CITY OF KITCHENER
OFFICIAL PLAN
A Complete & Healthy Kitchener

As approved, with modifications, by the Region of Waterloo on November 19, 2014
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 (formerly OMB and LPAT), as follows:

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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
1.A.5 Planning Context
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.
1.2 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*

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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 Plans 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), 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.
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

<table>
<thead>
<tr>
<th></th>
<th>2006</th>
<th>2031</th>
</tr>
</thead>
<tbody>
<tr>
<td>Population (Residents)</td>
<td>214,500</td>
<td>319,500</td>
</tr>
<tr>
<td>Employment (Jobs)</td>
<td>99,380</td>
<td>132,500</td>
</tr>
</tbody>
</table>

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 infrastructure 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 that 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*
<table>
<thead>
<tr>
<th>Section</th>
<th>Topic</th>
</tr>
</thead>
<tbody>
<tr>
<td>3</td>
<td>Kitchener Structure</td>
</tr>
<tr>
<td>4</td>
<td>Housing</td>
</tr>
<tr>
<td>5</td>
<td>Economy</td>
</tr>
<tr>
<td>6</td>
<td>Public Health and Safety</td>
</tr>
<tr>
<td>7</td>
<td>Natural Heritage &amp; Environmental Management</td>
</tr>
<tr>
<td>8</td>
<td>Parks, Open Space, Urban Forests and Community Facilities</td>
</tr>
<tr>
<td>9</td>
<td>Aggregates</td>
</tr>
<tr>
<td>10</td>
<td>Arts and Culture</td>
</tr>
<tr>
<td>11</td>
<td>Urban Design</td>
</tr>
<tr>
<td>12</td>
<td>Cultural Heritage Resources</td>
</tr>
<tr>
<td>13</td>
<td>Integrated Transportation System</td>
</tr>
<tr>
<td>14</td>
<td>Servicing and Utilities</td>
</tr>
</tbody>
</table>
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.

Table 2: Five-Year Average Residential Intensification Targets

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

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.

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 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.
Section 3

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), Major Transit Station Areas, City Nodes, Community Nodes, Neighbourhood 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), 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 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 the 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 the city’s 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. Depending on the intended design character, range of uses and densities deemed appropriate for achieving the overall planned function of the Urban Growth Centre (Downtown) as shown on Maps 1, 2 and 4, the applicable land use designations as detailed in Section 15.D.2 will include the City Centre District, Civic District, Innovation District, Market District, and Mixed Use.

**Major Transit Station Area**

3.C.2.16. Major Transit Station Areas are designated in the Regional Official Plan, are identified on Map 2 and are a conceptual representation of the area of a ten minute walking radius centered around the location of Rapid Transit Station Stops.

3.C.2.17. The planned function of 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.

Notwithstanding a) through d) above, Major Transit Station Areas may include lands within stable residential neighbourhoods which are not the primary focus for intensification. The planned function of these areas will be reviewed and confirmed through the course of future Station Area Planning exercises.

3.C.2.18. The City, in collaboration with the Region and in accordance with the Regional Official Plan, will prepare Station Area Plans for each Major Transit Station Area located outside of the Urban Growth Centre (Downtown). Each Station Area Plan will provide direction on how Major Transit Station Areas are to be planned, designed, developed and phased-in over time.

3.C.2.19. 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.2.20. In advance of the completion of Station Area Plans, it is recognized that not all lands within a possible influence area of a ten minute walking radius centered around the location of a proposed Rapid Transit Station Stop should be the focus for intensification and development. In the interim the City has completed Phase 1 of the Planning Around Rapid Transit Station Areas (PARTS) Project to identify Major Transit Station Study Areas including the preliminary identification of areas, based on a high level of technical analysis, in which to focus intensification in and which could support transit-oriented and transit-supportive development and redevelopment.

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 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 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 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 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 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 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 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 Major Transit Station Area or a City Node where lands are designated Institutional as identified on Map 2 and shown on Map 3 and 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 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 Areas* 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

<table>
<thead>
<tr>
<th>Structure Component</th>
<th>Predominant Land Use Designation</th>
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<tr>
<td><strong>PRIMARY</strong></td>
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</tr>
<tr>
<td>Urban Growth Centre (Downtown)</td>
<td>City Centre District, Civic District, Market District, Innovation District, Mixed Use</td>
</tr>
<tr>
<td>Major Transit Station Area</td>
<td>TBD by Station Area Plan Exercise</td>
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<tr>
<td>City Node</td>
<td>Commercial, Mixed Use, Institutional, Medium Rise Residential, High Rise Residential</td>
</tr>
<tr>
<td>Community Node</td>
<td>Commercial, Mixed Use, Institutional, Medium Rise Residential, High Rise Residential</td>
</tr>
<tr>
<td>Urban Corridor</td>
<td>Commercial, Mixed Use</td>
</tr>
<tr>
<td><strong>SECONDARY</strong></td>
<td></td>
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<tr>
<td>Neighbourhood Node</td>
<td>Commercial, Mixed Use</td>
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<tr>
<td>Arterial Corridor</td>
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<tr>
<td><strong>COMMUNITY AREAS</strong></td>
<td>Low Rise Residential, Medium Rise Residential, High Rise Residential, Institutional, Major Infrastructure &amp; Utilities</td>
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<td><strong>INDUSTRIAL EMPLOYMENT AREAS</strong></td>
<td>Heavy Industrial Employment, General Industrial Employment, Business Park Employment</td>
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<td><strong>GREEN AREAS</strong></td>
<td>Natural Heritage Conservation, Open Space</td>
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</tbody>
</table>
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.

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.
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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, 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, architectural design, landscaping, screening and/or buffering. 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.

   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 conversions 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;
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.

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 will support the addition of an additional dwelling unit(s), attached, within a residential unit, where desirable and appropriate unless otherwise limited by the policies of this Plan, and in accordance with the City’s Zoning By-law, in order to provide another housing option to Kitchener homeowners and residents.

4.C.1.24. The City, in accordance with Planning Act and other applicable legislation, will permit a stand-alone additional dwelling unit (detached), as an ancillary use to single detached dwellings, semi-detach dwellings and street townhouse dwellings. The following criteria will be considered as the basis for permitting an additional dwelling unit (detached).

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

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

c) 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; and,

d) other requirements such as servicing, parking, access, stormwater management, tree preservation, landscaping and the provision of amenity areas.

Additional dwelling units (detached) will be subject to site plan control.

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 up to 3 lodgers within any dwelling unit in any land use designation permitting residential uses.

4.C.1.33. Lodging houses with between 4 and 8 residents will only be permitted in zones permitting multiple dwellings.

4.C.1.34. The City’s Zoning By-law will specifically regulate lodging houses and the appropriate zones in which they may be permitted subject to licensing, and safety regulations and the ability to integrate such housing forms in an acceptable and appropriate manner.

4.C.1.35. The City will encourage lodging houses to locate within walking distance of public transit and in close proximity to supportive non-residential uses and parks and recreational facilities.

4.C.1.36. The City may incorporate minimum distance separation regulations between lodging houses in the City’s Zoning By-law to prevent the undue concentration of lodging houses in specific areas of the city and to encourage this type of use throughout the city.

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.
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 areas.

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.
Section 5

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), Major Transit Station Areas, City Nodes, Community Nodes, Neighbourhood 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 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 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;
Section 6  
Part C

- 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 hazards; 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.

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/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 features 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 features* 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 functions* 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 ability 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 features*. 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 Species. 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.
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* 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 *development, 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.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.25. Areas identified as Significant Wildlife Habitat on Map 6 will be treated as an overlay to land use designations on Map 3.

7.C.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.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.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.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 will be further regulated to implement Policies 7.C.2.27 and 7.C.2.28 respectively.

**Significant Landforms**

7.C.30. Areas identified as Significant Landforms on Map 6 will be treated as an overlay to land use designations on Map 3.

7.C.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 functions, topography, stratigraphic exposures and other geologically defining features for which the area was identified are conserved.

7.C.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 development,
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 an 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 functions.

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 functions 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 functions 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.2.42. 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 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.
Section 7

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.
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 functions.

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 features, 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 features 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 functions, 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 17.E.17. 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.
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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.
Section 8  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:
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Part C

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:
Section 8

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.
Section 8

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 functions 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

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


9.1.2. 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

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.

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**.

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.

**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...
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.
Section 11

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.

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 and/or urban design report may be required of an owner/applicant in support of a development application in accordance with Section 17.E.10.

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 reports 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 Plans, the Development Manual, Subdivision Control and Site Plan Control.

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.
Section 11

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;
Section 11

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 aesthetic 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 adjacent 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 usability, respects and reinforce human scale, create attractive streetscapes 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.

