storeys will be 30;

iii) The maximum building height will be 99 metres;

iv) A Holding provision pursuant to Section 17.E.13 will apply to residential uses and other sensitive uses. The Holding provision will not be removed until such time as a detailed stationary noise study has been provided to the Regional Municipality of Waterloo, any mitigation measures have been implemented, and a release has been issued by the Region; and,

v) A Holding provision pursuant to Section 17.E.13 will apply to residential uses and other sensitive uses. The Holding provision will not be removed until such time as a Record of Site Condition has been acknowledged by the Province and a release has been issued by the Regional Municipality of Waterloo.

15.D.12.60 ***7 Morrison Road***

Notwithstanding the Low Rise Residential land use designation and policies on lands municipally known as 7 Morrison Road:

a) The maximum permitted Floor Space Ratio (FSR) will be 0.9; and,

b) A Holding provision pursuant to Section 17.E.13 of the Official Plan will apply to residential uses, day care uses and other sensitive uses. The Holding provision will be lifted through a by-law amendment and will not be removed until such time as a Record of Site Condition has been acknowledged by the Province and an Updated Environmental Noise Study has been approved by the Region and a release has been issued by the Region for both an RSC and Updated Noise Study.

15.D.12.61 ***265 Cotton Grass Street***

Notwithstanding the Commercial land use designation and policies, on lands municipally known as 265 Cotton Grass Street:

a) Dwelling units are not required to be located in the same building as commercial uses and may be permitted on the ground floor.

b) A Holding provision pursuant to Section 17.E.13 of the Official Plan will apply to residential uses, day care uses and other sensitive uses. The Holding provision will be lifted through a by-law amendment and will not be removed until such time as a Road Traffic, and Stationary Noise Study has been approved by the Region and a release has been issued by the Region.

15.D.12.63 ***1157 & 1175 Weber Street East***

Notwithstanding the Mixed Use land use designation and the policies of the lands:

i) The maximum floor space ratio will be 4.5;

ii) The maximum number of storeys will be 19;

iii) The maximum building height will be 64.5 metres;

iv) A Holding provision pursuant to Section 17.E.13 will apply to residential uses and other sensitive uses. The Holding provision will not be removed until such time as a detailed stationary noise study has been provided to the Regional Municipality of Waterloo, any mitigation measures have been implemented, and a release has been issued by the Region; and

v) A Holding provision pursuant to Section 17.E.13 will apply to residential uses and other sensitive uses. The Holding provision will not be removed until such time as a Record of Site Condition has been acknowledged by the Province and a release has been issued by the Regional Municipality of Waterloo.

15.D.12.64 ***528-550 Lancaster Street West***

Notwithstanding the Mixed Use land use designation and associated policies within Section 15.D.4, the following shall apply only to the lands addressed as 528-550 Lancaster Street West:

i) The maximum building height shall be 34 storeys and 110 metres;

ii) The maximum floor space ratio shall be 7.5;

iii) A Holding provision pursuant to Section 17.E.13 will apply to prohibit new development or land uses until such time as the following conditions have been met and this holding provision has been removed by by-law:

1. A Relocation and Conservation Plan have been submitted to the satisfaction of the City's Heritage Planner and Director of Planning;

2. A Transportation Impact Study has been submitted and approved to the satisfaction of the Regional Municipality of Waterloo;

3. A Functional Servicing and Detailed Grading Plan and Stormwater Management Report has been submitted and approved to the satisfaction of the Regional Municipality of Waterloo;

4. A Detailed Transportation and Stationary Noise Study has been completed and accepted and implementation measures addressed for each building to the satisfaction of the Regional Municipality of Waterloo. The detailed stationary noise study shall review the potential impacts of the development on itself (e.g. HVAC system on the sensitive points of reception) and the impacts of the development on adjacent noise sensitive uses; and

5. A Record of Site Condition (RSC) in accordance with 0. Reg. 153/04, as amended, has been filed on the Ministry of Environment, Conservation and Parks (MECP) Environmental Site Registry and the RSC and Ministry's Acknowledgement letter is received to the satisfaction of the Regional Municipality of Waterloo.

iv) Notwithstanding the Mixed Use land use designation along Lancaster Street West, free-standing retail uses will be permitted to locate within new buildings, to a maximum gross floor area of 1,000 square metres.

15.D.12.65 ***404-430 New Dundee Road***

Notwithstanding the Low Rise Residential land use designation and policies, on lands municipally addressed as 404-430 New Dundee Road, the maximum permitted Floor Space Ratio will be 0.9.

15.D.12.66 ***Conestoga College Boulevard***

Notwithstanding section 15.D.3.24, for the lands subject to this Specific Policy Area, there shall be no maximum Floor Space Ratio. The City will implement architectural and urban design measures to ensure the development complements and contributes to the existing built environment by requiring, through the use of a holding provision, an urban design brief to be provided.

15.D.12.67 ***20 Woolner Trail***

Notwithstanding the Neighbourhood Node identification, on lands municipally known as 20 Woolner Trail, the applicable land use designation will include Institutional.

A Holding provision pursuant to Section 17.E.13 will apply to institutional uses. The Holding provision will not be removed until such time as:

a) A revised noise impact study has been completed and implementation measures addressed to the satisfaction of the Regional Municipality of Waterloo.

15.D.12.68 ***2934 King Street East***

Notwithstanding the Commercial land use designation on lands municipally known as 2934 King Street East, a Floor Space Ratio (FSR) of 2.6 will be permitted.

15.D.12.69 ***1668 King Street East***

The maximum permitted floor space ratio shall be 7.6.

15.D.12.70 ***1770 King Street East, 815 & 825 Weber Street East***

The maximum permitted floor space ratio shall be 6.0.

15.D.12.71 ***32-44 Windom Road***

Notwithstanding the Low Rise Residential land use designation and policies, applied to the lands located at 32-42 Windom Road, the maximum Floor Space Ratio shall be 1.4 and the maximum building height shall be 15.1 metres.

15.D.12.72 ***236-264 Victoria Street North***

Notwithstanding the Mixed Use land use designation and policies on lands municipally known as 236-264 Victoria Stret North, a maximum building height of 40 Storeys or 160.2 metres in height with a maximum Floor Space Ratio (FSR) of 10.5 will be permitted.

15.D.12.73 ***135,139,147, 153 and 161 Jackson Avenue and 136 Brentwood Avenue***

Notwithstanding the Low Rise Residential land use designation and policies, on lands municipally known as 135, 139, 147, 153 and 161 Jackson Avenue and 136 Brentwood Avenue:

a) The maximum permitted Floor Space Ratio will be 1.0; and,

b) Generally no building will exceed 11.5 metres storeys in height at the highest grade elevation and 12.7 metres and 4 storeys in height at the lowest grade elevation.

15.D.12.75 ***2219 Ottawa Street South and 808 Trussler Road***

Notwithstanding the land use designation and policies on lands municipally known as 2219 Ottawa Street South and 808 Trussler Road subject to Draft Plan of Subdivision Application 30T-22201, the following will also apply:

a) Notwithstanding the Low Rise Residential land use designation and policies on lands subject to Draft Plan of Subdivision 30T-22201, at the southeast corner of Trussler Road and Ottawa Street South, due to the unusually steep grade conditions of these lands, generally no building will exceed 4 storeys or 16.5 metres in height, at the highest grade elevation. The maximum building height of individual blocks and lots may be further regulated by the Zoning By-law.

b) Notwithstanding the Institutional land use designation and policies on land subject to Draft Plan of Subdivision 30T-22201, at the southeast corner of Trussler Road and Ottawa Street South, the following additional land uses will be permitted within the existing heritage building: Office, Temporary Sales Centre, Single Detached Dwelling, Additional Dwelling Unit (Attached), and Home Occupation.

c) Holding Provision pursuant to Section 17. E.13 will apply to the Block 15 of Draft Plan of Subdivision 30T-22201 (lands to be designated Mixed Use and Medium Rise Residential) to prohibit new development and land uses. The Holding Provision will not be removed until such time as the Regional Municipality of Waterloo's Class Environmental Assessment for Trussler Road has been completed and a release letter has been issued by the Region or June 30, 2025.

15.D.12.77 ***130-142 Victoria Street South***

Notwithstanding the Mixed Use land use designation and policies within the Urban Growth Centre, on lands municipally known as 130-142 Victoria Street South, a Floor Space Ratio (FSR) of 13.7 will be permitted.

A Holding provision pursuant to Section 17.E.13 will apply to residential uses. The Holding provision will not be removed until such time as:

i) A Record of Site Condition has been acknowledged by the Province and a release has been issued by the Region.

ii) A detailed stationary noise study has been completed and implementation measures addressed to the satisfaction of the Regional Municipality of Waterloo.

iii) The City is in receipt of correspondence from CN indicating that an updated Noise and Vibration Assessment Report has been completed to their satisfaction, and that a CN Agreement, environmental easement for operational noise and vibration emissions, and a restrictive covenant regarding implementation and maintenance of noise isolation measures have been entered into, granted and registered, as may be required by CN.

15.D.12.78 ***417 King Street West***

Notwithstanding the Innovation District land use designation and policies within the Urban Growth Centre, on lands municipally known as 417 King Street West, a Floor Space Ratio (FSR) of 23.0 will be permitted.

15.D.12.79 ***83-87 Weber Street East***

Notwithstanding the Market District land use designation and policies within the Urban Growth Centre, on lands municipally known as 83-87 Weber Street East, a Floor Space Ratio (FSR) of 18.0 will be permitted.

15.D.12.81 ***Block Line, Fairway, and Sportsworld Protected Major Transit Station Areas (Growing Together East)***

Notwithstanding the Strategic Growth Area A, Strategic Growth Area B, or Strategic Growth Area C land use designations and policies which apply on lands within the Block Line, Fairway, and Sportsworld Protected Major Transit Station Areas:

Permitted Uses

a) Notwithstanding Policy 15.D.2.14, automotive repair, auto service stations (which may include car washes, gas stations, and/or gas bars), propane retail outlets, and *drive-through facilities* may be permitted as accessory to the principal use on the lot within the Fairway and Sportsworld Protected Major Transit Station Areas without an amendment to this Plan, subject to the criteria of Policy 15.D.2.14.

Transportation and Noise

b) *Development* within the Fairway and Sportsworld Protected Major Transit Station Areas will support access management and improve pedestrian and cyclist safety by consolidating the number of vehicle access points and aligning driveways opposing on either side of the street, where feasible. New private driveways on Fairway Road and King Street East will be discouraged and only permitted if no alternative means of access is available.

c) *Development* within the Block Line, Fairway and Sportsworld Protected Major Transit Station Areas will protect for existing and planned transit system infrastructure and transit vehicle movement and routing in consultation with the Region of Waterloo.

d) *Development applications* within the Block Line, Fairway, and Sportsworld Protected Major Transit Station Areas will be required to demonstrate to the satisfaction of the City, through the completion of a *Transportation Demand Management* Strategy, that the proposal incorporates:

i) A range of infrastructure improvements, strategies, and programs to increase *active transportation* and transit use and reduce single occupancy vehicle use;

ii) Quantitative multi-modal transportation assessments and site-related traffic mitigation measures to demonstrate sufficient and safe transportation infrastructure to service the proposed development;

iii) A range of parking management strategies that minimize the need for auto parking supply in conjunction with new *developments* and that prioritize facilities and programs for car-share, carpool, bike-share, on-street bicycle parking, shared parking, and low-emissions vehicles; and

iv) Phasing of *Transportation Demand Management* measures to support development through all phases of development.

e) Development within the Fairway and Sportsworld Protected Major Transit Station Areas will be designed to facilitate pedestrian and cyclist access and connectivity to public transit and the *active transportation* network through publicly accessible streets and mid-block connections, typically every 150 metres or less.

f) Non-residential uses and parking structures within the Block Line, Fairway, and Sportsworld Protected Major Transit Station Areas will be located adjacent to railways where feasible, to address land use compatibility between sensitive and non-sensitive land uses.

Non-Residential Uses

g) Non-residential uses, including community facilities, within the Block Line, Fairway, and Sportsworld Protected Major Transit Station Areas may be permitted within the upper stories of a freestanding commercial or *mixed-use building*.

h) Where *development* within the Block Line, Fairway, and Sportsworld Protected Major Transit Station Areas is proposed to proceed in phases or to address coordination between landowners, a phasing plan will be required as part of a *complete application* which demonstrates how the *development* will prioritize:

i) The provision of non-residential uses in the first phase of *development* or retention of *existing* commercial uses on the site until such time as new non-residential uses are built.

ii) *Development* on surface parking lots and portions of the lot abutting *priority streets* as part of the first phase of *development*.

iii) Connections to the *active transportation* and transit networks throughout all phases of *development*.

i) The City may establish a *Community Improvement Plan* in accordance with Section 17.E.9 of this Plan within the Block Line, Fairway, and Sportsworld Protected Major Transit Station Areas to support the following objectives which include but are not limited to:

i) Providing affordable commercial and *retail* spaces which support local entrepreneurialism.

ii) Retaining jobs during *redevelopment*.

iii) Improving substandard building conditions.

iv) Supporting small businesses on the ground floor of buildings.

v) Retrofitting existing commercial spaces and buildings to prevent the loss of commercial floor area.

j) Where a *development application* or *redevelopment* proposes to reduce the existing non-residential *gross floor area* on a lot within the Block Line, Fairway, and Sportsworld PMTSAs, a Retail Impact Study will be required as part of a *complete application* which addresses:

i) The retention or replacement of *existing food stores*.

ii) Within the Fairway and Sportsworld Protected Major Transit Station Areas, that the future on-site and local populations are adequately served and that regionally significant non-residential uses are not diminished.

iii) Within the Block Line Protected Major Transit Station Area, that the future on-site and local populations are adequately served for daily and weekly needs.

15.D.12.82 ***44 and 50 Arlington Boulevard***

Notwithstanding the Low Rise Residential land use designation and policies, on lands municipally addressed as 44 and 50 Arlington Boulevard, the maximum permitted Floor Space Ratio will be 0.84.

15.D.12.83 ***132 Fairway Road North***

Notwithstanding the Low Rise Residential land use designation and associated policies within Section 15.D.3, applied to the property addressed as 132 Faiway Road North, the maximum Floor Space Ratio shall be 1.33.

SECTION 16: SECONDARY PLAN LAND USE POLICIES

16.D.1.1. The following Secondary Plans are deferred and do not form part of this Official Plan:

a) Civic Centre Secondary Plan

b) Cedar Hill Secondary Plan

c) Mill Courtland-Woodside Park Secondary Plan

d) Victoria Street Secondary Plan

e) North Ward Secondary Plan

f) Central Frederick Secondary Plan

g) Rosenberg Secondary Plan

The land use policies and land use designations in the Secondary Plans contained in Part 3, Section 13 of the 1994 City of Kitchener Official Plan, as amended, continue to apply until such time as the Secondary Plans are reviewed and adopted as part of this Official Plan.

16.D.1.2. Despite policy 16.D.1.1, for lands within the Secondary Plans referenced within policy 16.D.1.1 that are also shown on Map 3 of this Official Plan, all of the policies of this Official Plan shall prevail.

16.D.1.3. Part A, B, C, E and F of this Official Plan, where applicable, will apply to the lands affected by the Secondary Plans in Policy 16.D.1.1.

16.D.1.4. The Dundee Secondary Plan, outlined in Schedule F, forms part of this Official Plan.

Part E

IMPLEMENTATION POLICIES FOR ACHIEVING A COMPLETE & HEALTHY KITCHENER

- 17.E.1 Plan Implementation and Administration
- 17.E.2 Official Plan Updates, Review and Monitoring
- 17.E.3 Public Consultation and Public Notification
- 17.E.4 Municipal Finance
- 17.E.5 Growth Management
- 17.E.6 Secondary Plans
- 17.E.7 Community Plans
- 17.E.8 Block Plan
- 17.E.9 Community Improvement Plans
- 17.E.10 Complete Application Requirements
- 17.E.11 Environmental Impact Studies
- 17.E.12 Zoning By-law
- 17.E.13 Holding Provisions
- 17.E.14 Conditional Zoning
- 17.E.15 Interim Control By-Law
- 17.E.16 Temporary Use By-Law
- 17.E.17 Bonusing Provisions
- 17.E.18 Cash-in-lieu of Parking
- 17.E.19 Development Permit System
- 17.E.20 Committee of Adjustment
- 17.E.21 Non-Conforming and Non-Complying Uses
- 17.E.22 Site Plan Control
- 17.E.23 Plans of Subdivision, Condominium, and Part-lot Control
- 17.E.24 Property Standards
- 17.E.25 Demolition Control
- 17.E.26 Site Alteration

PART E: IMPLEMENTATION POLICIES FOR ACHIEVING A COMPLETE & HEALTHY KITCHENER

The policies in this Part of the Plan outline and describe the tools that the *City* may use to implement this Plan. These tools will ensure that the *City* can achieve the vision, goals, objectives and policies of the Plan. Part E also identifies methods and strategies that will be used in managing, monitoring and reviewing the Plan.

SECTION 17

17.E.1 Plan Implementation and Administration

Preamble

The implementation Section of this Plan outlines how the Official Plan should be interpreted and read and provides a description of a number of tools that the *City* can use to administer and implement an Official Plan. These tools will be used by the *City* to achieve its vision, goals and objectives of a complete and healthy community and implement the policies of this Plan.

Policies

Plan Conformity

17.E.1.1. This Plan provides direction for managing growth and *development* in the *city*. The policies of this Plan will affect all *development*, *redevelopment* and use of land within the *city*. Any municipal by-law or public work must comply with this Plan.

17.E.1.2. This plan contains references to the Regional Official Plan. All such references will be interpreted as referring to the Regional Official Plan as approved by the *Province* on December 22, 2010.

17.E.1.3. Notwithstanding Policy 17.E.1.2, it is recognized that the Regional Official Plan may change through future approvals by the Ontario Municipal Board or through future amendments adopted by the *Region*. In the event that changes are made to the Regional Official Plan by the Ontario Municipal Board or by future amendment, this Plan will be brought into conformity with the Regional Official Plan by means of one or more appropriate housekeeping amendments.

Interpretation

17.E.1.4. This Plan is a statement of policy. It sets out the *City's* land use policy direction; however, some flexibility in interpretation may be permitted provided that the intent is maintained.

17.E.1.5. Italicized terms within the preamble, objectives, and policies in this Plan are defined in Schedule A - Glossary. Defined terms are intended to capture both the singular and plural of forms of these terms. For non-italicized terms, the normal meaning of the word applies. Terms may be italicized only in specific policies; for these terms, the defined meaning applies where they are italicized and the normal meaning applies where they are not italicized.

17.E.1.6. Where differences of opinion arise as to the meaning of any part of this Plan, an interpretation may be made by the *City* after hearing all interested parties. Where such interpretation is not accepted by an interested party, the party may apply to the Courts or other Body having jurisdiction over such matters.

17.E.1.7. The Plan is to be read in its entirety and the relevant policies are to be applied to each situation. When more than one policy is relevant, all of the relevant policies should be

considered to understand how they work together. The language of each policy will assist in understanding how the policies are to be implemented. While specific policies sometimes refer to other policies, these cross-references do not take away from the need to read the Plan as a whole.

17.E.1.8. Changes or variations from the policies and land use designations of this Plan other than those specifically permitted by the policies of this subsection will require an Official Plan Amendment. The vision, guiding principles, goals, objectives, policies, definitions, tables, figures, and maps contained herein constitute the City of Kitchener Official Plan. The preambles at the beginning of each Section form part of this Plan and will assist in understanding the intent of the policies.

17.E.1.9. Where any Act or portion thereof is referenced in this Plan, it is intended that such references should be interpreted to include any subsequent legislation and related regulations that may amend or replace the specific statute.

17.E.1.10. Where any guideline, manual, or portion thereof, is referenced in this Plan, it is intended that such references should be interpreted to include any subsequent guideline or manual that may amend or replace the referenced document.

Designations, Boundaries and Mapping

17.E.1.11. Permitted uses identified in the policies of this Plan are intended to illustrate the range of activities in each respective land use designation and do not denote a complete list of permitted uses. A list of specific uses will be defined in the *City's Zoning By-law*.

17.E.1.12. The boundaries between the various land uses are approximate and should not be considered as exact except where they coincide with major roads, rivers and other clearly defined physical features.

