



10

LAND USE POLICIES



CHAPTER 10 LAND USE POLICIES

Overview

The land use policies set out in this chapter build upon the framework provided in previous chapters of this Plan. They are intended to be comprehensive policy statements pertaining to the land use designations as shown on the **Schedule 'A' - Land Use Plan, Schedule 'A1' – Commercial Land Uses, Schedule 'A2' – Employment Areas, Schedule 'A3' – Open Space Land Uses** and **Schedule 'A4' – Natural System**. It is the intent of this Plan that urban growth in the City will occur in accordance with the land use designations as shown on the above-mentioned Schedules and as set out in the policy sections of this chapter.

This Plan includes five categories of land use designations – Residential, Commercial, Employment, Open Space and Major Institutional. With the exception of the Major Institutional designation, each designation includes a sub- set of designations that further define the intended planned function of lands included within the designation. The policies related to each land use designation establish the uses that are contemplated in each designation. Together, the designations describe where uses such as housing, employment, stores, services, open space, institutions and recreation are contemplated to locate and where a mix of uses is desired or required.

This Plan contemplates a greater mixing of uses on individual sites than has been planned historically within Waterloo. This is particularly the case for lands within Residential and Commercial designations within Nodes and Corridors. Specifically, categories within Residential and Commercial designation speak to maintaining a primarily residential or commercial function while defining a mix of supporting uses that provide opportunities for people to live, work, learn and play in close proximity. Supporting uses may be permitted to be developed as a freestanding use on a site, or as *ancillary uses* which are intended to be secondary uses on a site and required to be located within a *mixed-use* building or on a *mixed-use* site. Opportunities for a mixing of uses on sites designated Employment are more limited. In order to support the objective of ensuring a long term supply of employment lands, Employment designations contemplate a range of employment uses and limit other supporting uses to varying degrees, as defined within the individual land use designations.

10.1 RESIDENTIAL LAND USE POLICIES

Vision

The City will plan for a full range of residential neighbourhoods that meet the needs of the City's residents. The City's residential neighbourhoods vary significantly in their planned

function, context, and intensity of land use. The residential land use designations of this Plan provide opportunities for a range of housing forms and densities, from lower density neighbourhoods, to high density neighbourhoods that permit high-rise apartment units. The residential land use designations are designed to provide for a range of housing forms and densities.

The residential categories allow *ancillary uses*, with higher density residential categories permitting a broader range of *ancillary uses*. The intent of this structure is that higher density residential projects have the ability to incorporate an appropriate range of non-residential uses, thereby facilitating *mixed-use* development and increasing densities. The non-residential *ancillary uses* support the *complete community* concept by providing convenient local access to day to day goods and services.

Medium to high density residential land uses are generally directed to designated Nodes and Corridors. The Nodes and Corridors are planned to have convenient access to transit, be *pedestrian* supportive through design, and are anticipated to accommodate a significant portion of Waterloo's growth to 2031.

This Plan contemplates the conservation of low-density neighbourhoods outside of designated Nodes and Corridors, with limited change to the existing residential character of such neighbourhoods. These areas are designated Low Density Residential in this Plan. *Intensification* within low-density neighbourhoods is restricted by policies that are intended to maintain the character and land use intensity of such neighbourhoods.

All residential development will be consistent with the City's urban design objectives and policies as set out in this Plan and supporting implementation documents.

10.1.1 General Policies

- (1) Lands designated residential are shown on **Schedule 'A' - Land Use Plan**. Residential land use designations serve a range of functions as described in the policies of this chapter. The residential land use designations are:
 - (a) Low Density Residential.
 - (b) Mixed-Use Medium Density Residential.
 - (c) Mixed-Use Medium High Density Residential.
 - (d) Mixed-Use High Density Residential.

- (2) Approval of development within areas designated Low Density Residential, Mixed-Use Medium Density Residential, Mixed-Use Medium High Density Residential, and Mixed-Use High Density Residential as shown on **Schedule 'A' - Land Use Plan** will be subject to the availability of schools, parks and recreation facilities, *infrastructure*, and all other services and public works required to service the

proposed development to the standards of the City and authorities having jurisdiction.

- (3) The City shall use various tools and processes at its disposal to implement the residential land use policies of this Plan, including but not necessarily limited to zoning, *site plan* control, determination of complete *development* applications, excluding *site plan* applications, and property standards.
- (4) Any residential development proposed in close proximity to a rail line shall be subject to the noise policies, set out in the Environment and Energy Chapter.

Home Occupations

- (5) *Home occupations* may be permitted in land use designations that permit residential uses, as set out in the implementing Zoning By-Law. Where a class or classes of *home occupations* are not permitted in the Zoning By-Law, a Zoning By-Law Amendment shall be required, and shall demonstrate that:
 - (a) The *home occupation* is compatible with adjacent residential uses with respect to built form, noise, odour, fumes, vibration, dust, glare, traffic, and parking;
 - (b) There is no outside storage of goods associated with the *home occupation*;
 - (c) The *home occupation* will not generate a significant increase in vehicular traffic;
 - (d) No exterior alterations are to be made to the dwelling other than those made to enhance the residential use of the structure;
 - (e) There are no proposed outside storage and display areas, and exterior lighting and signage is restricted to avoid impacting adjacent land uses;
 - (f) The *home occupation* fulfills the requirements governing such matters as permitted uses, allowable floor space, parking and signage as may be provided for in the Zoning By-Law and the Sign By-law; and,
 - (g) No significant delivery or shipment of goods or materials to or from the dwelling is required by the *home occupation*;

High Quality and Innovative Design

- (6) The City encourages innovation in the design of residential areas and in the design and construction of residential units, where such innovation will:
 - (a) Incorporate *sustainable design*;
 - (b) Lower costs to purchasers;
 - (c) Maintain compatibility with surrounding land uses and complement the existing character of the surrounding neighbourhood;
 - (d) Reduce municipal expenditure;

- (e) Support Waterloo’s development as a *complete community*; and,
- (f) Protect *natural features* and their *ecological functions*.

Residential Density

(7) In order to plan for the availability of medium density, medium high density and high density housing sites, and to assist in the achievement of the planned densities for a given area, the Zoning By-Law will incorporate performance standards intended to minimize the re- subdivision of sites intended for multiple unit housing forms to lower density housing and the subsequent under-development of sites.

(8) Council recognizes the importance of achieving sufficient minimum levels of density in Designated Greenfield Areas to economically provide municipal services and contribute toward the achievement of Designated Greenfield Area density targets set out in Policy 3.5(2) of this Plan.

Deferral
No. 8

(9) Densities referred to within specific residential land use designations shall be interpreted as net density calculations. All portions of the site that are designated Residential shall be used to calculate adherence to such net density regulations, provided further that:
 (a) Development within Designated Greenfield Areas shall also adhere to minimum gross density targets set out in policy 3.5(2) of this Plan.
 (b) To implement policy 3.5.(2)(a) of this Plan, the City will apply minimum density requirements, through appropriate planning mechanisms, to all residential Designated Greenfield Areas that are subject to a Plan of Subdivision after January 1, 2011.

Deferral
No. 9

(10) This Plan is intended to guide development in terms of character, scale and intensity of use and built form. In addition, this Plan provides a framework for the City to plan for *infrastructure* requirements over the long-term, ensure properties develop at appropriate densities for the property size, and foster land use compatibility. To achieve the foregoing, density calculations for any residential use shall be measured using a net density calculation of *bedrooms* per hectare. The City will prepare a guideline document outlining how the *bedrooms* per hectare density methodology will be used to monitor and implement the density targets of this Plan for the Uptown Waterloo Urban Growth Centre and the *Designated Greenfield Areas*.

- (11) Detailed residential densities may be reflected through District Planning, and further defined in the Zoning By-Law, provided the densities are in conformity with the policies of this Plan.
- (12) *Development* applications proposing to redesignate lands to the Mixed- Use Medium Density Residential designation, Mixed-Use Medium High Density Residential designation, or Mixed-Use High Density Residential designation may be contemplated based on the following:
- (a) The proposed density is deemed appropriate for the neighbourhood and contributes to an appropriate height and density transition by buffering or being buffered from lands designated Low Density Residential;
 - (b) There is a demonstrated community benefit associated with additional medium, medium-high or high density uses to accommodate additional population in the context of Waterloo’s population forecast and the supply of lands within existing designated Nodes and Corridors;
 - (c) Lands are proposed to be located within a designated Node or Corridor and satisfy all relevant policies of the City Form Chapter;
 - (d) The proposal achieves the applicable performance standards set out in this Official Plan and implementing Zoning By-Law;
 - (e) Surface parking is minimized in favour of more intensive forms of parking;
 - (f) *Cultural heritage resources* are conserved;
 - (g) The proposal demonstrates a high standard of urban design;
 - (h) The proposal identifies and implements any required transportation improvements, with a particular focus on *transportation demand management* measures;
 - (i) Medium to high density residential uses are located with direct vehicular access to arterial or collector *roads* to the extent possible. Where such access is deemed by the City to be undesirable or not feasible, vehicular access may be provided by local streets if traffic is directed to the nearest arterial or collector *road* via a route that minimizes vehicular travel within the low density residential neighbourhood;
 - (j) *Infrastructure* capacity is not exceeded;
 - (k) If applicable, safe access, flood protection and geotechnical stability is achieved to the satisfaction of the City and the Grand River Conservation Authority; and,
 - (l) The proposal satisfies all other applicable policies of this Official Plan.

10.1.2 Supporting a Range of Housing

- (1) This Plan recognizes that access to a range of housing contributes to the quality of life within a City. The City will continue to plan for a range of housing types, including low density, medium density, medium high density, and high density housing. The City will also plan for a range of lot sizes in low-rise residential areas.
- (2) This Plan supports the efforts of senior levels of government, private sector, and not-for-profit agencies to provide housing geared to the needs of economically, socially, mentally and physically disadvantaged persons.
 - (a) Where possible, housing geared to low income households, senior citizens, people with special needs, and community housing should be located within walking distance of schools, public transit, lands designated commercial, parks and recreational facilities and have convenient access to other *community infrastructure*.

Second Residential Units

- (3) In locations deemed appropriate and desirable by the City, the zoning by-law will permit:
 - (a) the addition of one self-contained residential dwelling unit (i.e. a second residential unit) in a:
 - single detached house
 - freehold semi-detached house
 - freehold townhouse

if no other building or structure on the lot contains a residential dwelling unit;
 - (b) the addition of one self-contained residential dwelling unit (i.e. second residential unit) in an:
 - ancillary detached building or structure to a single detached house
 - ancillary detached building or structure to a freehold semi-detached house
 - ancillary detached building or structure to a freehold townhouse

if the related single detached house, freehold semi-detached house, or freehold townhouse contains one (1) residential dwelling.

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- (4) The Zoning By-law shall identify residential areas where permitting second units is appropriate and compatible with the existing neighbourhood. The identification of such residential areas will be based on inherent constraints such as, but not necessarily limited to, availability of *infrastructure* capacity (municipal sanitary and water services), *flooding hazards*, as well as giving consideration to existing

densities, neighbourhood character and the desire to have an appropriate mix of housing types, including unit types and sizes.

