

Growing Together East Planning Analysis

The following constitutes planning analysis in support of the Growing Together East Official Plan and Zoning By-law Amendments. The amendments identified and proposed through the Growing Together East project (the “proposed amendments”) have regard for matters of Provincial interest under the Planning Act, are consistent with the Provincial Planning Statement, 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 Planning Statement, 2024, 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 Planning Statement, 2024 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 Regional Official Plan, 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.

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 near 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 of 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 introduce a priority streets regulatory framework that prioritizes the interaction between pedestrians and the built form at the sidewalk level; and
- 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 Protected Major Transit Station Areas.

Provincial Planning Statement, 2024

On August 19, 2024, the Ministry of Municipal Affairs and Housing released the Provincial Planning Statement, 2024 (PPS, 2024) which is the new integrated province-wide land use planning policy document. The PPS, 2024 replaces the Provincial Policy Statement, 2020 and A Place to Grow: Growth Plan for the Greater Golden Horseshoe, with a singular Provincial Planning Statement that came into effect on October 20, 2024. In December 2024, a Provincial decision was issued that determined that no matters would be “transitioned” to the new PPS, meaning any planning matters in progress are required to conform to the PPS, 2024.

The PPS, 2024 provides policy direction on matters of provincial interest related to land use planning and development. Section 3 of the *Planning Act* requires that decisions affecting planning matters shall be consistent with policy statements issued under the *Act*.

The PPS, 2024 promotes the efficient 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.

Chapter 1 speaks to prioritizing compact and transit-supportive design, where locally appropriate, and optimizing investments in infrastructure and public service facilities to support convenient access to housing, quality employment, and services. Further, providing a sufficient supply with the necessary mix of housing options will support a diverse and growing population and workforce.

Policy 2.2.1 states that planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents, requiring transit-supportive development and prioritizing intensification. In addition, facilitating all types of residential intensification including the development and redevelopment of underutilized commercial and institutional sites (e.g., shopping malls and plazas) for residential use. Further, to support effective growth, Policy 2.3.1.1 states that settlement areas shall be the focus of growth and development. Within settlement areas, growth should be focused on strategic growth areas, including major transit station areas.

Policy 2.3.1.2 states that land use patterns within settlement areas should be based on densities and a mix of land uses which efficiently use land and resources and are transit-supportive, as appropriate.

Policy 2.4.2.2 directs that planning authorities plan for a minimum density target of 160 residents and jobs combined per hectare for those that are served by light rail or bus rapid transit.

Further, Policy 2.4.2.3 promotes development and intensification within major transit station areas, where appropriate, by:

- a) planning for land uses and built form that supports the achievement of minimum density targets; and
- b) Supporting the redevelopment of surface parking lots within major transit station areas, including commuter parking lots, to be transit-supportive and promote complete communities.

Policy 2.8.1.1 directs that planning authorities shall promote 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, including encouraging intensification of employment uses and compatible, compact, mixed-use development to support the achievement of complete communities.

Policy 2.9.1 states that planning authorities shall plan to reduce greenhouse gas emissions and prepare for the impacts of climate change through approaches that support the achievement of compact, transit-supportive and complete communities and support energy conservation and efficiency.

Policy 3.5.1 states that sensitive land uses shall be 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.

Policy 3.1.1 speaks to planning for infrastructure and public service facilities coordinated and integrated with land use planning and growth management so that they are financially viable over their life cycle, which may be demonstrated through asset management planning. Further, Policy 3.1.4 speaks to public service facilities should be planned and co-located with one another, to promote cost-effectiveness and facilitate service integration, access to transit and active transportation.

Policy 3.4.1 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 appropriate design, buffer, and separate sensitive land uses from airports and rail facilities.

Policy 3.8.1 states planning authorities should provide opportunities for the development of energy supply including district energy to accommodate current and projected needs.

Policy 4.1 speaks to the protection of natural features and areas for the long term. In addition, that the diversity and connectivity of natural features for ecological function and biodiversity be maintained, restored or improved.

Policy 4.6.1 states that protected heritage property, which may contain built heritage resources or cultural heritage landscapes shall be conserved.

Planning Analysis

Planning staff is of the opinion that the proposed amendments are in alignment with the Provincial Planning Statement, 2024 because they will allow for the provision of a broad range of uses within the Growing Together East 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 Study Area are municipally serviced and are in proximity to parks, trails and other community uses, but are generally underserved with respect to parkland, per the “Spaces: Draft Strategy” report, 2022 (an in-progress update to the City’s Parks Strategic Plan, 2010). The proposed amendments align with provincial policies, namely Policy 2.4.2 by promoting development and intensification in Protected Major Transit Station Areas, directing redevelopment and promoting complete communities, and redevelopment of underutilized commercial and institutional sites.

The proposed amendments are consistent with the PPS, 2024 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. In doing so, the proposed amendments protect the long-term operation and economic role within the Study Area and on employment lands adjacent to the study area.

The PPS, 2024 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 East will facilitate the intensification and redevelopment of lands, including 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, 2024 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 East 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. This aligns with previous work on Growing Together West.

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, safety and quality of life of all community members, ensuring access to light for all units/occupants and surrounding buildings, and limiting unsafe and uncomfortable cumulative wind impacts.

In this way, the City creates flexible and very dense as-of-right permissions while still protecting for the safety and livability of Kitchener's PMTSAs; these regulations provide multiple pathways for different forms of development to occur, while providing enough certainty—in the form of maximum building envelopes that can be modeled accurately—to determine maximum permitted densities in a way that allows the City to plan responsibly for its future infrastructure needs.

In combination with the City's Urban Design Manual, which provides 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, 2024 promotes the efficient use of existing infrastructure through transit-oriented development. Minimum densities, determined by minimum Floor Space Ratio requirements in Strategic Growth Area land use designations and zoning regulations, are strategically applied to all SGA zoned lands in the Block Line PMTSA and to all SGA zoned lands under 2 hectares in lot area in the Fairway and Sportsworld PMTSAs.

Minimum density regulations are intentionally *not* applied to lands over 2 hectares within the Fairway and Sportsworld PMTSAs, as this would have a *negative* effect on the ability of the large commercial plaza properties that currently occupy most of the land within these station areas to intensify incrementally over time. This unique approach is discussed further in other relevant sections of this analysis.

The built form regulations that determine maximum zoning envelopes, and therefore maximum density permissions, have been modeled through a "50% design capacity model" that represents a roughly 50% build-out of the total zoned capacity. This 50% capacity model demonstrates as-of-right permissions for much greater densities (over 400 people and jobs per hectare in each of the Fairway and Sportsworld PMTSAs) than the required PMTSA density minimums. This is also addressed further in other relevant sections of this analysis. 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 all infrastructure projects over the long term.

The PPS, 2024 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 of all types, formats and tenures and a mix of uses within the study area. Planning for additional development and redevelopment within Block Line, Fairway and Sportsworld PMTSAs supports its long-term economic prosperity and will foster a sense of place.

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, will 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, 2024 policies by enhancing strategically chosen street segments 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 PPS, 2024 also promotes the conservation of significant cultural heritage resources. The proposed amendments ensure that redevelopment of lands containing cultural heritage resources could 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.

Based on the foregoing, the proposed amendments are consistent with the PPS, 2024.

Region of Waterloo Official Plan

The Regional Official Plan (ROP) establishes high-level direction for growth and change across the Region. On November 28, 2022, the Ontario government passed the *More Homes Built Faster Act, 2022* (Bill 23), a bill that significantly amends and creates new legislation affecting planning and land development across the Province. Amendments include removing planning responsibilities from certain upper-tier municipalities including the Region of Waterloo. Effective January 1, 2025, the Region of Waterloo became an upper-tier municipality without planning responsibilities and the ROP was deemed to be part of Kitchener's Official Plan.

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 1, Guiding Principles —15-minute neighbourhoods

ROPA 6 introduces the concept of 15-minute neighbourhoods into the Regional Official Plan. The vision in the ROP 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. It also balances jobs and housing at a neighbourhood scale. 15-minute neighbourhoods support climate objectives by reducing energy consumption our community needs for transportation.