17.E.1.13. Some elements on a map may be conceptual and identified by a symbol; accordingly their extent and location may be interpreted flexibly in accordance with the other policies and general intent of the Plan. Secondary Plans may be established to delineate the exact boundaries of such elements.

17.E.1.14. The identification and proposed location of roads, parks, and other services, will not be interpreted as being a commitment by the *City* to provide such services at the indicated location by a certain point in time, but rather provides information on the general location of such services to property owners, developers and future residents, and is subject to further detailed analysis, design, and capital budget approvals.

17.E.1.15. Where new mapping information is provided by the *Province*, *Region* or Grand River Conservation Authority, any affected maps in this Plan will be reviewed and updated as part of the five-year *municipal comprehensive review* process, the completion of a *municipal comprehensive review* as otherwise initiated by Council or other appropriate *City* initiated process.

Conflicting Policies

17.E.1.16. In the case of a conflict between a general policy and an area-specific policy, the area specific policy will prevail.

17.E.1.17. In the case of a discrepancy between the policies and the related map, the policies will take precedence.

17.E.1.18. In the event of a conflict between this Plan and the Regional Official Plan, the more restrictive provision will apply.

17.E.1.19. In the case of a conflict between this Plan and a *Provincial* plan, the more restrictive provision will apply. Planning decisions must conform or not conflict with a *Provincial* plan, as the case may be.

17.E.1.20. Where a parcel of land is subject to one or more designations, overlays and/or features shown on a map in this Plan, *development applications* will be reviewed in accordance with all the policies of the applicable designations and the Plan. Where conflict exists between such policies, the more restrictive policies will prevail to the extent of the conflict except where application of the more restrictive policy would result in an outcome not consistent with the goals and objectives of this Plan.

Terminology

17.E.1.21. The words “may” and “will” are used throughout this Plan in the following context:

a) “may” implies that the policy is permissive and not mandatory or obligatory; and,

b) “will” implies that the policy is mandatory and requires full compliance.

17.E.1.22. The terms “consistent with” or “in accordance with” when used in this Plan will mean to be in agreement with or not in conflict with a policy or requirement of this Plan.

17.E.1.23. The implementation of this Plan will take place over the long term and the use of the words “will” and “must” are not to be interpreted as Council’s requirement to undertake the action immediately or as a commitment on the part of Council to take action within a specified timeframe.

17.E.1.24. Interpretation of the intent of this Plan, or any part thereof, will be made by the *City*. Where terms such as “appropriate”, “acceptable”, “adequate”, “wherever possible”, “where feasible”, “sufficient” or “relevant” are used, the determination of compliance will be made by the *City*.

17.E.2 Official Plan Updates, Review and Monitoring

Preamble

Monitoring and reviewing of the Official Plan is required to identify trends in planning issues in the *city*, to analyze the effectiveness of the policies of the Official Plan, to allow for adjustments and updating, and to meet the statutory requirements on when the Plan is to be reviewed. It is critical to monitor, review, update and consolidate the Official Plan to ensure its continued relevance and usefulness.

Policies

17.E.2.1. The *City* will review and monitor this Plan, in accordance with specific policies set out in the Plan, and will amend, or modify, the goals, objectives and policies of the Plan whenever it is deemed necessary to do so because of the changing social, economic, environmental, cultural or technical developments.

Reviewing

17.E.2.2. The *City* will review the policies in this Plan as part of a five-year *municipal comprehensive review*, or the completion of a *municipal comprehensive review* as otherwise initiated by Council to ensure the continued relevance of the objectives and policies. Such a review will be in accordance with the requirements of the Planning Act.

17.E.2.3. The *City* may review and update the studies that form the background to this Plan from time-to-time or as part of the five-year *municipal comprehensive review*.

17.E.2.4. The *City* will review existing and future legislation contained in the Planning Act, the Municipal Act and other relevant *Provincial* statutes which apply to areas of municipal jurisdiction and where appropriate, amend existing by-laws or pass new by-laws to ensure such uses are properly regulated in accordance with the relevant legislation and associated regulations and in accordance with the policies of this Plan.

17.E.2.5. References to any legislation, authority or agency which ceases to exist subsequent to the preparation of this Plan, and to whom responsibilities relating to this Plan or its implementation are changed, will be transferred to any subsequent legislation, authority or agency which assumes responsibility without requiring an Official Plan Amendment.

17.E.2.6. Technical revisions to this Plan will not require an Official Plan Amendment provided they do not change the intent of the Plan. Technical revisions include:

a) changing the numbering, cross-referencing and arrangement of the text, tables, schedules and maps;

b) altering punctuation or language for consistency;

c) correcting grammatical, dimensional and boundary, mathematical or typographical errors; and,

d) adding technical information to maps or schedules.

Monitoring

17.E.2.7. Monitoring and measuring the performance of this Plan is critical to determine if:

a) the assumptions of this Plan remain valid;

b) the implementation of the policies fulfill the overall vision, goals and objectives of this Plan;

c) *residential intensification target* and *density* targets listed in Section 3.C.1, are being met; and,

d) the priorities identified in this Plan remain constant or require change.

17.E.2.8. Monitoring of specific policies of the Plan may also be prescribed within the policy, and will be undertaken in accordance with those policies.

17.E.2.9. Monitoring and measuring performance will be conducted through both available qualitative and quantitative measures. Where appropriate, targets have been included in this Plan. It is not the intent to develop and include specific monitoring or performance measurement programs as part of this Plan. The *City* will undertake performance measurement in a variety of ways including, but not limited to:

a) through the implementation of plans such as the City of Kitchener Strategic Plan;

b) the *City's* Growth Management Monitoring Report;

c) *Provincial* and/or *Regional* performance measures reporting;

d) the preparation of performance indicators and report cards for master plans and implementation strategies for this Plan and/or referred to in this Plan.

17.E.2.10. The *City* will regularly review Council and/or Committee reports on Official Plan Amendments, *Zoning By-law* Amendments, Committee of Adjustment Applications and other *development applications* to understand how the policies in this Plan have needed to be changed or have been applied to recommend refusal or approval of a *development application*.

Planning Studies

17.E.2.11. The *City* may undertake planning studies, from time-to-time, in order to monitor progress of planning initiatives, understand new trends, ensure an appropriate response is provided for issues which may arise, or for any other purpose deemed suitable by the *City*.

17.E.2.12. The *City* will dedicate sufficient resources, or seek partnership funding, for planning studies so that the work can be undertaken with appropriate professional diligence.

17.E.2.13. The *City* may implement the findings of a planning study with an Official Plan Amendment, a Secondary Plan, a Zoning By-law Amendment, a By-law or any mechanism deemed appropriate.

Comprehensive Parcel Database

17.E.2.14. To provide necessary information for the completion of planning studies and to assist in monitoring and performance measuring, the *City* will manage a comprehensive parcel database with pertinent data on land, structures, *development* and economic activity and social elements. This database will be maintained on a Geographic Information System (GIS) computer format for easy retrieval.

17.E.2.15. The *City* will computerize the retrieval of data related to *development applications* and permits to facilitate timely updating of the comprehensive parcel database.

Amendments

17.E.2.16. The *City* will consider applications for site-specific amendments to this Plan within the context of the policies and criteria set out throughout this Plan. The owner/applicant of an Official Plan Amendment may be required to submit satisfactory reports to demonstrate the rationale for the amendment and to evaluate and address such matters, including but not limited to the:

a) conformity with *Provincial* and *Regional* policies and plans;

b) conformity to the vision, goals, objectives and policies of this Plan;

c) need for the proposed use;

d) suitability of the lands for the proposed use;

e) land use *compatibility* with the existing and future uses of surrounding lands;

f) adequacy of *infrastructure* and *community infrastructure* to support the proposed use; and,

g) precedents which may be established by the approval of the amendment.

17.E.2.17. In accordance with the Planning Act, there will be no appeal with respect to the refusal or failure of the *City* to adopt an Official Plan Amendment and/or the passage of a *Zoning By-law* Amendment:

a) for the redesignation or *conversion* of lands designated as an *industrial employment area*; and,

b) for the expansion of the urban area boundary.

17.E.2.18. Notice of Official Plan Amendments will be given in accordance with the procedures as provided for in the Planning Act, and any alternative notice procedures outlined in Section 17. E. 3 of this Plan.

17.E.2.19. Official Plan Amendments adopted by Council will be submitted to Regional Council or its delegate for approval in order to become law. The *City* will incorporate amendments into the Plan.

17.E.3 Public Consultation and Public Notification

Preamble

The *City* recognizes that public consultation is a key component of many planning processes. The policies of this Plan seek to support opportunities for citizen and stakeholder participation, while balancing the need to process *development applications* within the timelines prescribed by the Planning Act.

The *City's* goal in the public consultation process is to collaborate with individuals, groups and agencies to achieve, whenever possible, mutually satisfactory solutions to planning issues.

Policies

17.E.3.1. The *City* will encourage the involvement of residents, businesses, stakeholders and other levels of government in the planning process.

17.E.3.2. The *City* will utilize community organizations and networks, such as neighbourhood associations, as a means of engaging citizens at the neighbourhood level.

17.E.3.3. The *City* will follow the public notification procedures and regulations regarding planning matters that are contained in the Planning Act. Notwithstanding, the *City* may exceed these requirements as deemed appropriate, and may provide alternative measures for informing and obtaining the views of the public, in accordance with the Planning Act.

17.E.3.4. Where a notice of a public meeting or a notice of a *development application* is required, notice will be given in accordance with the applicable requirements of the Planning Act, and in some cases notice may exceed those requirements.

17.E.3.5. Notification of a public meeting for the adoption of the Official Plan, Official Plan Amendments, and *Zoning By-law* Amendments, as required by the Planning Act, will be given to the public, and prescribed persons and public bodies at least 10 days prior to the date of the meeting and the notice will be given in accordance with the applicable requirements of the Planning Act.

17.E.3.6. Notice of the intention to pass an amending by-law to remove a Holding "H" symbol will be given in accordance with the applicable requirements of the Planning Act.

17.E.3.7. Public meetings under the Planning Act will not be required for minor mendments to the Zoning By-law.

Notice of the proposed minor amendments and information regarding who is entitled to appeal will be given to the public by posting on the *City's* website, and electronic notice will be given to prescribed persons and public bodies, a minimum of 10 days prior to a decision being made.

17.E.3.8. The *City* will utilize the City of Kitchener Community Engagement Toolkit and the *City's* Public Participation in the Planning Process Policy or successor documents to provide a framework and consistent approach for how the *City* will involve the public in planning processes, while recognizing that the *City* has an obligation to process *development applications* within the timelines prescribed by the Planning Act.

17.E.3.9. The *City* may use a variety of communication methods to seek input on planning matters or to provide information to the general public. Depending on the issues and in accordance with the Planning Act, the *City* will choose the most appropriate method of communication. Communication may be in the form of:

a) direct mail outs;

b) public notice signs;

c) newspaper advertisements

d) surveys, electronic or mail out;

e) electronic or in person public information open houses;

f) electronic or in person workshops/charettes;

g) electronic or in person public meetings; and/or,

h) the *City* web site and/or other forms of social media.

17.E.3.10. The *City* will make the Official Plan, Secondary Plans, the *Zoning By-law*, the *Urban Design Manual* and other planning policies and guidelines of Council available to the public, in order to foster greater awareness and knowledge of planning matters.

17.E.4 Municipal Finance

Preamble

The *City* ensures optimal service delivery and implementation of the Plan. With limited financial resources, the implementation of this Plan must be financially viable. This Plan will be managed to ensure that the required capital expenditure to provide the services for *development* and improvement are paid in an equitable and appropriate manner. The *City* will strive to maintain financial sustainability and integrity by managing its financial resources and by undertaking *development* in a fiscally responsible manner.

Policies

17.E.4.1. Municipal capital expenditures implementing any aspect of this Plan will be guided by a Ten Year Capital Budget Forecast, which will be reviewed annually. This will be linked to the Kitchener Growth Management Program.

17.E.4.2. The *City* will undertake a program of capital works, in accordance with the approved capital budget, to provide the *city* services and *infrastructure* necessary for *Intensification Areas* and new growth.

17.E.4.3. Future *development* will be monitored to ensure that a balance is maintained between demands for service and the overall fiscal capacity of the *city*.

17.E.4.4. Where possible, the *City* will use financial mechanisms available to it under any legislative authority, including the Municipal Act, Development Charges Act, Planning Act and any other applicable legislation for the purposes of land use planning and the provision of *infrastructure* and *community infrastructure*.

17.E.4.5. The *City* may request a Municipal Financial Impact Assessment from the owner/applicant of any *development application*. The terms of reference of such a study will be jointly determined by the *City* and the owner/applicant at the time of the request. The Study will be prepared and may be peer reviewed at the owner/applicant's expense *Development applications* or proposals that otherwise comply with the relevant policies of this Plan may be refused or deferred on the basis of financial impact and burden on the *City*, if suitable mitigation measures are not available.

Development Charges

17.E.4.6. The *City* will prepare a study and enact by-laws under the Development Charges Act, to ensure that the capital cost of meeting growth related demands for services to be provided by the *City* does not place a financial burden upon the *city's* existing taxpayers and that new taxpayers bear no more than the growth-related net capital cost attributable to providing the current level of services.

17.E.4.7. The Kitchener Growth Management Program will be considered in the development charges process.

17.E.4.8. The *City* may enact development charges by-laws that apply to the *city*, as a whole and/or that apply to specific geographic areas within the *city*.

17.E.4.9. The *City* may exempt some or all of the Development Charge or exempt certain *development* or *redevelopment* from the Development Charge as a means to promote specific *development*, *redevelopment* or revitalization.

17.E.4.10. The *City* will apply, calculate and collect Development Charges in accordance with the provisions of the Development Charges By-law.

17.E.4.11. The private provision of *infrastructure* in advance of the timing of such works as indicated in the Kitchener Growth Management Program and Capital Budget forecast is discouraged. Exceptions may only be considered through the a Credit Refund Policy process with consideration to all affected matters.

17.E.5 Growth Management Program

Preamble

In 2009 the *City* adopted the Kitchener Growth Management Strategy (KGMS) which established the foundation for the growth management program. The strategy provides a long-term framework for planning where and how future residential and employment growth can be accommodated in Kitchener. To ensure that growth contributes positively to our quality of life, the Kitchener Growth Management Strategy coordinates the provision of *infrastructure* and services with new development. The goals and actions support the *Province's* Growth Plan and the Regional Growth Management Strategy (RGMS). The Kitchener Growth Management Strategy introduces an ongoing growth management program that allows us to adjust and evolve our planning framework as other *Regional* and *City* projects develop and circumstances change.

One of the key implementation items of the strategy is the Kitchener's Growth Management Plan (KGMP) which is the *City's* evolved version of the former Staging of Development Report. This Growth Management Plan and an annual monitoring report will be used as an implementation tool to ensure effective and efficient growth. The Growth Management Plan helps guide the relative priority for development within the city's growth areas with links to the capital budget and development charges process. The Growth Management Plan provides direction for achieving the required *density* and *residential intensification targets* for the *city* and the prioritization of growth-related capital projects such as engineering *infrastructure* and community facilities.

Policies

17.E.5.1. The Kitchener Growth Management Program will help manage growth. The program will include a Strategy and actions to plan for, and integrate, locations for accommodating growth and development, use of existing i*nfrastructure*, new growth-related *infrastructure*, *community infrastructure*, transportation, current and future financial considerations and complete communities. The program will include a Growth Management Plan to assist in determining the timing and relative priority of *development* and growth-related *infrastructure*.

17.E.5.2. The Kitchener Growth Management Program will be linked with the processes for the *City's* Capital Budget and Forecast and Development Charges.

Growth Management Plan

17.E.5.3. The following matters will be considered in the preparation of the *City's* Growth Management Plan:

a) promoting the realization of the goals, objectives and policies of this Plan;

b) providing a process which integrates the *City's* financial planning of growth-related capital costs with land use planning and timing of *development* for growth areas;

c) ensuring an effective and efficient growth pattern in the *city*;

d) ensuring *complete communities* and coordination of initiatives;

e) ensuring the coordinated and orderly provision of municipal services and *infrastructure* and community facilities in conjunction with growth;

f) establishing priority levels for *development* and projects for each growth area within the *city*; and,

g) confirming the relative rate, timing and location of *development* and *redevelopment* in the *city* to ensure that an adequate supply of housing and employment are maintained.

17.E.5.4. The City's Growth Management Plan will outline the City's intention towards the priority and processing of development applications.

Growth Management Monitoring Report

17.E.5.5. The *City's* Growth Management Monitoring Report will be prepared annually and will track the potential capacity to accommodate growth both within the Built-Up Area *(Intensification Areas*) and in the Designated Greenfield Area and the achievement of *residential intensification targets* and *density* targets.

17.E.6 Secondary Plans

Preamble

Secondary plans are used to provide more detailed direction pertaining to growth and *development* in specific areas of the *city*, indicating the manner in which the goals, objectives, policies and land use designations of the Official Plan will be implemented within respective areas. In the past Secondary Plans have generally been prepared for *existing* Built-Up Areas in the *city* but they may also be prepared in the Designated Greenfield Area. Once approved, these Plans are incorporated into the Official Plan by formal amendment. Previously adopted Secondary Plans are contained in Section 16.

Policies

17.E.6.1. Secondary Plans and supporting studies will be prepared for specific areas of the *City* where it is considered necessary to provide more detailed planning objectives and policies to direct and guide *development* or *redevelopment*. Areas which may warrant a Secondary Plan include, but are not limited to:

a) part or all of a *planning community*/district within the Designated Greenfield Area;

b) areas which are in transition or experiencing land use *compatibility* issues; and/or,

c) areas which are experiencing pressure for land use *conversion* or *intensification*.

17.E.6.2. Secondary Plans may contain a more detailed classification of land use than that of this Plan and will be prepared in accordance with the objectives of this Plan and the *Urban Design Manual* and will also incorporate any appropriate matters with regard to Neighbourhood Design and any other applicable community planning matters.

17.E.6.3. Secondary Plans will be adopted by an amendment to this Plan and will be subject to the same administrative and public involvement procedures as required for an Official Plan Amendment.

17.E.6.4. In the event of a conflict between the policies in this Plan and those contained in Secondary Plans, the Secondary Plan policies will prevail to the extent of the conflict within the geographic area covered by the Secondary Plan.

17.E.6.5. Notwithstanding Policy 17.E.6.4, in cases where they may be a conflict or inconsistency between a provision of a Secondary Plan and a provision of *Provincial* legislation, a Regional Official Plan policy or the policy of any other relevant public authority having jurisdiction over the subject area, the policies of the latter will take precedence and efforts will be made to revise the subject Secondary Plan.

17.E.6.6. *Existing* Secondary Plans will be reviewed and modified to conform with the policies of this Plan and any other relevant piece of legislation.

17.E.7 Community Plans

Preamble

Community Plans are one of several implementation strategies of this Plan. Community Plans were prepared for large areas that were undergoing new *development* and were intended to facilitate and coordinate decisions regarding location of community facilities, transportation systems, subdivision of land, distribution of densities, protection of the *Natural Heritage System*, and timing and staging of *development*. Community Plans were also prepared to guide infill and to reflect the context of specific areas of the *city*.

Policies

17.E.7.1. Community Plans must conform with the policies of this Plan and with the policies of the Regional Official Plan.

17.E.7.2. Community Plans generally follow the *City's Urban Design Manual* guidelines related to Community Design and will also incorporate any appropriate matters with regard to Neighbourhood Design and any other applicable community planning matters.

17.E.7.3. Community Plans are adopted by resolution of Council and will also be subject to *Regional* approval when they are deemed to affect matters of *Provincial* or *Regional* significance.

17.E.7.4. Community Plans will be repealed by resolution of Council once the areas affected by these Plans are substantially developed or redeveloped in accordance with the Community Plan.

17.E.8 Block Plans

Preamble

Block Plans are detailed plans that are intended to further coordinate *development* for a defined area where it has been determined by the *City* that a secondary plan or community plan is not warranted. The defined area of a Block Plan may be in one, or a limited number of ownerships and is completed prior to the granting of *development application* approvals.

