

## **Other Official Plan Policies**

### **Proposed to be Amended as part of the Neighbourhood Planning Review**

#### ***(Existing Policy 3.C.2.16 proposed to be amended as follows)***

- 3.C.2.16 Major Transit Station Areas are designated in the Regional Official Plan, are identified on Map 2 and are planned to achieve a minimum *density* target of 160 residents and jobs combined per hectare. Where *Station Area Plans* have not been completed, the areas on Map 2 are a conceptual representation of the area of a ten minute walking radius centered around the location of *Rapid Transit* Station Stops.

#### ***(Existing Policy 3.C.2.22 a) proposed to be amended as follows)***

- 3.C.2.22
- 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 will comply with the following:

#### ***(Existing Policies 3.C.2.51 and 3.C.2.52 proposed to be amended as follows)***

### **Community Areas**

- 3.C.2.51 Within areas identified as Community Areas on Map 2 the applicable land use designation may include Low Rise Residential Limited, Low Rise Residential Limited Office, 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, **Error! Reference source not found.**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.

#### ***(Existing Policy 3.C.2.56 proposed to be amended as follows)***

### **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. For the purposes of Map 2, Innovation Employment, as shown on Map 3, will be identified as an Industrial Employment Area.

### **Amendment to Figure 6 – Summary of the Urban Structure and Predominant Land Uses** (to include the Innovation Employment land use designation)

#### ***(Add new Policy 11.C.1.22 to Section 11.C.1: Urban Design and renumber accordingly)***

### ***Views and Vistas***

- 11.C.1.22 The City will have regard for *views and vistas* when considering *development applications* and *infrastructure* projects and in the formulation of *urban design*

*guidelines and/or urban design briefs*. The City will encourage and support the creation of *views and vistas* in newly developed areas as they contribute to creating a sense of place, community and neighbourhood identity.

**(Add new f) and g) to Policy 11.C.1.33)**

11.C.1.33

- f) the provision of appropriately sized front porches where they are predominant architectural feature on the street; and
- g) the consideration of garage *built form*, and whether the predominant *built form* on the street is a detached or an attached garage and the location/setback of the garage relative to the principle dwelling, or no garage at all.

**(Add new Policies 11.C.1.34 and 11.C.1.35 to Section 11.C.1: Urban Design)**

**Design in Cultural Heritage Landscapes**

11.C.1.34 The City will ensure that new *development* or *redevelopment* will:

- a) be in conformity with the applicable designating by-law passed under Part IV and Part V of the Ontario Heritage Act and/or policies guidelines of the applicable *Heritage Conservation Plan*;
- b) support, maintain and enhance the major characteristics of the *cultural heritage landscape*;
- c) support the adaptive reuse of existing buildings; and,
- d) overall, be *compatible* with the context and character of the existing neighbourhood;
- e) maintain the streetscape and the consistent street orientation of the *built form*;
- f) support and maintain existing significant *views and vistas*;
- g) maintain the established building line of the existing building(s) or *built form* by the incorporation of similar setbacks from the street;
- h) have a similar building height that reflects the existing *built form*, including forms that are stepped back at upper levels to reflect established cornice lines of adjacent buildings or other horizontal architectural forms or features;
- i) reflect the character, design, massing and materials of the adjacent and surrounding buildings;
- j) the provision of appropriately sized front porches where they are predominant architectural feature on the street; and,
- k) the consideration of garage *built form*, whether the predominant *built form* on the street is a detached or an attached garage and the location/setback of the garage relative to the principle dwelling, or no garage at all.

- 11.C.1.35 The City will ensure that where additions and/or alterations are proposed to built *cultural heritage resources*, the following principles will be followed:
- a) the maintenance of the basic relations of the horizontal divisions of the building;
  - b) the maintenance of the original façade components and materials;
  - c) the replication of the original parts and materials; and,
  - d) the removal of elements of the building and/or structure that are not part of or hide the original design.

