

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

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808-836 Courtland Avenue East

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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 following, as shown on the attached Schedule 'A':

- a) *Map No. 3 – Land Use* by changing the land use designation of the portion of the subject lands designated *Commercial* to *Strategic Growth Area C*;
- b) *Map No. 3 – Land Use* by changing the land use designation of the portion of the subject lands designated *General Industrial Employment* to *Strategic Growth Area C*; and
- c) Part D, Section 15, Policy 15.D.12.81 is amended by adding the following after j) iii):

*“808-836 Courtland Avenue East*

- k) Policies 15.D.12.81 d) and j), do not apply to the redevelopment proposed through Official Plan Amendment OPA24/011/C/AP and Zoning By-law Amendment ZBA24/023/C/AP, both of which were deemed complete on September 17, 2024, or to any related development applications”

to facilitate a high-density, mixed-use development having 977 dwelling units, 532.1 square metres of non-residential use on the ground floor, with a maximum building height of 30 storeys.

**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 Policy Statement, 2024 and to ensure Provincial policy is adhered to.

### **Provincial Planning 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 support 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.

Development and Housing Approvals (DHA) staff advises that the requested amendments will facilitate the intensification of the subject property with a high-density, mixed-use development that is compatible with the surrounding community, is transit-supportive, and will make use of existing infrastructure. No new public roads would be required for the proposed development and Engineering Services staff has confirmed there is capacity in the sanitary sewer to facilitate intensification with the proposed development concept. DHA staff is of the opinion that the requested amendments are consistent with the PPS 2024.

### **Regional Official Plan (ROP):**

The Region of Waterloo is an upper-tier municipality without planning responsibilities. The More Homes Built Faster Act, 2022, amended the Planning Act by transferring planning responsibilities from upper-tier governments across the Province, including the Region of Waterloo to local municipalities. The Region is responsible for commenting on the infrastructure and service delivery that the Region of Waterloo delivers to the community, such as public health and paramedic services, affordable housing, source water protection, water and wastewater infrastructure, transit and transportation, waste management, and the Region of Waterloo International Airport. As a result, the Region no longer has an Official Plan (ROP) as it is now an Official Plan for area municipalities who are responsible for implementation of the ROP until it is repealed through a future Area Municipal planning exercise.

The subject property is located in the Urban Area, Delineated Built-Up Area, and Block Line Major Transit Station Area (MTSA) 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.

Section 2.D.2 of Regional Official Plan Amendment 6 (ROPA 6) establishes policies for development within Major Transit Station Areas (MTSAs). The policies within this section support the provision of increased mixed-use densities that are transit supportive. The *minimum* density target established for the Block Line MTSA is 80 people and jobs/hectare.

The proposed development conforms the ROP, since the proposed development helps to achieve the planned intensification target. Moreover, the proposed built form provides a mix of unit types and is appropriately located along a corridor in which growth can be located close to transit and active transportation services and infrastructure. In addition, Chapter 3 of ROPA 6 establishes policies for housing in the region. The proposed development meets the intent of these policies.

Furthermore, Region staff has advised that they have no objection to approval of the OPA and ZBA Applications, provided:

- A Holding Provision is applied to the property, requiring completion of a detailed Noise Study to confirm recommendations associated with Regional road noise sources prior to Site Plan Approval; and

- The amending by-law includes a geothermal prohibition.

DHA staff advises that the requested detailed Noise Study and geothermal prohibition have been incorporated into the holding provision and site specific provision, included in the recommended Zoning By-law Amendment.

In addition, Region staff has advised that they have reviewed the Transportation Impact Study submitted in support of the applications and accepts it.

DHA staff is of the opinion that the requested amendments conform to the Regional Official Plan.

### **City of Kitchener Official Plan and Requested Official Plan Amendment:**

The City of Kitchener Official Plan (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 OP establishes an Urban Structure for the City of Kitchener and provides policies for directing growth and development within this structure. Intensification Areas are targeted throughout the Built Up Area as key locations to accommodate and receive the majority of development or redevelopment for a variety of land uses. Primary Intensification Areas include the Urban Growth Centre (Downtown), Protected Major Transit Station Areas, City Nodes, Community Nodes, and Urban Corridors, in this hierarchy, according to Section 3.C.2.3 of the Official Plan.

The subject property is located within the Block Line Protected Major Transit Station Area (PMTSA), as outlined on *Map 2 – Urban Structure* and *Map 4 - Protected Major Transit Station Areas and Urban Growth Centre* of the City's Official Plan. The subject property is located 660 metres from the station stop. Per Policy 3.C.2.17, the planned function of PMTSAs, 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.