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.
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:
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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 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 significant cultural heritage resources. The conservation of significant cultural heritage resources will be a requirement and/or condition in the processing and approval of applications submitted under the Planning Act.

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 and Heritage Conservation Plan required by the City must be prepared by a qualified person in accordance with the minimum requirements as outlined in the City of Kitchener’s Terms of Reference for Heritage Impact Assessments and Heritage Conservation Plans.
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 Assessments* 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 17.E.17; 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.
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 (pedestrians, 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 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 pedestrians, 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 access es 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 streets 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 Corridors 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.
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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.

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) Hidden Valley Road;
c) Huron Rd between Homer Watson Boulevard and Mill Park Drive;
d) Pinnacle Drive between the northerly leg of New Dundee Road and Pine Hill Place;
e) Old Chicopee Trail between Fairway Road and Daimler Drive;
f) Patricia Avenue between Queen’s Boulevard and Highland Road; and,
g) 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 access points to Baxter Place, Cressman Avenue and Limerick Drive from new or expanded development on lands designated as 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:
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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 Widening

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 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;
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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,

iii) 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 Regional, 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

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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**

<table>
<thead>
<tr>
<th>LAND USE CATEGORY</th>
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<td>High Rise Residential</td>
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<td>Commercial Campus</td>
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<td>Heavy Industrial Employment</td>
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<td>General Industrial Employment</td>
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<td>Prime Agriculture</td>
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<td>Rural</td>
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<td>Natural Heritage Conservation</td>
<td>Natural Heritage Conservation</td>
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<td>Open Space</td>
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<td>Major Infrastructure and Utilities</td>
<td>Major Infrastructure and Utilities</td>
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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 stores 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 Urban Growth Centre (Downtown)

Preamble

Historically, downtown Kitchener has been the focal point of the region. It has been a centre for trade, politics, arts and culture and entertainment. Today, the vision is to establish Downtown Kitchener as one of the best downtowns in North America that offers a complete sense of community while offering unique, vibrant and eclectic experiences. To our community, this means offering a unique urban feel, creative work environments, bustling pedestrian-focused sidewalks, unique stores and restaurants, attractive buildings and storefronts, a vibrant arts and culture scene, innovative housing options and a strong sense of community.

The community envisions this happening by fostering a downtown with lively street activity for all to enjoy, through great shopping, markets, restaurants, outdoor patios and outdoor events. Downtown should have green, pedestrian-friendly streets combined with a creative high quality urban design of buildings, storefronts and public spaces. Downtown’s heritage should be conserved and celebrated while embracing the reuse of historic buildings and storefronts.

The future and continued success of the Downtown will depend heavily on increased residential growth, new employment in the Innovation District, high quality urban design and the provision of a fully integrated transportation system.

A vibrant, dynamic and healthy Downtown is important to the local economy and the establishment of a community identity. Since the 1994 Official Plan, the Downtown has seen tremendous growth in the educational sectors and in the provision of residential buildings and units. The future and continued success of the Downtown will depend on the enhancement of its character, the provision of community amenities, the development of a business environment and the enhancement of its value as a place to live.

The whole of the Downtown is identified as an Urban Growth Centre in both the Province’s Places 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.

The city’s Urban Growth Centre (Downtown) area includes the following land use designations: City Centre District, Civic District, Innovation District, Market District and Mixed Use.

Objectives

15.2.1. To create and maintain a lively and liveable Downtown.

15.2.2. To encourage and support the location of unique and niche retail and commercial uses and those retail and commercial uses that support residential development within the downtown and within adjacent neighbourhoods.

15.2.3. To support King Street within the City Centre District and the Market District as a primary retail destination.

15.2.4. To increase residential development within the Urban Growth Centre (Downtown).
15.2.5. To support and strengthen the Urban Growth Centre (Downtown) as a city, regional and provincial transportation hub with an integrated transportation system.

15.2.6. To inspire and promote creative, high quality design through the encouragement and support of architectural excellence.

15.2.7. To conserve our cultural heritage resources and ensure new development and redevelopment is sensitive to, enhances and reflects our past.

15.2.8. To facilitate and encourage a mixture of uses that will contribute to a vibrant and safe atmosphere.

15.2.9. To promote downtown vitalization and effective use of existing infrastructure by attracting and encouraging more residents and jobs to the Urban Growth Centre (Downtown).

15.2.10. To support and enhance the Urban Growth Centre (Downtown) function as being the region’s centre for government, administration, office and commercial activity.

15.2.11. To support and facilitate the Urban Growth Centre (Downtown) as a centre of arts, cultural and entertainment and a gathering place for events and experiences as a means to encouraging tourism and fostering community and neighbourhood identity and contributing to a vibrant and creative city.

15.2.12. To create and maintain a cycling and pedestrian-friendly and walkable Urban Growth Centre (Downtown).

15.2.13. To implement the policies in Section 3.

Policies

15.D.2.1. The Urban Growth Centre (Downtown), as shown on Map 3 and Map 4, and also known as the City of Kitchener Downtown, will be the primary focus area in the city for intensification.

15.D.2.2. The Urban Growth Centre (Downtown) must achieve by 2031 or earlier, a minimum gross density target of 225 residents and jobs combined per hectare. The City will monitor and encourage a balance of residents and jobs per hectare to support the downtown as a desirable place to live and a major location of employment.

15.D.2.3. The Urban Growth Centre (Downtown) will be planned:

a) as a focal area for investment in institutional and region-wide public 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 or 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) 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).

General Uses

15.D.2.5. The City will direct new major office and major institutional developments to locate within the Urban Growth Centre (Downtown), particularly within the Innovation District.

15.D.2.6. The City will discourage the development or retention of some uses within or in close proximity to the Downtown which would conflict with the planned function of the Urban Growth Centre (Downtown).

15.D.2.7. The City will encourage the development and retention of food stores within the Urban Growth Centre (Downtown).

15.D.2.8. The City will encourage the development and retention of institutional uses and cultural facilities within the Urban Growth Centre (Downtown).

15.D.2.9. 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.2.10. 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) 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);

b) will not conflict with the planned function of the Urban Growth Centre (Downtown) 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:
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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.

Public Realm and Place Making

15.D.2.11. 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.2.12. 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.2.13. 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.2.14. 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.2.15. 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.2.16. 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.
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Streetscape

15.D.2.17. 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.2.18. The City may limit the scale and height of buildings along the street edge along King Street where appropriate to ensure adequate sun exposure, enhancement of the pedestrian realm and to ensure human scale of development.

Bonusing

15.D.2.19. The maximum Floor Space Ratio may be increased through the bonusing provisions of the Zoning By-law in order to promote residential development or redevelopment and the provision of community benefits.

Transportation

15.D.2.20. The Urban Growth Centre (Downtown) will be part of an integrated provincial, regional and city transportation system while at the same time provide a pedestrian-friendly and walkable environment.

15.D.2.21. 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.2.22. 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.
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Cultural Heritage Resources

15.D.2.23. All development or redevelopment will embrace, celebrate and conserve the Cultural Heritage Resources in the Urban Growth Centre (Downtown) 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.2.24. The City will encourage development or redevelopment to celebrate and recognize the intersection of King Street and Queen Street as “The Royal Crossroads” – the historical apex of old Berlin.

15.D.2.25. 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.2.26. 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.2.27. 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. Further direction on contributing to high quality design for particular areas of the Urban Growth Centre (Downtown) is contained in the Urban Design Policies in Section 11 and the design guidelines for the Downtown in the City’s Urban Design Manual.

15.D.2.28. The City will prepare Urban Design Guidelines for the Downtown 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.2.29. 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.2.30. 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.2.31. The City may withhold Site Plan Approval until such time as developments and redevelopments demonstrate adherence to the City’s Urban Design Manual and Downtown specific urban design guidelines. Such guidelines could include, but not limited to, preferred architectural styles, preferred building materials and preferred building massing.

15.D.2.32. Where new development or redevelopment is proposed between two land use districts or between a land use district and a central neighbourhood, the scale and massing of both sides of the street should be coordinated to provide a uniform streetscape and pedestrian experience.

**Green Areas**

15.D.2.33. The City may identify and establish a plan and hierarchy for green areas within the Urban Growth Centre (Downtown) to contribute to a liveable Downtown and develop a strategy for implementing new tree plantings.

**Land Use Designations**

The Urban Growth Centre (Downtown) is comprised of four Downtown land use designations; the City Centre District, the Civic District, the Innovation District and the Market District and the Mixed Use land use designation. Each of the land use designations represent the unique character of each of the areas within the Urban Growth Centre (Downtown) as established over time and which character is expected to continue to be enhanced during the horizon of this Plan.

