

13. SECONDARY PLANS

Secondary Plans are detailed neighbourhood scale Plans. They are prepared because the general policies directing City-wide growth and development are not detailed enough to address specific issues in an individual neighbourhood. This is particularly true for older neighbourhoods of the City where redevelopment of the existing built environment creates somewhat different issues than those associated with newer areas.

1. In establishing boundaries for Secondary Plans, an attempt shall be made to recognize identifiable neighbourhoods and generally conform to existing boundaries. In addition, an attempt shall be made to maximize intra-area homogeneity and inter-area heterogeneity with respect to land use, period of development and planning issues.
2. Secondary Plans may contain a more detailed classification of land use than used for the General Land Use Plan in order to accommodate any unique characteristics of a neighbourhood.
3. In order to obtain the necessary input to plan on a neighbourhood level, the City shall establish Liaison Committees in neighbourhoods for which Secondary Plans are being prepared. Participation on such Liaison Committees shall be open to all residents and property owners within a planning neighbourhood and other interested parties.
4. Secondary Plans shall generally be incorporated into the Official Plan through a specific Official Plan amendment for each Secondary Plan.

13.1 Civic Centre Secondary Plan

13.1.1 General Policies

1. Approval under Section 41 of the *Planning Act* shall be required for any development which includes redevelopment or conversions considered development under the *Planning Act*. It is intended that development should be of a siting and design which will be compatible with the existing development and particularly the single detached dwellings in the interior of the neighbourhood.
2. The policies of this Plan will be implemented through application of the comprehensive *Zoning By-law*. Maintenance of existing structures will be encouraged through the *Property Standards By-law*.
3. Parts A, B, C, E and F of the Official Plan of the City of Kitchener continue to apply to the Civic Centre Neighbourhood except where specifically cited within the text of this Secondary Plan.
4. Map 9, “Civic Centre Neighbourhood Plan for Land Use” attached shall form part of the Civic Centre Secondary Plan.
5. Settlement Policy Area “B” of the *Regional Official Policies Plan* as it applies to the Civic Centre Neighbourhood constitutes the area of the neighbourhood which has been designated High Density Commercial Residential as shown on Map 9.
6. It is recognized that in some instances land use designations shown on Map 9 are not coincident with rear property lines. The severance of rear and flanking property assemblies for integrated redevelopment schemes will be permitted provided that the remnant or remaining parcel continues to be

in conformity with the policies of this Plan and the implementing *Zoning By-law*.

7. Any redevelopment will take into account the limited amount of park space available within the Civic Centre Neighbourhood. All redevelopment proposals will be evaluated to determine their ability to provide parkland dedication or cash payment for park purposes under the provisions of the *Planning Act*. The possibility of using monies from the Park Trust Fund for the purchase and development of properties for park purposes may be explored in cooperation with the Civic Centre Neighbourhood Association.

13.1.2 Land Use Designations

1. *Low Rise Residential - Preservation*
The Low Rise Residential - Preservation designation has been applied to areas where it is the aim of this Plan to retain the existing single detached residential character of the Neighbourhood. Existing houses and streetscapes are to be preserved wherever possible.

Permitted residential uses are restricted to single detached dwellings and the conversion of those structures which existed as of the date of the adoption of this Plan to duplexes, lodging houses or multiple dwellings to a maximum of 3 units. Residential conversions will be permitted only where there is sufficient floor area for the conversion, where the site is capable of providing adequate off-street parking in accordance with by-law requirements, and where no structural alterations are required to the exterior of the building. Any exterior stairs or fire escapes are to be enclosed, and kept away from the facade of the structure. Minor exterior alterations and additions to single detached dwellings shall be permitted

provided such alterations are not within any front or side yard.

Nursing homes existing as of September 2, 1980 and parks are permitted. Home businesses, private home day care and small residential care facilities are also permitted uses within an existing structure.

2. *Low Rise Multiple Residential*
The aim of the Low Rise Multiple Residential designation is to preserve the low density, low profile residential nature of the area, while allowing for some integrated redevelopment to take place. Opportunities for an integrated redevelopment are provided to a maximum of 40 units per hectare. Permitted uses are restricted to single detached dwellings, duplex dwellings, semi-detached dwellings, multiple dwellings, lodging houses, small residential care facilities, home businesses, and private home day care. The maximum Floor Space Ratio shall be 0.6, meaning the above grade building floor area shall not exceed 0.6 times the lot area. Multiple dwellings may be permitted to exceed 40 units per hectare on an individual lot provided the floor space ratio of 0.6 is not exceeded.
3. *Low Density Multiple Residential*
The aim of the Low Density Multiple Residential designation is to maintain the overall low density, low rise residential character of the neighbourhood while allowing for some integrated redevelopment of the area. Opportunities for redevelopment are provided up to a maximum density of 100 units per hectare. Permitted uses are limited to single detached dwellings, duplex dwellings, semi-detached dwellings, multiple dwellings, lodging houses, small and large residential care facilities, home businesses and private home day care. Conversions or redevelopment will be dependent upon the aesthetic provision of

off-street parking in accordance with the provisions of the *Zoning By-law*.

The maximum Floor Space Ratio shall be 1.0, meaning the above grade building floor area shall not exceed 1.0 times the lot area. Multiple dwellings may be permitted to exceed 100 units per hectare on an individual lot provided the floor space ratio of 1.0 is not exceeded.

Any redevelopment on Mansion Street should be of a height, siting and design which will prevent it from encroaching on single detached dwellings located on Queen Street North. All access to such redevelopment must be provided via Mansion Street, with no provision for access or demolition of structures in conjunction with this redevelopment on Queen Street North between the existing high rise apartment and Lancaster Street.

4. *Medium Density Multiple Residential*

The aim of the Medium Density Multiple Residential designation is to permit some integrated, medium density redevelopment on Margaret Avenue and Queen Street North while maintaining the overall residential character of the neighbourhood. Opportunities for redevelopment are provided up to a maximum density of 200 units per hectare. Permitted uses are restricted to existing single detached dwellings, duplex dwellings, semi-detached dwellings, multiple dwellings, lodging houses, day care facilities provided they are part of large multiple dwelling, small and large residential care facilities, private home day care, and home businesses. The maximum Floor Space Ratio shall be 2.0, meaning the above grade building floor area shall not exceed 2.0 times the lot area. Multiple dwellings may be permitted to exceed 200 units per hectare on an individual lot provided the floor space ratio of 2.0 is not exceeded.

Conversions will be permitted only where there are no major structural alterations required to the exterior of the building. The provision of underground parking will be encouraged in any redevelopment scheme, and will be a requirement of apartment redevelopment. Redevelopment close to, or at, the upper permitted maximum density shall provide the majority, if not all of the required parking underground except for required visitor surface parking.

With respect to the Medium Density Multiple Residential designation applied to the north side of Margaret Avenue, redevelopment should be of a height, siting and design which will prevent it from encroaching on lower density dwellings located on Ellen and Ahrens Streets.

5. *High Density Multiple Residential*

The aim of the High Density Multiple Residential designation is to recognize the existing high rise apartment buildings located at 119 College Street, 11 Margaret Avenue, 100 Queen Street North, and 175 Queen Street North, all which have been constructed in excess of 200 units per hectare.

Permitted uses are restricted to multiple dwellings in excess of 200 units per hectare, home businesses, private home day care, lodging houses, parks, and large and small residential care facilities. Day care facilities are permitted provided they are on the same lot as a large multiple dwelling. The maximum floor space ratio shall be 4.0, meaning the above grade gross floor area shall not exceed 4.0 times the lot area.

6. *Office-Residential Conversion*

The Office-Residential Conversion designation applies to certain properties fronting onto the south side of Roy Street (with the exception of 41 and 51 Roy

Street), the south side of Ahrens Street, and portions of Young and College Streets north of the westerly projection of Roy Street, as shown on Map 9. The aim of this designation is both to preserve the existing structures in these areas and to serve as a transition area between the higher intensity uses along Weber Street and Queen Street and the Low Rise Residential - Preservation designation of the interior of the neighbourhood.

Permitted uses are restricted to single detached dwellings, and the conversion of existing buildings to multiple dwellings up to a maximum of three units and professional offices including health offices, home occupations, private home day care, and small residential care facilities. Residential and office uses may be permitted to locate within the same building. Conversions will be permitted only where no major structural alterations are required to the exterior of the building.

7. *Medium Density Commercial Residential*

The Medium Density Commercial-Residential designation applies to certain properties fronting onto Queen Street North between Weber Street and Margaret Avenue. The aim of this designation is both to provide a buffer between the Low-Rise Residential-Preservation designation which applies to the interior of the neighbourhood and Queen Street North and MacKenzie King Square, and to provide commercial and residential development up to a maximum density of 200 units per hectare.

Residential uses are restricted to existing single detached dwellings, duplex dwellings, semi-detached dwellings, multiple dwellings, lodging houses, small and large residential care facilities, home businesses and private home day care. Commercial uses are restricted to office, office support

services, day care facilities, tourist homes, health offices, health clinics, club facilities, funeral homes, financial establishments, educational establishments, religious institutions, medical laboratories, studios and a limited amount of personal services and small convenience retail. Commercial and residential uses may be within separate buildings or may mix within the same building. Personal services and small convenience retail are permitted provided they are internal to a large residential, office or mixed use building. Restaurants are not a permitted use.

The maximum floor space ratio shall be 2.0, meaning the above grade building floor area shall not exceed 2.0 times the lot area. Multiple dwellings may be permitted to exceed 200 units per hectare on an individual lot provided the floor space ratio of 2.0 is not exceeded.

Conversion to office or commercial uses or redevelopment within this designation shall front onto and obtain access from Queen Street North only. Any redevelopment should be of a height, siting and design which will prevent it from encroaching on lower density dwellings located on Ahrens Street.

8. *High Density Commercial Residential*

The High Density Commercial Residential designation applies to properties fronting onto Weber Street between College Street and the St. Andrews Presbyterian Church, certain properties on the south side of Roy Street, and to certain properties on Young and College Streets south of the westerly projection of Roy Street, all as shown on Map 9. The aim of this designation is to recognize the proximity of the Civic Centre Neighbourhood to the higher intensity land uses of the Downtown, and the location of the properties on Primary Roads. This area

also defines the boundary of Settlement Policy Area “B” contained in the *Regional Official Policies Plan*, which provides for higher intensity uses adjacent to the Downtown.

Permitted land uses include multiple dwellings which may exceed a density of 200 units per hectare, private home day care, lodging houses, small and large residential care facilities, and home businesses. Commercial uses are restricted to offices, office support services, health offices, health clinics, club facilities, day care facilities, religious institutions, medical laboratories, funeral homes, financial establishments, educational establishments, tourist homes, studios, parks, a limited amount of personal services and small convenience retail. Commercial and residential uses may be within separate buildings or may mix within the same building. Personal services and small convenience retail uses must be internal to a large residential, office or mixed use development. The maximum floor space ratio shall be 4.0, meaning the above grade building floor area shall not exceed 4.0 times the lot area.

Redevelopment within this designation must obtain access from Weber Street only, and the provision of underground parking is encouraged in all redevelopment proposals.

9. *Mixed Use Corridor*

Mixed Use Corridors are linear in form and recognize the evolution of uses along major corridors in the inner city. These corridors are primarily intended to serve the adjacent residential neighbourhoods and employment areas and allow for intensive, transit supportive development. Mixed Use Corridors provide residential redevelopment opportunities together with appropriate commercial and institutional uses that primarily serve adjacent residential neighbourhoods. Over time it is intended

that the Mixed Use Corridors shall intensify and provide a balanced distribution of commercial, multiple residential and institutional uses. Individual properties within Mixed Use Corridors shall be zoned to achieve this distribution of uses.

A broad range of commercial uses shall be permitted, including freestanding office and small retail. The full range of institutional uses as well as multiple residential uses shall also be permitted. To achieve a built form that is compatible with surrounding low rise residential development, is pedestrian oriented and allows for a balanced distribution of retailing outside of other commercial nodes, the size of retail establishments shall be regulated. In this respect, retail uses shall be permitted to have a maximum gross floor area of 1,000 square metres and shall only locate within existing buildings or internal to large mixed use developments. All other retail uses legally existing on September 17, 2001 shall be recognized and shall be permitted to expand on the existing lot by a maximum of 25 percent.

Mixed Use Corridors generally have strong pedestrian linkages with the surrounding residential neighbourhoods. To strengthen these linkages, new development may be required to orient a portion of the building mass to the street, provide for integration of cycling facilities, provide on-site pedestrian facilities, and provide pedestrian connections to abutting developments or off-site transit facilities. To achieve this objective, the City of Kitchener may also impose maximum front yard setbacks, limit vehicular parking between the building façade and the street, and will require specific façade treatments such as window or door openings and minimization of blank walls.

New development shall be compatible with surrounding residential neighborhoods and will be of an appropriate height and density in relation to adjacent low rise residential

development. In locations that immediately abut low rise residential land uses, new development shall be permitted having a minimum Floor Space Ratio of 0.6 and a maximum Floor Space Ratio of 2.0. However, new development may be permitted to exceed this maximum Floor Space Ratio in locations which abut arterial or major collector roads, are well separated from low rise residential development and have adequate municipal infrastructure. In such cases, the City of Kitchener may impose a minimum Floor Space Ratio of 1.0 and a maximum Floor Space Ratio of 4.0.

10. *Community Institutional*

The Community Institutional designation has been applied to St. Andrews Presbyterian Church located at 54 Queen Street North and the Church of the Good Shepherd, located at 116 Queen Street North.

The Community Institutional category makes provision for, and recognizes the existence of, community institutional uses such as elementary schools, churches and community services. It also makes provision for a range of quasi-institutional and residential uses which are complimentary to the community institutional uses and/or represent viable redevelopment options for affected sites in terms of the use of existing facilities and effects on the surrounding community. Lands designated Community Institutional shall be located along Primary or Secondary Arterial or Collector Roads as identified on Map 9.

Uses permitted within the Community Institutional category are restricted to single detached, duplex and semi-detached dwellings, multiple dwellings, educational establishments, religious institutions, small and large residential care facilities, health offices, health clinics, veterinary services,

social service establishments, artisan establishments, day care facilities, private home day care, park, and home occupations.

Convenience retail, financial establishment and personal service uses shall be permitted provided that they are located within a building used for a health clinic, multiple dwelling or large residential care facility.

The residential component of any development shall not exceed 100 units per hectare. The maximum floor space ratio shall be 1.0, meaning the above grade building floor area shall not exceed 1.0 times the lot area. Multiple dwellings may be permitted to exceed 100 units per hectare on an individual lot provided the floor space ratio of 1.0 is not exceeded.

11. *Neighbourhood Park*

The Neighbourhood Park designation has been applied to Hibner Park. The intent of the Neighbourhood Park designation is to preserve parkland at the neighbourhood scale, and to allow for passive and active open spaces and a variety of recreational activities.

13.1.3 Special Policies

1. Notwithstanding the High Density Commercial Residential designation applied to the Zion United Church properties located at 41 and 51 Roy Street, redevelopment of those properties will only be permitted as part of a comprehensive redevelopment scheme for the main church property at 32 Weber Street West. No vehicular access to Roy Street will be permitted. In order to maintain the existing low rise streetscape of Roy Street, redevelopment of the property at 32 Weber Street West and the properties at 41 and 51 Roy Street will be restricted to a maximum height of three storeys (10.5 metres) to a depth of 30 metres from the

Roy Street streetline. The floor space ratio of 4.0 shall continue to apply.

A holding provision shall apply to the properties located at 32 Weber Street West and 41 and 51 Roy Street withholding redevelopment until such time a 0.3 metre reserve separating the lands from any streetline other than Weber Street West has been conveyed to the City and a site plan has been approved, including any buffering measures, by the City Official responsible for Planning and Development.

2. Notwithstanding the High Density Commercial Residential designation on the properties located at 102, 106, 107, 109 and 112 Young Street, 94, 98 and 102 College Street and 95, 99, 103 and 109 College Street, and notwithstanding the Mixed Use Corridor designation on the properties located at 95-97 Ahrens Street West, redevelopment of those properties will be accomplished by a holding category being applied to such properties in the *Zoning By-law*. The holding provision shall be removed so as to allow redevelopment to proceed only when the following criteria have been met:

- a) Consolidation or assembly of the property with property having legal frontage and access to Weber Street, Water Street or Victoria Street;
- b) All access to be from Weber Street or Water Street only, with no vehicle access to College and Young Streets to be ensured by the conveyance of a 0.3 metre reserve along College, Young or Ahrens Streets;
- c) Such redevelopment including any surface parking, being buffered from the properties located College and Young Streets in the Office-Residential Conversion designation by means of building setback,

and landscaped screening and/or berming; and

d) Site plan setting out the requirements of a), b) and c) above and any additional matters required pursuant to Section 41 of the *Planning Act*.

Conversion of these properties will only be permitted within buildings existing as of the date of adoption of this Plan in compliance with the regulations of the implementing *Zoning By-law*.

3. Notwithstanding the Mixed Use Corridor designation applied to the properties located at 84-86 Ahrens Street, 65 and 70 Margaret Avenue and 47-55 Ellen Street West, redevelopment of those properties will be accomplished by a holding zoning category being applied to such properties in the *Zoning By-law*. The holding provision shall be removed so as to allow redevelopment to proceed only when the following criteria have been met:

- a) Consolidation or assembly of the property with property having legal frontage and access to Victoria Street North;
- b) All access to be from Victoria Street North only, with no through driveways or vehicle access to the public lane to be ensured by the conveyance of a 0.3 metre reserve along the northerly side of the public land;
- c) Such redevelopment including any surface parking, being buffered from abutting Low Rise Residential - Preservation areas by means of building setback, and landscaped screening and/or berming; and
- d) Site plan setting out the requirements of a), b) and c) above and any

additional matters required pursuant to Section 41 of the *Planning Act*.

Conversion of these properties is restricted to residential conversions only, unless they are part of a comprehensive redevelopment project having access onto Victoria Street North. Commercial access will not be provided via the laneway located between Victoria Street North and Maynard Avenue.

4. Notwithstanding the Mixed Use Corridor designation applied to the properties located at 48 and 52 Ellen Street West and 34, 38 and 42 St. Leger Street, redevelopment of those properties will be accomplished by a holding zoning category being applied to such properties in the *Zoning By-law*. The holding provision shall be removed so as to allow redevelopment to proceed only when the following criteria have been met:

a) Consolidation or assembly of the property with property having legal frontage and access to Victoria Street North;

b) All access to be from Victoria Street North only, with no vehicle access to College and Young Streets to be ensured by the conveyance of a 0.3 metre reserve along the northerly side of Hermie Place;

c) Such redevelopment including any surface parking, being buffered from the properties located on the southerly side of Hermie Place by means of building setback, and landscaped screening and/or berming; and

d) Site plan setting out the requirements of a), b) and c) above and any additional matters required pursuant to Section 41 of the *Planning Act*.

Conversion of these properties will only be permitted within buildings existing as of the

date of adoption of this Plan in compliance with the regulations of the implementing *Zoning By-law*.

5. Notwithstanding the Medium Density Multiple Residential designation applied to the property located at 36 Ellen Street East, and legally described as Lot 8 of Registered Plan 417, a health office shall be permitted within the existing building.

6. Notwithstanding the Low Rise Residential-Preservation designation applied to the property located at 189 Queen Street North, a tourist home shall also be permitted within the existing building.

7. Deleted (MPA 36)

8. Within the Mixed Use Corridor designation on the lands generally bounded by Ahrens Street West, Victoria Street North, Margaret Avenue and the laneway running between Ahrens Street West and Margaret Avenue east of Victoria Street North, the maximum floor space ratio shall be 2.0

9. Notwithstanding the Medium Density Multiple Residential designation, on lands municipally known as 30-40 Margaret Avenue, a maximum Floor Space Ratio of 2.5 is permitted.

