

From: Dawn Parker

Sent: August 16, 2022 9:55 AM

To: Regional Council All <RegionalCouncilAll@regionofwaterloo.ca>; Regional Clerk

<RegionalClerk@regionofwaterloo.ca>; Regional Official Plan Review

<RegionalOfficialPlanReview@regionofwaterloo.ca>

Cc: delegation@kitchener.ca; Bil Ioannidis <bil.ioannidis@kitchener.ca>; Christine Michaud

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<DDeFields@regionofwaterloo.ca>; Cushla Matthews <CMatthews@regionofwaterloo.ca>

Subject: For the August 18th Special Council meeting: Request for transparent, equitable, and rational MTSA boundary designation

Dear Regional and City of Kitchener respected elected officials and staff,

Please accept this communication with respect to the proposed Regional Official Plan final approval.

While I appreciate the demands on Regional staff and the wide-ranging challenge of the Official Plan Review, staff responses to my queries about MTSA designation over the last two years have been incomplete, and criteria for designation remain unclear and potentially inequitable.

In brief this communication contains 2 requests, both acceptable, the second preferred, signed by myself and 18 other Kitchener and Waterloo residents (gathered over 36 hours):

Option 1: stable low-rise residential neighbourhoods located 500-800 metres walking distance from the station stops should be excluded from MTSA designation.

Option 2: Designate all areas between 500-800 meters walking distance to LRT stops as MTSA's, throughout the Region. The Region must then set a strict and binding low-rise limit on height in stable residential neighbourhoods in these areas. This limit will limit land-value uplift and keep land prices low enough to make missing middle builds affordable. Planning legislation then allows municipalities to invoke affordable-housing specific policies in these areas, creating the opportunity for affordable missing middle housing in walking distance of LRT.

Note, the current narrower MTSA designations create a clear incentive for

developers to circumvent affordable housing requirements by building just outside these boundaries.

I'm available to discuss further at any point. Thank you very much for your attention,

Dawn Parker

Dr. Dawn Cassandra Parker, Professor, School of Planning, Faculty of Environment
University of Waterloo, Canada (Traditional territory of the Neutral, Anishinaabeg, and
Haudenosaunee peoples)

<https://uwaterloo.ca/planning/people-profiles/dawn-cassandra-parker>

Core member, Waterloo Institute for Complexity and Innovation www.wici.ca

Prospective Students: I am not currently planning to accept new PhD students for fall 2022. Any new funding opportunities will be posted through wici.ca.

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REPORT TO: Planning & Strategic Initiatives Committee

DATE OF MEETING: March 8, 2021

SUBMITTED BY: Bustamante, Rosa, Director of Planning, 519-741-2200 ext. 7319

PREPARED BY: Donegani, Tim, Senior Planner, 519-741-2200 ext. 7067

WARD(S) INVOLVED: All Wards

DATE OF REPORT: February 22, 2021

REPORT NO.: DSD-2021-5

SUBJECT: Regional Official Plan Review

RECOMMENDATION:

THAT the comments included as Attachment A to Staff Report DSD-2021-5 (Regional Official Plan Review) be endorsed; and further,

THAT staff be directed to forward this Staff Report DSD-2021-5 and Council's comments to the Region of Waterloo for the Region's consideration in the update to the Region's Official Plan.

REPORT HIGHLIGHTS:

- The purpose of this report is to:
 - enhance understanding of how the Regional Official Plan affects planning in Kitchener;
 - describe the scope and progress to date of the Regional Official Plan review;
 - seek Council endorsement of key City comments on the Regional Official Plan review; and
 - outline next steps in the Regional Official Plan review process and subsequent implications for the City's Official Plan.
- To date, City and Regional staff agree on most key issues emerging from the Regional Official Plan Review process. Staff are seeking Council endorsement of key City comments.
- There are currently no financial implications resulting from this report.
- Community engagement has been led by the Region and is being conducted primarily online at <https://www.engagewr.ca/regional-official-plan>.
- This report supports the delivery of core services.

EXECUTIVE SUMMARY:

The Region of Waterloo is updating its Official Plan to accommodate 366,000 more residents and 194,000 jobs by 2051. The Regional Official Plan (ROP) has and will have a significant impact on planning in Kitchener by establishing key policies which include defining the countryside line to limit sprawl and establishing minimum targets for greenfield density and residential intensification. Following the approval of the Region's Official Plan, the City will be required to amend the City's Official Plan to conform to the ROP.

Key supportive comments on the Region's work to date:

- staff support the proposed Major Transit Station Area boundaries based on the consistent application of criteria that are consistent with the new Growth Plan;
- staff support the alternative density target for the Block Line Station Area;
- staff support the proposed Regional Employment Areas and preliminary responses to employment conversion requests;
- the ROP can and should do more to support housing affordability, for example by strengthening condominium conversion policies, encouraging rental replacement, and enabling the Cities to implement Inclusionary Zoning.

Key areas of potential concerns to date:

- staff support the concept of newly proposed Major Intensification Corridors in principle, but additional analysis and consultation is required with a broad range of city-building stakeholders;
- the role of and opportunity for local intensification and its implications on the need for urban area expansion needs to be further considered by the Region; and
- tangible and implementable climate change policies are required to make a meaningful impact.

The City's role in the Region's Official Plan Review project is to provide the Region with City comments, concerns and opportunities throughout their process, recognizing that the City's Official Plan will need to be amended following approval of the ROP. The ROP update will be adopted by Regional Council and eventually approved by the Province in mid-2022. Staff will keep City Council apprised of this project throughout 2021 at key milestones.

BACKGROUND:

The Waterloo Region Official Plan (ROP) is an important planning document that guides decisions related to growth, development, and community investment across the Region. It must be updated periodically in accordance with key Provincial planning documents such as A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) and the Provincial Policy Statement (2020). It outlines key planning ideas and policies including the Countryside Line, the LRT central transit corridor, regional groundwater recharge area, and intensification targets. Regional Council initiated this Review of the current [ROP \(2009\)](#) in August 2018.

REPORT:

The Growth Plan 2020 is similar to the 2006 version. However, a few key changes to the Growth Plan are driving significant components of the ROP review. For the first time, upper tier Official Plans such as the Region's are required to:

- plan to the year 2051;
- establish detailed boundaries and intensification targets for Major Transit Station Areas (MTSAs, e.g. around LRT stops in Kitchener's context);

- plan for a minimum intensification target of 50%, up from the 40% established in the 2006 Growth Plan;
- designate Regional Employment Areas which have strong protection policies; and
- follow a prescribed Land Needs Assessment methodology for determining the amount of land needed to accommodate growth.

These Growth Plan changes mean that several key policy directions that were historically determined at the City level will now be determined by the Region through the ROP.

