

Growing Together – Planning Analysis

The following constitutes planning analysis in support of the Growing Together Official Plan and Zoning By-law Amendments. The amendments identified and proposed through the Growing Together project (the “proposed amendments”) have regard for matters of Provincial interest under the Planning Act, are consistent with the Provincial Policy Statement, conform with, or do not conflict with A Place to Grow: Growth Plan and the Region of Waterloo Official Plan, and represent good planning.

Planning Act, R.S.O. 1990, c. P.13 25.

Section 2 of the Planning Act establishes matters of provincial interest and states that the Minister, the council of a municipality, a local board, a planning board, and the Tribunal, in carrying out their responsibilities under this Act, shall have regard to, among other matters, matters of provincial interest such as:

- a) The protection of ecological systems, including natural areas, features and functions;
- b) The protection of the agricultural resources of the Province;
- c) The conservation and management of natural resources and the mineral resource base;
- d) The conservation of features of significant architectural, cultural, historic, archaeological or scientific interest;
- e) The supply, efficient use and conservation of energy and water;
- f) The adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;
- g) The minimization of waste;
- h) The orderly development of safe and healthy communities;
 - h.1) The accessibility for persons with disabilities to all facilities, services and matters to which this Act applies.
- i) The adequate provision and distribution of educational, health, social, cultural and recreational facilities;
- j) The adequate provision of a full range of housing, including affordable housing;
- k) The adequate provision of employment opportunities;
- l) The protection of the financial and economic well-being of the Province and its municipalities
- m) The co-ordination of planning activities of public bodies;
- n) The resolution of planning conflicts involving public and private interests;
- o) The protection of public health and safety;
- p) The appropriate location of growth and development;
- q) The promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians;
- r) The promotion of built form that,
 - i. Is well-designed,
 - ii. Encourages a sense of place, and

- iii. Provides for public spaces that are of high quality, safe, accessible, attractive and vibrant;
- s) The mitigation of greenhouse gas emissions and adaptation to a changing climate.

These matters of provincial interest are addressed and are implemented through the Provincial Policy Statement, 2020, as it directs how and where development is to occur. The City's Official Plan is the most important vehicle for the implementation of the Provincial Policy Statement, 2020 and to ensure Provincial policy is adhered to.

Section 16 of the Planning Act outlines the contents of an Official Plan, including goals, objectives and policies established primarily to manage and direct physical change and the effects on the social, economic, built and natural environment of the municipality or part of it. This section identifies Protected Major Transit Station Areas (PMTSAs) and notes the official plan of an upper-tier municipality – in this case the Region of Waterloo - may include policies that identify the area surrounding and including an existing or planned higher order transit station or stop as a PMTSA and that delineate the area's boundaries, and if the official plan includes such policies, it must also contain policies that;

- (a) identify the minimum number of residents and jobs, collectively, per hectare that are planned to be accommodated within the area; and
- (b) require official plans of the relevant lower-tier municipality or municipalities to include policies that,
 - (i) identify the authorized uses of land in the area and of buildings or structures on lands in the area; and
 - (ii) identify the minimum densities that are authorized with respect to buildings and structures on lands in the area. 2017, c. 23, Sched. 3, s. 5 (2).

Through Regional Official Plan Amendment Number 6 (ROPA 6), the above Planning Act provisions have been satisfied.

Further, this section (16(17)) requires area municipalities, like Kitchener, update their Official Plans to identify land uses and minimum densities within the PMTSAs within 1 year of the effective date of ROPA 6 (April 2023). If Kitchener's Official Plan is not updated within this 1-year timeframe, the Region of Waterloo is authorized to amend the Official Plan.

Planning staff are of the opinion that the proposed amendments have regard for the matters of Provincial interest outlined in section 2 of the Planning Act. By directing growth, development and intensification within built-up areas in close proximity to transit, the proposed amendments:

- Protect ecological systems, agricultural resources, and conserve and manage natural resources
- Have regard for the supply, efficient use and conservation of energy and water,
- Have regard for the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems, and

the minimization of waste as growth is directed to areas where the infrastructure required to accommodate the additional growth already exists, minimizing the need to add new infrastructure.

- Have regard for the protection of the financial and economic well-being of the Province and of the City of Kitchener by directing growth around rapid transit stations, making better use of existing infrastructure and reducing the need for capital investments in growth where infrastructure does not currently exist. In doing so, the proposed amendments also have regard for the orderly development or safe and healthy communities.
- Have regard for the adequate provision of a full range of housing and employment opportunities through the implementation of a land use and zoning framework that permits a full range of building typologies in a manner that promotes a high quality of urban design, encourages a sense of place, and provides for public spaces. This is achieved through zoning regulations that promote a high quality streetscape and that introduces a priority streets regulatory framework that prioritizes the interaction between pedestrians and the built form at the sidewalk level.
- Promote development that is designed to be sustainable, to support public transit, and oriented to pedestrians. This is done by directing growth to locations where growth and development are appropriate, such as the Downtown Kitchener Urban Growth Centre and Protected Major Transit Station Areas.
- Conserve cultural and historical features through the introduction of 14 cultural heritage landscapes (CHLs) within the study area, in addition to the retention of existing heritage planning tools, specific to the two heritage conservation districts (HCDs) that are partially within the study area.

The Ministry of Municipal Affairs and Housing is proposing an integrated province-wide land use planning policy document, potentially replacing the Provincial Policy Statement and A Place to Grow: Growth plan for the Greater Golden Horseshoe, with a singular Provincial Planning Statement (PPS) which is in draft form and not in effect at the time this report was prepared.

Provincial Policy Statement, 2020

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development.

Key policy themes from the PPS are addressed by the proposed amendments, including:

- Where and How we Grow;
- Providing for a Range and Mix of Housing;
- Achieving Efficient Use of Existing Infrastructure;
- Achieving Long Term Economic Prosperity;
- Preparing for a Changing Climate; and
- Wise Use and Management of Resources.

The PPS promotes the integration of land use planning, growth management, transit-supportive development, intensification, and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs. Efficient development and land use patterns are promoted, as well as accommodating an appropriate mix of affordable and market-based residential dwelling types with other land uses, while supporting the environment, public health, and safety. Additionally, healthy livable safe communities are supported through efficient development patterns, planning for a full range and mix of housing, commercial, employment, institutional and community infrastructure.

Policy 1.1.1 speaks to the ways in which healthy, liveable and safe communities are sustained, including: promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term; accommodating an appropriate affordable and market-based range and mix of residential types; and promoting the integration of land use planning, growth management, and transit-supportive development. Further, healthy, liveable and safe communities are also sustained by intensification and infrastructure planning that achieves cost-effective development patterns, optimizes transit investments, and minimizes land consumption and servicing costs.

Policy 1.1.3.3 promotes transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated, considering existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.

Policy 1.1.3.4 promotes development standards that facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.

Policy 1.2.6.1 speaks to sensitive land uses avoiding, minimizing, or mitigating any potential adverse effects from odour, noise and other contaminants, as well as minimizing risk to public health and safety, and to ensure the long-term operational and

economic viability of major facilities in accordance with provincial guidelines, standards and procedures.

Policy 1.3.1 speaks to promoting economic development and competitiveness by, among other things, providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs, providing opportunities for a diversified economic base, and encouraging compact, mixed-use development that incorporates compatible employment uses to support liveable and resilient communities, with consideration of housing policy 1.4.

Policy 1.4.3 directs new housing towards locations with existing infrastructure and public service facilities and requires transit-supportive development and the prioritization of intensification in proximity to transit. It further requires the establishment of development standards for intensification which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety. The PPS promotes the development of housing at densities that efficiently use land, resources, infrastructure, and support the use of active transportation and public transit.

Policy 1.6.1 states that planning for infrastructure and public service facilities shall be coordinated and integrated with land use planning and growth management to ensure their financial viability over their life cycle and that they are available to meet current and projected needs.

Policy 1.6.7.4 states that a land use pattern, density, and mix of uses should be promoted that minimize the length and number of vehicle trips and support current and future use of transit and active transportation.

Policy 1.6.9.1 a) states that planning for land uses in the vicinity of airports, rail facilities and marine facilities shall be undertaken so that their long-term operation and economic role is protected. Additionally, planning shall be undertaken to protect their long-term operation and economic role, and to appropriate design, buffer, and separate sensitive land uses from airports and rail facilities.

Policy 1.6.11.1 speaks to providing opportunities for the development of energy supply, including district energy to accommodate current and projected needs.

Policy 1.7.1 speaks to planning for long-term economic prosperity, including by promoting opportunities for economic development, optimizing the long-term availability and use of land, resources, infrastructure and public service facilities, maintaining and enhancing the vitality and viability of downtowns and mainstreets, promoting the redevelopment of brownfield sites, and encouraging a sense of place by promoting well-designed built form and cultural planning and by conserving built heritage resources and cultural heritage landscapes.

Policy 1.8.1 states that planning authorities shall support energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions, and preparing for a

changing climate. Planning authorities' support for abovementioned actions is to be undertaken through land use and development patterns which promote compact form and a structure of nodes and corridors, promotes the use of active transportation and transit, focuses major employment, commercial, and other travel-intensive land uses on sites well served by transit, and encourages transit-supportive development and intensification to improve the mix of employment and housing uses to shorten commute times.

Section 2.1 speaks to the protection of natural features and areas for the long term, and notes that the diversity and connectivity of natural features and the long-term ecological function and biodiversity should be maintained, restored, or improved.

Policy 2.6.1 states that significant built heritage resources and significant cultural heritage landscapes shall be conserved.

Planning Analysis

The proposed amendments allow for the provision of a broad range of uses within the Growing Together study area. The proposed amendments help manage growth, are transit supportive, and will make use of existing infrastructure by facilitating a compact built form which efficiently uses land around rapid transit stations. Lands within the Growing Together study area are municipally serviced and are in proximity to parks, trails and other community uses. The proposed amendments align with provincial policies, namely policy 1.4.3 by permitting and facilitating all types of residential intensification in Protected Major Transit Station Areas, directing development where appropriate levels of infrastructure are available, and requiring transit-supportive and active transportation supportive development in close proximity to transit.

The proposed amendments are consistent with the PPS as it relates to matters of land use compatibility by permitting and facilitating transit-supportive residential and employment intensification within the study area in a manner that is cognizant of and seeks to minimize and mitigate adverse impacts. The proposed amendments recommend the use of various planning instruments, namely holding provisions and site-specific provisions, to avoid, minimize, and mitigate potential adverse impacts of major facilities within the study area, including active railways, identified potentially contaminated properties, and the Region of Waterloo International Airport. In doing so, the proposed amendments protect the long-term operation and economic role of the airport and rail facilities within the study area.

The PPS promotes the efficient development of lands within existing settlement area boundaries to create healthy, safe, and liveable communities. The proposed approach to land use planning as proposed in Growing Together will facilitate the intensification and redevelopment of lands, including brownfield lands and lands within existing neighbourhoods to facilitate efficient use of land, resources, and infrastructure. Specific zoning approaches that are proposed to achieve the efficient development of lands

include the removal of minimum parking requirements across the entirety of the study area, the removal of maximum Floor Space Ratio values, and the removal of maximum building heights in select areas.

The PPS promotes the creation of safe and liveable communities through appropriate development standards. The proposed approach of determining maximum densities through built-form regulations for buildings rather than Floor Space Ratio is an innovative approach to creating safe and liveable communities in a way that aligns with the direction set out in the PPS and will permit and facilitate all housing options.

The built-form zoning regulations proposed through Growing Together are a fundamental component of building a healthy, safe environment for all who live, work and visit Kitchener's PMTSAs, while still allowing for abundant housing supply.

Using built-form zoning regulations such as physical separation between taller buildings, in combination with floor plate area and building length maximums, is critical for protecting the privacy and safety of new residents and ensures access to light for all units. It also limits shadow, wind and other impacts on existing and future nearby residents.

In combination with the City's Urban Design Manual, which provide further guidance on concepts such as overlook, building placement, orientation and relative height, the result is a high-density, efficient, compact urban environment that also manages the relationships between building forms to promote a safe, healthy, high quality of life for all.

The PPS promotes that municipal planning authorities provide for a range and mix of housing options at various densities to create healthy, safe, and liveable communities. The proposed land use planning frameworks permits and facilitates a range and mix of housing options, including housing forms at different densities, including missing middle housing, to meet the requirements of current and future residents.

The proposed amendments include the removal of minimum parking requirements across the study area. This recommendation aligns with direction from the PPS to establish development standards for residential intensification and redevelopment which minimize the cost of housing and facilitate compact urban form. The removal of parking minimums will minimize overall costs associated with housing and will support affordable and diverse housing options, and a compact urban form.

The PPS promotes the efficient use of existing infrastructure through transit-oriented development. The minimum density regulations applicable to new development will support existing infrastructure, including public transit infrastructure, with compact development. The residential and non-residential intensification enabled by the proposed amendments will allow for existing infrastructure to be used more efficiently and help to achieve financial viability for infrastructure projects over the long term. These actions

contribute to the City's ability to accommodate a 15-year supply of housing and with zoning and services in place to support a minimum of three years' residential growth.

The PPS promotes the long-term economic prosperity of municipalities by encouraging the provision of housing, employment, and commercial uses alongside efficient infrastructure and a multimodal transportation system. The proposed amendments permit and facilitate housing supply and a mix of uses within the study area. Planning for additional development and redevelopment within Downtown Kitchener supports its long-term economic prosperity and will foster a sense of place.

The PPS directs planning authorities to utilize land use planning to encourage development that supports energy conservation, contributes to reduced greenhouse gas emissions, and prepares for the impact of a changing climate. Redevelopment of lands within the existing built-up area will reduce development pressure for greenfield lands. Transit-oriented development and the creation of mixed-use and walkable communities will reduce the reliance on the automobile for transportation. The proposed land use and zoning approach will facilitate the intensification of land near rapid transit stations, contributing to an overall reduction in greenhouse gas emissions and preparing for the impacts of a changing climate. By promoting and permitting intensification and development in close proximity to rapid transit stations, additional residential and non-residential uses, including employment uses, are to be located close to public transit, which increases convenience and improves the overall transit experience. Further, a concentration of uses in close proximity to one another reduces the travel distance between uses and makes using active transportation or public transit a more convenient option for getting around.

