



Dundee Secondary Plan

Huron South
Community

Brigadoon
Community

Dundee
Secondary Plan Area

Doon South
Community

TOWNSHIP OF
NORTH DUMFRIES

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1. Introduction

Purpose

The Dundee Secondary Plan (the Plan) sets out a detailed land use planning framework to guide the long-term development of the Dundee Secondary Plan area (the Plan area).

The Plan area, approximately 460 hectares in size, is located in southwest Kitchener and includes lands generally bounded by the Huron South community in the north, New Dundee Road in the south, Doon South and Brigadoon community and Riedel Drive in the east, and Fischer Hallman Road in the west.

This Plan has been prepared as an Integrated **Environmental Assessment**, fulfilling the requirements for the **environmental assessment** and land use planning processes at the same time, in accordance with the requirements of the *Planning Act* and the *Environmental Assessment Act*. As part of this integrated process a Scoped Subwatershed Study, and Impact Assessments (Environmental, Municipal Services, Water Management, Transportation, and Cultural Heritage) were completed.

This Plan will be used to guide future development applications and infrastructure planning within the Plan area.

How to Read this Secondary Plan

This Plan forms part of the City of Kitchener Official Plan. Where there is conflict or inconsistency between a provision in the City of Kitchener Official Plan and a provision in this Plan (whether directly in the text or by reference), the provisions in this Plan will prevail.

Bolded words within the Plan are defined and included in the Glossary.

Will means the policy applies to all situations, without exception, usually in relation to a statement of action, legislative direction, or situations where a desired result is required.

Should means the policy applies to all situations, unless it can be clearly demonstrated to the satisfaction of The City that the policy is not reasonable, practical, or feasible in a given situation.

May means the policy direction is optional and not required. May statements give permission to do something rather than requiring or limiting action.

City means The Corporation of the City of Kitchener.

Kitchener or **the city** means the place or physical area of the municipality.

Council means the City Council for the City of Kitchener.

Plan means this Secondary Plan forming part of the Official Plan for the City of Kitchener.

2. Vision and Big Moves

Vision

The vision for Kitchener's newest neighbourhoods was developed together with key collaborators, the community and property owners within the Dundee Secondary Plan area and is as follows:

“The Dundee Secondary Plan will shape development through a coordinated approach addressing growth, servicing, climate change, natural environment, cultural resources and connectivity in the Dundee Secondary Plan area”

The following principles further expand on the vision and guide the big moves and policies of this Plan:

- a) Create thriving neighbourhoods, with new parks, community spaces, commercial amenities, and schools which support growth in the Plan area and adjacent communities.
- b) Be home to year-round people-centric public spaces and civic places for neighbours to gather, creating a unique destination in Southwest Kitchener.
- c) Support a transit- and active mobility-first community through a complete streets network which emphasizes access, with a broad mix of uses at appropriate densities – such that these modes are the most efficient ways to meet daily mobility needs from the first stages of **development**.
- d) Provide new housing options, including a full range of sizes, levels of **affordability**, and tenures.
- e) Minimize energy demand, implement low-carbon design and energy solutions, and improve climate resilience.
- f) Preserve and enhance the natural features and functions of the Blair and Cedar Creek Subwatersheds, integrating them into the overall community and **public realm** network.
- g) Design for economic and **infrastructure** sustainability by focusing on proximity of uses and appropriate phasing and staging of **development**, in coordination with other major **infrastructure** projects.

Big Moves

The Big Moves are grounded in a deep understanding of the area’s unique context and are informed by community input and technical analysis. They represent bold, strategic interventions and objectives that will shape the future of Kitchener’s newest neighbourhoods.

Figure 1. Big Moves for the Dundee Secondary Plan Area



Connected Living

The Plan will include a grid network of complete streets and off-road trails that prioritises mobility by **active transportation** and public transit.

This will result in a highly connected street and trail system that:

- supports safe, accessible and efficient movement of people of all ages and abilities, goods, and delivery of essential services;
- provides opportunities for and encourages walking, cycling and/or rolling; and,
- supports early introduction of transit service and provision of frequent transit services.

Integrated Living

The Plan will create an integrated **public realm** of **natural heritage features**, parks, stormwater management areas and **cultural heritage resources**.

This will result in a network of green and blue corridors that:

- protects and enhances the **natural heritage system** and promotes **compatible development** abutting the **natural heritage features**;
- provides a network of well-connected, usable and adequately sized park and public spaces;
- provides appropriate stormwater management **infrastructure** that serves multiple ecological benefits and support **water resource systems**; and,
- protects and advances conservation for **cultural heritage resources**, and archaeological resources.

Sustainable Living

The Plan will embrace innovation in how energy is generated, distributed, and consumed, reducing long-term dependence on fossil fuels.

This will advance a community that:

- reduces overall energy demand through energy-efficient buildings and **infrastructure**;

- targets zero greenhouse gases or offsets its emissions; and,
- supports energy planning and generation including, solar or **thermal networks**.

Central Living

The Plan area foster a new focus area, the ‘Dundee Urban Centre’, where people play, live, and work, and that is a destination for people to visit.

This will result in a new focus area that:

- supports higher densities and provides a mix of uses, amenities, and / or services essential for community well-being;
- supports the early introduction of public transit; and,
- fosters social interaction, promotes physical activity, and enhances the overall quality of life.

Community Living

The Plan will feature neighbourhoods with homes for everyone and focal points where people can gather, spend a morning, or access day-to-day services and amenities.

This will result in neighbourhoods that:

- include distinct and memorable areas acting as visual and social anchors for every neighbourhood;
- have a mix of uses to meet the day-to-day needs of residents and workers;
- provides a mix of housing types and tenure for all stages of life;
- support strong social interactions and reduce social isolation; and,
- achieves appropriate densities to support transit and attract amenities, services, and businesses at desirable locations.

3. Indigenous Engagement and Reconciliation

Responsibilities of the City of Kitchener

Integrating policies into municipal governance systems and facilitating meaningful relationships with First Nations and the local urban Indigenous community is one way the **City** can advance reconciliation.

The **City** acknowledges that First Nations, Métis, and Inuit have Aboriginal and treaty rights under Section 35 of the Constitution Act, 1982. We acknowledge the history, culture, and land stewardship of First Nations in what is now known as the City of Kitchener. The City of Kitchener is located on lands covered by Between the Lakes Treaty 3 (1792) between the Mississauga and the British Crown. These lands also are the subject of the Haldimand Proclamation (1784) issued by Governor Haldimand for the benefit of the Haudenosaunee. The **City** recognizes that acknowledgement is only the beginning of cultivating stronger relationships and friendships with First Nations.

This Plan seeks opportunities for collaboration and connection with the land and waters within the city, focusing on protection and conservation of the natural environment while providing opportunities for thoughtful and resilient growth throughout the city. This Plan seeks to recognize our shared history presenting a framework for relationship-building with treaty holder and other First Nations and the local urban Indigenous community. Early and ongoing engagement will ensure that this Plan achieves these objectives.

We all hold a responsibility to the Truth and Reconciliation Commission's Calls to Action, and the **City** is dedicated to continuing to work with First Nations and the local urban Indigenous community as partners and friends now and into the future.

ACKNOWLEDGING AND SUPPORTING INDIGENOUS CULTURE

The history of First Nations and the local urban Indigenous community is an important part of the city's unique heritage and culture and includes tangible and intangible or associative aspects. The **City** acknowledges Indigenous languages, cultural traditions, and practices (e.g., harvesting, ceremonies, gatherings, and events) passed down over generations and recognizes their importance.

Current cultural heritage predominantly focuses on the built environment supported by a legislative framework that mainly protects the tangible aspects of its heritage. The Ontario Heritage Act includes criteria related to historical and associative value, which are meant to recognize the intangible aspects of the heritage – aspects which do not have a physical presence such as history related to events, peoples, activities, and organizations – and cannot be seen.

The **City** acknowledges that documenting and conserving Indigenous heritage is challenging under the current cultural heritage legislative framework under which the **City** works. The **City** is dedicated to providing a foundation under which Indigenous heritage can be recognized, and where possible, conserved.

This Plan recognizes the strength of the city's cultural diversity and the importance of conserving it, and seeks to build communities in a way that promotes collaboration, connection, and meaningful conversations with Indigenous peoples.

EARLY INDIGENOUS ENGAGEMENT AND CONSULTATION

The **City** will implement this Plan in accordance with the Provincial Planning Statement. The **City** is committed to early and meaningful engagement with First Nations to facilitate knowledge-sharing and support consideration of Indigenous interests in land use planning processes. This includes:

- Maintaining a process for notification and engagement that reflects and respects their role in land use planning;
- Engaging early on land use planning matters including **development**, land use planning studies, **environmental assessments**, and policy reviews;
- Engaging and collaborating on the shared responsibility to sustain the lands, waters, and resources for the benefit of generations to come. This includes the **natural heritage system** and water resources; and,
- Engaging and considering identified interests when protecting and managing cultural heritage and archaeological resources.

4. Community Structure

The Community Structure is based on achieving the Vision and Big Moves outlined in Section 2 and the forecasted growth and density target of 84 people and jobs per hectare or a total of approximately 34,400 people and jobs by 2051.

The Community Structure, shown on Map A, outlines two elements that each play a role in shaping the future of our city and this Plan: Places to Protect and Places to Grow.

Places to Protect

GREEN AREAS

The **planned function** of Green Areas is to protect and conserve ecological and recreational features and functions.

- 4.1. **Development** will be directed away from Green Areas in accordance with the policies of this Plan.
- 4.2. Natural Heritage Conservation and Open Space will be the main land use designations that help implement the **planned function** of Green Areas.

Places to Grow

STRATEGIC GROWTH AREAS

The **planned function** of Strategic Growth Areas is to accommodate the greatest opportunities for growth and change in the city, offering a range and mix of higher densities and uses. Strategic Growth Areas will be compact and walkable, well-served by frequent transit, **infrastructure** and **community facilities** and offer high-quality services and amenities.

- 4.3. The Strategic Growth Area will:
 - a. accommodate the largest share of population and jobs in the community;
 - b. prioritize major transit and active transportation infrastructure; and,
 - c. provide a full range of shops, services, and amenities.
- 4.4. Mixed Use A, Mixed Use B, and Institutional will be the main land use designations that help implement the **planned function** of Strategic Growth Areas.
- 4.5. Any **development** that proposes to expand the boundaries of Strategic Growth Areas must address the Strategic Growth Area Expansion policies in the Implementation Section of this Plan.

NEIGHBOURHOOD GROWTH AREAS

The **planned function** of Neighbourhood Growth Areas is to accommodate modest and meaningful growth and change in all neighbourhoods in the city and offer a range and mix of uses, housing types, and amenities.

- 4.6. Neighbourhood Growth Areas will:

- a. accommodate population and jobs that contribute to achieving the average gross density in accordance with Policy 4.14.
 - b. support early transit and **active transportation**;
 - c. enable a range and mix of housing options; and,
 - d. enable a range of shops, services, and amenities.
- 4.7. Neighbourhood, Institutional, Commercial First, and Open Space will be the main land use designations that help implement the **planned function** of Neighbourhood Growth Areas.

Places to Focus

Places to Focus are areas where the **City** is planning for the collective creation of something special. They are the highest priority areas for **City** investments in placemaking and community spaces. They will be planned creatively and collaboratively to deliver the best in **built form, public realm**, nature, shops and services that Kitchener has to offer.

- 4.8. The 'Dundee Urban Centre', shown on Map A, is a Place to Focus and will serve as a destination for the Plan area and beyond.
- 4.9. The **City** will work in partnership with the community and collaborators to invest in creating and enhancing the Dundee Urban Centres' sense of place.
- 4.10. The Dundee Urban Centre will be planned to accommodate more homes, shops, services, and frequent transit.
- 4.11. **Community facilities** are encouraged to co-locate with other permitted land uses within the Dundee Urban Centre.
- 4.12. The **City** will plan the Dundee Urban Centre as a secondary destination for arts, culture, recreation, and events.
- 4.13. The **City** will explore opportunities to increase the quantity and quality of public spaces and greenspaces within the Dundee Urban Centre including through **parkland dedication**, land acquisition, and the coordination of public and publicly accessible private spaces.

Growth Management

- 4.14. In order to contribute to achieving the city-wide population and employment forecasts the Plan area will be planned to achieve an average gross density of 84 people and jobs per hectare or a total of approximately 34,400 people and jobs by the year 2051.
- 4.15. Growth will be directed and informed by the community structure as identified in Map A and policies in the Community Structure section of this Plan.
- 4.16. The Strategic Growth Area (SGA) will achieve an average gross density greater than 84 people and jobs per hectare.
- 4.17. Lands outside of SGA may achieve an average gross density of less than 84 people and jobs per hectare.

- 4.18. The **City** and the **Region**, together with all landowners, may enter into agreement(s) in order to facilitate the orderly progression of **development** in a fiscally responsible manner by ensuring the **infrastructure** within privately owned lands are accessible to the **City** and/or the **Region** through easements or in such other way as satisfactory to the **City** and/or the **Region**.
- 4.19. The orderly progression of **development** will be coordinated with the provision of water, wastewater and stormwater services, energy, transportation and transit infrastructure, and community infrastructure including lands for education, recreation, parks and open space, cultural and **community facilities**.
- 4.20. The **City's** growth management program may be updated to implement the orderly progression of **development** within the Plan area.
- 4.21. The **City** will monitor densities in the SGA and area outside of SGA, and consider if policy adjustments are needed to help achieve the average gross densities.

5. Housing: Making a Home for Everyone

Housing Forms & Tenures

- 5.1. The **City** will permit a full range and mix of housing types and sizes in all neighbourhoods across the city.
- 5.2. The **City** will monitor the amount and type of housing being built to track and inform updates to this Plan.
- 5.3. The **City** will plan for a housing mix of approximately:
 - a. 60% apartments, stacked townhomes, and additional dwelling units;
 - b. 26% townhomes; and,
 - c. 14% single detached and semi-detached homes.
- 5.4. Among the apartments, stacked townhomes, and additional dwelling units, the **City** will plan for approximately:
 - a. 67% as studio apartments and 1 bedroom homes;
 - b. 19% as 2 bedrooms homes; and,
 - c. 14% as 3 or more bedroom homes.
- 5.5. The proportional targets identified in policy 5.3 and 5.4 will apply city-wide and are not intended to be implemented through individual **development**.
- 5.6. **Development** for residential uses on sites of two hectares or more of developable lands, should provide a minimum of 30 percent of new homes in forms other than single detached and semi-detached dwellings.
- 5.7. Additional dwelling units are permitted on lots which contain a single detached dwelling, a semi-detached dwelling, or a street-townhouse dwelling as the principal use, unless otherwise limited by the policies of this Plan.
- 5.8. All kinds of housing options, tenures and living arrangements, including, but not limited to those listed in Figure 2, are permitted wherever residential uses are permitted.

Figure 2. Housing Tenures and Living Arrangements

Ownership, Rental, and Non-Profit Tenures:

- Market ownership and rental
- Non-profit housing
- Co-operative housing
- Land trust housing
- Shared equity models
- Rent-geared-to-income housing
- Market and below-market rentals

Collective and Shared Living Arrangements:

- Co-housing communities
- Shared houses / intentional communities
- Group homes and supportive housing
- Multi-generational homes
- Rooming houses / lodging houses / single room occupancy
- Congregate living arrangements (e.g., shared kitchens with private rooms)
- Boarding houses
- Worker or staff residences (e.g., for seasonal or care workers)
- Student residences (public, private, or university/college-affiliated)
- Intergenerational housing programs (e.g., students living with seniors)

Temporary and Transitional Housing:

- Transitional housing for people exiting homelessness or institutions
- Emergency shelters
- Short-term rental accommodations

Alternative and Culture-Specific Models:

- Indigenous-led housing models
- Communal or extended family housing traditions
- Faith-based or religious community housing
- Culturally-responsive housing for 2SLGBTQ+ communities, seniors, or people with disabilities

Other Specialized Forms:

- Hospice and end-of-life housing
- Housing with integrated health or mental health supports
- Barrier-free / fully accessible housing
- Age-friendly retirement co-housing
- Safe homes for women and children fleeing violence
- Housing for people exiting corrections or forensic psychiatry programs

Small-Scale Forms:

- Micro-condominiums (small unit ownership)
- Laneway suites, coach houses, and garden suites
- Secondary suites / accessory dwelling units (ADUs)
- Modular and prefabricated homes
- Duplexes, triplexes, and fourplexes
- Cottage courts / pocket neighbourhoods
- Land lease housing (including mobile / manufactured homes)

Housing Affordability

The **City** recognizes that affordability must reflect the full spectrum of household incomes. For the purposes of this Plan, affordable housing includes:

- Units that meet the definition of **affordable** set out in the Provincial Planning Statement; and
- Units that are affordable to those with low and very low incomes, including households relying on the Ontario Disability Support Program, Ontario Works, and fixed retirement incomes.

- 5.9. The **City** will establish tiered sub-targets for different affordability levels and will integrate these tiers into all relevant housing policies, programs, financial incentives, and reporting frameworks.
- 5.10. The **City** may support non-profit housing **development** through financial assistance, land, and capacity building.
- 5.11. The **City** will plan to add 17,460 new **affordable** homes by 2051.
- 5.12. The **City** will target the annual delivery of:
 - a. 9% of new homes as **affordable** ownership; and,
 - b. 22% of new homes as **affordable** rental
- 5.13. The **City** will work with the **Region** and community partners to establish shared housing goals and targets to align investments.
- 5.14. The **City**, in partnership with others, will:
 - a. Leverage **City**-owned land and internal expertise to support community housing providers; and,
 - b. Accelerate the delivery of affordable and supportive housing including:
 - i. Targeting financial incentives such as grants, loans, and fee waivers;
 - ii. Partnering with the **Region** on property tax exemptions for **affordable housing**;
 - iii. **Community Planning Permit Systems** to streamline **development** review and deliver **affordable housing** as a community benefit; and,
 - iv. Prioritizing the review of **development** that contain **affordable housing**.

Security and Stability of Housing

- 5.15. The **City** will help mitigate the displacement of existing residents, including through **development**, by:
 - a. Implementing the rental replacement bylaw and prioritizing its administration;
 - b. Considering the potential loss of **naturally occurring affordable housing** when applying land use permissions; and,
 - c. Exploring other bylaws and intergovernmental partnerships.
- 5.16. The **City** will, where municipal bylaws permit, ensure that tenant protections, including relocation, support, and right of return, are provided alongside applications to convert rental homes to condominiums.
- 5.17. **Development** for a Plan of Condominium which would result in the conversion of rental housing to condominium ownership for buildings with six or more units, will only be permitted where:
 - a. the rental vacancy rate for comparable units for the city, has been at, or above, three percent for the preceding two years;
 - b. the applicant notifies all tenants about the intention to convert the building(s) to condominium ownership and offers first right of refusal as appropriate, in accordance with the Residential Tenancies Act, 2006; and,

- c. the proponent submits a detailed inspection report on the physical condition of the property.
- 5.18. The **City** may collaborate with tenant support service providers to strengthen housing stability and prevent eviction with a focus on at-risk tenants in a way that considers their diverse needs.

Supporting The People Who Build

- 5.19. The **City** will promote and facilitate innovative housing delivery, including modular and prefabricated construction. This may include the streamlining of approvals, supportive implementing bylaws, pilot projects, and financial incentives.
- 5.20. The **City** will help develop capacity for more people and organizations to build housing. This may include a builder education program, collaboration with industry, and concierge services.
- 5.21. The **City** will continue to streamline development review, including:
 - a. Developing or supporting pre-approved building designs and site plans;
 - b. Supporting factory built and modular housing through the review process;
 - c. Using digital design and workflow tools;
 - d. Establishing flexible housing-forward regulations to minimize process delays; and,
 - e. Tracking and reporting of development approval timelines.
- 5.22. The **City** may update and implement an affordable housing strategy to:
 - a. Support non-profits, small scale builders and developers, charities, and others to help them deliver more homes;
 - b. Support the protection and long-term retention of **naturally occurring affordable housing**;
 - c. Leverage **City**-owned lands and land banking by exploring the use of surplus or underutilized municipal land for non-profit and **affordable housing**; and,
 - d. Employ other Planning Act and Municipal Act tools such as public development corporations and community benefits charges in support of **affordable housing** development.

6. Economy: Directing & Diversifying Economic Growth & Innovation

- 6.1. The **City** will continue to diversify its economy by supporting Places to Grow to be developed with an appropriate range of economic uses.
- 6.2. This Plan supports a full range of businesses by:
 - a. Allowing a diverse range of home-based businesses;
 - b. Allowing **compatible** businesses within the Neighbourhoods land use designation, including retail and service uses; and,
 - c. Allowing a broad range of commercial uses within the Commercial First and Mixed Use land use designations, including retail, office, and service uses.

Local Food Systems

- 6.3. The **City** will support growing food and medicine gardens in neighbourhoods for personal or commercial consumption, including greenhouses, terraces, porches, and rooftops.
- 6.4. The **City** will support the use of public areas such as squares, streets, parking lots, vacant lots, and parks to host temporary or pop-up markets that support the sale of local produce.
- 6.5. The **City** may support access to municipal land for local agricultural production, traditional medicines, and foraging, including land for community gardeners and small-scale producers.
- 6.6. Existing food retail will be protected and new food retail, including temporary food stands, will be permitted according to the land use policies in this Plan.
- 6.7. **Food stores** may be protected and/or incentivized:
 - a. Through a Community Improvement Plan;
 - b. By securing them as community benefits through a Community Planning Permit System;
 - c. By requiring a minimum amount of commercial gross floor area for a **food store**, as determined through the commercial study referenced in policy 13.31, through **development**;
 - d. By providing an interim space as part of comprehensive commercial plaza redevelopment; and/or,
 - e. By providing **City** project management or concierge support for **development**.
- 6.8. Any **City** investments in **food stores** per the preceding policy will consider the adequacy of **food stores** within walking distance of residents and local community needs.
- 6.9. The **City** will develop and implement a local food strategy to inventory food **infrastructure**, assess local food barriers and gaps in the supply chain, and identify actions to address them.

- 6.10. The **City** will continue to work with First Nations and local Indigenous communities to collaborate and strengthen local food policy goals.
- 6.11. The **City** will work with non-profits, the private sector and other interest holders to build, support, and enhance networks of producers and processors, and of distribution systems, through programs such as community supported agriculture, food processing and storage facilities, and food hubs to increase the resilience of the local food system.

Waste to Resources

- 6.12. The **City** may develop a circular economy strategy for **development** and waste management.
- 6.13. Buildings demolished for **development** should divert usable materials from landfills through reuse or recycling.
- 6.14. The **City** may establish standards to ensure at least 75% of a building's demolition material is diverted from landfill.

7. Energy Transition: Powering a Prosperous Kitchener

- 7.1. The **City** will collaborate with all orders of government, local **utilities**, and other community partners to support education, and innovative practices that advance the clean energy transition and climate resiliency, including energy efficiency measures, fuel switching, and renewable energy generation and storage.
- 7.2. The **City** may incentivize **development** that:
 - a. exceeds municipal or Provincial energy standards regarding embodied and operational greenhouse gas emissions;
 - b. integrates clean energy generation and storage; or
 - c. strengthens resilience to climate change.
- 7.3. The **City** may incentivize low-carbon and climate-ready **development** by:
 - a. supporting streamlined approvals;
 - b. developing a Community Planning Permit System; and/or
 - c. introducing financial tools such as a **Community Improvement Plan**, revolving loan funds, green banks, or a local improvement charge program.
- 7.4. The **City** may establish a framework for lifecycle analysis for **development** and **infrastructure** projects to support climate and energy-informed decision-making.
- 7.5. The **City** will explore a building performance reporting system to provide transparency to building energy demand for building heating and cooling energy for greater accountability, learning, and awareness.
- 7.6. The **City** will continue to support community emissions reporting through TransformWR to measure and evaluate progress to seek ways to continue to refine our approach to reduce, improve, and switch energy supply.
- 7.7. To enhance the adaptive capacity of **infrastructure**, the **City** will apply the recommendations of a **Climate Risk Vulnerability Assessment** to inform decision-making.

Energy Planning

- 7.8. The **City** will establish standards that include passive techniques and landscape design to reduce energy consumption through site layout and building orientation, and increase energy generation potential for new **development**.
- 7.9. Applications for Site Plan approval and Draft Plan of Subdivision should demonstrate how the proposal mitigates energy demand with passive techniques.
- 7.10. The **City** may establish a building performance management system for benchmarking and supporting energy efficiency and emissions reductions in existing buildings.

- 7.11. New large-scale data centres as a principal use may be permitted by amendment to implementing bylaws, and must demonstrate that the proposed facility does not compromise greenhouse gas emission and electrification objectives of the **City**, including: housing; transportation; industrial processes; access to electricity **infrastructure**; and water conservation policies of this Plan.
- 7.12. Large data centres are encouraged to incorporate energy and water efficiency measures such as behind-the-meter clean energy generation, battery **energy storage systems**, thermal **energy storage systems**, demand flexibility, and connection to waste heat to **thermal networks**.
- 7.13. The **City** will plan for new neighbourhoods, new **development**, and new **infrastructure** to not use fossil fuels. Where this is currently not feasible, new **infrastructure** and **development** should be planned with a clear path to full decarbonization by 2050.
- 7.14. **Development** and **infrastructure** will be encouraged to be designed to net-zero carbon standards to the extent possible.
- 7.15. The **City** will support **utility** and **thermal network** businesses, developers, and other organizations in planning for the clean energy transition in the siting, installation, upgrading, and maintenance of energy **infrastructure**.
- 7.16. **City** initiated business cases may investigate context-specific clean energy sources and energy demands and how to connect them. Candidate locations include **Geothermal** resources in the Plan area.
- 7.17. The **City** will support the implementation of heating **infrastructure** and **thermal networks** consistent with achieving net-zero emissions, through enabling policy and regulations, incentives, partnerships, and/or direct provision.
- 7.18. The **City** will facilitate and may incentivize the connection of new and existing buildings to **thermal networks** where one is existing or planned.
- 7.19. The **City** will establish **thermal network** guidelines and technical standards to facilitate easy connection.
- 7.20. **Development** of 5,000m² or greater of gross floor area will explore **geothermal** heating as part of an Energy Strategy, where permitted by the Drinking Water Source Protection policies of this plan. Other medium scale **developments** should explore these opportunities through an Energy Strategy.
- 7.21. **Developments** of 50,000m² or greater of gross floor, will be required to prepare an Energy Strategy exploring clean thermal resources in the area and the high level technical and financial feasibility of using these to heat and cool buildings. Other large scale **developments** should explore these opportunities through an Energy Strategy.
- 7.22. **Development** of 100,000 m² or greater of gross floor area, will assess the viability of site or campus-scale **thermal networks** as part of an Energy Strategy. Large scale multi-building projects below these thresholds should assess these opportunities. This policy is intended to apply across the ultimate vision for large sites, not just one specific **development**. Other large-scale **developments** should explore these opportunities through an Energy Strategy.

- 7.23. Building on its expertise as the primary natural gas distributor in Kitchener, the **City** will explore, study, and pilot various approaches for transitioning neighbourhoods away from natural gas for building heating and hot water. This will include assessing different energy needs and approaches for different neighbourhoods, including energy **infrastructure** considerations.
- 7.24. In planning for the future of its natural gas distribution network, the **City** will:
- a. take a geographic approach to natural gas system planning to consider the particular needs and opportunities for decarbonization in different areas of the city which may include initial pilot projects in new and existing neighbourhoods;
 - b. work collaboratively with partners, including Enova, to integrate planning for natural gas distribution **infrastructure** and other forms of energy provision to address holistic energy needs; and,
 - c. develop or refine policies to guide its decisions regarding natural gas **infrastructure** expansion, replacement, and connection in alignment with the vision and big moves of this Plan.
- 7.25. The **City** encourages **renewable energy systems** and battery **energy storage systems** that support a clean energy transition and at appropriate scales, which are **compatible** with surrounding existing and planned land uses.
- 7.26. Implementing bylaws and standards will regulate **renewable energy systems**, as a principal use of a property that:
- a. limit nuisance impacts;
 - b. protects natural heritage conservation lands, **cultural heritage resources** and agricultural lands; and,
 - c. guides access to the electricity transmission and distribution network and arterial roadways.
- 7.27. Solar **renewable energy systems** are encouraged, particularly on expansive rooftops, over parking lots with solar carports, and on remnant or undevelopable lands in accordance with the cultural heritage policies of this Plan.
- 7.28. Any municipal support for **renewable energy systems** and **battery energy storage systems** will be guided by the policies of this Plan.
- 7.29. Private **renewable energy systems** may be permitted by amendment to the implementing bylaws. Public **renewable energy systems** may be permitted as a principal use in accordance with the Land Use policies of this Plan.
- 7.30. Private battery **energy storage systems** as a principal use may be permitted by amendment to implementing bylaws. Public **renewable energy systems** may be permitted as a principal use in accordance with the Land Use policies of this Plan.
- 7.31. Battery **energy storage systems** are permitted as accessory to a principal use in all land use designations and may be further regulated in implementing bylaws to ensure **compatibility**.

- 7.32. In partnership with Enova and property owners, the **City** may support virtual power plants comprised of solar power generation and/or battery **energy storage systems** that can generate and deploy electricity to offset peak electricity demand.

8. Natural Environment: Conserving Nature in the City

Natural Heritage System

- 8.1. The **Natural Heritage System** includes all the **natural heritage features** which have been identified for protection, conservation, **restoration**, and/or enhancement by the Kitchener Natural Heritage System Technical Background Report, comprehensive planning and/or environmental/**subwatershed studies** and/or **Environmental Impact Studies**.
- 8.2. The features of the **Natural Heritage System** include but are not limited to the following:

Core Natural Heritage Features

- a. Provincially Significant Wetlands;
- b. Locally Significant Wetlands;
- c. **Significant Valleys**, specifically the Grand River **Valley**;
- d. Environmentally Significant Valley Features;
- e. Locally Significant Valleylands;
- f. Environmentally Sensitive Policy Areas;
- g. Regionally Significant Woodlands;
- h. Locally Significant Woodlands;
- i. Habitat of Endangered Species and/or Threatened Species;
- j. Fish Habitat;

Overlays

- k. Significant Wildlife Habitat;
- l. Significant Landforms (Earth Science Areas of Natural and Scientific Interest);
- m. Ecological Restoration Areas;
- n. Regional Recharge Areas;

Supporting Natural Heritage Features (Not Mapped)

- o. Environmentally Significant Discharge Areas;
- p. Environmentally Significant Recharge Areas; and,
- q. Natural Linkages and Corridors.

- 8.3. Land uses and activities that do not maintain, **restore**, or improve the diversity, connectivity, and **ecological functions** of the city's **natural heritage features** will be prohibited.
- 8.4. Preliminary buffers on **lands adjacent** to **natural heritage features** will be 30 metres. The final buffer location, width, and composition will be confirmed through detailed site-specific analysis as part of an **Environmental Impact Study** as part of a **development application**.
- 8.5. A Monitoring Program in accordance with the goals, targets, and objectives outlined in the Scoped Subwatershed Study (Jacobs 2026) for the Plan will be required as a condition of **development** approval. The Monitoring Program will be confirmed through an **Environmental Impact Study** or other appropriate study.
- 8.6. Illegal acts resulting, or having resulted, in a reduction in the form or function of a **natural heritage feature**, including but not limited to such acts as tree removal, **wetland** filling or draining, or the diverting of watercourses, will not be recognized as existing conditions for **development**. **Restoration** of the damaged area may be required prior to, or as a condition of, approval of any **development**.
- 8.7. The removal, destruction or injuring of **woodlands** and/or trees will be regulated through the **City's** Tree Conservation Bylaw and the **Region's** Woodland Conservation Bylaw.
- 8.8. Notwithstanding Policies above, the identification of lands as Core **Natural Heritage Features**, or Supporting **Natural Heritage Features** will not limit the ability of **agricultural uses** and associated normal farm practices to continue as defined in applicable Provincial legislation and regulations in conformity with this Plan and the **City's** Zoning Bylaw, as well as statutes, policies, and regulations of other government agencies, including agricultural drainage through municipal or agreement drains.
- 8.9. Trails will be discouraged within **woodlands** and natural areas. Where trails may be permitted, trails will be designed and constructed in a manner sympathetic to the ecology to allow for educational and/or interpretive opportunities. Informal trails and trail widenings will be discouraged.
- 8.10. Significant Wildlife Habitat, Significant Landforms, Ecological Restoration Areas, and Regional Recharge Areas will be treated as an overlay to land use designations on Map E.
- 8.11. An overlay will be applied in the implementing bylaw to lands identified as **Significant Wildlife Habitat, Significant Landforms, Ecological Restoration Areas** and **Regional Recharge Areas** on Map D to implement the Natural Environment policies of this Plan.