10. Notwithstanding the Office-Residential Conversion designation and policies applied to the properties located at 61 and 65 Roy Street, the conversion of existing buildings to multiple dwellings with a maximum of five units per building shall be permitted.

11. Notwithstanding the Office-Residential Conversion land use designation and policies applied to the property located at 27 Roy Street, an artisan's establishment and restaurant shall also be permitted within a building containing a residential

use and a multiple dwelling shall have a maximum of four dwelling units.

13.2 Deleted (OPA 133)

13.3 Cedar Hill Secondary Plan

13.3.1 General Policies

1. Approval under Section 41 of the *Planning Act* shall be required for any development of conversion which constitutes development under the *Planning Act*. It is intended that development should be of a siting and design which will be compatible with the existing development and particularly the single detached dwellings in the interior of the neighbourhood.
2. The policies of this Plan will be implemented through application of the comprehensive *Zoning By-law*. Maintenance of existing structures will be encouraged through the *Property Standards By-law*.
3. The severance of rear and flanking property assemblies for integrated redevelopment schemes will be permitted provided that the remnant or remaining parcel continues to be in conformity with the policies of this Plan and the implementing *Zoning By-law*.
4. Parts A, B, C, E and F of the Official Plan of the City of Kitchener shall continue to apply to the Cedar Hill neighbourhood except where specifically cited within the text of this Secondary Plan.
5. Map 11, “Cedar Hill Neighbourhood Plan for Land Use” attached shall form part of the Cedar Hill Secondary Plan.

13.3.2 Flood Plain Policies

1. The flood plain of the portions of Schneider Creek within the Cedar Hill neighbourhood

is designated as Two-Zone Flood Plain Policy areas by the City of Kitchener and the Grand River Conservation Authority. For detailed flood plain planning policies, reference shall be had to Part 2, Section 7.4 of the Official Plan.

13.3.3 Land Use Designations

1. *Low Rise Conservation*
Permitted uses are restricted to single detached dwellings, duplex dwellings, semi-detached dwellings, multiple dwellings to a maximum of three units, lodging houses, small residential care facilities, home businesses and private home day care.
2. *Low Rise Multiple Residential*
Permitted uses are restricted to single detached dwellings, duplex dwellings, semi-detached dwellings, multiple dwellings, lodging houses, small residential care facilities, home businesses and private home day care. Opportunities for residential development are provided to a maximum density of 40 units per hectare. The maximum Floor Space Ratio shall be 0.6, that is, the above grade building floor area shall not exceed 0.6 times the lot area. Multiple dwellings may be permitted to exceed 40 units per hectare on an individual site provided the Floor Space Ratio of 0.6 is not exceeded.
3. *Low Density Multiple Residential*
Permitted uses are restricted to single detached dwellings, duplex dwellings, semi-detached dwellings, multiple dwellings, lodging houses, small residential care facilities, home businesses and private home day care. Opportunities for residential development are provided to a maximum density of 100 units per hectare. The Maximum Floor Space Ratio shall be 1.0, that is, the above grade building floor area shall not exceed 1.0 times the lot area.

Multiple dwellings may be permitted to exceed 100 units per hectare on an individual site provided the Floor Space Ratio of 1.0 is not exceeded.

4. *Medium Density Multiple Residential*

The permitted uses are restricted to existing single detached and semi-detached dwellings, duplex dwellings, multiple dwellings, small residential care facilities, lodging houses, private home day care, and home businesses. Day care facilities are permitted provided they are located on the same lot as a large multiple dwelling. Opportunities for development are provided to a maximum density of 200 units per hectare. The Maximum Floor Space Ratio shall be 2.0, that is, the above grade building floor area of any development shall not exceed 2.0 times the lot area. Multiple dwellings may be permitted to exceed 200 units per hectare on an individual site provided the Floor Space Ratio of 2.0 is not exceeded.

5. *High Density Multiple Residential*

Permitted residential uses shall be restricted to multiple dwellings and lodging houses. Additional uses permitted within the designation may include day care facilities provided they are located on the same lot as a large multiple dwelling; a limited amount of personal services and small convenience retail provided they are internal to a large multiple dwelling; offices provided they are internal to a large multiple dwelling and located at grade level; private home day care, small residential care facilities, and home businesses. This designation permits residential development densities in excess of 200 units per hectare. The maximum Floor Space Ratio shall be 4.0, that is, the above grade building floor area shall not exceed 4.0 times the lot area.

6. *Medium Density Commercial Residential*

Residential uses are restricted to existing single detached and semi-detached dwellings, duplex dwellings, lodging houses, home businesses, private home day care, small residential care facilities, and multiple dwellings. Commercial uses are restricted to offices, office support services, health offices, health clinics, day care facilities, medical laboratories, religious institutions, educational establishments, club facilities, funeral homes, financial establishments, studios, tourist homes, a limited amount of personal services and small convenience retail uses. Land uses may be segregated in separate buildings or integrated into a mixed use development. Personal services and convenience retail uses must be internal to a large residential, office or mixed use building.

Residential development will be restricted to a maximum of 200 units per hectare on an individual lot. The maximum Floor Space Ratio shall be 2.0, that is, the above grade building floor area of any development shall not exceed 2.0 times the lot area. Multiple dwellings may be permitted to exceed 200 units per hectare on an individual lot provided the Floor Space Ratio of 2.0 is not exceeded.

7. *High Density Commercial Residential*

Permitted land uses include multiple dwellings which may exceed 200 units per hectare, lodging houses, small residential care facilities, home businesses, and private home day care. Commercial uses are restricted to offices, office support services, health offices, health clinics, medical laboratories, religious institutions, educational establishments, day care facilities, club facilities, funeral homes, financial establishments, studios, tourist homes, a limited amount of personal services and small convenience retail uses. Land uses may be segregated in separate

buildings or integrated into a mixed use development. Personal services and convenience retail uses must be internal to a large residential, office or mixed use development.

The maximum Floor Space Ratio shall be 4.0, that is, the above grade building floor area of any development shall not exceed 4.0 times the lot area.

8. *Community Institutional*

The Community Institutional land use category makes provision for, and recognizes the existence of, community institutional uses such as elementary schools, churches and community services. It also makes provision for a range of quasi-institutional and residential uses which are complementary to the community institutional uses and/or represent viable redevelopment options for affected sites in terms of the use of existing facilities and effects on the surrounding community.

Lands designated Community Institutional shall be located along Primary or Secondary Arterial or Collector Roads as identified on Map 11 of this Secondary Plan.

This designation has been applied to the properties located at 136 and 138 Madison Avenue South. The vacant property at 136 Madison Avenue South has recently been acquired by the Waterloo Region Roman Catholic Separate School Board for addition to the St. Joseph's School property which fronts onto Courtland Avenue. The residential property located at 138 Madison Avenue South has also been designated Community Institutional because it lies between 136 Madison Avenue South and the existing St. Joseph's School and Church and will likely be acquired by either the Waterloo Region Roman Catholic Separate

School Board or St. Joseph's Church at some future date.

The above-noted properties constitute a large block of institutional land uses with frontage on Courtland Avenue. Redevelopment of the properties at 136 and 138 Madison Avenue South must be undertaken in conjunction with the adjacent school and/or church properties to ensure that the properties are located along a Primary Arterial Road, that is, Courtland Avenue.

In addition, existing and planned elementary school sites which are designated and/or zoned Community Institutional the properties at 136 and 138 Madison Avenue South shall be affected by a Holding Provision which will be applied by means of the implementing *Zoning By-law*.

The Holding Provision shall be applied to all such sites and be applied to the following uses: a health office, a health clinic; a veterinary service, a multiple dwelling, a social service establishment, a street townhouse dwelling or a large residential care facility. Removal of the Holding Provision shall be conditional upon the requirements that the City Clerk is in receipt of written conformation from the appropriate Board of Education that the school has been officially closed, and upon the approval of a site plan by the City Council which addresses the relationship of the proposed development to immediately surrounding properties in terms of such matters as siting of buildings, buffering, screening, pedestrian and vehicular access, outdoor lighting and site grading.

The application of the Community Institutional category to existing elementary school sites in no way guarantees that such sites will continue to be used for such

purposes. Rather, the category identifies uses which, at the time of the approval of the Secondary Plan, are felt to be appropriate for such sites. The decision to retain, expand or close existing elementary school sites is the responsibility of the local school boards and not the City of Kitchener.

9. *Major Institutional*

The purpose of the Major Institutional Land Use category is to recognize the existence of large institutional uses such as hospital and secondary schools and to encourage the long term use of lands so designated for these and similar uses. In this case, the lands occupied by Cameron Heights Collegiate Institute are proposed to be designated Major Institutional.

10. *General Industrial*

In addition to manufacturing, General Industrial provides for automobile service stations; industrial businesses; repair services; those uses related to the sale, rental, service, storage or repair of motor vehicles or major recreational equipment; technical/scientific businesses; transportation depots; truck transport terminals; veterinary services; and warehouses. Industrial businesses are those industrial operations with a commercial component which require large areas for the storage of goods, such as building material and decorating supply sales, or industrial office supply or industrial service. With the exception of accessory offices and offices of firms involved in surveying, engineering, planning or design, office use is restricted to a small percentage of the total floor area of a building used primarily for industrial purposes.

Complementary uses which do not interfere with, nor are detrimental to, the development of industrial operations are permitted in General Industrial areas. These

permitted uses include uses such as commercial recreation facilities, day care facilities, financial establishments, medical offices and medical clinics, parks and open space, private clubs or lodges, union halls, and public and non-residential institutional uses.

Prohibited uses shall include, but are not limited to, beverage distillation; vulcanizing of rubber or rubber products; manufacturing of asbestos, phosphates or sulphur products; primary production of chemicals, synthetic rubber, plastic, asphalt, or cement; processing or refining of petroleum or coal; processing, milling or packaging of animal feed; salvage, recycling or scrap yards; slaughtering, eviscerating, rendering or cleaning of meat, poultry or fish or by-products thereof; smelting, refining, rolling, forging, or extruding of ore or metal; stamping or punch-pressing; tanning or chemical processing of pelts or leather.

11. *Neighbourhood Park*

The permitted uses within the Neighbourhood Park land use designation include public passive or active open space, playgrounds, sports fields, community centres, recreation facilities such as public parks or tennis courts, and a bikeway, greenbelt or trail system.

12. *Open Space*

The permitted uses within Open Space land use designation include major community scale parks, conservation areas, hazard lands, cemeteries, crematoriums, mausoleums, outdoor recreation and golf courses.

13. *Mixed Use Corridor*

Mixed Use Corridors are linear in form and recognize the evolution of uses along major corridors in the inner city. These corridors are primarily intended to serve the adjacent

residential neighbourhoods and employment areas and allow for intensive, transit supportive development. Mixed Use Corridors provide residential redevelopment opportunities together with appropriate commercial and institutional uses that primarily serve adjacent residential neighbourhoods. Over time it is intended that the Mixed Use Corridors shall intensify and provide a balanced distribution of commercial, multiple residential and institutional uses. Individual properties within Mixed Use Corridors shall be zoned to achieve this distribution of uses.

A broad range of commercial uses shall be permitted, including freestanding office and small retail. The full range of institutional uses as well as multiple residential uses shall also be permitted. To achieve a built form that is compatible with surrounding low rise residential development, is pedestrian oriented and allows for a balanced distribution of retailing outside of other commercial nodes, the size of retail establishments shall be regulated. In this respect, retail uses shall be permitted to have a maximum gross floor area of 1,000 square metres and shall only locate within existing buildings or internal to large mixed use developments. All other retail uses legally existing on September 17, 2001 shall be recognized and shall be permitted to expand on the existing lot by a maximum of 25 percent.

Mixed Use Corridors generally have strong pedestrian linkages with the surrounding residential neighbourhoods. To strengthen these linkages, new development may be required to orient a portion of the building mass to the street, provide for integration of cycling facilities, provide on-site pedestrian facilities, and provide pedestrian connections to abutting developments or off-site transit facilities. To achieve this objective, the City of Kitchener may also impose maximum front yard setbacks, limit vehicular parking between the building façade and the street, and will require specific façade treatments such as window

or door openings and minimization of blank walls.

New development shall be compatible with surrounding residential neighborhoods and will be of an appropriate height and density in relation to adjacent low rise residential development. In locations that immediately abut low rise residential land uses, new development shall be permitted having a minimum Floor Space Ratio of 0.6 and a maximum Floor Space Ratio of 2.0. However, new development may be permitted to exceed this maximum Floor Space Ratio in locations which abut arterial or major collector roads, are well separated from low rise residential development and have adequate municipal infrastructure. In such cases, the City of Kitchener may impose a minimum Floor Space Ratio of 1.0 and a maximum Floor Space Ratio of 4.0

13.3.4 Special Policies

1. Notwithstanding the Low Rise Conservation land use designation, on the lands located at 25 Hebel Place, a maximum of nine (9) dwelling units shall be permitted.
2. Notwithstanding the Low Density Multiple Residential land use designation, a large residential care facility shall be permitted use on the property located at 47 Madison Avenue South.
3. Notwithstanding the Low Rise Multiple Residential land use designation on the lands located at 93 Cedar Street South, a maximum of 5 dwelling units may be permitted on the property through intensification of the existing building and infill development to the rear of the existing building.
4. Deleted (MPA 59)

5. Notwithstanding the provisions of any of the land use designations within this Plan, new large residential care facilities shall not be permitted.
6. Notwithstanding the High Density Multiple Residential designation which applies to the property at 84 Church Street, a single detached dwelling shall also be permitted.
7. Notwithstanding the High Density Commercial Residential designation on the lands known as 112 Benton Street, and legally described as Part of Lots 11-20 inclusive, Registered Plan 398 and Part 174, Subdivision of Lot 174, German Company Tract, being Part 1 on Registered Plan 58R-7055, the maximum floor Space Ratio shall be 5.0.

A holding provision shall apply to the property at 112 Benton Street, withholding development for residential purposes, until such time as:

- a) The City of Kitchener and the Regional Municipality of Waterloo are in receipt of a Record of Site Condition, prepared in accordance with the Guideline for Use at Contaminated Sites in Ontario and acknowledged by the Ministry of Environment, confirming that the subject property is suitable for residential purposes; and,
- b) The City of Kitchener is in receipt of a letter from the Regional Municipality of Waterloo, advising that the Region's requirements have been satisfied with respect to the submission of a noise study addressing traffic noise impacts from Benton Street and Courtland Avenue, and an agreement has been entered into, between the City and the Owner, providing for the implementation of any recommended noise mitigation measures.

8. Notwithstanding the Low Density Multiple Residential land use designation and policies for lands addressed as 95-101 Cedar Street South, the maximum permitted Floor Space Ratio for a multiple dwelling shall be 1.46, a maximum of 115 dwelling units per hectare shall be permitted, and multiple dwellings shall be permitted to have a maximum of four (4) storeys, with one (1) additional storey of partially below-grade parking.

13.4 Mill Courtland-Woodside Park Secondary Plan

13.4.1 General Policies

1. Approval under Section 41 of the *Planning Act* shall be required for any development which includes redevelopment or conversions considered development under the *Planning Act*. It is intended that development should be of a siting and design which will be compatible with the existing development and particularly the single detached dwellings of the residential areas of the neighbourhood.
2. The policies of this Plan will be implemented through application of the comprehensive *Zoning By-law*. Maintenance of existing structures will be encouraged through the *Property Standards By-law*.
3. Parts A, B, C, E and F of the Official Plan of the City of Kitchener shall continue to apply to the Mill Courtland-Woodside Park Neighbourhood except where specifically cited within the text of this Secondary Plan.
4. Map 12, "Mill-Courtland Woodside Park Neighbourhood Plan for Land Use" and Map 13 "Mill-Courtland Woodside Park Neighbourhood Flood Plain and Environmental Areas" both attached shall form part of the Mill-Courtland Woodside Park Secondary Plan.

5. Deleted (OPA 83)
6. It is recognized that, in some instances, the land use designations shown on Schedule “A” are not coincident with rear property lines. The severance of rear or flanking property assemblies for integrated redevelopment schemes will be permitted provided that the remnant or remaining parcel continues to be in conformity with the policies of this Secondary Plan and the implementing *Zoning By-law*.
7. It is recognized that, in certain locations, legally closed City owned laneways form the boundary between land use designations. In instances where such laneways are sold by the City, the laneway may take on the land use designation of the property with which the laneway is being consolidated without amendment to this Secondary Plan.
8. That, where appropriate, the City make efforts to obtain surplus railway land as it becomes available as a means of securing additional sections of the off-street community trail.

13.4.2 Flood Plain Policies

1. The flood plain of the portions of Schneider Creek and the Shoemaker Greenway within the Mill Courtland-Woodside Park neighbourhood is designated as a Two-Zone Flood Plain Policy Areas by the City of Kitchener and the Grand River Conservation Authority. For detailed flood plain planning policies, reference shall be had to Part 2, Section 7.4 of the Official Plan.
2. Underground parking facilities will be permitted within the flood fringe in the Medium Density Commercial Residential and Mixed Use Corridor designations provided that such underground parking

facility is floodproofed to the Regulatory Flood elevation and safe access is maintained during times of severe flooding.

13.4.3 Land Use Designations

1. *Low Rise Conservation*
The intent of the Low Rise Conservation designation is to retain the existing low rise, low density, primarily detached housing stock while simultaneously allowing a slight density increase by permitting conversion or redevelopment to a maximum of three dwelling units.

Permitted uses are restricted to single-detached dwellings, semi-detached dwellings, duplex dwellings, multiple dwellings to a maximum of three dwelling units, lodging houses, small residential care facilities, home businesses and private home day care.

2. *Low Density Multiple Residential*
The intent of the Low Density Multiple Residential designation is to recognize existing multiple dwellings and permit the development and integration of higher density multiple residential uses while maintaining the overall low rise characteristics of the neighbourhood.

Permitted uses are restricted to single detached dwellings, duplex dwellings, semi-detached dwellings, multiple dwellings, lodging houses, small and large residential care facilities, home businesses and private home day care. Opportunities for development are provided to a maximum density of 100 units per hectare. The maximum Floor Space Ratio shall be 1.0, meaning the above grade gross building floor area shall not exceed 1.0 times the lot area. Multiple dwellings may be permitted to exceed 100 units per hectare on an

individual lot provided the Floor Space Ratio is not exceeded.

3. *Medium Density Multiple Residential*

The intent of the Medium Rise Multiple Residential designation is to recognize existing multiple dwellings built at densities up to 200 units per hectare.

Permitted uses are restricted to existing single detached dwellings and semi-detached dwellings, duplex dwellings, multiple dwellings, lodging houses, small and large residential care facilities, home businesses, day care facilities and private home day care. Day care facilities are permitted provided they are located on the same lot as a large multiple dwelling. Opportunities for development are provided to a maximum density of 200 units per hectare. The maximum Floor Space Ratio shall be 2.0, meaning the above grade gross building floor area shall not exceed 2.0 times the lot area. Multiple dwellings may be permitted to exceed 200 units per hectare on an individual lot provided the Floor Space Ratio is not exceeded.

4. *General Industrial*

General Industrial is a category applied to a broad range of industrial uses, some of which by virtue of their operation or site utilization, require appropriate buffering to mitigate potential impacts on residential areas. The General Industrial designation is applicable to inner-city and other established industrial areas, non-planned industrial parks, industrial areas along Arterial Roads, and certain undeveloped areas appropriately buffered from residential areas.

It is the primary objective of the City of Kitchener to recognize and provide for the continued operation of the existing industrial operations located within the General Industrial designation. To recognize their

historical development in their present locations, their importance in terms of employment opportunities, and their importance to the local economy, industries which may not normally be encouraged to locate in an inner-city setting shall be permitted to continue operations and, if necessary, expand beyond their current land holdings.

