

Growing Together East

Draft Policies and Zoning Regulations Brief

February 2025 – Draft for Consultation

City staff are proposing Official Plan policies and zoning regulations to implement the Growing Together planning and land use framework within the Block Line, Fairway, and Sportsworld Protected Major Transit Station Areas (PMTSAs). The purpose of this brief is to share draft policy and zoning recommendations prior to preparing the formal Official Plan Amendment and Zoning By-law Amendment documents.

The draft policies and regulations detailed in this brief build on and should be read in conjunction with Council-approved Growing Together amendments adopted in March 2024.

- [City of Kitchener Official Plan \(Office Consolidation\)](#) – primarily Section 15.D.2
- [Council-Approved Growing Together Zoning By-law Amendment \(Under Appeal\)](#)

Technical Background

In support of the Growing Together West process, adopted in March 2024, the “Planning Around Rapid Transit Stations” (PARTS) plans served as a basis for the City’s policy framework for the 7 PMTSAs west of the expressway. As the Growing Together East Study Area does not have a previously completed PARTS plan, the City is undertaking two technical studies related to transportation and noise and non-residential market conditions. These technical studies will result in additional policies being proposed for these three PMTSAs.

Transportation and Noise Analysis Study

A **Transportation Analysis Study** is being undertaken by LEA Consulting. 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.

To learn more about the Transportation Analysis Study, the Background and Methodology Memo prepared by LEA Consulting [is available here](#).

A **Noise Analysis Study** is being undertaken by LEA Consulting. 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. Recommendations from the study will inform policy and zoning updates and guide the implementation of future land uses as it relates to noise mitigation infrastructure improvements to meet future demand.

To learn more about the Noise Analysis Study, the Background and Methodology Memo prepared by LEA Consulting [is available here](#).

Market Analysis Study

A **Market Analysis Study** is being undertaken by Tate Economics, in partnership with Sajecki Planning and metroeconomics, and Divercities Advisory. The purpose of this Study is to evaluate existing conditions, future conditions, and potential policy recommendations related to commercial and employment uses. In addition, the three PMTSAs also represent a significant base of independent businesses while supporting communities that have historically not had equal access to a range of services.

The objective of this Study is to provide policy recommendations which:

- Ensure the current commercial function of these PMTSAs is maintained at an appropriate level; and
- Address the challenges of maintaining commercial space and employment as high density mixed-use infill development occurs.

To learn more about the Market Analysis Study, the Background and Existing Conditions Report prepared by the consultant team [is available here](#).

Department and Agency Comments

City staff are in receipt of formal comments following a circulation of draft materials to relevant agencies and other City departments, including:

- City of Kitchener Heritage Planning
- City of Kitchener Parks and Cemeteries
- City of Kitchener Engineering Services
- Region of Waterloo
- Region of Waterloo International Airport Authority
- Grand River Conservation Authority

Draft Official Plan Changes

Land Use (Map 3)

City staff are proposing the following changes to Map 3 – Land Use of the Official Plan:

- Apply Strategic Growth Area (SGA) A, B, and C land uses within the Study Area.
 - Draft mapping of the proposed Official Plan land use designations is [available here](#).
- Carry-forward existing Natural Heritage Conservation and Open Space land use land designations.

Maximum Building Height

The Region of Waterloo and the Region of Waterloo International Airport Authority, in coordination with NAV Canada and Transport Canada, are updating their Airport Zoning Regulations (AZR). AZRs establish maximum heights for properties to ensure airport operations are not impacted. City staff continue to engage with the Region and Airport Authority to understand where and how AZR maximum heights will be applied and what land use tools (e.g., Official Plan policies or Kitchener zoning by-law provisions) may be appropriate to guide heights while the AZR work is being completed. At this time, more information on this topic is expected in early March 2025.

Transportation and Noise

As recommended by the Transportation Study and Noise Study, City staff are proposing to add the following policies to Section 15 – Transportation after Policy 15.D.2.28:

Proposed Policy
Within the Block Line, Fairway, and Sportsworld PMTSAs, the following policies will apply:
1. Development within the Fairway and Sportsworld PMTSAs will support access management and improve pedestrian and cyclist safety by consolidating the number of vehicle access points and aligning opposing driveways, where feasible. New private driveways on Fairway Road and King Street East will be discouraged and only permitted if no alternative means of access is available.
2. Development within the Fairway and Sportsworld PMTSAs will protect for future transit system infrastructure in consultation with the Region of Waterloo.
3. Development applications will be required to demonstrate to the satisfaction of the City, through the completion of a Transportation Demand Management Strategy, that the proposal incorporates: <ul style="list-style-type: none">a. A range of infrastructure improvements, strategies, and programs to increase active transportation and transit use and reduce single occupancy vehicle use;b. Quantitative multi-modal transportation assessments and site-related traffic mitigation measures to demonstrate sufficient and safe transportation infrastructure to service the proposed development;c. A range of parking management strategies that minimize auto parking supply for new developments and that prioritize facilities and programs for car-share, carpool, bike-share, on-street bicycle parking, shared parking, and low-emissions vehicles; and

Proposed Policy
d. Phasing of Transportation Demand Management measures to support development through all phases of development.
4. 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.
5. Non-residential uses and parking structures will be located adjacent to railways where feasible, to address land use compatibility between sensitive and non-sensitive land uses.