Policies

17.E.8.1. The *City* may require the preparation of a Block Plan to show:

a) the various land uses and densities;

b) the location, dimensions and intersection details of all existing and proposed roads;

c) the location of existing and proposed water and wastewater servicing, stormwater management ponds and *utilities*;

d) the location and the anticipated timing of any schools and community centres;

e) location, dimensions and areas of lands to be conveyed to the *City* for parks and open space purposes; and,

f) the phasing of *development*.

17.E.8.2. Any *development application* for a parcel of land within a Block Plan must be in conformity with this Plan and consistent with an approved Block Plan.

17.E.8.3. Any *development application* which is not consistent with a Block Plan approved by Council may receive approval provided it can be demonstrated that any deviations from the Block Plan are appropriate, and represent good planning, and represent an improvement and conform to the policies of this Plan.

17.E.8.4. Where the *City* has determined that a Block Plan is required to coordinate the *development* for a defined area, the approval of *development applications* will be considered premature.

17.E.9 Community Improvement Plans

Preamble

The *Community Improvement* provisions of the Planning Act give the *City* a range of tools and powers that may be used to achieve a broad range of the goals and objectives of this Plan. *Community Improvement Plans* identify specific projects that need to be carried out in a particular area to improve the quality of life and the built environment in an area, setting out the course of action of for the *redevelopment*, rehabilitation or improvement of the area. *Community Improvement Project Areas* may be established by Council and designated by by-law, in accordance with the provisions of the Planning Act.

Policies

17.E.9.1. All lands within the *city* are considered eligible for *Community Improvement* initiatives, and eligible to be designated as a "*Community Improvement Project Area*", pursuant to the provisions of the Planning Act.

17.E.9.2. *Community Improvement Project Areas* may be established by Council and designated by by-law, in accordance with the provisions of the Planning Act, as long as the area satisfies one or more of the following criteria:

a) there may be conflicting or *incompatible* land uses in the area;

b) there are old residential, industrial and commercial buildings and properties that are in need of upgrading, rehabilitation, or replacement;

c) the area contains an inappropriate range of housing types and densities including insufficient *affordable housing*;

d) there are deficient local parks and recreational and/or community facilities in terms of size, space, location, access, landscaping, grading or equipment;

e) there are deficient sanitary sewers, storm sewers, hydro, water systems or other *infrastructure*;

f) there are deficient streetscapes in terms of poor roads, curbs, sidewalk, boulevards, tree planting, street furniture and street lighting;

g) there is inadequate flood protection;

h) there is a need for greater energy or water efficiency on land or in buildings;

i) there is a need for waste reduction or achieve other environmental *sustainability* objectives;

j) there are opportunities for *intensification* and *redevelopment* of under-utilized sites;

k) there is known or perceived environmental contamination, i.e. *brownfields*;

l) there are *cultural heritage resources* in an area warranting *conservation* and/or enhancement;

m) there are a number of screening, buffering or landscaping deficiencies in the area; or,

n) the area is in need of environmental, social or community economic development.

17.E.9.3. *Community Improvement Plans* and community *development* projects may be undertaken in conjunction with senior levels of government funding assistance programs and will be subject to the eligibility and implementation regulations of such programs and the priorities and availability of municipal funding.

17.E.9.4. The *City* will be satisfied that its participation in C*ommunity Improvement* activities will be within the financial capabilities of the *City*.

17.E.9.5. In accordance with the Planning Act, for furthering the *Community Improvement* goals and objectives and under such terms as Council considers appropriate, the *City* may provide grants or loans to the *Region* for carrying out a *Regional Community Improvement Plan* that has come into effect or the *City* may be in receipt of grants or loans from the *Region* for carrying out a *City Community Improvement Plan*.

17.E.9.6. Where the *City* is satisfied that a *Community Improvement Plan* has been carried out, it may, by by-law, dissolve the *Community Improvement Project Area and Plan*.

17.E.10 Complete Application Requirements

Preamble

To facilitate an efficient approvals process, the *City* requires Pre-Submission Consultation Meetings in advance of an owner/applicant submitting some *development applications*. Through this process the *City* identifies information and materials that are required in order to support and accept an application as complete under the Planning Act. Requiring this information and material to be provided at the time a *development application* is submitted allows the *City* to make a well informed decision within the timeframe provided by the Planning Act.

Policies

17.E.10.1. The *City* will not accept an application for a Plan of Subdivision, a Plan of Vacant Land Condominium, an Official Plan Amendment, a *Zoning By-law* Amendment, a Consent and/or Site Plan for processing unless such *development application* is considered to be a *complete application* in accordance with the Planning Act. To be deemed complete an application must satisfy the following:

a) include all applicable statutory requirements, including the submission of the prescribed information and the requirements as listed on the application forms and the required studies and plans and/or drawings;

b) be submitted with the prescribed fee;

c) include any other information and materials that are necessary to support the application that have been identified by either the *City* or at the Pre-Submission Consultation Meeting.

17.E.10.2. An owner/applicant will be required to participate in a Pre-Submission Consultation Meeting prior to the submission of an application for a Plan of Subdivision, a Plan of Vacant Land Condominium, an Official Plan Amendment, a *Zoning By-law* Amendment and/or a Site Plan. A Pre-Submission Consultation Meeting may be required for a Consent Application if other information and materials are needed to inform the Consent application. A Pre-Submission Consultation Meeting will include an electronic or in-person meeting to consult on the development proposal, and may include collaborative components such as a visioning workshop, a design charette, and site walk(s).

17.E.10.3. Notwithstanding Policy 17.E.10.2, the *City* may waive the requirement for a Pre-Submission Consultation Meeting, where the *City* has identified that, due to the nature of the proposal, the need for and scope of required other information and materials can be determined without Pre-Submission Consultation Meeting. Where the requirement for this meeting has been waived, the *City* will provide the owner/applicant with a form that identifies the necessary other information and materials to be submitted with the application(s) to deem it complete.

17.E.10.4. The purpose of the Pre-Submission Consultation Meeting is to identify any other information and materials, as listed in Schedule B: Other Information and Materials, which may be necessary and required to review the application. Some of these other

materials as listed in Schedule B may be scoped or waived through Pre-Submission Consultation. Where other information and materials have been identified to be submitted with the *development application* the other information and materials will be:

a) in keeping with the scope and complexity of the application(s);

b) prepared by a qualified professional (as defined in applicable legislation or alternatively to the satisfaction of the *City*) retained by and at the expense of the owner/applicant;

c) prepared in accordance with any applicable *Federal*, *Provincial* and *Regional* Guidelines and Policies and any *City* Guidelines or Policies that have endorsed by Council and in accordance with any standard or customized Terms of Reference(s); and,

d) Other Information and Materials required to process a Site Plan Approval Application will be limited to those matters set out under Section 41 of the Planning Act, as may be amended from time to time.

17.E.10.5. The *City* may require, as part of a *complete application*, a site plan, elevation drawings, 3D model, shadow study, angular plane analysis, *urban design brief* and/or *urban design report* and any other appropriate plans and/or studies in accordance with the Urban Design Policies in Section 11, to:

a) demonstrate that a proposed *development* or *redevelopment* is *compatible*;

b) address the relationship to and the privacy of *adjacent* residential development; and,

c) ensure *compatibility* with the existing *built form* and the physical character of the established area and/or neighbourhood.

17.E.10.6. The *City* may refuse other information and materials submitted if it considers the quality of the submission unsatisfactory.

17.E.10.7. The *City* may request electronic versions of all submissions and any other information and materials submitted and stipulate the format of the digital submissions.

17.E.10.8. The *City* may conduct a peer review of any part of the submission or other information and materials submitted where necessary to determine whether the quality of the submission is satisfactory. Such peer review will be completed by an appropriate agency or professional consultant retained by the *City* at the owner/applicant's expense.

17.E.10.9. Additional information or reports may be required as part of the *complete application* in addition to the other information and materials listed in Schedule B: Other Information and Materials, where circumstances necessitate the need for such information in the decision-making process.

17.E.10.10. The *City* may require owners/applicants who amend *development applications* or where the *Record of Pre-Submission Consultation* is dated more than one year from

the date of the original Pre-Submission Consultation Meeting date to participate in an additional Pre-Submission Consultation Meeting or meetings and may require the submission of revised or additional supporting information and materials before the *City* will consider the amended application complete under the Planning Act.

17.E.10.11. Through the course of the review process for an application(s) which has otherwise been deemed a *complete application*, additional reports, studies, maps, plans or other information may be required if circumstances necessitate the need for such information and material as part of the decision making process.

17.E.10.12. The *City* will, within 30 days of receiving a *development application*, provide notice to the owner/applicant that the application is complete or, alternatively indicate additional information and material that is required to constitute a *complete application*. The date of application will be the date upon which all required information and material is submitted in a form that is satisfactory to the Director of Planning, or his/her delegate.

17.E.11 Environmental Impact Studies

Preamble

With the conservation of *natural heritage features* and functions and the protection of *groundwater features*, there is a need to assess proposed *development*, *redevelopment* and *infrastructure* projects for environmental impacts both comprehensively and on a project specific basis. An *Environmental Impact Study* is intended to ensure that all municipal planning and *development* approvals are reviewed, evaluated and, if necessary, revised to ensure the conservation of the natural environment. The purpose of an *Environmental Impact Study* is to provide a clear and reasonable mechanism for assessing the impact of *development*, *redevelopment* or *site alteration* on *natural heritage features*, their *adjacen*t *lands* and *ecological functions*. Further, an *Environmental Impact Study* will address how proposed *development*, *redevelopment* or *site alteration* will protect, maintain or *restore* the *natural heritage features* and *ecological functions* of the *Natural Heritage System* and their *adjacent lands*. When carrying out an *Environmental Impact Study* reference should also be made to the *Natural Heritage System* Policies of this Plan and other applicable requirements.

Policies

17.E.11.1. An *Environmental Impact Study* may be required, in accordance with the policies of this Plan, to:

a) identify and evaluate the potential effects of a proposed *development*, *redevelopment* or *site alteration* on elements of the *Natural Heritage System*;

b) recommend means of preventing, minimizing or mitigating impacts as well as opportunities for enhancing or restoring the quality and connectivity of the elements comprising the *Natural Heritage System*;

c) identify and evaluate the presence and significance of elements of the *Natural Heritage System*, where insufficient information exists; and/or,

d) interpret the boundaries of the elements, where appropriate.

17.E.11.2. The completion of an *Environmental Impact Study* or alternative environmental study does not guarantee that the proposed *development*, *redevelopment* or *site alteration* will be approved. Proposed *development*, *redevelopment* or *site alteration* will not be approved where it is in conflict with the other policies of this Plan.

17.E.11.3. Any required *Environmental Impact Study* will be prepared by a qualified professional and submitted together with the *development application* as part of the Complete Application Requirements in accordance with the policies in Section 17.E.10.

17.E.11.4. The *City*, in consultation with the *Region*, *Province*, *Federal* government and Grand River Conservation Authority, may prepare *Environmental Impact Study* Guidelines or a Terms of Reference, to assist owners/applicants in identifying the scope of any required *Environmental Impact Study*.

17.E.11.5. The need for, scope and acceptability of an *Environmental Impact Study* will be determined in collaboration with the *Region*, *Province*, *Federal* government and Grand River Conservation Authority. If the *natural heritage feature* extends beyond the boundaries of the *city*, the adjacent municipality will be offered the opportunity to participate in this determination.

17.E.11.6. Where an *Environmental Impact Study* is required to evaluate the potential effects of a proposed *development*, *redevelopment* or *site alteration* on more than one element of the *Natural Heritage System*, the *City*, the *Region*, the *Province*, *the Federal government* and the Grand River Conservation Authority will, wherever feasible, coordinate the requirements such that one *Environmental Impact Study* may be prepared to the satisfaction of all agencies.

17.E.11.7. The *City*, in consultation with the *Federal* government, *Province*, the *Region* and the Grand River Conservation Authority, may require the completion of a Comprehensive *Environmental Impact Study* where:

a) the proposed *development* may affect a variety of elements of the *Natural Heritage System* and consultation with the appropriate agencies indicates that a broader consideration of environmental impacts may be necessary; and/or

b) multiple contiguous properties containing elements of the *Natural Heritage System* are proposed for *development* or *redevelopment*; and/or

c) a comprehensive Community Planning process is being undertaken; and/or

d) environmental studies are required to support the expansion of the City's Urban Area' boundary; and/or

e) previously completed *Subwatershed* Master Plans or *Master Drainage Plans* have not adequately addressed the identification of elements of the *Natural Heritage System*.

17.E.11.8. New *Subwatershed* Plans will satisfy the requirements of a Comprehensive *Environmental Impact Study* and will scope issues with respect to the impacts of a proposed *development*, *redevelopment* or *site alteration* on elements of the *Natural Heritage System*.

17.E.11.9. The *City* may reduce the scope and/or content of an *Environmental Impact Study*, where applicable, where the impacts of the proposed *development*, *redevelopment* or *site alteration* are expected to be limited in area and/or scope, or where other environmental studies fulfilling the requirements of an *Environmental Impact Study* have previously been prepared.

17.E.11.10. The *City* and/or other appropriate agency may waive the requirement for an *Environmental Impact Study* where consultation with other agencies or site investigation indicates that there are not likely to be *adverse environmental impacts* upon the *Natural Heritage System*.

17.E.11.11. The submission of an *Environmental Impact Study* will not be required where an *Environmental Assessment* is required, or alternative environmental reviews are being undertaken as part of a comprehensive planning process required under *Provincial* or *Federal* legislation, provided the *Environmental Assessment* or alternative environmental review fulfills the requirements of an *Environmental Impact Study*.

17.E.11.12. An *Environmental Impact Study* submitted in accordance with the Environmental Impact Studies Policies in Section 7.C.2 will establish specific mitigative measures and specify an appropriate buffer width, if needed pursuant to other City, Grand River Conservation Authority and Regional policies, to fully protect the *Natural Heritage System feature*. The location, width, composition and use of buffers will be in accordance with the approved *Environmental Impact Study*, with buffers being measured from the outside boundary of the *natural heritage feature*.

17.E.11.13. Where *infrastructure* is permitted on *adjacent lands*, as demonstrated by an *Environmental Impact Study*, and has competing demands for space, additional buffers and setbacks may not be required.

17.E.11.14. All buffers as determined by an *Environmental Impact Study* will be dedicated to the *City* or other public authority without cost and not be eligible as part of the required parkland dedication.

17.E.12 Zoning By-law

Preamble

A *Zoning By-law* is a regulatory tool that implements the objectives and policies of the Official Plan. A *Zoning By-law* contains provisions that regulate the use, size, height, density and location of buildings on lands within the *city* along with other matters such as parking.

Policies

17.E.12.1. *Zoning By-laws* will be used to regulate the use of land and the location and use of buildings and structures in accordance with the provisions of the Planning Act in order to ensure the orderly development of the *city* and contribute to and maintain *community character*.

17.E.12.2. *Zoning By-laws* may be more restrictive than the policies of this Plan. It is not intended that the full range of uses or densities permitted by this Plan will be permitted by the *Zoning By-law* in all locations.

17.E.12.3. Within three years of the adoption of, or five year update of this Plan, the *existing Zoning By-law* will be reviewed and amended, or a new *Zoning By-law* prepared and adopted, to conform to the policies of this Plan.

17.E.12.4. In the case of a *City*-initiated Official Plan Amendment to implement new policies, the *City* will use best efforts to update the *existing Zoning By-law* accordingly, within a one to two year timeframe, to conform to the new policies of this Plan.

17.E.12.5. Until such time as the *existing Zoning By-law* is reviewed and amended or a new *Zoning By-law* is prepared and adopted to implement the policies of this Plan, The *existing Zoning By-law* will remain in effect. However, any amendment to the *existing Zoning By-law* will be required to be in conformity with this Plan and any *Provincial* legislation.

17.E.12.6. The *City* will consider all applications to amend the *Zoning By-law* and will provide notice of such applications and public meetings in accordance with the provisions and regulations of the Planning Act and alternative notice procedures contained in Section 17.E.3 of this Plan.

17.E.12.7. Council may, by By-law, delegate to the Director of Planning, the authority to approve minor amendments to the Zoning By-law including but not limited to:

a) a by-law to remove a holding symbol; and

b) updates to assist with clarity and interpretation where the effect of the regulation is not substantively changed.

17.E.13 Holding Provisions

Preamble

Holding provisions enable lands to be zoned for specific uses but prevents *development* and *redevelopment* from occurring until the *City* is satisfied that certain conditions have been met. Holding provisions are operationalized in the *Zoning By-law* through the use of a holding symbol "H", in conjunction with a specific land use or land use designation category. The removal of the holding symbol occurs after fulfillment of the specific requirements as set out in the Official Plan.

The *City* will utilize holding provisions to achieve orderly development and ensure that policies established in this Plan have been met prior to *development* proceeding. The policies in this Section will allow for the implementation of holding provisions in the *City's Zoning By-law* on a comprehensive or site-specific basis.

Policies

17.E.13.1. Holding provisions will be applied in those situations where it is necessary or desirable to zone lands for *development* or *redevelopment* in advance of the fulfillment of specific requirements and conditions, and where the details of the *development* or *redevelopment* have not yet been fully resolved. A Holding provision may be used in order to implement this Plan for one or more of the following purposes:

a) to ensure that certain conditions, studies or requirements related to a proposed *Zoning By-law* Amendment are met;

b) to achieve orderly phasing or staging of *development*, in accordance with *City*, *Regional* and *Provincial* policies;

c) to ensure that adequate transportation and servicing *infrastructure* and community services and *facilities* are, or will be, available in accordance with municipal standards;

d) to adopt measures to mitigate negative impacts resulting from the proximity of lands to transportation and *utility* corridors, *incompatible* land uses or any other source of nuisance or hazard to public health and welfare;

e) to satisfy the policies of this Plan related to cultural heritage *conservation*, urban design, Site Plan control, potentially contaminated sites, protection of the natural environment and the *Natural Heritage System*, *community improvement*, and any other planning matters determined to be relevant to the development or *redevelopment* of the lands;

f) to achieve the exchange of community benefits set out in the Bonusing Policies in Section **Error! Reference source not found.**;

g) to ensure the payment of monies for services and/or local improvements; and/or,

h) to ensure the execution of legal agreements, approval of plans of subdivision and approval of necessary studies by the appropriate authority in order to satisfy any of the criteria set out above.

17.E.13.2. Implementation of *city*-wide holding provisions may be by way of both general *city*-wide *Zoning By-law*s and/or site specific *Zoning By-laws*. Site specific Official Plan Amendments are not required each time a holding by-law covered by these policies is enacted or subsequently amended to remove the holding symbol.

17.E.13.3. Holding provisions will be applicable to all land use designation categories in this Plan and may be applied through the *Zoning By-law* to any zoning category or to a specific land use within a zoning category. Holding provisions may be applied *city*-wide or to portions of the *city* or on a site-specific basis.

17.E.13.4. The implementing or holding *Zoning By-law* will zone the lands for their future intended use and will identify the lands subject to the holding provisions by adding the holding symbol H to the zoning category or to certain uses within the zoning category, indicating that the *development* or *redevelopment* of the lands cannot proceed until the symbol 'H' is removed by by-law.

17.E.13.5. Interim uses permitted while the holding provision is in place will include existing uses and other uses permitted within the appropriate Official Plan land use designation deemed appropriate by Council and which do not adversely affect the future *development* potential of the lands.

17.E.13.6. Specific actions or requirements for the lifting of the holding provision will be set out in, or within an amendment to, the *City's Zoning By-law*, pursuant to the Planning Act. The *Zoning By-law* will specify what conditions must be met before the holding provision can be removed, what specifically identifies the determination that a condition or requirement has been met, and the level of government responsible for providing clearance that the condition or requirements for removing the holding provision has been met.

17.E.13.7. The *City* will enact a by-law to remove the holding symbol when all the conditions set out in the holding provision have been satisfied, permitting *development* or *redevelopment* in accordance with the zoning category assigned.

17.E.13.8. Council may, by By-law, delegate to the Director of Planning, the authority to approve a zoning by-law in accordance with Policy 17.E.13.7.

17.E.14 Conditional Zoning

Preamble

Conditional Zoning is a tool that may be utilized to impose conditions on the use of lands or the erection of buildings or structures. Conditional Zoning is intended to allow a more flexible zoning process and provides the *City* with the authority to secure conditions in agreements that may be registered on title and enforced against both current and future owners of the lands.