The ROP review will amend the ROP with a planning horizon to 2051 that forecasts 923,000 people and 470,000 jobs throughout the Region - an increase of 366,000 people and 194,000 jobs from 2016. The Regional Official Plan Review (ROPR) is currently completing phase 2 and beginning Phase 3 as shown in Figure 1. Phase 2 (from March 2019 to present) focuses on research, analysis and a set of strategies, technical briefs and discussion papers that explore issues and provide analysis to support updates to the ROP. This report is organized according to these documents that include:

1. [Regional Urban Structure](#);
2. [Intensification Strategy](#) (including the Urban Growth Centre, [Major Transit Station Areas](#) and Regional Intensification Corridors);
3. Employment Strategy, [Regional Employment Areas](#) and [Employment Conversion Criteria](#);
4. Land Needs Assessment and Growth Scenarios (forthcoming)
5. [Housing Policy Review](#);
6. [Climate Action Policy Direction Paper](#);
7. Natural Heritage and Water Resources papers (forthcoming); and
8. Agricultural Systems paper (forthcoming).

The City's role in participating in the ROP Review is to provide comments on elements of the ROP review. [A Regional Official Plan amendment to implement the outcomes of the ROP review will be adopted by the Region and eventually approved by the Province in Phase 4 of the project. The Kitchener Official Plan must subsequently conform to and provide more detail than the updated high-level policies that will be contained in the ROP.](#)

Over the past 18 months, City staff have participated in the Area Municipal Working Group and provided comments on the draft documents. Staff is now seeking City Council endorsement of the key City comments included in Attachment A.

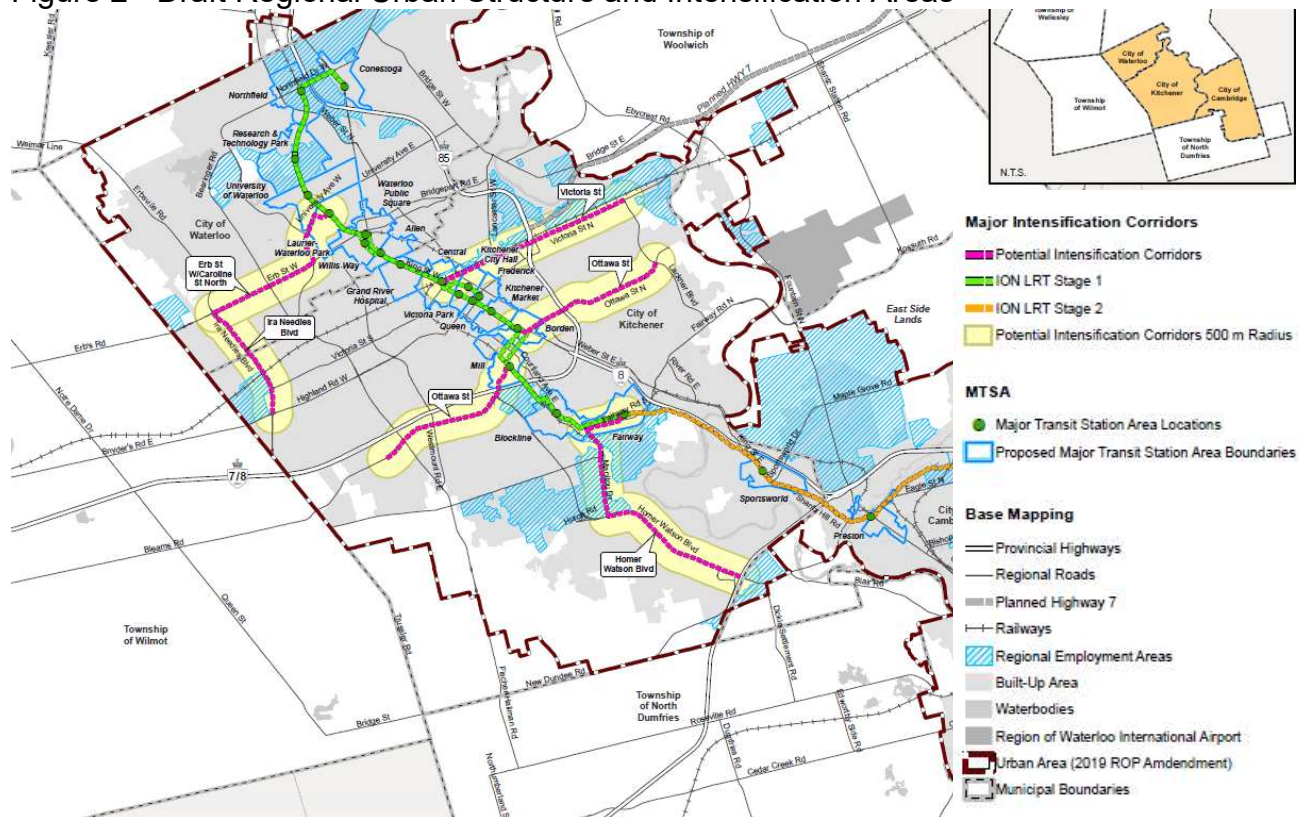
Figure 1 - Regional Official Plan Review Process and Timelines



1. Regional Urban Structure

The Regional Urban Structure is a Waterloo Region-specific map of the key policy areas from the Provincial Growth Plan. An excerpt of the proposed urban structure and intensification areas in Figure 2 shows the municipal boundaries for each City, the limits of the urban area, the built-up area, Regional employment areas and intensification areas such as Major Transit Station Areas and Regional Intensification Corridors. These high-level structuring elements provide the broad strokes of where we plan to grow in the Region.

Figure 2 - Draft Regional Urban Structure and Intensification Areas



2. Intensification Strategy

The Draft Regional Intensification Strategy (2020) assesses the policy context, demographic and socioeconomic drivers of intensification, historic trends and forecasted amount and type of intensification to inform an appropriate intensification target for the Region. Furthermore, the Strategy details the capacity for development within the built-up area including the Urban Growth Centres, Major Transit Station Areas (MTSAs), and Regional Intensification Corridors and throughout the rest of the Built-up Area. It also considers the development potential of the intensification areas in local Official Plans such as Kitchener's City Nodes and Urban Corridors identified on [Map 2](#) of the City's Official Plan. The strategy demonstrates that there is capacity in the Region's built-up area for an additional 172,000 people and 138,000 jobs to 2041. While the Strategy evaluates the water supply and wastewater treatment implications of growth (Regional responsibilities), there is no evaluation of water and wastewater pipes or stormwater management facilities which are largely the responsibility of Area Municipalities.

The Regional Intensification Strategy is different than the [Kitchener Growth Management Strategy](#) (2009). The latter will need to be updated after the ROP review is completed to inform the next iteration of the City's Official Plan.

2.1 Urban Growth Centre

Downtown Kitchener is the City's Urban Growth Centre as shown on [Map 2](#) of the City's Official Plan and will continue to be a primary Regional and City focus for intensification opportunities. There has been no change to the Growth Plan minimum density target of 200 residents and jobs per hectare (RJs/ha) by 2031 for Kitchener's Urban Growth Centre. As outlined in [DSD-20-157](#), the Kitchener Growth Management Strategy 2020 Annual Monitoring Report, the Urban Growth Centre density was estimated to be 185 RJs/ha at the end of 2019 and is on track to exceed the (higher) 225 RJs/ha density target established in the City's Official Plan.