Specifically, it is the objective of the City of Kitchener, through application of this land use designation, to recognize the existence of and provide for the continuation of several large companies which may be characterized as heavy industrial and are located in a long-standing industrial neighbourhood in the vicinity of Courtland Avenue. Such industries include but are not limited to Schneider Corporation and Subsidiaries, MTD Products Limited, Canadian Blower/Canada Pumps Limited and Zettel Manufacturing Limited.

Subject to the above, new heavy industrial uses not traditionally associated with an existing industrial operation shall not be permitted within the General Industrial designation. Unless they are essential components of an existing industrial operation, the following new uses shall be prohibited: beverage distillation; vulcanizing of rubber or rubber products; primary production of chemicals, synthetic rubber, plastic, asphalt, or cement; processing or refining of petroleum or coal; processing, milling or packaging of animal feed; salvage, recycling or scrap yards; slaughtering, eviscerating, rendering or cleaning of meat, poultry, fish or by-products thereof; smelting, refining, rolling, forging or extruding of ore or metal; stamping or punch-pressing of metal; tanning or chemical processing of pelts or leather; and retail accessory to warehouse or wholesaling.

In addition to manufacturing, the General Industrial designation provides for automobile service stations; industrial businesses; repair services; those uses related to the service, storage or repair of motor vehicles or major recreational equipment; technical/scientific businesses; transportation depots; truck transport terminals; veterinary services; and, warehouses. Industrial businesses are characterized by those industrial operations with a commercial component which require large areas for the storage of goods such as building material and decorating supply sales, industrial office supply, or industrial service. With the exception of accessory offices and offices of firms involved in surveying, engineering, planning or design, office use is restricted to a small percentage of the total floor area of a building used primarily for industrial purposes.

Unless specifically prohibited in this Plan, complementary uses which do not interfere with nor are detrimental to the development of industrial operations are permitted in all General Industrial areas. The permitted uses include commercial recreation facilities; day care facilities; financial establishments; health offices and health clinics; parks and open space; private clubs or lodges; union halls; and, public and non-residential institutional uses. However, in order to limit the encroachment of commercial uses throughout general Industrial areas, the sale and rental of motor vehicles shall be prohibited unless accessory to a service station. In addition, retail accessory to small warehouse or wholesaling operations is prohibited.

Certain industrial pockets may act as a buffer or transition area between more intensive industrial uses and residential uses, or 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 so recognized in the *Zoning By-law*. In addition to the uses prohibited from this designation, certain other industrial, commercial and complimentary uses which would normally be permitted within this designation will not be permitted based on the issue of compatibility with residential uses. Such uses will include: commercial recreation, transportation depots, truck transport terminals, financial establishments, medical clinics and veterinary services.

5. *Convenience Commercial*

The intent of the Convenience Commercial designation is to provide locations for small retail outlets serving the day-to-day, non-comparison shopping and service needs of the neighbourhood. Permitted uses are restricted to small convenience retail, financial establishment, personal services, gas bar, health office, restaurant and dwelling unit. Health offices and restaurants shall only be permitted in plazas in combination with other permitted commercial uses.

6. *Neighbourhood Mixed Use Centre*

Neighbourhood Mixed Use Centres are intended to serve as neighbourhood focal points, providing locations for the mixing of appropriately scaled multiple residential, commercial and institutional uses. Neighbourhood Mixed Use Centres are primarily intended to meet the day to day convenience or service-oriented needs of the surrounding residential areas. Neighbourhood Mixed Use Centres shall also fulfill a role in providing incubator space for small scale commercial enterprises.

A broad range of commercial and institutional uses shall be permitted, including office, health facilities, personal services, and small retail uses permitted

within Neighbourhood Mixed Use Centres. To achieve a built form that is compatible with surrounding low rise residential development and is pedestrian oriented, commercial space shall be limited. In this respect, an overall maximum of 7,000 square metres of commercial space shall be permitted within a Neighbourhood Mixed Use Centre and individual retail commercial outlet shall be permitted to have a maximum gross floor area of 3,500 square metres.

Neighbourhood Mixed Use Centres are generally served by public transit and have strong pedestrian linkages with the surrounding residential community. To build upon this strong pedestrian and public transit orientation, the City of Kitchener will require appropriate and adequate pedestrian facilities, maximum front yard setbacks and specific facade treatments. The City of Kitchener will also provide for the integration of cycling facilities.

Within Neighbourhood Mixed Use Centres, the conversion or redevelopment of existing retail space to other community, institutional or multiple residential uses is strongly encouraged. Multiple residential uses shall be permitted subject to a maximum Floor Space Ratio of 1.0.

7. *Low Density Commercial Residential*
The intent of the Low Density Commercial Residential designation is to recognize existing areas of small scale commercial and residential development as well as to allow for the low rise, low density redevelopment of such areas with commercial, institutional and residential uses. This designation is also intended to create transitional or buffer areas between some industrial and surrounding residential areas. As such, the maximum residential density shall be limited to 100 units per hectare with a Floor Space Ratio of 1.0, meaning the above grade building floor area shall not exceed 1.0 times the lot area. Multiple dwellings may be permitted to

exceed 100 units per hectare on an individual lot provided the Floor Space Ratio is not exceeded.

Permitted residential uses in this designation include single detached dwellings, semi-detached dwellings, duplex dwellings, multiple dwellings; lodging houses, home businesses, private home day care and small and large residential care facilities. Permitted commercial uses are restricted to offices, office support services, health offices, health clinics, club facilities, funeral homes, financial establishments, educational establishments, religious institutions, medical laboratories, studios, day care facilities, tourist homes and a limited amount of personal services and small convenience retail. Commercial and residential uses may be within separate buildings or may mix within the same building. Personal services and small convenience retail must be internal to a large residential, commercial, or mixed use building.

8. *Medium Density Commercial Residential*
The intent of the Medium Density Commercial Residential designation is to provide for a range of residential and non-retail commercial uses fronting onto Arterial or Collector roads. The maximum residential density shall be 200 units per hectare with a maximum Floor Space Ratio of 2.0, meaning that the above grade building floor area shall not exceed 2.0 times the lot area. Multiple dwellings may be permitted to exceed 200 units per hectare on an individual lot provided the Floor Space Ratio is not exceeded.

Permitted residential uses in this designation include single detached dwellings, semi-detached dwellings, duplex dwellings, multiple dwellings; lodging houses, home businesses, private home day care and small

and large residential care facilities. Permitted commercial uses are restricted to offices, office support services, health offices, health clinics, club facilities, funeral homes, financial establishments, educational establishments, religious institutions, medical laboratories, studios, day care facilities, tourist homes and a limited amount of personal services and small convenience retail. Commercial and residential uses may be within separate buildings or may mix within the same building. Personal services and small convenience retail must be internal to a large residential, commercial, or mixed use building.

9. *High Density Commercial Residential*

The intent of the High Density Commercial Residential designation is to allow for high density redevelopment to office, multiple residential, institutional and limited commercial uses on Arterial and Collector Roads which lead to and from the Downtown. Residential densities are permitted to exceed 200 units per hectare with a maximum Floor Space Ratio of 4.0, meaning the above grade building floor area shall not exceed 4.0 times the lot area.

Permitted residential land uses include multiple dwellings which may exceed 200 units per hectare, private home day care, home businesses, small and large residential care facilities, and lodging houses. Permitted commercial land uses include day care facilities, offices, office support services, health offices, health clinics, club facilities, religious institutions, medical laboratories, funeral homes, financial establishments, educational establishments, tourist homes, studios, a limited amount of personal services, and small convenience retail. Commercial and residential uses may be within separate buildings or may mix within the same building. Personal services

and small convenience retail uses must be internal to a large residential, office, or mixed commercial-residential development.

10. *Neighbourhood Institutional*

The Neighbourhood Institutional designation recognizes the existence of small, neighbourhood-oriented institutions and makes provision for limited redevelopment opportunities.

Permitted uses are restricted to single detached dwellings, semi-detached dwellings, duplex dwellings, home businesses, private home day care, educational establishments, religious institutions and small residential care facilities. Day care facilities are also a permitted use provided they are located within an educational establishment or a religious institution.

11. *Community Institutional*

The Community Institutional land use category makes provision for, and recognizes the existence of, community institutional uses such as elementary schools, religious institutions, and community services. It also makes provision for a range of quasi-institutional and residential uses which are complementary to the community institutional uses and/or represent viable redevelopment options for affected sites in terms of the use of existing facilities and effects on the surrounding community. Lands designated Community Institutional shall be located along Primary or Secondary Arterial or Collector Roads as identified on Map 12 of this Secondary Plan.

Permitted uses are restricted to single detached dwellings, semi-detached dwellings, duplex dwellings, multiple dwellings, educational establishments, religious institutions, small and large residential care facilities, health offices,

health clinics, veterinary services, social service establishments, artisan establishments, day care facilities, private home day care and home businesses.

Convenience retail, financial establishment and personal service uses shall be permitted provided that they are located within a building used for a health clinic, multiple dwelling or large residential care facility.

The residential component of any redevelopment shall not exceed 100 units per hectare. The maximum Floor Space Ratio of 1.0 shall apply, meaning the above grade gross floor area shall not exceed 1.0 times the lot area. Multiple dwellings may be permitted to exceed 100 units per hectare on an individual lot provided the Floor Space Ratio is not exceeded.

The application of the Community Institutional category to existing elementary school sites in no way guarantees that such sites will continue to be used for such purposes. Rather, the category identifies uses which, at the time of the approval of this Secondary Plan, are felt to be appropriate for such sites. The decision to retain, expand or close existing elementary school sites is the responsibility of the local school boards and not the City of Kitchener.

12. *Neighbourhood Park*

The intent of the Neighbourhood Park designation is to preserve parkland and open space for active and passive recreational use by neighbourhood residents and workers. Permitted uses are restricted to playgrounds; community centres; passive open space; and facilities to support unorganized and spontaneous recreational activities.

13. *Open Space*

The Open Space designation in this Plan is intended to reserve lands for district or city scale recreational facilities as well as to

identify areas unsuitable for development due to steep slopes, possibility of flooding or poor soils and are considered to be hazard lands. Certain lands, although physically suited for urban development may also be designated Open Space in the public interest.

In addition to hazard lands described above, the Open Space designation shall apply to those lands located within the floodway portion of the flood plain as shown on Map 13, “Mill Courtland Woodside Park Neighbourhood Flood Plain and Environmental Areas”. In Open Space areas also designated as Two-Zone Policy Areas, the intent of the Open Space designation is to recognize the danger associated with the floodway portion of the flood plain through prohibition of new urban development while recognizing the presence of existing urban development in the floodway.

Existing development will be zoned to permit all legally existing uses and will be subject to the *Fill, Construction and Alteration to Waterways Regulation* administered by the Grand River Conservation Authority. Alternative uses may be permitted provided that the subsequent use is compatible with surrounding land use designations, no new dwelling units are created, the use presents less of a risk to life and property in the event of flooding, the new use is not specifically prohibited by Part 2, Policy 7.4.1.3 of the Official Plan, and approval is received from the Grand River Conservation Authority.

The major permitted use in Open Space is recreation, including the necessary buildings and structures. Permitted uses are restricted to major district or city scale parks; conservation areas; cemeteries; crematoriums; mausoleums; swimming pools, ice rinks and associated buildings;

sportsfields; golf courses; and, community trail links. Woodside Park and part of Highland Court Park have been covered with this designation as both provide district scale facilities for residents who live beyond the neighbourhood. Woodside Park provides both swimming and sportsfield facilities while Highland Courts Park contains the Highland Court Tennis Club and the Kitchener Lawn Bowling Club.

14. *Mixed Use Corridor*

Mixed Use Corridors are linear in form and recognize the evolution of uses along major corridors in the inner city. These corridors are primarily intended to serve the adjacent residential neighbourhoods and employment areas and allow for intensive, transit supportive development. Mixed Use Corridors provide residential redevelopment opportunities together with appropriate commercial and institutional uses that primarily serve adjacent residential neighbourhoods. Over time it is intended that the Mixed Use Corridors shall intensify and provide a balanced distribution of commercial, multiple residential and institutional uses. Individual properties within Mixed Use Corridors shall be zoned to achieve this distribution of uses.

A broad range of commercial uses shall be permitted, including freestanding office and small retail. The full range of institutional uses as well as multiple residential uses shall also be permitted. To achieve a built form that is compatible with surrounding low rise residential development, is pedestrian oriented and allows for a balanced distribution of retailing outside of other commercial nodes, the size of retail establishments shall be regulated. In this respect, retail uses shall be permitted to have a maximum gross floor area of 1,000 square metres and shall only locate within existing buildings or internal to large mixed use developments. All other retail uses legally existing on September 17, 2001 shall be recognized and shall be permitted to expand

on the existing lot by a maximum of 25 percent.

Mixed Use Corridors generally have strong pedestrian linkages with the surrounding residential neighbourhoods. To strengthen these linkages, new development may be required to orient a portion of the building mass to the street, provide for integration of cycling facilities, provide on-site pedestrian facilities, and provide pedestrian connections to abutting developments or off-site transit facilities. To achieve this objective, the City of Kitchener may also impose maximum front yard setbacks, limit vehicular parking between the building façade and the street, and will require specific façade treatments such as window or door openings and minimization of blank walls.

New development shall be compatible with surrounding residential neighborhoods and will be of an appropriate height and density in relation to adjacent low rise residential development. In locations that immediately abut low rise residential land uses, new development shall be permitted having a minimum Floor Space Ratio of 0.6 and a maximum Floor Space Ratio of 2.0. However, new development may be permitted to exceed this maximum Floor Space Ratio in locations which abut arterial or major collector roads, are well separated from low rise residential development and have adequate municipal infrastructure. In such cases, the City of Kitchener may impose a minimum Floor Space Ratio of 1.0 and a maximum Floor Space Ratio of 4.0

15. *High Density Multiple Residential*

The High Density Multiple Residential designation is meant to accommodate high density multiple dwellings in taller building forms. This area is meant to achieve a high residential intensity situated away from existing low-rise neighbourhoods and using the opportunity for taller building forms to

establish a "buffer" for the internal area of the subject land from the abutting rail line. The predominant land use within the High Density Multiple Residential designation will be multiple residential uses. Complementary non-residential land uses may be permitted within such multiple residential buildings. Such uses are meant to primarily serve the subject land and surrounding neighbourhood, and may include uses such as convenience commercial, day care facilities, health offices and health clinics, personal services, small offices, small scale community facilities, and social service establishments. These uses are generally limited to locations on the ground floor of multiple residential buildings, although certain non-retail uses may be appropriate on above floors. (OPA 130)

13.4.4 Special Policies

1. Those properties which front the north side of Mill Street between Stirling Avenue and the Shoemaker Greenway as well as 380 and 400 Mill Street and are occupied in part by an industrial use shall be designated Low Density Commercial Residential to the depth of a standard residential lot while the rear one-half to two-thirds of these properties will be designated General Industrial. It is recognized that there is existing private access over the residentially designated portions of these properties to the industrial designation in the rear and new private driveways shall also be permitted to cross over lands designated Low Density Commercial Residential to provide industrial access to lands designated General Industrial. In addition, the development of an interior industrial road with access to Mill Street west of the Shoemaker Greenway shall be permitted.

2. Notwithstanding the Neighbourhood Institutional designation which applies to the property at 409 Mill Street, a large residential care facility shall be permitted.
3. Notwithstanding the Community Institutional designation, on lands municipally known as 50 & 56 Kent Avenue, and as shown on the attached Schedule 'A', offices, a financial establishment, warehousing and retail accessory to a social service establishment shall be permitted. (Amended: OPA 91)
4. Notwithstanding the Low Rise Conservation designation applied to the property at 373 Stirling Avenue South, an automobile service station and the service or repair of motor vehicles and major recreational equipment excluding body repair or rust proofing, shall be permitted, provided that such service or repair shall only be permitted within buildings or portions thereof, which existed prior to January 24, 1994. Further, the sale or rental of motor vehicles or major recreational equipment as an accessory use to an automobile service station or service or repair business, shall be permitted in accordance with the regulations of Section 13.1 of *Zoning By-law* 85-1.
5. Notwithstanding the Low Density Commercial Residential designation applied to the properties located at 363 Stirling Avenue South, 338 Mill Street and 453 Courtland Avenue, an automobile service station and the service or repair of motor vehicles and major recreational equipment excluding body repair or rust proofing, shall be permitted, provided that such service or repair shall only be permitted within buildings or portions thereof, which existed prior to January 24, 1994. Further, the sale or rental of motor vehicles or major recreational equipment as an accessory use to an automobile service

station or service or repair business, shall be permitted in accordance with the regulations of Section 13.1 of *Zoning By-law* 85-1.

6. Notwithstanding the Low Density Commercial Residential designation, in order to preserve the existing scale and character of Martin Street, redevelopment of the properties at 26 Martin Street and 53 and 63 Courtland Avenue shall be restricted to a maximum height of 10.5 metres to a depth of 30 metres from the Martin Street streetline. In addition the maximum Floor Space Ratio shall be 1.5. With the exception of street townhouses and those Low Rise Commercial-Residential uses which are also permitted within the Low Rise Conservation designation, new development shall be required to gain access via Courtland Avenue with no vehicular access permitted to Martin Street.

A holding provision shall apply to 26 Martin Street withholding development until such time as the lands have been consolidated with lands having legal frontage and access to Courtland Avenue and a site plan including appropriate buffering measures has been approved by the City Official responsible for Planning and Development.

7. Deleted (OPA 99)
8. The existing elementary school sites at 107 Courtland Avenue East (Courtland Avenue Public School) and 160 Courtland Avenue East (St. Joseph School) shall be subject to a Holding Provision applicable to health offices, health clinics, social service establishments, veterinary services, multiple dwellings, street townhouse dwellings, and large residential care facilities. Removal of the Holding Provision shall be conditional upon the requirements that the City Clerk is in receipt of written conformation from the appropriate Board of Education that the

school has been officially closed, and upon the approval of a site plan by the City Council which addresses the relationship of the proposed development to immediately surrounding properties in terms of such matters as siting of buildings, buffering, screening, pedestrian and vehicular access, outdoor lighting and site grading.

9. Subject to the General Industrial designation, food processing including packaging, warehousing, distributing, slaughtering, eviscerating, rendering or cleaning of meat, poultry and fish or by-products thereof; processing, milling or packaging of animal feed and fertilizer; and beverage distillation; and head office functions shall be deemed to be essential components of the existing industrial operation on the lands municipally known as 321-325 Courtland Avenue East. In addition to the above industrial uses, a free standing industrial administrative office shall be permitted on the lands located at 321 Courtland Avenue East.
10. Deleted (MPA 59)
11. Subject to the General Industrial designation, stamping, blanking or punch-pressing of metal shall be deemed to be essential components of the existing industrial operation on the lands municipally known as 170 and 188 Borden Avenue South.
12. Subject to the General Industrial designation, stamping, blanking or punch-pressing of metal shall be deemed to be essential components of the existing industrial operation on the lands municipally known as 61-97 Kent Avenue.
13. Notwithstanding the High Density Commercial Residential designation applied to the lands located at 48 Preston Street, a

freestanding printing establishment shall be permitted.