**City Centre District**

The City Centre District is the heart of the Downtown and Urban Growth Centre (Downtown) and focuses around the original commercial area of King Street. The commercial area of King Street has historically developed as a pedestrian–oriented environment characterized by ground floor commercial uses in narrow store fronts, providing frequent entrances for pedestrians. The intent is to maintain the pedestrian appeal while evolving into a compact, contemporary urban setting, with taller buildings, lively street activity and a stylish mix of shops, restaurants and bars and cultural and entertainment uses.
This City Centre District is also characterized by several large office developments and by lot sizes and assemblies of lot sizes conducive to future large scale developments. On the edge of this District are small areas with buildings that were originally constructed as single detached dwellings but over the years have been converted to mixed use, commercial or multiple residential uses. As these locations outside of King Street have excellent access to a primary road network and public transportation, they are suitable for redevelopment opportunities to help contribute to achieving the intensification target for the Urban Growth Centre (Downtown).

15.D.2.34. The City Centre District will be the predominant location in the Downtown for uses such as:

a) all types and sizes of retail;
b) educational establishments;
c) arts and entertainment uses such as theatres, cinemas and galleries;
d) major institutional uses including cultural facilities such as museums;
e) multiple residential;
f) offices including public administration, corporate offices and large financial establishments, including major office uses;
g) personal services;
h) public squares and areas for cultural events and festivals; and,
i) restaurants and outdoor patios.

15.D.2.35. The predominant use along King Street will be ground floor retail and restaurants with residential, office, and personal services where appropriate, on upper floors.

15.D.2.36. The City will encourage personal service uses, small offices, medical clinics and other service type uses to locate on the upper floors of mixed use buildings in order to maintain the continuity of pedestrian interest at the street level.

15.D.2.37. 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 those requiring outdoor storage or large land areas.

15.D.2.38. The City will encourage pedestrian-friendly development not only on King Street but on the side streets and public lanes as well to maintain the district’s pedestrian appeal and to maximize the points of attraction and to minimize walking distances.
15.D.2.39. A minimum *Floor Space Ratio* of 1.0 and a maximum *Floor Space Ratio* of 3.0 will apply to all new *development* and *redevelopment*.

15.D.2.40. The section of King Street generally from the east of Benton Street contains several buildings that are 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*. To emphasize Kitchener’s heritage the *conservation* of the *significant heritage attributes* of the buildings will be required.

15.D.2.41. The *City* will utilize the *Zoning By-law* to direct and guide the location of uses and the *development or redevelopment* of properties in this District in the following ways:

- a) to limit the full range and scale of uses in some locations, as deemed appropriate;
- b) direct non-convenience *retail* uses to King Street;
- c) impose façade and building height regulations to ensure that buildings maintain a human-scaled form of development along the street;
- d) where the City Centre District interfaces with other land use Districts, the building façade heights may be limited at the street line on the City Centre District side of the street and additional height may be set back from the street line façade to promote *compatibility* of new *development*;
- e) where new *development* impacts the streetscape, particularly the King Street streetscape, minimum or maximum setbacks from the street or the ground floor may be required to maximize sidewalk space for outdoor *retailing*, restaurant patios and informal gathering places; or,
- f) increased setbacks may be required along Gaukel Street in order to enhance the *vista* from King Street to Victoria Park.

### Civic District

The Civic District was planned in 1965 as a contemporary urban square with architecturally bold buildings situated in a park-like setting. It is the only area of the Downtown located north of Weber Street and is linked to the City Centre District by Queen and Frederick Streets. This District has evolved into a civic and cultural focal point for Kitchener and the *region*. It is comprised of publicly owned lands developed primarily as administrative, government, cultural uses and open space. The vision is for the District to evolve into more of a *mixed use* area.

15.D.2.42. The primary land uses permitted within the Civic District land use designation will be:

- a) offices including public administrative offices;
- b) institutional uses;
- c) cultural and entertainment uses; and,
- d) multiple residential.
Commercial uses which are complementary to the main permitted uses may also be permitted.

15.D.2.43. The maximum Floor Space Ratio for all new development and redevelopment will be 3.0.

15.D.2.44. The City will develop a Master Plan for all city-owned lands in the District which will include the timing, method and process for the disposition and ultimate development of these lands.

15.D.2.45. The existing public park on Queen Street will be maintained and enhanced, where necessary and appropriate, to provide open space for residents in the adjacent neighbourhoods, a public amenity for the office uses and for visitors to the Urban Growth Centre (Downtown).

15.D.2.46. All new development and redevelopment will incorporate a high standard of urban design to reflect their location in a high quality civic and park setting. All development should contribute to creating an area in the Downtown that looks and functions as one coordinated mixed use urban square.

15.D.2.47. While architecturally unique and bold building forms are encouraged, new development and redevelopments should be sensitive to the historic scale and features of the surrounding properties and streets. This will be particularly important where new development or redevelopment will interface with significant cultural heritage resources.

15.D.2.48. New development or redevelopment will also be encouraged to provide high quality landscaping in their site design and create where appropriate a variety of outdoor seating areas. Outdoor public art will also be encouraged. Where streetscape elements are proposed internal to the district, such as light poles and benches, these streetscape elements should celebrate arts and culture and reflect the character of the 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.2.49. The primary uses permitted in the Innovation District will be:
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- offices, particularly research and high tech offices and creative industry;
- institutional;
- residential;
- studios;
- exhibition and/or conference facilities;
- existing light industrial employment; and,
- 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.2.50. 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.2.51. 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.2.52. The maximum Floor Space Ratio for all new development and redevelopment will be 3.0.

15.D.2.53. 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.2.54. 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.2.55. 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.2.56. 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.2.57. 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.2.58. 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.2.59. 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.2.60. 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.2.61. The building and façade heights may be regulated through the Zoning By-law.

15.D.2.62. 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.

**Lands Within Mixed Use Areas**

15.D.2.63. Where lands which are designated Mixed Use are located within the Urban Growth Centre (Downtown), as shown on Map 4, the applicable Mixed Use policies in Section 15.D.4 will apply.

**Area Specific/Site Specific Policy Areas**

15.D.2.64. **Multi-modal Transit Hub**

The vision for the Transit Hub is to be the heart of Waterloo Region’s future transit network, functioning as the central point for moving residents and visitors to and throughout the region. It is intended to be a contemporary, state-of-the-art, multi-modal transportation facility that accommodates a broad range of users arriving by different modes, while furthering the revitalization of Downtown Kitchener. Given its importance, the proposed Transit Hub’s design will reflect the functional prominence of transit use within the region in providing a transit facility that is convenient, safe and easy to use, that exemplifies high quality design and architecture complementing the site’s context, and that residents and visitors can identify with and embrace. Notwithstanding the Innovation District land use designation and the policies contained the in Section 15.D.2, Section 11 and Section 13, the following policies will apply to the development of the Multi-modal Transit Hub lands:

**Urban Design**

a) The City’s primary focus will be to ensure a high standard of urban design for all new development. Site development will include a high standard of site amenities and features, including interconnected pedestrian linkages, integrated transit, cycling, pedestrian and vehicular facilities and high quality public amenity areas both internal and external to buildings. Public amenity areas must be visible and accessible to the general public and are expected to include permanent furnishings (such as benches, tables) for resting/waiting transit users and pedestrians, enhanced landscaping features (such as trees, shrubs) to provide relief to the built environment and cultural features (such as sculptures, water
features, murals, monuments or other public art) for public appreciation and to create an identity.

b) A grand entrance and public plaza at the corner of King and Victoria will be a requirement of future site development. The City will establish regulations in the Zoning By-law to ensure there is a generous amount of space for a public plaza along the entire King Street frontage and within 60 metres of the intersection along the Victoria Street frontage. Zoning regulations may define setbacks relative to the back of curb rather than street line to implement this policy.

c) The City will promote architectural innovation and excellence as a high priority for site development to ensure that any development is sensitively woven into the urban fabric, while identifying the Transit Hub as an iconic landmark in the urban landscape.

d) The City will promote the conservation and adaptive reuse of the cultural heritage resources on site, namely the 1913 portion of the Rumpel Felt Company building, in accordance with the approved “Heritage Study and Heritage Impact Assessment” dated April 5, 2012 and revised November 22, 2012.

e) The City will promote art in publicly accessible places on the Transit Hub site in order to enhance the enjoyment of the built environment while contributing to a sense of place, meaning and context. The City will encourage the Region to include public art in site development.

f) Through the Regional procurement process, the City will emphasize urban design and architectural expertise and demonstrated innovation and excellence as key criteria in the selection of a development partner.