Chapter 2 – How and Where we Grow

Chapter 2 of the ROP 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 as adopted through ROPA 6. These forecasts have since been adjusted by the Region following the Province’s approval of ROPA 6.

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 most 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”, along a “Regional Intensification Corridor”.

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 ten Major Transit Station Areas 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.”

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.”

Further it states that the noise criteria established in the ROP “will be used in determining appropriate noise mitigation measures for proposed developments. 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 2.1.5.3 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 2.1.5.4 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

5.A 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.

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 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. 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.

The proposed amendments include minimum density requirements where appropriate within the zoning framework to achieve a minimum of 160 residents and jobs per hectare within each of the three PMTSAs included as part of the Growing Together East 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.

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.

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; however, Regional employment areas are located across the rail corridor in the Block Line and Fairway PMTSAs.

The proposed amendments align with policies:

- 2.H.1.4, by creating broad permissions for major offices and institutional development within the Growing Together East PMTSAs.

- 2.H.1.5, by directing retail, commercial and community uses to locations along Priority Streets and within proximity to the ION LRT.
- 2.H.1.6, by not implementing a minimum rate regulation for vehicular parking, and by implementing a maximum rate for vehicular parking as well as a minimum rate for bicycle parking.
- 2.H.1.10, by directing sensitive land uses, major retail uses and major office uses to lands within the PMTSA boundaries, and by ensuring their compatibility with nearby employment uses through a noise holding provision and;
- 2.H.1.16, by ensuring compact built form through the implementation of parking maximums, density minimums, zoning permissions and built-form regulations that permit high-density mixed-use buildings as-of-right

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 on impacted properties, 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 to complete Noise Feasibility Studies and Noise Impact Studies to address land use compatibility; 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 employment areas, active railways, and the Region of Waterloo International Airport.

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.

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 East 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 will come into effect within these PMTSAs in January 2026.

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 Official Plan 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.

On March 18th 2024, Kitchener City Council approved Official Plan Amendment 49 (OPA 49) – Growing Together (PMTSA Lands), which is now in effect. OPA 49 brought Kitchener’s 10 Protected Major Transit Station Areas into the 2014 Official Plan through Map 2 – Urban Structure. It also established the Strategic Growth Area land uses and policies.

Proposed Amendments

The purpose of the proposed Official Plan Amendment includes applying the existing Strategic Growth Area land uses to lands within the Block Line, Fairway and Sportsworld PMTSAs, and amending specific policy area mapping and policy text.

Additional policies are proposed through a newly created special policy area applying to the Block Line, Fairway and Sportsworld PMTSAs, as recommended by the Noise Analysis Study, Transportation Analysis Study and Market Analysis Study.

Institutional land use designations are proposed to be retained on publicly funded school properties within the Growing Together study area. Open space land use designations are proposed to be retained and applied on City-owned parks. The Major Infrastructure and Utilities designation is recommended to be applied to a small portion of undevelopable lands used for hydro structures south of Fairway Road, consistent with other similar lands in Kitchener.

Complete Community

A complete community provides a mix of land uses including a full range and mix of housing and other uses 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.

Through the objectives and policies implemented through Official Plan Amendment 49, establishing the Strategic Growth Area land uses, Kitchener will be planned as a

complete community. These objectives are found in section 15.D.2, Strategic Growth Area in the 2014 Official Plan. Policy 15.D.2.3 ensures that Kitchener's PMTSAs are to be planned;

- a) *As a focal area for public gatherings, institutions and services, as well as commercial recreational, cultural and entertainment uses;*
- b) *To accommodate and support major transit infrastructure;*
- c) *To serve as a high density major employment location that will attract provincially, nationally and internationally significant employment uses;*
- d) *To accommodate a significant share of the city's population and employment growth; and,*
- e) *To provide services and amenities to attract population growth.*

New policies are recommended through a new Specific Policy Area 15.D.12.81 applied to the Block Line, Fairway and Sportsworld PMTSAs to further establish a complete community standard in these less-developed PMTSAs, including;

- 15.D.12.81 e) *Development within the Fairway and Sportsworld PMTSAs will be designed to facilitate pedestrian and cyclist access and connectivity to public transit and the active transportation network through publicly accessible streets and mid-block connections, typically every 150 metres or less.*
- h) *Where development within the Block Line, Fairway, and Sportsworld PMTSAs is proposed to proceed in phases or is required to address coordination between landowners, a phasing plan will be required as part of a complete application which demonstrates how the development will prioritize:*
 - i) *The provision of non-residential uses in the first phase of development or retention of existing commercial uses on the site until such time as new non-residential uses are built.*
 - ii) *Development on surface parking lots and portions of the lot abutting priority streets as part of the first phase of development.*
 - iii) *Connections to the active transportation and transit networks throughout all phases of development.*

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".

Kitchener's Urban Structure for all 10 Protected Major Transit Station Areas was updated through OPA 49. No further changes to the urban structure are necessary to implement the Block Line, Fairway and Sportsworld PMTSAs.

Land Use

Planning staff are recommending that lands identified as "Lands subject to this amendment" on **Schedule A of Attachment 'A'** be amended to apply new Strategic Growth Area land use designations to lands located within PMTSAs

Planning staff are further recommending the application of the Open Space designation on existing City-owned parkland and on lands currently used as a hydro corridor, consistent with other hydro corridor lands in the Study Area. The Major Infrastructure and Utilities designation is recommended to be applied to a small portion of undevelopable lands used for hydro structures south of Fairway Road, consistent with other similar lands in Kitchener. Institutional land use designations are proposed to be retained on publicly funded school properties within the study area.

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.

New Strategic Growth Area land uses were developed to apply within PMTSAs to provide 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 is:

- **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 up to 28 storeys 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 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 Missing Middle and Affordable Housing Study, Places and Spaces: An Open Space Strategy for Kitchener, the Cycling and Trails Master Plan, and cultural and natural heritage policies;
- Experience gained from the successful application of Strategic Growth Area land uses to the "Growing Together West" phase of the project.
- Site specific/area specific opportunities and constraints such as lot size, area and width; proximity to ION stops 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 designations on lands identified in **Schedule A** in **Attachment 'A'** 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, 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 PPS 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 where appropriate to achieve the minimum 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.

Cultural Heritage Resources

Two properties within Growing Together East are listed as non-designated properties of cultural heritage interest or value on the City's Municipal Heritage Register (MHR), being 4336 King Street East (currently the Borealis Grille & Bar restaurant) and a portion of 200 Fairway Road South (remaining original walls of the former Sears building). Both properties have been recently partially redeveloped. Listed properties are properties that have not been designated, but that municipal Council believes to be of cultural heritage value or interest.

4336 King Street East is a one storey late-19th century former school house built in the Georgian architectural style. The building is situated on a 1.4 acre parcel of land located on the corner of King Street East and Heldmann Road in the Sportsworld PMTSA. 200 Fairway Road South is a mid-21st century department store built in the Kennedy Era International Modern architectural style. The building is situated on a 12.59 acre parcel of land located on the west side of Fairway Road South between Highway 8 and Wabanaki Drive in the Fairway PMTSA.

On January 1st, 2023, amendments to the Ontario Heritage Act (OHA) came into effect through Bill 23 the *More Homes Built Faster Act*. One of the primary changes to the OHA introduced was a new timeline which required "listed" properties on the Municipal Heritage Register to be evaluated to determine if they meet the criteria for heritage designation before January 1, 2025. Bill 200, the *Homeowners Protection Act, 2024*, extended the time municipalities must designate properties listed on their municipal heritage registers until January 1, 2027. Heritage planning staff have developed a work plan to address these legislative changes and will be pursuing designation of the cultural attributes of 4336 King Street East and a portion of 200 Fairway Road South through a separate work program.

The Canadian National Railway Line Cultural Heritage Landscape (CHL) is also partially located within Growing Together East. Map 9 – Cultural Heritage Resources of the Official Plan is being updated through this amendment to implement the portion of the CHL located within the Growing Together East PMTSAs. The portion of the Canadian National Railway Line CHL within the Growing Together West PMTSAs was implemented through an update to Map 9 as part of that previous process, Official Plan Amendment 49.

