



Planning & Strategic Initiatives Committee Agenda

Monday, December 1, 2025, 5:30 p.m. - 6:30 p.m.

Council Chambers

City of Kitchener

200 King Street W, Kitchener, ON N2G 4G7

People interested in participating in this meeting can register online using the delegation registration form at www.kitchener.ca/delegation or via email at delegation@kitchener.ca. Please refer to the delegation section on the agenda below for in-person registration and electronic participation deadlines. Written comments received will be circulated prior to the meeting and will form part of the public record.

The meeting live-stream and archived videos are available at www.kitchener.ca/watchnow.

Accessible formats and communication supports are available upon request. If you require assistance to take part in a city meeting or event, please call 519-741-2345 or TTY 1-866-969-9994.

Chair: Councillor P. Singh

Vice-Chair: Councillor D. Chapman

Pages

1. Commencement

2. Disclosure of Pecuniary Interest and the General Nature Thereof

Members of Council and members of the City's local boards/committees are required to file a written statement when they have a conflict of interest. If a conflict is declared, please visit www.kitchener.ca/conflict to submit your written form.

3. Consent Items

The following matters are considered not to require debate and should be approved by one motion in accordance with the recommendation contained in each staff report. A majority vote is required to discuss any report listed as under this section.

3.1 Elimination of Return Envelopes, FIN-2025-407

3.2	2025 Victus Hockey Academy LP Agreement at Sportsworld Arena, CSD-2025-472		7
3.3	Modernizing Human Resource (HR) Policies, COR-2025-449		9
3.4	Municipal Act Section 357(g) Applications - Repairs and Renovations, FIN-2025-453		117
3.5	Municipal Act Section 357(1)(d.1) Application for Sickness or Extreme Poverty, FIN-2025-451		123
3.6	Project Funding Increase for Dundee Secondary Plan and Environmental Assessment, DSD-2025-469		128
3.7	Q24-016 - Professional Services – Ann Street, Becker Street, & Fife Street Reconstruction – Purchase Order Extension, DSD-2025-437		131
4.	Delegations		
	<i>Pursuant to Council's Procedural By-law, delegations are permitted to address the Committee for a maximum of five (5) minutes. All Delegations where possible are encouraged to register prior to the start of the meeting. For Delegates who are attending in-person, registration is permitted up to the start of the meeting. Delegates who are interested in attending virtually must register by 3:30 pm on December 1, 2025, in order to participate electronically.</i>		
5.	Discussion Items		
5.1	2025 Community Engagement Policy, COR-2025-454	20 m	133
	<i>(Staff will provide a 5-minute presentation on this matter.)</i>		
6.	Public Hearing Matters under the Planning Act (advertised)		
	<i>This is a formal public meeting to consider applications under the Planning Act. In accordance with the Ontario Planning Act, only the applicant or owner of land affected by the planning applications, a specified person, or a public body, and or the Minister may appeal most decisions. If you do not make a verbal submission to the Committee or Council, or make a written submission prior to City Council making a decision on the proposal, you may not be entitled to appeal the decision of the City of Kitchener to the Ontario Land Tribunal (OLT), and may not be added as a party to the hearing of an appeal before the OLT. To understand your right of appeal, if any, or for further clarification regarding appeals, please see the Ontario Land Tribunal website (https://olt.gov.on.ca/).</i>		
6.1	Missing Middle and Affordable Housing Community Improvement Plan, DSD-2025-371	25 m	157
	<i>(Staff will provide a 5-minute presentation on this matter.)</i>		
7.	Information Items		
7.1	Quarterly Planning Report (Q4), DSD-2025-470		193
7.2	Property Tax Exemption for Affordable Housing Update, FIN-2025-434		224

8. Adjournment

Mariah Blake
Committee Coordinator

REPORT TO: Planning and Strategic Initiatives Committee

DATE OF MEETING: December 1, 2025

SUBMITTED BY: Saleh Saleh, Director, Revenue Division, 519-904-6308

PREPARED BY: Saleh Saleh, Director, Revenue Division, 519-904-6308

WARD(S) INVOLVED: ALL

DATE OF REPORT: September 29, 2025

REPORT NO.: FIN-2025-407

SUBJECT: Elimination of Return Envelopes

RECOMMENDATION:

That the City of Kitchener discontinue the practice of including return envelopes with mailed paper bills effective February 1, 2026.

REPORT HIGHLIGHTS:

- The purpose of this report is to respond to Council's direction to assess the feasibility of discontinuing the inclusion of return envelopes with mailed paper property tax and utility bills.
- A municipal survey indicated that most municipalities across Ontario do not include return envelopes with paper bills.
- Eliminating return envelopes is expected to save approximately \$5,400 annually which will be shared between the tax base and the utility enterprises.
- It is recommended that the City discontinue the practice of including return envelopes with mailed paper bills effective February 1, 2026.
- This report supports **Cultivating a Green City Together: Focuses a sustainable path to a greener, healthier city; enhancing & protecting parks & natural environment while transitioning to a low-carbon future; supporting businesses & residents to make climate-positive choices.**

BACKGROUND:

As costs of paper continue to rise, the City of Kitchener is committed to lowering its carbon footprint and reducing costs at the same time. On August 25, 2025, Council passed the following motion related to the feasibility of eliminating return envelopes currently being included with mailed paper bills:

"WHEREAS the City currently includes return envelopes with mailed property tax and utility bills to facilitate customer payments;

WHEREAS eliminating return envelopes may result in cost savings and environmental benefits through reduced paper usage and waste;

THEREFORE BE IT RESOLVED that staff be directed to review the feasibility of discontinuing the inclusion of return envelopes in mailed customer property tax and utility bills and report back on findings and recommendations prior to the end of 2025."

This report provides information and a recommendation related to the discontinuation of including return envelopes with paper bills.

REPORT:

The City currently provides return envelopes with mailed paper property tax and utility bills for customers who do not pay online or through their bank. The City sends approximately 78,000 return envelopes annually which represents approximately 6,400 ratepayers. The estimated annual cost associated with these return envelopes is \$5,400.

As shown in the table below, a survey of municipalities across the Province indicates that most of the municipalities do not include return envelopes with their paper bills.

Municipality	Return Envelope included with paper bills? (Yes/No)
City of Toronto	No
City of Sarnia	No
City of Guelph	No
City of Windsor	No
Town of Newmarket	No
City of Vaughn	Yes
City of Oshawa	No
City of Ottawa*	Yes
City of Waterloo	No
City of Cambridge	No

** Return Envelopes are included only for supplementary bills and new utility accounts*

Based on findings from the municipal survey, along with anticipated cost savings and environmental benefits, Staff are recommending that the City discontinue the inclusion of a return envelope with paper bills.

STRATEGIC PLAN ALIGNMENT:

This report supports **Cultivating a Green City Together: Focuses a sustainable path to a greener, healthier city; enhancing & protecting parks & natural environment while transitioning to a low-carbon future; supporting businesses & residents to make climate-positive choices.**

FINANCIAL IMPLICATIONS:

Operating Budget – The recommendation will result in a cost savings of approximately \$5,400 annually which will be divided between the tax base and the utility enterprises.

COMMUNITY ENGAGEMENT:

INFORM – This report has been posted to the City's website with the agenda in advance of the council / committee meeting.

PREVIOUS REPORTS/AUTHORITIES:

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

APPROVED BY: Jonathan Lautenbach, CFO, General Manager of Financial Services

ATTACHMENTS: None

REPORT TO: Planning and Strategic Initiatives Committee

DATE OF MEETING: December 1, 2025

SUBMITTED BY: Ryan Cook, Manager of Community Arenas, 519-783-8650

PREPARED BY: Ryan Cook, Manager of Community Arenas, 519-783-8650

WARD(S) INVOLVED: 3

DATE OF REPORT: November 10, 2025

REPORT NO.: CSD-2025-472

SUBJECT: 2025 Victus Hockey Academy LP Agreement at Sportsworld Arena

RECOMMENDATION:

That the General Manager, Community Services and Deputy CAO be authorized to execute a license agreement and any amendments or renewals with Victus Academy LP for space at Sportsworld Arena, municipally known as 35 Sportsworld Crossing Road, said agreement to be satisfactory to the City Solicitor.

REPORT HIGHLIGHTS:

- The purpose of this report is to authorize delegated authority to execute an agreement with Victus Academy LP for space at Sportsworld Arena.
- Since 2016, Victus Academy has provided academic curriculum at Sportsworld Arena to elite hockey players from grades seven to twelve.
- The financial agreement will generate \$115,273.36 in annual revenue subject to a two (2) percent annual increase for the rental of the space at Sportsworld Arena.
- Community engagement includes collaboration with Kitchener Minor Hockey.
- This report supports the delivery of core services.

BACKGROUND:

Previous reports CSD-16-043 and CSD-19-019 have supported this license agreement at Sportsworld Arena. As CSD-16-043 mentions: In December 2013, The Leisure Facility Master Plan update suggested that "The city should aggressively pursue partnerships in an effort to leverage an increased array of leisure facilities and program delivery including partnerships with the school boards, private sector organizations (e.g. corporations naming rights, land developers, operating partners) and community non-profit organizations."

In 2015, the City of Kitchener was approached by Victus Hockey Academy LP (referred to as "Victus") to rent space and day-time ice at the Sportsworld Arena for a private school. Since August 2016, their academy has provided curriculum to elite hockey players in grades seven to twelve. The principle owner of Victus is Daniel Schmidt a life-long resident of Kitchener with a passion for education, hockey and excellence.

REPORT:

The previous license agreements since 2016 have included outlines of responsibilities including fees, payment schedules, insurance requirements, and

other obligations. Victus wishes to enter into another license agreement with the City of Kitchener (City) to use existing meeting space, ice-time and to make some alterations to the spaces on the upper level of the arena to accommodate their classrooms and fitness training needs. The alterations are minor and will not inhibit the function of the space they are occupying. These alterations requested by Victus include soft wall partitions to provide a larger space for workout facilities and some lockers for students. These alterations will be funded by Victus.

The term of the agreement commences on August 2, 2025 and, terminates at midnight on August 1, 2028. The agreement has a renewal term of one additional three-year term that may be entered into as mutually agreed between the City and Victus. After the renewal term, a new contract could be entered into if mutually agreed by the parties. The current 2025 school year has about 85 students registered, an increase from the 2019 pre-pandemic enrollment.

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 – This three-year license agreement with Victus will generate \$115,273.36 of rental revenue annually (with a 2\$ annual increase) by utilizing open weekday facility time at the Sportsworld Arena.

COMMUNITY ENGAGEMENT:

INFORM – This report has been posted to the City's website with the agenda in advance of the council / committee meeting.

PREVIOUS REPORTS/AUTHORITIES:

- Previous reports CSD-16-043 and CSD-19-019 have supported this license agreement at Sportsworld Arena.

[CSD-16-043 - Victus Hockey Academy Inc. - Sportsworld Arena.pdf](#)

[CSD-19-019 - Victus Academy LP - Licence Agreement Renewal](#)

- Municipal Act 2001

APPROVED BY: Jana Miller, Acting General Manager of Community Services

Staff Report



Corporate Services Department

www.kitchener.ca

REPORT TO: Planning and Strategic Initiatives Committee

DATE OF MEETING: December 1, 2025

SUBMITTED BY: Dimetra Resendes, Director, Human Resources, 519-783-8085

PREPARED BY: Janette MacDonald, Manager, Organizational Development and Learning, 519-783-8088

WARD(S) INVOLVED: All

DATE OF REPORT: November 20, 2025

REPORT NO.: COR-2025-449

SUBJECT: Modernizing Human Resources Policies

RECOMMENDATION:

That the modernized Human Resources policies, attached as Appendix A to Corporate Services report COR-2025-449 be approved; and,

That the redundant Human Resources policies, attached as Appendix B to Corporate Services report COR-2024-449 be repealed.

REPORT HIGHLIGHTS:

- The purpose of this report is to inform Council and seek approval of improvements to the City of Kitchener's Human Resources policies as staff have committed to a five-year review cycle to maintain current and effective policy language and terms.
- The financial implications are none.
- Community engagement included informing the public by posting the updated policies to the City's website with the agenda.
- This report supports the delivery of core services.

BACKGROUND:

As outlined in Council Report [COR-2024-018](#), Legislated Service completed a LEAN business process review to strengthen the existing policy review process. Human Resources staff are engaged in the updated policy review process as part of a comprehensive multi-phase body of work to catch up on procedural, legislative and housekeeping changes that were paused out of necessity during the City's pandemic response.

REPORT:

The Human Resources team is systematically refreshing the City of Kitchener's policy collection to modernize terms and language, based on the following guiding principles:

*** This information is available in accessible formats upon request. ***
Please call 519-741-2345 or TTY 1-866-969-9994 for assistance.

- Ensuring that policies are aligned with the evolving legislative landscape and the City's most up-to-date collective agreements.
- Ensuring that policy language mitigates organizational risk and clearly identifies employee entitlements and obligations so employees can maintain their own compliance.
- Ensuring policies contribute to an equitable, inclusive and supportive workplace, aligned with organizational culture and values, to make sure the City of Kitchener remains a great place to work.

The accompanying collection of updated policies reflects the second phase of work. The first phase was approved by Council in 2024 ([Modernizing HR Policies 2024 – COR-2024-514](#)). HR staff continue to work on additional policy updates which will come forward to Council successively as this work is completed. All policies will be reviewed on a five-year cycle to ensure they remain current and relevant.

To ensure a thorough review and ensure updates reflect the guiding principles outlined above, policies are reviewed by subject matter experts in Human Resources, Financial Operations and the Reconciliation, Equity, Diversity and Inclusion team.

Policy updates are varied, including the following examples:

- Updating criteria for establishing 40-hour/week supervisory roles, considering operational need in addition to hours worked by direct reports;
- Amendments to minimize risk to the organization associated with employees holding multiple City of Kitchener jobs while continuing to provide operational flexibility;
- Updating language relating to dress code to reflect the diversity of roles and requirements in service delivery.
- Housekeeping updates to remove gendered language, to increase clarity/readability and to align with recent case law and legislative updates;

As well, to support a more streamlined and modern approach to recruitment and hiring, staff are proposing to repeal HUM-HIR-195 Probation – Non-Union, Management, HUM-HIR-125 Notice of Permanent Full Time Job Vacancy, HUM-HIR-130 Hiring – Senior Management – Vacancy, and HUM-HIR-155 Inclusive Recruitment and Hiring Practices, in favour of a new comprehensive Council Policy HUM-HIR-XXXX Employment and Recruitment. This new policy consolidates and simplifies guidance for both employees and management staff, and continues to strengthen inclusive recruitment and hiring practices while providing clear, consistent information from a single source. The policy also creates clear parameters for instances where appointment may be considered and addresses the reemployment of retirees – practices that, together with other recruitment and staffing strategies, help ensure the organization can place the strongest candidates in roles to positively impact service delivery.

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.

COMMUNITY ENGAGEMENT:

INFORM – This report has been posted to the City’s website with the agenda in advance of the council / committee meeting.

PREVIOUS REPORTS/AUTHORITIES:

- [COR-2024-018](#) Corporate Policy Update – New, Amended and Repealed Policies
- [COR-2024-514](#) Modernizing Human Resources Policies

APPROVED BY: Victoria Raab, General Manager, Corporate Services

ATTACHMENTS:

Attachment A – Updated Policies
Attachment B – Repealed Policies

Table of Contents – Appendix A

HUM-BEN-025 Compensation – 40 hour premium payment

Key changes: updated criteria for establishing 40-hour/week supervisory roles, to consider operational need in addition to hours worked by direct reports.

Clean	3
Tracked changes	5

HUM-BEN-030 Compensation – Pink and Red Circling

Key changes: added definitions of pink and red circling, and circumstances on when each applies.

Clean	7
Tracked changes	9

HUM-BEN-185 Overtime and Premium Compensation

Key changes: headings were adjusted to ensure clear application of the policy.

Clean	11
Tracked changes	15

HUM-VAC-135 Hours of Work & Rest Periods

Key changes: definitions of employee classifications updated to match HUM-HIR-100 Employee Status – Definitions; policy content was clarified for easier interpretation.

Clean	19
Tracked changes	22

HUM-WOR-050 Consecutive Hours for Voting

Key changes: definition of “elector” added; the City’s responsibilities and limitations of responsibility were clarified.

Clean	26
Tracked changes	28

HUM-WOR-065 Dress Code

Key changes: updated language to reflect the diversity of roles and requirements for service delivery; added uniforms and expectations for PPE when assigned/provided/required; added exceptions for roles that do not fall under office or uniform.

Clean	31
Tracked changes	33

HUM-WOR-140 Respect in the Workplace

Key changes: definition of workplace consistent with partner policy HUM-WOR-250 Violence in the Workplace; considered recent case law and legislative updates; added clarity for circumstances in when the policy would be applied.

Clean	36
Tracked changes	47

HUM-WOR-180 Concurrent Employment

Key changes: amendments to minimize risk to the organization associated with employees holding multiple City of Kitchener jobs while continuing to provide operational flexibility.

Clean	58
Tracked changes	61

HUM-WOR-250 Violence in the Workplace

Key changes: definition of workplace consistent with partner policy HUM-WOR-140 Respect in the Workplace; considered recent case law and legislative updates; added clarity for circumstances in when the policy would be applied.

Clean	64
Tracked changes	74

HUM-WOR-255 Anniversary Milestone Recognition

Key changes: clarification of eligibility in the event of reemployment.

Clean	84
Tracked changes	87

HUM-HIR-XXXX Employment and Recruitment

Key changes: new policy supports a streamlined approach to recruitment by replacing four existing policies; ensures the organization can place the strongest candidates in roles that positively impact service delivery through multiple recruitment streams.

New policy	90
Policies to be replaced.....	Appendix B

POLICY		HUM-BEN-025	
COMPENSATION – 40 HOUR PREMIUM PAYMENT		Category HUM - Human Resources	Sub-category BEN - Benefits & Compensation
Approval Type COUNCIL	Department/Division Corporate Services / Human Resources	Author and Position Human Resources	
Date Approved Click here to enter a date.	Last Reviewed/Amended Click here to enter a date.	Next Review Date Click here to enter a date.	

Related Policies or Procedures

Policy Purpose

To provide a method of compensating staff in positions which fall under the CUPE 791/Non-Union Management Joint Job Evaluation System who are scheduled to work a 40-hour work week.

Policy Scope

Application

- ☒ **Employees** *(Indicate below which categories apply: All employees, Permanent full-time, Temporary full-time, Continuous part-time, Casual, Probationary, Student, Management, Non-union)*
 - Permanent full-time, Temporary full-time, Management, Non-union
- ☒ **Unions** *(Indicate below which categories apply: All Unions, CUPE 68 Civic, CUPE 68 Mechanics, CUPE 791, IATSE, IBEW, KPFFA)*
 - CUPE 791
- ☐ Council
- ☐ Specified Positions: Click or tap here to enter text.
- ☐ Other: Local Boards and Advisory Committees

Policy Content

The following positions will be eligible for an additional 11% annual premium payment to compensate for the additional work hours from 35 to 40 per week.

- Supervisory positions (grade 10 and below) that have first line supervisory responsibilities for two or more permanent full-time positions classified as 40-hour positions, and where the Department Head deems it is operationally necessary to have

the supervisor's hours aligned with their staff in order to provide adequate supervision.

- Non-Union (Grade 10 and below) who are scheduled to work a 40-hour work week (i.e. Corporate Security)
- CUPE Local #791 employees who are scheduled to work a 40-hour work week and are identified in the current collective agreement as eligible to work a 40-hour work week.

Results of Review

- ☐ No Edits Required
- ☐ Housekeeping Edits
- ☒ Substantial Edits
- ☐ Repeal/Replace

Policy History

Administrative and Housekeeping Changes

Date	Nature of Change
2016-06-01	Policy II-25 template reformatted to new numbering system and given number HUM-BEN-025

Substantial Changes

Date	Council/CLT Directive
2001-12-10	Resolution passed by Council
2010-06-14	Resolution passed by Council
2011-02-07	Resolution passed by Council

POLICY		HUM-BEN-025	
COMPENSATION – 40 HOUR PREMIUM PAYMENT		Category HUM - Human Resources	Sub-category BEN - Benefits & Compensation
Approval Type COUNCIL	Department/Division Corporate Services / Human Resources	Author and Position Human Resources	
Date Approved Click here to enter a date.	Last Reviewed/Amended Click here to enter a date.	Next Review Date Click here to enter a date.	

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Substantial Changes

Date	Council/CLT Directive
2001-12-10	Resolution passed by Council
2010-06-14	Resolution passed by Council
2011-02-07	Resolution passed by Council

POLICY		HUM-BEN-030	
COMPENSATION – PINK & RED CIRCLING		Category HUM - Human Resources	Sub-category BEN - Benefits & Compensation
Approval Type COUNCIL	Department/Division Corporate Services / Human Resources	Author and Position Human Resources	
Date Approved December 10, 2001	Last Reviewed/Amended June 1, 2016	Next Review Date June 1, 2021	

Related Policies or Procedures

Policy Purpose

To establish a process for adjusting employee salaries when:

- Changes in job duties, organizational structure, or position classification result in a salary that exceeds the maximum for the new job grade; or
- A position is initially interim rated and subsequently determined through the Job Evaluation process to be at a lower grade than the interim rate.

This policy applies to staff under the CUPE 791/Non-Union Management Joint Job Evaluation System. Employees not covered by this policy will follow the job evaluation process determined by the applicable plan documents.

Definitions

Red-Circling: A salary protection measure where an employee's pay is frozen at its current level, with no further step or economic increases because the salary exceeds the maximum of the new job grade. This status remains until the job rate of the position catches up to or surpasses the employee's salary.

Pink-Circling: A salary protection measure where partial economic increases (50%) are applied to an employee's salary until the salary aligns with the new grade maximum.

Policy Scope

When an employee is covered by a Collective Agreement and its terms conflict with this

Policy, the Collective Agreement will apply.

Application

- ☒ **Employees** *(Indicate below which categories apply: All employees, Permanent full-time, Temporary full-time, Continuous part-time, Casual, Probationary, Student, Management, Non-union)*
- Management, Non-union
- ☒ **Unions** *(Indicate below which categories apply: All Unions, CUPE 68 Civic, CUPE 68 Mechanics, CUPE 791, IATSE, IBEW, KPFFA)*
- CUPE 791
- ☐ Council
- ☐ Specified Positions: [Click or tap here to enter text.](#)
- ☐ Other: Local Boards and Advisory Committees

Policy Content

When an employee's salary exceeds the maximum of the new job grade due to job duty changes, reorganizations, or involuntary transfers, they will be pink-circled as defined above.

Interim rated positions that are moved to a lower grade through Job Evaluation will be red-circled as defined above.

Results of Review

- ☐ No Edits Required
- ☒ Housekeeping Edits
- ☐ Substantial Edits
- ☐ Repeal/Replace

Policy History

Administrative and Housekeeping Changes

Date	Nature of Change
2016-06-01	Policy II-30 template reformatted to new numbering system and given number HUM-BEN-030.

Substantial Changes

Date	Council/CLT Directive
2007-06-05	Resolution passed by Council
2010-06-14	Resolution passed by Council

POLICY		HUM-BEN-030	
COMPENSATION – PINK & RED CIRCLING		Category HUM - Human Resources	Sub-category BEN - Benefits & Compensation
Approval Type COUNCIL	Department/Division Corporate Services / Human Resources	Author and Position Human Resources	
Date Approved December 10, 2001	Last Reviewed/Amended June 1, 2016	Next Review Date June 1, 2021	

Related Policies or Procedures

Policy Purpose

~~To provide a method of correcting an employee's salary overpayment for staff in positions which fall under the CUPE 791/Non-Union Management Joint Job Evaluation System. To establish a process for adjusting employee salaries when:~~

- ~~• Changes in job duties, organizational structure, or position classification result in a salary that exceeds the maximum for the new job grade; or~~
- ~~• A position is initially interim rated and subsequently determined through the Job Evaluation process to be at a lower grade than the interim rate.~~

~~This policy applies to staff under the CUPE 791/Non-Union Management Joint Job Evaluation System. Employees not covered by this policy will follow the job evaluation process determined by the applicable plan documents.~~

Definitions

~~To be included at next review-~~

~~**Red-Circling:** A salary protection measure where an employee's pay is frozen at its current level, with no further step or economic increases because the salary exceeds the maximum of the new job grade. This status remains until the job rate of the position catches up to or surpasses the employee's salary.~~

~~**Pink-Circling:** A salary protection measure where partial economic increases (50%) are applied to an employee's salary until the salary aligns with the new grade maximum.~~

Policy Scope

When an employee is covered by a Collective Agreement and its terms conflict with this Policy, the Collective Agreement will apply.

Application

- ☒ **Employees** *(Indicate below which categories apply: All employees, Permanent full-time, Temporary full-time, Continuous part-time, Casual, Probationary, Student, Management, Non-union)*
- All employees, Management, Non-union
- ☒ **Unions** *(Indicate below which categories apply: All Unions, CUPE 68 Civic, CUPE 68 Mechanics, CUPE 791, IATSE, IBEW, KPFFA)*
- CUPE 791
- ☐ Council
- ☐ Specified Positions: Click or tap here to enter text.
- ☐ Other: Local Boards and Advisory Committees

Policy Content

When ~~as a result of job duty changes, reorganizations or involuntary transfers~~ an employee's salary exceeds the maximum of the new job grade due to job duty changes, reorganizations, or involuntary transfers, they will be pink-circled as defined above.~~maximum, 50% of annual economic increases will be granted from the effective date of the change until the actual salary falls in line with the new grade maximum.~~

~~In the case of~~For iInterim rated positions that are moved to a lower grade through iJob eEvaluation, ~~the employee's salary~~ will be red-circled as defined above. ~~(frozen with no step or economic increases) until the rate established through Job Evaluation meets or exceeds the interim rate.~~

Results of Review

- ☐ No Edits Required
- ☒ ☐ Housekeeping Edits
- ☐ Substantial Edits
- ☐ Repeal/Replace

Policy History

Administrative and Housekeeping Changes

Date	Nature of Change
2016-06-01	Policy II-30 template reformatted to new numbering system and given number HUM-BEN-030.

Substantial Changes

Date	Council/CLT Directive
2007-06-05	Resolution passed by Council
2010-06-14	Resolution passed by Council

POLICY		HUM-BEN-185	
OVERTIME AND PREMIUM COMPENSATION		Category HUM - Human Resources	Sub-category BEN - Benefits & Compensation
Approval Type COUNCIL	Department/Division Corporate Services/Human Resources	Author and Position Human Resources	
Date Approved December 17, 1990	Last Reviewed/Amended December 16, 2024	Next Review Date June 1, 2029	

Related Policies or Procedures

- HUM-WOR-135 Hours of Work and Rest Periods
- Employment Standards Act

Policy Purpose

To establish parameters for the compensation of overtime and premiums.

Definitions

Call-in/call-out: Authorized employees who are on stand-by call (on-call) and are called out on emergency call.

ESA: Employment Standards Act

Normal daily hours: the normal daily hours of work specified in the employee's collective agreement and/or employment letter.

Overtime: Authorized work performed beyond the normal hours of work per day or normal hours of work per week.

Shift premiums: Additional compensation provided to employees where the majority of their scheduled shift falls outside of their normal daily hours.

Stand-by (on-call): Authorized employees who are scheduled on a rotational basis to be available to respond by telephone and/or to attend a work site outside of their normal working hours.

Policy Scope

Where terms of a Collective Agreement differ from this Policy, the terms of the Collective Agreement will apply.

Application

☒ **Employees** (Indicate below which categories apply: All employees, Permanent full-time, Temporary full-time, Continuous part-time, Casual, Probationary, Student, Management, Non-union)

- All employees

☐ **Unions** (Indicate below which categories apply: All Unions, CUPE 68 Civic, CUPE 68 Mechanics, CUPE 791, IATSE, IBEW, KPFFA)

- Click or tap here to enter text.

☐ **Council**

☐ **Specified Positions:** Click or tap here to enter text.

☐ **Other:** Local Boards and Advisory Committees

Policy Content

1. The authorization and control of individual employee overtime and on-call arrangements shall be the responsibility of the Department Head concerned who shall also be responsible for ensuring compliance with related terms of the *Employment Standards Act*.
2. With prior written authority of the Director, Human Resources or designate, a Department Head may make special arrangements with respect to overtime payments for employees who, due to the nature of their job, need to work flexible hours as opposed to being paid for overtime or having time off in lieu of.

EMPLOYEES ELIGIBLE FOR OVERTIME PAYMENT (ESA NON-EXEMPT)

- Applies to:
 - management at Grade 10 and below
 - non-union, permanent full-time employees:
 - all at Grades 1-10; and
 - those at Grade 11 and above who are not exempt from overtime payment under the ESA

Overtime and premium payments for stand-by (on-call), call-in/call-out pay, shift premiums and meal allowances will be in accordance with the C.U.P.E. Local #791 contract or, in the case of first line supervisors of hourly rated bargaining unit employees, the provisions of the respective Collective Agreements for their employees.

At the discretion of the Department Head, time off regular working hours in lieu of overtime payment may be allowed when requested by the employee and at a time mutually agreeable. If time off is granted it shall be calculated at the appropriate overtime rates. Lieu time earned must be used within twelve (12) months from the day it was earned. Any lieu time outstanding at the end of twelve (12) months will be paid out at the employee's pay rate at the time of payment.

All payments for overtime must be authorized by the employee's immediate supervisor

and/or the Department Head.

EMPLOYEES EXEMPT FROM OVERTIME PAYMENT (ESA EXEMPT)

- Applies to:
 - management at Grade 11 and above
 - non-union, permanent full-time employees at Grade 11 and above whose roles are exempt from overtime payment under the ESA*

Premium payments for stand-by (on-call) will be set to the rate of pay established in the C.U.P.E. Local #791 contract. Employees exempt from overtime payment (ESA exempt) as outlined above do not qualify for call-in/call-out pay, shift premiums or meal allowances.

There will be no monetary payout for overtime worked. At the discretion of Department Heads, time off regular working hours in lieu of overtime payment will be granted on a straight time basis to a yearly maximum of 35 hours for a 35-hour work week or 40 hours for a 40-hour work week. This accumulated lieu time may be taken as time off at a time mutually agreeable to the employee and their immediate supervisor. This lieu time will be taken within twelve (12) months from the day it is earned. There will be no carry over or monetary payouts of this lieu time.

*The ESA determines which roles are exempt from payment of overtime. Roles include but are not limited to engineers, information technology professionals, lawyers, and public accountants.

FOR EMPLOYEES CLASSIFIED AS TEMPORARY, PART-TIME AND STUDENT

Overtime payments will be in accordance with the Employment Standards Act.

Results of Review

- ☐ No Edits Required
- ☐ Housekeeping Edits
- ☒ Substantial Edits
- ☐ Repeal/Replace

Policy History

Administrative and Housekeeping Changes

Date	Nature of Change
2016-06-01	Policy II-185 template reformatted to new numbering system and given number HUM-BEN-185.

Substantial Changes

Date	Council/CLT Directive
2001-12-10	Resolution passed by Council, see report SSD-01-016
2010-06-14	Resolution passed by Council, see report CAO-10-05
2011-02-07	Resolution passed by Council, see report FCS-11-029

2017-06-26	Resolution passed by Council, see report FCS-17-100
2024-12-16	Resolution passed by Council, see report COR-2024-514

POLICY		HUM-BEN-185	
OVERTIME AND PREMIUM COMPENSATION		Category HUM - Human Resources	Sub-category BEN - Benefits & Compensation
Approval Type COUNCIL	Department/Division Corporate Services/Human Resources	Author and Position Human Resources	
Date Approved December 17, 1990	Last Reviewed/Amended December 16, 2024	Next Review Date June 1, 2029	

Related Policies or Procedures

- HUM-WOR-135 Hours of Work and Rest Periods
- Employment Standards Act

Policy Purpose

To establish parameters for the compensation of overtime and premiums.

Definitions

Call-in/call-out: Authorized employees who are on stand-by call (on-call) and are called out on emergency call.

ESA: Employment Standards Act

Normal daily hours: the normal daily hours of work specified in the employee's collective agreement and/or employment letter.

Overtime: Authorized work performed beyond the normal hours of work per day or normal hours of work per week.

Shift premiums: Additional compensation provided to employees where the majority of their scheduled shift falls outside of their normal daily hours.

Stand-by (on-call): Authorized employees who are scheduled on a rotational basis to be available to respond by telephone and/or to attend a work site outside of their normal working hours.

~~**Call-in/call-out:** Authorized employees who are on stand-by call (on-call) and are called out on emergency call.~~

Policy Scope

Where terms of a Collective Agreement differ from this Policy, the terms of the Collective Agreement will apply.

Application

- ☒ **Employees** *(Indicate below which categories apply: All employees, Permanent full-time, Temporary full-time, Continuous part-time, Casual, Probationary, Student, Management, Non-union)*
 - All employees
- ☐ **Unions** *(Indicate below which categories apply: All Unions, CUPE 68 Civic, CUPE 68 Mechanics, CUPE 791, IATSE, IBEW, KPFFA)*
 - Click or tap here to enter text.
- ☐ **Council**
- ☐ **Specified Positions:** Click or tap here to enter text.
- ☐ **Other:** Local Boards and Advisory Committees

Policy Content

3. The authorization and control of individual employee overtime and on-call arrangements shall be the responsibility of the Department Head concerned who shall also be responsible for ensuring compliance with related terms of the *Employment Standards Act*.
4. With prior written authority of the Director, Human Resources or designate, a Department Head may make special arrangements with respect to overtime payments for employees who, due to the nature of their job, need to work flexible hours as opposed to being paid for overtime or having time off in lieu of.

FOR NON-UNION, PERMANENT FULL-TIME EMPLOYEES, & MANAGEMENT GRADE 10 OR BELOW

EMPLOYEES ELIGIBLE FOR OVERTIME PAYMENT (ESA NON-EXEMPT)

- Applies to:
 - management at Grade 10 and below
 - non-union, permanent full-time employees:
 - all at Grades 1-10; and
 - those at Grade 11 and above who are not exempt from overtime payment under the ESA

Overtime and premium payments for stand-by (on-call), call-in/call-out pay, shift premiums and meal allowances will be in accordance with the C.U.P.E. Local #791 contract or, in the case of first line supervisors of hourly rated bargaining unit employees, the provisions of the respective Collective Agreements for their employees.

At the discretion of the Department Head, time off regular working hours in lieu of overtime payment may be allowed when requested by the employee and at a time mutually agreeable. If time off is granted it shall be calculated at the appropriate overtime rates. Lieu time earned must be used within twelve (12) months from the day it was earned. Any lieu time outstanding at the end of twelve (12) months will be paid out at the employee's

pay rate at the time of payment.

All payments for overtime must be authorized by the employee’s immediate supervisor and/or the Department Head.

FOR MANAGEMENT AT GRADE 11 OR ABOVE (OTHER THAN DEPARTMENT HEADS AND CAO)

EMPLOYEES EXEMPT FROM OVERTIME PAYMENT (ESA EXEMPT)

- Applies to:
 - management at Grade 11 and above
 - non-union, permanent full-time employees at Grade 11 and above whose roles are exempt from overtime payment under the ESA*

Premium payments for stand-by (on-call) will be set to the rate of pay established in the C.U.P.E. Local #791 contract. Management Grade 11 and above Employees exempt from overtime payment (ESA exempt) as outlined above do not qualify for call-in/call-out pay, shift premiums or meal allowances.

There will be no monetary payout for overtime worked. At the discretion of Department Heads, time off regular working hours in lieu of overtime payment will be granted on a straight time basis to a yearly maximum of 35 hours for a 35-hour work week or 40 hours for a 40-hour work week. This accumulated lieu time may be taken as time off at a time mutually agreeable to the employee and their immediate supervisor. This lieu time will be taken within twelve (12) months from the day it is earned. There will be no carry over or monetary payouts of this lieu time.

*The ESA determines which roles are exempt from payment of overtime. Roles include but are not limited to engineers, information technology professionals, lawyers, and public accountants.

FOR EMPLOYEES CLASSIFIED AS TEMPORARY, PART-TIME AND STUDENT

Overtime payments will be in accordance with the Employment Standards Act.

Results of Review

- ☐ No Edits Required
- ☐ Housekeeping Edits
- ☒ Substantial Edits
- ☐ Repeal/Replace

Policy History

Administrative and Housekeeping Changes

Date	Nature of Change
2016-06-01	Policy II-185 template reformatted to new numbering system and given number HUM-BEN-185.

Substantial Changes

Date	Council/CLT Directive
2001-12-10	Resolution passed by Council, see report SSD-01-016
2010-06-14	Resolution passed by Council, see report CAO-10-05
2011-02-07	Resolution passed by Council, see report FCS-11-029
2017-06-26	Resolution passed by Council, see report FCS-17-100
2024-12-16	Resolution passed by Council, see report COR-2024-514

POLICY		HUM-VAC-135	
HOURS OF WORK & REST PERIODS		Category HUM - Human Resources	Sub-category VAC - Vacation, Leave & Hours of Work
Approval Type COUNCIL	Department/Division Corporate Services / Human Resources	Author and Position Human Resources	
Date Approved December 17, 1990	Last Reviewed/Amended June 26, 2017	Next Review Date June 1, 2021	

Related Policies or Procedures

- HUM-BEN-185 Overtime and Premium Compensation
- HUM-WOR-010 Alternative Working Arrangements
- HUM-WOR-2009 Modified Hours Program
- HUM-WOR-2032 Disconnecting From Work

Policy Purpose

To outline the general hours of work and rest periods and provide a basis for calculating time worked. However, this policy shall not be a guarantee of the hours of work per day nor as to days per week, not as guarantee of working schedules.

Policy Scope

When an employee is covered by a Collective Agreement and its terms conflict with this Policy, the Collective Agreement will apply.

Application

- ☒ **Employees** *(Indicate below which categories apply: All employees, Permanent full-time, Temporary full-time, Continuous part-time, Casual, Probationary, Student, Management, Non-union)*
- All employees
- ☐ **Unions** *(Indicate below which categories apply: All Unions, CUPE 68 Civic, CUPE 68 Mechanics, CUPE 791, IATSE, IBEW, KPFFA)*
- Click or tap here to enter text.
- ☐ **Council**
- ☐ **Specified Positions:** Click or tap here to enter text.
- ☐ **Other:** Local Boards and Advisory Committees

Policy Content

Hours of work

Permanent full-time and temporary full-time employees:

a) Thirty-five (35) hours per week:

The normal hours of work for an employee in this group shall be seven (7) hours per day exclusive of an unpaid one (1) hour lunch period.

The normal hours of work for most office/clerical/administration workers are 9:00 a.m. to 5:00 p.m., Monday through Friday. However, normal hours of work vary in different areas and are set by management based on operational requirements.

b) Forty (40) hours per week:

The normal hours of work for an employee in this group shall be eight (8) hours per day inclusive of a paid twenty (20) minute lunch period.

A complete list of forty (40) hours per week classifications may be obtained from Human Resources.

Continuous part-time and casual employees:

A continuous part-time or casual employee will work a variety of hours per day or per week, not to regularly exceed twenty-four (24) hours per week or as outlined in the respective Collective Agreement.

Student employees:

A student employee will work the same number of hours as the employee's permanent full-time counterpart, or as set out in the letter of employment.

Rest Periods

A fifteen (15) minute rest period shall be granted to all full-time employees in the morning and in the afternoon of each regular working day. Entitlement to rest periods shall be on the basis of one (1) break for each three and one-half (3 ½) hours of scheduled work (excluding overtime) for employees working a thirty-five (35) hour work week and one (1) break for each four (4) hours of scheduled work (excluding overtime) for employees working a forty (40) hour work week. The fifteen (15) minute rest period is measured from the time an employee stops performing work duties to the time those duties are resumed. Management has a right to regulate the time at which these rest periods are taken so that an adequate complement of staff is maintained at all times.

An employee cannot work through rest periods or lunch breaks in order to shorten the workday, nor can rest periods be added to a lunch period. Rest periods are non-

cumulative, and failure to take a rest period forfeits this period. An employee is permitted to leave their work area during a rest period.

Rest periods for all other classifications of employees are per the *Employment Standards Act*.

Results of Review

- ☐ No Edits Required
- ☒ Housekeeping Edits
- ☐ Substantial Edits
- ☐ Repeal/Replace

Policy History

Administrative and Housekeeping Changes

Date	Nature of Change
2016-06-01	Policy II-135 template reformatted to new numbering system and given number HUM-VAC-135.

Substantial Changes

Date	Council/CLT Directive
2001-12-10	Resolution passed by Council, see report SSD-01-016
2004-03-29	Resolution passed by Council, see report SD-04-09
2005-05-09	Resolution passed by Council
2010-06-14	Resolution passed by Council, see CAO-10-05
2011-02-07	Resolution passed by Council, see FCS-11-029
2016-02-16	Separation of the Modified Work Program policy from the Hours of Work and Rest Periods policy.
2017-06-26	Resolution passed by Council, see report FCS-17-100

POLICY		HUM-VAC-135	
HOURS OF WORK & REST PERIODS		Category HUM - Human Resources	Sub-category VAC - Vacation, Leave & Hours of Work
Approval Type COUNCIL	Department/Division Corporate Services / Human Resources	Author and Position Human Resources	
Date Approved December 17, 1990	Last Reviewed/Amended June 26, 2017	Next Review Date June 1, 2021	

Related Policies or Procedures

- [HUM-BEN-185](#) Overtime and Premium ~~Payments~~Compensation ~~HUM-BEN-185~~
- [HUM-WOR-010](#) Alternative Working Arrangements ~~HUM-WOR-010~~
- [HUM-WOR-2009](#) Modified Hours Program
- [HUM-WOR-2032](#) Disconnecting From Work

Policy Purpose

To outline the general hours of work and rest periods and provide a basis for calculating time worked. However, this policy shall not be a guarantee of the hours of work per day nor as to days per week, not as guarantee of working schedules.

Definitions

~~To be included at next review.~~

Policy Scope

~~Where terms of a Collective Agreement differ from this Policy, the terms of the Collective Agreement will apply.~~ When an employee is covered by a Collective Agreement and its terms conflict with this Policy, the Collective Agreement will apply.

Application

- ☒ **Employees** (Indicate below which categories apply: All employees, Permanent full-time, Temporary full-time, Continuous part-time, Casual, Probationary, Student, Management, Non-union)
- All employees
- ☐ **Unions** (Indicate below which categories apply: All Unions, CUPE 68 Civic, CUPE 68 Mechanics, CUPE 791, IATSE, IBEW, KPFFA)
- Click or tap here to enter text.
- ☐ **Council**

☐ Specified Positions: [Click or tap here to enter text.](#)

☐ Other: [Local Boards and Advisory Committees](#)

Policy Content

Hours of work

Permanent ~~Full full-Time time and temporary full-time Employees~~employees:

b) ~~Office, Clerical and General Administration~~Thirty-five (35) hours per week:

The normal hours of work for an employee in this group shall be ~~thirty-five (35) hours per week~~, seven (7) hours per day exclusive of an unpaid one (1) hour lunch period.

The normal hours of work for most office/clerical/administration workers are 9:00 a.m. to 5:00 p.m., Monday through Friday. However, normal hours of work vary in different areas and are set by management based on operational requirements.

b) Forty (40) hours per week:

The normal hours of work for an employee in this group for a number of classifications* shall be ~~forty (40) hours per week~~, eight (8) hours per day inclusive of a paid twenty (20) minute lunch period.

*NOTE: A complete list of forty (40) hours s per week classifications may be obtained from Human Resources.

~~The normal hours of work for most office workers are 9:00 a.m. to 5:00 p.m., Monday through Friday. However, normal hours of work vary in different areas (i.e. 9-5 is not the standard work day in every work location).~~

~~2. Temporary Full Time Employees:~~

~~A temporary full time employee will work the same number of hours as the employee's permanent full time counterpart.~~

Continuous Part part-Time time and casual Employeesemployees:

A continuous part-time or casual~~part-time~~ employee will work ~~possibly~~ a variety of hours per day or per week, but not to regularly exceed twenty-four (24) hours per week or as outlined in the respective Collective Agreement.

Student employees:

A ~~student-student~~ employee will work the standard-same number of hours as the employee's ~~permanent full time~~permanent full-time counterpart, or as set out in the employment letter.

Rest Periods

A fifteen (15) minute rest period shall be granted to all full-time employees in the morning and in the afternoon of each regular working day. Entitlement to rest periods shall be on the basis of one (1) break for each three and one-half (3 ½) hours of scheduled work (excluding overtime) for employees working a thirty-five (35) hour work week and, ~~for employees working a forty (40) hour work week,~~ one (1) break for each four (4) hours of scheduled work (excluding overtime) for employees working a forty (40) hour work week. The fifteen (15) minute rest period is ~~to be from the time of leaving one's work station to the time of returning and~~ measured from the time an employee stops performing work duties to the time those duties are resumed, assuming normal duties. ~~Departments Management may wish~~ has a right to regulate the time at which these rest periods are taken so that an adequate complement of staff is maintained ~~in each department~~ at all times.

An employee cannot work through rest periods or lunch breaks in order to shorten the work-day. ~~nor~~ can rest periods be added to a lunch ~~hour~~ period. Rest periods are non-cumulative, and ~~Failure to take a rest period forfeits this period of time and rest periods are non-accumulative.~~ An employee is permitted to leave ~~the workspace or site~~ their work area during ~~this a break~~ rest period.

Rest periods for all other classifications of employees are per the Employment Standards Act.

Results of Review

- ☐ No Edits Required
- ☒ ☐ Housekeeping Edits
- ☐ Substantial Edits
- ☐ Repeal/Replace

Policy History

Administrative and Housekeeping Changes

Date	Nature of Change
2016-06-01	Policy <u>II-135</u> template reformatted to new numbering system, ~~II-135 and~~ given number HUM-VAC-135.

Substantial Changes

Date	Council/CLT Directive
2001-12-10	Resolution passed by Council, see report SSD-01-016
2004-03-29	Resolution passed by Council, see report SD-04-09
2005-05-09	Resolution passed by Council.
2010-06-14	Resolution passed by Council, see CAO-10-05
2011-02-07	Resolution passed by Council, see FCS-11-029
2016-02-16	Separation of the Modified Work Program policy from the Hours of Work and Rest Periods policy.

2017-06-26 Resolution passed by Council, see report FCS-17-100

POLICY		HUM-WOR-050	
CONSECUTIVE HOURS FOR VOTING		Category HUM - Human Resources	Sub-category Workplace Practices
Approval Type COUNCIL	Department/Division Corporate Services / Human Resources	Author and Position Human Resources	
Date Approved March 17, 1990	Last Reviewed/Amended June 1, 2016	Next Review Date June 1, 2021	

Related Policies or Procedures

- HUM-VAC-135 Hours of Work and Rest Periods

Policy Purpose

An employee who is a qualified Elector is entitled to paid time off from work if the employee's schedule does not provide sufficient non-working hours to vote.

Definitions

Elector: A person who is a Canadian citizen at least 18 years old, and therefore eligible to vote.

Policy Scope

When an employee is covered by a Collective Agreement and its terms conflict with this Policy, the Collective Agreement will apply.

Application

- ☒ **Employees** *(Indicate below which categories apply: All employees, Permanent full-time, Temporary full-time, Continuous part-time, Casual, Probationary, Student, Management, Non-union)*
- All employees
- ☐ **Unions** *(Indicate below which categories apply: All Unions, CUPE 68 Civic, CUPE 68 Mechanics, CUPE 791, IATSE, IBEW, KPFFA)*
- Click or tap here to enter text.
- ☐ Council
- ☐ Specified Positions: Click or tap here to enter text.
- ☐ Other: Local Boards and Advisory Committees

Policy Content

Voting leave entitlement

All qualified electors, as defined by the appropriate legislation, are entitled to three (3) consecutive hours during polling hours to cast their vote on election day for federal, provincial, or municipal elections.

If an employee's work schedule does not provide three (3) consecutive hours outside of working hours during polling hours, the City of Kitchener will grant paid time off to ensure the employee has a total of three (3) consecutive hours available to vote.

If an employee already has some time off during polling hours (e.g., two (2) hours after their scheduled shift or workday ends), the City is only obligated to provide additional paid time off to make up the difference – in this case, one (1) hour – to meet the legal requirement.

Management retains the right to determine when the time off is provided, based on operational needs. Employee preferences or personal plans outside of work do not affect the City's legal obligation. For example, if an employee prefers to vote in the morning but already has three (3) hours available after work, the City is not required to adjust the employee's schedule.

Notification

An employee is required to provide reasonable notice of absence from work for voting purposes.

Results of Review

- ☐ No Edits Required
- ☒ Housekeeping Edits
- ☐ Substantial Edits
- ☐ Repeal/Replace

Policy History

Administrative and Housekeeping Changes

Date	Nature of Change
2016-06-01	Policy II-50 template reformatted to new numbering system and given number HUM-WOR-050.

Substantial Changes

Date	Council/CLT Directive
1997-06-03	Resolution passed by Council
2001-12-10	Resolution passed by Council
2010-06-14	Resolution passed by Council

POLICY		HUM-WOR-050	
CONSECUTIVE HOURS FOR VOTING		Category HUM - Human Resources	Sub-category Workplace Practices
Approval Type COUNCIL	Department/Division Corporate Services / Human Resources	Author and Position Human Resources	
Date Approved March 17, 1990	Last Reviewed/Amended June 1, 2016	Next Review Date June 1, 2021	

Related Policies or Procedures

- HUM-VAC-135 Hours of Work and Rest Periods
-

Policy Purpose

~~Under law, a~~An employee who is a qualified Elector is entitled to paid time off from work if the employee's schedule does not provide sufficient non-working hours to vote. ~~An employee is required to provide reasonable notice of absence from work for voting purposes.~~

Definitions

~~To be included at next review~~

Elector: A person who is a Canadian citizen at least 18 years old, and therefore eligible to vote.

Policy Scope

When an employee is covered by a Collective Agreement and its terms conflict with this Policy, the Collective Agreement will apply.

Application

- ☒ **Employees** (Indicate below which categories apply: All employees, Permanent full-time, Temporary full-time, Continuous part-time, Casual, Probationary, Student, Management, Non-union)
 - All employeesManagement, Non-union
- ☐ **Unions** (Indicate below which categories apply: All Unions, CUPE 68 Civic, CUPE 68 Mechanics, CUPE 791, IATSE, IBEW, KPFFA)
 - Click or tap here to enter text.
- ☐ **Council**
- ☐ **Specified Positions:** Click or tap here to enter text.
- ☐ **Other:** Local Boards and Advisory Committees

Policy Content

Voting leave entitlement

All qualified electors, as defined by the appropriate legislation, are entitled to three (3) consecutive hours during polling hours to cast their vote on election day for federal, provincial, or municipal elections.

If an employee’s work schedule does not provide three (3) consecutive hours outside of working hours during polling hours, the City of Kitchener will grant paid time off to ensure the employee has a total of three (3) consecutive hours available to vote.

If an employee already has some time off during polling hours (e.g., two (2) hours after their scheduled shift or workday ends), the City is only obligated to provide additional paid time off to make up the difference – in this case, one (1) hour – to meet the legal requirement.

Management retains the right to determine when the time off is provided, based on operational needs. Employee preferences or personal plans outside of work do not affect the City’s legal obligation. For example, if an employee prefers to vote in the morning but already has three (3) hours available after work, the City is not required to adjust the employee’s schedule.

Notification

An employee is required to provide reasonable notice of absence from work for voting purposes.

<u>ELECTION</u>	<u>NUMBER OF CONSECUTIVE HOURS FOR VOTING</u>
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MUNICIPAL	THREE (3)
PROVINCIAL	THREE (3)
FEDERAL	THREE (3)

~~The three hour requirement is any consecutive period during the polling hours. Since polling hours are usually lengthy, it will normally only require the employee to be paid for a portion of the total hours required. For example, in a Provincial Election, if the polls opened at 9:00 a.m. and closed at 8:00 p.m. and an employee works 10:00 a.m. to 6:00 p.m. on that date, the employee could request one hour of paid time from work. The one hour would provide the employee with three (3) consecutive hours for voting purposes.~~

~~Existing legislation does not provide for any payment in lieu of providing the required time off.~~

~~A qualified elector is as defined in the appropriate legislation.~~

Results of Review

- ☐ No Edits Required
- ☒ ☐ Housekeeping Edits
- ☐ Substantial Edits
- ☐ Repeal/Replace

Policy History

Administrative and Housekeeping Changes

Date	Nature of Change
2016-06-01	Policy II-50 template reformatted to new numbering system and given <u>number</u> HUM-WOR-050.

Substantial Changes

Date	Council/CLT Directive
1997-06-03	Resolution passed by Council
2001-12-10	Resolution passed by Council
2010-06-14	Resolution passed by Council

POLICY		HUM-WOR-065	
DRESS CODE		Category HUM - Human Resources	Sub-category Workplace Practices
Approval Type COUNCIL	Department/Division Corporate Services / Human Resources	Author and Position Human Resources	
Date Approved May 12, 1997	Last Reviewed/Amended June 1, 2016	Next Review Date June 1, 2021	

Related Policies or Procedures

- Dress Code Guidelines

Policy Purpose

To provide guidelines with respect to suitable attire to be worn by employees working for the Corporation.

Policy Scope

Application

- ☒ **Employees** *(Indicate below which categories apply: All employees, Permanent full-time, Temporary full-time, Continuous part-time, Casual, Probationary, Student, Management, Non-union)*
- All employees
- ☐ **Unions** *(Indicate below which categories apply: All Unions, CUPE 68 Civic, CUPE 68 Mechanics, CUPE 791, IATSE, IBEW, KPFFA)*
- Click or tap here to enter text.
- ☐ **Council**
- ☐ **Specified Positions:** Click or tap here to enter text.
- ☐ **Other:** Local Boards and Advisory Committees

Policy Content

The City of Kitchener's minimum dress code for an office or remote work setting is business casual.

Business professional is the expectation for meetings with Council. Business professional may also be a reasonable expectation for meetings with external partners, senior leadership, or public-facing engagements. Employees are expected to dress appropriately for their day and use good judgement to ensure that such attire is appropriate. Employees should seek guidance from their supervisor as needed.

Certain employees are issued clothing, and are expected to wear this clothing, in accordance with the provisions set out in the respective Collective Agreements as applicable or as assigned, where health and safety regulations and/or the nature of the work require specific attire.

Where an employee's work environment is outside of an office setting, no clothing is issued, and business casual is not conducive to the performance of the employee's role and responsibilities, exceptions to the business casual minimum may apply at the discretion of the supervisor. For example, a fitness instructor may wear athletic wear; a lifeguard may wear slides or flip flops on the pool deck; etc. At all times and in all environments, employees are expected to maintain a professional appearance through their choice of attire.

Personal Protective Equipment (PPE) must be worn at all times in designated areas and for duties where required. An employee's clothing cannot obstruct their PPE at any time.

At all times and in all environments, employees are expected to maintain a professional appearance through their choice of attire.

It is the supervisor's responsibility to address inappropriate dress in the workplace in consultation with Human Resources.