- (5) (a) The Zoning By-law shall establish appropriate regulations and standards for second units such as, but not necessarily limited to, parking, lot size, frontage, floor area, and scale.
- (b) Notwithstanding anything to the contrary, second residential units shall be excluded from density calculations and density provisions of this Plan, including the density provisions in Policy 3.4.(2), unless otherwise stated in the implementing Zoning By-law.
- (c) Second residential units shall not be subdivided by any means, including by consent, subdivision, or condominium.

OPA No. 22, approved June 11, 2019

- (6) Any regulation concerning second units shall limit the size of the second unit to be clearly secondary to the primary dwelling unit.

Housing to Support Post-Secondary Educational Institutions

- (7) This Plan recognizes the need for the provision of comprehensively planned, safe, suitable, compatible, and an appropriate range of housing types for users of post-secondary educational institutions. Consistent with 7.7.1 (4), this Plan supports and encourages the construction and location of such housing:
 - (a) Firstly, to the main campus of post-secondary educational institutions;
 - (b) Within those portions of the designated Nodes and Corridors which are in close proximity to the main campus of post-secondary educational institutions; and,
 - (c) Within a comprehensively planned and designated area set out in a District Plan, subject to the related policies of the District Plan.
- (8) This Plan supports efforts to stabilize, and in some cases revitalize neighbourhoods surrounding the post-secondary educational institutions. Regard shall be given to:
 - (a) Having an appropriate balance of housing types;
 - (b) Having a broad mix of housing unit types;
 - (c) Having a range of unit sizes.
- (9) The Zoning By-Law may limit conversions of single detached units to other dwelling types and, where such limitations exist, Zoning By-Law Amendments that propose conversions of single detached dwellings within low density neighbourhoods will be discouraged. Where a *development* application, excluding

site plan applications, is received that proposes the conversion or expansion of single detached units to create duplex dwellings or triplex dwellings, such applications will be assessed on the basis of whether the proposal:

- (a) reinforces the existing character of the neighbourhood through context-sensitive design;
- (b) includes an appropriately sized lot to meet all applicable performance standards; and,
- (c) addresses any other criteria that the City considers appropriate within the context of the site and neighbourhood.

- (10) The City will continue to work with interested parties to identify, examine, and resolve issues related to housing geared towards students.

Affordable Housing

- (11) Where a *development* application, excluding *site plan* applications, proposing residential uses is submitted for a site containing two hectares or more of developable lands, a minimum of 30 percent of new residential units will, wherever appropriate, be planned in forms other than single detached and semi-detached units, such as townhouses and multi-unit residential buildings, as required by the Regional Official Plan.

- (12) Regard shall be given to an adequate mix of rental and ownership units for a wide variety of household sizes when considering *development* applications, excluding *site plan* applications, and creating new or amending existing District Plans.

- (13) The City may provide a range of planning and regulatory incentives that encourage *affordable housing*. Such incentives may include:

- (a) Fast-tracking *development* applications that contain an *affordable housing* component;
- (b) Application of height and/or density bonusing, as set out in 12.3.1 of this Plan;
- (c) Collaborating with community partners to foster the provision of *affordable housing*; and,
- (d) Providing financial relief, in the form of waived or deferred Development Charges, for *affordable housing* projects.

Group Homes

- (14) It is recognized that *group homes* provide care for persons with physical, social, mental, or emotional disabilities and shall be permitted in all designations that permit residential uses.

Residential Condominium Conversion Policy

- (15) When reviewing an application to create a plan of condominium which would result in the conversion of a rental residential building to condominium ownership:
- (a) Where the rental housing is considered to be *affordable*, the City shall only support such application where:
 - (i) The rental *vacancy rate* for comparable units is at or above 3% for the preceding three years; or
 - (ii) The conversion will address and result in the creation of *affordable* housing for *affordable* home ownership; or
 - (iii) The conversion will rectify existing health and safety issues through the completion of building renovations/retrofits, the cost of which would necessitate an increase in rent levels above the affordability threshold; and,
 - (iv) The owner/applicant submits a detailed inspection report, to the satisfaction of the City of Waterloo and Region of Waterloo, on the physical condition of the property by a qualified architect or engineer.
 - (b) Where the rental housing is not considered to be *affordable*, the City shall have regard for the criteria outlined in 10.1.2(15)(a) prior to taking a position with regard to whether to support the proposed conversion;
 - (c) In all cases, the City shall consider:
 - (i) Whether the proposal conforms to the Zoning By-Law, and applicable performance standards are achieved or are proposed to be achieved prior to condominium registration;
 - (ii) Whether the proposal complies with the current Urban Design Manual, based on a review by the Site Plan Review Committee;
 - (iii) Whether the proposal satisfies legislation or criteria established by the Provincial Government that may be applicable;
 - (iv) Whether the building for which conversion is proposed meets the requirements of the Property Standards By-law and the requirements of the Ontario Building Code and Ontario Fire Code, or securities and any necessary agreements are in place to ensure such necessary upgrades are undertaken to achieve the said standards and requirements;

- (v) Whether all applicable easements affecting the condominium lands are provided; and,
- (vi) Whether the proposal impacts the ability to maintain a reasonable supply of residential rental units within the Planning District and the appropriate distribution of residential rental units through the community.

OPA No. 11, approved December 11, 2014

- (16) Statistical data used for calculating *vacancy rates*, rent charges, and dwelling/structure types will be determined by the Canada Mortgage and Housing Corporation (CMHC).

Bed and Breakfast Establishments

- (17) It is recognized that *bed and breakfast establishments* complement the City's tourism industry by providing short-stay, temporary accommodations for the travelling public.
- (18) *Bed and breakfast establishments* may be permitted in:
 - (a) Areas designated Low Density Residential;
 - (b) Commercial land use designations within the Uptown Urban Growth Centre.
- (19) Regulations for *bed and breakfast establishments* may be established in the Zoning By-Law and Sign By-law. Regulations shall require sufficient off-street parking to meet the demands of the use.
- (20) *Bed and breakfast establishments* are encouraged to locate in dwellings where the use does not necessitate the expansion of the dwelling.

Commercial Uses in Residential Designations

- (21) Lands designated Low Density Residential, Mixed-Use Medium Density Residential, Mixed-Use Medium High Density Residential and Mixed-Use High Density Residential may permit a limited range of commercial uses that cater to *pedestrian*, bicycle and non-vehicular travel and are intended to support the primary residential uses. *Ancillary* commercial uses are not intended to be standalone uses but rather, must be provided within a *mixed-use*, multi-storey building and in a manner that is oriented toward, activates and enhances the *pedestrian* environment. Particular regard shall be given to site and building design that give priority to *pedestrian* and other non-vehicular movements and that provide for adequate and safe vehicular circulation, vehicular parking and

site services to be located away from the street while maintaining a *pedestrian-friendly* streetscape and human-scale form of development.

10.1.3 Low Density Residential Designation

Vision

The Low Density Residential designation is intended to accommodate primarily low-rise residential land uses at lower densities than the rest of the City. *Intensification* in areas designated Low Density Residential shall be context sensitive to the surrounding neighbourhood and maintain a low-rise built form.

Land Use

- (1) The Low Density Residential designation shown on **Schedule 'A' - Land Use Plan**, is a designation in which the predominant use of land is residential. The aim of this designation is to permit a mixture of low- density residential building types across neighbourhoods that support and are generally consistent with the existing low-rise character of the area. Lands designated Low Density Residential may be zoned to permit specific low-rise building forms being one or more of the following: single-detached dwellings; semi-detached dwellings; duplex dwellings; triplex dwellings; and townhouses. A number of unique sites may also be zoned to permit terrace dwellings and or apartment units. The Zoning By-Law will restrict the range of permitted uses within zones that implement the Low Density Residential designation with the intent of retaining and enhancing the low-rise built-form, character and stability of low density residential neighbourhoods.

OPA No. 22, approved June 11, 2019

- (2) In addition to permitted residential uses above, lands designated Low Density Residential may be zoned to permit the following complementary uses, subject to the provisions of this Official Plan, provided they do not impact the ability of the lands to achieve the vision and policies in this designation:
 - (a) *Assisted Living Facility*;
 - (b) *Child care centres*;
 - (c) *Community uses*;
 - (d) *Long Term Care Facility*; and,
 - (e) *Spiritual uses*.
- (3) The height and density of uses within the Low Density Residential designation shall be limited as shown on **Schedule 'B1' - Height and Density** and as set out in section 3.4. For clarity, the following regulations apply:

- (a) The maximum net residential density permitted on any one site shall not exceed 150 *bedrooms* per hectare.
 - (b) The maximum height of any building shall not exceed 10 metres, except as provided in 10.1.3 (9) and 10.1.3 (12) below.
- (4) Lands designated Low Density Residential may be zoned to permit offices, and *convenience retail* uses on the ground floor of a multi-storey *mixed-use* building, as *ancillary* uses. Such uses will be considered by way of an amendment to the Zoning By-Law and applications to amend the Zoning By-Law and permit *ancillary uses* will consider:
- (a) The ability to provide sufficient off-street parking, while achieving required Zoning By-Law performance standards;
 - (b) The impact that additional traffic will have on local *roads*; and,
 - (c) The use is not expected to introduce undesirable effects to the surrounding residential neighbourhood, such as excessive noise, light and other effects.
- (5) New development shall respect and reinforce the general physical patterns in the neighbourhood, including those established by:
- (a) street and block configurations;
 - (b) lot sizes and configurations;
 - (c) building height, bulk, and spacing on nearby lands with similar characteristics; and,
 - (d) building setbacks.
- OPA No. 22, approved June 11, 2019***
- (6) It is the intent of this Plan that the implementing zoning shall restrict the range of permitted uses and establish regulations that further the planning objectives established in policy 10.1.3.(5). Applications for intensification beyond what is permitted in the implementing zoning shall include an assessment of how the proposal addresses policy 10.1.3.(5).
- OPA No. 22, approved June 11, 2019***

Permitting Terrace Dwellings and Apartments on Lands Designated Low Density Residential

- (7) Terrace dwellings and apartment dwellings may be an appropriate structure type within the Low Density Residential designation under specific circumstances. As such, low-rise terrace dwellings and low-rise apartments may be permitted, subject

to a Zoning By-Law Amendment which demonstrates an ability to satisfy the policies of this Plan including policies 10.1.3.(8) and 10.1.3.(9) below.

OPA No. 22, approved June 11, 2019

- (8) A Zoning By-Law Amendment to permit terrace dwellings and or apartments shall comply with the following criteria:
 - (a) The property is not located within a Heritage Conservation District;
 - (b) Terrace dwellings and or apartments represent an appropriate and desirable land use for the neighbourhood;
 - (c) Terrace dwellings and or apartments will not destabilize the neighbourhood;
 - (d) The proposal will achieve a high standard of urban design, with emphasis on:
 - (i) Site and building design that complement and enhance the surrounding neighbourhood character;
 - (ii) Landscape design that creates visual interest, 'green' the site, and buffer; and,
 - (iii) Prominent entrances that emphasize the streetscape.
 - (e) Sufficient infrastructure exists to service the site;
 - (f) The development capacity of the site is not exceeded, and the proposal does not require significant relief from standard regulations;
 - (g) The development maintains the land use intensity of the surrounding low density residential neighbourhood;
 - (h) The development results in context-sensitive intensification in the low density residential neighbourhood and,
 - (i) The proposal complies with other criteria that may be deemed appropriate by the City based on the context of the site.