Growing Together East is consistent with the amendment previously approved through Official Plan Amendment 49, and 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.

The proposed amendment includes modifications to three city-wide cultural heritage policies to provide greater clarity on the timing of and requirements for cultural heritage impact assessments and related heritage studies and future development of city-initiated cultural heritage conservation guidelines.

Urban Design

Growing Together East is consistent with the amendment previously approved through Official Plan Amendment 49, which included 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. No further changes or additions to the City's urban design policies are recommended in this Official Plan amendment.

Airport

Through the Region of Waterloo's approval of OPA 49 in June 2024, a modification was made by the Region to Official Plan policy 6.C.3.17, requiring that:

- "f) For those lands designated SGA C and zoned SGA 4 a maximum height regulation will be included in the zoning by-law to ensure that no building or structure (including any cranes, antennas, or any on-roof attachments) exceeds the maximum heights as set out in the 2024 IDS Aeronautical Assessment for Kitchener MTSAs dated June 2024.*
- g) For those lands designated SGA C and zoned SGA 4 a zoning by-law amendment application to increase the maximum height may be considered where there will be no negative impact on the Region of Waterloo International Airport and aviation or public safety as demonstrated either through an aeronautical assessment prepared by a qualified consultant or a Land Use Assessment from NAV Canada, to the satisfaction of the Region of Waterloo."*

This policy is implemented in the zoning by-law through the use of a holding provision requiring an aeronautical assessment to the satisfaction of NAV Canada, in consultation with the Region. The hold implements maximum heights as provided by the Region of Waterloo through their draft Airport Zoning Regulation, updated on March 19th, 2025. This is the most recent and accurate information available, and maximum heights are to be determined through this draft AZR in the interim (until the completion of the AZR), rather than the IDS study, (as directed by Official Plan policy 6.C.3.17.) because this approach better accounts for the current and future AZR process and therefore better

meets the intent of that policy in the present and moving forward. This approach is discussed in detail in the Zoning By-law section of this planning analysis.

Specific Policy Areas

New Specific Policy Area 81

A new Specific Policy Area 81 is established through this Official Plan Amendment for the Block Line, Fairway and Sportsworld PMTSAs. The primary purpose of the specific policy area is to implement the recommendations of the Growing Together East Market Analysis Study, Transportation Analysis Study and Noise Analysis Study, as these recommendations are specific to the Growing Together East PMTSAs and do not apply to other PMTSAs in the City of Kitchener.

Further, and in response to feedback received from landowners through consultation, there is an opportunity to apply area-specific land use policies. Specifically, as Fairway and Sportsworld are not expected to re-develop fully over the short-term, there is an opportunity to support interim land uses such as accessory automotive uses (e.g., service stations, gas bars, and repair facilities) and drive-throughs.

Existing Specific Policy Areas

Existing site-specific Policy 15.D.12.6 pertaining to 4169, 4189, and 4195 King Street East is recommended to be repealed as the restriction on vehicular access to and from Grand Hill Drive is no longer required. Repealing this site-specific policy will allow for greater flexibility should the site be re-developed in the future.

Existing site-specific Policy 15.D.12.19 is recommended to be repealed as the recommended Official Plan Amendment will make the Specific Policy Area that applies to these lands redundant. The Specific Policy Area applying to certain properties on the north side of Fallowfield Drive restricts building heights to 12 storeys.

Existing site-specific Policy 15.D.12.38 pertaining to Block Line Road and Courtland Avenue East is recommended to be retained and amended to remove clause a) which is made redundant by the application of new Strategic Growth Area land uses and elimination of ability to securing community benefits through the former Section 37 bonusing framework under the *Planning Act*. Additional housekeeping amendments are proposed to reflect updated defined terms and changes to planning authority.

Existing site-specific Policy 15.D.12.57 is recommended to be repealed as the recommended Official Plan Amendment will make the Specific Policy Area that applies to these lands redundant. The Specific Policy Area applying to 4220 King Street East and 25 Sportsworld Crossing Road establishes a maximum floor space ratio of 5.2.

Existing site-specific Policy 15.D.12.59 pertaining to 4396 King Street East and 25 Sportsworld Drive is recommended to be retained and amended to change the land use reference from Mixed Use to Strategic Growth Area C to align with the recommended land use change for these lands.

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'.

City of Kitchener Zoning By-law 2019-051

The purpose of the proposed zoning by-law amendment, Attachment 'B', is to bring properties within PMTSAs in the study area into Zoning By-law 2019-051 from Zoning By-law 85-1 and apply Strategic Growth Area zones. The purpose of the proposed zoning by-law amendment, Attachment 'C', is to bring a small number of properties adjacent to PMTSAs into Zoning By-law 2019-052 from Zoning By-law 85-1. The existing zoning in the study area includes a broad range of zones dating back to the mid 1990s and some parcels which were already brought into Zoning By-law 2019-051 through other processes.

Proposed SGA Zones

The 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 is:

- 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 of 0.6 applies to non-residential buildings and buildings with 11 or more residential units on 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 28 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. Parcels in the Fairway and Sportsworld PMTSAs over over 2 hectares in lot area are exempted from this minimum value so that they may develop incrementally over time.

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 Kitchener's PMTSAs, 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 and lot area minimums to support desired building typologies, setbacks, façade openings, street line ground floor building height, and regulations such as height, floor plate area, building length, and physical separation which also determine a site's maximum density.

Through Growing Together, staff are proposing that FSR maximums are not applied to any of the SGA zones. The SGA zones also do not limit development on the basis of number of units, bedrooms, or other similar methods. Minimum FSRs are applied where appropriate. There is no minimum required vehicle parking rate in any SGA zone. There is a maximum parking rate applied through section 5 of the zoning by-law. A mix and range of uses are legal within all SGA zones.

Proposed Other Zones

- The proposed amendments recommend zoning St. Mary's High School (the only publicly funded school property within the Study Area) **INS-2: Major Institutional** to maintain the institutional function of the lands.
- The proposed amendments recommend zoning all publicly owned (existing) parkland **OSR-1: Recreation**.
- The proposed amendments recommend zoning existing hydro corridors **OSR-2: Open Space/Greenways** to reflect their role in the connected open space system.
- The proposed amendments recommend zoning the existing hydro structures and facilities on the south side of Fairway Road as **MIU-1: Major Infrastructure and Utilities**, consistent with other similar facilities elsewhere in Kitchener.
- The proposed amendments recommend applying the **NHC-1: Natural Heritage Conservation** zone within the Block Line PMTSA to reflect delineation of existing Official Plan land use designations and features.
- The proposed amendments recommend applying the **EU-1: Existing Use Floodplain** zone to recognize existing uses within a floodway or floodplain, consistent with the policies of the Official Plan.

The application of the proposed other zones outlined above is consistent with the approach used to apply the same zones city-wide.

Proposed Non-PMTSA Lands Zoning

For lands outside of the delineated PMTSAs, an equivalent zone category in Zoning By-law 2019-051 is proposed to be applied to 5 properties. The proposed application of zone categories in Zoning By-law 2019-051 is administrative and maintains existing use permissions and regulations. These properties were not brought into Zoning By-law 2019-051 at the time of its initial implementation pending delineation of PMTSAs, which left them as “remnant” properties. None of the non-PMTSA lands subject to this amendment are subject to site-specific zoning regulations.

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.

Priority Streets within the Block Line, Fairway and Sportsworld PMTSAs have been identified through:

- Conversations held throughout the public engagement process;
- Proximity to ION station stops, active transportation connections, and overall transportation network considerations;
- Appropriateness and viability of commercial and community uses and activities, including a vibrant public realm;
- Existing and potential future quality of the streetscape design within the public right of way and the surrounding urban environment. This includes evaluation of a road segment’s ongoing and future vehicular usage, including proximity and access to expressways and highways and;
- Frontage of lands with limited development potential, natural heritage features, or other constraints that would impact the viability of Priority Streets policies and regulations.

Holding Provisions and Site-Specific Provisions

The proposed amendments carry forward several existing holding provisions and site-specific provisions currently in effect. New holding provisions and site-specific provisions have been applied to address the technical studies, agency comments, potential contamination, sanitary servicing, and existing development permissions. All recommended holding and site-specific provisions are included in Attachment 'B'.

