

AMENDMENT NO. XX TO THE OFFICIAL PLAN
OF THE CITY OF KITCHENER

CITY OF KITCHENER

132 Fairway Road North

AMENDMENT NO. XX TO THE OFFICIAL PLAN
OF THE CITY OF KITCHENER

CITY OF KITCHENER
132 Fairway Road North

INDEX

SECTION 1	TITLE AND COMPONENTS
SECTION 2	PURPOSE OF THE AMENDMENT
SECTION 3	BASIS OF THE AMENDMENT
SECTION 4	THE AMENDMENT

APPENDICES

APPENDIX 1	Notice of the Meeting of Planning and Strategic Initiatives Committee of August 11, 2025
APPENDIX 2	Minutes of the Meeting of Planning and Strategic Initiatives Committee – August 11, 2025
APPENDIX 3	Minutes of the Meeting of City Council – August 25, 2025

AMENDMENT NO. XX TO THE OFFICIAL PLAN OF THE CITY OF KITCHENER

SECTION 1 – TITLE AND COMPONENTS

This amendment shall be referred to as Amendment No. XX to the Official Plan of the City of Kitchener. This amendment is comprised of Sections 1 to 4 inclusive.

SECTION 2 – PURPOSE OF THE AMENDMENT

The purpose of the Official Plan Amendment is to amend the City of Kitchener Official Plan (2014) by adding *Policy 15.D.12.83. 132 Fairway Road North* and by adding *Specific Policy Area 83. 132 Fairway Rd N to Map No. 5 – Specific Policy Areas*, to permit a maximum Floor Space Ratio of 1.33.

SECTION 3 – BASIS OF THE AMENDMENT

Planning Analysis:

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,

- 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;
- j) The adequate provision of a full range of housing, including affordable housing;
- k) The adequate provision of employment opportunities;
- 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.

Provincial Policy Statement, 2024

The Provincial Planning Statement (PPS), 2024 is a streamlined province-wide land use planning policy framework that replaces both the Provincial Policy Statement, 2020 and A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019 while building upon housing-supportive policies from both documents. The PPS 2024 came into force on October 20, 2024.

According to the Province, the PPS 2024 provides municipalities with the tools and flexibility they need to build more homes. It enables municipalities to:

- plan for and support development, and increase the housing supply across the province
- align development with infrastructure to build a strong and competitive economy that is investment-ready
- foster the long-term viability of rural areas
- protect agricultural lands, the environment, public health and safety

Sections 2.1.6 and 2.3.1.3 of the PPS 2024 promote planning for people and homes and supports planning authorities to support general intensification and redevelopment while achieving complete communities by accommodating an appropriate range and mix of land uses, housing options, transportation options with multimodal access, employment, public service facilities and other institutional uses, recreation, parks and open space, and other uses to meet long-term needs.

Section 2.2.1 requires that Planning authorities provide for a range and mix of housing options and densities to meet projected needs of current and future residents. One way this is accomplished is by “permitting and facilitating: 1. all housing options required to meet the social, health, economic and wellbeing requirements of current and future residents, including additional needs housing and needs arising from demographic changes and employment opportunities; and 2. all types of residential intensification...for residential use, development and introduction of new housing options within previously developed areas, and redevelopment, which results in a net increase in residential units...”

In this regard, Development and Housing Approvals (DHA) staff is of the opinion that the requested amendment is consistent with the PPS 2024; and will facilitate residential redevelopment of the property with affordable housing.

Regional Official Plan (ROP)

The subject property is located in the Urban Area and Delineated Built Up Area in the Regional Official Plan (ROP). Urban Area policies of the ROP identify that the focus of the Region's future growth will be within the Urban Area.

Growth is directed to the Built Up Area of the Region to make better use of infrastructure that can assist in transitioning the Region into an energy efficient, low carbon community. Furthermore, intensification within the Built Up Area assists the gradual transition of

existing neighbourhoods within the Region into 15-minute neighbourhoods that are compact, well connected places that allow all people of all ages and abilities to access the needs for daily living within 15 minutes by walking, cycling or rolling. Regional policies require Area Municipalities to plan for a range of housing in terms of form, tenure, density and affordability to satisfy the various physical, social, economic and personal support needs of current and future residents.