14. Deleted (OPA 99)
15. Notwithstanding the Neighbourhood Mixed Use Centre designation which applies to the property at 248 Stirling Avenue South, commercial recreation shall also be permitted within the existing plaza building.
16. Notwithstanding the Low Density Commercial Residential land use designation and policies for the lands municipally addressed as 45-53 Courtland Avenue East:
 - i) The maximum permitted Floor Space Ratio shall be 2.4;
 - ii) The minimum rear yard setback shall be 19 metres;
 - iii) The maximum building height shall be 21 metres; and,
 - iv) A Holding provision pursuant to Section 17.E.13 of the Official Plan (2014) will apply to residential uses, day care uses and other sensitive uses. The Holding provision will not be removed until such time as a detailed Stationary Noise Study and Record of Site Condition has been acknowledged by the Province and a release has been issued by the Region.
17. Notwithstanding the High Density Commercial Residential land use designation and policies for the lands municipally addressed as 130-140 Highland Road East:
 - i) The maximum Floor space Ratio for the entire site shall be 5.17;
 - ii) The maximum height shall be 17 storeys.

13.5 Deleted (OPA 133)

13.6 Victoria Street Secondary Plan

13.6.1 General Policies

1. Approval under Section 41 of the *Planning Act* shall be required for any building or conversion which constitutes development under the *Planning Act*. It is intended that development should be of a siting and design which will be compatible with the existing development and particularly the single detached dwellings in the interior of the neighbourhood.
2. The policies of this Plan will be implemented through application of the comprehensive *Zoning By-law*. Maintenance of existing structures will be encouraged through the *Property Standards By-law*.
3. The severance of rear and flanking property assemblies for integrated redevelopment schemes will be permitted provided that the remnant or remaining parcel continues to be in conformity with the policies of this Plan and the implementing *Zoning By-law*.
4. Parts A, B, C, E and F of the Official Plan of the City of Kitchener shall continue to apply to the Victoria Street Study Area except where specifically cited within the text of this Secondary Plan.
5. Map 16 “Victoria Street Secondary Plan for Land Use” and Map 17, “Victoria Street Flood Plain and Environmental Areas” both attached shall form part of the Victoria Street Secondary Plan.
6. All new residential development and institutional development having a residential component adjacent to a rail line shall be required to maintain a minimum setback from the property line of said railway together with a berm as required by the implementing *Zoning By-law*.

7. Suitable measures based on the Ministry of the Environment and Energy standards for the mitigation of noise will be provided to the satisfaction of the Region, CP and CN Rail where applicable for new residential development and places of assembly abutting railway right-of-way.

13.6.2 Flood Plain Policies

1. The flood plain of the portions of Schneider Creek within the Victoria Street neighbourhood is designated as a Two-Zone Flood Plain Policy Area by the City of Kitchener and the Grand River Conservation Authority. For detailed flood plain planning policies, reference shall be had to Part 2, Section 7.4 of this Plan, "Flood Plain Policies".
2. Underground parking facilities will be permitted within the flood fringe in the Low Density Multiple Residential and Medium Density Multiple Residential land use designations provided that such underground parking facility is floodproofed to the Regulatory Flood elevation and safe access is maintained during times of severe flooding.

13.6.3 Land Use Designations

1. *Low Rise Conservation*
Permitted uses are restricted to single detached dwellings, duplex dwellings, semi-detached dwellings, and multiple dwellings to a maximum of three units, lodging houses, small residential care facilities, home businesses and private home day care.
2. *Low Rise Multiple Residential*
Permitted uses are restricted to single detached dwellings, duplex dwellings, semi-detached dwellings, multiple dwellings, lodging houses, small residential care facilities, home businesses, and private

home day care. Opportunities for residential redevelopment are provided to a maximum density of 40 units per hectare. The maximum Floor Space Ratio shall be 0.6, that is, the above grade building floor area shall not exceed 0.6 times the lot area. Multiple dwellings may be permitted to exceed 40 unit per hectare on an individual site provided the Floor Space Ratio of 0.6 is not exceeded.

3. *Low Density Multiple Residential*
Permitted uses are restricted to single detached dwellings, duplex dwellings, semi-detached dwellings, multiple dwellings, small and large residential care facilities, lodging houses, home businesses, and private home day care. Opportunities for residential development are provided to a maximum density of 100 units per hectare. The Maximum Floor Space Ratio shall be 1.0, that is, the above grade building floor area shall not exceed 1.0 times the lot area. Multiple dwellings may be permitted to exceed 100 units per hectare on an individual site provided the Floor Space Ratio of 1.0 is not exceeded. The maximum building height shall be 13.5 metres.
4. *Medium Density Multiple Residential*
The permitted uses are restricted to existing single detached and semi-detached dwellings, duplex dwellings, multiple dwellings, lodging houses, small and large residential care facilities, private home day care, and home businesses. Day care facilities are permitted provided they are located on the same lot as a large multiple dwelling. Opportunities for development are provided to a maximum density of 200 units per hectare. The Maximum Floor Space Ratio shall be 2.0, that is, the above grade building floor area of any development shall not exceed 2.0 times the lot area. Multiple dwellings may be permitted to exceed 200 units per hectare on an individual site

provided the Floor Space Ratio of 2.0 is not exceeded.

5. *Mixed Use Corridor*

Mixed Use Corridors are linear in form and recognize the evolution of uses along major corridors in the inner city. These corridors are primarily intended to serve the adjacent residential neighbourhoods and employment areas and allow for intensive, transit supportive development. Mixed Use Corridors provide residential redevelopment opportunities together with appropriate commercial and institutional uses that primarily serve adjacent residential neighbourhoods. Over time it is intended that the Mixed Use Corridors shall intensify and provide a balanced distribution of commercial, multiple residential and institutional uses. Individual properties within Mixed Use Corridors shall be zoned to achieve this distribution of uses.

A broad range of commercial uses shall be permitted, including freestanding office and small retail. The full range of institutional uses as well as multiple residential uses shall also be permitted. To achieve a built form that is compatible with surrounding low rise residential development, is pedestrian oriented and allows for a balanced distribution of retailing outside of other commercial nodes, the size of retail establishments shall be regulated. In this respect, retail uses shall be permitted to have a maximum gross floor area of 1,000 square metres and shall only locate within existing buildings or internal to large mixed use developments. All other retail uses legally existing on September 17, 2001 shall be recognized and shall be permitted to expand on the existing lot by a maximum of 25 percent.

Mixed Use Corridors generally have strong pedestrian linkages with the surrounding residential neighbourhoods. To strengthen these linkages, new development may be required to orient a portion of the building mass to the street, provide for integration of

cycling facilities, provide on-site pedestrian facilities, and provide pedestrian connections to abutting developments or off-site transit facilities. To achieve this objective, the City of Kitchener may also impose maximum front yard setbacks, limit vehicular parking between the building façade and the street, and will require specific façade treatments such as window or door openings and minimization of blank walls.

New development shall be compatible with surrounding residential neighborhoods and will be of an appropriate height and density in relation to adjacent low rise residential development. In locations that immediately abut low rise residential land uses, new development shall be permitted having a minimum Floor Space Ratio of 0.6 and a maximum Floor Space Ratio of 2.0. However, new development may be permitted to exceed this maximum Floor Space Ratio in locations which abut arterial or major collector roads, are well separated from low rise residential development and have adequate municipal infrastructure. In such cases, the City of Kitchener may impose a minimum Floor Space Ratio of 1.0 and a maximum Floor Space Ratio of 4.0.

6. *Open Space*

The Open Space designation is intended to reserve land for a variety of reasons such as for agriculture, preservation of natural features, outdoor recreation, lands considered undevelopable for reasons of flood susceptibility or instability, Grand River Conservation Authority lands, and land parcels made available through public works, water courses and railway right-of-ways. Uses include major community scale parks, conservation areas, hazard lands, cemeteries, crematoriums, mausoleums, outdoor recreation and golf courses.

In addition to hazard lands described above, the Open Space designation shall apply to

those lands located within the floodway portion of the flood plain in areas identified as being Two-Zone Policy Areas on Map 17. In Open Space areas also designated as Two-Zone Policy Areas, the intent of the Open Space designation is to recognize the danger associated with the floodway portion of the flood plain through prohibition of new urban development while recognizing the presence of existing urban development in the floodway.

Existing development will be zoned to permit all legally existing uses and will be subject to the *Fill, Construction and Alteration to Waterways Regulation* administered by the Grand River Conservation Authority. Alternative uses may be permitted provided that the subsequent use is compatible with surrounding land use designations, no new dwelling units are created, the use presents less of a risk to life and property in the event of flooding, the new use is not specifically prohibited by Part 2, Policy 7.4 .1.3 of this Plan, and approval is received from the Grand River Conservation Authority.

7. *Major Institutional*

Permitted uses within the Major Institutional land use category shall be restricted to hospitals, health offices, health clinics, medical laboratories, small and large residential care facilities, educational establishments, religious institutions, museums, day care facilities, community centres, studios, sports and/or recreation facilities, veterinary services, and social service establishments.

Convenience retail, financial establishment and personal service uses shall also be permitted provided they are located within a building used for a health clinic, multiple dwelling, or large residential care facility.

Multiple residential uses developed in association with permitted institutional uses may be permitted to a maximum net residential density of 200 units per hectare.

Commercial uses developed in conjunction with, and intended to directly serve permitted institutional uses, may be permitted.

8. *Convenience Commercial*

The Convenience Commercial designation shall provide locations for retail outlets serving the day-to-day, non-comparison shopping needs of the neighbourhood.

Permitted uses shall include small convenience retail, dwelling units, financial establishments, gas bars, health offices, personal services and restaurants. Health offices and restaurants shall only be permitted in plazas in combination with other permitted commercial uses.

13.6.4 Special Policies

1. Notwithstanding the Major Institutional land use designation which applies to the lands located on the block generally bounded by Patricia Avenue, Victoria Street South, the Grand River Railway, West Avenue and the Henry Sturm Greenway, the executive and administrative offices of the Hydro Electric Commission of Kitchener-Wilmot located at 301 Victoria Street South and the associated warehousing and outdoor storage uses shall be permitted uses.

2. Notwithstanding the Mixed Use Corridor land use designation and policies, applied to the lands located at 97 and 101 Park Street, 186-194 Victoria Street South, the maximum Floor Space Ratio shall be 8.5.

13.7 Deleted (OPA 133)

13.8 North Ward Secondary Plan

13.8.1 General Policies

1. Approval under Section 41 of the *Planning Act* shall be required for any development or conversion which constitutes development under the *Planning Act*. It is intended that development should be of a siting and design which will be compatible with the existing development and particularly the single detached dwellings in the interior of the neighbourhood.
2. The policies of this Plan will be implemented through application of the comprehensive *Zoning By-law*. Maintenance of existing structures will be encouraged through the *Property Standards By-law*.
3. The severance of rear and flanking property assemblies for integrated redevelopment schemes will be permitted provided that the remnant or remaining parcel continues to be in conformity with the policies of this Plan and the implementing *Zoning By-law*.
4. Parts A, B, C, E and F of the Official Plan of the City of Kitchener shall continue to apply to the North Ward Neighbourhood except where specifically cited within the text of this Secondary Plan.
5. Map 19, "North Ward Neighbourhood Plan for Land Use" attached shall form part of the North Ward Secondary Plan.
6. Suitable measures based on the Ministry of the Environment and Energy standards for the mitigation of noise will be provided to the satisfaction of the Region of Waterloo and C.N. Rail where applicable for new residential development and places of assembly abutting the C.N. Rail Right-of-Way.

13.8.2 Land Use Designations

1. *Low Rise Conservation - A*
Permitted uses are restricted to single detached dwellings, duplex dwellings, semi-detached dwellings, lodging houses, small residential care facilities, home businesses, and private home day care.
2. *Low Rise Multiple Residential*
Permitted uses are restricted to single detached dwellings, duplex dwellings, semi-detached dwellings, multiple dwellings, lodging houses, small residential care facilities, home businesses, and private home day care. Opportunities for residential development are provided to a maximum density of 40 units per hectare. The maximum Floor Space Ratio shall be 0.6, that is, the above-grade building floor area shall not exceed 0.6 times the lot area. Multiple dwellings may be permitted to exceed 40 units per hectare on an individual site provided the Floor Space Ratio of 0.6 is not exceeded.
3. *Low Density Multiple Residential*
Permitted uses are restricted to single detached dwellings, duplex dwellings, semi-detached dwellings, multiple dwellings, small and large residential care facilities, lodging houses, home businesses, and private home day care. Opportunities for residential development are provided to a maximum density of 100 units per hectare. The Maximum Floor Space Ratio shall be 1.0, that is, the above-grade building floor area shall not exceed 1.0 times the lot area. Multiple dwellings may be permitted to exceed 100 units per hectare on an individual site provided the Floor Space Ratio of 1.0 is not exceeded.
4. *Mixed Industrial-Residential*

In addition to manufacturing, permitted uses in the Mixed Industrial-Residential designation are restricted to single detached dwellings, duplexes, multiple dwellings to a maximum of three dwelling units, lodging houses, health offices, industrial office supply or industrial services, audio-visual or medical laboratories, commercial parking facilities, craftsman shops, day care facilities, printing establishments, private clubs, lodge or union halls, repair services, studios, tradesman or contractors establishments, educational establishments, offices, religious institutions, security or janitorial services, surveying, engineering, planning or design businesses and warehousing and wholesaling.

Prohibited uses shall include, but are not limited to: beverage distillation; manufacturing of asbestos, phosphate or sulphur products; primary production of chemicals, synthetic rubber, plastic, asphalt, cement or concrete; processing or refining of petroleum or coal; processing, milling or packaging of animal feed; retail accessory to warehousing or wholesaling; salvage, recycling or scrap yard; slaughtering, eviscerating, rendering or cleaning of meat, poultry or fish or by-products thereof; smelting, refining, rolling, forging or extruding of ore or metal; stamping, blanking, punch-pressing, pressing, cutting, drawing, machining and fabricating of metal; tanning or chemical processing of pelts or leather; and vulcanizing of rubber or rubber products.

5. *General Industrial*

In addition to manufacturing, permitted uses in the General Industrial designation are restricted to automobile service stations; industrial businesses; repair services; those uses related to the sale, rental, service, storage or repair of motor vehicles or major recreational equipment; technical/scientific

businesses; transportation depots; truck transport terminals; veterinary services; and warehouses. Industrial businesses are those industrial operations with a commercial component which require large areas for the storage of goods, such as building material and decorating supply sales, or industrial office supply or industrial service. With the exception of accessory offices and offices of firms involved in surveying, engineering, planning, or design, office use is restricted to a small percentage of the total floor area of a building used primarily for industrial purposes.

Complementary uses which do not interfere with, nor are detrimental to, the development of industrial operations are permitted in General Industrial areas. These permitted uses include uses such as commercial recreation facilities, day care facilities, financial establishments, health offices and health clinics, parks and open space, private clubs or lodges, union halls, and public and non-residential institutional uses.

Prohibited uses shall include, but are not limited to: beverage distillation; manufacturing of asbestos, phosphate or sulphur products; primary production of chemicals, synthetic rubber, plastic, asphalt, cement or concrete; processing or refining of petroleum or coal; processing, milling or packaging of animal feed; salvage, recycling or scrap yards; slaughtering, eviscerating, rendering or cleaning of meat, poultry or fish or by-products thereof; smelting, refining, rolling, forging or extruding of ore or metal; stamping, or punch-pressing of metal; tanning or chemical processing of pelts or leather.

6. *Neighbourhood Mixed Use Centre*

Neighbourhood Mixed Use Centres are intended to serve as neighbourhood focal

points, providing locations for the mixing of appropriately scaled multiple residential, commercial and institutional uses. Neighbourhood Mixed Use Centres are primarily intended to meet the day to day convenience or service-oriented needs of the surrounding residential areas. Neighbourhood Mixed Use Centres shall also fulfill a role in providing incubator space for small scale commercial enterprises.

A broad range of commercial and institutional uses shall be permitted, including office, health facilities, personal services, and small retail uses permitted within Neighbourhood Mixed Use Centres. To achieve a built form that is compatible with surrounding low rise residential development and is pedestrian oriented, commercial space shall be limited. In this respect, an overall maximum of 7,000 square metres of commercial space shall be permitted within a Neighbourhood Mixed Use Centre and individual retail commercial outlet shall be permitted to have a maximum gross floor area of 3,500 square metres.

Neighbourhood Mixed Use Centres are generally served by public transit and have strong pedestrian linkages with the surrounding residential community. To build upon this strong pedestrian and public transit orientation, the City of Kitchener will require appropriate and adequate pedestrian facilities, maximum front yard setbacks and specific facade treatments. The City of Kitchener will also provide for the integration of cycling facilities.

Within Neighbourhood Mixed Use Centres, the conversion or redevelopment of existing retail space to other community, institutional or multiple residential uses is strongly encouraged. Multiple residential uses shall be permitted subject to a maximum Floor Space Ratio of 1.0.

7. *Neighbourhood Park*

Permitted uses are restricted to public passive or active open space, playgrounds, sports fields, community centres, recreation facilities such as public parks or tennis courts, and a bikeway, greenbelt or trail system.

8. *Open Space*

Permitted uses are restricted to major community scale parks, conservation areas, hazard lands, cemeteries, crematoriums, mausoleums, outdoor recreation and golf courses.

13.8.3 Special Policies

1. Notwithstanding the General Industrial land use designation which applies to the property located at 5 Hill Street, the production of cement or concrete and the sale and storage of heating fuel shall be permitted uses.
2. Notwithstanding the General Industrial land use designation which applies to the property at 5-35 Johnston Street, the production of cement or concrete and the sale and storage of heating fuel shall be permitted uses.
3. Notwithstanding the General Industrial land use designation which applies to the property at 956 Guelph Street, a salvage, recycling or scrap yard shall be a permitted use.
4. Notwithstanding the General Industrial land use designation which applies to the property at 352 Maple Avenue, slaughtering, eviscerating, rendering or cleaning of meat, poultry or by-products thereof shall be permitted uses.
5. Notwithstanding the General Industrial land use designation which applies to the property at 305 Arnold Street, slaughtering,

eviscerating, rendering or cleaning of meat, poultry or by-products thereof shall be permitted uses.

6. Notwithstanding the General Industrial designation on the lands bounded by Spring Valley Road, Springwood Park and the Conestoga Expressway, freestanding offices will also be permitted.
7. Notwithstanding the Mixed Industrial-Residential designation, on lands known as 50 and 60 Lancaster Street West, the retail sales and installation of automobile parts may also be permitted as accessory to the wholesaling of automobile parts, subject to the regulations set out in the zoning by-law governing the size and location of such uses.
8. Notwithstanding the Low Density Multiple Residential designation which applies to the lands known as 448 Lancaster Street West, a religious institution shall also be a permitted use.

13.9 Central Frederick Secondary Plan

13.9.1 General Policies

1. Approval under Section 41 of the *Planning Act* shall be required for all development and conversions considered development under the *Planning Act*. It is intended that development should be of a siting and design which will be compatible with the existing development and particularly the single detached dwellings in the interior of the neighbourhood.
2. The policies of this Plan will be implemented through application of the comprehensive *Zoning By-law*. Maintenance of existing structures will be encouraged through the *Property Standards By-law*.

3. Parts A, B, C, E and F of the Official Plan of the City of Kitchener continue to apply to the Central Frederick Neighbourhood except where specifically revised within the text of this Secondary Plan.
4. Map 20, “Central Frederick Neighbourhood Plan for Land Use” attached shall form part of the Central Frederick Secondary Plan.
5. Settlement Policy Area “B” of the *Regional Official Policies Plan* as it applies to the Central Frederick Neighbourhood constitutes those areas bounded by Frederick Street, Lancaster Street, Krug Street and Weber Street.
6. It is recognized that in many instances, the land use designations shown on Map 20 are not coincident with rear property lines. The severance of rear and flanking property assemblies for integrated redevelopment schemes will be permitted provided that the remnant or remaining parcel continues to be in conformity with policies of this Plan and the implementing *Zoning By-law*.