Key City comments: None

2.2 Major Transit Station Areas

Major Transit Station Areas (MTSAs) include the lands within 500-800 metres of existing and planned LRT/ION stops or other forms of higher order transit. They are intended to be the second-most important focus for intensification for municipalities after the Urban Growth Centre. The Growth Plan requires MTSAs to be planned to achieve a minimum density of 160 RJs/ha in most cases.

Kitchener has completed a significant amount of planning work around MTSAs as part of the Planning Around Rapid Transit Stations (PARTS) Project. This project included Phases 1-2 (2013-2014), the PARTS Central Plan (2016), the PARTS Rockway Plan (2017) and the Parts Midtown Plan (2017). The [Neighbourhood Planning Reviews](#) are intended to incorporate the PARTS Master Plans into the City's Official Plan, with updates to 7 of the City's Secondary Plans and the application of zoning in accordance with the City's new Zoning by-law 2019-051. Draft policies emerging from the Neighbourhood Planning Review (NPR) project, including station area boundaries, and associated zoning regulations were considered at a statutory public meeting held in December 2019. Work to update the Official Plan and zoning for Downtown and the Block Line, Fairway and Sportsworld stations will begin later this year.

Since the completion of the PARTS Plans, the Growth Plan underwent several changes in 2019 and 2020 and now requires the upper-tier municipality to delineate the boundaries and minimum density targets for MTSA in the ROP. Furthermore, the Growth Plan, 2020, also requires each station stop have its own MTSA and not be combined with other stations. The Growth Plan now requires the ROP to “maximize the extent” of station areas, even when this includes low rise residential neighbourhoods. The Regional criteria for MTSA generally includes:

- the walking distance and pedestrian connectivity (walkability) to station stops;
- areas with high development potential within 800m;
- low rise residential neighbourhoods within 500m of the station;
- discretion regarding low rise residential neighbourhoods within 500-800m;
- the removal of large areas of floodplain or natural heritage features; and
- whole blocks and both sides of the street are treated consistently wherever possible.

Once City staff understood that, as a result of changes in the Growth Plan (2020), Regional staff would not support the extent of the proposed MTSA boundaries determined in the PARTS project which were previously considered by City Council, City staff were supportive of reviewing all MTSA boundaries across the Region using a set of consistent criteria. This resulted in the expansion of MTSA boundaries in some locations, the reduction or contraction of MTSA boundaries in other areas as well as the division of the PARTS Central MTSA boundaries as shown in Attachment B. It is important to note that the inclusion of a property in an MTSA does not necessarily signify that the property is intended for major change and/or intensification. Official Plan and Secondary plan policies within MTSA will provide land use designations and further policy direction regarding which lands are and are not the focus for major change and/or intensification.

Planning staff intend to report to council on the status of the NPR, including the implications of the ROP review in the coming months.

The Growth Plan provides for alternative MTSA density targets where the 160 RJs/ha minimum cannot be met because of Provincial development restrictions or where the station provides a transit point to a major trip generator. Any alternative target must be pre-approved by the Province.

The Block Line Station area is severely constrained by natural heritage features, floodplain and railway lands. It also provides a transfer to Conestoga College and is suitable for an alternative target. City staff have reviewed and agree with the proposed alternative target for Block Line Station of 80 RJs/ha.

Key City comments:

- The City supports the Region’s proposed MTSA boundaries as shown in Attachment B.
- The City supports the alternative target for Block Line of 80 RJs/ha.
- The City will continue to plan for densities greater than 160 RJs/ha in many station areas.

2.3 Regional Intensification Corridors

The Growth Plan requires the Region to consider the identification of Other Regionally Significant Intensification Areas beyond the Urban Growth Centres and MTSAs. The draft Intensification Strategy included in the ROP Review identifies potential corridors shown in Figure 2 including:

- Victoria Street North;
- Ottawa Street;
- Manitou Drive and Homer Watson Boulevard; and
- Ira Needles Boulevard.

Planning for these new corridors supports future opportunities for higher order transit such as Light Rail Transit or Bus Rapid Transit. Corridors are proposed to be planned to achieve a minimum density of 100 RJs/ha in the long term. City staff are awaiting policy details surrounding these corridors, but anticipate that the intensification corridor policies will be less prescriptive than the Region's MTSA policies. Instead, Regional Intensification Corridors should signal a long-term intent to align planning for higher order transit with transit supportive development and densities. This is similar to how the ROP identified the Central Transit Corridor for decades prior to the completion of ION phase 1 in 2019.

Key City comments:

- The City supports the identification of Regional Corridors in principle, provided that the ROP policies are not overly prescriptive and do not redirect intensification efforts away from the UGC and MTSAs.
- More work is needed to understand the infrastructure implications of these new Regional Intensification Corridors. Additional consultation with a broad spectrum of city-building stakeholders is required to build consensus and alignment and deliver on a consistent vision for the Corridors. We look forward to ongoing discussions on this matter.
- The Victoria Street North corridor is constrained by shallow lots and adjacent rail and industrial uses, especially on the northwest side. This will limit the opportunities for residential and mixed-use development.
- The Ottawa St corridor is likely the best candidate for a Regional Intensification Corridor.
- The Manitou/Homer Watson corridor is constrained by the natural heritage system and limited redevelopment opportunities. Planning to achieve 100 RJs/ha in this corridor will be difficult.
- City staff is of the opinion that more analysis is required prior to establishing the 100 RJs/ha target in the ROP.

3. Employment Strategy and Regional Employment Area

The Employment Strategy assesses and evaluates employment growth in the Region to 2051, proposes Regional Employment Areas in the Regional Official Plan, establishes a minimum density target for employment areas and identifies opportunities for intensification on employment lands. This level of detail regarding employment areas is new to the ROP and sets an important framework for employment areas for both the Region and the Area Municipalities.

Regional Employment Areas are large areas intended to support business and industrial activity that have Region-wide significance for current and future employment. The

Province recognized the slow erosion of employment areas over the last decade and included strong employment area protections through the Growth Plan to ensure that large areas that support the local and Regional economy would be protected from requests to convert these sites to residential and major retail uses. The proposed [Regional Employment Area](#) in Kitchener, shown in Attachment C, aligns closely with the City's proposed Provincially Significant Employment Zones (PSEZ) as outlined in [DSD-19-187](#). Lands identified as Regional Employment Areas can only be considered for conversion to non-employment uses at the time of a comprehensive review of the ROP. In addition to the Regional Employment Areas, additional employment lands will continue to be designated within the City's Official Plan and will serve a local employment function and contribute to complete communities. However, these City-designated employment lands will have future opportunities to request conversion to a non-employment use outside of a comprehensive ROP review process.

The Region provided an opportunity for private and municipal requests for certain lands not to be identified as Regional Employment Areas. Requests were evaluated based on [Provincial and Regional criteria](#) and in consultation with City staff. Two landowner requests within the City were recommended for inclusion from the Region's Employment Area: one property located near the intersection of Goodrich and Wabanaki; and one located on Union Street. Four privately-initiated requests were recommended for exclusion.