Policy 3.C.2.18h) states that the Block Line Station Protected Major Transit Station Area shall be planned to achieve a *minimum* density of 80 residents and jobs per hectare.

The subject proposal will assist the City in achieving the above noted density target. It is estimated that based on the proposed 977 dwelling units, a total of 532.1 square metres of commercial space, and a net site area of 1.3 hectares, would result in approximately 1,750 residents and 19 jobs. According to Planning and Housing Policy Division staff, this would increase the density of the Block Line PMTSA from approximately 51 residents and jobs per hectare to 66 residents and jobs per hectare. This increased density would assist in supporting rapid transit and local transit within this PMTSA.

The City of Kitchener is growing, and much of this growth is occurring in the areas around the ION LRT system. Policy 3.C.2.19 states, that:

The City, in collaboration with the Region and in accordance with the Regional Official Plan, will prepare Station Area Plans for each Protected Major Transit Station Area... Each Station Area Plan will provide direction on how Protected Major Transit Station Areas are to be planned, designed, developed and phased-in over time.

In this regard, on March 18, 2024, City Council approved the first phase of Station Area Planning for PMTSAs, known as Growing Together West. This included Official Plan Amendments and Zoning By-law amendments to introduce new Strategic Growth Area land uses and zones and apply them within seven of Kitchener's ten Protected Major Transit Station Areas (PMTSAs). However, the first phase of the study excluded the Block Line, Fairway, and Sportsworld MTSA (the subject property is located within the Block Line PMTSA).

The final phase of Station Area Planning, named *Growing Together East (GTE)*, will update the planning framework for these three remaining PMTSAs. GTE was approved by Council in May 2025. The Official Plan Amendment associated with GTE has been approved by the Ministry of Municipal Affairs and Housing and is currently in-effect. However, the associated Zoning By-law Amendment was appealed to the Ontario Land Tribunal by a private developer and continues to be under appeal at the date of this report. The subject property was excluded from GTE since the privately- initiated OPA and ZBA Applications had already been submitted and were under review.

The PMTSA policies of the Official Plan continue with Policy 3.C.2.22, which states,

- "...a) in areas that are intended to be the focus for intensification, development applications will support the planned function of Protected Major Transit Station Areas and have regard for the following:
- i) the Regional Official Plan and the Transit-Oriented Development Policies included in Section 13.C.3;
  - ii) new non-transit-supportive uses such as low density uses and/or auto-oriented uses will be discouraged;
  - iii) appropriate pedestrian and public transit facilities may be required with all major development or redevelopment proposals;
  - iv) vehicular access points will be controlled to minimize disruption to traffic flow and new development may be required to share

common driveways and provide for maneuverability between sites...”

In this regard, DHA staff is of the opinion that the requested applications would facilitate a mixed-use, Transit-Oriented Development with a high-density, compact urban form, that is directly connected to the Regional transit system (e.g., ION, GRT Route 6), with frontage on a street that benefits from a multi-use trail and sidewalk. Grand River Transit (GRT) notes that at the future Site Plan Application stage, the applicant will be required to relocate the nearby Route 6 transit stop adjacent to the subject property and pay for upgrades to the shelter (it is anticipated that the transit stop will be located adjacent to the lobby entrance for the tower closest to Courtland Avenue East). Moreover, the proposed development would maintain the existing shared driveway with the property to the southeast (844 Courtland Ave E), which will minimize disruption to traffic flow.

As detailed in the Land Use Designation section, below, the applications request to convert the portion of the subject property that is designated for industrial uses (the portion of the subject property that is addressed as 836 Courtland Avenue East) from 'General Industrial Employment' to 'Strategic Growth Area C'. Per PMTSA Policy 3.C.2.21., “Development applications proposing the conversion of...lands designated for industrial uses, to...non-employment uses in Protected Major Transit Station Areas may be considered in advance of the implementation of approved Station Area Plans, subject to the completion of a comprehensive review and provided any proposal is in accordance with the Regional Official Plan and the Transit-Oriented Development Policies in Section 13.C.3.” In this regard, the Regional Official Plan Amendment 6 (ROPA 6) has acted as the prescribed comprehensive review. ROPA 6 determined that the subject property is part of a PMTSA, rather than an 'Employment Area' (see Figure 6). Furthermore, DHA staff is satisfied that regard has been had to the Transit-Oriented Development Policies in Section 13.C.3 of the City's Official Plan (for more information, see Transportation Policies section, below).

Based on the above, DHA staff is of the opinion that the requested amendments conform to the City's PMTSA policies.