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

Market and Retail

As recommended by the Market Analysis Study, City staff are proposing to add the following policies to a new sub-section “Section 15 – Non-Residential” after Policy 15.D.2.40:

Proposed Policy
Within the Block Line, Fairway, and Sportsworld PMTSAs, the following policies will apply:
1. Non-residential uses may be permitted within the upper stories of a freestanding commercial or mixed-use building.
2. Where development 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: <ul style="list-style-type: none"> a. 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. b. Development on surface parking lots and portions of the lot abutting priority streets as part of the first phase of development. c. Connections to the active transportation and transit networks throughout all phases of development.
3. The City may establish a <i>Community Improvement Plan</i> in accordance with Section 17.E.9 of this Plan within the Block Line, Fairway, and Sportsworld PMTSAs to support the following objectives which include but are not limited to: <ul style="list-style-type: none"> a. Providing affordable retail spaces which support local entrepreneurialism. b. Retaining employment space during redevelopment. c. Improving substandard building conditions. d. Supporting small businesses on the ground floor of buildings. e. Retrofitting existing commercial spaces and buildings to prevent the loss of commercial floor area.

Proposed Policy

4. Where a development application proposes to reduce the existing non-residential gross floor area, a Commercial Justification Study will be required as part of a complete application which addresses:
 - a. The retention or replacement of existing food stores.
 - b. Within the Fairway and Sportsworld PMTSAs, that the future on-site and local populations are adequately served and that regionally significant non-residential uses are not diminished.
 - c. Within the Block Line PMTSA, that the future on-site and local populations are adequately served for daily and weekly needs.

Site and Area Specific Policy Areas (Map 5)

City staff are proposing that the following site and area specific policies, as shown on Map 5 of the Official Plan and listed in Section 15.D.12, **be removed** as they would be redundant following implementation of the Strategic Growth Area land use designations:

- Specific Policy Area 6 (Policy 15.D.12.6) – 4169, 4189, and 4195 King St. East
- Specific Policy Area 19 (Policy 15.D.12.19) – Fallowfield Dr.
- Specific Policy Area 57 (Policy 15.D.12.57) – 4220 King St. East and 25 Sportsworld Crossing Rd.

The following site and area specific policies are proposed to **be retained and modified** to reflect the new proposed land uses:

- Specific Policy Area 38 (Policy 15.D.12.38) – Block Line Rd. and Courtland Ave. East
- Specific Policy Area 59 (Policy 15.D.12.59) – 4296 King St. East and 25 Sportsworld Dr.

Specific Policy Area 33 (1215 and 1225 Courtland Ave. East) is proposed to **be retained**.

Draft Zoning By-law Changes

Land Use

City staff are proposing the following changes to Appendix A – Zone Schedules of Zoning By-law 2019-051:

- Apply Strategic Growth Area (SGA) 1, 2, 3, and 4 zones within the Study Area.
 - To learn about how the Strategic Growth Area zones correspond to the Strategic Growth Area land use designations, [please click here](#).
- Carry-forward existing zoning overlays and delineation of the Natural Heritage Conservation zone.

Priority Streets (Appendix G)

City staff are proposing to update Appendix G – Priority Streets to add new Priority Streets within the Growing Together East Study Area. **Draft mapping of proposed Priority Streets** [is available here](#). The approved Priority Streets regulations in Zoning By-law 2019-051 would apply.

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The proposed Priority Street segments are as follows:

Courtland Ave. E.

On the SOUTH side of Courtland Ave. E., from Hayward Ave. to Block Line Rd. and from Balzer Rd. to Manitou Dr.

On the NORTH side of Courtland Ave. E, from Block Line Rd. to Manitou Dr.

Fairway Rd. S.

On BOTH sides of Fairway Rd. S., from Manitou Dr. to Wabanaki Dr.

Wilson Ave

On BOTH sides of Wilson Ave. from Fairway Rd. S. to Kingsway Dr.

Wabanaki Dr.

On BOTH sides of Wabanaki Dr. from Fairway Rd. S. to the PMTSA boundary.

King St. E.

On BOTH sides of King St. E. from the western edge of the PMTSA boundary to Sportsworld Dr. Sportsworld Dr.