Implementation Strategies

g) The City will review and approve site development based on the Council adopted “Region of Waterloo Multi-Modal Transit Hub Urban Design Brief” dated January 2013 and any other relevant design studies and guidelines, which will form the primary basis for any site plan application approvals.

h) The City may establish a multidisciplinary Urban Design Panel comprised of qualified individuals to fulfill an advisory role during the review of site plan applications and supporting plans, studies and reports for the future development of the subject lands.

i) The City will review and approve site development based on the approved “Heritage Study and Heritage Impact Assessment” dated April 5, 2012 and revised November, which will form the primary basis for the conservation and adaptive reuse of the 1913 portion of the Rumpel Felt building and the completion of a Heritage Conservation Plan for the site. The Heritage Conservation Plan may be required as other information and materials needed to constitute a complete site plan application.
j) The City may require additional reports/studies to form part of a complete site plan application. Such plans/studies may include any of the other information and materials listed in Schedule B, as well as additional information and materials not listed in Schedule B such as a massing study, an angular plane analysis, conceptual cross sections, a structural engineering report, a detailed site servicing plan, a functional infrastructure maintenance assessment and a phasing of development plan.

k) 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 applicant’s expense.

l) A holding provision will be applied through the Zoning By-law and will not be lifted until such time as the site servicing capacity has been confirmed and a Record of Site Condition has been acknowledged by the Province advising that they are satisfied with development, having considered the potential adverse environmental conditions or constraints caused by adjacent and/or previous industrial uses, transportation corridors and decommissioning requirements.

Permitted uses

m) The City will encourage the mixing and integrating of uses on the site and within buildings.

n) The City will encourage a variety of unit types and tenures for residential development.

o) Sensitive land uses will be permitted subject to:

i) Regional approval of a detailed Noise and Vibration Assessment prior to the issuance of site plan approval; and,

ii) City approval, in consultation with the rail authority, of appropriate safety measures from the adjacent railway for residential land uses (such as setbacks, berms and security fencing) as contained in the Zoning By-law.

p) Retail uses will be permitted subject to size and locational requirements as contained in the Zoning By-law. Retail and other active uses will be encouraged along the ground floor of all street frontages. Specific types of retail uses that are not consistent with the transit-supportive character of the multi-modal hub site will be restricted in the Zoning By-law.

Parking

q) The City will establish a site-specific off-street parking and loading schedule for the site as an interim measure. These site-specific parking and loading rates may be further refined through comprehensive updates to the Zoning By-law which may establish maximum parking standards or shared parking rates.
r) In addition to the off-street parking requirements, the City will encourage the provision of an appropriate amount of parking to serve the commuter needs identified by the applicable travel providers.

s) The City will encourage the first phases of development to incorporate the maximum possible amount of underground parking spaces for the purpose of providing required parking for future uses on the site.

t) Above grade parking structures may be permitted provided that all street-facing façades are wrapped with other permitted land uses at grade, and provided that no blank walls or open air parking decks are visible from the public realm. The City’s preference is to see all above grade parking levels wrapped with other permitted land uses along all street facing façades.

Massing

u) The maximum Floor Space Ratio permitted for the site as a whole will be 7.5.

v) The City will establish regulations through the Zoning By-law to ensure a human-scaled form of development and an appropriate proportion relative to surrounding industrial heritage buildings.

w) Through the Site Plan Control process, building stepbacks for any portion of a building greater than 8 storeys in height may be required. The appropriate amount of stepback is to be determined to the satisfaction of the Director of Planning prior to Site Plan approval.

x) The building and façade heights may be regulated through the Zoning By-law.

15.D.2.65. 445 King Street West

The vision for the site is to provide a majestic entrance to Downtown Kitchener by developing a high rise residential tower above a podium that addresses the public realm along King Street West and Victoria Street South. The development proposes a range of residential unit types and modern amenities, as well as ground floor commercial space and high quality streetscape finishings (including transit amenities) to animate the streetscape along King Street West and Victoria Street South. The proposal emphasizes identity, massing, form, mix, style and the pedestrian zone as important design considerations to realize the design vision for the site. Notwithstanding the Innovation District land use designation and the policies contained the in Section 15.D.2, Section 11 and Section 13, the following policies will apply to the development of the subject lands:

a) The City will review and approve site development based on the Council adopted “Urban Design Brief” dated April 2013 and any other relevant design studies and guidelines.

b) Residential uses will be permitted subject to:
i) *Regional* approval of a detailed Noise Assessment prior to the issuance of site plan approval; and,

ii) the *City* and *Region* being in receipt of a letter of acknowledgement from the *Province* advising that a Record of Site Condition has been completed in accordance with the relevant Ontario legislation.

c) *Retail* uses will be permitted subject to size and locational requirements as contained in the *Zoning By-law*. *Retail* and other active uses will be encouraged along the ground floor of the King Street West and Victoria Street South frontages.

d) The *City* will establish site-specific off-street parking regulations in the Zoning-By-law as an interim measure. These site-specific parking rates may be further refined through comprehensive updates to the *Zoning By-law*.

e) The *City* will require all off-street parking to be located in a parking structure located either below or above grade. Above grade parking structures may be permitted provided that the King Street West and Victoria Street South façades are wrapped with other permitted land uses.

f) The *City* will not require loading spaces to be provided off-street. However, loading will not be permitted to occur along Victoria Street South, King Street West or Francis Streets. Loading will be restricted to Halls Lane and within the limits of the property boundary for the site only and will not obstruct access to the parking garage on site or impact adjacent property accesses off of Halls Lane.

g) The maximum *Floor Space Ratio* will be 7.5.

h) Floor area above the ground floor may be permitted to encroach into the Victoria Street South and King Street West rights-of-way provided that sufficient vertical clearance is provided and agreements are entered into with the *City* and/or *Region* as necessary.

i) The *City* will establish regulations through the *Zoning By-law* to ensure a human-scaled form of development and implement mitigative measures associated with the height, massing and location of the building on the site.

15.D.2.66. **David Street, Queen Street South and Courtland Avenue**

Notwithstanding the Mixed Use land use designation, the *redevelopment* of lands to a depth of 30 metres from the David Street street line will be limited in height to four storeys. Commercial uses will be permitted only on the easterly half of the block bounded by Joseph Street, Queen Street South, Courtland Avenue and David Street.

15.D.2.67. **100 and 104 Garment Street**

The vision for this site is to redevelop the site with a mixed use development that includes residential uses, with ground floor retail including restaurant and office uses on the second and third floors of the podium portion of the building as well as parking.
reductions supported by Transportation Demand Measures (TDM) to be implemented on site.

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 May 23rd, 2014 as revised July 30, 2014 and any other relevant design studies and guidelines.

Notwithstanding the policies of Part D Section 15.D.2, the lands municipally known as 100 and 104 Garment Street the following policies will apply:

_Urban Design_

a) The City’s primary focus will be to ensure a high standard of urban design for all new development. Site development will include a high standard of site amenities and features, including interconnected pedestrian linkages, integrated transit, cycling, pedestrian and vehicular facilities and high quality public amenity areas both internal and external to buildings. Public amenity areas must be visible and accessible to the general public and are expected to include permanent furnishings (such as benches, tables) for resting/waiting transit users and pedestrians, enhanced landscaping features (such as trees, shrubs) to provide relief to the built environment and cultural features (such as sculptures, water features, murals, monuments or other public art) for public appreciation and to create an identity.

_Permitted Uses:_

b) Retail uses will also be permitted subject to size and locational requirements to be regulated in the Zoning by-law. Retail uses will be permitted on the ground floor of the street frontage along Victoria Street.

c) Residential

d) Two holding provisions will be applied through the zoning by-law and will not be lifted until such time as the a record of site condition has been acknowledged by the Province or its delegate advising that the Province or its delegate is satisfied with development and until a Noise Assessment of stationary, railway and traffic noise has been completed to the satisfaction of the Region.

_Parking:_

e) The City will establish a site-specific off-street parking and loading schedule for the site. These site-specific parking and loading rates may be further refined through the Zoning By-law, which may establish maximum parking standards or shared parking rates.

_Floor Space Ratio:_
f) The maximum Floor Space Ratio shall be 8.2. A maximum Floor Space Ratio of 5.0 is permitted as a site specific amendment and an additional Floor Space Ratio of 3.2 is to be achieved through bonusing and a Section 37 Agreement to be registered on title against the lands in accordance with the provisions of the community benefits outlined in Section 17.E.17.

g) No building will exceed 19 storeys or 61.5 metres in height, whichever is greater at the highest grade elevation.
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 the Urban Growth Centre (Downtown), a Major Transit Station Area, a City Node, a Community Node, a Neighbourhood Nodes or a 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,

h) 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.

c) 2,500 square metres within lands designated Mixed Use identified as an Urban Growth Centre (Downtown) or Urban Corridor 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 Growth Centre (Downtown) or 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.

c) A minimum *Floor Space Ratio* of 0.6 and a maximum *Floor Space Ratio* of 4.0 on lands within the Urban Growth Centre (Downtown) or Major Transit Station Area.