IDENTIFICATION OF NATURAL HERITAGE FEATURES

- 8.12. The **Natural Heritage System** is shown on Map D and designated Natural Heritage Conservation on Map E. The boundary of the **Natural Heritage System** is approximate, and the exact delineation will be determined through necessary studies to support **development** and in consultation with the appropriate public agencies.
- 8.13. The mapping and criteria for identifying individual **natural heritage features** are included in the Kitchener Natural Heritage System Technical Background Report.

- 8.14. In accordance with common practices to protect the associated habitat and species from disturbance, **Habitat of Endangered Species and/or Threatened Species** are not shown on the maps of this Plan.
- 8.15. The **City** will collaborate with Provincial and Federal governments to ensure that **Habitat of Endangered Species and/or Threatened Species** on lands affected by, or **lands adjacent** to, any proposed **development** or **site alteration** is properly identified.
- 8.16. This Plan may not reflect the most up-to-date information on the precise location and boundaries of **natural heritage features**. Interpretation of the boundaries of **natural heritage features**, as required to support the review of **development**, will be achieved through the completion of **Environmental Impact Studies** or other appropriate studies including but not limited to comprehensive studies such as those associated with area-specific or comprehensive city-wide zoning bylaw amendments, in accordance with the **Environmental Impact Study** policies in this Section, and will not require an amendment to this Plan.
- 8.17. Boundary interpretations not generally in conformity with the **Natural Heritage System** as shown on Map D will require an amendment to this Plan. Instances where an amendment to this Plan will be required, unless otherwise provided for in this Plan, include a change in the classification of a **natural heritage feature** or a significant change in the spatial extent or boundaries of a feature.
- 8.18. On lands where features of the **Natural Heritage System** have not been adequately identified through a **watershed study** or other appropriate study including but not limited to comprehensive studies such as those associated with area-specific or comprehensive city-wide zoning bylaw amendments, **development** and/or **site alteration** will be prohibited until such time as an **Environmental Impact Study** has been prepared in accordance with the **Environmental Impact Study** policies of this Plan to identify and evaluate any such features located on the subject lands and, wherever appropriate, **adjacent lands**.
- 8.19. Where lands have been identified by the Province, or through a **watershed study** or other appropriate study accepted by the **City** as fulfilling the criteria to be designated as a feature of the **Natural Heritage System**, an amendment to this Plan will be considered to designate such lands as part of the **Natural Heritage System**. Prior to the approval of the amendment, any **development** or **site alteration** proposed on or within **adjacent lands** of a **Natural Heritage System** feature will be considered premature or will proceed on the basis that the lands identified as meeting the criteria are protected as though they are a Core Natural Heritage Feature in accordance with the policies in this Plan.
- 8.20. Where lands contain two or more features of the **Natural Heritage System**, the more restrictive policies in this Plan pertaining to those features will apply in the event of any conflict.

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

FEATURES OF THE NATURAL HERITAGE SYSTEM

Core Natural Heritage Features

- 8.22. Areas identified as Core **Natural Heritage Features** are designated as Natural Heritage Conservation on Map D. **Development** or **site alteration** will not be permitted on these lands. Uses permitted on these lands are stipulated in the Land Use Designations policies of this Plan.
- 8.23. Notwithstanding the policy above:
- a. **development** and **site alteration** may be permitted in **habitat of endangered species and/or threatened species** in accordance with Provincial and Federal requirements; and,
 - b. the extension of municipal **infrastructure** projects where the alignments or locations of those facilities have been established in this Plan, approved Area-Specific Plans, Plans of Subdivisions, and/or approved **Environmental Assessments** and receipt of any other applicable approvals, may be permitted within Core **Natural Heritage Features** subject to the application of specific mitigative measures set out in an approved **Environmental Impact Study**.
- 8.24. **Development** or **site alteration** will only be permitted on **lands adjacent** to the Core **Natural Heritage Features** where an **Environmental Impact Study** or other appropriate study has determined that approval of the proposed **development** or **site alteration** would not result in **negative impacts** on the **natural heritage feature** or the **ecological functions** of the feature.

Significant Wildlife Habitat

- 8.25. The **City** will, in conjunction with individuals, groups, and agencies, seek opportunities to acquire, manage, and maintain **Significant Wildlife Habitat** areas in the city.
- 8.26. In **Significant Wildlife Habitat** areas and on **lands adjacent** to **Significant Wildlife Habitat**, **development** or **site alteration** will not be permitted unless it is demonstrated through an **Environmental Impact Study** or other appropriate study that there will be no **negative impacts** on the **natural heritage feature** or its **ecological functions**.

Significant Landforms

- 8.27. In **Significant Landform** areas and on **lands adjacent** to **Significant Landforms**, **development** or **site alteration** will not be permitted unless it is demonstrated through an **Environmental Impact Study** or other appropriate study that the **ecological functions**, topography, stratigraphic exposures, and other geologically defining features for which the area was identified are conserved.

Ecological Restoration Areas

- 8.28. **Ecological Restoration Areas** are identified in both aquatic and terrestrial ecosystem components of the **Natural Heritage System**.
- 8.29. Opportunities for **ecological restoration** within and/or **lands adjacent** to the **Natural Heritage System** will be evaluated and confirmed through an **Environmental Impact Study**.
- 8.30. The **City** will continue to identify **Ecological Restoration Areas** through such means as technical studies undertaken or accepted by the **City**, through **development**, through the conservation, **restoration**, and land securement programs of public agencies, and through private land stewardship.
- 8.31. The **City** will rely upon recommendations from a wide variety of studies and undertakings which have or will identify **Ecological Restoration Areas** in the city to **restore** their **ecological functions**.
- 8.32. **Ecological Restoration Areas** may overlay another **natural heritage feature** within the **Natural Heritage System**. Where **Ecological Restoration Areas** overlay a Core Natural Heritage Feature in accordance with the policies of this Section, the more restrictive applicable policies will apply.
- 8.33. **Ecological Restoration Areas** will be reclassified as Core **Natural Heritage Features** in accordance with the policies of this Section and redesignated Natural Heritage Conservation following their **restoration** in accordance with the policy below.
- 8.34. In Ecological Restoration Areas and on lands adjacent to an Ecological Restoration Area, development or site alteration will not be permitted unless an Environmental Impact Study or other appropriate study evaluates the area's ecological functions in its optimal ecological state in accordance with the policy below, and demonstrates that there will be no negative impacts on the restored feature or the ecological functions of the feature in its optimal ecological state.
- 8.35. The **optimal ecological state** of an ecosystem may be determined through **watershed studies**, **Environmental Assessments**, or other similar master plans or studies. Where no such guidance exists, the **optimal ecological state** of an ecosystem will be determined by the appropriate agencies having jurisdiction in consultation with the proponent.

Regional Recharge Areas

- 8.36. Areas identified as **Regional Recharge Areas** on Map F will be treated as an overlay to land use designations on Map E.
- 8.37. **Development** or **site alteration** within lands identified as **Regional Recharge Areas** will be reviewed in accordance with the Protecting our Water and Drinking Water Source Protection policies of this Plan.
- 8.38. In **Regional Recharge Areas**, **development** or **site alteration** will not be permitted unless it is demonstrated through an **Environmental Impact Study** or other appropriate

study that there will be no **negative impacts** on the **Natural Heritage System**, its component **Natural Heritage Features**, and/or its **ecological functions**.

- 8.39. An overlay will be applied in the implementing bylaw to lands identified as **Regional Recharge Areas** to implement the Regional Recharge Policies in this Plan.

SUPPORTING NATURAL HERITAGE FEATURES

- 8.40. Supporting Natural Heritage Features include Environmentally Significant Discharge Areas, Environmentally Significant Recharge Areas, and Natural Linkages and Corridors.
- 8.41. The **City** along with any other collaborators, as appropriate, will identify Supporting **Natural Heritage Features** through **watershed/subwatershed** studies, Natural Heritage Inventories, **Environmental Impact Studies**, or other appropriate studies.
- 8.42. Where feasible, **development** or **site alteration** will avoid Supporting **Natural Heritage Features**. Where it is not feasible to avoid these areas, **development** or **site alteration** within Supporting **Natural Heritage Features** will be designed to maintain, enhance, and, where feasible, **restore** the **ecological functions** of Supporting **Natural Heritage Features**.
- 8.43. Notwithstanding the policy above, where **Environmentally Significant Discharge Areas** or **Environmentally Significant Recharge Areas** sustain Core **Natural Heritage Features**, as determined through a **watershed** study or other appropriate study accepted by the **City** and other public agencies having jurisdiction, **development** or **site alteration** will only be permitted within the **Environmentally Significant Discharge Areas** or **Environmentally Significant Recharge Areas** where it is demonstrated through an **Environmental Impact Study** or other appropriate study that there will be no **negative impacts** on the Core **Natural Heritage Features** or their **ecological functions**.
- 8.44. The incorporation of **Natural Linkages and Corridors** will be required in the design of new **development** with the intent of maintaining, enhancing, or, wherever feasible, **restoring** linkages among **natural heritage features**.
- 8.45. **Natural Linkages and Corridors** will be maintained and/or enhanced to maintain connectivity. In key locations, species-appropriate mitigation measures, such as wildlife crossings, culverts and/or funnel fencing to accommodate wildlife, amphibian, and/or reptile movement are to be established (e.g., between natural areas on either side of roads) and implemented in conjunction with road works design and construction.
- 8.46. The introduction of recreational trails or other uses that could harm **Natural Linkages and Corridors** is discouraged unless it can be demonstrated that the proposed use will not harm the natural habitat.

LAND DIVISION

- 8.47. Land division through a severance, Plan of Subdivision, or Plan of Condominium that has the effect of fragmenting lands within the **Natural Heritage System** will not be permitted in Core **Natural Heritage Features** and will be discouraged in all other **natural heritage**

features, except where such division will facilitate public acquisition of the elements of the **Natural Heritage System**.

- 8.48. Land division that results in the creation of a new lot will be discouraged on **lands adjacent to natural heritage features** unless the **ecological functions** of the **adjacent lands** have been evaluated and it has been demonstrated through an **Environmental Impact Study** or other appropriate study that there will be no **negative impacts** on the **natural heritage features**, or on their **ecological functions**.

REGULATION AUTHORITY

- 8.49. Any decision considered by the **City** for any **development** with respect to land on or within **adjacent lands** of a **natural heritage feature** will be made in consultation with the appropriate authorities, in accordance with the policies of this Plan, using the best available information at that time.
- 8.50. Lands within river or stream **valleys, floodplains, wetlands**, watercourses, lakes, or **hazardous lands**, or lands within 30 metres of a **wetland** are regulated by the relevant Conservation Authority. **Development** or **site alteration** within these regulated areas will require a permit from the relevant Conservation Authority.

OWNERSHIP

- 8.51. Where components of a **Natural Heritage System** are privately owned, nothing in this Plan will require that these lands be available for public use, and the identification of land will not oblige the **City** or other public agencies to purchase the land.
- 8.52. The **City** will consider purchasing land to protect and improve the **Natural Heritage System** only after the possibility of conveyance at no cost to the **City** has been precluded.

STEWARDSHIP OF NATURAL HERITAGE SYSTEM

- 8.53. Public agencies, community organizations, and private landowners will be encouraged to protect and enhance the city's **Natural Heritage System**.
- 8.54. Opportunities for native plant seed collection and the use of native plant material should be a priority for **developments**.
- 8.55. **Development** on **lands adjacent** to the **Natural Heritage System** should minimize shadowing and light pollution to protect **ecological functions**.
- 8.56. The **City** will:
- a. actively engage First Nations and local Indigenous communities in municipal-led or co-developed environmental conservation, biodiversity, and ecological **restoration** and protection initiatives as well as climate change planning, decision-making, and actions;
 - b. collaborate and grow partnerships among First Nations, local Indigenous communities, local communities, and conservation organizations to manage invasive species;

- c. respect, preserve, and invest in the knowledge, innovations, and practices of First Nations and local Indigenous communities to support biodiversity conservation;
- d. incorporate First Nations and local Indigenous communities placemaking and land-based learning that integrates traditional knowledge, environmental management, and hands-on learning in natural settings; and,
- e. restore traditional and First Nations languages to the land through naming practices and conventions.

CITY-OWNED PORTIONS OF THE KITCHENER NATURAL HERITAGE SYSTEM

- 8.57. The **City** will protect, maintain, enhance, and **restore natural heritage features** and functions and ecological diversity of the **Natural Heritage System** to the greatest extent feasible and support linkages between and among such systems and features within the city and to connect with contiguous **natural heritage systems** beyond Kitchener's municipal borders.
- 8.58. The **City** will implement greening and naturalization initiatives, **restoration**, and management of **City**-owned natural areas and the **urban forest**, and the delivery of stewardship and education programs.
- 8.59. The **City** will develop and implement a Natural Areas Stewardship Framework which would incorporate:
 - a. An Invasive Species Management Strategy to guide how the **City** will prevent, detect, manage, and monitor invasive species;
 - b. **Woodland** Management Plans;
 - c. Hazard (e.g. trees, trail surface, etc.) mitigation;
 - d. Ecological enhancement; and,
 - e. A tool to identify, prioritize, and undertake ecological enhancement in and around natural areas.

Watershed Planning

- 8.60. Recommendations from the **Subwatershed** Plan will be implemented through **development**.
- 8.61. The **City** will encourage other parties to undertake whatever actions are within their jurisdiction to implement the **Subwatershed** Plan.
- 8.62. A Stormwater Management Plan may be required in support of **development**, in accordance with, and to implement, the recommendations of the applicable **Subwatershed** Plan.

The Urban Forest

- 8.63. The **City** will preserve, protect, manage, replace, and, where appropriate, acquire **significant** tree stands, hedgerows, **woodlands**, and forested areas within the city boundaries.

- 8.64. The **City** will implement and regularly update the 10-year Sustainable Urban Forest Strategy including a tree inventory.
- 8.65. The **City** has adopted the following targets for tree canopy coverage:
 - a. 30% in each of the wards by 2050; and,
 - b. 33% city-wide by 2070.
- 8.66. The **City** will encourage tree planting and landscaping on public boulevards and private lands to conserve and complement the existing natural landscape or **cultural heritage values**. The **City** will direct the use of native plant species and/or trees having historic or cultural significance, as appropriate, for the location. Where natural or **cultural heritage values** or attributes are not affected, any landscaping on boulevards must otherwise follow the parameters of the Boulevard Beautification and Maintenance Bylaw.
- 8.67. The **City** will direct the use of native and climate-resilient species to support local biodiversity and reduce invasive species risk. Tree species that are resilient and capable of adapting to future climate conditions will be prioritized, ensuring the long-term health and sustainability of the **urban forest**.
- 8.68. The **City** will incorporate existing and/or new trees into the streetscape or road rights-of-way and will require **development** to do the same.

TREES AND NATURAL AREAS ON PUBLIC PROPERTY

- 8.69. The **City** will protect and conserve existing public trees and **woodlands** in accordance with the Public Tree Bylaw.
- 8.70. The **City** will require compensation for any public tree removed or damaged within the public right-of-way due to a **development** or **infrastructure** project, in accordance with the **City's** Public Tree Bylaw and Tree Removal and Compensation Program.
- 8.71. The **City** will protect and enhance the **urban forest** by ensuring the responsible management of trees within and near the public right-of-way. Public agencies and **utilities** will prioritize tree preservation and integrate protection measures into the planning and execution of **infrastructure** projects and maintenance activities, with a focus on retaining mature, healthy, and native trees.
- 8.72. The **City** will, where appropriate, reforest and naturalize parks, open space, and stormwater management areas to increase canopy cover. Species native to the region and that are capable of adaptation to our future climate conditions will be used in roadside plantings, stormwater management facilities, and park naturalization projects, unless site conditions dictate otherwise.
- 8.73. In working to achieve 30% tree canopy cover in each ward by 2050 and 33% tree canopy cover overall by 2070, priority for new tree planting on **City** lands will be given to neighbourhoods that are part of the Community Canopy program. These are neighbourhoods with low existing canopy cover, high vulnerability to climate impacts (e.g. urban heat island hotspots identified through hyperlocal heat mapping), and low Tree Equity Scores.

TREES ON PRIVATE PROPERTY

- 8.74. Tree removal on private property will be subject to the **City** Tree Conservation and the **Region's** Woodland Conservation Bylaw where applicable.
- 8.75. The **City** supports the retention and enhancement of tree cover on private lands and, therefore, will encourage and, whenever possible, provide guidance and advice for the reforestation, wise management, and improvement of privately owned trees and **woodlands** within the city. Specifically:
- a. The **City** will continue to support incentive programs, technical support, and partnerships to promote tree protection, planting, and stewardship by private landowners;
 - b. To achieve our tree canopy goals, priority for incentivized new tree planting on private lands will be given to neighbourhoods that are part of the Community Canopy program. These are neighbourhoods with low existing canopy cover, high vulnerability to climate impacts, and low Tree Equity Scores as identified by the **City**; and,
 - c. Where removal of trees is permitted on private land, compensation through replanting will be encouraged to reduce the net loss of canopy cover.

DEVELOPMENT OR SITE ALTERATION

- 8.76. The **City** will require the preparation and submission of a tree management plan in accordance with the **City's** Tree Management Policy, where applicable, as a condition of **development**. Any tree management plan must prioritize the conservation of trees worth retaining, identify the trees proposed to be removed, justify the need for removal, identify the methods of removal and specify an ecologically sound tree replacement scheme, and any mitigative measures to be taken to prevent detrimental impacts on remaining trees.
- 8.77. As required by the **City's** Tree Management Policy, the **City** will consider the importance of **woodlands**, not classified as **significant**, during **development** review by considering the following:
- a. the potential impact of the proposed **development** or **site alteration** on the **ecological functions** of the **woodland**;
 - b. the impact of the proposed **development** or **site alteration** on the extent and distribution of **woodland** cover in the **subwatershed**, the city, and the local neighbourhood; and,
 - c. opportunities to **restore** or re-establish productive forest habitats consisting of native species following the completion of the proposed **development**.
- 8.78. As required by the **City's** Tree Management Policy in reviewing **development**, the **City** will minimize the impact of **development** or **site alteration** on **woodlands** not classified as **significant** through the implementation of appropriate mitigation measures and compensation.

- 8.79. When considering **development** or **site alteration** proposals, the **City** may require, through relevant studies, the protection and enhancement of hedgerows, especially where:
- a. they link other elements of the **Natural Heritage System**;
 - b. wildlife regularly use them as habitat or movement corridors;
 - c. they are comprised of mature, healthy trees;
 - d. they contain trees that are rare, unique, culturally important, or over 100 years in age; or,
 - e. they contribute to the aesthetics of the landscape.

9. Sense of Place: Supporting Community Connection

Cultural Heritage

- 9.1. The **City** will conserve **cultural heritage resources**, which include but are not limited to:
 - a. Properties designated under Part IV (individual properties) and Part V (**Heritage Conservation Districts**) of the Ontario Heritage Act;
 - b. Archaeological Resources;
 - c. Cemeteries and burial grounds of cultural heritage **significance**;
 - d. Non-designated properties of **cultural heritage value** or interest on the Municipal Heritage Register;
 - e. Cultural Heritage Landscapes;
 - f. Heritage Corridors;
 - g. Properties identified on inventories from different orders of government;
 - h. Properties on the City's Inventory of Historic Buildings, until such time as they are re-evaluated; and,
 - i. **Intangible** cultural heritage.
- 9.2. The **City** acknowledges that not all **cultural heritage resources** have been identified. Conservation may be required should a property be identified as potentially having **cultural heritage value** or interest.
- 9.3. To conserve, protect, and maintain **cultural heritage resources**, the **City** will use a range of measures and tools. These include but are not limited to:
 - a. Bylaws to designate **cultural heritage resources** of cultural heritage value or interest;
 - b. Heritage permits and conditions of approval for heritage permits;
 - c. Heritage covenant and heritage easement agreements;
 - d. Zoning bylaws, Site Plan Control, Demolition Control, holding provisions, conditions of approval for applications submitted under the Planning Act, and provisions within subdivision agreements;
 - e. Property Standards Bylaws, tree bylaws, and sign bylaws; and,
 - f. Community Improvement Plans and financial incentives.
- 9.4. The **City** will engage with First Nations and consider their interests when identifying, protecting, and managing **cultural heritage resources** and archaeological resources.
- 9.5. The **City** will, in collaboration with First Nations and local Indigenous communities, create opportunities to increase awareness, understanding and commemoration of the enduring presence, history, accomplishments, knowledge, and distinct worldviews of Indigenous communities.

- 9.6. The **City** will use **cultural heritage resources** in placemaking to further advance cultural, economic, environmental, social, and architectural benefits to enrich our communities, including First Nations and local Indigenous communities.
- 9.7. The **City** will make decisions with **respect to cultural heritage resources** that are consistent with all applicable legislation as well as with the Parks Canada Standards and Guidelines for the Conservation of Historic Places in Canada and other recognized best practices.
- 9.8. The **City** will utilize all opportunities and tools available to enhance public knowledge, appreciation, and stewardship of **cultural heritage resources**, including **intangible** cultural heritage, through **development** and **infrastructure** projects. This may include but is not limited to the development and/or requirement of:
- a. Interactive heritage sites and trails;
 - b. Interpretive plaques and/or signage;
 - c. Public archives;
 - d. Award programs; and,
 - e. Educational and outreach programs.
- 9.9. The **City** will prepare a Cultural Heritage Management Plan. It will provide a comprehensive strategy for the identification, conservation, and management of **cultural heritage resources**.
- 9.10. The **City** will prepare Conservation Plans for **City-owned cultural heritage resources**. The Conservation Plans will include Emergency Management Protocols and lists of pre-qualified consultants for emergency situations affecting **City-owned cultural heritage resources**.
- 9.11. Designated heritage properties will be protected against deterioration and/or demolition by neglect through heritage property standards, bylaws, and other tools available to the **City**.
- 9.12. The **City** may offer financial incentives to assist with the conservation, **restoration**, and rehabilitation of **cultural heritage resources**.
- 9.13. All **development** permitted by the land use designations and other policies of this Plan will conserve **cultural heritage resources**.
- 9.14. The conservation of **cultural heritage resources** will be a requirement and/or condition in the processing and approval of **development** for any property with or **adjacent** to a **cultural heritage resource**. Such applications will:
- a. Follow best heritage practices and national and Provincial heritage conservation standards, guidelines, and principles;
 - b. Be integral to the design of the **development** or **site alteration** in a manner that conserves, maintains, or enhances the **heritage integrity** of the **cultural heritage resource** and avoids the creation of **adverse heritage impacts** to the **cultural heritage resource**; and,

- c. Integrate any protected heritage property in a way that recognizes and conserves its associated heritage attributes and tangible and/or **intangible** value in a **contextually compatible**, respectful, and prominent manner.
- 9.15. Financial securities may be required as part of **development** or heritage permit application, to ensure the conservation of a **cultural heritage resource** both during and after the **development** process. The securities may include the cost of short, medium, and long-term conservation measures and will be based off a cost estimate.
- 9.16. Applications to **develop** a property with a cultural heritage resource, potential cultural heritage resource, adjacent to an identified cultural heritage resource, or as otherwise identified by the **City** will require heritage studies.
- 9.17. The requirement to prepare **heritage studies** may also apply to previously unknown or unidentified **cultural heritage resources** that are discovered during the pre-consultation, application, or construction stage.
- 9.18. The **City** may require that the conclusions and recommendations of approved **heritage studies** be incorporated into the plans, design, or conditions for approval of applications for a related **development**.
- 9.19. **Development** and **infrastructure** projects should integrate appropriate forms of commemoration or other programming to expand cultural, educational, and recreational opportunities and increase public awareness, understanding, and appreciation of the Kitchener's history. The commemoration approach will be supported by a Commemoration Plan.

DESIGN WITH HERITAGE RESOURCES

- 9.20. The **City** will ensure that **development** is designed and planned to conserve, maintain and enhance the **cultural heritage values** and **heritage attributes** of the **cultural heritage resources**, as summarized in the approved Heritage Impact Assessment for the Dundee Secondary Plan prepared by Archaeological Services Inc. dated February 2026.
- 9.21. Vehicular access will be maintained to ensure long-term viability and occupancy of the former schoolhouse at 1970 Fischer Hallman Road.
- 9.22. **Development** will conserve, **respect**, and wherever possible, enhance **cultural heritage resources** through its design. This may include, but is not limited to:
 - a. Incorporating **built form** transition to existing **cultural heritage resources** on-site and **adjacent** buildings;
 - b. Incorporating **built form** placement, scale, and massing **compatible** with existing on-site or **adjacent cultural heritage resources** and with the existing neighbourhood **context**;
 - c. Including appropriate building massing setbacks and stepbacks to ensure continued visibility and prominence of the **cultural heritage resource**;

- d. Proposing appropriate materials and architectural details that are **compatible** with heritage character and **context** while remaining visually subordinate and contemporary; and,
 - e. Ensuring continued conservation of cultural heritage value and **heritage integrity**.
- 9.23. **Cultural heritage resources** that are underutilized or vacant should be adaptively re-used. Any development integrating existing **cultural heritage resources** will incorporate and enhance their cultural heritage value by:
- a. Maintaining the prominence of the existing **cultural heritage resource**;
 - b. Minimizing interventions to **cultural heritage resources** as part of **development**;
 - c. Including design interventions that extend the life of existing **cultural heritage resources**; and,
 - d. Implementing **alterations**, including but not limited to drainage and lighting, that ensure the long-term maintenance of **cultural heritage resources**.
- 9.24. Alterations to existing **cultural heritage resources** will be undertaken in such a manner that if reversed, the **heritage integrity** and **cultural heritage value** will be conserved.
- 9.25. Commemoration features should be designed to reflect the significance of the **cultural heritage resource**, be visible from the **public realm**, be legible, reuse salvaged material, and should not block the sightlines to or **alter** heritage attributes which are being conserved.
- 9.26. **Development** will conserve the whole or the majority of **cultural heritage resources**. **Development** that proposes the retention of a singular façade is discouraged.

DEMOLITION

- 9.27. There should be a presumption against demolition or removal of **cultural heritage resources** and their heritage attributes for **development**, unless required due to a catastrophic event or severe structural instability.
- 9.28. Where demolition of a **cultural heritage resource** is approved as part of a **development**, the **City** may require all or any part of the demolished **cultural heritage resource** be given to the **City** for adaptive re-use, archival, display, or commemorative purposes, at no costs to the **City**.
- 9.29. Where demolition or partial demolition of a **cultural heritage resource** is proposed as part of a **development**, a Salvage, Documentation, and Reuse Plan may be required. The salvage of material will comply with Waste to Resources policies.
- 9.30. Where building materials have been identified as a heritage attribute for salvage and reuse, deconstruction will be used as the method of disassembling the **cultural heritage resource** to conserve the salvaged materials.
- 9.31. Where demolition of a listed, non-designated **cultural heritage resource** is proposed, a written notice of intention to demolish will be provided to the **City** a minimum of 60 days in advance. Supporting information may be required for a complete notice of intention, including but not limited to:

- a. Heritage studies;
 - b. Archival documentation and photographs;
 - c. Cost estimates; and,
 - d. Architectural measured drawings and plans.
- 9.32. Where demolition or partial demolition of a **cultural heritage resource** is approved as part of a **development**, the **City** may require thorough archival documentation including:
 - a. Architectural measured drawings;
 - b. Photographs including 360-photography models; and,
 - c. Maps and other available material related to the **cultural heritage resource** in its surrounding **context**.
- 9.33. Where demolition or partial demolition of a **cultural heritage resource** is approved as part of a **development**, a building permit for a replacement building will be obtained prior to the demolition or **deconstruction** work.
- 9.34. Where demolition of a **cultural heritage resource** is approved as part of a **development**, a Commemoration Plan may be required.

General Cultural Heritage Landscape Policies

- 9.35. Cultural heritage landscapes are identified on Map B.
- 9.36. The **City** may require the submission of a **Heritage Impact Assessment** and/or a **Heritage Conservation Plan** for **development** for properties within or **adjacent** to a Cultural Heritage Landscape, where it has been determined that this may result in a **significant** negative impact on a **cultural heritage resource** or heritage attribute of the Cultural Heritage Landscape.
- 9.37. The **City** will prepare and update an Implementation Guideline for Cultural Heritage Landscapes to outline the framework for identifying, conserving, and protecting **cultural heritage landscapes**.
- 9.38. The **City** will engage with First Nations and local Indigenous communities, neighbouring municipalities, other orders of government, the relevant Conservation Authority, and the landowners and their representatives in protecting and managing cultural heritage landscapes that cross municipal and/or jurisdictional boundaries.
- 9.39. The **City** will continue to engage with First Nations and local Indigenous communities on the conservation of cultural heritage landscapes, including those associated with archaeological sites, and others that are of value or interest to First Nations and local Indigenous communities that have not been identified.
- 9.40. The **City** will develop and implement proactive strategies for conserving cultural heritage landscapes.
- 9.41. The **City** will use a variety of proactive strategies to ensure cultural heritage landscapes are conserved, which may include, but is not limited to designation under the Ontario

Heritage Act and development and implementation of heritage conservation policies and guidelines.

- 9.42. **Development** in or **adjacent** to a cultural heritage landscape will support, maintain, and enhance the overall heritage attributes further defined in the City's 2014 City of Kitchener Cultural Heritage Landscapes Study.
- 9.43. The **City** will ensure that all **infrastructure** projects affecting a cultural heritage landscape will be consistent with the Parks Canada Standards and Guidelines for the Conservation of Historic Places in Canada. **Infrastructure** projects may be required to submit **heritage studies**.

HERITAGE CORRIDORS

- 9.44. **Heritage corridors** are identified on Map B and Map C.
- 9.45. **Heritage corridors** should be maintained and conserved.
- 9.46. This Plan recognizes that **heritage corridors** that remain open to vehicular traffic will continue to function as shown on Map C including Plains Road.
- 9.47. The historic alignment of Plains Road should be maintained and recognized for its historical value. **Development** and/or any road improvements should maintain the road's existing alignment and proposals to close Plains Road should be mitigated through a commemoration plan.
- 9.48. **Alterations** to the heritage attributes including, but not limited to, ditches and banks, the surface treatment, vegetation, landform, and **vistas**, are discouraged. Alterations to heritage corridors should be subject to **heritage studies**.
- 9.49. Widening of the existing hard surface, changes to the surface treatment, and other alterations may be permitted to Plains Road between Fischer Hallman Road and Broadacre Drive.
- 9.50. The **City** will avoid or mitigate **adverse heritage impacts**, including considering innovative maintenance practices, to heritage attributes that may result from maintenance required to ensure safety and ongoing operation of any municipal services located within a **heritage corridor**. Where **adverse heritage impacts** cannot be avoided, **context** sensitive design treatments should be used to divert and mitigate traffic to achieve safety and operational requirements. This could include, but is not limited to, providing sidewalks on one side of the street.
- 9.51. To **conserve** the **cultural heritage value** and heritage attributes of the Reidel Drive and Stauffer Drive heritage corridors the following will apply:
- a. The Reidel Drive heritage corridor should not be lit unless it is required for public safety. Where required, the use of lighting with cut-offs is preferred.
 - b. Conservation of the **cultural heritage value** and heritage attributes of the Reidel Drive and Stauffer Drive heritage corridors will include establishment of a vegetated buffer within an open space block to mitigate the visual impacts of new **development**.