***(Add new Policies 11.C.1.37, 11.C.1.38 and 11.C.1.39 to Section 11.C.1: Urban Design)***

**Design in Major Transit Station Areas**

- 11.C.1.37 In addition to the policies in this section, *development* and/or *redevelopment* and public works will require a high standard of urban design in the Major Transit Station Area particularly in close proximity to the station stop and will require a site-specific *urban design brief* and/or *urban design report* in accordance with Section 17.E.10 to demonstrate how the *development application* exemplifies high quality urban design and will contribute to the *public realm* and placemaking in the station area and around the station stop.
- 11.C.1.38 The City will require a *built form* in the Major Transit Station Area that contributes to placemaking and helps achieve the desired *density* to support ION. To do this the City will:
- a) support high density development close to the station stops;
  - b) establish minimum lot lines with maximum setbacks to achieve a *built form* that addresses the street;
  - c) require that at least one principle entrance be located within the front of the building and a minimum percentage of building frontage be built to the lot line;
  - d) require variations in building frontages in terms of setbacks and architectural materials;
  - e) require stepbacks above certain heights to ensure buildings reinforce a *pedestrian scale*;
  - f) require service and parking accesses be located at the side or rear of buildings; and,
  - g) provide further guidance and expectations for new high-rise developments in the City's *Urban Design Manual*.
- 11.C.1.39 The City will require *development* and/or *redevelopment* and public works in the Major Transit Station Area particularly in close proximity to ION stops to support and contribute to a high quality of *public realm*. To do this the City will:

- a) ensure streetscape treatments and improvements support the *pedestrian* and other active modes of transportation and will not impede access to and from the ION stops;
- b) require a minimum *pedestrian* promenade width which includes sidewalks, street furniture, street trees and a landscaping zone. Where public sidewalk does not afford this width, greater building setbacks will be encouraged;
- c) require developments to support, maintain and/or increase the tree canopy, where possible, to support the city's urban forest;
- d) restrict impermeable surfaces by requiring Low Impact Development ("LID") water management techniques including materials and plantings that have a relatively high infiltration rate to reduce the impact on the city's stormwater management system;
- e) require landscaping adjacent to any loading/service facility that can be seen from the public street;
- f) encourage bus shelters, sidewalk canopies and bicycle parking are provided along streets that connect to ION to support active transportation;
- g) encourage transit facilities to be located in public places such as community centres, parks and public open spaces, schools, and community facilities;
- h) encourage and support the strengthening of the connection between private and public development with the Iron Horse Trail; and,
- i) encourage the provision of public open spaces, *public art*, wayfinding clues and other creative placemaking opportunities in private developments.

***(Existing Policies 12.C.1.23 to 12.C.1.28 inclusive proposed to be amended as follows)***

***Heritage Impact Assessments, Visual Impact Assessments and Heritage Conservation Plans***

- 12.C.1.23. The *City* will require the submission of a *Heritage Impact Assessment, Visual 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 a property considered to be of *Specific Cultural Heritage Landscape Interest*.

- 12.C.1.24. Where a *Heritage Impact Assessment and/or Visual 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. Any *Heritage Impact Assessment, Visual 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 and/or Visual Impact Assessment* will be outlined in a Terms of Reference. In general, the contents of a *Heritage Impact Assessment and/or Visual 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*, which may include visualizations that demonstrate the impact of the proposed *development* or *site alteration* by providing before and after visualizations of the views;
  - d) assessment of *development* or *site alteration* impact or potential *adverse impacts*;
  - e) consideration of alternatives, mitigation and conservation methods, including the consideration of proposed design refinements, such as modified setbacks and/or stepbacks, reduced building heights or the placement or orientation of the new building(s) on the site to demonstrate the impacts or that there is no loss of vistas or views from the *public realm* or adverse impacts to the existing streetscape;
  - f) implementation and monitoring; and,
  - g) summary statement and conservation recommendations.
- 12.C.1.27. Any conclusions and recommendations of the *Heritage Impact Assessment, the Visual Impact Assessment and/or the 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, Visual Impact Assessment and/or Heritage Conservation Plans* required by the *City* may be scoped or waived by the *City*, as deemed appropriate.

**(Existing Policies 15.D.3.1, 15.D.3.3 and 15.D.3.5 proposed to be amended as follows)**

**Low Rise Residential**

- 15.D.3.1 Where lands designated Low Rise Residential Limited, Low Rise Residential Limited Office, 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.3.3 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 Limited, Low Rise Residential Limited Office, 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.3.5 Lands designated Low Rise Residential Limited, Low Rise Residential Limited Office, 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*.