Inclusionary Zoning

The proposed amendments include a housekeeping update to Section 4.3 – Affordable Housing as it relates to in-effect inclusionary zoning regulations. The proposed housekeeping amendment clarifies that inclusionary zoning regulations apply to all PMTSAs as shown on Appendix 'F' of Zoning By-law 2019-051.

Proposed Zoning By-law Amendment Conclusions

Planning staff are of the opinion that the proposed Zoning By-law Amendment to bring properties within the Growing Together Study Area into new Strategic Growth Area zones and into Zoning By-law 2019-051 from Zoning By-law 85-1 represents good planning. It will allow for the implementation of Provincial and Regional direction on PMTSAs and permit a broad range and mix of uses at densities that significantly exceed the required minimums.

The proposed Zoning By-law Amendments align 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 'B' and Attachment 'C'.

Technical Considerations

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

Municipal Sanitary Capacity

Municipal Sanitary Capacity is being analyzed as part of the City's Integrated Sanitary Master Plan project, in coordination with broader, city-wide growth and intensification scenario modelling being completed through Kitchener 2051, Kitchener's new Official Plan. This work also includes updated assumptions for the Growing Together West PMTSAs, to comprehensively bring all of Kitchener's projected future growth into the same Sanitary Master Plan.

Planning Staff have provided modelling representing growth to 2051 for all 10 of Kitchener's PMTSAs as inputs into the Integrated Sanitary Master Plan. This PMTSA growth, along with growth scenarios for the rest of the City, are being comprehensively modeled to identify areas of concern with respect to sanitary capacity. This modeling will inform the long-term maintenance and upgrade plans for municipal sanitary capacity city-wide, including within the Growing Together East PMTSAs.

As an outcome of this modeling, and as development and intensification occurs, additional holding provisions or other planning outcomes may be required to ensure the ongoing availability of sanitary capacity.

Additionally, a large portion of lands within the Sportsworld PMTSA are subject to a 2012 cross-border sanitary servicing agreement with the City of Cambridge, who takes sanitary flows from these lands. The proposed amendments include the introduction of a Holding (H) provision in these locations to require acceptance of sanitary flows, to the satisfaction of both the City of Cambridge and City of Kitchener.

Noise

The City of Kitchener retained LEA Consulting to undertake a "Noise Analysis Study". The purpose of this Study is to review existing conditions and model the future noise emissions in 2041, with the intent to assess the compatibility of the proposed Strategic Growth Area land uses from a noise perspective between the Strategic Growth Area land uses and nearby lands. Recommendations from the Study have informed policy and zoning updates as part of Growing Together East and will help inform future development applications within the Study Area as it relates to noise mitigation.

The first phase of the Study culminated in a "Background and Methodology Memo" which:

- Details the Study Area;
- Outlines all existing and future (2041) sound sources, including roads, freight rail lines, ION LRT, Stage 2 LRT, stationary noise sources from the surrounding industry/commercial uses, and rail yards;
- Documents the rationale for the selection of the noise-sensitive receivers and the locations/results of the noise monitoring work conducted by LEA Consulting; and
- Established the applicable sound level limits and noise modelling methodologies to be used in the Study.

A total of twelve (12) noise-sensitive receivers for Block Line, thirteen (13) noise sensitive receivers for Fairway, and ten (10) noise-sensitive receivers for Sportsworld were selected to represent noise-sensitive uses within the proposed Strategic Growth Areas A, B and C land uses in the Study Area.

Building on the “Background and Methodology Memo”, LEA Consulting undertook the noise analysis which culminated in the final Study Report.

As inputs to the transportation noise modelling, the following factors were considered:

- Road network inputs (existing and future traffic data);
- Future road network geometry (i.e., new proposed roads within the Study Area);
- ION LRT operations (e.g., train noise and speed); and
- Freight train inputs.

As inputs to the stationary noise modelling, the following factors were considered:

- Heating, ventilation, and air conditioning (HVAC) units;
- Truck/machinery activity noise; and
- Rail yards.

Sound levels for each noise-sensitive receiver within the PMTSAs were modelled, including a combination of stationary and transportation noise sources. This integrated assessment captures the overall existing acoustic environment, offering a clear picture of current noise exposure levels.

Future sound pressure levels in 2041 for each noise-sensitive receiver were then generated. The result for the future horizon incorporates anticipated changes within the PMTSAs over time, such as new development, traffic pattern shifts, new roadways, and extension of ION LRT. Together, these factors contribute to a “modified acoustic environment” which reflects the planned future changes in the Study Area.

The land use compatibility assessment was carried out to model against daytime limits from the NPC-300 Guidelines for each of transportation and stationary noise sources. Within the Block Line and Fairway PMTSAs, there are limited transportation noise exceedances, only occurring in locations close to Highway 8 and between Courtland Ave. and the rail yard. Within the Fairway PMTSA, stationary noise exceedances of the Class 1 limit (50 dBA) are expected along the southern limit of the PMTSA due to nearby

employment lands directly to the south. Within the Sportsworld PMTSA, transportation noise exceedances are expected in locations adjacent to the highway and on/off-ramps. There are no exceedances due to stationary noise within the Sportsworld PMTSA.

D-6 Guidelines Assessment

For the Sportsworld PMTSA, the employment lands to the north of Highway 8 are considered Class III, which requires a 300m separation distance to sensitive uses. These employment lands are located at least 400m from any future sensitive uses introduced within the PMTSA and therefore the D-6 compatibility guidelines are met. The Study further notes that given that Highway 8 is 'intervening' between the employment lands and Sportsworld PMTSA, its ambient sound levels are effectively cancelled out by the higher sound levels from the highway.

For the Block Line and Fairway PMTSA, the nearby employment lands are considered Class I and II industrial facilities, which requires a 20 and 70m separation distance to sensitive uses, respectively. This would apply along the south limit of the Fairway PMTSA and the southeast limit of the Block Line PMTSA.

In cases where it is not possible to achieve the 20 and 70m separation distances from Class I and II facilities, the Guidelines set out requirements which must be met to consider urban redevelopment within these distances, as follows:

Requirement	How is this being achieved?
Proposals must be in accordance with official plan policy or a formal planning approval process. The boundaries of the redevelopment, infilling or mixed-use area must be clearly defined by the planning authority.	Growing Together East is applying Strategic Growth Area land use designations through the proposed Official Plan Amendment within defined PMTSA boundaries.
The zoning use must be specific, or planning considerations must be based on the "worst case scenario" based on permitted uses in the industrial zoning by-law.	Growing Together East comprehensively zones for a mix of sensitive uses (e.g., residential) and non-sensitive uses (e.g., retail). By allowing for residential and other sensitive uses on all sites, the Noise Analysis Study has modelled the "worst case scenario".
A feasibility analysis must be undertaken. For noise, the feasibility analysis shall be based on the Ministry Publication NPC-300. Please note that the D-6 Guidelines	The proposed Zoning By-law Amendment includes the introduction of a Holding provision (107H), as described below, which requires the completion of feasibility analysis.

Requirement	How is this being achieved?
reference Publication LU-131, which has been superseded by NPC-300.	
Public consultation is encouraged with all landowners within the influence area or potential influence area of the industrial facility/facilities.	Growing Together East has engaged all property owners within the Study Area and all railway operators.