Results of Review

- ☐ No Edits Required
- ☐ Housekeeping Edits
- ☒ Substantial Edits
- ☐ Repeal/Replace

Policy History

Administrative and Housekeeping Changes

Date	Nature of Change
2010-05-10	Minor updates
2016-06-01	Policy II-65 template reformatted to new numbering system and given number HUM-WOR-065

Substantial Changes

Date	Council/CLT Directive
2001-12-10	Resolution passed by Council

POLICY		HUM-WOR-065	
DRESS CODE		Category HUM - Human Resources	Sub-category Workplace Practices
Approval Type COUNCIL	Department/Division Corporate Services / Human Resources	Author and Position Human Resources	
Date Approved May 12, 1997	Last Reviewed/Amended June 1, 2016	Next Review Date June 1, 2021	

Related Policies or Procedures

- [Dress Code Guidelines](#)

Policy Purpose

To provide guidelines with respect to suitable ~~office/business~~ attire to be worn by employees working for the Corporation.

Policy Scope

Application

☒ **Employees** *(Indicate below which categories apply: All employees, Permanent full-time, Temporary full-time, Continuous part-time, Casual, Probationary, Student, Management, Non-union)*

- [All employees](#)

☐ **Unions** *(Indicate below which categories apply: All Unions, CUPE 68 Civic, CUPE 68 Mechanics, CUPE 791, IATSE, IBEW, KPFFA)*

- [Click or tap here to enter text.](#)

☐ **Council**

☐ **Specified Positions:** [Click or tap here to enter text.](#)

☐ **Other:** [Local Boards and Advisory Committees](#)

Policy Content

The City of Kitchener's minimum dress code for an office or remote work setting is business casual.

~~The City of Kitchener is committed to maintaining a Professional Corporate image being sensitive to the needs of its customers and employees.~~

Business professional is the expectation for meetings with Council. Business professional

may also be a reasonable expectation for meetings with external partners, senior leadership, or public-facing engagements. Employees are expected to dress appropriately for their day and use good judgement to ensure that such attire is appropriate. Employees should seek guidance from their supervisor as needed.

~~Formal business attire (e.g. suits, ties and jackets) is not required to be worn on a day to day basis—except when attending non summer (October-April inclusive) meetings of Standing Committees, Council Meetings, Public Meetings or at times when formal attire may be deemed appropriate.~~

~~Employees are expected to use good judgement in this matter and to ensure that such attire is appropriate for an office environment. It is the supervisor's responsibility to address inappropriate dress in the workplace in consultation with HR.~~

Certain employees are issued clothing, and are expected to wear this clothing, in accordance with the provisions set out in the respective Collective Agreements as applicable or as assigned, where health and safety regulations and/or the nature of the work require specific attire.

Where an employee's work environment is outside of an office setting, no clothing is issued, and business casual is not conducive to the performance of the employee's role and responsibilities, exceptions to the business casual minimum may apply at the discretion of the supervisor. For example, a fitness instructor may wear athletic wear; a lifeguard may wear slides or flip flops on the pool deck; etc. At all times and in all environments, employees are expected to maintain a professional appearance through their choice of attire.

Personal Protective Equipment (PPE) must be worn at all times in designated areas and for duties where required. An employee's clothing cannot obstruct their PPE at any time.~~Employees who are issued with City approved uniforms are to wear such uniforms at all times.~~

At all times and in all environments, employees are expected to maintain a professional appearance through their choice of attire.

It is the supervisor's responsibility to address inappropriate dress in the workplace in consultation with Human Resources.

Results of Review

- ☐ No Edits Required
- ☐ Housekeeping Edits
- ☒ Substantial Edits
- ☐ Repeal/Replace

Policy History

Administrative and Housekeeping Changes

Date	Nature of Change
2010-05-10	Minor updates
2016-06-01	Policy II-65 template reformatted to new numbering system and given number HUM-WOR-065

Substantial Changes

Date	Council/CLT Directive
2001-12-10	Resolution passed by Council

POLICY		HUM-WOR-140	
RESPECT IN THE WORKPLACE		Category HUM - Human Resources	Sub-category Workplace Practices
Approval Type COUNCIL	Department/Division Corporate Services / Human Resources	Author and Position Human Resources	
Date Approved December 17, 1990	Last Reviewed/Amended July 1, 2021	Next Review Date June 1, 2026	

Related Policies or Procedures

- HUM-WOR-250 Violence in the Workplace
- HUM-WOR-085 Employee Complaint Resolution
- HUM-WOR-052 Corporate Social Media Policy
- HUM-WOR-160 Internet, Electronic Mail, Telephone & Wireless Communication & Entertainment Devices – Acceptable Use
- MUN-FAC-345 Behaviour – Unacceptable Conduct in Community Services Facilities
- HUM-HIR-155 Inclusive Recruitment & Hiring Practices
- HUM-BEN-080 Employee And Family Assistance Program
- *Ontario Human Rights Code*
- *Ontario Occupational Health and Safety Act*
- *Accessibility for Ontarians with Disabilities Act*

Policy Purpose

The Corporation of the City of Kitchener is committed to providing and maintaining a work environment that is based on respect for the dignity and the rights of everyone in the organization. It is the City of Kitchener's goal to provide a healthy and safe work environment free of any forms of bullying, uncivil or disrespectful behaviour, and from discrimination and harassment, including sexual harassment.

The intention of this policy and its procedures is to prevent discrimination and harassment from taking place and, where necessary, to act upon incidents and complaints of such behaviour quickly and fairly with due regard for confidentiality.

This policy reinforces the City's legal obligation under the *Ontario Human Rights Code*, the *Occupational Health and Safety Act* and the *Accessibility for Ontarians with Disabilities Act*. This is a companion policy to the corporation's Violence in the Workplace Policy, which addresses workplace violence, including actual, attempted or threatened violence and domestic violence that may occur in the workplace.

Definitions

Discrimination: Workplace discrimination includes any distinction, exclusion or preference based on the protected grounds in the Ontario *Human Rights Code*, which nullifies or impairs equality of opportunity in employment, or equality in the terms and conditions of employment.

The protected grounds are:

- race, colour, ancestry;
- citizenship;
- ethnic origin;
- place of origin;
- creed, including religion;
- age;
- gender identity and gender expression;
- sexual orientation;
- sex (including pregnancy and breast-feeding);
- marital status (including same-sex partnership and single status);
- family status;
- disability or perceived disability;
- record of offenses for which a pardon has been granted under the *Criminal Records Act* (Canada) and has not been revoked, or an offence in respect of any provincial enactment.

Discriminatory Harassment: Discriminatory harassment includes comments or conduct based on the protected grounds in the *Ontario Human Rights Code*, which the recipient does not welcome or that offends the person.

Some examples of discriminatory harassment include:

- offensive comments, jokes or behaviour that disparage or ridicule a person's membership or perceived membership in one of the protected grounds, such as race, religion or sexual orientation;
- imitating a person's accent, speech or mannerisms;
- persistent or inappropriate questions about whether a person is pregnant, has children or plans to have children;
- inappropriate comments or jokes about an individual's age, sexual orientation or gender.

Harassing comments or conduct can poison the working environment, making it a hostile or uncomfortable place to work, even if the person is not being directly targeted. This is commonly referred to as a poisoned working environment and it is also a form of harassment.

Some examples of action that can create a poisoned working environment include:

- displaying offensive or sexual materials such as posters, pictures, calendars, websites

- or screen savers;
- distributing offensive e-mail messages or attachments such as pictures or video files;
- practical jokes that embarrass or insult someone;
- jokes or insults that are offensive, racist or discriminatory in nature.

Sexual and Gender-Based Harassment: Sexual harassment includes conduct or comments of a sexual nature that the recipient does not welcome or that offends them. Sexual and gender-based harassment also includes negative or inappropriate conduct or comments that are not necessarily sexual in nature but are directed at an individual because of their gender or sex. Comments or conduct of a sexual nature or that are based on gender or sex that are not necessarily directed at a particular individual but are unwelcome or offensive to an individual or group can also be considered sexual or gender-based harassment.

The *Ontario Human Rights Code* provides for protection from sexual harassment in employment as follows:

Every person who is an employee has a right to freedom from harassment in the workplace because of sex, sexual orientation, gender identity or gender expression by their employer or agent of the employer or by other employees.

Every person has a right to be free from a sexual solicitation or advance made by a person in a position to confer, grant or deny a benefit or advancement to the person where the person making the solicitation or advance knows or ought reasonably to know that it is unwelcome; or a reprisal or a threat of reprisal for the rejection of a sexual solicitation or advance where the reprisal is made or threatened by a person in a position to confer, grant or deny a benefit or advancement to the person.

The *Occupational Health and Safety Act* defines workplace sexual harassment as:

- Engaging in a course of vexatious comment or conduct against a worker in a workplace because of sex, sexual orientation, gender identity or gender expression, where the course of comment or conduct is known or ought reasonably to be known to be unwelcome, or
- Making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advancement to the worker and the person knows or ought reasonably to know that the solicitation or advance is unwelcome.

All genders can be victims of sexual or gender-based harassment and someone of the same or opposite sex can harass someone else. Some examples of sexual or gender-based harassment are:

- sexual advances or demands that the recipient does not welcome or want;
- threats, punishment or denial of a benefit for refusing a sexual advance;
- offering a benefit in exchange for a sexual favour;
- leering (persistent inappropriate staring);
- displaying sexually explicit materials such as posters, pictures, calendars, cartoons,

- screen savers, pornographic or erotic websites or other electronic material;
- distributing sexually explicit e-mail messages or attachments such as pictures or video files;
- sexually suggestive or obscene comments or gestures;
- unwelcome remarks, jokes, innuendoes, propositions or taunting about a person's body, clothing or sex;
- persistent, unwanted attention after a consensual relationship ends;
- physical contact of a sexual nature, such as touching or caressing;
- gossip or rumours regarding a person's sexual activities or relationship, regardless of whether they are malicious;
- sexual assault.

Harassment and Bullying: Workplace harassment is a health and safety issue that is covered under the *Occupational Health and Safety Act*.

Workplace harassment is defined as:

- i. Engaging in a course of vexatious comment or conduct against a worker in a workplace that is known or ought reasonably to be known to be unwelcome; or
- ii. Workplace sexual harassment (as defined in Section 2 c) of this policy).

Some examples of workplace harassment are:

- verbally abusive behaviours such as yelling, insults, ridicule and name-calling, including but not limited to: remarks, jokes, innuendos that demean, ridicule, intimidate or offend;
- workplace pranks, vandalism, bullying;
- gossiping or spreading rumours, regardless of whether they are malicious;
- excluding or ignoring someone, such as persistent exclusion of a particular person from workplace-related social gatherings;
- workplace supervision done in a demeaning or abusive manner;
- humiliating someone;
- sabotaging someone else's work;
- displaying or circulating offensive pictures or materials;
- offensive or intimidating phone calls, e-mails, texts or social media communications;
- a supervisor/manager impeding an individual's efforts at promotions or transfers for reasons that are not legitimate;
- making false allegations about someone in memos or other work-related documents;
- menacing behaviours including staring, glaring, inappropriate gestures or unwelcome physical closeness.

Workplace: is defined under the *Occupational Health and Safety Act*. It includes but is not limited to any location where a worker works or participates in work related activities. This may include work-related activities such as social functions, training, conferences, travel, restaurants, hotels, or meeting facilities being used for business purposes, during telephone, email, or other online communications including social media. Off duty conduct that impacts the workplace may also be considered under this policy.

What Isn't Harassment: The *Occupational Health and Safety Act* states:

A reasonable action taken by an employer or supervisor relating to the management and direction of workers or the workplace is not workplace harassment.

Workplace harassment should not be confused with legitimate, reasonable management actions that are part of the normal work function, including but not limited to:

- measures to correct performance deficiencies, such as placing someone on a performance improvement plan;
- imposing discipline for workplace infractions;
- requesting medical documents in support of absence from work;
- enforcement of workplace rules and policies;
- respectful workplace supervision, discipline and direction.

It also does not include normal workplace conflict that may occur between individuals or differences of opinion between co-workers.

Policy Scope

Application

☒ **Employees** *(Indicate below which categories apply: All employees, Permanent full-time, Temporary full-time, Continuous part-time, Casual, Probationary, Student, Management, Non-union)*

- All employees

☐ **Unions** *(Indicate below which categories apply: All Unions, CUPE 68 Civic, CUPE 68 Mechanics, CUPE 791, IATSE, IBEW, KPFFA)*

- Click or tap here to enter text.

☐ **Council**

☐ **Specified Positions:** Click or tap here to enter text.

☐ **Other:** Click or tap here to enter text.

Policy Content

a) The Test of Harassment

It does not matter what the intent was, the test of harassment is whether you knew or should have known that the comments or conduct were unwelcome to the person to whom it was directed. For example, someone may make it clear through their conduct or body language that the behaviour is unwelcome, in which case you must immediately stop that behaviour.

Although it is commonly the case, the harasser does not necessarily have to have the power of authority over the recipient. Harassment can occur from co-worker to co-worker, supervisor to employee and employee to supervisor.

Respect in the workplace is everyone's responsibility. Any acts that demean, harm or exclude are counter to the culture at the City of Kitchener and should be addressed

(promptly) in accordance with the procedures set out below.

b) Procedure for Resolving and Investigating Harassment and Discrimination Incidents and Complaints

An investigation will be conducted that is appropriate in the circumstances. Sometimes, the only investigation necessary may be a meeting with the Complainant; some enquiries don't require a meeting with a respondent. In other cases, a full, formal investigation may be required.

The Investigator will determine what kind of investigation is appropriate, in consultation with Human Resources staff as necessary.

(i) Informal Procedure

If an employee believes that they are being harassed or discriminated against the first thing to do is to tell the person to stop. Do so as soon as any unwelcome comment or conduct is received. Although this may be difficult to do, telling the person that their actions are not welcome is often enough to stop the behaviour.

Some things that can be said that might stop the behaviour include:

"I don't want you to do that."
 "Please stop doing or saying..."
 "It makes me uncomfortable when you..."
 "I don't find it funny when..."

If the harassment or discrimination continues after the individual has been confronted, a written statement of the situation may be provided to the individual.

The incident(s) can also be reported to the union, supervisor, any other supervisor, any member of management or Human Resources.

It helps to keep a record of any incident(s) experienced. This includes when the harassment started, what happened, whether there were any witnesses and what the response was.

If the individual who has perpetrated the harassment or discrimination is not an employee of the City (e.g., a member of the public, supplier, contractor, etc.), please report the incident(s) to the union, supervisor, any other supervisor, any member of management or Human Resources. Although the City has limited control over third parties, the issue will be addressed with the intent to prevent further problems from arising.

(ii) Formal Procedure

If the incident or complaint cannot be resolved informally or if it is too serious to handle on an informal basis, a formal complaint can be brought forward to the

union, a member of the management team or Human Resources.

When bringing a formal complaint forward, as much written information as possible will be needed, including the name(s) of the person(s) believed to be perpetrating the harassment or discrimination, the place, date and time of the incident(s) and the name(s) of any possible witnesses.

It is important that the complaint be provided as soon as possible so that the issue doesn't escalate or happen again. Once the complaint is received an investigation will be initiated. The investigation may be informal or formal as deemed necessary and appropriate by the Human Resources division.

Discrimination and harassment are serious matters. Therefore, if a decision is made by an individual not to make a formal complaint, an investigation may still need to occur, and steps need to be taken to prevent further discrimination or harassment. For example, an investigation may need to be conducted if the allegations are serious or if there have been previous complaints or incidents involving the same individual(s).

(iii) Investigation Procedure

An investigation will be undertaken as quickly as possible. An internal or external investigator may be chosen, depending on the nature of the incident or complaint. The Director, Human Resources (or designate), in consultation with a senior leader uninvolved in the investigation, will determine whether an external investigator is required.

The investigation may include:

- interviewing the complainant and respondent to ascertain all of the facts and circumstances relevant to the incident or complaint, including dates and locations;
- interviewing witnesses deemed relevant by the investigator, if any;
- reviewing any related documents; and
- making detailed notes of the investigation and maintaining them in a confidential file.

As part of the City's obligations to ensure a safe workplace under the *Occupational Health and Safety Act*, the City will investigate circumstances that may contravene this policy regardless of whether this is a formal complaint or complainant.

The City will endeavour to investigate the matter on an expedited basis. Where there are extenuating circumstances such as where there are multiple witnesses or where one of the parties or a relevant witness is on vacation, sick or other leave, the investigation may take additional time.

Once the investigation is complete, the investigator(s) will prepare a detailed

report of the findings for review by the Director, Human Resources or designate. The Director, Human Resources or designate in consultation with the appointed senior leader, and any other applicable representatives of the City, will determine what action should be taken as a result of the investigation. This consultation may include obtaining legal advice.

The Director, Human Resources (or designate) will meet separately with each of the complainant and respondent to make them aware of the findings and provide them with a letter stating whether or not the incident or complaint constituted harassment or discrimination. At the discretion of the Director, Human Resources or designate, alternatively, the investigator(s) will meet separately with each of the complainant and respondent to provide them with this information.

The Director, Human Resources and/or appointed senior leader (or designates) will meet with the complainant to provide information regarding corrective action taken in respect of the respondent, if any. The Director, Human Resources and appointed senior leader (or designates) will also meet with the respondent to inform him or her of next steps including any corrective action, if applicable.

It is Management's responsibility to make sure recommended actions have been completed and confirmed in writing for file closure.

The Director, Human Resources or designate and any other applicable representatives of the City deemed appropriate at the discretion of the Director, Human Resources or designate, will determine the appropriate amount of information to be shared with the complainant and respondent.

Executive members of our Unions/Associations play a leadership role in partnering with the City to promote a workplace that is free of harassment and discrimination. They will ensure their own behaviour is in compliance with this policy, guide the behaviour of others and support training initiatives.

(iv) Corrective Action

If a finding of harassment or discrimination is made, the City of Kitchener will take appropriate corrective measures, regardless of the respondent's seniority or position at the City of Kitchener.

Corrective measures may include, but are not limited to, one or more of the following:

- discipline, such as a verbal warning, written warning or suspension without pay;
- termination with or without cause;
- referral for counselling, coaching or training, anger management training, supervisory skills training, or attendance at educational programs on

- respect in the workplace;
- demotion or denial of promotion;
- reassignment or transfer;
- any other disciplinary action deemed appropriate under the circumstances.

If there is not enough evidence to substantiate the incident or complaint, corrective measures will not be taken.

The goal is to complete any investigation and communicate the results to the complainant and respondent within a reasonable time frame, where possible. The timeframe within which an investigation can be completed varies depending on the circumstances of each investigation.

(v) Confidentiality of Complaints and Investigations

Due to the sensitive nature of discrimination and harassment incidents and complaints, these complaints will be kept confidential to the extent possible. As much information as is deemed necessary to investigate and respond to the incident or complaint will be released in order to take corrective action regarding the incident or complaint or if required to do so by law.

Out of respect for the individuals involved, it is essential that the complainant, respondent, witnesses, and anyone else involved in or aware of the formal investigation of an incident or complaint maintain strict confidentiality throughout the investigation and afterwards.

Unionized staff may have the support of a union representative throughout the investigation process, if they so choose. The role of the union representative is to observe and provide support throughout the investigation process. Non-union staff may bring a support person with them, to observe and provide support during the investigation process.

All workers, representatives and support persons are required to fully cooperate in the investigation process and to not in any way impede, obstruct or behave in a manner that potentially jeopardizes the integrity of the investigation.

(vi) What to Do if You are Accused of Harassment or Discrimination

If an employee is asked by a coworker to stop behaviours that could reasonably constitute harassment, they must evaluate their behaviour. Even if the employee did not mean to offend, their behaviour was perceived as offensive. Stop the behaviour that the person finds offensive and apologize. Failure to stop this behaviour will leave the employee more vulnerable to disciplinary action if it is determined their behaviour was inappropriate or constituted harassment or discrimination. If the belief is that the incident was reported or the complaint was made in bad faith or is malicious in nature, this should be discussed with the union or the Human Resources division, supervisor or any other supervisor or

member of management.

(vii) Protection from Retaliation or Reprisal

The City of Kitchener will not tolerate retaliations, taunts, or threats against anyone who reports an incident or complains about discrimination or harassment or takes part in an investigation. Any person who does so may be disciplined up to and including termination of employment.

If an incident or complaint is made in good faith and without malice, regardless of the outcome of the investigation, the complainant will not be subject to any form of discipline. The City of Kitchener will, where there is evidence to support it, discipline or terminate anyone who brings a false and malicious complaint.

(viii) Training

All staff will receive training and communications on this policy and any related policy and program.

(ix) Worker Support

The City of Kitchener has an Employee and Family Assistance Program (EFAP) to provide confidential and anonymous counselling services to workers.

(x) Review

The Joint Health and Safety Committee will review this policy as often as necessary or at least annually.

Results of Review

- ☐ No Edits Required
- ☒ Housekeeping Edits
- ☐ Substantial Edits
- ☐ Repeal/Replace

Policy History

Administrative and Housekeeping Changes

Date	Nature of Change
2010-06-01	Minor changes
2016-06-01	Policy II-140 template reformatted to new numbering system and given number HUM-WOR-140.
2020-07-26	Minor changes

Substantial Changes

Date	Council/CLT Directive
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2017-06-05	As per Council Resolution, policy amended as a result of new legislative requirements. See report CAO-10-022 & Addendum CAO-10-005
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POLICY		HUM-WOR-140	
RESPECT IN THE WORKPLACE		Category HUM - Human Resources	Sub-category Workplace Practices
Approval Type COUNCIL	Department/Division Corporate Services / Human Resources	Author and Position Human Resources	
Date Approved December 17, 1990	Last Reviewed/Amended July 1, 2021	Next Review Date June 1, 2026	

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The *Ontario Human Rights Code* provides for protection from sexual harassment in employment as follows:

Every person who is an employee has a right to freedom from harassment in the workplace because of sex, sexual orientation, gender identity or gender expression by their employer or agent of the employer or by other employees.

Every person has a right to be free from a sexual solicitation or advance made by a person in a position to confer, grant or deny a benefit or advancement to the person where the person making the solicitation or advance knows or ought reasonably to know that it is unwelcome; or a reprisal or a threat of reprisal for the rejection of a sexual solicitation or advance where the reprisal is made or threatened by a person in a position to confer, grant or deny a benefit or advancement to the person.

The *Occupational Health and Safety Act* defines workplace sexual harassment as:

- iii. Engaging in a course of vexatious comment or conduct against a worker in a workplace because of sex, sexual orientation, gender identity or gender expression, where the course of comment or conduct is known or ought reasonably to be known to be unwelcome, or
- iv. Making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advancement to the worker and the person knows or ought reasonably to know that the solicitation or advance is unwelcome.

All genders can be victims of sexual or gender-based harassment and someone of the same or opposite sex can harass someone else. Some examples of sexual or gender-based harassment are:

- sexual advances or demands that the recipient does not welcome or want;
- threats, punishment or denial of a benefit for refusing a sexual advance;
- offering a benefit in exchange for a sexual favour;
- leering (persistent inappropriate staring);
- displaying sexually explicit materials such as posters, pictures, calendars, cartoons,

- screen savers, pornographic or erotic websites or other electronic material;
- distributing sexually explicit e-mail messages or attachments such as pictures or video files;
- sexually suggestive or obscene comments or gestures;
- unwelcome remarks, jokes, innuendoes, propositions or taunting about a person's body, clothing or sex;
- persistent, unwanted attention after a consensual relationship ends;
- physical contact of a sexual nature, such as touching or caressing;
- gossip or rumours regarding a person's sexual activities or relationship, regardless of whether they are malicious;
- sexual assault.

Harassment and Bullying: Workplace harassment is a health and safety issue that is covered under the *Occupational Health and Safety Act*.

Workplace harassment is defined as:

- iii. Engaging in a course of vexatious comment or conduct against a worker in a workplace that is known or ought reasonably to be known to be unwelcome; or
- iv. Workplace sexual harassment (as defined in Section 2 c) of this policy).

Some examples of workplace harassment are:

- verbally abusive behaviours such as yelling, insults, ridicule and name-calling, including but not limited to: remarks, jokes, innuendos that demean, ridicule, intimidate or offend;
- workplace pranks, vandalism, bullying;
- gossiping or spreading rumours, regardless of whether they are malicious;
- excluding or ignoring someone, such as persistent exclusion of a particular person from workplace-related social gatherings;
- workplace supervision done in a demeaning or abusive manner;
- humiliating someone;
- sabotaging someone else's work;
- displaying or circulating offensive pictures or materials;
- offensive or intimidating phone calls, e-mails, texts or social media communications;
- a supervisor/manager impeding an individual's efforts at promotions or transfers for reasons that are not legitimate;
- making false allegations about someone in memos or other work-related documents;
- menacing behaviours including staring, glaring, inappropriate gestures or unwelcome physical closeness.

Workplace: is defined under the *Occupational Health and Safety Act*. It includes but is not limited to any location where a worker works or participates in work related activities. This may include work-related activities such as social functions, training, conferences, travel, restaurants, hotels, or meeting facilities being used for business purposes, during telephone, email, or other online communications including social media. Off duty conduct that impacts the workplace may also be considered under this policy. **Workplace:** Any location where a

~~City of Kitchener employee is carrying out their occupational duties, including those locations that are not on primary work sites. This may include a social function, training and conferences, during travel, at restaurants, hotels or meeting facilities being used for business purposes, during telephone, e-mail or other communications. This may also include social networking sites (Facebook, Twitter, LinkedIn, etc.).~~

What Isn't Harassment: The *Occupational Health and Safety Act* states:

A reasonable action taken by an employer or supervisor relating to the management and direction of workers or the workplace is not workplace harassment.

Workplace harassment should not be confused with legitimate, reasonable management actions that are part of the normal work function, including but not limited to:

- measures to correct performance deficiencies, such as placing someone on a performance improvement plan;
- imposing discipline for workplace infractions;
- requesting medical documents in support of absence from work;
- enforcement of workplace rules and policies;
- respectful workplace supervision, discipline and direction.

It also does not include normal workplace conflict that may occur between individuals or differences of opinion between co-workers.

Policy Scope

Application

☒ **Employees** (Indicate below which categories apply: All employees, Permanent full-time, Temporary full-time, Continuous part-time, Casual, Probationary, Student, Management, Non-union)

- All employees

☐ **Unions** (Indicate below which categories apply: All Unions, CUPE 68 Civic, CUPE 68 Mechanics, CUPE 791, IATSE, IBEW, KPFFA)

- Click or tap here to enter text.

☐ **Council**

☐ **Specified Positions:** Click or tap here to enter text.

☐ **Other:** Local Boards and Advisory Committees

Policy Content

c) The Test of Harassment

It does not matter what the intent was, the test of harassment is whether you knew or should have known that the comments or conduct were unwelcome to the person to whom it was directed. For example, someone may make it clear through their conduct or body language that the behaviour is unwelcome, in which case you must immediately stop that

behaviour.

Although it is commonly the case, the harasser does not necessarily have to have the power of authority over the recipient. Harassment can occur from co-worker to co-worker, supervisor to employee and employee to supervisor.

Respect in the workplace is everyone's responsibility. Any acts that demean, harm or exclude are counter to the culture at the City of Kitchener and should be addressed (promptly) in accordance with the procedures set out below.

d) Procedure for Resolving and Investigating Harassment and Discrimination Incidents and Complaints

An investigation will be conducted that is appropriate in the circumstances. Sometimes, the only investigation necessary may be a meeting with the Complainant; some enquiries don't require a meeting with a respondent. In other cases, a full, formal investigation may be required.

The Investigator will determine what kind of investigation is appropriate, in consultation with Human Resources staff as necessary.

(xi) Informal Procedure

If an employee believes that they are being harassed or discriminated against the first thing to do is to tell the person to stop. Do so as soon as any unwelcome comment or conduct is received. Although this may be difficult to do, telling the person that their actions are not welcome is often enough to stop the behaviour.

Some things that can be said that might stop the behaviour include:

"I don't want you to do that."
 "Please stop doing or saying..."
 "It makes me uncomfortable when you..."
 "I don't find it funny when..."

If the harassment or discrimination continues after the individual has been confronted, a written statement of the situation may be provided to the individual.

The incident(s) can also be reported to the union, supervisor, any other supervisor, any member of management or Human Resources.

It helps to keep a record of any incident(s) experienced. This includes when the harassment started, what happened, whether there were any witnesses and what the response was.

If the individual who has perpetrated the harassment or discrimination is not an employee of the City (e.g., a member of the public, supplier, contractor, etc.), please report the incident(s) to the union, supervisor, any other supervisor, any member of management or Human Resources. Although the City has limited

control over third parties, the issue will be addressed with the intent to prevent further problems from arising.

(xii) Formal Procedure

If the incident or complaint cannot be resolved informally or if it is too serious to handle on an informal basis, a formal complaint can be brought forward to the union, a member of the management team or Human Resources.

When bringing a formal complaint forward, as much written information as possible will be needed, including the name(s) of the person(s) believed to be perpetrating the harassment or discrimination, the place, date and time of the incident(s) and the name(s) of any possible witnesses.

It is important that the complaint be provided as soon as possible so that the issue doesn't escalate or happen again. Once the complaint is received an investigation will be initiated. The investigation may be informal or formal as deemed necessary and appropriate by the Human Resources division.

Discrimination and harassment are serious matters. Therefore, if a decision is made by an individual not to make a formal complaint, an investigation may still need to occur, and steps need to be taken to prevent further discrimination or harassment. For example, an investigation may need to be conducted if the allegations are serious or if there have been previous complaints or incidents involving the same individual(s).

(xiii) Investigation Procedure

An investigation will be undertaken as quickly as possible. An internal or external investigator may be chosen, depending on the nature of the incident or complaint. The Director, Human Resources (or designate), in consultation with ~~the Department Head~~ a senior leader uninvolved in the investigation, will determine whether an external investigator is required.

The investigation may include:

- interviewing the complainant and respondent to ascertain all of the facts and circumstances relevant to the incident or complaint, including dates and locations;
- interviewing witnesses deemed relevant by the investigator, if any;
- reviewing any related documents; and
- making detailed notes of the investigation and maintaining them in a confidential file.

As part of the eCity's obligations to ensure a safe workplace under the Occupational Health and Safety Act, the eCity will investigate circumstances that may contravene this policy regardless of whether this is a formal complaint or complainant.

The City will endeavour to investigate the matter on an expedited basis. Where there are extenuating circumstances such as where there are multiple witnesses or where one of the parties or a relevant witness is on vacation, sick or other leave, the investigation may take additional time.

Once the investigation is complete, the investigator(s) will prepare a detailed report of the findings for review by the Director, Human Resources or designate. The Director, Human Resources or designate in consultation with the ~~Department~~ Headappointed senior leader, and any other applicable representatives of the City, will determine what action should be taken as a result of the investigation. This consultation may include obtaining legal advice.

The Director, Human Resources (or designate) will meet separately with each of the complainant and respondent to make them aware of the findings and provide them with a letter stating whether or not the incident or complaint constituted harassment or discrimination. At the discretion of the Director, Human Resources or designate, alternatively, the investigator(s) will meet separately with each of the complainant and respondent to provide them with this information.

The Director, Human Resources and/or ~~Department~~ Headappointed senior leader (or designates) will meet with the complainant to provide information regarding corrective action taken in respect of the respondent, if any. The Director, Human Resources and ~~Department~~ Headappointed senior leader (or designates) will also meet with the respondent to inform him or her of next steps including any corrective action, if applicable.

It is Management's responsibility to make sure recommended actions have been completed and confirmed in writing for file closure.

The Director, Human Resources or designates and any other applicable representatives of the City deemed appropriate at the discretion of the Director, Human Resources or designate, will determine the appropriate amount of information to be shared with the complainant and respondent.

Executive members of our Unions/Associations play a leadership role in partnering with the City to promote a workplace that is free of harassment and discrimination. They will ensure their own behaviour is in compliance with this policy, guide the behaviour of others and support training initiatives.

(xiv) Corrective Action

If a finding of harassment or discrimination is made, the City of Kitchener will take appropriate corrective measures, regardless of the respondent's seniority or position at the City of Kitchener.

Corrective measures may include, but are not limited to, one or more of the

following:

- discipline, such as a verbal warning, written warning or suspension without pay;
- termination with or without cause;
- referral for counselling, coaching or training, anger management training, supervisory skills training, or attendance at educational programs on respect in the workplace;
- demotion or denial of promotion;
- reassignment or transfer;
- any other disciplinary action deemed appropriate under the circumstances.

If there is not enough evidence to substantiate the incident or complaint, corrective measures will not be taken.

The goal is to complete any investigation and communicate the results to the complainant and respondent within a reasonable time frame, where possible. The timeframe within which an investigation can be completed varies depending on the circumstances of each investigation.

(xv) Confidentiality of Complaints and Investigations

Due to the sensitive nature of discrimination and harassment incidents and complaints, these complaints will be kept confidential to the extent possible. As much information as is deemed necessary to investigate and respond to the incident or complaint will be released in order to take corrective action regarding the incident or complaint or if required to do so by law.

Out of respect for the individuals involved, it is essential that the complainant, respondent, witnesses, and anyone else involved in or aware of the formal investigation of an incident or complaint maintain strict confidentiality throughout the investigation and afterwards.

Unionized staff may have the assistance-support of a union representative throughout the investigation process, if they so choose. The role of the union representative is to observe and provide support throughout the investigation process. Non-union staff may bring a support person with them, to observe and provide support during the investigation process.

All workers, representatives and support persons are required to fully cooperate in the investigation process and to not in any way impede, obstruct or behave in a manner that potentially jeopardizes the integrity of the investigation.

(xvi) What to Do if You are Accused of Harassment or Discrimination

If an employee is asked by a coworker to stop behaviours that could reasonably constitute harassment, they must evaluate their behaviour. Even if the employee did not mean to offend, their behaviour was perceived as offensive. Stop the

behaviour that the person finds offensive and apologize. Failure to stop this behaviour will leave the employee more vulnerable to disciplinary action if it is determined their behaviour was inappropriate or constituted harassment or discrimination. If the belief is that the incident was reported or the complaint was made in bad faith or is malicious in nature, this should be discussed with the union or the Human Resources division, supervisor or any other supervisor or member of management.

(xvii) Protection from Retaliation or Reprisal

The City of Kitchener will not tolerate retaliations, taunts, or threats against anyone who reports an incident or complains about discrimination or harassment or takes part in an investigation. Any person who does so may be disciplined up to and including termination of employment.

If an incident or complaint is made in good faith and without malice, regardless of the outcome of the investigation, the complainant will not be subject to any form of discipline. The City of Kitchener will, where there is evidence to support it, discipline or terminate anyone who brings a false and malicious complaint.

(xviii) Training

All staff will receive training and communications on this policy and any related policy and program.

(xix) Worker Support

The City of Kitchener has an Employee and Family Assistance Program (EFAP) to provide confidential and anonymous counselling services to workers.

(xx) Review

The Joint Health and Safety Committee will review this policy as often as necessary or at least annually.

Results of Review

- ☐ No Edits Required
- ☒ ☐ Housekeeping Edits
- ☐ Substantial Edits
- ☐ Repeal/Replace

Policy History

Administrative and Housekeeping Changes

Date	Nature of Change
2010-06-01	Minor changes
2016-06-01	Policy II-140 template reformatted to new numbering system and given

	number HUM-WOR-140.
2020-07-26	Minor changes

Substantial Changes

Date	Council/CLT Directive
2017-06-05	As per Council Resolution, policy amended as a result of new legislative requirements. See report CAO-10-022 & Addendum CAO-10-005

POLICY		HUM-WOR-180	
CONCURRENT EMPLOYMENT		Category HUM - Human Resources	Sub-category HR - Hiring & Termination/Retirement
Approval Type COUNCIL	Department/Division Corporate Services / Human Resources	Author and Position Human Resources	
Date Approved Click here to enter a date.	Last Reviewed/Amended Click here to enter a date.	Next Review Date Click here to enter a date.	

Related Policies or Procedures

- HUM-HIR-XXXX Employment and Recruitment
- HUM-HIR-110 Employment of Relatives of Staff Members and Elected Officials
- HUM-HIR-100 Employee Status - Definitions

Policy Purpose

The purpose of this policy is to ensure that employees do not hold multiple positions with the City of Kitchener and to outline any exceptions.

Definitions

Continuous part-time employee: A union or non-union employee hired to work on a regular basis not to exceed twenty-four (24) hours per week, or as outlined in the respective employment letter or Collective Agreement; where the role is graded against a full-time permanent union or non-union role. The period of employment is of indefinite duration.

Casual employee: A non-union employee hired to occupy a role that is not graded against a permanent full-time union or non-union role, and where hours of employment are not guaranteed, and is hired to work on an infrequent basis with no set schedule or time, not to exceed twenty-four (24) hours per week, or as set out in the employment letter, where the period of employment may be definitive or indefinite.

City: refers to the Corporation of the City of Kitchener.

Policy Scope

When an employee is covered by a Collective Agreement and its terms conflict with this

Policy, the Collective Agreement will apply.

Application

☒ **Employees** *(Indicate below which categories apply: All employees, Permanent full-time, Temporary full-time, Continuous part-time, Casual, Probationary, Student, Management, Non-union)*

- All Employees

☐ **Unions** *(Indicate below which categories apply: All Unions, CUPE 68 Civic, CUPE 68 Mechanics, CUPE 791, IATSE, IBEW, KPFFA)*

- Click or tap here to enter text.

☐ **Council**

☐ **Specified Positions:** Click or tap here to enter text.

☐ **Other:** Local Boards and Advisory Committees

Policy Content

Employees may not occupy a second position at the City unless under the following circumstance:

- City employees who are continuous part-time or casual may only hold **two positions concurrently**. The two positions must be dissimilar. The total hours are not to exceed thirty-five (35) or forty (40) hours per week, or as set out in the employment letter.

Responsibilities

Hiring Managers are responsible for ensuring that employees are not hired into more than one position at the City, unless the employee meets the above-mentioned exception. In addition, they are responsible for ensuring they are in compliance with the maximum number of hours worked per week.

Employees are responsible for advising the manager that they currently hold a position at the City and must accurately record the number of hours worked in each position, not to exceed the maximum as per the terms of their contract (s).

Human Resources shall respond to any related inquiries and support hiring managers.

Results of Review

- ☐ No Edits Required
- ☐ Housekeeping Edits
- ☒ Substantial Edits
- ☐ Repeal/Replace

Policy History

Administrative and Housekeeping Changes

Date	Nature of Change
------	------------------

2010-05-10	Minor changes.
2016-06-01	Policy II-80 template reformatted to new numbering system and given number HUM-WOR-180.

Substantial Changes

Date	Council/CLT Directive
2001-12-10	Resolution passed by Council.

POLICY		HUM-WOR-180	
<u>MULTIPLE JOBS</u> <u>CONCURRENT</u> <u>EMPLOYMENT</u>		Category HUM - Human Resources	Sub-category HR - Hiring & Termination/Retirement
Approval Type COUNCIL	Department/Division Corporate Services / Human Resources	Author and Position Human Resources	
Date Approved Click here to enter a date.	Last Reviewed/Amended Click here to enter a date.	Next Review Date Click here to enter a date.	

Related Policies or Procedures

- [HUM-HIR-XXXX Employment and Recruitment](#)
- [HUM-HIR-110 Employment of Relatives of Staff Members and Elected Officials](#)
- [HUM-HIR-100 Employee Status - Definitions](#)

Policy Purpose

The purpose of this policy is to ensure that employees do not hold multiple positions with the City of Kitchener and to outline any exceptions.~~To establish the City's position concerning employees who may wish to hold multiple jobs with the Corporation.~~

Definitions

Continuous part-time employee: A union or non-union employee hired to work on a regular basis not to exceed twenty-four (24) hours per week, or as outlined in the respective employment letter or Collective Agreement; where the role is graded against a full-time permanent union or non-union role. The period of employment is of indefinite duration.

Casual employee: A non-union employee hired to occupy a role that is not graded against a permanent full-time union or non-union role, and where hours of employment are not guaranteed, and is hired to work on an infrequent basis with no set schedule or time, not to exceed twenty-four (24) hours per week, or as set out in the employment letter, where the

period of employment may be definitive or indefinite.

City: refers to the Corporation of the City of Kitchener.

To be included at next review.

Policy Scope

When an employee is covered by a Collective Agreement and its terms conflict with this Policy, the Collective Agreement will apply.

Application

- ☒ **Employees** *(Indicate below which categories apply: All employees, Permanent full-time, Temporary full-time, Continuous part-time, Casual, Probationary, Student, Management, Non-union)*
- All Employees
- ☐ **Unions** *(Indicate below which categories apply: All Unions, CUPE 68 Civic, CUPE 68 Mechanics, CUPE 791, IATSE, IBEW, KPFFA)*
- Click or tap here to enter text.
- ☐ **Council**
- ☐ **Specified Positions:** Click or tap here to enter text.
- ☐ **Other:** Local Boards and Advisory Committees

Policy Content

~~It is a matter of policy that full-time employees are precluded from holding more than one job with the City at any one point in time. This Policy applies to both temporary and permanent full-time.~~

~~In the case of part-time employees they may hold more than one job with the Corporation at any one point provided:~~

- ~~1. That the total hours worked per week by an employee in all part time positions held will not exceed the total hours per week normally worked in the employee's working group (i.e. 35 or 40 hours).~~
- ~~2. That each part time position held by an employee will be dissimilar.~~

~~Exceptions to this policy will be allowed in the following circumstances:~~

- ~~1. Short term emergency situations.~~
- ~~2. Where an employee self identifies that the employee's need for social assistance can be reduced or eliminated.~~

~~Such exceptions require the prior approval of the operating management and Human Resources.~~

~~Employment relationships, inconsistent with this Policy, but existing prior to the effective date of this Policy, will continue to be honoured.~~

Employees may not occupy a second position at the City unless under the following

circumstance:

- City employees who are continuous part-time or casual may only hold **two positions concurrently**. The two positions must be dissimilar. The total hours are not to exceed thirty-five (35) or forty (40) hours per week, or as set out in the employment letter.

Responsibilities

Hiring Managers are responsible for ensuring that employees are not hired into more than one position at the City, unless the employee meets the above-mentioned exception. In addition, they are responsible for ensuring they are in compliance with the maximum number of hours worked per week.

Employees are responsible for advising the manager that they currently hold a position at the City and must accurately record the number of hours worked in each position, not to exceed the maximum as per the terms of their contract (s).

Human Resources shall respond to any related inquiries and support hiring managers.

Results of Review

- ☐ No Edits Required
- ☐ Housekeeping Edits
- ☐ Substantial Edits
- ☐ Repeal/Replace

Policy History

Administrative and Housekeeping Changes

Date	Nature of Change
2010-05-10	Minor changes.
2016-06-01	Policy II-80 template reformatted to new numbering system and given number HUM-WOR-180.

Substantial Changes

Date	Council/CLT Directive
2001-12-10	Resolution passed by Council.

POLICY		HUM-WOR-250	
VIOLENCE IN THE WORKPLACE		Category HUM - Human Resources	Sub-category Workplace Practices
Approval Type COUNCIL	Department/Division Corporate Services / Human Resources	Author and Position Manager, Corporate Health & Safety	
Date Approved August 28, 2000	Last Reviewed/Amended April 1, 2017	Next Review Date March 1, 2022	

Related Policies or Procedures

- HUM-WOR-140 Respect In The Workplace
- HUM-WOR-085 Employee Complaint Resolution
- HUM-WOR-052 Corporate Social Media Policy
- HUM-WOR-160 Internet, Electronic Mail, Telephones & Wireless Communication & Entertainment Devices – Acceptable Use
- MUN-FAC-345 Behaviour – Unacceptable Conduct in Community Services Facilities
- MUN-FAC-495 Behaviour – Unacceptable Conduct on City Premises and Authority to Issue Trespass Notices
- HUM-BEN-080 Employee And Family Assistance Program
- Ontario *Occupational Health and Safety Act*
- Ontario *Human Rights Code*

Policy Purpose

The City of Kitchener will not tolerate or condone violence in the workplace. Through this policy, the City has clearly articulated the behaviours that will not be tolerated, how risk of violence is assessed and how incidences of violence will be addressed.

The Corporation of the City of Kitchener is committed to providing a safe and healthy workplace free from actual, attempted or threatened violence in compliance with the requirements of the Occupational Health and Safety Act. The Corporation recognizes workplace violence, including domestic violence, that may occur in the workplace, is a serious matter and will take all reasonable precautions to prevent workplace violence and to protect workers in the workplace.

This is a companion policy to the Corporation's Respect In The Workplace Policy which addresses harassment and discrimination, including any conduct that is known or ought to be known as disrespectful or unwelcome.

Definitions

Management: for the purpose of this policy means all persons in supervisory positions, including but not limited to supervisors, managers, directors, Department Heads, Deputy CAO and CAO.

Psychological safety: is the absence of harm and/or threat of harm to mental wellbeing that a worker may experience.

Supervisor: is any worker who has authority over other workers or the workplace.

Worker: for the purpose of this policy means all employees of the City of Kitchener who are not management employees, including but not limited to any person who performs work or supplies services for monetary compensation including contractors and consultants, students, trainees, interns, apprentices and volunteers.

Workplace: is defined under the *Occupational Health and Safety Act*. It includes but is not limited to any location where a worker works or participates in work related activities. This may include work-related activities such as social functions, training, conferences, travel, restaurants, hotels, or meeting facilities being used for business purposes, during telephone, email, or other online communications including social media. Off duty conduct that impacts the workplace may also be considered under this policy.

Workplace violence is defined as:

- a) the exercise of physical force by a person against a worker, in a workplace, that causes or could cause physical injury to the worker;
- b) an attempt to exercise physical force against a worker, in a workplace, that could cause physical injury to the worker;
- c) a statement or behaviour that it is reasonable for a worker to interpret as a threat to exercise physical force against the worker, in a workplace, that could cause physical injury to the worker.

Examples of workplace violence include but are not limited to:

- physically threatening behaviour, such as shaking a fist at someone, pointing a finger, destroying property, throwing objects;
- verbal or written threats to physically attack a worker;
- threatening notes or emails;
- wielding a weapon at work;
- stalking someone;
- physically aggressive behaviours, including but not limited to hitting, shoving, standing excessively close to someone in an aggressive manner, pushing, kicking, throwing an object at someone, physically restraining someone, or any other form of physical violence or assault;
- domestic violence that can impact the workplace.

Policy Scope

Application

☒ **Employees** *(Indicate below which categories apply: All employees, Permanent full-time, Temporary full-time, Continuous part-time, Casual, Probationary, Student, Management, Non-union)*

- All employees

☐ **Unions** *(Indicate below which categories apply: All Unions, CUPE 68 Civic, CUPE 68 Mechanics, CUPE 791, IATSE, IBEW, KPFFA)*

- Click or tap here to enter text.

☐ **Council**

☐ **Specified Positions:** Click or tap here to enter text.

☐ **Other:** Local Boards and Advisory Committees

Policy Content

Workplace violence may come from different sources such as:

- strangers or people with no ties to the workplace;
- contractors or suppliers;
- clients, customers, or members of the public;
- other workers;
- intimate relationships outside of work, such as partners, family or friends that impact the workplace.

Violence that occurs outside the normal workplace, but which has an impact in the workplace, including working relationships, may also be considered workplace violence.

This policy applies in any location in which **workers are engaged in work or work-related activities**. This includes but is not limited to:

- the workplace;
- during work-related travel;
- at restaurants, hotels or meeting facilities that are being used for business purposes;
- in corporation-owned or leased facilities;
- during telephone, email and other communications, including but not limited to social media;
- dialogue related to work or workplace relations that extends from the workplace, as well as comments made on social media pertaining to or associated with workers, work or the workplace;
- at any work-related social event, whether or not it is sponsored by the City of Kitchener
- Off duty conduct that has an impact in the workplace may also be considered under this policy.

This policy also applies to situations of workplace violence, including domestic violence which may occur in the workplace, by individuals who are not workers of the City. These may include suppliers and members of the public. Available remedies may be constrained by the situation and the fact that these individuals are not City workers.

A) Domestic Violence

If an employee experiences domestic violence that would likely expose the employee, or other workers, to potential physical injury in the workplace, the Corporation will take every precaution reasonable to protect the employee and co-workers in the circumstances. This may include some or all of the following:

- creating a safety plan;
- contacting the police;
- establishing enhanced security measures such as a panic button, code words, and secured access;
- screening calls and blocking certain email addresses;
- setting up priority parking or providing escorts to vehicles or to public transportation;
- adjusting working hours and location so that they are not predictable;
- assisting with obtaining counselling through the Employee and Family Assistance Program (EFAP) or other community programs.

B) Duties and Obligations**i. Duties of Management**

Supervisors and members of management are expected to assist in creating a violence-free workplace and to immediately act (in accordance with Section D of this policy) if they receive a complaint of workplace violence or witness or are aware of violent behaviour. Supervisors and members of management must also take every reasonable precaution to protect workers from workplace violence, including conducting risk assessments as set out in Section H of this policy.

When supervisors and managers become aware of workplace violence, failure to act may be subject to discipline.

ii. Duties of All Workers

Workers must ensure their behaviour does not violate this policy. They should foster a work environment that is based on respect and is free of violence or threats of violence.

Workers are also required to report workplace violence or a threat of workplace violence as set out in Section C below.

Executive members of Unions/Associations play a leadership role in partnering with the City to promote a workplace that is free of violence. They will ensure their own behavior is in compliance with the policy, guide the behaviors of others, and support training initiatives.

C) **Reporting**

Under the *Occupational Health and Safety Act*, workers have a responsibility to report workplace hazards. Workplace violence is considered a hazard in the workplace. Therefore, if workers are aware of workplace violence, even if they are not a recipient or witness to the violence directly, they must report it.

Workers who are either the recipient of or a witness to workplace violence, from any person, must report such behaviour to their supervisor. A worker who believes they are unable to report workplace violence to their direct supervisor may report to any of the following:

- any supervisor or member of management;
- Security;
- Joint Health and Safety Committee;
- Human Resources; or
- their union representative.

If there is a lack of response, the worker must immediately report this to senior management and/or Human Resources.

If a worker is believed to be in imminent physical danger or a physical assault has occurred, it must be immediately reported to the police. In all reports of workplace violence, corporate emergency procedures must be immediately followed (see Corporate Emergency Procedures and Awareness under the Forms, Policies and Resources tab on the Intranet).

All workers also have the right to refuse unsafe work if they have reason to believe they are in danger from workplace violence. In that instance, the employee must immediately contact the supervisor, any other supervisor, member of management, or Human Resources, so appropriate measures can be taken to protect workers and investigate the situation. The worker refusing unsafe work will be moved to a safe place as near as reasonably possible to the normal workstation and will need to be available for the purposes of investigating the incident. Certain workers, such as a member of the Corporate Security team, may have a limited right to refuse because the risk is inherent in their job duties. Should a worker initiate a work refusal related to workplace violence, the Safety Manual Work Refusal procedures must be followed (see Safety Manual and Guidelines under the Forms, Policies and Resources tab on the Intranet).

D) **Investigation**

Any reports or incidents of workplace violence will be taken seriously. All reports and incidents of workplace violence must be investigated. If a manager or supervisor becomes aware of, or witnesses, acts or threats of violence, even if these events or actions are not reported to them by a worker, they must initiate an investigation and corrective and preventative actions. The investigation begins by reporting the incident to Human Resources using the

Corporate Accident Investigation and Incident Reporting Procedures (see Safety Manual and Guidelines under the Forms, Policies and Resources tab on the Intranet).

In cases where the report of workplace violence involves allegations of a City of Kitchener worker behaving in a manner in contravention of this policy, the Respect In The Workplace complaint process will be initiated, and Human Resources will oversee the investigation of the complaint.

Human Resources has discretion to use either an internal or external investigator to conduct an investigation, depending on the nature of the incident.

An investigation will be conducted that is appropriate to the circumstances. The City will endeavor to investigate on an expedited basis. The investigator will determine what kind and extent of investigation is appropriate in consultation with Human Resources staff, as necessary. Where there are extenuating circumstances such as multiple witnesses or parties involved, a relevant witness or party is unavailable due to vacation/sick or other leave, the investigation may take additional time.

As part of the City's obligations to ensure a safe workplace under the *Occupational Health and Safety Act*, the City will investigate circumstances that may contravene this policy regardless of whether this is a formal complaint or complainant.

The investigation may include:

- conducting interviews of appropriate individuals to establish all the facts and circumstances relevant to the incident or complaint, including dates and locations;
- reviewing any related documentation;
- making detailed notes of the investigation and maintaining them in a confidential file.

Once the investigation is complete, the findings will be shared as an information item with the Joint Health and Safety Committee as required by the *Occupational Health and Safety Act*. The Joint Health and Safety Committee may make recommendations to management to improve safety in the workplace.

Any incidents or reports of discrimination or harassment must follow the direction provided under Council Policy HUM-WOR-140 Respect In The Workplace.

E) Confidentiality

All efforts will be made to protect the personal information of those who are accused of workplace violence and those who are affected. Only as much

information as is necessary to investigate and respond to the incident or complaint will be released in order to take corrective action or if required to do so by law. The City of Kitchener may be required to disclose pertinent information for the purpose of protecting a worker from injury where a reasonable threat of workplace violence exists.

Reports will be kept confidential if it has been determined that a reasonable threat of workplace violence does not exist, or where reasonable and practical in the circumstances.

Out of respect for the individuals who are involved, it is essential that strict confidentiality be maintained throughout the investigation and afterwards by those accused of workplace violence; those affected by it, witnesses, and anyone else involved in or aware of the investigation of an incident or complaint.

Unionized staff may be supported by a union representative throughout the investigation process, if they choose. The role of the union representative is to observe and provide support throughout the investigation process. Non-union staff may bring a support person with them to observe and provide support during the investigation process.

All workers, representatives and support persons are required to fully cooperate in the investigation process and to not in any way impede, obstruct, or behave in a manner that potentially jeopardizes the integrity of the investigation.

Breach of confidentiality, or acting in a manner that obstructs, impedes or affects the integrity of the investigation is subject to discipline.

F) Protection from Retaliation or Reprisal

No worker can be penalized, reprimanded, or in any way criticized when acting in good faith while following the procedures for addressing situations involving workplace violence.

The City of Kitchener will not tolerate retaliation, taunts, or threats against anyone who reports an incident, complains about workplace violence, or takes part in an investigation. Any person who does so may be disciplined.

If an incident or complaint is made in good faith and without malice, regardless of the outcome of the investigation, the complainant will not be subject to any form of discipline. The City of Kitchener will, however, discipline or terminate anyone who brings forward a false and malicious complaint.

G) Corrective Actions

Once the investigation is complete, the investigator(s) will prepare a detailed report of the findings for review by the Director, Human Resources.

If a finding of workplace violence by a worker is made, the City of Kitchener will take appropriate corrective measures, regardless of the worker's seniority or position at the City of Kitchener.

The Director, Human Resources, in consultation with a senior leader uninvolved in the investigation, and any other appropriate representatives will determine what action should be taken as a result of the investigation. This consultation may include obtaining legal advice. Applicable representatives will be determined by the Director, Human Resources, and the appointed senior leader depending on the circumstances.