Key City Comments:

- The City generally supports the proposed Regional Employment Area and the preliminary recommendations on conversion requests.
- The Regional Employment Area should not include any lands identified as Regional Greenlands or City Natural Heritage Conservation designations.
- It is important that any Regional policies regarding commercial uses within Regional Employment Areas be carefully crafted to ensure that a significant amount of protected employment lands are not lost to commercial uses.

4. Growth Scenarios and Land Need Assessment

The Land Needs Assessment (LNA) uses a Provincially prescribed methodology to determine the amount of land required to accommodate the 2051 population and employment forecast. It will:

- evaluate a base case that uses the minimum residential intensification target of 50% annually, and minimum Greenfield density of 50 RJs/ha per the Growth Plan;
- consider two alternative scenarios with higher assumptions around the rate of intensification and the density of Greenfield development;
- allocate population and employment growth, Greenfield density, and intensification targets to the Area Municipalities to 2051; and
- determine the amount and location of land that may need to be added to the Urban Area to accommodate growth.

The Growth Scenarios work will evaluate the most appropriate location for any Urban Area expansion considering growth management, transportation, infrastructure, agriculture, natural heritage, livability and economic development criteria. A financial impact assessment will consider the cost of providing water, wastewater, roads and stormwater to various candidate areas. This ROP review will also provide direction on the location of the Countryside Line and Regional groundwater recharge area in southwest Kitchener.

The Region plans to release this work in March 2021 for consultation with further refinement of a preferred growth scenario to continue into the summer and fall of 2021. City staff plan to report back to City Council to provide comments on this key portion of the ROP review.

Key City comments:

- The land needs assessment should continue to plan for growth in the Downtown Kitchener Urban Growth Centre beyond 2031 and more than the minimum density target of 200 RJs/ha; as well as beyond the minimum density target of 160 P+J per hectare in many MTSAs.
- Higher rates of intensification outside of intensification areas and a broader mix of densities should be assumed in the LNA considering historic and emerging development patterns and typologies and increasing demand for missing middle housing (e.g. additional dwellings, backyard homes and duplexes). This approach helps provide for the full range and mix of housing, complete communities, opportunities to age in place, makes efficient use of existing infrastructure, provides opportunities for gentle density in existing neighbourhoods and advances affordability objectives.
- The Growth Scenario work should evaluate a scenario with no urban area expansions and a transition to a 100% residential intensification target after the currently Designated Greenfield Areas are developed.

5. Climate Change

The Region is using climate change as a lens to inform all components of the ROP review. It has set an ambitious and wide-ranging set of directions. City staff await how these directions will be translated into ROP policies.

Key City comments:

- City staff are encouraged by the ambition in the Policy Direction Paper. While it is important to acknowledge the many long-standing planning objectives such as planning for compact mixed-use development have positive climate impacts, the City recommends that the ROP include a small set of impactful, tangible, and implementable ROP climate policies. For example, the ROP could direct that Regional roads be developed as complete streets, prohibit adding additional vehicle lanes, and be more selective in taking land for road widenings through the development review process. A Regional policy framework to encourage renewable energy production that fills the gap created by the repeal of the Green Energy Green Economy Act could also be impactful.

6. Housing Policy Review

The Region provided a brief that addresses the range and mix of housing needs and focuses on affordable housing. It considers strengthening policies governing conversion of existing rental buildings to condominiums and establishing protected MTSAs (PMTSAs) to allow the Cities to implement [inclusionary zoning for affordable housing](#).

Key City comments:

- The condominium conversion policies in the ROP should be more stringent.

- The ROP review should include municipality-specific housing mix targets.
- The ROP review should consider policies that encourage or require rental replacement for affordable units lost through redevelopment.

7. Natural Heritage

No significant policy changes are proposed for the Regional Greenland System. Minor boundary adjustment are proposed to reflect updated modeling, fieldwork and to align with the City Zoning By-law update (CRoZBy).

Key City comments: None.

8. Agriculture System

The ROP review includes recommendations on the candidate prime agricultural areas identified by the Province in North Dumfries, Wilmot, Cambridge and Waterloo. No changes are being considered for Kitchener's rural and agricultural areas.

Key City comments: None.

Timing and Next Steps

Intensification Strategy - MTSA boundary delineations and alternative density target requests to Regional council	April 2021
Employment Strategy - Draft Regional Employment and employment area conversion requests to Regional Council	April 2021
Land Needs assessment and growth scenarios	June 2021
Consultation on preferred growth scenario (including report to City Council)	Spring/Summer 2021
Present Draft ROP amendment to Regional council	Fall 2021
Statuary Public Meeting to consider adopting growth related components of ROP review	Q1 2022
Draft Amendment for non-growth components presented to council (natural heritage and water resources systems mapping, mineral aggregates, source water protection and agricultural system)	Fall 2021-Winter 2022
Statuary Public Meeting to consider adopting non-Growth-Related components of ROP review	Q2 2022
Province approves growth-related ROP amendment	July 2022
Province approves non growth-related ROP amendment	Fall 2022
City OP amended to conform with ROP amendment	2023

STRATEGIC PLAN ALIGNMENT:

This report supports the delivery of core services.

FINANCIAL IMPLICATIONS:

Capital Budget – The recommendation has no impact on the Capital Budget.

Operating Budget – The recommendation has no impact on the Operating Budget.

How and where we grow has significant financial implications on the capital, lifecycle and operational costs of providing infrastructure and community services for future generations. Additional details regarding the financial implications for various growth scenarios will be detailed in the Region's Fiscal Impact Assessment of the Growth Scenarios. In addition, low density and sprawling communities can contribute to social and environmental issues like climate change, noise pollution and public health impacts which are difficult to quantify but are important to consider.

Work to update the City's Official Plan to conform with the ROP must be completed within one year of the ROPR approval by the Ministry of Municipal Affairs and Housing. There is currently a budget of \$12,500 in 2022 to complete this work. The adequacy of this budget will be reviewed once the extent of the conformity work has been scoped.

COMMUNITY ENGAGEMENT:

INFORM –

- This report has been posted to the City's website with the agenda in advance of the Council / Committee meeting.
- The Region is leading the consultation on this project. Engagement is primarily virtual and centred on www.engagewr.ca/regional-official-plan.
- In addition to asynchronous engagement, live engagement events included:
 - Kick-off open houses, including one at the Kitchener Public Library, Fall 2019;
 - Ask a Planner webinar, June 2020; and
 - COVID-19 symposium held jointly with the University of Waterloo, August 2020.

City staff intend to update relevant City council advisory committees on the ROP review project in the coming months.

PREVIOUS REPORTS/AUTHORITIES:

There are no previous reports/authorities related to this matter.