Noise Analysis Study Recommendations

Based on the noise modelling assessment undertaken by LEA Consulting, the following recommendations have been implemented through the proposed Official Plan and Zoning By-law Amendments:

- A new Holding provision (106H) is being introduced for Block Line and Fairway PMTSAs within Zoning By-law 2019-051 to ensure acoustic feasibility and ensure Provincial guidelines are met within newly introduced noise-sensitive uses.
 - This Holding provision is recommended because based on 2041 stationary noise modelling, Provincial stationary noise limits will be exceeded at some locations adjacent to the employment lands to the south of the railway and adjacent to rail facilities. In accordance with Provincial guidelines, the mitigation of stationary noise exceedances can only be achieved using noise barriers, increased separation between noise sources and sensitive uses, or through the design of the building itself (e.g., avoiding sensitive uses facing stationary noise, designing the building such that it shields its sensitive uses from noise).
 - In these cases, Provincial guidelines do not allow for the use of upgraded building components such as upgraded windows, exterior walls, or doors to mitigate stationary sound levels.
 - Development within the minimum separation distances prescribed by the NPC-300 Guidelines is permitted provided that a Noise Feasibility Assessment is undertaken.
 - **In summary, this proposed Holding provision places the onus on developers to undertake noise feasibility assessments as early as possible in the development process to ensure that site design and building orientation support noise mitigation objectives, before proceeding further with detailed design considerations.**
- It is recommended that the properties subject to Holding provision (106H) be classified as “Class 4” areas.
 - In accordance with Provincial standards, in situations where new sensitive uses are introduced new lawfully operating stationary noise sources (as is

the case in Block Line and Fairway), noise sensitive uses can be classified as “Class 4”.

- The advantage of a Class 4 classification is a 10 dB increase in stationary sound-level limits compared to the Class 1 classification, making it more feasible for sensitive uses to be introduced.
- The disadvantage of the Class 4 classification is that it may expose future residents to increased sound level limits when compared to Class 1. For reference, previous development applications at the intersection of Block Line Rd. and Courtland Ave. are already classified as Class 4 due to its proximity to the rail yard (a stationary noise source) and the introduction of new noise-sensitive uses.
- For lands subject to Holding provision (106H) it is recommended that non-sensitive uses, such as non-residential buildings or parking garages being built closest to the noise source, to provide noise shielding mitigation.
- A second Holding provision (107H) is recommended to be applied to other lands within all three PMTSAs to require the completion of a Noise Impact Study to design appropriate mitigation measures to address noise exceedances.

In addition to the recommendations of the Noise Analysis Study, all noise and land use compatibility-related zoning regulations and policies approved by the Ontario Land Tribunal as part of the 2017 development application at Block Line and Courtland have been carried forward through the proposed amendments.

The recommendations of the Noise Analysis Study are consistent with the Provincial Planning Statement, 2024, which states that planning authorities must protect the viability of major facilities by ensuring that adjacent sensitive uses are only allowed adverse effects are minimized and mitigated, in accordance with Provincial guidelines.

Noise Analysis Study Reports can be found in **Attachment 'G'**.

Transportation

The City of Kitchener retained LEA Consulting to prepare a Transportation Analysis Study. The purpose of this Study is to review existing transportation conditions from a multi-modal perspective and assess the compatibility of the proposed Strategic Growth Area land uses within future transportation conditions.

The Transportation Analysis Study included:

- A background policy review
- Analysis of existing transportation and land use context
- Historical collision analysis using data from 2015 to 2022
- Analysis of the preferred Growing Together East land use concept and;
- Population projection assumptions including existing and future population and job density.

The Study developed alternative solutions including:

- A 'do nothing' approach
- A 'planned improvements' approach and;
- An 'optimized network' approach

These solutions were evaluated using criteria that included:

- Connectivity
- Accessibility and integration with other modes
- Experience and safety
- Healthy community
- Technological innovation and;
- Resilience and sustainability

This evaluation led to several policy recommendations which staff are implementing through the proposed Official Plan Amendment:

- Providing direction to support and improve pedestrian and cyclist safety, consolidate the number of existing driveways, and aligning opposing driveways;
- Protecting for future transit system infrastructure within the Fairway and Sportsworld PMTSAs in consultation with the Region of Waterloo;
- Requiring completion of detailed Transportation Demand Management Strategies as part of development applications to support non-auto modes, manage parking, and adequately phase development;
- Support the creation of a highly permeable street network and mid-block connections through the introduction of new public and private streets and connections; and
- Supporting land use compatibility adjacent to rail corridors.

Additionally, the Transportation Analysis Study will also serve as an input to the City's forthcoming Transportation & Mobility Master Plan project and ongoing new Official Plan, Kitchener 2051.

The Transportation Analysis Study Report can be found in **Attachment 'F'**.

The City received comments from the Region of Waterloo on transportation and transit related matters on March 20th, 2025. These comments and recommendations are included in this report as part of **Attachment J** and will be forwarded for further consideration, alongside the findings of the Transportation Analysis Study Report, to the currently in-progress Transportation Master Plan update project. Further, The Region of Waterloo has requested consideration of the use of a holding provision for all lands within 40 meters along the Stage 1 and Stage 2 ION alignments to require a transit assessment to ensure no negative impact to existing transit operations and future planned expansions to Rapid Transit services and infrastructure. Staff note that a policy is recommended to be included in the Growing Together East Official Plan amendment that states that

development within these PMTSAs will protect for transit infrastructure. Further, staff is of the opinion that the most appropriate implementation of this policy is through the development approvals process and can occur through detailed design at the site plan control stage. As such, a holding provision is not recommended.

The City received comments from the Ministry of Transportation on the transportation analysis study on April 1st, 2025, and are included in this report as part of **Attachment J**. These comments will also be further considered through Kitchener's Transportation Master Plan update project. The comments received do not impact the recommendations of the Growing Together East Official Plan and Zoning Bylaw Amendments.

Market Analysis Study

The City retained Tate Research, Sajecki Planning Inc, metroeconomics and Divercities Advisory to prepare a market analysis study. The purpose of the study was to evaluate commercial and employment conditions and recommend policy directions for the Block Line, Fairway and Sportsworld PMTSAs.

These PMTSAs, particularly Fairway and Sportsworld, serve as regionally significant commercial centres which include major retail attractors such as Fairview Park Mall and Costco. It was therefore important that the major commercial function of these PMTSAs be evaluated and understood, and that the commercial function of these areas can be maintained as residential and mixed-use growth occurs.

The objective of the market study was to:

- Provide policy recommendations to ensure the current commercial function is maintained at an appropriate level and;
- Provide specific policy recommendations addressing the challenges of maintaining commercial space and employment in a high-density mixed-use development environment.

The study includes;

- Review and mapping of existing and planned market conditions
- Peer review of population related jobs
- Policy and legislation review
- Strength Weakness Opportunities and Threats (SWOT) Analysis
- Options to address SWOT Analysis
- Directions and Recommendations

The study utilizes primary and secondary data sources as well as information provided by the City of Kitchener.

The study observed through its peer review that the City's employment assumptions are below the numbers needed to keep pace with population growth. The City's employment assumptions are based on modeling residential growth consistent with a midpoint

between Kitchener's housing pledge target to 2031 and growth projections to a population of 450,000 by 2051, modeling a 2040 expected build-out. This modeling uses common building typologies at a scale and with a mix of uses common in Kitchener's current development market. These typologies generally have a small amount of commercial mixed use on the ground floor, though the modeling also assumes a quantity of major office and institutional employment. However, these typical development forms result in lower job growth than the Market Analysis Study recommends, demonstrating the need for additional jobs-related policies to guide development within these PMTSAs in the future.

The study also indicates that from a market perspective, desired job growth will be challenging to achieve in the Block Line and Sportsworld PMTSAs. There is risk that there may be an overall reduction in total employment in all three PMTSAs through intensification and redevelopment scenarios focused heavily on residential growth.

The study therefore recommends policies to ensure that new retail is encouraged, and that the loss of existing retail is minimized.

As recommended by the Market Analysis Study, City staff are proposing policies in Specific Policy Area 81 to:

- Encourage non-residential uses within the upper stories of a freestanding commercial or mixed-use building;
- Require a phasing plan for development to support the retention of existing commercial uses, foster development on existing surface parking lots, and support connections to the transit and active transportation networks throughout all phases;
- Support the completion of a Community Improvement Plan for the Growing Together East Study Area to further support the retention and creation of local businesses, foster job growth, and reflect the important role of these areas to surrounding neighbourhoods; and
- Outline requirements for the completion of Retail Impact Studies as part of development applications to protect existing food stores and maintain the important non-residential function of the area.

These policies will help protect for the ongoing and long-term commercial function of the Block Line, Fairway and Sportsworld PMTSAs while having minimal impact on the viability of residential and mixed-use development within the study area.

Phase 1 and 2 reports from the Market Analysis Study are found in **Attachment 'H'**.