The proposed Priority Streets approach reinforces several PPS policies by enhancing downtown streets and other 'mainstreets' in proximity to transit, promotes economic prosperity through a requirement for active uses on the ground floor of buildings, and makes for more walkable and complete communities.

The proposed amendments conserve natural heritage features through the application of land use categories that preserve and maintain the existing natural heritage function. The PPS also promotes the conservation of significant cultural heritage resources. The proposed amendments ensure that redevelopment of lands containing cultural heritage resources have the opportunity to conserve and incorporate heritage features into unique developments that contribute to healthy and liveable communities, while maintaining existing planning instruments that enable the City to protect and conserve our cultural heritage resources. This includes the ability to require the submission of a Heritage Impact Assessment for lands within or adjacent to HCDs and CHLs.

Based on the foregoing, the proposed amendments are consistent with the PPS.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020 (Growth Plan):

The Growth Plan supports the development of complete and compact communities that are designed to support healthy and active living, make efficient use of land and infrastructure, provide for a range, and mix of housing types, jobs, and services, at densities and in locations which support transit viability and active transportation. Policies of the Growth Plan promote growth within strategic growth areas, in order to provide a focus for investments in transit and other types of infrastructure.

The Growth Plan identifies a number of guiding principles related to how land is developed, resources are managed and protected, and how public investments are made. These principles include, but are not limited to: supporting the achievement of complete communities that are designed to support healthy and active living; prioritize intensification and higher densities in strategic growth areas to make efficient use of land and infrastructure and support transit viability; support a range and mix of housing options; improve the integration of land use planning with public investment in infrastructure; conserve and promote cultural heritage resources, and integrate climate change considerations into land use planning.

Policy 2.2.1.4 states that complete communities will:

- a) feature a diverse mix of land uses, including residential and employment uses, and convenient access to local stores, services, and public service facilities;
- b) improve social equity and overall quality of life, including human health, for people of all ages, abilities, and incomes;
- c) provide a diverse range and mix of housing options, including additional residential units and affordable housing, to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes;
- d) expand convenient access to:
 - i. a range of transportation options, including options for the safe, comfortable and convenient use of active transportation;
 - ii. public service facilities, co-located and integrated in community hubs;
 - iii. an appropriate supply of safe, publicly-accessible open spaces, parks, trails, and other recreational facilities; and
 - iv. healthy, local, and affordable food options, including through urban agriculture;
- e) provide for a more compact built form and a vibrant public realm, including public open spaces;
- f) mitigate and adapt to the impacts of a changing climate, improve resilience and reduce greenhouse gas emissions, and contribute to environmental sustainability; and
- g) integrate green infrastructure and appropriate low impact development.

Policy 2.2.2.3 states that “all municipalities will develop a strategy to achieve the minimum intensification target and intensification throughout delineated built-up areas, which will:

- a) identify strategic growth areas to support achievement of the intensification target and recognize them as a key focus for development;
- b) identify the appropriate type and scale of development in strategic growth areas and transition of built form to adjacent areas;
- c) encourage intensification generally throughout the delineated built up area;
- d) ensure lands are zoned and development is designed in a manner that supports the achievement of complete communities;
- e) prioritize planning and investment in infrastructure and public service facilities that will support intensification; and
- f) be implemented through official plan policies and designations, updated zoning and other supporting documents.”

Policy 2.2.3.1 states “Urban growth centres will be planned:

- a) as focal areas for investment in regional public service facilities, as well as commercial, recreational, cultural, and entertainment uses;
- b) to accommodate and support the transit network at the regional scale and provide connection points for inter- and intra-regional transit;
- c) to serve as high-density major employment centres that will attract provincially, nationally, or internationally significant employment uses; and
- d) to accommodate significant population and employment growth.”

Policy 2.2.3.2 b) identifies Kitchener’s downtown as an Urban Growth Centre with a minimum density target of 200 residents and jobs combined per hectare by 2031.

Policy 2.2.4.3 b) states that “major transit station areas on priority transit corridors or subways lines will be planned for a minimum density target of:

- b). 160 residents and jobs combined per hectare for those that are serviced by light rail transit or bus rapid transit;”

Policy 2.2.4.9 states “Within all major transit station areas, development will be supported, where appropriate, by:

- a) planning for a diverse mix of uses, including additional residential units and affordable housing, to support existing and planned transit service levels;
- b) fostering collaboration between public and private sectors, such as joint development projects;
- c) providing alternative development standards, such as reduced parking standards; and
- d) prohibiting land uses and built form that would adversely affect the achievement of transit-supportive densities.”

Policy 2.2.4.10 states “Lands adjacent to or near to existing and planned frequent transit should be planned to be transit-supportive and supportive of active transportation and a range and mix of uses and activities.”

Policy 2.2.5.1 states “Economic development and competitiveness in the GGH will be promoted by:

- a) making more efficient use of existing employment areas and vacant and underutilized employment lands and increasing employment densities;
- b) ensuring the availability of sufficient land, in appropriate locations, for a variety of employment to accommodate forecasted employment growth to the horizon of this Plan;
- c) planning to better connect areas with high employment densities to transit; and
- d) integrating and aligning land use planning and economic development goals and strategies to retain and attract investment and employment.”

Policy 2.2.5.2 states “Major office and appropriate major institutional development will be directed to urban growth centres, major transit station areas or other strategic growth areas with existing or planned frequent transit service.”

Policy 2.2.5.3. states “Retail and office uses will be directed to locations that support active transportation and have existing or planned transit.”

Policy 2.2.5.4. states “In planning for employment, surface parking will be minimized and the development of active transportation networks and transit-supportive built form will be facilitated.”

Policy 2.2.5.13 states “Upper- and single-tier municipalities, in consultation with lower-tier municipalities, will establish minimum density targets for all employment areas within settlement areas that:

- a) are measured in jobs per hectare;
- b) reflect the current and anticipated type and scale of employment that characterizes the employment area to which the target applies;
- c) reflects opportunities for the intensification of employment areas on sites that support active transportation and are served by existing or planned transit; and
- d) will be implemented through official plan policies and designations and zoning by-laws.”

Policy 2.2.5.15 states “The retail sector will be supported by promoting compact built form and intensification of retail and service uses and areas and encouraging the integration of those uses with other land uses to support the achievement of complete communities.”

Policy 2.2.6.1 (a) states that municipalities will “support housing choice through the achievement of the minimum intensification and density targets in this plan by identifying a diverse range and mix of housing options and densities, including additional residential units and affordable housing to meet projected needs of current and future residents.”

Policy 3.2.2.1 states that “Transportation system planning, land use planning, and transportation investment will be co-ordinated to implement this Plan.”

Policy 3.2.2.3 states “In the design, refurbishment, or reconstruction of the existing and planned street network, a complete streets approach will be adopted that ensures the needs and safety of all road users are considered and appropriately accommodated.”

Policy 3.2.2.4 states “Municipalities will develop and implement transportation demand management policies in official plans or other planning documents or programs to:

- a) reduce trip distance and time;
- b) increase the modal share of alternatives to the automobile, which may include setting modal share targets;
- c) prioritize active transportation, transit, and goods movement over single-occupant automobiles;
- d) expand infrastructure to support active transportation; and
- e) consider the needs of major trip generators.

Policy 4.2.7 states:

1. Cultural heritage resources will be conserved in order to foster a sense of place and benefit communities, particularly in strategic growth areas.
2. Municipalities will work with stakeholders, as well as First Nations and Métis communities, in developing and implementing official plan policies and strategies for the identification, wise use and management of cultural heritage resources.
3. Municipalities are encouraged to prepare archaeological management plans and municipal cultural plans and consider them in their decision making.

The Growth Plan supports planning for a range and mix of housing options and, in particular, higher density housing options that can accommodate a range of household sizes in locations that can provide access to transit and other amenities. It also supports the co-ordination of transportation system planning and land use planning, the conservation of cultural heritage resources, and identification of actions that address climate change.

Planning Analysis

The Growth Plan directs municipalities to achieve the minimum intensification and density targets outlined in the Plan. The minimum density target for the Downtown Kitchener UGC is 200 residents and jobs per hectare, and the minimum density target for the Protected Major Transit Station Areas is 160 residents and jobs per hectare. The Region’s Official Plan includes these minimum density targets through ROPA 6 and has established a minimum density target of 80 residents and jobs per hectare for the Block Line PMTSA which has been approved by the Minister of Municipal Affairs and Housing. Kitchener’s Official Plan contains an existing policy that establishes a minimum density target for the Downtown Kitchener UGC of 225 residents and jobs per hectare.

The proposed Official Plan amendment includes a policy establishing minimum density targets in accordance with the Growth Plan and ROPA 6 for all of Kitchener’s PMTSAs. The proposed amendments include the application of minimum density requirements through the implementing zoning framework. These minimum density requirements are

implemented through Floor Space Ratio (FSR) minimums of 0.6 FSR for non-residential buildings and buildings of 11 units or more in the SGA-1 zone, 1.0 FSR for all buildings within the SGA-2 zone, and a minimum of 2.0 FSR for all buildings in the SGA-3 and SGA-4 zones.

The minimum required densities proposed in Growing Together result in approximately 111,429 people and jobs combined. This does not include any potential people and job yield from lands proposed to be zoned SGA-1 nor does it account for existing developments that exceed these density minimums. Across the approximately 519 hectares of land within the Growing Together PMTSAs, this creates a minimum planned density of approximately 218 people and jobs per hectare at 100% build out, exceeding the minimum target of 160 persons and jobs for these PMTSAs. Therefore, the proposed density minimums represent development permissions that provide a planning framework that can meet required minimum density targets. It is important to note that development of all parcels within these PMTSAs is not expected nor a realistic assumption, which is one reason why a range of zones that includes a range of permitted uses at varying heights and built form typologies is proposed. The build out scenario presented is based on the following assumptions:

- A 2:1 ratio of people to jobs
- 80m² gross floor area per unit
- 1.8 people per unit
- 50 m² of gross floor area per job

Further, the Victoria Park & Kitchener City Hall PMTSA, Frederick & Queen PMTSA and Urban Growth Centre (UGC) already exceed or have approved developments with enough density to meet their respective minimum density targets.

Additionally, the Growing Together framework includes the removal of maximum floor space ratio values in all proposed zone categories and the removal of maximum building heights for new development in the SGA-4 zone. In place of FSR maximums, Growing Together proposes several built form regulations based on graduated height ranges, such as minimum setbacks, building length maximums, floor plate area maximums, and physical separation requirements between buildings.

These regulations, in combination, set maximum density permissions for sites by applying consistent built-form standards. While there is not a technical density maximum prescribed in the SGA-4 zone due to the unlimited height permissions, there is a practical maximum, where market, context and engineering feasible heights, combined with setbacks, building length, floor plate area and physical separation regulations effectively constitute a maximum density.

Sites in the SGA-1, SGA-2 and SGA-3 zones do have a technical maximum density through the implementation of these regulations. Those maximum densities are not, however, able to be expressed through a static number such as FSR or bedrooms per hectare. Rather, the maximum densities defined in this approach are observed through

the physical size and shape of the buildings themselves and can only be determined through the evaluation of development concepts or constructed buildings.

This alternative approach to density maximums results in maximum achievable densities that cannot be specifically quantified, as they are subject to contextual considerations such as lot consolidation, individual lot sizes and shapes, and more. However, the built-form regulations, as tested, achieve a variety of high-density outcomes, and can achieve potential 'typical' or 'generic' maximum densities of more than 1 FSR for the SGA-1 zone, more than 5 FSR in the SGA-2 zone, more than 12 FSR in the SGA-3 zone and more than 20 in the SGA-4 zone.

These maximum densities are multiple times those of the minimum density requirements and represent conditions that satisfy all target minimums in the Growth Plan, are aligned with the Municipal Housing Pledge target, and meet the intent of the federal Housing Accelerator Fund.

Additional capacity modeling from earlier in the project process used form-based assumptions as well, alongside accurate existing built context and proposed and approved development applications. This exercise also assumed minimal displacement and/or demolition of existing larger structures such as apartment buildings. This modeling suggests, at a tested 50% of the expected full build-out, the following station area densities as listed below.

Please note, this is not a 50% build-out of the zoning permissions, but rather an aggregate build-out of a combination of existing context, proposed development, and typical new development primarily distributed to opportunity sites. A 50% build-out of total permissions would result in much higher densities than listed below. The below listed densities are a 'real-world' estimate of achievable densities within a medium-term planning horizon:

PMTSA

Grand River Hospital, 170 ppj/ha
 Central Station Innovation District, 250 ppj/ha
 Victoria Park & Kitchener City Hall, 250 ppj/ha
 Frederick & Queen, 250 ppj/ha
 Kitchener Market, 160 ppj/ha
 Borden, 195 ppj/ha
 Mill, 220 ppj/ha

Urban Growth Centre, 340 ppj/ha

Please note that visualizations from this analysis cannot be shared as they contain potentially confidential information about development applications in progress.

The Growth Plan supports the development of complete and compact communities that are designed to support healthy and active living, make efficient use of land and

infrastructure, provide for a range and mix of housing types, jobs, and services, at densities and in locations which support transit viability and active transportation. The proposed amendments facilitate and promote residential and employment intensification at densities that are transit-supportive and make efficient use of land and existing infrastructure. A broad range and mix of housing types are permitted in the proposed land use and zoning approach, including multiplexes and multiple residential buildings in all zones. The recommended policies and regulations implementing the zones have been developed to enable viable building typologies of all kinds, including Additional Dwelling Units (ADUs), townhouses, duplexes, triplexes, multiplexes, and multiples in low, mid and high-rise forms. Further, a range and mix of non-residential uses, including employment and commercial uses, are broadly permitted in the proposed land use and zoning framework. The recommended regulations have been developed to enable non-residential uses through the study area, including compatible non-residential uses within existing predominantly residential neighbourhoods, to support the development of complete and compact communities.

The proposed amendments broadly support the achievement of complete communities by featuring a diverse mix of land uses, including residential and employment uses that are transit-supportive, active transportation supportive, and compact in form.