Policies

17.E.14.1. When regulations have been enacted by the *Province* to authorize the use of Conditional *Zoning By-laws* in accordance with the Planning Act, the *City* may, in a *Zoning By-law*, permit a use of land or the erection, location or use of buildings or structures subject to one or more prescribed conditions on the use, erection or location.

17.E.14.2. Prior to the enactment of a *Zoning By-law* under the Conditional Zoning Policies of this Plan, the *City* may require the owner to enter into one or more legal agreements to be registered on title against the lands to which it applies, dealing with the said conditions and matters related to implementation.

17.E.15 Interim Control By-Law

Preamble

An interim control by-law is a mechanism that may be used by the *City* to restrict *development* or *redevelopment* in certain areas for a limited time period, particularly areas experiencing *development* or *redevelopment* pressures, to permit the completion of planning studies. Matters related to land use, transportation, *infrastructure*, environment and other aspects of *development* may be addressed during the study period.

Policies

17.E.15.1. The *City* may pass an interim control by-law in accordance with the Planning Act in order to restrict the use of land, buildings or structures within a defined area in the *city* where Council has directed, by by-law or resolution, that a review or study be undertaken with respect to land use planning policies.

17.E.16 Temporary Use By-Law

Preamble

Temporary use by-laws are *Zoning By-law*s which permit the temporary use of land, buildings or structures for a specified period of time.

Policies

17.E.16.1. The *City* may pass a Temporary Use By-law permitting the temporary use of lands, buildings or structures for a purpose that would otherwise not be permitted in the *Zoning By-law* in accordance with the provisions of the Planning Act.

17.E.16.2. A temporary use by-law will define the land to which it applies and will prescribe the period of time during which it is in effect.

17.E.16.3. The *City* may grant extensions of the temporary use. Any extension will be granted by way of by-law, and will not exceed three years.

17.E.16.4. The *City* will, in considering the enactment of a temporary use by-law, be satisfied that:

a) the proposed temporary use conforms to the intent and policies of this Plan;

b) the proposed temporary use is *compatible* with surrounding uses;

c) there is sufficient on-site parking to accommodate the proposed temporary use; and,

d) the proposed use will be properly serviced and will not require the extension or expansion of existing municipal services.

17.E.16.5. Upon the expiry of the time period(s) authorized by a temporary use bylaw, the use of land, buildings or structures that were permitted under such a by-law will cease to exist and will not be considered legal non-conforming within the context of the Planning Act or this Plan.

17.E.17 Inclusionary Zoning Agreements

An owner of a *development* subject to an Inclusionary Zoning By-law will enter into one or more agreements with the *City*, and if applicable, an offsite *affordable dwelling unit* owner, to be registered on title, securing:

a) The requirements of Section 4.C.1.43-57;

b) Requirements for the timely delivery of the *affordable dwelling units* including any phasing if applicable;

c) The approach to determining maximum rent and permitted rent increases;

d) Adjustments to the maximum permitted rent in the event the *purpose built rental housing*, is converted to condominium tenure;

e) Requirements ensuring the occupants of *affordable dwelling units* have the same building and amenity access as occupants of market units;

f) Requirements ensuring *affordable dwelling units* are provided to eligible tenants;

g) Requirements for ongoing administration, reporting and monitoring of the *affordable dwelling units* over the affordability period;

h) onditions for offsite *affordable dwelling unit* delivery if applicable;

i) Provisions that apply in the event of default of the agreement; and,

j) Other standards or arrangements as appropriate.

17.E.18 Cash-in-lieu of Parking

Preamble

The *City* will use *cash-in-lieu* of parking as a strategy to accommodate additional *development* or *redevelopment* and promote a *compact urban form*, while at the same time creating a funding source for strategically-located parking facilities.

Policies

17.E.18.1. The use of *cash-in-lieu* of parking will be strongly encouraged to be used within the Urban Growth Centre (Downtown) and Protected Major Transit Station Areas. The use of *cash-in-lieu* of parking may also be considered for use in City Nodes, Community Nodes, Urban Corridors and on properties along *transit corridors* where appropriate.

17.E.18.2. Where an owner/applicant is required, under the *Zoning By-law*, to provide and/or maintain parking facilities, in those areas listed in Policy 17.E.18.1, the *City* may consider a cash payment in lieu of all or part of the parking requirements in accordance with the City's Cash-in-Lieu Policy.

17.E.18.3. Funds collected from any *cash-in-lieu* of parking agreements will be paid into a special account, the *City's* Parking Reserve Fund, in accordance with the provisions in the Planning Act and the Municipal Act and will be used for the acquisition of lands and/or provision of off-street parking as deemed appropriate by the *City*.

17.E.19 Development Permit System

Preamble

The Development Permit System is an additional implementation tool that may be used by the *City* to ensure the goals, objectives and policies of this Plan are realized. The Development Permit system is intended to be a flexible planning tool which combines zoning, site plan control, and minor variance processes into a single process.

Policies

17.E.19.1. The *City* may investigate the creation and implementation of a development permit system for use in specific geographic areas of the *City* in accordance with the Planning Act.

17.E.19.2. If it has been determined that a Development Permit System is appropriate for specific geographic areas of the *city*, an Official Plan Amendment will be required to establish a Development Permit System. The Official Plan Amendment will:

a) identify the area to which the development permit system applies;

b) set out the scope of the authority that may be delegated and any limitations on the delegation, if the *City* intends to delegate any authority under the development permit by-law;

c) specific goals, objectives, and policies of the development permit area;

d) set out the types of criteria and conditions that may be included in the development permit by-law;

e) identify the classes of *development* or *redevelopment* that may be exempt;

f) specific height and *density* bonusing provisions; and,

g) specific *complete application* requirements.

17.E.20 Committee of Adjustment

Preamble

Council may appoint a Committee of Adjustment to consider minor variances from *Zoning By-laws*, changes to legal non-conforming uses and legal non-complying uses and interpretations to generalized by-laws in accordance with Planning Act regulations. In addition, Regional Council has delegated its approval authority to the City Committee of Adjustment with regards to consents, including severances, lot additions, rights-of-way, easements and leases over 21 years.

Policies

Role of the Committee of Adjustment

17.E.20.1. Council may appoint a Committee of Adjustment to authorize variances to the *Zoning By-law*, extensions or enlargement of legal non-conforming uses. The Committee of Adjustment may also authorize severances, lot additions, rights-of-way, easements and leases in excess of 21 years, in accordance with the approval delegated by the *Region* and the Planning Act.

17.E.20.2. Decisions of the Committee of Adjustment will maintain the intent and purpose of this Plan and will be in accordance with requirements of the Planning Act and all other applicable legislation.

Consents

17.E.20.3. When considering an application for consent, the Committee of Adjustment will have regard to the provisions of the Planning Act, to the goals, objectives and policies of this Plan and to the provisions of the *Zoning By-law*.

17.E.20.4. Consents may be permitted for the creation of a new lot, boundary adjustments, rights of-way, easements, long-term leases and to convey additional lands to an abutting lot provided an undersized lot is not created.

17.E.20.5. Applications for consent to create new lots will only be granted where:

a) the lots comply with the policies of this Plan, any Community Plan and/or Secondary Plan, and that the lots are in conformity with the *Zoning By-law*, or a minor variance has been granted to correct any deficiencies;

b) the lots reflect the general scale and character of the established development pattern of surrounding lands by taking into consideration lot frontages, areas, and configurations;

c) all of the criteria for plan of subdivision are given due consideration;

d) the lot will have frontage on a public street;

e) municipal water services are available;

f) municipal sanitary services are available except in accordance with Policy 14.C.1.19;

g) a Plan of Subdivision or Condominium has been deemed not to be necessary for proper and orderly *development*; and,

h) the lot(s) will not restrict the ultimate *development* of *adjacent* properties.

17.E.20.6. The Committee of Adjustment will have regard for any comments provided by agencies and *City* departments regarding the effect of the proposed consent.

17.E.20.7. The Committee of Adjustment may attach such conditions as it deems necessary to the approval of a consent, in accordance with the Planning Act.

Extension or Enlargement of a Legal Non-Conforming Use

17.E.20.8. In special circumstances, it may be appropriate to consider the extension or enlargement of non-conforming uses. It is the intention of this Plan that any such extension or enlargement will be processed as either a site-specific *Zoning By-law Amendment*, or as an application to the *Committee of Adjustment* pursuant to the provisions of the Planning Act. Approval may also be subject to site plan control conditions applicable to the lands, building or structure.

17.E.20.9. The Committee of Adjustment may consider an enlargement or an extension of a legal non-conforming use subject to the following criteria:

a) whether the enlargement or extension is in the public interest;

b) whether the enlargement or extension represents good planning;

c) whether the enlargement or extension creates unacceptable *adverse impacts* upon abutting properties;

d) whether the proposed use of the lands with the enlargement or extension is similar in purpose to the *existing* use; and,

e) whether the enlargement or extension will perpetuate the legal non-conforming use.

Change in Use

17.E.20.10. Pursuant to the provisions of the Planning Act, the Committee of Adjustment may permit a use of the property that is similar to the purpose for which it was used, or a use that is more *compatible* with the uses permitted by the *Zoning By-law*. The proposed use will:

a) be an improvement over the *existing* use in terms of appearance and function in relation to the surrounding area, and more closely approach the intent of the policies of this Plan and provisions of the *Zoning By-law*;

b) be viewed as an interim use and should be considered in relation to the economic life of the use and structure; and,

c) not create or cause an increase of nuisance factors such as noise, vibration, fumes, smoke, dust, odours, lighting, or traffic so as to result in the *incompatibility* of the use with its surrounding area.

Submission Requirements

17.E.20.11. The City will not accept an application to the Committee of Adjustment for processing unless such development application includes the necessary information and materials, in accordance with Planning Act regulations.

Other information and materials may be required as part of a complete application for consent. Such materials may be identified in a Record of Pre-Submission Consultation where a Pre-Submission Consultation Meeting is held, or may include other information and materials identified by the City that are necessary to review the Committee of Adjustment application, such as but not limited to:

a) Site Plan and Elevation drawings;

b) Environmental Studies;

c) Servicing Reports or Studies; and,

d) Tree Preservation/Enhancement Plan

17.E.21 Non-Conforming and Non-Complying Uses

Preamble

With the adoption of the Official Plan there may be some uses which do not conform with the objectives, applicable land use designation and other policies in this Plan. In some situations it may be desirable to allow the non-conforming use to continue during periods of transition or where the non-conforming use is tolerable and/or *compatible* with surrounding lands. In other cases there may be other uses which do not conform with the goals, objectives or policies of this Plan, nor with surrounding lands, in which case it will desirable for these uses to cease to exist.

Policies

Non-Conforming Uses

17.E.21.1. The use of lands, buildings and/or structures which do not conform with the *Zoning By-law* but which were in lawful existence prior to the approval of the *Zoning By-law*, and which continue to be used for such a purpose, will be recognized as legal non-conforming uses. If such legal non-conforming uses cease, then the rights derived from such uses will terminate.

17.E.21.2. Notwithstanding Policy 17.E.21.1, legal non-conforming uses destroyed by fire or natural disaster may be rebuilt provided that the dimensions of the building and/or structure are not substantially increased and the use of the building and/or structure is not substantially altered and all applicable approvals are obtained.

17.E.21.3. The *City* may recognize uses which exist at the time of the approval of this Plan and which do not have a negative impact on the environment and do not pose a significant threat to health and safety. This will be done by means of appropriate site specific zoning. Such specific zoning will not be considered to be in contravention of the policies of this Plan and will:

a) only be accomplished by the adoption of a site specific *Zoning By-law* which will incorporate specific and appropriate regulations relative to the *existing* specific use and site; and,

b) be limited to the limits of the land owned at the time of the approval of this Plan.

17.E.21.4. It is the intention and expectation that legal non-conforming uses, buildings and/or structures will eventually cease and be replaced by uses, buildings and/or structures that conform with the intent of this Plan and comply with the *Zoning By-law*.

Non-Complying Uses

17.E.21.5. Where an *existing* use of land is permitted within the applicable zone in the *Zoning By-law*, but the lot, buildings or structures located on the property do not meet one or more of the provisions or regulations of the applicable zone, the use, lot, building and/or structure will be considered to be legal non-complying.

17.E.21.6. The *City* may consider the use of *Zoning By-law* provisions or regulations to allow similar uses and/or uses within the same zone category, to occupy *existing* legal non-complying lands, buildings and/or structures unless there is a significant threat to health and safety, without the need for a *Zoning By-law* Amendment or minor variance application.

17.E.21.7. Legal non-complying buildings and/or structures destroyed by fire or natural disaster may be rebuilt provided that the dimensions of the building and/or structure are not increased and the use of the building and/or structure is not altered and all applicable approvals are obtained.

17.E.21.8. Applications for the expansion, alteration or an addition to a non-complying building and/or structure will be considered by way of *Zoning By-law* Amendment or minor variance application, depending on the nature of the proposal, in accordance with the policies of this Plan.

17.E.22 Site Plan Control

Preamble

Site Plan Control is a tool used to achieve high quality site and exterior *building design*. It is used to achieve appropriate siting and massing of a development on a site and to ensure safety, accessibility, attractiveness and *compatibility* of a development with the site context and overall urban landscape. It is also used by the *City* to secure land for road widenings and implement streetscape improvements in public boulevards adjoining development sites. To a large extent, Site Plan Control is one of the key tools for implementing the *City's* policies for Urban Design and the *Urban Design Manual*.

Policies

17.E.22.1. The *City* will establish, by by-law, a Site Plan Control Area which will encompass all of the lands within the boundaries of the *city* and will be applicable to all *development* or *redevelopment* excluding:

a) Farm operations, farm buildings and the residence of the farm operator on agriculturally zoned land; and,

b) Residential uses which are not considered 'development', in accordance with section 41 of the Planning Act, including for example single detached dwellings; semi-detached dwellings; and street-townhouse dwellings, cluster townhouse dwellings and multiple dwellings where there are 10 dwelling units or less on a parcel of land. Notwithstanding the foregoing, a Site Plan Control Area may include development where Site Plan Control is permitted by the Planning Act, for example a land lease community home, or three or more mobile homes.

17.E.22.2. Site Plan Control will be used in accordance with the Planning Act as a means of achieving well-designed, functional, accessible, safe, *sustainable built form* and public space.

17.E.22.3. Proposed *development* and/or *redevelopment* within the Site Plan Control Area may not be permitted until such time as the City has approved drawings and plans (including a site plan, elevation drawings and cross-section views) for all buildings and structures to be erected (including all buildings to be used for residential purposes regardless of the number of *dwelling units*, and where considered 'development' in accordance with Section 41 of the Planning Act), and for site development works, and sustainable design elements within the *City* and/or *Region's* right-of-way, in accordance with the Planning Act.

17.E.22.4. The exterior design of all buildings proposed through the site plan approval process, as well as the *sustainable* streetscape design elements and site *development* works and site design as described herein, will be consistent with any applicable Urban Design Policies in Section 11, and with the *Urban Design Manual*, the Municipal Code, and any other Council approved design policies, guidelines and design briefs.

17.E.22.5. The *City* may require an *urban design brief* and/or *urban design report* to be submitted in support of a *development application* or *public realm* improvement project. The *urban design brief* and/or *urban design report* will be in accordance with the Urban Design Policies in Section 11 and may be used to guide the site plan approval process.

17.E.22.6. The *City* supports the implementation of *Crime Prevention Through Environmental Design* (CPTED) principles as part of the Site Plan Control process to ensure development or *redevelopment* has regard for the safety and security of all persons. The *City* may require a Crime Prevention Through Environmental Design Report (CPTED), to be prepared by a qualified professional, in accordance with the CPTED principles in the *Urban Design Manual* with the submission of a *development application* to the satisfaction of the *City*.

17.E.22.7. Widenings of highways may be required as a condition of site plan approval for all *development* or *redevelopment*, except as excluded in Policy 17.E.22.1, within the Site Plan Control Area, for those properties abutting Arterial and Collector Roads and Local Streets and Lanes described in Schedule D, Highways to be Widened, and Schedule E, Intersections That May Exceed the Designated Road Allowance.

17.E.22.8. The *City* will work in cooperation with the *Region* when considering applications for site plan approval to ensure that the *Region* has obtained road widenings for roads which are described as Highways to be Widened in the Regional Official Plan, and other site related interests and conditions as outlined in the Planning Act, and to require the owner of the land to enter into such agreements as may be required by the *Region* pursuant to the provisions of the Planning Act.

17.E.22.9. The *City* will ensure the principles of *barrier-free* and *universal accessibility* for all persons, in accordance with the standards as outlined in the *Urban Design Manual* and Provincial Legislation, will be implemented during the preparation and review of site *development* proposals and improvement plans and programs.

17.E.22.10. The *City* may require owners/applicants to fulfill conditions of site plan approval and enter into an agreement with the *City* relating to said conditions where there is construction of one or more buildings or structures, where the size of a building is to be substantially increased, where the intensity of a use is to increase, where there is the *development* of a parking lot, and/or in other circumstances deemed appropriate by the *City* pursuant to the provisions of the Planning Act.

17.E.23 Plans of Subdivision, Condominium, and Part-lot Control

Preamble

A registered plan of subdivision is used to create new municipal roads and separate parcels of land and identifies the exact surveyed boundaries and dimensions of lots. A Plan of Condominium is another way of dividing property and can include the creation of private roads and is primarily used to subdivide and convey ownership of individual units. Part-lot Control is a process whereby individual lots or blocks on a registered Plan of Subdivision can be further subdivided into lots. The *Region* has delegated authority to the *City* to grant approval of Plans of Subdivision, Plans of Condominium and Part-lot Control Applications.

Policies

17.E.23.1. The entire property will be subject to subdivision control and part lot control, pursuant to the Planning Act.

17.E.23.2. Notwithstanding Policy 17.E.23.1, Council may pass by-laws to exempt properties from part lot control, subject to the provisions of the Planning Act.

17.E.23.3. The division of land will occur by registered plan of subdivision where:

a) a new road or an extension to an existing road is required; or where.

b) it is deemed in the public interest for the proper and orderly *development* of land.

17.E.23.4. Plans of subdivision or plans of condominium will be appropriately phased to ensure orderly and staged *development*.

17.E.23.5. Lands that are designated Low Rise Residential in the developed areas of the *City* may be zoned agricultural as an interim zoning prior to processing Plans of Subdivision and their implementing *Zoning By-law*s.

17.E.23.6. Subdivision of lands will generally take place within the context of an approved Official Plan urban land use designation, Community Plan and/or Secondary Plan.

17.E.23.7. The *City*, when considering applications for plans of subdivision, will have regard to the provisions of the Planning Act and related *Provincial* policies and Plans, along with *Regional*, *City* and Grand River Conservation Authority policies and procedures. In addition, Council will approve only those plans of subdivision that meet the following criteria:

a) the Plan conforms to the policies of this Plan;

b) the plan is in accordance with the priorities and timing set out in the Kitchener Growth Management Program;

c) the plan of subdivision can be supplied with adequate services and community facilities;

d) the plan will not adversely impact upon the transportation system and will support public transit, cycling and *walkability*;

e) the plan will not adversely impact the natural environment;

f) the plan will not adversely impact municipal finances including operational budgeting;

g) the plan will be integrated with surrounding lands, subdivisions and streets; and,

h) the plan is designed in accordance with the Urban Design Policies in Section 11 of in this Plan and the *Urban Design Manual*.

17.E.23.8. The *City* will, as a condition of approval pursuant to the Planning Act, require the owner of lands subject to a plan of subdivision or plan of condominium to enter into one or more agreements which may be registered against the title of the subject lands.

17.E.23.9. Parkland dedication will be provided pursuant to the Planning Act and Section 8.C.1. Lands to be dedicated for park purposes must be acceptable to the *City*. Under no circumstances will the *City* be obligated to accept parklands being offered in a proposed plan of subdivision.

17.E.23.10. In approving a draft plan of subdivision or draft plan of condominium, the *City* may require that the approval lapses at the expiration of a specified time period, being not less than three years. The *City* may extend the approval time period, prior to its expiration.

17.E.23.11. If a plan of subdivision or part thereof has been registered for eight years or more and does not conform to the policies of this Plan, the *City* may use its authority under the Planning Act to deem it not to be a registered plan of subdivision.