Floodway

The Growing Together East PMTSAs include lands within the floodplains of Schneider and Montgomery Creeks. These floodplain areas are also identified in the Official Plan as Ecological Restoration Areas, an overlay in both the Official Plan and Zoning By-law,

where an Environmental Impact Study (EIS) is required to support any development, re-development or site alteration on these, or adjacent, lands.

Environmental Planning staff have worked with GIS staff to ensure that the natural heritage features are accurately delineated within the Growing Together East PMTSAs and have appropriate land use designations and zoning regulations in place, in compliance with the Official Plan and consistent with how these zones and regulations are applied across the city.

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, 5 properties are recommended to have a holding provision requiring a Record of Site Condition through the proposed Zoning By-law Amendment.

Aeronautical Assessment

Through conversations with Region of Waterloo staff, and NAV CANADA staff, it is understood 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 (AZR) for the Waterloo Region International Airport.

Until such time as that process is complete and new AZR maximum heights come into effect, staff recommend that a holding provision be used to ensure that, in the interim, maximum permitted heights continue to be compatible with current and future airport operations. This holding provision will be applied to properties in the Growing Together East PMTSAs on all SGA-4 zoned properties—the only zone without a height limit in zoning—requiring an aeronautical assessment to determine maximum heights. 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, and it is consistent with Official Plan policy 6.C.3.17, using the most current and accurate information available at the time of this report.

As part of the Region of Waterloo approval of OPA 49 in June 2024, a modification was made by the Region to Official Plan policy 6.C.3.17, requiring that:

- “f) *For those lands designated SGA C and zoned SGA 4 a maximum height regulation will be included in the zoning by-law to ensure that no building or structure (including any cranes, antennas, or any on-roof attachments) exceeds*

the maximum heights as set out in the 2024 IDS Aeronautical Assessment for Kitchener MTSAs dated June 2024.

- g) For those lands designated SGA C and zoned SGA 4 a zoning by-law amendment application to increase the maximum height may be considered where there will be no negative impact on the Region of Waterloo International Airport and aviation or public safety as demonstrated either through an aeronautical assessment prepared by a qualified consultant or a Land Use Assessment from NAV Canada, to the satisfaction of the Region of Waterloo.”*

The June 2024 IDS report was provided at this time. This report outlines recommended height maximums for 8 of Kitchener’s 10 PMTSAs (excluding Fairway and Sportsworld), measured in elevation above sea level, and including temporary structures such as construction cranes.

These recommended height maximums (bolded and blue, far right column) are listed in this table from the June 2024 IDS report:

Area	PMTSA	RNP RWY 08	LPV RWY 08	LNAV/VNA V RWY08	LNAV RWAY08	Departure* RWY 26
No 1	Grand River Hospital	N/A	1,800	1,800	1,800	1,751
No 2	Central	N/A	1,800	1,800	1,800	1,683
No 3	Kitchener City Hall	N/A	N/A	1,800	1,800	1,638
No 4	Frederick	N/A	N/A	1,800	1,800	1,606
No 5	Victoria Park	N/A	1,800	1,800	1,800	1,666
No 6	Queen	N/A	1,800	1,800	1,800	1,637
No 7	Kitchener Market	N/A	1,800	1,800	1,800	1,577
No 8	Borden	1,794	1,800	1,739	1,800	1,534
No 9	Mill	1,800	1,800	1,800	1,800	1,600
No 10	Block Line	1,800	1,691	1,742	1,800	1,538

In October 2024, an updated IDS report was provided. This report adjusts the recommended height maximums and includes new recommended height maximums for the Fairway and Sportsworld PMTSAs, which were not included in the June 2024 IDS report referenced in Official Plan policy 6.C.3.17.

These recommended height maximums (bolded and blue, far right column) are listed in this table from the October 2024 IDS report:

Area	PMTSA	RNP RWY 08	LPV RWY 08	LNAV/VNA V RWY08	LNAV RWAY08	Departure* RWY 26
No 1	Grand River Hospital	N/A	1,773	1,800	1,800	1,751
No 2	Central	N/A	1,773	1,800	1,800	1,683
No 3	Kitchener City Hall	N/A	N/A	1,800	1,800	1,638

Area	PMTSA	RNP RWY 08	LPV RWY 08	LNAV/VNA V RWY08	LNAV RWAY08	Departure* RWY 26
No 4	Frederick	N/A	N/A	1,800	1,800	1,606
No 5	Victoria Park	N/A	1,773	1,800	1,800	1,666
No 6	Queen	N/A	1,773	1,800	1,800	1,637
No 7	Kitchener Market	N/A	1,773	1,800	1,800	1,577
No 8	Borden	1,794	1,773	1,739	1,800	1,534
No 9	Mill	1,800	1,773	1,800	1,800	1,600
No 10	Blockline	1,800	1,691	1,742	1,800	1,538
No 11	Fairway	N/A	N/A	1,587	1,350***	1,418
No 12	Sportsworld	N/A	N/A	N/A	N/A	1,526**

Through a subsequent conversation with the Region of Waterloo held on January 30th, 2025, Kitchener Planning Staff understand that the Region intends to evaluate maximum building heights based on a draft AZR that is expected to be published in March 2025. On March 19, 2025 the city received comments from Region of Waterloo Planning staff that provided updated maximum heights based on a draft AZR for the 3 PMTSAs that are within the Growing Together East study area. The maximum heights are:

- Block Line – 120m
- Fairway – 92.4m
- Sportsworld – 110m

The numbers in this draft AZR will be implemented consistent with the approach in Growing Together West, through a holding provision, on an interim basis to determine maximum heights until such time as the Region's AZR work is complete and a new Airport Zoning Regulation is formally in place.

Kitchener Planning Staff continue to recommend that where further study is required to determine maximum heights, the appropriate planning tool is the application of a holding provision requiring an aeronautical assessment on all properties designated SGA-C and zoned SGA-4 as directed by Official Plan policy 6.C.3.17.

This will allow maximum heights to be determined through a study that is able to determine the height of temporary structures as they relate to overall building height in a way that cannot be captured with building height maximums regulated in the zoning bylaw.

Further, the holding provision will be lifted in the future on lands when the final AZR is approved and implemented. At that time, a height maximum in the City's zoning bylaw becomes redundant, as the AZR will supersede the City's zoning and be used to determine maximum heights.

Because the Region's recommended height maximums continue to evolve as they complete their AZR work, and because their methodology of determining maximum height through elevation above sea level and including temporary structures differs from the City's zoning by-law's ability to regulate building height, specifically, via storeys or in metres, Planning Staff have determined that a holding provision approach to maximum height remains the most appropriate and effective tool for achieving the City and Region's shared objectives of addressing the housing crisis while protecting for the current and future operations of Waterloo Region Airport.

The holding provision is recommended to be applied where directed by Official Plan policy 6.C.3.17. This will ensure that the current and future functions of the airport are protected for while also minimizing the need for zoning by-law amendments for development within Kitchener's primary intensification areas.