Corrective measures may include but are not limited to one or more of the following:

- discipline, such as a verbal warning, written warning or suspension without pay;
- termination with or without cause;
- referral for counselling, coaching or training, anger management training, supervisory skills training, or attendance at educational programs on respect in the workplace;
- demotion or denial of promotion;
- reassignment or transfer;
- any other disciplinary action deemed appropriate under the circumstances.

Criminal accountability may also be applied by the police.

In the case of a member of the public, policies MUN-FAC-345 Behaviour – Unacceptable Conduct in Community Services Facilities and/or MUN-FAC-495 Behaviour – Unacceptable Conduct on City Premises and Authority to Issue Trespass Notices may be initiated as well.

H) Risk Assessment

Supervisors and managers must take every reasonable precaution to protect workers from workplace violence, including participating in risk assessments for workplace violence. Risk assessments are to be conducted as frequently as necessary to prevent injury in the workplace. For example:

- after an event or threat has occurred;
- if the work or workplace has changed;
- when a safety concern related to workplace violence has been raised.

Risk assessments may include evaluating a person's history of violent behaviour to determine whether and to whom this worker poses a risk. In making this evaluation, supervisors and managers should consider:

- whether the person's history of violence was associated with the workplace or work;
- whether the history of violence was directed at a particular worker or workers in general;
- how long ago the incidence of violence occurred.

In certain circumstances, supervisors and managers may have a duty to provide information about the risk of workplace violence from a person with a history of violent behaviour if a worker may encounter that person during the course of work and the risk of workplace violence is likely to expose the worker to physical injury. Supervisors and managers will only release as much personal information about the person with a history of violent behaviour as is reasonably necessary to protect the worker from workplace violence. Supervisors and managers are required to consult with the Human Resources division prior to releasing information about a person with a history of violence. Risk assessments will be conducted using the corporate health and safety risk assessment tool.

I) Training

All staff will receive training and communications on this policy and any related policy, procedures and techniques for the prevention of workplace violence as necessary to meet the intent and requirements of this policy and the *Occupational Health and Safety Act*.

J) Worker Support

The City of Kitchener has an Employee and Family Assistance Program (EFAP) available to provide confidential and anonymous counselling services to workers who have been subject to workplace violence.

K) Review

The Violence in the Workplace policy, incidents of reported workplace violence and the workplace violence risk assessments are reviewed annually and are reported and reviewed with the respective Joint Health and Safety Committee.

Results of Review

- ☐ No Edits Required
- ☒ Housekeeping Edits
- ☐ Substantial Edits
- ☐ Repeal/Replace

Policy History

Administrative and Housekeeping Changes

Date	Nature of Change
2016-06-01	Policy II-250 template reformatted to new numbering system and given number HUM-WOR-250.

Substantial Changes

Date	Council/CLT Directive
2001-12-10	As per CLT direction
2010-06-14	Resolution passed by Council
2017-06-05	Resolution passed by Council, policy amended as a result of new legislative requirements. See report CAO-10-022 & Addendum CAO-10-005

POLICY		HUM-WOR-250	
VIOLENCE IN THE WORKPLACE		Category HUM - Human Resources	Sub-category Workplace Practices
Approval Type COUNCIL	Department/Division Corporate Services / Human Resources	Author and Position Manager, Corporate Health & Safety	
Date Approved August 28, 2000	Last Reviewed/Amended April 1, 2017	Next Review Date March 1, 2022	

Related Policies or Procedures

- HUM-WOR-140 —Respect In The Workplace
- ~~HR Policy—HUM-WOR-085 Worker Employee~~ Complaints Resolution
- ~~HR Policy—HUM-WOR-052 Corporate~~ Social Media ~~Policy~~
- ~~HR Policy—HUM-WOR-160 Internet, Electronic Mail, Telephones & Wireless Communication & Entertainment Devices – Acceptable Use~~
- ~~Council Policy—MUN-FAC-345 Unacceptable Behaviour – Unacceptable Conduct in Community Services Facilities~~
- ~~Council Policy—MUN-FAC-495 Security Officers Behaviour – Unacceptable Conduct on City Premises and Authority to Issue Trespass Notices~~
- HUM-BEN-080 Employee And Family Assistance Program
- Ontario Occupational Health and Safety Act
- Ontario Human Rights Code

Policy Purpose

The City of Kitchener will not tolerate or condone violence in the workplace. Through this policy, the City has clearly articulated the behaviours that will not be tolerated, how risk of violence is assessed and how incidences of violence will be addressed.

The Corporation of the City of Kitchener is committed to providing a safe and healthy workplace free from actual, attempted or threatened violence in compliance with the requirements of the Occupational Health and Safety Act. The Corporation recognizes workplace violence, including domestic violence, that may occur in the workplace, is a serious matter and will take all reasonable precautions to prevent workplace violence and to protect workers in the workplace.

This is a companion policy to the Corporation's Respect ~~in In the The~~ Workplace Policy which addresses harassment and discrimination, including any conduct that is known or ought to be known as disrespectful or unwelcome.

Definitions

“Management”: for the purpose of this policy means all persons in supervisory positions, including but not limited to, supervisors, managers, directors, Department Heads, dDeputy CAOs and CAO.

Psychological safety: is the absence of harm and/or threat of harm to mental wellbeing that a worker may experience.

“Supervisor”: is any worker who has authority over other workers or the workplace.

“Worker”: for the purpose of this policy means all employees of the City of Kitchener who are not management employees, including but not limited to any person who performs work or supplies services for monetary compensation including contractors and consultants, students, trainees, interns, apprentices and volunteers.

“Workplace” ~~is defined under the *Occupational Health and Safety Act*. It includes but is not limited to, any land, premises, location or thing at, upon, in or near which a worker works. Essentially, a workplace is anywhere a worker is working, or participating in work-related activities. It also includes any location in which you are engaged in work-related activities as defined in “Section 4” of this policy.~~

“Workplace”: is defined under the *Occupational Health and Safety Act*. It includes but is not limited to any location where a worker works or participates in work related activities. This may include work-related activities such as social functions, training, conferences, travel, restaurants, hotels, or meeting facilities being used for business purposes, during telephone, email, or other online communications including social media. Off duty conduct that impacts the workplace may also be considered under this policy.

“Workplace violence” is defined as:

- d) the exercise of physical force by a person against a worker, in a workplace, that causes or could cause physical injury to the worker;
- e) an attempt to exercise physical force against a worker, in a workplace, that could cause physical injury to the worker;
- f) a statement or behaviour that it is reasonable for a worker to interpret as a threat to exercise physical force against the worker, in a workplace, that could cause physical injury to the worker.

Examples of workplace violence include but are not limited to:

- physically threatening behaviour, such as shaking a fist at someone, pointing a finger, destroying property, throwing objects;
- verbal or written threats to physically attack a worker;
- threatening notes or emails;
- wielding a weapon at work;
- stalking someone;

- physically aggressive behaviours, including but not limited to hitting, shoving, standing excessively close to someone in an aggressive manner, pushing, kicking, throwing an object at someone, physically restraining someone, or any other form of physical violence or assault;
- domestic violence that can impact the workplace.

Policy Scope

Application

☒ **Employees** *(Indicate below which categories apply: All employees, Permanent full-time, Temporary full-time, Continuous part-time, Casual, Probationary, Student, Management, Non-union)*

- All employees

☐ **Unions** *(Indicate below which categories apply: All Unions, CUPE 68 Civic, CUPE 68 Mechanics, CUPE 791, IATSE, IBEW, KPFFA)*

- Click or tap here to enter text.

☐ **Council**

☐ **Specified Positions:** Click or tap here to enter text.

☐ **Other:** Local Boards and Advisory Committees

Policy Content

Workplace violence may come from different sources such as:

- strangers or people with no ties to the workplace;
- contractors or suppliers;
- clients, customers, or members of the public;
- other workers;
- intimate relationships outside of work, such as partners, family or friends that impact the workplace.

Violence that occurs outside the normal workplace, but which has an impact in the workplace, including working relationships, may also be considered workplace violence.

This policy applies in any location in which **workers are engaged in work or work-related activities**. This includes but is not limited to:

- the workplace;
- during work-related travel;
- at restaurants, hotels or meeting facilities that are being used for business purposes;
- in corporation-owned or leased facilities;
- during telephone, email and other communications, including but not limited to social media;
- dialogue related to work or workplace relations that extends from the workplace, as well as comments made on social media pertaining to or associated with workers, work or the workplace;
- at any work-related social event, whether or not it is sponsored by the City of Kitchener
- Off duty conduct that has an impact in the workplace may also be considered

under this policy.

This policy also applies to situations of workplace violence, including domestic violence which may occur in the workplace, by individuals who are not workers of the City; ~~these~~. These may include suppliers, and members of the public. Available remedies ~~available~~ may be constrained ~~to~~by the situation and the fact that these individuals are not City workers.

L) Domestic Violence

If an employee experiences domestic violence that would likely expose the employee, or other workers, to potential physical injury in the workplace, the Corporation will take every precaution reasonable to protect the employee and co-workers in the circumstances. This may include some or all of the following:

- creating a safety plan;
- contacting the police;
- establishing enhanced security measures such as a panic button, code words, and secured access;
- screening calls and blocking certain email addresses;
- setting up priority parking or providing escorts to vehicles or to public transportation;
- adjusting working hours and location so that they are not predictable;
- assisting with obtaining counselling through the ~~employee and family assistance program~~Employee and Family Assistance Program (EFAP) or other community programs.

M) Duties and Obligations

~~It is our mutual responsibility to ensure that we create and maintain a violence-free workplace and address violence and/or the threat of violence from all possible sources (including, but not limited to, employers, supervisors, workers, members of the public, contractors, consultants, strangers, family, friends and domestic/intimate partners).~~

iii. The City of Kitchener's Commitment

~~The City will do its part by not tolerating or condoning violence in the workplace. This includes making everyone in our organization aware of the behaviours are not appropriate; assessing the risk of workplace violence; investigating complaints and incidents, and imposing suitable corrective measures.~~

iv.iii. Duties of Management

Supervisors and members of management are expected to assist in creating a violence-free workplace and to immediately act (in accordance to Section ~~6-D~~6-D of this policy) if they receive a complaint of workplace violence or witness or are aware of violent behaviour. Supervisors and members of management must also take every reasonable precaution to protect workers from workplace violence, including conducting risk

assessments as set out in Section H of this policy.

When supervisors and managers become aware of workplace violence, failure to act may be subject to discipline.

v-iv. Duties of All Workers

Workers must ensure their behaviour does not violate this policy. They should foster a work environment that is based on respect and is free of violence or threats of violence.

Workers are also required to report workplace violence or a threat of workplace violence as set out in Section C below.

Executive members of Unions/Associations play a leadership role in partnering with the City to promote a workplace that is free of violence. They will ensure their own behavior is in compliance with the policy, guide the behaviors of others, and support training initiatives.

N) Reporting

Under the *Occupational Health and Safety Act*, workers have a responsibility to report workplace hazards. Workplace violence is considered a hazard in the workplace. Therefore, if workers are aware of workplace violence, even if they are not a recipient or witness to the violence directly, they must report it.

Workers who are either the recipient of or a witness to, workplace violence, from any person, must report such behaviour to their supervisor. A worker who believes they are unable to report workplace violence to their direct supervisor may report to any of the following:

- any supervisor or member of management;
- Security;
- ~~joint health and safety committee~~ Joint Health and Safety Committee;
- Human Resources, ~~;~~ or
- their union representative.

If there is a lack of response, the worker must immediately report this to senior management and/or Human Resources.

If a worker is believed to be in imminent physical danger or a physical assault has occurred, it must be immediately reported to the police. In all reports of workplace violence, corporate emergency procedures must be immediately followed (~~See-see~~ Corporate Emergency Procedures and Awareness under the Forms, Policies and Resources ~~Tab-tab~~ on the Intranet).

All workers also have the right to refuse unsafe work if they have reason to believe they are in danger from workplace violence. In that instance, ~~please the~~ employee must immediately contact the supervisor, any other supervisor, ~~or~~

member of ~~management~~management, or Human Resources, so appropriate measures can be taken to protect workers and investigate the situation. The worker refusing unsafe work will be moved to a safe place as near as reasonably possible to the normal work-station and will need to be available for the purposes of investigating the incident. Certain workers, such as a member of the Corporate Security division~~team~~, may have a limited right to refuse, because the risk is inherent in their job duties. Should a worker initiate a work refusal related to workplace violence, the Safety Manual Work Refusal procedures must be followed (~~See-see~~ Safety Manual and Guidelines under the Forms, Policies and Resources ~~Tab-tab~~ on the Intranet).

O) **Investigation**

Any reports or incidents of workplace violence will be taken seriously. All reports and incidents of workplace violence must be investigated. If a manager or supervisor becomes aware of, or witnesses, acts or threats of violence, even if these events or actions are not reported to them by a worker, they must initiate an investigation and corrective and preventative actions. The investigation begins by reporting the incident to Human Resources using the Corporate Accident Investigation and Incident Reporting Procedures (~~See-see~~ Safety Manual and Guidelines under the Forms, Policies and Resources ~~Tab~~tab on the Intranet).

In cases where the report of workplace violence involves allegations of a City of Kitchener worker behaving in a manner in contravention of this policy, the Respect ~~in-the~~In The Workplace complaint process will be ~~initiated~~initiated, and Human Resources will oversee the investigation of the complaint.

Human Resources has discretion to use either an internal or external investigator to conduct an investigation, depending on the nature of the incident.

An investigation will be conducted that is appropriate to the circumstances. The City will endeavor to investigate on an expedited basis. The investigator will determine what kind and extent of investigation is appropriate in consultation with Human Resources staff, as necessary. Where there are extenuating circumstances such as multiple witnesses or parties involved, a relevant witness or party is unavailable due to vacation/sick or other leave, the investigation may take additional time.

As part of the eCity's obligations to ensure a safe workplace under the Occupational Health and Safety Act, the City will investigate circumstances that may contravene this policy regardless of whether this is a formal complaint or complainant.

The investigation may include:

- conducting interviews of appropriate individuals to establish all the facts and circumstances relevant to the incident or complaint, including dates

- and locations;
- reviewing any related documentation;
- making detailed notes of the investigation and maintaining them in a confidential file.

Once the investigation is complete, the findings will be shared as an information item with the ~~joint health and safety committee~~ Joint Health and Safety Committee as required by the *Occupational Health and Safety Act*. The ~~Joint health and safety committee~~ Health and Safety Committee may make recommendations to management to improve safety in the workplace.

Any incidents or reports of discrimination or harassment must follow the direction provided under ~~the HR Council~~ Policy ~~—HUM-WOR-140~~ Respect in the Workplace.

P) Confidentiality

All efforts will be made to protect the personal information of those who are accused of workplace violence and those who are affected. Only as much information as is necessary to investigate and respond to the incident or complaint will be released in order to take corrective action or if required to do so by law. The City of Kitchener may be required to disclose pertinent information for the purpose of protecting a worker from injury where a reasonable threat of workplace violence exists.

Reports will be kept confidential if it has been determined that a reasonable threat of workplace violence does not exist, or where ~~reasoned~~ reasonable and practical in the circumstances.

Out of respect for the individuals who are involved, it is essential that strict confidentiality be maintained throughout the investigation and afterwards by those accused of workplace violence; those affected by it, witnesses, and anyone else involved in or aware of the investigation of an incident or complaint.

Unionized staff may be ~~assisted~~ supported by a union representative throughout the investigation process, if they choose. The role of the union representative is to observe and provide support throughout the investigation process. Non-union staff may bring a support person with them, ~~their role would be~~ to observe and provide support during the investigation process.

All workers, representatives and support persons are required to fully cooperate in the investigation process and to not in any way impede, obstruct, or behave in a manner that potentially jeopardizes the integrity of the investigation.

Breach of confidentiality, or acting in a manner that obstructs, impedes or affects the integrity of the investigation is subject to discipline.

Q) Protection from Retaliation or Reprisal

No worker can be penalized, reprimanded, or in any way criticized when acting in good faith while following the procedures for addressing situations involving workplace violence.

The City of Kitchener will not tolerate retaliation, taunts, or threats against anyone who reports an incident, complains about workplace violence, or takes part in an investigation. Any person, who ~~taunts, retaliates against or threatens anyone in relation to a workplace violence incident or complaint~~ does so may be disciplined.

If ~~you report~~ an incident or ~~make a complaint~~ is made in good faith and without malice, regardless of the outcome of the investigation, the complainant will not be subject to any form of discipline. The City of Kitchener will, however, discipline or terminate anyone who brings forward a false and malicious complaint.

R) Corrective Actions

Once the investigation is complete, the investigator(s) will prepare a detailed report of the findings for review by the Director, ~~of~~ Human Resources.

If a finding of workplace violence by a worker is made, the City of Kitchener will take appropriate corrective measures, regardless of the worker's seniority or position at the City of Kitchener.

The Director, ~~of~~ Human ~~Resources~~ Resources, in consultation with ~~the department head~~ a senior leader uninvolved in the investigation, and any other appropriate representatives will determine what action should be taken as a result of the investigation. This consultation may include obtaining legal advice. Applicable representatives will be determined by the Director, ~~of~~ Human ~~Resources~~ Resources, and the ~~department head~~ appointed senior leader depending on the circumstances.

Corrective measures may include but are not limited to one or more of the following:

- discipline, such as a verbal warning, written warning or suspension without pay;
- termination with or without cause;
- referral for counselling, coaching or training, anger management training, supervisory skills training, or attendance at educational programs on respect in the workplace;
- demotion or denial of promotion;
- reassignment or transfer;
- any other disciplinary action deemed appropriate under the circumstances.

Criminal accountability may also be applied by the police.

In the case of a member of the public, policies MUN-FAC-345 Behaviour – Unacceptable Conduct in Community Services Facilities and/or MUN-FAC-495 Behaviour – Unacceptable Conduct on City Premises and Authority to Issue Trespass Notices Council Facility Policy | 345 – Unacceptable Behaviour and/or Council Policy | 495 – Security Officers may be initiated as well. may be initiated as well.

S) **Risk Assessment**

Supervisors and managers must take every reasonable precaution to protect workers from workplace violence, including participating in risk assessments for workplace violence. Risk assessments are to be conducted as frequently as necessary to prevent injury in the workplace. For example:

- after an event or threat has occurred;
- if the work or workplace has changed;
- when a safety concern related to workplace violence has been raised.

Risk assessments may include evaluating a person's history of violent behaviour to determine whether and to whom this worker poses a risk. In making this evaluation, supervisors and managers should consider:

- whether the person's history of violence was associated with the workplace or work;
- whether the history of violence was directed at a particular worker or workers in general;
- how long ago the incidence of violence occurred.

In certain circumstances, supervisors and managers may have a duty to provide information about a-the risk of workplace violence from a person with a history of violent behaviour if a worker may encounter that person during the course of work and the risk of workplace violence is likely to expose the worker to physical injury. Supervisors and managers will only release as much personal information about the person with a history of violent behaviour as is reasonably necessary to protect the worker from workplace violence. Supervisors and managers are required to consult with the Human Resources division prior to releasing information about a person with a history of violence. Risk assessments will be conducted using the corporate health and safety risk assessment tool.

T) **Training**

All staff will receive training and communications on this policy and any related policy, procedures and techniques for the prevention of workplace violence as necessary to meet the intent and requirements of this policy and the *Occupational Health and Safety Act*.

U) Worker Support

The City of Kitchener has an ~~employee and family assistance program~~Employee and Family Assistance Program (EFAP) available to provide confidential and anonymous counselling services to workers who have been subject to workplace violence.

V) Review

The Violence in the Workplace policy, incidents of reported workplace violence and the workplace violence risk assessments are reviewed annually and are reported and reviewed with the respective Joint Health and Safety Committee.

Results of Review

- ☐ No Edits Required
☒ Housekeeping Edits
☐ Substantial Edits
☐ Repeal/Replace

Policy History***Administrative and Housekeeping Changes***

Date	Nature of Change
2016-06-01	<u>Policy</u> II-250 ~~policy~~ template reformatted ~~in~~ to new numbering system and given <u>number</u> HUM-WOR-250.

Substantial Changes

Date	Council/CLT Directive
2001-12-10	As per CLT direction-
2010-06-14	~~As per Council Resolution:~~ <u>Resolution passed by Council</u>
2017-06-05	~~As per Council Resolution~~ <u>Resolution passed by Council</u> , policy amended as a result of new legislative requirements. See report CAO-10-022 & Addendum CAO-10-005

POLICY		HUM-WOR-255	
ANNIVERSARY MILESTONE RECOGNITION		Category HUM - Human Resources	Sub-category Workplace Practices
Approval Type COUNCIL	Department/Division Corporate Services/Human Resources	Author and Position Human Resources	
Date Approved December 17, 1990	Last Reviewed/Amended December 16, 2024	Next Review Date June 1, 2029	

Related Policies or Procedures

- Employee Years of Service Standard Operating Procedure

Policy Purpose

To provide tangible recognition to employees reaching anniversary milestones and to long service employees and retirees.

Definitions

Anniversary Milestone: For the purpose of this Policy only, the date that corresponds with a completed year of service with the City of Kitchener, whether based on full-time, part-time (including seasonal for purposes of this Policy), or temporary employment. The employee's anniversary milestone date will not be impacted by non-continuous or non-consecutive periods of employment separated by less than one year. For clarity, non-continuous or non-consecutive periods of employment separated by more than one year will result in service recognition being reset for the purposes of this Policy to the start of the most recent period of employment.

Policy Scope

The service recognition with the City of Kitchener outlined in this Policy applies with respect to the Anniversary Milestone Recognition Program only. The service recognition outlined in this Policy has no impact or application on an employee's service, seniority, length of employment, periods of employment, employment status (full-time, part-time (including seasonal for purposes of this Policy), temporary), continuity of employment, or otherwise, for any other purpose whatsoever.

Application

- ☒ **Employees** *(Indicate below which categories apply: All employees, Permanent full-time, Temporary full-time, Continuous part-time, Casual, Probationary, Student, Management, Non-union)*
- All employees
- ☐ **Unions** *(Indicate below which categories apply: All Unions, CUPE 68 Civic, CUPE 68 Mechanics, CUPE 791, IATSE, IBEW, KPFFA)*
- Click or tap here to enter text.
- ☐ **Council**
- ☐ **Specified Positions:** Click or tap here to enter text.
- ☐ **Other:** Local Boards and Advisory Committees

Policy Content

1. Eligibility
 - a) All employees reaching a five-year anniversary milestone (e.g., 5, 10, 15, 20 years, etc.).
 - b) All retirees who resign having achieved their 25-year anniversary milestone.
 - c) Reemployment of retirees: employees who retire from the City of Kitchener and are subsequently reemployed will be considered new employees for the purpose of this Policy. Retirement constitutes end of employment, and any prior service with the City will not be counted toward future anniversary milestone recognition.
2. Presentations and Awards
 - a) All eligible employees will be presented a certificate signed by the Mayor. Presentations of the certificate will be made by a departmental management representative at a time and location determined at their discretion.
 - b) All employees who retire having achieved their 25-year anniversary milestone as recognized by this Policy will select a gift of nominal value of the employee's choice (a gift, a gift card, a charitable donation (not tax-deductible) or a contribution to a workplace event). In addition, they will receive a lifetime membership to the Municipal Retirees Organization Ontario (MROO). If possible, the gift will be presented to the employee by the Department Head prior to the employee's departure.

Results of Review

- ☐ No Edits Required
- ☐ Housekeeping Edits
- ☒ Substantial Edits
- ☐ Repeal/Replace

Policy History

Administrative and Housekeeping Changes

Date	Nature of Change
2016-06-01	Policy II-255 template reformatted and to new numbering system and given number HUM-WOR-255.

Substantial Changes

Date	Council/CLT Directive
1996-05-21	Resolution passed by Council
2001-12-10	Resolution passed by Council
2010-06-14	Resolution passed by Council
2013-02-04	Resolution passed by Council, repealed & replaced – FCS-13-012
2024-12-16	Resolution passed by Council, see report COR-2024-514

POLICY		HUM-WOR-255	
ANNIVERSARY MILESTONE RECOGNITION		Category HUM - Human Resources	Sub-category Workplace Practices
Approval Type COUNCIL	Department/Division Corporate Services/Human Resources	Author and Position Human Resources	
Date Approved December 17, 1990	Last Reviewed/Amended December 16, 2024	Next Review Date June 1, 2029	

Related Policies or Procedures

- [Employee Years of Service Standard Operating Procedure](#)

Policy Purpose

To provide tangible recognition to employees reaching anniversary milestones and to long service employees and retirees.

Definitions

Anniversary Milestone: For the purpose of this Policy only, the date that corresponds with a completed year of service with the City of Kitchener, whether based on full-time, part-time (including seasonal for purposes of this Policy), or temporary employment. The employee's anniversary milestone date will not be impacted by non-continuous or non-consecutive periods of employment separated by less than one year. For clarity, non-continuous or non-consecutive periods of employment separated by more than one year will result in service recognition being reset for the purposes of this Policy to the start of the most recent period of employment.

Policy Scope

The service recognition with the City of Kitchener outlined in this Policy applies with respect to the Anniversary Milestone Recognition Program only. The service recognition outlined in this Policy has no impact or application on an employee's service, seniority, length of employment, periods of employment, employment status (full-time, part-time (including seasonal for purposes of this Policy), temporary), continuity of employment, or otherwise, for any other purpose whatsoever.

Application

- ☒ **Employees** *(Indicate below which categories apply: All employees, Permanent full-time, Temporary full-time, Continuous part-time, Casual, Probationary, Student, Management, Non-union)*
- All employees
- ☐ **Unions** *(Indicate below which categories apply: All Unions, CUPE 68 Civic, CUPE 68 Mechanics, CUPE 791, IATSE, IBEW, KPFFA)*
- Click or tap here to enter text.
- ☐ **Council**
- ☐ **Specified Positions:** Click or tap here to enter text.
- ☐ **Other:** Local Boards and Advisory Committees

Policy Content

1. Eligibility

- d) All employees reaching a five-year anniversary milestone (e.g., 5, 10, 15, 20 years, etc.).
- ~~e) b) All retirees and employees who resign having achieved their 25-year anniversary milestone.~~
- ~~e)f) Reemployment of retirees: employees who retire from the City of Kitchener and are subsequently reemployed will be considered new employees for the purpose of this Policy. Retirement constitutes end of employment, and any prior service with the City will not be counted toward future anniversary milestone recognition.~~

2. Presentations and Awards

- c) All eligible employees will be presented a certificate signed by the Mayor. Presentations of the certificate will be made by a departmental management representative at a time and location determined at their discretion.
- d) All employees who retire having achieved their 25-year anniversary milestone as recognized by this Policy will select a gift of nominal value of the employee's choice* (a gift, a gift card, a charitable donation (not tax-deductible) or a contribution to a workplace event) valued at \$300, excluding tax. In addition, ~~retirees who have achieved their 25-year anniversary milestone they~~ will receive a lifetime membership to the Municipal Retirees Organization Ontario (MROO). If possible, the gifts will be presented to the employee by the Department Head prior to the employee's departure.

~~*This gift can include a gift, gift certificate, charitable donation (not tax-deductible) or contribution to a workplace event.~~

Results of Review

- ☐ No Edits Required
- ☐ Housekeeping Edits
- ☒ Substantial Edits

☐ Repeal/Replace

Policy History

Administrative and Housekeeping Changes

Date	Nature of Change
2016-06-01	Policy II-255 template reformatted and to new numbering system and given number HUM-WOR-255.

Substantial Changes

Date	Council/CLT Directive
1996-05-21	Resolution passed by Council
2001-12-10	Resolution passed by Council
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2013-02-04	Resolution passed by Council, repealed & replaced – FCS-13-012
2024-12-16	Resolution passed by Council, see report COR-2024-514

POLICY		HUM-HIR-XXXX	
EMPLOYMENT AND RECRUITMENT		Category HUM - Human Resources	Sub-category HR - Hiring & Termination/Retirement
Approval Type COUNCIL	Department/Division Corporate Services / Human Resources	Author and Position Human Resources	
Date Approved Click here to enter a date.	Last Reviewed/Amended Click here to enter a date.	Next Review Date Click here to enter a date.	

Related Policies or Procedures

- HUM-WOR-140 Respect in the Workplace
- HUM-HIR-110 Employment of Relatives of Staff Members and Elected Officials

Policy Purpose

The City of Kitchener is an equal opportunity employer committed to attracting a talented, diverse, and inclusive workforce, which broadly reflects the community and residents served and selecting candidates that best match the required skills, qualifications and experience.

This policy:

- Provides an overview of the recruitment process and standard practices that govern recruitment at the City of Kitchener.
- Outlines accountabilities to ensure all recruitment practices are consistently applied, and
- Provides equal access to employment, promotions, transfers and career opportunities for all employees and prospective employees.

Definitions

City: the Corporation of the City of Kitchener

Credential verification: the process of checking and confirming that candidate's education, work experience, and other qualifications are accurate and legitimate.

External Candidate: is an individual who is not currently employed by the City who wishes to be considered for employment.

Hiring Leaders: the individual who requests a vacancy/position to be filled. In most cases, the hiring leader is also the individual who the new or transferring employee will report to once the recruit is complete.

Intake Meeting: an in-person, virtual, telephone, email, etc., consultation between the Hiring

Leader and the Recruitment Lead to develop a plan for the recruitment for the vacancy.

Internal Candidate: an individual who is currently employed by the City who wishes to be considered for different employment.

Permanent Accommodation: when an employee has limitations and restrictions due to a disability that will not improve, and the employee cannot be accommodated in their role, the City may accommodate an employee in an alternative permanent position with or without accommodations.

Probationary Period: The initial period of employment during which the supervisor carefully considers whether the employee can meet the responsibilities and objectives of the position and be confirmed as a permanent employee. The probationary period does not apply to existing permanent employees who have surpassed their probationary period.

Recruitment Leads: The Human Resources individual who is responsible for the full cycle of recruitment for the vacancy/position.

Reference Checking: the process of contacting and gathering information from individuals who have worked closely and/or supervised the candidate in the past. These individuals, known as references, can provide insights into the candidate's qualifications, work performance, skills, and character. The purpose of reference checks is to verify the information provided by the candidates, gain a deeper understanding of their abilities and suitability for the role.

Policy Scope

This policy applies to all recruitment processes to fill vacant positions at the City.

The process to fill unionized positions is governed by the terms and conditions of the applicable collective agreement. When an employee is covered by a Collective Agreement and its terms conflict with this Policy, the Collective Agreement will apply.

Legislative Requirements

This policy complies with the following legislation:

- The *Ontario Employment Standards Act, 2000* (ESA)
- *Ontario Human Rights Code*
- *Accessibility for Ontarians with Disabilities Act, 2005* (AODA), and
- The *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA)
- The *Ontario Pay Equity Act*
- *Municipal Act, 2001*

Application

☒ **Employees** *(Indicate below which categories apply: All employees, Permanent full-time, Temporary full-time, Continuous part-time, Casual, Probationary, Student, Management, Non-union)*

- All employees

☐ **Unions** *(Indicate below which categories apply: All Unions, CUPE 68 Civic, CUPE 68 Mechanics, CUPE 791, IATSE, IBEW, KPFFA)*

- Click or tap here to enter text.

☐ **Council**

☐ **Specified Positions:** Click or tap here to enter text.

☐ **Other:** Click or tap here to enter text.

Policy Content

Principles

1. **Merit** - All selections, appointments and promotions shall be based on considerations of merit, and ability to perform effectively in a position. Hiring decisions will be free of nepotism in accordance with the terms HUM-HIR-110 Employment of Relatives of Staff Members and Elected Officials.
2. **Objectivity** - Selection criteria shall be developed in an objective and non-discriminatory manner and must be based on bona fide job-related requirements.
3. **Consistency** - Selection systems and procedures will ensure that candidates are treated in a fair and consistent manner.
4. **Equal Opportunity** - All City recruitment practices and procedures must comply with the *Ontario Human Rights Code*. All internal candidates and external candidates receive equal treatment with respect to employment without discrimination because of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, gender identity and gender expression, sex, sexual orientation, age, record of offences, marital status, family status, or disability.
5. **Accessibility** - All City recruitment practices and procedures must comply with the AODA requirements for developing, implementing and enforcing accessibility standards for internal candidates and external candidates who may have a disability. This includes identifying and removing any barriers that may exist for persons with disabilities to apply for City of Kitchener positions; and if qualified, to participate in the interview process.

Accountability:

Hiring Leaders are accountable for:

- Managing budgets associated with recruitment
- Identifying a vacancy within their operational area and initiating the recruitment process with the Recruitment Lead.
- Participating in an intake meeting.
- Completing the required recruitment training, and
- Complying with all legislative requirements, collective agreements, this policy and the associated guidelines.

Recruitment Leads are accountable for:

- Providing recruitment planning and recruitment strategy consultation and acting as an advisor to Hiring Leaders
- Providing just-in-time recruitment training and job aids to Hiring Leaders
- Organizing and participating in an intake meeting
- Supporting and auditing the recruitment processes
- Sourcing external and internal applicants, as required
- Providing coaching, guidance and advice to Hiring Leaders throughout the recruitment process as required, and
- Assisting Hiring Leaders to ensure that the recruitment process is equitable and complies with all legislative requirements, collective agreements, policy and the associated guidelines.

Recruitment Framework

An overview of the recruitment process is set out below. The guidelines that support this policy are available from the Recruitment Team and provide detailed direction.

Recruitment Planning

When a vacancy or recruitment need is identified, the Hiring Leader partners with the Recruitment Lead to initiate the recruitment planning process through an intake meeting. A requisition, which is completed by Hiring Leader, with support from the Recruitment Lead, is required.

Job postings

All vacancies must be posted internally and/or externally.

Exemptions may include:

- Less than 3 months duration or as per applicable collective agreement.
- Filled by an employee requiring a permanent accommodation.
- Temporary expression of interest or special project assignment as approved by CLT
- Appointments supported by CLT and approved by CAO (see below).

Appointments

There may be situations when it is appropriate to appoint an employee instead of posting the vacancy, such as when an employee has successfully filled the role on an interim basis; or when a temporary position is made permanent and the incumbent is meeting or exceeding expectations. Appointees must meet the minimum qualifications for the role. Appointments should be limited to ensure equitable hiring practices are followed; and a business case must be prepared, discussed with CLT and approved by the CAO.

Reference/Credential Checking

- Prior to a job offer, references must be checked for all successful candidates to confirm suitability for employment.
- Either the Recruitment Lead, the Hiring Leader or an external service provider conducts reference and/or credential checks.
- A minimum of two favourable employment references is required for all hires except for continuous part-time/casual (e.g., seasonal hiring), for which references are optional.
- For internal applicants, one reference must be from their current supervisor, who can comment directly on the candidate's performance.
- For external applicants, one reference must be from their current or previous supervisor, who can comment directly on the candidate's performance.

Probationary Period

New non-union (other than casual) and management employees are required to serve an initial six (6) month probationary period. The probationary period does not apply to existing permanent employees who have surpassed their probationary period. Unionized employees will serve the required probationary period outlined in the applicable collective agreement.

Former City Employees (Reemployment)

- Former employees of the City who have left voluntarily, or through no fault of their own, e.g., natural end of a contract, and who make an application for re-employment are to be given fair and equal consideration in any/all hiring processes.

- Employees who have been terminated by the City for cause are not eligible to be re-employed, in any capacity, at any time after their departure from the City. Such former employees may not be retained on contract as consultants, nor hired on a temporary basis.
- Reemployment of a retiree:
 - The reemployment of a retiree must be approved by the CAO or designate.
 - For employees who are retiring or have retired from the City, to be considered a bona fide retirement for the purposes of the OMERS pension plan, and according to the Canada Revenue Agency, there can be no pre-arranged offer of employment beyond the employee’s retirement date. At no time will a retiree be considered for, or offered, a future position at the City before their retirement date. In addition, there must be a break in service of at least thirteen (13) weeks between the retiree’s retirement date and new start date with the City.
 - Reemployment of a retiree should be limited and on an exception basis, typically on a temporary contract in the following situations:
 - an open competition is unsuccessful or where the retiree is the only qualified candidate through an open competition
 - the retiree has deep institutional or project-specific knowledge that cannot be sourced through an open competition

Results of Review

- ☐ No Edits Required
- ☐ Housekeeping Edits
- ☐ Substantial Edits
- ☐ Repeal/Replace

Policy History

Administrative and Housekeeping Changes

Date	Nature of Change

Substantial Changes

Date	Council/CLT Directive

Table of Contents – Appendix B (to be repealed)

HUM-HIR-125 Hiring – Notice of Job Vacancy	2
HUM-HIR-130 Hiring – Senior Management – Vacancy	5
HUM-HIR-155 Inclusive Recruitment & Hiring Practices	7
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	POLICY	<u>Policy No:</u> HUM-HIR-125
<u>Policy Title:</u> HIRING – NOTICE OF JOB VACANCY <u>Policy Type:</u> COUNCIL <u>Category:</u> Human Resources <u>Sub-Category:</u> Hiring & Termination/Retirement <u>Author:</u> Human Resources <u>Dept/Div:</u> Corporate Services/Human Resources	<u>Approval Date:</u> December 17, 1990	
	<u>Reviewed Date:</u> June 2016 <u>Next Review Date:</u> June 2021 <u>Reviewed Date:</u>	
	<u>Last Amended:</u> February 7, 2011	
	<u>Replaces:</u> <u>Repealed:</u> <u>Replaced by:</u>	
<u>Related Policies, Procedures and/or Guidelines:</u>		

1. **POLICY PURPOSE:**

To provide notice of all permanent full-time vacancies.

2. **DEFINITIONS:**

To be included at next review.

3. **SCOPE:**

Note: Where terms of Collective Agreement differ from this Policy, the terms of the Collective Agreement will apply.

POLICY APPLIES TO THE FOLLOWING:	
☒ All Employees	
☐ All Full-Time Employees	☐ All Union
☐ Management	☐ C.U.P.E. 68 Civic
☐ Non Union	☐ C.U.P.E. 68 Mechanics
☐ Temporary	☐ C.U.P.E. 791
☐ Student	☐ I.B.E.W. 636
☐ Part-Time Employees	☐ K.P.F.F.A.
☐ Specified Positions only:	☐ Other:
☐ Council	☐ Local Boards & Advisory Committees

Policy No: HUM-HIR-125

Policy Title: HIRING – NOTICE OF JOB VACANCY

4. **POLICY CONTENT:**

For all permanent full-time vacancies, a Notice of Vacancy (non-union) or a Job Posting (union) will be posted internally on designated bulletin boards. Employees who make written application for such vacancies will be given consideration in the recruitment process.

The following order of consideration shall apply to internal candidates meeting the stated qualifications:

Non Union Notice of Vacancy

- | | |
|--------|---|
| First | - Permanent full-time employees |
| Second | - All other classifications of employees e.g. temporary, part-time, student |

Union Job Posting

- | | |
|--------|---|
| *First | - Permanent full-time employees within the Local |
| Second | - Permanent full-time employees outside the Local |
| Third | - All other classifications of employees e.g. temporary, part-time, student |

NOTE:

An exception will occur for Local CUPE 68 positions that fall under the Job Pool process. Where there are no successful permanent full-time candidates within the local, consideration will then be given to all active applications on file within the Job Pool. The Job Pool will be advertised twice yearly and all applications will remain on file for a six month period, or until the next Job Pool is advertised. All other classifications of employees (e.g. full-time outside the Local, temporary, part-time, student) seeking consideration for these positions must submit an application within this Job Pool.

Former temporary employees who remain inactive over six months have the same status as any outside candidates when applying for permanent vacancies.

Advertisements may be placed within appropriate forms of media under the following situations:

- No successful internal candidates have been found or,

Policy No: HUM-HIR-125

Policy Title: HIRING – NOTICE OF JOB VACANCY

Advertisements may be placed internal and external simultaneously:

- When the position is a non-union management classification Grade 11 or higher, or
- Where in the opinion of Human Resources the position is deemed highly specialized and expertise may not be found within the corporation.

5. HISTORY OF POLICY CHANGES

Administrative Updates

2016-06-01 – Policy II-125 template reformatted to new numbering system and given number HUM-HIR-125.

Formal Amendments

1993-02-07 – Resolution passed by Council.

2001-12-10 – Resolution passed by Council

2010-06-14 – Resolution passed by Council.

2011-02-07 – Resolution passed by Council.

	POLICY	Policy No: HUM-HIR-130
<u>Policy Title:</u> HIRING – SENIOR MANAGEMENT – VACANCY <u>Policy Type:</u> COUNCIL <u>Category:</u> Human Resources <u>Sub-Category:</u> Hiring & Termination/Retirement <u>Author:</u> Human Resources <u>Dept/Div:</u> Corporate Services/Human Resources	<u>Approval Date:</u> December 17, 1990	
	<u>Reviewed Date:</u> June 2016 <u>Next Review Date:</u> June 2021 <u>Reviewed Date:</u>	
	<u>Last Amended:</u> August 29, 2011	
	<u>Replaces:</u> <u>Repealed:</u> <u>Replaced by:</u>	
<u>Related Policies, Procedures and/or Guidelines:</u>		

1. POLICY PURPOSE:

To provide a process whereby Council may elect to discuss the recommendation to hire staff at Job Grade 13 and above.

2. DEFINITIONS:

To be included at next review.

3. SCOPE:

POLICY APPLIES TO THE FOLLOWING:	
☐ All Employees	
☒ All Full-Time Employees	☐ All Union
☒ Management	☐ C.U.P.E. 68 Civic
☒ Non Union	☐ C.U.P.E. 68 Mechanics
☐ Temporary	☐ C.U.P.E. 791
☐ Student	☐ I.B.E.W. 636
☐ Part-Time Employees	☐ K.P.F.F.A.
☐ Specified Positions only:	☐ Other:
☐ Council	☐ Local Boards & Advisory Committees

Policy No: HUM-HIR-130

Policy Title: HIRING – SENIOR MANAGEMENT – VACANCY

4. POLICY CONTENT:

In the filling of staff vacancies resulting from the termination or retirement of an employee in a position Grade 13 and over, the respective Deputy CAO and Chief Administrative Officer, prepare a report setting out:

- i) nature and duties of the position
- ii) potential opportunities for re-organizing or re-assigning duties
- iii) potential opportunities to create a subsequent redundant position by re-organizing or re-assigning duties
- iv) consequences of not filling vacancy
- v) recommendation on intended action

The above report be circulated to Members of Council and the recommended action be implemented after fourteen (14) days of the circulation of the report unless any Member of Council requests the Chief Administrative Officer to bring the subject before a caucus meeting of Council.

5. HISTORY OF POLICY CHANGES

Administrative Updates

2016-06-01 – Policy II-130 template reformatted to new numbering system and given number HUM-HIR-130.

Formal Amendments

2001-12-10 – Resolution passed by Council.

2010-06-14 – Resolution passed by Council.

2011-02-07 – Resolution passed by Council.

2011-08-29 – Resolution passed by Council.

	POLICY	<u>Policy No:</u> HUM-HIR-155
<u>Policy Title:</u> INCLUSIVE RECRUITMENT & HIRING PRACTICES <u>Policy Type:</u> COUNCIL <u>Category:</u> Human Resources <u>Sub-Category:</u> Hiring & Termination/Retirement <u>Author:</u> Human Resources <u>Dept/Div:</u> Corporate Services/Human Resources	<u>Approval Date:</u> June 14, 2010	
	<u>Reviewed Date:</u> June 2016 <u>Next Review Date:</u> June 2021 <u>Reviewed Date:</u>	
	<u>Last Amended:</u>	
	<u>Replaces:</u> <u>Repealed:</u> <u>Replaced by:</u>	
<u>Related Policies, Procedures and/or Guidelines:</u> Respect in the Workplace		

1. POLICY PURPOSE:

That the City of Kitchener utilizes recruitment and hiring practices which are free from systematic barriers, with the goal to eliminating recognized barriers in order to develop a diverse workforce which is truly reflective of our community.

Any staff member who is in a position to make or influence a hiring decision will be held accountable if found to be in violation of this policy, which may include remedial training and/or disciplinary action.

Discrimination in matters of recruitment and hiring will only be permitted where such is a reasonable and bona fide qualification because of the nature of the employment. In such cases, this decision will be reviewed with Human Resources prior to it being exercised.

2. DEFINITIONS:

Systematic Barriers:

A combination of policies, guidelines and/or practices which inherently and/or unintentionally result in the exclusion of people identified by an Ontario Human Rights Code ground such as disability, ethnicity, creed or sexual orientation. Systematic barrier may be identified in five (5) specific types:

Policy No: HUM-HIR-155

Policy Title: INCLUSIVE RECRUITMENT & HIRING PRACTICES

- a) Information/communication barriers, such as unclear signage, difficulties reading forms, manuals, web sites and other printed material, difficulty in getting information in person or by telephone, etc.
- b) Technological barriers, such as lack of access to computers, photocopiers, telephones and other technology; lack of assistive technologies for identified groups.
- c) Policy/practice barriers: Rules, regulations and protocols which limit participation of identified groups.
- d) Attitudinal barriers, such as inability to communicate appropriately with identified groups, failure to provide service, discriminatory behaviours.
- e) Physical/architectural barriers, such as lack of access for identified groups into buildings, elevators, washrooms, workstations, recreational facilities, etc.

Equity:

Treating people differently, so that each person has equal opportunity or access. Equity means equitable outcomes for all. It is a concept which seeks to identify and remove systematic barriers and accommodate differences whereby individuals and groups can benefit equally.

3. SCOPE:

POLICY APPLIES TO THE FOLLOWING:	
☒ All Employees	
☐ All Full-Time Employees	☐ All Union
☐ Management	☐ C.U.P.E. 68 Civic
☐ Non Union	☐ C.U.P.E. 68 Mechanics
☐ Temporary	☐ C.U.P.E. 791
☐ Student	☐ I.B.E.W. 636
☐ Part-Time Employees	☐ K.P.F.F.A.
☐ Specified Positions only:	☐ Other:
☐ Council	☐ Local Boards & Advisory Committees

To be included at next review.

Policy No: HUM-HIR-155

Policy Title: INCLUSIVE RECRUITMENT & HIRING PRACTICES

4. POLICY CONTENT:

The City of Kitchener recognizes that systematic barriers in recruitment and hiring practices deny access and opportunity to employment to certain groups. The promotion of equity is a fundamental principle of this organization, and must be reflected in its recruitment and hiring practices.

In matter of employment, the City shall hire and promote qualified individuals on the basis of merit. The City is committed to maintaining a workplace where recruiting practices are equitable and inclusive for everyone, and endorses as a matter of normal business practice, all provisions of the Ontario Human Rights Code. This includes freedom from discrimination in employment on the grounds of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex (including pregnancy, gender identity), sexual orientation, age, record of offenses, marital status, same-sex partnership status, family status, or disability. Further, there will be freedom from discrimination based on political affiliation and place of residence with respect to any person who seeks employment with the City.

The City further accepts, as a matter of normal business practice, all provisions of the Ontarians with Disabilities Act with respect to discrimination against persons with disabilities.

5. HISTORY OF POLICY CHANGES

Administrative Updates

2016-06-01 – Policy II-155 template reformatted to new numbering system and given HUM-HIR-155.

Formal Amendments

No amendment history as yet, policy effective June 14, 2010.

	POLICY	<u>Policy No:</u> HUM-HIR-195
<u>Policy Title:</u> PROBATION – NON-UNION, MANAGEMENT <u>Policy Type:</u> COUNCIL <u>Category:</u> Human Resources <u>Sub-Category:</u> Hiring & Termination/Retirement <u>Author:</u> Human Resources <u>Dept/Div:</u> Corporate Services/Human Resources	<u>Approval Date:</u> December 17, 1990	
	<u>Reviewed Date:</u> June 2016 <u>Next Review Date:</u> June 2021 <u>Reviewed Date:</u>	
	<u>Last Amended:</u> June 14, 2010	
	<u>Replaces:</u> <u>Repealed:</u> <u>Replaced by:</u>	
<u>Related Policies, Procedures and/or Guidelines:</u>		

1. POLICY PURPOSE:

To provide, in the case of an employee hired on a permanent full-time basis, the City with an initial period of time to assess the individual's suitability to the job.

2. DEFINITIONS:

To be included at next review.

3. SCOPE:

POLICY APPLIES TO THE FOLLOWING:	
☐ All Employees	☐ All Union
☒ All Full-Time Employees	☐ C.U.P.E. 68 Civic
☒ Management	☐ C.U.P.E. 68 Mechanics
☒ Non Union	☐ C.U.P.E. 791
☐ Temporary	☐ I.B.E.W. 636
☐ Student	☐ K.P.F.F.A.
☐ Part-Time Employees	☐ Other:
☐ Specified Positions only:	☐ Local Boards & Advisory Committees
☐ Council	

To be included at next review.

Policy No: HUM-HIR-195

Policy Title: PROBATION – NON UNION, MANAGEMENT

4. POLICY CONTENT:

Permanent full-time employees are required to serve one probationary period with the City of Kitchener. Commencing from the effective date of hire, they shall be on probation for six (6) consecutive months and discharge of such employee, for any reason during the probation, shall be at the discretion of the City and not subject to review under the Employee Complaints Resolution policy HUM-WOR-85.

In unusual circumstances, the probation period may be varied at the discretion of the Department Head and Human Resources.

Temporary full-time, part-time and student employees are not subject to a probation period and their employment may be terminated at any time at the discretion of the City.

5. HISTORY OF POLICY CHANGES

Administrative Updates

2016-06-01 – Policy II-195 template reformatted to new numbering system and given number HUM-HIR-195.

Formal Amendments

2001-12-10 – Resolution passed by Council.

2010-06-14 – Resolution passed by Council.

REPORT TO: Planning and Strategic Initiatives Committee

DATE OF MEETING: December 1, 2025

SUBMITTED BY: Saleh Saleh, Director, Revenue Division, 519-904-6308

PREPARED BY: Faye West, Manager, Taxation & Payment Processing, 519-783-8022

WARD(S) INVOLVED: ALL

DATE OF REPORT: October 20, 2025

REPORT NO.: FIN-2025-453

SUBJECT: Municipal Act Section 357(g) Applications- Repairs and Renovations

RECOMMENDATION:

That Council approve the draft policy attached as Appendix A to report FIN-2025-453.

REPORT HIGHLIGHTS:

- The purpose of this report is to get council endorsement for a policy related to applications under Section 357 (g) the Repairs and Renovations category of the Municipal Act, 2001.
- It is expected that a policy outlining the requirements for the applicants will provide for transparency and better customer service.
- This report supports the achievement of the city's strategic vision through the delivery of core service.
- There are no financial implications.

BACKGROUND:

Section 357 of the Act gives local municipalities the authority to write off, cancel, reduce, or refund all or part of taxes levied on land, subject to any procedural requirements which apply to the provision, in the year where applications are made for reasons laid out in these sections of the Act.

Council has previously delegated authority to adjust taxes related to Section 357 to staff through a by-law.

Staff are proposing that Council endorse the policy (Attachment A) to this report to promote transparency and consistency as it relates to applications under Section 357 (g) the Repairs and Renovations category.

REPORT:

In 2024, Council delegated the decision-making authority on all Section 357 applications to staff to enhance customer service and provide property owners with timely adjustments. Property owners retain the right to appeal against any decision through the Assessment Review Board (ARB).

Applications under Section 357(g) the Repairs and Renovations category are more complex because they require additional documentation, such as building permits, photos of the renovation area, contractor invoices, and possibly a site visit by staff. Following a recent ARB appeal hearing, the City was encouraged to adopt a Council-endorsed policy to ensure transparency regarding the City's requirements for applications processed under Section 357(g).

In 2025, the City received 17 applications under the Repairs and Renovations category. Ten applications were rejected for various reasons including missing information or late submission. For approved applications, a rebate of up to 30% of the property taxes related to the area subject to the repairs or renovations is provided to the property owner.

It is expected that the policy will provide guidance to property owners and to staff when processing applications for property tax relief submitted under Section 357(g) of the Municipal Act, 2001, for situations where repairs or renovations have prevented the normal use of a property for a minimum of three months. The attached policy also outlines clear expectations for applicants under the Repairs and Renovations category, including the supporting documents required to process their application.

STRATEGIC PLAN ALIGNMENT:

The recommendation of this report supports the achievement of the city's strategic vision through the delivery of core service.

FINANCIAL IMPLICATIONS:

There are no financial implications associated with this report.

COMMUNITY ENGAGEMENT:

INFORM – This report has been posted to the City's website with the agenda in advance of the council / committee meeting.

PREVIOUS REPORTS/AUTHORITIES:

- Municipal Act, 2001
- Assessment Act

- [FIN-2024-190](#): Delegated Authority for Property Tax Adjustments

APPROVED BY: Jonathan Lautenbach, CFO Financial Services

ATTACHMENTS:

Attachment A – Municipal Act Section 357 (g) Applications Policy

POLICY		CAT-SUB-####	
Property Tax Rebate: Municipal Act. 2001, Section 357 (g) Applications		Category FIN - Finance	Sub-category GRA - Grants, Rebates & Incentives
Approval Type COUNCIL	Department/Division Financial Services/Revenue Division	Author and Position Manager Taxation and Payment Processing	
Date Approved December 1, 2025	Last Reviewed/Amended December 1, 2025	Next Review Date December 1, 2030	

Related Policies or Procedures

- Municipal Act, Assessment Act

Policy Purpose

The purpose of this policy is to provide guidance to property owners and to staff when processing applications for property tax relief submitted under Section 357(g) of the Municipal Act, 2001, for situations where repairs or renovations have prevented the normal use of a property for a minimum of three months.

Definitions

N/A

Policy Scope

The Municipal Act, 2001 and the Assessment Act serving as the base, this policy provides guidance for property tax relief applications submitted under Section 357(g) of the Municipal Act, 2001, for situations where repairs or renovations have prevented the normal use of a property for a minimum of three months.

Application

- ☒ **Employees** *(Indicate below which categories apply: All employees, Permanent full-time, Temporary full-time, Continuous part-time, Casual, Probationary, Student, Management, Non-union)*
- [Click or tap here to enter text.](#)
- ☐ **Unions** *(Indicate below which categories apply: All Unions, CUPE 68 Civic, CUPE 68 Mechanics, CUPE 791, IATSE, IBEW, KPFFA)*
- [Click or tap here to enter text.](#)
- ☐ **Council**
- ☐ **Specified Positions:** [Click or tap here to enter text.](#)
- ☐ **Other:** [Click or tap here to enter text.](#)

Policy Content

OBJECTIVES

- I. Provide guidance to property owners and staff for applications for property tax relief under Section 357(g) of the Municipal Act, 2001, for situations where repairs or renovations have prevented the normal use of a property for a minimum of three months.
- II. Establish required documentation for application under Section 357(g) of the Municipal Act, 2001.