#### Land Use Designation:

As noted above, the subject property was excluded from GTE, since the subject, OPA and ZBA Applications had already been submitted. However, through GTE, the property located immediately southeast of the subject property (i.e., 844 Courtland Avenue East) was redesignated to 'Strategic Growth Area C', and SGA-4 zoning was approved by Council, along with a holding provision which limits building height to 120.0 metres. This designation and zoning category permit the greatest opportunity for growth and development of all the SGA designations and zones. The lands immediately to the northeast (fronting onto Vanier Drive) were redesignated to 'Strategic Growth Area B' and rezoned to SGA-3, which permit a maximum building height of 28 storeys.

The owner is requesting to change the land use designation of only those portions of the subject property that are designated 'Commercial' (approximately the northwestern

half of the subject property) and 'General Industrial Employment' (approximately the southeastern half of the subject property) to 'Strategic Growth Area C' (i.e., only those developable portions of the subject property). Those small portions of the subject property that are designated 'Natural Heritage Conservation', which are consistent with the floodplain of Schneider Creek, would not be changed (see Figure 8).

It should be mentioned that notification of the subject OPA to City departments, agencies, and the community originally stated the requested change was to the High Rise Residential land use designation with a Site Specific Policy Area to permit a maximum Floor Space Ratio of 7.0. However, through the review period, the option to apply the recently created 'Strategic Growth Area C' land use designation became available (through resolution of the appeal regarding Growing Together West), which represents the most appropriate designation for this context within a PMTSA.

There are several Commercial land use designation policies that relate to the requested OPA, such as:

15.D.5.15. Lands designated as Commercial are intended to provide for a range of retail and service commercial uses that cater primarily to the weekly and daily needs of residents within the surrounding neighbourhoods.

and

15.D.5.17. In addition to Policy 15.D.5.16, the permitted uses on lands designated Commercial and identified as a Protected Major Transit Station Area, City Node, Community Node or Urban Corridor on Map 2:... b) may include dwelling units, where appropriate, provided that they are located in the same building as compatible commercial uses and are not located on the ground floor to a maximum Floor Space Ratio of 2.0.

The requested OPA to change the land use designation to 'Strategic Growth Area C' would facilitate a development concept that includes 532.1m<sup>2</sup> (5,727.5 sq.ft) of non-residential (e.g., commercial) space on the ground floor of Tower B (tower closest to Courtland Avenue East – see Figure 7).

Considering the above, DHA staff is not concerned about the change in land use from 'Commercial' to 'Strategic Growth Area C'.

Moreover, there are several industrial employment areas policies that relate to the requested OPA, such as:

15.D.6.5. A conversion of an industrial employment area to a non-employment use, which includes any use not otherwise permitted in the industrial employment area designations of this Plan, may only be permitted through a municipal comprehensive review where it has been demonstrated that...

and

15.D.6.6. For the purposes of Policy 15.D.6.5:

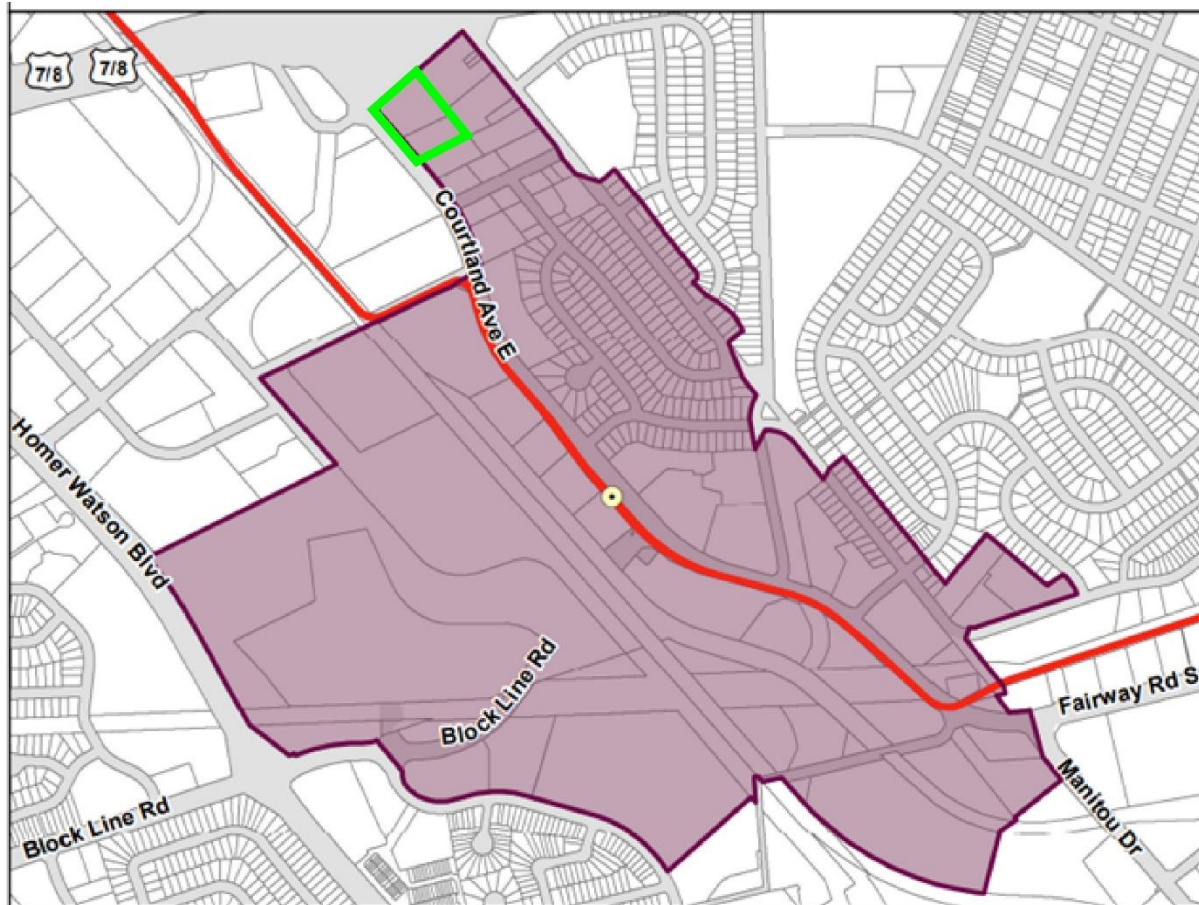
- a) residential, institutional, non-ancillary commercial, non-ancillary retail and major retail will be considered a non-employment use and any conversion to such uses will require a municipal comprehensive review...

Regarding the above policies, it must be noted that the requested change in land use is not a conversion of an employment area, for the following reasons:

- The PPS defines employment area as - *Employment Area: means those areas designated in an official plan for clusters of business and economic activities including manufacturing, research and development in connection with manufacturing, warehousing, goods movement, associated retail and office, and ancillary facilities. An employment area also includes areas of land described by subsection 1(1.1) of the Planning Act. Uses that are excluded from employment areas are institutional and commercial, including retail and office not associated with the primary employment use listed above.* Importantly, this definition speaks to "areas that are designated in an Official Plan for cluster of business and economic activities...".
- The City's Official Plan includes *Map 2 - Urban Structure* which identifies "Industrial Employment Areas". Official Plan Policy 5.C.1.3 states, "Industrial Employment areas are *identified on Map 2 and designated on Map 3...*". Further, Official Plan policy 5.C.1.4 states, "Lands designated for Industrial Employment are critical to the local economy, and are anticipated to accommodate a significant share of employment growth to 2031 and beyond..."
- Map 2 of the City's Official Plan does not show any lands within the Protected Major Transit Station Areas as "Industrial Employment Areas". This is because of the City's Comprehensive Review of Employment Lands Study (2010) (CREL) which concluded that employment parcels in the Urban Growth Centre and Major Transit Station Areas (MTSAs) were identified and excluded from the employment lands inventory since they were lands that could help achieve density targets and objectives of MTSAs, identified in Provincial and Regional policy.
- Further, CREL was used to inform the Region's employment study, which informed updates to the Region's Official Plan (ROP) (now Kitchener's Official Plan as of January 1, 2025, in accordance with the transition of Regional planning responsibilities to area municipalities), through Regional Official Plan Amendment 6 (ROPA 6). *Map 3 – Employment Areas* of the ROP continues to not include any lands within Kitchener's PMTSAs as employment areas, nor were any of these lands included as lands needed to accommodate employment forecasts to 2051.
- A municipal comprehensive review (MCR) was completed by the Regional Municipality of Waterloo in 2022 via Regional Official Plan Amendment 6 (ROPA 6), which identified the subject lands as a Major Transit Station Area (MTSA) (see Figure 6, below). Accordingly, a further MCR is not required.

DHA staff is of the opinion that the portion of the subject property that is proposed to redesignated from 'General Industrial Employment' to 'Strategic Growth Area C' land

use designations *is not employment areas* per the PPS and Planning Act. Accordingly, PPS policy 2.8.2.5, which permits planning authorities to remove lands from employment areas (subject to criteria) *does not apply*. The land use change requested through the subject OPA aligns with the City's Official Plan, Regional Official Plan, and PPS policies related to PMTSAs, including the ability to achieve minimum density targets.