13.9.2 Transportation Policies

1. It is an objective of this Secondary Plan to separate local and through traffic as much as possible. One specific roadway is proposed for closure: Gordon Avenue, where it intersects with Mansion, and Lancaster Streets. The closure will be implemented by By-law in accordance with the procedures of the *Municipal Act*.

13.9.3 Land Use Designations

1. *Low Rise Conservation - A*
The intent of the Low Rise Conservation - A designation is to preserve the scale, use and intensity of existing development. This designation is applied to those portions of the community where the vast majority of

land use is single detached dwellings. The dwellings are in good structural condition, and they are exhibits of the characteristics of a stable family-oriented area.

Permitted uses are restricted to single detached dwellings, semi-detached dwellings, duplex dwellings, lodging houses, small residential care facilities, private home day care and home businesses; and those triplexes which were in compliance with the *Zoning By-law* as of the date of the approval of the original Central Frederick Secondary Plan (June 12, 1989).

2. *Low Rise Conservation - B*

The intent of the Low Rise Conservation - B designation is to retain the existing low rise, low density residential character of the Neighbourhood. Retention of the existing low rise, low density neighbourhood scale shall be encouraged through the long term maintenance and improvement of the existing housing stock, and the creation of additional residential units through conversion of the existing residential structures. New housing through redevelopment shall not exceed the existing scale and density of the area occurring as of June 12, 1989.

Permitted uses are restricted to single detached dwellings, semi-detached dwellings, duplex dwellings, multiple dwellings to a maximum of three units, lodging houses, small residential care facilities, home businesses, and private home day care.

3. *Low Rise Multiple Residential*

The intent of the Low Rise Multiple Residential designation is to provide for a range of housing opportunities while retaining and enhancing the low profile of the residential streetscape.

Permitted uses are restricted to single detached dwellings, duplex dwellings, semi-detached dwellings, multiple dwellings, lodging houses, small residential care facilities, home businesses, and private home day care. Opportunities for development are provided to a maximum density of 40 units per hectare. The maximum Floor Space Ratio shall be 0.6, that is, the above grade building floor area of any development shall not exceed 0.6 times the lot area.

Multiple dwellings may be permitted to exceed 40 units per hectare on an individual site provided the Floor Space Ratio of 0.6 is not exceeded.

4. *Low Density Multiple Residential*

The intent of the Low Density Multiple Residential designation is to recognize those portions of the community that have developed for higher density uses, and to permit the development and integration of multiple residential uses while maintaining the overall low rise characteristics of the neighbourhood.

Permitted uses are restricted to single detached dwellings, semi-detached dwellings, duplex dwellings, lodging houses, multiple dwellings, small and large residential care facilities, home businesses and private home day care. Opportunities for development are provided to a maximum density of 100 units per hectare. The maximum Floor Space Ratio shall be 1.0, that is, the above grade gross floor area shall not exceed 1.0 times the lot area. Multiple dwellings may be permitted to exceed 100 units per hectare provided the Floor Space Ratio of 1.0 is not exceeded.

5. *Medium Density Multiple Residential*

The intent of the Medium Density Multiple Residential designation is to permit multiple

unit residential development at medium densities.

Permitted uses are restricted to existing single detached and semi-detached dwellings, duplex dwellings, multiple dwellings, lodging houses, private home day care, home businesses, and small and large residential care facilities.

Day care facilities are permitted provided they are on the same lot as a large multiple dwelling. Multiple dwellings are permitted to a maximum of 200 units per hectare. The maximum Floor Space Ratio is 2.0, that is, the above grade gross floor area shall not exceed 2.0 times the lot area. Multiple dwellings may be permitted to exceed 200 units per hectare on an individual lot provided the Floor Space Ratio of 2.0 is not exceeded.

6. *High Density Multiple Residential*

The intent of the High Density Multiple Residential designation is to recognize the Acadian Apartments located on lands consisting of Part Lots 1 and 2 of Registered Plan 429, with the municipal address of 250 Frederick Street.

Permitted uses are restricted to multiple dwellings in excess of 200 units per hectare, lodging houses, home businesses, private home day care and small and large residential care facilities. Day care facilities are permitted provided they are on the same lot as a large multiple dwelling. The maximum Floor Space Ratio shall be 4.0, that is, the above grade gross floor area shall not exceed 4.0 times the lot area.

7. *Office-Residential Conversion*

The Office-Residential Conversion designation applies to properties fronting onto both sides of Irvin Street between Scott Street and Lancaster Street. The aim of this

designation is both to preserve the existing structures in this area and to serve as a transition area between the higher intensity uses along Frederick Street and the Low Rise Conservation-B designation along the remainder of the street.

Permitted uses are restricted to single detached dwellings, semi-detached dwellings, duplex dwellings, multiple dwellings up to a maximum of three units, lodging houses, offices including health offices, home occupations, private home day care, and small residential care facilities. Residential and office uses may be permitted to locate within the same building.

8. *Low Density Commercial-Residential*

The intent of the Low Density Commercial-Residential designation is to provide for a range of residential and office uses which respects: the role of the Downtown as the commercial centre of Kitchener; the traffic operational constraints of Frederick Street; and the scale, and use of the adjacent low rise, low density residential area. The Low Density Commercial-Residential designation will encourage the conservation and continuance of the existing character and quality of the area through the long term maintenance and improvement of the existing architecture, and the development of replacement structures that are in keeping with the community's present scale of development.

Permitted residential uses are restricted to single detached dwellings, semi-detached dwellings, duplex dwellings, multiple dwellings, lodging houses, small residential care facilities, private home day care and home businesses. Permitted commercial uses include offices, office support services, a limited amount of personal services, health offices, studios, tourist homes, religious institutions, and educational establishments. Land uses may be segregated in separated

buildings or integrated in mixed use buildings. Personal services must be internal to a large residential, office or mixed use building.

Opportunities for residential development are provided to a maximum of 100 units per hectare. The maximum Floor Space Ratio for commercial uses in any new structure shall not exceed 0.33 times the lot area. The maximum Floor Space Ratio for all uses in any new structure shall be 1.33 times the lot area. Multiple dwellings may exceed 100 units per hectare provided the Floor Space Ratio of 1.33 is not exceeded.

To encourage stability and promote a level of confidence in both commercial and residential landowners, development is permitted providing that all new building heights do not exceed 12.2 metres.

Vehicular access for conversions and new developments shall be from Frederick Street, and mutual driveways are encouraged in order that the number of driveway access points on Frederick Street (a Primary Arterial Road under Regional jurisdiction) can be minimized. Those developments situated on corner lots will be allowed to gain access from the side street where:

- a) Due to the nature of adjacent development vehicular access to Frederick Street is not available; and
- b) The side street vehicular access is intended to serve only the corner lot development.

9. *Medium Density Commercial-Residential*
The intent of the Medium Density Commercial Residential designation is to allow for medium density residential, office and institutional redevelopment. To complement MacKenzie King Square and

the Prudential Building, it is an objective of this Plan to encourage a high level of quality in architectural and landscape design in all redevelopment projects. It is recognized that for land designated Medium Density Commercial-Residential, superior design can be achieved if sufficient flexibility is maintained in building height and form.

Permitted residential uses are restricted to existing single detached and semi-detached dwellings, duplex dwellings, lodging houses, private home day care, home businesses, small and large residential care facilities, and multiple dwellings. Residential development is restricted to a maximum of 200 units per hectare. Permitted commercial uses are restricted to offices, office support services, funeral homes, financial establishments, health offices, health clinics, day care facilities, medical laboratories, restaurants, educational establishments, religious institutions, tourist homes, studios, a limited amount of personal services and small convenience retail. Land uses may be segregated in separate buildings or integrated in mixed use developments. Personal services and convenience retail must be internal to a large residential, office or mixed used building.

Residential development will be restricted to a maximum of 200 units per hectare. The maximum Floor Space Ratio shall be 2.33, that is, the above grade gross floor area shall not exceed 2.33 times the lot area. Multiple dwellings may be permitted to exceed 200 units per hectare provided the Floor Space Ratio of 2.33 is not exceeded.

10. *High Density Commercial-Residential*
It is the intent of the High Density Commercial-Residential designation to allow redevelopment for multiple dwellings and limited commercial use at high

densities. To complement MacKenzie King Square and the Prudential Building it is an objective of this Plan to encourage a high level of quality in architectural and landscape design in all redevelopment projects. It is recognized that for lands designated High Density Commercial-Residential, superior design can be achieved if sufficient flexibility is maintained in building height and form.

Permitted residential uses are restricted to multiple dwellings in excess of 200 units per hectares, private home day care, home businesses, small and large residential care facilities, and lodging houses. Permitted commercial uses are restricted to offices, office support services, restaurants, medical laboratories, funeral homes, financial establishments, day care facilities, health offices, health clinics, parking facility, club facilities, tourist homes, studios, religious institutions, educational establishments, a limited amount of personal services and convenience retail. Land uses may be segregated in separate buildings or integrated in a mixed use development. Personal services and convenience retail must be internal to a large residential, office or mixed use building.

The maximum Floor Space Ratio shall be 4.0, that is, the above grade building floor area shall not exceed 4.0 times the lot area.

11. *Convenience Commercial*

The intent of the Convenience Commercial designation is to provide locations for small retail outlets serving the day-to-day, non-comparison shopping and service needs of the neighbourhood.

Permitted uses shall include convenience retail, financial establishments, personal services, gas bars, medical offices, restaurants, and dwelling units. Health office and restaurant use shall only be permitted in

plazas in combination with other permitted commercial uses.

12. *Mixed Use Node*

Mixed Use Nodes are distributed throughout the city and are primarily located near or around major intersections of the arterial road system. These nodes are intended to serve an inter-neighbourhood function and will allow for intensive, transit supportive development in a compact form. It is intended that the Mixed Use Nodes will intensify and provide a balanced distribution of commercial, multiple residential and institutional uses. Individual properties within Mixed Use Nodes shall be zoned to achieve this balanced distribution of uses.

The full range of commercial uses shall be permitted, including retail, neighbourhood level entertainment, and freestanding office. The full range of institutional uses as well as medium and high rise residential uses shall also be permitted.

To achieve a built form that is both pedestrian oriented and compatible with surrounding low rise residential development, the size of retail establishments shall be regulated. In this respect, any retail outlets located within a plaza or internal to a major mixed use development shall have no maximum size restriction. With the exception of food stores, retail uses located within freestanding buildings will be restricted to a maximum size of 5,000 square metres. All other retail uses legally existing on September 17, 2001 shall be recognized and shall be permitted to expand on the existing lot by a maximum of 25 percent.

Mixed Use Nodes generally have strong pedestrian linkages with the surrounding residential neighbourhoods. To strengthen these linkages, new development may be required to orient a portion of the building mass to the street, provide for integration of cycling facilities, provide on-site pedestrian facilities, and provide pedestrian connections to abutting developments or off-

site transit facilities. To achieve this objective, the City of Kitchener may also impose maximum front yard setbacks, limit vehicular parking between the building façade and the street, and will require specific façade treatments such as window or door openings and minimization of blank walls.

Mixed use developments, particularly those with a residential component, are strongly encouraged. To encourage the provision of residential units within commercial developments, the City may consider incentives such as reduced parking requirements or shared parking arrangements between residential and commercial/institutional uses.

New development shall be compatible with surrounding residential neighborhoods and will be of an appropriate height and density in relation to adjacent low rise residential development. In locations that immediately abut low rise residential land uses, new development shall be permitted having a maximum Floor Space Ratio ranging between 0.6 and 2.0. However, new development may be permitted to exceed this maximum Floor Space Ratio in locations which abut arterial or major collector roads, are well separated from low rise residential development and have adequate municipal infrastructure. In such cases, the City of Kitchener may impose a minimum Floor Space Ratio of 1.0 and a maximum Floor Space Ratio of 4.0.

13. Deleted (MPA 36)

14. *Arterial Commercial Corridor*

Arterial Commercial Corridors provide for a broad range of commercial and industrial business uses, including free-standing offices. Arterial Commercial Corridors are predominantly automobile oriented and are generally located along primary arterial roads. These corridors are characterized by the presence of substantial redevelopment

opportunities and have historically developed with a range of service type uses relating to the sale or servicing of automobiles or major recreational equipment. Arterial Commercial Corridors also provide opportunities for the location of businesses that cater to the needs of the tourism industry.

Permitted uses within Arterial Commercial Corridors generally provide a specialized product or service to persons coming specifically to the premises to do business; rely on business from and exposure to the travelling public; require accessibility to a well-populated market area; are best located on a Primary or Secondary Arterial Road; and, due to the characteristics of the operation, should not generally be required to locate within an industrial area.

Arterial Commercial Corridors will provide locations for service type uses such as hotels, motels, conference / convention / exhibition facilities, amusement parks, vehicle and recreational equipment sales/rental and service, automobile service stations and restaurants. Commercial entertainment uses shall also be permitted as an accessory use within a hotel, motel, restaurant or planned commercial recreation complex.

Other types of retail uses will be permitted if they are accessory to a warehouse, storage or distribution facility; they form part of an establishment relating to the servicing of motor vehicles or major recreational equipment; or, they require large enclosed or open storage areas to sell bulky, space intensive goods. However, convenience commercial and personal services shall be permitted.

Arterial Commercial Corridors will permit a limited range of industrial uses such as warehousing, wholesaling and 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 shall not be permitted. Manufacturing uses shall be permitted on specific properties zoned to permit manufacturing on September 17, 2001.

In order to provide for a transition of land uses between existing arterial commercial development and adjacent medium or high rise residential, open space or mixed use areas, 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 arterial commercial uses. However, multiple residential uses may not be permitted in locations immediately adjacent to manufacturing operations or other incompatible arterial commercial land uses.

To reduce traffic impacts on abutting streets, vehicular access points shall 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 achieve compatibility between Arterial Commercial Corridors and adjacent residential land uses, the City of Kitchener will impose appropriate urban design requirements affecting site landscaping, the massing and placement of buildings, and the construction and location of on-site service facilities such as garbage enclosures and loading areas.

15. *Neighbourhood Institutional*

The Neighbourhood Institutional designation makes provision for and recognizes the existence of small, neighbourhood-oriented institutions such as schools, churches, and community services. Uses permitted within the Neighbourhood Institutional designation are restricted to single detached dwellings, duplex dwellings,

and semi-detached dwellings, lodging houses, home businesses, private home day care, day care facilities, educational establishments, religious institutions, and small residential care facilities. In addition, day care facilities are a permitted use provided that if they are not located on a major road, they are located within an educational establishment or a religious institution.

16. *Community Institutional*

The Community Institutional land use category makes provision for, and recognizes the existence of community institutional uses such as elementary schools, churches and community services. It also makes provision for a range of quasi-institutional and residential uses which are complementary to the community institutional uses and/or represent viable redevelopment options for affected sites in terms of the use of existing facilities and effects on the surrounding community.

Uses permitted within the Community Institutional Category are restricted to single detached dwellings, duplex dwellings, semi-detached dwellings, multiple dwellings, lodging houses, educational establishments, religious institutions, small and large residential care facilities, health offices, health clinics, veterinary services, social service establishments, artisans establishments, day care facilities, private home day care and home businesses. Convenience retail, financial establishment and personal service uses shall be permitted provided that they are located within a building used for a health clinic, multiple dwelling or large residential care facility.

Lands designated Community Institutional shall be located along Primary or Secondary Arterial or Collector roads as identified on Map 20 of this Secondary Plan.

The residential component of any development shall not exceed 100 units per hectare. The maximum Floor Space Ratio shall be 1.0, that is, the above grade building floor area of any development shall not exceed 1.0 times the lot area. Multiple dwellings may be permitted to exceed 100 units per hectare where the Floor Space Ratio of 1.0 is not exceeded. Existing and planned elementary school sites which are designated and/or zoned Community Institutional shall be affected by a Holding Provision which will be applied by means of the implementing *Zoning By-law*.

The Holding Provision shall be applied to all such sites and be applied to the following uses: a health office, a health clinic; a veterinary service, a multiple dwelling, a social service establishment, a street townhouse dwelling or a large residential care facility. Removal of the Holding Provision shall be conditional upon the requirements that the City Clerk is in receipt of written conformation from the appropriate Board of Education that the school has been officially closed, and upon the approval of a site plan by the City Council which addresses the relationship of the proposed development to immediately surrounding properties in terms of such matters as siting of buildings, buffering, screening, pedestrian and vehicular access, outdoor lighting and site grading.

The application of the Community Institutional category to existing elementary school sites in no way guarantees that such sites will continue to be used for such purposes. Rather, the category identifies uses which, at the time of the approval of the secondary plan, are felt to be appropriate for such sites. The decision to retain, expand or close existing elementary school sites is the

responsibility of the two local school boards, not the City of Kitchener.

The Community Institutional category has been applied to Suddaby Public School located at 171 Frederick Street.

17. *Neighbourhood Park*

The intent of the Neighbourhood Park designation is to preserve parkland at the neighbourhood scale, and to allow for passive and active open spaces and a variety of recreational activities.

13.9.4 Special Policies

1. Notwithstanding the Low Density Commercial Residential land use designation, the existing two convenience retail stores at 269 Frederick Street and 324 Frederick Street shall also be permitted.
2. Notwithstanding the Medium Density Commercial Residential land use designation on those lands fronting on the west side of Lancaster Street, municipally known as 143, 145, 147, 151, 155, 159, 161, and 163 Lancaster Street East, permitted uses are restricted to existing single detached and semi-detached dwellings, duplex dwellings, lodging houses, private home day care, home businesses, small and large residential care facilities, and multiple dwellings to a maximum of 200 units per hectare.

Commercial use of these lands is contingent upon those properties being assembled in conjunction with lands having frontage on Frederick Street and redevelopment will be accomplished by a holding zone category being applied to such properties in the *Zoning By-law*. Where this is achieved, religious institutions and commercial uses are permitted including: offices, office support services, personal services, funeral homes, financial establishments, educational establishments, day care facilities, health

offices, health clinics, medical laboratories, restaurants, studios, tourist homes and convenience retail.

The holding provisions of the zoning shall be removed so as to allow development to proceed when the following criteria have been met:

- i) Consolidation or assembly of the property with property having legal frontage and access to King Street West;
- ii) A site plan pursuant to Section 41 of the *Planning Act* indicating that these lands will be developed in conjunction with lands with frontage on Frederick Street has been approved.

3. Notwithstanding the High Density Commercial Residential land use designation, on lands within the block bounded by Frederick, Spetz, Scott, and Irvin Streets that do not have legal frontage on Frederick Street (municipally known as 16 and 30 Spetz Street, 94, 100, 102, 104 Scott Street and the rear part of 11 Irvin Street) permitted uses are restricted to row housing, small and large residential care facilities, and multiple dwellings not exceeding 200 units per hectare. Convenience retail and personal services which are intended to serve the needs of the building's internal resident or employee population are permitted. Existing structures may convert to offices on the condition that sufficient on-site parking can be provided. Commercial uses in new structures are contingent upon these lands being assembled with lands that have frontage on Frederick Street and redevelopment will be accomplished by a holding zone category being applied to such properties in the *Zoning By-law*. In these cases, offices, personal services, restaurants, religious institutions, medical laboratories, funeral

homes, financial establishments, health offices, health clinics, parking facilities, club facilities, and studios would be permitted.

The holding provision of the zoning shall be removed so as to allow redevelopment to proceed when the following criteria have been met:

- i) Consolidation or assembly of the property with property having frontage and access on Frederick Street;
- ii) A site plan pursuant to Section 41 of the *Planning Act* indicating that these lands will be developed in conjunction with lands with frontage on Frederick Street has been approved.

4. Notwithstanding the Convenience Commercial land use designation, on 593 Victoria Street North, a restaurant is not a permitted use, and a limited amount of convenience retail is permitted when operated in conjunction with a gas bar.