APPROVED BY: Justin Readman, General Manager, Development Services

ATTACHMENTS:

Attachment A – Key City Staff comments on the Regional Official Plan Review

Attachment B – Comparison of City proposed MTSA boundaries and Region Proposed Boundaries

Attachment C - Proposed Regional Employment Area and preliminary responses to conversion requests

Attachment A – Key City Staff comments on the Regional Official Plan Review

Major Transit Station Areas

- The City supports the Region's proposed MTSA boundaries as shown in Attachment B.
- The City supports the alternative target for Block Line of 80 RJs/ha.
- The City will continue to plan for densities greater than 160 RJs/ha in many station areas.

Regional Intensification Corridors

- The City supports the identification of Regional Corridors in principle, provided that the ROP policies are not overly prescriptive and do not redirect intensification efforts away from the UGC and MTSAs.
- More work is needed to understand the infrastructure implications of these new Regional Intensification Corridors. Additional consultation with a broad spectrum of city-building stakeholders is required to build consensus and alignment and deliver on a consistent vision for the Corridors. We look forward to ongoing discussions on this matter.
- The Victoria Street North corridor is constrained by shallow lots and adjacent rail and industrial uses, especially on the northwest side. This will limit the opportunities for residential and mixed-use development.
- The Ottawa St corridor is likely the best candidate for a Regional Intensification Corridor.
- The Manitou/Homer Watson corridor is constrained by the natural heritage system and limited redevelopment opportunities. Planning to achieve 100 RJs/ha in this corridor will be difficult.
- City staff is of the opinion that more analysis is required prior to establishing the 100 RJs/ha target in the ROP.

Employment Strategy and Regional Employment Area

- The City generally supports the proposed Regional Employment Area and the preliminary recommendations on conversion requests.
- The Regional Employment Area should not include any lands identified as Regional Greenlands or City Natural Heritage Conservation designations.
- It is important that any Regional policies regarding commercial uses within Regional Employment Areas be carefully crafted to ensure that a significant amount of protected employment lands are not lost to commercial uses.

Growth Scenarios and Land Need Assessment

- The land needs assessment should continue to plan for growth in the Downtown Kitchener Urban Growth Centre beyond 2031 and more than the minimum density target of 200 RJs/ha; as well as beyond the minimum density target of 160 P+J per hectare in many MTSAs.
- Higher rates of intensification outside of intensification areas and a broader mix of densities should be assumed in the LNA considering historic and emerging development patterns and typologies and increasing demand for missing middle housing (e.g. additional dwellings, backyard homes and duplexes). This approach helps provide for the full range and mix of housing, complete communities,

opportunities to age in place, makes efficient use of existing infrastructure, provides opportunities for gentle density in existing neighbourhoods and advances affordability objectives.

- The Growth Scenario work should evaluate a scenario with no urban area expansions and a transition to a 100% residential intensification target after the currently Designated Greenfield Areas are developed.

Climate Change

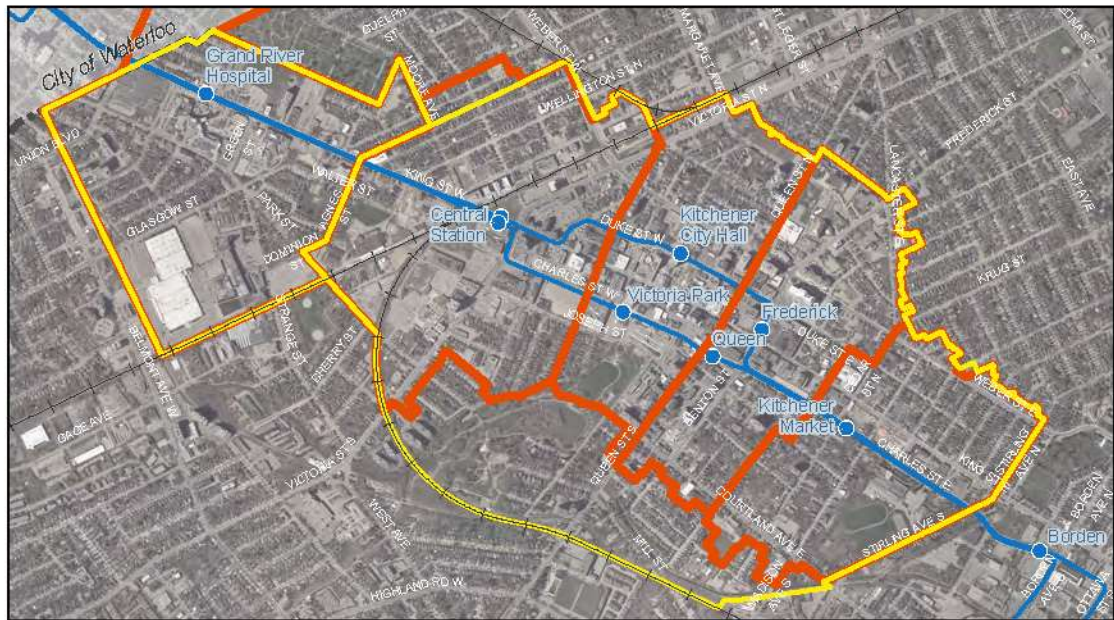
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- While it is important to acknowledge the many long-standing planning objectives such as planning for compact mixed-use development have positive climate impacts, the City recommends that the ROP include a small set of impactful, tangible, and implementable ROP climate policies. For example, the ROP could direct that Regional roads be developed as complete streets, prohibit adding additional vehicle lanes, and be more selective in taking land for road widenings through the development review process. A Regional policy framework to encourage renewable energy production that fills the gap created by the repeal of the Green Energy Green Economy Act could also be impactful.

Housing Policy Review

- The condominium conversion policies in the ROP should be more stringent.
- The ROP review should include municipality-specific housing mix targets.
- The ROP review should consider policies that encourage or require rental replacement for affordable units lost through redevelopment.

Attachment B - Comparison of City proposed MTSA boundaries and Region

Proposed Boundaries



MTSA Boundary Review Midtown and Central		MTSA Boundary (PARTS and NPR)	MTSA Region Proposed (modified)	Rapid Transit Stations	Rapid Transit
				● Rapid Transit Station Phase 1	— Light Rail Transit Corridor Phase 1
				● Adapted Bus Rapid Transit Station	— Adapted Bus Rapid Transit Corridor
				● Rapid Transit Station Phase 2	— Light Rail Transit Corridor Phase 2



MTSA Boundary Review Mill and Borden		MTSA Boundary (PARTS and NPR)	MTSA Region Proposed	Rapid Transit Stations	Rapid Transit
				● Rapid Transit Station Phase 1	— Light Rail Transit Corridor Phase 1
				● Adapted Bus Rapid Transit Station	— Adapted Bus Rapid Transit Corridor
				● Rapid Transit Station Phase 2	— Light Rail Transit Corridor Phase 2



