

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

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468 Trussler Road

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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 deleting *Area Specific / Special Policy 15.D.12.24 Trussler Road / Highway 7&8 / Bleams Road* and by deleting *Specific Policy Area 24. Trussler Rd / Highway 7 and 8 / Bleams Rd on Map No. 5 – Specific Policy Areas*.

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,

- 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 Planning Statement, 2024 (PPS):

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.

The PPS provides numerous MDS-related policies, which apply to new settlement areas and settlement area boundary expansions, rural lands in municipalities, and prime agricultural areas. However, under the PPS, the subject lands are identified as being within a settlement area. In this regard, Policy 2.3.1.1 states that “*Settlement areas* shall be the focus of growth and development. Within *settlement areas*, growth should be focused in, where applicable, *strategic growth areas*, including *major transit station areas*.” In this regard, settlement areas are to be the focus of growth and development. Moreover, there are no policies in the PPS to require that MDS be applied within settlement areas.

OMAFA Guideline 853:

OMAFA provides guidelines for the implementation of MDS via Publication 853 and applies to all Planning Act applications made after March 1, 2017. DHA staff has confirmed with OMAFA directly that MDS does not apply within settlement areas.

Regional Official Plan (ROP):

The subject property is located in the Urban Area and Designated Greenfield 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.

The ROP directs most of the region's future growth within the Urban Area to delineated built-up areas through intensification. However, new development will also be directed to designated greenfield areas, to accommodate some of the Region's forecasted growth.

It should be noted that Draft Plan of Subdivision 30T-08204 was originally approved (2015) many years before Regional Official Plan Amendment #6 was approved (August 2022), which was a comprehensive update to the ROP. Accordingly, the original approval did not consciously consider updates to sections of the ROP such as the update to Section 2.G, which states that,

New greenfield communities will be compact and efficient to meet the vision and objectives of this Plan. They will be designed as *15-minute neighbourhoods* that enable people to live car-free or “car-lite” (i.e., households with fewer vehicles than workers) by offering convenient access to a diverse mix of jobs, housing, schools, cultural, and recreational opportunities, and local shops and food destinations.

However, it is understood that the subdivision met the Provincial Policy Statement in effect at the time of the OMB approval in 2015. The requested modification represents a minor modification that does not propose to change the layout of the subdivision or the land uses, only to delete conditions, a Site Specific Policy in the Official Plan policies, and a Holding Provision in the zoning that involve MDS matters related to the nearby equestrian establishment. No other changes are proposed.

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.

The subject lands are primarily within the Designated Greenfield Area, as outlined on Map 1 – City Urban Area and Countryside, though a narrow strip of the subject lands adjacent to Highway 7/8 is within the Built Up Area.

The Official Plan states that “Although much growth will be accommodated within the Built-Up Area, the Designated Greenfield Area is also an important location for planned growth. Development in these areas will contribute to a healthy, complete and balanced community. Generally, new development in this area will be planned and designed based on transit routes (existing and planned) and walkability.”

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 lands are primarily identified as Community Areas, as outlined on Map 2 – Urban Structure, though a narrow strip of the subject lands adjacent to Highway 7/8 is identified as Green Areas. The Official Plan 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.” Moreover, “Limited intensification may be permitted within Community Areas in accordance with the applicable land use designation...”

The planned subdivision stage will facilitate residential uses. Staff is of the opinion that the requested Subdivision Modification, Official Plan Amendment, and Zoning By-law Amendment will support development that conforms to the City's Urban Structure policies.

Land Use Designation

The subject lands are designated Low Rise Residential (LRR), as outlined on Map 3 – Land Use, though a narrow strip of the subject lands adjacent to Highway 7/8 is designated Open Space. The Official Plan states that the purpose of the LRR designation is to “accommodate a full range of low density housing types which may include single detached dwellings, additional dwelling units, attached and detached, semi-detached dwellings, street townhouse dwellings, townhouse dwellings in a cluster development, low-rise multiple dwellings, special needs housing, and other forms of low-rise housing.” Furthermore, “The City will encourage and support the mixing and integrating of innovative and different forms of housing to achieve and maintain a low-rise built form.”