OPA No. 22, approved June 11, 2019

- (9) In addition to policy 10.1.3 (8) above, applications to amend the Zoning By-Law to permit terrace dwellings and or apartments will be reviewed within the context of locational criteria deemed appropriate by the City including the following criteria:
 - (a) The property is located on the periphery of a low density residential neighbourhood, or is adjacent to a school site;
 - (b) The property abuts a designated Node or Corridor, and buffers other properties designated Low Density Residential from properties within the designated Node or Corridor; and
 - (c) The property has direct vehicular access onto an arterial or major collector road.

OPA No. 22, approved June 11, 2019

- (10) Notwithstanding policies 10.1.3 (7), 10.1.3 (8), and 10.1.3 (9) above, properties designated Low Density Residential and zoned to permit terrace dwellings or apartment units as of the day of Council adoption of this Official Plan, may continue to be zoned to permit terrace dwellings or apartments as the case may be.

OPA No. 22, approved June 11, 2019

- (11) The maximum permitted height of any site permitting terrace dwellings within the Low Density Residential designation will be up to 10 metres. The maximum permitted height of any site permitting apartment units within the Low Density Residential designation will be up to 12 metres.

OPA No. 22, approved June 11, 2019

- (12) The maximum permitted building height of a spiritual use, private school or public school in the Low Density Residential designation shall be 14 metres. The implementing zoning may also recognize existing spiritual uses, private schools and public schools on lands designated Low Density Residential that exceed 14 metres in height.

OPA No. 22, approved June 11, 2019

10.1.4 Mixed-Use Medium Density Residential Designation

Vision

The Mixed-Use Medium Density Residential designation is a category in which medium density housing types are the predominant use of land. Properties are to be developed primarily for residential purposes, although complementary and *ancillary* uses are also permitted. The aim of this designation is to encourage medium density, *mixed-use*, primarily residential development within Minor Corridors, recognizing that properties may also function as a transition from low density areas to medium high and high density areas.

Land Use

- (1) Lands designated Mixed-Use Medium Density Residential as shown on **Schedule 'A'- Land Use Plan** may be zoned to permit multiple unit residential buildings that are greater in intensity than duplexes.
- (2) In addition to the permitted uses above, lands designated Mixed-Use Medium Density Residential may be zoned to permit the following complementary uses, subject to the provisions of this Official Plan, provided they do not impact the ability

of the designated Mixed-Use Medium Density Residential area to achieve the vision and policies in this designation:

- (a) *Assisted Living Facilities*;
 - (b) *Community uses*;
 - (c) *Long Term Care Facilities*; and,
 - (d) *Spiritual uses*.
- (3) The height and density of uses within the Mixed-Use Medium Density Residential designation shall be limited as shown on **Schedule 'B1' - Height and Density** and as set out in section 3.4. For clarity, the following regulations apply:
- (a) The maximum net residential density permitted on any one site shall not exceed 450 *bedrooms* per hectare.
 - (b) The maximum height of any building shall not exceed 20 metres.
- (4) To ensure properties are of sufficient size to accommodate additional height and density, lands designated Mixed-Use Medium Density Residential shall have adequate frontage and/or flankage. The implementing Zoning By-Law may contain minimum frontage and/or flankage requirements.
- (5) Lands designated Mixed-Use Medium Density Residential may be zoned to permit offices, *medical clinics*, convenience retail, restaurants, food stores, child care centres, and personal services as ancillary uses, subject to the following:
- (a) Any proposed *ancillary use* set out in this policy shall be located in a *mixed-use* building, within a designated Node or Corridor, and shall not exceed fifteen percent (15%) of the total building floor area devoted to residential uses, excluding any parking areas and/or structures;
 - (b) The Zoning By-law shall limit retail commercial uses to 5,000 square metres of gross leasable area. Proposals including more than 5,000 square metres of gross leasable area of retail commercial uses shall only be considered by way of an amendment to the Zoning By-law and such proposals shall be subject to the complete development application policies included in 10.2.3 (2) of this Plan;
 - (c) *Ancillary uses* shall be oriented to the street or other *pedestrian* environment, with a design that activates the streetscape; and, (d) Further definition of uses, associated performance standards, restrictions on the scope of any *ancillary uses* and associated floor space caps, and permitted locations for uses shall be regulated through the implementing Zoning By-Law.

10.1.5 Mixed-Use Medium High Density Residential Designation

Vision

The Mixed-Use Medium High Density Residential designation is a category in which multiple residential buildings are the predominant use of land. This designation is intended to provide opportunities for substantial levels of *intensification*. Properties are to be developed primarily for residential purposes, although complementary and *ancillary* uses are also permitted. The aim of this designation is to encourage medium high density, *mixed-use*, primarily residential development in Minor Nodes and Corridors and well as the Uptown Waterloo Urban Growth Centre. This designation also functions as a transition between lower density and higher density areas.

Land Use

- (1) Lands designated Mixed-Use Medium High Density Residential as shown on Schedule 'A' - Land Use Plan will be designated to permit multiple unit residential buildings.
- (2) In addition to the permitted use above, lands designated Mixed-Use Medium High Density Residential may be zoned to permit the following complementary uses, subject to the provisions of this Official Plan, provided they do not impact the ability of the designated Mixed-Use Medium High Density Residential area to achieve the vision and policies in this designation:
 - (a) *Assisted Living Facilities*;
 - (b) *Community uses*;
 - (c) *Long Term Care Facilities*.
- (3) The height and density of uses within the Mixed-Use Medium High Density Residential designation shall be limited as shown on **Schedule 'B1' - Height and Density** and as set out in section 3.4. For clarity, the following regulations apply:
 - (a) The minimum net residential density on any one site shall be 150 bedrooms per hectare, and the maximum net residential density permitted on any one site shall not exceed 600 bedrooms per hectare.
 - (b) The maximum height of any building shall not exceed 40 metres.
- (4) To ensure properties are of sufficient size to accommodate additional height and density, lands designated Mixed-Use Medium High Density Residential shall have adequate frontage and/or flankage. The implementing Zoning By-Law may contain minimum frontage and/or flankage requirements.

- (5) Lands designated Mixed-Use Medium High Density Residential may be zoned to permit offices, *medical clinics*, *convenience retail*, restaurants, *food stores*, child care centres, personal services, and *spiritual uses* as *ancillary uses*, subject to the following policies:
 - (a) Any proposed *ancillary use* identified in this policy shall be located in a *mixed-use* building, within a designated Node or Corridor, and not exceed fifteen percent (15%) of the total building floor area devoted to residential uses, excluding any parking areas and/or structures;
 - (b) The Zoning By-law shall limit retail commercial uses to 5,000 square metres of gross leasable area. Proposals including more than 5,000 square metres of gross leasable area of retail commercial uses shall only be considered by way of an amendment to the Zoning By-law and such proposal shall be subject to the complete development application policies included in 10.2.3 (2) of this Plan;
 - (c) *Ancillary uses* shall be oriented to the street or other *pedestrian* environment, with a design that activates the streetscape; and,
 - (d) Further definition of uses, associated performance standards, restrictions on the scope of any *ancillary uses* and associated floor space caps, and permitted locations for *ancillary uses* shall be regulated through the implementing Zoning By-Law.

10.1.6 Mixed-Use High Density Residential Designation

Vision

The Mixed-Use High Density Residential designation is a category in which multiple residential buildings are the predominant use of land. This designation is intended to provide opportunities for substantial levels of *intensification*. Properties are to be developed primarily for residential purposes, although complementary and *ancillary* non-residential uses are also permitted. The aim of this designation is to encourage high density, *mixed-use*, primarily residential development in Major Nodes and Major Corridors.

Land Uses

- (1) Lands designated Mixed-Use High Density Residential as shown on **Schedule 'A' - Land Use Plan** will be zoned to permit multiple unit, high density residential buildings.
- (2) In addition to the permitted use above, lands designated Mixed-Use High Density Residential may be zoned to permit the following complementary uses, subject to

the provisions of this Official Plan, provided they do not impact the ability of the designated Mixed-Use High Density Residential area to achieve the vision and policies in this designation:

- (a) *Assisted Living Facilities*;
 - (b) *Community uses*;
 - (c) *Long Term Care Facilities*.
- (3) The height and density of uses within the Mixed-Use High Density Residential designation shall be limited as shown on **Schedule 'B1' - Height and Density** and as set out in section 3.4. For clarity, the following regulations apply:
- (a) The minimum net residential density on any one site shall be 150 *bedrooms* per hectare, and the maximum net residential density permitted on any one site shall not exceed 750 *bedrooms* per hectare.
 - (b) The maximum height of any building shall not exceed 81 metres.
- (4) To ensure properties are of sufficient size to accommodate additional height and density, lands designated Mixed-Use High Density Residential shall have adequate frontage and/or flankage. The implementing Zoning By-Law may contain minimum frontage and/or flankage requirements.
- (5) Lands designated Mixed-Use High Density Residential may be zoned to permit offices, *medical clinics*, *convenience retail*, restaurants, *food stores*, child care centres, personal services, and *spiritual uses* as *ancillary uses*, subject to the following policies:
- (a) Any proposed *ancillary use* identified in this policy shall be within a *mixed-use* building, within a designated Node or Corridor, and not exceed fifteen percent (15%) of the total building floor area devoted to residential uses, excluding any parking areas and/or structures;
 - (b) The Zoning By-law shall limit retail commercial uses to 5,000 square metres of *gross leasable area*. Proposals including more than 5,000 square metres of *gross leasable area* of retail commercial uses shall only be considered by way of an amendment to the Zoning By-law and such proposals shall be subject to the complete *development* application policies included in 10.2.3 (2) of this Plan;
 - (c) *Ancillary uses* shall be oriented to the street or other *pedestrian* environment, with a design that activates the streetscape; and,
 - (d) Further definition of uses, associated performance standards, restrictions on the scope of any *ancillary uses* and associated floor space caps, and permitted locations for *ancillary uses* shall be regulated through the implementing Zoning By-Law.

10.2 COMMERCIAL LAND USE POLICIES

The City will plan for an appropriate amount of commercial land uses to meet the needs of the City's residents, employees and businesses. A full range of commercial goods and services will be distributed throughout the community, with emphasis on providing day to day goods and services in close proximity to where people live and work, while avoiding an oversupply of facilities. The City will plan for transit and *pedestrian*-supportive commercial development, wherever possible, while also planning for automobile-oriented commercial development in appropriate locations. All commercial development shall be consistent with the City's urban design objectives and policies as set out in this Plan and supporting implementation documents.