On the WEST side of Sportsworld Dr., from King St. E. to Sportsworld Crossing Rd.

On the EAST side of Sportsworld Dr., from King St. E. to Gateway Park Dr.

Gateway Park Dr.

On BOTH sides of Gateway Park Dr., from Sportsworld Dr. to King St. E.

Noise

The Noise Analysis Study (being undertaken by LEA Consulting) has found that noise control measures are expected to be required at various locations near major transportation infrastructure and industrial sites. Three different Holding (H) provisions are currently being proposed to guide the provision of appropriate noise control measures into building and site design and support land use compatibility.

City staff are proposing that three new Holding (H) provisions be added to Section 20 of Zoning By-law 2019-051 and applied to specific properties based on the following criteria and modelling undertaken:

Holding Provision Type A

For lands where noise may exceed the Ministry of Environment, Climate Change, and Parks (MECP) limits, but **it is feasible to mitigate noise** because the major noise contributors are transportation noise sources, for which the MECP allows mitigation through windows and exterior walls. A Noise Impact Study would be required prior to development of the site that outlines appropriate noise control measures.

Holding Provision Type B

For lands where noise may exceed the MECP limits, and there is chance it **may not be feasible to mitigate sound** levels to MECP limits. In this case, industry noise is the major noise contributor, for which the MECP does not allow mitigation through windows and exterior walls. A Noise Feasibility Study will be required prior to development of the site with sensitive uses that verifies that the applicable sound level limits will be met.

Holding Provision Type C

For lands that may introduce new noise sources (noise polluters) and impact nearby existing noise sensitive lands in the future.

The mapping of these proposed Holding (H) provisions on specific properties will be confirmed following completion of the detailed noise modelling being undertaken by LEA Consulting.

Record of Site Condition

City Staff have worked to identify properties where a Record of Site Condition is required. Planning Staff have 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 (H) provision applied to require the same. As a result, several properties are recommended to have a Holding (H) provision applied, requiring a Record of Site Condition.

The mapping of this proposed Holding (H) provision on specific properties will be confirmed as part of the Zoning By-law Amendment.

Sanitary Servicing

City staff are proposing to introduce a Holding (H) provision on certain properties generally east of Sportsworld Crossing Road within the Sportsworld PMTSA where sanitary flows run to the City of Cambridge. The provision would require acceptance of sanitary flows to the satisfaction of City of Cambridge and City of Kitchener prior to lifting the Holding (H).

The mapping of this proposed Holding (H) provision on specific properties will be confirmed as part of the Zoning By-law Amendment on those properties subject to the cross-border servicing agreement.

Site-Specific Zoning Regulations

City staff are proposing to remove, modify, and retain existing site-specific zoning regulations that apply within the three PMTSAs. The following provides a preliminary indication of how each site-specific zoning regulation will be addressed through the Zoning By-law Amendment:

Existing Site-Specific Zoning Regulation	Current Zoning By-law	Proposed Direction
Block Line and Fairway		
(183)	2019-051	Keep
112U	85-1	Remove

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Existing Site-Specific Zoning Regulation	Current Zoning By-law	Proposed Direction
16R	85-1	Remove
1R	85-1	Remove
241U	85-1	Remove
24U	85-1	Remove
258U	85-1	Remove
259U	85-1	Remove
297R	85-1	Remove
297R	85-1	Remove
298R	85-1	Remove
29R	85-1	Remove
373R	85-1	Remove
413R	85-1	Remove
50R	85-1	Keep
705R	85-1	Keep
706R	85-1	Keep
707R	85-1	Keep
708R	85-1	Keep
709R	85-1	Keep
720R	85-1	Keep
721R	85-1	Keep
73R	85-1	Remove
76U	85-1	Remove
79H	85-1	Keep
88H	85-1	Keep
89H	85-1	Keep
Sportsworld		
(358)	2019-051	Keep
(353)	2019-051	Keep
(88)	2019-051	Remove
(48)	2019-051	Remove
(37)	2019-051	Keep

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Existing Site-Specific Zoning Regulation	Current Zoning By-law	Proposed Direction
(32)	2019-051	Remove
(28)	2019-051	Remove
(40H)	2019-051	Remove
(41H)	2019-051	Keep
(4H)	2019-051	Remove
216R	85-1	Remove
231U	85-1	Remove
233R	85-1	Remove
234U	85-1	Remove
239R	85-1	Remove
245R	85-1	Remove
258R	85-1	Remove
259R	85-1	Remove
264R	85-1	Remove
449R	85-1	Keep
479R	85-1	Remove

Transition Regulations

City staff are proposing that properties with Council-approved applications approved on or before January 1, 2017 within the Study Area be added to Section 18.4 a) to provide for transition to a Strategic Growth Area zone.