Through the implementing zoning, the proposed amendments permit a broad and diverse mix of residential, commercial, and employment uses that reflect the current and anticipated type and scale of those uses within the study area. Access to a range of transportation options and public service facilities is greatly expanded by permitting and promoting residential and employment intensification in close proximity to transit, parks, trails, and other recreational facilities.

The proposed amendments allow for a more compact built form, aided by the removal of minimum parking requirements for all land uses in the entirety of the study area, contributing to environmental sustainability and the achievement of compact built form by removing the space and resources required to accommodate vehicular parking.

The residential and employment intensification proposed through the proposed amendments, in addition to the compact built form and built-form regulatory approach, facilitates green infrastructure such as district energy, by creating the scale required to make such infrastructure viable.

Based on the foregoing, Planning staff are of the opinion that the proposed amendments conform to the Growth Plan.

Region of Waterloo Official Plan (2010):

The Regional Official Plan (ROP) sets a high-level direction for growth and change across the Region.

Section 1.2 outlines the vision and foundational themes of the plan. “Over the next 30 years, Waterloo Region will need to accommodate approximately 306,000 new residents and 168,000 new jobs. This Plan provides the framework for accommodating this growth in a manner that achieves the following vision adopted by Regional Council:

“Waterloo Region will be an inclusive, thriving, and sustainable region of connected urban and rural communities with global reach, fostering opportunities for current and future generations.”

This vision embraces the three foundational themes of social equity, a thriving community, and environmental sustainability as the cornerstones for the policies and future actions set out in this Plan. These three themes are fundamentally connected and must be achieved together. Seeing the connections between these three areas makes it possible to address problems in one area with holistic solutions that improve the other areas.”

Regional Official Plan Amendment Number 6 (ROPA 6) was adopted by Region of Waterloo Council on August 25, 2022, and approved by the Minister of Municipal Affairs and Housing on April 11, 2023. ROPA 6 updated the regional planning horizon to the year 2051, in which it forecasts Kitchener to grow to 409,200 residents and 170,500 jobs by 2051. ROPA 6 also identified a minimum intensification target of 60% for Kitchener. This represents a minimum of approximately 31,660 new residential units being constructed within Kitchener’s Built-up Area between 2022 and 2051 to meet population forecasts and minimum intensification targets.

The ROP requires the City to plan for:

- the achievement of these targets and to support climate change objectives;
- supporting infrastructure and services; and
- optimizing the use of existing infrastructure including ION light rail.

Chapter 2 – How and Where we Grow

Chapter 2 sets out the urban structure for the Region. Most growth is planned to take place by way of intensification, with most of the intensification directed to Strategic Growth Areas.

Policy 2.A.5 states “Area municipalities will not restrict the amount or timing of development in an Urban Area or Township Urban Area on the basis that the growth forecasts in Table 1 could be exceeded, provided that integrated planning for infrastructure and public service facilities would ensure that any proposed developments would not exceed existing or planned capacity.”

Table 1 identifies regional population and employment forecasts for each of the municipalities within the Region.

Table 1: Regional Population and Employment Forecasts

	Population		Employment	
	2021	2051	2021	2051
Kitchener	269,100	409,200	111,000	170,500

Notes

1. Population figures in this table show census-based population plus four percent under coverage. As such, it does not include university and college students who temporarily reside in the Region (either in student residences or other accommodation) to study at postsecondary institutions.
2. All population and employment in this table represent mid-year figures.

Policy 2.B.1.1 states: “The Region and the area municipalities will direct the majority of the forecasted population and employment growth in Table 1 to the following key structural components of the Regional urban system:

- (a) the Urban Area and Township Urban Areas as shown on Map 1;
- (b) strategic growth areas as shown on Map 2, where the highest levels of growth and development will generally be directed based on the following hierarchy;
 - (i) Downtown Cambridge, Downtown Kitchener, and Uptown Waterloo Urban Growth Centres;
 - (ii) Major Transit Station Areas;
 - (iii) Regional Intensification Corridors;
 - (iv) Local Centres and Intensification Corridors; and
 - (v) Township Urban Growth Centres.

Map 1 – Regional Structure identifies the lands subject to the proposed amendments as “Urban Area”, with “Regional Intensification Corridors” bisecting the subject lands.

ROPA 6 notes that “the Urban Area designation broadly identifies where the majority of the region’s future growth will occur.” Objectives of the Urban Area designation include “achieving transit-supportive development and 15-minute neighbourhoods throughout the Urban Area with a diverse mix of land uses, housing types and open spaces in proximity to each other” and “supporting the development of a vibrant Urban Area characterized by more compact development patterns that support climate change mitigation and adaptation, and provide a diversity of opportunities for living, working, recreation and entertainment.”

ROPA 6 defines Regional Intensification Corridors as “sharing similar characteristics as nodes, but are oriented along existing or planned frequent transit service or higher order transit routes. They represent key routes between strategic growth areas, creating a continuous and integrated mobility network for walking, cycling, and rolling, and taking transit across the region. Existing corridors will be reinforced through infill and

redevelopment, and supported with strategic investments in enhanced transit service and protected infrastructure for walking, cycling and rolling.”

Map 2 – Urban System, identifies nine Major Transit Station Areas, the Kitchener Urban Growth Centre, and Regional Intensification Corridors within the lands subject to the proposed amendments.

2.D Strategic Growth Areas

Section 2.D of ROPA 6 notes “Strategic growth areas are nodes, corridors and other areas that will accommodate most of the planned intensification in the region. Nodes, including Urban Growth Centres, Major Transit Station Areas, Local Centres, and Township Urban Growth Centres, will be planned as areas of more intense density, use and activity. They are compact clusters of uses that can range in scale and intensity of development, such as the downtown cores of the cities and townships, mixed-use communities, and postsecondary educational campuses or other higher-density uses both large and small.” Additionally, ROPA 6 states “the policies in this Section are grounded in the principle of transit-supportive development. This principle broadly supports the clustering of uses and activities to growth areas that support walking, cycling, and rolling and that have existing or planned transit services. As the density of people and jobs across the region continues to increase, the distances between uses and destinations will gradually decrease over time. This will help realize this Plan’s vision to create equitable, thriving and sustainable communities, and achieve other important benefits.”

Urban Growth Centre

Section 2.D.1 of the ROP outlines policies applying to the Downtown Kitchener Urban Growth Centre (UGC). Downtown is the primary business, civic, commercial, and cultural centre in the City.

Policy 2.D.1.2 states “Area municipalities, in collaboration with the Region, will ensure that Urban Growth Centres are planned:

- (a) as focal points for investment in regional public service facilities, as well as commercial, recreational, cultural and entertainment uses;
- (b) to accommodate and support the transit network at the regional scale and provide connection points for inter- and intra-regional transit;
- (c) to serve as high-density major employment centres that will attract provincially, nationally, or internationally significant employment uses;
- (d) to accommodate significant population and employment growth;
- (e) to achieve, by 2031 or earlier, a minimum density target of:
 - (i) 200 residents and jobs combined per hectare for each of the Downtown Kitchener and Uptown Waterloo Urban Growth Centres;
- (f) to be consistent with the relevant transit-supportive development policies in Section 2.D.6;

Major Transit Station Areas

Policy 2.D.2.1 states: “Major Transit Station Areas are identified on Map 2 and further delineated on Figures 4a to 9d of this Plan. These station areas identify lands along the Stage 1 and planned Stage 2 ION light rail transit route that are typically located within a 500 to 800 metre radius of the transit stop, representing about a 10-minute walk.”

Policy 2.D.2.2 states: “Area municipalities will undertake detailed planning and establish official plan policies and zoning by-laws to ensure that Major Transit Station Areas are planned and designed in a manner that:

- (a) achieves the minimum density targets set out in Table 2;
- (b) is transit-supportive, supports planned transit service levels, and prioritizes access to the station area and connections to any nearby major trip generators by providing:
 - (i) connections to regional and provincial transit services to support transit service integration; and
 - (ii) mobility networks for walking, cycling, and rolling, including sidewalks, bicycle lanes, and secured bicycle parking;
- (c) provides for a diverse mix of uses, including additional residential units and affordable housing, where residential uses are permitted, to support existing and planned transit service levels;
- (d) fosters collaboration between public and private sectors, such as joint development projects;
- (e) provides alternative development standards, such as reducing or eliminating minimum automobile parking standards, or providing maximum parking standards, for uses near transit routes, to maximize intensification opportunities and minimize surface parking areas;
- (f) prohibits land uses and built form that would adversely affect the achievement of the minimum density targets set out in Table 2;
- (g) protects existing significant employment uses by ensuring land use compatibility with adjacent new development;
- (h) supports the implementation of inclusionary zoning by identifying:
 - (i) the authorized uses of land in the station area and of buildings or structures on lands in the area; and
 - (ii) the minimum densities that are authorized with respect to buildings and structures on lands in the station area; and
- (i) is consistent with the relevant transit-supportive development policies of Section 2.D.6.

Table 2: Minimum Densities of Major Transit Station Areas identifies the minimum density targets for each of the City's PMTSAs.

Major Transit Station Area Name	Location	Minimum Density Targets*
City of Kitchener		
Grand River Hospital	Figure 5d	160
Central Station	Figure 6a	160
Victoria Park and Kitchener City Hall	Figure 6b	160
Queen plus Frederick	Figure 6c	160
Kitchener Market	Figure 6d	160
Borden	Figure 7a	160
Mill	Figure 7b	160
Block Line	Figure 7c	80
Fairway	Figure 7d	160
Sportsworld	Figure 8a	160

*Minimum density target is calculated in terms of people and jobs combined per gross hectare measured over the entire station area.

Policy 2.D.2.4 states “Area municipalities are encouraged to plan lands adjacent to or near a Major Transit Station Area to support transit-supportive development, prioritize walking, cycling, and rolling, taking transit over automobile trips, and provide for a broad mix of uses and activities.”

Policy 2.D.2.5 states “Area municipalities are encouraged to initiate station area planning for Major Transit Station Areas to:

- (a) articulate a clear vision for the station area to guide area municipal decision-making in terms of capital expenditures, infrastructure design and community needs;
- (b) apply industry, Provincial and Regional best practices, design guidelines and development standards to create an urban form that prioritizes walking, cycling, and rolling, and taking transit over automobile travel;
- (c) provide clear direction to development proponents about appropriate scale and form of building, open space and streets;
- (d) create the planning and regulatory framework that can be formally adopted by the area municipal Council and integrated into the official plan and zoning by-laws required in Policy 2.D.2.2; and
- (e) identify and implement strategies for automobile dependent areas that enable the transition over time to more transit-supportive places that enable most trips to be made by walking, cycling, and rolling.”

Policy 2.D.2.6 states “For the purposes of implementing the use of inclusionary zoning by the area municipalities, all Major Transit Station Areas delineated on Figures 4a to 9d are recognized as Protected Major Transit Station Areas in accordance with Section 16(16) of the Planning Act.”

Policy 2.D.6.1 states “In addition to the general development policies described in this Chapter, the Region and the area municipalities will apply the following transit-supportive development criteria in reviewing and evaluating development applications or site plans, within strategic growth areas and other intensification areas identified by the area municipality:

- (a) creates an interconnected, multimodal street pattern that prioritizes walking, cycling, and rolling, and taking transit over automobile trips, and supports vibrant mixed-use developments;
- (b) supports a more compact built form that locates the majority of transit-supportive uses within a comfortable walking distance of a transit stop or Major Transit Station Area;
- (c) provides an appropriate mix of land uses, including a range of food destinations, local services, and amenities to meet peoples’ daily needs for living;
- (d) promotes medium and higher-density development as close as possible to the transit stop to support higher frequency transit service and optimize transit rider convenience;
- (e) supports a high quality public realm to enhance the identity of the area and create gathering points for social interaction, community events and other activities; and
- (f) provides access from various transportation modes to the transit facility, including consideration of pedestrian, bicycle parking, and where applicable, passenger transfer and commuter pick-up/drop off areas.”

2.H Employment Areas

Employment objectives identified in ROPA 6 include:

- Promote intensification and increased densities in both new and existing employment areas to support a more compact and connected urban form; and
- Prioritize the provision, maintenance and staging of the necessary Regional infrastructure to support current and projected employment needs.

Policy 2.H.1.4 states “Area municipalities will direct major offices and appropriate major institutional development to Urban Growth Centres, Major Transit Station Areas or other strategic growth areas with existing or planned frequent transit service.”

Policy 2.H.1.5 states “Area municipalities will direct retail and office uses to locations that support walking, cycling, and rolling, and have existing or planned transit.”

Policy 2.H.1.6 states “In planning for employment, the Region and the area municipalities will minimize vehicle parking and facilitate the development of mobility networks for walking, cycling, and rolling, and a transit-supportive built form.”

Policy 2.H.1.14 encourages the City to identify and designate local employment lands outside of Regional Employment Areas and to develop policies to protect these lands for employment uses over the long-term. The city is encouraged to retain space for a similar number of jobs to remain accommodated on sites proposed for redevelopment within local employment lands.

Policy 2.H.1.16 states “The Region and the area municipalities will plan to support the retail sector by promoting compact built form and intensification of retail and service uses and areas, and encouraging the integration of those uses with other land uses to support the achievement of 15-minute neighbourhoods.”

ROPA 6 constituted a Municipal Comprehensive Review and Identified Employment Areas for long term protection on Map 3. There are no Regional Employment Lands within the lands subject to this amendment.

2.1.1 Land Use Compatibility

Policy 2.1.1.1 states “The Region and the area municipalities will ensure that major facilities and sensitive land uses are planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of major facilities in accordance with Provincial guidelines, standards and procedures.”

2.1.2 Noise from Stationary and Transportation Sources

Policy 2.1.2.2 states “Where a development application for a sensitive land use is submitted in the vicinity of an Existing Regional Road, Provincial Highway, Planned Regional Road or Provincial Highway, the rapid transit system, transit terminals, railways or area Municipal roads, a noise study may be required in accordance with the provisions of the Regional Implementation Guideline for Noise Policies. The noise criteria shown on Table 5 will be used in determining appropriate noise mitigation measures for the proposed development. Any required noise mitigation measures will be implemented through the development application review process.”