Providing convenient access to local goods and services is intended to reduce trip length for all modes of travel within our community, in turn reducing impacts on the natural environment while enhancing public health and social interaction. A key component of this involves planning for convenient local neighbourhood shopping, including access to small to mid-size *food stores* and minimizing the occurrence of large format *food stores* to the extent that they may reduce opportunities for neighbourhood-serving *food stores* to be distributed throughout the community.

This Plan creates a comprehensive commercial framework for this community through the establishment of a series of commercial land use designations, where each category is intended to fulfill a distinct commercial function. These functions are described through the policies of this chapter.

Commercial areas and centres will serve as focal points within the City's designated Nodes and will accommodate a range of retail, office and service commercial uses. Within the City's Primary Node, also the Uptown Waterloo Urban Growth Centre, the Uptown Commercial Core functions as a primary commercial centre, focal point and destination in the City and is supported by lands within the Uptown Mixed-Use designation. A series of Major Nodes accommodate a range of community-oriented commercial centres and areas. Day to day commercial needs will be served by lands designated Mixed-Use Neighbourhood Commercial within the Minor Nodes and by lands designated as Convenience Commercial outside of Nodes. While the City's Corridors are generally planned to fulfill an employment or residential function, lands designated as Corridor Commercial are generally located within Major or Minor Corridors and are intended to serve the commercial needs of the travelling public and accommodate automobile-oriented commercial uses. This Plan encourages the transition of Corridor Commercial areas within some portions of the King Street Major Corridor to higher-density employment uses, and possibly residential uses, that support transit and active travel modes.

In addition to planning for a range of retail, office and service commercial uses to be permitted within commercial land use designations, this Plan provides for additional uses to be considered as complementary or *ancillary uses*. These include *community uses*, residential, institutional, entertainment and accommodation uses as outlined in the policies of this chapter.

10.2.1 General Policies

Overview of Commercial Land Use Structure

- (1) Lands designated commercial are shown on **Schedule ‘A’ – Land Use Plan**. The commercial designation is further divided into a series of commercial areas shown on Schedule ‘A1’ - Commercial Land Uses. Commercial land use designations serve a range of functions as described in the policies of this chapter and may be summarized as follows:
 - (a) **Regional-Serving Centres and Areas:**
 - (i) Uptown Commercial Core
 - (ii) Uptown Mixed-Use
 - (iii) Conestoga Commercial Centre
 - (b) **Community-Serving Centres and Areas:**
 - (i) Mixed-Use Community Commercial
 - (ii) West Side Mixed-Use Commercial Centre
 - (c) **Neighbourhood-Serving Centres and Areas**
 - (i) Mixed-Use Neighbourhood Commercial
 - (ii) Convenience Commercial
 - (d) **Other**
 - (i) Mixed-Use Office – Can be regional, community or neighbourhood-oriented and includes a mix of office and residential uses, generally without a retail component
 - (ii) Corridor Commercial – Commercial uses oriented to the travelling public, with limitations on the range of retail uses permitted
 - (iii) Future Nodes – Areas where it is anticipated that it will be appropriate to plan for commercial uses to support the surrounding neighbourhoods and/or business areas. Details regarding the scale, nature and location of such uses is to be determined and/or refined through further planning studies. See Specific Provision Area 27 and Specific Provision Area 37 for further policies.

Primary Permitted Uses

- (2) Within the Commercial land use designation, the predominant use of land is commercial and the designation envisions a broad range of uses including retail, office, and service uses. It is not the intent of this Plan to permit all commercial uses in every commercial designation and permitted uses within individual commercial categories will be further defined in the following Section 10.2.2 of this Plan and in the Zoning By- Law.

Complementary and Ancillary Uses

- (3) Complementary uses may be permitted as freestanding uses on a site provided their function will not conflict or interfere with the satisfactory operation and development of the area for primarily commercial purposes. Complementary uses will be defined for individual commercial land use categories designations.
- (4) A range of *community uses* shall generally be permitted as complementary uses on lands designated Commercial, subject to the policies of this Plan and the provisions of the Zoning By-Law. *Community uses* are places, facilities, amenities and services to support the health, educational, recreational, social and cultural needs of the community.
- (5) *Ancillary* uses may be permitted as secondary uses within a *mixed-use* building. *Ancillary* uses will be defined for individual commercial land use designations.

Residential Uses Within Commercial Designations

- (6) Medium, Medium High, and High Density Residential uses may be permitted on lands designated Commercial, subject to the requirements set out in individual commercial land use designations. The height and density of residential uses permitted within Commercial designations are shown on **Schedule 'B1' - Height and Density** of this Plan and shall be regulated as set out in policy 3.4 of the City Form Chapter, provided further that:
 - (a) The minimum density provisions included in policy 3.4(2) shall not apply to residential uses permitted in Commercial land use designations outside of the Uptown Urban Growth Centre.
- (7) Notwithstanding policy 10.2.1 (6), the maximum building floor area for residential uses permitted within a Commercial designation may be further regulated as outlined in the policies relating to each individual commercial designation.

- (8) The location of proposed residential uses permitted within Commercial designations shall conform to the land use compatibility policies set out in Chapter 8 and be consistent with any applicable *Provincial* policy or guideline.
- (9) *Group Homes* will be permitted in commercial areas which permit residential uses, subject to the provisions of the Zoning By-Law.

Drive-through Facilities in Commercial Designations

- (10) Drive-through facilities are normally associated with restaurants, banks and other commercial uses. Lands designated Commercial outside of the Uptown Commercial Core may permit drive-through facilities in association with permitted uses. Provisions to permit and/or regulate drive-through facilities will be included in the City's implementing Zoning By-law. Where permitted by way of the Zoning By-law, drive-through facilities shall be subject to approval of a *site plan* application. In the review of such applications, particular attention shall be given to sites which abut residential uses, with an objective of mitigating impacts on residential uses.

Location of Retail Commercial Centres

- (11) Consistent with the Regional Official Plan, new *retail commercial centres* will be required to locate in the Uptown Urban Growth Centre, *Major Transit Station Areas*, Reurbanization Corridors or Nodes, provided such Nodes are located along or at key intersections of Transit Corridors as defined in the Regional Official Plan and shown on Map 5a of the Regional Official Plan.
- (12) *Development* applications, excluding *site plan* applications, to establish a new *retail commercial centre*, or expand an existing development into a *retail commercial centre*, will be in conformity with all applicable policies of this Plan and the Regional Official Plan and will be subject to Regional approval of a Transportation Impact Study in accordance with Regional Official Plan policy 5.A.25.
- (13) New *retail commercial centres* exceeding 42,000 square metres of *gross leasable area*, or the expansion of an existing *retail commercial centre* to a *gross leasable area* exceeding 42,000 square metres, will only be permitted within the Uptown Urban Growth Centre, *Major Transit Station Areas* or Nodes. Applicable *development* applications, excluding *site plan* applications, will be in conformity with the policies of this Plan and the Regional Official Plan, will be subject to the

complete *development* application policies of this Plan and will be subject to Regional approval of:

- (a) a Transportation Impact Study in accordance with Regional Official Plan policy 5.A.25;
- (b) a Retail Impact Analysis demonstrating that the proposed development does not adversely affect the planned function of any Urban Growth Centre, Township Urban Growth Centre or *Major Transit Station Area*;
- (c) a land use study demonstrating how the proposed *development* application, excluding *site plan* applications, supports the Planned Community Structure of the Regional Official Plan; and,
- (d) a water and wastewater servicing plan demonstrating that the proposed development application, excluding site plan applications, can be adequately serviced.

10.2.2 Commercial Land Use Designations

10.2.2.1 Uptown Commercial Core Designation

Vision

The Uptown Commercial Core as shown on **Schedule 'A1' - Commercial Land Uses** is located within, and is a key component of the Uptown Waterloo Urban Growth Centre, the City's Primary Node. It is the intent of this Plan to strengthen the Uptown Commercial Core and encourage its development as a vital component of the City's commercial structure. Specifically, the area is planned to serve as a government, institutional and cultural centre for the City, supported by regional-serving retail, office, entertainment, recreation and tourism activities together with residential uses. In addition to serving as a City- wide focal point, the area will also serve a local retail, service and administrative function for the surrounding neighbourhoods. This Plan recognizes the importance of a *food store* in the Uptown Commercial Core.

OPA No. 11, approved December 11, 2014

The Uptown Commercial Core will be planned as a component of the Uptown Waterloo Urban Growth Centre. As such, lands designated Uptown Commercial Core will be subject to the policies of this Plan that relate to the Uptown Waterloo Urban Growth Centre as defined in the City Form Chapter of this Plan. Consistent with those policies, the Uptown Commercial Core will be planned to provide for a vibrant and human-scaled environment, with a range of uses providing support for public transit and other transportation alternatives to the automobile. Architectural integrity, heritage *conservation* and opportunities to improve access to open space will be key considerations in planning for the growth of a vital Uptown Commercial Core.

The role of the Uptown Commercial Core within the framework of the Uptown Waterloo Urban Growth Centre is further defined in the City Form Chapter of this Plan.

Land Uses

- (1) Lands within the Uptown Commercial Core shall be designated Commercial as shown on **Schedule 'A'- Land Use Plan** and indicated more specifically as Uptown Commercial Core on **Schedule 'A1'- Commercial Land Uses**.
- (2) The height and density of uses within the Uptown Commercial Core shall be limited as shown on **Schedule 'B1' - Height and Density** and as set out in section 3.4 and policy 3.7(5)
- (3) Lands designated Uptown Commercial Core shall be zoned to permit a broad range of commercial, employment, entertainment, accommodation, institutional, residential and *community uses*, including:
 - (a) Retail uses;
 - (b) Commercial services;
 - (c) Personal service uses;
 - (d) Office uses;
 - (e) *Medical Clinics*;
 - (f) Banks and financial services;
 - (g) Restaurants;
 - (h) Entertainment uses;
 - (i) Residential uses, provided the residential uses are located above the ground floor in a multi-storey, *mixed-use* building;
 - (j) Hotel;
 - (k) *Community uses*;
 - (l) Child care centre;
 - (m) Arts, cultural, recreational uses;
 - (n) Institutional uses;
 - (o) Academic uses;
 - (p) *Spiritual uses*;
 - (q) Commercial school;
 - (r) Structured parking facilities;
 - (s) *Bed and breakfast establishments*; and,
 - (t) Other similar uses consistent with the vision and policies of this designation.

- 
- (4) Municipal decisions shall have regard to the retention and enhancement of *food stores* in the Uptown Commercial Core, and such decisions should not knowingly place existing *food stores* at risk.
 - (5) To protect and enhance the *pedestrian*-oriented nature of lands designated Uptown Commercial Core within the Uptown Waterloo Urban Growth Centre, lands designated Uptown Commercial Core shall not be zoned to permit drive-through facilities. Proposals to permit drive-through facilities within this designation will be subject to concurrent applications for a Zoning By-law Amendment and *Site Plan Control* and will only be supported where it can be demonstrated that such uses would not interfere with the intended form and function of this designation and Uptown Waterloo Urban Growth Centre as defined in the policies of this Plan, giving specific consideration to Section 3.7 and the urban design policies of this Plan.