GOVERNING PRINCIPLES

- I. The procedure of reviewing, accepting, or rejecting Municipal Act, 2001, Section 357 (g) applications should be applied universally, uniformly, and consistently.
- II. The City Treasurer may exercise discretion in furthering the objectives of this policy.
- III. The City Treasurer may take all means necessary provided in the Municipal Act, 2001 to balance taxpayers' interests with that of the city. In so doing, The City Treasurer will strive to keep to minimum the administrative and legal costs.
- IV. At all times, the City should take reasonable care to respect and protect the interest of the taxpayer as well as that of the City, including the rights to privacy and confidentiality.

REQUIRED DOCUMENTATION

- I. It is the responsibility of the applicant must provide proof of work completed or in progress.
- II. The proof of work being completed should include:
 - a. Date stamped pictures of before and after work.
 - b. A letter from the contractor outlining the work to be undertaken.

- c. Copy of paid contractor invoices.
- d. Building permits, demolition permit, occupancy permit.

III. All applications must be received by the City of Kitchener by February 28th of the year following the year in respect of which the application is made. Applications received past this deadline will not be accepted.

DECISION PROCESS

- I. Staff at their discretion, may inspect the subject property or require further information from the property owner.
- II. A report recommending accepting or rejecting the applications will be presented to Council twice a year
- III. If the application is approved, a rebate of up to 30% of the property taxes related to the area subject to the repairs and renovations will be provided to the applicant.
- IV. If the application is rejected, the applicant will be notified of the decision.

Policy History

Administrative and Housekeeping Changes

Date	Nature of Change
2025-01-01	New Policy

REPORT TO: Planning and Strategic Initiatives Committee

DATE OF MEETING: December 1, 2025

SUBMITTED BY: Saleh Saleh, Director, Revenue Division, 519-904-6308

PREPARED BY: Faye West, Manager, Taxation & Payment Processing, 519-783-8022

WARD(S) INVOLVED: ALL

DATE OF REPORT: November 18, 2025

REPORT NO.: FIN-2025-451

SUBJECT: Section 357(1) (d.1) Application for Sickness or Extreme Poverty

RECOMMENDATION:

That the draft by-law attached to report FIN-2025-451 as Appendix “A” to delegate authority to the Assessment Review Board for determining the eligibility for property tax relief for applications received under Section 357(1)(d.1) of the Municipal Act, 2001 be approved; and,

That staff forward a certified copy of the by-law to the Registrar of the Assessment Review Board and the Municipal Property Assessment Corporation, as required under Section 357(12) of the Municipal Act, 2001 and thereafter forward a copy of every application received to which this by-law applies.

REPORT HIGHLIGHTS:

- The purpose of this report is to request that Council adopt a By-law (Appendix “A”) to delegate authority to the Assessment Review Board (ARB) to determine eligibility for property tax relief for applications received under S357(1)(d.1) of the Municipal Act, 2001.
- Applications received under S357 (1) (d.1) where the applicant is unable to pay taxes because of sickness or extreme poverty are difficult to evaluate as it requires a thorough review of the applicants financial and medical condition.
- Several municipalities across the Province have delegated decision-making authority to the ARB for determining the eligibility for property tax relief for applications received under Section 357(1)(d.1).
- This report supports **Stewarding a Better City Together: Focuses on City employees as stewards of Kitchener; responsive, innovative, diverse & accountable public servants working together to serve residents; removing barriers and championing a better city and a better world.**

BACKGROUND:

Section 357(1) of the Municipal Act, 2001 allows property owners or eligible applicants to apply for the cancellation, reduction, or refund of property taxes for various reasons. Subsection (d.1) specifically addresses cases involving sickness or extreme poverty.

Section 357(11) of the Municipal Act, 2001 permits Council to pass a by-law authorizing the Assessment Review Board (ARB) to exercise the power and function of Council with respect to applications made under subsections 357(1) (d.1).

In 2025, the City received 7 applications for relief under this section. No applications were approved for a property tax adjustment.

REPORT:

Section 357 (1) (d.1) has not been used extensively in the past due to the difficulty in proving the criteria has been met. The Municipal Act does not provide a clear definition of what type of illness would be severe enough to qualify for a tax reduction or what constitutes extreme poverty.

Property owners who apply for relief under this section are required to demonstrate that they lack the financial capacity to pay their property taxes. Further, to support their application, they are required to submit documentation such as bank statements, a Notice of Assessment from the Canada Revenue Agency, and/or medical evidence of illness. The current process includes City staff reviewing the submitted materials to determine eligibility. However, applications for relief under this section of the legislation are difficult to assess as it involves a thorough evaluation of both the financial and/or medical circumstances of the property owner.

To ensure consistency, fairness, efficiency, and the application of specialized expertise, many municipalities across Ontario have chosen to delegate this decision-making authority to the ARB. As shown in the table below, a survey of municipalities across the Province shows that several municipalities have passed similar by-laws to support this delegation.

Municipality	Delegation to ARB By-law passed (Yes/No)
City of Toronto	Yes
City of Mississauga	Yes
City of Guelph	Yes
City of Waterloo	No
City of London	Yes
City of Cambridge	No
Town of Oakville	Yes
City of Ottawa	Yes

STRATEGIC PLAN ALIGNMENT:

This report supports **Stewarding a Better City Together: Focuses on City employees as stewards of Kitchener; responsive, innovative, diverse & accountable public servants working together to serve residents; removing barriers and championing a better city and a better world.**

FINANCIAL IMPLICATIONS:

If an application is approved through the ARB, it is expected to have a minimal impact on the City's operating budget.

COMMUNITY ENGAGEMENT:

INFORM – This report has been posted to the City's website with the agenda in advance of the council / committee meeting.

PREVIOUS REPORTS/AUTHORITIES:

- Municipal Act, 2001
- Assessment Act
- [FIN-2024-190](#)- Delegated Authority for Property Tax Adjustments

APPROVED BY: Jonathan Lautenbach, CFO, General Manager of Financial Services

ATTACHMENTS:

Appendix A – Draft By-Law

Appendix A-Draft By-law
BY-LAW NUMBER
OF THE
CORPORATION OF THE CITY OF KITCHENER

(being a by-law to authorize the Assessment Review Board to exercise certain powers and functions of Council under Section 357 (1) paragraph (d.1) and (5) of the *Municipal Act, 2001, as amended*)

WHEREAS subsection 357(1), paragraph (d.1) of the *Municipal Act, 2001*, as amended, authorizes applications to be made by any person to the council of a municipality for the cancellation, reduction or refund of taxes levied in the year in respect of which the application is made where such person is unable to pay taxes because of sickness or extreme poverty;

AND WHEREAS subsection 357(11) of the *Municipal Act, 2001*, as amended, authorizes the council of a municipality to pass a by-law to authorize the Assessment Review Board to exercise the powers and functions of council under subsections 357(1) and (5) with respect to applications under subsection 357 (1) of the *Municipal Act, 2001*, as amended;

AND WHEREAS any such by-law passed by the Council of the municipality shall apply to applications made in and after the year in which such by-law is passed and shall continue to apply until repealed;

NOW THEREFORE the Council of The Corporation of the City of Kitchener enacts as follows:

1. That the Assessment Review Board shall exercise the powers and functions of the Council of The Corporation of the City of Kitchener pursuant to subsections 357 (1) and (5) of the *Municipal Act, 2001*, as amended, with respect to all applications under subsection 357(1) paragraph (d.1) of the *Municipal Act, 2001, as amended*, made during the current year and in each year hereafter until this by-law is repealed for the cancellation , reduction or refund

of taxes levied in the year in respect of which the application is made by any persons who are unable to pay taxes because of sickness or extreme poverty.

2. That this By-law shall come into force and effect on the date of its final passing.

PASSED at the Council Chambers of the City of Kitchener this 15th day of December 2025

Mayor

Clerk

REPORT TO: Planning and Strategic Initiatives Committee

DATE OF MEETING: December 1, 2025

SUBMITTED BY: Rosa Bustamante, Director of Planning and Housing Policy/City Planner, 519-783-8929

PREPARED BY: Carrie Musselman, Senior Environmental Planner, 519-783-8940
Gaurang Khandelwal, Senior Planner, 519-783-8937

WARD(S) INVOLVED: Wards 4 and 5

DATE OF REPORT: November 20, 2025

REPORT NO.: DSD-2025-469

SUBJECT: Project Funding Increase for Dundee Secondary Plan and Environmental Assessment

RECOMMENDATION:

That Purchase Order 213285 – Dundee Secondary Plan and Environmental Assessment, be increased in the amount \$200,000, plus HST of \$26,000, for a total of \$226,000.

REPORT HIGHLIGHTS:

- The purpose of this report is to obtain approval to increase Purchase Order 213285 to support the additional scope and extended timeline for the Dundee Secondary Plan.
- Due to various challenges and increased complexity, the project has extended beyond what was originally anticipated, requiring our consultant to realign the project approach, scope of work, and schedule.
- There is sufficient budget in the Capital Budget – Planning Growth Studies to support this request.
- This report supports **Building a Connected City Together: Focuses on neighbourhoods; housing and ensuring secure, affordable homes; getting around easily, sustainably and safely to the places and spaces that matter.**

BACKGROUND:

On October 23, 2020, proposal P20-140 – Professional Services – Technical Work for New Secondary Plan – Dundee North was awarded to CH2M HILL (now Jacobs) at their proposed price of \$378,856.50, including contingencies of \$34,441.50, plus HST, for a total of \$428,107.85 to prepare a joint Environmental Assessment and Secondary Plan for the Dundee North lands in southwest Kitchener.

On June 24, 2024 Council approved an increase of \$150,000, plus HST of \$19,500, for a total of \$169,500. This increase was in response to the expansion of the Study Area to include part of Southwest Kitchener Policy Area (SKPA) lands as outlined in Development Services Department Report DSD-2024-254.

Since 2024, there have been legislative changes resulting in the requirement to update previously completed work, as well as a need for additional support on engagement. This has required the consultants to further realign the project approach, scope of work and schedule.

REPORT:

In the past year, there have been several legislative changes, including a new Provincial Planning Statement coming into effect on October 20, 2024, the Regional Municipality of Waterloo becoming an upper tier municipality without planning responsibilities on January 1, 2025, and changes to Ontario's Endangered Species Act in 2024 and 2025. More level of effort and realignment of project schedule has been needed on multiple occasions to better understand the implications of and respond to these changes.

Further, the delegated procedural aspect of the Provincial duty to consult has required a substantial change to project scope and schedule. This includes the scope of work in relation to cultural heritage to be undertaken by a separate consultant to deliver a cultural heritage impact assessment, a heritage corridor enhancement plan, and exploring policy tools available related to archaeology. Duty to consult has also necessitated we continue to build upon established relationships and continue to meaningfully engage and collaborate with First Nations communities.

At the same time there are other projects which have impacted the project scope and schedule. Kitchener 2051, the process through which a new Official Plan is being developed, will replace the current Official Plan providing a new long-term land use and policy framework for the City. The Dundee Secondary Plan is now being aligned with Kitchener 2051 and will build on the new city-wide land use and policy framework. The Dundee Secondary Plan has also been informing and considering the results of the Greenfield Thermal Utility Project, led by Kitchener Utilities, exploring feasibility and business case of an alternate clean energy use solution for the study area. Planning applications in proximity to the study area have identified possible servicing implications, requiring capacity assessment(s) for servicing.

Based on the above, the consultants have prepared a scope change that incorporates the increased effort required to manage the project, update some of the work previously completed to align with new/updated legislation, and additional continued meaningful engagement and collaboration with First Nations to deliver the project to completion in 2026.

Navigating a changing legislative framework may result in further updates to work previously completed, changes to our approach and extension of timelines.

Procurement

In accordance with the Procurement By-law 2022-109 (Chapter 170 Municipal Code), Council's approval is required to increase the scope of this project as it exceeds the delegated authority of the Chief Procurement Officer.

An increase of \$226,000 is required to expand the scope and timeline of work currently being undertaken by Jacobs and deliver the remainder of the Dundee Secondary Plan and Environmental Assessment project.

STRATEGIC PLAN ALIGNMENT:

This report supports **Building a Connected City Together: Focuses on neighbourhoods; housing and ensuring secure, affordable homes; getting around easily, sustainably and safely to the places and spaces that matter.**

FINANCIAL IMPLICATIONS:

There is sufficient budget in the Capital Budget – Planning Growth Studies (#59500166) to support this request.

COMMUNITY ENGAGEMENT:

INFORM – This report has been posted to the City's website with the agenda in advance of the council / committee meeting.

PREVIOUS REPORTS/AUTHORITIES:

- [DSD-2024-254 -Increase to Purchase Order 213285 – Dundee North Secondary Plan](#)

REVIEWED BY: Natalie Goss, Manager, Policy & Research
Ryan Scott, Chief Procurement Officer, Financial Services

APPROVED BY: Justin Readman, General Manager, Development Services

REPORT TO: Planning and Strategic Initiatives Committee

DATE OF MEETING: November 27, 2025

SUBMITTED BY: Garcia, Brent, Mgr. Eng Construction, 519-783-8139

PREPARED BY: Garcia, Brent, Mgr. Eng Construction, 519-783-8139

WARD(S) INVOLVED: Ward 1

DATE OF REPORT: October 10, 2025

REPORT NO.: DSD-2025-437

SUBJECT: Q24-016 - Professional Services – Ann Street, Becker Street, & Fife Street Reconstruction – Purchase Order Extension

RECOMMENDATION:

That the Purchase Order for providing contract administration and inspection for the reconstruction of Becker/Ann/Fife issued to GHD Limited (GHD) be increased by \$496,400.34 funded by the Ministry of Transportation (MTO) and an existing surplus in the project account.

REPORT HIGHLIGHTS:

- The purpose of this report is to seek Council authorization to increase the purchase order issued to GHD to cover additional costs related to the Q24-016 - Professional Services – Ann Street, Becker Street, & Fife Street Reconstruction – Contract Administration and Inspection Services
- The key finding of this report is that additional work was required to complete the intended scope of the project.
- A cost sharing agreement is in place between the city and the MTO -- the MTO will cover 86%, the City 14%.
- This report supports the delivery of core services.

BACKGROUND:

The reconstruction of Becker, Anne and Fife Streets is identified as a priority infrastructure replacement project necessary for utility relocations to support the MTO's Frederick Street Bridge replacement project and the future Highway 7 project. Engineering Services has retained GHD Ltd., an engineering consulting firm to provide professional services for contract administration, construction inspection and resident/business services for the reconstruction of Ann/Becker/Fife Streets.

Work on this project was publicly tendered by the city in March of 2024 and awarded in June of 2024 at a cost of \$575,404.34 including tax. Construction started in October of 2024 and will be complete in the spring of 2026.

REPORT:

The project has required GHD to provide services above the anticipated scope of work included in the original terms of reference. Additional effort includes an increased reporting on contractor scope change requests and costs, production of an extensive tracking documentation for scope change requests and completion, coordination of reviews and recommendations to MTO for approval in addition to the City, independent estimates of additional work values, and management of submissions to the MTO Liaison for approval in principle—all of which were not anticipated and significantly increased the Contract Administration workload. These added requirements, necessitated to comply with the MTO-City cost sharing agreement, combined with coordination among stakeholders like the Region of Waterloo, telecommunication companies, business owners, and developers, all contributed to considerable extra effort beyond the original scope.

The cost of this change request; to provide additional support through to anticipated construction completion is \$496,400.34, (not including HST) which reflects rate escalations provided and approved through the RFQ submission and award.

STRATEGIC PLAN ALIGNMENT:

This report supports the delivery of core services.

FINANCIAL IMPLICATIONS:

The City's share of costs for the additional work to be approved under this purchase order extension is approximately \$70,000. There was an anticipated surplus of just over \$900,000 from the construction phase of this project, so there are sufficient funds available to cover the City's share of the additional costs.

COMMUNITY ENGAGEMENT:

INFORM – This report has been posted to the City's website with the agenda in advance of the council / committee meeting.

PREVIOUS REPORTS/AUTHORITIES:

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

APPROVED BY: Justin Readman, General Manager, Development Services

Staff Report

Corporate Services Department



www.kitchener.ca

REPORT TO: Planning and Strategic Initiatives Committee

DATE OF MEETING: December 1, 2025

SUBMITTED BY: Victoria Raab, General Manager, Corporate Services
519-783-8991

PREPARED BY: Sue Weare, Community Engagement Consultant, 519-783-8985

WARD(S) INVOLVED: All Wards

DATE OF REPORT: November 20, 2025

REPORT NO.: COR-2025-454

SUBJECT: Community Engagement Policy

RECOMMENDATION:

That the Community Engagement Policy (GOV-COU-2010), be amended, to make the changes indicated in Attachment 'A' and outlined in Corporate Services report COR-2025-454.

REPORT HIGHLIGHTS:

- This report seeks Council approval of amendments to the Community Engagement Policy, based on the findings of a comprehensive review (see report COR-2025-435).
- Amendments were required to bring the policy into alignment with current industry standards and leading best practices, provide a clearer more consistent framework, and better meet public expectations.
- Public input, gathered through a multi-method engagement process, supported the need for changes and directly shaped the new guiding principles in the revised policy.
- There are no financial implications associated with this report.
- This report supports Fostering a Caring City Together: Enhancing the city's engagement practices.

BACKGROUND:

Enhancing the City's engagement practices is an action item in the 2023-2026 Strategic Plan. To implement this action, staff completed a thorough review of the organization's community engagement policy, framework and internal practices, which included extensive internal and external engagement.

Council directed staff to update the Community Engagement Policy (GOV-COU-2010), as outlined in the Corporate Services Department report COR-2025-435. The report presented

*** This information is available in accessible formats upon request. ***
Please call 519-741-2345 or TTY 1-866-969-9994 for assistance.

a summary of the findings and recommendations from the review, including the need for a clearer city-wide policy framework.

REPORT:

Substantial edits were required to bring the policy into alignment with current industry standards and leading best practices, provide a clear and practical framework, and better meet public expectations (see Attachment A). The amendments aim to provide greater clarity and consistent expectations for staff – and enable the kind of meaningful participation desired by residents. They do not alter the policy's intent, which is to outline the organization's expectations, guidelines, and commitments to the public when engaging residents in City decision-making.

Overall, the edits simplify the policy by focusing on those principles, guidelines and frameworks, and removing extraneous details on how staff operationalize the policy. The result is a more concise and streamlined document. The Community Engagement Review found that most Canadian municipalities of a comparable size have taken this approach to their public engagement policies.

The review also found that nearly all Canadian municipalities rely on the frameworks and tools provided by the International Association for Public Participation (IAP2). IAP2 is a global association of public participation professionals and it is the leading international organization dedicated to advancing the practice of public engagement. Given that the Association is so widely recognized as an authority in this area, the amendments align the policy with their well-established standards.

The highest impact amendments to the policy are within the Content section. These introduce a more principles-led approach to public engagement that explicitly aligns with IAP2 Canada's current Practice Framework and Participation Spectrum, as well as expands and modernizes roles and accountability.

Following the approval of the policy amendments, staff will develop a corporate strategy to guide improvements in the City's engagement practices, including operational procedures, toolkits, training, and other required supports or resources as identified through the Community Engagement Review and in alignment with the updated policy.

New practice framework

The most significant proposed change is the addition of the IAP2's Practice Framework. The framework describes four essential elements and their associated activities in the lifecycle of an effective engagement process: Design, Planning, Implementation, and Evaluation. It is evidence-based, inquiry-driven, integrates best practices in engagement, and uses a design science approach.

The Community Engagement Review found that most Canadian municipalities have an engagement framework to guide staff and, of those that did, most were organized around the lifecycle of engagement processes. During internal engagement as part of that review, City staff expressed the need for a clearer city-wide framework that enables divisions flexibility to interpret standards within their unique contexts.

Adopting the IAP2's framework provides a reliable and structured outline of the expected steps for carrying out an engagement process, regardless of topic or staff leading the project. It provides a comprehensive approach to guide the development of public engagement plans that ensures alignment between the purpose of engagement and methods selection. This enables public input to be collected and used more effectively, maximizing the benefits of public engagement and decreasing engagement fatigue.

The impact on residents is improved engagement quality and experience, including more consistent design, messaging, follow through, and continuity across projects. Overall, residents can expect more predictable and transparent engagement. This includes explaining why input is being sought, how it will be considered alongside other factors, how input will be collected, and how outcomes will be reported back.

Public Participation Spectrum

The amended policy also adopts the IAP2's Public Participation Spectrum, a conceptual model for assessing, understanding, and communicating the public's influence on an outcome or decision and the overall goal(s) of engagement.

The application of this model is critical during the engagement design phase. The current policy "framework" references a modified version of this model but does not fully reflect the intended purpose or application of the Spectrum. During the Community Engagement Review, staff feedback indicated that aligning the spectrum with industry standards would ensure a more effective use of this tool.

This change provides greater clarity about when and why engagement occurs. Residents can expect earlier and plainer statements of purpose, scope, and level of influence. The impact on residents is a better understanding of the extent to which their input will influence the final decision, helping to make their participation purposeful, manage expectations, and potentially build trust.

New guiding principles

A set of broad guiding principles have been included in the draft amendments: Purposeful, Accountable and Transparent, Inclusive by Design, Respectful, Relationship-Building, and Learning and Improvement.

Staff initially identified these six principles based on the results of a scan of other municipalities' policies. During the 'A Seat at the Table' engagement process, residents were invited to share their feedback. Public input confirmed support for the draft principles but also identified a need to revise the wording to better reflect how community members would describe them. Residents' suggested changes were incorporated to make the definitions clearer and more understandable for a general audience.

Kitchener's new guiding principles were directly shaped by what residents said makes engagement meaningful for them. When engagement is based on these principles, the impact on residents is a more welcoming, accessible and inclusive experience, that is attentive to participant needs and ongoing relationship-building. A principles-based approach is a recognized best practice, especially when designing engagement for typically underrepresented communities.

Other changes

The proposed amendments also represent some notable but lower-impact changes.

The **policy name** would be changed from “Community Engagement” to “Public Engagement” to better align with sector standards and clarify the scope of the policy. While both terms describe related activities and are sometimes used interchangeably, in the context of public sector, “public engagement” specifically describes the active participation of individuals and organizations in decision-making that affects them. Further, the Community Engagement Review identified widespread confusion over the term “community engagement”, both on the part of staff and residents. This change aims to provide greater clarity over the purpose and scope of the policy.

The proposed **Policy Purpose section** begins with a clear and direct purpose statement to improve the policy’s overall focus. This section is further revised to expand on the definition with a description of the City’s understanding and approach to public engagement, explaining what it is, why the city engages the public, and how. This better sets expectations about how public input is considered alongside legal, technical, and fiscal constraints.

The revised **Roles and Responsibilities section** identifies that public engagement is a shared responsibility and more concisely defines the roles of Council, staff and the public. These amendments include an emphasis on explaining how input was considered, producing clearer decision rationales and better closure for participants.

STRATEGIC PLAN ALIGNMENT:

This report supports Fostering a Caring City Together: Focuses on enhancing the city’s engagement practices.

FINANCIAL IMPLICATIONS:

There are no financial implications associated with this report.

COMMUNITY ENGAGEMENT:

INFORM – This report was posted to the City’s website with the agenda in advance of the committee meeting. A notice was also posted to the project’s Engage Kitchener page and emailed to key participants.

COLLABORATE – Public input informed the recommendation to update the Community Engagement Policy and directly shaped the draft definitions of the policy’s new guiding principles. Residents were involved in multiple ways, including facilitated group conversations, intercept interviews, ideation exercises, online comment boards, and surveys.

PREVIOUS REPORTS/AUTHORITIES:

- [COR-2025-435 Community Engagement Review](#)

APPROVED BY: Victoria Raab, General Manager, Corporate Services

ATTACHMENTS:

- Attachment A – Draft amendments
- Attachment B – Community Engagement Policy (2018)

POLICY		GOV-COR-2010	
Public Engagement Policy		Category GOV - Governance	Sub-category COR - Corporate
Approval Type COUNCIL	Department/Division Office of the CAO	Author and Position Sue Weare, Community Engagement Consultant	
Date Approved Click here to enter a date.	Last Reviewed/Amended Click here to enter a date.	Next Review Date Click here to enter a date.	

Related Policies or Procedures

- [GOV-COR-015 Corporate Accountability & Transparency](#)
- [MUN-PLA-1025 Public Participation in the Planning Process](#)

Policy Purpose

The purpose of this policy is to ensure the City:

- Facilitates effective public participation in decision-making that supports inclusive, sustainable outcomes;
- Using a consistent, coordinated, principles-based and outcomes-driven approach;
- While adhering to public engagement requirements within applicable legislation.

The City of Kitchener (the City) views public engagement as an intentional process of working in inclusive and respectful ways with the public to shape City decisions, actions, impacts or change. Through this participation, Council and City staff gain valuable insights into community perspectives and experiences, enhancing decision-making, and fostering transparent and accountable governance.

The City believes that active resident participation strengthens democratic processes, builds trust, and produces outcomes that genuinely reflect community needs and aspirations. It recognizes that those affected by decisions deserve a voice in shaping them.

The City is committed, where feasible and within available resources, to following the guiding principles and best practices outlined in this policy for meaningful and effective public involvement. It aims to ensure that public input is actively sought and transparently incorporated into decision-making.

When the City engages the public, it follows universally recognized best practices from the International Association for Public Participation (IAP2), including the IAP2 Practice Framework and Spectrum.

Public engagement is one part of how decisions are made at the City. Depending on the decision, public input may play a bigger or smaller role compared to other factors, such as legal and regulatory obligations, technical requirements, and existing strategic plans and policies.

In some matters, the City is bound by legislation to involve the public in a specific way and in accordance with dictated timelines. The City takes direction from the Ontario Municipal Act, the Ontario Planning Act, the Ontario Environmental Assessment Act, and the Accessibility for Ontarians with Disabilities Act, among others.

Definitions

- **Public** – all individuals or groups who are interested in or affected by a City decision.
- **Public Engagement** – An intentional process to include individuals and groups interested in or affected by a decision in the decision-making process. Also called public participation (P2).
- **International Association for Public Participation (IAP2)** – IAP2 is a global association of public participation professionals and it is the leading international organization dedicated to advancing the practice of public engagement.

Policy Scope

☒ Employees

- All employees responsible for the design and/or delivery of public engagement activities

☐ Unions

☒ Council

☒ Specified Positions: Community Engagement Consultant

☒ Other:

- Local Boards and Advisory Committees
- All consultants or external organizations that undertake public engagement on behalf of the City of Kitchener

Policy Content

Application

City staff will consider public engagement when:

- Designing or implementing a new policy, program, project or service that has an impact on members of the public;
- Evaluating, changing or ending an existing policy, program, project or service that has an impact on members of the public;
- Fulfilling a legislated or regulated requirement; or
- Responding to a community-initiated request.

The City may not engage the public when:

- It is a matter of immediate public safety;
- Change is legislated from other levels of government;

- The City cannot do so meaningfully;
- Decisions, action or change have already been decided; and/or
- Public input is unlikely to influence the decision because of other considerations at play.

This policy does not override existing legislation governing public engagement by the City and its departments. Rather, it is intended to complement those legislative requirements by ensuring public engagement also aligns with the City's internal standards.

Guiding Principles

The City staff will be guided by the following principles when engaging the public.

Purposeful: The City will communicate up front why the issue matters, why public engagement is needed, how public input will be used, and what can and cannot be influenced. We will ensure residents know what to expect so they can give meaningful feedback that helps shape better outcomes.

Accountable and Transparent: The City will clearly communicate the purpose and process of engagement, share progress and outcomes with participants – and explain the reasoning behind decisions, even unfavourable ones. We recognize that trust grows through openness and by honouring our commitments.

Inclusive by Design: The City is committed to making engagement welcoming, accessible and inclusive. We will begin by asking people what they need, then work to remove physical, social and emotional barriers – so that residents of all backgrounds and abilities feel supported and encouraged to participate.

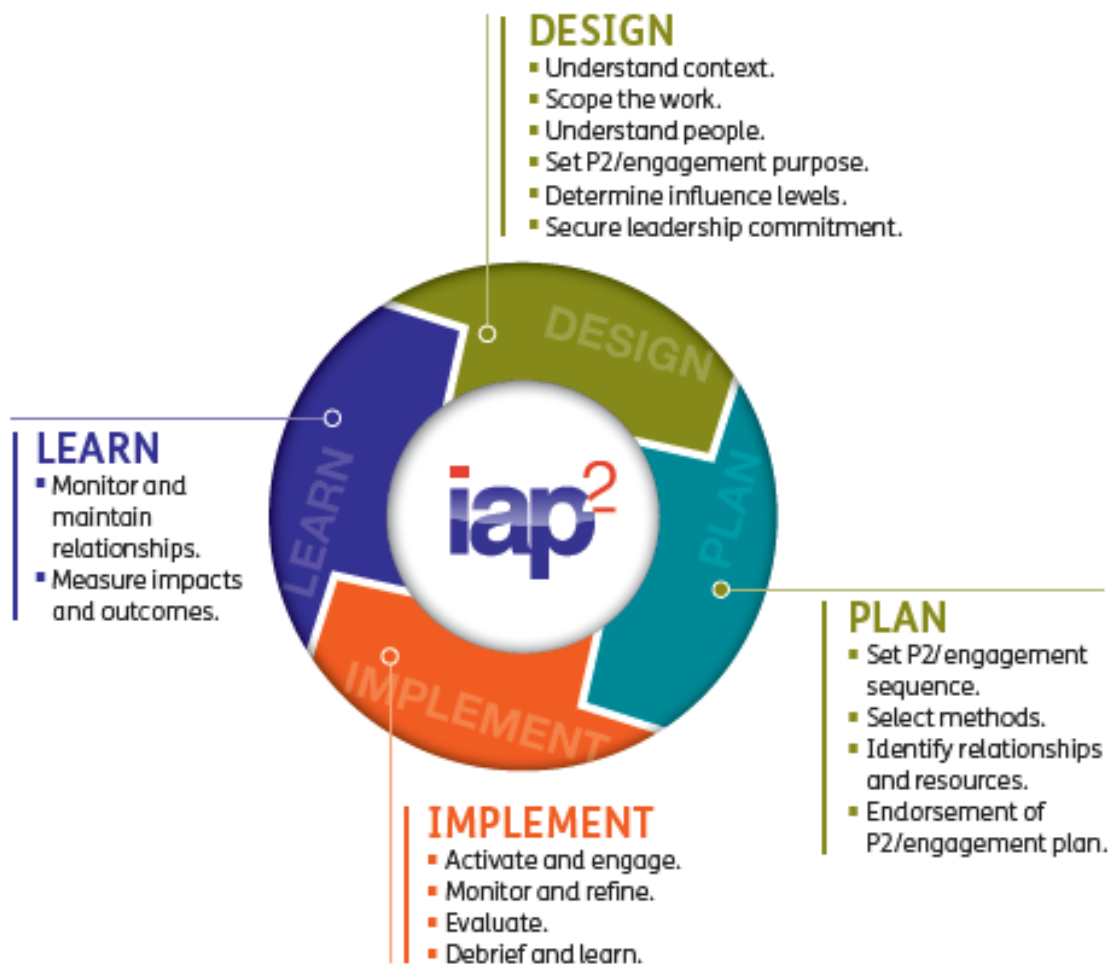
Respectful: The City will foster respectful interactions so that people can feel heard and valued. We support the open exchange of ideas and diverse viewpoints. We do not tolerate harassment or discrimination. Respectful engagement means truly listening, reflecting back, and creating space for all voices.

Relationship Building: The City is dedicated to strengthening relationships not only between the City and residents, but also among community members themselves. We will take time to build meaningful connections by offering opportunities that support ongoing trust and relationship building.

Learning and Improvement: The City will regularly review its engagement practices based on these guiding principles to assess how well public input is reflected, participant experiences, and who is taking part. We will use this information to update our approach as needed to ensure meaningful participation.

Practice Framework

When the City engages residents, it follows an established process based on the IAP2's Practice Framework¹. This is an evidence-based inquiry-driven framework that integrates best practices and uses a design science approach. This framework presents four essential elements that must be thoroughly considered for an effective engagement process.



Spectrum

When designing a public engagement process, the City will refer to the IAP2 Spectrumⁱⁱ. This is a tool used to determine and communicate the level of influence the public (or a given participant group) has on the decision being made. This helps ensure the process is intentional, appropriately scoped, and meaningful for participants.

IAP2 Spectrum of Public Participation



IAP2's Spectrum of Public Participation was designed to assist with the selection of the level of participation that defines the public's role in any public participation process. The Spectrum is used internationally, and it is found in public participation plans around the world.

INCREASING IMPACT ON THE DECISION					
	INFORM	CONSULT	INVOLVE	COLLABORATE	EMPOWER
PUBLIC PARTICIPATION GOAL	To provide the public with balanced and objective information to assist them in understanding the problem, alternatives, opportunities and/or solutions.	To obtain public feedback on analysis, alternatives and/or decisions.	To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.	To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.	To place final decision making in the hands of the public.
PROMISE TO THE PUBLIC	We will keep you informed.	We will keep you informed, listen to and acknowledge concerns and aspirations, and provide feedback on how public input influenced the decision.	We will work with you to ensure that your concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision.	We will look to you for advice and innovation in formulating solutions and incorporate your advice and recommendations into the decisions to the maximum extent possible.	We will implement what you decide.

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Roles and responsibilities

Effective public engagement is a shared responsibility between the City, elected officials, staff, community partners, and the public.

Members of the public:

- Actively participate in engagement processes in good faith.
- Engage in respectful dialogue by offering or exchanging ideas, feedback, experiences, and perspectives.
- Give feedback on their engagement experiences and suggest alternative and lower-barrier ways to participate, as required.
- Recognize that citizens elect a Mayor and Ward Councillor whose role is defined in the Municipal Act. Council must represent the public and consider the well-being and interest of the entire municipality.

City Council:

- Strengthen their role as community representatives by gaining a deeper understanding of the public's interests, values and perspectives.
- Endorse the public engagement policy and guiding principles to foster a culture of excellence in City-led public engagement practices.
- Work with City staff to identify areas where public engagement can and will make a meaningful difference to Council decisions.
- Promote and direct the public towards engagement activities.

- Review and consider input gathered through public engagement as part of the decision-making process.
- Explain the rationale for decisions and how public input was considered in decision-making, alongside other considerations such as resource capacity and fiscal realities.

Public Engagement team staff:

- Serve as the central resource for public engagement strategy, staff support, and process oversight to ensure consistency and effectiveness across the organization.
- Lead the delivery and ongoing improvement of the City's public engagement strategy to support consistent, effective, and meaningful public engagement processes between the City, the public and interested community partners.
- Provide staff and leadership with guidance on the design and delivery of public engagement processes, including whether to engage and when.
- Collaborate on procurement processes to embed public engagement requirements.
- Maintain centralized systems for storing and applying public input to inform decisions and support cross-departmental learning.
- Monitor and evaluate engagement practices, recommending updates as needed.

Other Corporate Communications & Marketing staff:

- Provide strategic communication and digital media support to promote engagement activities and communicate outcomes.
- Ensure accessible and timely information is shared with the public in collaboration with the Public Engagement Team.

Directors:

- Ensure adequate time, human and financial resources are allocated to support public engagement processes.
- Promote alignment with the Public Engagement Policy across departments.

Project leads:

- Plan and facilitate engagement activities within their projects in alignment with this policy, ensuring meaningful integration of public input.
- Determine adequate project time and budget for public engagement.
- Collaborate with the Public Engagement Team early in project planning, to assess support needs and ensure standards are met throughout.
- Integrate public input into decision-making, and notify participants of outcomes, in accordance with the engagement goals and promise to the public per the IAP2 spectrum.
- When making recommendations to Council, clearly identify the engagement goal(s), describe the process, summarize public input, and explain how it informed recommendations.

Review

The City is committed to ensuring that this policy remains relevant and achieves its intended outcome. This policy will be reviewed, at a minimum, every four years.

The General Manager of the Corporate Services Department, or designate, is responsible for policy review and providing advice in relation to this policy.

Results of Review

- ☐ No Edits Required
- ☐ Housekeeping Edits
- ☒ Substantial Edits
- ☐ Repeal/Replace

Policy History

Administrative and Housekeeping Changes

Date	Nature of Change
N/A	N/A

Substantial Changes

Date	Council/CLT Directive
2026-XX-XX	Revised policy as per Council directive, see COR-2025-435
2018-01-28	New policy created as per Council directive, see CAO-17-026

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	POLICY	<u>Policy No:</u> GOV-COU-2010
<u>Policy Title:</u> COMMUNITY ENGAGEMENT <u>Policy Type:</u> COUNCIL <u>Category:</u> Governance <u>Sub-Category:</u> Corporate <u>Author:</u> Community Engagement Consultant <u>Dept/Div:</u> Office of the CAO		<u>Approval Date:</u> January 29, 2018
		<u>Reviewed Date:</u> January 2018 <u>Next Review Date:</u> January 2023 <u>Reviewed Date:</u>
		<u>Last Amended:</u>
		<u>Replaces:</u>
		<u>Repealed:</u> <u>Replaced by:</u>
<u>Related Policies, Procedures and/or Guidelines:</u> GOV-COR-015 Corporate Accountability & Transparency		

1. **POLICY PURPOSE:**

The City of Kitchener ('the City') is committed to the principles of participatory democracy as identified within the City's Open Government Framework. The City recognizes that engaged citizens make communities stronger and healthier. The involvement of the community and stakeholders in planning and decision making helps the City to better meet citizens' needs, which is fundamental to effective governance. The City is committed to promoting ongoing meaningful public engagement to connect individuals with a common interest to share priorities, solve problems and build community.

2. **DEFINITIONS**

- **Community** – A group of people with common characteristics or interests, or who share an environment.
- **Community engagement** – The process of involving community in decision-making processes.
- **Community engagement plan** – A document to help staff identify engagement goals, stakeholders, resources, tactics, processes, communications, and clearly identify how feedback from the community with inform the City's work.

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- **Community engagement framework** – A tool to determine the appropriate level of involvement of the community in the engagement process. The framework identifies and defines the four forms of community engagement which provide different degrees of citizen empowerment: Inform, Consult, Collaborate, and Entrust.
- **Engagement** – The process of involving the public in decision-making processes.
- **Plain language** – Clear, concise writing designed so the reader will understand the message.

3. **SCOPE:**

POLICY APPLIES TO THE FOLLOWING:	
☒ All Employees	
☐ All Full-Time Employees	☐ All Union
☐ Management	☐ C.U.P.E. 68 Civic
☐ Non Union	☐ C.U.P.E. 68 Mechanics
☐ Temporary	☐ C.U.P.E. 791
☐ Student	☐ I.B.E.W. 636
☐ Part-Time Employees	☐ K.P.F.F.A.
☐ Specified Positions only:	☐ Other:
☒ Council	☒ Local Boards & Advisory Committees

This policy applies to:

- All departments of the Corporation of the City of Kitchener;
- All full-time, part-time and casual employees responsible for the design and implementation of community engagement activities; and
- Any community engagement activity undertaken by suppliers or external organizations on behalf of the City.

In some matters, the City is bound by legislation to involve the public in a specific way and in accordance with dictated timelines. The City takes direction from the Ontario Municipal Act, the Ontario Planning Act, the Ontario Environmental Assessment Act, and the Accessibility for Ontarians with Disabilities Act, among others. The City is obligated to adhere to these requirements and if there is a conflict between legislated requirements and the provisions of this policy, legislated requirements will take precedence. The provisions of this policy enable

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the City to exceed the minimum legislated requirements in appropriate circumstances.

Ramifications of non-compliance with this policy could result in:

- a negative impact on satisfaction levels for citizens,
- poor decisions due to missed opportunities to involve citizens in the decision of Council,
- damage to the City's reputation,
- financial loss to the City,
- disciplinary action for employees.

4. POLICY CONTENT:

4.1 The decision to engage the community

The City will comply with all minimum legislated requirements that dictate public involvement, and exceed minimum requirements when appropriate. Community engagement may be required for City-led initiatives that:

- involve new regulations or changes to core services,
- are expected to be controversial,
- have significant financial impacts,
- may have adverse impacts on citizens.

For all other initiatives, the decision to engage the community will be determined by management and/or Council. Criteria to consider include, but are not limited to the following:

- initiatives identified in the City's Strategic Plan and/or Business Plan,
- as directed by the Corporate Leadership Team,
- as directed by a motion of Council.

As well, City staff should consider the importance of issues to citizens in determining when to engage the community. The City encourages the involvement of the public when one or more of the following conditions exist:

- public involvement will improve the City's understanding of the issues,
- the values and preferences of the community are applicable to the decision,
- new and diverse perspectives are needed to develop/evaluate options,

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- the public will have a role to play in the implementation of the decision,
- involving the public will build awareness, support and enthusiasm for the decision.

The decision to engage the community in these situations will be determined by evaluating the potential for community engagement to improve the quality of the decision or outcome and the risks associated with failing to adequately engage the community. This must be evaluated against time constraints, the availability of staff and other resources to plan and carry out effective community engagement activities, and the cost of involving the public in a meaningful way.

Community engagement may not be required in certain situations including, but not limited to the following:

- ongoing delivery of core services,
- urgent situations that would put the public at risk if delayed,
- decisions that are legislated/regulated.

In these situations, staff may still be required to inform the public of these decisions/initiatives.

Staff must inform the community engagement consultant of upcoming engagement initiatives, and must seek the approval of their directors and/or department head for non-routine, non-legislated significant engagement campaigns or for exceptions to this policy.

The Corporate Leadership Team provides direction to proceed with community engagement for initiatives that may be controversial, politically sensitive and/or have significant financial impacts.

4.2 Community engagement framework

The City of Kitchener community engagement framework will be used as a guide to determine the most appropriate method for engaging the community.

Community engagement processes are not all the same. For some initiatives the most appropriate way to engage the community is through clear and purposeful communication to inform citizens and build understanding within the community. In other cases, the most appropriate role may be collaborative; partnering with the community to jointly address a problem or opportunity. In other situations, multiple approaches will be used at different points in the process.

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This framework identifies four levels of engagement, as outlined below. The first level – Inform – is mandatory for all engagement initiatives, as the community needs access to relevant information to participate in a meaningful way. Engagement initiatives may include more than one level from the framework.

Inform

All community engagement initiatives must inform the public. This is intended to provide the public with balanced and objective information to support understanding of City initiatives. In some situations, community engagement will be limited to the sharing of information with the public with no additional levels of the engagement framework deployed. This may include, but is not limited to decisions that are legislated/regulated.

Consult

Consultation with the community allows participants to provide feedback by, for example, identifying preferences, or communicating values. This type of engagement provides a simple and structured exchange of information with citizens that is usually quick, convenient and cost effective.

Collaborate

Collaboration provides the opportunity for citizens to connect with other citizens, staff and/or council to understand issues from different perspectives, and solve problems together. The choice to take a more collaborative approach with citizens has both costs and benefits which must be carefully considered. Collaborative processes typically take significantly longer to plan and implement, require more staff support and involvement, and may have added costs for facilitators, rooms, materials, etc.

The City encourages engaging the community in a collaborative way when there is high potential for community involvement to influence the outcome or decision, and one or more of the following conditions exist:

- there may be a significant impact on the community,
- there is or may be significant controversy surrounding the issue,
- the community will have a substantial role in implementation,
- the options/solutions are not straight forward; original ideas are needed.

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Entrust

An entrust initiative empowers the community to make their own decisions. In these situations, the City may provide input or support for the decision-making process, organize information and facilitate connections to support resident-led projects. This level of engagement is most appropriate where there is a high level of public interest, sufficient resources and capacity to act within the community, and a high degree of community ownership is preferred. Citizens cannot be entrusted to make decisions that are the legal responsibility of the City or where there may be a risk to the public.

4.3 Role of the City

It is the responsibility of City staff to assess opportunities for community engagement in dealing with specific City-led initiatives (except for issues dictated by law or regulation), and to plan and manage the community engagement process. This includes reporting to Council on results when appropriate. The City will be transparent and accountable for acting in accordance with the commitment that is made to the public. Council and city staff will engage with citizens in a way that is respectful and considerate of all citizens and will demonstrate that the views and involvement of citizens are valued by the City.

The City will carefully consider and clearly communicate the public's role in the engagement process, how it will affect decision-making by staff, and the rationale for the level of engagement that will be used. The community will be informed in advance when there are clear and significant limits on the scope or degree of impact that community involvement will have on the matter at hand, so that citizens can make an informed decision about participation and will know what to expect from the process.

The City will communicate a clear and accurate statement of the problem to be solved, the opportunity to be explored or the decision to be made. The City will ensure that the public is aware of the nature of the decision to be made and the scope of authority the City has to influence that decision.

In making decisions, Council and City staff must balance a broad range of competing interests. The citizen's perspective is important and is typically not the only factor influencing a decision. The results of the community engagement process must be put in the context of applicable legislated requirements, city regulations, council-approved policies and strategies, technical considerations and financial constraints before a decision is made.

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When all factors are considered, the City may make a decision that is inconsistent with the majority of input received from the community through the engagement process. In these situations, the City will explain to the public how their contribution was taken into account and the rationale for the decision that was made. The results of community engagement are not a substitute for the democratic process and do not replace the legitimate role of elected representatives in decision-making.

4.4 Responsibilities

The Executive Director Office of the CAO, or designate, is responsible for policy review, and providing advice in relation to this policy.

City of Kitchener Community Engagement Team Responsibilities

The Community Engagement Consultant is responsible for supporting community engagement activity, including:

- work with project staff and Corporate Communications to develop or review appropriate community engagement plans, and provide guidance on activities;
- work with project staff to ensure that requests for proposals/tenders include appropriate requirements for community engagement plans and activities;
- liaise with suppliers and external organizations undertaking community engagement activities on behalf of the City to provide oversight of community engagement plans and activities;
- work with project staff to ensure the City has effective systems to monitor, record, coordinate and evaluate its community engagement activities;
- annually provide Council, staff and citizens with performance reports regarding the success of community engagement activities;
- work with Human Resources and City employees to develop and implement appropriate community engagement training, tools and supports for City employees;
- support citizens who are leading community engagement activities as part of an Entrust initiative.

City Staff Responsibilities:

City employees who are responsible for projects that involve community engagement will:

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- use the Community Engagement Policy to determine if community engagement is appropriate, with support from the Community Engagement Consultant as needed, and ensure that engagement activities comply with this policy;
- work with the Community Engagement Consultant, Corporate Communications and other affected staff to develop appropriate community engagement plans;
- work with the Community Engagement Consultant to ensure outreach tactics to support inclusion are appropriate when engaging within marginalized communities;
- notify the Community Engagement Consultant of any planned community engagement activities;
- ensure suppliers or external organizations undertaking community engagement activities on behalf of the City work with the community engagement team throughout the project to comply with Community Engagement Policy;
- ensure project reports accurately and objectively reflect engagement feedback, and notify participants of outcomes;
- support the Community Engagement Consultant to evaluate community engagement at the City of Kitchener;
- support citizens who are leading community engagement activities as part of an Entrust initiative.

Citizen Responsibilities:

Citizens are asked to:

- focus on the decision to be made or the question to be answered;
- recognize the City must consider the needs of the whole community;
- request alternative ways of participating if required;
- listen with the intent to understand the views of others;
- provide input and feedback within project timelines;
- encourage others to offer input;
- lead engagement activities as part of an Entrust initiative.

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Council Responsibilities:

The support of City Council is important for successful community engagement initiatives. Some of the key ways in which Council can continue to support community engagement activities include:

- attend and participate in public meetings and events for engagement initiatives;
- share information about campaigns with constituents through social media, newsletters, and other methods;
- have informal conversations and/or ward meetings with constituents about key issues;
- review the information gathered through community engagement campaigns and use it to inform key decisions;
- ensure that appropriate project timelines and resources required for community engagement initiatives are in place;
- encourage City employees to follow the Community Engagement Policy and Framework.

4.5 Community engagement plans

Community engagement plans are required for all major projects and initiatives that will consult, collaborate and/or entrust the community. A community engagement plan should include the following:

1. a clear statement of the problem to be solved, opportunity to be explored or decision to be made;
2. the role of the public in the initiative or project, the level(s) of engagement to be used and a rationale for that choice;
3. the key stakeholders and how they will be encouraged to participate;
4. the techniques that will be used for engagement that reflect the promise made to stakeholders according to the level of engagement selected;
5. a schedule of events and expected timelines;
6. required resources; and
7. the methods that will be used to track data and follow up with participants on the results.

Projects that will only inform the community do not require a community engagement plan, but may require a communications plan.

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4.6 Techniques for engagement

The City will use the most appropriate techniques to ensure an efficient and effective process and create a meaningful experience for the public.

The City will consider a broad range of options to engage the community and assess these options against community engagement goals, needs of the stakeholders, time and resources required for implementation, and the requirements of legislation and other city policies. Some engagement initiatives may require the support of independent third-party suppliers to obtain statistically-representative results.

The City recognizes that different stakeholder groups may have different needs. Specific outreach strategies, options and alternative methods of engagement should be made available to encourage participation by all stakeholder groups, within the constraints of City resources. Consideration will be given to time of day, amount of time required to participate, accessible location, language, technology requirements, and other potential barriers to participation.

4.7 Inclusive participation

The City will strive for participation that is inclusive of all stakeholder groups by seeking out and facilitating the involvement of those potentially affected. The City will proactively encourage participation in community engagement processes and activities, and clearly communicate the benefits of participation for the individual citizen. Decisions that involve community engagement will take into account the relative impact of the matter on various stakeholder groups and the degree to which their voices are represented in the outcome of the engagement process. Before making a decision, Council may also have to consider carefully whether the aspirations and needs of future generations — who will perhaps be most affected by any change — might differ significantly from those of today's population.

The City will ensure that those who have an interest and those who are directly impacted by the decision will have access to the community engagement process. The City will strive for inclusive participation, giving voice to the broadest range of interests and perspectives within the context of the issue, taking into account the relative impact of the matter on various stakeholder groups. Special interest participants must be balanced with broad-based community involvement. Techniques must be considered to address barriers to participation for members of the community whose voices are rarely heard, including vulnerable populations.

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Community input that is received from the public that is not controlled for community representation has the potential for bias and will not be used to draw conclusions about the community as a whole.

4.8 Information for engagement

The City will provide participants with the information they need to be engaged in a meaningful way. The City is committed to open disclosure, equal access and distribution of accurate, relevant information. Council and/or staff contact information will be provided to the public so citizens can ask questions and obtain additional information if needed.

In accordance with the City's Corporate Accountability & Transparency Policy (GOV-COR-015), information must be fully accessible and understandable, using plain language and appropriate formats. As well, the City is committed to providing citizens with information that is timely, and freely available, and decisions are open for public review and discussion. In the event that open disclosure would conflict with legislation that protects information, legislated requirements will take precedence. When engagement is legislated or regulated, to comply with GOV-COR-015, staff must provide plain language descriptions to accompany legislated or regulated information requirements.

In situations where input from the public is to be obtained, questions and topics of discussion will aim to generate information from a citizen perspective, and will not require participants to have any technical knowledge or expertise to participate.

4.9 Reporting to the community on the results

The City will publicly acknowledge the results of the community engagement process. The City will acknowledge the input from the community, and participants who have consented to communication in accordance with Canada's Anti-Spam Legislation will be informed when a final decision is made (if applicable). The City will explain how the community's contribution was taken into consideration.

4.10 Participant feedback

The City encourages feedback from participants in community engagement activities to identify opportunities to improve the effectiveness of future initiatives. The City will actively seek feedback from participants to get broad-based input on the effectiveness of the City's community engagement processes. Citizens will have the opportunity to tell the City if they felt that they understood the process, if they had adequate information to contribute effectively, if they

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perceived that the process fairly considered their input; and if they were satisfied overall.

5. HISTORY OF POLICY CHANGES

Administrative Updates

2018-01-28 - New policy created as per Council directive - see CAO-17-026.

Formal Amendments

No amendment history to date

REPORT TO: Planning and Strategic Initiatives Committee

DATE OF MEETING: December 1, 2025

SUBMITTED BY: Rosa Bustamante, Director, Planning and Housing Policy/City Planner, 519-783-8929

PREPARED BY: Oluseyi Ojurongbe, Project Manager (Planning), 519-783-8941
Elyssa Pompa, Planner (Policy), 519-783-8943

WARD(S) INVOLVED: All wards

DATE OF REPORT: November 20, 2025

REPORT NO.: DSD-2025-371

SUBJECT: Missing Middle and Affordable Housing Community Improvement Plan

RECOMMENDATION:

That the proposed By-law establishing a Community Improvement Project Area incorporating all lands within the municipal boundaries of the City of Kitchener, in the form shown in Attachment 'A' to report DSD-2025-371 be approved; and,

That the proposed Missing Middle and Affordable Housing Community Improvement Plan By-law, be approved in the form shown in Attachment 'B' to report DSD-2025-371; and further,

That the General Manager of Development Services or their designate be authorized to execute all agreements and other related documentation, subject to the satisfaction of the City Solicitor, which may be required to administer the Missing Middle Affordable Housing Community Improvement Plan.

REPORT HIGHLIGHTS:

- The purpose of this report is to seek Council's approval to establish a Community Improvement Project Area and associated Missing Middle and Affordable Housing Community Improvement Plan (CIP) to create grants for missing middle housing forms including affordable housing in alignment with the City's commitments through the Housing Accelerator Fund.
- In recognition of the successes of the City's Housing Accelerator Fund (HAF) initiatives, the City of Kitchener was awarded an additional \$4.2M in HAF funding in March 2025 to establish a CIP.
- A CIP is a tool available to municipalities under the Planning Act, that enables cities to carry out projects in a particular area that improve community needs. The City of

Kitchener has implemented CIPs in the past including brownfield development and downtown renewal.

- The proposed CIP consists of two incentive program streams to address barriers associated with missing middle housing: Additional Dwelling Units Grant and the Missing Middle Affordable Housing Grant.
 - The Additional Dwelling Unit Grant offers flexible options to achieve affordable housing, energy efficiency measures to reduce utility bills and barrier-free unit design to provide accessible housing that can support people living with mobility limitations. This program aligns well with the [CMHC design catalogue](#) which offers full technical designs for various ADU formats with options for enhanced energy efficiency and barrier-free design. With cost and time savings on the design and approvals, coupled with incentives to reduce development charges, the CIP can support uptake on catalogue designs.
 - The Missing Middle Affordable Housing Grant offers opportunities for integration of affordable housing in more missing middle housing forms including in mixed use buildings and multiple dwellings up to eight storeys. It also encourages collaboration to provide housing to priority needs groups.
- There are financial implications arising from this report. The proposed CIP is funded through HAF funding including the \$4.21 million awarded in March for the purpose of establishing a CIP and a reallocation of \$2 million of funding from the initial \$42 million grant. The program will be delivered by existing staff to applicants which will have workload implications which are monitored over the next year.
- Community engagement included meetings with the development industry, virtual and in-person engagement events with the public, an engagement webpage and a workshop with builders.
- This report supports **Building a Connected City Together: Focuses on neighbourhoods; housing and ensuring secure, affordable homes; getting around easily, sustainably and safely to the places and spaces that matter.**

EXECUTIVE SUMMARY:

Staff is recommending approval of the Missing Middle and Affordable Housing Community Improvement Plan (CIP). A CIP is a Planning Act tool that allows a municipality to carry out projects in a particular area that improve community needs such as addressing housing needs through various mechanisms including financial incentives. The proposed CIP includes two program streams that focus on missing middle housing forms:

1. Additional Dwelling Units (ADUs) Grant, offering full or partial grants to offset development charges for ADUs
2. Missing Middle Affordable Housing Grant, offering grants to cover upfront costs of developing affordable housing units in a missing middle housing form including multiple dwellings and mixed-use buildings with a minimum of five dwelling units and a maximum of eight-storey built form.