17.E.23.12. If the approval of a draft plan of subdivision lapses, opportunities for achieving the growth management targets of this Plan may be considered as part of the *development* review process.

17.E.24 Property Standards

Preamble

Property Standard By-laws are a useful tool for ensuring the preservation and maintenance of existing buildings. The *City* will employ *Property Standards By-laws* to establish minimum standards of property maintenance and occupancy in order to set a basic standard of appearance and quality for all properties within the *city*.

Policies

17.E.24.1. The *City* may enact a *Property Standards By-law* in accordance with the Building Code Act, regarding minimum standards for the following:

a) the physical condition of buildings and structures;

b) the physical condition of lands;

c) the adequacy of sanitation; and,

d) the health of buildings and structures for occupancy.

17.E.24.2. In accordance with the Building Code Act, the *City* may, at the expense of the owners or occupants of private lands, elect to demolish or repair buildings, structures, or lands that are not compliant with the *Property Standards By-law* without compensation to the owners or occupants.

17.E.24.3. Any required demolition of residential buildings will be done in accordance with the Planning Act and with any other applicable policies in this Plan.

17.E.24.4. The *City* may establish specific requirements in the *Property Standards By-law* to address the maintenance and property standards of *cultural heritage resources*.

17.E.25 Demolition Control

Preamble

Demolition Control enables the *City* to maintain the integrity of residential neighbourhoods, prevent the premature loss of housing stock, avoid the creation of vacant parcels of land in stable neighbourhoods, and retain existing residential units until new uses have been considered and *redevelopment* plans have been approved.

Policies

17.E.25.1. The *City* may prepare, enact and enforce a Demolition Control By-law in accordance with the provisions of the Planning Act, to prevent the premature demolition of residential buildings within designated areas of the *City*.

17.E.25.2. The Demolition Control By-law may be used as a tool to:

a) preserve and enhance the character of an area;

b) protect *cultural heritage resources*;

c) preserve other buildings, structures, or features within the *City* as deemed appropriate by Council; and,

d) protecting existing rental housing stock in accordance with the Municipal Act.

17.E.25.3. The *City* will consider the following when reviewing demolition control applications:

a) the condition of the dwelling and/or residential building in terms of damage due to fire, water, wind, or other damaging cause of event, life and health safety and structural stability;

b) whether the property is a *cultural heritage resource* or has cultural heritage value or interest;

c) the impact of the demolition on abutting properties, the streetscape and neighbourhood stability;

d) the timeframe of *redevelopment*, where applicable, and, whether construction of a new structure is permitted pursuant to applicable legislation;

e) consultation with the neighbourhood where appropriate;

f) where a rental replacement permit is required under the Municipal Act; and,

g) any other site specific issues.

17.E.25.4. Applications to demolish designated *cultural heritage resources* will be considered in accordance with the provisions of the Ontario Heritage Act and the other applicable policies of this Plan.

17.E.26 Site Alteration

Preamble

Site alteration, including the placing or dumping of fill, the removal of topsoil, and the alteration of the grade of land can have negative impacts on the environment. Grading works undertaken without appropriate approval may cause unanticipated impacts to drainage, interference and damage to watercourses and water bodies, impacts on the quality of ground water and *natural heritage features*.

Policies

17.E.26.1. The *City* may enact and enforce a Site Alteration By-law in accordance with the Municipal Act, to regulate the placement or removal of fill, or alteration of land that may disrupt natural vegetation and/or drainage.

17.E.26.2. Should *site alteration* be undertaken without the approval of the *City* prior to a *development application* being submitted, the *City* may refuse to process the application until the site has been rehabilitated to the satisfaction of the *City*.

17.E.26.3. The *City* will encourage development and construction practices that minimize the levels of soil erosion and siltation.

Part F

SCHEDULES/MAPS/APPENDICES/ SECONDARY PLANS

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PART F: SCHEDULES/MAPS/APPENDICES/SECONDARY PLANS

Schedule A: Glossary of Terms

Active Transportation - means human-powered travel, including but not limited to walking, cycling, inline skating and travel with the use of mobility aids, including motorized wheelchairs and other power-assisted devices moving at a comparable speed.

Adaptive Re-Use - the recycling of a building and/or structure usually for a new function, such as the use of a former industrial building for residential purposes.

Adjacent - lands, buildings and/or structures that are contiguous or that are directly opposite to other lands, buildings and/or structures, separated only by a laneway, municipal road or other right-of-way.

Adjacent Lands/Lands Adjacent - those lands contiguous to natural *hazard lands*, a specific *natural heritage feature*, or area where it is likely that *development*, *redevelopment* or *site alteration* would have a negative impact on the hazard, *natural heritage feature*. The extent of the adjacent lands may be recommended by the *Province* or based on municipal approaches which achieve the same objectives.

Adverse Effects - as defined in the Environmental Protection Act, means one or more of:
a) impairment of the quality of the natural environment for any use that can be made of it;
b) injury or damage to property or plant or animal life;
c) harm or material discomfort to any person;
d) an *adverse effect* on the health of any person;
e) impairment of the safety of any person;
f) rendering any property or plant or animal life unfit for human use;
g) loss of enjoyment of normal use of property; and,
h) interference with normal conduct of business.

Adverse Environmental Impacts - changes likely to arise directly or indirectly from *development*, *redevelopment* or *site alteration* within or *lands adjacent* to a *Natural Heritage System* feature that result in widespread, long-term, or irreversible degradation of the significant features or impairment of the natural functions of the designated area.

Adverse Impacts - may include but will not be limited to: shadows over private amenity areas or on building façades for an unacceptable duration, issues of privacy, overlook conditions, negative microclimatic impacts, light pollution (such as light trespass or glare), odour, vibration, noise pollution urban heat island effects, visual clutter or obstruction of *views and/or vistas*.

Affordable Housing/Affordability -
a) In the case of ownership housing, the least expensive of:
    i) Housing for which the purchase price results in annual accommodation costs which do not exceed 30 percent of gross annual household income for low and moderate income households; or,
    ii) Housing for which the purchase price is at least 10 percent below the average purchase price of a resale unit in the *Regional market area*;
b) In the case of rental housing, the least expensive of:

i) A unit for which the rent does not exceed 30 percent of the gross annual household income for low and moderate income households; or,
ii) A unit for which the rent is at or below the average market rent of a unit in the *Regional market area*.

Notwithstanding the preceding, for the purposes of policies relating to Inclusionary Zoning in section 4, *affordable housing* means:

c) For *dwelling units* within buildings that are not within *purpose-built rental housing,* in accordance with subsection b); and

d) For *dwelling units* within *purpose-built rental housing*, the greater of the value calculated in accordance with subsection c); or 30% of median renter income for the *regional market area*, as published from time to time by Canada Mortgage and Housing Corporation.

For the purposes of this definition:

Low and moderate income households means, in the case of ownership housing, households with income in the lowest 60 percent of the income distribution for the *Regional market area*; or in the case of rental housing, households with incomes in the lowest 60 percent of the income distribution for renter households for the *Regional market area*.

Agricultural Uses - the growing of crops, including nursery, biomass, and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish, aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm buildings and structures, including, but not limited to livestock facilities, manure storages, value-retaining facilities, and accommodation for full-time farm labour when the size and nature of the operation requires additional employment.

Agriculture-Related Uses - those farm-related commercial and farm-related industrial uses that are directly related to the farm operations in the area, support agriculture, benefit from being in close proximity to the farm operation, and provide direct products and/or services to farm operations as a primary activity.

Alternative Energy Systems – a system that uses sources of energy or energy conversion processes to produce power, heat and/or cooling that significantly reduces the amount of harmful emissions to the environment (air, earth and water) when compared to conventional energy systems.

Ancillary Uses - a land use that is supportive of and secondary to the primary use assigned to a given designated property. Ancillary uses may be located on a mixed-use site or within a mixed-use building that includes primary uses. With respect to an *industrial employment area*, ancillary uses may include small-scale complementary uses that primarily serve the business functions of the *industrial employment area*.

Archaeological Resources - includes artifacts, archaeological sites and marine archaeological sites, as defined under the Ontario Heritage Act. The identification and evaluation of such resources are based upon archaeological fieldwork undertaken in accordance with the Ontario Heritage Act.

Areas of Natural and Scientific Interest - areas of land and water containing natural landscapes or features that have been identified as having life science or earth science values related to protection, scientific study or education.

Arts - the arts are a subdivision of *culture*, composed of many creative endeavors and disciplines. Examples include activities and practice in the fields of visual art, drama, music, dance, film and new media.

Barrier-Free - means that a building and its facilities can be approached, entered and used by people with physical and/or sensory disabilities.
Brownfield - undeveloped or previously developed properties that may be contaminated. They are usually, but not exclusively, former industrial or commercial properties that may be underutilized, derelict or vacant.

Building Design - building design is closely interrelated with *built form* and is a function of scale, proportion, rhythm, architectural elements and materials. Building design is typically regulated through Urban Design Policies and guidelines.

Built Form - a function of building placement, mass, height and floor area. Built form is typically regulated in *Zoning By-laws* in terms of building mass (*Floor Space Ratio*), lot coverage, building setbacks, height and floor area regulations as well as Urban Design Policies and guidelines.

Built Heritage Resource - a building, structure, monument, installation or any manufactured remnant that contributes to a property's cultural heritage value or interest as identified by a community. Built heritage resources are generally located on property that has been designated under Parts IV or V of the Ontario Heritage Act, or listed by included on local, *Regional*, *Provincial* and/or *Federal* registers.

Cash-in-Lieu - a sum of money paid by a person, to satisfy an obligation.

City - refers to the Corporation of the City of Kitchener.

city - refers to the geographic area comprising Kitchener.

Community Garden - a portion of public or private land, no larger than the lesser of 2,000 square metres or 10 percent of the total lot area, tended by a group of people, as individuals or as part of a club or association for the purpose of producing plants and/or food for personal and local consumption not for profit. A community garden does not include garden plots on private land rented or leased to individuals for a fee.

Community Character - refers to identifiable pockets of the urban fabric with distinctive physical attributes. These attributes include but are not limited to development patterns, scale of the built environment, architectural vernacular of existing buildings and structures, *cultural heritage resources* and *community infrastructure*. Community character is a reflection of community image, identity and *sense of place* and may also reflect cultural and social values. Cultivating community character is intended to foster community pride.

Community Improvement - the planning or replanning, design or redesign, resubdivision, clearance, *development* or *redevelopment*, reconstruction and rehabilitation, or any of them, of a *Community Improvement Project Area*, and the provision of such residential, commercial, industrial, public, recreational, institutional, religious, charitable or other uses, buildings, works, improvements or facilities or spaces thereof, as may be appropriate or necessary.

Community Improvement Plan - a plan approved by the *Province* for the *community improvement* of a *Community Improvement Project Area*.

Community Improvement Project Area - an area within the City of Kitchener, the *community improvement* of which, in the opinion of the Kitchener Council is desirable because of age, dilapidation, contamination, overcrowding, faulty arrangement, unsuitability of buildings or for any other reason.

Community Infrastructure - lands, buildings, and structures that support quality of life for people and communities by providing public services for health, education, recreation, socio-cultural activities, *affordable housing* and security and safety. Examples include hospitals, educational establishments, community centres, arenas, sports fields, libraries, religious institutions and fire and police services.

Compact Urban Form - a land-use pattern that encourages efficient use of land, *walkable* neighbourhoods, mixed land uses (residential, *retail*, workplace and institutional all within one neighbourhood), proximity to public transit and reduced need for *infrastructure*. Compact urban form can include detached and semi-detached houses on small lots as well as townhouses and walk-up apartments, multi-storey commercial developments, and apartments or offices above *retail*.

Compatibility/Compatible - land uses and building forms that are mutually tolerant and capable of existing together in harmony within an area without causing unacceptable *adverse effects*, *adverse environmental impacts* or *adverse impacts*. Compatibility or compatible should not be narrowly interpreted to mean “the same as” or even as “being similar to”.

Complete Application - includes required plans and/or drawings, forms, fees, prescribed information and material as required under the Planning Act and associated regulations, and any other information prescribed by Provincial Authority, a covering letter, and all supporting information identified through a Pre-Submission Consultation Meeting, as set out in policy in this Official Plan, deemed necessary to assess the implications of an application for approval under the Planning Act.

Complete Community - a complete community, also referred to as a 15-minute neighbourhood, meets people’s needs for daily living throughout at entire lifetime by providing convenient access to an appropriate mix of jobs, local services, a full range of housing, and *community infrastructure* including *affordable housing*, schools, recreation and open space for their residents. Convenient access to public transportation and options for safe, non-motorized travel is also provided.

Comprehensive Review - for the purposes of this Plan, an Official Plan review which is initiated by the *City*, an Official Plan Amendment which is initiated or adopted by the *Region* and/or *City*, as appropriate, which:

a) is based on a review of the population and employment forecasts and allocations by the *Region* and *Provincial* plans;
b) utilizes opportunities to accommodate forecasted growth or development through *intensification*;
c) is integrated with planning for physical *infrastructure* and *community infrastructure*;
d) considers cross-jurisdictional issues; and,
e) comprehensively applies the policies and schedules of *Provincial* plans.

Conserve/Conserved/Conservation (in regard to cultural heritage and archaeology) - the identification, protection, management and use of *built heritage resources*, *cultural heritage*

landscapes and *archaeological resources* in a manner that ensures their cultural heritage value or interest is retained under Ontario Heritage Act. This may be achieved by the implementation of recommendations set out in a *heritage conservation plan,* archeological assessment, and/or *heritage impact assessment*. Mitigative measures and/or alternative development approaches can be included in these plans and assessments.

Conversion - the change of use of lands or the alteration or change of use of an existing building or structure to some other use.

Core Environmental Features (Regional Official Plan) - the *environmental features* identified in the Regional Official Plan. They are Provincially *significant* or Regionally *significant* elements of the *regional* landscape in that they maintain, protect, and enhance biodiversity and important *ecological functions*. Core Environmental Features consist of:

a) *Significant Habitat of Endangered or Threatened Species*;
b) *Provincially Significant Wetlands*;
c) Environmentally Sensitive Policy Areas;
d) *Significant Woodlands*;
e) *Regional forests*; or,
f) *Environmentally Significant Valley Features*.

Creative Industries - Those industries which have their origin in individual creativity, skill and talent and which have a potential for wealth and job creation through the generation and exploitation of intellectual property. Examples of these industries include architecture, design, publishing, television, radio and games software development.

Crime Prevention Through Environmental Design (CPTED*)* - the proper design and effective use of the built environment to reduce crime and the fear associated with crime, and an improvement in the quality of life. It is the specific design of physical space in the context of the needs of the legitimate users of that space, the expected/intended use of the space and the anticipated behavior of both legitimate users and potential offenders.

Culture/Cultural - Culture is the whole complex of distinctive spiritual, material, intellectual and emotional features that characterize a society or social group. It includes not only *arts* and letters, but also modes of life, the fundamental rights of the human being, value systems, traditions and beliefs.

Cultural Facilities - lands, buildings, structures used for the creation, production and dissemination of *arts* and *culture*. Cultural facilities may include publicly or privately owned and/or operated lands, buildings and cultural sites such as but not limited to museums, performing arts venues, exhibition facilities, and managed historical sites.

Cultural Heritage Landscape - a defined geographical area that may have been modified by human activity and is identified as having cultural heritage value or interest by a community. The area may involve features such as structures, spaces, archaeological sites or natural elements that are valued together for their interrelationship, meaning or association. Examples may include, but are not limited to, *heritage conservation districts* designated under the Ontario Heritage Act; villages, parks, gardens, battlefields, mainstreets and neighbourhoods, cemeteries, trailways, viewsheds, natural areas and industrial complexes of heritage significance; and areas recognized by federal or international designation authorities.

Cultural Heritage Resources - includes buildings, structures and properties designated under the Ontario Heritage Act or listed on the *Municipal Heritage Register*, properties on the Heritage Kitchener Inventory of Historic Buildings, *built heritage resources* and *cultural heritage landscapes* as defined in the Provincial Policy Statement.

Density - unless specifically defined elsewhere in the Official Plan, density will mean residents and jobs per hectare. When used in the context of bonusing provisions, density refers to *Floor Space Ratio*.

Development - the creation of a new lot, a change in land use, the construction of buildings and structures or an addition or alteration to a building or structure that substantially increases the size or usability of the site, requiring approval under the Planning Act, but does not include:

a) activities that create or maintain *infrastructure* authorized under an *environmental assessment* process; and,
b) works subject to the Drainage Act.

Development Application - any application required under the Planning Act which proposes construction of a new building or structure or an addition or alteration to a building or structure that substantially increases the size or usability of the site, or the establishment of a commercial parking lot. This will include *redevelopment*, infill, *conversion* of existing buildings, building expansions and new construction.

District Energy - systems that generate and deliver electricity, heating or cooling through an efficient combination of *renewable* and *alternative energy systems*, including a combined heat and hydro system (and possibly other forms of energy) from a central plant to multiple users.

Drive-through Facility - a place, with or without an intercom order station, where a product or service is available at a service window for delivery to a vehicle as a component of the main use, and will include an automated bank machine but not an automated car wash.

Dwelling Unit - a room or a suite of habitable rooms that:

a) is located in a building;
b) is occupied or is designed to be occupied by a household as a single, independent and separate housekeeping establishment;
c) contains both a kitchen and a bathroom for the exclusive common use of the occupants thereof; and,
d) has a private entrance leading directly from outside of the building or from a common hallway or stairway inside the building.

Ecological Function - the natural processes, products or services, that living and non-living environments provide or perform within or between species, ecosystems and landscapes including biological, physical, chemical and socio-economic interactions.

Ecological Restoration Areas - lands and waters that have the potential to be enhanced, improved or *restored* to a more natural state, contributing to the overall diversity and connectivity of the *Natural Heritage System*.

Endangered or Threatened Species - a species that is listed or categorized as an “Endangered Species” or “Threatened Species” on the *Province*’s official species at risk list, as updated and amended from time to time.

Environmental Assessment - a process for the authorization of an undertaking under legislation such as the Environmental Assessment Act, and the Ontario Energy Board Act.

Environmental Features (Regional Official Plan) - features of the natural environment, including:

a) *Significant Habitat of Endangered or Threatened Species*;
b) *Fish Habitat*;
c) *Wetlands*;
d) Provincially significant life science *Areas of Natural and Scientific Interest*, Regionally significant life science *Areas of Natural and Scientific Interest*, or provincially significant *earth science Areas of Natural and Scientific Interest)*;
e) *Environmentally Significant Valley Features*;
f) *Regionally Significant Woodlands*;
g) *Significant Wildlife Habitat*;
h) Sand barrens, savannas and tallgrass prairies;
i) Alvars;
j) Permanent and intermittent watercourses;
k) Lakes (and their littoral zones);
l) *Environmentally Significant Discharge Areas* and *Environmentally Significant Recharge Areas*; and,
m) *Regional Recharge Areas*.

Environmental Impact Study - a study conducted prior to *development*, *redevelopment* or *site alteration* in order to investigate potential environmental impacts of the proposed undertaking. An Environmental Impact Study will determine whether *development*, *redevelopment* or *site alteration* may proceed, and if so, will identify actions which could be taken in order of preference to prevent, minimize or mitigate the environmental impacts of the *development*, *redevelopment* or *site alteration*. NOTE: Referred to as Environmental Impact Statement in Regional Official Plan.

Environmental Site Assessment - consists of documentation of past and present uses of lands, as well as a professional analysis of all soils and ground and surface waters.

Environmentally Significant Discharge Areas - lands where groundwater discharges to the surface of the soil or to surface water bodies to sustain *wetlands*, fisheries, or other specialized natural habitats.

Environmentally Significant Recharge Areas - lands where water infiltrates into the ground to replenish an aquifer that sustains, in full or in part, *environmental features*.

Environmentally Significant Valley Features - natural features within a *Significant Valley* that consist of:

a) at least one of the following:
    i) river channel; or,
    ii) *Environmentally Significant Discharge Areas* or *Environmentally Significant Recharge Areas*; or,
b) both of the following ecological features:
    i) habitat of regionally *significant* species of flora or fauna;
    ii) natural area, such as a *woodland* of one to four hectares in extent, *floodplain* meadow or *wetland*, which consists primarily of native species; or,
c) any one of b) above plus any one of the following Earth Science features:
    i) river terrace;

ii) esker;
iii) cliff or steep slopes;
iv) oxbow;
v) confluence with significant watercourse draining a *watershed* greater than five square kilometres;
vi) regionally *significant* Earth Science *Area of Natural and Scientific Interest*; or,
vii) fossil bed.