- c. **Development** should be designed and planned to maintain and enhance the views of rolling topography with viewsheds looking out towards the generally open landscape character of a stormwater management pond, park, and open space from the western side of Reidel Drive.
 - d. The City will discourage changes to the existing topography, including the use of retaining walls which significantly alter the grade and are visible from the public realm. Where required, the **adverse heritage impacts** should be evaluated and mitigated through the submission and approval of heritage studies.
 - e. Reidel Drive north of the Blair Creek Drive extension will be closed to vehicular traffic and incorporated as part of the multi-use trail network. The use of Reidel Drive as an emergency access to 500 Stauffer Drive shall be permitted.
 - f. Development should be prohibited from having direct vehicular access to Reidel Drive between Blair Creek Drive and Stauffer Drive, and Stauffer Drive between its western terminus and Reidel Drive, if access can be provided from new roads.
- 9.52. A new trail access off Reidel Drive and/or Stauffer Drive may be permitted subject to avoiding or mitigating **adverse heritage impacts** as determined through **heritage studies**.
- 9.53. **Development** and **public realm** and **infrastructure** projects should be designed and measures implemented to avoid and/or mitigate **adverse heritage impacts** and to **conserve**, enhance, and maintain the **heritage attributes** that contribute to the heritage corridors have regard to the Heritage Corridor Enhancement Plan (Archaeological Services Inc., May 2026) for Reidel Drive and Stauffer Drive.
- 9.54. Where new trail systems are introduced with access from Reidel Drive and/or Stauffer Drive, interpretative or commemorative programming, public art, or landscaping treatments should be integrated.

POLICIES APPLICABLE TO SPECIFIC CULTURAL HERITAGE LANDSCAPES

Agricultural Heritage Landscapes

- 9.55. Agricultural cultural heritage landscapes should conserve the following heritage attributes:
- a. Built heritage resources will be conserved;
 - b. Topography and landform;
 - c. Siting and orientation of farm buildings in relation to historic settlement roads and water sources such as, but not limited to, the Grand River;
 - d. Organization and functional relationships between buildings and the broader agricultural landscape including, but not limited to, natural features, circulation patterns, and **views** to and from the property;
 - e. Large lot size; and,
 - f. Agricultural fields and associated farming operations.

- 9.56. The cultural heritage value and interest, and the heritage attributes of agricultural cultural heritage landscapes should be conserved by:
- a. Regulating rural land uses and other **compatible** uses;
 - b. Prohibiting lot creation unless all severed and retained lots are of similar size, frontage, and depth to existing **adjacent** lots, and of sufficient size to support ongoing **agricultural uses** or **compatible** uses; and,
 - c. Ensuring any approved **development** strengthens and maintains the rural character of the agricultural cultural heritage landscape.
- 9.57. A vegetative buffer consisting of a single row of large deciduous shade tree plantings typical of a nineteenth-century farmstead will be required along the southern and western edges of **lands adjacent** to 500 Stauffer Drive to visually separate future residential land uses and mitigate **adverse heritage impacts** to the **protected heritage property**.

Archaeology

- 9.58. Where a **development** may cause an impact to archaeological resources or areas of archaeological potential, an archaeological assessment will be required.
- 9.59. **Development** will only be permitted on lands containing archaeological resources if the archaeological resources have been conserved in accordance with the recommendations of the approved archaeological assessment and in consultation with Indigenous communities.
- 9.60. Archaeological resources will be conserved in situ wherever possible. Where conservation in situ occurs, only **development** which maintain the **heritage integrity** of the site will be permitted. The extent of the archaeological site should be designated in accordance with the recommendation of the archaeological assessment.
- 9.61. To provide the long-term protection of archaeological sites identified through Stage 3 assessment that require Stage 4 mitigation within the Plan area, the **City** in consultation with First Nations and local Indigenous communities, may require a buffer. The buffer should be established as per a Site-Specific Avoidance and Protection Strategy in accordance with the Provincial Standards and Guidelines for Consultant Archaeologists (2011) as amended from time to time. The established buffer will be designated as Open Space and will not contribute towards the City's **parkland** requirements.
- 9.62. Removal of archaeological resources from a site will be conducted in accordance with the recommendations of the approved archaeological assessment, prior to site grading or any other construction activities.
- 9.63. The **City** will maintain current archaeological resource site data and locations to assist with heritage conservation planning and **development** review. The **City** recognizes that there may be archaeological sites or areas of archaeological potential within the boundaries of the city.

- 9.64. The **City** will keep confidential the existence and location of archaeological resources to protect against vandalism, disturbance, and the inappropriate removal of resources.
- 9.65. The **City** will prepare an Archaeological Management Plan, in consultation with First Nations and local Indigenous communities and licensed archaeologists. The Management Plan will provide detailed information on the variables used to determine areas of archaeological potential, define the archaeological review process, and include implementation guidelines and a contingency plan for emergency situations when archaeological resources are accidentally discovered or are under imminent threat.

Placemaking

- 9.66. The **City** will prepare and maintain an Urban Design Manual including guidelines for specific areas, individual land use designations, and building typologies.
- 9.67. The **City** may prepare urban design concept plans for the Dundee Urban Centre and Commercial First lands which may be used to help guide **development applications** within those lands.
- 9.68. Where a **development** may benefit from one or more incentive program offered by the **City**, such as reduced Development Charges, rates, or programs contained in Community Improvement Plans, the **City** may require adherence to any and all Urban Design polices contained in this Plan, and all applicable urban design guidelines contained in the **City's** Urban Design Manual. This may also include adherence to City-developed urban design concept plans specific to areas identified for incentives.
- 9.69. Incorporate barrier-free and universal accessibility in the review and implementation of all **development** and **City** projects.
- 9.70. **Development** and public and publicly accessible spaces should be designed to accommodate children and families of all types and people of all ages and abilities.
- 9.71. **Development** should be oriented to directly address streets or parks.
- 9.72. **Development** should provide for natural surveillance of the public realm.

PUBLIC REALM

- 9.73. **Development** and public works will consider **public realm** placemaking principles including access, safety, scale, orientation, transparency, architectural detail, public art and landscaping, among others.
- 9.74. The **City** will provide design criteria for the **public realm** through implementing bylaws, Kitchener's Complete Streets Guidelines, and the Urban Design Manual, where appropriate to:
 - a. Ensure safe and convenient physical and visual access to surrounding public and private buildings, parks, **community facilities** and natural features;
 - b. Create a human scaled **built form** that ensures pedestrian safety and comfort in all seasons and is compatible with its existing and planned surroundings.

- c. Create a safe, active and inviting ground floor through the optimal orientation of building entrances, transparency, placement of active uses such as retail and community spaces, and **built form** and site design detailing, including signage;
- d. Provide street trees, lighting, seating, public art and landscaping that enhances pedestrian safety, comfort and belonging; and,
- e. Incorporate infrastructure elements such as stormwater capture, garbage collection, snow plowing and removal, driveway access and parking and other elements in ways that ensure the comfort and safety of the public.

AMENITY AREAS

9.75. Amenity areas will:

- a. Be provided comprehensively at the **development** and neighbourhood scales and equitably distributed across all neighbourhoods;
- b. Include, where possible, outdoor, at-grade amenity areas in accordance with the Urban Design Manual;
- c. Ensure the safety and comfort of people of all ages and abilities, including seating, lighting, and refuge from adverse weather conditions including wind, rain and snow;
- d. Be functional and useable for all people; and,
- e. Use landscape buffers between an amenity area and an adjacent public right-of-way to protect for the safety and comfort of amenity area users.

PRIVATELY-OWNED PUBLIC SPACES

9.76. The **City** may implement design criteria for **Privately Owned Public Spaces** through implementing bylaws and the Urban Design Manual. Where a **Privately Owned Public Space** is proposed as part of required **parkland dedication**, the space will:

- a. Accommodate people of all ages and abilities;
- b. Ensure the safety of users and the broader public by providing natural surveillance, avoiding hidden or isolated areas and dead-ends;
- c. Ensure the comfort of users and the broader public through the design of seating, landscaping and weather protection, while planning for the impacts of climate change;
- d. Integrate seamlessly with the development, adjacent properties, and the public realm;
- e. Be durable and easy to maintain; and,
- f. Include a clear plan for the ongoing maintenance and repairs by the property owner.

PUBLIC ART

9.77. The **City** may implement criteria for public art through implementing bylaws, the Urban Design Manual, and the public art process and may be required within **development**, particularly within Strategic Growth Areas. Public art will:

- a. Celebrate the diversity and creativity of our communities;
- b. Be placed at visible and publicly accessible locations to enhance the quality of the public realm, parks, and other public spaces;

- c. Be placed and sized to help with wayfinding and provide people with places to meet, connect and linger;
- d. Be incorporated within **City** projects and on **City**-owned properties; and,
- e. Be the responsibility of the property owner to maintain.

LANDMARKS, VIEWS, AND VISTAS

- 9.78. The **City** may implement criteria to establish, reinforce or conserve landmarks, **views**, and **vistas** through the implementing bylaws, Urban Design Manual, and cultural heritage policies and guidelines to:
- a. Identify existing and establish new focal points within the urban environment including civic buildings and public spaces, prominent and/or architecturally significant buildings, and public art;
 - b. Strategically place new landmarks and conserve existing landmarks such that they define or frame street intersections and/or act as terminating views along view corridors; and,
 - c. Strategically design new built form, landscaping and streetscaping elements to direct and frame important views and vistas.

PRIORITY STREET DESIGN

- 9.79. The **City** may identify street segments within the Mixed Use and Commercial First land use designations as **priority streets**.
- 9.80. The following will be considered when identifying **priority streets**:
- a. proximity to **ION light rail transit** and frequent transit corridors;
 - b. proximity to major trip generators; and,
 - c. walking, rolling, and cycling connectivity between **ION light rail transit** station stops, and frequent transit, key destinations, active uses, **cultural facilities**, and **community facilities**.
- 9.81. **Development** along priority streets should:
- a. contain a mix of non-residential ground floor uses;
 - b. create a visually stimulating pedestrian experience; and,
 - c. incorporate pedestrian refuge through **built form** elements and building design.
- 9.82. The **City** may implement **priority streets** through bylaw provisions including, but not limited to:
- a. minimum ground floor façade heights;
 - b. minimum and maximum setback;
 - c. minimum façade openings;
 - d. minimum amount of active uses at the street level;
 - e. location of commercial uses on a site; and/or,
 - f. restrictions on the location of vehicular parking.
- 9.83. **Development** on **priority street** should include enhanced architectural treatment, high-quality materials, and distinctive architectural elements.

BUILT FORM & SITE DEVELOPMENT

- 9.84. **Development** should be consistent with the applicable sections of the Urban Design Manual.
- 9.85. As regulated through implementing bylaws and guided by the Urban Design Manual and site plan review process, **development** should:
- a. Respond to its surrounding context, including building scale, massing, setbacks, form, orientation, and architectural detailing;
 - b. Transition to surrounding on-site and adjacent built form and site context, which may include step-backs, landscaping, changes in building massing, and building placement and orientation;
 - c. Avoid blank walls generally, but particularly on street frontages and/or frontages visible from the public realm;
 - d. Locate parking to the rear or interior side yard of the lot and minimize its visual impact, including garages, and parking structures;
 - e. Minimize vehicular access points and ensure that vehicular circulation does not conflict with pedestrian safety, comfort and movement through the strategic location of vehicle entrances, drive aisles, and parking and loading areas;
 - f. Screen parking and loading areas from the public realm;
 - g. Mitigate cumulative microclimatic impacts including shadows, wind, and severe weather conditions; and
 - h. Accommodate waste, recycling, and compost collection, snow removal, and other site functions in compliance with the Urban Design Manual, Development Manual, and the other policies of this plan.
- 9.86. The **City** will encourage lot consolidation to ensure that the land use permissions of this Plan can be realized while meeting the **built form** and site design policies, relevant implementing bylaw regulations, and Urban Design Manual guidelines.
- 9.87. Ground floor height may be regulated in the implementing bylaws to ensure that a range of uses are viable throughout the lifespan of the development.
- 9.88. Façade and elevation design will be consistent with the policies of this Plan, the implementing bylaws, the urban design manual, and any applicable cultural heritage policies and guidelines.
- 9.89. **Development** should provide pedestrian refuge including weather protection.
- 9.90. **Development** on a corner lot should address both street frontages, and where development abuts a park, trail, open space, or **community facilities**, the abutting frontage should also be designed to address that feature.
- 9.91. New tall building **development** will consider tall building design principles including physical separation, overlook, relative height, floor plate area, building length, tower placement, orientation, and building proportion, among others. The **City** will regulate tall buildings through implementing bylaws and provide design criteria through the Urban Design Manual, where appropriate, to:

- a. Mitigate environmental impacts caused by tall buildings such as shadows, accelerated winds, access to light and sky, and more;
- b. Create high-quality design relationships between the **built forms** of multiple **adjacent** or nearby towers that account for occupant privacy and quality of life, contribute toward a visually interesting skyline, and ensure that the cumulative impacts of multiple tall buildings are managed;
- c. Ensure **compatibility** with surrounding low and mid-rise contexts; and,
- d. Ensure that the **development** potential of future, **adjacent**, or nearby tall buildings is not frustrated and can continue to achieve high-quality design principles.

Community Spaces

- 9.92. Map D identifies the approximate location and size of parks and open spaces.
- 9.93. The Leisure Facilities Master Plan, the Places and Spaces Parks Master Plan, and other relevant Master Plans and similar documents, adopted by Council and as amended from time to time, will guide the planning, provision, and maintenance of existing and new **community recreation facilities** and **parkland**.
- 9.94. Investment in new parks will prioritize equity considerations as outlined in the Places and Spaces Parks Master Plan.
- 9.95. The **City** will plan for 10m² of local **parkland** per person as outlined in the Places and Spaces Parks Master Plan.
- 9.96. Local **parkland** is shown on Map D and Map E and may be amended without the need for an amendment to this Plan.
- 9.97. The open space system will **respect** the unique topography and will strive to minimize grading when undertaking the detailed design of all open spaces.
- 9.98. The installation of unique signs, public art, interpretive signage and similar elements is strongly encouraged in parks, open spaces and trails to create community identity and enhanced way finding.
- 9.99. Parks and **community facilities** within neighbourhoods and Strategic Growth Areas should be phased and developed ahead of, or alongside residential growth in accordance with the Growth Management policies of this Plan.
- 9.100. The **City** may partner with the development industry to deliver **community facilities** within a mixed use **development**, and may include locating **community facilities** within the base of a mid or high-rise building.
- 9.101. The **City** will collaborate with school boards to encourage and facilitate innovative approaches to designing schools and associated childcare facilities, such as schools integrated into mixed use buildings.
- 9.102. Major **community facilities** will generally be designated Institutional and be located near existing or planned transit corridors.
- 9.103. Local **community facilities** will be integrated into Neighbourhoods and Strategic Growth Areas and may also be permitted in other land use designations.

- 9.104. The **City** may apply an institutional land use designation to existing institutional sites to ensure their continuation as community spaces.
- 9.105. The **City** will permit elementary and secondary schools on any lands where residential uses are a primary permitted use.
- 9.106. New **community facilities** should be located in areas that provide equitable access to the community by all modes of transportation.
- 9.107. Community facilities should be:
- a. strategically located to support the effective and efficient delivery of services; and,
 - b. planned and co-located with other **community facilities**, along with parks and open space where appropriate, to promote cost-effectiveness and facilitate service integration, access to transit and **active transportation**.
- 9.108. The **City** will consider opportunities to optimize existing **community recreation facilities** and for adaptive re-use, wherever feasible, before developing new facilities.
- 9.109. The **City** will prioritize collaboration with public and private entities to:
- a. deliver new **community recreation facilities** that are co-located with other **community facilities**, and along with parks and open spaces, where appropriate; and,
 - b. facilitate innovative approaches in design and provision of **community facilities**.
- 9.110. **Community recreation facilities** may be used as centres for cooling, heating, clean air, information and emergency preparedness during extreme weather events.

PARKLAND DEDICATION

- 9.111. The **City** may adopt a bylaw to permit alternative **parkland dedication** in accordance with the Planning Act.
- 9.112. **Parkland dedication** provided through **development** should be provided as land, rather than cash-in-lieu, consistent with the Parkland Dedication Policy and Parkland Dedication Bylaw, adopted by Council.
- 9.113. **Parkland dedication** will be reassessed in accordance with the requirements of the *Planning Act* and/or the City's Parkland Dedication Bylaw and Policy in effect at the time of **development applications**. The City may seek to secure additional lands for **parkland** beyond *Planning Act* requirements to ensure residents have sufficient access to high-quality parks.
- 9.114. The **City** retains the right not to accept the conveyance of land as **parkland** that is considered unsuitable, including but not limited to:
- a. **hazardous** or flood prone lands;
 - b. **wetlands** and woodlots retained for conservation purposes;
 - c. steep or unstable slopes;
 - d. contaminated or suspected contaminated lands;
 - e. any land having unsuitable or unstable soil conditions;
 - f. hydroelectric rights-of-way or easements;

- g. any land containing an easement, encumbrance, or right-of-use that limits or restricts the use of the land as **parkland**, including but not limited to **utilities infrastructure**;
 - h. any land to be conveyed for stormwater management facilities, for **floodplain** or conservation purposes, for roadways, walkways, or any other non-**parkland** purpose;
 - i. any land that does not meet **City** criteria and standards for park land as set out in this Section and/or other Council approved documents;
 - j. valleylands;
 - k. watercourse corridors;
 - l. environmental constraint lands, setbacks, or conservation buffers;
 - m. transportation corridors, including **heritage corridors** and trails;
 - n. land required to conserve the heritage attributes of **cultural heritage resources**; and,
 - o. privately built, owned, and/or operated recreational areas.
- 9.115. Under no circumstance will the **City** be obligated to accept **parklands** being offered in a proposed Plan of Subdivision.
- 9.116. Through the inclusion of, or conversion to, any of the items listed in policy 9.114 above, the area of those items will be excluded as a contribution towards **parkland dedication** and local **parkland** provision.
- 9.117. Lands identified as Open Space – Other and Open Space – Potential Stormwater Management Locations on Map D will not contribute towards **parkland dedication**.
- 9.118. Lands identified as Open Space – Preferred Park Locations on Map D will:
- a. prioritize conservation of **parkland** and the active recreational function of the lands, and;
 - b. be designed in accordance with the Places and Spaces Parks Master Plan or other Council adopted policies.
- 9.119. Dedicated **parkland** will be developed to meet community needs in accordance with **City** standards and guidelines.

10. Mobility: Enabling Safe, Accessible, and Integrated Travel

- 10.1. Map C identifies a planned **mobility network** including the Regional Roads, City Arterial Streets, Major Community Collector Streets, Minor Neighbourhood Collector Streets, potential Main Streets, and Trails and connections within the City's Integrated Transportation System.
- 10.2. Alignment of the planned streets is not final until they are confirmed through the completion and acceptance of an **Environmental Assessment** or through the approval of a draft Plan of Subdivision. Map C may be revised without the need for an amendment to this Plan where more detailed planning and design for the streets occurs.
- 10.3. The **City** will protect for the planned **mobility network**.
- 10.4. The mobility network will:
 - a. be primarily grid oriented to facilitate connectivity for pedestrians and cyclists;
 - b. be aligned, where possible, to respect the existing topography and minimize the need for **site alteration**; and,
 - c. be oriented east-west, where possible, to maximize opportunities for solar access.
- 10.5. The **mobility network** may contain roundabouts and other traffic calming measures for traffic management and creating focal points
- 10.6. The **City** may require the extension or creation of a street or trail corridor to enhance a connected and fine-grained **mobility network** and street connectivity through **development**.
- 10.7. The **City** may repurpose streets or rights-of-way to create places for people on a permanent or temporary basis.
- 10.8. **Infrastructure** projects, **development**, and **active transportation infrastructure** will be consistent with the Complete Streets Guidelines and Cycling and Trails Master Plan.
- 10.9. The **City's** Vision Zero Strategy and Complete Streets Guidelines will be used in **development** and **City** street projects to implement traffic calming and other safety measures.
- 10.10. The **City** will design, build, and maintain roads to eliminate serious injury and death.
- 10.11. The **City** will support the **Region's** Transportation Demand Management Plan policies, and initiatives.
- 10.12. The **City** may require a Transportation Impact Study and/or Transportation Demand Management Report for **development**.
- 10.13. The **City** may require mobility measures as part of **development**, including, but not limited to: car sharing; bike and micromobility sharing facilities; van and carpool spaces; electric vehicle charging stations; shared parking; bicycle parking and micro-mobility storage; transit amenities; and **active transportation infrastructure** and facilities.
- 10.14. **Development** will provide the following to support the **mobility network**:

- a. the granting of easements and the dedication of land to the **City** or **Region**, including those for sidewalks, bicycle facilities, **Regional** roads, roundabouts, rideshare facilities, **utilities**, and planned transit corridors, stations, and amenities;
 - b. the provision of associated transit and **active transportation** amenities such as transit shelters, pads, energy efficient lighting, and bicycle racks. The provision of such amenities will be the financial responsibility of the proponent, unless funding is available through other sources satisfactory to the **Region**; and,
 - c. site plan designs that meet the needs of pedestrians, cyclists, and transit users.
- 10.15. The **City** will work with the **Region** and the Province to deliver the **City's** portion of the integrated **mobility network**.
- 10.16. Safe pedestrian and cycling crossings will be located at frequent intervals and designed such that streets are not a barrier.
- 10.17. Where **development** may compromise the planned **mobility network**, the **City** may, in consultation with the **Region** and/or the Province, deem the proposed **development** to be premature, until relevant studies are completed that confirms the planned **mobility network** will not be compromised.

Walking, Rolling, and Cycling

- 10.18. Map C identifies planned network of trails. Modifications to this planned network of trails may be considered without an amendment to this Plan provided that the continuity of the network is maintained or enhanced.
- 10.19. The **City** will ensure that safe and convenient walking, rolling, and cycling **infrastructure** for people of all ages and abilities is incorporated when **City infrastructure** and **community facilities** are being constructed or reconstructed.
- 10.20. The **City** will provide consistent signage and wayfinding to make walking, rolling, and cycling routes easy to identify, navigate, and use.
- 10.21. The design of walking, rolling, and cycling **infrastructure** will be informed by principles of natural surveillance and safety for everyone.
- 10.22. Major and/or multi-use trails will not be permitted, and minor trails (i.e., foot paths) may be permitted within **Natural Heritage Features** and/or the buffer subject to the completion of an Environmental Impact Assessment that indicates that there will be no **negative impacts** upon the **Natural Heritage System**.
- 10.23. A neighbourhood wide wayfinding plan will be implemented, providing clear and consistent guidance to reach major destinations and transit by walking, rolling and cycling, consistent with the City's wayfinding guidelines.
- 10.24. The **City** will secure dedications for walking, rolling, and cycling routes and **infrastructure** through **development**, including but not limited to those identified on Map C.
- 10.25. **Development** will provide **active transportation** connection(s) to transit stops and stations.

- 10.26. Sidewalks will be provided on both sides of streets, in accordance with Council's sidewalk policies.
- 10.27. The **City** will use the Pedestrian Charter to promote and recognize the benefits of walking as a form of travel, exercise, and recreation.
- 10.28. The **City**, in accordance with the Cycling and Trails Master Plan and **Regional** Transportation Master Plan, will develop and maintain an all ages, abilities, and seasons cycling network.
- 10.29. The **City** may require minimum bicycle parking and other **active transportation** infrastructure, including secure bicycle parking, shower facilities, and charging facilities, through **development**, guidelines, and/or implementing bylaws.
- 10.30. The **City** may permit changes to the location and/or alignment of existing and planned **active transportation** routes based on location-specific needs, without the need for an amendment to this Plan.
- 10.31. The **City** will support and enhance a city-wide bike share and micro-mobility system as part of the integrated **mobility network** and new and innovative mobility modes.
- 10.32. Walking, rolling, and cycling **infrastructure** should be designed to provide shade coverage and connect to key **community facilities**.

Transit

- 10.33. Map C identifies a proposed transit route for the planned street network within the Plan area and a potential transit hub within the Dundee Urban Centre. This potential transit network is conceptual and may be revised as local streets are identified and **development** occurs.
- 10.34. **Development** along the proposed transit routes as identified in Map C will be encouraged to be designed as transit-oriented **developments** through their consideration of densities, location of future transit stops and pedestrian connections to transit routes. In doing so, **developments** will have regard of supporting early and frequent transit network within the Plan area.
- 10.35. To maximize accessibility and transit capture potential, and to provide appropriate walking distances to transit services, transit stops and amenities will be designed and be located as per GRT Bus Stop Design Guidelines.
- 10.36. Transit priority measures will be implemented to facilitate fast and frequent transit service, such as transit only lanes, queue jump lanes, etc., in compliance with GRT guidance
- 10.37. The **City** will ensure that the layout of new arterial and collector streets promote efficient and direct transit corridors within and between neighbourhoods.
- 10.38. Transit stops and stations will be designed to provide safe, efficient, and effective access for all users, with consideration for equity-denied groups.
- 10.39. The **City** will support transit priority lanes, access, and traffic control devices that give priority to transit vehicles.

Parking and Curbside Management

- 10.40. The **City** may establish maximum parking requirements.
- 10.41. All parking areas or facilities, where provided, should be designed, constructed, and maintained to be consistent with relevant **City** standards and guidelines, and should prioritize matters such as accessible parking, short-duration stays/visitor parking, pick-up and drop-offs, and car-share parking.
- 10.42. The **City** will actively manage curbside space and competing priorities including **active transportation**, access to transit and transit amenities, pickup and drop off space, electric vehicle charging, deliveries, and vehicle parking including carshare parking.
- 10.43. The **City** may develop an electric vehicle charging strategy to provide for efficient, accessible, and equitable charging infrastructure.
- 10.44. The **City** may regulate standards for all types of parking and **active transportation** through implementing bylaws and guidelines, including regulations for accessible parking, visitor parking, parking and drive aisle dimensions, parking and charging for electric vehicles (including micromobility), carpool/vanpool/car share parking spaces, bicycles and other micro-mobility options, and visitor and short-term parking.

City-owned streets

- 10.45. All **City** streets will be designed as outlined in the Complete Streets Guidelines.
- 10.46. The City may adjust the location of Main Streets identified on Map C at the time of **development applications** without the need of an amendment to this Plan.
- 10.47. Main Streets are dynamic corridors that will be designed to:
 - a. prioritize and enhance pedestrian experience;
 - b. provide a focal point for surrounding neighbourhoods;
 - c. create a sense of place and vibrancy, incorporating public art, street furniture, and street trees;
 - d. allow for the streetscape to transition easily for various uses by using features like movable furniture or seasonal changes;
 - e. accommodate temporary closures for uses like outdoor markets, street festivals, and pop-up events; and,
 - f. support multiple modes of travel – walking, rolling, cycling, transit, and driving.
- 10.48. Local Streets will be identified at the time of **development applications**.
- 10.49. **Development** will limit and design driveway access to prioritize user safety and vulnerable road users, and protect the function of **City** Arterial Streets.
- 10.50. The **City** will build and maintain an **active transportation** spine network made up of on-road and off-road **mobility network** components, in accordance with the Cycling and Trails Master Plan.
- 10.51. Dedicated cycling facilities, separated from vehicular traffic, will be provided for **City** Arterial Streets, in accordance with the Cycling and Trails Master Plan.

- 10.52. **City** local streets will be designed to accommodate safe pedestrian enjoyment of the travelled road.
- 10.53. The alignment of Planned Streets may change as more detailed planning and design for the streets occurs, without the need to amend the Maps in this Plan. The alignments of Planned Streets are not final until they are confirmed through the completion and acceptance of an **Environmental Assessment** or through the approval of a draft Plan of Subdivision.

Regional Roads

- 10.54. The **City** may require **Regional** road widenings as a condition of approval for **development**, including Site Plan, Consent, or Plan of Subdivision, for the following purposes, where shown on an approved plan:
 - a. to provide for dedicated pedestrian and/or cycling **infrastructure**, including sidewalks, multi-use trails, micro-mobility stations, and/or or cycling lanes;
 - b. to provide for transit **infrastructure**, planned or existing, including dedicated transit right-of-way, station/stop **infrastructure** and/or other transit system **infrastructure** requirements;
 - c. to provide suitable access to major traffic generators or attractors; and,
 - d. to accommodate cut and fill slopes.
- 10.55. The **City** will consult with the **Region** for **development** on **Regional** roads to balance the **planned function** of **Regional** roads with the **intensification**, walkability, health and safety, noise, and vision and big moves of this Plan.
- 10.56. **Development** will obtain any required permits from the **Region**.
- 10.57. The **City** will collaborate with the **Region** to regulate the number of access points and **development adjacent** to **Regional** roads.
- 10.58. Access to **Regional** roads will be subject to the requirements of the **Regional Road Access Bylaw** and associated Implementation Guidelines.
- 10.59. **Active transportation** facilities are to be provided on both sides of **Regional** roads.

11. Infrastructure and Servicing: Supporting Growth through Re-investment

- 11.1. Municipal **infrastructure** and **utilities** that are required to service the public may be permitted in any land use designation.
- 11.2. Notwithstanding the preceding policy, on lands designated Natural Heritage Conservation or on **lands adjacent** to these lands, the submission of an **Environmental Impact Study**, or other appropriate study, will be required, in accordance with the policies of this Plan.
- 11.3. Where a study completed in accordance with the preceding policy demonstrates that the construction of the **infrastructure** work will:
 - a. result in localized and/or reversible impacts to a Core Natural Heritage Feature or its **ecological functions**, and that other alternatives are less feasible from a technical, environmental, and/or financial perspective, the **City** will, without the need for an amendment to this Plan:
 - i. require that appropriate mitigation measures be implemented; and,
 - ii. approve the undertaking; or,
 - iii. support the undertaking in comments, submissions, or recommendations; or,
 - b. result in widespread **negative impacts** to the Core Natural Heritage Feature or its **ecological functions** or result in long-term damage to its significant features and functions, and that other technically and financially feasible alternatives exist that would have fewer **adverse environmental impacts**, the **City** will:
 - i. not approve the undertaking; or,
 - ii. not support the undertaking in comments, submissions, or recommendations; or,
 - c. result in widespread **negative impacts** to the Core Natural Heritage Feature or its **ecological functions** or result in long-term damage to its significant features and functions, but that there is a clearly demonstrated need for the project and that all other alternatives to the recommended project are substantially less feasible from a technical, environmental, and/or financial perspective, the **City** will, without the need for an amendment to this Plan:
 - i. require that appropriate mitigation measures be implemented to reduce the impact of the undertaking to greatest extent feasible; and,
 - ii. approve the undertaking; or,
 - iii. support the undertaking in comments, submissions, or recommendations.