The CIP will be funded through the federal Housing Accelerator Fund with a proposed allocation of \$6.21 million. Through the CIP, the City has committed to a goal of at least 98 units by October 31, 2026 (building permit issuance) and 500 over a 10-year period. Of the 98 units, at least 49 are expected to be affordable housing and at least 49 be within 1500 metres of rapid transit. This report introduces the proposed CIP and outlines the

background, planning analysis and community and development industry engagement that have informed the proposed CIP.

BACKGROUND:

In March 2025, the City was awarded an additional funding through the Housing Accelerator Fund to create at least 98 units by October 2026 (building permits issued) and 500 units over a 10-year period through the establishment of a Missing Middle and Affordable Housing CIP. The City has proposed a CIP to incentivize a range of affordable and missing-middle housing types to the housing market by removing some of the financial barriers that stand in the way of financial feasibility. It builds on and reinforces housing studies and initiatives to address the urgent need for diverse and affordable housing options including:

- Enabling Missing Middle and Affordable Housing (2023)
- Enabling Four Units Official Plan and Zoning Bylaw amendments (2024)
- Growing Together Official Plan and Zoning Bylaw amendments (2024 and 2025)
- [Population & Employment Forecast Update & Housing Needs Assessment](#) technical background study for Kitchener 2051 (2025)

The Enabling Missing Middle and Affordable Housing study made several layered recommendations to support the construction of new missing middle housing including establishing a CIP as a mechanism to enable financial incentives, coupled with streamlined approvals and flexible zoning rules including parking reductions and allowing more units on a property.

Changes to zoning through both Enabling Four Units and Growing Together deliver on recommendations to allow for more units through more flexible zoning rules. In alignment with these recommendations, the Enabling Four Units amended the zoning rules throughout the city to allow up to four units where a single detached, semi-detached or street fronting townhouse unit is permitted. Growing Together introduced new Strategic Growth Area zoning that enables unlimited height and density permissions in key areas along with broader permissions for missing middle housing forms. Several process improvements at a staff level have been undertaken and continue to advance streamlining of development approvals.

As part of Kitchener 2051 technical background studies, a housing needs assessment was prepared which identified priority groups in highest need of affordable housing. It also identified a CIP as a mechanism to support housing through grants and fee waivers. The proposed CIP is the next lever that staff recommend with the support of HAF funding to break down barriers to unlocking affordable and missing middle housing as detailed in this report.

REPORT:

Kitchener's housing market is under increasing pressure from rapid population growth, rising costs, and limited affordable options. The City's Strategic Plan, Official Plan, and Housing for All Strategy recognize the importance of using a broad range of tools to advance critical housing objectives.

What is a CIP?

Community Improvement Plans identify specific projects that need to be carried out in a particular area to improve the quality of life and the built environment in an area, setting out the course of action for the redevelopment, rehabilitation or improvement of the area. Community Improvement Project Areas may be established by Council and designated by by-law, in accordance with the provisions of the Planning Act.

Establishing a Community Improvement Project Area

The Planning Act requires the establishment of a Community Improvement Project Area to delineate the geographic location of where a CIP applies. The Official Plan identifies that all lands within the municipal boundaries may be included in a CIP. Staff recommend that all lands within the City of Kitchener's municipal boundaries be included because there is a need for a broader mix of housing typologies and affordable housing throughout the city, as identified through the City's Housing Needs Assessment. The Community Improvement Project Area bylaw is attached to this report as Attachment 'A'.

Program Development

Staff evaluated three program options to select one or more of the most impactful approach(es) for long-term housing outcomes:

1. Additional Dwelling Units (ADUs) Grants- Construction or development charge grants to reduce upfront costs for building Additional Dwelling Units.
2. Office-to-Residential Conversion Grants – Provide funding to convert unused office spaces into residential housing.
3. Affordable Housing Developer Grants – Extend financial incentives to developers and not-for-profits who incorporate affordable units into their projects

As background research, staff engaged with other municipalities that have similar CIPs to understand their program design and gain insights on challenges and lessons learned. The municipalities selected were in comparable population size or were operating similar programs to those under evaluation. Additionally, staff collected feedback from various subject matter experts and the community through a series of interviews and engagement events. A summary of community engagement feedback is detailed later in this report. Staff also retained a third-party consultant to provide staff with an economic analysis of the proposed program.

Staff further reviewed the findings of the Housing Needs Assessment (HNA) completed to inform Kitchener 2051 earlier this year. The HNA identified that priority groups face a lack of suitable, affordable housing to meet the needs of those with low incomes. They often face multiple challenges in securing housing. Priority groups include individuals who identify with the following: women and women-led households; LGBTQ2S+; seniors; young adults aged 18-29; Indigenous Peoples; visible minorities/racialized people; recent immigrants (especially refugees); people with physical health or mobility challenges or developmental disabilities; people with mental health and addictions issues; veterans; and, people experiencing homelessness. To address this significant finding from the HNA, staff have intentionally designed the program to support housing solutions for priority groups.

Proposed CIP

The proposed CIP bylaw includes the Missing Middle and Affordable Housing Community Improvement Plan (Attachment 'B' to this report). The CIP outlines the two program streams as well as eligibility criteria, and program administration details.

First, general program considerations applying to both streams are outlined such as eligible applicants, the definition of affordable housing, and property ownership. Prioritization of projects that support achievement of the City's HAF commitments is also identified as follows:

- Projects located within 1500 metres of rapid transit
- Projects that incorporate affordable housing units
- Projects that have a plan to achieve building permit issuance by October 31, 2026

The programs may limit the number of units funded that do not align with one or more of these priorities. Table 1 provides a summary of the two program streams:

Program Stream	Grant Details
Additional Dwelling Units Grant Why it matters: • Makes it easier and cheaper for property owners to add rental units, increasing housing supply, mix of unit types, and affordability in Kitchener's neighborhoods. • DCs were identified as a barrier to building ADUs which has led to some property owners choosing not to build ADUs. • Supports affordability including lower energy costs • Encourages uptake of the CMHC design catalogue by incentivizing high energy performance and accessible designs.	• Grants for the first and second ADU covering 100% of the cost of development charges (DCs) for applicable educational DCs. • Grants for the third ADU covering: • 50% of City, Regional and educational DCs; or • 100% of City, Regional and educational DCs for units that commit to providing <u>one of the following</u>: ○ a minimum of one affordable housing unit; or ○ energy efficiency measures; or ○ a minimum of one barrier-free unit
Missing Middle Affordable Housing Grant Why it matters: • Makes it cheaper for developers to include affordable housing • Increases the mix of housing supply formats and affordability in neighborhoods. • Focuses on priority groups that are identified to have the highest needs for affordable housing as reflected in Kitchener's housing needs assessment. • Encourages collaboration and partnerships to unlock more affordable housing.	• Grants of up to \$25,000 per affordable unit to a maximum of \$500,000 for affordable housing units in a missing middle format including multiple dwellings and mixed-use buildings with a minimum of 5 units and a maximum of 8 storeys. • Helps offset the upfront costs associated with planning, designing and achieving approvals

Stream 1. Grants for Additional Dwelling Units

This stream provides grants to help offset **all or a portion of the cost of development charges** associated with building Additional Dwelling Units (ADUs). The program is proposed to be applied across the city, accounting for varying DC rates while prioritizing HAF commitments.

Program details include:

- Grants for the **first and second ADU** associated with a single detached dwelling, semi-detached dwelling or street fronting townhouse dwelling shall cover 100% of the cost of development charges for applicable educational DCs.
- Grants for the **third ADU** associated with a single detached dwelling, semi-detached dwelling or street fronting townhouse dwelling:
 - 50% of City, Regional and educational DCs as base incentive; or
 - 100% of City, Regional and educational DCs for units that commit to providing one of the following:
 - a minimum of one Affordable Housing Unit for a prescribed affordability period (5 years).
 - energy efficiency measures (a combination of two or more of the following that exceed the minimum requirements of the Ontario Building Code: heat pump, energy recovery ventilator (ERV), triple-pane windows, solar panels, and other innovative building systems that support efficiency to the satisfaction of the City); or
 - a minimum of one barrier-free unit (per specifications of the Ontario Building Code)

Why it matters: This grant makes it easier and more cost-effective for property owners to add rental units, increasing housing supply, mix of unit types, and affordability in Kitchener's neighborhoods. Development charges were identified as a barrier to building additional dwelling units which has led to some property owners choosing not to proceed with as many ADUs (or none at all) despite enabling zoning regulations. Staff has heard this through the engagement conducted for the CIP as well as through feedback received through the Enabling Four Units One Year Follow Up report (DSD-2025-411) and through staff discussions with customers through building permit review.

While only educational development charges apply to the first and second ADU at a rate of \$5,187 as of December 1, 2025, this cost can be a barrier to homeowners adding ADUs - particularly those that support multigenerational families such as aging parents or adult children with disabilities.

Development charges for the third ADU (fourth unit) range from \$39,483 in the Central area (in the main dwelling) to \$80,058 in the Suburban area (in a backyard home). A fourplex format has been more common than backyard homes in 2024 and 2025 with development charges for the fourth unit ranging from \$39,483 to \$44,727 in this format.

Three options to obtain a grant to cover the full development charge amount are proposed. The first option requires one affordable unit for a minimum of 5 years. The second option that requires energy efficiency measures supports affordability by reducing utility bills while

supporting the City's climate goals. The final option encourages barrier-free unit design to provide accessible housing that can support people living with mobility limitations - a priority group identified through the Housing Needs Assessment. The ADU grants align well with the [CMHC design catalogue](#) which offers full technical designs for various ADU formats with options for enhanced energy efficiency and barrier-free design. With cost and time savings on the design and approvals, coupled with incentives to reduce development charges, the CIP can support uptake on catalogue designs.

This program allows for the creation of affordable, smaller-scale rental units, benefiting tenants across diverse income levels and enhancing community inclusivity. By providing a grant to offset the cost of development charges, the CIP can encourage property owners to contribute directly to housing supply within existing neighborhoods. This initiative could also help address the difficulty some owners are facing in paying or financing development charges, which in some cases has resulted in units not being brought to the rental market.

Stream 2. Grants for Missing Middle Affordable Housing

This stream provides grants of up to **\$25,000 per affordable unit to a maximum of \$500,000** to help offset the upfront costs associated with planning, designing and achieving approvals for affordable housing units in a missing middle format in either a multiple dwelling or a mixed-use building with a minimum of 5 units and a maximum of 8 storeys.

- Awarded projects must maintain Affordable Units for a minimum of 25 years from the date of first occupancy.
- Priority is given to special programs designed to provide Affordable Units to one or more identified priority groups.
- Priority will be given to projects that incorporate Affordable Units that are a minimum of two bedrooms in size and include a variety of unit sizes including three- and four-bedroom units which is a recognized need for key priority groups through the City's housing needs assessment.

Why it matters: This grant makes it easier and more cost-effective for developers and not-for-profits to add affordable housing units in a missing middle format, increasing mix of housing supply formats and affordability in neighborhoods. This grant focuses on priority groups that are identified to have the highest needs for affordable housing, as reflected in Kitchener's housing needs assessment. It supports upfront costs to advance affordable housing to construction, at which point applicants may apply for CMHC to finance construction costs.

A CIP allows for a broad range of applicants to provide affordable housing units in our community. The Enabling Missing Middle and Affordable Housing study (2023) identified the importance of financial incentives to unlock affordable and missing middle housing. This program builds upon the Not For Profit Affordable Rental and Co-op Housing Incentive launched last year. It incentivizes more affordable housing in the Kitchener community which may be constructed by a broader range of developers including for-profit and non-profit organizations. It will encourage partnerships with the not-for-profit sector by prioritizing special programs designed to provide housing for identified priority groups through the Housing Needs Assessment.

Summary of CIP Engagement

This report has been posted on the City's website with the agenda in advance of the committee meeting and on the project webpage, engagewr.ca/cip.

Staff and agencies:

City divisions involved in the development of this program included Finance, Planning and Housing Policy (including zoning services), Development and Housing Approvals, Building, and Legal Services. Staff also consulted with the Region of Waterloo's Housing Services team.

Community and development industry engagement:

Staff held interviews during the summer of 2025 with subject matter experts in the building industry, such as developers, ADU specialists, and urban planners, to refine program design and enhance uptake. On August 27, 2025, staff held a builders' workshop to share information about the CIP and gather feedback. Further insights were obtained from the Kitchener Developers Liaison Committee on September 12 and October 17, 2025.

An engagement session took place on October 4, 2025 at the Kitchener Market, followed by a virtual meeting on October 7, 2025, to discuss the proposed program and gather public feedback. In September, the project webpage posted an online public survey asking which incentive program would be most effective.

Summary of feedback received:

- As it relates to grants for Additional Dwelling Units (ADUs) and grants for larger projects:
 - Builders of ADUs identified development charges as a major barrier, especially for the fourth unit;
 - More financially accessible to a broader population of property owners;
 - Supportive that ADUs increase neighborhood density organically and help retain affordable housing options within established communities;
 - Grants could help address the difficulty some owners are facing in paying or financing development charges, which in some cases has resulted in units not being brought to the rental market;
 - Strong appreciation for the policy directive and overall ADU goals;
 - ADU builders expressed motivation to develop ADUs and willing to modify projects to meet zoning requirements;
 - Residents appreciated the increased housing options, affordability and support for multi-generational families;
 - Concerns about unexpected costs such as consultant fees, tree removal, servicing connections and additional approvals like Grand River Conservation Authority and Committee of Adjustment;
 - Canada Mortgage and Housing Corporation (CMHC) financing for rental housing requires a minimum of 5 units. There is an affordable housing component of this financing that could work in alignment with a CIP to support more affordable housing.

- Developers of larger projects surveyed expressed concern about meeting the fall 2026 timeline, however, some developers are considering affordable units in their projects; and
- ADU construction is ongoing, even in market slowdown.
- As it relates to exploring an Office to Residential Conversion program:
 - Majority of developers state this option is not feasible in today's market and are not likely to meet the fall 2026 timeline; and
 - Potential to explore this option if market improves in the future.

Planning Rationale

Municipal Act, 2001, S.O. 2001, c. 25

Section 106(1) of the Municipal Act prohibits municipalities from offering bonuses to businesses, including financial aid, lending municipal property, guaranteeing loans, or selling property below market value. Exceptions are specified in Section 106(3) for municipalities using powers under Section 28 of the Planning Act and Section 365.1 of the Municipal Act, which allow for financial incentive programs in designated community improvement areas. A municipality may take the following actions within a designated community improvement project area:

- Prepare a CIP for the project area (Section 28(4)).
- Make grants or loans, in conformity with the approved CIP, to the registered owners, assessed owners and tenants of lands and buildings, and to any person to whom such an owner or tenant has assigned the right to receive a grant or loan, to pay for the whole or part of the eligible costs of the CIP (Section 28(7))

Under Section 28 of the Planning Act, municipalities can designate community improvement project areas for redevelopment activities, such as acquiring land, creating improvement plans, and offering grants or loans for eligible costs, including environmental remediation and affordable housing. Section 365.1 further allows property tax assistance for such areas.

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,

- (j) the adequate provision of a full range of housing, including affordable housing;
- (l) the protection of the financial and economic well-being of the Province and its municipalities;
- (p) the appropriate location of growth and development

Section 28 allows municipalities to identify areas in need of revitalization and reinvestment by designating Community Improvement Project Areas (CIPAs). Once a CIPA is established and an appropriate Official Plan policy framework is approved and in place, the municipality may prepare and adopt a Community Improvement Plan (CIP) that outlines goals and strategies for the physical, economic, and/or social improvement of the area.

CIPs directly support provincial interests by enabling municipalities to:

- Plan for the development, rehabilitation, and redevelopment of key areas, including provisions for energy efficiency improvements and affordable housing (s.28(1), 28(1.1));
- Facilitate land acquisition, preparation, and disposition, supporting intensification and redevelopment in strategic urban locations (s.28(3),(6));
- Encourage a public to private partnership through financial tools such as grants and loans for support of environmental remediation, rehabilitation, and development (s.28(7), (7.1));
- Support housing renewal and repair, contributing to the supply and diversification of housing (s.28(7), s.32(1)).

Through the implementation of CIPs, municipalities are empowered to provide direct investment into areas that align with provincial objectives: downtown cores, adaptive reuse of underutilized lands, and integration of affordable housing into established communities. Additionally, they promote the efficient use of land and existing infrastructure and support provincial goals for economic sustainability and coordinated infrastructure planning.

Provincial Planning Statement, 2024

The Provincial Planning Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. Section 2.2.1 of the 2024 PPS promotes all types of residential intensification, and sets out a policy framework for sustainable, healthy, livable, and safe communities.

The PPS promotes efficient development and land use patterns, as well as accommodating an appropriate mix of affordable and market-based residential dwelling types with other land uses, while supporting public health, and safety. Provincial policies promote the integration of land use planning, growth management, transit-supportive development, intensification, and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs.

The PPS supports the goals of Community Improvement Plans (CIPs) by enabling municipalities to align local planning with evolving demographic and economic needs:

- Designate and protect sufficient residential land for future development while maintaining a minimum supply of serviced, zoned units to meet projected growth;
- Promote intensification and infill, particularly in underutilized areas and transit-oriented nodes, to support compact, efficient development that aligns with community needs and employment trends;
- Coordinate with Service Managers to implement comprehensive housing strategies that include support for vulnerable populations and homelessness initiatives; and
- Encourage flexible redevelopment, allowing for a range of housing types and land uses that respond to local market conditions and long-term growth projections.

Kitchener Official Plan, 2014

The City of Kitchener's Official Plan (2014) provides the vision for long-term land use in Kitchener. This is further articulated and implemented through guiding principles, goals, objectives and policies set out in the Plan. The vision strives to build an innovative, vibrant, attractive, safe, complete and healthy community that contributes to an exceptional quality of life for all. A complete community creates and provides access to a mix of land uses including a full range and mix of housing, including affordable units. To achieve this vision,

the Official Plan outlines several implementation tools such as Zoning By-laws, Community and Block Plans, Heritage Conservation District Plans, and Community Improvement Plans.

In Section 17.E.9, Community Improvement Plans identify specific projects that need to be carried out in a particular area to improve the quality of life and the built environment in an area, setting out the course of action for the redevelopment, rehabilitation or improvement of the area. Community Improvement Project Areas may be established by Council and designated by by-law, in accordance with the provisions of the Planning Act. Through the implementation of CIPs, the City may:

- Identify specific areas in need of physical, economic, social, or environmental enhancement;
- Offer funding mechanisms such as grants, loans, and financial incentives to support local improvement efforts;
- Coordinate cross-sectoral initiatives that address redevelopment priorities and infrastructure needs within designated neighborhoods or corridors.

As detailed in Official Plan Section 17.E.9.1 and 17.E.9.2, all lands within the municipal boundary of Kitchener are eligible to be designated as a Community Improvement Project Area, contingent upon meeting one or more criteria. The proposed CIP addresses the following three criteria:

- b) there are old residential, industrial and commercial buildings and properties that are in need of upgrading, rehabilitation, or replacement;
- c) the area contains an inappropriate range of housing types and densities;
- j) there are opportunities for intensification and redevelopment of under-utilized sites

The proposed CIP meets the vision set out in the Official Plan's Community Improvement Plan policies, encouraging higher density development within a 1500 metre radius of rapid transit, facilitating efficient land use and intensification, as referenced above. The CIP supports diverse housing options, while encouraging accessibility to a broader range of transit options.

Housing Needs Assessment, 2025

The Housing Needs Assessment (HNA) reported the city's current market and non-market housing profile and trends. Through this work, the HNA identified several key findings. While the city has averaged 2,250 new residential building permits annually since 2013 in increasingly high-density built forms, affordability has declined sharply since 2018. Resale prices and rents have increased, with primary apartment rents rising 48% and condominium apartment rents by 40% between 2017 and 2023. About 40% of households are renters, and demand for rental housing is expected to grow to 45% by 2051. Affordability remains a major concern for renters as only 5% of the city's housing stock is non-market, around 5,300 units. To meet future needs, the City anticipates requiring 13,100 new affordable rental units and 4,600 new affordable ownership units by 2051. There is also an increased need to provide affordable housing for priority groups who face elevated housing insecurity.

Kitchener is responding with strategies like the Missing Middle and Affordable Housing Community Improvement Plan, which is designed to support the creation of diverse and affordable housing by addressing financial barriers to development.

Program Administration & Monitoring

This CIP will be administered by the City's Planning and Housing Policy, Building and Finance Divisions. Applications will be reviewed and approved by the Planning and Housing Policy Division with the support of other divisions.

To meet the City's HAF commitments, program launch is planned for January 2026. Staff will develop a communications strategy that addresses target audiences of each program stream with will include a webpage with information regarding the application process and eligibility criteria.

The program will be reevaluated after one year. Staff may recommend incorporating additional program streams or modifying elements of the program structure. Legal agreements will be used to secure affordability and other commitments which may be registered on title of the lands.

Conclusion

Staff recommend approval of the proposed Missing Middle and Affordable Housing CIP and associated Community Improvement Project Area. The staff recommendation has regard for matters of Provincial interest, is consistent with the Provincial Planning Statement (2024) and implements the objectives and policies of the Kitchener Official Plan and represents good planning.

The CIP will expand on established programs, such as Enabling Four Units zoning, and existing HAF-backed grant programs that support non-profit housing providers. These foundational programs offer a springboard for the CIP, upon the conclusion of HAF funding, may be incorporated as long-term City initiatives. However, program continuance beyond HAF funding would be subject to council approval.

STRATEGIC PLAN ALIGNMENT:

This report supports **Building a Connected City Together: Focuses on neighbourhoods; housing and ensuring secure, affordable homes; getting around easily, sustainably and safely to the places and spaces that matter.**

FINANCIAL IMPLICATIONS:

The proposed CIP is funded through HAF funding totalling \$6.2 million comprised of:

- \$4.2 million in additional funding awarded in March for this program.
- \$2.0 million in reallocated funding. In evaluating the initial \$42 million HAF grant, staff determined that there is an opportunity to reallocate \$2 million from other HAF initiatives. This reallocation will bolster the CIP, allowing for the two grant streams proposed and improving the City's capacity to support missing middle and affordable housing.

The program will be delivered through existing staff resources which will be monitored over the next year. Annual monitoring is planned to report on program uptake recommending modifications if needed. Once the HAF-funded budget is depleted, programs will be paused

subject to funding availability from other sources (such as through other orders of government).

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

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

PREVIOUS REPORTS/AUTHORITIES:

- [DSD-2023-160 Enabling Missing Middle and Affordable Housing](#)
- [DSD-2024-066 Enabling Four Units OPA23/020/K/KA & ZBA23/035/K/KA](#)
- [DSD-2024-128 Growing Together – Protected Major Transit Station Area Land Use and Zoning Framework](#)
- [DSD-2025-411 Enabling Four Units – One Year Follow-up](#)
- [Municipal Act, 2001](#)
- [Planning Act](#), R.S.O. 1990, c. P.13
- [Provincial Planning Statement, 2024](#)
- [City of Kitchener Official Plan, 2014](#)
- [Population & Employment Forecast & Housing Needs Assessment, 2025](#)

REVIEWED BY: Janine Oosterveld, Manager of Customer Experience and Project Management, Development Services

APPROVED BY: Justin Readman, General Manager, Development Services

ATTACHMENTS:

- Attachment A – Community Improvement Project Area bylaw
- Attachment B – Community Improvement Plan bylaw
- Attachment C – Public Notice Advertisement
- Attachment D – Community Engagement Comment Matrix

BY-LAW NUMBER
OF THE
CORPORATION OF THE CITY OF KITCHENER

(Being a by-law to designate a Community Improvement Project Area in the City of
Kitchener for the Missing Middle and Affordable Housing
Community Improvement Plan)

WHEREAS Section 28(2) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, (the "*Planning Act*") empowers the Council of a municipality in which an Official Plan is in effect to designate the whole or any part of the municipality covered by the Official Plan as a Community Improvement Project Area;

AND WHEREAS the Council of The Corporation of the City of Kitchener has adopted an Official Plan which covers all the land within its boundaries and which contains provisions relating to community improvement in the City of Kitchener;

AND WHEREAS the Council of The Corporation of the City of Kitchener deems it in the interest of the municipality to designate all of the lands within the City of Kitchener as a Community Improvement Project Area to be known as the "Missing Middle and Affordable Housing Community Improvement Project Area";

NOW THEREFORE the Council of The Corporation of the City of Kitchener enacts as follows:

1. That pursuant to subsection 28(2) of the *Planning Act*, all of the lands within the City of Kitchener are hereby designated as a Community Improvement Project Area for the purpose of preparing and adopting the Missing Middle and Affordable Housing Community Improvement Plan, and shall be known as the "Missing Middle and Affordable Housing Community Improvement Project Area"; and,
2. This By-law shall come into force and take effect on the date of final passing thereof.

PASSED at the Council Chambers in the City of Kitchener this XXth day of December, 2025.

Mayor

Clerk

BY-LAW NUMBER
OF THE
CORPORATION OF THE CITY OF KITCHENER

(Being a by-law to adopt a Community Improvement Project Plan in the City of
Kitchener known as the Missing Middle and Affordable Housing
Community Improvement Plan)

WHEREAS section 28 of the *Planning Act*, R.S.O. 1990, C.P. 13, as amended, (the “Planning Act”) provides for the designation of Community Improvement Project Areas and the adoption of Community Improvement Plans;

AND WHEREAS the Council of the Corporation of the City of Kitchener has designated all of the lands within the City of Kitchener as a Community Improvement Project Area by By-law Number _____, passed by Kitchener City Council on _____, 2025;

AND WHEREAS the public notice provisions set out in subsection 28(5) have been complied with;

AND WHEREAS the within community improvement plan is exempt from Ministerial approval in accordance with Ontario Regulation 525/97, as amended;

NOW THEREFORE the Council of The Corporation of the City of Kitchener enacts as follows:

1. That the document entitled “City of Kitchener Missing Middle and Affordable Housing Community Improvement Plan”, attached hereto as Schedule “A” and forming a part of this By-law, is hereby adopted as a community improvement plan for the City of Kitchener Missing Middle and Affordable Housing Project Area;
2. The Clerk is hereby authorized and directed to notify the Minister of Municipal Affairs and Housing of the passing of this By-law to establish the Missing Middle and Affordable Housing Community Improvement Plan; and,
3. This By-law shall come into force and take effect on the date of final passing thereof;

PASSED at the Council Chambers in the City of Kitchener this XXth day of December, 2025.

Mayor

Clerk



Missing Middle and Affordable Housing Community Improvement Plan

Prepared by City of Kitchener, Development Services

Date approved by Council: X

1. Introduction

In March 2025, the City was awarded an additional \$4,214,000 of funding through the federal Housing Accelerator Fund (HAF) to establish a Missing Middle and Affordable Housing Community Improvement Plan (the “CIP”) with the purpose of enabling at least 98 units by October 2026 (building permits issued) and 500 units over a 10-year period. The CIP is intended to bring a range of affordable and missing-middle housing types to the housing market by addressing some of the financial barriers that stand in the way of a project’s financial feasibility. It will build on and reinforce existing housing initiatives to address the urgent need for diverse and affordable housing options.

The CIP expands on established City programs, such as the “Enabling Four Units” zoning initiative, which allows property owners to have up to three Additional Dwelling Units (ADUs) on properties that allow a single detached, semi-detached or street-fronting townhouse dwelling unit; and the existing affordable housing fee waiver and HAF-backed grant program that support non-profit housing providers. These foundational programs offer a springboard for the CIP which, upon the conclusion of HAF funding, may be incorporated as long-term City initiatives.

The CIP is informed by the findings of the City’s Housing Needs Assessment (HNA) and aligned with Kitchener’s commitment to the federal government’s Housing Accelerator Fund (HAF) objectives: creating more housing supply and fostering inclusive, equitable, and diverse communities.

2. Purpose of the Community Improvement Plan

The purpose of the CIP is to:

- Encourage the development of affordable and attainable housing options to support equitable, inclusive and diverse communities throughout the city.
- Facilitate new affordable housing that addresses the needs of priority groups identified through the Housing Needs Assessment.
- Facilitate the creation of new units in missing middle formats from additional dwelling units up to eight-storey apartments to broaden the mix of housing types in the city.
- Facilitate the creation of new residential units in proximity to rapid transit to support affordable, healthy transportation options including active transportation and public transit to keep household costs low.

Further to the purpose of the CIP, the City’s commitment through the federal Housing Accelerator Fund (HAF) is to facilitate at least 98 units by October 2026 (building permits issued) and 500 units over a 10-year period. Of the first 98 units, approximately 49 of this target should be affordable housing and 49 should be located within 1500 metres of rapid transit including the Kitchener GO station per Attachment A.

4. Basis for the CIP

Section 28 of the Planning Act allows municipalities to identify areas in need of revitalization and reinvestment by designating Community Improvement Project Areas (CIPA) and establishing Community Improvement Plans. Enabling policies in Kitchener's Official Plan, 2014, identifies that all lands within the municipal boundary of Kitchener are eligible to be designated as a CIPA, contingent upon meeting certain criteria (Official Plan Section 17.E.9.1). The policies enable the establishment of a CIP if the area satisfies one of more criteria as outlined in Section 17.E.9.2. This CIP addresses more than one of these criteria because:

- the city lacks the range of housing types and densities including insufficient affordable housing (Section 17.E.2.c) to meet the demand of current and future residents, particularly certain priority groups, as identified through the Housing Needs Assessment; and,
- there are opportunities for intensification and redevelopment of underutilized sites (Section 17.E.2.j) as identified through several analyses including the Missing Middle and Affordable Housing Study, and Enabling Four Units and Growing Together zoning changes to support a mix of housing typologies within certain zones.

The Official Plan recognizes that CIPs may be undertaken in conjunction with other orders of government. In this case, the CIP is undertaken with the initial support of the federal government through the Housing Accelerator Fund.

3. Community Improvement Project Area

The Missing Middle and Affordable Housing Community Improvement Plan applies to all lands situated within the City of Kitchener municipal boundary as supported by Official Plan Section 17.E.9.1. through the adoption of a by-law that identifies the Community Improvement Project Area (CIPA). The CIPA is adopted by by-law concurrent to adoption of this Plan. Amendments to its geographic boundaries to which this CIP applies will be administered through amendments to the enabling by-law establishing the CIPA.

4. Financial Incentive Programs

The CIP includes two incentive program streams to addressing barriers associated with two formats of missing middle housing:

1. **Additional Dwelling Units Grant**, offering full or partial grants to offset development charges for ADUs
2. **Missing Middle Affordable Housing Grant**, offering grants to cover upfront costs of developing affordable housing units in a missing middle housing form

including multiple dwellings and mixed-use buildings with a minimum of five units and a maximum of eight-storey built form.

Both grant programs focus on the upfront costs of advancing missing middle housing typologies, particularly affordable housing units as detailed in the following sections.

4.1 General Program Criteria

The following criteria apply to all grant programs in the CIP. Additional criteria specific to each grant will be further outlined in subsequent sections for each grant program.

Location: The subject property must be located within the designated CIPA which includes all lands within the municipal boundaries of the City of Kitchener.

Property Ownership: Eligibility is restricted to registered or assessed owners of private or public land and buildings, as well as those people or organizations who have legal authority from the property owner to construct the proposed dwelling units on the subject lands. Applicant and/or owners must not have any outstanding property tax arrears or other obligations to the City, or utility payment arrears related to the subject property at the time of application and throughout the duration of the financial incentive agreement.

Eligible Applicants: Eligible applicants generally include:

- Private developers or property owners;
- Non-profit housing organizations; and
- Housing co-operatives.

For equitable distribution of funds, the number of qualifying units or properties per applicant may be capped at the discretion of the General Manager of Development Services.

Affordable Housing Units: Affordable Housing Units approved for grant funding must meet the definition of Affordable Housing as defined by the City's Official Plan or most current Provincial Planning Statement for the minimum period of affordability defined by the applicable program stream. Affordable Housing Units must remain as rental units during the agreement period.

New units: Incentives may only apply to the creation of new dwelling units where building permits have been issued to create the units on or after the date of program launch. All proposed dwelling units must meet the definition of a dwelling unit per the Zoning By-law and meet applicable zoning regulations and the requirements of the

Ontario Building Code. Funded dwelling units must be used as dwelling units and may not be primarily used for short-term rental purposes.

Program priorities: Priority will be given to projects that achieve goals associated with funding the program from other orders of government. Initial funding for the CIP was through the federal government's Housing Accelerator Fund (HAF). To achieve the City's commitments through HAF, projects that meet one or more of the following criteria will be prioritized:

- Projects located within 1500 metres of rapid transit as delineated in Appendix A
- Projects that incorporate Affordable Housing Units
- Projects that have a plan to achieve building permit issuance by October 31, 2026

The programs may limit the number of units funded that do not align with one or more of these priorities.

Complete application: Applications for a financial incentive(s) in this CIP must be complete for the City to proceed to review. The complete application requirements will be outlined on the application form and will include a completed application form and may include supporting materials as required by the City, such as work plans, cost estimates and contracts, a concept plan and any additional information required at the discretion of the City to evaluate the proposal.

Compliance with bylaws: Projects must comply with the Ontario Building Code and all other relevant planning policies, by-laws and standards. The subject properties shall not be in a position of tax arrears, litigation or other debts with the City of Kitchener.

Legal Agreement: An agreement between the City and the owner, non-owner applicants who have received approval from the property owner to construct the project will be executed to the satisfaction of the City, for any of the incentives offered by the CIP and may incorporate the following:

- The agreement may be registered on title to the property (at the discretion of the City Solicitor).
- The agreement will indicate the required affordability period for qualifying affordable housing units. If commitments are not met for the affordability term, full or partial repayment of any grants, together with any applicable costs and interest may be required.
- The agreement may establish a deadline for building permit issuance for each eligible unit beyond which a project is no longer eligible to receive the approved grant funding.

Tenant Occupancy: Proof through a lease or other documentation may be required by the applicant to the City to demonstrate that affordable dwelling units that received

funding are occupied by a tenant for the term of any incentive offered by this Plan. The property owner will select the tenant household.

4.2. Additional Dwelling Units Grant

What it is: Grants to help offset **all or a portion of the cost of development charges** associated with building Additional Dwelling Units (ADUs).

Why it matters: This grant makes it easier and cheaper for property owners to add rental units, increasing housing supply, mix of unit types, and affordability in Kitchener's neighborhoods. Development charges were identified as a barrier to building additional dwelling units which has led to some property owners choosing not to proceed with as many ADUs (or none at all) despite enabling zoning regulations. It also supports affordability including lower energy costs and the CMHC design catalogue by incentivizing high energy performance and accessible designs.

4.2.1. Program Details

Additional Dwelling Unit grants help offset the total cost of development charges including applicable City, Region and education development charges per the following program details:

- Grants for the **first and second ADU** associated with a single detached dwelling, semi-detached dwelling or street fronting townhouse dwelling shall cover **100% of the cost of development charges for applicable educational DCs**.
- Grants for the **third ADU** associated with a single detached dwelling, semi-detached dwelling or street fronting townhouse dwelling:
 - **50% of City, Regional and educational DCs** as base incentive; or
 - **100% of City, Regional and educational DCs** for units that commit to providing one of the following:
 - a minimum of one Affordable Housing Unit for a prescribed affordability period (5 years); or
 - energy efficiency measures (a combination of two or more of the following that exceed the minimum requirements of the Ontario Building Code: heat pump, energy recovery ventilator (ERV), triple-pane windows, solar panels, and other innovative building systems that support efficiency to the satisfaction of the City); or
 - a minimum of one barrier-free unit (per specifications of the Ontario Building Code)
- Within the geographic boundaries of the CIPA, the amount of the grant may vary to cover 50% or 100% of the total development charges (per the program details above) within Suburban and Central areas as delineated in the City's Development Charges By-law, accounting for varying Development Charge rates.

4.2.2. Eligibility Criteria

In addition to Section 4.1, the following criteria also apply to the Additional Dwelling Units Grant Program:

- ADU formats include those permitted by the City's Zoning By-law including ADUs attached and detached.
- Qualifying ADUs may take the form of:
 - Adding new floor space to create one or more ADUs (attached or detached).
 - Converting an existing space (e.g., basement, garage, attic) to create one or more ADUs (attached or detached).
- Eligible projects may include up to three new ADUs associated with a single detached, semi-detached or street fronting townhouse dwelling unit.
- Eligible projects may include legalizing units that were previously established without required permits.
- Family members are eligible tenants.

4.3. Missing Middle Affordable Housing Grant

What it is: Grants of up to **\$25,000 per affordable unit to a maximum of \$500,000** to help offset the upfront costs associated with planning, designing and achieving approvals for affordable housing units in a missing middle format with a minimum of 5 units and a maximum of 8 storeys.

Why it matters: This grant makes it easier and cheaper for developers to add affordable housing units in a missing middle format, increasing mix of housing supply formats and affordability in neighborhoods. This grant focuses on priority groups that are identified to have the highest needs for affordable housing as reflected in Kitchener's housing needs assessment.

4.3.1. Program Details

Missing Middle Affordable Housing grants help offset the upfront cost of associated with planning, designing and achieving approvals for affordable housing units in a missing middle format per the following program details:

- Up to \$25,000 per Affordable Unit to a maximum of \$500,000 per project to offset the pre-construction planning, design and approvals costs for affordable housing in a missing middle format.
- Qualifying costs include the following and other similar costs:
 - Municipal and agency fees and charges (including applicable development charges),
 - Consultant service fees (such as planning, design, legal, property appraisal, environmental, engineering)

4.3.2. Eligibility Criteria

In addition to Section 4.1, the following criteria also apply to the Missing Middle Affordable Housing Grant Program:

- Projects must include a minimum of 5 dwelling units in either a multiple dwelling or a mixed-use building and have a maximum height of eight storeys, as defined by the City's zoning bylaw.
- With the exception of the Additional Dwelling Unit Grant, projects may concurrently qualify for this program and to other City incentives, however, eligible expenses may only be attributed to one City incentive program.
- Awarded projects must maintain Affordable Units for a minimum of 20 years from the date of first occupancy.
- Priority is given to special programs designed to relieve hardship or economic disadvantage by providing Affordable Units to one or more of the following key priority groups identified in the City's housing needs assessment:
 - Women and women led households
 - LGBTQ2S+
 - Seniors 65+
 - Young adults aged 18 to 29
 - Indigenous Peoples
 - Visible minorities/racialized people
 - Recent immigrants, especially refugees
 - People with physical health or mobility challenges or developmental disabilities
 - People with mental health and addictions issues
 - Veterans
 - People experiencing homelessness
- Priority will be given to projects that incorporate Affordable Units that are a minimum of two bedrooms in size and include a variety of unit sizes including three- and four-bedroom units which is a recognized need for key priority groups through the City's housing needs assessment.
- Funding will be distributed at key pre-construction project milestones including but not limited to complete application submissions and approvals and building permit issuance or fundraising milestones.

5. Program Administration

5.1. Administrative Roles and Responsibilities

- This CIP will be administered by the City's Planning and Housing Policy division in collaboration with Building, Finance, Legal, and other divisions as needed.
- An application form created by the City's Planning and Housing Policy division will be completed by applicants and submitted with applicable supporting documentation as identified in the application form.
- Applications will be reviewed and approved by the Director of Planning and Housing Policy or designate.
- The General Manager, Development Services, their designate, or their successor in title, is authorized to execute all agreements and other related documentation subject to the satisfaction of the City Solicitor which may be required to administer the CIP.
- The CIP program will be administered until all available funding has been awarded at which time it may be continued or discontinued based on available funding sources.

5.2. Implementation Period

The CIP is expected to be implemented over ten years, beginning in 2026 ending in December 2036. City Council may extend or shorten this period as needed, subject to an approved budget.

5.3. Financial Management

- The City may implement any of financial incentives outlined in this Plan during the implementation period, depending on the availability of City funds and/or other resources.
- For 2026 and 2027, HAF funding will be assigned to support the achievement of the City's HAF targets.
- Subject to assigning all allocated HAF funding, starting for the 2028 budget year, as part of the annual City budgeting exercise, a CIP budget will be identified for financial incentives that be put into effect for that year, if any, and the maximum value established for that period. Where available, funding from other orders of government may be used to supply this budget.
- In effort to ensure an equitable distribution of funding, the City may impose maximum unit caps per project or per applicant that is eligible for funding through the CIP, at the discretion of the General Manager, Development Services.
- Financial incentives may be accepted on a first-come, first-served basis until funding for that year is exhausted, strategic targets have been achieved, or at the discretion of the Director of Planning and Housing Policy. As an alternative approach, the Director of Planning and Housing Policy may set deadlines for

application submissions, with all applications evaluated according to that deadline considered program priorities.

- Funding for the CIP from other orders of government may also include restrictions on timing, level and advancement of funds, which may be imposed by the discretion of the General Manager, Development Services.

5.4. Payment

- If an approved project has not proceeded within one year of the financial incentive being approved, or per any CIP funding eligibility criteria from another order of government, the applicant will no longer be eligible. The City may grant discretionary extensions when justified, however, undue delay beyond an agreed timeframe may result in the grant or loan allocation being revoked.
- Actual costs for which the financial incentive has been provided may be subject to audit by the City or the City's approved consultant (at the applicant's cost).
- In the event of the sale, conveyance, transfer or entering into of any agreement of purchase and sale or other transfer of the title of the subject property by the owner, the City shall have absolute discretion to request the full repayment of any financial incentive.

5.5. Monitoring

- The CIP is monitored to track progress relative to achieving housing targets associated with goals of this Plan, addressing the key priorities of the City's ongoing housing needs assessments, and commitments through funding by other orders of government including the program's initial funding through the federal Housing Accelerator Fund.
- The effectiveness of the CIP will be reviewed and reported annually to Council based on established monitoring indicators.
- City staff may recommend incorporating additional program streams or other amendments to the program structure identified through monitoring.

5.6. Adjustments and Amendments to this Plan

5.6.1. Staff-level adjustments

- Minor and technical amendments, such as the correction of typographical errors, revisions to definitions and administrative details of specific programs, may be made by City staff with the approval of the City's General Manager of Development Services or their successor in title,
- Amendments that may be required by other orders of government funding programs may also be made by City staff with the approval of the City's Manager of Development Services or their successor in title.
- The City's General Manager of Development Services, their delegate or their successor is authorized to approve all City policies, applications, further eligibility

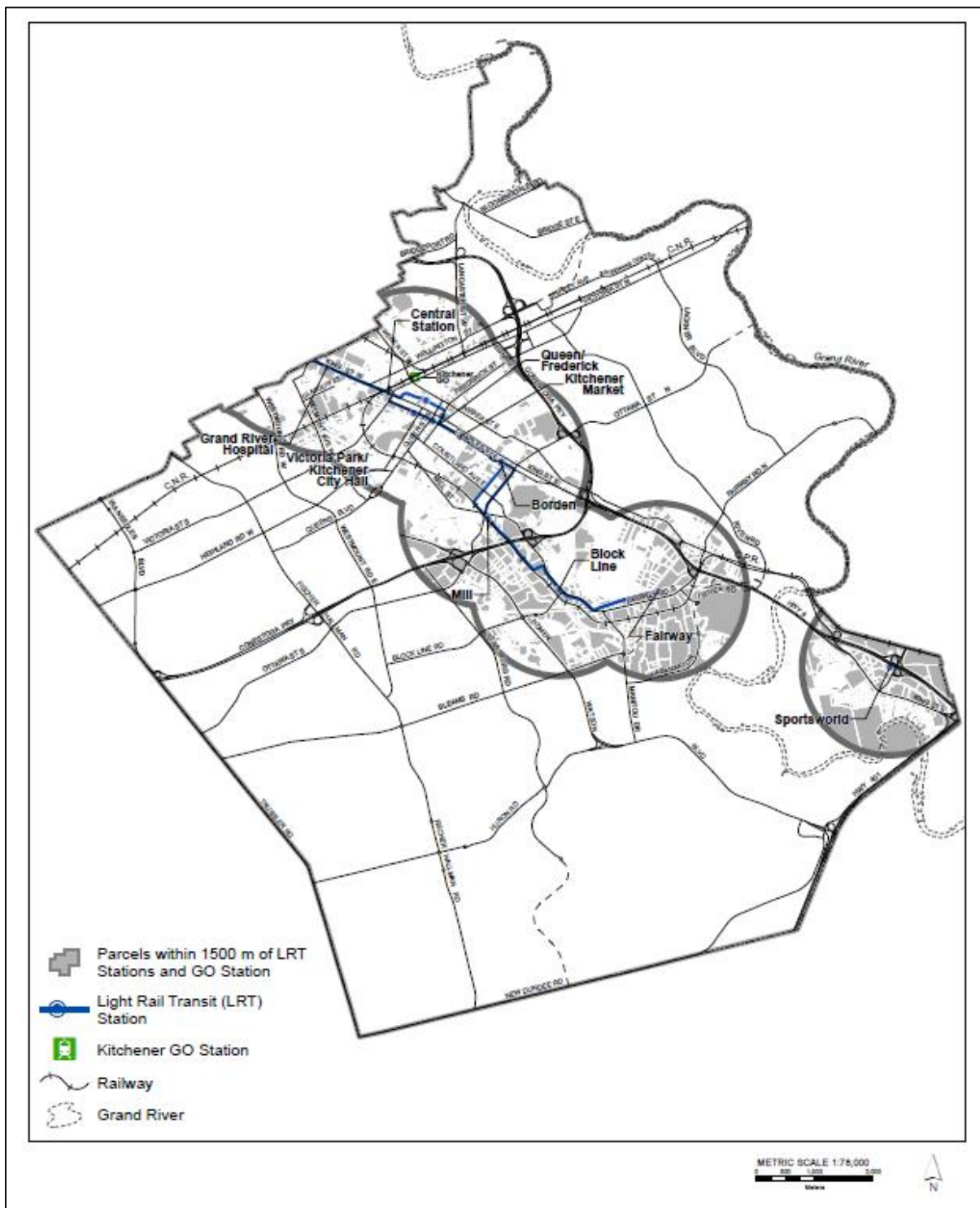
criteria, and documents required to fully implement the programs set out in this CIP.

5.6.2. Amendments requiring a Council decision

Formal amendments to this Plan or the CIPA are required in the following instances in accordance with the Planning Act which require passing of a bylaw to adopt such amendments:

- Modifications to the CIPA, as set out in the City-approved by-law;
- To introduce new financial incentives to the CIP that has not been adopted by a City-approved by-law;
- To make changes to the types of eligible projects or eligibility criteria for the program streams which have been adopted by a City-approved by-law with the exception of any additional criteria being added in accordance with section 5.6.1 above;
- To make changes to the value or calculation of grants as adopted by a City-approved by-law; and
- City Council may also discontinue any of the programs contained in this Plan without an amendment.

Attachment A. Priority Locations: Properties within 1500 metres of rapid transit including GO train service



NOTICE OF PUBLIC MEETING

Affordable Housing Community Improvement Plan



Have Your Voice Heard!

Planning & Strategic Initiatives Committee

To learn more, visit:
www.engagewr.ca/cip

Date: **December 1, 2025**

or contact:

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

Elyssa Pompa, Planner (Policy)
PlanningPM@kitchener.ca
519.741.2345

Go to **kitchener.ca/meetings** and select:

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



Kitchener is growing and more homes are needed to meet the needs of existing and future residents. In accordance with Section 28 of the Planning Act, the City of Kitchener will consider a by-law for all lands within the City's municipal boundary to introduce the Affordable Housing Community Improvement Plan (CIP). The CIP will help facilitate more housing that people with different incomes can afford. The CIP proposes grant programs to offset some of the upfront costs of constructing new "missing middle" dwelling units such as grants to offset the cost of development charges for additional dwelling units. This plan is supported by the federal Housing Accelerator Fund (HAF), which aims to increase housing supply and build inclusive, diverse communities.

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The City's commitment through this CIP is to facilitate at least 98 units (half of this target is for affordable units) by October 2026 and 500 units over a 10-year period.

Attachment D: Missing Middle and Affordable Housing Community Improvement Plan - Community Engagement

Comment Number	Idea	Comment	Notes/ Survey Question
1	DC Waivers for ADU's	Waiver of dc's, big boom of approvals when the exemption deadline came up. Easier than grants because grants come after the fact at a certain milestone. Region and/or School board included in waiving dc's?	
2	DC Waivers for ADU's	20 year affordable period is too long, consider 5/10 year period aligning with CMHC's program. Consider approval time expediting \$fee/development waivers. waive development charges completely, this would help move things forward faster (Toronto is doing this). Streamline designs for repetition/expedited approvals. Consider alternative parking designs? Tree management, takes time to move them. Can the City consider more density? Density bonusing >6 units. Value in free consultation with City Staff to figure out what needs to happen.	
3	DC Waivers for ADU's	I believe there's a lot we can work on together to deliver more affordable housing for our community. I'm currently working on a project that I'd like to share with you, it includes building two affordable units and providing housing for 14 refugee families. To make this possible, I'll need staff's guidance on parking requirements, as we touched on at the workshop. I'd love the opportunity to come to City Hall, walk you through the project, and work together on a solution.	
4	Grants to Developers for Affordable Housing	Please note and clarify if the program would cater to industrial conversions or only commercial/ office buildings? Timeline for full SPA is end of September. Timing of milestone funding/ release of payment could be helpful to the program. Development charges play a big role on cost overall- reduced rates or waivers would make payments more viable. Defer DCC on rental projects. \$1400 rent range for 450sq/ ft studio apartment which would make the \$1200 affordable rate for 2025 a little challenging to meet. Confirm if incentive would be granted per unit/ door or per sq/ ft number?	
5	DC Waivers for ADU's	Would recommend ADU dc grants but there's no scale to encourage this, someone will do this once and likely never do again. No retention of knowledge. Extremely administratively onerous for the city. Working with novices constantly. Politically it's on everyone's radar as a way to increase density. Might not give best bang for your buck. Tutorial or checklists for home owners. More efficient to work with repeat builders. Video or tutorial upfront for home owners of what they need to think about. Might encourage people to seek out experienced builders.	
6	DC Waivers for ADU's	General support for the program among those that we spoke to. Concern that the affordability level does not assist people living with fixed incomes including seniors (3 interactions). Homeowner living in a multi-generational triplex expressed an interest for adding another unit (can families living on the same property qualify?). Questions about whether funds may be available to support renovations to older apartments where landlords do not evict tenants (getting at renovations) (2 interactions – outside scope of current CIP). Questions about municipal acquisition of naturally occurring affordable housing to prevent rent increases. Concern that 'affordable' housing as per definition is not affordable to those who need it. Talked about the spectrum of affordability and that this is one component, but may not provide for deeply affordable housing.	Kitchener Market
7	DC Waivers for ADU's	Do you mean ADUs with affordable rent? Or financial assistance to help with the capital cost of building? It may not be feasible but I would suggest the City provide loans registered against the subject property, not exceeding 80% LTV of the property or 90% of the construction cost of the ADU, for example. Considering limitations municipalities have with respect to borrowing, consider facilitating loans through a bank or credit union. Access to capital for the property owner is the greatest restraint in building these small-scale developments, so helping to solve for that would unlock more units, which would help the City continue to receive HAF money.	How much financial assistance did you – or would you – need to build affordable ADUs on your property?

8	DC Waivers for ADU's	Waive DC completely would be the best policy. I have two projects I would begin designing and applying for if DCs were waived. Would add nine or ten units near downtown. If waiving DCs fully is untenable, waive until the twelfth unit is created, for example. The City and Region can direct the kind of development that may occur by doing so. Re detached ADUs specifically, grants can assist but, in reality, are likely to be small. If small, they are unlikely to incentivize much building. As a builder I would prefer loans that the rental income would pay down over time.	Please describe any ADU incentive programs in other municipalities you think Kitchener should consider. Some examples include: development charge (DC) waivers, green grants (for heat pumps, solar panels, etc.), municipal fee waiver, and grants to offset design and construction costs.
9	DC Waivers for ADU's	New build is more expensive to build, yes, but a reno of an existing building still costs a lot if following the OBC. Probably better not to discriminate between the two.	What are your thoughts on the incentive amount associated with a new build, compared to an internal renovation that creates additional units?
10	DC Waivers for ADU's	It costs a lot to build. And nearly all new builds or full renovations will be done to a standard that creates very livable, comfortable, and modern homes with nice finishes. The idea that these newly built units are the ones that should be designated as affordable has always been a bit odd to those of us who build and rent out properties. We need affordable places to live but shouldn't the affordable places be the units that haven't been updated in twenty or thirty years? Livable but not new and fresh. Having said that, I would certainly build and rent out affordable units if I was compensated dollar for dollar (or very close) for the missing income.	If you have any other questions or ideas as we consider incentives for affordable ADUs, please add them here.
11	DC Waivers for ADU's	Have done one such conversion. Obstacles are DCs -- going from zero res units to five or ten or more. Also, lack of clarity around HST applicability. I suspect a large office building would bring about many technical construction issues in the conversion to residential. Mine was a smaller building so more manageable in that sense.	What are some technical or process barriers that you have experienced -- or think you might experience -- in converting an office building to residential?
12	DC Waivers for ADU's	I am a for-profit, so renting all the units at affordable rates wouldn't make sense. I would likely develop within the MLI Select model and apply their prescribed percentage of units as affordable. Note also that their affordable metric appears different from yours. Theirs is 30% of median rent (\$1425). I believe I read that yours is less. I would advise using the same guidelines as CMHC, because in a project in which I am applying for a CMHC product I will be underwriting the project using their maximum affordable rent assumptions as that is what they and their financing partner would expect.	What are some technical or process barriers that you have experienced, or think you might experience, in renting some or all the units at affordable rates?
13	DC Waivers for ADU's	I suggest leniency with regard to bike parking; adjust to simply have the developer provide bike parking on site rather than a separate storage room (for smaller developments, under fifteen units or so). And car parking leniency is always appreciated. Developers typically want to have lots of parking as renting units that don't include parking proves very challenging. However, some sites just don't allow for as much parking as is prescribed.	
14	DC Waivers for ADU's	50 affordable units? I would say a non-profit builder would be better suited overall. But it may be possible to offer a program by which a for-profit developer partners with the City to make affordable units. I don't know the precise nature of the program. Remember that building activity is somewhat repressed now because it's hard to get the math to pencil on market-rent units. Getting the math to pencil on affordable units would be quite challenging. I suggest the sprinkling in of affordable units in for-profit developments can be done through grants or tax breaks or loans.	We are in a housing crisis, and the terms of this program state that we need to get moving quickly on building units (target is a minimum of 50 units by September 2026). What incentive program or combination of programs do you think might help us achieve this goal?
15	DC Waivers for ADU's	I don't believe there is any incentive available for building for accessibility in an ADU setting, unlike MLI Select, for example.	Please explain any constraints that deterred you from considering accessibility features.
16	DC Waivers for ADU's	waiving off development charges	How much financial assistance did you -- or would you -- need to build affordable ADUs on your property?