2.1.3 Contaminated Sites

Policy 2.1.3.1 states “Where a development application is proposed on, or adjacent to, a known or potentially contaminated site, planning approvals will be subject to the submission of a Record of Site Condition in accordance with the provision of the Regional Implementation Guideline for the Review of Development Applications On or Adjacent to Known and Potentially Contaminated Sites.”

2.1.5 Implementation of Intensification and Density Targets

Policy 2.1.5.1 states “The minimum intensification and density targets in this Plan are minimum standards and the area municipalities are encouraged to go beyond these minimum targets, where appropriate, except where doing so would conflict with any policy of this Plan.”

Policy 2.I.5.3 states “Except as provided in Policy 2.G.1.3, the minimum intensification and density targets in this Plan will be measured across all lands within the relevant area, including any lands that are subject to more than one target”

Policy 2.I.5.4 states “Area municipalities will implement the minimum density targets in this Plan through:

- (a) official plan policies that identify the minimum density targets and through secondary planning or other initiatives, to establish permitted uses within the relevant area and identify densities, heights, and other elements of site design;
- (b) zoning all lands in a manner that would implement the official plan policies; and
- (c) the use of any applicable legislative and regulatory tools that may establish area or site-specific minimum densities, heights, and other elements of site design.”

3.A Range and Mix of Housing

Section 3 identifies the need for full range and mix of housing options, including rental housing, affordable housing and missing middle housing as imperative to the success of the Region. Additionally, it is an objective of the ROP to “Support a diverse range and mix of housing options and densities, including additional residential units, affordable, and missing middle housing, to serve all sizes, incomes, and ages of households.”

ROPA 6 defines “missing middle housing” as “Multiple unit housing including, but not limited to multiplexes, stacked townhouses, apartments, and other low-rise housing options.”

Policy 3.A.2 states “Area municipalities, in collaboration with the Region, will plan to provide a diverse range and mix of housing options with an overall target of a minimum of 30 percent of new ownership and rental housing being affordable to low and moderate income households. The range and mix of housing options provided will vary in terms in terms of form, tenure, density, and number of bedrooms to accommodate the needs of all sizes, incomes, and ages of households.”

Policy 3.A.20 states “The Region encourages the area municipalities to apply alternative development standards as-of-right to help streamline the development of affordable housing provided health, safety, servicing, and other reasonable standards or criteria can be met. Examples of such alternative development standards may include, but are not limited to, reduced parking standards, setbacks and road allowances.”

Policy 2.D.5.1 required municipalities to develop policies to and zoning regulations to permit missing middle housing throughout the urban area and

Region of Waterloo International Airport

The Region’s Official Plan contains policies to ensure the protection and long term viability of the Region of Waterloo International Airport. Policy 5.A.20 requires that area municipalities establish Official Plan policies that:

- (a) support the long-term operation and economic role of the Airport;
- (b) Protect the Airport from development that would preclude or hinder its expansion or continued use, or which would be incompatible for reasons of public health, public safety or environmental concerns;
- (c) Ensure that the Airport and sensitive land uses are designed, buffered and/or separated from each other to prevent adverse effects from odour, noise and other contaminants
- (d) Provide for the inclusion of warning clauses advising property owners in the vicinity of the Airport of potential outdoor lighting and height restrictions, and of the potential for occasional noise-related impacts;
- (e) Prohibit any and uses that may cause a potential aviation safety hazard; and
- (f) Be in conformity with Transportation Canada's Region of Waterloo International Airport Zoning Regulations.

15 Minute neighbourhoods

ROPA 6 introduces the concept of 15-minute neighbourhoods into the Regional Official Plan. The vision is for a Region comprised of 15-minute neighbourhoods that are compact, vibrant, and where people can meet their daily needs within a 15-minute trip by walking cycling, and rolling. 15-minute neighbourhoods promote health and well-being through physical activity, provide access to parks and recreation and healthy food. 15-minute neighbourhoods support climate objectives by reducing the energy our community needs for transportation. They also balance jobs and housing at a neighbourhood scale.

Planning Analysis

2.D. Strategic Growth Areas

The proposed amendments broadly implement the policies contained in section 2.D.2 of the ROP by promoting and permitting transit-supportive, 15-minute neighbourhoods with a diverse range and mix of uses in a manner that enables walking, cycling, and rolling. The proposed amendments promote and permit intensification of a broad mix of uses in close proximity to ION station stops. Policy 2.D.2.1 and 2.D.2.6 are implemented through the delineation of Protected Major Transit Station Areas in the Kitchener Official Plan that form the basis of the proposed amendments. Recommended land use and zoning changes enable a range and mix of uses on every property that provide opportunities for more trips to occur through active transportation. The proposed amendments include the removal of minimum vehicle parking requirements in all land use designations and zone categories within the study area and introduce minimum bicycle parking requirements that support the ROP policy 2.D.6.1 and 3.A.20.

The minimum density target for the Downtown Kitchener UGC required by the Growth Plan and ROP is 200 residents and jobs per hectare, and the minimum density target for the Protected Major Transit Station Areas is 160 residents and jobs per hectare for all PMTSAs except Block Line, which has a minimum density target of 80 residents and

jobs per hectare. Kitchener's Official Plan already contains a policy establishing a minimum density target for the Downtown Kitchener UGC of 225 residents and jobs per hectare. The proposed Official Plan amendment includes a policy establishing minimum density targets in accordance with the Growth Plan and ROPA 6 for all of Kitchener's PMTSAs. The proposed zoning by-law amendments include the removal of maximum floor space ratio values in all proposed zone categories and the removal of maximum building heights for new development in the SGA-4 zone providing flexibility in achieving the minimum Growth Plan and ROP density targets.

2.F Intensification Targets in Delineated Built-Up Areas

The ROP identifies “meet[ing] or exceed[ing] the minimum intensification targets of this Plan to make better use of land and infrastructure, and transition Waterloo Region into an energy-efficient, low-carbon community” and “Support[ing] the gradual transition of existing neighbourhoods into 15-minute neighbourhoods that are denser, have a broad mix of land uses where people can meet their daily needs for goods, services, and employment within a 15-minute trip by walking, cycling, and rolling, and where other needs can be accessed using direct, frequent, and convenient transit” as objectives of the Plan.

The proposed amendments support the stated objectives of the ROP by implementing a planning framework that has been developed to meet and exceed the minimum intensification targets specific to PMTSAs, as well as the minimum intensification target of 60% in Delineated Built-Up Areas that has been prescribed to Kitchener. The proposed amendments represent a refinement of the implementation of a planning framework for strategic growth areas in Kitchener, as described in Section 2.B of the ROP, and broadly enable residential and employment intensification throughout the study area, support the achievement of 15-minute neighbourhoods, and guide and prioritize planning and investment in efficient and modern infrastructure, namely the ION rapid transit system.

The proposed amendments include minimum density requirements within the zoning framework to achieve a minimum of 160 residents and jobs per hectare within each of the seven PMTSAs included as part of the Growing Together project. The proposed amendments support the urban structure, hierarchy of intensification areas, intensification targets and city-wide population and employment targets established through the ROP.

Regional policies encouraging the development of non-statutory station area plans to ensure the success of MTSAs were addressed through the creation of the City of Kitchener's Planning Around Rapid Transit Stations (PARTS) plans. The proposed amendments support the primacy of the UGC, with recommended land use policies and regulations that support the achievement of the Downtown Kitchener UGC density target, as identified in the ROP and Kitchener Official Plan. Based on the City's 2022 Annual growth monitoring report, the 2031 UGC minimum density target of 225 residents and jobs per hectare has already been exceeded.

The proposed amendments broadly support the policies contained in Section 2.D.3 Regional Intensification Corridor Policies, specifically for delineated Protected Major Transit Station Areas along the existing ION rapid transit alignment. A review of the planning framework associated with the Ottawa Street Regional Intensification Corridor does not form part of the Growing Together project and will be undertaken as part of the forthcoming Kitchener Official Plan Review scheduled to begin in early 2024.

2.H Employment Areas

The ROP identifies Employment Areas on Map 3 – Employment Areas. The study area does not include any lands identified on Map 3.

The proposed amendments align with policies 2.H.1.4, 2.H.1.5, 2.H.1.6, 2.H.1.14, and 2.H.1.16 in the ROP. The planning framework that continues directing major office and institutional uses to the Downtown Kitchener UGC, in addition to PMTSAs, and broadly permits retail and other non-residential uses across the entirety of the study area in all land use designations and implementing zone categories. Additionally, minimum parking requirements have been removed for all land uses and zone categories within the study area, including employment uses. The removal of parking minimums promotes a compact built form and intensification of retail, service, and other non-residential uses, and supports the achievement of 15-minute neighbourhoods.

2.I General Urban Development Policies

The ROP identifies a number of general urban development policy categories, including land use compatibility, noise from stationary and transportation sources, contaminated sites, the implementation of intensification and density targets, and the recognition of the Region of Waterloo International Airport. The proposed amendments recommend the application of planning instruments, namely holding provisions and site-specific provisions, to address a number of these categories. The following provisions are recommended through the proposed amendments:

- The requirement for a Record of Site Condition on lands that may be contaminated;
- The requirement for a Noise and Vibration Study for lands within 75m of a railway; and
- The requirement to determine whether an Aeronautical Assessment is required on lands proposed to be zoned SGA-4, which does not include a maximum building height regulation.

The recommended provisions address matters of land use compatibility, noise, and contamination, and allow for the continued long-term operational and economic viability of major facilities within the study area, including active railways and the Region of Waterloo International Airport.

Through the Planning Around Rapid Transit Stations (PARTS) project, the City retained consultants to undertake noise assessments pertaining to transportation and stationary noise, with reports created for the PARTS Central, Midtown and Rockway study areas.

The PARTS Central study noted that “the noise models did not identify the need for any necessary mitigation measures to be implemented through policies, zoning, design or potentially as future conditions of development approval.” The PARTS Midtown and Rockway studies note that for both study areas, “POW’s (plane of windows) associated with proposed developments just beyond the Right of Way of various roadways would not require additional mitigation to ensure the development can be designed to achieve the required indoor noise limits”. In the Midtown and Rockway study areas, the report does note that mitigation may be required for Outdoor Living Areas (OLAs).

As none of the studies note the need for mitigation for POW’s, and the PARTS Central study demonstrates a 1db, or imperceptible increase in noise impacts, the impacts of noise on OLAs can continue to be implemented through the application of the City’s Urban Design Manual which states, for all development:

Mitigate against noise-related impacts, including noise created by vehicular traffic, building construction, incompatible land uses and site access/servicing areas.

Within Central Neighbourhoods, which covers a large portion of the Growing Together geography, the Urban Design Manual requires the following to specifically mitigate the impacts of noise on Outdoor Living Areas:

Orient buildings to avoid the need for noise attenuation walls for amenity spaces. Locate and design amenity areas to respect the privacy of surrounding development.

3.A Range and Mix of Housing

The ROP supports the development of complete and compact communities that are designed to support healthy and active living, make efficient use of land and infrastructure, provide for a range and mix of housing types, jobs, and services, at densities and in locations which support transit viability and active transportation. The proposed amendments facilitate and promote residential intensification at densities that are transit-supportive and make efficient use of existing infrastructure. Inclusionary Zoning, which is subject to a separate amendment, is enabled by the proposed amendments, which include delineating the boundaries of Major Transit Station Areas in the Kitchener Official Plan. The delineation of all Major Transit Station Area boundaries in Kitchener, per policy 2.D.2.6, recognizes these lands as Protected Major Transit Station Areas for the purposes of implementing the use of Inclusionary Zoning.

The proposed amendments provide a framework for enabling a full range and mix of housing types across the PMTSAs, including missing middle housing. The proposed

regulations focus on built form elements of developments and do not rely on a static maximum Floor Space Ratio (FSR) value. The merits of regulating density through built form elements is described in detail in the zoning by-law amendment analysis section of this appendix. Existing low-rise neighbourhoods proposed to be zoned SGA-1 and SGA-2 permit missing middle housing types, including multiplexes and low-rise apartments. Recommended zoning regulations enable missing middle housing typologies as-of-right.

Growing Together supports the provision of affordable housing through enabling more housing supply and increasing development permissions that can help offset the financial impacts of inclusionary zoning, which are permitted within PMTSAs and subject to a separate amendment.

15-minute neighbourhoods are supported by zoning regulations that permit a broad range of uses and densities across the Strategic Growth Area A, B and C land use designations. Additional small scale compatible non-residential uses are permitted throughout the geography as-of-right. Further, existing publicly funded school sites are recommended to retain an institutional land use designation and zone category.

Based on the foregoing, Planning staff are of the opinion that the proposed amendments conform to the Region of Waterloo Official Plan.

City of Kitchener Official Plan (2014)

The City of Kitchener Official Plan (2014) provides the long-term land use vision for Kitchener. The vision is further articulated and implemented through the guiding principles, goals, objectives, and policies which are set out in the Plan. The vision and goals of the OP strive to build an innovative, vibrant, attractive, safe, complete, and healthy community.

The Official Plan includes objective 4.1.1, which aims to provide for an appropriate range, variety and mix of housing types and styles, densities, tenure, and affordability to satisfy the varying housing needs of the Kitchener community through all stages of life. This objective speaks to the preference for a land use pattern that accommodates a range of housing types across the city as a whole and within neighbourhoods.

The Official Plan also includes objective 12.1.1 which aims to conserve the City's cultural heritage resources through their identification, protection, use and/or management in such a way that their heritage values, attributes and integrity are retained. This objective has been met by identifying and conserving heritage attributes within the Cedar Hill and Schneider Creek Neighbourhood Cultural Heritage Landscape and through updated policies to embed the role of Heritage Conservation District Plans.

Proposed Amendments

The purpose of the proposed Official Plan amendments includes introducing and applying new Strategic Growth Area land uses to lands within the affected PMTSAs, redesignating lands in the downtown and existing secondary plans with the equivalent land use designations in the 2014 City of Kitchener Official Plan, amending specific policy area mapping and policy text, and amending cultural heritage resourcing mapping and policy text.

The proposed Official Plan amendment includes the introduction and application of new Strategic Growth Area land uses applying only to lands within the affected PMTSAs. Institutional land use designations are proposed to be retained on publicly funded school properties within the Growing Together study area.