- 11.4. **Infrastructure** work should avoid **Natural Heritage Features**. Where it is not feasible to avoid these areas, the construction of the **infrastructure** project should be designed to maintain, enhance and, **restore ecological functions**.
- 11.5. The location and design of **active transportation** infrastructure will have regard for the **Natural Heritage System** and its features. **Development** may be permitted on lands adjacent to the **Natural Heritage System** features where an **Environmental Impact Study** demonstrates that the location and design of the **active transportation** infrastructure will not result in **negative impacts** on the natural heritage feature or **ecological functions** of the feature.
- 11.6. The **City** will not support changes in the land use designation and zoning of lands which will result in the underutilization of previously planned and/or constructed municipal **infrastructure** or result in impacts that cannot be mitigated.
- 11.7. The **City** will direct and accommodate growth or **development** in a manner that promotes the efficient use and optimization of existing and planned municipal **infrastructure**.
- 11.8. The **City** will coordinate the location, scale, and timing of **development** with the appropriate provision of **infrastructure** and municipal financial responsibilities, as outlined through the growth management policies in the Implementation Section of this Plan.
- 11.9. Longer term forecasts beyond the 2051 planning horizon, may be used for **infrastructure** planning studies undertaken by or for the **City** and other infrastructure providers.
- 11.10. The **City** will ensure that **development** can be accommodated with existing or planned municipal **infrastructure**.
- 11.11. Where **development** cannot be accommodated with existing or planned municipal **infrastructure**, the cost of required **infrastructure** upgrades will be the responsibility of the proponent.
- 11.12. Where adequate **infrastructure** does not exist, the **City** may use Holding provisions or other tools in the implementing bylaws, or conditions of subdivision approval to regulate the timing of development.
- 11.13. The **City** will encourage existing **development** on private **infrastructure** to connect to municipal **infrastructure** wherever feasible and possible.
- 11.14. Municipal **infrastructure** should be installed within public lands wherever possible.
- 11.15. Connecting to municipal **infrastructure** through an **adjacent** lot is discouraged.
- 11.16. The **City** will incorporate the impacts of future climate change into **infrastructure** design and operations.
- 11.17. The **City** will cooperate with the **Region** and relevant orders of government and/or agencies having jurisdiction on relevant **City** projects in planning for **infrastructure** and services.
- 11.18. The **City**, other municipalities, and/or proponents may enter into cross-border servicing agreements to facilitate **development** within and/or outside of the city while protecting the ability to accommodate **development**.

- 11.19. The **City** will prioritize **infrastructure** upgrades to areas most vulnerable to extreme weather impacts, informed by socioeconomic and environmental considerations.
- 11.20. The submission of an **Environmental Impact Study** will be required where construction of **infrastructure** is proposed within or on **lands adjacent** to designated Natural Heritage Conservation in accordance with the Natural Environment policies of this Plan.

Water, Sanitary and Stormwater Services

- 11.21. The detailed design and implementation of water and sanitary services to support **development** should have consideration for the recommendations of the Dundee Secondary Plan Class Environmental Assessment and any subsequent servicing studies or analyses to ensure long-term viability, safety, and **infrastructure** capacity.
- 11.22. Unless otherwise provided for in this Plan, all **development**, including lot creation, should be on municipal water services and full municipal sanitary services, where available.
- 11.23. **Private Water Wells** will not be permitted on any lands where municipal **infrastructure** is available, with the exception of the following:
 - a. **Private Water Wells** which legally existed prior to October 1, 2003;
 - b. a property used for non-residential purposes which, prior to October 1, 2003, relies upon a legally existing **Private Water Well** for purposes other than human consumption such as irrigation, cooling, **geothermal**, or manufacturing purposes; or,
 - c. In accordance with the private servicing policies of this Plan.
- 11.24. **Private Water Wells** will be discouraged from providing water to any other lot.
- 11.25. Private Communal Water and Wastewater systems are discouraged. Where provided, they will be designed to municipal or provincial standards.
- 11.26. Connections to regional transmission mains for the purpose of providing water service to an individual property is prohibited.
- 11.27. **Development**, including lot creation, will be limited to one water service connection per lot.
- 11.28. Where municipal water and/or sanitary services are unavailable, **development** may be permitted on new or expanded **private water wells** and/or **private sewage system**, where it is demonstrated that:
 - a. extension of servicing from a municipal water and/or wastewater system is not feasible for any appropriate **development** in accordance with the **planned function** of the area;
 - b. the site is not located within WHPA A V10, WHPA B V8 or V10, WHPA C V8, and Intake Protection Zone 1 identified in Schedule C of this Plan;
 - c. site conditions are suitable for the long-term provision of such services and will have no adverse effects; and,

- d. all new or expanded **private water wells** are limited to drilled wells with appropriate surface and subsurface casing.
- 11.29. Where a temporary pumping station is proposed to service a **development**, all costs associated with the planning, construction, operation, and decommissioning will be the responsibility of the proponent.
- 11.30. The **City** will not allow private sanitary forcemains in the municipal right-of-way.
- 11.31. Preliminary sanitary design review should align with the recommendations of any applicable area-specific plans, sanitary studies, Integrated Sanitary Master Plan, and cross-border servicing agreements.
- 11.32. The location, configuration, and boundary of stormwater management facilities identified on Map D will be confirmed and/or refined through technical studies (e.g. A Stormwater Management Report or other appropriate study, such as a Master Environmental Servicing Plan, or Functional Servicing Report) to support **development** without the need for further amendment to this Secondary Plan.
- 11.33. Stormwater management will be based on a combination of distributed source controls and centralized facilities. This stormwater management approach will be consistent with the management frameworks established in the Upper Blair Creek Functional Drainage Study and the Upper Cedar Creek State of the Watershed Study and will align with Ministry of the Environment, Conservation and Parks and conservation authority guidance on managing runoff and protecting downstream systems.
- 11.34. Stormwater management should take into consideration the Dundee Secondary Plan Class **Environmental Assessment** as well as any applicable **subwatershed studies**, the City's Integrated Stormwater Management Master Plan, Drinking Water Source Protection policies of this Plan, and Consolidated Linear Infrastructure Environmental Compliance Approval (CLI-ECA) guidelines as demonstrated through a Comprehensive Stormwater Management Report.
- 11.35. Stormwater management planning will assess the impacts of extreme weather events, across various climate change scenarios, and incorporate **green infrastructure** into **development** and **infrastructure** projects.
- 11.36. **Development** will grant the **City** permanent easement(s) over all lands containing open-channel creeks and buried stormwater **infrastructure**, including buried pipes, culverts, manholes, catch basins, and other appurtenances. Open-channel creeks include the full top-of-bank width and any **floodplain** limits, and associated development setbacks as defined by the relevant Conservation Authority.
- 11.37. **Development** should daylight and **restore** all existing buried creeks and watercourses on the property.
- 11.38. The **City** will prioritize the **restoration** of natural waterways by uncovering and rehabilitating buried watercourses to enhance **ecological function**, reduce flood risk, and improve community access to natural features.

Utilities

- 11.39. **Development** will ensure that **utility** providers are able to service **development** in a timely manner and determine locations for large **utility** equipment and **utility** cluster sites.
- 11.40. Where feasible, **utilities** should be located underground or within buildings. Where that is not feasible, **utility** equipment should be appropriately located and screened, and should not be located along a primary street façade.
- 11.41. The construction of linear **utility infrastructure** for electric power, gas, and other services will be installed and located to minimize their impact on **adjacent** land uses and the environment.
- 11.42. The **City** will promote the shared placement of **utilities** within easements and rights-of-way to minimize land requirements, where feasible.
- 11.43. **Development adjacent to utility infrastructure** will ensure that appropriate safety and environmental protection measures are provided to the satisfaction of the **utility** in consultation with relevant authorities.
- 11.44. Shared land uses on electricity transmission and distribution rights-of-way will be allowed provided that the use is associated and **compatible** with surrounding uses and has been approved by the owner. Shared uses may include, but are not limited to, open spaces, parking lots, outside industrial storage, or other uses accessory to **adjacent** land uses.
- 11.45. The **City** will not permit any residential buildings and/or structure encroachments on abutting hydro easements.
- 11.46. The **City** will support clean transportation **infrastructure** including electric vehicle charging stations, hydrogen refueling stations, and other low-carbon fuels.

12. Community Health and Safety: Protecting People & Resources

Protecting our Water

THE WATER RESOURCE SYSTEM

- 12.1. The **water resource system** is identified on Map F.
- 12.2. The **watershed** will be used as the ecologically meaningful scale for integrated and long-term planning and undertaking **watershed** planning to inform planning for sewage and water services and stormwater management, including **low impact development**, as set out in Watershed Planning policies of this Plan.
- 12.3. Development will avoid **negative impacts** on the **water resource system**, or where avoidance is not possible, minimize and mitigate potential **negative impacts** on the **water resource system** and its **hydrologic functions**.
- 12.4. The **City** will maintain and **restore** linkages and consider cross-jurisdictional and cross-**watershed** impacts.
- 12.5. Potential locations for municipal drinking water supply wells and related **infrastructure** may be identified within the Plan area through Water Supply Master Plans, **Environmental Assessments**, or equivalent technical studies. Prior to identifying specific locations, **development applications** within the Plan area will demonstrate to the satisfaction of the approval authority and the Region that the proposed **development** will not limit or unreasonably constrain the ability to identify, evaluate, or establish municipal drinking water supply wells and related **infrastructure**.
- 12.6. Where candidate or future municipal well sites and/or related water supply infrastructure is identified through a Water Supply Master Plan, **Environmental Assessment**, or equivalent technical study, the **City** will ensure that **development applications** are reviewed in consultation with the **Region** to confirm that:
 - a. the proposed **development** is **compatible** with, and does not adversely affect, the long-term viability, operation, or protection of existing or future municipal drinking water supply **infrastructure**; and
 - b. mechanisms are in place to facilitate the orderly conveyance of any lands or easements required for well sites and/or related water supply **infrastructure**, through conditions of approval, registered agreements, or other acquisition processes in accordance with applicable legislation.
- 12.7. The **City** will restrict **development** and **site alteration** to protect all municipal drinking water supplies and **designated vulnerable areas** as set in the Drinking Water Source Protection Section of this Plan.
- 12.8. The **City** will protect, improve, or **restore** other **vulnerable** surface and ground water, and their **hydrologic functions** not currently designated under the Clean Water Act,

2006, but which may be identified through site-specific technical studies or **subwatershed studies**.

- 12.9. The **City** may require mitigative measures such as setbacks or buffers, or alternative **development** approaches as set out in the salt management policies of this Plan.
- 12.10. The **City** will plan for the efficient and sustainable use of water resources, through practices which follow priorities of water use pursuant to O. Reg. 387/04, for water conservation and sustaining water quality as set out in the Water Efficiency and Conservation policies of the Plan.

REGIONAL RECHARGE AREA

- 12.11. The **City** will restrict **development** and **site alteration** in **Regional Recharge Areas** to ensure these areas and their hydrogeologic and **hydrologic functions** are protected, improved, or restored, in accordance with the Protecting our Water policies of this Plan.
- 12.12. Areas identified as **Regional Recharge Areas** on Map F will be treated as an overlay to the land use designations shown on Map E.
- 12.13. For lands identified as **Regional Recharge Areas** within this Plan, all **development** will comply with the following:
 - a. New Category 'A1' and 'A2' uses listed in Schedule B will not be permitted;
 - b. **Development** requiring a permanent **water taking** of greater than 50,000 litres/day will not be permitted, except for municipal water supply wells, **agricultural uses**, or **mineral aggregate operations**, where permitted under this Plan; and,
 - c. **Major development** may only be permitted if it is demonstrated that the **hydrologic functions**, including the **quality and quantity of water**, will be protected, improved, or **restored** by:
 - i. the incorporation of best management practices and techniques during planning, design, and construction to maintain pre-**development** recharge rates to the fullest extent possible in accordance with **Regional** guidelines;
 - ii. meeting other criteria and direction set out in the applicable **watershed** or **subwatershed** plan through further technical study in accordance with study requirements for **development** in the Drinking Water Source Protection policies of this Plan; and,
 - iii. meeting any applicable Provincial or **Regional** standards, guidelines, and procedures.
- 12.14. The preceding policy does not apply to **major development** that is a new or expanding building or structure for **agricultural uses**, **agriculture-related uses**, or **on-farm diversified uses** where the total impervious surface does not exceed 10 per cent of the lot.
- 12.15. The **City** will consult with the **Region** during the review of all proposals for **major development** in the **Regional Recharge Area** to ensure that it does not compromise the integrity of ground water resources.

Drinking Water Source Protection

DESIGNATED VULNERABLE AREAS

Designated vulnerable areas supply ground or surface water directly into the **Region's** municipal drinking water system. These areas are divided into two primary categories: Wellhead Protection Areas (WHPAs) and Intake Protection Zones (IPZs).

WHPAs protect the land immediately surrounding a municipal well, while IPZs safeguard surface water intakes from the Grand River. The boundaries of these areas are based on how quickly water and pollutants can travel to the well or intake. Most WHPAs are assigned a **vulnerability** score ranging from 2 to 10, with higher scores indicating greater susceptibility to contamination. These areas are crucial for guiding land use planning decisions and restricting or prohibiting high-risk activities to prevent any **negative impacts** to drinking water sources.

GENERAL POLICIES ON THREATS AND VULNERABLE AREAS

- 12.16. Designated vulnerable areas are shown on Map F.
- 12.17. Any activity or land use within a **designated vulnerable area** as shown on Map F that is considered a significant drinking water threat will conform to all applicable policies in both this Plan and the Grand River Source Protection Plan.
- 12.18. Where a site falls in more than one **designated vulnerable area**, the most restrictive policies will apply.
- 12.19. The **City** may consider the use of alternative protection measures within **designated vulnerable areas**, including but not limited to, the establishment of a land trust for acquiring, holding, and managing Source Water Protection Areas, and/or entering into conservation easements, agreements, and development of stakeholder partnership programs to encourage changes in land use or land management practices.

DEVELOPMENT APPLICATION AND STUDY REQUIREMENTS

- 12.20. All required studies or assessments submitted in support of **development** or **site alteration** must be completed in accordance with **Regional** guidelines and to the satisfaction of the **City** and the **Region**. The type and number of studies will depend on the location of proposed **development** or **site alteration** relative to the **vulnerability** of the **designated vulnerable area** and its proximity to a municipal drinking water supply well or surface water intake. All submitted studies must demonstrate that the proposed **development** or **site alteration** will have no **negative impacts** on the **quality and quantity** of drinking water resources.
- 12.21. A Notice of Source Protection Plan Compliance (Section 59 Notice) pursuant to the Clean Water Act, 2006 issued by the Risk Management Official, is required as part of **complete application** or prior to building permit or **site alteration** permit for all sites identified within the Designated Part IV Areas on Map F.

RESTRICTIONS ON WATER TAKING AND GEOTHERMAL WELLS

- 12.22. Within **designated vulnerable areas** identified on Map F, **development** or **site alterations** requiring permanent water taking of greater than 50,000 litres/day will not be permitted, except for municipal water supply wells, **agricultural uses**, or **mineral aggregate operations**, where permitted under this Plan.
- 12.23. **Development** proposing geothermal energy systems, including horizontal closed-loop, vertical closed-loop, or vertical open-loop systems, are not permitted on, or adjacent to, properties identified as having known contamination.

RISK ASSESSMENT AND SITE CONTAMINATION

- 12.24. All Environmental Site Assessments and Records of Site Condition required as part of a **development** application will apply potable ground water standards to reflect and protect the city's reliance on ground water for its municipal drinking water supply.
- 12.25. Where a Risk Assessment is used to support the filing of a Record of Site Condition as part of a **development** application, the following policies will apply:
 - a. For properties located within a WHPA identified on Map F, the Risk Assessment must assume that ground water beneath the property contributes to the raw water supply for a municipal drinking water system and assess and address any potential transport pathways that could facilitate the movement of contaminants to municipal supply wells to prevent **negative impacts** to the raw water supply; and
 - b. In all other locations, if a Risk Assessment determines that the ground water beneath the property does not, or will not, serve as a raw water supply for a municipal drinking water system, written notification must be provided to the **Regional** Clerk in accordance with O. Reg. 153/04: Records of Site Condition.

RISK-BASED LAND USE CATEGORIES

- 12.26. Land uses that may pose a risk to the **quality** of municipal drinking water supplies are divided into the following categories according to their associated level of risk:
 - a. **Category A1** and **A2** (Very High Risk Uses);
 - b. **Category B** (High Risk Uses); and,
 - c. **Category C** (Moderate Risk Uses).
- 12.27. Land uses typically associated with each of the land use categories identified in the policy above include, but are not limited to, the uses listed in Schedule B.

VULNERABLE AREA RISK ASSESSMENT TABLE

- 12.28. Schedule C includes a Vulnerable Area Water Risk Assessment Table that outlines permitted and non-permitted activities and land uses within specific **designated vulnerable areas**. This table must be read in conjunction with the applicable policies referenced in this Section to evaluate **development's** conformity with the applicable source protection policies of this Plan.

WELLHEAD PROTECTION AREAS A TO E

- 12.29. Wellhead Protection Areas (WHPAs) A to E are shown on Map F and described below:
- a. WHPA – A delineates the area within a 100-metre radius of a municipal well. This zone is assigned the highest vulnerability score of 10, indicating a significant risk to ground water quality from specific land use and other high-risk activities;
 - b. WHPA - B delineates the area where ground water is estimated to take up to 2 years to reach a municipal well. Vulnerability scores can be 6 (Low), 8 (Medium) or 10 (High), depending on local hydrogeologic conditions and overburden protection.
 - c. WHPA - C delineates the area where ground water is estimated to take up to 5 years to reach a municipal well. Vulnerability scores can be 2 or 4 (Low), 6 (Medium) or 8 (High), indicating a moderate to moderately high potential for contamination;
 - d. WHPA - D delineates the area where ground water is estimated to take up to 25 years to reach a municipal well. Vulnerability scores can be 2 (Low), 4 (Medium) or 6 (High), indicating lower **vulnerability** but still requiring appropriate land use considerations; and,
 - e. WHPA – E delineates the area where surface water can flow to a municipal well within a two-hour travel time, creating a direct hydraulic connection pathway for contaminants to rapidly reach the drinking water source.
- 12.30. **Development** located within WHPA A to D must comply with the provisions set out in the Vulnerable Area Risk Assessment Table in Schedule C.

WELLHEAD PROTECTION AREAS – WATER QUANTITY

- 12.31. Wellhead Protection Areas – Water Quantity (WHPA -Q) are shown on Map F.
- 12.32. The **City** will maintain, and, where feasible, enhance natural recharge areas to maintain the long-term sustainability of ground water resources without causing **negative impacts** to ground water quality.
- 12.33. The City will minimize impervious surfaces and promote **green infrastructure** and appropriate **low impact development** to maintain or improve ground water infiltration and baseflow to aquifers, while ensuring no **negative impacts** to water quality.
- 12.34. The City will ensure that land use planning and **development** consider cumulative **water takings** and consumptive activities, in order to prevent overuse of ground water resources.
- 12.35. Municipal servicing strategies and **infrastructure** planning within WHPA - Q areas will support water conservation and efficiency and sustainable ground water use.

SALT MANAGEMENT

- 12.36. The **City** will require a Chloride Impact Assessment for community, secondary, and **subwatershed** planning processes. The assessment will ensure a comprehensive and proactive approach to salt management at a **subwatershed** or community-wide scale by identifying potential impacts of de-icing salts on drinking water sources and mitigation measures.

- 12.37. The **City** may require a Chloride Impact Assessment and/or Salt Management Plan for **development**, including modifications to existing draft approved Plans of Subdivisions or vacant land Condominiums. The assessment will identify, address, and recommend ways to minimize any potential impacts of de-icing salts from the proposed **development** on municipal drinking water supply wells.
- 12.38. The **City** will encourage the design of drainage systems and lot grading in new plans of subdivision to include consideration for cold weather stormwater flows and winter maintenance, and may require the strategic design of new road networks to reduce the need for road salt application.

Water Efficiency and Conservation

- 12.39. The **City** will encourage the reduction of water consumption levels through the promotion of the efficient use of water and the implementation of water-saving technologies and may specify appropriate water conservation measures within existing buildings and new **development**.
- 12.40. The **City** will encourage the use of alternative water supply and demand management systems such as rainwater harvesting and grey water reuse in all **development**.
- 12.41. The **City** will encourage the utilization of low-water-use landscaping alternatives, such as native plants and drought tolerant species, to minimize water consumption.
- 12.42. The **City** will support water efficiency measures that reduce the demand for energy to pump and treat water resources.
- 12.43. The **City** will discourage new land uses and expansions of existing high water users that utilize large amounts of water, and may prohibit land uses that consume large volumes of water and could compromise the population, job growth forecast, and the vision and big moves of this Plan.
- 12.44. A Water Conservation Plan will be required for a **development** proposing a large use of municipally treated and supplied water. The plan will consider alternatives to the use of water and evaluate mitigation measures to reduce the use of water, where technically feasible.
- 12.45. The **City** will support the implementation of best practices for water conservation, including but not limited to, the use of sub-metering in new multi-unit developments, the auditing of water efficiency in older buildings, and the use of development standards.
- 12.46. The **City** will work with the **Region** and the relevant Conservation Authority to share information and resource to promote water conservation measures and public educational initiatives.

Natural Hazards – Flooding and Erosion

- 12.47. The **City** will consider the potential impacts of climate change that may increase the risk associated with **hazardous lands** when evaluating **development** and **infrastructure** projects.

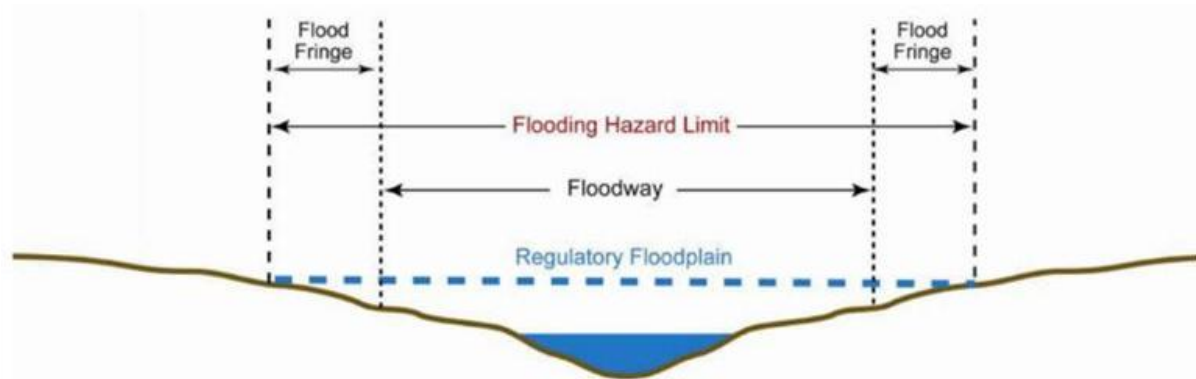
- 12.48. **Hazardous lands** and regulated lands in accordance with Ontario Regulation 41/24 are generally shown on Map D. The precise delineation of these areas will be determined in consultation with the relevant Conservation Authority. An amendment to this Plan will not be required for minor revisions to the boundaries, where such revisions are supported through appropriate technical studies and/or assessments, site plans, and/or other plans as required and approved by the relevant Conservation Authority.
- 12.49. **Development** to straighten, change, divert, or interfere in any way with the existing channel of a river, creek, stream or watercourse or to change or interfere in any way with a **wetland** will not be permitted within a regulated area except in accordance with relevant Conservation Authority Policies for the Administration of the Prohibited Activities, Exemptions and Permits Regulation Ontario Regulation 41/24.
- 12.50. **Development** or **site alteration** will not be permitted within Riverine **Flooding** or **Erosion Hazards** or **wetlands** where the use is:
- a. A land use associated with hospitals, **residential care facility**, assisted living facilities, pre-school, school nurseries, and/or child care or schools where there is a threat to the safe evacuation of the sick, the elderly, persons with disabilities, or the young;
 - b. An essential emergency service such as fire, police, and ambulance stations or electrical substations;
 - c. Associated with the outdoor storage of any materials, either temporary or permanent; or,
 - d. Associated with the disposal, manufacture, treatment, or storage of hazardous substances.
- 12.51. Municipal **infrastructure** may be permitted within **flooding** and **erosion hazard** areas.
- 12.52. On lands zoned to recognize an **existing** use, a change in use may be permitted through a Zoning Bylaw Amendment provided:
- a. that the subsequent use is **compatible** with surrounding land uses;
 - b. no new **dwelling units** are created;
 - c. the new use presents less of a risk to life and property in the event of flooding;
 - d. the new use is not specifically prohibited by the policies in this Section;
 - e. approval is received from the relevant Conservation Authority; and,
 - f. a review of all existing outdoor storage areas be undertaken as part of any expansion or alterations.
- 12.53. For the purpose of determining boundaries within the implementing bylaw, the following applies:
- a. Zone lines that are intended to indicate the **floodway** of the Two Zone Policy Area will follow the actual floodline contours and limits of encroachment as provided by the relevant Conservation Authority; and
 - b. On lands and portions thereof within the **flood fringe** of the Two Zone Policy Area:

- i. the entire lot will be considered to be within the Regulatory Flood and regulated by the relevant Conservation Authority; and,
- ii. a special regulation provision will be applied in the zoning category where the lot or portion thereof and any part of the potential building envelope is located within the **flood fringe** of the Two Zone Policy Area.

RIVERINE FLOODING HAZARDS

- 12.54. A One Zone Policy Area and Two Zone Policy Area is applicable to the city, as per mapping approved by the relevant Conservation Authority, shown on Map D.
- 12.55. Lands within the entire One Zone policy area, and **floodway** portion of the Two Zone policy area will be designated Natural Heritage Conservation on Map D.
- 12.56. Lands within the **flood fringe** portion of the two-zone policy area will receive a land use designation on Map E consistent with the Places to Grow, in the Community Structure policies of this Plan.
- 12.57. Lands within the **Flooding Hazard** Limit and designated Natural Heritage Conservation that were vacant or otherwise undeveloped lands at the time of adoption of this Plan will be zoned as Natural Heritage Conservation.
- 12.58. Lands within the **Flooding Hazard** Limit and designated Natural Heritage Conservation where **development** exists at the time of adoption of this plan will be zoned to recognize the existing use.
- 12.59. To implement a Two-Zone Policy Area, appropriate land use designations and bylaws must be put into place.
- 12.60. Implementing bylaws applied in accordance with the policy above will recognize legally existing development and allow for minor expansions and alterations subject to the issuance of a Permit (Pursuant to Ontario Regulation 41/24) and the implementation of **floodproofing standards, protection works** standards, and access standards as demonstrated by a qualified engineer to the satisfaction of the relevant Conservation Authority.
- 12.61. In a Two Zone Policy Area, the **Floodplain** is divided into two distinct sections, the **Floodway** and the **Flood Fringe** as illustrated in Figure 4.

Figure 3. Two Zone Policy Area



- 12.62. A special provision will be applied to the zoning category of all lands identified by this Plan as being within the **flood fringe** of the Two Zone Policy Area to serve as notice that properties so zoned will be constrained beyond the regulations of the implementing bylaw. In this circumstance, new **development**, expansions, or alterations will be subject to **floodproofing standards**, **protection works** standards, and access standards, as deemed necessary by the relevant Conservation Authority and the issuance of a Prohibited Activities, Exemptions and Permits Regulation (pursuant to Ontario Regulation 41/24) will be required.
- 12.63. **Development** in the **floodway** will not be permitted except in accordance with relevant Conservation Authority Policies for the Administration of the Prohibited Activities, Exemptions and Permits Regulation Ontario Regulation 41/24.
- 12.64. **Development** may be permitted in the **flood fringe** subject to appropriate **floodproofing standards** to the regulatory flood elevation and in accordance with relevant Conservation Authority Policies for the Administration of the Prohibited Activities, Exemptions and Permits Regulation Ontario Regulation 41/24.
- 12.65. All habitable floor space and electrical, mechanical, and heating services will be located above the elevation of the Regulatory flood elevation.
- 12.66. Safe access for emergency vehicular and pedestrian movement will not be prevented during times of flooding for new buildings and new **dwelling units** in accordance with relevant Conservation Authority Policies for the Administration of Ontario Regulation 41/24
- 12.67. The creation of any uninhabitable floor space below the Regulatory Flood elevation where there is the possibility of conversion to habitable floor space will not be permitted.
- 12.68. Notwithstanding the preceding policy, the creation of uninhabitable floor space below the Regulatory Flood elevation may be permitted if it is associated with an apartment building, commercial, industrial, or other non-residential **development**. Such areas in an apartment building may include foyers, recreation rooms, communal storage areas, or other uninhabitable floor space that is normally associated with this type of **development**. All such floor space in any **development** will be floodproofed to the Regulatory Flood elevation with the maintenance of safe access ensured.

- 12.69. Notwithstanding the preceding policy, **development** or **site alteration** will not be permitted within the Riverine **Flooding Hazard** (Regulatory **Floodplain**/One Zone and Two Zone **Floodway**), where the use is:
- a. A new campground or the expansion of an existing campground;
 - b. A new parking lot associated with residential uses in the **floodway** of a Two Zone Policy Area or a One Zone Policy Area;
 - c. Underground parking associated with any use in the **floodway** of a Two-Zone Policy Area;
 - d. A driveway or access way to lands outside of Riverine **Flooding Hazard** where safe access is not achievable and no alternative access way providing safe access is available; or,
 - e. Flood **protection works** to allow for future/proposed **development**.
- 12.70. **Development** excluding non-habitable accessory buildings or structures associated with an existing use, will not be permitted within 15 metres of the top of bank of a watercourse except for works permitted as per the relevant Conservation Authority Policies for the Administration of the Prohibited Activities, Exemptions and Permits Regulation Ontario Regulation 41/24.
- 12.71. **Private sewage systems** will not be permitted within the **floodway** portion of the **floodplain**.
- 12.72. Where **private sewage systems** are proposed within the **flood fringe**, an assessment of the site will be undertaken to ensure that the system will not be adversely affected by incidental flooding.

RIVERINE EROSION HAZARDS

- 12.73. **Development** will not be permitted within the Riverine **Erosion Hazard** and the associated allowance except in accordance with relevant Conservation Authority Policies for the Administration of the Prohibited Activities, Exemptions and Permits Regulation Ontario Regulation 41/24.
- 12.74. Notwithstanding the preceding policy, **development** within the Riverine **Erosion Hazard** Allowance may be permitted in accordance with relevant Conservation Authority Policies for the Administration of the Prohibited Activities, Exemptions and Permits Regulation Ontario Regulation 41/24. In support of **development**, a site-specific geotechnical or engineering assessment may be required to establish more precise limits for the Riverine **Flooding Hazard**, Riverine **Erosion Hazard**, valley slope and any associated **development** setbacks.
- 12.75. Notwithstanding the two preceding policies, **development** will not be permitted within the Riverine **Erosion Hazard** where the use is:
- a. a bank stabilization project intended to protect new **development**, with the exception of public **infrastructure**;
 - b. placement or dumping of fill not associated with works approved by the relevant Conservation Authority;

- c. a Stormwater Management Facility; or,
- d. excavation works at the toe of a valley slope, except for works which may be permitted under relevant Conservation Authority Policies for the Administration of Ontario Regulation 41/24.

RIVERINE VALLEYLANDS

- 12.76. **Development** within riverine **valleys** with stable, gentle sloping walls not subject to the Riverine **Erosion Hazard** may be permitted in accordance with relevant Conservation Authority Policies for the Administration of the Prohibited Activities, Exemptions and Permits Regulation Ontario Regulation 41/24.
- 12.77. Prior to **development**, the **City** may require detailed hydrogeological and/or geotechnical studies to assess potential risks to persons, buildings, structures, or public **infrastructure** occasioned by groundwater discharge or high water tables. Such studies should demonstrate that engineering solutions designed to protect structures from the effects of groundwater discharge and high water tables will be effective and will not require significant on-going maintenance to remain effective and will not divert or impede natural groundwater flows so as to create hazards or annoyances to **adjacent** lands and buildings.

Climate Risk and Vulnerability Assessment

- 12.78. The **City** may develop and update a Climate Risk and Vulnerability Assessment(s) to identify and evaluate climate-related risks and vulnerabilities across all sectors, including infrastructure, housing, public health, and natural systems.
- 12.79. The **City** may integrate the findings from a Climate Risk Vulnerability Assessment into relevant planning and policy frameworks and **infrastructure** planning to ensure that climate resilience is a foundational consideration in all municipal decisions.