**Figure 6 – Excerpt of *Block Line Station - Figure 7c* of ROPA 6, showing that the subject lands (outlined in green) are included within the Block Line Station MTSA.**

The applicant is requesting to change the land use designation of the subject property to 'Strategic Growth Area (SGA) C'. There are several SGA policies that relate to the requested OPA, such as:

*Strategic Growth Area Policies:*

15.D.2.3. The Urban Growth Centre (Downtown) and Protected Major Transit Station Areas will 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.

15.D.2.5. Notwithstanding policies 4.C.1.8 and 4.C.1.9, site specific applications which seek relief from the implementing zoning through a minor variance(s) or amendment to the Zoning By-law, and/or seek to amend this Plan will consider the following factors: a) Compatibility with the planned function of the subject lands and adjacent lands; b) Suitability of the lot for the proposed use and/or built-form; c) Lot area and consolidation as further outlined in Policy 3.C.2.11; d) Compliance with the City's Urban Design Manual and Policy 11.C.1.34; e) Cultural heritage resources, including Policy 15.D.2.8; and, f) Technical considerations and other contextual or site specific factors.

15.D.2.6. The implementing zoning may regulate matters related to built form including, but not limited to, building length, floor plate area, on-site separation between buildings, and off-site separation between buildings.

15.D.2.7. Large scale developments will be expected to provide appropriate landscaping in accordance with the City's Urban Design Manual through the Site Plan Control process.

*General Uses:*

15.D.2.15. The City recognizes that new sensitive uses will be introduced through development and redevelopment within areas historically designated for industrial employment. The City anticipates the eventual relocation of existing industrial uses. In the interim, new sensitive uses should prioritize sensitivity to existing industrial uses, acknowledging their unique operational requirements. Emphasizing land use compatibility, development applications for new sensitive uses should proactively engage with industrial stakeholders to address potential conflicts and implement measures that enable coexistence until a full land use transition is realized.

*Transportation:*

15.D.2.26. The Urban Growth Centre (Downtown) and Protected Major Transit Station Areas will be part of an integrated provincial, regional and city transportation system while at the same time provide a transit-oriented, pedestrian-friendly and walkable environment.

15.D.2.28. Where new parking spaces are proposed to be developed in combination with all new development or redevelopment, the City will: a) Consider parking space reductions where warranted where such new development or redevelopment will enhance and contribute to the planned function of the Urban Growth Centre (Downtown); b) Encourage owners/applicants to utilize Transportation Demand Management (TDM) measures; c) Encourage owners/applicants to provide cash-in-lieu of required parking; d) Encourage parking structures that are integrated with other uses as

the desired form of parking; e) Encourage required off-street parking to be located away from and/or screened from the view of the public realm; and, f) Discourage the creation of new surface parking lots and commercial parking facilities.

*Urban Design:*

15.D.2.32. A high quality of urban design will be expected of the buildings, building elevations, building massing, storefronts, store signs, patios, streetscapes and public spaces to enhance street life and create local pride and interest as well as tourism interest. The City will encourage innovation and architectural excellence in urban development.

*Strategic Growth Area C:*

15.D.2.66. Permitted uses may include those permitted in the Strategic Growth Area B land use designation.

15.D.2.61. The Strategic Growth Area B land use designation will accommodate a range of medium and high density residential housing types including those permitted in the Medium Rise Residential and High Rise Residential land use designations.

15.D.2.62. Permitted non-residential uses within the Strategic Growth Area B land use designation may include the following:... a) Compatible commercial uses such as, but not limited to, retail, commercial entertainment, restaurants, financial establishments, hotels, and light repair operations;

With respect to the above Strategic Growth Area policies, DHA staff has prepared the following comments:

- The proposed development will help implement the City's policy that PMTSAs will be planned to support major transit infrastructure, accommodate a significant share of the city's population growth, and provide services. The proposal would facilitate high density residential housing, including the types permitted in the High Rise Residential land use designation. As noted above, staff estimates that the proposed 977 dwelling units would result in 1,750 residents. Additionally, the proposed 532.1 square metres of compatible commercial space would provide services to help attract population growth and would result in approximately 19 jobs.
- The proposal, which includes a Site Specific Provision:
  - Would support the planned function of the Block Line PMTSA, since it accommodates significant growth through development and supports existing and planned transit rapid transit, achieves a mix of residential and commercial development, and fosters a streetscape and built form that is pedestrian-friendly, and transit-oriented;