Complete Community

A complete community creates and provides access to a mix of land uses including, a full range and mix of housing, including affordable housing, recreation, commerce, community and cultural facilities, health care facilities, employment, parks, and open spaces distributed and connected in a coherent and efficient manner. A complete community also supports the use of public transit and active transportation, enabling residents to meet most of their daily needs within a short distance of their homes. Kitchener will be planned as a complete community that creates opportunities for all people to live, work and interact within close proximity. Planning for a complete community will aid in reducing the cost of infrastructure and servicing, encourage the

use of public transit and active modes of transportation, promote social interaction, and foster a sense of community.

Urban Structure

The Official Plan establishes an Urban Structure for the City of Kitchener and provides policies for directing growth and development within this structure. Intensification Areas are planned throughout the City’s urban area as key locations to accommodate and receive the majority of development or redevelopment for a variety of land uses. Section 3.C.2.3. of the Official Plan identifies the Urban Growth Centre, Major Transit Station Areas, Nodes and Corridors as Primary Intensification Areas.

Planning staff are recommending that lands identified as “Lands subject to this amendment” on **Figure 1** be amended to delineate the PMTSA boundaries as established by the Region of Waterloo and approved by the Minister of Municipal Affairs and Housing on April 11, 2023. The delineation of the PMTSA boundaries implements Policy 2.D.2.6 of ROPA 6 for the purposes of implementing the use of inclusionary zoning.

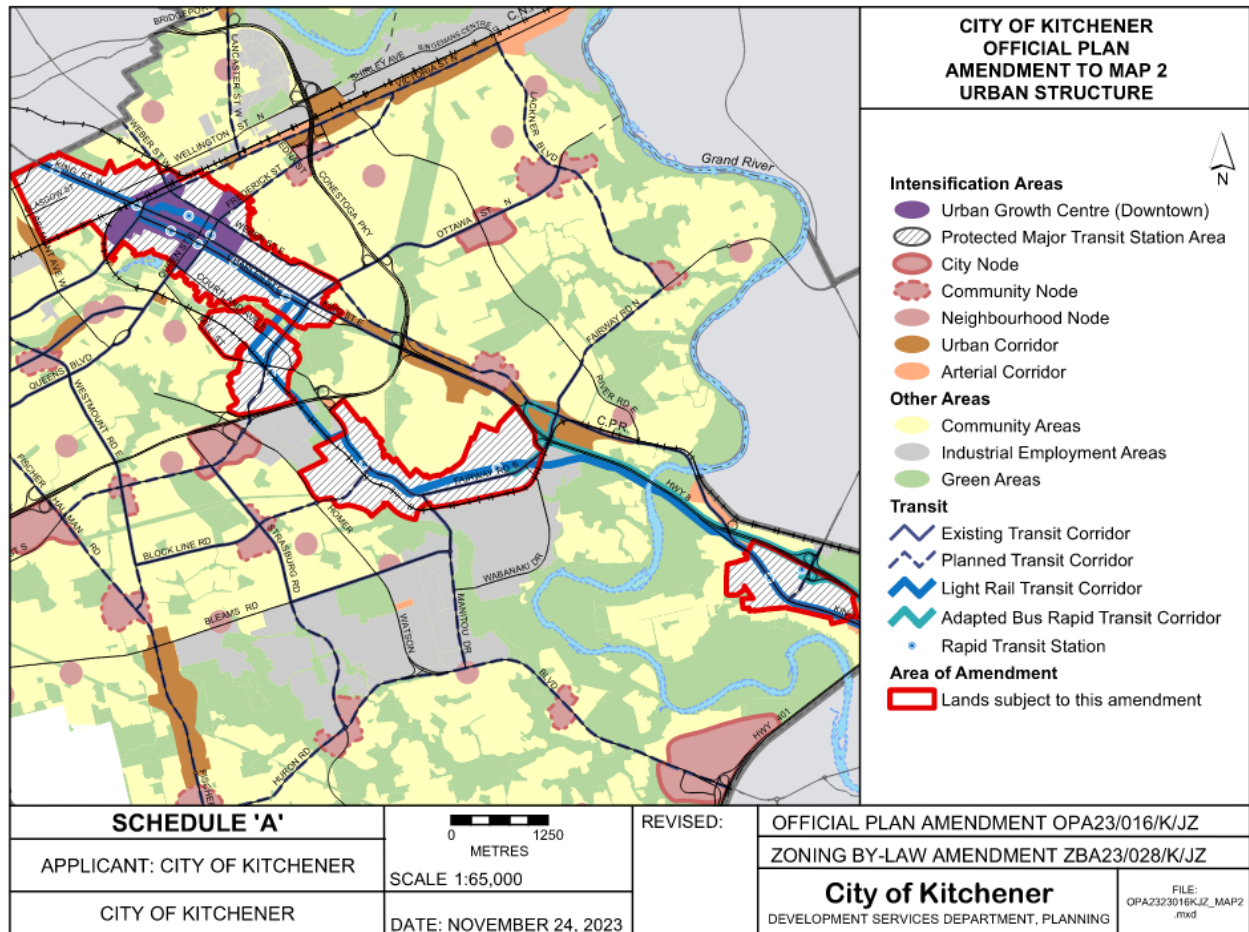


Figure 1: Proposed Amendment to Map 2 Urban Structure

Planning staff are also recommending that lands identified as “Lands subject to this amendment” on **Figure 2** be amended to reflect the proposed urban structure component for lands that were previously contained within a secondary plan and not assigned an urban structure component on Map 2 – Urban Structure, or lands that were previously covered by the illustrative 800m MTSA radius on the existing iteration of the Urban Structure mapping.

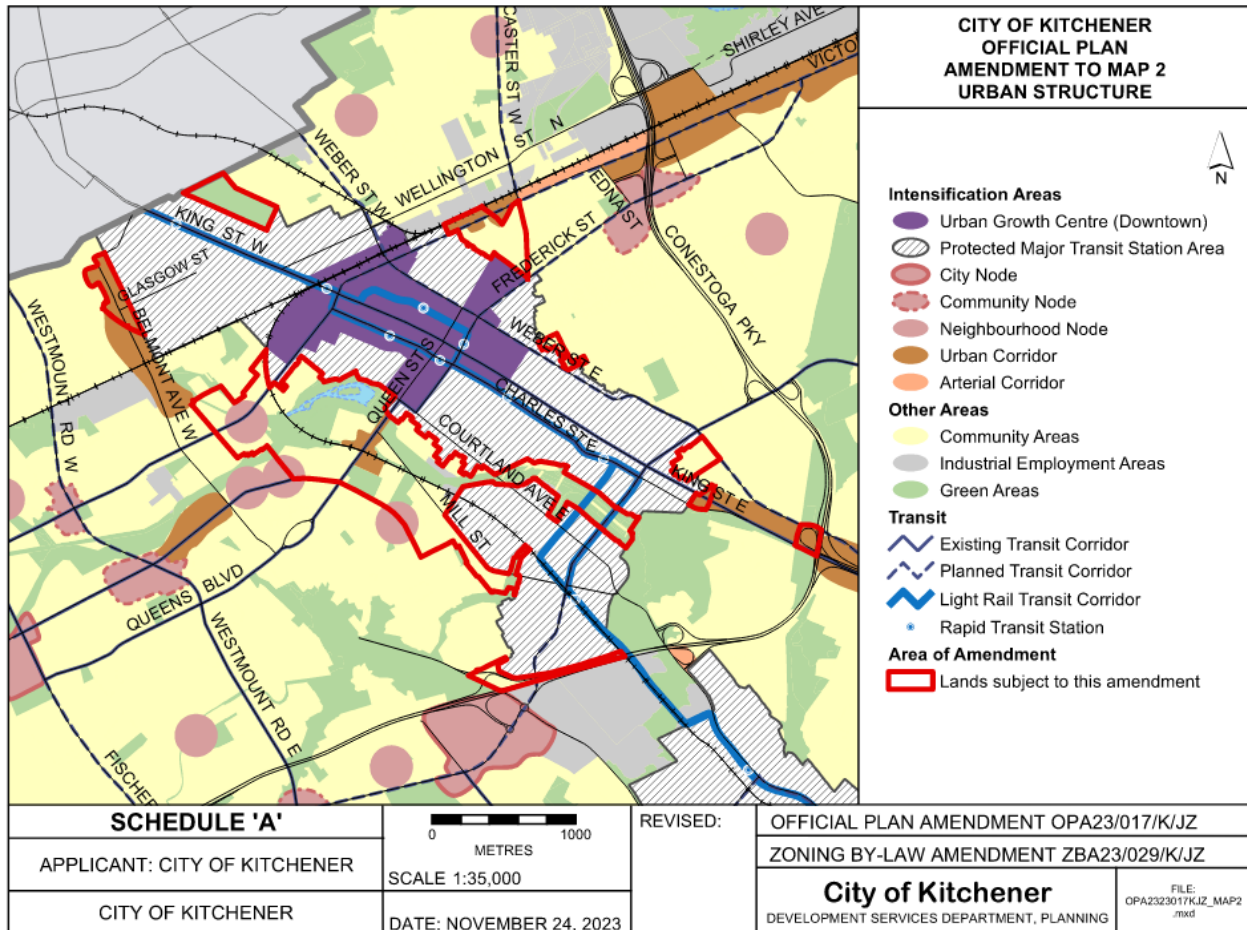


Figure 2: Proposed Amendment to Map 2 Urban Structure

The entirety of the Growing Together study area includes lands that are identified as Protected Major Transit Station Area on Map 2 – Urban Structure of the Official Plan. The planned function of Protected Major Transit Station Areas is to: provide a focus for accommodating growth through development to support existing and planned transit and rapid transit service levels; provide connectivity of various modes of transportation to the transit system; achieve a mix of residential, office (including major office), institutional (including major institutional) and commercial development (including retail commercial centres), wherever appropriate; and have streetscapes and a built form that is pedestrian-friendly and transit-oriented.

The affected PMTSAs include Kitchener’s Urban Growth Centre (UGC), a second Urban Structure component identified on Map 2 – Urban Structure. The planned function of the

Urban Growth Centre (Downtown) is to accommodate a significant share of the Region’s and City’s future population and employment growth.

Land Use

Planning staff are recommending that lands identified as “Lands subject to this amendment” on **Figure 3** be amended to apply new Strategic Growth Area land use designations to lands located within Protected Major Transit Station Areas.

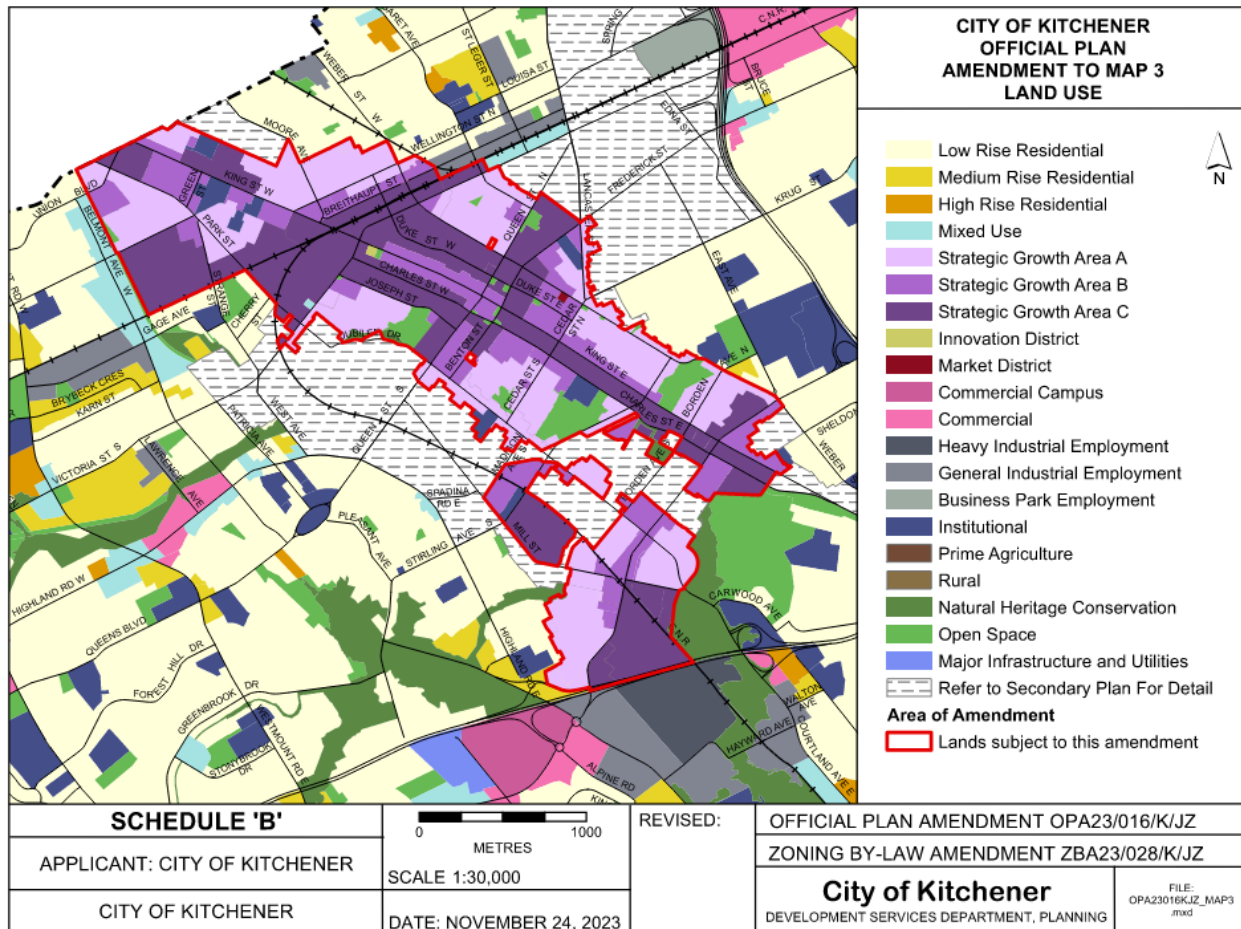


Figure 3: Proposed Amendment to Map 3 Land Use

The purpose of the proposed land use changes is to introduce and apply 3 new Strategic Growth Area land uses to lands within the affected PMTSAs, and redesignate lands from existing land use designations in applicable secondary plans to equivalent land use designations in the 2014 City of Kitchener Official Plan.