Erosion Hazard - the loss of land due to human or natural processes that poses a threat to life and property. The erosion hazard limit is determined using considerations that include the 100 year erosion rate (the average annual rate of recession extended over a one hundred year time span), an allowance for slope stability, and an erosion/erosion access allowance.

Essential Emergency Service - services which would be impaired during an emergency as a result of flooding, the failure of floodproofing measures and/or protection works, and/or erosion.

Existing - when used in reference to a use, lot, building or structure, means any use, lot, building or structure legally established or created prior to the day of approval of this Official Plan.

Farm-related residential unit - a dwelling on a farm used as the primary residence for an active and operating farmer, or a dwelling for a full-time farm employee of an active farm on which the dwelling is located.

Federal - refers to the Country of Canada or one or more of its ministries or other agencies that exercise delegated authority on behalf of one or more ministries.

Fish Habitat - as identified in the Fisheries Act, means spawning grounds and any other areas, including nursery, rearing, food supply, and migration areas on which fish depend directly or indirectly in order to carry out their life processes.

Flood Fringe - for watercourses and small inland lake systems, means the outer portion of the *flood plain* between the *flood way* and the *flooding hazard* limit. Depths and velocities of flooding are generally less severe in the *flood fringe* than those experienced in the *floodway*.

Flooding Hazard - the inundation, under the conditions specified below, of areas *adjacent* to a shoreline or a river or stream system and not ordinarily covered by water. The *flooding hazard* limit is the greater of:

a) the flood resulting from the rainfall actually experienced during a major storm such as the Hurricane Hazel storm (1954) or the Timmins storm (1961), transposed over a specific *watershed* and combined with the local conditions, where evidence suggests that the storm event could have potentially occurred over *watersheds* in the general area;
b) the one hundred year flood;
c) a flood which is greater than “a” or “b” which was actually experienced in a particular *watershed* or portion thereof as a result of ice jams and which has been approved as the standard for that specific area by the *Province*; and,
d) except where the use of the one hundred year flood or the actually experienced event has been approved by the Minister of Natural Resources as the standard for a specific *watershed* (where the past history of flooding supports the lowering of the standard).

Floodplain - for watercourses and small inland lake systems, means the area usually low lands adjoining a watercourse, which has been or may be subject to *flooding hazards*.

Floodproofing Standard - the combination of measures incorporated into the basic design and/or construction of buildings, structures or properties to reduce or eliminate *flooding hazards* along watercourses and small inland lakes.

Floodway - for watercourses and small inland lake systems, means the portion of the *flood plain* where *development* and *site alteration* would cause a danger to public health and safety or property damage.

Where the one zone concept is applied, the floodway is the entire contiguous *flood plain*.

Where the two zone concept is applied, the floodway is the contiguous inner portion of the *flood plain*, representing an area required for the safe passage of flood flow and/or that area where flood depths and/or velocities are considered to be such that they pose a potential threat to life and/or property damage. Where the two zone concept applies, the outer portion of the *flood plain* is called the *flood fringe*. In all cases, the floodway will include areas of inundation that contain high points of land not subject to flooding.

Floor Space Ratio (FSR) - the figure obtained when the building floor area on a lot is divided by the lot area.

Food Store - a retail establishment specializing in food products. Food stores may vary in the range of food product offerings, and may include ancillary non-food goods.

Gateways - features which demarcate areas with distinctive or recognizable character. Gateways are typically located at major street intersections along major streets entering the *City* and may also be located at entrances to areas such as the downtown, a *Planning Community*/District, a neighbourhood, a design district or heritage district. Gateway features may be *landmark* buildings, special landscape features, unique public spaces or other site elements and are specifically designed to reinforce the character of the area they represent.

Greater Golden Horseshoe (GGH) - the geographic area designated as the Greater Golden Horseshoe growth plan area in Ontario Regulation 416/05, including the Region of Waterloo and the City of Kitchener.

Green Infrastructure - natural and human-made elements that provide ecological and hydrological functions and processes. Green infrastructure can include components such as natural heritage features and systems, parklands, stormwater management systems, street trees, urban forests, natural channels, permeable surfaces, and green roofs.

Greyfield - previously developed properties that are not contaminated. They are usually, but not exclusively, former commercial properties that may be underutilized, derelict or vacant.

Gross Floor Area - the aggregate horizontal area measured from the exterior faces of the exterior walls of the a building (excluding any floor area having a ceiling height of 2.0 metres or less or devoted exclusively to parking) within all buildings on a lot.

Groundwater Feature - refers to water-related features in the earth's subsurface, including recharge/discharge areas, water tables, aquifers and unsaturated zones that can be defined by surface and subsurface hydrogeologic investigations.

Group Home - a residence designed for the accommodation of 3 to 10 persons, exclusive of staff, living under supervision in a single household unit and who, by reason of their emotional, mental, social or physical condition or legal status, require a group living arrangement for their well-being.

Habitat of Endangered Species and Threatened Species -

a) with respect to a species listed on the Species at Risk in Ontario List as an endangered or threatened species for which a regulation made under clause 55(1)(a) of the Endangered Species Act, 2007 is in force, the area prescribed by that regulation as the habitat of the species; or,
b) with respect to any other species listed on the Species at Risk in Ontario List as an endangered or threatened species, an area on which the species depends, directly or indirectly, to carry on its life processes, including life processes such as reproduction, rearing, hibernation, migration or feeding, as approved by the Ontario Ministry of Natural Resources; and
c) places in the areas described in clause (a) or (b), whichever is applicable, that are used by members of the species as dens, nests, hibernacula or other residences.

Hazard/Hazardous Lands - property or lands that could be unsafe for *development* due to naturally occurring processes which may include but is not limited to those lands which have steep slopes, rocky or unstable soils, poor drainage and flood susceptibility. Along watercourses and small inland lake systems, this means the land including that covered by water, to the furthest landward limit of the *flooding hazard* or *erosion hazard* limit.

Hazardous Sites - property or lands that could be unsafe for *development* and *site alteration* due to naturally occurring hazards. These may include unstable soils (sensitive marine clays, organic soils) or unstable bedrock (karst topography).

Heritage Corridors - streets or *multi-use pathways* which because of their unique structural, topographic and visual characteristics, as well as abutting vegetation, built environment and cultural landscape, historical significance or location within a *Heritage Conservation District* are recognized as a *cultural heritage resource* and are intended to be *conserved*.

Heritage Attributes - the principle features or elements that contribute to a *cultural heritage resource*'s cultural heritage value or interest, and may include the property's built or manufactured elements, as well as natural landforms, vegetation, water features, and its visual setting (including significant *views or vistas* to or from a *cultural heritage resource*.

Heritage Conservation District - a geographic area primarily made up of a group of buildings, streets and open spaces which collectively contribute to the cultural heritage value or interest of the area.

Heritage Conservation District Plan – a document that provides policies and guidelines to assist in the protection and enhancement of the cultural heritage values of the district. The document includes a statement of objectives, a statement of the district's cultural heritage value or interest, a description of the district's *heritage attributes*, policies, guidelines and procedures for achieving stated objectives and managing future change, and a description of external alterations or classes of external alterations that are of minor nature that an owner can carry out without obtaining a permit.

Heritage Conservation Plan – a document that details how a *cultural heritage resource* can be conserved. The conservation plan may be supplemental to a *heritage impact assessment*, but is typically a separate document. The recommendations of the plan should include descriptions of repairs, stabilization and preservation activities as well as long term conservation, monitoring and maintenance measures.

Heritage Impact Assessment - a document comprising text and graphic material including plans, drawings, photographs that contains the results of historical research, field work, survey, analysis, and description(s) of *cultural heritage resources* together with a description of the process and procedures in deriving potential effects and mitigation measures as required by official plan policies and any other applicable or pertinent guidelines. A heritage impact assessment may include an archaeological assessment where appropriate.

High Microbial Risk Management Zones - areas where the underlying groundwater is the most *vulnerable* to disease causing organisms. These zones surround municipal drinking-water supply wells supplied by Groundwater Under the Direct Influence of Surface Water (GUDI). GUDI wells draw groundwater that is directly connected to, and dependent upon, surface water in locations where contaminants in the surface water may not be filtered adequately by the overlying soil or subsurface before entering the well.

Hydrologic Function - the functions of the hydrological cycle that include the occurrence, circulation, distribution and chemical and physical properties of water on the surface of the land, in the soil, underlying rocks and in the atmosphere, and water's interaction with the environment including its relation to living things.

Identify/Identified (in regard to cultural heritage landscapes) - identify will mean designate for the purposes of the Regional Official Plan.

Individual On-site Sewage Services - sewage systems that are owned, operated and managed by the owner of the property upon which the system is located.

Individual On-site Water Services - individual, autonomous water supply systems that are owned, operated and managed by the owner of the property upon which the system is located.

Industrial Employment Areas - areas designated in this Plan for clusters of business and economic activities including, but not limited to, manufacturing, warehousing, offices, and associated *retail* and *ancillary* facilities.

Infrastructure - physical structures (facilities and *corridors*) that form the foundation for *development*. Infrastructure includes: *municipal drinking-water supply systems*, *municipal wastewater systems*, septage treatment systems, stormwater management systems, waste management systems, electricity generation facilities, electricity transmission and distribution systems, communication/telecommunications, transit and transportation *corridors* and facilities, *provincial* highways, railways, oil and gas pipelines and associated facilities. Does not include *community infrastructure*.

Institutional Use - for the purposes of Policy 6.C.2.6, means land uses where there is a threat to the safe evacuation of vulnerable populations such as older persons, persons with disabilities, and those who are sick or young, during an emergency as a result of flooding, failure of floodproofing measures or protection works, or erosion.

Intensification - the *development* of a property, site or area at a higher *density* than currently exists through:

a) *redevelopment*, including the reuse of *brownfield* and *greyfield sites*;
b) the *development* of vacant and/or underutilized lots within previously approved developed areas;
c) infill *development*; or,
d) the expansion or *conversion* of existing buildings.

Intensification Areas - lands identified by *City*, *Region* or the *Province* that are to be the focus for accommodating intensification. Primary Intensification Areas include the Urban Growth Centre (Downtown), Reurbanization Corridors, Protected Major Transit Station Areas, Major Local Node, City Nodes, Community Nodes, and Urban Corridors. Secondary Intensification Areas include Neigbourhood Nodes and Arterial Corridors.

Landmarks - prominent, memorable components of the built or natural environment (including landscapes, buildings, *gateway* features and civic spaces) that are recognizable for their symbolic significance, cultural heritage value, special visual appeal or a combination of these factors. Landmarks are instrumental in creating a legible urban environment.

Landscape Level Systems (Regional Official Plan) - are large-scale *environmental features* or significant concentrations of *environmental features* within the *Region's* Greenlands Network identified in the Regional Official Plan. Within the *City*, they include *Significant Valleys* and *Regional Recharge Areas*.

Live/work Unit – a building that has both a dwelling unit and a permitted business or work purpose use. The business or work space may be utilized and leased to someone who does or does not occupy the dwelling unit (therefore may be different than a home occupation). Typically buildings are constructed of several live/work units.

Liveable Downtown - a Downtown that provides a healthy urban lifestyle by maximizing the amount of plant material (such as street tree plantings, flower beds, landscaped gardens and rooftop gardens) along streetscapes, along *pedestrian* pathways and throughout public and private spaces. The Downtown's urban landscape will be softened with the provision of trees, parks and gardens to create a Liveable Downtown.

Lively Downtown - a downtown that is created or enhanced by creating a great place for people 24 hours a day with lively street activity (*retailing*, restaurants, outdoor patios and entertainment), a wide range of residential housing options, and a safe attractive *public realm* featuring places and spaces that provide for diverse and stimulating experiences.

Lodging House - means a *dwelling unit*, where five or more persons, not including a resident owner of the property, may rent *Lodging Units* and where the kitchen and other areas of the *dwelling unit* are shared amongst the persons occupying the *dwelling unit*. Lodging house can include student residences but shall not include a group home; hospital; any small residential care facility or large residential care facility licensed, approved, or supervised under any general or specific Act; or a hotel.

Low Density Residential Uses - single detached dwellings, additional dwelling units attached and detached, semi-detached dwellings, street and cluster townhouse dwellings and low-rise multiple dwellings.

Major Institutional - large scale institutional uses, including *community infrastructure* and *cultural facilities*, which have a *regional* or *city*-wide sphere of influence and are therefore not appropriate for certain areas due to traffic and other impacts.

Major Office - a freestanding office building having a minimum *gross floor area* of 10,000 square metres or a minimum of 500 jobs.

Master Drainage Plan - a detailed water and drainage plan prepared by the local municipality on a *subwatershed* or reach basis. The Master Drainage Plan will focus primarily on the hydrologic and hydraulic implications of *development* and will recommend centralized facilities for water management.

Mineral Aggregate Operation -

a) lands under license or permit, other than for *wayside pits and quarries*, issued in accordance with the Aggregate Resources Act,;
b) for lands not designated under the Aggregate Resources Act, established pits and quarries that are not in contravention of municipal *zoning by-laws* and including *adjacent* land under agreement with or owned by the operator, to permit continuation of the operation; or,
c) associated facilities used in extraction, transport, beneficiation, processing or recycling of *mineral aggregate resources* and derived products such as asphalt and concrete, or the production of secondary related products.

Mineral Aggregate Resources - gravel, sand, clay, earth, shale, stone, limestone, dolostone, sandstone, marble, granite, rock or other material prescribed under the Aggregate Resources Act suitable for construction, industrial, manufacturing and maintenance purposes but does not include metallic ores, asbestos, graphite, kyanite, mica, nepheline syenite, salt, talc, wollastonite, mine tailings or other material prescribed under the Mining Act.

Mineral Aggregate Resource Conservation -

a) the recovery and recycling of manufactured materials derived from mineral aggregates (e.g. glass, porcelain, brick, concrete, asphalt, slag, etc.), for re-use in construction, manufacturing, industrial or maintenance projects as a substitute for new mineral aggregates; and
b) the wise use of mineral aggregates including utilization or extraction of on-site *mineral aggregate resources* prior to *development* occurring.

Minimum Distance Separation Formulae - the separation distance as determined through the Minimum Distance Separation Formulae I and II or any other reduced distance satisfactory to the *City* and the *Province* through an amendment to the *zoning by-law* or minor variance application.

Mixed Use - a *development* or area that collectively achieves a mix of *compatible* land uses either in the same or separate buildings. The mix of land uses may include various non-residential land uses but must include residential dwellings. Mixed-use facilitates the provision of a wide range of residential types within close proximity to employment, institutional, social and recreational opportunities.

Multi-Unit Building(s) - a building containing two or more uses/business establishments which are managed and operated as a unit with shared on-site parking. Residential uses within the same building are not considered part of a multi-unit building. In such circumstances the group of uses would be defined as a *mixed use building.*

Multi-Unit Development – means two or more buildings containing one or more uses/business establishments which are planned, developed, managed and operated as a unit with shared on-site parking. Residential uses within the same building or on the same site are not considered part of a multi-unit development. In such circumstances the group of uses would be defined as *mixed use development.*

Multi-use Pathway - a wide trail that supports multiple forms of *active transportation* and recreation, typically surfaced with gravel or asphalt, found throughout Kitchener along greenways, through parks and along hydro corridors.

Municipal Comprehensive Review - for the purposes of this Plan, an Official Plan Review, or an Official Plan Amendment, initiated by the *Region* and/or *City*, as appropriate, which comprehensively applies the policies and schedules of *Provincial* plans.

Municipal Drinking-Water Supply System - all or part of the drinking-water supply, treatment and distribution systems owned and operated by the *City*.

Municipal Wastewater System - any sewage collection or treatment works owned or operated by the *City*.

Municipal Heritage Register - a register maintained by the City of Kitchener, in accordance with the Ontario Heritage Act, which includes *protected heritage properties* and properties listed as a non-designated property of cultural heritage value or interest.

Natural Heritage Features - features of the natural environment that make up the *Natural Heritage System*, include but are not limited to the following:

a) *Provincially Significant Wetlands*;
b) *Locally Significant Wetlands*;
c) *Significant Valleys*;
d) *Environmentally Significant Valley Features*;
e) Locally *Significant Valleylands*;
f) Environmentally Sensitive Policy Areas;
g) *Significant Woodlands*;
h) *Locally Significant Woodlands*;
i) *Significant Habitat of Endangered or Threatened Species*;
j) *Significant Wildlife Habitat*;
k) *Fish Habitat*;
l) *Regional Recharge Areas*;
m) *Environmentally Significant Discharge Areas*;
n) *Environmentally Significant Recharge Areas*;
o) Significant Landforms (*Earth Science Areas of Natural and Scientific Interest*);
p) *Ecological Restoration Areas*; and,
q) *Natural Linkages and Corridors*.

Natural Heritage System - a system made up of, linked by *natural heritage features* and linkages intended to provide connectivity (at the regional or site level) and support natural processes which

are necessary to maintain biological and geological diversity, natural functions, viable populations of indigenous species and ecosystems. These systems can include *natural heritage features,* federal and provincial parks and conservation reserves, lands that have been *restored* or have the potential to be *restored* to a natural state, areas that support hydrologic functions, and working landscapes that enable ecological functions to continue.

Naturalize/Naturalization - a process whereby an area that has been previously disturbed by humans or from natural events, is allowed to regenerate naturally with input of seeds and other propagules from the existing soil and/or *adjacent* natural areas.

Natural Linkages and Corridors - areas that connect *natural heritage features* along which plants and animals can propagate, genetic interchange can occur, populations can move in response to environmental changes and life-cycle requirements, and species can be replenished from other *environmental features*. Natural linkages and corridors can also include those areas currently performing, or with the potential to perform, through *restoration*, linkage functions. Although natural linkages and corridors help to maintain and improve *environmental features*, they can also serve as important *natural heritage features* in their own right.

Net Residential Density - the total number of residential units divided by the respective area of developable land devoted to residential *development*. Land area devoted to residential *development* will include such uses as school sites, local parks, stormwater management areas, walkways and lands devoted to any other uses which could have been developed for residential purposes. It will also include all wholly contained roadways, one-half of all bounding roadways and one-quarter of an intersection where two bounding roadways intersect but does not include bounding trunk roads. Land area will also exclude lands within an ESPA, lands below the Regulatory Floodline and natural *hazard lands* which include steep slopes.

Non-profit housing provider means,

a) A corporation to which the *Not-for-Profit Corporations Act, 2010* applies that is in good standing under that Act and whose primary objective is to provide housing;
b) A corporation without share capital to which the *Canada Business Corporations Act* applies, that is in good standing under that Act and whose primary objective is to provide housing;
c) A non-profit housing co-operative that is in good standing under the *Co-operative Corporations Act*, or
d) An organization that is a registered charity within the meaning of the *Income Tax Act* (Canada) or a non-profit organization exempt from tax under paragraph 149 (1) (l) of that Act, and whose land is owned by the organization, all or part of which is to be used as affordable housing

On-farm Diversified Uses - uses that are secondary to the principal agricultural use of the property, and are limited in area. On-farm diversified uses include, but are not limited to, home occupations, home industries, agri-tourism uses*,* and uses that produce value-added agricultural products.

Optimal Ecological State - an optimal ecological state for aquatic and/or terrestrial ecosystems is reflective of ecosystems that are characteristic of the particular area's natural heritage. *Restoration* to such an optimal state will attempt to return an ecosystem to its historic trajectory (e.g. a known prior state, or one that could develop within the bounds of the historic trajectory).

However, such *restoration* recognizes that ecosystems may not necessarily recover their former states since contemporary constraints and conditions may cause them to develop along altered trajectories.

Passive Noise Attenuation Measures - noise reducing site designs, building layouts and structural design measures that mitigate noise between *sensitive land uses* and noise generating or other potentially *incompatible* land uses without the use of structural mitigation measures such as noise attention walls or berms.

Pedestrian - a person moving from place to place, either by foot or by using an assistive mobility device. *Pedestrians* include residents and visitors of all abilities.