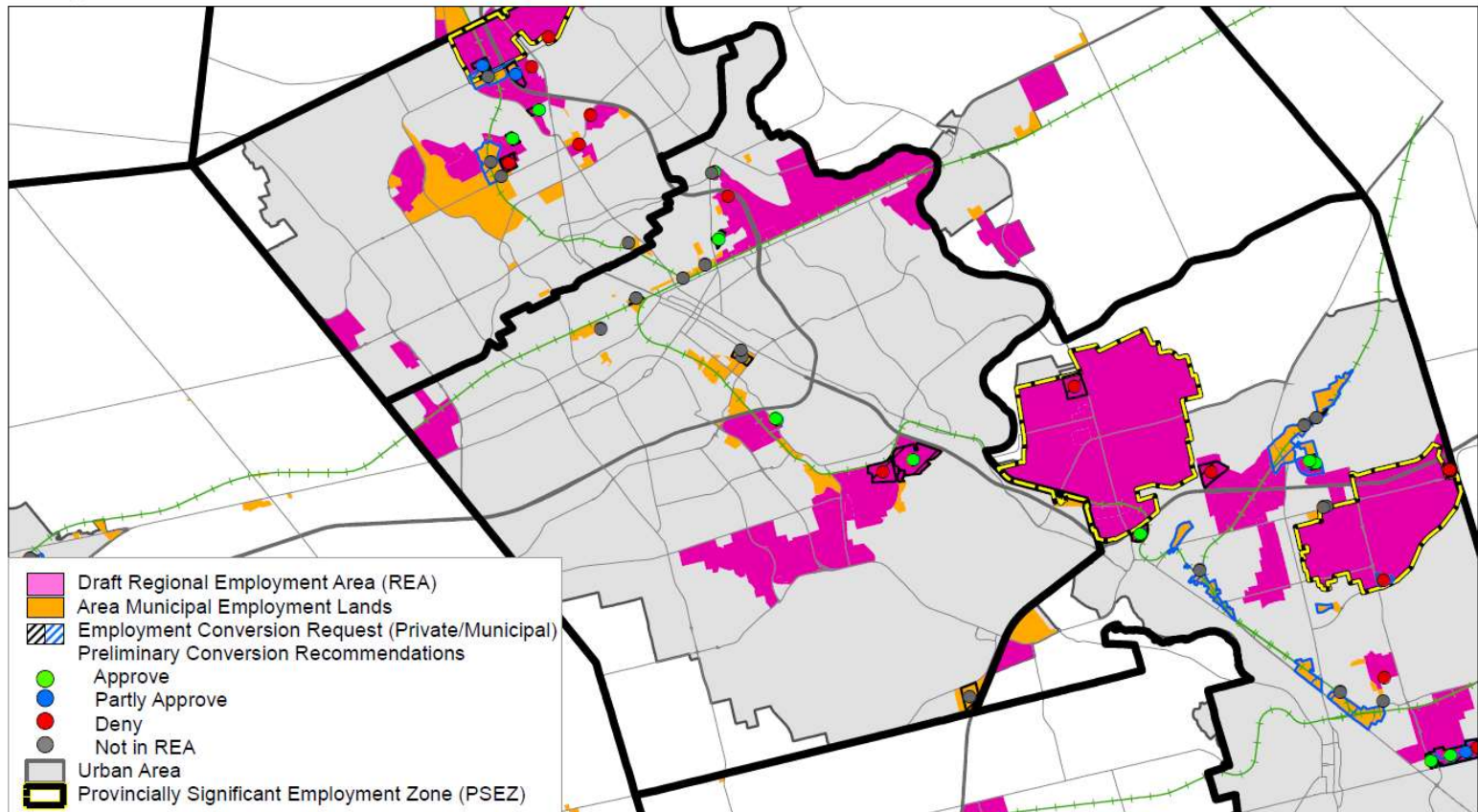
MTSA Boundary Review Block Line and Fairway



MTSA Boundary Review Sportsworld



Attachment C – Proposed Regional Employment Area and preliminary responses to conversion requests



Dawn Cassandra Parker
65 Shanley St.
Kitchener, ON N2H 5N7
dcparker@uwaterloo.ca
Phone available on request

16 August, 2022

To: Regional Council and Chair/Kitchener Council and Mayor

Cc: Sarah Marsh, Brenna MacKinnon, Nathalie Goss, Tim Donegani, Cushla Mathews
Re – Request for equitable and rational delineation of Major Transit Station Area boundaries in the Region Official Plan update

Dear elected officials and planning staff,

In brief this communication contains 2 requests, both acceptable, the second preferred, signed by myself and 18 other Kitchener and Waterloo residents:

Option 1: *stable low-rise residential neighbourhoods located 500-800 metres walking distance from the station stops should be excluded from MTSA designation.*

Option 2: *Designate all areas between 500-800 meters walking distance to LRT stops as MTSA's, throughout the Region. The Region must then set a strict and binding low-rise limit on height in stable residential neighbourhoods in these areas. This limit will limit land-value uplift and keep land prices low enough to make missing middle builds affordable. Planning legislation then allows municipalities to invoke affordable-housing specific policies in these areas, creating the opportunity for affordable missing middle housing in walking distance of LRT.*

The current narrower MTSA designations create a clear incentive for developers to circumvent affordable housing requirements by building just outside of these boundaries.

I am writing to repeat my **requests**, submitted to Regional and Kitchener planning staff over the last two years, **that equitable, transparent, and rational criteria be applied to delineation of the MTSA boundaries**. This request and related queries have been in the hands of Regional and City planning staff for almost two years, through written and oral submissions, including in-person meetings. **We have yet to receive a complete explanation of how boundaries have been delineated, and a corresponding replicable explanation of the methodologies that were used.** While walking accessibility to transit is the central rationale for establishment of MTSA's, we were informed on Monday the 15th by Dr. Cushla via e-mail that "While we have not mapped the walking distances, the MTSA boundaries generally fall within a 10 minute walking distance based on Google maps." Given the impact that MTSA designation has on the stability of the neighbourhood, I have continuously argued that the designation be formal and transparently communicated to all impacted residents.

A formal request to modify the boundaries submitted by myself and Catherine Owens was refused only last Thursday, too late for either of us to appear as a delegation at the meeting where the ROP received preliminary approval.

I request one of two approaches be taken, and while I provide arguments below for both, **I strongly recommend the second approach**, the arguments for which have been in the hands of Regional and Kitchener planning staff since early June.

Option 1: stable low-rise residential neighbourhoods located 500-800 metres walking distance from the station stops should be excluded from MTSA designation.