New Strategic Growth Area lands uses were developed to apply within these PMTSAs to help ensure that there is a land use framework that performs well in complex, challenging, and highly diverse areas. The purpose of the 3 new Strategic Growth Area land uses are:

- Strategic Growth Area A – to provide for low and mid-rise building forms up to a maximum of 8 storeys. This designation also provides for compatible non-residential uses and is proposed to apply to existing low-rise, predominantly residential neighbourhoods.
- Strategic Growth Area B – provides for mid-rise and moderate high-rise buildings while continuing to recognize existing and permit new low rise buildings. A full range of non-residential uses are also proposed to be permitted. This land use is proposed to apply mostly on the edges of existing low-rise areas.
- Strategic Growth Area C – provides for high-density residential intensification with a full range of non-residential uses. Existing low-rise and all mid-rise buildings are permitted. This land use is proposed to apply to large, underutilized sites and properties next to ION station stops.

The 3 Strategic Growth Area land uses were applied through several evaluation criteria, including community and collaborator input, good planning principles, and technical and design considerations. These included:

- Compliance with provincial and regional legislation, plans, and policies;
- Consideration of other City priorities like inclusionary zoning, Kitchener's municipal housing pledge, the Downtown Kitchener vision, the Missing Middle and Affordable Housing Study, Places and Spaces: An Open Space Strategy for Kitchener, the Cycling and Trails Master Plan, the Downtown District Energy Study and cultural and natural heritage policies;
- Guidance from the Planning Around Rapid Transit Stations (PARTS) Plans and Neighbourhood Planning Review (NPR) processes;
- Site specific/area specific opportunities and constraints such as lot size, area and width; proximity to ION stops and the Multi-Modal Hub and relationships to different street typologies; and relationships to existing context, including buildings, open spaces and streets.

The introduction and application of 3 new Strategic Growth Area land uses on lands identified in **Figure 3** supports Policy 3.C.2.17, which states: "The planned function of Protected Major Transit Station Areas, in order to support transit and rapid transit, is to:

- a) provide a focus for accommodating growth through development to support existing and planned transit and rapid transit service levels;
- b) provide connectivity of various modes of transportation to the transit system;
- c) achieve a mix of residential, office (including major office), institutional (including major institutional) and commercial development (including retail commercial centres), wherever appropriate; and,
- d) have streetscapes and a built form that is pedestrian-friendly and transit-oriented."

The recommended land use changes are aligned with objective 4.1.1 of the Official Plan by providing for an appropriate range, variety and mix of housing types and styles, densities, tenure, and affordability to satisfy the varying housing needs and enhance the overall livability of the PMTSAs and broader Kitchener community through all stages of life.

The recommended Strategic Growth Area land use designations implement policy direction provided by the Provincial Policy Statement, Growth Plan, and ROP in support of intensification, compact built-form, transit-supportive development, provision for a broad mix and range of uses, and the achievement of 15-minute neighbourhoods. Additionally, the recommended land use designations directly implement the planned function of PMTSAs as identified in Policy 3.C.2.17 of the Kitchener Official Plan. Recommended policies within the Strategic Growth Area land use designations identify minimum density requirements to achieve the density targets identified in the ROP for the PMTSAs subject to this amendment. Direction is provided regarding permitted uses, which implement direction from the Province and Region with respect to providing for a diverse mix of uses. Publicly funded school lands are recommended to retain an Institutional land use designation to allow for continued institutional uses on the affected lands.

Planning staff are recommending that lands identified as “Lands subject to this amendment” on **Figure 4** be amended to redesignate lands from the existing land use designation in applicable existing secondary plans to an equivalent land use designation in the 2014 City of Kitchener Official Plan. This is required as a result of existing secondary plans recommended to be deleted, which include the associated land use maps for each geography.

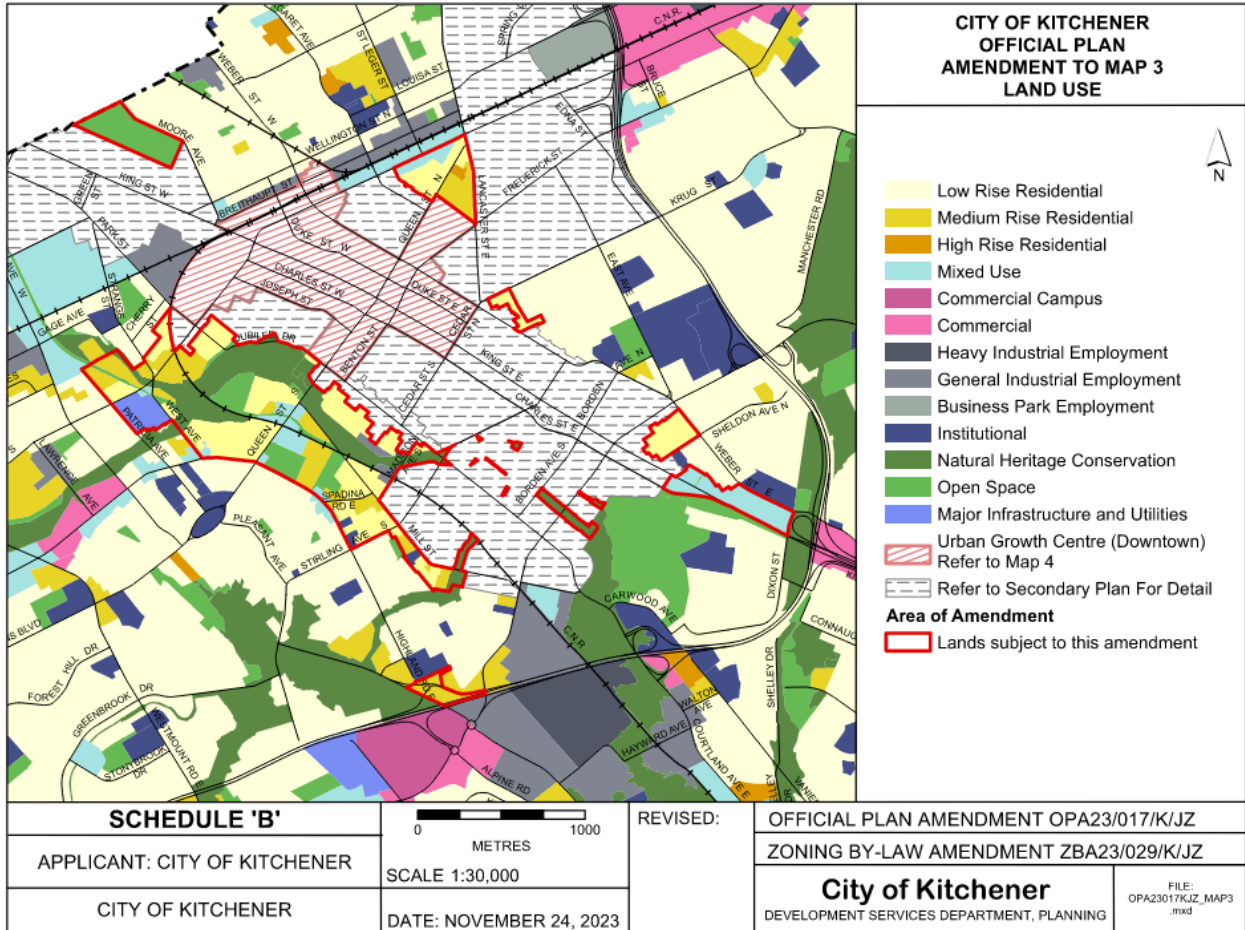


Figure 4: Proposed Amendment to Map 3 Land Use

Protected Major Transit Station Areas and Urban Growth Centre

Planning staff are recommending that Map 4 be repealed and replaced in its entirety with the map identified in **Figure 5**. The purpose of repealing Map 4 and replacing it with the map depicted below is to delineate the boundaries of PMTSAs in Kitchener, in addition to the Downtown Kitchener UGC boundary. The delineation of the PMTSA boundaries implements policy 2.D.2.6 of ROPA 6 for the purposes of implementing the use of inclusionary zoning, and clearly depicts the boundaries of each PMTSA for monitoring purposes in support of achieving the required density targets.

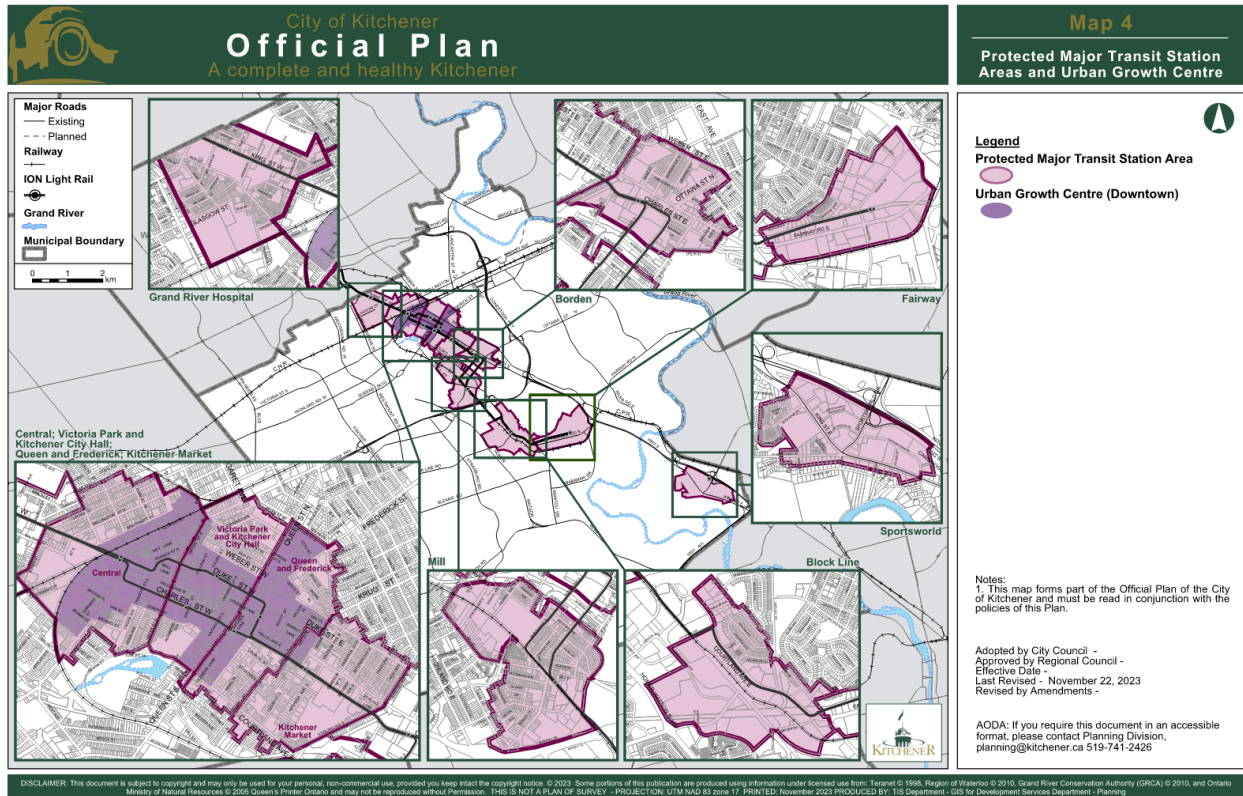


Figure 5: Proposed Amendment to Map 4 Protected Major Transit Station Areas and Urban Growth Centre

Cultural Heritage Resources

A detailed assessment of the proposed amendments as they relate to cultural heritage resources was provided [in a report to the Heritage Kitchener Committee](#) and presented on January 9, 2024 (DSD-2024-009). The proposed amendments are in alignment with objectives 12.1.1, and 12.1.2, and policy 12.C.1.9 of the Official Plan which state:

- 12.1.1. To conserve the city's cultural heritage resources through their identification, protection, use and/or management in such a way that their heritage values, attributes and integrity are retained.
- 12.1.2. To ensure that all development or redevelopment and site alteration is sensitive to and respects cultural heritage resources and that cultural heritage resources are conserved.
- 12.C.1.9 Significant cultural heritage landscapes will be identified on Map 9 in accordance with the Regional Official Plan and this Plan. An amendment to this Plan will not be required to identify cultural heritage landscapes on the Municipal Heritage Register.

From Heritage Planning's staff report to Heritage Kitchener on January 9th, 2024:

"The key finding of this report is that the proposed changes are not anticipated to result in loss of cultural heritage resources. The existing heritage tools currently in use—including Heritage Conservation District Plans, designation, and the ability to request heritage studies in certain situations—remain in effect. Further, the proposed amendments include the introduction of new policies intended to implement and protect cultural heritage landscapes."

The proposed amendments allow for the continued conservation of cultural heritage resources within the City. The values and interests of the two Heritage Conservation Districts within the Growing Together study area are protected through the introduction of new heritage-related policies and refinement of existing policies that ensures compatibility between the Official Plan and Heritage Conservation District Plans. Further, the boundaries of 14 cultural heritage landscapes are delineated and general CHL policies established, as well as detailed policies developed for the Cedar Hill and Schneider Creek Neighbourhood CHL specifically, which allows for additional heritage considerations during planning processes.

Urban Design

The proposed Official Plan amendment includes new and amended urban design policies to address the critical design attributes of both tall building design and design in Protected Major Transit Station Areas.

Specific Policy Areas

Several specific policy areas are proposed to be repealed and replaced through the proposed Official Plan amendment. These are outlined in this section.

Repeal and Replace Policy 15.D.12.18

Planning staff are recommending that existing policy 15.D.12.18, which applies to 134 & 152 Shanley Street, be repealed and replaced with the following:

15.D.12.18. 301 Victoria Street South

"Notwithstanding the Major Infrastructure and Utilities land use designation which applies to the lands located on the block generally bounded by Patricia Avenue, Victoria Street South, the Grand River Railway, West Avenue and the Henry Sturm Greenway, the executive and administrative offices of Enova Power Corporation located at 301 Victoria Street South and the associated warehousing and outdoor storage uses shall be permitted uses."