Land Use Compatibility

- 12.80. The use of properties for propane installations or facilities will be regulated through the implementing bylaws and further by the **City's** Risk and Safety Management Plan requirements. This policy is not intended to regulate retail propane cylinder exchanges.
- 12.81. The **City** encourages lighting practices that eliminate or reduce light pollution and glare and restore unobscured views of the night sky, while maintaining sufficient light levels for a safe built environment.
- 12.82. The **City** may regulate excess or misdirected light through **development** and/or an outdoor lighting bylaw.
- 12.83. Any study described in this subsection may be required as part of a **complete application**, as described in the Implementation policies of the Plan.

REGION OF WATERLOO INTERNATIONAL AIRPORT

- 12.84. The **City** supports the long-term operation of the **Airport** and recognizes the positive economic role and service it provides to the community.
- 12.85. The **City**, in planning for land uses in the vicinity of the **Airport**, will:
- a. Prohibit any land use or structure which could affect the operation of the **Airport**, cause a potential aviation safety hazard, or be non-**compatible** for reasons of public health, safety, or environmental concerns;
 - b. Ensure that **sensitive land uses** are designed, buffered, and/or separated from each other to prevent **adverse effects** from odour, noise, and other contaminants;
 - c. Require the provision of warning clauses, where appropriate, for **development**, advising owners in the vicinity of the **Airport** of potential lighting and height restrictions and of the potential for noise-related impacts;
 - d. Ensure conformity with Transport Canada's Region of Waterloo International Airport Zoning Regulations; and,
 - e. Use holding provisions in the implementing bylaw to require a land use assessment or aeronautical assessment to determine maximum building and structure heights, including temporary structures, to the satisfaction of the relevant approval authority, until such time as the **Region** completes their Airport growth plan update in progress at the time of preparation of this plan and any necessary updates to the Federal Airport Zoning Regulations have been completed.

CONTAMINATED SITES AND HISTORICAL LANDFILLS

- 12.86. **Development** on, or **adjacent** to, a known or potentially contaminated site will be assessed, remediated and/or risk assessed, as necessary, to ensure no **adverse effects** according to the Environmental Protection Act, the Drinking Water Source Protection Policies of this Plan, and **City** or **Regional** Contaminated Sites guidelines where applicable. **Development** will be accompanied by supporting studies.
- 12.87. Any roadways and **parkland** to be dedicated to the **City** or **Region** through **development** that are on, or **adjacent** to, a known or potentially contaminated site must be suitable for the proposed use according to applicable **City** or **Regional** Contaminated Sites guidelines.

13. Land Use Designations

This section establishes the land use designations as shown on Map E and outlines the permitted uses and policies guiding development.

- 13.1. Land use designations are shown on Map E of this Plan. Minor adjustments to land use designations may be permitted without the need of an amendment to this plan, at the time of **development applications** process, if satisfactory to the **City** or for technical reasons, including but not limited to, alignment of streets, connections to servicing, and landownership.
- 13.2. The exact boundary, land area, and location of future parks will be informed by the detailed design of future roads and plans of subdivision and the need to protect the **natural heritage features and areas, ecological functions** and **hydrologic functions** of the **Natural Heritage System** and the **Water Resource System**.
- 13.3. Unless otherwise stated in this Plan, permitted uses within all land use designations may include:
 - a. Public service facilities and systems owned and operated by, on behalf of, or in partnership with the Provincial or Federal governments, the **Region**, relevant Conservation Authority, or the **City**;
 - b. Temporary markets that support the sale of local produce, community gardens, and other **compatible** forms of agricultural crop production; and,
 - c. Parks and active or passive recreational uses.
- 13.4. Wherever residential uses are permitted, offices and program spaces that provide on-site health, social, and support services will be permitted as accessory uses to support residents' well-being and community integration.
- 13.5. In any land use designation, legally existing uses as of the date of approval of this Plan may be permitted and zoned accordingly.
- 13.6. To ensure **compatibility**, the implementing bylaws may limit the full range and scale of permitted uses.
- 13.7. Maximum density permissions will be established through **built form** and site design regulations.
- 13.8. Implementing bylaws may regulate matters related to **built form** including, but not limited to, building length, building height, floor plate area, and physical separation between buildings.
- 13.9. Implementing bylaws may regulate matters related to site design including, but not limited to, setbacks, landscaping, amenity space, and all types of vehicle and bicycle parking and associated function.
- 13.10. Request for relief from **built form** and/or site design regulations is a request for relief from maximum permitted density and may require an amendment to the implementing bylaw.

- 13.11. Maximum building heights may be restricted in accordance with the airport land use compatibility policies of this Plan.
- 13.12. **Development** will consider **compatibility** with and transition to **adjacent** and nearby existing and planned contexts.
- 13.13. Where new parking spaces are proposed to be developed in combination with **development**, the **City** may:
 - a. require proponents to utilize **transportation demand management** measures; and,
 - b. encourage required off-street parking to be located away from and/or screened from view from the **public realm**.

Natural Heritage Conservation

- 13.14. The Natural Heritage Conservation land use designation will include:
 - a. **Provincially Significant Wetlands;**
 - b. **Locally Significant Wetlands;**
 - c. Grand River **Significant Valley;**
 - d. **Environmentally Significant Valley Features;**
 - e. **Locally Significant Valleylands;**
 - f. Environmentally Sensitive Policy Areas;
 - g. **Significant Woodlands;**
 - h. **Locally Significant Woodlands;**
 - i. Habitat of Endangered and/or Threatened Species;
 - j. Fish Habitat; and,
 - k. natural **hazardous lands** including but not limited to lands considered to be in the **floodway** and subject to **floodings hazard**.
- 13.15. The Natural Heritage Conservation land use designation may only permit those uses which fulfill at least one of the following objectives:
 - a. conservation activities;
 - b. forest, fish, and wildlife management;
 - c. small scale, passive recreational uses and accessory uses such as pedestrian or hiking trails (i.e. foot paths), boardwalks, footbridges, and picnic facilities which will have no significant negative impact on **natural heritage features** or **ecological functions** of the **Natural Heritage System**;
 - d. conservation and flood or erosion control projects where it has been demonstrated that they are necessary in the public interest and other alternatives are not available;
 - e. **infrastructure** projects in accordance with Servicing and Utilities policies of this Plan.
- 13.16. The above uses may be further limited through the specific policies for each **natural heritage feature**, the implementing bylaws, or other applicable legislation.

- 13.17. **Development**, alteration to a watercourse, or interference with a **wetland**, as defined under the Conservation Authorities Act, will not be permitted without a permit from the relevant Conservation Authority.
- 13.18. New **development** and/or **site alteration** may only be permitted in accordance with the uses permitted in this land use designation and in accordance with the Community Health and Safety Policies in this Plan.

Open Space

- 13.19. Map D identifies the preferred locations of parks, potential locations of stormwater management areas, and other open spaces within the Open Space land use designation.
- 13.20. Map E identifies the open spaces land use designation and an open space overlay to other underlying land use designations. For lands with an open space overlay, the City will, at the time of development applications, coordinate with landowners to confirm requirements for lands for open space purposes. Once open space requirements are approved through development applications, the Dundee Secondary Plan will be updated to show these lands with an Open Space land use or the underlying land use designation, as determined through the development application, without the need of an amendment to this Plan.
- 13.21. The area in the southwest corner of the Plan area identified as Stormwater Management on Map D will be treated as an overlay to the Natural Heritage and Neighbourhood land use designations on Map E.
- 13.22. Permitted uses within the Open Space land use designation may include:
- a. active and/or passive outdoor recreation, including trails;
 - b. cemeteries;
 - c. conservation activities;
 - d. cultural heritage resources;
 - e. parks; and,
 - f. shared uses on hydro rights-of-way including open space links and parking lots for Open Spaces, outside industrial storage, or other uses accessory to **adjacent** land uses in accordance with the Servicing and Utilities policies of this Plan.
- 13.23. Utility corridors, closed road rights-of-way, former railway lines, wildlife passages, stormwater management areas, or any other area may be designated Open Space to enable a continuous parks and open space system.
- 13.24. Parks, trails, and cemeteries which are conveyed to or acquired by the **City** may be designated Open Space by revising Map D or Map E without the need for an amendment to this Plan.
- 13.25. Adjustments to the Open Space designation to support the exact boundary, land area, and location of future parks may be permitted at the time of development applications, if satisfactory to the City, without the need of an amendment to this Plan.

Mixed Use

- 13.26. The Mixed Use A and Mixed Use B land use designations will only apply to lands identified on Map A as Strategic Growth Areas.
- 13.27. The **City** will discourage the **development** or retention of some uses within or in close proximity to Strategic Growth Areas which would conflict with their **planned function**.
- 13.28. The **City** will encourage the **development** of institutional uses and **cultural facilities** within the Mixed Use land use designations.
- 13.29. Where **development** is proposed to proceed in phases or to address coordination between landowners, a phasing plan will be required as part of a **complete application** which demonstrates how the **development** prioritizes:
 - a. Provision of non-residential uses in the first phase of **development**; and,
 - b. Connections to the **active transportation** and transit networks throughout all phases of **development**.
- 13.30. Notwithstanding Policy 13.29 (a), residential uses may be provided in the first phase of development where it is demonstrated through a phasing plan approved by the City that non-residential uses will be provided in the development.
- 13.31. The **City** may prepare a commercial study, that will, among other things, inform how much and what kind of commercial space is needed at various locations within the city to inform regulations within the implementing bylaws. This study will consider:
 - a. the abundance and variety of existing and planned non-residential uses within walking distance;
 - b. whether the commercial use services primarily a neighbourhood, city-wide, or regional commercial function;
 - c. the presence or need for **food stores** as the highest priority commercial use;
 - d. where to identify and establish **priority streets** in accordance with the Placemaking policies of this Plan; and,
 - e. lot size and fabric.
- 13.32. On lands designated Mixed Use as shown on Map E, the **City** may regulate, based on, among other things, the commercial study referenced in the preceding policy or a Commercial Function Study prepared to the satisfaction of the **City** at the time of **development applications**, the following through implementing bylaws:
 - a. the type of commercial space and amount of commercial gross floor area on a site; and,
 - b. the location of commercial uses on a site and within a building.
- 13.33. Deviation from regulations implemented through the policy above may be permitted by way of amendment to the implementing bylaw(s) subject to a Commercial Function Study that demonstrates a sufficient amount, type, and quality of commercial space serving the surrounding neighbourhood.

- 13.34. **Development** for new predominantly auto-exclusive uses such as **drive-through facilities**, car washes, gas stations, the sale and/or repair of motor vehicles, and commercial parking facilities may be permitted on lands designated Mixed Use by amendment to the implementing bylaw where relevant supporting studies and reports as set out in the Implementation policies of the Plan, have considered and demonstrated that:
- a. The use maintains consistency with the objectives of this Plan, and in particular the objectives and **planned function** of the Mixed Use land use designation;
 - b. That priority is given to the comfort, safety, and efficient movement of pedestrians and cyclists;
 - c. the use conforms to the Placemaking policies of this Plan and Urban Design Manual; and,
 - d. in the case of drive-through facilities:
 - i. must be located within a mixed-use building or multi-unit building;
 - ii. does not conflict with the **planned function** of the area by accommodating the operational and functional requirements of the **drive-through facility**;
 - iii. does not conflict with the planned urban design and architectural characteristics of the predominant uses on the site in a **mixed-use development**;
 - iv. in a **mixed-use development**, which includes residential uses and/or office uses, the proposed **drive-through facility** does not compromise the use and enjoyment of outdoor **amenity areas**, impact other uses on the site as a result of noise and odour effects, and does not affect other site functions, including loading, garbage pick-up, on-site visitor and resident/tenant vehicular and pedestrian circulation, access, and egress;
 - v. access and egress should not be located in close proximity to intersections and transit stops;
 - vi. safely accommodates pedestrian access into and through the site and minimize pedestrian and vehicular conflict;
 - vii. drive-through aisles and stacking lanes should not be located between the building's primary façade and a roadway that is an existing or planned transit corridor, important pedestrian linkage; and,
 - viii. provides space for vehicle stacking so as to not impede on or off-site traffic flow.

MIXED USE A

- 13.35. The Mixed Use A land use designation will accommodate a range of housing types in low and mid-rise forms, and non-residential uses subject to policy 13.32.
- 13.36. Permitted non-residential uses within the Mixed Use A land use designation may include the following:

- a. Commercial uses such as, but not limited to, retail, commercial entertainment, restaurants, financial establishments, and light repair operations;
 - b. Personal services;
 - c. Offices;
 - d. Health-related uses such as health offices and health clinics;
 - e. Institutional uses such as child care facilities, places of worship, **community facilities**, and schools;
 - f. Live/work uses;
 - g. Home occupation;
 - h. Social service establishment; and,
 - i. Studio and artisan-related uses.
- 13.37. No building will exceed 8 storeys in height. The implementing bylaws may permit maximum building heights of less than 8 storeys.
- 13.38. On these lands where the implementing bylaw does not allow for 8 storey **development**, a Zoning Bylaw Amendment will be required for a building more than 4 storeys in height.
- 13.39. The implementing bylaws may limit the maximum building height to fewer than 8 storeys based on:
- a. Whether standard building types and layouts can meet the built form and site design regulations for 8 storey buildings within a typical lot area and frontage, with considerations for lot consolidation;
 - b. Identified cultural heritage attributes;
 - c. Distance from transit and cycling and trail connections;
 - d. Distance from food stores and other commercial, retail, and services required for daily life;
 - e. Distance from parks, schools, and other **community facilities**;
 - f. Infrastructure capacity; and,
 - g. Street classification as identified on Map C.
- 13.40. A minimum **Floor Space Ratio** of 0.6 will apply to all **development**. The implementing bylaws may exempt single detached dwellings, additional dwelling units, semi-detached dwellings, street townhouse dwellings, and low-rise multiple dwellings from the minimum **Floor Space Ratio**.

MIXED USE B

- 13.41. The Mixed Use B land use designation will accommodate a range of housing types in low, mid and high-rise forms, and non-residential uses subject to policy 13.32.
- 13.42. Permitted non-residential uses within the Mixed Use B land use designation may include the following:
- a. Commercial uses such as, but not limited to, retail, commercial entertainment, restaurants, financial establishments, hotels, and light repair operations;
 - b. Personal services;

- c. Office;
 - d. Exhibition and/or conference facilities;
 - e. Health-related uses such as health offices and health clinics;
 - f. Institutional uses such as hospitals, child care facilities, places of worship, **community facilities**, and schools;
 - g. Social service establishment;
 - h. Live/work uses;
 - i. home occupations; and,
 - j. Studio and artisan-related uses.
- 13.43. No building will exceed 28 storeys in height. The implementing bylaw may permit maximum building heights of less than 28 storeys.
- 13.44. Where the implementing bylaw does not permit the maximum building height outlined immediately above, the **City** may consider site specific increases to the permitted building height in accordance with the Implementation policies of this Plan. On these lands, an amendment to the implementing bylaw will be required for a building more than 10 storeys in height.
- 13.45. A minimum **Floor Space Ratio** of 1.0 will apply to all **development**. The implementing bylaw may contain regulations for phased **development** to ultimately meet the minimum **Floor Space Ratio** requirements.

Commercial First

- 13.46. The Commercial First land use designation will accommodate a wide range and mix of commercial uses that serve the neighborhood, city, and region, as well as complementary residential and institutional uses.
- 13.47. Primary permitted non-residential uses within the Commercial First land use designation may include:
- a. Commercial uses such as, but not limited to, retail, commercial entertainment, restaurants, financial establishments, hotels, and light repair operations;
 - b. Personal services;
 - c. Office, not including **major office**;
 - d. Exhibition and/or conference facilities;
 - e. Health-related uses such as health offices and health clinics;
 - f. Social service establishment;
 - g. Community facilities;
 - h. Live/work uses;
 - i. Funeral homes;
 - j. Studio and artisan-related uses;
 - k. Residential uses as part of a mixed use building containing one or more non-residential primary permitted uses; and
 - l. Home occupations.

- 13.48. Complementary uses may be permitted within mixed use buildings or as freestanding uses on a property containing at least one primary permitted use:
- Drive-through facilities;
 - Institutional uses such as schools and places of worship; and,
 - Mid-rise housing forms, including stacked townhouses.
- 13.49. Proposals to add uses not listed in preceding policies may be considered by way of an amendment to the implementing bylaw where it is demonstrated that the proposed use would not:
- compromise the functionality of the site; and,
 - negatively impact transportation, noise, safety, or other policies of this Plan.
- 13.50. Cluster of lands designated Commercial First, as shown on Map E, will include a collective minimum non-residential floor space area to meet the day-to-day needs of residents and workers within a walkable distance of that cluster of lands. The collective minimum non-residential floor space area will be determined through a Commercial Function Study prepared to the satisfaction of the **City** at the time of **development applications**.
- 13.51. Notwithstanding policy 13.48 and 13.49, Commercial First land use designation will permit the **development** of complementary uses if the cluster of lands where the development is proposed will include the collective minimum non-residential floor space area.
- 13.52. Notwithstanding policy 13.50, cluster of lands designated Commercial First may be modified, without the need of an amendment to this Plan, where a Commercial Function Study demonstrates that additional lands, or an adjustment in the location of the lands, are needed to accommodate non-residential floor space area to meet the day-to-day needs of residents and workers within a walkable distance and beyond.
- 13.53. No **development** will exceed 12 storeys in height. The implementing bylaws may permit maximum building heights of fewer than 12 storeys.
- 13.54. Where the implementing bylaw does not permit the maximum building height outlined in the preceding policy, the **City** may consider site specific increases to the permitted building height using the criteria outlined in the Implementation policies of this Plan.
- 13.55. Where **development** is proposed to proceed in phases or to address coordination between landowners, a phasing plan will be required as part of a **complete application** which demonstrates how the development prioritizes:
- Provision of collective minimum non-residential floor space area; and,
 - Connections to the **active transportation** and transit networks throughout all phases of **development**.
- 13.56. The **City** may prepare a commercial study, that will, among other things, inform how much and what kind of commercial space is needed at various locations within the city to inform regulations within the implementing bylaws. This study will consider:

- a. the abundance and variety of existing and planned non-residential uses within walking distance;
 - b. whether the commercial use services primarily a neighbourhood, city-wide, or regional commercial function;
 - c. the presence or need for **food stores** as the highest priority commercial use;
 - d. where to identify and establish **priority streets** in accordance with the Placemaking policies of this plan; and,
 - e. lot size and fabric.
- 13.57. On cluster of lands designated Commercial First as shown on Map E, the **City** may regulate, based on, among other things, the Commercial Function Study referenced in policy 13.50 or commercial study referenced in policy 13.56, the following through implementing bylaws:
- a. the type of commercial space and amount of commercial gross floor area; and,
 - b. the location of commercial uses on a site or in a building.
- 13.58. Deviation from regulations implemented through the policy above may be permitted by way of amendment to the implementing bylaw(s) subject to a Commercial Function Study that demonstrates a sufficient amount, type, and quality of commercial space serving the surrounding neighbourhood.
- 13.59. Retail uses that require large outdoor display areas or storage will be discouraged.
- 13.60. New commercial buildings and sites should address street frontages with facades that include functional customer entrances and transparent glazing. Parking should not be included between the building and the street.
- 13.61. The zoning of individual sites designated Commercial First may not allow the full range and scale of uses at every location. Permitted uses and scale of uses will be dependent on **compatibility** with surrounding areas, technical considerations, and other contextual or site-specific factors.

Neighbourhoods

- 13.62. The Neighbourhoods land use designation will accommodate a range and mix of housing types in low and mid-rise forms .
- 13.63. Non-residential uses may be permitted anywhere within the Neighbourhoods land use designation, and may include:
- a. Commercial uses such as, but not limited to, retail, restaurants, and light repair operations;
 - b. Personal services;
 - c. Offices, not including **major office**;
 - d. Health-related uses such as health offices and health clinics;
 - e. Institutional uses which may include places of worship, child care facilities, **community facilities, cultural facilities**, and schools;
 - f. Social service establishments;

- g. Live/work uses;
 - h. Home occupations; and,
 - i. Studio and artisan-related uses.
- 13.64. **Compatible** non-residential uses, whether accessory to a residential use or a standalone use, will be permitted anywhere residential uses are permitted, including within primary and accessory buildings.
- 13.65. To ensure **compatibility** with the intended residential and non-residential function of the Neighbourhoods land use designation, the implementing bylaws will regulate permitted non-residential uses and their scale, as well as site function considerations such as parking.
- 13.66. No building will exceed 6 storeys in height. The implementing bylaws may permit maximum building heights of less than 6 storeys.
- 13.67. On these lands where the implementing bylaw does not allow for a maximum building height of 6 storeys, an amendment to the implementing bylaw will be required for a building more than 4 storeys in height.
- 13.68. The implementing bylaws may limit the maximum building height to fewer than 6 storeys based on:
- a. Whether standard building types and layouts can meet the built form and site design regulations for 6 storey buildings within a typical lot area and frontage, with considerations for lot consolidation;
 - b. Identified cultural heritage attributes;
 - c. Distance from transit and cycling and trail connections;
 - d. Distance from **food stores** and other commercial, retail, and services required for daily life;
 - e. Distance from parks, schools, and other **community facilities**;
 - f. Distance from Strategic Growth Areas as defined on Map A;
 - g. Infrastructure capacity; and,
 - h. Street classification as identified on Map C.

Institutional

- 13.69. Permitted uses within the Institutional land use designation may include:
- a. **community recreation facilities**, including community centres, arenas, sports fields, and pools;
 - b. **cultural facilities**, including associated studio and artisan-related uses;
 - c. child care facilities;
 - d. schools, excluding commercial and trade schools;
 - e. hospitals, health clinics, medical laboratories, and other associated uses;
 - f. religious institutions, including places of worship, and accessory cemeteries;
 - g. residential care facilities; and,
 - h. social service establishments.

- 13.70. **Ancillary uses**, such as convenience retail, office, health office/clinic, restaurant, financial establishment, and personal services, will be permitted to locate internal to an institutional use provided they are designed and located so as not to attract or serve a broader public than the primary institutional use.
- 13.71. Residential uses will be limited to **affordable housing**, and permitted only on the same property as another permitted use.
- 13.72. **Development** to establish uses not identified in the permitted uses above must demonstrate:
- a. That there is no viable institutional use for the site; and,
 - b. That there are sufficient lands available to meet the **City's** need for institutional uses to 2051.
- 13.73. The **City** may consider the acquisition of an institutional site, or a portion of it, for institutional, **parkland**, or open space uses.
- 13.74. The approximate location and number of schools required to serve the community is identified on Map E and will be treated as an overlay to the underlying land use designations.
- 13.75. Notwithstanding the policies of the underlying land use designation, the school locations identified on Map E will be developed for education purposes, consistent with school board standards and/or guidelines to the satisfaction of the school boards, unless each of the school boards confirms that those lands are not required for education purposes. The **City** will, at the time of draft plan of subdivision, coordinate with the school boards to confirm the requirement of the lands for education purposes.
- 13.76. Where a school board confirms interest in the lands for education purposes the draft plan of subdivision will include a school block of appropriate size and configuration, to the satisfaction of the school board. The school board must secure the lands from the owner within a mutually agreed upon timeframe.
- 13.77. Where a school board confirms that lands are not required for education purposes or does not confirm interest in those lands for education purposes, the lands may be developed in accordance with the underlying land use designation.

14. Implementation: Administering the Plan

Plan Conformity

- 14.1. This Plan is a statement of policy. It sets out the **City's** land use policy direction; however, some flexibility in interpretation may be permitted provided that the intent is maintained.
- 14.2. **Bolded** terms within the preamble, and policies in this Plan are defined in Schedule A - Glossary. Defined terms are intended to capture both the singular and plural, adjectives and nouns, and past, current, and future tense of forms of these terms. For non-bolded terms, the plain meaning of the word applies. Terms may be bolded only in specific policies. For these terms, the defined meaning applies where they are bolded, and the plain meaning applies where they are not.
- 14.3. Where differences of opinion arise as to the meaning of any part of this Plan, an interpretation may be made by the **City** after hearing all interested parties. Where such interpretation is not accepted by an interested party, the party may apply to the Courts or other Body having jurisdiction over such matters.
- 14.4. The Plan is to be read in its entirety, and the relevant policies are to be applied to each situation. When more than one policy is relevant, all of the relevant policies should be considered to understand how they work together. The language of each policy will assist in understanding how the policies are to be implemented. While specific policies sometimes refer to other policies, these cross-references do not take away from the need to read the Plan as a whole.
- 14.5. Changes or variations from the policies and land use designations of this Plan other than those specifically permitted by the policies of this subsection will require an amendment to this Plan.
- 14.6. Where any Act or portion thereof is referenced in this Plan, it is intended that such references should be interpreted to include any subsequent legislation and related regulations that may amend or replace the specific statute.
- 14.7. Where any guideline, manual, report, or portion thereof is referenced in this Plan, it is intended that such references should be interpreted to include any subsequent guideline, manual, or report that may amend or replace the referenced document.
- 14.8. All actions, directions, submission requirements, mitigation measures, and/or demonstrations required by this Plan for **development**, heritage permit applications, **infrastructure**, **site alteration**, and/or other planning matters will be:
 - a. completed by a qualified person(s) retained by and at the expense of the proponent. The **City** and any other approval authority under applicable legislation will determine whether an individual is a qualified person;
 - b. completed to the satisfaction of the **City**, in collaboration with, where necessary, any other approval authority under applicable legislation, adjacent municipalities,

and any other agency or organization identified by the **City** as having a relevant interest;

- c. completed in accordance with relevant guidelines, policies, legislation, plans, and Terms of Reference(s) as identified and/or scoped by the **City** in collaboration with any other approval authority under applicable legislation; and,
- d. subject to a peer review, at the **City's** discretion. Such peer review will be completed by an appropriate agency or professional consultant retained by the **City** and at the proponent's expense.

- 14.9. Where a policy references a section or subsection within this Plan, it is intended for ease of reference and the entire Plan will still apply.

Designations, Boundaries, and Mapping

- 14.10. Permitted uses identified in the policies of this Plan are intended to illustrate the range of activities in each respective land use designation and do not denote a complete list of permitted uses. A list of specific uses will be defined in the **City's** implementing bylaw(s).
- 14.11. The boundaries between the various land uses are approximate and should not be considered as exact except where they coincide with major roads, rivers, and other clearly defined physical features.
- 14.12. Some elements on a map may be conceptual and identified by a symbol or overlay; accordingly, their extent and location may be interpreted flexibly in accordance with the other policies and general intent of the Plan.
- 14.13. The identification and proposed location of roads, parks, and other services, will not be interpreted as being a commitment by the **City** to provide such services at the indicated location by a certain point in time, rather it provides information on the general location of such services, and is subject to further detailed analysis, design, and capital budget approvals.

Conflicting Policies

- 14.14. In the case of a discrepancy between the policies and the related Map, the policies will prevail.
- 14.15. Where a parcel of land is subject to one or more designations, overlays, and/or features shown on a Map in this Plan, **development** will be reviewed in accordance with all the policies of the applicable designations and the Plan. Where conflict exists between such policies, the more restrictive policies will prevail to the extent of the conflict except where application of the more restrictive policy would result in an outcome not consistent with the goals, vision and big moves of this Plan.

Terminology

- 14.16. The terms “consistent with” or “according to” when used in this Plan mean to be in agreement with or not in conflict with a policy or requirement of this Plan.
- 14.17. The implementation of this Plan will take place over the long-term and the use of the words “will” and “must” are not to be interpreted as Council’s requirement to undertake the action immediately or as a commitment on the part of Council to take action within a specified timeframe.
- 14.18. Interpretation of the intent of this Plan, or any part thereof, will be made by the **City**. Where terms such as “appropriate”, “acceptable”, “adequate”, “wherever possible”, “where feasible”, “sufficient”, or “relevant” are used, the determination of compliance will be made by the **City**.

Official Plan Updates and Monitoring

- 14.19. Monitoring and measuring performance will be conducted through both available qualitative and quantitative measures. Where appropriate, targets have been included in this Plan. Monitoring and measuring should occur through:
- a. the implementation of plans such as the City of Kitchener Strategic Plan;
 - b. the Growth Management program;
 - c. required Provincial reporting; and,
 - d. the preparation of performance indicators and report cards supporting **infrastructure** plans and implementation strategies for this Plan and/or referred to in this Plan.

Amendments

- 14.20. A **Development** application which seeks to amend this Plan and/or an implementing bylaw will consider the following factors:
- a. **Compatibility** with the existing **planned function** of the subject lands and **adjacent** lands;
 - b. Suitability of the lot for the proposed use and/or **built form**;
 - c. Sufficient lot area to allow a **development** that complies with the **built form** and site design policies and vision and big moves of this Plan and implementing bylaws;
 - d. Compliance with the **City’s** Urban Design Manual and **built form** policies of this Plan;
 - e. Technical considerations and other contextual or site-specific factors;
 - f. Land use compatibility with the existing and future uses of surrounding lands;
 - g. Adequacy of **infrastructure** and **community facilities** to support the proposed use; and,
 - h. Precedents which may be established by the approval of the amendment.
- 14.21. Where an amendment is being sought to this Plan that changes a property’s land use designation, site-specific provisions are discouraged.

- 14.22. Technical revisions to this Plan will not require an amendment to this Plan provided they do not change the intent of the Plan. Technical revisions include:
- a. changing the numbering, cross-referencing, and arrangement of the text, tables, Schedules, and Maps;
 - b. altering punctuation or language for consistency;
 - c. correcting grammatical, dimensional and boundary, mathematical, or typographical errors;
 - d. adding, deleting, or changing images or call-out boxes that do not form an operative part of the Plan; and,
 - e. adding technical information to Maps or Schedules.

Criteria for Community Structure Changes

- 14.23. Any **development** proposing to expand Strategic Growth Areas will demonstrate:
- a. immediate **adjacency** to an existing Strategic Growth Area;
 - b. consolidation of properties that enables the proposed **development**;
 - c. compliance with Strategic Growth Area community structure policies, Mixed Use land use policies, and implementing bylaws, as required;
 - d. that the lands are within 400 metres to a minimum of three of the following:
 - i. the “City Spine Network” as identified in the Cycling and Trails Master Plan;
 - ii. Existing or proposed **food store**;
 - iii. Urban Centre; or,
 - iv. Existing or proposed community recreation facility.
 - e. compliance with all other policies of this Plan, and other applicable regulations and guidelines; and,
 - f. how the expansion advances the Big Ideas, vision and big moves of this Plan.

Public Consultation and Public Notification

- 14.24. This **City** will strive for a public consultation process that is collaborative with individuals, groups, and agencies to help identify and advance the public interest through planning decisions.
- 14.25. The **City** will follow the public notification procedures and regulations regarding planning matters that are contained in the *Planning Act*. Notwithstanding, Council has passed a policy that exceeds these requirements as deemed appropriate, and may provide alternative measures for informing and obtaining the views of the public, in accordance with the *Planning Act*. Any public consultation, notification, and/or engagement above and beyond the *Planning Act* will be in accordance with this Council policy, or successor, or best practices.
- 14.26. Notification of a public meeting for the adoption of an Official Plan, Official Plan Amendments, Zoning Bylaw Amendments, Plan of Subdivision, and Vacant Land Condominiums, as required by the Planning Act, will be given to the public, and

prescribed persons and public bodies at least 10 days prior to the date of the meeting and the notice will be given in accordance with the applicable requirements of the Planning Act. Notice and information regarding who is entitled to appeal will be given to the public by posting on the **City's** website, and electronic notice will be given to prescribed persons and public bodies, a minimum of 10 days prior to a decision being made.

- 14.27. Public meetings under the *Planning Act* will not be required for minor amendments to the Zoning Bylaw.