The requested amendment conforms to the ROP by facilitating compact, well-connected development that will assist in transitioning the existing neighbourhood into a 15-minute neighbourhood. Moreover, the requested amendment will assist in diversifying the range of housing within the neighbourhood, in this case by providing affordable housing units that are easily accessed by nearby transit, pedestrian, and cycling facilities.

Regional staff has advised that it has no objections to the requested amendment, subject to a provision in the amending by-law prohibiting geothermal energy systems. In this regard, the recommended ZBA implements the Region's request.

City of Kitchener Official Plan (OP)

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

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. The subject property is identified on Map 2 – Urban Structure of the City's Official Plan (OP) as Community Areas. The OP states that "The planned function of Community Areas is to provide for residential uses as well as non-residential supporting uses intended to serve the immediate residential areas." This urban structure component allows for limited intensification in accordance with the applicable land use designation and the Urban Design Policies in Section 11. In addition, "development must be sensitive to and compatible with the character, form and planned function of the surrounding context."

The subject proposal would facilitate the planned function by providing residential use through intensification that is sensitive to and compatible with the surrounding context. The requested amendment would facilitate low rise residential development that is compatible in height and massing with the adjacent neighbourhood.

DHA staff is of the opinion that the requested OPA will support redevelopment that conforms to the City's Community Areas policies.

Housing Policies

The City's Official Plan contains numerous housing-related objectives and policies that apply to the subject proposal, for example:

- 4.1.1. 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 our community through all stages of life.
- 4.C.1.6. The City will identify and encourage residential intensification and/or redevelopment, including adaptive re-use and infill opportunities, including additional dwelling units, attached and detached, in order to respond to changing housing needs and as a cost-effective means to reduce infrastructure and servicing costs by minimizing land consumption and making better use of existing community infrastructure
- 4.C.1.8. Where a special zoning regulation(s) or minor variance(s) is/are requested, proposed or required to facilitate residential intensification or a redevelopment of lands, the overall impact of the special zoning regulation(s) or minor variance(s) will be reviewed, but not limited to the following to ensure, that:
 - a) Any new buildings and any additions and/or modifications to existing buildings are appropriate in massing and scale and are compatible with the built form and the community character of the established neighbourhood and will have regard to Section 11 of this Plan, the City's Urban Design Manual, and any site-specific Urban Design Brief or Urban Design Report and Urban Design Scorecard.
 - d) New buildings, additions, modifications and conversions are sensitive to the exterior areas of adjacent properties and that the appropriate screening and/or buffering is provided to mitigate any adverse impacts, particularly with respect to privacy.
 - e) The lands can function appropriately and not create unacceptable adverse impacts for adjacent properties by providing both an appropriate number of parking spaces and an appropriate landscaped/amenity area on the site.
- 4.C.1.9. Residential intensification and/or redevelopment within existing neighbourhoods will be designed to respect existing character. A high degree of sensitivity to surrounding context is important in considering compatibility.
- 4.C.1.12. The City favours a land use pattern which mixes and disperses a full range of housing types and styles both across the city as a whole and within neighbourhoods.
- 4.C.1.19. The City will encourage and support affordable housing to locate in close proximity to public transit, commercial uses and other compatible

non-residential land uses, parks and community facilities and have convenient access to community, social and health services.

In this regard, DHA staff is satisfied that the subject proposal would facilitate increased range and mix of housing types within the neighbourhood, noting that there are few low-rise multiple dwellings in the neighbourhood on a small footprint, as is proposed. Being an affordable housing project, the proposal is also consistent with the City-supported principle that housing assistance be provided to community members who have difficulty accessing safe, suitable, and affordable housing. As has been established above, this proposed affordable housing development is well-connected to transit and alternative transportation facilities, and several commercial plazas are within a 5-7 minute walking distance, while Fairview Mall and supermarkets are within a 15-minute walking distance.