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. Notwithstanding Policies 15.D.4.17 c) and 15.D.2.19, the *City* may, provided that all the applicable policies within this Plan are satisfied, consider a maximum *Floor Space Ratio* up to 5.0 if the *development* or *redevelopment*:

a) is designed to LEED certification standard or equivalent building rating system;

b) incorporates a below-grade parking structure, public amenity area, *cultural heritage resource* and/or *public art*; and/or,

c) contains a *food store* located internal to a *mixed use* development.

15.D.4.21. The maximum building height on lands designated Mixed Use within the Urban Growth Centre (Downtown) or Major Transit Station Area on Map 2 may be regulated in the *Zoning By-law*.

15.D.4.22. 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.4.23. Notwithstanding Policy 15.D.4.22, 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.4.24. 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.
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 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 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 Major Transit Station Area may be zoned to exclude uses that would negatively affect the planned density and/or function of 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 Preamble

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.6.33. 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 the Hidden Valley Residential Community, it is recognized that portions of the community have limited access to municipal sanitary services and contain estate residential lots. 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) where a municipally-provided wastewater collection system is determined to be available by the City, only single detached and duplex dwellings will be permitted to a maximum net residential density of 4 units per hectare. Any such development will be compatible with the estate lots in the Hidden Valley Residential Community;
iii) 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.

iv) notwithstanding Policy 15.D.12.2.a) iii), 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.

Natural Heritage Conservation/Open Space

b) All lands in the Hidden Valley Community and along the Grand River which are designated Natural Heritage Conservation or Open Space lands will be dedicated to and/or acquired by the City for conservation, recreation and trail purposes.

General Industrial Employment

c) Notwithstanding the General Industrial Employment land use designation on lands at the south east corner of the proposed intersection of River Road and Wabanaki Drive convenience retail and personal services uses will also be permitted.

Business Park Employment

d) Notwithstanding the Business Park Employment land use designation within the Hidden Valley Business Park/Industrial Community, all new uses, with the exception of those listed below in e), will be withheld from development until such time as a new land use plan is prepared and approved through an Official Plan Amendment and either:

i) the Goodrich Drive-River Road extension has been constructed, including an interchange with Highway No.8; or,

ii) Wabanaki Drive has been constructed from Wilson Avenue to Fairway Road together with the additional transportation system improvements approved by Regional Council and identified in the Fairway Road/River Road Traffic Study (May 1994).

e) A holding symbol will be applied in the Zoning By-law to the lands designated as Business Park Employment and will only be removed upon satisfactory completion of d) above. Until the holding symbol affecting such lands has been removed by by-law, only the following uses will be permitted provided that the City and Region have determined there is no or limited impact to any future land
use plan for the Hidden Valley Business Park and no or limited impact to the transportation projects identified in d) above:

i) a garden centre or nursery;

ii) a farm, or agricultural use;

iii) the following uses within a building existing on the date of approval of this Plan: single detached dwelling, duplex dwelling, home business; a religious institution; veterinary services; a studio; a repair service; a tradesman or contractor establishment; accessory uses. These uses will be permitted to expand on the existing lot by a maximum of 10 percent of the existing gross floor area.

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.

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. **4169, 4189 and 4195 King Street East**

Notwithstanding the Commercial land use designations of the lands municipally known as 4169, 4189 and 4195 King Street East, vehicular access will not be permitted to and from Grand Hill Drive.

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.
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.


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. **Lower Doon**

Notwithstanding the Low Rise Residential land use designation on the lands located in Lower Doon, duplex dwellings and second dwelling units in semi-detached dwellings will not be permitted.

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. **152 Shanley Street**

Notwithstanding the Low Rise Residential land use designation on lands municipally known as 152 Shanley Street, a maximum Floor Space Ratio of 2.0 will apply to multiple residential dwellings and no residential building will exceed four storeys or 14 metres in height, at the highest grade elevation, whichever is the lesser.

15.D.12.19. **Fallowfield Drive**

Notwithstanding the Medium Rise Residential land use designation, within the lands on the northeast side of Fallowfield Drive in the Country Hills East Community as shown on Map 5, the maximum building height will be 12 storeys.

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. **Trussler Road/Highway 7&8/Beams Road**
Any development within the identified area will comply with the Minimum Distance Separation Formulae for any equestrian facility located west of Trussler Road in Wilmot Township.

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.


The City will undertake a Master Planning exercise to confirm among other matters the appropriate Urban Structure Component to be applied to the subject lands and the appropriate land use designation mix necessary to achieve the planned function for this area through an Official Plan Amendment. Until such time as a Master Plan has been prepared, in order to provide for a transition of lands designated Commercial and adjacent lands designated Natural Heritage Conservation, appropriately scaled multiple residential development may be permitted, having a minimum Floor Space Ratio of 1.0 and a maximum Floor Space Ratio of 4.0. Where permitted, multiple residential development may locate in free-standing buildings or in mixed use buildings with other compatible commercial uses. However, multiple residential uses may not be permitted in locations immediately adjacent to incompatible commercial land uses.

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 Mixed Use 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:
Section 15

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, drivethroughs 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) Notwithstanding the Mixed Use land use designation and policies, on lands legally described as Plan 1206 Pt Blk F Plan 1221 Pt Blk F RP 58R-12301 PART 1, the Floor Space Ratio may be increased to a maximum of 8.5, in exchange for the provision of community benefits. Further, the maximum FSR and the value of the community benefits may be regulated further in the City’s Zoning By-law. Some portions of land within the boundary of this Special Policy Area may be zoned to permit a lower maximum FSR.”

b) 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
- Duplex Dwelling
- Dwelling Unit
- Educational Establishment
- Health Clinic
- Health Office
- Hospice
- Hotel
- Lodging House having 9 residents or more
- Medical Laboratory
- Multiple Dwelling
- Religious Institution
- Residential Care Facility
- Single Detached Dwelling
- Street Townhouse Dwelling
- Tourist Home

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.

c) 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.

d) 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 and Region of Waterloo.

15.D.12.39. **Breithaupt Block Phase 3**

Notwithstanding the Mixed Use land use designation and policies, on the lands municipally known as 43, 47, 53 and 55 Wellington Street North, 2-12 and 26 Moore Avenue, and 20 Breithaupt street, a maximum Floor Space Ratio of 4.5 will be permitted.

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.
SECTION 16: SECONDARY PLAN LAND USE POLICIES

16.D.1.1. Eight of the City’s ten Secondary Plans contain lands that are located within the Major Transit Station Areas as shown on Map 2 and are proposed to be reviewed as part of the City’s Station Area Planning exercise outlined in Policy 3.C.2.18.

16.D.1.2. It is intended that the land use polices and land use designations in the secondary plans that contain Rapid Transit Station Stops will be reviewed and revised upon the completion of Station Area Plans wherein it will be determined what changes, if any, need to happen to implement the planned function of Major Transit Station Areas.

16.D.1.3. The following Secondary Plans are deferred and do not form part of this Official Plan:

a) Civic Centre Secondary Plan
b) King Street East Secondary Plan
c) Cedar Hill Secondary Plan
d) Mill Courtland-Woodside Park Secondary Plan
e) Victoria Park Secondary Plan
f) Victoria Street Secondary Plan
g) K-W Hospital Secondary Plan
h) North Ward Secondary Plan
i) Central Frederick Secondary Plan
j) 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.

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.

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.

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. 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.3.6. 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) public information open houses;
   f) workshops/charettes;
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g) public meetings; and/or,

h) the City web site and/or other forms of social media.

17.E.3.7. 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 infrastructure, 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;
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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.6.7. Through the Station Area Planning exercise, the City may determine that the existing Secondary Plans affected by Station Area Plans may be amended to implement the
recommendations of the *Station Area Plans*, consolidated into one or more plans or they may be determined to be no longer required.
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;
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I) 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 Community 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. 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 the Record of Pre-Submission Consultation, where a Pre-Submission Consultation Meeting is required; and,

d) 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.

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. 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,

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 adjacent 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 application in accordance with the provisions and regulations of the Planning Act.
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 17.E.17;

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-laws 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.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-laws 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 Bonusing Provisions

Preamble

Bonusing is a strategy that is permitted by the Planning Act and may be used by the City to assist in the development or redevelopment of key areas in the city. It involves increasing the height and/or density of a development or redevelopment in exchange for community benefits.