Municipal Finance

- 14.28. This Plan will be managed to ensure that the required capital expenditure to provide the services for **development** and improvement are paid in an appropriate manner. The **City** will strive to maintain financial sustainability by managing its financial resources and by undertaking **development** in a fiscally responsible manner.
- 14.29. Municipal capital expenditures implementing any aspect of this Plan will be guided by a 10-Year Capital Budget & Forecast, which will be reviewed annually. This will be integrated with growth management considerations, while balancing the overall fiscal capacity of the **City**.
- 14.30. The **City** may exempt some or all of the Development Charge, or exempt certain **development** from the Development Charge as a means to promote specific **development** or revitalization.
- 14.31. The private provision of **infrastructure** in advance of the Capital Budget forecast is discouraged. Exceptions may only be considered through the Credit Refund Policy process with consideration to all affected matters, including the development proponents' capacity to deliver **infrastructure**.
- 14.32. The **City**, where appropriate, will require the use of a cost sharing agreement or other suitable arrangements among landowners, to ensure the fair and equitable implementation of this Secondary Plan and allocate related costs of **infrastructure**, and/or components of the **Public Realm** and **Mobility Network**. The **City** will not negotiate or be a party to such an agreement, but must be assured, and ascertain, that the document assigns cost sharing in a reasonable manner.
- 14.33. The **City** will require confirmation from the landowner group Trustee of:
- a. The execution by the developer of the agreement(s) including any amendment(s) thereto; and,
 - b. Confirmation of developer compliance with the terms of the agreement.
- 14.34. Confirmation will be provided to the **City** prior to **development** approvals.

Growth Management

- 14.35. Growth will continue to be managed to plan for and integrate **development**, use of existing **infrastructure**, new growth-related **infrastructure**, **community facilities**, transportation, current and future financial considerations, and complete communities.
- 14.36. In managing growth, the **City** will:
- a. promote the realization of the goals, vision and big moves , and policies of this Plan;
 - b. provide a process which integrates the **City's** financial planning of growth-related capital costs with land use planning and timing of **development** for growth areas;
 - c. ensure an effective and efficient growth pattern in the city;
 - d. ensure complete communities and coordination of initiatives;
 - e. ensure the coordinated and orderly provision of municipal services and **infrastructure** and **community facilities** in conjunction with growth;
 - f. help prioritize areas for **development** and projects within the city; and,
 - g. confirm the relative rate, timing and location of **development** in the city to ensure that an adequate supply of housing and employment are maintained.
- 14.37. The **City** will collaborate with neighbouring municipalities, the **Region**, relevant Conversation Authority, agencies, publicly-assisted post-secondary institutions, boards, and other orders of government to ensure a coordinated, integrated and comprehensive approach to planning matters including:
- a. planning for infrastructure and **community facilities** including mobility; water, wastewater, schools, childcare facilities, waste management, energy, and emergency management;
 - b. managing and promoting growth and development that is integrated with infrastructure and **community facilities**;
 - c. economic development;
 - d. managing natural heritage, water, agricultural, mineral, and cultural heritage and archaeological resources;
 - e. Natural and human-made hazards;
 - f. The allocation of population, housing, and employment projections;
 - g. addressing housing needs including those that address homelessness; and,
 - h. planning for Urban Area and Strategic Growth Areas, and any relevant density targets.
- 14.38. The **City's** growth management approaches will be informed by the Official Plan Updates and Monitoring policy in this Plan.

Community Improvement Plans

- 14.39. Community Improvement Project Areas may be established by Council and designated by bylaw, as long as the area satisfies one or more of the following criteria:
- a. there may be conflicting or non-**compatible** land uses in the area;

- b. there are existing residential, industrial, and commercial buildings and properties that are in need of upgrading, rehabilitation, improvement of energy efficiency, or replacement;
 - c. the area contains an inappropriate range of housing types and densities, including insufficient **affordable housing**, or under-utilized sites;
 - d. there are deficient local parks, recreational centres, neighbourhood gathering places, neighbourhood retail, and/or **community facilities**;
 - e. there is deficient **infrastructure**;
 - f. there is inadequate protection against potential risks to public health and safety for existing and future **development**;
 - g. there is a need for environmental sustainability;
 - h. there is a need to enhance and/or conserve **cultural heritage resources**;
 - i. there are a number of screening, buffering, or landscaping deficiencies in the area;
 - j. the area is in need of environmental, social, or community economic development;
 - k. there is a need for **affordable** commercial and retail spaces;
 - l. there is a need to retain jobs and small businesses during redevelopment of commercial properties;
 - m. there is a need to retrofit existing commercial spaces and buildings to prevent the loss of commercial floor area; or,
 - n. there is a need to protect or incentivise **food stores**.
- 14.40. Community Improvement Plans and community development projects may be undertaken in conjunction with other orders of government funding assistance programs and will be subject to the eligibility and implementation regulations of such programs and the priorities and availability of municipal funding.
- 14.41. For furthering the community improvement goals, vision and big moves and under such terms as Council considers appropriate, the **City** may provide grants or loans to the **Region** for carrying out a **Regional** Community Improvement Plan that has come into effect or the **City** may be in receipt of grants or loans from the **Region** for carrying out a **City** Community Improvement Plan.

Complete Application Requirements

- 14.42. The **City** will not accept an application for **development** or heritage permit application unless it is considered to be a **complete application** in accordance with the Planning Act and/or Ontario Heritage Act. To be deemed complete an application will:
- a. include a filled out and accurate application form, or its digital representation;
 - b. include all applicable statutory requirements, including the submission of the prescribed information and the requirements as listed on the application forms and the required studies and plans and/or drawings;
 - c. be prepared in accordance with the Interpretation policies of this Plan;
 - d. be submitted with the prescribed fee; and,

- e. include any other information and materials that are necessary to support the application that have been identified by either the **City**, in consultation with external agencies or otherwise, or in the **Record of Pre-Submission Consultation** or waiver;
- 14.43. A proponent should participate in a Pre-Submission Consultation Meeting prior to the submission of a **development** application to streamline **development** review. The Pre-Submission Consultation Meeting will identify any other information and materials, as listed in Schedule B: Other Information and Materials in the Official Plan, as a submission requirement which may be necessary and required to review the **development**.
- 14.44. Where a Pre-Submission Consultation Meeting is not held prior to the submission of a **development** application, the **City** may issue a Pre-Submission Consultation waiver outlining required other information and materials, as listed in Schedule B: Other Information and Materials in the Official Plan, as a submission requirement which may be necessary and required to review the **development**.
- 14.45. The **City** may require proponents who amend **development** applications or where the **Record of Pre-Submission Consultation** or waiver is dated more than two years from the date of the original Pre-Submission Consultation Meeting or waiver date to participate in an additional Pre-Submission Consultation Meeting or obtain a new waiver.

Environmental Impact Studies

- 14.46. An **Environmental Impact Study** may be required, in accordance with the policies of this Plan, to:
 - a. identify and evaluate the potential effects of a proposed **development** or **site alteration** on elements of the **Natural Heritage System**;
 - b. recommend means of preventing, minimizing, or mitigating impacts as well as opportunities for enhancing or **restoring** the quality and connectivity of the elements comprising the **Natural Heritage System**;
 - c. identify and evaluate the presence and significance of elements of the **Natural Heritage System**, where insufficient information exists; and/or,
 - d. interpret the boundaries of the elements, where appropriate.
- 14.47. The completion of an **Environmental Impact Study** or alternative environmental study does not guarantee that the proposed **development** or **site alteration** will be approved. Proposed **development** or **site alteration** will not be approved where it is in conflict with the other policies of this Plan.
- 14.48. The **City**, in consultation with the **Region**, Province, Federal government, and relevant Conservation Authority, may prepare Environmental Impact Study Guidelines or a Terms of Reference to assist proponents in identifying the scope of any required **Environmental Impact Study**.

- 14.49. Where an **Environmental Impact Study** is required by the **City** and any other approval authority to evaluate the potential effects of a proposed **development** or **site alteration** on more than one element of the **Natural Heritage System**, the **City** will, wherever feasible, coordinate the requirements such that one **Environmental Impact Study** may be prepared to the satisfaction of the City and any other approval authority which requires the **Environmental Impact Study**.
- 14.50. The **City**, in consultation with the Federal government, Province, **Region**, and relevant Conservation Authority, may require the completion of a Comprehensive **Environmental Impact Study** where:
- a. the proposed **development** may affect a variety of elements of the **Natural Heritage System** and consultation with the appropriate agencies indicates that a broader consideration of environmental impacts may be necessary;
 - b. multiple contiguous properties containing elements of the **Natural Heritage System** are proposed for **development**;
 - c. a comprehensive Community Planning process is being undertaken;
 - d. environmental studies are required to support the expansion of the Urban Area boundary; and/or,
 - e. previously completed **Subwatershed** Master Plans or Master Drainage Plans have not adequately addressed the identification of elements of the **Natural Heritage System**.
- 14.51. New **Subwatershed** Plans completed in accordance with this Plan will satisfy the requirements of a Comprehensive **Environmental Impact Study** and will scope issues with respect to the impacts of a proposed **development** or **site alteration** on elements of the **Natural Heritage System**.
- 14.52. The submission of an **Environmental Impact Study** will not be required where an **Environmental Assessment** is required, or alternative environmental reviews are being undertaken as part of a comprehensive planning process required under Provincial or Federal legislation, provided the **Environmental Assessment** or alternative environmental review fulfills the requirements of an **Environmental Impact Study**.
- 14.53. An **Environmental Impact Study** submitted in accordance with the Natural Environment policies of this Plan will establish specific mitigative measures and specify an appropriate buffer width, if needed pursuant to other **City**, relevant Conservation Authority, and **Regional** policies, to fully protect the **Natural Heritage System** feature. The location, width, composition, and use of buffers will be in accordance with the approved **Environmental Impact Study**, with buffers being measured from the outside boundary of the **natural heritage feature**.
- 14.54. Where **infrastructure** is permitted on **adjacent** lands, as demonstrated by an **Environmental Impact Study**, and has competing demands for space, additional buffers and setbacks may not be required (see Infrastructure and Servicing policies).

- 14.55. All buffers as determined by an **Environmental Impact Study** will be dedicated to the City or other public authority without cost and not be eligible as part of the required **parkland dedication**.

Zoning Bylaw

- 14.56. At the time of Zoning By-law Amendment applications, the applicants will implement zones that conform to the intent and policies of this Plan.
- 14.57. Zoning Bylaws may be more restrictive than the policies of this Plan. It is not intended that the full range of uses or scale of development permitted by this Plan will be permitted by the Zoning Bylaw in all locations.
- 14.58. The policies in the Implementation Section of this Plan for reviewing an application for Minor Variance will also apply to an application to amend the Zoning Bylaw.
- 14.59. Council may, by bylaw, delegate to the Director of Planning the authority to approve minor amendments to the Zoning Bylaw including but not limited to:
- a. a bylaw to remove a holding symbol; and,
 - b. updates to assist with clarity and interpretation where the effect of the regulation is not substantively changed.

Community Planning Permit System

- 14.60. The **City** may investigate the creation and implementation of a Community Planning Permit System for use in all or part of the city. A Community Planning Permit system may be used to:
- a. Streamline **development** approvals;
 - b. Secure community benefits such as **affordable housing**, low-carbon and climate-ready development, or **community facilities**; and/or,
 - c. Provide new framework of strategic public and private investment in Strategic Growth Areas.
- 14.61. If it has been determined that a Community Planning Permit System is appropriate, an amendment to this Plan will be required to establish policies guiding the Community Planning Permit System.

Holding Provisions

- 14.62. The **City** may use a holding provision for all land use designation categories in this Plan and they may be applied city-wide or to portions of the city or on a site specific basis.
- 14.63. Holding provisions will be applied in those situations where it is necessary or desirable to zone lands for **development** in advance of the fulfillment of specific requirements and conditions, and where the details of the **development** have not yet been fully resolved. A holding provision may be used in order to implement this Plan for purposes such as, but not limited to:

- a. to ensure that certain conditions, studies, or requirements related to a proposed Zoning Bylaw Amendment are met;
 - b. to achieve orderly phasing or staging of **development**, in accordance with **City, Regional**, and Provincial policies;
 - c. to ensure that adequate transportation and servicing **infrastructure**, community services, and **community facilities** are, or will be, available in accordance with municipal standards;
 - d. to adopt measures to mitigate **negative impacts** or safety concerns resulting from the proximity of lands to transportation and **utility** corridors, non-**compatible** land uses, or any other source of nuisance or hazard to public health and welfare;
 - e. to satisfy the policies of this Plan related to cultural heritage conservation, Placemaking, Site Plan Control, potentially contaminated sites, protection of the natural environment and the **Natural Heritage System**, community improvement, and any other planning matters determined to be relevant to the development of the lands;
 - f. to ensure that prior to the installation of a **geothermal** system, that appropriate hydrogeological studies are completed and arrangements are made to protect water resources in accordance with the Drinking Water Source Protection policies of this Plan;
 - g. to ensure the payment of monies for services and/or local improvements; and/or,
 - h. to ensure the execution of legal agreements, approval of Plans of Subdivision, and approval of necessary studies by the appropriate authority in order to satisfy any of the criteria set out above.
- 14.64. The **City** may permit some uses and/or limited **development** while a holding provision is in place, provided they do not adversely affect the future **development** potential of the lands.
- 14.65. The implementing bylaw will specify what conditions or requirements must be met before a holding provision can be removed.
- 14.66. The **City** will enact a bylaw to remove the holding symbol when all the conditions set out in the holding provision have been satisfied, permitting **development** in accordance with the zoning category assigned.

Committee of Adjustment

CONSENTS

- 14.67. **Development** for Consent to create new lots will only be granted where the following criteria are satisfied in addition to *Planning Act* and Provincial Planning Statement requirements:
- a. the lot(s) complies with the policies of this Plan and that the lots are in conformity with the Zoning Bylaw, or a Minor Variance has been granted to correct any deficiencies;

- b. the lot(s), its size, and configuration can function independently for its intended use, including the provision of, but not limited to, **amenity area**, walkways, any required parking, and having regard for Tree Management and Protection, **Natural Heritage Features**, and Cultural Heritage considerations;
 - c. the lot(s) will have frontage on a public street, as defined by the Zoning Bylaw;
 - d. municipal water and sanitary services are available at the lot line, or can reasonably be provided, except in accordance with the Servicing and Utilities policies of this Plan;
 - e. a Plan of Subdivision or Condominium has been deemed not necessary for proper and orderly **development**, and where there are no shared services and/or amenities; and,
 - f. the lot(s) will not negatively impact the **planned function** or limit **development** potential of the area.
- 14.68. Consent to sever and/or create an easement(s) will not be used to circumvent Site Plan Control where the site(s) will continue to function as one development.

MINOR VARIANCE

- 14.69. Where more than one Minor Variance is proposed in an application, the overall impact of every individual and collective variance will be considered.
- 14.70. Minor Variance(s) will be reviewed to ensure that a deficiency in one bylaw requirement does not create further bylaw deficiencies.
- 14.71. It is the general intent and purpose of this Plan to not compromise landscaping requirements to accommodate private vehicular parking, access, movement, and/or functionality.
- 14.72. Minor Variance(s) seeking relief from **built form** and/or site design regulations will provide justification that demonstrates why the relief is necessary due to site specific conditions and how the intent of the regulations and any related Urban Design Manual guidelines is still being met.
- 14.73. Minor Variance(s) to permit reduced setbacks, lot area, and/or lot width as well as variance(s) to facilitate conversions of buildings will be reviewed to ensure the lands can function appropriately and does not create unacceptable **adverse impacts** for **adjacent** properties.
- 14.74. It is the general intent and purpose of this Plan to ensure that increases to maximum permitted lot coverage and/or impermeable surfaces do not have **negative impacts** to stormwater management.
- 14.75. **Development** for Minor Variance(s) should prioritize the retention of **natural heritage features** and **ecological functions** including, but not limited to, public and private trees as outlined in the Natural Environment policies in this Plan.

EXTENSION OR ENLARGEMENT OF A LEGAL NON-CONFORMING USE

- 14.76. In special circumstances, it may be appropriate to consider the extension or enlargement of non-conforming uses. Any such extension or enlargement will be processed as either a site-specific amendment to the implementing amendment, or as an application to the Committee of Adjustment pursuant to the provisions of the Planning Act.
- 14.77. The Committee of Adjustment may consider an enlargement or an extension of a legal non-conforming use where the enlargement or extension:
- is in the public interest;
 - represents good planning;
 - does not create unacceptable **adverse impacts** upon surrounding properties and neighbourhood;
 - includes a use that similar in purpose to the existing use; and,
 - does not perpetuate the legal non-conforming use.

CHANGE IN USE

- 14.78. Pursuant to the provisions of the Planning Act, the Committee of Adjustment may permit a use of the property that is similar to the purpose for which it was used, or a use that is more **compatible** with the uses permitted by the implementing bylaw. The proposed use will:
- be an improvement over the existing use in terms of appearance and function in relation to the surrounding area, and more closely approach the intent of the policies of this Plan and provisions of the implementing bylaw;
 - be viewed as an interim use and should be considered in relation to the economic life of the use and structure; and,
 - not create or cause an increase of nuisance factors such as noise, vibration, fumes, smoke, dust, odours, lighting, or traffic so as to result in the non-**compatibility** of the use with its surrounding area.

Non-Conforming and Non-Complying Uses

NON-CONFORMING USES

- 14.79. The **City** may recognize uses which exist at the time of the approval of this Plan and which do not have a negative impact on the environment and do not pose a significant threat to health and safety. This will be done by means of appropriate site-specific zoning. Such zoning will not be considered to be in contravention of the policies of this Plan and will:
- only be accomplished by the adoption of a site-specific Zoning Bylaw or other implementing bylaws which will incorporate specific and appropriate regulations relative to the existing specific use and site; and,
 - be limited to the limits of the land owned at the time of the approval of this Plan.

- 14.80. It is the intention and expectation that legal non-conforming uses, buildings, and/or structures will eventually cease and be replaced by uses, buildings, and/or structures that conform with the intent of this Plan and comply with the implementing bylaw.

NON-COMPLYING USES

- 14.81. The **City** may consider the use of implementing bylaw provisions or regulations to allow similar uses and/or uses within the same zone category, to occupy existing legal non-complying lands, buildings, and/or structures unless there is a significant threat to health and safety, without the need for an amendment to the implementing bylaw or Minor Variance application.
- 14.82. Applications for the expansion, alteration, or an addition to a non-complying building and/or structure will be considered by way of an amendment to the implementing bylaw or Committee of Adjustment application, depending on the nature of the proposal, in accordance with the policies of this Plan.

Site Plan Control

- 14.83. The **City** will establish a Site Plan Control Area which will encompass all of the lands within the boundaries of the city and will be applicable to all development in accordance with Section 41 of the Planning Act.

Plans of Subdivision, Condominium, and Part-lot Control

- 14.84. Council may pass bylaws to exempt properties from part lot control, subject to the provisions of the Planning Act.
- 14.85. The division of land will occur by registered Plan of Subdivision where:
- a. a new road or an extension to an existing road is required; or,
 - b. it is deemed in the public interest for the proper and orderly **development** of land.
- 14.86. Plans of Subdivision or Plans of Condominium will be appropriately phased to ensure orderly and staged **development**.
- 14.87. The **City**, when considering applications for Plans of Subdivision and Vacant Land Condominium or applications for modifications, will have regard to the provisions of the Planning Act and related Provincial policies and plans, along with **City** and relevant Conservation Authority policies and procedures. In addition, Council will approve only those Plans of Subdivision that:
- a. conform to the policies of this Plan;
 - b. are supported by Kitchener's growth management program;
 - c. can be supplied with adequate services and **community facilities**;
 - d. will not adversely impact upon the transportation system and will support transit, cycling, and walkability;

- e. will not adversely impact the natural environment;
 - f. will not adversely impact municipal finances including operational budgeting;
 - g. will be integrated with surrounding lands, subdivisions, and streets; and,
 - h. are designed in accordance with the Urban Design policies of this Plan and the Urban Design Manual.
- 14.88. In addition to the minimum submission requirements outlined in the Planning Act, the **City** may request any other information or material, as listed in Schedule B: Other Information and Materials in the Official Plan, for an application for a Plan of Subdivision that may be necessary to ensure conformity with this Plan.
- 14.89. In approving a draft Plan of Subdivision or draft Plan of Condominium, the **City** may require that the approval lapses at the expiration of a specified time period, being not less than three years. The **City** may extend the approval time period, prior to its expiration.
- 14.90. If a Plan of Subdivision or part thereof has been registered for eight years or more and does not conform to the policies of this Plan, the **City** may use its authority under the Planning Act to deem it not to be a registered Plan of Subdivision.
- 14.91. If the approval of a draft Plan of Subdivision lapses, opportunities for achieving the growth management vision and big moves of this Plan may be considered as part of any **development** to reestablish the draft Plan of Subdivision.

Property Standards

- 14.92. The **City** may enact a Property Standards Bylaw in accordance with the Building Code Act, regarding minimum standards for the following:
- a. the physical condition of buildings and structures;
 - b. the physical condition of lands;
 - c. the adequacy of sanitation; and,
 - d. the health of buildings and structures for occupancy.
- 14.93. In accordance with the Building Code Act, the **City** may, at the expense of the owners or occupants of private lands, elect to demolish or repair buildings, structures, or lands that are not compliant with the Property Standards Bylaw without compensation to the owners or occupants.
- 14.94. Any required demolition of residential buildings will be done in accordance with the Planning Act and with any other applicable policies in this Plan.
- 14.95. The **City** may establish specific requirements in the Property Standards Bylaw to address the maintenance and property standards of **cultural heritage resources**.

Demolition Control

- 14.96. The **City** may prepare, enact, and enforce a Demolition Control Bylaw in accordance with the provisions of the Planning Act, to prevent the premature demolition of residential buildings within designated areas of the **City**.
- 14.97. The Demolition Control Bylaw may be used as a tool to:
- a. protect cultural heritage resources;
 - b. preserve other buildings, structures, or features within the city as deemed appropriate by Council; and,
 - c. protect existing rental housing stock in accordance with the Municipal Act.
- 14.98. The **City** will consider the following when reviewing demolition control applications:
- a. the condition of the dwelling and/or residential building in terms of damage due to fire, water, wind, or other damaging cause of event, life, and health safety and structural stability;
 - b. whether the property is a cultural heritage resource or has cultural heritage value or interest;
 - c. the impact of the demolition on abutting properties and the streetscape;
 - d. the timeframe of redevelopment, where applicable, and, whether construction of a new structure is permitted pursuant to applicable legislation;
 - e. where a rental replacement permit is required under the Municipal Act; and,
 - f. any other site-specific issues.
- 14.99. Applications to demolish designated **cultural heritage resources** will be considered in accordance with the provisions of the Ontario Heritage Act and the other applicable policies of this Plan.

Conditions of Development Approval

- 14.100. As conditions of **development** approval, all required agreements must be in place, including financial agreements and development agreements (e.g., landowner agreements for shared **infrastructure**, including cost sharing agreements), to provide for the identified and required elements of the municipal service **infrastructure** systems (sewer, water, stormwater management and transportation) as well as any requirements for Public Service Facilities and the identified components of the **Public Realm** and **Mobility Network**.
- 14.101. A condition of **development** approval shall be that an agreement(s) between the landowner(s) and publicly funded School Board(s) is entered into prior to the registration of the draft plan of subdivision, the agreement may:
- a. Include agreement(s) of purchase and sale, options to purchase, or other legal mechanisms having regard to development phasing and funding availability.
 - b. Recognize the unique mandate, timelines, and operational requirements of school boards in determining accommodation need and site readiness (i.e., The timing of

school site acquisition and the construction of schools is subject to the approval by the Province of Ontario through the Ministry of Education).

- c. Ensure lands shall be protected for future school use as development proceeds, while not obligating immediate construction or prematurely tying acquisition to rigid timelines that may not align with enrolment realization, funding cycles, or phasing

14.102. A condition of **development** approval will be that an Agreement be entered into between the landowner(s) and the **City** prior to final approval or registration of the draft plan of subdivision. The agreement may set out the amount, size, general location, and timing of parks to be dedicated to the **City** under the *Planning Act* requirements, and which sets out the size and general location of additional lands for park, recreation, or other **community facilities** and purposes to be acquired, and the timing of that acquisition where known.

14.103. A condition of **development** approval will be to enter into appropriate agreements to the satisfaction of the **City** and the **Region** to provide protection of existing private water supply systems in the Plan area that are intended to continue use, should their operation be detrimentally impacted through the process of developing the Plan area.

Schedule A: Glossary

Active Transportation - means human-powered travel, including but not limited to walking, cycling, inline skating, and travel with the use of mobility aids, including motorized wheelchairs and other power-assisted devices moving at a comparable speed.

Adjacent - lands, buildings, and/or structures that are contiguous or that are directly opposite to other lands, buildings, and/or structures, separated only by a laneway, **City** and/or **Regional** road, or other right-of-way.

Adjacent Lands/Lands Adjacent - those lands contiguous to natural **hazard lands**, a specific **natural heritage feature**, or area where it is likely that **development** or **site alteration** would have a negative impact on the hazard and/or **natural heritage feature**. The extent of the adjacent lands may be recommended by the Province or based on municipal approaches which achieve the same objectives.

Adverse Effects - as defined in the Environmental Protection Act, means one or more of:

- impairment of the quality of the natural environment for any use that can be made of it;
- injury or damage to property or plant or animal life;
- harm or material discomfort to any person;
- an adverse effect on the health of any person;
- impairment of the safety of any person;
- rendering any property or plant or animal life unfit for human use;
- loss of enjoyment of normal use of property; and,
- interference with normal conduct of business.

Adverse Heritage Impacts - a negative change to the integrity, value, or significance of a **cultural heritage resource** that can occur because of a proposed **development** and/or **alteration**. Impacts include, but are not limited to, destruction, **alteration**, shadows, isolation, direct or indirect obstruction, a change in land use, and land disturbance. Adverse Heritage Impacts can also be caused by non-**compatible** design, size, massing, or orientation of a proposed **development**. Adverse Heritage impacts to properties designated under Part V of the Ontario Heritage Act can occur if a proposed **development** negatively affects the heritage attributes of the district either on an individual property, existing streetscape, or to the district as a whole.

Adverse Impacts - may include but will not be limited to: shadows over private **amenity areas** or on building façades for an unacceptable duration, issues of privacy, overlook conditions, negative microclimatic impacts, light pollution (such as light trespass or glare), odour, vibration, noise pollution, urban heat island effects, visual clutter, or obstruction of **views** and/or **vistas**.

Affordable Housing/Affordability/Affordable -

- a) In the case of ownership housing, the least expensive of:
 - 1. housing for which the purchase price results in annual accommodation costs which do not exceed 30 percent of gross annual household income for low and moderate income households; or,

2. housing for which the purchase price is at least 10 percent below the average purchase price of a resale unit in the municipality;
- b) In the case of rental housing, the least expensive of:
1. a unit for which the rent does not exceed 30 percent of the gross annual household income for low and moderate income households; or,
 2. a unit for which the rent is at or below the average market rent of a unit in the municipality.

Agricultural Uses - the growing of crops, including nursery, biomass, and horticultural crops; raising of livestock; raising of other animals for food, fur, or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm buildings and structures, including, but not limited to livestock facilities, manure storages, value-retaining facilities, and accommodation for farm labour when the size and nature of the operation requires additional employment.

Agriculture-Related Uses - those farm-related commercial and farm-related industrial uses that are directly related to the farm operations in the area, support agriculture, benefit from being in close proximity to the farm operation, and provide direct products and/or services to farm operations as a primary activity.

Airport – means the Region of Waterloo International Airport.

Alteration – to change in any manner and includes to restore, renovate, repair, or disturb. This can also include partial demolition of **heritage** and non-heritage attributes on existing property

Amenity Area – refers to indoor and/or outdoor spaces intended for active or passive recreation – such as children's play areas, seating zones, sports courts, party room, or fitness rooms – designed for shared use. These areas must be thoughtfully planned and integrated into the overall site design.

Ancillary Uses – a land use that is supportive of and secondary to the primary use assigned to a given designated property. Ancillary uses may be located on a **mixed-use** site or within a **mixed-use** building that includes primary uses. With respect to an industrial employment area, ancillary uses may include small-scale complementary uses that primarily serve the business functions of the Industrial Growth Areas.

Areas of Natural and Scientific Interest – areas of land and water containing natural landscapes or features that have been identified as having life science or earth science values related to protection, scientific study, or education.

Built Form – a function of building placement, mass, height, and floor area. Built form is typically regulated in Zoning Bylaws in terms of building mass, lot coverage, building setbacks and stepbacks, height, and floor area regulations as well as Heritage and Urban Design policies and guidelines.

City – refers to the Corporation of the City of Kitchener.

Climate Risk Vulnerability Assessment – a study framework which evaluates the risks associated with climate change at different scopes, depending on the approach. It can investigate a single

asset or piece of infrastructure, look at a neighbourhood, or the whole city. The intent of the assessment is to identify vulnerable populations, assets or infrastructure, understand patterns of climate-related vulnerability, and outline existing adaptive capacity while providing policy and programmatic recommendations that will inform community strategies and climate adaptation plans, master plans, infrastructure and asset planning.

Community Facilities – means lands, buildings, and structures, for the provision of programs and services provided or subsidized by a government, such as social assistance, recreation, police and fire protection, health, childcare and educational programs, long-term care services, and cultural services. **Community Facilities** include **Community Recreation Facilities**.

Community Facilities may be categorized as Local or Major. Local **Community Facilities** serve a local population and are integrated in neighbourhood. Examples include elementary schools, health clinics, and child cares.

Major **community facilities** serves a city-wide or regional population and can generate large volumes of traffic, may require large areas of land to accommodate buildings, structures, outdoor activities, and parking, and may have extended hours of operation including weekday evenings and weekends and in some cases, they may operate 24 hours a day, all year round. Examples include hospitals, secondary and post-secondary educational facilities, and major **cultural facilities**.

Community Facilities means Public Service Facilities as defined in the Provincial Planning Statement.

Community Recreation Facilities – means lands, buildings, and structures that are provided or subsidized by a government and primarily related to recreation and leisure and are accessible to the general public, such as community centres, libraries, arenas, sports fields, and pools. Community recreation facilities may include **ancillary uses** provided by external service providers where they are incidental and subordinate to the primary use.

Compatible – land uses and building forms that are mutually tolerant and capable of existing together in harmony within an area without causing unacceptable **adverse effects**, **adverse environmental impacts**, or **adverse heritage impacts**. Compatibility or compatible should not be narrowly interpreted to mean “the same as” or even as “being similar to.” but rather it should have regard for and be consistent with the existing **built form**.

Complete Application – includes required plans and/or drawings, forms, fees, prescribed information, and material as required under the Planning Act or Ontario Heritage Act, and associated regulations, and any other information prescribed by Provincial Authority, a covering letter, and all supporting information identified through a Pre-Submission Consultation Meeting or waiver, as set out in this Plan, deemed necessary to assess the implications of an application for approval under the Planning Act.

Context – recognition and understanding of a setting in terms of the **built form** and landscaping of an area in its entirety. Context can vary depending on the unique sets of cultural, social, and economic practices that have shaped communities over a period of time, and are reflected in the built environment.

Cultural Facilities – lands, buildings, structures used for the creation, production, and dissemination of arts and culture. Cultural facilities may include publicly or privately owned and/or operated lands, buildings, and cultural sites such as but not limited to museums, performing arts venues, exhibition facilities, and managed historical sites.

Cultural Heritage Resources – includes buildings, structures, and properties designated under the Ontario Heritage Act or listed on the Municipal Heritage Register, properties on the Heritage Kitchener Inventory of Historic Buildings, **built heritage resources**, and cultural heritage landscapes . A cultural heritage resource can also be newly identified as part of a proposal for **development** or **site alteration**.