Planned Function - the essential planning intent for an area and the role the area is intended to play in providing a planned service to the public. That planned service may be a direct service such as the provision of government or commercial services, entertainment, housing, employment or the provision of *retail* goods. It may also be the provision of an indirect service that is a key element for a community or neighbourhood such as an opportunity for socialization, recreation and as an informal meeting place.

Planning Justification Study - a comprehensive planning study, prepared by a qualified professional, which is required to be submitted in conjunction with a *development application*. The study may be required to address matters such as, but not limited to, the following:

a) rationale and justification for the *development application*;
b) impact on the overall Urban Structure;
c) impact on neighbouring municipalities;
d) impact on the *planned function* of the area in which the proposal is located;
e) *compatibility* with *adjacent* land uses;
f) availability of services and *infrastructure*;
g) *pedestrian* accessibility and connectivity
h) how the proposal is *transit-supportive* and/or *transit-oriented*;
i) transportation system implications, including operational improvements necessary to accommodate the proposal;
j) those matters required by a Comprehensive Review;
k) *Transportation Demand Management* (TDM) measures;
l) urban design concepts for the site and proposed buildings.

Planning Communities - locations that are planned, designed, developed and monitored as a grouping/areas. These areas should have a variety of land uses, housing types and transportation options, but will often not each fully comprise a *complete community* on their own.

Portable Asphalt Plant - a facility:

a) with equipment designed to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt paving material, and includes stockpiling and storage of bulk materials used in the process; and,
b) which is not of permanent construction, but which is to be dismantled at the completion of the construction project.

Portable Concrete Plant - a building or structure:

a) with equipment designed to mix cementing materials, aggregate, water and admixtures to produce concrete, and includes stockpiling and storage of bulk materials used in the process; and,

b) which is not of permanent construction, but which is designed to be dismantled at the completion of the construction project.

Priority Location - a special location in prominent view from the *public realm* that contributes to community or neighbourhood identity, character and image. These may include: *gateways*, corner properties, park spaces, terminating *vistas*, window streets, *heritage conservation districts* or heritage buildings/properties, conservation lots.

Priority Street - streets with buildings that contain a mix of non-residential ground floor uses that help achieve complete communities by creating engaging and activated pedestrian places. These places contribute to an enhanced streetscape and pedestrian realm by creating a visually stimulating pedestrian experience. Regulations contained within the *City's Zoning By-law* that may guide the implementation of priority streets that includes, but is not limited to: minimum ground floor façade heights; minimum façade openings; minimum amount of active uses at the street level; and/or restrictions on the location of vehicular parking.

Property Standards By-law - a by-law of the City of Kitchener enacted by Council to include provisions relating to conditions of maintenance and occupancy of property and buildings within the municipality.

Protected Heritage Property - property designated under Parts IV, V or VI of the Ontario Heritage Act; heritage conservation easement under Parts II or IV of the Ontario Heritage Act;. property identified by *the Province* and prescribed public bodies as provincial heritage property under the Standards and Guidelines for Conservation of Provincial Heritage Properties; property protected under federal legislation, and UNESCO World Heritage Sites.

Protection Works Standards - the combination of non-structural or structural works and allowances for slope stability and flooding/erosion to reduce the damage caused by *flooding hazards*, *erosion hazards* and other water-related hazards and to allow access for their maintenance and repair.

Province/Provincial - refers to the Province of Ontario or one or more of its ministries or other agencies that exercise delegated authority on behalf of one or more ministries.
province - refers to the geographical area of Ontario.

Public Art - original art works, permanent or temporary, in any medium or discipline, placed, incorporated or performed in publicly accessible indoor or outdoor locations in response to the site and for the benefit of the public.

Public Realm - includes roadways, *pedestrian* linkages, parks and open spaces, semi-public spaces and accessible parts of public buildings. A significant component of the *public realm* is the streetscape, which includes all elements of the street as well as the building façades facing the street.

Purpose Built Rental Housing means a *multiple dwelling* where individual *dwelling units* are not units in a plan of condominium, and which is intended for use as rented residential premises.

Qualified Person - for the purposes of *cultural heritage resources*, means an individual including a professional engineer, architect, archaeologist, etc., having relevant, recent experience in the *conservation* of *cultural heritage resources*.

Rapid Transit - a public transportation system operating for its entire length primarily on an exclusive right-of-way. The definition includes systems operating at-grade and systems operating on elevated or underground facilities.

Record of Pre-Submission Consultation - the written documentation of a Pre-Submission Consultation Meeting as issued by the Director of Planning, or his/her delegate, which outlines the information and material identified for inclusion of the *complete application*.

Redevelopment - the creation of new units, uses or lots on previously developed land in existing communities, including *brownfield* and *greyfield sites*. It may also involve the partial or full demolition of a building and/or structure and the assembly of lands for *development*.

***Region* -** refers to the Corporation of the Regional Municipality of Waterloo

***region* -** refers to the geographic area comprising Waterloo Region.

Regional Forest - a forested property owned and managed by the *Region*.

Regional Market Area - refers to an area that has a high degree of social and economic interaction. An upper or single tier municipality will normally serve as the Regional market area and for the purposes of our area, the Region of Waterloo will be the Regional market area.

Regional Recharge Area - a large *environmental feature*/*natural heritage feature*, that includes portions of the Waterloo Moraine, where considerable deposits of sand and gravel allow for the infiltration of large quantities of rainfall and snowmelt deep into the ground. This important *hydrologic function* sustains some of the richest sources of groundwater in the Grand River *watershed*. *Regional Recharge Areas* serve two important functions. From an environmental perspective, groundwater discharge from the shallow aquifers located within *Regional Recharge Areas* sustains a wide range of aquatic habitats and ecosystems. This groundwater discharge also provides a high percentage of the baseflow to the Grand River, its tributary rivers and cold-water streams and therefore is critical to maintaining the health of the Grand River to the benefit of the *Region* and downstream communities. The second function of *Regional Recharge Areas* is to replenish deep underground aquifers that serve as a source for a significant share of the municipal drinking-water supply. Regional Recharge Areas will be protected from land use practices and hazardous chemicals and/or substances that could negatively impact the quality and quantity of water within and available to the aquifers that contribute to the *municipal drinking-water supply system*.

Renewable Energy Source - an energy source that is renewed by natural processes and includes wind, water, biomass, biogas, biofuel, solar energy, geothermal energy and tidal forces.

Renewable Energy System - a system that generates electricity, heat and/or cooling from a *renewable energy source.*

Residential Care Facility - a residence that is occupied by three (3) or more persons, exclusive of staff, who by reasons of their emotional, mental, physical or legal status, are cared for on a temporary or permanent basis in a supervised group setting. This definition may include *group homes*, half-way houses and nursing homes. *Residential care facilities* occupied by 3-8 persons, exclusive of staff, will be termed small *residential care facilities*, while those facilities occupied by more than 8 persons, exclusive of staff, will be termed large *residential care facilities*.

Residential Intensification - *intensification* of a property, site or area which results in a net increase in residential units or accommodation and includes:

a) *redevelopment*, including the *redevelopment* of *brownfield sites*;
b) the *development* of vacant or underutilized lots within previously developed areas;
c) infill *development*;
d) the *conversion* or expansion of existing industrial, commercial and institutional buildings for residential use; and,
e) the *conversion* or expansion of existing residential buildings to create new residential units or accommodation, including additional *dwelling units,* attached and detached, and rooming houses.

Residential Intensification Target - the amount expressed as a percentage of new residential construction measured in *dwelling units* occurring in the Built-Up Area.

Restore/Restoration - convert lands whose ecological properties have been substantively altered by human activity or natural disaster back to natural habitat characteristic of the locality consisting of locally appropriate native species of flora and fauna using active planting, natural succession, prescribed burning, removal of non-native vegetation, other means accepted by the Society for Ecological Restoration, or any combination thereof.

Retail - a use conducted in a building or structure or part thereof in which goods, merchandise, substances or items are displayed, rented or sold directly to the general public. For the purposes of this definition, a *food store* and convenience retail is considered to be a retail use.

Retail Commercial Centre - retail commercial centres have a regional and/or citywide orientation and have a minimum *gross floor area* of *retail* of 10,000 square metres. A retail commercial centre may also contain service commercial uses, personal services, restaurants, financial establishments, offices, health offices and health clinics, institutional uses and commercial entertainment uses. As it applies to the city, Retail Commercial Centres are further defined as containing *retail* outlets, in one or more buildings, which have been planned and built to function as a single entity having common or shared parking.

Reurbanization - describes four distinct types of activity, all of which serve to increase the residential or employment *density* on sites located within the existing, Built-Up Area. The four types of activity captured under the definition of reurbanization include:

a) infill: new *development* on formerly vacant land;
b) *intensification*: an expansion in the use of an existing structure or structures that serves to increase the *density* on a site;
c) *adaptive re-use*: a change in the use of a building or structure, typically from commercial/industrial to residential, that results in greater *density*; and,
d) *redevelopment:* the wholesale change or *conversion* of an area, often involving some form of land assembly and/or demolition, which results in significantly higher *density* than existed previously.

Many of the key opportunities for *reurbanization* are associated with *brownfields* (underutilized or derelict properties believed to contain some form of contamination) and *greyfields* (previously developed sites that are not contaminated).

Sense Of Place - characteristics that make a place special or unique, often fostering a sense of authentic human attachment and belonging.

Sensitive Land Uses - buildings, amenity areas or outdoor spaces where: routine or normal activities occurring at reasonably expected times would experience one or more *adverse effects* from contaminant discharges generated by a nearby major facility; or, that may be adversely impacted by noise from transportation sources. Sensitive land uses may be a part of the natural or built environment. Examples may include, but are not limited to: residential developments, day care centres, and educational and health facilities.

Significant -

a) in regard to *provincially significant wetlands*, means a *wetland* identified as provincially significant by *Province* using evaluation procedures established by the *Province*, as amended from time to time;

b) in regard to locally significant *wetlands*, means an: evaluated *wetland* that does not the meet *Provincial* criteria for significance; an unevaluated *wetland* that is naturally-occurring and greater than 0.5 hectares in size; or, a naturally-occurring *wetland* (any size up to 0.5 hectares) that meets one or more of the following criteria:
   i) part of a *Provincially Significant Wetland*;
   ii) located within a *floodplain* or riparian community;
   iii) part of a provincially or municipally designated natural heritage feature, a *significant woodland*, or natural *hazard* land;
   iv) a bog, fen;
   v) *fish habitat*;
   vi) *significant wildlife habitat*;
   vii) confirmed habitat for a provincially or regionally significant
   viii) species as determined by the *Province* or as determined by the *Region*;
   ix) part of an ecologically functional corridor or linkage between larger *wetlands* or natural areas;
   x) part of a groundwater recharge area; or,
   xi) a groundwater discharge area associated with any of the above.

c) in regard to *Significant Valleys*, the valleys of the Grand River, Conestogo River, Nith River and Speed River, which are together nationally recognized as a Canadian Heritage River. *Significant valleys* are identified by the *Region* and comprise the entire river channel and extend to the point where the slope of the valley begins to grade into the surrounding upland;

d) in regard to *significant woodlands*, means a *woodland* that meets all of the following criteria:
   i) greater than 4 hectares in size, excluding any adjoining hedgerows;
   ii) consisting primarily of native species of trees; and,
   iii) meets the criteria of a *woodland* in accordance with the provisions of the Regional Woodland Conservation By-law.

e) in regard to *locally significant woodlands*, means a *woodland* less than 4 hectares in size which is ecologically important in terms of:
   i) features such as species composition, age of trees and stand history;
   ii) functionally important due to its contribution to the broader landscape because of its location, size or due to the amount of forest cover in the planning area; or,
   iii) economically important due to site quality, species composition, or past management history.

f) in regard to other features and areas in the *Natural Heritage System*, ecologically important in terms of features, functions, representation or amount, and contributing to the quality and diversity of an identifiable geographic area or *natural heritage system*;

g) in regard to cultural heritage and archaeology, resources that have been determined to have cultural heritage value or interest for the important contribution they make to our understanding of the history of a place, an event, or a people.

Site Alteration - activities, such as grading, excavation and the placement of fill that would change the landform and natural vegetative characteristics of a site.

Source Water Protection Plan - a drinking water source protection plan prepared under the Clean Water Act.

Special Needs Housing - any housing, including dedicated facilities such as *residential care facilities*, in whole or in part, that is used by people who have specific needs beyond economic needs, including but not limited to, needs such as mobility requirements or support functions required for daily living.

Special Policy Area (Provincial) - an area within the *City* that has historically existed in the *flood plain* and where site-specific policies, approved by the *Province*, are intended to provide for the continued viability of existing uses (which are generally on a small scale) and address the significant social and economic hardships to the *City* that would result from strict adherence to Provincial policies concerning *development*. The criteria and procedures for approval are established by the *Province*. A special policy area is not intended to allow for new or intensified *development* and *site alteration*, if the *City* has feasible opportunities for *development* outside of the *flood plain*.

Station Area Plan - a comprehensive planning study of the Station Study area within a Protected Major Transit Station Area as identified on Map 2.

Stormwater Management Plan - a management plan prepared to address the following:
a) pre- and post *development* flood flows and impact on receivers;
b) groundwater infiltration and water budget;
c) stormwater facilities required for proposed *development*;
d) erosion and sedimentation controls;
e) maintenance or enhancement of water quality and quantity.

Subwatershed - a smaller geographic section of a larger *watershed* unit with a drainage area between 2 and 15 square miles (5 to 39 square kilometres) and whose boundaries include all the land area draining to a point where two second order streams combine to form a third order stream. In Kitchener, the catchment area of one of the tributaries to the Grand River such as Strasburg Creek is considered a subwatershed.

Supporting Environmental Features (Regional Official Plan) - *environmental features* not considered *Landscape Level Systems* or *Core Environmental features* in the Regional Official Plan which nonetheless perform *ecological functions* which help sustain the Region of Waterloo Greenlands Network and are designated by the *City*.

Surface Water Intake Protection Zones – geographic areas that contribute water to the surface water intake of the *Region's* municipal drinking-water supply system. Surface Water Intake Protection Zones are delineated to protect the quality and quantity of the surface water entering the intake, mainly by protecting the surface water upstream of the intake from hazardous spills.

Sustainable/Sustainability - the ability to meet the needs of both current and future generations by balancing cultural, economic, environmental and social elements through thoughtful, comprehensive and inclusive decision-making. A sustainable community is one that is robust, resilient and strives to live within its natural limits.

Sustainable Development - *development* that meets the needs of the present without compromising the ability of future generations to meet their own needs.

Temporary Farmers' Markets - outdoor food stands using temporary structures to sell food products to the public. The foods sold would be primarily from local sources, and may include processed foods such as jams and preserves and other farm-made products. Stand operators could be farmers or staff or volunteers of a business or organization with a permit to operate the stand.

Transit Corridors - roads, streets or dedicated rights-of-way outside of mixed traffic identified on Map 2 that accommodate existing or planned high frequency transit service.

Transit-Supportive - makes transit viable and improves the quality of the experience of using transit. When used in reference to *development*, it often refers to compact, *mixed use development* that has a high level of employment, residential densities to support frequent transit service. When used in reference to urban design, it often refers to design principles that make *development* more accessible for transit users, such as roads laid out in a grid network rather than a discontinuous network; *pedestrian*-friendly built environment along roads to encourage walking to transit; reduced setbacks and placing parking at the sides/rear of buildings; and improved access between arterial streets and interior blocks in residential areas.

Transit-Oriented Development - compact *mixed use* medium or high density development within a Protected Major Transit Station Area or walking distance of a high frequency transit stop.

Transportation Demand Management (TDM) - a set of strategies that result in more efficient use of the transportation system by influencing travel behaviour by mode, time of day, frequency, trip length, regulation, route or cost. Examples include: carpooling, car sharing, vanpooling, and shuttle buses; parking management; site design and on-site facilities that support transit and walking; bicycle facilities and programs; pricing (road tolls or transit discounts); flexible working hours; telecommuting; high occupancy vehicle lanes; park-and-ride; incentives for ride-sharing; using transit, walking, cycling; initiatives to discourage drive-alone trips by residents, employees, visitors and students.

Universal Accessibility/Universal Design - the design of products and environments to be usable by all people, to the greatest extent possible, without the need for adaptation or specialized design. Universal design seeks to create products and environments that are usable by the broadest spectrum of the population, regardless of age or physical differences.

Urban Design Brief - a comprehensive Urban Design document which may include urban design vision, principles, objectives, guidelines and strategies. An Urban Design Brief may be required of an owner/applicant in support of a *development application*, or prepared by the *City* to clarify design expectations and inform decision making in *development* approvals processes, road reconstruction projects, the *City's* Urban Design Budget and other capital projects. Urban Design Briefs often require Council approval and may be implemented through the *City's Zoning By-Law* and may be incorporated into the *Urban Design Manual*.

Urban Design Guidelines - provide detailed urban design expectations with respect to focused areas of urban design, including (but not limited to): design of the communities, neighbourhoods, sites, buildings and the design of elements thereof (such as *public realm*, *gateway* features, streetscapes, parks and open spaces, *cultural heritage resources*, *built form*, *building design*, parking, transit, landscape design, trees and *woodlands*, site circulation, site servicing, safety and security, lighting, signage, microclimate, infill *development*, emergency access and *public art)*.

Urban Design Manual - a document adopted/approved by Council which contains guidelines to ensure that new *development* is consistent with the *City's* vision and policies for urban design and which demonstrates conformity with the four guiding principles contained within the *City's* vision of function, order, identity and appeal.

Urban Design Report - an urban design document that may be required of an owner/applicant to demonstrate how a *development application* implements the *City's Urban Design Manual*. An *urban design report* does not require Council approval.

Urban Design Scorecard - an urban design evaluation tool that may be required to be completed by an owner/applicant to demonstrate how a development application implements the *City's Urban Design Manual*. An urban design scorecard may be required instead of an *Urban Design Report*.

Urban Forest - the trees, forests, greenspace and related abiotic, biotic and cultural components, all elements of *green infrastructure*, in the *City*. It includes all trees, and forest cover in our *City* as well as related components in surrounding rural areas.

Utilities - an essential public service such as electricity, gas, television or communications/telecommunications that is provided by a regulated company or government agency.

Valleylands - a natural area that occurs in a valley or other landform depression that has water flowing through or standing for some period of the year.

Views and Vistas - significant visual compositions of the built and natural environment that enliven the overall physical character of an area. Views are generally panoramic in nature while vistas are typically a strong individual feature framed by its surroundings.

Vulnerable/Vulnerability - surface water and groundwater that can be easily changed or impacted.

Walkability/Walkable - a term describing the quality of the *pedestrian* experience. May encapsulate such concepts as connectivity and *pedestrian* linkages, streetscapes, safety and security, *pedestrian* comfort, and reasonable walking distances.

Watershed - an area that is drained by a river and its tributaries.

Watershed/Subwatershed Studies - comprehensive scientific studies that describe how surface water and groundwater and terrestrial and aquatic ecosystems function within a defined drainage area. These investigations result in recommendations as to where and how *development* activity can safely occur so as to minimize flood risks, stream erosion, degradation of water quality, and negative impacts on natural systems. Recommendations may also identify opportunities for ecological enhancement and recreation.

Wayside Pits and Quarries - a temporary pit or quarry opened and used by or for a public authority solely for the purpose of a particular project or contract of road construction and not located on the road right-of-way.

Wellhead Protection Sensitivity Areas - within each Wellhead Protection Area, one or more Wellhead Protection Sensitivity Areas (WPSA) may be delineated. to prevent land uses involving hazardous chemicals and/or substances, disease causing organisms and land uses that increase the vulnerability of groundwater from becoming water quantity and/or quality risks to municipal drinking-water supply wells. WPSA are classified from 1 to 8. This classification allows for varying degrees of management relative to the *vulnerability* of the underlying groundwater to contamination, the importance of the well to the capacity of the *municipal drinking-water supply systems*, and the length of time groundwater within the area will take to reach the municipal drinking-water supply well.

Wetlands - lands that are seasonally or permanently covered by shallow water, as well as lands where the water table is close to or at the surface. In either case the presence of abundant water has caused the formation of hydric soils and has favoured the dominance of either hydrophytic plants or water tolerant plants. The four major types of wetlands are swamps, marshes, bogs and fens. Periodically soaked or wet lands being used for agricultural purposes which no longer exhibit wetland characteristics are not considered to be wetlands for the purposes of this definition.