10.2.2.2 Uptown Mixed-Use Designation

Vision

Lands designated Uptown Mixed-Use are located within the Uptown Urban Growth Centre and more specifically, the Uptown Complementary Transition Area (Boundaries of the Uptown Urban Growth Centre and Uptown Complementary Transition Area are illustrated on **Schedule ‘B2’ – Uptown Urban Growth Centre**). To support the continued vitality of the Uptown Urban Growth Centre as a community focal point, this Plan contemplates that lands designated Uptown Mixed-Use will accommodate and encourage *mixed-use* development that includes commercial, employment and residential uses in a broad range of forms.

Lands within the Uptown Mixed-Use designation will be planned to accommodate medium to high density *mixed-use* areas that include predominantly residential and office employment uses in freestanding or *mixed-use* buildings. Such uses are intended to complement the planned function of the Uptown Commercial Core by providing market support for the commercial uses within the Uptown Commercial Core. Lands designated Uptown Mixed-Use will be distinct from the Uptown Commercial Core in that retail uses will be limited and permitted only in *mixed-use* buildings in conjunction with office or residential uses. The area will be well-connected to the Uptown Commercial Core.

Land Use

- (1) Lands within the Uptown Mixed-Use designation shall be designated Commercial as shown on **Schedule ‘A’- Land Use Plan** and indicated more specifically as Uptown Mixed-Use on **Schedule ‘A1’- Commercial Land Uses**.

- (2) The height and density of uses on lands designated Uptown Mixed-Use shall be limited as shown on **Schedule 'B1' - Height and Density** and as set out in section 3.4 and policy 3.7(5), provided further that for lands immediately abutting King Street South, a minimum height of 2 storeys shall be required as outlined in policy 3.7.2(4).
- (3) Lands designated Uptown Mixed-Use shall be zoned to permit primarily office, residential and supporting uses and may include the following primary uses:
 - (a) Office;
 - (b) *Medical Clinics*;
 - (c) Residential uses;
 - (d) *Bed and breakfast establishments*;
 - (e) Personal service uses;
 - (f) Commercial school; and,
 - (g) Child care centre.
- (4) Lands designated Uptown Mixed-Use may be zoned to permit a range of complementary uses, provided such uses are compatible with the planned function and policies of this designation and do not restrict the development of the primary permitted uses, and may include:
 - (a) *Community uses*;
 - (b) Spiritual uses;
 - (c) Institutional uses;
 - (d) Arts, cultural, recreational uses; and,
 - (e) Structured parking facilities.
- (5) Lands designated Uptown Mixed-Use may be zoned to permit the following *ancillary* uses in a multi-storey *mixed-use* building containing office and/or residential uses:
 - (a) Retail uses and commercial services, provided such uses are street-facing, are located on the first storey of a multi-storey *mixed-use* building, and that the building floor area for retail uses is limited to a maximum of twenty percent (20%) of the total building floor area in which the retail commercial uses are located;
 - (b) Restaurants, provided the total building floor area for all restaurant uses shall not exceed ten percent (10%) of the total building floor area in which the restaurant uses are located.

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- (6) It is the intent of this Plan to protect and enhance the *pedestrian*-oriented nature of the Uptown Mixed-Use designation within the Uptown Waterloo Urban Growth Centre. *Development* applications that include a drive-through facility within this designation will only be supported where it can be demonstrated that the location, design and function of the drive-through facility maintains the intent of the Official Plan as it relates to the form and function of the Uptown Waterloo Urban Growth Centre, does not interfere with the continuity and character of the existing or planned streetscape, does not have a negative impact on the *pedestrian* orientation of the land use designation, and where safe and convenient *pedestrian* movement into, through and adjacent to the site can be maintained as a priority. Additional matters to be addressed may include the nature of surrounding uses, the location of the site within the Uptown Waterloo Urban Growth Centre, proximity to heritage resources, and opportunities for the integration of the drive-through facility with other uses on the subject property.

10.2.2.3 Conestoga Commercial Centre Designation

Vision

This Plan recognizes that lands generally bounded by King Street North, Conestoga Road, Davenport Road, Kingscourt Drive and the Conestoga Parkway as the Conestoga Commercial Centre as shown on **Schedule 'A1'- Commercial Land Uses**. Lands designated Conestoga Commercial Centre represent a key commercial and employment component of the designated Major Node and primarily consist of retail, service, entertainment and office establishments. As a commercial destination within the City and Region, lands within the Conestoga Commercial Centre designation will be well-served by transit, and designed with regard to safe and convenient *pedestrian* and cyclist travel to, from and within the site.

Land Use

- (1) Lands within the Conestoga Commercial Centre designation shall be designated Commercial as shown on **Schedule 'A'- Land Use Plan** and indicated more specifically as Conestoga Commercial Centre on **Schedule 'A1'- Commercial Land Uses**.
- (2) The height and density of uses within the Conestoga Commercial Centre designation shall be limited as shown on **Schedule 'B1'- Height and Density**.
- (3) Lands designated Conestoga Commercial Centre shall be zoned to permit a range of commercial and employment uses, and may include the following primary uses:

- (a) Retail uses;
 - (b) Commercial services;
 - (c) Personal service uses;
 - (d) Entertainment uses;
 - (e) Office;
 - (f) *Medical Clinics*;
 - (g) Banks and financial services; and,
 - (h) Restaurants.
- (4) Lands designated Conestoga Commercial Centre may be zoned to permit a range of complementary uses, provided such uses are compatible with the planned function and policies of this designation and do not restrict the development of the primary permitted uses and are not obnoxious by reason of noise, vibration, odour or smoke, and may include:
- (a) Accommodation services;
 - (b) *Community uses*;
 - (c) Child care centre;
 - (d) Automobile gas and/or service station;
 - (e) Structured parking facility;
 - (f) Commercial recreation;
 - (g) Commercial school;
 - (h) Arts, cultural, recreational uses.

Development Policies for lands designated Conestoga Commercial Centre

- (5) Development within the Conestoga Commercial Centre, excluding offices, shall have a minimum *gross leasable area* of not less than 36,000 square metres and not more than 76,000 square metres, creating a commercial destination within the City and Region.
- (a) For the purpose of this policy and policy 10.2.2.3(6), the following uses shall not be included in the calculation of *gross leasable area*: service stations, auto centres, offices, banquet halls, hotels, motels, entertainment areas, theatres, residential uses, outside garden centre displays, shoe repair stores, medical and dental clinics and offices, billiard parlours, bowling alleys, libraries, car washes, any public assembly areas, parking areas, sidewalks, landscaped areas, private and public washrooms, truck and service facilities, loading and unloading areas, halls, boiler rooms, mechanical and electrical rooms, maintenance rooms, tenant storage areas and employee restrooms.

- (6) Certain lands within the area designated Conestoga Commercial Centre have developed collectively as a regional-scale shopping centre and are known commonly as ‘Conestoga Mall’. For these lands, the following additional policies shall apply:
- (a) The ‘Conestoga Mall’ lands shall be developed in accordance with and pursuant to satisfactory plans and agreements concerning development control, and provisions satisfactory to the City with respect to municipal and other services and utilities including transportation improvements, stormwater management, site servicing improvements, *pedestrian* and cyclist access and sidewalks, other community amenities, costs and responsibilities for work, timing of development, and performance standards and their timing of implementation; and,
 - (b) The implementing Zoning By-Law shall limit *gross leasable area* for primary permitted uses, excluding offices and *medical clinics*, to 62,000 square metres. Future phases of expansion beyond 62,000 square metres of gross leasable area but not exceeding 72,000 square metres of gross leasable area shall require an amendment to the Zoning By-Law supported by retail market impact, transportation impact, and site servicing studies to the satisfaction of the City of Waterloo and the Regional Municipality of Waterloo. No amendment to this Plan will be required.

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10.2.2.4 Mixed-Use Community Commercial Designation

Vision

Lands designated Mixed-Use Community Commercial are commercial centres or areas that serve as commercial focal points or destinations for the surrounding community, including several nearby residential neighbourhoods and/or business areas. Located within Major Nodes, lands designated Mixed- Use Community Commercial will be of sufficient size to accommodate commercial development that will serve the surrounding community and will contain a range of commercial and office employment uses, with residential uses permitted as secondary uses.

To ensure that lands designated Mixed-Use Community Commercial will be planned to have a strong commercial focus, the policies of this Plan as well as the Zoning By-Law will include provisions to ensure that a minimum amount to commercial space is provided within areas designated Mixed-Use Community Commercial. As community destinations, areas designated Mixed-Use Community Commercial will be well-served by transit and will be planned to accommodate safe and convenient *pedestrian* and cyclist travel to/from and within the area.

Areas designated Mixed-Use Community Commercial can take a variety of forms, but generally include a cluster of properties and are usually centred around a large site or sites that have historically been planned to accommodate a commercial shopping centre (with the exception being the King/University area). It is the intent of this Plan that these clusters of properties will evolve to include a broader mix of uses, including residential, that will be oriented toward the major intersection within a Major Node, while retaining the primary commercial function. Residential uses may be permitted through zoning, and if permitted, shall generally be located in storeys above the ground floor within multi-storey, *mixed-use* buildings. Commercial and office employment uses shall comprise the ground floor and lower storeys of *mixed-use* buildings within this designation to foster active and vibrant streetscapes, and to maintain the commercial planned function.

Land Use

- (1) Mixed-Use Community Commercial areas shall be designated Commercial as shown on **Schedule 'A' - Land Use Plan** and indicated more specifically as Mixed-Use Community Commercial on **Schedule 'A1' - Commercial Land Uses**.
- (2) The height and density of uses within the Mixed-Use Community Commercial designation shall be limited as shown on **Schedule 'B1' - Height and Density** and as set out in section 3.4, provided further that the minimum density provisions included in policy 3.4(2) shall not apply to residential uses permitted in this designation.
- (3) The Mixed-Use Community Commercial designation shall be zoned to permit a range of commercial and employment uses, and may include the following primary uses:
 - (a) Retail uses;
 - (b) Commercial services;
 - (c) Personal service uses;
 - (d) Offices;
 - (e) *Medical clinics*;
 - (f) Banks and financial services; and,
 - (g) Restaurants.
- (4) Lands designated Mixed-Use Community Commercial may be zoned to permit a range of complementary uses, provided they do not restrict the development of primary uses and are not obnoxious by reason of noise, vibration, odour or smoke, and may include:
 - (a) Accommodation services;

- (b) *Community uses*;
 - (c) Child care centres;
 - (d) Entertainment facilities;
 - (e) Commercial recreation;
 - (f) Commercial school;
 - (g) Arts, cultural, recreational uses;
 - (h) Automobile gas and/or service station; and
 - (i) Structured parking facilities.
- (5) Lands designated Mixed-Use Community Commercial may be zoned to permit residential uses above the ground floor of a multi-storey *mixed-use* building provided further that:
- (a) Parking required for residential uses will be encouraged to be provided in a parking structure;
 - (b) The Zoning By-Law will define performance standards specific to residential development, including but not necessarily restricted to location, amenity space, density, and parking regulations;
 - (c) Freestanding residential uses may be permitted through a comprehensive municipal zoning process or through a site-specific Zoning By-law Amendment application where it is determined by the City through either process that freestanding residential uses are feasible and appropriate and that the commercial planned function of the centre or area will not be adversely impacted. Such residential development shall only be considered where lands are of sufficient size to accommodate multiple buildings, including one or more buildings adjacent to the street devoted primarily to retail, service commercial and/or office commercial uses.
- (6) Lands designated Mixed-Use Community Commercial shall contain a minimum of 13,500 square metres of gross leasable area devoted to primary uses, excluding offices and *medical clinics*, and gross leasable area devoted to primary uses, excluding offices and *medical clinics*, shall not exceed 36,000 square metres, provided further that:
- (a) It is the intent of this Plan that determining compliance with this policy will be based on the collective amount of *gross leasable area* of primary permitted uses, excluding offices and *medical clinics*, located within the centre or area designated Mixed-Use Community Commercial rather than on individual properties;
 - (b) The implementing Zoning By-law may limit *gross leasable area* devoted to primary uses, excluding offices and *medical clinics*, to something less than



36,000 square metres based on land area, site constraints, or other planning considerations; and

- (c) For the lands designated Mixed-Use Community Commercial at the Bridgeport Road East/Weber Street intersection, *gross leasable area* devoted to primary uses, excluding offices and *medical clinics*, may exceed 36,000 square metres to a maximum of 40,000 square metres, recognizing the number of properties and the amount of land area included within the designation.