- Is on a lot that is well-suited for the proposed uses and built form, and which is the result of consolidation of two parcels of land, the specific purpose of which is to facilitate comprehensive redevelopment;
- Has been thoroughly reviewed by Urban Design staff against the Urban Design Manual (UDM) and Urban Design policies of the Official Plan, including the at-grade interface with Courtland Avenue.
- The requested zoning appropriately modifies certain design-related provisions of the SGA-4 Zone to address site-specific factors and the proposed development concept. Suitable landscaped and amenity areas have been provided to the satisfaction of DHA staff. As noted above, the requested OPA and ZBA Applications, including the development concept, were received and circulated prior to the SGA designations and zones being incorporated into the Official Plan and Zoning By-law;
- The Road/Rail Traffic and Stationary Noise Impact Study submitted in support of the subject applications has been thoroughly reviewed by the City, Region, and CN Rail to ensure land use compatibility between proposed sensitive land uses (e.g., residential uses) and nearby industrial / employment uses. Holding Provisions have been incorporated into the ZBA to ensure that a Detailed Stationary and Transportation (including rail) Noise Study has been completed, and implementation measures have been satisfactorily addressed. Nearby industrial operations were circulated on the subject applications, from whom no concerns were received.
- In accordance with the City's Zoning By-law and the Planning Act, minimum parking for motor vehicles is not required within PMTSAs such as this case. Notwithstanding, all parking that is proposed will be screened from the view of the public realm, behind active uses or located underground within a parking garage.

Moreover, as part of the Growing Together East project, OPA No. 62 was approved by the province on November 19, 2025 and is now in effect. Through this OPA, Policy 15.D.12.81 was added to the Official Plan which applies to the Block Line, Fairway, and Sportsworld PMTSAs, including the subject property (though the regular land use policies do not apply to the subject property).

In the context of the subject property and proposed development, this policy would ensure that the development protects for existing and planned transit system infrastructure and transit vehicle movement and routing. In this regard, the Region has thoroughly reviewed the proposed development as it relates transit and is satisfied.

The policy would also require that development applications demonstrate through a Transportation Demand Management (TDM) Strategy, that the proposal incorporates:

- Measures to increase active transportation and transit use and reduce single occupancy vehicle use;
- Multi-modal transportation assessments and site-related traffic mitigation measures to demonstrate sufficient and safe transportation infrastructure to service the proposed development;

- A range of parking management strategies that minimize the need for auto parking supply and that prioritize facilities and TDM programs; and
- Phasing of TDM measures to support development.

In this regard, the applicant submitted a TDM Letter in support of the proposed development. This letter speaks about a range of TDM measures that will be incorporated into the proposed development (e.g., unbundled parking and bicycle parking, connections to municipal pedestrian facilities). While the policy speaks to more criteria than the letter that was submitted, it must be noted that the subject applications were submitted long before the policy came into effect and Transportation Services is supportive. The requested Official Plan Amendment incorporates an exemption from the specific requirements of the above noted policy.

The Planning Justification Report states that “the proposed development is intended to be constructed in one phase.” However, if at the Site Plan stage, the development is revised to be phased, a phasing plan would be required to be submitted as part of a complete application, as part of the policy.

The new policy also requires that, where a redevelopment proposes to reduce the existing non-residential gross floor area on a lot, a Retail Impact Study that addresses that future on-site and local populations will be adequately served, is required as part of a complete application. In this case, the proposed development incorporates 532.1 square metres of non-residential use in the base of the building. While this demonstrates a reduction in the amount of non-residential use that currently exists on the site (approximately 2,250 square metres), it must be reiterated that subject applications were submitted long before the policy came into effect. The requested Official Plan Amendment incorporates an exemption from the requirement to provide a Retail Impact Study.

Based on the above, DHA staff is of the opinion that the proposed redevelopment conforms to the City’s Strategic Growth Area land use policies.



*Skyline:*

The proposed design's angular three-tower configuration has a dual purpose of providing visual interest to the building form and tower skyline as well as strategic placement of tower mass to maximize separation between tower footprints. The design also provides a distinguished skyline addition through differing tower heights, angled floorplates, and alternative building elevations.

*Safety:*

Urban Design staff will address implementation of Crime Prevention through Environmental Design (CPTED) principles through the future Site Plan Application review, and Fire Services will ensure that the site meets the Emergency Services Policy. The Urban Design Brief notes that the proposed design "Provides for 'eyes on the street' and implements other CPTED measures through the podium massing and fenestration."

*Universal Design:*

The development will be designed to comply with Accessibility for Ontarians with Disabilities Act and the Ontario Building Code. The building entrance on Courtland Avenue is designed to be barrier-free with a ramp. Barrier-free parking is provided within all levels of underground and above-grade parking levels.