Policies

17.E.17.1. Regulations may be incorporated into the Zoning By-law to permit increases in the height and/or density of a development or redevelopment where such development or redevelopment would provide community benefits above and beyond what would otherwise be required in accordance with the Planning Act, and provided the proposed increases would:

a) help implement the vision, goals and objectives of this Plan;

b) constitute good planning and help address any planning issues associated with the development or redevelopment; and,

c) help implement and be in accordance with the Urban Design Policies in Section 11 and be compatible with adjacent properties and the surrounding area.

17.E.17.2. Community benefits may include:

a) energy and/or water conservation measures;

b) incorporation of Transportation Demand Management (TDM) strategies;

c) land dedicated for any municipal purpose;

d) non-profit arts, cultural or community or institutional facilities;

e) parkland and/or improvement to parks;

f) protection, conservation, restoration and/or enhancement of natural heritage features;

g) public parking which allows for the more efficient use of land, including parking structures, underground parking and shared parking arrangements;

h) public transit infrastructure, facilities or services;

i) renewable energy systems or alternative energy systems;

j) the conservation and maintenance of protected cultural heritage resources;

k) the construction of buildings or the retrofit of existing building to LEED standards or equivalent building rating system;
l) the provision of 

m) the provision of indoor or outdoor amenity areas which are accessible to and equipped for the use by the general public for passive or active recreation or for public gatherings;

n) the provision of public art, representing at least 1 percent of the value of construction of the development or redevelopment; or,

o) the provision of dwelling units in the Urban Growth Centre (Downtown).

17.E.17.3. The use of the bonusing by-laws will be strongly encouraged to be used within the Urban Growth Centre (Downtown) and Major Transit Station Areas. The use of bonusing policies and by-laws may also be considered for use in City Nodes and Community Nodes where specific policies allowing bonusing are included in the applicable land use designation.

17.E.17.4. Bonusing by-laws will only be considered where there is sufficient infrastructure and capacity to accommodate the additional height and/or additional density of the development or redevelopment and that the development is compatible and meets the other policies of this Plan.

17.E.17.5. An owner may transfer the increase in height or density achieved through Policy 17.E.17.2 j) from lands on which such community benefit is provided to lands having the same land use designation or to lands in the Urban Growth Centre (Downtown).

17.E.17.6. Prior to the enactment of a Zoning By-law under the Bonusing Provisions Section of this Plan, or prior to the transfer of development rights, the City will 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 amount of additional height and/or density and the provision and timing of community benefits.
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 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.
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) single detached dwellings, semi-detached dwellings and duplexes except those:

i) permitted within or contiguous to lands designated Natural Heritage Conservation or natural hazardous lands;

ii) those single detached dwellings, semi-detached dwellings and duplexes forming part of a vacant land condominium, zero lot line, linked housing, or similar innovation in house grouping developments; and,

iii) those which are a cultural heritage resource or have cultural heritage value and/or interest.

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 or redevelopment within the Site Plan Control Area may not be permitted until such time as the City has approved drawings showing plan, elevation and cross-section views for all buildings to be erected (including all buildings to be used for residential purposes regardless of the number of units) and for other site development works sufficient to display the following:

a) exterior building design considerations including, without limitation:

i) character

ii) scale

iii) appearance

iv) design features

v) sustainable design
vi) signage, where applicable

b) Design elements within and/or adjacent to City and/or Regional right-of-way, including without limitation:

i) trees, shrubs and/or hedges
ii) other plantings and groundcover
iii) permeable paving materials
iv) street furniture
v) curb cuts and driveway ramps
vi) waste, recycling and composting containers
vii) bicycle parking facilities
viii) public transit facilities, where applicable

Site development works and site design including, without limitation:

i) landscaping
ii) lighting
iii) grading and drainage
iv) erosion and sedimentation control
v) stormwater management design and areas
vi) barrier-free and universal accessibility
vii) pedestrian access and bicycle facilities
viii) loading and parking areas
ix) facilities for the storage of garbage, recycling and other waste material
x) outdoor amenity and/or play facilities, where appropriate
xi) locations for public art
xii) signage, where applicable

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, 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-laws.

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; and,

   c) preserve other buildings, structures, or features within the City as deemed appropriate by Council.

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; and,

   f) 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.
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PART F: SCHEDULES/MAPS/APPENDICES

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.

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 meets people’s needs for daily living throughout their 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;
Part F

vi) confluence with significant watercourse draining a watershed greater than five square kilometres;

vii) regionally significant Earth Science Area of Natural and Scientific Interest; or,

viii) 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.

Floodway - 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, Major Transit Station Areas, Major Local Node, City Nodes, Community Nodes, and Urban Corridors. Secondary Intensification Areas include Neighbourhood 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** - a *dwelling unit* where four (4) or more persons may rent a room for sleeping and where the kitchen and other areas of the *dwelling unit* are shared amongst the persons occupying the *dwelling unit*.

**Low Density Residential Uses** - single detached dwellings, duplex dwellings, 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.

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.

**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.

**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 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 species as determined by the Province or as determined by the Region;
   viii) part of an ecologically functional corridor or linkage between larger wetlands or natural areas;
   ix) 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 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 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 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
- Heritage Conservation Plan
- Heritage Design Guidelines or Brief
- Heritage Impact Assessment (HIA)
- Heritage Permit Application
- Structural Assessment (Building Conditions Report)
- Corridor Enhancement 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
- 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
- Update to an existing Stormwater Management Plan
- Water Conservation Plan
## Part F

### 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
- Neighbourhood Design Report or Brief
- Planning Justification Study
- Rental Conversion Assessment
- Retail Impact Study
- School Accommodation Issues Assessment
- Site Plan
- Site Walk in accordance with the Neighbourhood Design Guidelines
- Sustainability Report/ Checklist
- Urban Design Brief or Report

### 7. Transportation

- Connectivity Plan
- Driveway Location and On-Street Parking Plan
- Parking Analysis
- Pedestrian Route and Sidewalk Analysis
- Roundabout Feasibility Analysis
- Traffic Calming Options Report
- Transit Assessment
- Transportation Demand Management Report
- Transportation Impact Study
### Schedule C: Location of Former Waste Disposal Sites

<table>
<thead>
<tr>
<th>Site #</th>
<th>Location</th>
<th>Remarks</th>
<th>Province Files</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Guelph &amp; Walker</td>
<td>site residential</td>
<td>yes</td>
</tr>
<tr>
<td>2</td>
<td>Herbert &amp; Pine</td>
<td>park, 100 m. to homes</td>
<td>yes</td>
</tr>
<tr>
<td>3</td>
<td>Campbell Ave. old incinerator</td>
<td>site, inert wastes,</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Westmount &amp; Brandon</td>
<td>on site homes and apartments</td>
<td>yes</td>
</tr>
<tr>
<td>5</td>
<td>Westwood &amp; Fernwood</td>
<td>on site homes</td>
<td>yes</td>
</tr>
<tr>
<td>6</td>
<td>Brybeck Cres.</td>
<td>on site townhouses &amp; commercial</td>
<td>yes</td>
</tr>
<tr>
<td>7</td>
<td>Guelph &amp; Clifton</td>
<td>park, 100 m. to residential</td>
<td>yes</td>
</tr>
<tr>
<td>8</td>
<td>Hazelglen &amp; Mooregate</td>
<td>on site houses</td>
<td>yes</td>
</tr>
<tr>
<td>9</td>
<td>Brunswick &amp; Ahrens</td>
<td>on site housing</td>
<td>yes</td>
</tr>
<tr>
<td>10</td>
<td>Chopin &amp; Rossford</td>
<td>on site housing</td>
<td>yes</td>
</tr>
<tr>
<td>11</td>
<td>Lorne Cres.</td>
<td>15 m. to housing, now greenway</td>
<td>yes</td>
</tr>
<tr>
<td>12</td>
<td>Mausser Park</td>
<td>park and adjacent homes, school site</td>
<td>yes</td>
</tr>
<tr>
<td>13</td>
<td>Victoria St.</td>
<td>20 m. to creek, 100 m. to bowling alley</td>
<td>yes</td>
</tr>
<tr>
<td>14</td>
<td>Kent Ave.</td>
<td>25 m. to creek, 20 m. to residences, near industrial, under parking lot</td>
<td>yes</td>
</tr>
<tr>
<td>15</td>
<td>Hurst Ave.</td>
<td>100 m. to creek, 10 m. to workshop, on-site parking and commercial</td>
<td>yes</td>
</tr>
<tr>
<td>16</td>
<td>Palmer Ave.</td>
<td>40 m. to residence, 150 m. to creek</td>
<td>yes</td>
</tr>
<tr>
<td>17</td>
<td>Queens Blvd.</td>
<td>10 m. to houses, on site of playground, swimming pool, parking lot</td>
<td>yes</td>
</tr>
<tr>
<td>18</td>
<td>Queensmount P.S.</td>
<td>park and school on site, gas vented,</td>
<td>yes</td>
</tr>
<tr>
<td>19</td>
<td>Kinzie Ave.</td>
<td>on site gasoline station, 20 m. to residences</td>
<td>yes</td>
</tr>
<tr>
<td>20</td>
<td>Coral Cres.</td>
<td>on site residences</td>
<td>yes</td>
</tr>
<tr>
<td>21</td>
<td>Glen Road</td>
<td>10 m. to residences</td>
<td>yes</td>
</tr>
<tr>
<td>22</td>
<td>Jansen Ave.</td>
<td>20 m. to residences, gas tested</td>
<td>yes</td>
</tr>
<tr>
<td>23</td>
<td>Karn St.</td>
<td>10 m. to residences, partly, under Karn &amp; Westmount</td>
<td>yes</td>
</tr>
<tr>
<td>24</td>
<td>Weichel St.</td>
<td>10 m. to residences</td>
<td>yes</td>
</tr>
<tr>
<td>25</td>
<td>McLennon Park Gate</td>
<td>vacant</td>
<td>yes</td>
</tr>
</tbody>
</table>