**(Existing Policies 15.D.4.17, 15.D.4.19 to 15.D.4.22 inclusive proposed to be amended as follows)**

#### **15.D.4 Mixed Use**

- 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 2.0 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 3.0 on lands within an 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 a City Node or Community Node on Map 2.
  - d) A minimum *Floor Space Ratio* of 0.6 and a maximum *Floor Space Ratio* of 5.0 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.4.19 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 and/or a maximum building height of 8

storeys or 25 metres, whichever is the greater at the highest grade elevation, 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.4.19, 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*;
- c) contains a *food store* located internal to a *mixed use* development; and/or,
- d) the provision of a minimum of 20% of the total number of dwelling units for *affordable housing*.

15.D.4.21 The *City* may:

- a) regulate the maximum building height on lands designated Mixed Use within the Urban Growth Centre (Downtown) or Major Transit Station Area on Map 2; and/or,
- b) require a graduation in building height to have a step back of building mass and/or require minimum setbacks from lot lines abutting *cultural heritage resources* and/or designations which permit *Low Density Residential Uses*.

To ensure a *compatible* transition of *built form* between low and medium/high intensity of uses, conserve *cultural heritage resources*, *views and/or vistas* and comply with Canadian Aviation Regulations.

15.D.4.22 Generally, no building will exceed:

- a) 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.
- b) 6 storeys or 20 metres in height, whichever is greater at the highest grade elevation, on lands designated Mixed Use as an Urban Corridor on Map 2.
- c) 8 storeys or 26 metres in height, whichever is greater, at the highest grade elevation, on lands designated Mixed Use identified as a City Node, or Community Node on Map 2.

***(The existing last two paragraphs of the Preamble in Section 15.D.6: Industrial Employment are proposed to be amended as follows)***

The city's primary 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 three 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.

This Plan introduces a new type of employment area, and designates these lands as Innovation Employment. Lands designated as Innovation Employment were formerly designated General Industrial, are primarily located within the city's central neighbourhoods. These lands provide unique opportunities to utilize the existing built form and allow the adaptive reuse or redevelopment of former industrial buildings to recognize a growing trend for 'start up', 'maker space' and 'research and development' employment uses within or in close proximity to the major transit station stops.

***(Existing Policy 15.D.6.1 is proposed to be amended as follows)***

15.D.6.1. Where lands designated Heavy Industrial Employment, General Industrial Employment, Business Park Employment, and Innovation 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.

***(The first paragraph of Existing Policy 15.D.6.5 is proposed to be amended as follows)***

16.D.6.5 A conversion of an industrial *employment area identified in Policy 15.D.6.2*, 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:

***(Existing Policy 15.D.6.12 is proposed to be amended as follows)***

15.D.6.12 The *City* recognizes that it may be desirable to protect *existing* residential enclaves in *industrial employment 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 employment area* uses and the long-term viability of the residential area, including the long-term suitability of the area for residential use is demonstrated.

***(Existing Policy 15.D.6.22 is proposed to be deleted and the remainder of the policies in Section 15.D.6 will be renumbered)***

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*.~~



**(Existing Policies 15.D.6.23 and 16.D.6.24 are proposed to be renumbered and amended as follows)**

15.D.6.22. *Existing* residential uses and small free-standing offices may be recognized on lands designated as General Industrial Employment to acknowledge the manner in which these areas have historically development.

15.D.6.23. The zoning of individual sites designated as General Industrial Employment may not allow the full range of industrial employment uses, particularly those which would not be *compatible* with existing residential development.

**(Existing Policy 15.D.6.30 h) is proposed to be renumbered and amended as follows)**

15.D.6.29

- h) complementary service commercial uses such as restaurants, print shops, computer service facilities, financial establishments, personal services, fitness centers, recreational facilities, day care facilities, health offices and clinics and veterinary and other pet services provided:

**(Add new Innovation Employment Land Use Designation - Policies 15.D.6.34 to 15.D.6.42 inclusive)**

### **Innovation Employment**

15.D.6.34 The Innovation Employment land use designation will apply to lands in the city's central neighbourhoods, which have historically been used for industrial purposes and which location and built form are ideal to facilitate unique employment opportunities to locate in close proximity to major transit station stops. The permitted uses may include:

- a) creative products manufacturing using fabrication methods and large equipment, such as laser cutters, waterjet cutters, computer numerical control (CNC) routers, 3D printers and 4D systems which require appropriately sized production spaces and floor space with high ceilings;
- b) an artisan's establishment, craftsperson space, live/work space, galleries, and studios;
- c) digital design and music production and studios;
- d) office, including scientific, technological and/or communications establishments such as computer, electronic, data processing, research and development and consulting uses; and may include *major office* where they are permitted in accordance with the applicable policies in Section 3.C.2
- e) light industrial uses such as a repair operations and contractor or service trade uses;
- f) post-secondary educational establishments and commercial schools, such as training centers;

- g) retail sales permitted accessory to any innovation employment 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; and
- h) complementary service commercial uses such as restaurants, print shops, computer service facilities, financial establishments, personal services, fitness centers, recreational facilities, day care facilities, health offices and clinics and veterinary and other pet services provided:
  - i) they are located within a building containing at least one primary permitted Innovation Employment use as identified in Policy 15.D.6.35 a) to 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 Innovation Employment purposes.

15.D.6.35 Lands designated Innovation Employment may permit new residential uses, subject to a Zoning By-law Amendment supported by a Land Use Compatibility Study completed to the satisfaction of the Region and the City, to assist with providing a transition between lands designated Mixed Use and for residential uses where it can be demonstrated that the residential uses are compatible with Innovation Employment uses on the subject lands and *adjacent* lands.

15.D.6.36 Existing residential uses may be recognized on lands designated as Innovation Employment to acknowledge the manner in which these areas have historically developed.

15.D.6.37 Outdoor storage and display areas will generally not be permitted and will be restricted through implementing zoning.

15.D.6.38 A maximum *Floor Space Ratio* of 2.0 will apply to all new *development* and *redevelopment*.

15.D.6.39 Generally no building will exceed 4 storeys or 14 metres in height, whichever is the greater, at the highest grade elevation.

15.D.6.40 Notwithstanding Policies 15.D.6.38 and 15.D.6.39 a maximum *Floor Space Ratio* of 3.0 and generally a maximum building height of 6 storeys or 20 metres in height, whichever is the greater, at the highest grade elevation, may 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 is located within 450 metres of an existing or planned transit corridor as identified on Map 2;
- b) the property is adequately buffered from lands designated Low Rise Residential; and,
- c) there is adequate existing or planned *infrastructure*.

- 15.D.6.41 New *development* and *redevelopment* will comply with the *Transit-Oriented Development Policies* in the Regional Official Plan and in Section 13.C.3 of this Plan.
- 15.D.6.42 Innovation Employment lands will be required to incorporate *Transportation Demand Management* measures and minimize surface parking areas to support reduced parking requirements in Major Transit Station Areas.

**(Add new Policies 15.D.12.47 and 15.D.12.48 to Section 15.D.12: Area Specific/Site Specific Policy Areas)**

**15.D.12.47 675 Queen Street South**

Notwithstanding the Mixed Use land use designation and policies on lands in an Urban Corridor on Map 2, municipally known as 675 Queen Street South, for the purposes of the application of zoning, the lands will be considered to be located in a *Major Transit Station Area*.

**15.D.12.48 80-96 Sydney Street North**

Notwithstanding the Low Rise Residential land use designation and policies on lands municipally known as 80-96 Sydney Street North the maximum *Floor Space Ratio* will be 1.0 and the maximum building height will be 4 storeys or 11.5 metres in height, at the highest grade elevation.

**(Add new Glossary Terms for Specific Cultural Heritage Landscape Interest and Visual Impact Assessment to Part F – Schedule A)**

**Specific Cultural Heritage Landscape Interest** – those properties located within a *Cultural Heritage Landscape* and that are either formally designated under the Ontario Heritage Act, listed on the *Municipal Heritage Register* (until such time as a decision is made by Council on listing the property), or located within an identified *priority location* or viewshed of cultural heritage landscape interest.

**Visual Impact Assessment** - a document comprising text and graphic material including plans, drawings, photographs, visualizations and/or 3D modelling (including both before and after visualizations and modelling) that provides an analysis of the potential visual impacts to the landscape and landscape vistas and views resulting from a proposed development, redevelopment or site alteration and the potential effects and mitigation measures as required by official plan policies and any other applicable or pertinent guidelines. A Visual Impact Assessment may be part of or included in a *Heritage Impact Assessment*.

**(Add Visual Impact Assessment to Part F - Schedule B)**

5. Land Use Compatibility

Visual Impact Assessment