Cultural Heritage Value – the significance that a building, property, site, or landscape holds for a community’s identity, history, and understanding of its past. It is determined by the prescribed criteria outlined under the Ontario Heritage Act .

Designated vulnerable areas – means areas defined as **vulnerable**, in accordance with Provincial standards, by virtue of their importance as a drinking water source.

Development – the creation of a new lot, a change or intensification in use, and the construction of buildings, structures, and additions requiring approval under the Planning Act. Development also includes redevelopment, and for the purposes of this Plan is meant to indicate where a planning application under the Planning Act is required, but does not include:

- activities that create or maintain **infrastructure** authorized under an **Environmental Assessment** process; and,
- works subject to the Drainage Act.

Drive-through Facility – a place, with or without an intercom order station, where a product or service is available at a service window for delivery to a vehicle as a component of the main use, and will include an automated bank machine but not an automated car wash.

Dwelling Unit – a room or a suite of habitable rooms that:

- is located in a building;
- is occupied or is designed to be occupied by a household as a single, independent, and separate housekeeping establishment;
- contains both an area for preparing food and a bathroom for the exclusive common use of the occupants thereof; and,
- has a private entrance leading directly from outside of the building or from a common hallway or stairway inside the building.

Ecological Function – the natural processes, products, or services, that living and non-living environments provide or perform within or between species, ecosystems, and landscapes including biological, physical, chemical, and socio-economic interactions.

Ecological Restoration Areas – lands and waters that have the potential to be enhanced, improved, or **restored** to a more natural state, contributing to the overall diversity and connectivity of the **Natural Heritage System**.

Energy storage system – means a system or facility that captures energy produced at one time for use at a later time to reduce imbalances between energy demand and energy production, including for example, flywheels, pumped hydro storage, hydrogen storage, fuels storage, compressed air storage, and battery storage.

Environmental Assessment – a process for the authorization of an undertaking under legislation such as the Environmental Assessment Act and the Ontario Energy Board Act.

Environmental Impact Study – a study conducted prior to **development** or **site alteration** in order to investigate potential environmental impacts of the proposed undertaking. An **Environmental Impact Study** will determine whether **development** or **site alteration** may proceed, and if so, will identify actions which could be taken in order of preference to prevent, minimize, or mitigate the environmental impacts of the **development** or **site alteration**.

Environmentally Significant Discharge Areas – lands where groundwater discharges to the surface of the soil or to surface water bodies to sustain **wetlands**, fisheries, or other specialized natural habitats.

Environmentally Significant Recharge Areas – lands where water infiltrates into the ground to replenish an aquifer that sustains, in full or in part, environmental features.

Environmentally Significant Valley Features – natural features within a **Significant Valley** that consist of:

- at least one of the following:
 - river channel; or,
 - **Environmentally Significant Discharge Areas** or **Environmentally Significant Recharge Areas**; or,
- both of the following ecological features:
 - habitat of regionally **significant** species of flora or fauna; and
 - natural area, such as a **woodland** of one to four hectares in extent, **floodplain** meadow or **wetland**, which consists primarily of native species; or,
- any one of b) above plus any one of the following Earth Science features:
 - river terrace;
 - esker;
 - cliff or steep slopes;
 - oxbow;
 - confluence with **significant** watercourse draining a **watershed** greater; or
 - than five square kilometres; or,
- regionally **significant** Earth Science **Area of Natural and Scientific Interest**; or,
- fossil bed.

Erosion Hazard – the loss of land due to human or natural processes that poses a threat to life and property. The **erosion hazard** limit is determined using considerations that include the 100 year erosion rate (the average annual rate of recession extended over a one hundred year time span), an allowance for slope stability, and an erosion/erosion access allowance.

Existing – when used in reference to a use, lot, building, or structure, means any use, lot, building, or structure legally established or created prior to the day of approval of this Plan.

Fish Habitat – as identified in the Fisheries Act, means spawning grounds and any other areas, including nursery, rearing, food supply, and migration areas on which fish depend directly or indirectly in order to carry out their life processes. Fish, for the purpose of this definition, includes fish, shellfish, crustaceans, and marine animals, at all stages of their life cycles as defined in the Fisheries Act.

Flood Fringe – for watercourses and small inland lake systems, means the outer portion of the **floodplain** between the **floodway** and the **floodings hazard** limit. Depths and velocities of flooding are generally less severe in the flood fringe than those experienced in the **floodway**.

Floodings Hazard – the inundation of areas adjacent to a shoreline or a river or stream system not ordinarily covered by water. Within the Grand River watershed, the flooding hazard limit is based on the Hurricane Hazel storm event standard or the 100-year return period flood, whichever is greater.

Floodplain – for watercourses and small inland lake systems, means the area usually low lands adjoining a watercourse, which has been or may be subject to **floodings hazards**.

Floodproofing Standard – means structural changes and/or adjustments incorporated into the basic design and/or construction or alteration of individual buildings, structures, or properties to reduce or eliminate **floodings hazard** or protect them from flood damage.

Floodway – for watercourses and small inland lake systems, means the portion of the **floodplain** where **development** and **site alteration** would cause a danger to public health and safety or property damage.

Where the one zone concept is applied, the floodway is the entire contiguous **floodplain**.

Where the two zone concept is applied, the floodway is the contiguous inner portion of the **floodplain**, representing an area required for the safe passage of flood flow and/or that area where flood depths and/or velocities are considered to be such that they pose a potential threat to life and/or property damage. Where the two zone concept applies, the outer portion of the **floodplain** is called the **flood fringe**. In all cases, the floodway will include areas of inundation that contain high points of land not subject to flooding.

Floor Space Ratio – the figure obtained when the building floor area on a lot is divided by the lot area.

Food Store – a retail establishment specialising in food products. Food stores may vary in the range of food product offerings, and may include ancillary non-food goods.

Geothermal – energy systems that extract and reject heat to and from the soil and groundwater, including through the use of heat pumps. Geothermal systems are also known as geo-exchange or ground source heat pumps. In the context of this Plan, geothermal does not mean harnessing energy emanating from the earth's core.

Green Infrastructure – natural and human-made elements that provide ecological and hydrological functions and processes. Green infrastructure can include components such as

natural heritage features and systems, **parklands**, stormwater management systems, low-impact development, street trees, **urban forests**, natural channels, permeable surfaces, and green roofs.

Groundwater Feature – water-related features in the earth’s subsurface, including recharge/discharge areas, water tables, aquifers, and unsaturated zones that can be defined by surface and subsurface hydrogeologic investigations.

Habitat of Endangered Species and/or Threatened Species – refers to habitat: (1) as defined under Section 2 of the Endangered Species Act (ESA) 2007, as amended; and (2) as defined under Section 2 of the federal Species at Risk Act (SARA) 2002, as amended, for species which receive protection especially aquatic/fish species and migratory bird species and their critical habitats as outlined in Recovery Strategies and Action Plans required by SARA.

Hazard/Hazardous Lands – property or lands that could be unsafe for **development** due to naturally occurring processes which may include but is not limited to those lands which have steep slopes, rocky or unstable soils, poor drainage, and flood susceptibility. Along watercourses and small inland lake systems, this means the land including that covered by water, to the furthest landward limit of the **flood hazard** or **erosion hazard** limit.

Heritage Conservation District – a geographical area primarily made up of a group of buildings, streets, and open spaces which collectively contribute to the **cultural heritage value** or interest of the area.

Heritage Conservation District Plan – a document that provides policies and guidelines to assist in the protection and enhancement of the **cultural heritage value** of the district. **Heritage Conservation Plan** – a document that details how a **cultural heritage resource** can be conserved. The conservation plan may be supplemental to a **heritage impact assessment**.

Heritage Corridors – streets or **multi-use pathways** which because of their unique structural, topographical, and visual characteristics, as well as abutting vegetation, built environment and cultural landscape, historical significance, or location within a Cultural Heritage Landscape are recognized as a **cultural heritage resource** and are intended to be conserved.

Heritage Impact Assessment – a document comprising text and graphic material including plans, drawings, and photographs that contains the results of historical research, field work, survey, analysis, and description(s) of **cultural heritage resources** together with a description of the process and procedures in deriving potential **adverse heritage impacts** and mitigation measures as required by policies in this Plan and any other applicable or pertinent guidelines.

Heritage Integrity – a measure of the wholeness and intactness of a **cultural heritage resource** and its heritage attributes.

Heritage Studies and/or Heritage Related Studies – plans, studies, and/or other documents that are requested as part of a complete application to ensure the conservation of a **cultural heritage resource**.

High Microbial Risk Management Zones – areas where the underlying groundwater is the most **vulnerable** to disease causing organisms. These zones surround municipal drinking-water supply wells supplied by Groundwater Under the Direct Influence of Surface Water (GUDI). GUDI wells

draw groundwater that is directly connected to, and dependent upon, surface water in locations where contaminants in the surface water may not be filtered adequately by the overlying soil or subsurface before entering the well.

Hydrologic Function – the functions of the hydrological cycle that include the occurrence, circulation, distribution, and chemical and physical properties of water on the surface of the land, in the soil, underlying rocks, and in the atmosphere, and water’s interaction with the environment including its relation to living things.

Infrastructure – natural and engineered assets on public and private property that form the foundation for **development**. Infrastructure may include: municipal drinking-water supply systems, municipal wastewater systems, septage treatment systems, stormwater management systems, creeks and **wetlands**, waste management systems, electricity generation facilities, electricity transmission and distribution systems, communication/telecommunications, transit and transportation corridors and facilities, Provincial highways, railways, and oil and gas pipelines and associated facilities.

Intangible – means traditions, knowledge, and skills that communities see as part of their culture. These are passed down through generations and change over time as people adapt to their surroundings and history. They help give communities a sense of identity and continuity and encourage respect for cultural diversity and creativity.

Intensification – the **development** of a property, site, or area at a higher **density** than currently exists through:

- redevelopment, including the reuse of brownfield and greyfield sites;
- the development of vacant and/or underutilized lots within previously approved developed areas;
- infill development; or,
- the expansion or conversion of existing buildings.

Low impact development – means an approach to stormwater management that seeks to manage rain and other precipitation as close as possible to where it falls to mitigate the impacts of increased runoff and stormwater pollution. It typically includes a set of site design strategies and distributed, small-scale structural practices to mimic the natural hydrology to the greatest extent possible through infiltration, evapotranspiration, harvesting, filtration, and detention of stormwater. Low impact development can include, for example: bioswales, vegetated areas at the edge of paved surfaces, permeable pavement, rain gardens, green roofs, and exfiltration systems.

Major goods movement facilities and corridors – means transportation facilities, corridors, and networks associated with the inter- and intra-provincial movement of goods. Examples include: inter-modal facilities, ports, airports, rail facilities, truck terminals, freight corridors, freight facilities, and haul routes, primary transportation corridors used for the movement of goods and those identified in Provincial transportation plans. Approaches that are freight-supportive may be recommended in Provincial guidance or based on municipal approaches that achieve the same objectives.

Major development – means **development** consisting of:

- the creation of four or more lots;
- the construction of a building or buildings with a ground floor area of 500 m² or more; or,
- the establishment of a **major recreational use**.

Major Institutional – large scale institutional uses, including **community facilities** and **cultural facilities**, which have a regional or city-wide sphere of influence and are therefore not appropriate for certain areas due to traffic and other impacts. This use does not include elementary schools.

Major Office – a office or mixed use building having a minimum office **gross floor area** of 4,000 square metres or a minimum of 200 jobs.

Major recreational use – means a recreational use that requires large-scale modification of terrain, vegetation or both and usually also requires large-scale buildings or structures, including but not limited to the following: golf courses; serviced playing fields; serviced campgrounds; and ski hills.

Mineral Aggregate Operation – lands under license or permit, other than for **wayside pits and quarries**, issued in accordance with the Aggregate Resources Act:

- for lands not designated under the Aggregate Resources Act, established pits and quarries that are not in contravention of municipal Zoning Bylaws and including **adjacent** land under agreement with or owned by the operator, to permit continuation of the operation; or,
- associated facilities used in extraction, transport, beneficiation, processing, or recycling of **mineral aggregate resources** and derived products such as asphalt and concrete, or the production of secondary related products.

Mineral Aggregate Resources – gravel, sand, clay, earth, shale, stone, limestone, dolostone, sandstone, marble, granite, rock, or other material prescribed under the Aggregate Resources Act suitable for construction, industrial, manufacturing, and maintenance purposes but does not include metallic ores, asbestos, graphite, kyanite, mica, nepheline syenite, salt, talc, wollastonite, mine tailings, or other material prescribed under the Mining Act.

Minimum Distance Separation Formulae – the separation distance as determined through the Minimum Distance Separation Formulae I and II or any other reduced distance satisfactory to the **City** and the Province through an amendment to the Zoning Bylaw or Minor Variance application.

Mobility Network – a comprehensive network of streets, roads, bike lanes, trails, multi-use paths, sidewalks, and transit corridors used by people and vehicles to safely move around the city.

Multi-Unit Building(s) – a building containing two or more uses/business establishments which are managed and operated as a unit. Residential uses within the same building are not considered part of a multi-unit building. In such circumstances the group of uses would be defined as a **mixed-use** building.

Natural Heritage Features – features of the natural environment that make up the **Natural Heritage System**, include but are not limited to the following:

- **Provincially Significant Wetlands;**
- **Locally Significant Wetlands;**

- **Significant Valleys;**
- **Environmentally Significant Valley Features;**
- **Locally Significant Valleylands;**
- **Environmentally Sensitive Policy Areas;**
- **Significant Woodlands;**
- **Locally Significant Woodlands;**
- **Habitat of Endangered and/or Threatened Species;**
- **Significant Wildlife Habitat;**
- **Fish Habitat;**
- **Regional Recharge Areas;**
- **Environmentally Significant Discharge Areas;**
- **Environmentally Significant Recharge Areas;**
- **Significant Landforms (Earth Science Areas of Natural and Scientific Interest);**
- **Ecological Restoration Areas;** and,
- **Natural Linkages and Corridors.**

Natural heritage features and areas – means features and areas, including **significant wetlands**, **significant coastal wetlands**, other coastal **wetlands** in Ecoregions 5E, 6E and 7E, **fish habitat**, **significant woodlands** and **significant valleylands** in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Marys River), **habitat of endangered species and/or threatened species**, **significant wildlife habitat**, and **significant areas of natural and scientific interest**, which are important for their environmental and social values as a legacy of the natural landscapes of an area.

Natural Heritage System – a system made up of and linked by **natural heritage features** and linkages intended to provide connectivity (at the regional or site level) and support natural processes which are necessary to maintain biological and geological diversity, natural functions, and viable populations of indigenous species and ecosystems. These systems can include **natural heritage features**, Federal and Provincial parks and conservation reserves, lands that have been **restored** or have the potential to be **restored** to a natural state, areas that support **hydrologic functions**, and working landscapes that enable **ecological functions** to continue.

Natural Linkages and Corridors – areas that connect **natural heritage features** along which plants and animals can propagate, genetic interchange can occur, populations can move in response to environmental changes and life-cycle requirements, and species can be replenished from other environmental features. **Natural linkages and corridors** can also include those areas currently performing, or with the potential to perform, through **restoration**, linkage functions. Although **natural linkages and corridors** help to maintain and improve environmental features, they can also serve as important **natural heritage features** in their own right.

Naturally Occurring Affordable Housing – refers to private market rental housing that is affordable to low- and moderate-income households without direct public subsidy. In this Plan, Naturally Occurring Affordable Housing includes housing that, due to naturally occurring market factors such as building age, state of repair, or absence of contemporary amenities, is rented at rates below those of newly constructed rental housing in the same geographic area.

Negative Impacts –

- a. In regard to policy 3.6.4 and 3.6.5 of the Provincial Planning Statement, potential risks to human health and safety and degradation to the **quality and quantity of water**, sensitive **surface water features** and sensitive **ground water features**, and their related **hydrologic functions**, due to single, multiple or successive development. **Negative impacts** should be assessed through environmental studies including hydrogeological or water quality impact assessments, in accordance with provincial standards;
- b. in regard to **fish habitat**, any harmful alteration, disruption or destruction of **fish habitat**, except where an exemption to the prohibition has been authorized under the Fisheries Act;
- c. in regard to other **natural heritage features and areas**, degradation that threatens the health and integrity of the natural features or **ecological functions** for which an area is identified due to single, multiple or successive development or **site alteration** activities.
- d. in regard to policy 4.2 of the Provincial Planning Statement, degradation to the **quality and quantity of water**, sensitive **surface water features** and sensitive **ground water features**, and their related **hydrologic functions**, due to single, multiple or successive development or **site alteration** activities; and,
- e. in regard to policy 3.3.3, of the Provincial Planning Statement any development or **site alteration** that would compromise or conflict with the planned or existing function, capacity to accommodate future needs, and cost of implementation of the corridor.

Non-profit housing provider – means:

- a corporation to which the Not-for-Profit Corporations Act, 2010 applies that is in good standing under that Act and whose primary objective is to provide housing;
- a corporation without share capital to which the Canada Business Corporations Act applies, that is in good standing under that Act and whose primary objective is to provide housing;
- a non-profit housing co-operative that is in good standing under the Co-operative Corporations Act; or,
- an organization that is a registered charity within the meaning of the Income Tax Act (Canada) or a non-profit organization exempt from tax under paragraph 149 (1) (l) of that Act, and whose land is owned by the organization, all or part of which is to be used as affordable housing.

On-farm Diversified Uses – uses that are secondary to the principal **agricultural use** of the property, and are limited in area. On-farm diversified uses include, but are not limited to, home occupations, home industries, agri-tourism uses, and uses that produce value-added agricultural products.

Optimal Ecological State – an **optimal ecological state** for aquatic and/or terrestrial ecosystems is reflective of ecosystems that are characteristic of the particular area's natural heritage.

Restoration to such an optimal state will attempt to return an ecosystem to its historic trajectory (e.g. a known prior state, or one that could develop within the bounds of the historic trajectory). However, such **restoration** recognizes that ecosystems may not necessarily recover their former

states since contemporary constraints and conditions may cause them to develop along altered trajectories.

Parkland – land that is held or designated for public recreation, leisure, environmental protection, and **ecological function** and may contribute to **parkland** provision targets.

Parkland Dedication – the requirement of all **development** to provide land for park or other recreational purposes.

Planned Function – the essential planning intent for an area and the role the area is intended to play in providing a planned service to the public. That planned service may be a direct service such as the provision of government or commercial services, entertainment, housing, employment, or the provision of retail goods. It may also be the provision of an indirect service that is a key element for a community or neighbourhood such as an opportunity for socialization, recreation, and as an informal meeting place.

Priority Location – a special location in prominent **view** from the **public realm** that contributes to community or neighbourhood identity, character, and image. These may include: gateways, corner properties, park spaces, terminating **views** and **vistas**, window streets, **cultural heritage resources**, and conservation lots.

Priority Street – streets with buildings that contain a mix of non-residential ground floor uses that help achieve complete communities by creating engaging and activated pedestrian places. These places contribute to an enhanced streetscape and pedestrian realm by creating a visually stimulating pedestrian experience. Regulations contained within the **City's Zoning Bylaw** that may guide the implementation of priority streets that includes, but is not limited to: minimum ground floor façade heights; minimum façade openings; minimum amount of active uses at the street level; and/or restrictions on the location of vehicular parking.

Private Sewage System – sewage systems that are owned, operated, and managed by the owner of the property upon which the system is located.

Private Water Well – individual, autonomous water supply systems that are owned, operated, and managed by the owner of the property upon which the system is located.

Protection Works – the combination of non-structural or structural works and allowances for slope stability and flooding/erosion to reduce the damage caused by **flooding hazards**, **erosion hazards**, and other water-related hazards and to allow access for their maintenance and repair.

Public Realm – includes roadways, pedestrian linkages, parks and open spaces, semi-public spaces, and accessible parts of public buildings. A significant component of the public realm is the streetscape, which includes all elements of the street as well as the building façades facing the street.

Purpose Built Rental Housing – a multiple dwelling where individual **dwelling units** are not units in a Plan of Condominium, and which is intended for use as rented residential premises.

Quality and quantity of water – means a measure of the **quality and quantity of water** by indicators associated with **hydrologic function** such as minimum base flow, depth to water table,

aquifer pressure ,oxygen levels, suspended solids, temperature, bacteria, nutrients and hazardous contaminants, and hydrologic regime.

Record of Pre-Submission Consultation – the written documentation of a Pre-Submission Consultation Meeting as issued by the Director of Planning, or their delegate, which outlines the information and material identified for inclusion of the **complete application**.

Region – refers to the Corporation of the Regional Municipality of Waterloo.

Regional Recharge Area – a large environmental feature/**natural heritage feature**, that includes portions of the Waterloo Moraine, where considerable deposits of sand and gravel allow for the infiltration of large quantities of rainfall and snowmelt deep into the ground. This important **hydrologic function** sustains some of the richest sources of groundwater in the Grand River watershed. **Regional Recharge Areas** serve two important functions. From an environmental perspective, groundwater discharge from the shallow aquifers located within **Regional Recharge Areas** sustains a wide range of aquatic habitats and ecosystems. This groundwater discharge also provides a high percentage of the baseflow to the Grand River, its tributary rivers and cold-water streams and therefore is critical to maintaining the health of the Grand River to the benefit of the **Region** and downstream communities. The second function of **Regional Recharge Areas** is to replenish deep underground aquifers that serve as a source for a significant share of the municipal drinking-water supply. **Regional Recharge Areas** will be protected from land use practices and hazardous chemicals and/or substances that could **negatively impact the quality and quantity of water** within and available to the aquifers that contribute to the municipal drinking-water supply system.

Renewable Energy System – a system that generates electricity, heat, and/or cooling from a renewable energy source, such as an energy source that is renewed by natural processes and includes wind, water, biomass, biogas, biofuel, solar energy, **geothermal** energy, and tidal forces.

Residential Care Facility – a residence that is occupied by three (3) or more persons, exclusive of staff, who by reasons of their emotional, mental, physical, or legal status, are cared for on a temporary or permanent basis in a supervised group setting. This definition may include group homes, half-way houses, and nursing homes. Residential care facilities occupied by 3-8 persons, exclusive of staff, will be termed small residential care facilities, while those facilities occupied by more than 8 persons, exclusive of staff, will be termed large residential care facilities.

Respect – to align with the established character and **context** of a **cultural heritage resource** in a manner that recognizes the value of the tangible and **intangible** history of a **cultural heritage resource**, and that avoids **adverse heritage impacts** to buildings, streetscapes, and neighborhoods. Respecting **cultural heritage resources** includes, but is not limited to, understanding the relationship between buildings and their landscapes and integrating **development** in a manner that enhances, not diminishes, established neighbourhood character.

Restore/Restoration – convert lands whose ecological properties and functions have been substantively altered by human activity or natural disaster back to natural habitat characteristic and function of the locality consisting of locally appropriate native species of flora and fauna using

active planting, natural succession, prescribed burning, removal of non-native vegetation, other means accepted by the Society for Ecological Restoration, or any combination thereof.

Sense of Place – characteristics that make a place special or unique, often fostering a sense of authentic human attachment and belonging.

Sensitive – in regard to **surface water features** and **ground water features**, means features that are particularly susceptible to impacts from activities or events including, but not limited to, water withdrawals, and additions of pollutants.

Sensitive Land Uses – buildings, **amenity areas**, or outdoor spaces where: routine or normal activities occurring at reasonably expected times would experience one or more **adverse effects** from contaminant discharges generated by a nearby major facility; or, that may be adversely impacted by noise from transportation sources. Sensitive land uses may be a part of the natural or built environment. Examples may include, but are not limited to: residential **developments**, child care centres, and educational and health facilities.

Significant – means:

- in regard to **Provincially Significant Wetlands** identified as provincially significant by Province using evaluation procedures established by the Province, as amended from time to time.
- in regard to **Locally Significant Wetlands**, means an: evaluated wetland that does not meet the Provincial criteria for significance; an unevaluated wetland that is naturally-occurring and greater than 0.5 hectares in size; or, a naturally-occurring wetland (any size up to 0.5 hectares) that meets one or more of the following criteria:
 - part of a Provincially Significant Wetland;
 - located within a floodplain or riparian community;
 - part of a Provincially or municipally designated **natural heritage feature**, a significant **woodland**, or **natural hazard** land;
 - a bog, fen;
 - **fish habitat**;
 - significant **wildlife habitat**;
 - confirmed habitat for a nationally, provincially or regionally significant species;
 - part of an ecologically functional corridor or linkage between larger **wetlands** or natural areas;
 - part of a ground water recharge area; or,
 - a ground water discharge area associated with any of the above.
- in regard to **Significant Landforms** (Earth Science **Areas of Natural and Scientific Interest**) identified as regionally or provincially significant by Province using evaluation procedures established by the Province, as amended from time to time.
- in regard to Grand River **Significant Valley**, means the valley of the Grand River and comprises the entire river channel and extending to the point where the slope of the valley begins to grade into the surrounding upland.
- in regard to **Locally Significant Valleylands**, means the valley and stream corridors of the main branches, major tributaries, and other tributaries flowing into the Grand River.
- in regard to **Significant Woodlands**, means a **woodland** that meets all of the following criteria:
 - greater than 4 hectares in size, excluding any adjoining hedgerows;

- consisting primarily of native species of trees; and,
- meets the criteria of a **woodland** and/or forest in accordance with the Ecological Land Classification for Southern Ontario Bylaw.
- in regard to **Locally Significant Woodlands**, means a **woodland** less than 4 hectares in size which is ecologically important in terms of:
 - features such as species composition, age of trees, and stand history;
 - functionally important due to its contribution to the broader landscape because of its location, size, or due to the amount of forest cover in the planning area; or,
 - economically important due to site quality, species composition, or past management history.
- In regard to **Significant Wildlife Habitat** areas where plants, animals and other organisms live and find adequate amounts of food, water, shelter and space needed to sustain their populations. Specific wildlife habitats of concern may include areas where species concentrate at a vulnerable point in their annual or life cycle; and areas which are important to migratory or non-migratory species.
- in regard to other **Natural Heritage** features and areas, ecologically important in terms of features, functions, representation, or amount, and contributing to the quality and diversity of an identifiable geographic area or **natural heritage system**; and,
- in regard to **cultural heritage and archaeology**, resources that have been determined to have **cultural heritage value** or interest for the important contribution they make to our understanding of the history of a place, an event, or a people.

Criteria for determining significance for the resources noted above are provided in provincial guidance, but municipal approaches that achieve or exceed the same objective may also be used.

While some significant resources may already be identified and inventoried by official sources, the significance of others can only be determined after evaluation.

Site Alteration – activities, such as grading, excavation, and the placement of fill that would change the landform and natural vegetative characteristics of a site.

Subwatershed – a smaller geographic section of a larger **watershed** unit with a drainage area between 5 to 39 square kilometres and whose boundaries include all the land area draining to a point where two second order streams combine to form a third order stream. In Kitchener, the catchment area of one of the tributaries to the Grand River such as Strasburg Creek is considered a **subwatershed**.

Surface water features – means water-related features on the earth's surface, including headwaters, rivers, permanent and intermittent streams, inland lakes, seepage areas, recharge/discharge areas, springs, **wetlands**, and associated riparian lands that can be defined by their soil moisture, soil type, vegetation, or topographic characteristics.

Thermal Networks – are heating and/or cooling systems where multiple buildings share thermal energy, typically circulated through hot and cool water pipes. Thermal networks can leverage non-emitting energy source such as geothermal or waste heat. Thermal Networks include District Energy Systems

Transportation Demand Management – a set of strategies that result in more efficient use of the transportation system by influencing travel behaviour by mode, time of day, frequency, trip length,

regulation, route, or cost. Examples include: carpooling, car sharing, vanpooling, and shuttle buses; parking management; site design and on-site facilities that support transit and walking; bicycle facilities and programs; road tolls or transit discounts; flexible working hours; telecommuting; high occupancy vehicle lanes; park-and-ride; incentives for ride-sharing; transit, walking, and cycling; and initiatives to discourage single occupant trips.

Urban Forest – the trees, forests, greenspace, and related abiotic, biotic and cultural components, all elements of **green infrastructure**, in the city. It includes all trees and forest cover in our city as well as related components in surrounding rural areas.

Utilities – an essential public service such as electricity, **thermal networks**, gas, water, wastewater and stormwater, television or communications/telecommunications that is provided by the **City**, a regulated company, or government agency.

Valleyland – a natural area that occurs in a **valley** or other **landform** depression that has water flowing through or standing for some period of the year.

Valleys - a low-lying area of land, usually with a river or stream running through it, or standing for some period of the year, that has been primarily shaped by erosion from water or glacial ice over millions of years.

Views and/or Vistas – significant visual compositions of the built and natural environment that enliven the overall physical character of an area. Views are generally panoramic in nature while vistas are typically a strong individual feature framed by its surroundings.

Vulnerable/Vulnerability – surface water and groundwater that can be easily changed or impacted.

Water taking – has the same meaning as in the Ontario Water Resources Act, 1990.

Water resource system – means a system consisting of **ground water features** and areas, **surface water features** (including shoreline areas), **natural heritage features and areas**, and **hydrologic functions**, which are necessary for the ecological and hydrological integrity of the **watershed**.

Watershed – an area that is drained by a river and its tributaries.

Watershed/Subwatershed Studies – comprehensive scientific studies that describe how surface water and groundwater and terrestrial and aquatic ecosystems function within a defined drainage area. These investigations result in recommendations as to where and how **development** or **site alteration** can safely occur so as to minimize flood risks, stream erosion, degradation of water quality, and **negative impacts** on natural systems. Recommendations may also identify opportunities for ecological enhancement and **restoration**.

Wayside Pits and Quarries – a temporary pit or quarry opened and used by or for a public authority solely for the purpose of a particular project or contract of road construction and not located on the road right-of-way.

Wetlands – lands that are seasonally or permanently covered by shallow water, as well as lands where the water table is close to or at the surface. In either case the presence of abundant water has caused the formation of hydric soils and has favoured the dominance of either hydrophytic

plants or water tolerant plants. The four major types of **wetlands** are swamps, marshes, bogs, and fens. Periodically soaked or wet lands being used for agricultural purposes which no longer exhibit wetland characteristics are not considered to be **wetlands** for the purposes of this definition.

Wildlife Habitat – areas where plants, animals, and other organisms live and find adequate amounts of food, water, shelter, and space needed to sustain their populations. Specific **wildlife habitats** of concern may include areas where species concentrate at a vulnerable point in their annual or life cycle, and areas which are important to migratory or non-migratory species.

Woodlands – treed areas that provide environmental and economic benefits to both the private landowner and the general public, such as erosion prevention, hydrological and nutrient cycling, provision of clean air and the long-term storage of carbon, provision of **wildlife habitat**, outdoor recreational opportunities, and the sustainable harvest of a wide range of woodland products.

Woodlands include treed areas, woodlots, or forested areas.

Schedule B: Source Water Protection

Land Use Categories

Category ‘A1’
Waste treatment and disposal facilities, including lagoons, landfills, communal/municipal sewage treatment facilities, and including large sewage vaults at sewage pumping stations, but not including facilities regulated under the Nutrient Management Act.
Salvage yards, including automobile wrecking yards or premises.
Bulk storage of hazardous chemicals and hazardous substances (as listed in O.Reg. 347 under the Environmental Protection Act), including bulk storage of oil, gasoline or petroleum products, and including transportation terminals for these substances/chemicals (including truck/trailer/container parking, washing, or cleaning depots).
Category ‘A2’
Bulk storage of oil, gasoline or petroleum products.
Gasoline stations and other retail establishments with gasoline sales
Bulk storage of road salt and snow disposal sites
Category ‘B’
Primary metal manufacturing, including iron and steel mills and ferro-alloy manufacturing; steel product manufacturing from purchased steel; alumina and aluminum production and processing; non-ferrous metal production and processing; and foundries.
Manufacturing of fabricated metal products, including manufacturing of unfinished metal products and metal finishing operations
Manufacturing and assembly of transportation equipment, including motor vehicles and parts, aerospace products and parts, rail cars, ships, and boats.
Manufacturing of machinery, including agricultural, commercial, industrial, and other machinery.
Chemical manufacturing including chemicals; resins; fertilizers, pesticides and other agricultural chemicals; pharmaceutical and medicines; paint, coating, and adhesives; inks and other chemicals but excluding soap and cleaning compound manufacturing. Including manufacturing, packaging, repackaging, and bottling. Excludes uses involving bulk storage of hazardous materials which are included under Category ‘A1’
Manufacturing of petroleum and coal products, including manufacturing of asphalt materials. Excludes uses involving bulk storage of hazardous materials which are included under Category ‘A1’.