Wildlife Habitat - areas where plants, animals and other organisms live, and find adequate amounts of food, water, shelter, and space needed to sustain their populations. Specific wildlife habitats of concern may include areas where species concentrate at a *vulnerable* point in their annual or life cycle; and areas which are important to migratory or non-migratory species.

Woodlands - treed areas that provide environmental and economic benefits to both the private landowner and the general public, such as erosion prevention, hydrological and nutrient cycling, provision of clean air and the long-term storage of carbon, provision of *wildlife habitat*, outdoor recreational opportunities, and the sustainable harvest of a wide range of woodland products. *Woodlands* include treed areas, woodlots or forested areas.

Zoning By-law - a document dividing the municipality into smaller areas called zones, employed by the municipality to regulate the use of land. It states exactly what land uses are currently permitted in the various zones and provides regulations, regarding matters including but not limited to, permitted locations for buildings, standards for lot size, parking requirements, building height, setbacks, densities etc.

Schedule B: Other Information and Materials

1. Cultural Heritage Resources
Archaeological Assessment
Commemoration Plan
Corridor Enhancement Plan
Cultural Heritage Protection Plan
Heritage Conservation Plan
Heritage Design Guidelines or Brief
Heritage Impact Assessment (HIA)
Heritage Permit Application
Hoarding Plan
Risk Management Plan
Salvage and Documentation Plan
Structural Assessment (Building Conditions Report)
Temporary Protection Plan
2. Digital Plans
Site Plan in accordance with City digital submission standards
Subdivision Plan or Condominium Plan in accordance with City digital submission standards
3. Environmental/Natural Heritage/Natural Hazards
Aggregate/Mineral Resource Analysis
Arborist Report including International Society of Arboriculture Valuation of Trees
Chloride Impact Study
Cut and Fill Analysis
Environmental Impact Study (EIS)
Floodline Delineation Study
Hydraulics Study
Hydrogeological Assessment
Local Air Quality Study
Master Drainage Study
Slope Stability/Erosion Hazard Study and Report
Studies and/or Plans required by Kitchener's Tree Management Policy (General Vegetation Overview, Detailed Vegetation Plan, Tree Preservation/Enhancement Plan)
Subwatershed Master Plan
Watershed Plan
4. Environmental/Servicing and Infrastructure
Alternative or Renewable Energy Systems Feasibility Study
District Energy System Feasibility Study
District Heating Feasibility Study
Energy Audit
Energy Conservation Efficiency Study
Environmental Implementation Report as required by an approved (sub)watershed plan
Environmental Site Assessment and/or Record of Site Condition
Integrated Energy Master Plan
Municipal Financial Impact Assessment
Municipal or Private Water Supply Analysis Study

Preliminary Grading Plan
Preliminary Stormwater Management Report and Plan
Private Servicing Study
Sanitary Sewer Capacity Analysis Study
Soils or Geotechnical Study
Topographical Survey" in the table after "Soils or Geotec.hnical Study
Update to an existing Stormwater Management Plan
Water Conservation Plan
5. Land Use Compatibility
3 Dimensional Modeling
Agricultural Impact Assessment
Angular Plane Analysis
Building Elevation Drawings
CPTED (Crime Prevention Through Environmental Design) Report
Dust Impact Assessment
Health Impact Assessment
Land Use Compatibility Study
Landfill Impact Study
Minimum Distance Separation Assessment
Noise Study
Odour Impact Assessment
Shadow Study
Snow Deposition Study
Vibration Study
Wind Study
6. Planning
Affordable Housing Report
Concept Plan
Design and Vision Session in accordance with the Neighbourhood Design Guidelines
Existing Conditions Plan
Inclusionary Zoning Implementation Brief
Neighbourhood Design Report or Brief
Planning Justification Study
Rental Conversion Assessment
Retail Impact Study
School Accommodation Issues Assessment
Site Plan, Building Cross-sections, Floor Plans
Site Walk in accordance with the Neighbourhood Design Guidelines
Sustainability Report/Statement/Checklist
Urban Design Brief, Urban Design Report, or Urban Design Scorecard
7. Transportation
Connectivity Plan
Driveway Location and On-Street Parking Plan
Fire Route and Emergency Turnaround Plan (with unit numbering)
Parking Analysis
Parking Justification Report
Pedestrian Route and Sidewalk Analysis

Right-of-way Cross-Sections
Roundabout Feasibility Analysis
Streetscape Plan
Traffic Calming Options Report
Transit Assessment
Transportation Demand Management Report
Transportation Impact Study
Truck Turning Movement Plan

Schedule C: Location of Former Waste Disposal Sites

Site #	Location	Remarks	Province Files
1	Guelph & Walker	site residential	yes
2	Herbert & Pine	park, 100 m. to homes	yes
3	Campbell Ave. old incinerator	site, inert wastes,	
4	Westmount & Brandon	on site homes and apartments	yes
5	Westwood & Fernwood	on site homes	yes
6	Brybeck Cres.	on site townhouses & commercial	yes
7	Guelph & Clifton	park, 100 m. to residential	yes
8	Hazelglen & Mooregate	on site houses	yes
9	Brunswick & Ahrens	on site housing	yes
10	Chopin & Rossford	on site housing	yes
11	Lorne Cres.	15 m. to housing, now greenway	yes
12	Mausser Park	park and *adjacent* homes, school site	yes
13	Victoria St.	20 m. to creek, 100 m. to bowling alley	yes
14	Kent Ave.	25 m. to creek, 20 m. to residences, near industrial, under parking lot	yes
15	Hurst Ave.	100 m. to creek, 10 m. to workshop, on-site parking and commercial	yes
16	Palmer Ave.	40 m. to residence, 150 m. to creek	yes
17	Queens Blvd.	10 m. to houses, on site of playground, swimming pool, parking lot	yes
18	Queensmount P.S.	park and school on site, gas vented,	yes
19	Kinzie Ave.	on site gasoline station, 20 m. to residences	yes
20	Coral Cres.	on site residences	yes
21	Glen Road	10 m. to residences	yes
22	Jansen Ave.	20 m. to residences, gas tested	yes
23	Karn St.	10 m. to residences, partly, under Karn & Westmount	yes
24	Weichel St.	10 m. to residences	yes
25	McLennon Park Gate	vacant	yes
NOTE: This schedule may not list every site which has been used for waste disposal. This schedule lists all known former waste disposal sites for which the *Province* has files.			

Schedule D: Roads to be Widened

ROAD NAME:	SECTION:	ULTIMATE WIDTH:
Ann Street	Frederick Street to west limit	18m
Amand Drive	North of Huron Road	26m
Balzer Road	C.N.R. to south limit	20m
Belmont Avenue	37 m. south of Glasgow Street to a point 88 m. south thereof	26m
Betzner Avenue	King Street to south limit	18m
Biehn Drive	Old Huron Place to Carlyle Drive	20m
Bingeman Street	Lancaster Street to Samuel Street	18m
Bond Street	Union Street to Elizabeth Street	18m
Bramm Street	Victoria Street South to C.N.R.	20m
Brick Street	Ottawa Street North to Rosedale Avenue	18m
Cameo Drive	Highway No. 8 to Hoffstetter Avenue	18m
Cameron Street	King Street to Weber Street	18m
Carwood Avenue	Approximately 46 m. east of Courtland Avenue to Cayley Court	20m
Cedar Street	Charles Street to Lancaster Street	20m
Charles Street	Ottawa Street to King Street	26m
Church Street	Queen Street to Benton Street	20m
Church Street	Benton Street to Cedar Street	18m
College Street	King Street to Weber Street	20m
Connor Street	Manitou Drive to north limit	20m
Courtland Avenue	Queen Street to David Street	26m
Cress Lane	Manitou Drive to east limit	20m
David Street	Courtland Avenue to Joseph Street	18m
Doon Valley Drive	Pinnacle Drive to Durham Street	20m
Eby Street	Charles Street to King Street	20m
Ebydale Drive	Lackner Road to Otterbein Drive	20m
Ellen Street	Queen Street to Lancaster Street	18m
Fairview Avenue	King Street to Weber Street	18m
First Avenue	Kingsway Drive to Eckert Street	20m
Forwell Road	Victoria Street to east limit	20m
Frederick Street	Bruce Street to Victoria Street	26m
Gage Avenue	Belmont Avenue to Waverly Road	18m
Gateway Park Drive	Sportsworld Drive to King Street	26m
General Drive	A point 56 m. south of Lancaster Street to a point 132 m. south of Lancaster Street	20m
Glasgow Street	Highland Road to Ira Needles Boulevard	20m

ROAD NAME:	SECTION:	ULTIMATE WIDTH:
Glasgow Street	Silvercrest Drive to a point 118.9 m. east of Westmount Road	26m
Glasgow Street	Belmont Avenue to Walter Street	20m
Goudies Lane	Frederick Street to Ontario Street North	7.62m
Graber Place	Dreger Avenue to south limit	18m
Greensview Drive	Limerick Drive to south limit	18m
Guelph Street	Moore Avenue to Riverbend Drive	20m
Gzowski Lane	Ahrens Street West to rear of 186 Victoria Street North	7.62m
Hall's Lane East	Water Street North to College Street	7.62m
Hall's Lane West	Victoria Street South to Eby Street South	7.62m
Heiman Street	Highland Road to south limit	18m
Heit Lane	Weber Street to south limit	7.62m
Henry Street	Victoria Street South to Devon Street	18m
Heritage Drive	Indian Road to Ebydale Drive	20m
*Hidden Valley Road	Goodrich Drive to Wabanaki Drive	18m
Hill Street	Lancaster Street to St. Vincent Street	18m
Hofstetter Avenue	King Street East to Highway No.8	20m
Horning Drive	Bloomingdale Road to south limit	18m
Howe Drive	Ottawa Street to north limit	20m
Huron Road	Trussler Road to Homer Watson Boulevard	30m
Huron Road	Homer Watson Boulevard to Mill Park Drive	20m
Irvin Street	Scott Street to Frederick Street	20m
Jackson Avenue	King Street to Weber Street	18m
Joseph Street	Queen Street to Gaukel Street	20m
Joseph Street	Victoria Street to C.N.R.	20m
King Street	Cedar Street to Ottawa Street	26m
Kingsbury Drive	Highway No. 8 to King Street East	20m
Kingsway Drive	Wilson Avenue to a point 150 m. north of Cedarwoods Crescent	26m
Kingsway Drive	A point 150 m. north of Cedarwoods Crescent to Eckert Street	20m
Krug Street	Lancaster Street to north thereof	20m
Lancaster Street	Krug Street to Victoria Street	20m
Lang Crescent	Springdale Crescent to Lancaster Street	18m
Limerick Drive	King Street East to Greensview Drive	18m
Macville Avenue	Woolwich Street to east limit	18m
Madison Avenue	Charles Street to King Street	20m
Madison Avenue	King Street to Weber Street	18m
Mansion Street	Lancaster Street to Ellen Street	18m

ROAD NAME:	SECTION:	ULTIMATE WIDTH:
Margaret Avenue	Queen Street to Victoria Street	20m
Market Street	Horning Drive to north limit	18m
Mill Street	Queen Street to Courtland Avenue	20m
Montgomery Road	King Street to Weber Street	26m
Morrison Road	King Street East to Manor Drive	20m
Morrison Road	Sims Estate Drive to Quinte Crescent	20m
North Hill Place	Fairway Road to east limit	18m
Old Chicopee Drive	Roehampton Court to Daimler Drive	20m
Old Chicopee Trail	Daimler Drive to Fairway Road	18m
Old Huron Place	Biehn Drive to end	18m
Old Huron Road	Battler Road to south limit	20m
Old Huron Road	Battler Road to Biehn Drive	20m
Old Mill Road	Sydenham Street to Doon Valley Drive	20m
Ontario Street	Joseph Street to Weber Street	20m
Pandora Avenue	Charles Street to Weber Street	20m
Pandora Avenue	King Street to Weber Street	18m
Park Street	Victoria Street to City limit	20m
Pinnacle Drive	New Dundee Road to Thomas Slee Drive	20m
Pioneer Tower Road	Pioneer Ridge Drive to Marquette Drive	20m
Pioneer Tower Road	Pioneer Tower Crescent to west limit	20m
Prince Street	Bloomingdale Road to Tyson Drive	18m
Queen Street North	King Street to Ellen Street	20m
Queen Street North	Ellen Street to Lancaster Street	18m
Queen Street South	Courtland Avenue to King Street	20m
Reichert Drive	New Dundee Road to City limit	18m
Riverbend Drive	Shirley Avenue to Bridgeport Road	20m
Scott Street	King Street to Irvin Street	20m
Sereda Road	Guelph Street to Maple Avenue	20m
Sheldon Avenue	King Street to Rosedale Avenue	20m
Shirk Place	Lancaster Street to Woolwich Street	20m
Shirley Avenue	Riverbend Drive to Bingemans Centre Drive	30m
Spetz Avenue	Scott Street to Frederick Street	20m
St. George Street	Queen Street to Benton Street	20m
Stirling Avenue South	Avalon Place to Mill Street	20m
Stirling Avenue North	King Street to Weber Street	20m
Strange Street	Park Street to Victoria Street	20m
Strasburg Road	Ottawa Street to Chandler Drive	26m
Tagge Street	Nelson Avenue to north limit	20m
Theresa Street	Victoria Street South to Park Street	18m

ROAD NAME:	SECTION:	ULTIMATE WIDTH:
Tyson Drive	Bridge Street to north limit	18m
Union Boulevard	Park Street to City limit	26m
Waverly Road	Gage Avenue to Strange Street	18m
Wentworth Avenue	Spadina Road to west limit	18m
Wilson Avenue	Wabanaki Drive to Kingsway Drive	26m
Woolwich Street	Shirk Place to City limit	20m
Young Street	King Street to Weber Street	20m
Zeller Drive	Janet Court to east limit	20m

Schedule E: Intersections That May Exceed the Designated Road Allowance

Ahrens Street and Victoria

Belmont Avenue and Queen's Boulevard
Belmont Avenue West and Gage Avenue
Betzner Avenue and King Street
Bleams Road and Isaiah Drive
Bleams Road and Donnenwerth Drive
Bleams Road and Commonwealth Street
Bleams Road and Trillium Drive
Bleams Road and Strasburg Road
Bleams Road and Fallowfield Drive
Breithaupt Street and King Street

Cameron Street and Charles Street
Cameron Street and King Street
Cameron Street and Weber Street
Charles Street East and Stirling Avenue South
Courtland Avenue East and Carwood Avenue
Courtland Avenue East and Walton Avenue
Courtland Avenue East and Hayward Avenue
Courtland Avenue East and Block Line Road
Courtland Avenue East and Shelley Drive
Courtland Avenue East and Siebert Avenue

Duke Street East and Scott Street
Duke Street East and Eby Street North
Duke Street East and Cedar Street North

Fairview Avenue and King Street
Fairway Road North and Morgan Avenue
Fairway Road North and Sims Estates Drive
Fairway Road South and Wilson Avenue
Fischer Hallman Road and Queen's Boulevard
Fischer Hallman Road and Activa Avenue
Fischer Hallman Road and Cotton Grass Street
Fischer Hallman Road and Westmount Road West
Franklin Street South and Weber Street
Frederick Street and Edna Street
Frederick Street and Bruce Street
Frederick Street and River Road East

Glasgow Street and Fischer Hallman Road
Glasgow Street and Westmount Road West
Glasgow Street and Belmont Avenue West
Glasgow Street and Park Street
Green Street and King Street

Green Street and Park Street
Guelph Street and Sereda Road

Hanson Avenue and Homer Watson Boulevard
Hazelglen Drive and Victoria Street
Highland Road and Queen Street South
Highland Road East and Stirling Avenue South
Highland Road East and Hoffman Street
Highland Road West and Glasgow Street
Highland Road West and Westheights Drive
Highland Road West and Eastforest Trail
Highland Road West and Belmont Avenue West
Highland Road West and West Avenue
Hoffman Street and Highland Road
Homer Watson Boulevard and Stirling Avenue South
Homer Watson Boulevard and Hayward Avenue
Homer Watson Boulevard and Manitou Drive
Homer Watson Boulevard and Pioneer Drive
Huron Road and Trussler Road
Huron Road and Proposed Major Collector
Huron Road and Parkvale Drive
Huron Road and Battler Road

Jackson Avenue and King Street
Jackson Avenue and Weber Street
Joseph Street and Heins Avenue
Joseph Street and Queen Street South
Joseph Street and Water Street

King Street East and Madison Avenue
King Street East and Stirling Avenue
King Street East and Borden Avenue
King Street East and Morgan Avenue
King Street East and River Road East
King Street East and Morrison Road
King Street East and Deer Ridge Drive
King Street East and Pioneer Tower Road
King Street West and Agnes Street
Kingsway Drive and Franklin Street South
Krug Street and Weber Street

Lackner Boulevard and Keewatin Avenue
Lackner Boulevard and Zeller Drive
Lackner Boulevard and Fairway Road North
Lancaster Street and Queen Street North
Lancaster Street and Kruge Street
Lancaster Street West and Union Street
Lancaster Street West and Guelph Street
Lancaster Street West and Wellington Street North

Margaret Avenue and Guelph Street

Mill Street and Queen Street South
Mill Street and Stirling Avenue South
Mill Street and Ottawa Street South
Mill Street and Courtland Avenue East

New Dundee Road and Robert Ferrie Drive
New Dundee Road and Pinnacle Drive

Ottawa Street North and Old Chicopee Drive
Ottawa Street North and Heritage Drive
Ottawa Street North and Keewatin Avenue
Ottawa Street South and David Bergey Drive
Ottawa Street South and Wilderness Drive
Ottawa Street South and Williamsburg Road
Ottawa Street South and Howe Drive
Ottawa Street South and Strasburg Road

Pandora Avenue and King Street
Pandora Avenue and Weber Street
Park Street and Union Boulevard
Park Street and Dominion Street
Park Street and Agnes Street
Park Street and Strange Street
Park Street and Green Street
Pioneer Drive and Doon Village Road
Plains Road and Huron Road

Queen Street North and Weber Street
Queen Street North and Margaret Avenue

River Road East and Krug Street
River Road East and Holborn Drive
River Road East and Old Chicopee Drive
River Road East and Fairway Road North
River Road East and Morgan Avenue
River Road East and Grand River Boulevard
Riverbend Drive and Guelph Street

Stirling Avenue South and Greenbrook Drive
Strasburg Road and Trillium Drive
Strasburg Road and Battler Road
Strasburg Road and Templewood Drive
Strasburg Road and Robert Ferrie Drive
Strasburg Road and Proposed Major Collector
Strasburg Road and New Dundee Road

Thomas Slee Drive and New Dundee Road

Victoria Street North and Duke Street West
Victoria Street North and Margaret Avenue
Victoria Street North and St Leger Street
Victoria Street North and Edna Street
Victoria Street North and Bruce Street
Victoria Street North and Frederick Street
Victoria Street North and Natchez Road
Victoria Street South and Westforest Trail
Victoria Street South and Eastforest Trail
Victoria Street South and Oprington Drive
Victoria Street South and Chopin Drive
Victoria Street South and Belmont Avenue West
Victoria Street South and West Avenue
Victoria Street South and Park Street
Victoria Street South and Joseph Street

Water Street and Joseph Street
Weber Street East and Cedar Street North
Weber Street East and Madison Avenue North
Weber Street East and Franklin Street North
Weber Street East and Fergus Avenue
Weber Street East and Kinzie Avenue
Weber Street West and Guelph Street
Wellington Street and King Street West
Wellington Street North and Moore Avenue
Wellington Street North and Weber Street West
Wellington Street North and Margaret Avenue
Wellington Street North and Riverbend Drive
Westheights Drive and Driftwood Drive
Westheights Drive and Driftwood Drive
Westheights Drive and McGarry Drive
Westheights Drive and Queen's Boulevard
Westmount Road and Queen's Boulevard
Westmount Road East and Greenbrook Drive
Westmount Road West and Westwood Drive
Westmount Road West and Gage Avenue
Wilson Avenue and Kingsway Drive
Wilson Avenue and Goodrich Drive
Wilson Avenue and Wabanaki Drive

Schedule F: Dundee Secondary Plan

To view the full Dundee Secondary Plan document, including maps, please visit https://www.kitchener.ca/development-and-construction/official-plan/.