*Shade:*

The proposed design includes a covered canopy near the front entrance to the podium, facing Courtland Avenue East. Also, the amenity terraces at the 7<sup>th</sup> storey include various shade structures, for example, a pergola, covered lounge, and covered BBQ station.

*Site Design, Building Design, Massing and Scale:*

The subject proposal is designed to facilitate development that enhances the site, future, and the streetscape. Through the future Site Plan Application process, many design-related matters will be reviewed and addressed, such as:

- improving the quality of development from the public realm, adjacent properties, and on-site;
- ensuring safe, comfortable and functional on and off site circulation for all modes of transportation; and
- ensuring that site servicing components are functional, attractive and appropriately screened from view from the public realm.

Also, the proposed design enhances pedestrian and cycling usability, respects human scale, fosters a streetscape that is accessible, safe, has a functional relationship to the street, and represents an attractive and compatible building form.

*Design in Protected Major Transit Station Areas:*

Policy 11.C.1.36 states that development will require a high standard of urban design in Protected Major Transit Station Areas and will require a site-specific urban design brief to demonstrate how the development application exemplifies high quality urban design and will contribute to the public realm and placemaking in the station area and around the station stop. In this regard, the applicant has submitted an Urban Design Brief (see Attachment 'C') that has been reviewed and accepted by the assigned City Planner, Urban Designer, and Parks Planning and Development Project Manager. DHA staff recommends that the Urban Design Brief be endorsed by Council and that staff be directed to implement the Urban Design Brief through future Site Plan Approval process (disregarding any references to the previously requested High Rise Residential designation and zoning), and at the discretion of the City's Director of Development & Housing Approvals, significant changes to the Urban Design Brief will be to the satisfaction of Council.

Shadow Impact Analysis:

In support of the subject applications, the applicant has completed a Shadow Impact Analysis as part of the Urban Design Brief. Urban Design staff has reviewed the Analysis and advises that it is acceptable, since it confirms that the proposal maintains access to at least 5 hours of cumulative direct sunlight to nearby sidewalks and open spaces. Due to the low sun angle in December, the shadows cast by buildings are at their longest, which makes it difficult for any new development especially high-rise buildings to meet the target.

Tower Design:*Size and Proportion:*

The three proposed towers are best characterized as point towers, each having a tower footprint of 915 square metres. None of the towers have balconies, which slims the building mass, while the angled configuration of the tower footprints lessens the perception of mass from various vantage points. The tower articulation and "cut-outs" on certain levels, plus other architectural elements, combine to further visually reduce the tower masses.

*Placement:*

The three towers are purposely arranged on the site in a triangular pattern, with obliquely angled floorplates to optimize the Physical Separation, as regulated though the SGA-4 Zone. To distinguish the skyline and view of the development, the angled tower floor plates are flipped in orientation between each tower. The tower designs share many of the same features, but the flipped orientations create different perspectives and variation.

Tower B is proposed to have an oblique-angled projection past the podium base, which creates a unique architectural expression along the streetscape, together with varied materiality and fenestration patterns.

*Relative Height:*

The three towers have varied building heights, which will create a desirable built form and skyline:

- Tower A, at the north end of the site, abutting the Highway 7/8 ramp is 27 storeys;
- Tower B, directly abutting Courtland Avenue East, is 30 Storeys; and
- Tower C, at the south end of the site, is 22 storeys.

Transportation Policies:

The Official Plan supports an integrated transportation system which incorporates active transportation, allows for the movement of people and goods and promotes a vibrant, healthy community using land use designations and urban design initiatives that make a wide range of transportation choices viable.

On Map 11 of the City's Official Plan, Courtland Avenue East is identified as a "Regional Road", along with a "Primary Multi-Use Pathway/Connection (Type 1)". The proposed development has sufficient access to active-transportation networks, noting that the Trans-Canada Trail, which is a Multi-Use Trail along this section, is located directly opposite the subject property, on the southwest side of Courtland Avenue East. A municipal sidewalk is located directly in front of the subject property, on the northeast side of Courtland Avenue. The subject property is very well connected to the public transportation system, being located within 660 metres of the Block Line ION station stop, which provides region-wide access and connectivity. Also, the property is located directly on GRT Local Route 6 (Bridge-Courtland), and within walking distance to iXpress Route 201, and Local Routes 22 (Laurentian West) and 33 (Huron). The proposal will support the City's integrated transportation system and represents pedestrian-friendly and transit-oriented development.