The requested Site Specific Policy will facilitate a development concept that is appropriate in massing and scale and is compatible with the surrounding built form. It should be noted that compatible should not be narrowly interpreted to mean “the same as” or even as “being similar to”. Rather, it means uses and building forms that are mutually tolerant and capable of existing together in harmony within an area without causing unacceptable adverse effects. City Urban Design staff has reviewed the proposal and Urban Design Brief submitted in support of the applications against the City’s Urban Design Manual and is supportive of the proposal. DHA staff is recommending that the Urban Design Brief, be endorsed by Council and that staff be directed to implement the Urban Design Brief through a future Site Plan Approval process.

Through the application review phase, staff worked with the applicant to reduce the number of windows on the east side of the proposed building (adjacent to 136 Fairway Road North) where a slightly reduced minimum interior side yard setback is requested (from 3.0 metres to 2.4 metres), to prevent overlook and mitigate privacy impacts to acceptable levels, while ensuring that sufficient light enters the proposed dwelling units for tenants. It should also be noted that the single detached dwelling at 136 Fairway Road North only has two windows that face the subject property.

As a space-saving alternative to providing an at-grade amenity space, a common amenity space is proposed within a recessed portion of the 3rd floor, to provide compatible on-site recreational space for residents.

Furthermore, Transportation Services staff does not have any concerns with the provision of 8 parking spaces for this development, noting that affordable housing does not generate the higher parking demand of non-affordable housing developments. Also, as noted above, the subject property is well-connected to transit and alternative transportation facilities. The number of Class A Bicycle Parking Stall provided far exceeds the minimum By-law requirement and exceeds the number of proposed dwelling units.

In addition, Section 4.15.7a) of the Zoning By-law states, “...for any public use containing dwelling units that qualify as affordable housing as defined in the Provincial Planning Statement:...c. Minimum parking space requirements of Table 5-5 shall not apply. The proposed units meet the definition of affordable housing in the PPS 2024, but the use is not considered a “public use”, because it is not being established “...by or on behalf of,

or in partnership with, the Federal or Provincial governments, the Region, the Grand River Conservation Authority, or the City.” If the same proposal was being sought by, for example, Kitchener Housing, then no parking would be required under the Zoning By-law.

Lastly, the proposed residential redevelopment responds to changing housing needs and assists in reducing infrastructure and servicing costs.

DHA staff is of the opinion that the requested OPA will support redevelopment that conforms to the City’s Housing policies.

Land Use Designation

The subject property is currently designated Low Rise Residential on Map 3 – Land Use of the City of Kitchener Official Plan. The Low Rise Residential land use designation is intended to accommodate a full range of low density housing types, including single detached dwellings, additional dwelling units, semi-detached dwelling, street townhouse dwellings, cluster townhouses, low-rise multiple dwellings, special needs housing, and other forms of low density residential use. Within this designation, the City encourages and supports the mixing and integration of innovative and different forms of housing within a low-rise built form.

The Low Rise Residential designation limits building height to 3 storeys or 11 metres. However, where a property has primary frontage on a Regional Road, a maximum building height of 4 storeys or 14 metres is permitted. In this case, while the property is located on Fairway Road North, which is a Regional Road. This would allow the possibility of a 4-storey building through a ZBA alone. Notwithstanding, the applicant has not requested a height increase for the proposed multiple dwelling.

Policy 15.D.3.11 states:

A maximum Floor Space Ratio of 0.6 will apply to all development and redevelopment. Site-specific increases to allow up to a maximum Floor Space Ratio of 0.75 may be considered where it can be demonstrated that the increase in the Floor Space Ratio is compatible and meets the general intent of the policies in this Plan. An Official Plan Amendment will be required to consider an increase in the Floor Space Ratio greater than 0.75.

In this case, a low-rise multiple dwelling is proposed with a Floor Space Ratio (FSR) of 1.33, despite the maximum FSR requirement of 0.75 (see section entitled, *Requested Official Plan Amendment*, below).

Requested Official Plan Amendment

To facilitate the proposed development concept outlined in the *Proposed Development Concept* section of this report, the applicant is requesting an OPA to add a Site Specific Policy Area to permit a multiple dwelling with a Floor Space Ratio of 1.33, whereas the Low Rise Residential land use designation permits a maximum FSR of 0.75. The Low Rise Residential land use designation would be retained.

Floor Space Ratio (FSR) is a metric that is used to quantify the massing / bulk of a building, relative to the lot area. The formula for FSR is Building Floor Area (i.e., total floor area of all storeys of a building excluding below grade floor area) divided by lot area.