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- (7) The following additional provisions related to *gross leasable area* apply to lands designated Mixed-Use Community Commercial:
 - (a) With respect to the lands designated Mixed-Use Community Commercial at:
 - (i) the Westmount Road/Erb Street West intersection;
 - (ii) the King Street North/Weber Street North intersection; and,
 - (iii) the Bridgeport Road East/Weber Street intersection, it is the intent of this Plan that more than half of the *gross leasable area* of primary permitted uses, excluding office, will be provided on the site or area historically planned as a shopping centre. The implementing Zoning By-law may apply minimum and maximum floor space caps for *gross leasable area* of primary permitted uses, excluding offices, to be permitted on the shopping centre site to ensure that the commercial planned function is achieved. The implementing Zoning By-law may also apply floor space caps, using *gross leasable area* as a measure, on the remaining lands within the cluster.
 - (b) The lands designated Mixed-Use Community Commercial in the area of University Avenue West and Phillip Street include multiple properties that have historically been planned as neighbourhood- oriented shopping centres (shopping centre sites). It is the intent of this Plan that the *gross leasable area* requirements of this designation will be achieved by equitably distributing primary uses amongst the shopping centre sites. To achieve this, the implementing Zoning By-law may apply minimum and maximum floor space caps to the shopping centre sites, using *gross leasable area* as the measure, to ensure that the commercial planned function is achieved. In the application of minimum and maximum floor space caps, regard shall be had to land area, site constraints, historic permissions on each of the sites, or other factors as determined by the City.
 - (c) The lands designated Mixed-Use Community Commercial at the King Street North/University Avenue intersection are comprised of a cluster of numerous,



individually managed properties. The provisions of policy 10.2.2.4(6), regarding *gross leasable area*, shall not apply to these lands.

- (8) The Mixed-Use Community Commercial designation applies to clusters of properties within a Node that are contemplated to redevelop over time, and as such, it is the intent of this Plan that such redevelopment occur in a manner that is comprehensively planned, creates connectivity and integration between the sites within the designation, creates a *sense of place* and is consistent with the following principles:
- (a) *Mixed-use*, compact, and higher density development is strongly encouraged;
 - (b) Buildings shall be designed with a high quality of architecture and urban design, with complementary and inviting green/landscape features;
 - (c) Buildings shall be oriented toward the street to the extent possible.

King Street North/University Avenue Area

- (9) This Plan designates the area located generally at the intersection of King Street North and University Avenue as Mixed-Use Community Commercial as shown on **Schedule 'A1' – Commercial Land Uses**. The area is unique compared to other areas designated Mixed-Use Community Commercial in that it has not historically been planned and designed to include a large single site or sites that accommodate a commercial shopping centre as a focal point. Rather, this area is comprised of a group of individually managed properties that function collectively as a *mixed-use* area to serve the commercial needs of the community and in particular, surrounding neighbourhoods and post-secondary educational institutions, in a less intense manner than the Uptown Core. Given the unique planning for this area, 10.2.2.4(10) through 10.2.2.4 (12) have been incorporated into this Plan to provide further guidance for development in this area, and to aid in the creation of appropriate implementing zoning regulations for lands designated Mixed- Use Community Commercial in the King Street North and University Avenue Area.
- (10) For lands designated Mixed-Use Community Commercial within the King Street North and University Avenue area, this Plan contemplates predominantly *mixed-use*, multi-storey buildings with:
- (a) A range of commercial uses, including office, located on the ground and lower floors;
 - (b) Employment uses and/or residential uses in storeys above the ground floor.

- (11) A high standard of urban design will be achieved for development on lands designated Mixed-Use Community Commercial within the King Street North and University Avenue area, resulting in a coordinated and unified design theme. Site development and improvements within the public realm shall place a priority on accommodating comfortable and convenient travel to and within the King/University area, including the provision of integrated *pedestrian* and cyclist facilities.

- (12) Notwithstanding the provisions of policy 10.2.2.4(5) and 10.2.2.4(10), for areas not directly abutting King Street North or University Avenue, freestanding residential uses may be permitted in the implementing zoning, provided further that:
 - (a) Required parking will be encouraged to be provided in a parking structure;
 - (b) The Zoning By-Law will define performance standards related to residential development, including but not necessarily restricted to location, amenity space, density and parking regulations.

10.2.2.5 West Side Mixed-Use Commercial Centre Designation

Vision

The West Side Mixed-Use Commercial Centre within the commercial structure is a unique commercial area in the City of Waterloo. Recognized as a Major Node within the City Structure, the West Side Mixed-Use Commercial Centre will be planned to permit a range of commercial uses, including retail, entertainment, Arterial Commercial uses and offices primarily serving the west side of the City. As an important focus and function, the West Side Mixed-Use Commercial Centre area will include office uses to create a well-balanced and integrated, *mixed-use* commercial and employment centre. The Centre is intended to provide a destination for employment, shopping and transit supportive development on Regional arterial *roads* designed to provide efficient transportation access to the site. The West Side Mixed-Use Commercial Centre area will also include opportunity for larger retail uses and entertainment uses to serve the west side of the City, and also, include a limited amount of retail uses and personal service uses to serve a more local area. Together, these uses will be planned and developed to create an integrated and coordinated commercial and employment development based on a high standard of *urban design* promoting an urban experience, *pedestrian* and cycling activity, sustainable development, and other design objectives set out in implementing design guidelines. The West Side Mixed-Use Commercial Centre will contribute to a comprehensively planned and balanced commercial land use structure in the City, and shall not undermine the structure by having a significant detrimental impact to existing and future planned commercial areas.



Land Use

- (1) Lands within the West Side Mixed-Use Commercial Centre shall be designated Commercial as shown on **Schedule 'A'- Land Use Plan**. One West Side Mixed-Use Commercial Centre is contemplated in the City, as shown on **Schedule 'A1'- Commercial Land Uses**.
- (2) The height and density of uses within the West Side Mixed-Use Commercial Centre shall be limited as shown on **Schedule 'B1', Height and Density** and as set out in section 3.4.
- (3) The West Side Mixed-Use Commercial Centre designation will permit the following primary uses:
 - (a) Retail uses, subject to the prohibited uses as outlined in policy 10.2.2.5(5) below;
 - (b) Office;
 - (c) Entertainment uses;
 - (d) Personal service uses; and,
 - (e) Restaurants.
- (4) Lands designated West Side Mixed-Use Commercial Centre may permit a limited range of complementary uses (such as parking facilities, open space, recreation and cultural facilities), provided they do not restrict the development of the primary use of the lands for commercial purposes.
- (5) The following uses shall be prohibited on lands designated West Side Mixed-Use commercial Centre:
 - (a) *Department stores*;
 - (b) Automotive supply stores; and,
 - (c) Free-standing *food stores*.

Development Policies for the West Side Mixed-Use Commercial Centre

- (6) To maintain the planned function of the City of Waterloo commercial structure, it shall be the policy of this Plan to only permit one West Side Mixed-Use Commercial Centre designation in the City as shown on **Schedule 'A1' – Commercial Land Uses**. It is a policy of this Plan that the West Side Mixed-Use Commercial Centre designation as shown on Schedule 'A1' shall not expand.
- (7) This Plan recognizes the commercial area located at the northwest corner of Ira Needles Boulevard and University Avenue as the West Side Mixed- Use

Commercial Centre. This area shall be developed in a less intense manner than the Uptown Waterloo Urban Growth Centre and more intense than the Arterial Commercial designation of this Plan.

- (8) The West Side Mixed-Use Commercial Centre designation shall allow for a range of land uses. However, Official Plan policies, implementing zoning, and development agreements shall be used to ensure a *mixed-use* function is established with a balance of office, retail, entertainment and personal service uses, and to ensure that the overall planned function of the commercial land use structure is maintained. Specific retail uses, including *department stores*, automotive supply stores and free-standing *food stores* shall not be permitted.
- (9) Development within or abutting the lands designated West Side Mixed- Use Commercial Centre shall not have an unacceptable impact on planned commercial areas/centres in the City, thereby maintaining the planned function of such commercial areas within the Commercial land use planning system.
- (10) The West Side Mixed-Use Commercial Centre shall be comprehensively planned with regard to the development of adjacent/contiguous Employment lands as designated on **Schedule 'A' - Land Use Plan**, to secure a range of significant employment uses.
- (11) This Plan promotes *mixed-use*, multi-storey buildings with a range of commercial uses located on the ground floor and employment uses located above the ground floor.
- (12) The City shall regulate, through Official Plan policies (See Specific Provision Area 31) and implementing Zoning By-Law, the size and scale of development, including minimum and maximum unit sizes, specific retail merchandize categories, and development phasing, to establish and maintain a *mixed-use* function of the site and to maintain the planned function of the City's commercial areas.
- (13) A high standard of urban design shall apply to all development within the West Side Mixed-Use Commercial Centre designation and shall result in a coordinated and unified design theme. Site development shall include a high standard of site amenities and features such as enhanced perimeter landscape treatment, internal landscape areas and amenity spaces, integrated *pedestrian* and cyclist facilities and a centralized outdoor amenity space.

- (14) Development shall be subject to municipally-approved Urban Design Guidelines, including any specific guidelines for the lands designated West Side Mixed-Use Commercial Centre. Urban design guidelines will provide a basis for *site plan* review and approval and will implement the policies of this Plan.
- (15) Planning mechanisms available to the City and any approval authority having jurisdiction, including the Zoning By-Law, urban design guidelines, development agreements, and *site plan* control shall be used to implement the policies of this Plan applicable related to the West Side Mixed-Use Commercial Centre designation.