17	DC Waivers for ADU's	Development cost vs affordable rent, while providing return.	What are some technical or process barriers that you have experienced, or think you might experience, in renting some or all the units at affordable rates?
18	DC Waivers for ADU's	I have a different view than most. Assistance would come in the form of streamlined approval process, full collaboration between builder and municipality and financial assistance to tenant. How much? should be determined on a person by person basis - I have an idea on optimum success.	How much financial assistance did you – or would you – need to build affordable housing units as part of a multi-unit project (5+ units)?
19	DC Waivers for ADU's	Everything, plus an actual reality implementation.	What specific information would you need about this type of incentive program to consider participating?
20	DC Waivers for ADU's	We as an organization can do it, we need a true partner	We are in a housing crisis, and the terms of this program state that we need to get moving quickly on building units (target is a minimum of 50 units by September 2026). What incentive program or combination of programs do you think might help us achieve this goal?
21	DC Waivers for ADU's	None quit wasting taxpayers money lining developers pockets. Your current planning has created horrible conditions in older neighbourhoods city wide with no enforcement on rental properties whether they be legal or illegal. Perhaps it is time for actual bylaw enforcement to be proactive instead of waiting on residents complaints to react to obvious infractions which are driven by daily but ignored by a pathetic group of individuals.	How much financial assistance did you – or would you – need to build affordable ADUs on your property?
22	DC Waivers for ADU's	Do not provide any financial support just mandate them to build these desired units using charter rights on the developments. The law does allow governments to require the units. If the builders do not want to build them then put zoning regulations on the other properties owned by the developers.	What additional financial assistance did you – or would you – need to incorporate accessibility features that exceed the building code (like barrier free design) to support tenants who may need these features?
23	DC Waivers for ADU's	No financial assistance should be given. Taxpayers are tapped out having to supply monies for these ilconcieved programs brought forth by consultants who have ties to the developers.	What additional financial assistance did you – or would you – need to incorporate energy or water efficiency features that exceed the building code (like heat pumps) to keep utility costs affordable for tenants?
24	DC Waivers for ADU's	None. We already have a regional government bleeding the taxpayers dry one cut at a time, we certainly do not need another one doing the same.	Please describe any ADU incentive programs in other municipalities you think Kitchener should consider. Some examples include: development charge (DC) waivers, green grants (for heat pumps, solar panels, etc.), municipal fee waiver, and grants to offset design and construction costs.
25	DC Waivers for ADU's	Make the feds responsible for any programs, do not use civic employees and monies to appease the federal government, they created the problem let them administer and pay all costs involved. Liberals on the local councils need to send a strong message to their federal friends and stop the appeasement of their cousins and quit wasting local taxpayers money on frivolous programs costing even more later.	What are your thoughts on the incentive amount associated with a new build, compared to an internal renovation that creates additional units?

26	DC Waivers for ADU's	There should be no incentive program. Let the feds deal with all the costs and headaches. Don't provide any financial support or civic employees time. It is not a municipal responsibility to be an administrator for federal government since they do not fund the wages for city employees.	What specific information would you need about an incentive program for building ADUs to consider participating?
27	DC Waivers for ADU's	A complete and total ban on all duplexing of single detached homes. Your current planning has created horrible conditions in older neighbourhoods city wide with no solutions provided. With all the unkempt properties across the city it appears that the city has chosen to ignore and sweep the issue aside leaving taxpaying citizens holding the bag. Such incompetence by the bureaucracy does not need to be rewarded.	If you have any other questions or ideas as we consider incentives for affordable ADUs, please add them here.
28	DC Waivers for ADU's	Sue Conestoga college(UW & WLU) for the destruction of the neighbourhoods that their careless enrollment (GREED) has done to many areas of the region and make them financial responsible for the housing stock shortage.	We are in a housing crisis, and the terms of this program state that we need to get moving quickly on building units (target is a minimum of 50 units by September 2026). What incentive program or combination of programs do you think might help us achieve this goal?
29	DC Waivers for ADU's	30% of the project cost	How much financial assistance did you – or would you – need to build affordable ADUs on your property?
30	DC Waivers for ADU's	Limited additional cost	What additional financial assistance did you – or would you – need to incorporate accessibility features that exceed the building code (like barrier free design) to support tenants who may need these features?
31	DC Waivers for ADU's	50% of additional cost	What additional financial assistance did you – or would you – need to incorporate energy or water efficiency features that exceed the building code (like heat pumps) to keep utility costs affordable for tenants?
32	DC Waivers for ADU's	St Catharines ADU program, Heat Pump rebate, Development Charge waivers for ADUs	Please describe any ADU incentive programs in other municipalities you think Kitchener should consider. Some examples include: development charge (DC) waivers, green grants (for heat pumps, solar panels, etc.), municipal fee waiver, and grants to offset design and construction costs.
33	DC Waivers for ADU's	Incentive amount should be greater on a new build because costs are higher	What are your thoughts on the incentive amount associated with a new build, compared to an internal renovation that creates additional units?
34	DC Waivers for ADU's	A clear checklist of requirements to qualify	What specific information would you need about an incentive program for building ADUs to consider participating?

35	DC Waivers for ADU's	ADUs will help you in-fill this the fastest	We are in a housing crisis, and the terms of this program state that we need to get moving quickly on building units (target is a minimum of 50 units by September 2026). What incentive program or combination of programs do you think might help us achieve this goal?
36	Office to Residential Construction Grant	The process of converting an office building to residential is very challenging and costly. Typically without some assistance and grants (DCs, Parkland Dedication, and a cash incentives) it is not likely that you will be able to achieve numbers required to get financing.	
37	DC Waivers for ADU's	This would vary depending on the existing building conditions.	What additional financial assistance did you – or would you – need to incorporate accessibility features that exceed the building code (like barrier free design) to support tenants who may need these features?
38	Grants to Developers for Affordable Housing	Some sort of financial grant would be helpful, especially for projects that still have a commercial component over 30% (example 3 storey building where you are only converting 2nd and 3rd floors) these projects do not qualify for CMHC MLI Select financing which makes it even more challenging to make a project work.	What additional financial assistance did you – or would you – need to incorporate energy or water efficiency features that exceed the building code (like heat pumps) to keep utility costs affordable for tenants?
39	DC Waivers for ADU's	Adequet financial incentive to be able to achieve financing on the project as well as clearly defined terms , and making it easy to apply and process the incentives.	What specific information would you need about an office to residential incentive program to consider participating?
40	DC Waivers for ADU's	with uncertainty on market rents and with development costs where they are it is hard enough to make sense of a development at market rates let alone affordably rates.	What are some technical or process barriers that you have experienced, or think you might experience, in renting some or all the units at affordable rates?
41	DC Waivers for ADU's	Clarity on the terms and making it easy to apply and process	What specific information would you need about this type of incentive program to consider participating?
42	DC Waivers for ADU's	I believe Waiving DCs and Parkland fees would help a lot for development for units with market rents. For units to be affordable additional incentives to offset the costs developers face should be considered.	We are in a housing crisis, and the terms of this program state that we need to get moving quickly on building units (target is a minimum of 50 units by September 2026). What incentive program or combination of programs do you think might help us achieve this goal?
43	DC Waivers for ADU's	At minimum, I would need to have the utilities paid (i.e. hydro upgrades, wastewater and water tie-ins).	How much financial assistance did you – or would you – need to build affordable ADUs on your property?
44	DC Waivers for ADU's	I wouldn't need additional funds for these items.	What additional financial assistance did you – or would you – need to incorporate accessibility features that exceed the building code (like barrier free design) to support tenants who may need these features?

45	DC Waivers for ADU's	I think new build accessory units pose unique challenges, and require unique incentives.	What are your thoughts on the incentive amount associated with a new build, compared to an internal renovation that creates additional units?
46	DC Waivers for ADU's	A cost breakdown of what grants are available would be great.	What specific information would you need about an incentive program for building ADUs to consider participating?
47	DC Waivers for ADU's	I think the parking requirements for ADUs should be reconsidered. Specifically, I don't think parking spaces should be a prerequisite. There are plenty of tenants who don't require parking, so mandating this is keeping supply artificially low.	If you have any other questions or ideas as we consider incentives for affordable ADUs, please add them here.
48	DC Waivers for ADU's	Two requests. Please provide grants to cover the utility costs associated with ADUs. And please remove the requirement for a parking space.	We are in a housing crisis, and the terms of this program state that we need to get moving quickly on building units (target is a minimum of 50 units by September 2026). What incentive program or combination of programs do you think might help us achieve this goal?
49	Grants to Developers for Affordable Housing	Don't know if developers could commit to get projects going because of other market factors . 1-2 large projects would help meet the 2026 target. Could a percentage of condos owned by the developer become rentals and qualify for CIP?	
50	Grants to Developers for Affordable Housing	Many condo projects have been converted to rental. Purpose built rental, unsure of meeting affordable thresholds. Can we provide city numbers. Construction grants and dc waivers are preferred. DC's have killed them in the past. Dc deferral to occupancy under the province has helped. Municipalities have waived interest in the past. Are we waiving municipal? Regional? Education dc's don't often get deferred.	
51	Grants to Developers for Affordable Housing	Inclusionary zoning issues, cost to take market value of condo to affordable is a huge capital cost. More in favour of transferring to tap into other grants/incentives. When putting some units in a market rate housing project you don't get to be considered an affordable housing project. If you can concentrate into one building then you get CMHC financing and dc's aren't an issue (Bill 23). Just as cost effective to do a full building of affordable. Timing of funding is helpful, money at beginning before CMHC is triggered. Risk of putting in money early but it helps get the project going. CMHC starts funding month after project starts. Lower barriers and faster approvals is better. How can we evaluate the financial feasibility of projects? If CMHC has approved then it will more than likely go to construction. 4 million could go into one project or we can spread the risk. Need projects in the cue now in order to go in September. Clear definitions on what is affordable, use pre-existing definition used by for profit developers. Politically some may consider it not affordable enough. For profit/land speculators, lot of people hoping to sell land to someone who will build. Can see people taking advantage waiting for markets to turn. Don't know how the city would avoid paying interest for other people to hold onto land. How would the city evaluate if they are going to power of sale. Partnerships? For profits have expertise to build and manage a property.	

52	Office to Residential Construction Grant	Clients on development side leaning towards office to res and for profit (homeowner conversations better for ADU option). More opportunity for more units for office to res and for profit developers. Haven't heard any interest in office to res, issues with layout. Central core, depth to exterior walls if different than residential units. To get appropriate lighting and openings the floor plans are difficult to execute. Residential developers prefer to start fresh. Prioritize projects that the city already has in the pipe line	
53	Office to Residential Construction Grant	No experience with office to residential, but would be more than 10-20 thousand per unit. Calgary has put a lot of money in up front per door. Cost of converting to office would have to be as profitable as a new build (Duke Street example)	
54	Office to Residential Construction Grant	Office is struggling, looked at assets to convert to res. Looking at efficiency of building/ layout. Demand and cost comes into play. DTK market doesn't make sense for them to convert today. Many vacant condos that they're competing with. New condo vs older converted offices. Numbers don't make sense today, potentially one building down the road if the finances work out. No timeline for conversion at this time but could look at in the future.	
55	Grants to Developers for Affordable Housing	A Church looking at options for someone to take over the site including affordability options. Falls within church mandate to create affordable/ supportive housing. pportunity to convert but want to know more about the guidelines of the CIP project. They would partner because they are not set up to be a rental company. Doesn't know if \$10,000 per unit would be sufficient. Project is around the \$400,000 mark for one bedroom units right now. DC's are a big part of the selling price, including school board fees. Some projects are on hold waiting for potential HST relief from the province.	

REPORT TO: Planning and Strategic Initiatives Committee

DATE OF MEETING: December 1, 2025

SUBMITTED BY: Rosa Bustamante, Director of Planning and Housing Policy / City Planner, 519-783-8929
Garett Stevenson, Director of Development and Housing Approvals, 519-783-8922

PREPARED BY: Rosa Bustamante, Director of Planning and Housing Policy / City Planner, 519-783-8929
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Janine Oosterveld, Manager Customer Experience & Project Management, 519-783-8942
Garett Stevenson, Director of Development and Housing Approvals, 519-783-8922

WARD(S) INVOLVED: All

DATE OF REPORT: November 12, 2025

REPORT NO.: DSD-2025-470

SUBJECT: Quarterly Report (Q4) - Planning and Housing Policy Division & Development and Housing Approvals Division - Significant Planning Applications, Policy Projects, Affordable Housing Projects, and Housing Pledge Update

RECOMMENDATION:
For information.

REPORT HIGHLIGHTS:

- The purpose of this report is to provide an update on significant development applications, policy projects, affordable housing projects and significant projects to streamline and remove barriers as well as the City's housing pledge update. Not all work that is currently being undertaken by the Planning and Housing Policy, and Development and Housing Approvals Divisions is captured in this report, rather a snapshot of significant work is captured.
- Planning staff provide a quarterly update report every March, June, September, and December of each year of all current significant development applications. It is important to be providing greater transparency on significant development applications with the community and Council.
- The key findings of this report include:
 - Since signing the Housing Pledge in March 2023, Kitchener Council has approved Official Plan Amendment and/or Zoning By-law Amendment applications for projects which propose 16,150 dwelling units (46.1% of housing pledge), Planning staff have issued final site plan approval for 5,467 dwelling units and building staff have issued building permits for 7,735 dwelling units.
 - Six initiatives associated with the Housing Accelerator Fund (HAF) have received a Council decision: Growing Together West and Growing Together East, Inclusionary Zoning, Enabling 4 Units, the Affordable Rental and Co-op Housing Incentives Pilot

Program, and endorsement of the land transaction to donate a City-owned parcel at River Road and Ottawa Street North for affordable owner-occupied units. The City has also acquired land in the downtown to construct a mixed-use site with a fire station and a residential component. In June, 2025, the City completed a Housing Needs Assessment which is one of the HAF initiatives and a requirement of the HAF program. The remaining initiatives are underway with various milestones anticipated over the coming months. The City is currently developing a Missing Middle and Affordable Housing Community Improvement Plan that will bring a range of affordable and missing-middle housing types to the housing market by surmounting the financial barriers that stand in the way of financial feasibility.

- The Affordable Rental and Co-op Housing Incentives Pilot Program has awarded \$2.06 million in funding among eight projects to date.
- Extensive work continues to streamline development approvals, meet provincially mandated timelines and support excellent customer service with the current priority as site plan folder updates and preparation for the public portal.
- There are no financial implications with this report.
- Community engagement is undertaken for each development application and project, which varies for each.
- This report supports the delivery of core services.

REPORT:

Since December of 2021, Planning staff have provided a quarterly update report every March, June, September, and December of all current significant development applications. This report, and future quarterly reports, include the following:

- Progress and next steps for Kitchener's Housing Accelerator Fund initiatives;
- Progress and next steps for major planning policy projects;
- A summary of development applications that include affordable housing;
- Updates on significant initiatives to remove barriers and streamline processes to support the development of housing;
- Housing Pledge reporting - Development application data required to be reported under a new Provincial regulation – Ontario Regulation 73/23 – Municipal Planning Data Reporting.

It is important to be providing greater transparency on significant development applications with the community and Council. Attached to this report, the Significant Planning Applications Quarterly Report provides a summary of the current Planning applications under review at the time of the preparation of this report (Attachment A).

The current significant development applications section includes Subdivision, Official Plan Amendment, and Zoning By-law Amendments that have not received final approval. These are the bulk of the applications that Planning staff consult with the community on an application specific basis. Significant development applications include property specific proposals as well as new greenfield communities (subdivisions). Additional details on the development applications can be found using the online mapping tool available at www.kitchener.ca/planningapplications.

Kitchener's Housing Accelerator Fund Initiatives

In November 2023 Kitchener was awarded \$42.4 million, payable in 4 annual installments, as part of the Federal government's Housing Accelerator Fund to help deliver more affordable housing in our community. An additional initiative was approved by the Federal Government in March 2025 awarding Kitchener an additional \$4.24 million.

Ten action plan initiatives are part of Kitchener's Housing Accelerator Fund and they include the delivery of:

- Growing Together West: planning framework updates in Kitchener's western protected major transit station areas;
- Growing Together East: planning framework updates in Kitchener's eastern protected major transit station areas;
- Growing Together West Inclusionary Zoning;
- Affordable Housing Construction Offset on City-Owned Lands Incentive
- Not-for-Profit Affordable Rental and Co-op Housing Incentive Pilot;
- Enabling 4 Units – additional dwelling unit implementation;
- Strategic land acquisition and supporting infrastructure;
- A climate adaptation plan as an input into Kitchener's new Official Plan;
- A housing needs assessment; and,
- Missing Middle and Affordable Housing Community Improvement Plan

Attachment B provides a description of each initiative, status, next steps and target completion.

Major Planning Projects

There are currently 10 planning projects underway or that have been recently completed spanning a wide range of topics. These include:

- High Performance Development Standards
- Housing for All implementation / Housing for All 2.0
- Kitchener 2051 - New Official Plan
- Review of Provincial legislation, policies and plans
- Tree Conservation Tools Review
- Urban Design Manual Review
- Growing Together (Major Transit Station Area) Planning Framework review – East MTSAs
- Inclusionary Zoning
- Dundee Secondary Plan

Attachment C provides a description of each project, status, next steps, and target completion.

Development Applications – Affordable Housing

With a strong focus on the housing crisis, this report also includes a summary of the 2025 current projects that include affordable housing, that are either under review, have received approvals this year to start construction or are under construction. To address provincial directives, streamline development approvals and support excellent customer service, the report also provides an update on significant process improvements underway in 2025 (Attachment D).

Housing Pledge Reporting

As part of the More Homes for Everyone Act, 2022 (Bill 109), the Planning Act was amended to give the Minister of Municipal Affairs and Housing the authority to require municipalities to report information on planning matters (Section 64). On April 6 2023, the Province implemented [Ontario Regulation 73/23 - Municipal Planning Data Reporting](#) requiring Ontario's largest and fastest-growing municipalities, which includes the City of Kitchener, to report development application information on a quarterly basis (as per Schedule 2 of the regulation) and additional information on an annual basis (as per Schedule 3 of the regulation). In January 2025, the province amended Ontario Regulation 73/23 introducing new reporting requirements, including a new quarterly summary report (as per Schedule 4 of the regulation) which is required to be posted and maintained on a municipality's website for five years.

The City's quarterly report data includes the following development application types:

- Official Plan Amendments,
- Zoning By-law Amendments,

- Site Plan Applications,
- Minor Variances,
- Land Severances (Consents),
- Plan of Subdivisions,
- Plan of Condominiums,
- Community Infrastructure and Housing Accelerator Orders, and
- Minister's Zoning Orders

The report data must include the following:

- application identifiers (application ID and address);
- application details, as applicable (date application submitted, date application deemed complete, application status, date of withdrawal, date of decision, date of adoption/passing, date of registration, number of suggested future residential units/lots);
- heritage information for the subject property as applicable (listed under section 27 (3) of the Ontario Heritage Act, designated to be of cultural heritage value or interest, subject to easement or covenant under Section 37 of the Ontario Heritage Act, within a heritage conservation district area); and,
- appeal information if applicable (third party appeal, type of appeal, date of appeal, date of appeal decision).

The data gathered by the Province is being used to measure progress towards various Housing Supply Action Plan commitments and will also provide the information needed to support informed, evidence-based decisions around housing and planning policy. The regulation also complements the Province's initiative of developing standards and achieving consistency for exchange of data required for development applications.

The City of Kitchener has submitted quarterly development application data to the Province since June 2023. The Q3 2025 quarterly planning data report to the Province is attached to this report (Attachment E).

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.

COMMUNITY ENGAGEMENT:

INFORM – This report has been posted to the City's website with the agenda in advance of the Council / Committee meeting.

CONSULT – Significant development application specific engagements are undertaken for Official Plan Amendment, Zoning By-law, and Subdivision applications. Engagement includes mailing postcards to property owners and occupants of all buildings within 240 metres of the subject lands, publishing a newspaper notice when the application is first circulated and when the statutory public meeting is scheduled, as well as informal community meetings including Neighbourhood Meetings and/or site walks. A large plain language sign is also posted on the property.

For planning policy projects, community engagement plans are developed and implemented to ensure fulsome, tailored engagement occurs early and throughout each project at a level commensurate with the scope of the project.

PREVIOUS REPORTS/AUTHORITIES:

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

APPROVED BY: Justin Readman – General Manager, Development Services

ATTACHMENTS:

- Attachment A – Significant Planning Applications Quarterly Report (Q4 2025)
- Attachment B – Housing Accelerator Fund Projects (Q4 2025)
- Attachment C – Significant Planning Projects (Q4 2025)
- Attachment D – Affordable Housing and Significant Streamlining Projects (Q4 2025)
- Attachment E – Provincial O.Reg 73/23 Q3 2025 Quarterly Planning Data Report

Current Significant Development Applications**Subdivision (SA), Official Plan Amendment (OPA), Zoning By-law Amendment (ZBA)****WARD 1****26 STANLEY AVENUE & 31 SCHWEITZER STREET**[Click here for more information](#)

Proposal: A Draft Plan of Vacant Land Condominium to develop the vacant lands containing 62 semi-detached and 51 townhouse dwelling units. Each dwelling unit area will have a garage and driveway and there are 47 surface visitor parking spaces. Surface parking, amenity area, and private roadway comprise the common element areas.

File Number: 30CDM-24215	Description: A vacant land plan of condominium consisting of semi-detached and townhouse dwellings.
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Application Type: CD	Status: This application has been circulated and Planning staff are accepting and reviewing comments.
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File Number: ZBA21/19/S/BB	Description: To rezone the lands from R-4 and R-5 in By-law 85-1 to RES-5 in By-law 2019-051.
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Application Type: ZBA	Status: This application has been circulated and Planning staff are accepting and reviewing comments.
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Staff Contact: Brian Bateman	Neighbourhood Meeting Date: May 31, 2022. October 15, 2024
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Owner: Newo Holdings Limited	Applicant: GSP Group Inc.
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Update Since Last Quarterly Report: The subdivision application was withdrawn and a vacant land plan of condominium is now proposed. A second Neighbourhood Meeting was held on October 15, 2024 outlining the revised proposal. Planning Staff and the Applicant are considering input provided at the Neighbourhood Meeting.

1014 VICTORIA ST N[Click here for more information](#)

Proposal: The existing building (former Home Hardware) is proposed to be modified to accommodate a funeral home and crematorium use.

File Number: ZBA25/012/V/ES	Description: A zoning by-law amendment is proposed to add the crematorium as a permitted use.
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Application Type: ZBA	Status: This application has been circulated and Planning staff are accepting and reviewing comments.
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Staff Contact: Eric Schneider	Neighbourhood Meeting Date: TBD
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Owner: Erb & Good Family Funeral Home Limited	Applicant: MHBC PLANNING LTD
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Update Since Last Quarterly Report: This application has been circulated and Planning staff are accepting and reviewing comments.

WARD 1 – NEW APPLICATION

7 WIMBLETON CRES

[Click here for more information](#)

Proposal: A semi-detached building with two units per side (one attached accessory dwelling units per side).

File Number: ZBA25/026/W/EW	Description: A Zoning By-law Amendment is proposed to rezone the property to a low rise residential zone that permits semi-detached dwellings.
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Application Type: ZBA	Status: This application has been circulated and Planning staff are accepting and reviewing comments. A neighbourhood meeting is scheduled on November 25, 2015.
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Staff Contact: Evan Whittmann	Neighbourhood Meeting Date: November 25, 2015
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Owner: Christopher Haliburton	Applicant: UP Consulting
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Update Since Last Quarterly Report: A neighbourhood information meeting is scheduled for November 25, 2015. This application has been circulated and Planning staff are accepting and reviewing comments.

WARD 3

808 & 836 COURTLAND AVE E

[Click here for more information](#)

Proposal: 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 contains commercial uses (532.1m²). 509 parking spaces and 733 bicycle parking spaces are proposed.

File Number: OPA24/011/C/AP	Description: The Official Plan Amendment is proposing the change the land use designation from Commercial and General Industrial Employment to High Density Residential with a Site Specific Policy to permit a Floor Space Ratio of 7.0.
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Application Type: OPA	Status: This application has been circulated and Planning staff are accepting and reviewing comments.
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File Number: ZBA24/023/C/AP	Description: The Zoning By-law Amendment proposes to change the zoning from C-6, 1R, 73R, 76U & M-2, 29R (By-law 85-1) to RES-7 with a Site Specific Provision to permit restaurant and retail use, reduce certain setbacks, allow a Floor Space Ratio of 7.0, increase the maximum building height to 102.6 metres / 30 storeys, and add certain design-related regulations (By-law 2019-051).
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Application Type: ZBA	Status: This application has been circulated and Planning staff are accepting and reviewing comments.
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Staff Contact: Eric Schneider	Neighbourhood Meeting Date: October 23, 2024
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Owner: 808 Courtland GP Inc.	Applicant: Zehr Group
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Update Since Last Quarterly Report: This application has been circulated and Planning staff are resolving comments with the Ministry of Transportation related to transportation.

WARD 4

1388 NEW DUNDEE RD

[Click here for more information](#)

Proposal: The proposal is to increase the maximum permitted density of the subject lands through a site-specific Official Plan Amendment and Zoning Bylaw Amendment. The requests specifically apply to maximum height and floor space ratio permissions. The amendments apply to 12 parcels of land within the Stauffer Woods/Harvest Park subdivision (30T-08203).

File Number: OPA25/002/N/ES	Description: To change the land use designated to Medium Rise Residential for Stage 4, Block 95; Stage 5, Block 12; Stage 6, Block 4; Stage 6, Block 5; Stage 9, Block 14; Stage 9, Block 15; and Stage 9, Block 17. To permit a maximum FSR of 2.5 and a maximum height of 10 storeys or 32 metres for Block 5, Stage 6. To permit a maximum floor space ratio of 4.0, a maximum building height of 68 metres for Stage 10, Block 1 and 2. To permit educational establishments to be permitted in accordance with Section 15.D.7 for Stage 8, Block 2.
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Application Type: OPA	Status: This application has been circulated and Planning staff are accepting and reviewing comments.
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File Number: ZBA25/005/N/ES	Description: To amend Site-specific provisions established through the original zoning to be applicable to the RES-6 zone and the uses permitted within the RES-6 zone. To amend the zoning of Stage 6, Block 5 from RES-5 to RES-6 site-specific provisions to permit an FSR of 2.5 and a height of 10-storeys. To amend the zoning of Stage 9, Block 16 by adding new site-specific provisions to permit an FSR of 1.0. To amend the zoning of Stage 10, Blocks 1 and 2 only by adding site-specific provisions to permit a maximum FSR of 4.0, a maximum height of 68 metres or 22-storeys, and establish a minimum non-residential gross floor area proportionate to the number of dwelling units provided. This minimum rate would be calculated as 1 square metre of non-residential gross floor area per multiple dwelling unit where fewer than 1,000 multiple dwelling units are proposed, and 2 square metres of non-residential gross floor area per multiple dwelling unit where 1,000 or more multiple dwelling units are proposed. The existing maximum gross floor area of 3,250 square metres would remain. To amend the zoning of Stage 8, Block to add site-specific provision to permit Daycare Facilities, and Elementary Schools.
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In August 2025, a requested was received to amend Zoning Bylaw Amendment Application ZBA25/005/N/ES to seek permissions in Stage 6 to permit a maximum of six (6) attached dwelling units (street townhouse dwellings) for Block 1 (four blocks of six units, 24 units total), Bock 2 (two blocks of six units, one block of five units, and one block of four units, 21 units total), and Block 3 (two blocks of six units and one block of four units, 16 units total). The request also proposed a reduced exterior lot width for street townhouse dwellings of 8.1 metres, rather than 10.0 metres.

Application Type: ZBA	Status: This application has been circulated and Planning staff are accepting and reviewing comments.
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Staff Contact: Eric Schneider	Neighbourhood Meeting Date: April 16, 2025
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Owner: Activa Holdings Inc.	Applicant: MHBC PLANNING LTD
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Update Since Last Quarterly Report: This is a new application and is under review. Detailed engineering review is ongoing to determined servicing implications of the proposed amendments.

WARD 5

ROCKCLIFFE DR (FREURE SOUTH) Click here for more information	
Proposal: A new community with 471 new residential units including single detached, street townhouses & multiple dwellings. Parkland open space & stormwater management facilities are also proposed.	
File Number: OP16/001/R/KA	Description: To change the designation of the easterly portion of land to high rise residential, designate a future park area as open space, and to adjust the limits of wooded areas designated as open space.
Application Type: OPA	Status: This application has been circulated and Planning staff are accepting and reviewing comments.
File Number: ZC16/009/R/KA	Description: To change the zoning from Restricted Business Park (B-2) to residential and natural heritage conservation zones.
Application Type: ZBA	Status: This application has been circulated and Planning staff are accepting and reviewing comments.
File Number: 30T-16201	Description: The plan of subdivision includes single detached, street townhouses & multiple dwellings along with parkland open space & stormwater management facilities.
Application Type: SA	Status: This application has been circulated and Planning staff are accepting and reviewing comments.
Staff Contact: Katie Anderl	Neighbourhood Meeting Date: TBD
Owner: FREURE DEVELOPMENTS LIMITED	Applicant: MHBC PLANNING LTD
Update Since Last Quarterly Report: No update. Archeological assessment work continues.	

1340 FISCHER HALLMAN ROAD[Click here for more information](#)**Proposal:** The proposal is to develop the lands with a mixed-use development consisting of office, commercial and multiple residential uses.

File Number: OPA25/003/F/TS Description: To amend the Official Plan to permit an increase in maximum height to 22 storeys.

Application Type: OPA Status: This application has been circulated and Planning staff are accepting and reviewing comments.

File Number: ZBA25/006/F/TS Description: Amendments to the Zoning By-law are proposed to change the zoning from 'Restricted Business Park Zone' (B-2) with Special Use Provision 221U, to 'Mixed Use Three' (MIX-3), 'Medium Rise Residential Six Zone' (RES-6), 'Recreation' (OSR-1) and 'Open Space: Stormwater Management' (OSR-3).

Application Type: ZBA Status: This application has been circulated and Planning staff are accepting and reviewing comments.

File Number: 30T-25201 Description: The proposal is to develop the lands with a mixed-use development consisting of office, commercial and multiple residential uses. The following blocks are proposed within the Subdivision:
Block 1 – Multiple Residential (3.244 ha) – 194-648 units
Block 2 – Mixed Use (1.367 ha) – 136-546 Units
Block 3 – Mixed Use (1.624 ha) – 162-649 Units
Block 4 – Mixed Use (1.729 ha) – 172-691 Units
Block 5 – Mixed Use (0.450 ha) – 45-180 Units
Block 6 – Park (0.662 ha)
Block 7 – Stormwater Management Facility (1.254 ha)
Block 8 – Open Space (0.050 ha)
Block 9 – 0.3m Reserve (0.002 ha)

Application Type: SA Status: This application has been circulated and Planning staff are accepting and reviewing comments.

Staff Contact: Tim Seyler Neighbourhood Meeting Date: April 23, 2025

Owner: Activa Holdings Inc. Applicant: MHBC PLANNING LTD

Update Since Last Quarterly Report: This is a new application and is under review.

WARD 5 NEW APPLICATION

1801-2091 BLEAMS RD & 161 GEHL PL

[Click here for more information](#)

Proposal: A subdivision modification is proposed to add the lands municipally addressed as 2091 Bleams Road into the surrounding, draft approved plan of subdivision.

File Number: ZC16/009/R/KA	Description: A Zoning By-law Amendment is proposed to rezone 2091 Bleams Road to a low rise, residential zone to incorporate into the subdivision. The Zoning By-law Amendment also proposes site-specific provisions to the draft approved plan of subdivision.
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Application Type: ZBA	Status: This application has been circulated and Planning staff are accepting and reviewing comments. A neighbourhood meeting is scheduled for December 2, 2025.
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Staff Contact: Evan Wittmann	Neighbourhood Meeting Date: December 2, 2025
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Owner: KITCHENER GREEN 2 DEVELOPMENTS INC (MATTAMY HOMES)	Applicant: SGL PLANNING & DESIGN INC.
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Update Since Last Quarterly Report: This application has been circulated and Planning staff are accepting and reviewing comments. A neighbourhood meeting is scheduled for December 2, 2025.

WARD 9

50 BORDEN AVE S

[Click here for more information](#)

Proposal: a mixed-use development consisting of two towers (57 storeys and 51 storeys in height) having 1,224 dwelling units and 7,240 m2 of commercial and institutional space.

File Number: OPA23/004/B/KA	Description: Site-specific regulations propose a Floor Space Ratio (FSR) of 16.1, a reduced rear yard setback, and a parking reduction to permit 618 parking spaces
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Application Type: OPA	Status: This application has been circulated and Planning staff are accepting and reviewing comments.
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File Number: ZBA22/008/B/KA	Description: Site-specific regulations propose a Floor Space Ratio (FSR) of 16.1, a reduced rear yard setback, and a parking reduction to permit 618 parking spaces
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Application Type: ZBA	Status: This application has been circulated and Planning staff are accepting and reviewing comments.
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Staff Contact: Katie Anderl	Neighbourhood Meeting Date: June 6, 2023
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Owner: Woodhouse Investments Inc	Applicant: IBI Group
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Update Since Last Quarterly Report: No update. This application has been circulated and Planning staff are accepting and reviewing comments.

WARD 10

20 VICTORIA MARIE COURT (VICTORIA COMMON)

[Click here for more information](#)

Proposal: The final phase of the 'Victoria Common' development, consisting of 3 towers, with building heights of 21, 33, and 35 storeys (maximum 110m). The proposal would add approximately 1,151 dwelling units, ranging from studios to 3-bedroom units. A Floor Space Ratio of 5.21 is proposed for the subject lands, which would result in 2.0 FSR for the overall development. An outdoor, linear amenity space of approximately 1,737m² is proposed, along with 1,747m² of indoor amenity space across the subject lands. Predominantly underground parking is proposed.

File Number: OPA25/001/V/AP	Description: To amend the existing Specific Policy Area that applies to the subject lands.
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Application Type: OPA	Status: This application has been circulated and Planning staff are accepting and reviewing comments.
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File Number:	Description: To amend the existing Site Specific Provision that applies to the subject lands
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Application Type: ZBA	Status: This application has been circulated and Planning staff are accepting and reviewing comments.
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Staff Contact: Andrew Pinnell	Neighbourhood Meeting Date: March 25, 2025
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Owner: i2 Developments (Victoria Common) Inc.	Applicant: MHBC PLANNING LTD
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Update Since Last Quarterly Report: A neighbourhood information meeting was held on March 25, 2025. A revised submission is anticipated and a second neighbourhood information meeting to be held prior to Council consideration of the this application.

5 HILL STREET

[Click here for more information](#)

Proposal: The Proposed Development consists of nine multiple residential buildings with an overall proposed unit count of 2,612 residential units. The development proposes 264 square metres of commercial space, and 2,403 parking spaces.

File Number: OPA25/007/H/TS	Description: The Application seeks a site-specific Official Plan Amendment to redesignate the Site to High Rise Residential with a Site-Specific Policy to permit a maximum Floor Spare Ratio of 6.1.
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Application Type: OPA	Status: This application has been circulated and Planning staff are accepting and reviewing comments.
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File Number: ZBA25/015/H/TS	Description: The Application seeks a Zoning By-law Amendment to rezone the Site to a Site-Specific High Rise Residential Seven in Zoning By-law 2019-051 with Site-Specific Provisions to increase the maximum Floor Space Ratio to 6.1, to increase the Maximum Building Height to 120.4 metres, to reduce the outdoor amenity area to permit 8,650.0 square metres, and to permit an on-site parking rate of 0.9 spaces per unit and 0.094 spaces per unit for visitor parking.
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Application Type: ZBA	Status: This application has been circulated and Planning staff are accepting and reviewing comments.
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Staff Contact: Tim Seyler	Neighbourhood Meeting Date: June 30, 2025
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Owner: Hogg Fuel and Supply LTD.	Applicant: GSP Group Inc.
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Update Since Last Quarterly Report: A neighbourhood information meeting was held on March 25, 2025. This application has been circulated and Planning staff are accepting and reviewing comments.

Current Housing Accelerator Fund Projects Quarter 4, 2025 Update

CITY-WIDE

Affordable Housing Construction Offset on City-owned Lands	
Description: This initiative involves looking for new opportunities to provide lands for below-market rental and ownership housing and working directly with affordable housing providers to access the lands and collaborate on the delivery of affordable or supportive housing projects.	
Current Status: IN PROGRESS	In April 2024, Council agreed to donate a property at 1035 Ottawa St to be used as part of the Build Now Initiative and achieve at least 63 units for affordable home ownership. In late 2024, Council agreed to lease a parcel of land on Wellington Street to a non-profit housing provider.
Next Steps:	Staff plan to bring a report to Council on the land lease decision in Q4 2025.
Project Lead: Rosa Bustamante – Director of Planning and Housing Policy	Target Completion: 2026

Affordable Rental & Co-op Housing Incentive Pilot Program	
Description: With the support of Kitchener's Housing Accelerator Fund, this project aims to establish a financial incentives pilot program to assist with the predevelopment costs of building new not-for-profit affordable rental and co-op housing units.	
Current Status: IN PROGRESS	In April 2024, Council approved this grant program which formally launched in June 2024. The first 8 projects have been approved totalling 206 units, with \$2.06M now allocated. Staff hosted a webinar in June to raise awareness of the program to ensure continued uptake for the program.
Next Steps:	There are currently 2 applications in progress.
Project Lead: Oluseyi Ojurongbe – Project Manager	Target Completion: Q3 2026 Conclusion of the pilot program

Enabling 4 Units	
Description: In response to Council's motion at the October 16, 2023 Council meeting, staff are undertaking a review of zoning bylaw amendments that would enable up to four units on a lot which currently permit a single detached, semi-detached or street fronting townhouse dwelling for a Council decision in Q1 2024.	
Current Status: COMPLETE	On March 25, 2024, Council approved an Official Plan amendment and Zoning By-law amendment to enable 4 units as-of-right city-wide which is now in effect. With the support of the Housing Accelerator Fund, a staff working team undertook an implementation strategy that included streamlining processes, and fall education and awareness campaign that included a Guide to Addition Dwelling Units coupled with a social media campaign, information webinars and a pop-up Planning and Building service counter at the Kitchener Farmers Market. The Guide and webinar are available on the City's website: www.kitchener.ca/ADUs
Next Steps:	This project is now complete. Staff will continue to monitor building permit applications and seek ways to support uptake of these units through streamlining processes and public education and awareness.
Project Lead:	Completed in Q3 2024 (including post-decision implementation)

Enabling 4 Units
Katie Anderl – Project Manager

Strategic Land Acquisition and Supporting Infrastructure	
Description: This initiative will involve acquiring lands for the purposes of affordable housing development with a focus on lands within the major transit station areas and working with affordable housing providers to collaborate on the delivery of affordable housing and necessary related community infrastructure.	
Current Status: IN PROGRESS	Staff are reviewing potential opportunity sites that would satisfy the criteria for affordable housing projects.
Next Steps:	Staff continue to explore potential land acquisition opportunities.
Project Lead: Rosa Bustamante – Director of Planning and Housing Policy	Target Completion: Ongoing

Climate Adaptation Plan	
Description: This initiative includes the development of a climate adaptation plan that will be used in the short term to inform land use policy updates for the next Official Plan.	
Current Status: IN PROGRESS	As part of the Official Plan project, the consultants have completed the background study.
Next Steps:	The background study was used to inform draft climate adaptation policies for Kitchener's new Official Plan.
Project Lead: Janine Oosterveld – Manager, Customer Experience and Project Management	Target Completion: Q2 2026

Housing Needs Assessment	
Description: This initiative includes the preparation of a Housing Needs Assessment for the City of Kitchener which will be used to inform housing-related initiatives and land use policy updates for the next Official Plan.	
Current Status: COMPLETE	The Housing Needs Assessment is nearing completion and is targeted to be available on the Kitchener 2051 engage page in June 2025.
Next Steps:	The Housing Needs Assessment will be used to inform housing policies for Kitchener's new Official Plan as well as Housing for All 2.0. The Housing Needs Assessment was completed in June 2025.
Project Lead: Lucas Van Meer-Mass – Senior Planner (Housing)	Completed in Q2 2025

Missing Middle and Affordable Housing Community Improvement Plan (new initiative)	
Description: This initiative includes the preparation of a Community Improvement Plan for the City of Kitchener that will bring a range of affordable and missing-middle housing types to the housing market by surmounting the financial barriers that stand in the way of financial feasibility.	
Current Status: IN PROGRESS	Program development underway with proposed CIP scheduled for December 1, 2025 Planning and Strategic Initiatives Committee.
Next Steps:	After Council decision on December 15, staff will prepare for implementation in January.
Project Leads: Oluseyi Ojorongbe – Project Manager (Planning) Elyssa Pompa - Planner	Target Completion: Q4 2026

WARD 1 – There are no Ward 1 specific projects at this time.

WARD 2 – There are no Ward 2 specific projects at this time.

WARD 3

Growing Together East (Major Transit Station Area) Planning Framework Review	
Description: Comprehensive review and update of land use, zoning, and urban design guidelines for the Block Line, Fairway, and Sportsworld Major Transit Station Areas.	
Current Status: COMPLETE	On May 5 th Council approved Official Plan and Zoning By-law amendments to update land use and zoning for Kitchener's Block Line, Fairway, and Sportsworld PMTSAs. A notice of decision was issued and the appeal period is ongoing.
Next Steps:	None.
Project Lead: Adam Clark – Senior Urban Designer (Architecture & Urban Form)	COMPLETE

Housing Accelerator Fund Initiative - Inclusionary Zoning*	
Description: Inclusionary Zoning can be used to require new, multi-unit housing developments to include affordable units. The Region, Kitchener, Waterloo, and Cambridge are coordinating their approach to implementing inclusionary zoning within MTSA's. A portion of this work is being funded through the Provincial Streamline Development Approvals Funding. This work is being coordinated with Growing Together.	
Current Status: IN PROGRESS	A report on Inclusionary Zoning is being considered by Committee of Council on December 1.
Next Steps:	Pending the outcome of Council's consideration of the Inclusionary Zoning update report in December.
Project Leads: Elyssa Pompa - Planner	Target Completion: Q4, 2025

***This initiative also applies to the Protected Major Transit Station Areas in Wards 9 and 10**

WARD 4 – There are no Ward 1 specific projects at this time.

WARD 5 – There are no Ward 2 specific projects at this time.

WARD 6 – There are no Ward 1 specific projects at this time.

WARD 7 – There are no Ward 2 specific projects at this time.

WARD 8 – There are no Ward 1 specific projects at this time.

WARDS 9 & 10 – The Growing Together West initiative was completed in March 2024.

CITY WIDE

High Performance Development Standards	
Description: Establish a harmonized high performance development standard for new development, partnering with municipalities in Waterloo Region, under the leadership of WR Community Energy.	
Current Status: ONGOING	Staff are currently evaluating the implications of Bill 17 on the project.
Next Steps:	See above.
Project Lead: Janine Oosterveld, Manager Customer Experience & Project Management	Target Completion: 2026

Housing for All Implementation/Housing for All 2.0	
Description: Kitchener Housing for All Strategy was approved in 2020 and identifies actions for the City to address homelessness and housing issues in Kitchener.	
Current Status: ONGOING	Early work on Housing for All 2.0 has commenced. Based on Council's direction in June 2025, Housing for All 2.0 will include continued relationship building and preparation of education materials in the space of evictions.
Next Steps:	Continued advancement of Housing for All 2.0.
Project Lead: Lucas Van Meer-Maas	Target Completion: Q2 2026 for Housing for All implementation.

Partial Housing Accelerator Fund Initiative - Kitchener 2051 - New Official Plan	
Description: A comprehensive review of Kitchener's Official Plan to, among other things, align with changes in Provincial legislation, policies, and plans and the Region of Waterloo's Official Plan Amendment No. 6.	
Current Status: ONGOING	A first draft of Kitchener's new Official Plan was released for community and collaborator conversations in November. Community and collaborator engagement is ongoing and includes 5 pop-up events throughout the city; the 3 rd and final speaker event in the Kitchener 2051 speaker series; and lunch and learns with the development industry. Through this phase of engagement dialogue will continue with Indigenous rights holders and urban Indigenous communities.
Next Steps:	• Submission of a final draft Official Plan to the Ministry of Municipal Affairs and Housing for the required 90-day review period • Statutory public meeting targeted for early Q2 2026
Project Lead: Tim Donegani – Senior Planner John Zunic – Senior Planner	Target Completion: 2026

Provincial legislation, policies, plans review	
Description: A significant number of Provincial legislative and policy changes have occurred since 2022. The Planning team has formally added this review to their workplan due to the significant time and resources that have been required to review changes and provide comments.	
Current Status: ONGOING	In October the Province introduced Bill 60 Fighting Delays, Building Faster Act. Bill 60 introduced a number of changes to various Acts, including the Planning Act and Development Charges Act. Additionally, various proposed regulations were tabled for comment. Planning related regulations include: • Simplifying and standardizing Official Plans • Enhanced Development Standards – Lot Level

Provincial legislation, policies, plans review	
	Minimum Lot sizes Staff continues to review this material and assess opportunities and challenges for Kitchener.
Project Lead: Planning Management Team	Target Completion: N/A

Tree Conservation Tools Review – Phase 2	
Description: With Council's approval of Kitchener's tree canopy target in January 2022, Council directed staff to review existing tree conversation processes within the City to explore opportunities for strengthened measures. This work includes a review of Kitchener's Tree Bylaw and Tree Conservation Bylaw, tree planting requirements within the Development Manual, and Tree Management Policy.	
Current Status: ONGOING	Updates on Kitchener's Public Tree By-law are now in effect. Staff continue to review the tree conservation tools that can and do apply to private properties.
Next Steps:	Conversations with the community and collaborators about the tools available to and currently used by Kitchener are planned for early 2026. Updates to private tree tools is expected to be presented to Council in Q1/Q2 2026.
Project Leads: Carrie Musselman/Barbara Steiner – Senior Environmental Planner	Target Completion: 2025/2026

Urban Design Manual Review – Part C	
Description: A comprehensive review of Kitchener's Urban Design Manual which has been occurring in phases. The last phase was approved in 2019. Final phase includes the urban design standards (Part C).	
Current Status: PAUSED	Internal review of existing standards to understand opportunities for improvement.
Next Steps:	Draft updates to urban design standards and stakeholder engagement.
Project Lead: TBD	Target Completion: Post Kitchener 2051

WARD 1 – There are no Ward 1 specific projects at this time.

WARD 2 – There are no Ward 2 specific projects at this time.

WARD 3

Housing Accelerator Fund Initiative - Growing Together East (Major Transit Station Area) Planning Framework Review	
Description: Comprehensive review and update of land use, zoning, and urban design guidelines for the Block Line, Fairway, and Sportsworld Major Transit Station Areas.	
Current Status: COMPLETE	On May 5 th Council approved Official Plan and Zoning By-law amendments to update land use and zoning for Kitchener's Block Line, Fairway, and Sportsworld PMTSAs. A notice of decision was issued on the zoning by-law amendment. One appeal was received. The Official Plan amendment is currently with the Province for decision.
Next Steps:	Providing support as needed to the Province for a decision on the Official Plan amendment.
Project Lead: Adam Clark – Senior Urban Designer (Architecture & Urban Form)	COMPLETE

Housing Accelerator Fund Initiative - Inclusionary Zoning*	
Description: Inclusionary Zoning can be used to require new, multi-unit housing developments to include affordable units. The Region, Kitchener, Waterloo, and Cambridge are coordinating their approach to implementing inclusionary zoning within MTSAs. A portion of this work is being funded through the Provincial Streamline Development Approvals Funding. This work is being coordinated with Growing Together.	
Current Status: IN PROGRESS	A report on Inclusionary Zoning is being considered by Committee of Council on December 1.
Next Steps:	Pending the outcome of Council's consideration of the Inclusionary Zoning update report in December.
Project Leads: Elyssa Pompa - Planner	Target Completion: Q4, 2025

***This initiative also applies to the Protected Major Transit Station Areas in Wards 9 and 10**

WARD 4 and WARD 5

Dundee Secondary Plan	
Description: Development of a new secondary plan (land use, transportation, natural heritage system, complete community) for lands in south-west Kitchener. The project will also fulfill the requirements for an environmental assessment and will recommend infrastructure to service the area.	
Current Status: ONGOING	The land use scenarios are being evaluated and a preferred alternative selected that will inform the drafting of a Dundee Secondary Plan.
Next Steps:	• Continued dialogue with Indigenous rights holders about specific technical studies. • Community conversations on a preferred land use scenario • Continued Secondary Plan drafting
Project Leads: Carrie Musselman – Senior Environmental Planner Gaurang Khandelwal – Planner (Policy)	Target Completion: Q1/Q2 2026

WARD 6 – There are no Ward 6 specific projects at this time.

WARD 7 – There are no Ward 7 specific projects at this time.

WARD 8 – There are no Ward 8 specific projects at this time.

WARD 9 – There are no Ward 9 specific projects at this time.

WARD 10 – There are no Ward 10 specific projects at this time.