Existing policy 15.D.12.18 is recommended to be repealed as 134 & 152 Shanley Street are subject to site-specific zoning provisions and is currently under construction. This

specific policy area number is proposed to be repurposed for a specific policy area for 301 Victoria Street South which is an existing Special Policy Area of the Victoria Street Secondary Plan that applies to this property. This amendment will facilitate the deletion of the Victoria Street Secondary Plan.

Amend Policy 15.D.12.28

Planning staff are recommending that existing policy 15.D.12.28 be amended as follows:

15.D.12.28. Glasgow Street/Strange Street

- a) “Notwithstanding the Strategic Growth Area C land use designation on lands located near the southwesterly corner of Glasgow Street and Strange Street, the continuation of the existing industrial and commercial parking facility uses will be permitted until such time as the site transitions into uses permitted by the land use designation. The transition of the site may occur in phases.
- b) A Holding provision pursuant to Section 17.E.13 will apply to residential uses, day care uses, and other sensitive uses. The Holding provision will not be removed until such time as a Record of Site Condition has been acknowledged by the Province and a release has been issued by the Region.”

Subsection a). is recommended to be revised to reference the Strategic Growth Area C land use designation, rather than the existing Mixed Use land use designation.

Repeal and Replace Policy 15.D.12.39

Planning staff are recommending that existing policy 15.D.12.39, which applies to Breithaupt Bock Phase 3, be repealed and replaced with the following:

15.D.12.39. 607-641 King Street West

Notwithstanding the Strategic Growth Area C land use designation and policies:

- a) “Retail uses shall be permitted to have a maximum gross floor area of 10,000 square metres.
- b) Prior to development and/or redevelopment of the lands municipally addressed as 607-641 King Street West, a Master Plan will be required to be completed and approved by the City. The Master Plan will be required to be updated and approved by the City through the City’s Site Plan Approval Process prior to and in conjunction with each stage of development and/or redevelopment. Substantial deviation from the approved Master Plan will require Council approval.”

Existing policy 15.D.12.39 is recommended to be repealed as the recommended land use designation through this official plan amendment for Breithaupt Block Phase 3 will

make the existing Specific Policy Area that applies to these lands unnecessary. The Specific Policy Area applying to Breithaupt Block Phase 3 includes policies establishing a maximum floor space ratio of 4.5. This specific policy area number is proposed to be repurposed for a specific policy area for 607-641 King Street West which is an existing Special Policy Area for these lands from the KW Hospital Secondary Plan. This amendment will facilitate the deletion of the KW Hospital Secondary Plan.

Repeal and Replace Policy 15.D.12.54

Planning staff are recommending that existing policy 15.D.12.54, which applies to 368-382 Ottawa Street South & 99-115 Pattandon Avenue, be repealed and replaced with the following:

15.D.12.54. 79 Joseph Street

“Notwithstanding the Open Space land use designation and policies on the lands municipally known as 79 Joseph Street, office uses will also be permitted.”

Existing policy 15.D.12.54 is recommended to be repealed as recommended zoning through this zoning by-law amendment for 368-382 Ottawa Street South & 99-115 Pattandon Avenue will make the existing Specific Policy Area that applies to these lands unnecessary. The Specific Policy Area applying to 368-382 Ottawa Street South & 99-115 Pattandon Avenue includes policies establishing a maximum floor space ratio of 2.5. This specific policy area number is proposed to be repurposed for a specific policy area for 79 Joseph Street, which is an existing Special Policy Area for these lands from the Victoria Park Secondary Plan. This amendment will facilitate the deletion of the Victoria Park Secondary Plan.

Delete Policy 15.D.12.62

Planning staff are recommending that existing policy 15.D.12.62, which applies to 455-509 Mill Street be deleted, as the recommended land use designation will make the existing Specific Policy Area that applies to these lands unnecessary.

Add new Policy 15.D.12.69

Planning staff are recommending that new Specific Policy Area 15.D.12.69 be added as follows:

“15.D.12.69. 1668 King Street East

The maximum permitted floor space ratio shall be 7.6.”

This new policy is text that is proposed to be brought into the 2014 Official Plan from Special Policy Area 7 of the King Street East Secondary Plan that currently applies to

these lands. This amendment will facilitate the deletion of the King Street East Secondary Plan.

Add new Policy 15.D.12.70

Planning staff are recommending that new Specific Policy Area 15.D.12.70 be added as follows:

“15.D.12.70. 1770 King Street East, 815 & 825 Weber Street East
The maximum permitted floor space ratio shall be 6.0.”

This new policy is text that is proposed to be brought into the 2014 Official Plan from Special Policy Area 11 of the King Street East Secondary Plan that currently applies to these lands. This amendment will facilitate the deletion of the King Street East Secondary Plan.

Proposed Official Plan Amendment Conclusions

Based on the above-noted policies and planning analysis planning staff are of the opinion that the proposed Official Plan Amendments represent good planning and recommends that the proposed Official Plan Amendments be adopted as shown in Attachment 'A', Attachment 'B, and Attachment 'C'.

City of Kitchener Zoning By-law 2019-051

The purpose of the proposed zoning by-law amendments are to bring all properties within the study area into Zoning By-law 2019-051 from Zoning By-law 85-1, as shown on Attachment 'D' and Attachment 'E'. The existing zoning in the study area includes a broad range of zones dating back to the mid 1990s. The proposed zoning by-law amendments include the application of new Strategic Growth Area (SGA) zones to lands within delineated PMTSAs, and the application of equivalent zones in Zoning By-law 2019-051 for lands outside of the delineated PMTSAs but subject to the Growing Together project.

Proposed SGA Zones

The recommended Strategic Growth Area (SGA) zones include four zone categories: SGA-1; SGA-2; SGA-3; and SGA-4. The SGA zones are exclusive to lands designated Strategic Growth Area and located within a PMTSA. The purpose of these zones are:

- The SGA-1: Low Rise Growth Zone is intended to create opportunities for missing middle housing and compatible non-residential uses in low-rise forms up to 11 metres in height. This zone applies to lands designated Strategic Growth Area A in the Official Plan. A minimum floor space ratio value does not apply to lands zoned SGA-1.
- The SGA-2: Mid Rise Growth Zone is intended to create opportunities for moderate growth in mid-rise forms up to 8 storeys in height. The SGA-2 zone will permit a mix of residential and non-residential uses. This zone applies to lands designated Strategic Growth Area A or Strategic Growth Area B in the Official Plan. A minimum floor space ratio value of 1.0 applies to lands zoned SGA-2.
- The SGA-3: High Rise Growth Zone (Limited) is intended to create opportunities for high-density growth in both mid and high-rise forms up to 25 storeys in height. The SGA-3 zone will permit a wide mix of residential and non-residential uses. This zone applies to lands designated Strategic Growth Area B or Strategic Growth Area C in the Official Plan. A minimum floor space ratio value of 2.0 applies to lands zoned SGA-3.
- The SGA-4: High Rise Growth Zone is intended to create opportunities for high-density growth in both mid and high-rise forms. The SGA-4 zone will permit a wide mix of residential and non-residential uses. This zone applies to lands designated Strategic Growth Area C in the Official Plan. A minimum floor space ratio value of 2.0 applies to lands zoned SGA-3.

The recommended SGA zones introduce new form-based regulations, in place of existing maximum floor space ratio (FSR) values as a means of regulating density. In existing, built-up areas, such as downtown Kitchener, parcels and parcel assemblies vary in size, shape, configuration and orientation. FSR as a means of regulating density performs well in locations where lands are of a consistent size and shape. Where uniformity in the

parcel fabric does not exist, a maximum FSR value can produce unpredictable results with respect to development permissions, including very large and/or tall or very small and/or short buildings within the same zone depending on lot size.

The form-based approach regulates important built-form elements and relationships to ensure that development matches the intent of the zone regardless of the lot size and shape. These elements include lot width, lot area, setbacks, building height, façade openings, street line ground floor building height, floor plate area, building length, and physical separation.

Through Growing Together, staff are proposing that FSR maximums are not applied to any of the SGA zones. However, the recommended SGA zones include FSR *minimums* to ensure that development meets the minimum required density targets of 160 people and jobs per hectare within each Growing Together PMTSA as well as 225 people and jobs per hectare within the Downtown Kitchener Urban Growth Centre.

Proposed Institutional Zone

The Growing Together study area recommends zoning all publicly funded school properties INS-2: Major Institutional zone. The INS-2 zone is intended to accommodate institutional uses primarily intended to serve at a city or regional scale. The recommended application of the INS-2 zone is intended to maintain the institutional use on the affected lands.

Priority Streets

The proposed amendments include additional regulations for lot lines abutting a Priority Street. The priority street regulations: apply to the ground floor of buildings and restrict some ground floor uses; prohibit above grade structured parking along the street line for the first two floors; and restrict structured parking to no more than 50% of the street line façade above the second floor. The priority streets regulations align with direction in ROPA 6 to support a high-quality public realm and creating spaces that are supportive of active transportation and transit.

Holding Provisions and Site-Specific Provisions

The proposed amendments carry forward a number of existing holding provisions and site-specific provisions currently in effect in Zoning By-law 85-1 to Zoning By-law 2019-051. New holding provisions and Site-Specific Provisions have been applied to select lands based on comments provided by the Region of Waterloo regarding potential contamination, noise, and airport impacts. All recommended holding provisions and site-specific provisions are included in Attachment 'D' for lands within Protected Major Transit Station Areas and Attachment 'E' for lands not within Protected Major Transit Station Areas.

Non-PMTSA Lands

For lands outside of the delineated PMTSAs, an equivalent zone category in by-law 2019-051 is proposed to be applied. The proposed application of zone categories in by-law 2019-051 is administrative and maintains existing use permissions and regulations.

Proposed Zoning By-law Amendment Conclusions

Planning staff are of the opinion that the proposed Zoning By-law Amendment to bring all properties within the Growing Together study area into Zoning By-law 2019-051 from Zoning By-law 85-1 represents good planning as it will allow for the implementation of provincial and regional direction on PMTSAs and permit a broad range and mix of uses.

The proposed Zoning By-law amendments specific to lands within PMTSAs aligns with Provincial and Regional direction to promote intensification and transit-supportive development around transit stations, provide for a range and mix of uses and densities, and support 15-minute neighbourhoods and complete communities. The proposed Zoning By-law amendments for lands not located within a delineated PMTSA bring properties into Zoning By-law 2019-051 from Zoning By-law 85-1 through the application of equivalent zones.

The proposed Zoning By-law amendments are consistent with the proposed Official Plan amendments. Planning staff recommend that the proposed Zoning By-law Amendments be approved as shown in Attachment 'D' and Attachment 'E'.

Technical Considerations

There are multiple additional technical considerations informing the Growing Together planning analysis.

Municipal Sanitary Capacity

A sanitary capacity analysis was performed through the Planning Around Rapid Transit Stations (PARTS) Central, Midtown and Rockway plans.

In the PARTS Central plan:

“The preferred scenario was modelled using the highest variation whereby potential development assumptions were considered at 100% of the density provision of each land use category for all lands.”

“The flows were tracked downstream to the treatment plant to ensure no negative impacts.”

“Modelling the highest possible variation of the preferred scenario yields a fairly large increase to the potential flows downstream up to approximately 538 litres/second. The increase in flow rate would not result in any surcharging sewers or downstream capacity issues.”

“These are high assumption scenarios. Typically, variations are considered that are closer to 50% of the density of the land use (so it can be assumed that the likely flow rate will be much lower).

Note: “100% of the density provision of each land use category for all lands” refers to an assumption that all lots in all land uses in the subject area are assumed to be built at 100% of the Floor-Space-Ratio density permissions within the land use category.

In the PARTS Midtown plan:

“The City of Kitchener Infrastructure Services Department completed modeling for sanitary sewer infrastructure in Midtown, which compared the existing condition and the Preferred Scenario at 100% build-out to determine any impacts to the infrastructure within the study area.”

“The modeling concluded that the impacts of the Preferred Scenario for the Midtown station area are very minor, without accounting for recent improvements from the ION reconstruction that should improve capacity beyond what was modeled.”

“Through this review it can be concluded that the Preferred Scenario yields negligible impacts to the City’s sanitary infrastructure.”

In the PARTS Rockway plan:

“the existing condition (was compared to) the Preferred Scenario at the maximum potential zoning capacity to determine any possible impacts to the infrastructure within the study area.”

“The modeling concluded that the impacts of the Preferred Scenario for the Rockway station area are very minor, namely that the length of pipe at capacity does not increase and that only one 36.8m pipe length results in surcharging at the maximum zoning density, without accounting for recent improvements from the ION reconstruction that should improve capacity beyond what was modeled.”

“Should redevelopment for certain areas propose densities that are higher than what is shown in the Rockway Plan, these may be assessed on a site specific basis.”

In all 3 PARTS Plans, modeling of 100% of the land use capacity resulted in only one pipe surcharge.

For context, the PARTS/NPR land use and zoning was designed to meet the PMTSA minimum density target of 160ppj/ha for each PMTSA at 50% of zone capacity build out. 75% was calibrated to a 2051 build-out assumption.

Growing Together takes a different approach to planned capacity and density maximums, but the numbers end up in similar ranges. Growing Together plans for a minimum of 18,000 new residential units by 2031, to align with the City’s housing pledge target of 35,000 new homes across the city by the end of 2031.

For the Growing Together PMTSAs, 18,000 units, alongside proportional new non-residential growth, also results in 160 people and jobs per hectare across the seven PMTSAs, almost exactly. The Victoria Park & Kitchener City Hall and Frederick & Queen PMTSAs have already met their minimum density targets, with Victoria Park & Kitchener City Hall having attained a density of 178 residents and jobs per hectare as of 2019, and Frederick & Queen having attained a density of approximately 180 residents and jobs per hectare as of 2022.

By most scenarios, the Central Station Innovation District will be the next PMTSA to reach the minimum density target. The other four PMTSAs; Grand River Hospital, Market, Borden and Mill are expected to remain well short of the 160ppj/ha minimum target by 2031.

A 50% zone capacity analysis of the PARTS/NPR land uses and zones is therefore reflecting approximately the same amount of growth as the Growing Together 18,000 unit threshold planned for 2031.