10.2.2.6 Mixed-Use Neighbourhood Commercial Designation

Vision

Lands designated Mixed-Use Neighbourhood Commercial are commercial centres or areas that provide a commercial focal point or destination to meet the day to day commercial needs of the adjacent neighbourhood(s) or business area(s). Located within Minor Nodes, lands designated Mixed-Use Neighbourhood Commercial will be of sufficient size to accommodate development that will serve the neighbourhood and will permit a range of office, retail and service uses, generally in the form of a commercial shopping centre comprised of small to mid-size units. This Plan envisions small-to-mid scale *food stores* anchoring Mixed-Use Neighbourhood Commercial areas. Residential uses may be permitted within *mixed-use* buildings on storeys above the ground floor, provided the area retains a primarily commercial function.

As neighbourhood destinations, areas designated Mixed-Use Neighbourhood Commercial will be planned to accommodate safe and convenient *pedestrian* and cyclist travel to, from and within the site, connecting the centre to the surrounding local neighbourhood. The areas are intended to create opportunities for residents to obtain commercial goods and services within a reasonable walking and cycling distance to reduce the need for automobile trips and reduce travel distances, and will be well served by transit.

Land Uses

- (1) Mixed-Use Neighbourhood Commercial areas shall be designated Commercial as shown on **Schedule 'A' - Land Use Plan** and indicated more specifically as Mixed-Use Neighbourhood Commercial on **Schedule 'A1' - Commercial Land Uses**.
- (2) The height and density of uses within the Mixed-Use Neighbourhood Commercial designation shall be limited as shown on **Schedule 'B1' - Height and Density** and

as set out in section 3.4, provided further that the minimum density provisions included in policy 3.4(2) shall not apply to residential uses permitted in this designation.

- (3) The Mixed-Use Neighbourhood Commercial designation shall be zoned to permit a range of small to mid-size commercial uses and may include the following primary uses:
 - (a) Retail uses, not exceeding an individual unit size of 1,000 square metres, provided further that:
 - (i) One (1) *food store* may be permitted to a maximum of 8,000 square metres; and,
 - (ii) One *drug store* use may be permitted to a maximum of 2,500 square metres.
 - (b) Commercial services;
 - (c) Personal service uses;
 - (d) Offices;
 - (e) *Medical clinics*
 - (f) Banks and financial services; and,
 - (g) Restaurants.

- (4) Lands designated Mixed-Use Neighbourhood Commercial may permit the following complementary uses, provided they do not restrict the development of primary uses and are not obnoxious by reason of noise, vibration, odour or smoke, and may include:
 - (a) *Community Uses*;
 - (b) Child care centre;
 - (c) Automobile gas station;
 - (d) Commercial recreation;
 - (e) Commercial school; and,
 - (f) Arts, cultural, recreational uses.

- (5) Lands designated Mixed-Use Neighbourhood Commercial may be zoned to permit residential uses in storeys above the ground floor in a multi- storey *mixed-use* building, provided further that:
 - (a) Required parking for residential uses will be encouraged to be provided in a parking structure; and,
 - (b) The Zoning By-Law will incorporate performance standards related to residential amenity space, density, parking, and other appropriate residential regulations.

- (6) Lands designated Mixed-Use Neighbourhood Commercial shall have a minimum of 2,000 square metres building floor area of permitted uses, excluding offices and *medical clinics*, and not exceeding 13,500 square metres gross leasable area, subject to policy (7) below. Recognizing the pedestrian-oriented neighbourhood function of this designation and to encourage the provision of small to mid-size food stores, the City may, through the Zoning By-Law, limit the size of individual commercial units and may limit the size of the overall centre or area where a food store is not a planned land-use within the centre.

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- (7) Notwithstanding policy 10.2.2.6(6), where an existing commercial centre or area designated Mixed-Use Neighbourhood Commercial is not located along or at key intersections of Transit Corridors as defined in the Regional Official Plan and shown on Map 5a of the Regional Official Plan, the *gross leasable area* of primary permitted uses, excluding offices, shall not exceed 10,000 square metres.

10.2.2.7 Convenience Commercial Designation

Vision

Lands designated Convenience Commercial shall be planned to accommodate one or more retail or service establishments in a small-scale centre or area and are intended to help meet the day to day needs of nearby neighbourhood and/or business areas through the provision of a range of convenience goods and services. Such centres or areas may be used solely for commercial purposes or may incorporate residential uses in *mixed-use* buildings, provided the primary commercial function of the lands is maintained.

Areas designated Convenience Commercial will have a strong *pedestrian* and cyclist focus and be well connected to the surrounding local neighbourhood. Such facilities will be planned to provide opportunities for residents to obtain commercial goods and services within a reasonable walking and cycling distance, thereby reducing the need for automobile trips and fostering social interaction. To realize the *pedestrian*-oriented intent of Convenience Commercial facilities, such facilities should be located and designed to create a *sense of place* and destination within the neighbourhood, while ensuring that parking does not dominate the development.

Lands designated Convenience Commercial should be located adjacent to Primary or Collector *roads*, generally outside of designated Nodes, and in close proximity to areas designated Residential. Convenience Commercial designations shall only be permitted in locations where such uses are considered compatible with existing or planned development.

This Plan recognizes that convenience-oriented goods and services will also be permitted outside of the Convenience Commercial designation, primarily on lands designated Residential and within *mixed-use* buildings that include residential uses as set out in the Section 10.1 of this Plan.

Land Use

- (1) Convenience Commercial areas shall be designated Commercial as shown on **Schedule 'A'- Land Use Plan** and indicated more specifically as Convenience Commercial on Schedule '**A1**'- **Commercial Land Uses**.
- (2) The height and density of uses within the Convenience Commercial designation shall be limited as shown on **Schedule 'B1'- Height and Density** and as set out in section 3.4, provided further that the minimum density provisions included in policy 3.4(2) shall not apply to residential uses permitted in this designation.
- (3) Lands designated Convenience Commercial shall be zoned to permit a range of small-scale commercial and office uses and may include the following primary uses:
 - (a) Small scale retail uses, provided that no individual unit shall exceed 300 square metres of *gross leasable area*;
 - (b) Commercial services;
 - (c) Personal service uses;
 - (d) Banks and financial services;
 - (e) Restaurants;
 - (f) Offices;
 - (g) *Medical clinics*;
 - (h) Automobile gas station;
 - (i) Child care centre; and
 - (j) Commercial school.
- (4) Lands designated Convenience Commercial may be zoned to permit *community uses* as complementary uses of land provided their function will not conflict or interfere with the primary operation and development of areas for primary uses.
- (5) Lands designated Convenience Commercial may permit residential uses in storeys above the ground floor in a *mixed-use* building containing primary permitted use(s).
- (6) Lands designated Convenience Commercial may permit drive-through facilities, subject to locational criteria that require such uses to abut Arterial Roads.

- (7) The *gross leasable area* of ground floor uses in Convenience Commercial buildings shall not exceed 2,000 square metres, although this Plan recognizes that many such centres are developed with less than 1,000 square metres of ground floor *gross leasable area*. Based on the context of the Convenience Commercial site and the scale of the surrounding neighbourhood, the Zoning By-Law may limit the *gross leasable area* of ground floor uses to less than 2,000 square metres, and may limit the size of individual commercial units. Individual units should generally be small in scale, with the intent that the majority of units would be less than 300 square metres in size, with provisions for an anchor tenant (or tenants, depending on the size of the centre) of up to 500 square metres in size.

10.2.2.8 Mixed-Use Office Designation

Vision

The Mixed-Use Office designation is intended to provide employment opportunities in proximity to lands designated Residential, and contemplates primarily offices and personal services as permitted uses. Retail uses are not contemplated and restaurants are only contemplated as *ancillary* uses. Residential uses are contemplated within *mixed-use*, multi-storey buildings, provided a minimum amount of office and or similar uses are provided.

Lands designated Mixed-Use Office will generally be located in or adjacent to Major and Minor Nodes and as such, will accommodate office or *mixed-use* development of varying heights and density. Where lands designated Mixed-Use

Office are located outside Major Nodes, the height and density of development may be limited through provisions in the Zoning By-Law with a view to encouraging mid-rise office or *mixed-use* development.

Land Use

- (1) Areas designated as Mixed-Use Office shall be designated Commercial as shown on **Schedule 'A' – Land Use Plan** and indicated more specifically as Mixed-Use Office on **Schedule 'A1'- Commercial Land Uses**.
- (2) The height and density of uses within the Mixed-Use Office designation shall be limited as shown on **Schedule 'B1'- Height and Density** and as set out in section 3.4, provided further that the minimum density provisions included in policy 3.4(2) shall not apply to residential uses permitted in this designation.

- (3) Lands designated Mixed-Use Office shall be zoned to permit primarily office and supporting uses and may include the following primary uses:
 - (a) Offices;
 - (b) *Medical clinics*;
 - (c) Commercial school;
 - (d) Personal service uses;
 - (e) Banks and financial services;
 - (f) Commercial services; and,
 - (g) Retail uses related to office supplies and equipment.

- (4) Lands designated Mixed-Use Office may be zoned to permit the following complementary uses, provided their function will not restrict the development of the primary uses:
 - (a) *Community Uses*
 - (b) Child care centre; and,
 - (c) Parking facilities.

- (5) Lands designated Mixed-Use Office may be zoned to permit the following uses within mixed-use buildings that contain office and or other primary uses:
 - (a) Restaurants, provided the total floor area for all restaurant uses shall not exceed ten percent (10%) of the total building floor area of the building in which the restaurant use(s) are located.
 - (b) Residential uses in storeys above the ground floor in a multi-storey *mixed-use* building, provided further that:
 - (i) In buildings containing less than three storeys of non-residential uses, residential uses shall not exceed 50% of the total *gross building floor area*; and,
 - (ii) In buildings containing 3 or more storeys of non-residential uses, residential building floor area shall not be restricted relative to the total *gross building floor area*.

10.2.2.9 Corridor Commercial Designation

Vision

The Corridor Commercial designation is intended to primarily accommodate automobile-oriented commercial uses, directing such uses to Arterial Roads. Corridor Commercial uses generally include:

- (i) commercial uses which do not normally cater to the *pedestrian* shopping trade, but rather, to persons coming by vehicle specifically to the premises to do business;

- (ii) uses which require the transportation exposure and vehicular accessibility afforded by Arterial Roads given their retailing of large or bulky goods;
- (iii) a restricted range of commercial uses whose size requirements are such that they are not generally compatible, nor economically viable, in the Uptown Commercial Core or other categories within the commercial land use structure; and, (iv) commercial uses which rely on business from the travelling public. *Department stores, food stores and drug stores* are not contemplated in the Corridor Commercial designation.

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In general, Corridor Commercial areas will be located outside of Major and Minor Nodes, but may be located in Corridors. It is recognized that certain portions of the Major Corridor along King Street have historically been designated for Corridor Commercial uses. It is the intent of this Plan that in some instances, these areas should transition away from automobile-oriented uses and toward higher-density employment uses, and possibly residential uses, that are more supportive of transit and *active transportation*. This transition is supported by the policies of this Section and described further through Specific Provision Area policies.