- Both Regional and Municipal official plans, as well as the supporting PARTs plans in Kitchener, clearly state that stable residential neighbourhoods are not targets for high intensity intensification. These arguments were offered in Dr. Mathews' refusal of our request. If they are not intensification targets, they should not be included in the MTSA.
- The two affected core-area station areas in Kitchener are not only meeting but also are significantly exceeding the province's intensification targets within their 500-metre boundaries. (For an illustration of these areas, see Attachment B on page 14 of the included document, with my queries submitted to staff in August, 2021, but not fully answered).
- Inclusion in the MTSA prohibits any neighbour appeals of developments, including those that exhibit poor urban design.
- Inclusion in the MTSA with no accompanying development restrictions will trigger a cycle, well supported by planning theory and evidence, of neighbourhood decay as residential values erode due to incompatible surrounding development and planned deterioration of residential properties "land banked" for future development by investors.
- The methodology to make MTSA adjustments as described in Appendix B of PDL-CPL-21-17 is qualitative and subjective, and no objective criteria have been provided to repeated requests by myself and others, which would support the Region and City's decision to expand MTSA boundaries beyond 500 metres walking distance into stable residential neighbourhoods in some MTSAs but not others.
- With no specific criteria given for inclusion of the new areas in the Mt. Hope neighborhood in the MTSA, the optics are very poor. The new boundaries could be interpreted as being designed to include those most strongly advocating for good development in the neighbourhood, including the founder of the neighbourhood development committee, the majority of previous and current members, the appellants to the poor design of the proposed Google parking garage and the majority supporting that effort, our City councillor, and neighbours advocating for transparency in city planning, bird protection on high rises, equitable parkland provision in core areas, and stormwater management. The new boundaries could be easily interpreted as being drawn to prevent neighbour appeals of a future Google build. *Is our neighbourhood being sacrificed as a tithe to an internationalized high-tech corporation and associated land investors?*
- Neighbourhoods in Victoria Park area were removed from the MTSA designation on review. *Who made this recommendation, and how? Who benefits and who loses?* Other comparable neighbourhoods in terms of built form and distance from transit were also excluded—for example see the Mary Allen boundaries (page 9 on PDL-CPL-21-17). Residential areas around Conestoga Station (page 7, same report) were also excluded for unknown reasons.
- The neighbourhoods where MTSA boundaries encroach beyond 500 metres into stable residential neighbourhoods and RIENS designated neighbourhoods (Residential Intensification in Established Neighbourhoods passed by Kitchener Council in May 2017) appear to be lower income and having higher racial and ethnic diversity than other MTSAs in the Region.

- I cannot speak for the Mill and Borden neighbourhood now included in the MTSA, but destroying our neighbourhood absolutely contradicts the stated goals of the ROP revision, especially the goals of 15-minute neighbourhoods. We are a historical and current example of a 15-minute neighbourhood. Many residents don't need and don't have cars. We are (still) diverse with respect to race and income. Our neighbourhood houses a wide variety of people, including many on disability, new immigrants, university and college professors and students, social workers, planners, and yes, many working at tech firms. Our neighbourhood is a City-wide leader in innovation, home of the neighbourhood chalkboards, Library of Things, origin of the Neighbourhood Development committee, and a Rain Smart demonstration neighbourhood where many yards have raingardens, native perennials, and edible landscaping. Our neighbourhood is already dense, with many historical and new example of "missing middle" housing, including low-rise apartments. We worked with the City to establish a vision for new "missing middle" apartment housing on the former Electrohome site, and with the developers to craft a development vision that goes beyond the city's minimal environmental standards. ***What purpose is served by sacrificing this neighbourhood to the altar of high-rise, investor-driven and owned condos?***

As an alternative to limiting all MTSA to 500 metres walking distance, I propose **Option 2**, which should have potential **increase affordable and attainable housing between 500-800 metres of LRT stops**, and may also **protect the ROP revision against its inevitable appeal**. Specially, **"inclusionary zoning"** to require affordable housing in new builds is possible only within MTSA's under current Provincial legislation. Option 2 would expand its potential application.

Further, the current narrower **MTSA designations create a clear incentive for developers to circumvent affordable housing requirements by building just outside of these boundaries**. At 501 metres from an LRT stop, they would still capture the majority of profits from being close to transit, and if their proposed amendments are refused, they will appeal, and their appeal will likely be granted. Stable residential neighbourhoods are destroyed with no affordable housing gain. Alternatively:

- **Designate all areas between 500-800 meters walking distance to LRT stops as MTSA's, throughout the Region.**
- The Region must then **set a strict and binding low-rise limit on height in stable residential neighbourhoods in these areas**. This limit will **limit land-value uplift and keep land prices low enough to make missing middle builds affordable**. (I have heard repeatedly from developers and non-profits that land prices are a barrier to Missing Middle builds.) The Region needs to send a clear and consistent message that official plan amendments above low-rise metres and not conforming to urban design standards will be rejected by the Region.
- The new ROP's provisions to **lift exclusionary zoning** (i.e. allow more than just single-family homes and duplexes, but also small apartment buildings, if conforming to height, setback, and greenspace requirements) **on all residential lots across the Region**, will support my proposed strategy, **creating a level playing field across neighbourhoods**. With only limited areas designated, like the arrivals lounge at Pearson on a busy summer travel day, all intensified development is pushed into a few small areas, **limiting market opportunities**, and damaging or destroying those select neighbourhoods.
- Both the Region and municipalities can then create **targeted incentives for affordable and attainable housing in these low-rise zones between 500-800 metres from transit**.

- These could include programs like the previous \$25,000 forgivable loans for affordable secondary units and laneways homes.
 - They could also include partnerships with non-profits to build low-rise missing middle apartments (such as the innovative “missing middle” build at 18 Guelph).
 - For better or worse, many developers prefer to pay a fee to build affordable housing elsewhere rather than creating it within what are now very expensive build high-rises. Inclusionary zoning between 500-800 metres from LRT would create a pathway for developers to support affordable housing that was still within walking distance of LRT stops.
 - As properties such as former industrial site and parking lots are not designated as stable residential land uses, they could still be developed at higher densities, if urban design guidelines are followed. (Currently these guidelines are often ignored).
- These actions would provide a pathway for the Region to demonstrate the feasibility of their intensification targets, which could be done using standard methods such as GIS analysis as well as state-of-the-art tools, many developed in collaboration with the Region, that we demonstrated in the “Where do we grow from here?” KWAR symposium (<https://kwar.ca/symposium-plans-for-waterloo-region-future/>). **Without using all state-of-the-art methods and tools available to them, the Region is unlikely to be able to win an appeal against its new proposed plan,** as appellants are likely to use such analysis methods.
 - Option 2 would also **return the Region to their previous status as a provincial innovator for sustainable intensification.**

I can’t speak as a delegation at your next meeting, but I would be happy to discuss these proposals, already discussed with many local stakeholders and planners, at any time. I also invite any of you to join me on a walk through our laneway neighborhood, so that you can fully understand what will be lost if you selectively designate only our neighbourhood for intensified development.

Thank you for your attention.

Dawn Parker

Co-signed by:

Peggy Nickels, 11 Dill Street, Kitchener

Bill Bulmer, 55 Shanley Street, Kitchener

Gwen Wheeler, 61 Agnes st., Kitchener

Gail Pool, 110 Water Street South, Kitchener

Suzanne Dietrich and Dhananjai Borwankar, 43 Delisle Ave, Kitchener, ON

Katherine Spring, 21 Dekay St.