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 urban 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 and predictable 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 implement maximum 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, without comprehensive built-form regulations in addition, 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 that has been used to determine maximum densities within 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 East, staff are continuing to propose that Floor Space Ratio (FSR) maximums do not apply to any of the SGA zones. Maximum densities are instead determined through built-form zoning regulations. **Specifically, the built-form regulations within Tables 6-3, 6-4 and 6-5 of the Strategic Growth Areas zones determine maximum permitted densities are highlighted in blue within those tables copied below:**

Table 6-3: Multiple Dwellings, Mixed Use Buildings, and Non-Residential Buildings

Regulation	Number of dwelling units			Non-Residential Building
	4 (1)	5-10	11+	
Minimum <i>lot width</i>	12.0m	12.0m	18.0m	15.0m
Minimum <i>lot area</i>	350m ²	450m ²	700m ²	600m ²
Minimum <i>front yard setback</i>	4.5m	4.5m	4.5m	4.5m
<i>Parking spaces on a driveway in the front and/or exterior side yard</i>	(2)	(2)	(2)	n/a
Minimum <i>exterior side yard setback</i>	4.0m	4.0m	4.0m	4.0m
Minimum <i>rear yard setback</i>	7.5m	7.5m	7.5m	7.5m
Minimum <i>interior side yard setback A</i>	1.5m	1.5m	2.5m	2.5m
Minimum <i>interior side yard setback B</i>	2.5m	2.5m	2.5m	2.5m
Minimum <i>floor space ratio</i>	n/a	n/a	0.6	0.6
Maximum <i>building height</i>	11.0m	11.0m	11.0m	11.0m
Maximum <i>building length</i>	20.0m	24.0m	36.0m	36.0m
Minimum <i>street line façade openings</i>	20%	20%	20%	20%
Minimum <i>landscaped area</i>	30%	30%	30%	30%
Minimum <i>rear yard landscaped area</i>	40%	40%	40%	40%

Maximum non-residential <i>gross floor area</i> (3)	100m ²	150m ²	200m ²	200m ²
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Table 6-4: Multiple Dwellings, Mixed Use Buildings, and Non-Residential Buildings

Regulation	SGA-2
For Entire Building	
Minimum <i>lot width</i>	30.0m(1)
Minimum <i>lot area</i>	1,500m ²
Minimum <i>yard setback</i>	3.0m
Minimum <i>floor space ratio</i>	1.0
Maximum <i>building height</i>	8 storeys
Minimum <i>façade openings</i>	10%
Minimum <i>street line façade openings</i>	20%
Minimum <i>landscape area</i>	20%(2)
For Storeys 7 and Above	
Minimum <i>yard setback</i>	6.0m
Maximum <i>building length</i>	60.0m
Maximum <i>floor plate area</i>	2,000m ²
Transition to Low Rise Zones	
Maximum <i>building height</i> within 15m of a <i>lot</i> with an SGA-1 zone or a <i>lot</i> with a <i>low-rise residential zone</i>	20.0m(3)
Minimum <i>yard setback</i> where the <i>lot</i> abuts a <i>lot</i> with an SGA-1 zone or a <i>low-rise residential zone</i>	7.5m
For Lot Lines Abutting a Priority Street Identified on Appendix G	
Refer to Section 6.6 for additional regulations.	
Private Amenity Space Requirements	
Refer to Section 6.7 – Private Amenity Space.	

Table 6-5: Multiple Dwellings, Mixed Use Buildings, and Non-Residential Buildings

Regulation	SGA-3 & SGA-4
For Entire Building	
Minimum <i>lot width</i>	30.0m(1)
Minimum <i>lot area</i>	1,500m ²
Minimum <i>yard setback</i>	3.0m
Minimum <i>building base height</i>	3 storeys
Maximum <i>building base height</i>	6 storeys
Minimum <i>floor space ratio</i>	2.0
Maximum <i>building height</i> in the SGA-3 zone	28 storeys
Minimum <i>street line ground floor building height</i>	4.5m
Minimum <i>façade openings</i>	10%
Minimum <i>street line façade openings</i>	20%
For Storeys 7-12	
Minimum <i>lot width</i>	30.0m
Minimum <i>lot area</i>	1,500m ²
Minimum <i>front and exterior side yard setback</i>	6.0m
Maximum <i>building length</i>	60.0m
Maximum <i>floor plate area</i>	2,000m ²
<i>Physical separation</i>	6.0m
For Storeys 13-18	
Minimum <i>lot width</i>	36.0m
Minimum <i>lot area</i>	1,800m ²
Minimum <i>front and exterior side yard setback</i>	6.0m
Maximum <i>building length</i>	54.0m

Maximum <i>floor plate area</i>	1,200m ²
<i>Physical separation</i>	9.0m
For Storeys 19-36	
Minimum <i>lot width</i>	42.0m
Minimum <i>lot area</i>	2,000m ² ,
Minimum <i>front and exterior side yard setback</i>	6.0m
Maximum <i>building length</i>	48.0m
Maximum <i>floor plate area</i>	1,000m ²
<i>Physical separation</i>	12.0m
For Storeys 37 and Above	
Minimum <i>lot width</i>	48.0m
Minimum <i>lot area</i>	2,400m ²
Minimum <i>front and exterior side yard setback</i>	6.0m
Maximum <i>building length</i>	42.0m
Maximum <i>floor plate area</i>	900m ²
<i>Physical separation</i>	15.0m
Transition to Low Rise Zones	
Maximum <i>building height</i> within 15m of a <i>lot</i> with an SGA-1 <i>zone</i> or a <i>lot</i> with a <i>low-rise residential zone</i>	20.0m(2)
Maximum <i>building height</i> within 30m of a <i>lot</i> with an SGA-1 <i>zone</i> or a <i>lot</i> with a <i>low-rise residential zone</i>	30.0m(2)
Minimum <i>yard setback</i> where the <i>lot</i> abuts a <i>lot</i> with an SGA-1 <i>zone</i> or a <i>low-rise residential zone</i>	7.5m
For Lot Lines Abutting a Priority Street Identified on Appendix G	
Refer to Section 6.6 – Priority Streets .	
Private Amenity Space Requirements	
Refer to Section 6.7 – Private Amenity Space .	

In Growing Together West, staff also recommended FSR minimums to provide an easily measurable base density within each station area that would ensure that development meets the minimum required density targets of 160 people and jobs per hectare (PPJs/Ha) within each Growing Together West PMTSAs.

Staff continue to recommend the same minimum FSR requirements in the Block Line PMTSA, where the density target is set at 80 PPJs/Ha. Despite this lower target, there are fewer developable properties within the Block Line PMTSA (due primarily to the floodplain). It is therefore critical that all development contribute meaningfully toward the minimum density targets, and therefore density minimums will be applied consistently with those applied through Growing Together West.

However, in the Fairway and Sportsworld PMTSAs, minimum FSRs for large, existing low-density commercial sites may have unintended consequences for the near-term and medium-term interim development and redevelopment of these properties. It would create undue additional process for a landowner/business owner looking to expand their existing retail/commercial operations in the interim, for example, to meet the needs of a growing and evolving surrounding community. This additional process would be contrary to the objectives of the Market Analysis Study to preserve, enhance and expand existing commercial functions in the Fairway and Sportsworld PMTSAs.

It would also, in the case of very large sites exceeding 2 hectares, create a situation in which even a new development of considerable density may not allow such a site to meet its FSR density minimum. In one case, as modeled by Planning staff, a large commercial plaza property in the Fairway PMTSA could intensify with an 8-storey major office building and a 30-storey mixed-use residential building, including an above-grade structured parking podium, and achieve only a 1.4 FSR, well short of the 2.0 FSR minimum required in the base zoning. An *additional* 30 storey mixed-use residential building would be required to achieve 2.1 FSR. **Requiring this scale of development to achieve minimum densities would therefore create an unnecessary burden on these very large properties, hindering their redevelopment, and achieving the opposite effect of what the minimum FSR regulation is intended to achieve.**

Staff are therefore recommending that minimum FSR regulations not be applied to properties within the Fairway and Sportsworld PMTSAs exceeding 2 hectares in total lot area. This will reduce barriers and allow the redevelopment of those properties to proceed incrementally over time as market conditions and the needs of residents evolve.

To provide this relief while still maintaining compliance with both the minimum density targets and many other objectives of the PPS, ROP and Kitchener Official Plan, the following considerations are critical:

- The implementation of FSR minimums as recommended in the SGA-1 and SGA-2 zones, as well as the application of FSR minimums on lots under 2 hectares with either an SGA-3 or SGA-4 zone. Doing so creates a backstop minimum density in policy of **186 people and jobs per hectare in the Fairway PMTSA and 145 people and jobs per hectare in the Sportsworld PMTSA**. It is critical to note that these figures assume:
 - That properties with a minimum density in FSR build out only to that minimum density and never exceed it. Existing properties that already exceed their minimum density are revised down to the density minimums;
 - That that minimum FSR is met only through residential intensification of 80m² gross-floor-area per unit and 1.8 residents per unit. That existing jobs on these properties are maintained in place, consistent with the policies and recommendations of the Market Analysis Study;
 - That jobs overall remain consistent with existing (2019, Region of Waterloo) job figures and no jobs are added through redevelopment;
 - That no property over 2 hectares in an SGA-3 or SGA-4 zone develops at all and maintains its existing gross-floor-area only, in perpetuity;
 - That residents of SGA-1 zoned properties remain static; and,
 - In the Sportsworld PMTSA, where there are approved and/or under construction developments, those developments are included at their approved densities, not their minimum required densities.
- Even under these “worst case scenario” circumstances, Fairway exceeds its minimum density target of 160 PPJs/ha. While Sportsworld does not meet its

minimum under these conditions, it is positioned to hit 160 PPJs/ha with only one or two developments of significant beyond the worst-case outcome measured here. Other scenario outcomes, including a 50% designed capacity modeled scenario where both PMTSAs exceed 400 PPJs/ha, are analyzed in the following section of this planning analysis.