Within PMTSAs such as this, no minimum parking for motor vehicles is required and the applicant is not requesting any parking relief through the subject applications. However, the applicant is choosing to provide a total of 509 parking spaces. It should be noted that if, for example, the subject property was not located within a PMTSA and was zoned High Rise Residential (RES-7), a total of 1,091 spaces would be required for the residential and commercial uses combined, which represents approximately double the parking that is provided. Visitor, barrier-free, and electric-vehicle-ready parking must still be provided as a percentage of the parking provided, in accordance with the Zoning By-law. As noted above, all parking that is proposed will be screened from the view of the public realm, behind active uses or located underground within a parking garage. Also, the proposed development would maintain the existing shared driveway with the property to the southeast (844 Courtland Ave E), to minimize disruption to traffic flow.

With respect to Transportation Demand Management strategies, the applicant has expressed a willingness to provide unbundled parking, which the City strongly encourages for new developments. Also, Class A bicycle parking will be provided at a rate of 1 stall per dwelling unit. At least 6 Class B bicycle parking stalls will be provided.

Direct and barrier-free walkway connections between the municipal sidewalk and the proposed development, and other pedestrian and cycling facilities, will be planned through the future Site Plan Application.

Official Plan Conclusions:

The OPA Application requests that the land use designation of subject property be changed *from* 'Commercial' *and* 'General Industrial Employment' *to* 'Strategic Growth Area C' and to exempt the proposal from subsections d) and j) of Policy 15.D.12.81. Based on the above-noted policies and planning analysis, DHA staff is of the opinion that the requested OPA represents good planning and recommends that it be approved in the form shown in Attachment 'A'.

In addition, within the Kitchener 2051 Draft Official Plan, the subject property continues to be located within the Built Up Area, a Strategic Growth Area, and within a Protected Major Transit Station Area. Within Strategic Growth Areas, Protected Major Transit Station Areas will be the primary focus for intensification. Primary land uses within PMTSAs include Mixed Use A, Mixed Use B, and Mixed Use C, which are the equivalent to the existing Strategic Growth Area A, B, and C land use designations. The application of a Strategic Growth Area C land use designation to portions of the subject lands meets the general intent of the draft Official Plan.

**SECTION 4 – THE AMENDMENT**

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

- a) Amend *Map No. 3 – Land Use* by changing the land use designation of the portion of the subject lands (identified as Area 1 on the attached Schedule 'A') designated 'Commercial' to 'Strategic Growth Area C', as shown on the attached Schedule 'A';
- b) Amend *Map No. 3 – Land Use* by changing the land use designation of the portion of the subject lands (identified as Area 2 on the attached Schedule 'A') designated 'General Industrial Employment' to 'Strategic Growth Area C', as shown on the attached Schedule 'A'; and
- c) Part D, Section 15, Policy 15.D.12.81 is amended by adding the following after j) iii):

*“808-836 Courtland Avenue East*

- k) Policies 15.D.12.81 d) and j), do not apply to the redevelopment proposed through Official Plan Amendment OPA24/011/C/AP and Zoning By-law Amendment ZBA24/023/C/AP, both of which were deemed complete on September 17, 2024, or to any related development applications.”

APPENDIX 1

# NOTICE OF PUBLIC MEETING

for a development in your neighbourhood  
808-836 Courtland Avenue East



Concept Drawing

## Have Your Voice Heard!

Planning & Strategic Initiatives Committee

Date: **January 5, 2026**

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

Go to **[kitchener.ca/meetings](http://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](http://www.kitchener.ca/PlanningApplications)**

or contact:

**Andrew Pinnell, Senior Planner**  
[andrew.pinnell@kitchener.ca](mailto:andrew.pinnell@kitchener.ca)  
519.783.8915



Mixed-use  
Development



3 High-rise  
Towers (22,  
27 & 30 Storeys)



977 Dwelling  
Units

The City of Kitchener will consider Official Plan and Zoning By-law Amendment Applications to facilitate a mixed-use development containing 3 high-rise residential towers (22, 27 and 30 storeys), situated on a shared podium (977 dwelling units). The podium would contain commercial uses (532.1m<sup>2</sup>). Various amenities and common areas would be provided throughout. Most parking would be within a parking structure / underground, though a small surface parking is proposed. 509 parking spaces are proposed, as well as bicycle parking at 1 stall per dwelling unit. The amendments would allow a building height of 102.6 metres / 30 storeys, among other matters.

APPENDIX 2

Minutes of the Meeting of Planning and Strategic  
Initiatives Committee – January 5, 2026

APPENDIX 3

Minutes of the Meeting of City Council – January 12,  
2026