**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

<table>
<thead>
<tr>
<th>ROAD NAME</th>
<th>SECTION</th>
<th>ULTIMATE WIDTH</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ann Street</td>
<td>Frederick Street to west limit</td>
<td>18m</td>
</tr>
<tr>
<td>Amand Drive</td>
<td>North of Huron Road</td>
<td>26m</td>
</tr>
<tr>
<td>Balzer Road</td>
<td>C.N.R. to south limit</td>
<td>20m</td>
</tr>
<tr>
<td>Belmont Avenue</td>
<td>37 m. south of Glasgow Street to a point 88 m. south thereof</td>
<td>26m</td>
</tr>
<tr>
<td>Betzner Avenue</td>
<td>King Street to south limit</td>
<td>18m</td>
</tr>
<tr>
<td>Biehn Drive</td>
<td>Old Huron Place to Carlyle Drive</td>
<td>20m</td>
</tr>
<tr>
<td>Bingeman Street</td>
<td>Lancaster Street to Samuel Street</td>
<td>18m</td>
</tr>
<tr>
<td>Bond Street</td>
<td>Union Street to Elizabeth Street</td>
<td>18m</td>
</tr>
<tr>
<td>Bramm Street</td>
<td>Victoria Street South to C.N.R.</td>
<td>20m</td>
</tr>
<tr>
<td>Brick Street</td>
<td>Ottawa Street North to Rosedale Avenue</td>
<td>18m</td>
</tr>
<tr>
<td>Cameo Drive</td>
<td>Highway No. 8 to Hoffstetter Avenue</td>
<td>18m</td>
</tr>
<tr>
<td>Cameron Street</td>
<td>King Street to Weber Street</td>
<td>18m</td>
</tr>
<tr>
<td>Carwood Avenue</td>
<td>Approximately 46 m. east of Courtland Avenue to Cayley Court</td>
<td>20m</td>
</tr>
<tr>
<td>Cedar Street</td>
<td>Charles Street to Lancaster Street</td>
<td>20m</td>
</tr>
<tr>
<td>Charles Street</td>
<td>Ottawa Street to King Street</td>
<td>26m</td>
</tr>
<tr>
<td>Church Street</td>
<td>Queen Street to Benton Street</td>
<td>20m</td>
</tr>
<tr>
<td>Church Street</td>
<td>Benton Street to Cedar Street</td>
<td>18m</td>
</tr>
<tr>
<td>College Street</td>
<td>King Street to Weber Street</td>
<td>20m</td>
</tr>
<tr>
<td>Connor Street</td>
<td>Manitou Drive to north limit</td>
<td>20m</td>
</tr>
<tr>
<td>Courtland Avenue</td>
<td>Queen Street to David Street</td>
<td>26m</td>
</tr>
<tr>
<td>Cress Lane</td>
<td>Manitou Drive to east limit</td>
<td>20m</td>
</tr>
<tr>
<td>David Street</td>
<td>Courtland Avenue to Joseph Street</td>
<td>18m</td>
</tr>
<tr>
<td>Doon Valley Drive</td>
<td>Pinnacle Drive to Durham Street</td>
<td>20m</td>
</tr>
<tr>
<td>Eby Street</td>
<td>Charles Street to King Street</td>
<td>20m</td>
</tr>
<tr>
<td>Ebydale Drive</td>
<td>Lackner Road to Otterbein Drive</td>
<td>20m</td>
</tr>
<tr>
<td>Ellen Street</td>
<td>Queen Street to Lancaster Street</td>
<td>18m</td>
</tr>
<tr>
<td>Fairview Avenue</td>
<td>King Street to Weber Street</td>
<td>18m</td>
</tr>
<tr>
<td>First Avenue</td>
<td>Kingsway Drive to Eckert Street</td>
<td>20m</td>
</tr>
<tr>
<td>Forwell Road</td>
<td>Victoria Street to east limit</td>
<td>20m</td>
</tr>
<tr>
<td>Frederick Street</td>
<td>Bruce Street to Victoria Street</td>
<td>26m</td>
</tr>
<tr>
<td>Gage Avenue</td>
<td>Belmont Avenue to Waverly Road</td>
<td>18m</td>
</tr>
<tr>
<td>Gateway Park Drive</td>
<td>Sportsworld Drive to King Street</td>
<td>26m</td>
</tr>
<tr>
<td>General Drive</td>
<td>A point 56 m. south of Lancaster Street to a point 132 m. south of Lancaster Street</td>
<td>20m</td>
</tr>
<tr>
<td>Glasgow Street</td>
<td>Highland Road to Ira Needles Boulevard</td>
<td>20m</td>
</tr>
<tr>
<td>ROAD NAME:</td>
<td>SECTION:</td>
<td>ULTIMATE WIDTH:</td>
</tr>
<tr>
<td>--------------------</td>
<td>--------------------------------------------------------------------------</td>
<td>-----------------</td>
</tr>
<tr>
<td>Glasgow Street</td>
<td>Silvercrest Drive to a point 118.9 m. east of Westmount Road</td>
<td>26m</td>
</tr>
<tr>
<td>Glasgow Street</td>
<td>Belmont Avenue to Walter Street</td>
<td>20m</td>
</tr>
<tr>
<td>Goudies Lane</td>
<td>Frederick Street to Ontario Street North</td>
<td>7.62m</td>
</tr>
<tr>
<td>Graber Place</td>
<td>Dreger Avenue to south limit</td>
<td>18m</td>
</tr>
<tr>
<td>Greensview Drive</td>
<td>Limerick Drive to south limit</td>
<td>18m</td>
</tr>
<tr>
<td>Guelph Street</td>
<td>Moore Avenue to Riverbend Drive</td>
<td>20m</td>
</tr>
<tr>
<td>Gzowski Lane</td>
<td>Ahrens Street West to rear of 186 Victoria Street North</td>
<td>7.62m</td>
</tr>
<tr>
<td>Hall's Lane East</td>
<td>Water Street North to College Street</td>
<td>7.62m</td>
</tr>
<tr>
<td>Hall's Lane West</td>
<td>Victoria Street South to Eby Street South</td>
<td>7.62m</td>
</tr>
<tr>
<td>Heiman Street</td>
<td>Highland Road to south limit</td>
<td>18m</td>
</tr>
<tr>
<td>Heit Lane</td>
<td>Weber Street to south limit</td>
<td>7.62m</td>
</tr>
<tr>
<td>Henry Street</td>
<td>Victoria Street South to Devon Street</td>
<td>18m</td>
</tr>
<tr>
<td>Heritage Drive</td>
<td>Indian Road to Ebydale Drive</td>
<td>20m</td>
</tr>
<tr>
<td>*Hidden Valley Road</td>
<td>Goodrich Drive to Wabanaki Drive</td>
<td>18m</td>
</tr>
<tr>
<td>Hill Street</td>
<td>Lancaster Street to St. Vincent Street</td>
<td>18m</td>
</tr>
<tr>
<td>Hofstetter Avenue</td>
<td>King Street East to Highway No. 8</td>
<td>20m</td>
</tr>
<tr>
<td>Horning Drive</td>
<td>Bloomingdale Road to south limit</td>
<td>18m</td>
</tr>
<tr>
<td>Howe Drive</td>
<td>Ottawa Street to north limit</td>
<td>20m</td>
</tr>
<tr>
<td>Huron Road</td>
<td>Trussler Road to Homer Watson Boulevard</td>
<td>30m</td>
</tr>
<tr>
<td>Huron Road</td>
<td>Homer Watson Boulevard to Mill Park Drive</td>
<td>20m</td>
</tr>
<tr>
<td>Irvin Street</td>
<td>Scott Street to Frederick Street</td>
<td>20m</td>
</tr>
<tr>
<td>Jackson Avenue</td>
<td>King Street to Weber Street</td>
<td>18m</td>
</tr>
<tr>
<td>Joseph Street</td>
<td>Queen Street to Gaukel Street</td>
<td>20m</td>
</tr>
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<td>Joseph Street</td>
<td>Victoria Street to C.N.R.</td>
<td>20m</td>
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<tr>
<td>King Street</td>
<td>Cedar Street to Ottawa Street</td>
<td>26m</td>
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<tr>
<td>Kingsbury Drive</td>
<td>Highway No. 8 to King Street East</td>