▪ Manufacturing of electronic components such as semiconductors, printed circuit boards, and cathode ray tubes.
▪ Manufacturing of electrical equipment, appliances, and components.
▪ Commercial or industrial dry cleaning of textiles and textile products, excluding depots not performing on-site dry cleaning.
▪ Manufacturing of leather and allied products including footwear.
▪ Wood and wood product preservation and treatment.
▪ Wholesale/distributing of cleaning products, pesticides, herbicides, fungicides and chemicals.
Category 'C'
▪ Manufacturing of rubber products.
▪ Manufacturing of soap, cleaning compounds and toilet preparations.
▪ Textile and fabric finishing and fabric coating.
▪ Manufacturing of plastic products.
▪ Manufacturing of wood products including wood furniture, and excluding wood preservation.
▪ Manufacturing of glass and glass products.
▪ Manufacturing of paper and paper products including newsprint and boxes.
▪ Printing and related support activities, excluding business support services such as photocopy services.
▪ Repair and Maintenance of automobiles and automotive machinery, electronic equipment, industrial and commercial machinery, and personal and household goods repair.
▪ Golf courses.
▪ Airports, train, and transit terminals, except terminals with no fuel storage or transfer of shipped goods or materials.
▪ Medical, health, and other laboratories (other than clinics generally associated with commercial plazas).
▪ Miscellaneous manufacturing not included elsewhere, including jewellery, silverware, medical equipment, and signs.
▪ Recycling, recovery, or remanufacturing of materials including the collection, processing, manufacturing, or reuse of post-consumer or post-industrial materials, not including recycling or disposal of hazardous materials, and not including salvage yards or facilities with outdoor operations which are Category 'A1' uses.

Schedule C: Vulnerable Area Risk Assessment Table

Schedule C includes a Vulnerable Area Water Risk Assessment Table that outlines permitted and non-permitted activities and land uses within specific **designated vulnerable areas** identified in this Plan. This table must be read in conjunction with the applicable policies referenced below in this Section to evaluate a **development** application's conformity with the applicable Drinking Water Source Protection policies of this Plan.

To use this table, the reader must locate the proposed land use or threat in the left-hand column and find the corresponding **designated vulnerable area** across the top row. The intersecting cell indicates whether the proposal is permitted, or not permitted, or whether it could be permitted subject to the completion of a technical study(ies).

The columns at the top of the table correspond to different Intake Protection Zones, Wellhead Protection Areas (WHPAs), and their assigned vulnerability scores (V2, V4, V6, V8, or V10), which indicate the **vulnerability** of the water source. The rows along the side list various land use categories and other potential threats.

The table uses the following terms and abbreviations:

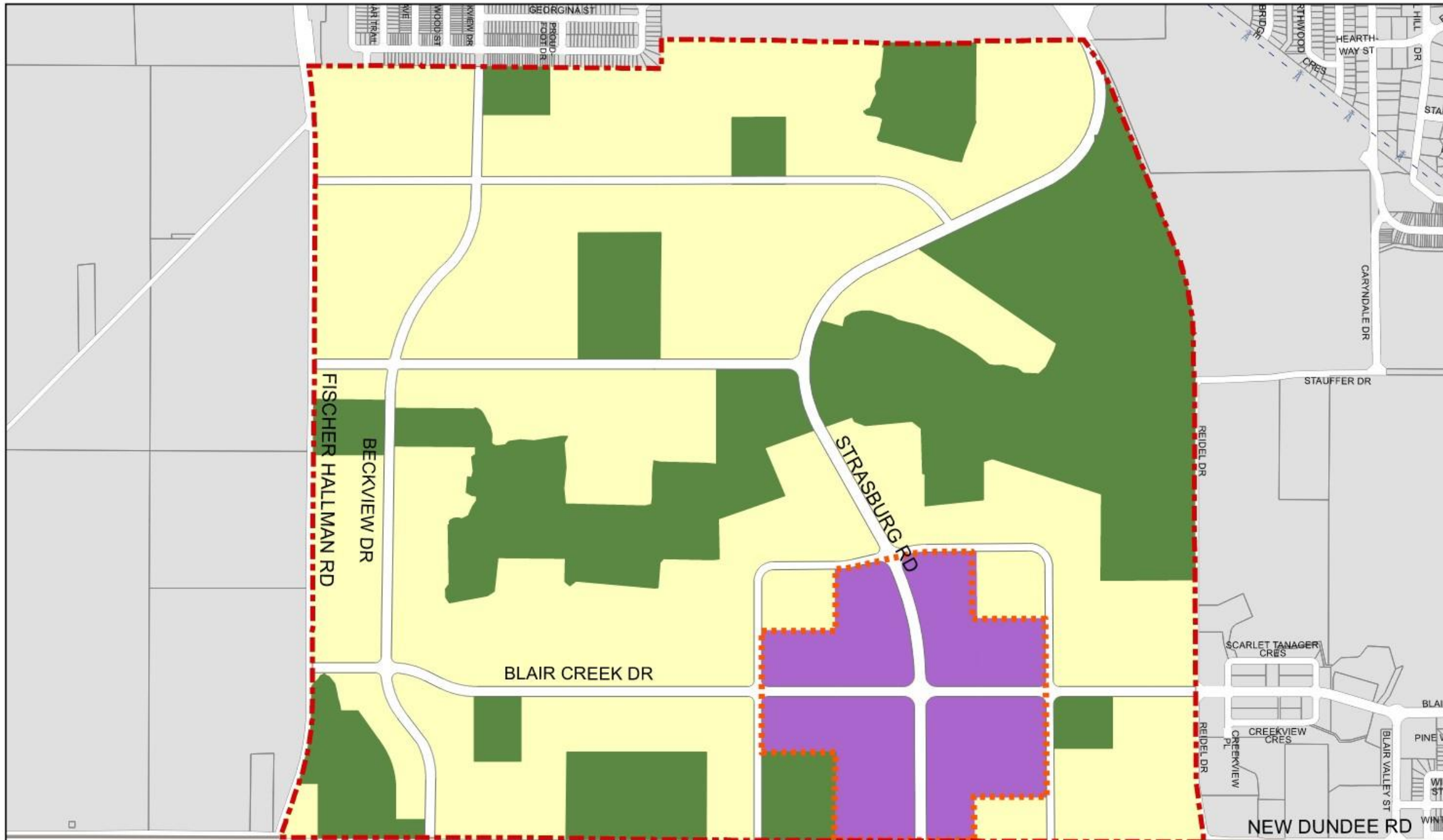
Term/Abbreviation	Definition
P (Permitted)	Proposal is permitted without additional source water protection restrictions.
SR (Study Required)	Proposal may be permitted subject to additional technical studies in accordance with the policies of this Plan.
NP (Not Permitted)	Proposal is not permitted in the specified designated vulnerable area.
V2, V4, V6, V8 or V10 (Vulnerability Scores)	Numerical rating from 2 to 10 indicating how susceptible a drinking water source is to contamination, with higher scores signifying less natural protection and greater risk.
Built-Up Area	Lands within the City of Kitchener developed for urban uses as of June 16, 2006, as distinguished from undeveloped designated greenfield areas.

	Designated Vulnerable Area										
Land Use/Activity	WHPA A V10	WHPA B V10	WHPA B V8	WHPA B V6	WHPA C V8	WHPA C V6	WHPA C V2 or V4	WHPA D V 2,4,6	Microbial Risk Management Zones	IPZ 1	IPZ 2
Category ‘A1’	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
Category ‘A2’	NP	NP	SR	SR	SR	SR	SR	SR	NP	NP	SR
Category ‘B’											
– Located inside Built-Up Area	NP	SR	SR	SR	SR	SR	SR	P	NP	NP	SR
– Located outside Built-Up Area	NP	NP	NP	NP	NP	NP	NP	P	NP	NP	SR
Category ‘C’											
– Located inside Built-Up Area	NP	SR	SR	SR	SR	SR	SR	P	NP	NP	SR
– Located outside Built-Up Area	NP	NP	NP	NP	NP	NP	NP	P	NP	NP	SR
Industrial uses proposing direct infiltration of stormwater run-off using dry wells, enhanced recharge, including human engineered artificial recharge measures.	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	P
Mineral Aggregate Operations	NP	NP	NP	NP	SR	SR	SR	SR	NP	NP	SR
Wayside Pits and Quarries	NP	NP	NP	NP	SR	SR	SR	SR	NP	NP	SR
Underground Parking	NP	SR	SR	SR	P	P	P	P	SR	NP	P
Below-grade construction excavations (greater than 3 metres)	NP	SR	SR	SR	SR	SR	SR	P	SR	NP	P
Buildings or structures requiring permanent passive or active dewatering of ground water to keep the below-grade space dry	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
Geothermal Energy System - Horizontal Closed Loop ¹	NP	P	P	P	P	P	P	P	NP	NP	P
Geothermal Energy System - Vertical Closed Loop ¹	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
Geothermal Energy System - Vertical Open Loop ¹	NP	NP	NP	NP	SR	SR	SR	SR	NP	NP	P
Development applications or site alterations requiring a temporary water taking of greater than 50,000 and less than 400,000 litres/day	NP	SR	P	P	P	P	P	P	SR	P	P
Development applications or site alterations requiring a temporary water taking of greater than 400,000 litres/day	NP	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR
Plans of Subdivision	NP	SR	SR	SR	SR	SR	SR	SR	SR	SR	P
Vacant Land Condominiums	NP	SR	SR	SR	SR	SR	SR	SR	SR	SR	P
New Private Sewage Systems	NP	NP	NP	SR	NP	SR	SR	SR	NP	NP	SR
Pipelines/Sewers	NP	SR	SR	SR	SR	P	P	P	NP	NP	SR
Stormwater management facilities and other ponds	NP	SR	SR	SR	SR	SR	SR	SR	NP	NP	SR

Footnotes

¹ No **Geothermal** Energy Systems are permitted on or **adjacent** to any site with known contamination, in accordance with the Drinking Water Source Protection policies of this Plan.

Schedule D: Maps



Legend

Places to Protect

 Green Area

Places to Grow

 Strategic Growth Area

 Neighbourhood Growth Area

Places to Focus

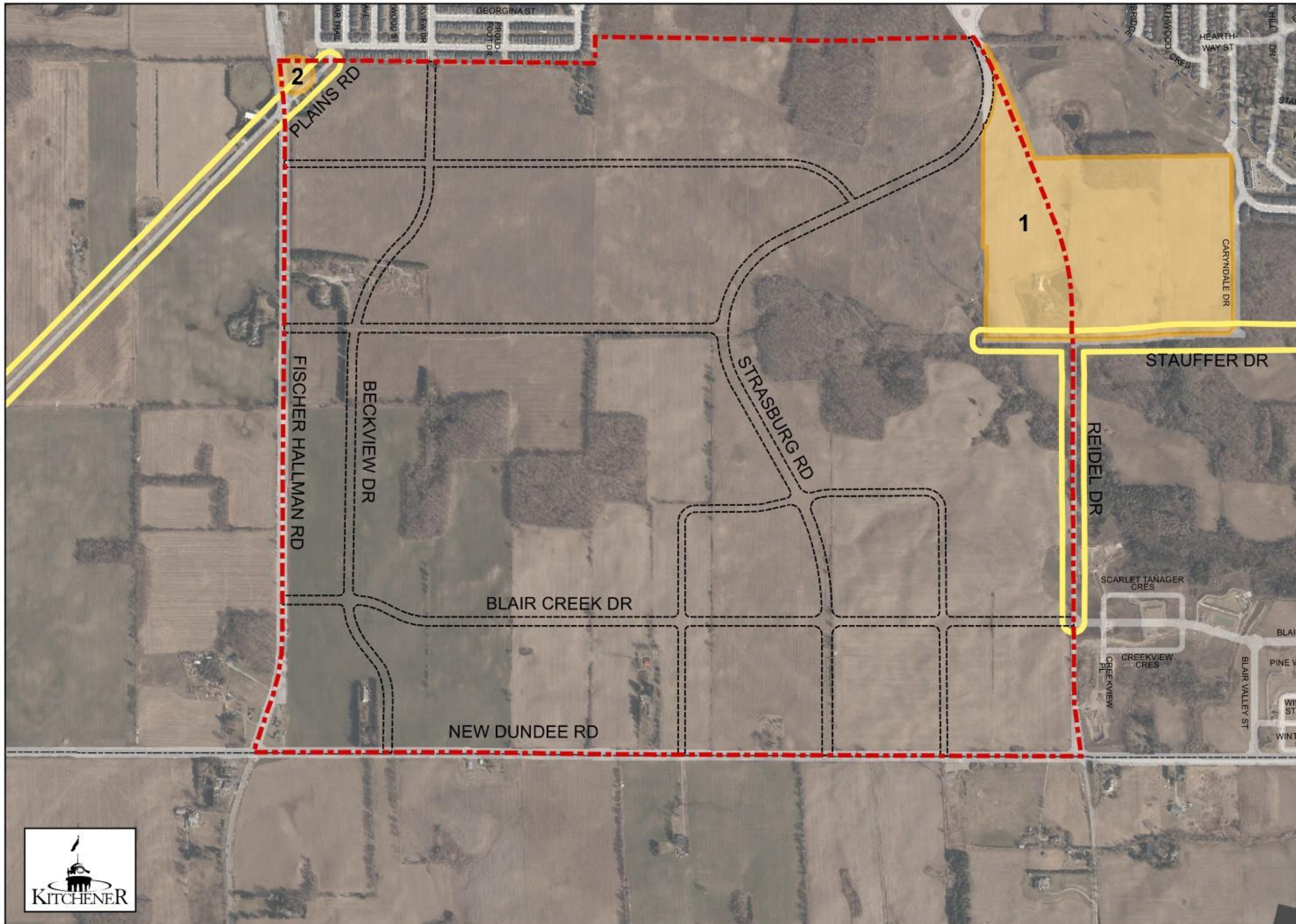
 Dundee Urban Centre

Secondary Plan Boundary





1:15,000
0 0.25 0.5
Kilometres



Legend

- 1** 500 Stauffer Drive
Designated under Part IV of the Ontario Heritage Act
- 2** 1970 Fischer Hallman Road
Listed on the City of Kitchener Municipal Heritage Register

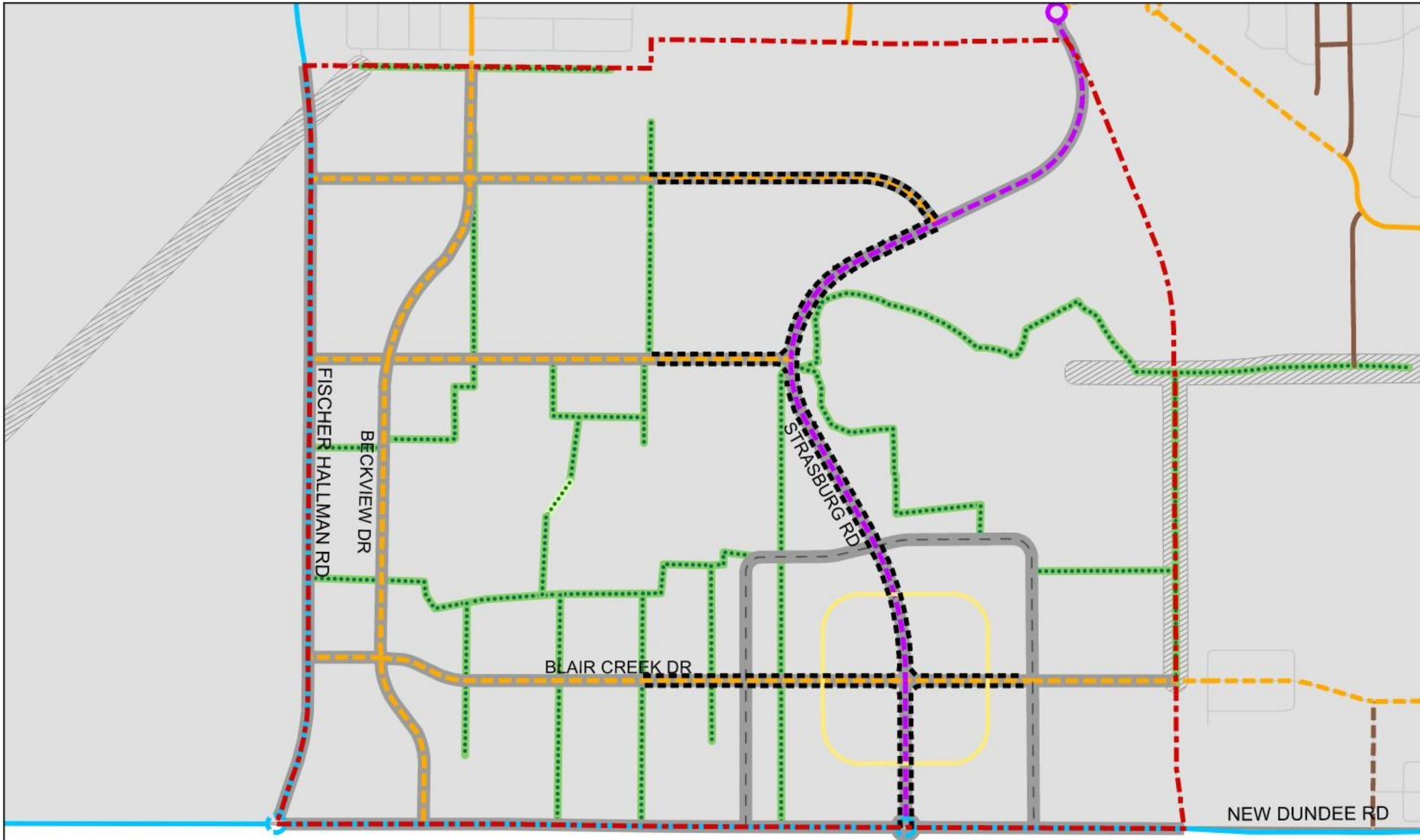
Heritage Corridors



Secondary Plan Boundary



1:15,000
0 0.25 0.5
Kilometres



Legend

Street Network

- Regional Road Existing
- Regional Road Planned
- City Arterial Planned
- City Arterial Existing
- Major Community Collector Existing
- Major Community Collector Planned
- Minor Neighbourhood Collector Existing
- Minor Neighbourhood Collector Planned
- Local Street Existing
- Local Street Planned

Potential Main Street



Heritage Corridor



Potential Transit

- Potential Transit Route



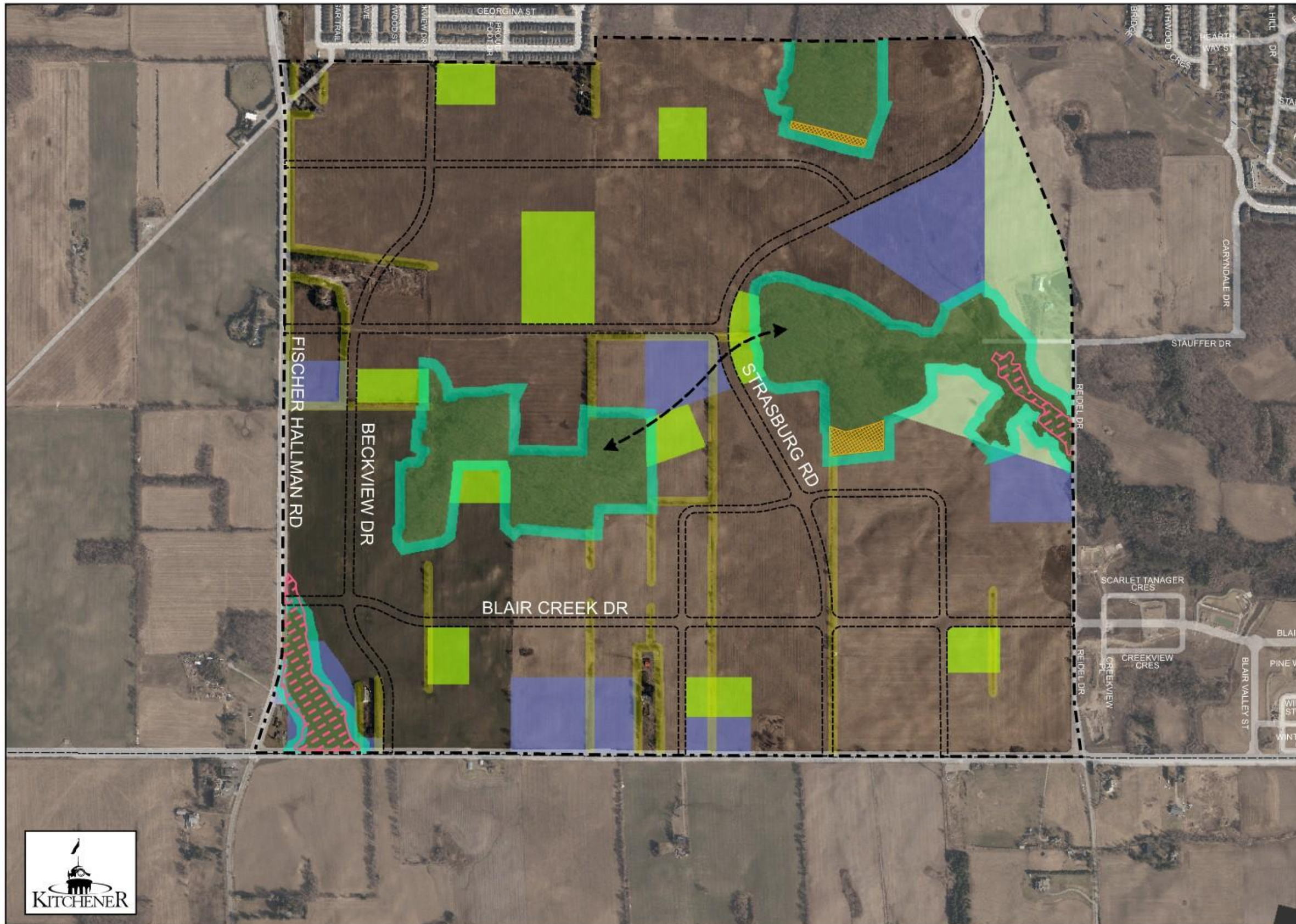
Proposed Trails

- Major Trails and/or Multi-Use Trails
- Minor Trails

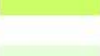
Secondary Plan Boundary



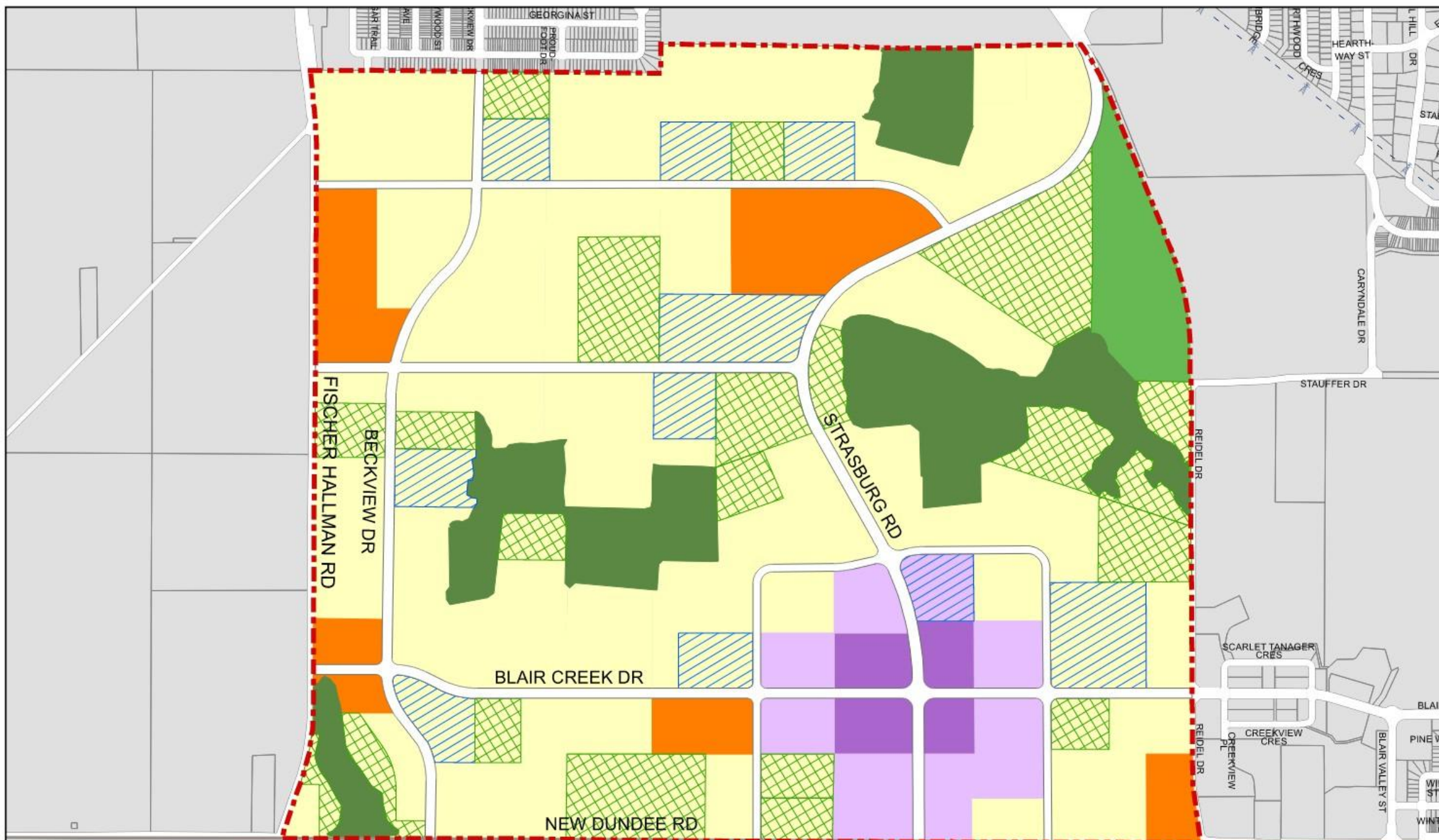
1:15,000
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Kilometres



Legend

-  Natural Heritage System
-  Natural Heritage Ecological Restoration (Woodland Areas)
-  Natural Heritage System Preliminary Buffer
-  Natural Heritage Linkage
-  Hedgerows
-  Open Space - Potential Stormwater Management Locations
-  Open Space - Preferred Park Locations
-  Open Space - Other
-  One Zone Floodplain
-  Secondary Plan Boundary

1:15,000
0 0.25 0.5
Kilometres



Legend

Land Use

- Mixed Use
- Mixed Use B
- Neighbourhood
- Commercial First
- Natural Heritage Conservation
- Open Space

Overlays

- Open Space
- Potential School Locations

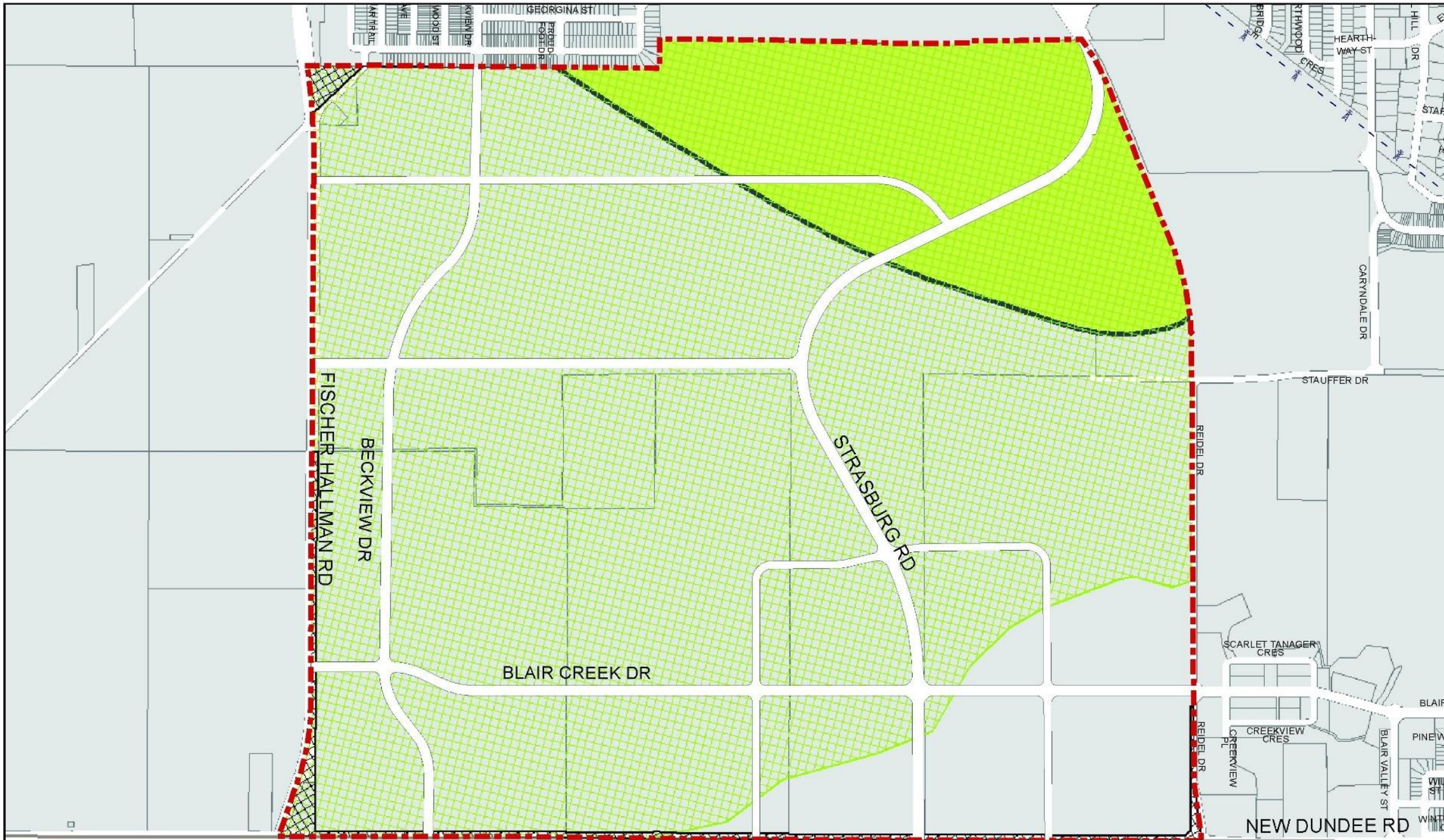
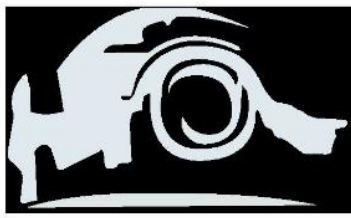
Secondary Plan Boundary



Note: The overlays shown on this map are subject to the policies of this Plan, including, but not limited to, policies 11.32, 13.1-13.2, 13.19-13.21, 13.75-13.78, and 14.12-14.15.

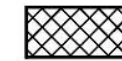
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Kilometres





Legend

Regional Recharge Areas



Wellhead Protection Area Q



Wellhead Protection Area



Vulnerability Score



Secondary Plan Boundary



--  -- Hydro Corridor



1:15,000
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Kilometres