However, as PARTS was tested at 100% zone capacity, not 50%, and the NPR zoning was tested at 75% capacity, and neither analysis showed capacity constraints, there are no anticipated near-term capacity constraints through at least 2031. Additionally, there are currently an estimated 18,000 units that have been approved within the Growing Together PMTSAs but not yet built. Expected construction of these approved units stretches as far as 2035. No capacity concerns have been raised to date through the approval of those units, which coincidentally represent the same number of units as both the pro-rated housing pledge target for PMTSAs and the number of units required to meet the minimum density target for the geography as a whole.

Yet, to ensure sanitary capacity continues to be evaluated appropriately moving forward, and as Growing Together proposes increased zoning permissions in several areas, staff undertook an additional exercise to model these areas of significant change to evaluate the relative increase in people and jobs.

Staff identified where the zoned capacity greatly exceeds that of what was proposed through PARTS/NPR. This mostly captures areas that PARTS/NPR had zoned as industrial employment or innovation employment, where Growing Together permits mixed use instead. These new people and job estimates were compared to the estimates from the sanitary capacity model's 75% or 2051 assumptions based on the proposed zoning from the Neighbourhood Planning Review (NPR) project.

Comparing the two scenarios, four areas of significant change were noted. As a result, properties proposed to be zoned SGA-4 within these areas of significant change (primarily existing industrial areas in the Grand River Hospital station area between Glasgow St. and Strange St., within the Central Station area along Victoria St. N., and within the Mill station area between the rail corridor and Mill St. and between the rail corridor, Ottawa St. and the Conestoga Parkway) are proposed to receive a holding provision requiring site specific sanitary capacity analysis to determine if the existing sanitary infrastructure can support the development.

Noise

Noise assessment reports were created for the PARTS Central, Midtown and Rockway.

For PARTS Central:

“a continuous ambient noise monitoring program in Downtown Kitchener was undertaken in October 2015. Noise measurements were conducted in accordance with the Ontario Ministry of the Environment and Climate Change (MOECC) noise publication NPC-103. Five monitoring locations were identified within the study area as follows:

- Corner of Weber St. and Victoria St.
- 44 Walter St.

- Corner of Weber St. and Cedar St.
- 10 Madison Ave.
- 19 Courtland Ave.

The monitoring locations were selected based on areas most likely to be affected by significant developments or other changes through the implementation of the preferred land use scenario.”

“The noise models show minor differences in ambient noise levels due to traffic volumes between the baseline and preferred scenarios at the selected receptor locations. Rail noise would be identical in both instances and there would be no relative differences in the results. The largest modeled increase in traffic noise between the baseline and the preferred scenario is approximately 1 dba, a noise level so low that it is not perceptible to human hearing. As a result, it can be concluded that the traffic associated with the additional population and employment growth occurring as part of the preferred scenario will not lead to a significant impact in noise pollution in Downtown Kitchener.”

“Also, the noise models did not identify the need for any necessary mitigation measures to be implemented through policies, zoning, design or potentially as future conditions of development approval.”

For PARTS Midtown and Rockway, a similar noise assessment was conducted, using the CadnaA software to analyze various streets and rail lines.

The assessment found that “POW’s (plane of windows) associated with proposed developments just beyond the Right of Way of various roadways would not require additional mitigation to ensure the development can be designed to achieve the required indoor noise limits.”

“new Outdoor Living Areas near the assessed roadways may require mitigation to demonstrate compliance with acceptable noise limits. Noise levels associated with the various roadways should be within acceptable limits for indoor living conditions.”

“Any new sensitive land uses should be carefully considered in proximity to railway operations. Potential noise and vibration impacts would restrict such uses to minimum setback distances (i.e.: 30m from a Principal Main line) along with requiring a number of other mitigation measures and warning clauses.”

The Region of Waterloo has requested that Growing Together require a detailed transportation noise study for all properties within 200 metres of a Regional Road and a detailed noise and vibration study for all properties within 75 meters of a rail line. The

Region also requests that a stationary noise study be required for all development within the Growing Together PMTSAs.

Staff are recommending the use of a holding provision requiring a noise and vibration study for all properties within 75m of a rail line, as requested by the Region of Waterloo which is consistent with the approach for this matter city-wide.

With respect to the request for detailed transportation noise studies within 200 metres of a Regional Road, should this requirement be applied, approximately 80% of the total geographical area, or approximately 3,090 of the roughly 3,840 properties within the Growing Together PMTSAs would be subject to such a holding provision. This would include approximately 2,400 properties proposed to be zoned low-rise or mid-rise, and could have an impact on the ability of this work to enable missing middle and mid-rise housing.

As the PARTS studies recommend no mitigation for indoor spaces, applying a holding provision for a transportation noise study to such a significant percentage of all properties in Growing Together could have a negative impact on housing supply—particularly missing middle and low-rise housing supply. Encumbering missing middle housing supply would not be consistent with City, Region and Provincial policies and would not meet the intent of either the Housing Pledge or the Federal Housing Accelerator Fund.

Given that the above noted area already contains significant housing supply in low, medium and high density forms, and that an estimated 18,000 residential units are currently approved within these PMTSAs without transportation noise being identified as a significant concern, and that the PARTS Central plan specifically noted an imperceptible increase in transportation noise levels through that study, staff recommend that a broad holding provision requiring a transportation noise study not be applied at this time.

It is important to also note that while Growing Together does plan for greater long-term densities than PARTS did, it does so with a significantly lowered expectation for personal vehicle use. PARTS was developed at a time when the expected framework for parking minimums was within the range of one space per unit. Growing Together proposes no minimum parking requirement at all. Over the past decade, parking demand has steadily decreased, and many developments are being approved with fewer than 0.5 parking spaces per unit. Two high-density projects have already been approved in the Growing Together PMTSAs with zero parking required. An increase in residential units from the projections in PARTS to Growing Together does not come with a similar increase in car use, as demonstrated through the proposed policy planning framework and ongoing trends in development approvals.

With respect to stationary noise studies, staff do not recommend the implementation of this study requirement across the entirety of the Growing Together geography as this is likely to have a significant negative impact on the provision of missing middle housing forms and is similarly not consistent with City, Region, Provincial and Federal policy and

direction on housing supply, intensification around transit, and complete communities (15-minute neighbourhoods). Again, a broad range of low, medium, and high-density housing already exists across the Growing Together context, and an estimated 18,000 units are currently approved without stationary noise being identified as a significant concern.

Floodway

The Growing Together PMTSAs include lands within the Schneider and Shoemaker Creek floodway/ecological restoration area (ERA). Adjacent lands are subject to ERA policies in the Official Plan. Growing Together proposes not to apply a land use or zone to any property within the Schneider/Shoemaker Creek Naturalization EA project until such time as the project has been completed.

Record of Site Condition

City Staff have worked with Regional Staff to identify properties where a Record of Site Condition is required. Planning Staff have also worked in collaboration with the City's Chief Building Official (CBO) to determine which of those properties are appropriate to require the submission of a Record of Site Condition through a building permit process and which properties need to have a holding provision applied to require the same. As a result, 76 properties are recommended to have a holding provision requiring a Record of Site Condition through the proposed Zoning By-law amendment.

Aeronautical Assessment

The Region of Waterloo has requested that a maximum height limit be applied to all lands within the Growing Together geography to ensure that no buildings, including temporary structures like cranes, exceed a height of 1,600 feet above sea level. The Region has indicated that determination of the final height of buildings is necessary on a site specific basis and should be supported by an aeronautical assessment acceptable to the Region.

Through conversations with Region of Waterloo staff, and NAV CANADA staff, Planning Staff understand that the Region is currently in the process of updating the Region of Waterloo International Airport Master Plan which may inform improvements to the airport that may result in updates to Federal Airport Zoning Regulations for the airport. Until such time as these are completed, staff are prepared to implement the Region's request through a holding provision requiring developments within SGA-4 zones—the only zone without a height limit in zoning—to provide an aeronautical assessment to determine maximum building height. This holding provision acknowledges that an aeronautical assessment would be required until such time as the Region of Waterloo International Airport Master Plan and any updates to the Federal Airport Zoning Regulations are completed.

Staff continue to propose that the SGA-4 zone not have a height limit in zoning, which is consistent with City, Regional, Provincial and Federal legislation, policy and guidance for

intensifying around transit and addressing the housing crisis. To ensure the long-term operation and economic role of the Region of Waterloo Airport, a holding provision requiring an aeronautical assessment is proposed for buildings exceeding heights of:

- 1,600 feet above sea level for the Grand River Hospital, Central Station (Innovation District), Victoria Park & Kitchener City Hall and Frederick & Queen PMTSAs
- 1,573 feet above sea level for the Market station area
- 1,530 feet above sea level for the Borden station area and;
- 1,596 feet above sea level for the Mill station area

Built-Form Approach to Regulating Density

Traditionally, Kitchener has—in most but not all cases—regulated maximum densities through Floor Space Ratio (FSR). Staff analysis has determined that there are several challenges with an FSR-based approach within Protected Major Transit Station Areas;

- In already built-up, complex geographies such as PMTSAs, parcels and parcel assemblies come in all shapes, sizes, configurations, and orientations. Some of the smallest lots in the City are within PMTSAs. Some of the largest lots in the City are as well. Nearly all parcels have existing structures on them. Nearly all parcels are candidates for land assembly, or to otherwise evolve from their existing conditions.
- Additionally, in a historical city-centre context, one which is not based on a predictable grid street layout, many lots are oddly shaped, can be narrow or shallow, deep or wide, rectangular or angular. In other words, there is very limited uniformity within the parcel fabric throughout the Growing Together geography.
- FSR can only create a consistent built context, as implemented through a zoning by-law, where the subject properties are also consistently sized and shaped. Otherwise, the same maximum FSR can result in dramatically different built forms, even within the same zone. For example;
 - For high-density development without a height limit, an FSR of 8 could result in an assembled block developing multiple towers at heights exceeding 50 storeys. A neighbouring, smaller site with the exact same zoning could be limited to a single building of 10-12 storeys. While the zoning would be the 'same', the built results would not be similar. The perceived maximum densities would also not be similar.
 - If these two theoretical sites developed with similar built-forms, the block-sized parcel may still achieve a high-density outcome at 8 FSR, but the smaller parcel may require 20 or more FSR for a similar result. In most other ways, these two developments may perform similarly, have similar impacts on surroundings, be visually and contextually alike, and more.
- With the existing zoning permissions for FSRs often topping out at 2, 3 or 4 in Kitchener's PMTSAs, along with the contextual factors listed above, it is clear why nearly all development within Kitchener's PMTSAs over the last decade has required an Official Plan Amendment and Zoning By-law Amendment to proceed, with relief from FSR requirements being consistently sought.

- If Kitchener were to continue to guide appropriate densities via FSR, the challenge would be in determining a number that can perform consistently. For high-density development, this is not feasible. A number that is calibrated to the redevelopment of large properties would be overly restrictive for small properties and create under-sized development (or continue to force most development through an OPA/ZBA process). A number that is calibrated to the redevelopment of smaller properties would be overly permissive for large properties and create over-sized development with serious negative impacts on the users and residents of that development, as well as surrounding areas.

There is an alternative approach to guiding maximum densities, and this is the approach staff are recommending for Kitchener's Strategic Growth Area zones. It is a 'form-based' approach where the zoning by-law regulates important built-form elements and relationships to ensure that development matches the intent of the zone regardless of the lot size and shape.

Through Growing Together, staff are proposing that Floor Space Ratio maximums do not apply to any of the SGA zones. Staff do, however, recommend the implementation of FSR *minimums* to ensure that development meets the minimum required density targets of 160 people and jobs per hectare within each Growing Together PMTSA as well as 200 people and jobs per hectare within the Urban Growth Centre.

There are several proposed regulations that help determine appropriate maximum densities on properties within Kitchener's SGA zones;

- Traditional lot setbacks (front, exterior side, interior side and rear yard), which ensure a minimum amount of space between buildings on adjacent lots.
- Height limits. 3 of the 4 SGA zones propose height limits. The SGA-1 zone limits height to 11m and is applied within low-rise contexts. The SGA-2 zone limits height to 8 storeys and is applied to lands where a mid-rise context is planned. The SGA-3 zone limits height to 25 storeys and is applied to lands where a high-rise context is planned. The SGA-4 zone does not limit height and is applied to lands where the highest and most dense future context is planned.
- Building length, floor plate area and physical separation are the key additional built-form regulations that guide maximum densities. These regulations are designed to permit high-density intensification while promoting a high quality of life for existing and future residents, workers and visitors. This includes careful consideration of the quality of life for residents within the new buildings subject to these regulations. Quality of life factors considered include; safety, privacy, physical and mental health and comfort, access to sunlight, shadow impacts, and protection from accelerated winds and weather.
- These three built-form regulations are applied at graduated height intervals, consistently across the SGA zones. These height intervals are; from the 7th - 12th storeys, from the 13th – 18th storeys, from the 19th - 36th storeys and from the 37th storey and above. These height intervals were modeled in 3D and tested under real world contextual conditions. These regulations are not applied to the first 6

storeys of a building to allow for shared podiums on larger, multi-tower developments, and to otherwise not frustrate moderate mid-rise development.

- The principles guiding these regulations are the same principles that have guided Kitchener's tall building guidelines, which have been successfully implemented for over 6 years: that as a building gets taller, its form becomes more compact, with more space between it and other buildings. This allows for tall, high-density development, and the creation of abundant housing supply, while still considering the quality of life of all members of the current and future Kitchener community.
- In moving these principles from guidelines into a zoning by-law, staff were careful to re-calibrate the applicable numbers to perform through that tool. Therefore, there are differences between the guidelines and the proposed zoning regulations, with the zoning regulations being more permissive and simplified, for easier and more consistent implementation. Where the guidelines calculate physical separation through a calculation of a building's height and tower length, the regulations instead apply static but more generous numbers for both physical separation and building length within the graduated height categories listed above.

For the reasons outlined in this planning analysis, staff recommend that the proposed Official Plan amendments and Zoning By-law amendments be adopted/approved as they conform to Provincial policies and plans, are consistent with the Region of Waterloo's Official Plan, as amended, are consistent with Kitchener's Official Plan, and represent good planning.