2025 Active Affordable Housing Development Status

Address and applicant	Total Units	Affordable Units	Status	City incentives
83-97 Victoria St N, The Working Centre	44	44	Occupancy granted	Project manager Planning and building application fees waived
82 Wilson Ave, Region of Waterloo	123 (existing)	32 (net increase)	Under construction	Planning and building application fees waived
49 Queen St N, Indwell Community Homes and St. Peter's Lutheran Church	41	41	Under construction	Planning and building application fees waived
137 Queen St S, St Paul's Lutheran Church	57	21	Clearing conditions of site plan approval, shoring permit issued, Committee of Adjustment application approved	Project manager Planning and building application fees waived
210 Duke St E, Knossos Housing	100	40	Under construction	Project manager Planning and building application fees waived
47 Charles St. E House of Friendship	172	172	Under construction	Project manager Planning and building application fees waived; NFP Affordable Rental and Co-op Housing Incentive
15-105 Mooregate Cres Region of Waterloo	378	378	Clearing conditions of site plan approval, Committee of Adjustment application approved Holding Provision Removed	Project manager Planning and building application fees waived
878 Frederick St KW Habilitation Services	18	18	Under construction	Planning and building application fees waived; NFP Affordable Rental and Co-op Housing Incentive
59 Franklin St N Eleven Housing Corp.	55	22	Building permit issued	NFP Affordable Rental and Co-op Housing Incentive
667 Victoria St S Thresholds Homes and Supports	30	30	Site Plan application conditional approval – clearing conditions, committee of adjustment application approved	Project manager Planning and building application fees waived; NFP Affordable Rental and Co-op Housing Incentive
1035 Ottawa St N Habitat for Humanity	71	71	Committee of Adjustment application approved	Project manager, HAF City property donation

887 Frederick St Beyond Housing	20	20	Site Plan Approval granted, Building Permit Issued, under construction	Project manager Planning and building application fees waived; NFP Affordable Rental and Co-op Housing Incentive
132 Fairway Road N Eleven Housing Corp.	26	26	Official Plan and Zoning Bylaw Amendment recommended for approval by PSIC, Site Plan conditional approval – clearing conditions	Project manager Planning and building application fees waived; NFP Affordable Rental and Co-op Housing Incentive
475 Lancaster St W, Union Community Housing	3	3	Site plan under review to add 3 affordable units to the existing housing complex Committee of Adjustment application submitted	Planning and building application fees waived; NFP Affordable Rental and Co-op Housing Incentive
Total New Units:	1,015	918		

Projects to Streamline Development Approvals

Site Plan folder updates
Description: Updating the file management software (AMANDA) for site plan applications to continue process improvements and prepare for the public portal which will allow applicants to submit applications, make payment and monitor progress.
Current Status: Underway Public portal and review module to allow external agencies to provide comments and sign-offs under development. Public portal
Next Steps: Final phase with public portal integration to be completed in 2026.
Project Lead: Tanya Roberts, Project Manager (Planning)
Completion date: Q1 2026

Official Plan Amendment Applications																						
Application ID		Application Address Information			Application Details										Heritage Information				Appeal Information			
Application Number	Street Number	Street Name	Postal Code (A1A 1A1)	Date Application Submitted (yyyy-mm-dd)	Date Application Deemed Complete (yyyy-mm-dd)	Application Status	Date of Withdrawal (if applicable) (yyyy-mm-dd)	Has the Municipality made a decision on the application?	Date of Decision (if applicable) (yyyy-mm-dd)	Number of days taken to reach decision:	Date Official Plan Amendment Adopted (if applicable) (yyyy-mm-dd)	Did the application indicate a number of suggested future residential units?	Number of suggested future residential units:	Listed in a register under section 27 (3) of the Ontario Heritage Act?	Designated to be of cultural heritage value or interest?	Subject to an easement or covenant under the Ontario Heritage Act s.37?	Within a heritage conservation district area?	Was the application appealed to the Ontario Land Tribunal?	Was it a third-party appeal?	Type of appeal	Date of Appeal (yyyy-mm-dd)	Date of Appeal Decision (if applicable) (yyyy-mm-dd)
OPA24/015/T/AP	468	TRUSSLER RD	N2E 0C9	2024-11-21	2024-11-21	Application Approved		Yes	2025-08-25	277	2025-08-25	Yes	222	No	No	No	No	No				
OPA25/004/L/BB		LACKNER BLVD		2024-12-24	2025-04-04	Application Approved		Yes	2025-08-25	143	2025-08-25	No	No	No	No	No	No	No				
OPA25/005/F/AP	132	FAIRWAY RD N	N2A 2N6	2025-05-13	2025-05-13	Application Approved		Yes	2025-08-25	104	2025-08-25	Yes	26	No	No	No	No	No				
OPA25/008/G/ES	161	GEHL PL	N2G 3W5	2025-05-23	2025-07-11			No		NA		Yes	219	No	No	No	No	No				

Summary of OPA applications	Value
Number of active official plan amendment applications submitted under section 22 of the Planning Act	4
Number of new official plan amendment applications submitted under section 22 of the Planning Act	1
Number of official plan amendment applications decided under section 17 or 22 of the Planning Act	3
Number of official plan amendment applications appealed under section 17 or 22 of the Planning Act	0
Number of official plan amendment applications submitted under section 22 of the Act that were withdrawn	0
Percentage of official plan amendment applications decided beyond the legislated timeline set out in paragraph 1 of subsection 22 (7.0.2) of the Planning Act	67%
Total number of suggested future residential units	467

Zoning Bylaw Amendment Applications

Application ID	Application Address Information			Application Details										Heritage Information				Appeal Information				
Application Number	Street Number	Street Name	Postal Code (A1A 1A1)	Date Application Submitted (yyyy-mm-dd)	Date Application Deemed Complete (yyyy-mm-dd)	Application Status	Date of Withdrawal (if applicable) (yyyy-mm-dd)	Has the Municipality made a decision on the application?	Date of Decision (if applicable) (yyyy-mm-dd)	Number of days taken to reach decision:	Date Zoning By-Law Amendment Passed (if applicable) (yyyy-mm-dd)	Did the application indicate a number of suggested future residential units?	Number of suggested future residential units:	Listed in a register under section 27 (3) of the Ontario Heritage Act?	Designated to be of cultural heritage value or interest?	Subject to an easement or covenant under the Ontario Heritage Act s.37?	Within a heritage conservation district area?	Was the application appealed to the Ontario Land Tribunal?	Was it a third-party appeal?	Type of appeal	Date of Appeal (yyyy-mm-dd)	Date of Appeal Decision (if applicable) (yyyy-mm-dd)
ZBA24/010/T/AP	468	TRUSSLER RD	N2E 0C9	2024-04-23	2024-04-23	Application Approved		Yes	2025-08-25	489	2025-08-25	Yes	222	No	No	No	No	No				
ZBA25/009/L/BB		LACKNER BLVD		2024-12-24	2025-04-04	Application Approved		Yes	2025-08-25	143	2025-08-25	No	No	No	No	No	No	No				
ZBA25/011/F/AP	132	FAIRWAY RD N	N2A 2N6	2025-05-13	2025-05-13	Application Approved		Yes	2025-08-25	104	2025-08-25	Yes	26	No	No	No	No	No				
ZBA25/013/S/AP	157	SCHWEITZER ST	N2K 1C3	2025-05-22	2025-05-22	Application Approved		Yes	2025-09-29	130	2025-09-29	Yes	3	No	No	No	No	No				
ZBA25/018/G/ES	161	GEHL PL	N2G 3W5	2025-05-23	2025-07-11			No		NA		Yes	219	No	No	No	No	No				
ZBA25/020/J/BB	135	JACKSON AVE	N2H 3P3	2025-07-08	2025-07-25	Application Approved		Yes	2025-08-29	35		No	No	No	No	No	No	No				
ZBA25/021/Q/AA	436	QUEEN ST S	N2G 1W7	2025-07-18	2025-07-18	Application Approved		Yes	2025-09-29	73	2025-09-29	Yes	2	No	No	No	No	No				
ZBA25/023/W/TS	249	WEST OAK TRAIL	N2R 0L3	2025-08-21	2025-10-20			No		NA		No	No	No	No	No	No	No				
ZBA25/024/F/EW	25	FRANKLIN ST N	N2A 1C1	2025-08-26	2025-08-28	Application Approved		Yes	2025-09-22	25	2025-09-22	No	No	No	No	No	No	No				
ZBA25/025/B/EW	1801	BLEAMS RD	N2E 3X9	2025-09-26				No		NA		No	No	No	No	No	No	No				

Summary of ZBA applications	Value
Number of active zoning by-law amendment applications submitted under section 34 of the Planning Act	10
Number of new zoning by-law amendment applications submitted under section 34 of the Planning Act	3
Number of zoning by-law amendment applications decided under section 34 of the Planning Act	7
Number of zoning by-law amendment applications appealed under section 34 of the Planning Act	0
Number of zoning by-law amendment applications submitted under section 34 of the Act that were withdrawn	0
Percentage of zoning by-law amendment applications decided beyond the legislated timeline set out in paragraph 1 of subsection 34 (11) of the Planning Act	43%
Total number of suggested future residential units	472

Site Plan Applications

Application ID		Application Address Information			Application Details								Appeal Information			
Application Number	Street Number	Street Name	Postal Code (A1A 1A1)	Date Application Submitted (yyyy-mm-dd)	Date Application Deemed Complete (yyyy-mm-dd)	Application Status	Date of Withdrawal (if applicable) (yyyy-mm-dd)	Has the Municipality made a decision on the application?	Date of Decision (if applicable) (yyyy-mm-dd)	Number of days taken to reach decision:	Did the application indicate a number of suggested future residential units?	Number of suggested future residential units:	Was the application appealed to the Ontario Land Tribunal or Local Appeal Body?	Type of Appeal	Date of Appeal (yyyy-mm-dd)	Date of Appeal Decision (if applicable) (yyyy-mm-dd)
SP24/074/F/AP	70	FERGUS AVE	N2A 2H2	2024-09-26	2024-10-24	Application Approved		Yes	2025-08-19	299	No		No			
SP24/085/J/BB	161	JACKSON AVE	N2H 3P3	2024-10-23	2024-12-02	Application Approved		Yes	2025-07-30	240	Yes	118	No			
SP24/086/M/BB	191	MORGAN AVE	N2A 2M4	2024-10-29	2024-11-28	Application Approved		Yes	2025-07-09	223	Yes	11	No			
SPA25/036/L	11	LAURENTIAN DR	N2E 1C1	2025-04-23	2025-05-20	Application Approved		Yes	2025-07-14	55	No		No			
SPA25/058/P	120	PIONEER DR	N2P 2C2	2025-06-19	2025-06-19	Application Approved		Yes	2025-08-20	62	No		No			
SPA25/060/F	247	FRANKLIN ST N	N2A 1Y5	2025-06-20	2025-07-16	Application Approved		Yes	2025-09-24	70	No		No			
SPA25/064/L	528	LANCASTER ST W	N2K 0H7	2025-07-02	2025-07-02	Application Under Review		No		NA	No		No			
SPA25/068/W	301	WESTMOUNT RD W	N2M 0C4	2025-07-22	2025-08-07	Application Approved		Yes	2025-09-29	53	No		No			
SPA25/069/W	1111	WESTMOUNT RD E	N2E 0G8	2025-08-11	2025-08-11	Application Under Review		No		NA	No		No			
SPA25/072/H	2480	HOMER WATSON BLVD	N2P 2R5	2025-08-25	2025-09-03	Application Under Review		No		NA	No		No			
SPA25/073/B	45	BIRCHCLIFF AVE	N2M 4V7	2025-08-28	2025-08-28	Application Under Review		No		NA	No		No			
SPA25/074/G	970	GUELPH ST	N2H 5Z6	2025-08-23	2025-09-11	Application Under Review		No		NA	No		No			
SPA25/076/W	139	WASHBURN DR	N2R 1S1	2025-09-02	2025-10-14	Application Under Review		No		NA	No		No			
SPA25/079/H	170	HIGHLAND RD W	N2M 3C2	2025-08-21	2025-09-17	Application Under Review		No		NA	No		No			
SPB25/042/C	100	CAMPBELL AVE	N2H 4X8	2025-05-06	2025-05-06	Application Approved		Yes	2025-07-16	71	No		No			
SPB25/046/E	15	EBY ST S	N2G 3K6	2025-05-27	2025-05-27	Application Approved		Yes	2025-09-09	105	No		No			
SPB25/048/O	750	OTTAWA ST S	N2E 1B6	2025-05-27	2025-05-27	Application Approved		Yes	2025-08-19	84	No		No			
SPB25/059/S	396	SOUTHILL DR	N2A 2R1	2025-06-20	2025-07-14	Application Approved		Yes	2025-09-15	63	Yes	13	No			
SPB25/065/W	1333	WEBER ST E	N2A 1C2	2025-07-03	2025-07-03	Application Approved		No		NA	No		No			
SPB25/070/B	630	BENNINGER DR	N2E 0C9	2025-08-07	2025-08-07	Application Under Review		No		NA	Yes	231	No			
SPB25/071/F	55	FRANKLIN ST S	N2C 1R5	2025-08-08	2025-09-02	Application Approved		Yes	2025-09-21	19	No		No			
SPB25/075/E	25	EBY ST S	N2G 3K6	2025-09-09	2025-09-22	Application Under Review		No		NA	Yes	1	No			
SPB25/077/K	2922	KING ST E	N2A 1A7	2025-09-16	2025-09-22	Application Under Review		No		NA	No		No			
SPB25/078/K	3241	KING ST E	N2A 1B1	2025-09-24	2025-09-24	Application Under Review		No		NA	No		No			
SPB25/080/R	149	ROXBOROUGH AVE	N2M 1P8	2025-08-08		Application Under Review		No		NA	No		No			
SPF25/029/V	169	VICTORIA ST S	N2G 2B8	2025-03-20	2025-04-07	Application Approved		Yes	2025-07-14	98	Yes	117	No			
SPF25/031/V	1014	VICTORIA ST N	N2B 3C4	2025-04-09	2025-04-15	Application Approved		Yes	2025-07-22	98	No		No			
SPF25/051/V	200	VICTORIA ST S	N2G 2B9	2025-05-30	2025-06-19	Application Approved		Yes	2025-08-19	61	Yes	745	No			
SPF25/066/W	32	WINDOM RD	N2A 2P4	2025-07-16	2025-07-29	Application Approved		Yes	2025-09-25	58	Yes	56	No			
SPF25/067/F	132	FAIRWAY RD N	N2A 2N6	2025-07-28	2025-07-30	Application Approved		Yes	2025-09-24	56	Yes	26	No			

Summary of Site Plan applications		Value
Number of active site plan applications submitted under section 41 of the Planning Act or section 114 of the City of Toronto Act, 2006		30
Number of new site plan applications submitted under section 41 of the Planning Act or section 114 of the City of Toronto Act, 2006		12
Number of site plan applications decided under section 41 of the Planning Act or section 114 of the City of Toronto Act, 2006		18
Number of site plan applications appealed under section 41 of the Planning Act or section 114 of the City of Toronto Act, 2006		0
Number of site plan applications submitted under section 41 of the Act or section 114 of the City of Toronto Act, 2006 that were withdrawn		0
Percentage of site plan applications decided beyond the legislated timeline set out in subsection 41(12) of the Planning Act or section 114(15) of the City of Toronto Act, 2006		71%
Total number of suggested future residential units		1318

Minor Variance Applications																
Application ID		Application Address Information			Application Details							Appeal Information				
Application Number	Street Number	Street Name	Postal Code (A1A 1A1)	Date Application Submitted (yyyy-mm-dd)	Application Status	Date of Withdrawal (if applicable) (yyyy-mm-dd)	Has the Municipality made a decision on the application?	Date of Decision (if applicable) (yyyy-mm-dd)	Number of days taken to reach decision:	Did the application indicate a number of suggested future residential units?	Number of suggested future residential units:	Was the application appealed to the Ontario Land Tribunal or Local	Was it a third-party appeal?	Type of Appeal	Date of Appeal (yyyy-mm-dd)	Date of Appeal Decision (if applicable) (yyyy-mm-dd)
A 2025-062	124	TUPPER CRES	N2B 2X9	2025-05-22	Variance Granted		Yes	2025-07-15	54	Yes	25	No				
A 2025-063	55	SHOEMAKER ST	N2E 3B4	2025-06-04	Variance Granted		Yes	2025-07-15	41	No		No				
A 2025-064	82	BRUNSWICK AVE	N2H 4E8	2025-06-06	Appealed		Yes	2025-07-15	39	Yes	3	Yes	No	Appeal of Decision - Subsection 45(12)	2025-08-03	
A 2025-065	82	BRUNSWICK AVE	N2H 4E8	2025-06-06	Appealed		Yes	2025-07-15	39	Yes	3	Yes	No	Appeal of Decision - Subsection 45(12)	2025-08-03	
A 2025-066	508	NEW DUNDEE RD	N2P 2N7	2025-05-30	Variance Granted		Yes	2025-07-15	46	No		No				
A 2025-067	38	FIFTH AVE	N2C 1P4	2025-06-05	Variance Granted		Yes	2025-07-15	40	Yes	4	No				
A 2025-068	38	FIFTH AVE	N2C 1P4	2025-06-05	Variance Granted		Yes	2025-07-15	40	Yes	4	No				
A 2025-069	439	ALICE AVE	N2M 2A3	2025-06-16	Variance Granted		Yes	2025-07-15	29	Yes	3	No				
A 2025-070	439	ALICE AVE	N2M 2A3	2025-06-16	Variance Granted		Yes	2025-07-15	29	Yes	3	No				
A 2025-071	99	COLLEGE ST	N2H 5A2	2025-05-30	Variance Granted		Yes	2025-08-19	81	Yes	4	No				
A 2025-072	413	ZELLER DR	N2A 0C8	2025-06-04	Variance Granted		Yes	2025-08-19	76	No		No				
A 2025-073	112	ADMIRAL RD	N2M 1R1	2025-06-30	Variance Granted		Yes	2025-09-16	78	Yes	1	No				
A 2025-074	288	FOREST CREEK DR	N2R 0M6	2025-07-02	Variance Granted		Yes	2025-08-19	48	No		No				
A 2025-075	15	EBY ST S	N2G 3K6	2025-07-03	Variance Granted		Yes	2025-08-19	47	No		No				
A 2025-076	221	SYDNEY ST S	N2G 3V6	2025-07-16					NA	No		No				
A 2025-077	3	IVY LANE CRT	N2N 3P8	2025-06-30	Variance Granted		Yes	2025-08-19	50	No		No				
A 2025-078	667	VICTORIA ST S	N2M 3B2	2025-07-10	Variance Granted		Yes	2025-08-19	40	Yes	27	No				
A 2025-079	706	FREDERICK ST	N2B 2B2	2025-07-10	Appealed		Yes	2025-08-19	40	Yes	4	Yes	No	Appeal of Decision - Subsection 45(12)	2025-09-03	
A 2025-080	706	FREDERICK ST	N2B 2B2	2025-07-10	Appealed		Yes	2025-08-19	40	Yes	4	Yes	No	Appeal of Decision - Subsection 45(12)	2025-09-03	
A 2025-081	942	AUDREY PL	N2E 0B5	2025-07-02	Variance Granted		Yes	2025-08-19	48	Yes	1	No				
A 2025-082	133	BLOOMINGDALE RD	N2K 1A5	2025-06-17	Variance Granted		Yes	2025-08-19	63	No		No				
A 2025-083	103	JOSEPH ST	N2G 1J3	2025-07-10	Variance Partially Granted		Yes	2025-08-19	40	Yes	10	No				
A 2025-084	27	TURNER AVE	N2B 2C8	2025-07-17	Variance Granted		Yes	2025-08-19	33	Yes	10	No				
A 2025-085	236	GUELPH ST	N2H 5X1	2025-07-04	Variance Granted		Yes	2025-08-19	46	Yes	2	No				
A 2025-086	250	MILL ST	N2M 3R5	2025-07-11	Variance Granted		Yes	2025-08-19	39	No		No				
A 2025-087	1018	HIDDEN VALLEY RD	N2C 2S7	2025-07-07	Variance Granted		Yes	2025-08-19	43	Yes	3	No				
A 2025-088	670	KING ST W	N2G 1E1	2025-07-15	Variance Granted		Yes	2025-08-19	35	Yes	75	No				
A 2025-089	239	WOODBINE AVE	N2R 1Y5	2025-05-31	Variance Granted		Yes	2025-09-16	108	Yes	2	No				
A 2025-090	10	ABRAM CLEMENS ST	N2R 0L8	2025-04-04	Variance Granted		Yes	2025-09-16	165	Yes	139	No				
A 2025-091	240	FREDERICK ST	N2H 2M8	2025-07-25	Variance Granted		Yes	2025-09-16	53	Yes	35	No				
A 2025-092	184	WOOLWICH ST	N2K 1S6	2025-07-11	Variance Granted		Yes	2025-09-16	67	Yes	1	No				
A 2025-093	535	STIRLING AVE S	N2M 3J5	2025-07-16	Variance Granted		Yes	2025-09-16	62	No		No				
A 2025-094	160	SAMUEL ST	N2H 1R1	2025-08-15	Variance Granted		Yes	2025-09-16	32	No		No				
A 2025-095	66	GEORGINA ST	N2R 0S6	2025-08-01	Variance Granted		Yes	2025-09-16	46	Yes	1	No				
A 2025-096	457	MAPLE AVE	N2H 4W9	2025-08-08	Variance Granted		Yes	2025-09-16	39	No		No				
A 2025-097	4438	KING ST E	N2P 2G4	2025-08-07	Variance Granted		Yes	2025-09-16	40	No		No				
A 2025-098	180	AHRENS ST W	N2H 4E2	2025-08-11	Appealed		Yes	2025-09-16	36	Yes	1	Yes	No	Appeal of Decision - Subsection 45(12)	2025-09-30	
A 2025-099	180	AHRENS ST W	N2H 4E2	2025-08-11	Appealed		Yes	2025-09-16	36	Yes	1	Yes	No	Appeal of Decision - Subsection 45(12)	2025-09-30	
A 2025-100	180	AHRENS ST W	N2H 4E2	2025-08-11	Appealed		Yes	2025-09-16	36	Yes	1	Yes	No	Appeal of Decision - Subsection 45(12)	2025-09-30	
A2025-101	199	BREITHAUP T ST	N2H 5H3	2025-08-07			No		NA	Yes	1	No				
A2025-102	282	TREMAINE CRES	N2A 4L9	2025-08-28			No		NA	No		No				
A2025-103	129	ST GEORGE ST	N2G 2S2	2025-09-05			No		NA	No		No				
A2025-104	23	DONNENWERTH DR	N2E 3X2	2025-09-02			No		NA	Yes	1	No				
A2025-105	1010	COPPERLEAF CRES	N2E 3W3	2025-09-03			No		NA	Yes	1	No				
A2025-106	43	MAURICE ST	N2G 2Y9	2025-09-22			No		NA	No		No				
A2025-107	904	ISAIAH PL	N2E0B6	2025-09-05			No		NA	No		No				
A2025-108	32 & 42	WINDOM RD	N2A 2P4	2025-09-04			No		NA	Yes	56	No				
A2025-109	29	EDNA ST	N2H 2E2	2025-09-16			No		NA	Yes	1	No				
A2025-110	600	QUEEN ST S	N2G 1X1	2025-09-10			No		NA	Yes	144	No				
A2025-111	396	SOUTHILL DR	N2A 2R1	2025-09-22			No		NA	Yes	1	No				
A2025-112	54	MT HOPE ST	N2G 2J4	2025-09-08			No		NA	Yes	12	No				
A2025-114	21	SHERWOOD AVE	N2B 1J8	2025-09-19			No		NA	No		No				
A2025-117	2922	KING ST E	N2A 1A7	2025-08-12			No		NA	No		No				
A2025-118	630	BENNINGER Dr	N2E 0C9	2025-09-22			No		NA	Yes	231	No				

Summary of Minor Variance applications	Value
Number of active minor variance applications submitted under section 45 of the Planning Act	54
Number of new minor variance applications submitted under section 45 of the Planning Act	16
Number of minor variance applications decided under section 45 of the Planning Act	31
Number of minor variance applications appealed under section 45 of the Planning Act	7
Number of minor variance applications submitted under section 45 of the Act that were withdrawn	0
Percentage of minor variance applications decided beyond the legislated timeline set out in subsection 45(4) of the Planning Act	95%
Total number of suggested future residential units	815

Land Severance (Consent) Applications

Application ID		Application Address Information			Application Details												Appeal Information				
Application Number	Street Number	Street Name	Postal Code (A1A 1A1)	Date Application Submitted (yyyy-mm-dd)	Date Application Deemed Complete (yyyy-mm-dd)	Application Status	Date of Withdrawal (if applicable) (yyyy-mm-dd)	Has the Municipality made a decision on the application?	Date of Decision (if applicable) (yyyy-mm-dd)	Number of days taken to reach decision:	Date Notice Given (if applicable) (yyyy-mm-dd)	Did the application indicate a number of suggested future residential lots?	Number of suggested future residential lots:	Date on which the conveyance that resulted in the consent being given took place (if applicable) (yyyy-mm-dd)	Number of new residential lots that were created:	Application number of the application that resulted in the consent being given:	Was the application appealed to the Ontario Land Tribunal or Local Appeal Body?	Was it a third-party appeal?	Type of Appeal	Date of Appeal (yyyy-mm-dd)	Date of Appeal Decision (if applicable) (yyyy-mm-dd)
B 2025-021	546	COURTLAND AVE E	N2G 2W8	2025-06-03	2025-06-16	Consent Provisionally Given		Yes	2025-07-15	29	2025-07-25	No					No				
B 2025-022	825	STIRLING AVE S	N2M 3K4	2025-07-10	2025-07-22	Consent Provisionally Given		Yes	2025-08-19	28	2025-08-29	Yes	2				No				
B 2025-023	220	HEIMAN ST	N2M 3M3	2025-07-10	2025-07-22	Consent Provisionally Given		Yes	2025-08-19	28	2025-08-29	Yes	2				No				
B 2025-024	17	DOWNEY ST	N2H 6K5	2025-07-18	2025-07-23	Consent Provisionally Given		Yes	2025-08-19	27	2025-08-29	Yes	2				No				
B 2024-039	120	KEEWATIN AVE	N2B 3P6	2024-10-25	2025-07-23	Consent Provisionally Given		Yes	2025-08-19	27	2025-08-29	Yes	2				No				
B 2024-040	120	KEEWATIN AVE	N2B 3P6	2024-10-25	2025-07-23	Provisionally Given		Yes	2025-08-19	27	2025-08-29	Yes	1				No				
B 2025-026	96	THIRD AVE	N2C 1N6	2025-09-05	2025-09-22			No		NA		Yes	2								
B 2025-027	60	GAGE AVE	N2G 2E2	2025-09-16	2025-09-22			No		NA		Yes	2								
B 2025-029	64	GAGE AVE	N2G 2E2	2025-09-16	2025-09-22			No		NA		Yes	2								
B 2025-031	509	PARK ST	N2G 1N9	2025-09-08	2025-09-24			No		NA		No									

Summary of Land Severance (Consent)	Value
Number of consent applications submitted under section 53 of the Planning Act	10
Number of new consent applications submitted under section 53 of the Planning Act	4
Number of consent applications decided under section 53 of the Planning Act	6
Number of consent applications appealed under section 53 of the Planning Act	0
Number of consent applications submitted under section 53 of the Planning Act that were withdrawn	0
Percentage of consent applications decided beyond the legislated timeline set out in subsection 53 (14) of the Planning Act	0%
Total Number of Proposed New Residential Lots	15
Total Number of Approved New Residential Lots	0

Plan of Condominium Applications																				
Application ID		Application Address Information			Application Details											Appeal Information				
Application Number	Street Number	Street Name	Postal Code (A1A 1A1)	Date Application Submitted (yyyy-mm-dd)	Date Application Deemed Complete (yyyy-mm-dd)	Application Status	Date of Withdrawal (if applicable) (yyyy-mm-dd)	Has the Municipality made a decision on the application?	Date of Decision (if applicable) (yyyy-mm-dd)	Number of days taken to reach decision:	Did the application indicate a number of suggested future residential units?	Number of suggested future residential units:	Date Condominium Declaration and Description Registered (if applicable) (yyyy-mm-dd)	If Registered, Number of New Residential Condominium Units	Application number of the application that resulted in the approval of the description:	Was the application appealed to the Ontario Land Tribunal?	Was it a third-party appeal?	Type of Appeal	Date of Appeal (yyyy-mm-dd)	Date of Appeal Decision (if applicable) (yyyy-mm-dd)
30CDM-22216	1000	LACKNER PL	N2A 0L9	2022-08-15	2022-08-15	Plan of Condominium Given		Yes	2023-03-01	198	Yes	402	2025-09-15	118	WCP 767					
30CDM-25205	1333	WEBER ST E	N2A 1C2	2025-09-26	2025-10-20			No		NA	Yes	623								
30CDM-24211	2-56, 21-39 & 630-690	BENNINGER DR	N2E 0J4	2024-06-05	2024-06-05	Plan of Condominium Given		Yes	2024-07-31	56	Yes	179	2025-07-18	10	WCP 798					
										NA										
										NA										
										NA										
										NA										
										NA										
										NA										
										NA										
										NA										

Summary of Plan of Condominium	Value
Number of active description applications submitted under section 9 (2) of the Condominium Act, 1998	3
Number of new description applications submitted under section 9 (2) of the Condominium Act, 1998	1
Number of description applications decided under section 9 (2) of the Condominium Act, 1998	2
Number of description applications appealed under section 9 (2) of the Condominium Act, 1998	0
Number of description applications submitted under section 9 (2) of the Condominium Act, 1998 that were withdrawn	0
Percentage of description applications decided beyond the legislated timeline set out in subsection 51 (34) of the Planning Act	50%
Total Number of Proposed New Residential Condominium Units	1204
Total Number of Approved New Residential Condominium Units	128

Minister's Zoning Orders

Regulation Number	Amending Regulation Number (if applicable)	Have any planning applications been made for the lands subject to this order?	If Yes, please provide the application number(s)	Has a building permit been issued under the Building Code Act, 1992 for this order?

Summary Table	Value
Number of active official plan amendment applications submitted under section 22 of the Planning Act	4
Number of active zoning by-law amendment applications submitted under section 34 of the Planning Act	10
Number of active minor variance applications submitted under section 45 of the Planning Act	54
Number of active site plan applications submitted under section 41 of the Planning Act or section 114 of the City of Toronto Act, 2006	30
Number of consent applications submitted under section 53 of the Planning Act	10
Number of active plan of subdivision applications submitted under section 51 of the Planning Act	0
Number of active description applications submitted under section 9 (2) of the Condominium Act, 1998	3
Total number of active applications	111
Number of new official plan amendment applications submitted under section 22 of the Planning Act	1
Number of new zoning by-law amendment applications submitted under section 34 of the Planning Act	3
Number of new minor variance applications submitted under section 45 of the Planning Act	16
Number of new site plan applications submitted under section 41 of the Planning Act or section 114 of the City of Toronto Act, 2006	12
Number of new consent applications submitted under section 53 of the Planning Act	4
Number of new plan of subdivision applications submitted under section 51 of the Planning Act	0
Number of new description applications submitted under section 9 (2) of the Condominium Act, 1998	1
Total number of new applications	37
Number of official plan amendment applications decided under section 17 or 22 of the Planning Act	3
Number of zoning by-law amendment applications decided under section 34 of the Planning Act	7
Number of minor variance applications decided under section 45 of the Planning Act	18
Number of site plan applications decided under section 41 of the Planning Act or section 114 of the City of Toronto Act, 2006	18
Number of consent applications decided under section 53 of the Planning Act	6
Number of plan of subdivision decided under section 51 of the Planning Act	0
Number of description applications decided under section 9 (2) of the Condominium Act, 1998	2
Total number of applications decided	67
Number of official plan amendment applications appealed under section 17 or 22 of the Planning Act	0
Number of zoning by-law amendment applications appealed under section 34 of the Planning Act	0
Number of minor variance applications appealed under section 45 of the Planning Act	0
Number of site plan applications appealed under section 41 of the Planning Act or section 114 of the City of Toronto Act, 2006	0
Number of consent applications appealed under section 53 of the Planning Act	0
Number of plan of subdivision applications appealed under section 51 of the Planning Act	0
Number of description applications appealed under section 9 (2) of the Condominium Act, 1998	0
Total number of applications appealed	7
Total number of official plan amendment applications submitted under section 22 of the Act that were withdrawn	0
Total number of zoning by-law amendment applications submitted under section 34 of the Act that were withdrawn	0
Total number of minor variance applications submitted under section 45 of the Act that were withdrawn	0
Total number of site plan applications submitted under section 41 of the Act or section 114 of the City of Toronto Act, 2006 that were withdrawn	0
Total number of consent applications submitted under section 53 of the Planning Act that were withdrawn	0
Total number of plan of subdivision applications submitted under section 51 of the Act that were withdrawn	0
Total number of description applications submitted under section 9 (2) of the Condominium Act, 1998 that were withdrawn	0
Total number applications withdrawn	0
Percentage of official plan amendment applications decided beyond the legislated timeline set out in paragraph 1 of subsection 22 (7.0.2) of the Planning Act	0.7
Percentage of zoning by-law amendment applications decided beyond the legislated timeline set out in paragraph 1 of subsection 34 (11) of the Planning Act	0.4
Percentage of minor variance applications decided beyond the legislated timeline set out in subsection 45(4) of the Planning Act	0.9
Percentage of site plan applications decided beyond the legislated timeline set out in subsection 41(12) of the Planning Act or section 114(15) of the City of Toronto Act, 2006	0.7
Percentage of consent applications decided beyond the legislated timeline set out in subsection 53 (14) of the Planning Act	0.0
Percentage of plan of subdivision applications decided beyond the legislated timeline set out in subsection 51 (34) of the Planning Act	#DIV/0!
Percentage of description applications decided beyond the legislated timeline set out in subsection 51 (34) of the Planning Act	0.5
Percentage of all applications decided beyond the applicable legislative timelines	0.5
Total number of proposed new residential lots from plans of sub-division and consent applications	15
Total number of proposed new condominium units from description applications	1204
Total number of proposed new residential lots and residential condominium units from plans of subdivision applications, consent applications and description applications	1219
Total number of approved new residential lots from plans of sub-division and consent applications	0
Total number of approved new condominium units from description applications	128
Total number of approved new residential lots and residential condominium units from approved plans of subdivision applications, consent applications and description applications	128
Total number of applications submitted for settlement area boundary expansions	

REPORT TO: Planning and Strategic Initiatives Committee

DATE OF MEETING: December 1, 2025

SUBMITTED BY: Saleh Saleh, Director, Revenue Division, 519-904-6308

PREPARED BY: Saleh Saleh, Director, Revenue Division, 519-904-6308

WARD(S) INVOLVED: ALL

DATE OF REPORT: October 10, 2025

REPORT NO.: FIN-2025-434

SUBJECT: Property Tax Exemption for Affordable Housing- Update

RECOMMENDATION:

For Information

REPORT HIGHLIGHTS:

- The purpose of this report is to update Council on the status of the property tax exemption program for affordable housing.
- The Region of Waterloo has received 13 applications in the first year of the program implementation of which 6 applications are for properties located in the City of Kitchener.
- Applications are currently being reviewed by the Municipal Property Assessment Corporation (MPAC).
- A recent ruling by the Court of Appeal has clarified legislative provisions, enabling non-profit organizations to qualify for property tax exemptions.
- It is anticipated that many non-profits offering affordable housing will now apply directly to MPAC for permanent exemptions.
- Staff will continue to monitor both the progress of applications under the Region's program and any appeals submitted to MPAC.
- This report supports **Building a Connected City Together: Focuses on neighbourhoods; housing and ensuring secure, affordable homes; getting around easily, sustainably and safely to the places and spaces that matter.**

BACKGROUND:

In 2024, Council supported the City's participation in the Region's property tax program for affordable housing. Further, Council approved a recommendation that staff report back to Council after the first full year of implementation of the program to assess:

- The outcomes of the exemption in the first year of the program.
- The potential tax shifts/increases an exemption may create for other tax-paying properties.

- The level of interest from for-profit developers for this affordable housing incentive and potential to include them in the program.
- The appropriate duration of a property tax exemption program and potential sunset provisions.

The purpose of this report is to provide Council with an update on the program's progress.

REPORT:

The Region of Waterloo staff have advised that they received a total of 13 applications for property tax exemption in the first year of the property tax exemption for affordable housing program including 6 applications related to properties located in the City of Kitchener which may qualify for a property tax exemption.

There are two main reasons for the relatively low number of applications:

1. **Long-Term Affordability Commitment:** The Regional program requires qualified providers of affordable housing units to commit to maintaining affordable units for a period of up to 60 years (minimum 20 years depending on the useful life of the building) to receive the property tax exemption. The City's participation in the program is limited to providing a property tax exemption for the City's portion of the levy to non-profit and co-operative affordable housing service providers for a period of 20 years.

City staff have received feedback from for-profit developers who have indicated that the Region's program requiring a commitment of 60 years is not appealing to them and is a significant deterrent to their participation.

2. **Recent Court of Appeal Decision:** The Ontario Court of Appeal's ruling in *Stamford Kiwanis Non-Profit Homes Inc. v. Municipal Property Assessment Corporation (MPAC) and the Corporation of the City of Niagara Falls*. In this case, the Court of Appeal ruled that Stamford Kiwanis Non-Profit Homes Inc. qualifies for a property tax exemption as they meet all the criteria under the Assessment Act, namely, that they are charitable, nonprofit philanthropic corporation supported in part by public funds and are organized for the relief of the poor. Historically, the most challenging criterion was proving that a non-profit organization was organized for the relief of the poor. The Court of Appeal ruled that the relief of the poor could be interpreted as some element of economic deprivation or need on the part of the non-profit's intended beneficiaries.

As a result of this ruling, MPAC is actively reviewing properties that meet these criteria and will designate qualifying properties as property tax exempt.

Currently, no properties have been approved for a property tax exemption under either the Region's affordable housing program or through MPAC. It is expected that MPAC will require additional time to complete its review of applications submitted under the Region's program and to determine which properties meet the criteria for exemption following the Ontario Court of Appeal decision.

City staff will continue to monitor both the progress of applications under the Region's program and any appeals submitted to MPAC. Any exemptions granted through either pathway will result in property tax shifts, however, the extent of these impacts remains unknown at this time.

STRATEGIC PLAN ALIGNMENT:

This report supports **Building a Connected City Together: Focuses on neighbourhoods; housing and ensuring secure, affordable homes; getting around easily, sustainably and safely to the places and spaces that matter.**

FINANCIAL IMPLICATIONS:

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

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

COMMUNITY ENGAGEMENT:

INFORM – This report has been posted to the City's website with the agenda in advance of the council / committee meeting.

PREVIOUS REPORTS/AUTHORITIES:

- Municipal Act, 2001
- Assessment Act
- [FIN-2024-299](#) Property Tax Exemption for Affordable Housing
- [FIN-2025-323](#) Property Tax Exemption for Affordable Housing- Union Co-operative

APPROVED BY: Jonathan Lautenbach, Chief Financial Officer, Financial Services

ATTACHMENTS: None

REPORT TO: Planning and Strategic Initiatives Committee

DATE OF MEETING: December 1, 2025

SUBMITTED BY: Rosa Bustamante, Director, Planning and Housing Policy/City Planner, 519-783-8929

PREPARED BY: Elyssa Pompa, Planner (Policy), 519-783-8943

WARD(S) INVOLVED: Ward(s) 3, 9, 10

DATE OF REPORT: November 20, 2025

REPORT NO.: DSD-2025-450

SUBJECT: Inclusionary Zoning – 2025 Residential Market Update

RECOMMENDATION:

Information

REPORT HIGHLIGHTS:

- The purpose of this report is to share findings of a report prepared by retained consultants (“NBLC”) on local market conditions, as directed by Council.
- The key finding of this report is that no adjustments to specific policy parameters are recommended to the Inclusionary Zoning framework, in consideration of the NBLC report and the City’s commitment to enabling and delivering affordable housing.
- There are no financial implications arising from this report.
- Community engagement included presenting report findings with members of the development industry and posting of the NBLC report on the Engage WR Inclusionary Zoning page.
- This report supports Building a Connected City Together: Focuses on neighbourhoods; housing and ensuring secure, affordable homes; getting around easily, sustainably and safely to the places and spaces that matter.

BACKGROUND:

On December 16, 2024, Council adopted [Official Plan Amendment 59](#), [Amendment 2024-213](#) to Zoning By-law 2019-051 and [Amendment 2024-214](#) to Zoning By-law 85-1 that made revisions to Inclusionary Zoning policies and provisions. In addition, Council directed:

“That the inclusionary zoning framework be operationalized as of January 1, 2026; and further,

That staff be directed to monitor local market conditions and report back to Council no later than the end of 2025 with recommendations on potential adjustments to specific policy parameters, where necessary.”

REPORT:

Staff retained N. Barry Lyons Consulting (NBLC) land economists to conduct an updated 2025 Residential Market Assessment (“report”) analysing recent local market activity and conditions. The report reinforced that across multiple key indicators, the market and economic context for investing in new high density residential development in Protected Major Transit Station Areas (PMTSA) is markedly more challenging. Key indicators were measured, including:

- **Population Growth:** Kitchener-Waterloo-Cambridge has continued to see strong population growth, largely driven by non-permanent residents. Recent Federal policy announcements related to cuts and caps to permanent and non-permanent resident targets will dampen the pace of population growth in the near term;
- **Development Feasibility:** Rising interest rates and a 92% increase in construction costs since 2017 have significantly reduced the feasibility of new housing projects, leading to minimal new launches and building permits in 2025;
- **Condominium Market Trends:** The gap between new sales and unsold inventory continues to widen as demand remains weak. Relative affordability and choice in the resale market has eroded the attractiveness of purchasing in a pre-construction project; and
- **Rental Market Outlook:** Vacancy rates have been increasing and have reached balanced market conditions for the first time in over two decades. Rental price growth has been dampened by record-high completions in 2023 and a decrease in international student visas.

The report concluded that unless an Inclusionary Zoning policy was combined with offsetting measures, the policy would likely delay the recovery of transit-oriented sites. However, if this policy is applied in the near term, it would not be the sole reason new development projects within PMTSA areas are not proceeding.

The report indicated that currently, there is no rationale for reclassifying the submarkets classifications (“prime”, “established”, or “emerging”) within PMTSAs given the absence of projects and land transaction activity. Although the timeline for market recovery remains uncertain, broader market fundamentals indicate there will likely be a return to a strengthened housing market over time. The NBLC report is included as Attachment A.

What We Heard

Staff from the cities of Kitchener, Waterloo, Cambridge, and the Region of Waterloo met with representatives from the Waterloo Region Homebuilders Association and Build Urban on October 16th to share the results of the NBLC report and discuss a letter prepared by Build Urban on a proposed approach to when Inclusionary Zoning requirements should begin to apply. The discussion was productive. Members shared concern that the implementation of Inclusionary Zoning now is ill-timed due to the current stagnation of the housing market. Staff heard the members’ suggestions that Inclusionary Zoning requirements only begin once the number of housing starts are above historic averages.

The proposal was that the requirements for Inclusionary Zoning would be automatically re-assessed and potentially paused or reapplied every 6 months. A letter outlining their policy approach is included as Attachment B.

Conclusion

The City's residential market continues to experience limited activity. Despite a pause to Inclusionary Zoning implementation in 2025, and clear communication to the development industry of a 2026 implementation, to date, there have been no 50+ unit housing developments started this year within the city's PMTSAs (50+ unit developments trigger IZ). This indicates that Inclusionary Zoning is not suppressing housing starts in the current climate of overall market weakness.

Implementing Inclusionary Zoning at this time positions the City to capitalize on future housing supply opportunities as the market rebounds. Establishing a small but certain Inclusionary Zoning requirement beginning in 2026 will provide policy that the development industry can plan for when making investment decisions. While staff acknowledge NBLC's residential market analysis, it is important to recognize that Inclusionary Zoning is one small contributor to development viability challenges in 2025.

The timing of Inclusionary Zoning implementation was strategic and aligned with the launch of Kitchener's Growing Together planning framework. This framework, which has been in place since early 2025, enables unlimited height and density permissions in key areas. As a result, development applications that conform to this framework would no longer require Official Plan Amendments or Zoning By-law Amendments. This significantly streamlines the approval process, reduces application and study costs, and reduces barriers to housing delivery. This coordinated approach ensures that when market conditions improve, the City will be well positioned to support increased housing supply.

Staff continue to acknowledge the importance and value of monitoring market conditions as part of the Inclusionary Zoning framework. This ongoing analysis is also a requirement under Provincial legislation.

Council's decision in December 2024 supported an implementation date of January 2026. As outlined in the Inclusionary Zoning bylaw, the set-aside rates are scheduled to increase in 2027, which will require staff to report back to Council with a Zoning Bylaw Amendment no later than end of 2026. This built-in review point provides an opportunity to assess market conditions and make any necessary adjustments to the set-aside rates at that time.

Despite a continued slowdown of housing development in Kitchener, the Province recently announced that the City achieved 105% of its 2024 housing target with 3,067 housing starts. Although designed to function in response to market changes and grounded in maintaining market viability, it is important to reiterate the critical importance on the long-term intent of the Inclusionary Zoning policy to secure affordable housing units in new development.

Inclusionary Zoning policy is one of ten Housing Accelerator Fund (HAF) initiatives the City of Kitchener is committed to implementing as part of its contribution agreement with the Canadian Mortgage and Housing Corporation (CMHC). The current contribution agreement requires that the City demonstrate that implementing IZ policies has resulted in the creation of 21 new affordable dwelling units over the course of the program period. There may be an

opportunity to request that these units be reallocated to another HAF initiative and still achieve the overall number of HAF incentivized units that are required by September 2026.

STRATEGIC PLAN ALIGNMENT:

This report supports **Building a Connected City Together: Focuses on neighbourhoods; housing and ensuring secure, affordable homes; getting around easily, sustainably and safely to the places and spaces that matter.**

FINANCIAL IMPLICATIONS:

None.

COMMUNITY ENGAGEMENT:

INFORM – This report has been posted to the City’s website with the agenda in advance of the council / committee meeting. Additionally, the NBLC report and information about the Committee of Council meeting was shared on the Engage WR Inclusionary Zoning page and an email notice of the meeting was sent to all persons who had previously expressed interest in the project.

CONSULT – Staff from the cities of Kitchener, Waterloo, Cambridge, and the Region of Waterloo met with representatives from the Waterloo Region Homebuilders Association and Build Urban on October 16th.

PREVIOUS REPORTS/AUTHORITIES:

- [DSD-20-006](#) Affordable Housing Strategy Phase 2: Housing Needs Assessment
- [DSD-20-150](#) Inclusionary Zoning for Affordable Housing: Background and Fiscal Impact Analysis
- [DSD-2022-281](#) Growth Related Funding Tools — Cumulative Impact Assessment
- [DSD-2022-501](#) Bill 23 More Homes Built Faster Act — Kitchener Comments
- [DSD-2023-071](#) Inclusionary Zoning for Affordable Housing: Status Update
- [DSD-2023-258](#) Inclusionary Zoning — Policy and Implementation Directions
- [DSD-2024-029](#) Official Plan Amendment OPA23/015/ K/TD and Zoning Bylaw Amendment ZBA23/ 027/ K/TD — Inclusionary Zoning
- [DSD-2024-111](#) Official Plan Amendment and Zoning By-law Amendment, DSD-2024-029 and Follow-up Report
- [DSD-2024-498](#) Inclusionary Zoning – Updated Market Analysis
- [Provincial Planning Statement, 2024](#)
- [Planning Act, R.S.O. 1990](#)
- [Residential Tenancies Act, 2006](#)
- [Housing Services Act, 2011](#)
- [Regional Official Plan, 2010](#)

REVIEWED BY: Natalie Goss, Manager Policy & Research

APPROVED BY: Justin Readman, General Manager of Development Services

ATTACHMENTS:

Attachment A – NBLC 2025 Residential Market Update

Attachment B – Inclusionary Zoning Letter from Build Urban

2025 Residential Market Update

*IZ policy review for Municipal Partners:
Kitchener, Waterloo & Cambridge*

NBLC

September 2025

Demographic Overview

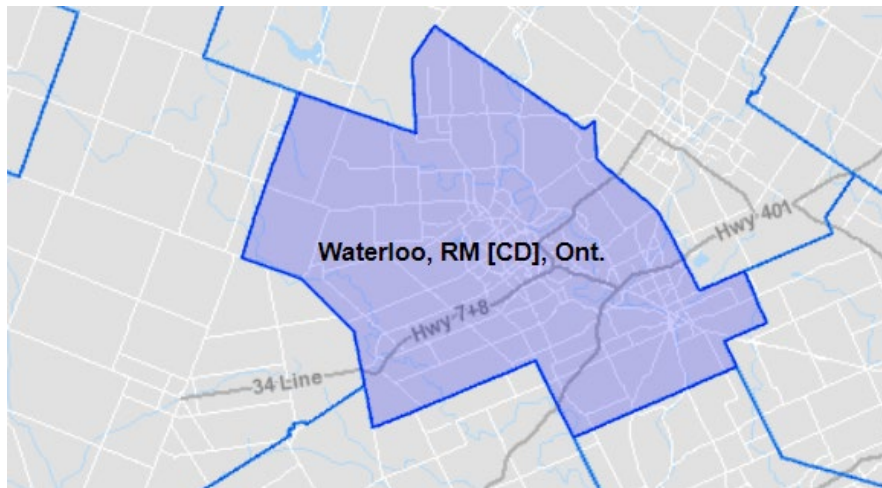
Kitchener-Waterloo-Cambridge

Demographics: Population Growth

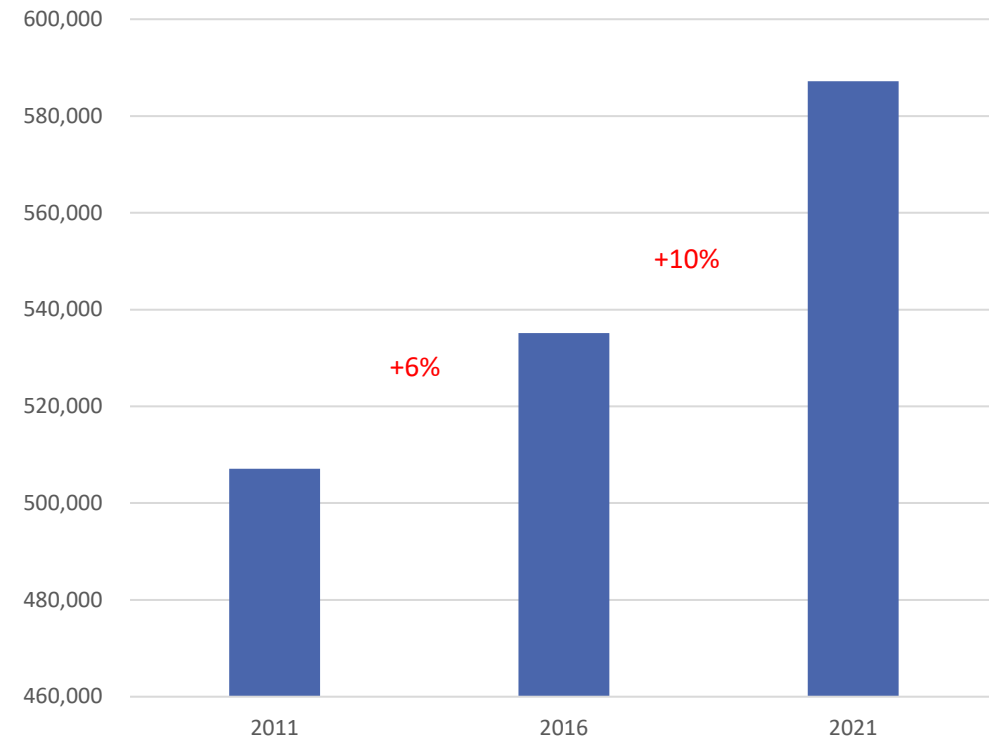
Rapid Population Growth in Recent Years

Strong Population Growth Recorded: Between the 2016 and 2021 Census Period, the population of the Waterloo Census Division (CD) rose 10% (52,000+ persons), well above the 4.6% growth rate in the City of Toronto and 5.8% in Ontario.

Why? Strong tech industry, proximity to Toronto, post-secondary institutions, and immigration fuel Kitchener-Waterloo's population growth.



Population Growth: Waterloo Census Division
2011 - 2021



Data source: Statistics Canada

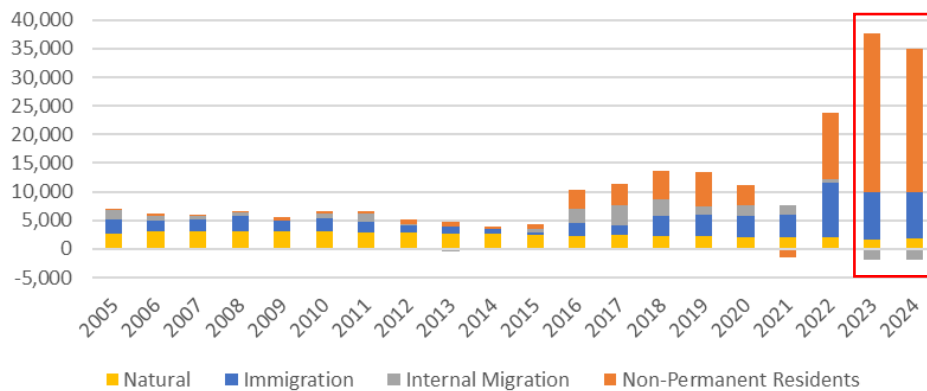
Demographics: Population Growth

Non-Permanent Residents Driving Population Growth

Over the past two years, Waterloo Region added an average of more than 26,000 non-permanent residents annually—over five times the 10-year average of about 4,800. NPRs surged to record highs in 2023 (+27,800) and 2024 (+25,100), far outpacing all other components of growth. This mirrors a broader national trend, with NPRs becoming a major driver of population growth across Canada.

While natural increase, immigration, and internal migration have contributed modestly to growth in recent years, their impact has been overshadowed by the surge in NPRs. For context, immigration added about 8,000 people in 2023 and 2024, while natural increase was below 2,000 annually.

Components of Population Growth
Waterloo Census Division: 2005 to 2024

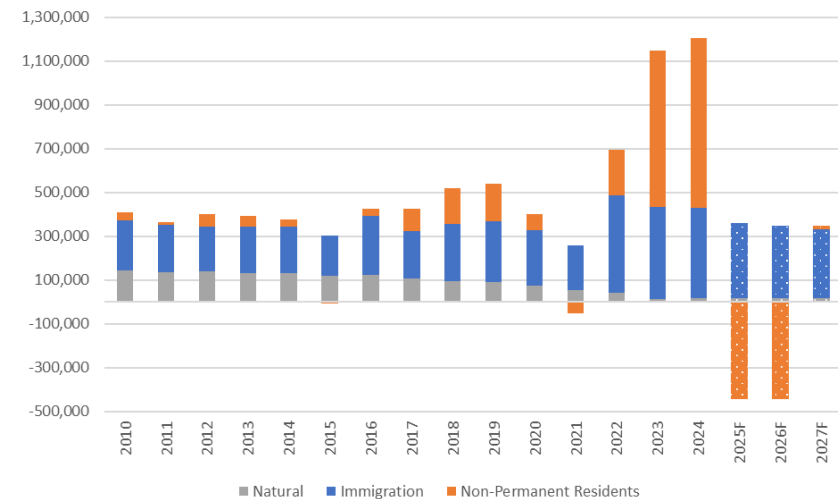


Data source: Statistics Canada

Record-High Growth, Now Cooling: Canada's population expanded by 1.2M people in 2023 (+3.2%), the fastest pace since 1957, almost entirely from international migration. However, the Federal Government has since reduced both permanent and non-permanent resident targets, marking the first time caps have been placed on temporary residents.

Near-Term Moderation Expected: With PR targets cut from 500,000 to 365,000 by 2027 and NPRs declining from 2025 onward, Canada's population growth is projected to slow significantly. This shift is expected to have a cooling effect on the housing market after years of record demand.

Components of Population Growth in Canada
2010 to 2027 (Forecast from 2025)



Residential Market Overview

Kitchener-Waterloo-Cambridge

Residential Market Overview

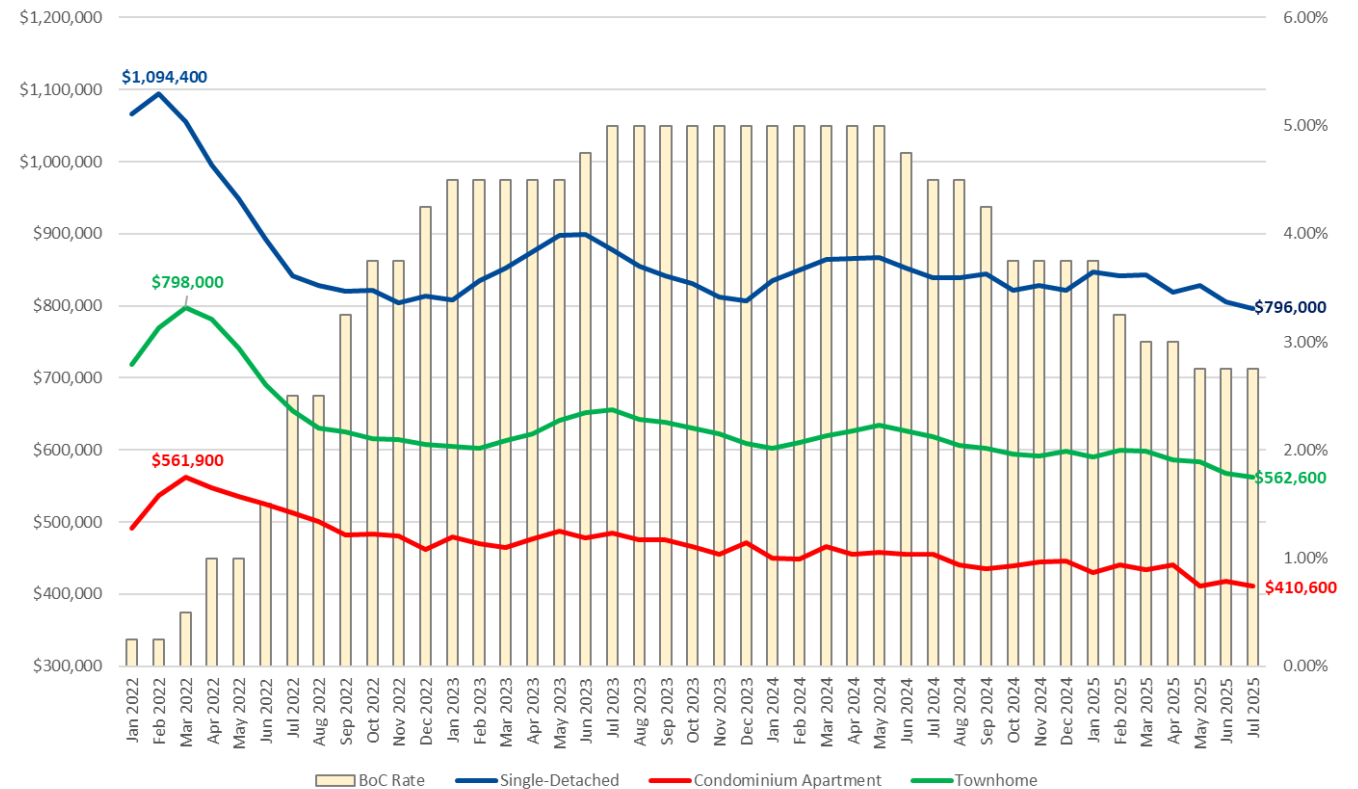
Falling Interest Rates Have Not Had a Material Impact on Pricing

Impact of Interest Rate Hikes: Interest rates began to rise in March 2022, when the Bank of Canada lifted its policy rate from 0.25% to 0.50%. Over the following 16 months, rates climbed sharply to 5.0% by July 2023. This had a direct impact on the housing market, with condominium apartment prices falling from \$561,900 in March 2022 to \$484,800 in July 2023 — a decline of 14%.

Recent Decline in Policy Rate: More recently, the Bank of Canada has reversed course, lowering rates from 5.0% in June 2024 to 2.75% by July 2025, a reduction of 225 basis points. Despite these cuts, condominium apartment values have continued to trend downwards, with prices declining 9% year-over-year as of July 2025.