- The implementation of parking maximums consistent with the current PMTSA maximums in the zoning by-law. While existing parking rates may be maintained indefinitely by existing uses on sites, it would not be consistent with the objectives of this planning framework to allow for the expansion of parking supply, particularly in the form of surface parking. This would have a negative impact on the Fairway and Sportsworld PMTSA's ability to meet their minimum density targets in a timely fashion, particularly within a zoning framework that does not require minimum densities to be met by its largest sites.
- The implementation of the priority streets framework, urban design policies and regulations such as required façade openings. These measures become more critical for achieving a 15-minute communities standard within a zoning framework that does not require minimum densities to be met by its largest sites.

To demonstrate further that the Fairway and Sportsworld PMTSAs are positioned to exceed their minimum density target of 160 PPJs/Ha, staff have evaluated four future scenarios:

- A 2040 growth scenario that formed the foundation of our community workshop engagements, which assumed growth consistent with the City's housing pledge target of 3,500 units per year to 2031, pro-rated to continue through 2040. This is significantly more growth than is *expected*, but it is growth that is easily *accommodated* within the recommended land use and zoning permissions. These workshops asked participants to place 12,000 new housing units within the 3 Growing Together East PMTSAs, resulting in 21,600 new people and also including 4,200 new jobs. The average achieved density across the 6 resulting scenarios for the Fairway and Sportsworld PMTSAs are listed in the table below.
- A 2041 growth scenario that was also used to inform our Transportation, Noise and Market Studies. This scenario assumes a conservative amount of growth within these PMTSAs, given the current challenges of the development market while also assuming that in the short term, the Growing Together West PMTSAs will continue to attract the majority of Kitchener's intensification growth.
- A 2051 growth scenario that was also used to inform our new Official Plan growth scenarios as well as the City's Integrated Sanitary Master Plan.
- A "50% design capacity model" that represents a conservative long-term potential build out of the Fairway and Sportsworld PMTSAs. This model is roughly equivalent to a 50% of zoned capacity build-out scenario; however, as the Growing Together framework does not broadly set density maximums through FSR, but rather through form-based regulations, there are a number of additional

contextual factors and assumptions included in the model, including careful consideration of the long-term viability of existing buildings, cultural heritage resources, anticipated demand and development trends, standard building typologies, and more. **This scenario represents a reasonable expectation for the total real-world density that may be achieved based on as-of-right zoning permissions.**

These three scenarios result in the following planned/anticipated densities. Where a scenario is marked (Planned), it means that the scenario represents growth—as measured in zoned capacity and pace of development—that is permitted through the framework as tested in the scenario. Where a scenario is marked (Projected), it means that the scenario represents growth that is expected to be built within a particular timeline. As the table below demonstrates, the City of Kitchener is planning for—that the land use and zoning framework is being designed to accommodate—significantly greater densities within these PMTSAs than our growth projections anticipate:

Scenario	PMTSA	PPJs/Ha
2040 Workshops (Planned)	Fairway	214
2040 Workshop (Planned)	Sportsworld	192
2041 Growth (Projected)	Fairway	97
2041 Growth (Projected)	Sportsworld	126
2051 Growth (Projected)	Fairway	200
2051 Growth (Projected)	Sportsworld	150
50% Design Capacity (Planned)	Fairway	425
50% Design Capacity (Planned)	Sportsworld	403

As the above table demonstrates, the Fairway and Sportsworld PMTSAs are planned to greatly exceed their minimum station area density targets and can accommodate that growth rapidly if market conditions are favourable. The table also shows that the PMTSAs are planned to provide as-of-right development conditions which, in total, could result in more than 400 PPJs/Ha for each PMTSA in the fullness of time.

There are several regulations, as identified within Tables 6-3, 6-4 and 6-5 of the zoning by-law and included in the zoning section of this analysis, 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 28 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 numbers for both physical separation and building length within the graduated height categories listed above.

Parkland and Public Space

As evaluated through the “Spaces” component of the Places & Spaces Plan, which is an update to the City’s Parks Strategic Plan, new parkland is an integral component growth planning, but acquiring parkland in PMTSAs —as well as all other infill contexts, city-wide, is challenging. From Spaces (edited):

“Through infill development the sites themselves are often not adequate for conveying land for park purposes. Location, orientation, elevation, connectivity and visibility are among other criteria that often cannot be met. The result is the City’s taking of land in less than 1% of development applications.”

Additionally:

“Providing park land in intensification areas is an integral component of high density city living, but providing it in areas of intense growth is very challenging. Intensifications typically fall under the Site Plan application process, which outlines the constraints to creating park land in association with the proposed development.

This is a critical understanding when setting expectations of local parks in communities within these areas of intensification, and the primary reason why evaluating individual communities is necessary for developing a realistic parks plan.

And (edited):

MTSAs provide boundaries of intensification, and by overlaying with Planning Communities and their park provisions, we can establish park land provision objectives of each community that are realistic and achievable within the 20 year growth projection window. These provisions reflect the practical limitations of land values and land availability in the communities of intensification.

Communities that fall entirely within an MTSA with highly intensified residential growth expected have a parks objective of 4 sq. m. per person.

Communities that transition between an MTSA with a mix of urban and suburban residential populations have a parks objective of 8 sq. m. per person.

While the City plans for the growth that is already occurring (and will continue to occur) within PMTSAs, work continues on Places & Spaces, which includes a parkland acquisition strategy.

City staff continue to use all tools and options available to meet our shared parkland and open space objectives, including:

- Ensuring that parkland is legal as-of-right in all Strategic Growth Area land use designations, consistent with Official Plan policy 15.D.2.24.
- Zoning accurately for the types of development already occurring in Kitchener, so that as we grow, the City can acquire land through parkland dedication and also accurately plan for where additional parkland may be needed.
- Implementation of the Priority Streets framework within these PMTSAs. Particularly in areas where new parks will be challenging to acquire, in combination with areas such as these PMTSAs that do not have high quality public streets, an emphasis needs to be placed on ensuring that the Priority Streets framework is implemented fully.
- Implementation of amenity space requirements within these PMTSAs.
- Protecting existing parks by applying Open Space zoning within these PMTSAs.
- Prioritizing the acquisition of land within PMTSAs through the parkland dedication process, consistent with Official Plan policy 15.D.2.25.
- Continuing work on the Places & Spaces strategy.
- Continuing work on a Parkland Acquisition strategy.
- Continuing work on an updated Transportation Master Plan.

- Continued implementation of the Cycling and Trails Master Plan.

In support of these initiatives, creative, innovative solutions will be necessary to meet the unique needs of these evolving communities. Examples include:

- Consideration of city-owned lands for the development of new parks.
- Planning for ways to fund the acquisition of new parkland beyond what the City is permitted to take through Parkland Dedication.
- Combining tools and resources from various divisions including Planning, Parks & Cemeteries and Transportation to develop options for more, better public space.
- Transforming key streets into better public spaces, including pedestrianizing portions of streets and redesigning complete streets for people.

All of this work is continuing as we plan for the growth that is already occurring, through the implementation of the Strategic Growth Area land uses and zoning within the Growing Together East PMTSAs. **By accurately planning for and anticipating the growth that will occur within our PMTSAs, we can also more accurately plan for our parkland needs and other community infrastructure.**

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 are consistent with Provincial policies and plans, are consistent with the Regional Official Plan, as amended, are consistent with Kitchener's Official Plan, and represent good planning.