The planned subdivision stage will facilitate a range of low density housing types, including low-rise multiple dwellings.

Requested Official Plan Amendment:

In addition to applying the Low Rise Residential designation to the subject lands (and Open Space designation for the trail along Highway 7/8), the Official Plan Amendment (OPA) approved by the OMB in 2015 applied Specific Policy Area #24 Trussler Rd / Highway 7 & 8 / Bleams Rd, as shown on Map 5 – Specific Policy Areas of the Official Plan. The policy that applies to this Specific Policy Area is policy 15.D.12.24, which states, “Any development within the identified area will comply with the Minimum Distance Separation Formulae for any equestrian facility located west of Trussler Road in Wilmot Township.”

Through the review of the initially circulated Draft Plan of Subdivision Modification Application and Zoning By-law Amendment Application, it was determined that an OPA Application is also required to permit the lands to be developed with Low Rise Multiple Residential development.

In this regard, the requested OPA seeks to delete Specific Policy Area 24 and associated Site Specific Policy 15.D.12.24. The deleted policy would not be replaced with a new policy.

The rationale to delete Site Specific Policy Area 24 is the same as the rationale to delete the subdivision draft approval conditions related to MDS: Under the PPS, MDS cannot legally be applied to the subject lands which are within an existing settlement area. The Province's policies do not apply to require MDS within settlement areas. Accordingly, DHA staff is satisfied that the requested OPA to delete Site Specific Policy Area 24 and associated Site Specific Policy 15.D.12.24 is justified.

Requested Zoning By-law Amendment:

In addition to applying RES-5 Zone with site specific provisions to the subject lands (and OSR-2 Zone for the trail along Highway 7/8), the Zoning By-law Amendment (ZBA) approved by the OMB in 2015 applied a holding provision, which was subsequently renamed as Holding Provision (30H), through a comprehensive Zoning By-law review by the City. Holding Provision (30H) states the following:

Within the lands zoned RES-5 and OSR-2 and shown as affected by this provision on Zoning Grid Schedules 8, 23 and 24 of Appendix A, the holding provision will not be removed unless development within the identified area complies with the Minimum Distance Separation Formulae for any equestrian establishment located west of Trussler Road in Wilmot Township.

In this regard, the applicant has submitted a ZBA Application to permit the lands to be developed with Low Rise Multiple Residential development. The requested ZBA seeks to delete Holding Provision (30H). The deleted provision would not be replaced with a new provision.

It should be noted that this request to *delete* the holding provision is different than a request to *lift* the holding provision, the latter of which would require the condition to be fulfilled (i.e., the subdivision would have to comply with MDS), though the outcome is the same: the holding provision would cease to apply to the subject lands.

The rationale to delete Holding Provision (30H) is the same as the rationale to delete the subdivision draft approval conditions related to MDS: Under the PPS, MDS cannot legally be applied to the subject lands which are within an existing settlement area. The Province's policies do not apply to require MDS within settlement areas. Accordingly, DHA staff is satisfied that the requested ZBA to delete Holding Provision (30H) is justified.

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 deleting *Area Specific / Special Policy 15.D.12.24 Trussler Road / Highway 7&8 / Bleams Road*.
- b) *Map No. 5 – Specific Policy Areas* is amended by deleting *Specific Policy Area 24. Trussler Rd / Highway 7 and 8 / Bleams Rd*, as shown on the attached Schedule 'A'.

APPENDIX 1

NOTICE OF PUBLIC MEETING

for a development in your neighbourhood

468 Trussler Road



Location Map



Delete Minimum Distance Separation requirements regarding an Equestrian Facility

The City of Kitchener will consider applications for a Minor Subdivision Modification, Official Plan and Zoning By-law Amendments, to delete requirements for Minimum Distance Separation related to an equestrian establishment, located west of Trussler Road, and to add conditions to notify purchasers and renters of potential odours, and to ensure that central air conditioning is installed in units to allow windows and doors to remain closed during warm weather. The Applications would facilitate the development of the final residential stage of the overall subdivision, which comprises low rise multiple residential development, open space / trail uses, and a road widening.

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

www.kitchener.ca/

PlanningApplications

or contact:

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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