Effect on New Development: Higher interest rates (borrowing costs) and weaker new sale demand has eroded feasibility of new projects. In addition to direct financing challenges, developers are also facing rising construction costs, tighter lending conditions, and weak absorption rates. This combination has forced many projects to be delayed, scaled back, or cancelled altogether, further constraining the pipeline of future housing supply

Average Resale Housing Prices and BoC Overnight Lending Rate
Kitchener-Waterloo: Jan 2022 to July 2025



Data source: CREA, Bank of Canada

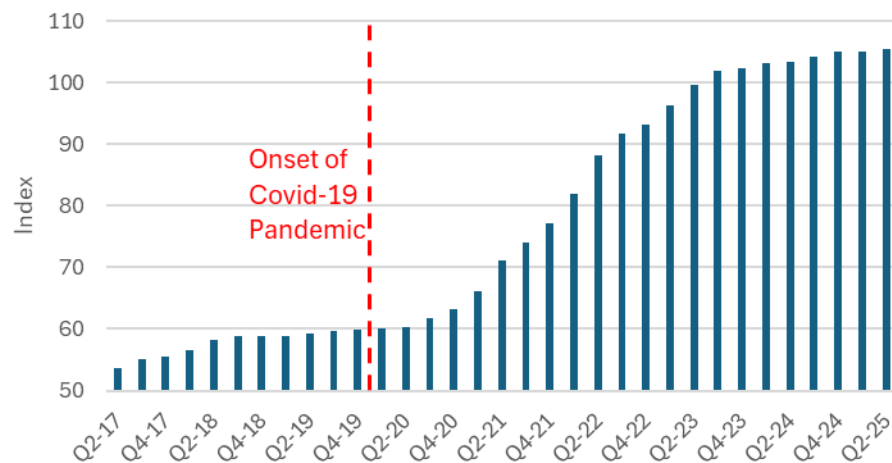
Residential Market Overview

Rising Construction Costs Across Ontario

Post-Pandemic Surge: After a period of relative stability, hard construction costs surged by 18% in 2021, 24% in 2022, and 13% in 2023, driven by supply chain disruptions, material costs, skilled labour shortages, and rising borrowing costs. Growth has since moderated, but costs have continued to edge upward—rising another 3% in 2024 and 0.4% through the first half of 2025.

Broader Impact: Construction costs are now 96% higher than in 2017 and 76% above early-2020 levels. These elevated costs continue to weigh heavily on housing development feasibility across Ontario, including throughout the Kitchener-Waterloo-Cambridge market (KWC), with limited expectations for a return to pre-pandemic costs.

Apartment Building Construction Price Index
Toronto CMA: Q2-2017 to Q2-2025



Apartment Market Context

Impacts of Rising Costs and Falling Demand

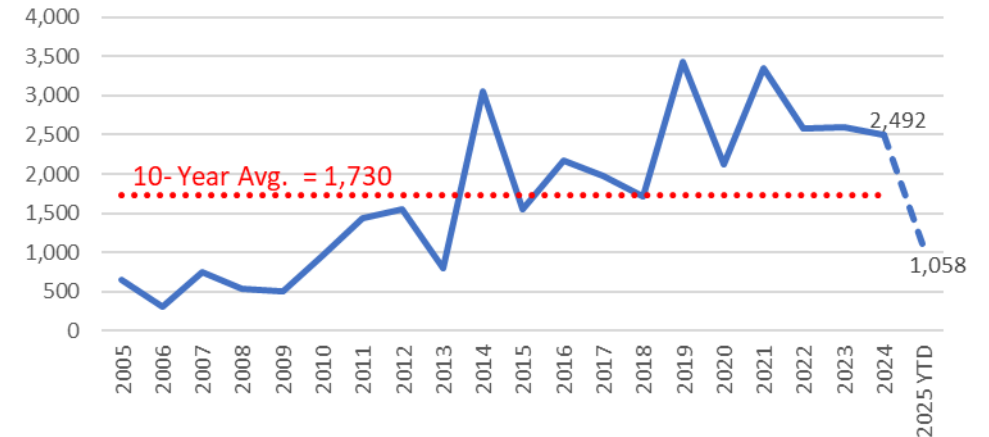
As of 2023, apartment starts began to trend downwards in KWC; largely a function of suppressed demand and broader economic challenges that have eroded development feasibility.

During 2023, there was a record high level of apartment completions for both condominium and rental tenure in KWC, totaling 2,171 condo completions and 1,397 rental completions. These completions have contributed to softness in the market, adding new supply and choice to both the private rental and resale market.

As construction starts decline, completions are expected to taper off in the coming years. Combined with anticipated population growth, this will present challenges for meeting demand in future years.

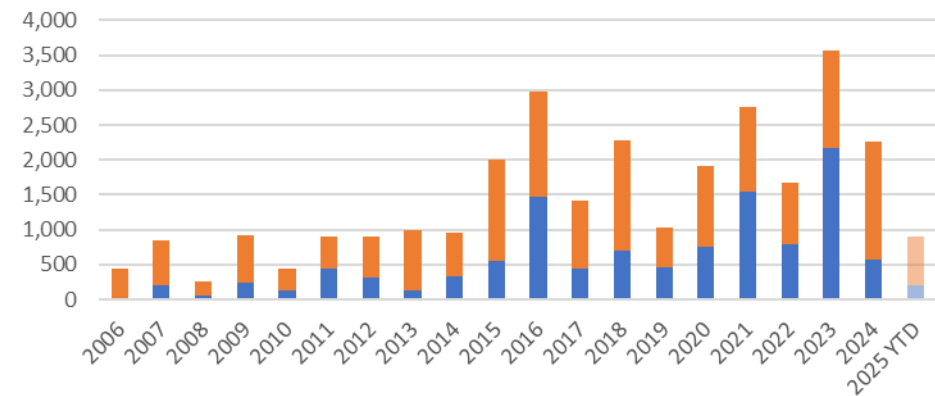
Historical Apartment Starts

KWC: 2005-2025 YTD



Apartment Completions by Tenure

KWC: 2006 to 2025 YTD



Data source: CMHC

■ Condominium ■ Rental

Federal Initiative to Deliver Affordable Housing at Scale

Build Canada Homes Initiative

The Federal Government announced Build Canada Homes in September 2025 as a new agency dedicated to accelerating the delivery of affordable and rental housing. Backed by an initial \$13 billion investment, the program will leverage federal and public lands and expand the use of prefabricated (modular) construction to speed up timelines and reduce costs.

Early actions include six federally owned sites in major cities, targeted to deliver roughly 4,000 modular homes. The initiative also establishes the Canada Rental Protection Fund (\$1.5 billion) to help acquire and preserve at-risk rental housing.

For developers, Build Canada Homes could help reduce land costs, streamline approvals, and open new partnership opportunities. While the first projects are concentrated in large metropolitan areas, the program has potential to extend into mid-sized regions such as KWC if partnerships are pursued.



Apartment Market Overview

Kitchener-Waterloo-Cambridge

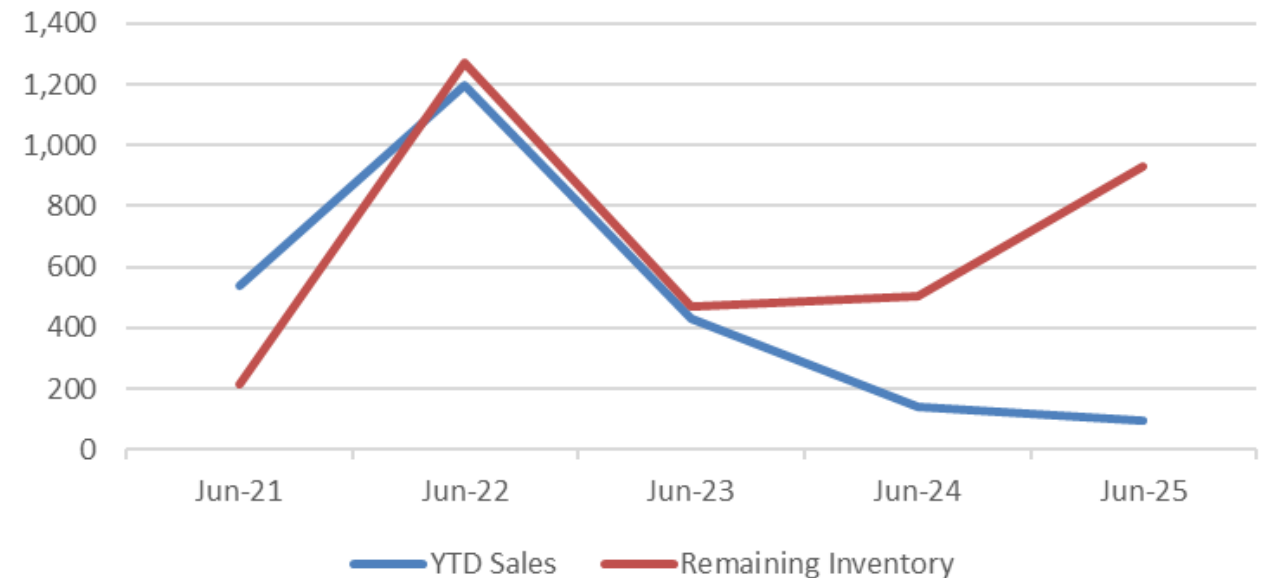
New Condominium Apartment Market

Unsold Inventory Filling the New Condo Market

Since 2023, the gap between sales and unsold inventory in KWC has widened notably. In mid-2023 and 2024, unsold inventory was relatively low, hovering around 470–500 units, aligning more closely with sales activity and suggesting a balanced market. By mid-2025, however, remaining inventory nearly doubled to 933 units as sales slowed, pointing to weaker absorption and a build-up of supply.

This shift marks a break from the tighter conditions seen earlier in the decade, where unsold units were quickly absorbed. The recent increase highlights the growing challenge of aligning new supply with demand in a softer market environment.

Condominium Apartment Sales
KWC: First-Half 2021 to 2025



Data source: Altus Data Studio

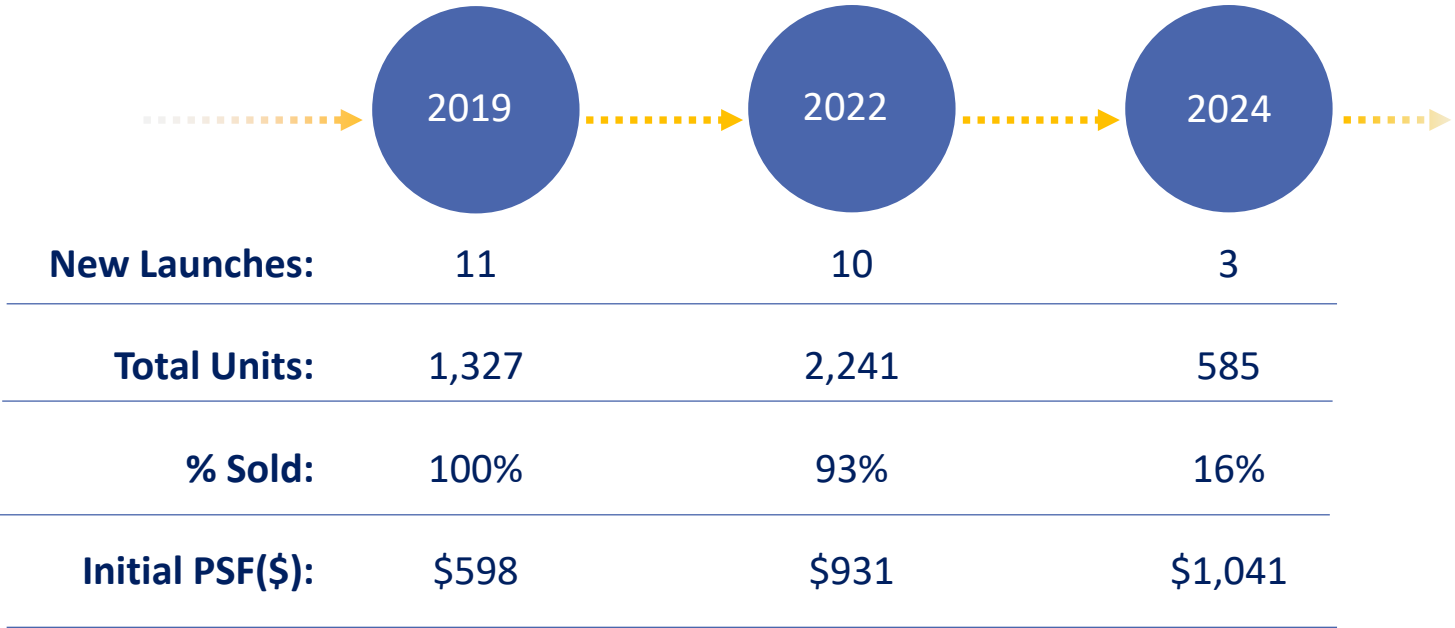
New Condominium Apartment Market

Spotlight on Condo Launch Activity

Despite average pricing trending upwards, there have been few new condominium project launches in 2024 and **no new launches in 2025**.

High initial pricing across 2024 project launches was not indicative of demand, as sales have been very slow. However, developers have been reluctant to adjust pricing for reasons related to financial viability and market confidence.

The prices being sought at recent launches reflect what is required from a pro forma standpoint to support a viable project. However, with 585 new units launched in 2024, only about 16% of these units have sold. This dynamic suggests that market demand is not currently available at pricing approaching \$1,000 per square foot.



Data source: Altus Data Studio

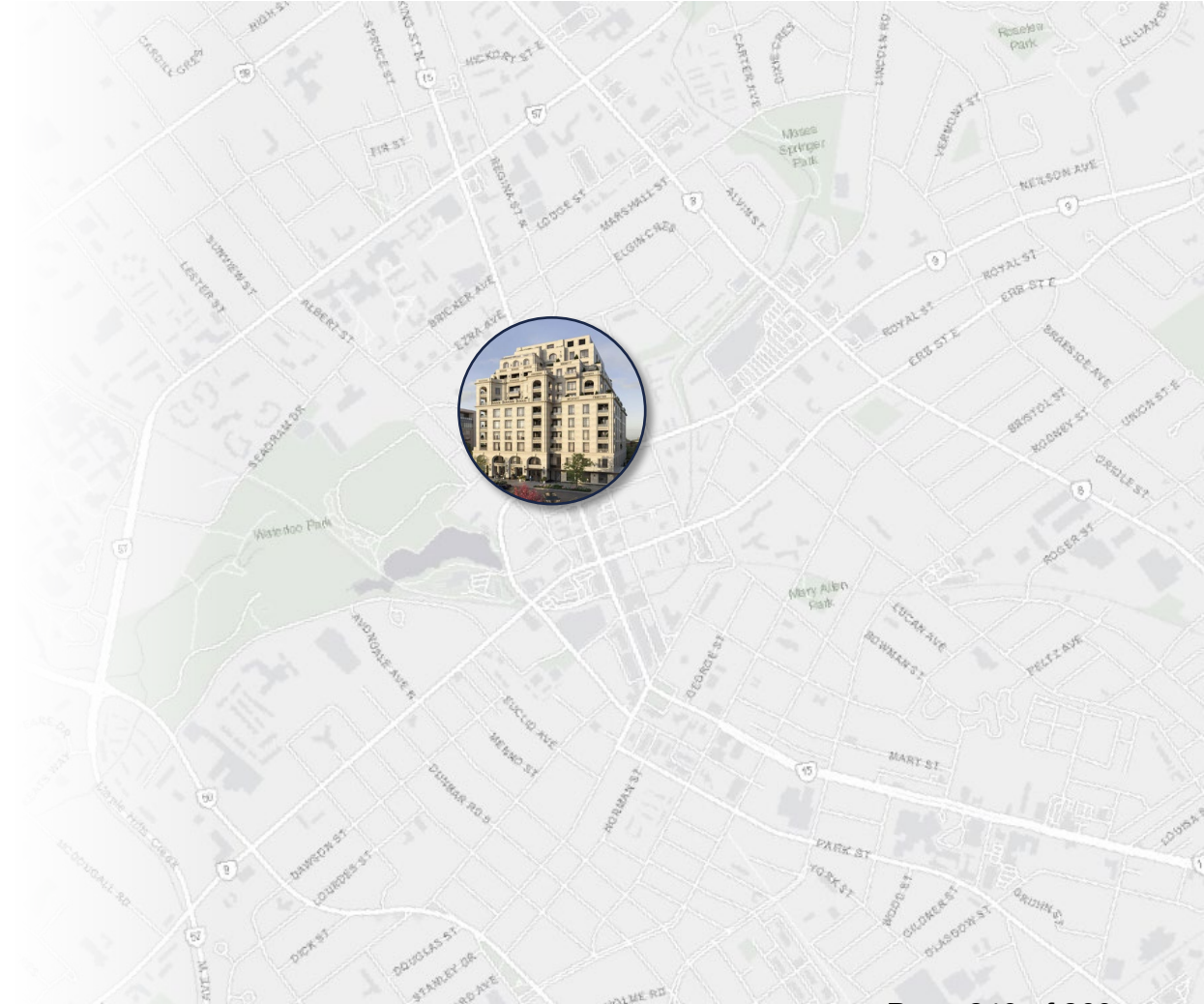
New Condominium Apartment Market

Isabella Residences is the Most Recent Launch

The most recent condominium apartment launch in KWC is Isabella Residences, located at 28 Dorset Street in Waterloo. The 11-storey, 29-unit luxury building launched in December 2024 at an average price of \$2,007 per square foot. As of August 2025, three units have sold (10%).

Given its luxury positioning high pricing, Isabella Residences skews the overall pricing averages for new condominium project launches in KWC throughout 2024.

Limited sales reflect both the elevated price point and the project's focus on end users seeking boutique, luxury product rather than investor demand which has been a key driver of sales volume in recent years.



New Condominium Apartment Market

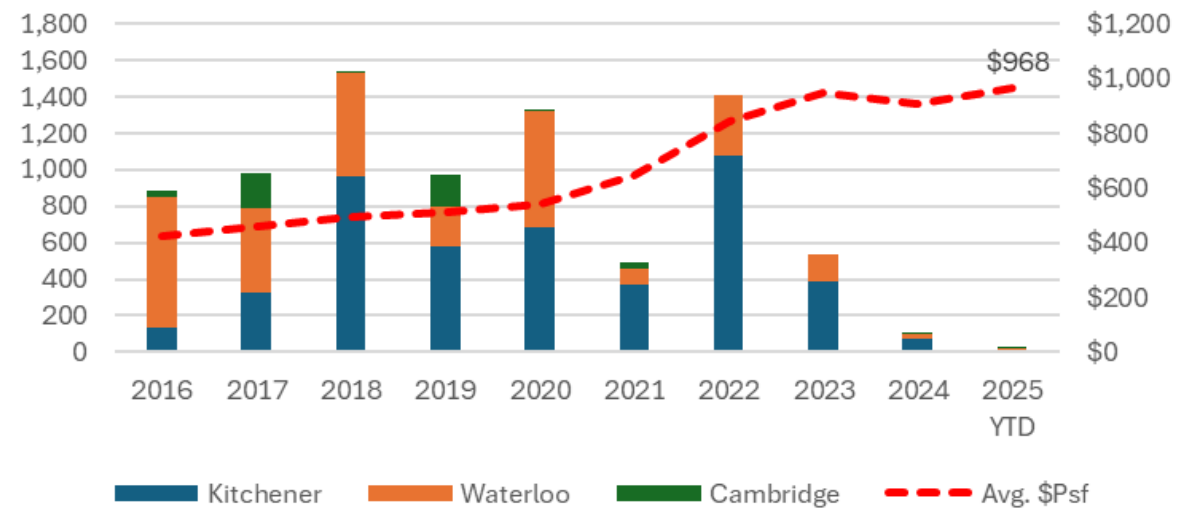
Soft Market Conditions Continue in 2025

New condominium apartment sales volumes in KWC have significantly declined since 2022, reflecting dampened demand and rising construction costs across the region. There were only 22 sales recorded during the first two quarters of 2025, well below the 10-year average of 827 sales annually.

Despite the flattened sales, pricing has still trended upwards, skewed by the most recent launches with pricing well above market expectations.

The pre-construction condominium market in KWC has been heavily reliant on investors, but rising purchase prices and carrying costs have made investment units less profitable. High purchase prices, interest rates and a glut of recent completions have put investors on the sidelines until market conditions improve.

Total Apartment Sales Vs Average PSF (\$)
KWC: 2016 to 2025 YTD



Data source: Altus Data Studio

Resale Condominium Apartment Market

Soft Market Conditions

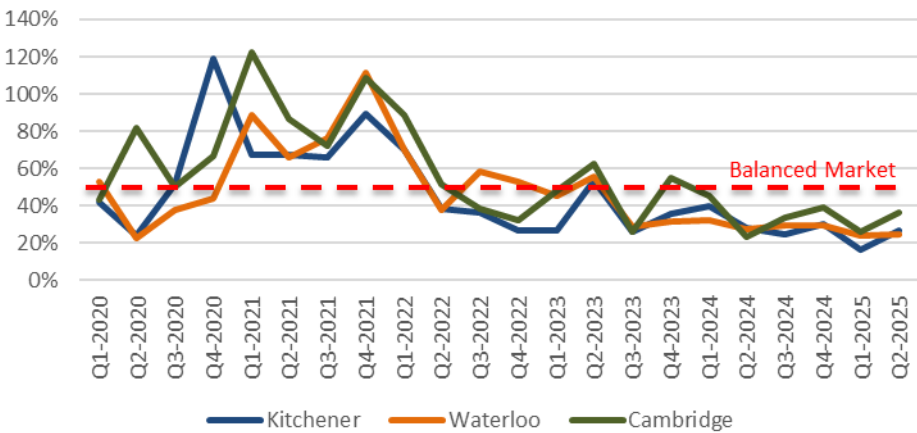
The resale apartment market in KWC peaked in early 2022, prior to monetary policy changes to curb persistent post-pandemic inflation. Following aggressive interest rate hikes, the resale market steadily declined throughout the summer of 2024 and into 2025.

During 2022, the average sales-to-new-listings ratio surged to 70-90%, but by Q3-2024, it had dropped to 30-40%, below a balanced market threshold of 50%.

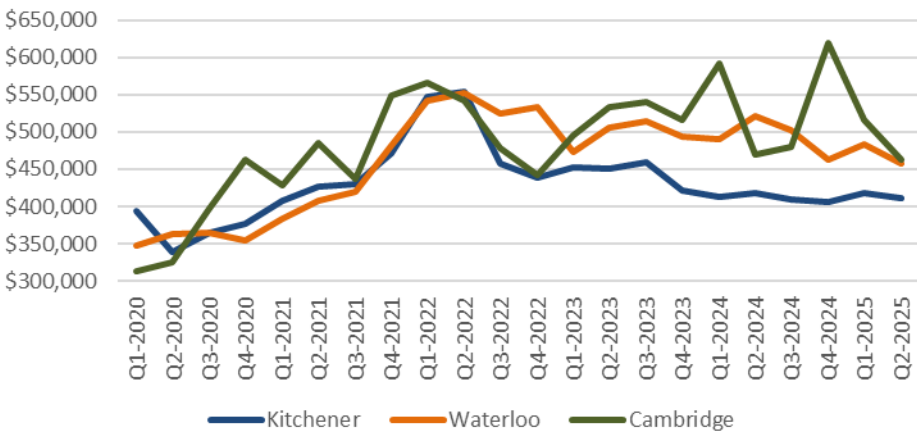
Ever since the peak in Q2-2022, resale prices have generally trended downwards, most notably in Kitchener, where the average price for resale condominium apartments fell 34% between Q2-2022 and Q2-2025.

With a large number of recent new apartment completions and softness in the resale market, there is little incentive for prospective purchasers to consider a new pre-construction unit at pricing well above that of a recently constructed resale unit.

Historical Sales-To-New-Listings
KWC: Q1-2020 to Q2-2025



Avg. Resale Price for Condominium Apartments
KWC: Q1-2020 to Q2-2025

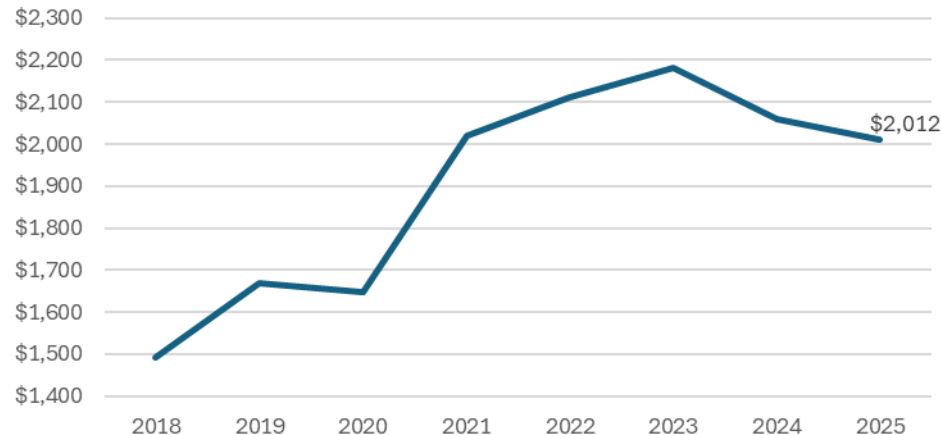


Rental Apartment Market

Average Rents Dampened in 2024

After hitting a peak in 2023, average rents in KWC began to soften leading to Q2-2025. This softening was largely a function of record-high apartment completions during 2023 which increased supply coupled with weakened demand due to a more recent decline in international student permits.

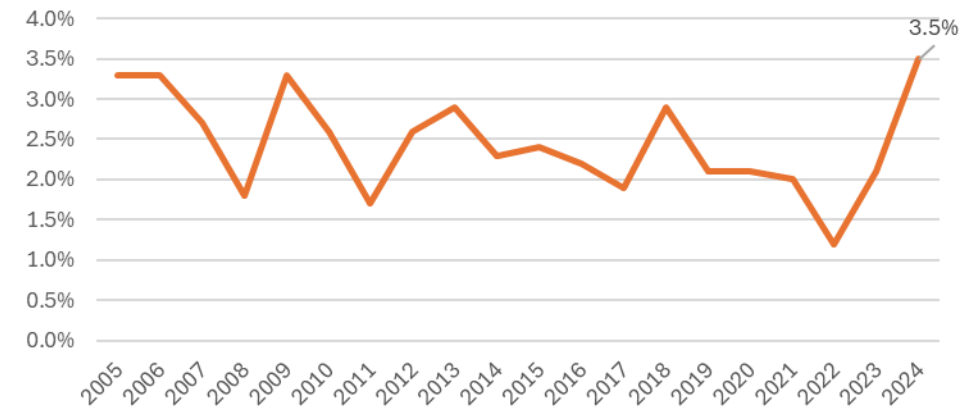
Average Private Condo Monthly Rents
KWC: 2018 to 2025 YTD



Data source: TRREB

The rental market has historically remained tight, with a vacancy rate generally below a balanced level of 3-5% between 2005 and 2024, before hitting a balanced level of 3.5% for the first time in over two decades.

Historical Purpose-Built Vacancy
KWC: 2005 to 2024



Data source: CMHC

Rental Apartment Market

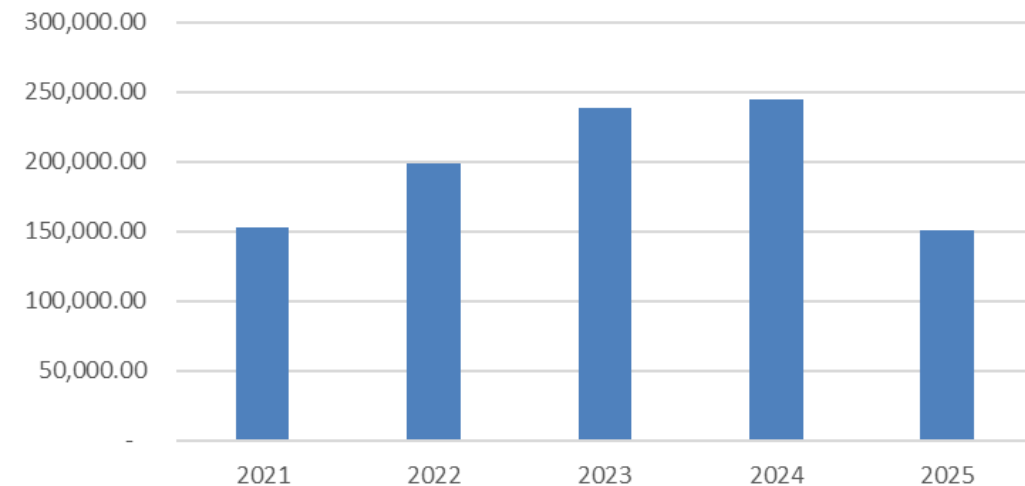
Sharp Decline in International Study Permits

Recent data shows a significant decline in Canadian international study permits. The first two quarters of 2025 totaled just over 150,000 study permit holders in Canada, a 38% decrease from 245,055 in the same period in 2024. This drop correlates with stricter financial requirements and government-imposed institutional capacity limits.

Effective January 1, 2024, study permit applicants were required to demonstrate they had \$20,635 in funds, in addition to covering their first year of tuition and travel costs. This was an increase from the previous threshold of \$10,000, which had remained unchanged since the early 2000s. The update aimed to better reflect the rising cost of living and prevent students from facing financial hardship upon arrival in Canada.

While the decline in international student permits may soften rental demand in the near term, KWC still faces tight rental market conditions. The region continues to experience population growth, relatively low vacancy rates, and sustained demand from other tenant groups, such as young professionals and domestic students.

Total Study Permit Holders
Canada: First Two Quarters, 2021 to 2025



Data source: Statistics Canada

Land Transaction Activity

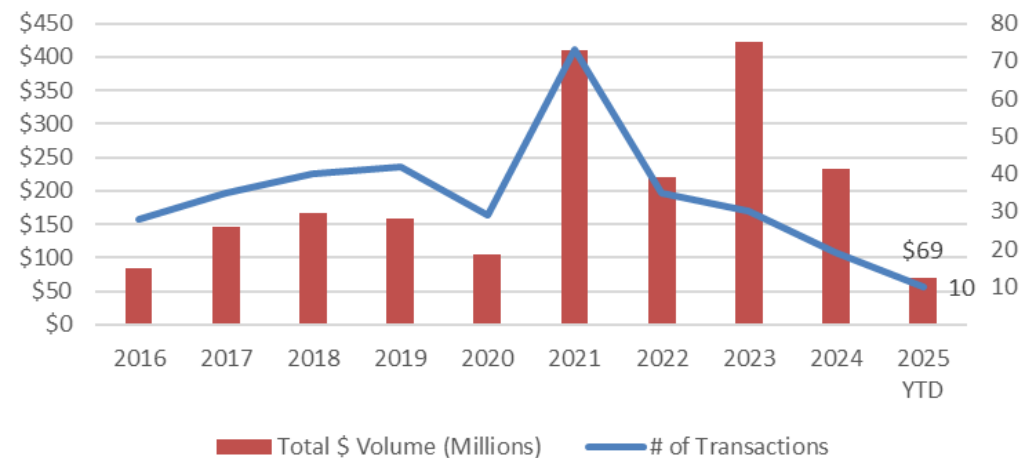
Residential Land Sale Activity Trending Downwards

The frequency of residential land transactions in KWC peaked in 2021, with 73 transactions totaling \$410 million in sales volume. Since then, market softness has led to a reduction in overall investment within the region.

As of Q2-2025, there were 10 land transactions recorded in KWC, totaling just under \$70 million in sales volume.

A general slowing in land acquisition activity reflects overall market confidence and availability of investment capital to place in new apartment developments. The eroding feasibility of most new developments has made it more difficult to acquire land at the prices that vendors would have previously commanded. From a proforma perspective, the confluence of softening demand and rising construction costs has put downward pressure on land value.

Residential Land Transactions by Year
KWC: 2016 to 2025 YTD



Data source: Altus Data Studio

Summary & IZ Implications Kitchener-Waterloo-Cambridge

Market Summary

Challenges Affecting Today's Apartment Market

Population Growth: Kitchener-Waterloo-Cambridge (KWC) has continued to see strong population growth, largely driven by non-permanent residents. Recent Federal policy announcements related to cuts and caps to permanent and non-permanent resident targets will dampen the pace of population growth in the near term.

Development Feasibility: Rising interest rates and a 96% increase in construction costs since 2017 have significantly reduced the feasibility of new housing projects, leading to limited new launches and building permits in 2025.

Condominium Market Trends: The gap between new sales and unsold inventory continues to widen as demand remains weak. Relative affordability and choice in the resale market has eroded the attractiveness of purchasing in a pre-construction project.

Rental Market Outlook: Vacancy rates have been increasing and have reached balanced market conditions for the first time in over two decades. Rental price growth has been dampened by record-high completions in 2023 and a decrease in international student visas.



Considerations for IZ Implementation

The Economic Context has Shifted

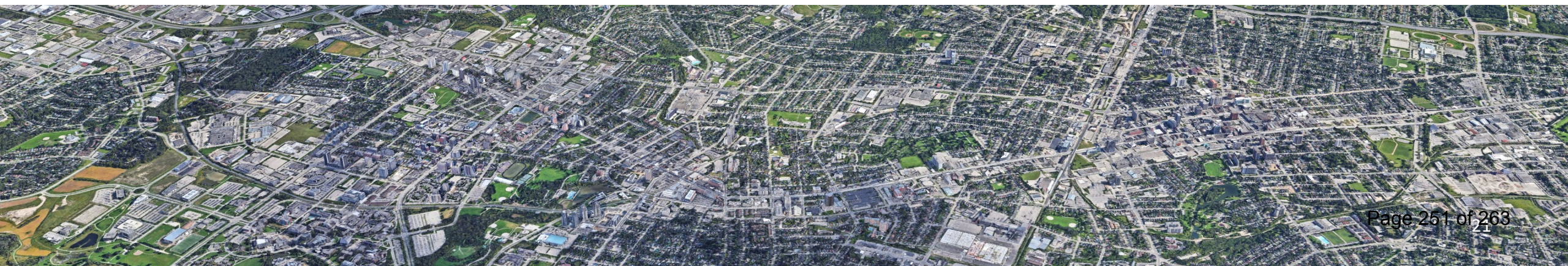
NBLC's initial IZ assessment report was completed in 2019/20, a period in which the high-density market was strengthening on a year-over-year basis and market momentum demonstrated some capacity to absorb inclusionary housing without adversely impacting market rate supply.

This updated market review reinforces that across multiple key indicators, the market and economic context for investing in new high density residential development is markedly more challenging than it was five years prior.

Unless an IZ policy was coupled with offsetting measures, the policy – which at its core substitutes market revenue with a measure of affordability – would likely delay the recovery of transit-oriented sites.

At present, there is no market rationale for reclassifying submarkets along the ION corridor given the overall dearth of actively marketing projects and land transaction activity. While the timing for market recovery is unknown, broader market fundamentals do suggest that there is likely to be a return to strength, over time.

However, we would not suggest that IZ policies be abandoned altogether. It remains critical that market participants price IZ into their investment decisions. IZ, if applied in the near term, would not be the sole reason new development projects within PMTSA areas are not proceeding. The presence of enabling overarching policy is positive in that it is a clear signal to be considered and factored in future investment decisions.



Considerations for IZ Implementation

Reframing a Policy Response

A range of policy choices remain available to reframe IZ policies within the current economic environment. Generally, it is our view that the timeline for IZ's implementation should be extended until favorable market dynamics return to the region, unless offsetting measures are introduced in the near term to allow for improved project performance.

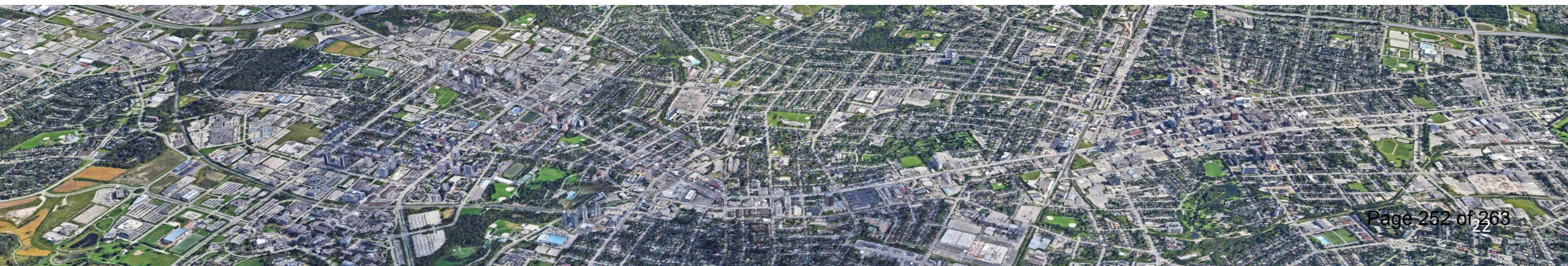
Given current market fundamentals, the granting of additional density will not be a powerful offset in the short term. We also understand the Partners have eliminated parking minimums and taken strong steps to improve development approval timelines. Offsetting measures would therefore require some form of financial incentive to offset the impact of providing affordable housing until market feasibility improves.

As the Partners look to reframe IZ policies and update supporting technical work, key high-density market indicators to monitor as part of policy planning include, among others:

- New pre-sales / pre-leasing activity
- Absorption rates and pricing
- Interest rates
- Construction costs

In monitoring market variables, it is important to note that these dynamics are interrelated. For instance, falling interest rates alone may not trigger a market rebound if hard construction costs remain elevated and population growth stagnates.

In general terms, we would look to see signals of returned market strength and viability throughout new market-rate projects in order to suggest that there might also be capacity to include below-market units. After all, without economically viable market-rate developments, affordable units cannot not be delivered via an IZ policy.





Disclaimer: The findings, conclusions and recommendations contained in this analysis have been prepared based on both primary and secondary data sources. NBLC makes every effort to ensure that data is correct but cannot guarantee its accuracy. It is also important to note that it is not possible to document all factors or account for all changes that occur in the future and influence the viability of a real estate development project.

NBLC assumes no responsibility for losses sustained as a result of implementing any recommendation provided in this analysis. This analysis has been prepared for the purposes of preliminary review and is not to be relied upon or used for any other purposes, or by any other party, without prior written authorization from N. Barry Lyon Consultants Limited.



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& Mark A. de Jong**

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VIA EMAIL

October 31, 2025

City of Waterloo
Integrated Planning and Public Works
100 Regina Street South
Waterloo, ON N2J 4A3

Attention: Ron Ormson, Commissioner, via e-mail: Ron.ormson@waterloo.ca

City of Cambridge
Planning and Growth
50 Dickson Street
Cambridge, ON N1R 5W8

Attention: Hardy Bromberg, General Manager of Planning, via e-mail: brombergh@cambridge.ca

City of Kitchener
Planning & Housing Policy
200 King Street West
Kitchener, ON N2G 4G7

Attention: Rosa Bustamante, Director, via e-mail: Rosa.Bustamante@kitchener.ca

Region of Waterloo
Planning, Development and Legislative Services
150 Frederick Street
Kitchener, ON N2G 4J3

Attention: Rob Regier, Commissioner, via e-mail: rregier@regionofwaterloo.ca

Dear Mr. Ormson, Ms. Bustamante, Mr. Bromberg, and Mr. Regier:

**RE: INCLUSIONARY ZONING BY-LAWS
Kitchener, Waterloo, and Cambridge
Legal Opinion: Suggested "Triggering" or "Phasing" Provisions**

We represent Build Urban ("**Client**"), a collection of urban developers from across Waterloo Region. Our Client has requested that we prepare this letter to contribute to the ongoing discussion about Inclusionary Zoning ("**IZ**") By-laws in the tri-City area.

As a starting point, our Client takes the position that current housing market conditions do not allow for an IZ program to be implemented whatsoever. Implementing an IZ By-law at this stage will only serve to place a further chill on the housing market, which will have the unintended effect of further reducing housing affordability rather than the laudable goal of adding to the Region's affordable housing stock.

JENNIFER J MEADER, PROFESSIONAL CORPORATION
TMA LAW

Representatives of our Client were in attendance at a meeting with the City of Waterloo on October 16, 2025. At this meeting, the City showed a presentation from N. Barry Lyons Consulting (“**NBLC**”) which continues to confirm that market conditions are not conducive to an IZ Program. Through this letter, we are requesting a copy of NLBC’s presentation.

Our Client believes wholeheartedly that, **when market conditions can sustain it**, an IZ program, properly implemented, can significantly increase the amount and rate of affordable housing development in the tri-City area. The purpose of this letter is to propose a framework for a “triggering” or “phasing” provision in IZ By-laws, such that the IZ program is in effect only when market conditions can sustain it. This letter focuses on the permissibility of a triggering or phasing provision. The precise nature of the market indicia which might serve as a trigger for IZ should be part of future detailed discussions between municipalities, landowners, developers, land economists, and other interested parties.

OVERVIEW

While the *Planning Act* and the IZ regulations do not specifically permit municipalities to use such triggering provisions, they do not prohibit them. Our opinion is that municipalities have the power to incorporate triggering provisions into their IZ by-laws, so long as the trigger is reasonable.

This letter discusses the following:

- The IZ by-laws in Waterloo, Kitchener, and Cambridge;
- The *Development Charges Act*, which allows municipalities to include indexing and phasing provisions in their development charges (“**DC**”) by-laws;
- Municipal powers and judicial review; and
- Potential wording for trigger provisions.

EXISTING INCLUSIONARY ZONING BY-LAW REVIEW

City of Waterloo

On June 24, 2024, Waterloo passed Inclusionary Zoning By-law No. 2024-058. It operates as an amendment to Waterloo’s existing Zoning By-law.

The original implementation date for Waterloo’s IZ By-law was March 31, 2025. Section 4(c) of the IZ By-law, which amends Section 3.1.2 of the Zoning By-law, read:

JENNIFER J MEADER, PROFESSIONAL CORPORATION
TMA LAW

c) Commencing on March 31, 2025, on a LOT that is located within a MAJOR TRANSIT STATION AREA as identified on Schedule 'A2' of this BY-LAW, a percentage of GROSS LEASABLE RESIDENTIAL FLOOR AREA shall be set aside for AFFORDABLE DWELLING UNITS in accordance with Table 3C-2, net of any rental replacement DWELLING UNIT required under an applicable Rental Replacement By-law.

The IZ By-law's intent was that a further assessment of market conditions would be undertaken before its implementation.

In October of 2024, N. Barry Lyon Consultants Ltd. ("**NBLC**") prepared a 2024 Residential Market Update for Kitchener, Waterloo, and Cambridge ("**Supplementary Market Assessment**"). It noted that IZ implementation could further delay the recovery of the residential construction market within major transit station areas ("**MTSAs**"). It recommended delaying implementation of IZ.

On March 24, 2025, Waterloo Council approved ZBL 2025-11, which amended Section 3.1.2.c) to change the date of IZ implementation to "an undetermined date in the future".

On June 23, 2025, Council received a mid-year update on IZ. It recommended that the undetermined implementation date be maintained, with a further housing market assessment to take place later in 2025.

City of Kitchener

Kitchener's IZ scheme is contained in two separate zoning by-laws:

- In Kitchener's Zoning By-law 85-1, the IZ provisions are in Section 5.35; and
- In Kitchener's Zoning By-law 2019-051, the IZ provisions are in Section 4.3.

Originally, Kitchener set an IZ implementation date of January 1, 2025. On December 2, 2024, Kitchener Council amended the two Zoning By-laws to extend the implementation date to January 1, 2026. Like Waterloo, the intent was to conduct a further housing market assessment later in 2025.

City of Cambridge

Cambridge has not yet adopted an IZ By-law. It is working together with Waterloo, Kitchener, and the Region of Waterloo on developing a by-law.

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CHALLENGES WITH A FIXED IMPLEMENTATION DATE

Both Waterloo and Kitchener's IZ by-laws use a fixed implementation date, or date to be fixed in the future, to trigger IZ requirements. Using a fixed date poses problems. Predicting the state of the housing market in the future, even with the benefit of the expert Market Assessments NBLC is preparing, is not possible. In addition, the only way to change a fixed date is through a further ZBL amendment. Kitchener and Waterloo had to do this in December 2024 and March 2025 respectively. The ZBL amendment process is a slow one.

These fixed implementation dates are effectively an "ON/OFF switch" for IZ: either IZ applies or it does not. The only way to flip the switch is through a lengthy public process. A misconstrued implementation date during poor market conditions may cause an increased chill on residential development in MTSAs. This will only be exacerbated and extended by the delays posed by the amendment process. Conversely, if market conditions improve such that IZ is sustainable, a municipality could miss out on affordable housing opportunities if it takes several months to turn IZ "back on".

THE ALTERNATIVE: THE *DEVELOPMENT CHARGES ACT* APPROACH

Instead of using a fixed implementation date, in our opinion, it may be more effective to include language in the IZ by-law which automates the "ON/OFF switch". In other words, the by-law will allow for changing affordable housing rates based on changing market conditions. The indexing and phasing provisions of the *Development Charges Act* ("**DC Act**") are the inspiration for this approach.

Sections 5(1)9 and 10 of the *DC Act* say:

9. Rules must be developed to determine if a development charge is payable in any particular case and to determine the amount of the charge, subject to the limitations set out in subsection (6).

10. The rules may provide for full or partial exemptions for types of development and for the phasing in of development charges. The rules may also provide for the indexing of development charges based on the prescribed index.

Section 7 of O.Reg. 82/98 to the *DC Act* prescribes the Statistics Canada Non-Residential Building Construction Price Index for Ottawa-Gatineau or for Toronto, as appropriate, as the index for the purposes of ss. 5(1)10 of the *DC Act*.

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THE LAW: MUNICIPAL BY-LAWS MUST BE REASONABLE

Municipalities are “creatures of statute”. They do not have any natural powers under the Constitution: they possess **only** those powers which the Province delegates to them by provincial legislation. This means that they have to act within the constraints of provincial statutes. If they do not, then their decisions or by-laws may be set aside on judicial review.¹

On judicial review, the courts afford municipalities considerable deference. Municipal by-laws are generally not overturned unless found to be “aberrant”, “overwhelming”, or if “no reasonable body” could have adopted them.² This deferential approach to judicial review of municipal bylaws has been in place for over a century.³ The test is, given the specific context for the by-law: Is it reasonable? Does it have reasonable regard for its context? Does it fall within a range of reasonable outcomes?⁴

This deference reflects the broad discretion provincial legislators have traditionally accorded to municipalities engaged in delegated legislation. Municipal councils passing bylaws fulfill a task that affects their community as a whole and is legislative rather than adjudicative in nature. Bylaws are not quasi-judicial decisions. Rather, they involve an array of social, economic, political, and other non-legal considerations. In this context, reasonableness means courts must respect the responsibility of elected representatives to serve the people who elected them and to whom they are ultimately accountable.⁵

The *Municipal Act* reflects these judicial principles. It confers broad authority on municipalities to enable them to govern their affairs as they consider appropriate, including a broad scope of by-law making powers⁶. Although Section 15(1) of the *Municipal Act* limits municipal powers to what has been delegated to them by the Province, Section 15(1.1) is clear that, unless context otherwise requires, the fact that a specific provision is silent on whether or not a municipality has a particular power shall not be interpreted as a limit on the power in that provision.⁷

¹ *Catalyst Paper Corp v. North Cowichan (District)*, 2012 SCC 2 (“*Catalyst*”), at Para. 11.

² *Ibid.*, at Para. 20.

³ See, e.g., *Kruse v. Johnson*, [1898] 2 Q.B. 91 (Div. Ct.).

⁴ *Catalyst*, *supra* n. 1, at Paras. 24-5.

⁵ *Ibid.*, at Para. 19.

⁶ See Sections 8-23.1 of the *Municipal Act, 2001*, S.O. 2001, c 25.

⁷ Section 15(1) of the *Municipal Act* says that the power conferred on a municipality to pass a by-law under section 9, 10 or 11 of the *Municipal Act* and also under a specific provision of that or any other Act, including the Planning Act, is subject to any procedural requirements, including conditions, approvals and appeals, that apply to the power and any limits on the power contained in the specific provision. However, Section 15(1.1) of the *Municipal Act* is clear that, for the purpose of Section 15(1) and, unless the context otherwise requires, the fact that a specific provision is silent on whether or not a municipality has a particular power shall not be interpreted as a limit on the power contained in the specific provision.

To summarize, municipalities may only exercise those powers delegated to them by the Province. In exercising those powers, they have broad discretion. The Courts will only intervene where the municipality acts unreasonably.

THE REASONABLENESS OF A TRIGGER PROVISION FOR IZ

The *Planning Act* and IZ regulations do not specifically permit or prescribe an indexing or phasing process, but they do not prohibit indexing or phasing, either. This is not a bar to municipalities imposing an indexing or phasing or trigger provision in their IZ By-law.

O.Reg. 232/18 sets out a lengthy list of requirements for Official Plan and ZBL policies relating to the size, type, and location of development or redevelopment to which IZ applies.

This Regulation sets certain rules that an IZ by-law does not apply to development or redevelopment prior to the adoption of Official Plan IZ provisions or the adoption of an IZ by-law, but is otherwise silent as to implementation or phasing for IZ by-laws.

In accordance with Section 15(1.1) of the *Municipal Act*, the silence of the Regulation as to implementation or phasing provisions for IZ by-laws shall not be interpreted as a limit on the power of a municipality to include such provisions – **as long as the provision is reasonable**.

To allow for flexibility in their IZ by-laws, municipalities ought to consider incorporating phasing or trigger provisions which either “turn the by-law on or off” or adjust the percentage of gross leasable floor area for affordable dwelling units (“**set-aside rate**”), based on existing indicia of local market conditions. Such provisions will allow changes to the implementation date or rate of the IZ by-law without the need for amendment to the by-law, which can be a lengthy process.

PHASING PROVISION FOR INCLUSIONARY ZONING IS DISTINCT FROM CONDITIONAL ZONING

It is important to distinguish potential phasing provisions for an IZ by-law from conditional zoning, which is not permitted under the current legislation.

Subsections 34(16) through (16.2) of the *Planning Act* authorizes municipalities to impose “one or more prescribed conditions” on the use, erection or location of buildings or structures in their Zoning By-law. This is known as “conditional zoning”. However, the conditions municipalities may impose must be prescribed through a Regulation under the *Act*, and no such Regulation has yet been passed for the tri-

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City area. Accordingly, conditional zoning is not permitted.

The IZ program in the *Planning Act* is separate and distinct from conditional zoning. IZ is authorized under Sections 16 and 35.2 of the *Act*, and implemented through a zoning by-law under Section 34 of the *Act*. The IZ scheme does not come within the ambit of Subsections 34(16) to (16.2).

Unlike conditional zoning, the IZ program is supported by a Regulation. IZ policies must include “prescribed provisions and provisions about the prescribed matters”⁸ which are set out in O.Reg. 232/18. The specific prescribed provision in the Regulation which would authorize a phasing or trigger approach to IZ is Paragraph 3(1)5, which states:

5. For the purposes of clause 35.2 (2) (a) of the Act, the number of affordable housing units, or the gross floor area to be occupied by the affordable housing units, that would be required, which, where the development or redevelopment is located within a protected major transit station area identified in accordance with subsection 16 (15) or (16) of the Act, shall not exceed,

- i. 5 per cent of the total residential units that are part of the development or redevelopment, or*
- ii. 5 per cent of the total floor area of all residential units that are part of the development or redevelopment, not including common areas.*

Paragraph 3(1)5 does not state that the number of affordable housing units or gross floor area that would be required must be a fixed number. Nothing in Paragraph 3(1)5 prohibits municipalities from adopting a phasing or trigger approach in their IZ By-law, so long as that approach is set out clearly in their Official Plan and IZ By-law and, as discussed above, so long as that approach is reasonable, predictable, and transparent.

SUGGESTED LANGUAGE FOR PHASING PROVISIONS

A phasing provision in an IZ By-law could operate either as an “ON/OFF” switch, an adjustment to the set-aside rates, or a combination of both. The trigger for a phasing provision would ideally be tied to existing, public market indicia (such as CMHC’s Monthly Housing Starts publication), rather than to bespoke analyses (such as the Residual Land Value analysis employed by NBLC in its financial impact study, which can be difficult to replicate). The goal of clearly setting out the trigger for a phasing provision would be to provide **certainty** to municipalities and developers alike as to if, when, and to what extent the IZ by-law applies, thereby satisfying the **reasonableness standard** if the by-law were to be challenged in Court.

⁸ See Sections 16(7) and 35.2 of the *Planning Act*.

The specific trigger points or cut-offs, including the benchmark period and the use of housing starts, should be determined by municipalities in consultation with land economists (e.g., NBLC), developers, and other stakeholders to ensure that they are realistic and reasonable, and to ensure they will not have unintended effects on the housing market. These discussions should occur at the appropriate time, once market conditions can sustain an IZ program.

Suggested wording for a triggering and phasing provision for an IZ By-law could read as follows:

Semi-Annual Adjustment of Inclusionary Zoning Set Aside Requirements

1. The Minimum Percentage of Gross Leasable Floor Area to be provided for affordable units, set out in the Inclusionary Zoning Set Aside Requirements (Table [X]) imposed pursuant to this By-law, shall be adjusted semi-annually, without amendment to this by-law, on [June 1st and] December 1st in each year (“**adjustment dates**”), based on the [10-year rolling average of housing starts as published by the Canada Mortgage and Housing Commission on a monthly basis]⁹ (“**housing starts average**”), as follows:
 - (a) If, [30] days prior to each adjustment date, the housing starts average is above [XXX], the percentage of gross leasable residential floor area shall be in accordance with [Table X] (*being the standard IZ rates*);
 - (b) If, [30] days prior to each adjustment date, the housing starts average is below [XXX], the percentage of gross leasable residential floor area shall be zero.

When Requirement Determined

2. The Minimum Percentage of Gross Leasable Floor Area to be provided for affordable units under this section is the requirement that would be determined under the Inclusionary Zoning Set Aside Requirements (Table [X]) on,

⁹ Or such alternative statistic or indicia as may be appropriate.

- (a) The day an application for an approval of development in a site plan control area under subsection 41(4) of the *Planning Act* was made in respect of the development or redevelopment;
- (b) If clause (a) does not apply, the day an application for an amendment to a by-law passed under section 34 of the *Planning Act* was made in respect of the development or redevelopment; or
- (c) If neither clause (a) nor clause (b) applies, the day a building permit was issued in respect of the development or redevelopment or, if more than one building permit is required for the development or redevelopment, the day the first permit was issued.

More than one application

- 3. If a development was the subject of more than one application referred to in clause 2 (a) or (b), the later one is deemed to be the applicable application for the purposes of this section.

Exception, Time Elapsed

- 4. Clauses 2 (a) and (b) do not apply if, on the date the first building permit is issued for the development, more than [two years OR 18 months] have elapsed since the application referred to in clause 2(a) or (b) was approved.

In summary, if an IZ program is to proceed on the behest of Staff and Council, it must be properly implemented. The purpose of this letter is to propose a framework for a “triggering” or “phasing” provision in IZ By-laws, such that the IZ program is in effect only when market conditions can sustain it. This letter focuses on the permissibility of a triggering or phasing provision. We would welcome and value any feedback and the opportunity to discuss this matter further.

Very truly yours,




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