Despite the City's use in regulating massing / bulk through FSR regulations, there are other metrics / tools that can be used to quantify and regulate the perceived massing / bulk of a building. For example, within the current RES-4 Zone and requested RES-5 Zone, other land uses do not employ FSR as a tool for regulating the massing / bulk of a building (e.g., single detached dwellings, semi-detached dwellings, street townhouses). Instead, the zoning uses maximum lot coverage, maximum building height, and minimum setbacks.

For these other uses, lot coverage is limited to 55% and building height is limited to 11.0 metres. If these metrics are applied to the subject proposal, it easily complies with a lot coverage of 36% and a building height of 9.9 metres. Furthermore, the required 7.5 metre minimum rear yard setback is easily achieved under both the current and requested zoning, with a proposed setback of 13.5 metres.

Lastly, although a Site Specific Provision in the zoning is requested for the minimum interior side yard setback (from 3.0 metres to 2.4 metres) for a multiple dwelling, if the proposal was for a single detached dwelling, semi-detached dwelling, or street townhouse, the setback would be easily achieved (1.2 metres is required, whereas 2.4 metres is proposed). Essentially, apart from a 0.5 metre deficiency in the minimum exterior yard setback (adjacent to Jansen Street), a single detached dwelling with the same height, lot coverage, and interior side yard setback as the current proposal could be constructed on the subject property, without the need for Planning Act approvals.

It is important to reiterate that since the subject property is located on a Regional Road, it would be possible for the applicant to request a 4-storey building through a ZBA alone. Despite this, the applicant is not requesting such a ZBA and is instead seeking to develop a 3-storey building under the 'stock' RES-5 permissions.

For these reasons, DHA staff is satisfied that the requested OPA is appropriate.

Policy Conclusion

DHA staff is of the opinion that the requested Official Plan Amendment is consistent with policies of the Provincial Policy Statement, 2024, the Regional Official Plan, and is appropriate within the greater policy context of City of Kitchener Official Plan.

SECTION 4 – THE AMENDMENT

The City of Kitchener Official Plan (2014) is hereby amended as follows:

- a) Part D, Section 15.D.12 *Area Specific/Site Specific Policy Areas* is amended by adding Policy 15.D.12.83 as follows:

"15.D.12.83 132 Fairway Road North

Notwithstanding the Low Rise Residential land use designation and associated policies within Section 15.D.3, applied to the property addressed as 132 Fairway Road North, the maximum Floor Space Ratio shall be 1.33."

- b) *Map No. 5 – Specific Policy Areas* is amended by adding *Specific Policy Area 83. 132 Fairway Rd N* for the lands municipally addressed as 132 Fairway Road North and identified as *Area of Amendment* on Schedule 'A'.

APPENDIX 1

NOTICE OF PUBLIC MEETING for a development in your neighbourhood 132 Fairway Road North



Concept Drawing



Multiple
Dwelling, 26
Affordable
Units



Floor Space
Ratio of
1.33



8 Parking
Spaces

Have Your Voice Heard!

Planning & Strategic Initiatives Committee

Date: **August 11, 2025**

Location: **Council Chambers,
Kitchener City Hall
200 King Street West
or Virtual Zoom Meeting**

Go to **kitchener.ca/meetings**

and select:

- Current agendas and reports
(posted 10 days before meeting)
- Appear as a delegation
- Watch a meeting

To learn more about this project, including
information on your appeal rights, visit:

**[www.kitchener.ca/
PlanningApplications](https://www.kitchener.ca/PlanningApplications)**

or contact:

Andrew Pinnell, Senior Planner
andrew.pinnell@kitchener.ca
519.783.8915

The City of Kitchener will consider a applications to amend the Official Plan and Zoning By-law to permit 132 Fairway Road North to be redeveloped with a 3-storey multiple dwelling having 26 affordable dwelling units with a Floor Space Ratio of 1.33, 8 parking spaces, and the building having some reduced setbacks from lot lines.

APPENDIX 2

Minutes of the Meeting of Planning and Strategic
Initiatives Committee – August 11, 2025

APPENDIX 3

Minutes of the Meeting of City Council – August 25,
2025