5. Notwithstanding the Convenience Commercial land use designation, convenience commercial uses on 577 Victoria Street North, the service and repair of motor vehicles is permitted. In addition, a freestanding health office is permitted. Any change of land use, through redevelopment or conversion shall require an approved Development Agreement. This Agreement shall include an appropriate level of landscaping and privacy fencing along the Indiana Street frontage (excluding the vehicular access areas) and the rear property line.

6. Notwithstanding the Arterial Commercial Corridor land use designation, on the lands bounded by Victoria Street, Lancaster Street, C.N. Railway Mainline, and the Conestoga Expressway, manufacturing,

except for manufacturing of nonmetallic mineral products; processing, packaging or canning of feed; meat, poultry or fish products; processing or refining of petroleum or coal; primary production of chemicals, rubber or plastics; smelting, refining, rolling, or extruding of ore or metal; and tanning or processing of pelts or leather, shall be permitted.

7. Notwithstanding the Arterial Commercial Corridor land use designation on 36, 42 and 46 Edna Streets, redevelopment and/or the conversion of existing structures for Arterial Commercial Corridor uses will be accomplished by a holding zone category being applied in the *Zoning By-law*.
8. Deleted (MPA 23)
9. Notwithstanding the Low Rise Conservation B land use designation, on 227 Dumfries Avenue, a health office shall be permitted within the existing building.
10. Notwithstanding the Low Density Commercial Residential land use designation on those lands situated on the east side of Lancaster Street near Bingeman Street, freestanding personal services may locate within the buildings as of July 5, 1999.
11. Notwithstanding the Convenience Commercial designation, on lands municipally known as 10 Lancaster Street West, a freestanding health clinic use shall be permitted.

13.10 Rosenberg Secondary Plan

13.10.1 Vision

The Rosenberg Community is a complete community where people are able to walk or cycle to school, shop, and potentially to work. Each neighbourhood within the Rosenberg Community

will be designed based on the “five minute walk principle” and will be connected to the surrounding area.

Fischer Hallman Road will function as the spine of the community and will evolve into a transit supportive mixed use corridor. Residents within the Rosenberg Community will be provided with a variety of housing, transportation, commercial, recreation and socio-cultural options.

It is anticipated that the Rosenberg Community will be home to at least 20,000 new residents and jobs (potentially by the year 2029). Over time this could be expected to grow to more than 30,000 residents and jobs.

The design of the community reflects a high level of natural and cultural heritage conservation together with best practices for water management and energy conservation. The design and implementation is based on the Southwest Community Master Plan and the following primary design objectives:

- **WALKABILITY:** to create a coherent and connected system of walkable neighbourhoods that support the typical walking distance of 450 metres (5 minutes) to daily activities and 800 metres (10 minutes) to higher order transit and community amenities;
- **VARIETY:** to build neighbourhoods that provide a range of housing types, park and open spaces and neighbourhood focal points.
- **PLACEMAKING:** to create streetscape high quality, and contribute to neighbourhood character and sense of place.
- **CONSERVATION:** to conserve, protect and integrate existing natural and cultural heritage resources.

- **CONNECTIVITY:** to provide multiple route options for all modes of travel.
- **TRANSIT SUPPORTIVE:** to design and build neighbourhoods that provide greater opportunity for transit usage.
- **SAFETY:** to promote design practices that contribute to neighbourhood safety.
- **BALANCE:** to promote neighbourhood design quality through a balanced approach with economic considerations.
- **LIVEABILITY:** to promote design solutions that contribute to sustainable practices, the celebration of arts and culture, and the development of healthy and complete communities.

13.10.2 Resources and Components

13.10.2.1 General Policies

1. The Rosenberg Secondary Plan will conform to and implement the Regional Official Policies Plan/Regional Official Plan and the City of Kitchener Municipal/Official Plan.
2. In addition to the objectives and policies of this Secondary Plan, all other parts of the Official Plan of the City of Kitchener will apply. In the event of a conflict, the Rosenberg Secondary Plan will prevail.
3. The following maps will form part of the Rosenberg Secondary Plan:
 - i. Map 22a, “Community Structure Plan”
 - ii. Map 22b, “Cultural Heritage Resources”
 - iii. Map 22c, “Transportation Networks”
 - iv. Map 22d, “Priority Streets”
 - v. Map 22e, “Land Use Plan”
 - vi. Map 22f, “Natural Heritage System and Water Management”

4. Development within the Rosenberg community will generally conform to the applicable development and implementation standards adopted by the City of Kitchener. Exceptions may be considered where appropriate to implement specific urban design proposals.

All parts and policies of this Plan shall be read in conjunction with each other.

13.10.2.2 Community Structure

1. Objectives

1. To create an identifiable community with connected neighbourhoods.
2. To design each neighbourhood based on a 5 minute walk to a focal point such as a neighbourhood park or other community amenity feature.
3. To establish a focal point for the entire Southwest Kitchener area.
4. To establish a mixed use, transit supportive corridor along Fischer Hallman Road.
5. To provide special attention to streetscapes and built form, especially on Priority Streets in the community.
6. To establish distinctive “character” areas.
7. To provide well designed gateways to the Rosenberg Community and to neighbourhoods within the community.
8. To require neighbourhood parks to form a central part of each neighbourhood with prominent street frontage and accessibility.

2. Policies

1. *Node and Corridor*

1. The Rosenberg Community will include a Corridor along Fischer Hallman Road, a Node generally at Fischer Hallman Road and Huron Road and connected neighbourhoods generally in accordance with Map 22a) Community Structure Plan. The general locations of both the Corridor and Node may be shown on other Official Plan schedules.
2. Nodes and Corridors are intended to provide a balanced distribution of commercial, office, institutional and multiple residential uses. To achieve this balanced distribution, the land use designations within the Fischer Hallman Corridor and Fischer Hallman/Huron Road Node will provide for a range of uses. Individual properties may be considered for uses such as: Mixed Use 2, Mixed Use 1, High Density Residential, Medium Density Residential 2, Medium Density Residential 1 as appropriate and any necessary open space or natural heritage conservation designation.
3. The planned function of the Node at Huron and Fischer Hallman Roads is to provide commercial uses to primarily serve the Rosenberg Community and surrounding planning communities and ultimately to be supported by medium and high density residential uses within and adjacent to the Node. This location will be a focal point for the southwest portion of Kitchener and serve as a transit hub connecting to other Nodes.
4. The planned function of the Fischer Hallman Corridor is to provide for compact and intensive development along a transit corridor. The corridor is primarily intended to serve the adjacent residential neighbourhoods and employment areas. Establishing linkages and compatible interfaces

between the Corridor and surrounding residential neighbourhoods and employment areas is desirable.

2. Parks and Open Space

1. Active parkland will be provided in accordance with the provisions of The Planning Act and the City's Parkland Dedication Policy. Parkland will be dedicated and/or cash-in-lieu of parkland will be collected through of development applications.
2. Each neighbourhood within the Rosenberg Community will contain Neighbourhood Parks which will be centrally located generally within the 5 minute walk model.
3. Each neighbourhood will also contain Urban Greens which will be defined within the 2 minute walk model.
4. A linear green space approximately 6-20 metres wide will be provided generally along the west side of Abram Clemens Street and Ludolph Street connecting the community through the Williamsburg Cemetery (generally utilizing the high-pressure gas easement where appropriate). The linear green space may include a multi-use pathway (which could be combined with sidewalk facilities) and other design features. The exact size, configuration and conveyance will be determined through the development applications.
5. Direct and safe connections for all modes of travel should be provided between the future District Park at the southwest corner of Fischer Hallman Road and Huron Road and adjacent neighbourhoods.

6. In addition to the provision of public parks (neighbourhood parks and urban greens), private amenity/recreation space should also be provided through development applications, particularly for lands designated from Low Density Residential 2 to High Density Residential and Mixed Use, in accordance with the guidelines in the City's Urban Design Manual.
7. For lands identified as Open Space and Natural Heritage Conservation on Map 22e) Land Use Plan that are conveyed gratuitously to the City they will not count towards the site's minimum density requirement (Floor Space Ratio) or parkland dedication land area calculations.

3. Built Form

1. A variety of built form typologies will be required. Harmonious built form typologies are encouraged within neighbourhoods to collectively establish a sense of place and neighbourhood character.
2. The built form will frame intersections and provide an attractive and defining entrance at neighbourhood and community gateways.
3. All built form typologies are encouraged to address the street in a manner that supports an active streetscape for pedestrians. Primary building entrances will be required to be oriented towards the public realm. Active ground floor uses will be encouraged in commercial and mixed use areas. Canopies and awnings as well as pedestrian-scaled lighting will be encouraged to provide pedestrian

comfort. Garbage facilities, parking, loading and service areas will be designed and oriented such that they are separated and/or screened from the public realm.

4. Along Fischer Hallman Road multiple storey buildings are encouraged and should be designed with regard for their contribution to the overall streetscape. Consideration shall be given to establishing a generally consistent street edge with subtle variations in setbacks, subtle variation of building heights, and maintaining pedestrian-friendly block lengths to promote walkability.
5. Human scale buildings will be required and be achieved through siting and orientation of a building on a lot and the distribution of building heights and massing. For large multiple residential, office or mixed use buildings this may require increased setbacks, step backs or terracing of upper storeys. Consideration of building materials and architectural articulation must have regard for maintaining a human scaled form of development.
6. Building heights and massing shall transition between the higher intensity areas along Fischer Hallman Road to the surrounding lower intensity uses in residential areas to the west and east.
7. Buildings on corner lots will be required to articulate facades on both street frontages. Buildings on corner lots shall be oriented towards the higher-order street where possible and appropriate. The potential impact of fencing should be considered.

8. Buildings at priority lot locations such as gateways, along major roads, corner sites, heritage areas, park views or at terminating vistas will be encouraged to be designed as landmarks, with architectural innovation and quality urban design that reflects the community character. The incorporation of public art will be strongly encouraged at these locations.
9. The built form near Bleams Road and the Isaiah Drive extension will be appropriately designed to take advantage of the view to the entire City.
10. The built form in close proximity to the lands designated Natural Heritage Conservation and/or Open Space will be designed to be sensitive and complimentary to these areas, and maintain and create opportunities of views and vistas to these areas, where appropriate.
11. Variation and excellence in building design, including architectural features, building materials, style, colour and other individual design elements, will be expected for each block of land and will be reviewed through development applications and building elevations.
12. Continuous, blank facades will not be permitted. The City may regulate ground floor facades, window openings, entrances and outdoor patio areas.
13. Built form policies may be further defined and implemented through the City's Zoning By-law. Additional design guidelines and standards will be contained in the Urban Design Manual.

4. Streetscapes

1. Streetscapes throughout the Rosenberg Community are important components of the public realm. Streetscapes will be designed to enhance community character and sense of place.
2. Development throughout the Rosenberg Community shall be encouraged to create a sense of identity and place through the use of various means including unique building typologies, architectural design treatments, building materials, decorative lighting, decorative street signs, boulevard treatments, gateway features and landscaping elements.
3. A high quality public realm throughout Rosenberg streetscapes will be achieved by coordinating the design of individual site elements, the overall transportation network and individual development applications along the streetscape. A Streetscape Master Plan will be prepared for the Priority Streets within the Rosenberg Community.
4. Priority Streets within the Rosenberg Community will be appropriately designed and planned for by creating terminating views, through the use of a comprehensive landscaping and lighting approach and through the use of architectural detail on priority lots.
5. Backlotting along Priority Streets will be prohibited. Where possible, corner lots shall have their primary frontage oriented towards the higher-order street.
6. A mix of lot frontage along all street blocks will be encouraged. Small lot frontages are best located in close proximity to neighbourhood park spaces. Long blocks of similar lot

frontages and/or concentrations of small lot frontages in any area of the Rosenberg Community will be discouraged.

7. Consideration will be given to the location, orientation and design of Priority Lots as identified in the City's Urban Design Manual.
8. Residential streetscapes shall be designed to ensure the provision of sufficient on-street parking through creative design solutions such as varying housing types and lotting patterns.
9. The use of public and/or private rear lanes, where feasible, may be considered in limited circumstances in order to meet planning objectives for streetscape, built form, on-street parking and reduce conflicts between multi-use pathways, driveways and transit.
10. The primary function of the Fischer Hallman Road corridor within the Rosenberg Community for streetscape is as a central spine and focal point for commercial activity, higher densities and transit-supportive mixed use development. Its secondary function is as a Primary Arterial Road designed to provide efficient pedestrian, bicycle, transit and vehicular movement throughout the transportation network.
11. Fischer Hallman Road shall be designed to be more pedestrian friendly through various means, including human scale massing of built form along the street, active uses at grade, pedestrian-scaled lighting, landscape treatments and street furniture. A comprehensive approach to planning for these and

other streetscape elements will be incorporated in the Conceptual Streetscape Master Plan for the Fischer-Hallman Road Corridor.

12. Activity at neighbourhood gateway intersections along Fischer Hallman Road shall be designed and developed with a "Main Street" approach, through building orientation, animation of the public space in front of a building, provision of adequate places for people to gather and interact and appropriate landscaping elements. These areas may serve as a transition from higher densities along Fischer Hallman Road to lower densities internal to neighbourhoods. Development at these locations shall be encouraged to provide active street uses at the street level which will contribute to street life, activity and vitality; maximize the amount of sidewalk width available for outdoor retailing, restaurant patios, and informal gathering places. Surface parking and other site servicing requirements may be accommodated only in rear or interior side yards at these locations.
13. Shared or coordinated site elements (including site accesses, parking) among adjacent properties along a streetscape may be considered where appropriate and/or necessary to achieve the intended planned function.
14. For commercial buildings the use of canopies and awnings to provide the pedestrian comfort and shelter will be encouraged.
15. The use of public art and public water features, where appropriate, will be incorporated into street and site design.

16. Future road design and construction projects within the Rosenberg Community shall be coordinated to ensure that streetscape design is consistent with all applicable policies of this Rosenberg Secondary Plan (including, but not limited to, the transportation, built form, streetscape and land use policies herein).

13.10.2.3 Community Infrastructure

1. Objectives

1. To provide the necessary community infrastructure generally in accordance with the Kitchener Growth Management Plan (KGMP) and Capital Budget Process and to coordinate with the timing of development.
2. To locate elementary schools centrally so that they are accessible and walkable to each neighbourhood.
3. To encourage community facilities such as community centres, branch libraries in a central location close to where people live.
4. To encourage the pairing and shared use of multiple community-based infrastructure facilities where possible in order to maximize efficiencies.
5. To provide places suitable for community programs, arts and culture and religious gatherings.

2. Policies

1. Community infrastructure such as schools or community centres will be integrated within the community, preferably at landmark locations, and may serve as focal or destination points within a neighbourhood.
2. The City will work with the school boards to ensure that elementary school locations,

land use, subdivision design, building design and transportation connectivity allow as many children as possible within a given neighbourhood to walk or cycle to school.

3. A potential Community Centre and Branch Library facility may be located in the neighbourhood south of Bleams Road and west of Fischer Hallman Road, generally near the intersection of Rosenberg Way and Abram Clemens Street, and as shown on Map 22e) Land Use Plan. The location will be within walking distance of a Fischer Hallman Road transit route and is intended to be an important destination along a north-south community linkage. Should such facilities not be required in this location, a Neighbourhood Park will be provided.
4. A potential small-scale Community Centre or like facility may be considered for the Mixed Use area south of Huron Road and east of Fischer Hallman Road.

13.10.2.4 Natural Environment

1. Objectives

1. To conserve Provincially, Regionally and Locally Significant Natural Heritage Features and to not permit development within these areas.
2. To create a linked natural heritage and open space system to achieve ecological and recreational objectives respectively.
3. To implement the recommendations of the Alder Creek Watershed Study and Upper Strasburg Creek Subwatershed Plan Update (CH2MHILL, 2008), Strasburg Creek Master Watershed Plan (Paragon, 1991) and Implementation Report (City of Kitchener, 1996) and the Middle Strasburg Creek

Environmental Implementation Statement (Stanley Consulting, 1997) as well as relevant documentation completed through the Southwest Urban Area Studies: Community Master Plan and Rosenberg Secondary Plan where appropriate.

2. Policies

1. *Natural Heritage System*

1. A natural heritage system of Core Areas and Non-Core Areas including Provincially Significant Wetlands, Regionally Significant Core Environmental Features, Significant Habitat of Endangered or Threatened Species, Locally Significant Woodlands, Locally Significant Wetlands and Locally Significant Valleylands will be established and conserved. The extent of these features and their buffers (development setback limits) are generally shown on Map 22f) and are designated Natural Heritage Conservation and/or Open Space on Map 22e).

2. As recommended in the guiding documents identified in Objective 4.1.3, the City, Region and Grand River Conservation Authority will require the following:

i) For lands west of Fischer Hallman Road,

a) Generally, a minimum of 30 metre buffer (development setback limits) from Core Areas identified in the Alder Creek Watershed Study and Upper Strasburg Creek Subwatershed Plan Update (CH2MHILL, 2008) and as shown on Map 22f;

b) Generally, a minimum of 30 metre buffer (development setback limits) from Non-Core Areas identified in the Alder Creek Watershed Study and Upper Strasburg Creek Subwatershed Plan Update (CH2MHILL, 2008) and as shown on Map 22f unless otherwise approved through an EIS at the time of development applications.

ii) For lands east of Fischer Hallman Road,

a) The buffer requirements will be in accordance with the Middle Strasburg Creek Environmental Impact Statement (Stanley Consulting, 1997) and will be further confirmed through an Environmental Implementation Report (EIR) as required by the Strasburg Creek Master Watershed Plan (Paragon, 1991) and Implementation Report (City of Kitchener, 1996) and consistent with the requirements of a scoped EIS to the satisfaction of the City, Region, Grand River Conservation Authority and/or Province at the time of development applications.

3. Any proponent of development that includes, or is adjacent to, a natural heritage feature will prepare an Environmental Impact Study (EIS) to the satisfaction of the City, Region, Grand River Conservation Authority and/or Province. The EIS will include the final surveyed limit of the features of the natural heritage system and the associated buffer (development setback

limits) will be confirmed. This shall not require an amendment to this Plan.

4. The Alder Creek Watershed Study and Upper Strasburg Creek Subwatershed Plan Update (CH2MHILL, 2008) and the Southwest Urban Area Studies: Community Plan recommends specific linkages between and among key natural heritage features within the community. The general location of these linkage corridors are shown on Map 22f). The specific location, width and optimal habitat characteristics will be determined through the completion of a scoped EIS at the time of development applications. The identification/ confirmation of these linkage corridors will not require an amendment to this plan.
5. Other natural heritage features may exist that are not designated Natural Heritage Conservation or Open Space within the Rosenberg Secondary Plan. At the time of development applications, the City, Region, Grand River Conservation Authority and/or Province will determine if an EIR/EIS is required. Any natural heritage features that are recommended for conservation shall be implemented through the development review process and will not require amendment to this plan.
6. Development and site alteration will be subject to regulation under the Ontario Conservation Authorities Act.

2. Significant Habitat of Endangered and Threatened Species

1. Significant Habitat of Endangered and Threatened Species is not specifically identified on the schedules of this Plan in order to protect such species and

their habitat. Significant Habitat of Endangered and Threatened Species identified within the Rosenberg Community has been assigned either a Natural Heritage Conservation and/or Open Space land use designation as appropriate.