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<td>Kingsway Drive</td>
<td>Wilson Avenue to a point 150 m. north of Cedarwoods Crescent</td>
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<td>Kingsway Drive</td>
<td>A point 150 m. north of Cedarwoods Crescent to Eckert Street</td>
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<tr>
<td>Krug Street</td>
<td>Lancaster Street to north thereof</td>
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</tr>
<tr>
<td>Lancaster Street</td>
<td>Krug Street to Victoria Street</td>
<td>20m</td>
</tr>
<tr>
<td>Lang Crescent</td>
<td>Springdale Crescent to Lancaster Street</td>
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</tr>
<tr>
<td>Limerick Drive</td>
<td>King Street East to Greensview Drive</td>
<td>18m</td>
</tr>
<tr>
<td>Macville Avenue</td>
<td>Woolwich Street to east limit</td>
<td>18m</td>
</tr>
<tr>
<td>Madison Avenue</td>
<td>Charles Street to King Street</td>
<td>20m</td>
</tr>
<tr>
<td>Madison Avenue</td>
<td>King Street to Weber Street</td>
<td>18m</td>
</tr>
<tr>
<td>Mansion Street</td>
<td>Lancaster Street to Ellen Street</td>
<td>18m</td>
</tr>
<tr>
<td>ROAD NAME</td>
<td>SECTION</td>
<td>ULTIMATE WIDTH</td>
</tr>
<tr>
<td>--------------------</td>
<td>--------------------------------------</td>
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</tr>
<tr>
<td>Margaret Avenue</td>
<td>Queen Street to Victoria Street</td>
<td>20m</td>
</tr>
<tr>
<td>Market Street</td>
<td>Horning Drive to north limit</td>
<td>18m</td>
</tr>
<tr>
<td>Mill Street</td>
<td>Queen Street to Courtland Avenue</td>
<td>20m</td>
</tr>
<tr>
<td>Montgomery Road</td>
<td>King Street to Weber Street</td>
<td>26m</td>
</tr>
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<td>Morrison Road</td>
<td>King Street East to Manor Drive</td>
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<td>Morrison Road</td>
<td>Sims Estate Drive to Quinte Crescent</td>
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<tr>
<td>North Hill Place</td>
<td>Fairway Road to east limit</td>
<td>18m</td>
</tr>
<tr>
<td>Old Chicopee Drive</td>
<td>Roehampton Court to Daimler Drive</td>
<td>20m</td>
</tr>
<tr>
<td>Old Chicopee Trail</td>
<td>Daimler Drive to Fairway Road</td>
<td>18m</td>
</tr>
<tr>
<td>Old Huron Place</td>
<td>Biehn Drive to end</td>
<td>18m</td>
</tr>
<tr>
<td>Old Huron Road</td>
<td>Battler Road to south limit</td>
<td>20m</td>
</tr>
<tr>
<td>Old Huron Road</td>
<td>Battler Road to Biehn Drive</td>
<td>20m</td>
</tr>
<tr>
<td>Old Mill Road</td>
<td>Sydenham Street to Doon Valley Drive</td>
<td>20m</td>
</tr>
<tr>
<td>Ontario Street</td>
<td>Joseph Street to Weber Street</td>
<td>20m</td>
</tr>
<tr>
<td>Pandora Avenue</td>
<td>Charles Street to Weber Street</td>
<td>20m</td>
</tr>
<tr>
<td>Pandora Avenue</td>
<td>King Street to Weber Street</td>
<td>18m</td>
</tr>
<tr>
<td>Park Street</td>
<td>Victoria Street to City limit</td>
<td>20m</td>
</tr>
<tr>
<td>Pinnacle Drive</td>
<td>New Dundee Road to Thomas Slee Drive</td>
<td>20m</td>
</tr>
<tr>
<td>Pioneer Tower Road</td>
<td>Pioneer Ridge Drive to Marquette Drive</td>
<td>20m</td>
</tr>
<tr>
<td>Pioneer Tower Road</td>
<td>Pioneer Tower Crescent to west limit</td>
<td>20m</td>
</tr>
<tr>
<td>Prince Street</td>
<td>Bloomingdale Road to Tyson Drive</td>
<td>18m</td>
</tr>
<tr>
<td>Queen Street North</td>
<td>King Street to Ellen Street</td>
<td>20m</td>
</tr>
<tr>
<td>Queen Street North</td>
<td>Ellen Street to Lancaster Street</td>
<td>18m</td>
</tr>
<tr>
<td>Queen Street South</td>
<td>Courtland Avenue to King Street</td>
<td>20m</td>
</tr>
<tr>
<td>Reichert Drive</td>
<td>New Dundee Road to City limit</td>
<td>18m</td>
</tr>
<tr>
<td>Riverbend Drive</td>
<td>Shirley Avenue to Bridgeport Road</td>
<td>20m</td>
</tr>
<tr>
<td>Scott Street</td>
<td>King Street to Irvin Street</td>
<td>20m</td>
</tr>
<tr>
<td>Sereda Road</td>
<td>Guelph Street to Maple Avenue</td>
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</tr>
<tr>
<td>Sheldon Avenue</td>
<td>King Street to Rosedale Avenue</td>
<td>20m</td>
</tr>
<tr>
<td>Shirk Place</td>
<td>Lancaster Street to Woolwich Street</td>
<td>20m</td>
</tr>
<tr>
<td>Shirley Avenue</td>
<td>Riverbend Drive to Bingemans Centre Drive</td>
<td>30m</td>
</tr>
<tr>
<td>Spetz Avenue</td>
<td>Scott Street to Frederick Street</td>
<td>20m</td>
</tr>
<tr>
<td>St. George Street</td>
<td>Queen Street to Benton Street</td>
<td>20m</td>
</tr>
<tr>
<td>Stirling Avenue South</td>
<td>Avalon Place to Mill Street</td>
<td>20m</td>
</tr>
<tr>
<td>Stirling Avenue North</td>
<td>King Street to Weber Street</td>
<td>20m</td>
</tr>
<tr>
<td>Strange Street</td>
<td>Park Street to Victoria Street</td>
<td>20m</td>
</tr>
<tr>
<td>Strasburg Road</td>
<td>Ottawa Street to Chandler Drive</td>
<td>26m</td>
</tr>
<tr>
<td>Tagge Street</td>
<td>Nelson Avenue to north limit</td>
<td>20m</td>
</tr>
<tr>
<td>Theresa Street</td>
<td>Victoria Street South to Park Street</td>
<td>18m</td>
</tr>
<tr>
<td>ROAD NAME</td>
<td>SECTION</td>
<td>ULTIMATE WIDTH</td>
</tr>
<tr>
<td>------------------</td>
<td>-----------------------------------------------</td>
<td>----------------</td>
</tr>
<tr>
<td>Tyson Drive</td>
<td>Bridge Street to north limit</td>
<td>18m</td>
</tr>
<tr>
<td>Union Boulevard</td>
<td>Park Street to City limit</td>
<td>26m</td>
</tr>
<tr>
<td>Waverly Road</td>
<td>Gage Avenue to Strange Street</td>
<td>18m</td>
</tr>
<tr>
<td>Wentworth Avenue</td>
<td>Spadina Road to west limit</td>
<td>18m</td>
</tr>
<tr>
<td>Wilson Avenue</td>
<td>Wabanaki Drive to Kingsway Drive</td>
<td>26m</td>
</tr>
<tr>
<td>Woolwich Street</td>
<td>Shirk Place to City limit</td>
<td>20m</td>
</tr>
<tr>
<td>Young Street</td>
<td>King Street to Weber Street</td>
<td>20m</td>
</tr>
<tr>
<td>Zeller Drive</td>
<td>Janet Court to east limit</td>
<td>20m</td>
</tr>
</tbody>
</table>
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 Kruger 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 Chicoppee 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