Signe Swanson, 39 Delisle Avenue, Kitchener

Mark Sisson, 326 Duke St. W., Kitchener

Joanne Neath, Patrick Koch, 113 Louisa St

Shirley Grove and Wesley Dyck and Elhana Dyck, 25 Shanley St, Kitchener

Katie McCann and Chris Howlett, 70 Wellington st, Kitchener

Robert Barlow-Busch, 134 Louisa Street, Kitchener

Jacqueline Brook, 31 Theresa St, Kitchener

From: gordon.n gordon.n
Sent: August 15, 2022 8:13 AM
To: Karen Redman <KRedman@regionofwaterloo.ca>
Subject: Importance of a healthy environment

15 March, 2022

Good morning Karen

As the Region moves to finalize its plans for development I hope your planners are considering the importance of green space for the inner city residents who will live in the new high rise buildings along the LRT corridor.

I request you circulate the attached article by three professors from UBC about the importance of a healthy environment to your planners and council:

https://www.theglobeandmail.com/opinion/article-the-un-just-recognized-access-to-a-healthy-environment-is-a-universal/?utm_medium=email&utm_source=Morning%20Update&utm_content=2022-8-15_6&utm_term=Morning%20Update%3A%20One%20year%20after%20Taliban%20takeover%2C%20Afghans%20left%20behind%20feel%20betrayed%20by%20Canada%2C%20fear%20for%20lives&utm_campaign=newsletter&cu_id=kMRPvNeOTJ36HrXENXTXdVGVRyujcZtz

In addition I request your planners and council look at how the 200+ acres of green space in Hidden Valley would help to address this problem for the 50,000 new residents that will live in the central core of KW in the near future.

Thank you

Gordon Nicholls

Kitchener

From: Craig Beattie

Sent: August 11, 2022 12:44 PM

To: Berry Vrbanovic <BVrbanovic@regionofwaterloo.ca>; Dave Jaworsky <mayor@waterloo.ca>; Elizabeth Clarke <ELClarke@regionofwaterloo.ca>; Geoff Lorentz <GLorentz@regionofwaterloo.ca>; Helen Jowett <HJowett@regionofwaterloo.ca>; Jim Erb <JErb@regionofwaterloo.ca>; Joe Nowak <JoNowak@regionofwaterloo.ca>; Karen Redman <KRedman@regionofwaterloo.ca>; Karl Kiefer <KKiefer@regionofwaterloo.ca>; Kathryn McGarry <mcgarryk@cambridge.ca>; Les Armstrong <LesArmstrong@regionofwaterloo.ca>; Michael Harris <MHarris@regionofwaterloo.ca>; Sandy Shantz <SShantz@regionofwaterloo.ca>; Sean Strickland <SStrickland@regionofwaterloo.ca>; Sue Foxton <SFoxton@regionofwaterloo.ca>; Tom Galloway <TGalloway@regionofwaterloo.ca>

Subject: Support Proposed Amendments to the Regional Official Plan

Importance: High

Dear Regional Chair and members of Regional Council,

I am writing to you today to express our strong support for the proposed amendments to the Regional Official Plan.

Waterloo Region is one of the most livable regions in Canada featuring a broad economic base which is the envy of many, amazing neighborhoods and housing typology, all while being close to many rural villages and prime agricultural land. Waterloo Region has achieved this status in no small part through progressive and visionary planning framework that has been taking place for decades. Though conceptually envisioned for decades, one of the most recent transformative planning initiatives, the central transit corridor, is in its early days of life given it only commenced operation in 2019 and has endured 2+ years of covid impacts since.... I strongly encourage Regional council to stay the course with a focus on intensification within this central corridor and make better use of existing land infrastructure. This focus is key to the ability to create a vibrant and energetic community that will help attract and retain talent badly needed to support continued job growth and prosperity throughout the Region.

While countless municipalities toil away at trying to develop transit focused cores and intensifying, Waterloo Region has been a leader for a long time and its critical that we stay in front of the pack and continue to be bold and visionary.

All the best.

Craig.

August 17, 2022

By E-Mail to *regionalclerk@regionofwaterloo.ca*

Regional Chair Karen Redman and Members of Regional Council
Regional Municipality of Waterloo
150 Frederick Street
Kitchener, Ontario
N2G 4J3

Attention: Regional Clerk

Dear Chair Redman and Council:

**Re: Proposed Amendment to the Regional Official Plan – Implementation of the
Results of the Municipal Comprehensive Review under the *Growth Plan for
the Greater Golden Horseshoe*
Regional Staff Report No. PDL-CPL-22-24
Special Council Meeting on August 18, 2022 – Agenda Item 7.1**

We are counsel to Schlegel Urban Developments Corp. (“Schlegel”).

As Regional Council is aware, Schlegel has actively participated in the Regional Official Plan Review / Municipal Comprehensive Review process over the last three years, particularly in relation to its two property interests adjacent to the existing urban area in southwest Kitchener. Through its consultants and advisors, Schlegel has made several oral and written submissions, including, most recently, at the Planning and Works Committee meeting on August 11, 2022 in respect of the above-noted Regional Official Plan Amendment.

We were very surprised when the Region’s Commissioner of Planning, Development and Legislative Services, Mr. Rod Regier, stated during last week’s Planning and Works Committee meeting that Regional staff had not received detailed calculations and technical analysis supporting the alternative land needs assessment calculations.

More specifically, during his presentation to the Committee, Mr. Regier referred to a slide entitled “LNA Methodology”, and in relation to the sub-heading: **“An alternative, comprehensive analysis has not been delivered”**, he stated as follows:

“We made requests for all of the lands needs assessment calculations that have supported alternative land allocations, but we have not received them. ... Without the detailed calculations, the math that underpins those estimates, it’s a challenge for us to respond to requests that are not fully supported by the technical analysis.”

As it relates to Schlegel and the “alternative” land needs assessment that its consulting team prepared and submitted to the Region, the above statement is not accurate.

To be accurate, on May 27, 2022, Schlegel’s land use planning consultant, Malone Given Parsons Ltd. (“MGP”), delivered to Regional Planning staff its “alternative” lands need assessment, which estimated that the Region will require 944 hectares of additional Community Area land to accommodate the growth that is forecast for the Region to 2051 (the “MGP LNA”). The MGP LNA followed the process set out in the Province’s Land Needs Assessment Methodology and was supported by detailed calculations and a comprehensive Designated Greenfield Area supply and density analysis for the entire Region. This comprehensive submission totalled 40 pages.

Regional Planning staff confirmed, in writing, that they received the MGP LNA on May 27, 2022, and have therefore had the document for nearly three months. In addition, MGP and Schlegel’s land economist, IBI Group, had two opportunities to discuss their technical concerns regarding the Region’s land needs assessment with Regional Planning staff and the Region’s consultant, Dillon, in June 2022, which Schlegel appreciated. Notably, we have also confirmed with MGP that, since the delivery of the MGP LNA to the Region in May, they have not received any request from Regional staff for additional calculations or any other information in support of this “alternative” land needs assessment.

We believe it is important that Regional Council have clear and accurate information when it considers this matter at its meeting on August 18, 2022.

Yours truly,
DAVIES HOWE LLP



Mark R. Flowers
Professional Corporation

encl.

copy: Rod Regier, Region of Waterloo
Client
Don Given and Matthew Cory, Malone Given Parsons Ltd.