2. At the time of the approval of these policies, studies to determine the presence of endangered and threatened species listed under Ontario Regulation 230/08 of the Ontario Endangered Species Act (2007) have yet to be completed to the satisfaction of the Ministry of Natural Resources (MNR) for the lands identified as Special Policy Area 3. Prior to the approval of any development applications or site alteration applicable to the lands identified as Special Policy Area 3, a bio-physical survey for such areas or phases of development within the Special Policy Area as are determined reasonable by the MNR, must be undertaken to determine the extent of the significant habitat, if any, for Endangered and Threatened Species to the satisfaction of the MNR, the Region and the City. Such a survey must be undertaken in a year where activities on the lands subject to Special Policy Area 3 have been limited to normal farming practices or activities authorized through a licence previously granted under the Aggregate Resources Act.
3. Development or site alteration will not be permitted within Significant Habitat of Endangered and Threatened Species unless a permit authorizing such activities is issued by the Ministry of Natural Resources.

4. It is recognized that any survey undertaken in accordance with Policy 4.2.2.2 above may prohibit, restrict or alter the future use of land otherwise designated for urban development in accordance with the policies and mapping of this Plan. Any changes to land use designations and/or road network or other infrastructure resulting from the studies undertaken in accordance with Policy 4.2.2.2 above will be implemented as appropriate by amendment to this Plan.

13.10.2.5 Water Management

1. Objectives

1. To implement a groundwater infiltration strategy that meets or exceeds the groundwater infiltration targets as identified in the Upper Strasburg Creek Subwatershed Plan Update and Alder Creek Watershed Study (CH2MHILL, 2008) and any updates through the Southwest Urban Area Studies: Community Master Plan and Secondary Plan.
 2. To develop comprehensive stormwater management strategies that implement the water management recommendations of the Upper Strasburg Creek Subwatershed Plan Update and Alder Creek Watershed Study (CH2MHILL, 2008) and the Strasburg Creek Master Watershed Plan (Paragon, 1991) and updates through the Southwest Urban Area Studies: Community Master Plan and Secondary Plan process.
 3. To conserve the function of significant groundwater recharge areas in order to enhance our municipal water supply.
 4. To minimize chloride infiltration into the groundwater system.
5. To prevent increased erosion of Strasburg and Alder Creeks.
 6. To relate the water management for lands north of the Williamsburg Cemetery to the Upper Strasburg Creek Class Environmental Assessment (CH2MHILL, 2008) and the Strasburg Creek Flood Control Environment Assessment (Stantec).

2. Policies

1. Development shall comply with the recommendations made in the Upper Strasburg Creek Subwatershed Plan Update and Alder Creek Watershed Study (CH2MHILL, 2008) and Strasburg Creek Master Watershed Plan (Paragon, 1991) and Implementation Report (City of Kitchener, 1996) and the documentation completed through the Southwest Urban Area Studies: Community Master Plan and Rosenberg Secondary Plan, including the AMEC Technical Memo revised July 18, 2011 with respect to servicing, storm water management, including water quality, quantity and temperature and water balance, and environmental protection within the Rosenberg Community and affected downstream lands. The City will also encourage other parties to undertake whatever actions are within their jurisdiction to implement the (sub)watershed plan(s).
2. Stormwater management facilities are not shown as a land use on Map 22e) Land Use Plan but may be permitted within any land use designation, except for Natural Heritage Conservation. Portions of stormwater management facilities may only be considered within the buffer area of the Natural Heritage Conservation land use designation subject to the satisfaction of the City, in consultation with the GRCA and/or

Region. Stormwater Management Facilities are conceptually shown on Map 22f.

3. Stormwater management facilities will be provided in accordance with the recommendations of the Alder Creek Watershed Study and Upper Strasburg Creek Subwatershed Plan Update (CH2MHILL, 2008), the Southwest Urban Area Studies: Community Master Plan and Secondary Plan and related documentation including the AMEC Technical Memo revised July 18, 2011, Upper Strasburg Creek Class Environmental Assessment (CH2MHILL, 2008) and the Strasburg Creek Flood Control Environment Assessment (Stantec) and where required, will be subject to an Environmental Impact Study (EIS) and any other required technical documentation to the satisfaction of the City, in consultation with the Grand River Conservation Authority and the Region of Waterloo.
4. Development shall implement the Flood Control recommendations from the above noted Plans and Studies as modified or refined through the Strasburg Creek Flood Control Environmental Assessment (Stantec).
5. The City of Kitchener shall complete the Strasburg Creek Flood Control Environmental Assessment (Stantec) prior to development approvals for lands north of Williamsburg Cemetery and recommendations made as part of the environmental assessment may impact development applications within the affected study area.
6. That the existing culvert at Fischer Hallman Road and Upper Strasburg Creek be replaced prior to any development upstream of Fischer Hallman Road south of Bleams Road in accordance with the

approved Upper Strasburg Creek Class Environmental Assessment (CH2MHILL, 2008) or any updates from the Strasburg Creek Flood Control Environment Assessment (Stantec). Construction is intended to coincide with other works in the area to minimize disturbance to the creek.

7. To conserve the significant recharge areas identified in the Alder Creek Watershed Study and Upper Strasburg Creek Subwatershed Plan Update (CH2MHILL, 2008) and to minimize any negative impacts of development adjacent to these areas, groundwater infiltration facilities will be required and combined with stormwater management facilities within lands south of Bleams Road and generally west of Street B designated as Open Space on Map 22e) Land Use Plan. Refinements to these areas will occur through detailed design at the development application stage and these lands will be dedicated to the municipality as part of the development approval process. Alterations to these areas will be subject to additional hydro-geological and/or other related studies including groundwater modelling as deemed appropriate by the Region of Waterloo and the City in consultation with the Grand River Conservation Authority. Minor alterations will not require an amendment to this plan.
8. In order to ensure that infiltration targets are being realized post development, the City will require monitoring of the groundwater recharge areas and related infiltration facilities for a period of at least two years after development. The results of the monitoring will be shared with the Region of Waterloo and compared against the recommended targets of the subwatershed study. Where infiltration targets are not being achieved, the City, in

consultation with the Region, may require additional monitoring for a period of 2 more years prior to considering the registration of additional subdivision stages.

9. Chloride Impact Assessments will be required at the development application stage and refinements will be made to the detailed design of water management facilities to ensure development can occur with chloride loading to groundwater within Provincially accepted Reasonable Use Concept water quality guidelines. In addition, the City through consultation with the Region and the GRCA may consider allowing the use of winter stormwater bypass, so long as it is demonstrated in technical studies submitted with development applications that groundwater infiltration targets can continue to be achieved and a satisfactory fluvial geomorphologic study determines that there will be no significant impact to the fluvial regime of Strasburg or Alder Creeks, as recommended in the and Alder Creek Watershed Study and Upper Strasburg Creek Subwatershed Plan Update (CH2MHILL, 2008) and further addressed through the Southwest Urban Area Studies: Community Master Plan and Secondary Plan.
10. The City shall minimize the amount of chloride infiltration into the ground water through best management practices when applying salt to streets during winter months.
11. For areas west of Fischer Hallman Road and south of Bleams Road the Regional storm flow has to be controlled to existing conditions as per the Alder Creek Watershed Study and Upper Strasburg Creek Subwatershed Plan Update (CH2MHILL, 2008) and updates through the

Southwest Urban Area Studies: Community Master Plan and Secondary Plan including the AMEC Technical Memo revised July 18, 2011, unless an alternative flood control solution is approved through the Strasburg Creek Flood Control Environmental Assessment (Stantec).

12. An emergency overflow route for stormwater, a piped outlet and winter bypass system will be provided over lands south of Bleams Road between Street "B" and Fischer Hallman Road for lands west of Street "B" in accordance with the Stormwater Management Strategy (AMEC Technical Memo revised July 18, 2011). The final configuration shall be confirmed through development applications to the satisfaction of the City, in consultation with the Region and GRCA.
13. A 20% contingency plan for "at source" and "end of pipe" infiltration must be submitted with development applications to the satisfaction of the City, Region and GRCA.
14. Development applications within Regional Recharge Areas will be regulated in accordance with the Regional Official (Policies) Plan.

13.10.2.6 Sustainable Development / Energy / Air Quality

1. Objectives

1. To incorporate and promote sustainable development practices and initiatives.
2. To support and maintain a healthy city.
3. To encourage energy efficiencies in community design and to achieve, where appropriate, more sustainable living practices.

4. To encourage development in the Rosenberg Community to implement efficient and effective methods of providing energy. This could be achieved through the incorporation of renewable energy resources, district energy systems, neighbourhood and building design techniques or other innovative initiatives.

2. Policies

1. The City will promote development that strives to be sustainable by encouraging, supporting and, where appropriate, requiring:
 - i. Compact development and efficient built form;
 - ii. Transit supportive development and redevelopment and the greater use of active modes of transportation such as cycling and walking;
 - iii. Environmentally responsible design and construction practices;
 - iv. The integration, protection and enhancement of natural features and landscapes into building and site design; and,
 - v. The reduction of resource consumption associated with development.
2. The City will encourage and support, where feasible and appropriate, Alternative Energy Systems, Renewable Energy Systems and district energy to accommodate current and projected needs of energy consumption.
3. The City will use plans and strategies to help guide development and redevelopment to meet sustainable development goals, such as those contained within the Kitchener Growth Management Strategy and related growth management plans, the Transportation Master Plan, and the Urban Design Manual.

4. The City will develop and implement sustainable development design standards for all development, redevelopment, building renovation and infrastructure, to be integrated into the Urban Design Manual.
5. The City will encourage at the development application stage, the reduction of energy and residential combustion emissions through a range of approaches including the development of R-2000 homes and similar commercial construction standards such as LEED or other similar published standards, the incorporation of Energy Star appliances, the physical layout of the plan having regard to energy conservation, and buildings powered by renewable energy sources, both passive and active. This may include incentives offered through the City's Energy and Water Efficiency for Land and Buildings Community Improvement Plan.
6. On a site specific basis, certain techniques such as the use of roof top gardens and the re-use of grey water will be encouraged provided that groundwater infiltration targets are not compromised.

13.10.2.7 Cultural Heritage

1. Objectives

1. To appropriately conserve cultural heritage resources.
2. To ensure that all development is sensitive to and respects cultural heritage resources.

2. Policies

1. The cultural heritage resources identified in the Southwest Community Master Plan: Cultural Heritage Background Study (Nancy Tausky, 2010) and shown on Map 22b)

Cultural Heritage Resources will be conserved.

2. Development on or adjacent to a cultural heritage resource will require a Heritage Impact Assessment (HIA). The HIA shall be completed in accordance with the City of Kitchener Heritage Impact Assessment Terms of Reference and will recommend an appropriate conservation strategy for the cultural heritage resource.
3. Development on or adjacent to a cultural heritage resource will require a Conservation Plan (CP). The CP shall be completed in accordance with the City of Kitchener Conservation Plan Terms of Reference and will recommend appropriate conservation measures and work for the cultural heritage resource.
4. The City may require a Conservation Easement to ensure the long term conservation of a cultural heritage resource.
5. The City will ensure that new neighbourhoods are designed and planned to ensure that views and vistas of Kitchener's significant cultural heritage resources are created, maintained and enhanced where appropriate.
6. Development applications will confirm the need for additional Archaeological Assessment requirements with the Region and Province.
7. Developments or municipal works on the southwest and southeast corners of Bleams Road and Fischer Hallman Road may be requested to include interpretive historical signage regarding the former Village of Williamsburg.

13.10.2.8 Transportation Networks

1. Objectives

1. To promote walkability.
2. To create efficient and interconnected circulation routes.
3. To achieve transit-supportive development.
4. To provide for a transportation network that is based on a modified grid pattern with short walkable blocks within 450 metres of transit service.
5. To create a connected transportation system that promotes safe and efficient circulation.
6. The City will require the development of a transportation network that gives consideration to all forms of travel including walking, cycling, public transit and the automobile.
7. To establish safe, well connected pedestrian movement systems along with the appropriate distribution of land uses so that automobile reliance is not necessary to meet the recreational, shopping or employment needs of daily life of the residents of the Rosenberg Community.
8. To provide an off road cycling and pedestrian trail system within the Rosenberg Community which meets the requirements of the Multi-use Pathway Master Plan and Cycling Master Plan and that is well integrated with the existing trail network outside of the community.
9. To identify potential transit routes through the community and orient uses and density that will support transit.
10. To optimize transit ridership by improving pedestrian connectivity, locating buildings closer to the street near transit stops, and

orienting land use and densities directly to the planned transit routes.

11. To provide a land use pattern and transportation system that over time can achieve a modal travel split that is close to 25% of trips via transit.
12. To provide additional transportation routes options, other than Fischer Hallman Road, for internal route options and connectivity.

2. Policies

1. Future road design and construction projects within the Rosenberg Community shall be coordinated to ensure that the transportation network is consistent with all applicable policies of this Rosenberg Secondary Plan (including, but not limited to the transportation, built form, streetscape and land use policies herein).
2. The planning, design and construction of all roads and walkways within the Rosenberg Community have regard to the conservation of significant natural and cultural heritage features and contribution to the overall streetscape design.
3. The street network should be designed to achieve short block lengths and consider the creation of terminating views, vistas and other focal points.
4. Alternative right-of-way designs may be considered where appropriate by the City in order to achieve desired planning objectives.
5. That a North-South Major Collector Road that is parallel to Fischer Hallman Road be provided (Amand Drive). All portions of Amand Drive located within the Rosenberg Secondary Plan will form part of, and/or be

conveyed through, development applications. Portions of Amand Drive that are outside of any development applications may require a Class Environmental Assessment. Mitigation methods for wildlife movement will be investigated at final design.

6. That an East-West Major Collector Road that is parallel to Bleams Road be provided (Rosenberg Way). Any Class Environmental Assessment that may be required should be coordinated with development applications.
7. The design of the transportation network will give consideration to all forms of travel including walking, cycling, public transit and the automobile through measures such as:
 - i. The creation of a modified-grid street network with short walk-able blocks (generally not to exceed 250m in length) within 450 metres of transit service;
 - ii. The use of site planning and urban design techniques that foster attractive and safe pedestrian-friendly streetscapes and built form;
 - iii. The provision of continuous pedestrian systems (sidewalks) and linkages to community trails, transit routes, arterial streets, and planned commercial and employment areas; and
 - iv. Minimizing walking distances between housing, schools, planned commercial areas, transit stops, parks, and other community amenities.
 - v. The provision of multi-use pathways including cycling facilities, improved public and private pedestrian

- amenities, well planted greenways, and uses which encourage walking.
8. That the design of Arterial and Collector Roads consider the need for cycling and pedestrian facilities, on-street parking, cycling lanes, pedestrian-scale lighting, pedestrian-scale signage, barrier-free accessibility, street furnishings, boulevard and median landscaping, mid-block crossings, pedestrian refuge, traffic calming and transit facilities.
 9. Development along Arterial and Collector Roads shall be “street-facing”, meaning that parcels will be front-lotted and buildings will have primary facades and entrances oriented towards the public realm.
 10. The implementation of Transportation Demand Management measures shall be considered as part of every application for new development or redevelopment within the Secondary Plan area.
 11. Development will be transit-supportive and transit-oriented.
 12. Potential Multi-use Pathways/Trails are conceptually shown on Map 22c) Transportation Networks and final alignments will be subject to further technical review and may change without an amendment to this plan.
 13. That the Ontario Hydro corridor be conveyed to the City and utilized as open space and/or community trail purposes or those stipulated in Part 2, Policy 9.2.5.
 14. That the high-pressure Gas Easement be conveyed to the City and utilized as part of a road right-way, trail or park/open space purposes.
 15. That a safe pedestrian/cyclist connection across Fischer Hallman Road be provided near the Ontario Hydro corridor, which may include the use of refuge islands and/or pedestrian signals.
 16. The City will encourage the use of landscaped centre medians at neighbourhood gateways, where appropriate.
 17. Neighbourhoods within the Rosenberg community will be connected through streets and trails to each other and to surrounding communities.
 18. The City may consider the use of laneways, in limited circumstances and where appropriate. Private and condominium laneways are strongly preferred. Public laneways may be possible in appropriate locations along the Fischer Hallman Road corridor and Major Collector Roads
 19. Pedestrian and cyclist routes should be linked to community infrastructure, parks and other destinations such as places of work and business in order to promote an alternative to the use of the automobile.
 20. Priority Streets are identified on Map 22d) Priority Streets and will be designed, including adjacent land uses, to achieve the objectives of this Secondary Plan and in accordance with the City’s Urban Design Manual.
 21. Development applications may be required to provide Transportation Impact Studies to the satisfaction of the City and Region to confirm that the proposed development has sufficient means of access and egress and to confirm the impacts and requirements for any transportation network improvements.

13.10.2.9 Servicing and Utilities

1. Objectives

1. To ensure that the provision of municipal servicing and utilities are considered in combination with the planned land uses and densities.
2. To ensure that municipal servicing and utilities are planned for and provided in an efficient and cost-effective manner, including consideration of long-term operations.
3. To plan and coordinate services and utilities in a manner that achieves the City of Kitchener's servicing objectives.

2. Policies

1. All new development will be serviced by municipal water, wastewater and storm facilities. Generally, temporary or permanent wastewater pumping stations will be discouraged and would not be financially supported by the City.
2. Wastewater drainage and available capacity for lands within the Rosenberg Community will be determined by the City's Engineering Services, in accordance with the Sanitary Servicing Overview (2011).
3. Portions of the high pressure gas pipeline that runs north/south through the community may be relocated, in consultation with the utility company, to coincide with the proposed street pattern. Appropriate setbacks to adjacent buildings required by the utility company will be implemented through development applications.
4. The Region of Waterloo will confirm the pressure zone boundary between Zone 5 and 6 within the Rosenberg Community and

recommend how to establish primary looping within the community. Detailed analysis of the water distribution system will be required as part of development applications to the satisfaction of the Region of Waterloo and the City.

5. That with the approval of the hydro company, the local electrical utility and the City of Kitchener, the hydro right-of-way may be used in conjunction with adjacent land uses.

13.10.2.10 Noise

1. Objectives

1. To minimize noise impacts from known or suspected noise generators such as arterial roads and gravel extraction operations on surrounding residential uses and other sensitive land uses.
2. To restrict the use of land so as to prohibit new land uses that are known high noise generators.

2. Policies

1. That Fischer Hallman Road, Bleams Road, Trussler and Huron Roads and the traffic generating from these roads as well as the gravel extraction operations existing along Bleams and Huron Roads and any potential gravel extraction operations within or adjacent to the Secondary Plan area be recognized as uses that have the potential to be significant noise generators. Proponents of new residential development along these corridors or within 300 metres of these existing or potential extraction operations will be responsible for assessing future noise impacts and if necessary for ensuring that any required noise attenuation measures are incorporated into the development proposal through site

design, grading, built form materials and/or development timing that is phased appropriately with the sequencing of extraction.

2. That passive noise control measures such as subdivision and site design, building setbacks, architectural design, and noise warning clauses be used in attenuating noise impacts in accordance with the Preliminary Noise Assessment (HGC Consultants, June 2011) and Regional and City policy and guidelines.

13.10.2.11 Aggregate Resources

1. Objectives

1. To ensure that existing aggregate resource areas are appropriately rehabilitated and incorporated into the design of the community.

2. Policies

1. The rehabilitation of aggregate extraction areas will incorporate recommendations from the Alder Creek Watershed Study and Upper Strasburg Subwatershed Study Update, the Southwest Urban Area Studies: Community Master Plan and the Rosenberg Secondary Plan process including the AMEC Technical Memo revised July 18, 2011. It is recognized that rehabilitation of aggregate extraction areas are required in order to implement the Rosenberg Secondary Plan.
2. It is recognized that extraction operations have occurred at 186 Gehl Place in close proximity to the Core Natural Area (woodlot at south east corner of property). In addition to Part 2 Policy 4.2.1.2 and Part 3 Policy 5.4.2 it is acknowledged that grading works will be necessary to establish an appropriate new slope within any buffer to that Core Natural Area to implement the

Rosenberg Secondary Plan. Such works would require an approved EIS and Hydrogeological Study and/or other studies to the satisfaction of the City, Region, GRCA and /or Province. In order to implement the Medium Density Residential One land use designation on the north side of the Core Natural Area as shown on Map 22e, a conservation easement may be required to reflect the remainder of the buffer to the Core Natural Area.

13.10.3 Land Use Policies

13.10.3.1 General Objectives

1. To deliver a range of land uses that will allow residents the opportunity to live, work and play within the community.
2. To establish a mixture of uses and compact urban form along Fischer Hallman Road (including higher residential densities, office, and commercial uses) to achieve a number of planning objectives, including supporting transit.
3. To provide a full range of dwelling types, including the provision of special needs housing.
4. To provide flexible living arrangements, including secondary dwelling units throughout the community where appropriate.
5. To increase opportunities for locating jobs in close proximity to residential uses by providing for diversity in permitted uses along Fischer Hallman Road and, at a lower scale, within neighbourhoods (including live/work, flexible home business and small mixed use sites).
6. To develop a land use pattern that provides opportunities for increased pedestrian, cyclist, and transit modes of travel.

7. To allow for the compatible integration of residential and non-residential uses within a site and within the community.
8. To encourage the transition of scale from higher intensity (i.e. greater height and massing) along Fischer Hallman Road to lower intensity uses in residential neighbourhoods to the west and east.
9. To locate transit-supportive land uses along potential transit routes that are internal to the community.
10. To create opportunities for neighbourhood-scale mixed use at neighbourhood gateway locations.
11. To integrate community infrastructure/institutional uses at locations that are accessible and central within the neighbourhoods.
12. To provide for residential land uses immediately near school sites that are more likely to have housing types that will continue to generate pupils over time.
13. To designate significant environmental features and areas to conserve in order to achieve natural heritage conservation objectives.
14. To designate parks in key locations that are visible and central to neighbourhoods.
15. To designate lands uses within the Rosenberg Secondary Plan in accordance with Map 22e) Land Use Plan.

13.10.3.2 Mixed Use Land Use Designations

1. General Policies

1. Mixed Use land use designations will permit a range of non-residential and medium and

high density residential uses in a compact urban form.

2. To achieve the planned function of Mixed Use areas, the zoning of individual sites within a Mixed Use land use designation may not allow the full range of permitted uses or the full extent of development intensity at every location based on context and site specific factors. To ensure that collectively the individual properties within a Mixed Use area will achieve the intended mix of uses for the context of the Mixed Use area, a minimum amount of commercial floor space or a minimum amount of residential floor space desired may be required within the Mixed Use area.
3. The City may impose maximum gross floor area limits on non-residential development, including limiting the gross floor area of individual non-residential outlets (including food store) as well the combined total gross floor area of non-residential outlets, in the Zoning By-law to ensure that the uses are appropriately scaled for the planned function of the Mixed Use area and community.
4. Individual properties may be zoned to discourage or prohibit uses that would negatively affect the planned density and/or function of the Mixed Use area, such as:
 - i. Car washes;
 - ii. Commercial parking facilities;
 - iii. Automobile service stations;
 - iv. Gas bars within 250m of an intersection;
 - v. Sale, rental, service, storage or repair of motor vehicles, major recreational equipment and parts and accessories for motor vehicles or major recreational equipment;
 - vi. Funeral homes;

- vii. The full range of industrial uses;
- viii. Low density residential uses;
- ix. Major institutional uses; and
- x. Drive throughs.

Provided however, individual properties shall not be zoned to discourage or prohibit Car washes, Commercial Parking Facilities, Major institutional uses or Drive throughs where the intent of this Secondary Plan regarding building form, streetscapes and intensification can otherwise be preserved.

- 5. The minimum Floor Space Ratio will be 0.6 and the maximum will be 2.0 to encourage a greater density in the Mixed Use areas than the surrounding neighbourhoods.
- 6. Lands designated Mixed Use will be allowed to achieve the required density range through a “phased-in” approach. A site-specific master plan or site plan may be required that illustrates a plan that achieves the minimum Floor Space Ratio upon full build-out.
- 7. The City will regulate building and façade heights through the Zoning By-law.
- 8. To achieve transit supportive development that enhances the public realm, the city may:
 - i. Require that a portion of the building mass as well as primary facades and building entrances be oriented towards the public realm by permitting maximum front yard setbacks and façade design policies, guidelines and zoning regulations;
 - ii. Strongly encourage the location of active uses such as retail and restaurants at the street level by imposing zoning regulations for specific uses;
- 9. In order to achieve a pedestrian-friendly and transit supportive community and other urban design objectives, implementing zoning by-laws may restrict drive-through facilities in certain locations. Generally, access and egress to drive-through facilities should not be located in close proximity to major intersections on major transit routes that are intended to be important focal points for pedestrian activity in close proximity to major intersections. Further, drive-through aisles and stacking lanes should not be located between a primary building facade and a roadway that is a planned transit route and important pedestrian linkage or destination. Detailed requirements and regulations will be determined through urban design guidelines, urban design briefs, implementing zoning by-laws and / or site plan approval.
- 10. To further encourage transit supportive development in the Mixed Use designation, the City will consider incentives for Mixed Use properties within 450m of a transit stop on Fischer Hallman Road such as:
 - i. Reducing parking requirements; and
 - ii. Permitting shared parking arrangements between permitted uses where appropriate, provided that a Transportation Demand Management Plan has been accepted by the City and Region.

2. Mixed Use 1

1. Lands designated Mixed Use 1 are generally intended to provide a minimum amount of small-scale commercial uses at neighbourhood gateway locations supplemented with multiple residential and other non-residential uses.
2. Permitted non-residential, neighbourhood-oriented uses may include the following:
 - i. Retail, but not including Major Retail
 - ii. Office, but not including Major Office
 - iii. Financial establishments, personal services and/or restaurants in a plaza or mixed-use building
 - iv. Health-related uses, such as health offices and clinics
 - v. Studios
 - vi. Craftsman shop
 - vii. Education establishments, day care, religious institutions and museum up to 25% of a building
3. Permitted residential uses may include multiple dwelling units (not including cluster townhouses), lodging houses and special needs housing. The net residential density range will generally be 26 to 200 units per hectare.
4. Purpose-built live/work units may also be permitted along with expanded home business provisions.
5. Building heights will be encouraged to be between 2 and 5 storeys and may be further regulated through the Zoning By-law.

3. Mixed Use 2

1. Lands designated Mixed Use 2 are generally intended to provide commercial and office uses that serve the entire Rosenberg

Community and adjacent Planning Communities, along with residential that is at higher densities than the surrounding area while achieving a built form that is compatible, accessible, safe and efficient for all modes of travel.

2. Permitted non-residential, community uses may include the following:
 - i. Retail, including Major Retail
 - ii. Office, but not including Major Office
 - iii. Commercial entertainment
 - iv. Financial establishments
 - v. Personal services
 - vi. Restaurants
 - vii. Health-related uses, such as health offices and clinics
 - viii. Studios
 - ix. Other appropriate commercial uses
 - x. Education establishments, day care, religious institutions and museum up to 25% of a building
3. Permitted residential uses may include multiple dwelling units (not including cluster townhouses), lodging houses and special needs housing. The net residential density range will generally be 100 to 400 units per hectare.
4. Purpose-built live/work units may also be permitted along with expanded home business provisions.
5. Notwithstanding the maximum floor space ratio contained in the Mixed Use policies above, the City may permit a maximum floor space ratio of up to 4.0 in the Zoning By-law to individual properties where higher intensity development is desirable and appropriate. The following criteria will be considered as the basis for the implementing zoning:

- i. The property abuts or has direct access to an arterial or major collector road;
 - ii. The property is adequately separated from lands designated Low Density Residential 1 and 2; and
 - iii. There is adequate existing or planned infrastructure.
6. Building heights will be encouraged to be between 3 and 10 storeys and may be further regulated through the Zoning By-law. Additional building height up to a maximum of 14 storeys may be considered provided the criteria of Policy 2.3.5 above are satisfied and subject to an approved Angular Plane Analysis, Snow Deposition, Wind and Shadow Study and Elevation Drawings that illustrate the achievement of a pedestrian scale base, appropriate massing along the streetscape and compatibility with adjacent lands.

13.10.3.3 Residential Land Use Designations

1. General Policies

1. Each neighbourhood within the Rosenberg Community will be planned, designed and zoned to achieve a variety of housing types, styles and lot widths.
2. All residential land use categories will permit special needs housing with the preference for such housing to be incorporated into lands near the Fischer Hallman transit corridor.
3. Community gardens and other compatible forms of urban agriculture may be permitted in all residential areas.

2. Low Density Residential 1

1. The Low Density Residential 1 land use designation will permit single detached

dwelling, duplex dwellings, semi-detached dwellings, lodging houses and street townhouse dwellings.

2. Secondary residential dwelling units will be permitted on the same lot as a single detached dwelling where appropriate through the Zoning By-law.
3. The net density range will generally be 10 to 25 units per hectare.
4. The maximum building height will be regulated through the Zoning By-law.

3. Low Density Residential 2

1. The Low Density Residential 2 land use designation will accommodate a full range of low density housing types including single detached dwellings, duplex dwellings, semi-detached dwellings, townhouse dwellings, lodging houses and low-rise multiple dwellings.
2. Secondary residential dwelling units will be permitted on the same lot as a single detached dwelling where appropriate through the Zoning By-law.
3. The net density range will generally be 26-60 units per hectare.
4. The maximum Floor Space Ratio and building height will be regulated through the Zoning By-law.

4. Medium Density Residential 1

1. The Medium Density Residential 1 land use designation will permit a range of medium density housing types including lodging houses, townhouse and multiple dwellings.

2. The net density range will generally be 26-100 units per hectare and a maximum Floor Space Ratio of 1.0.
3. Building heights will generally range between 3-8 storeys and will be regulated through the Zoning By-law.

5. Medium Density Residential 2

1. The Medium Density Residential 2 land use designation will permit a range of medium density housing types including lodging houses, townhouse and multiple dwellings.
2. Purpose-built Live/Work units and expanded home business provisions will be permitted in appropriate locations as identified through the Zoning By-law.
3. The net density range will generally be 60-200 units per hectare and a minimum Floor Space Ratio of 0.6 and a maximum Floor Space Ratio of 2.0.
4. Building heights will generally range between 3-8 storeys and will be regulated through the Zoning By-law.

6. High Density Residential

1. The High Density Residential land use designation will primarily accommodate high density multiple dwellings to achieve a high intensity of residential use and some medium density residential uses where it is desirable to provide for a transition in density between land use designations. This may include lodging houses, townhouse and multiple dwellings.
2. The net density range will generally be 100-400 units per hectare, with a minimum Floor Space Ratio of 1.0 and a maximum Floor Space Ratio of 4.0.

3. The minimum building height will generally be 4 storeys. Provided the building is determined to be compatible with adjacent land uses, buildings and subject to an approved Snow Deposition, Wind and Shadow Study and Building Elevation Drawings that illustrate a human scale building base and no adverse impacts on adjacent residential buildings and uses, there will be no maximum building height.
4. Complementary non-residential land uses may be permitted to locate internal to a building primarily used for multiple residential purposes in this designation subject to the Zoning By-law and without an amendment to this plan.

13.10.3.4 Institutional Land Use Designations

1. Neighbourhood Institutional

1. Lands designated Neighbourhood Institutional that are not identified as a potential school site will permit educational establishments, religious institutions, community facilities, residential care facility, day care facility and Low Density Residential Two land uses.
2. Lands designated Neighbourhood Institutional that are identified as a potential school site will permit educational establishments, as well as religious institutions, community facilities and day care facility. Should a site no longer be required for a school, the site may be rezoned to also permit a residential Care facility or Low Density Residential Two land use without the necessity for an Official Plan Amendment.
3. The maximum building height will be regulated through the Zoning By-law.

13.10.3.5 Park, Open Space and Natural Heritage Land Use Designations

1. Neighbourhood Park

1. The Neighbourhood Park land use designation is intended for public parkland that generally are:
 - i. Between 1-4 hectares in size;
 - ii. Provided within 450m of most neighbourhood dwellings,
 - iii. Include active and passive recreation uses.
2. Neighbourhood Parks are generally shown on Map 22e) Land Use Plan. Minor changes to the size and location may be permitted without an amendment to this plan.

2. Urban Greens

1. Urban Greens are parkettes, commons, urban squares/plazas or linear parks that are approximately 0.2 to 1.0 hectare in size and are generally shown on Map 22e) Land Use Plan. The specific size, location and design thereof will be further defined at the development application stage. Minor changes to the size and location may be permitted without an amendment to this plan.

3. Open Space

1. The Open Space land use designation may permit the following uses:
 - i. Conservation uses;
 - ii. Cemeteries;
 - iii. Parks, parkettes, squares and open space linkages;
 - iv. Trails;
 - v. Active or passive outdoor recreational uses;
 - vi. Essential public works including essential and approved stormwater management; and

vii. Cultural heritage resource uses

2. The boundary of the Open Space designation located at the southwest corner of Fischer Hallman and Bleams Road will be delineated in consultation with the Grand River Conservation Authority (GRCA), the City and any environmental assessment related to Upper Strasburg Creek. Resulting adjustments to the Open Space boundary and surrounding land use designations can occur without an amendment to this plan.

4. Natural Heritage Conservation

1. The Natural Heritage Conservation land use designation permits conservation uses.
2. Development and /or site alteration will not be permitted on lands designated Natural Heritage Conservation as shown on Map 22e and 22f with the following exceptions:
 - i. Portions of storm water management facilities, and associated grading, may only be permitted within the minimum buffer area to a Core Area and/or Non-Core Area subject to an approved EIS to the satisfaction of the City, GRCA, Region of Waterloo and/or Province as appropriate.
 - ii. Necessary public infrastructure such as a sanitary trunk sewer as per an approved Class Environmental Assessment .
 - iii. Trails and associated grading, may only be permitted subject to the approval of and EIS to the satisfaction of the City, GRCA, Region of Waterloo and/or Province as appropriate.

13.10.3.6 Special Policy Areas

1. Special Policy Area 1

1. Notwithstanding the Mixed Use 1 land use designation on lands located on the northeast corner of Huron Road and Fischer Hallman Road (municipally addressed as 909, 929 and 945 Huron Road) only the single detached dwellings existing as of the date of approval of this plan shall be permitted and no implementing zoning shall be passed until such time as an Environmental Impact Study is completed and approved by the City that identifies the type and condition of existing vegetation, confirms the extent of any tree saving on the properties and recommends appropriate conservation methods. No development shall occur until all three properties are consolidated and a combined access location on Huron Road is determined to the satisfaction of the City.

2. Special Policy Area 2

1. Residential zoning shall not be permitted on any lands within approximately 300 m of the north property line of the gravel licensed area at 1764 Huron Road until such time as either:
 - i. The use has ceased to exist; or
 - ii. Until it can be demonstrated through the completion of detailed technical studies that there will be no adverse effects as per MOE Guideline D1 “Land Use Compatibility” and D6 “Compatibility Between Industrial Facilities and Sensitive Land Uses and related or successor documents. The noise study component should be conducted to determine the degree by which the noise emissions from a reasonable worst case operational scenario considering all permitted activities in the gravel pits may affect the proposed residential uses and provide recommendations for any mitigation measures which may be

required. This should be investigated with respect to compliance with (MOE) Guidelines LU-131, “Noise Control in Land Use Planning” and NPC-205 “Sound Level Limits for Stationary Sources of Sound in Class I and II areas (Urban) or successor documents.

3. Special Policy Area 3

1. At the time of the approval of these policies, studies to determine the presence of endangered and threatened species listed under Ontario Regulation 230/08 of the Ontario Endangered Species Act (2007) have yet to be completed to the satisfaction of the Ministry of Natural Resources (MNR) for the lands identified as Special Policy Area 3. Prior to the approval of any development applications or site alteration applicable to the lands identified as Special Policy Area 3, a bio-physical survey for such areas or phases of development within the Special Policy Area as are determined reasonable by the MNR, must be undertaken to determine the extent of the significant habitat, if any, for Endangered and Threatened Species to the satisfaction of the Ministry of Natural Resources, the Region and the City. Such a survey must be undertaken in a year where activities on the lands subject to Special Policy Area 3 have been limited to normal farming practices or activities authorized through a license previously granted under the Aggregate Resources Act.

4. Special Policy Area 4

1. The existing heritage property at 1940 Fischer Hallman Road within the Medium Density Residential Two designation may be adaptively reused for the following uses:
 - i. Residential, restaurant, museum, art gallery, personal service, health

office, craftsman shop, tourist house, day care facility, office, artisan's establishment, studio and/or educational establishment.

5. Special Policy Area 5

1. The existing heritage property at 1291 Fischer Hallman Road within the Open Space designation may be adaptively reused for the following uses:
 - i. Residential, restaurant, museum, art gallery, personal service, health office, craftsman shop, tourist house, day care facility, office, artisan's establishment, studio and/or educational establishment.

6. Special Policy Area 6

Notwithstanding the 'Mixed Use Two' land use designation and policies on lands municipally known as 1198 Fischer Hallman Road, a Floor Space Ratio (FSR) of 6.3 and a building height of 22 storeys (75 metres) will be permitted.

A Holding provision pursuant to Section 17.E.13 will apply to residential uses. The Holding provision will not be removed until such time as:

- a) An updated noise study has been completed and implementation measures addressed to the satisfaction of the Regional Municipality of Waterloo.

13.10.4 Implementation

1. The Secondary Plan shall be implemented through development applications.
2. The "Staging of Development" timing for lands within the Secondary Plan will be determined through the Kitchener Growth Management Plan

process. Generally, development will proceed from the east side of Fischer Hallman Road then westward.

3. That the provision of necessary community and engineering infrastructure in relation to the timing of development will be coordinated through and generally in accordance with the Kitchener Growth Management Plan (KGMP), the Region and City's Capital Budget Forecast and the Development Charges Study and By-law.
4. The City will require a high standard of urban design for all development, redevelopment or site alteration within the Rosenberg Secondary Plan area. Planning Act applications will be subject to the Urban Design policies contained in this Plan and subject to any other supporting documents, adopted by Council, such as the City's Urban Design Manual.
5. The City may require, as part of a complete application, a site plan, elevation drawings, 3D model, shadow study, angular plane analysis, design brief and any other appropriate plans and/or studies, to demonstrate that a proposed development or redevelopment is compatible, to address the relationship to planned and/or existing adjacent residential development and to ensure consistency and compatibility with the physical character of the overall streetscape and neighbourhood.
6. The City will prepare an Urban Design Brief for the Fischer Hallman Mixed Use Corridor. Site specific urban design briefs may be considered. The urban design brief shall be implemented through the zoning by-law and development application/site plan approval process.
7. The City may utilize the services of, or require development proponents to retain, an expert in architecture or urban design in order to review building elevations to ensure the objectives of

the Secondary Plan, Community Master Plan, Urban Design Guidelines, etc.

8. The City will discourage changes in land use that could reduce the planned density and/or compromise the planned function or intended built form of a mixed use, medium density or high density residential area.
9. Changes to street names will not require an amendment to this plan.
10. Adjustments to land use designations that are deemed minor by the Director of Planning (eg. to achieve a proper lot depth) will not require an amendment to the plan.

13.10.5 Schedules

- Map 22a Community Structure Plan
- Map 22b Cultural Heritage Resources
- Map 22c Transportation Networks
- Map 22d Priority Streets
- Map 22e Land Use Plan
- Map 22f Natural Heritage System and Water Management

(Note: OPA 92 and OPA 94 are hereby subsumed by OMB Order PL120348, dated May 13, 2013, relating to OPA 90 - Rosenberg Secondary Plan)