Land Use

- (1) Corridor Commercial areas shall be designated Commercial as shown on **Schedule ‘A’- Land Use Plan** and indicated more specifically as Corridor Commercial on **Schedule ‘A1’- Commercial Land Uses**.
- (2) The height and density of developments within the Corridor Commercial designation shall be limited as shown on **Schedule ‘B1’- Height and Density**.
- (3) Lands designated Corridor Commercial shall be zoned to permit automobile-oriented commercial uses and may include the following primary uses:
 - (a) Retail uses, limited to automotive/vehicle related products and services, large or bulky goods such as furniture and domestic appliances, home entertainment goods, home improvement materials, hardware, nursery or garden supply products, office equipment; and the limited sale of goods in association with a wholesale use.
 - (b) Wholesale uses;
 - (c) Offices;
 - (d) Medical clinics;
 - (e) Accommodation uses;
 - (f) Restaurants;
 - (g) Entertainment uses;



- (h) Commercial recreation;
 - (i) Banquet halls; and,
 - (j) Funeral homes.
- (4) For clarification, it is the intent of this Plan that *department store*, *food store* and *drug store* retailing are not contemplated in the Corridor Commercial designation. Development of such uses would only be considered by way of an amendment to the Official Plan and Zoning By- law.
- (5) Lands designated Corridor Commercial may be zoned to permit the following complementary uses, provided their function will not conflict or interfere with the primary operation and development of areas for Corridor Commercial purposes:
- (a) *Community uses*;
 - (b) Institutional uses; and,
 - (c) Parking facility.

Lands Designated Corridor Commercial Within Portions of the Major Corridor

- (6) It is the intent of this Plan that lands designated Corridor Commercial within the King Street Major Corridor and located north of University Avenue and south of Northfield Drive (shown in this Plan as Specific Provision Area 44) will be encouraged to transition away from automobile- oriented uses and toward higher-density office employment uses that are more supportive of transit and *active transportation*. Development within the defined area shall be strongly encouraged to include office uses that generate employment densities that support higher frequency transit use. Residential uses may be permitted, where it is demonstrated through a *development* application, excluding *site plan* applications, that such uses are appropriate. To support this transition, the implementing Zoning By- law for the defined area will include provisions for *ancillary* commercial uses, including retail uses, to be developed in conjunction with higher-density office employment uses as provided for in Specific Provision Area 44 to this Plan.

Development Policies for Corridor Commercial Areas

- (7) Development within lands designated Corridor Commercial shall only be permitted where adequate vehicular access and egress, off-street parking, and municipal services and public works required are available.
- (8) Development within Corridor Commercial areas will not necessarily have direct access to Regional or City arterial *roads*. Access to Regional *roads* requires Regional approval and may require a Regional entrance permit. Access to arterial

roads under the jurisdiction of the City of Waterloo requires City approval, may require a City entrance permit, and shall be subject to the *Site Plan* Review process when *development* applications are submitted for consideration.

- (9) This Plan contemplates a high quality of *urban design* and aesthetically pleasing streetscapes in Corridor Commercial areas.
- (10) Development within Corridor Commercial areas that is adjacent to residential areas shall have regard to site design measures including buffers and screening to mitigate impacts from Corridor Commercial uses related traffic, parking and service areas to the extent possible.
- (11) Development within Corridor Commercial areas will not have an unacceptable impact on the Uptown Urban Growth Centre, Conestoga Commercial Centre, West Side Mixed-Use Commercial Centre, Mixed- Use Community Commercial and Mixed-Use Neighbourhood Commercial areas, thereby maintaining the planned function of such commercial designations. Proposals to significantly expand the range of retail commercial uses contemplated on lands designated Corridor Commercial shall require an amendment to this Plan and the Zoning By-law and shall be subject to the complete *development application* requirements set out in Section 10.2.3, including the requirement for a Retail Impact Analysis.

10.2.3 Complete Development Application Requirements for Commercial Development Proposals

This Plan describes a system of commercial land use planning that defines how various commercial centres and areas are intended to function to meet the needs of the community and the planning objectives of the City. Specifically, planned commercial land uses are intended to provide for an appropriate distribution of adequate commercial opportunities, while avoiding an oversupply of facilities.

- (1) Where an amendment to this Plan and/or the Zoning By-Law is required to permit the development of a new commercial land use or an expansion (in terms of floor area, land area or range of uses permitted) to an existing commercial land use, the City shall require the submission of an independent and comprehensive professional analysis to assess the appropriateness, opportunities and implications of the proposal and to assess compliance with the policies and objectives of this Plan.
- (2) Requirements for information to be submitted as part of the comprehensive professional analysis referred to in policy 10.2.3 (1) shall be determined through

the pre-submission consultation process and shall include consideration of the following:

- (a) Planning Assessment – Consideration of how the proposal would function within the City’s defined commercial land use structure and would address the objectives of this Plan relative to providing for the appropriate distribution of facilities to meet the needs of the community while avoiding an oversupply of facilities. Specific consideration should be given to the relationship between the proposal and the Uptown Waterloo Urban Growth Centre to ensure that the proposal does not impact the ability of the Uptown Waterloo Urban Growth Centre to fulfill its intended planned function. In addition, the assessment should consider how the proposal may address the objectives and policies of this Plan which speak to providing for locally serving *pedestrian*-oriented facilities that have a neighbourhood focus and can support the reduction of vehicle trips.
- (b) Servicing Assessment – Indicating that adequate sanitary sewer, water and storm drainage services are available to accommodate the proposed development.
- (c) Transportation Assessment –The applicant may be required to provide a Transportation Impact Study to the satisfaction of the City of Waterloo and to the satisfaction of the Region of Waterloo where the development would access onto a Regional Road. The Study is to be prepared in conformity with the Transportation System policies of this Plan and will assess the transportation demands, impacts and opportunities associated with a proposed development.
- (d) Retail Impact Analysis – For *development* applications, excluding *site plan* applications, which include proposals for retail commercial uses of 5,000 square metres of *gross leasable area* or greater, or where a proposal involves a change to the type or scale of retail commercial uses contemplated within a designation, the City, at its discretion, may require the applicant to submit a Retail Impact Analysis. This City will not support proposals solely on the basis of the conclusions of a Retail Impact Analysis. The weight of such studies shall only extend to assessing whether the proposal can proceed on the basis of market demand without having a negative impact on the planned function of the commercial areas designated in this Plan.
 - (i) Where a Retail Impact Analysis is required, the study shall have specific regard to the planned function of the Uptown Waterloo Urban Growth Centre, including the growth targets for retail and service commercial uses defined in policy 3.7.2 (12) of the City Form Chapter and should ensure that the proposed development does not impede the ability of the



Uptown Waterloo Urban Growth Centre to achieve the defined targets.

- (ii) Where a Retail Impact Analysis is required, the City may retain, at the applicant's expense, a qualified consultant to assist the City in defining the methodology and terms of reference for the Retail Impact Analysis, peer review the applicant's submission, and provide professional conclusions and recommendations to the City. The requirement for a Peer Review will be identified at the time of Pre-Submission Consultation between the City and the applicant and it is expected that the applicant's consultant and the peer review consultant will collaborate to develop a mutually agreeable terms of reference.
 - (e) Other studies as may be identified by the City through the pre- submission consultation process.
- (3) Notwithstanding policies 10.2.3 (1) and (2) above, where an Amendment to this Plan is required to permit the development of a new commercial land use that primarily serves a regional or community-wide market, a *municipal comprehensive review* shall be completed by the municipality prior to any planning approvals. It is a policy of this Plan that such planning approvals shall only be granted if supported by the *municipal comprehensive review*.

10.2.4 Urban Design for Lands Designated Commercial

- (1) Commercial *development* shall be subject to the Urban Design policies of this Plan and implementing urban design guidelines approved by the City including the City's Urban Design Manual, Development Manual and Council approved project guidelines. In addition, the following design policies shall be considered for commercial development:
 - (a) As a general principle, building entrances and windows shall be oriented to the street to enhance street activity, interest and provide eyes on the street. In limited circumstances where building entrances or windows cannot be provided, a high level of building design and articulation shall be provided to create interest along the street.
 - (b) Articulated rooflines including pitched roofs, parapets and towers, may be required, particularly at gateway intersections, to screen rooftop mechanical equipment and planned development located adjacent to residential properties.
 - (c) Dedicated *pedestrian* walkways shall be provided on sites with multiple commercial buildings to provide convenient and direct access from parking areas to major destinations including the primary building entrances, amenity spaces, public *roads* and transit routes.



- (d) On sites with multiple commercial buildings, building facades shall be designed to achieve a coordinated character including the use of similar building materials, colours, textures and architectural elements.
- (e) Where commercial uses are proposed adjacent to residential areas, enhanced landscape buffers shall be provided along yards abutting residential properties (existing or planned). In addition, structures, traffic, parking, loading and service areas are to be screened and buffered so that noise, light and other undesirable effects emanating from the commercial land use are minimized.
- (f) Predevelopment groundwater infiltration rates are to be maintained to the extent possible, where feasible and appropriate. Infiltration measures shall minimize the risk of contamination to the groundwater, to the satisfaction of the City.

10.3 EMPLOYMENT LAND USE POLICIES

The City will plan for *employment areas* that provide a broad range of employment opportunities to meet the needs of the City's employees, businesses and residents. The City will also plan for transit and *pedestrian-* supportive *employment areas*, wherever possible, while recognizing that traditional *employment areas* are currently automobile-oriented.

Waterloo's employment growth will be characterized by knowledge based, technology and office uses, with a particular focus on research and technology firms, finance, insurance and real estate, as well as academic institutions. Manufacturing will also remain important to the economy in providing support to research and technology firms while producing goods for the broader economy. Other service industries that primarily support Waterloo's population will continue to provide their important function for residents.

The Employment land use designations permit a broad range of employment uses. Complementary uses, where permitted, are anticipated to directly support the primary employment use on the lands and adjacent area. *Ancillary* uses, where permitted, are anticipated to provide opportunities for *mixed-use* developments within specific Employment land use designations, and are intended to permit uses that directly support the primary employment use on the lands and adjacent area.

Development within *employment areas* will be guided by Site and Urban Design and Land Use Compatibility policies found within this chapter. Further, development within *employment areas* will be consistent with the City's urban design objectives and policies as set out in this Plan and supporting implementation documents, such as the Urban Design Manual, will be used during the review of *development* applications to achieve a high standard of urban design.

10.3.1 General Policies

Overview of Employment Land Use Structure

- (1) *Employment areas* are shown on **Schedule ‘A’ – Land Use Plan** and are designated on **Schedule ‘A2’ – Employment Areas** in the following three Employment land use designations:
 - (a) Flexible Industrial;
 - (b) Business Employment; and,
 - (c) Academic.

- (2) These Employment land use designations vary in terms of the range of uses permitted, the scale and intensity of the development, the design standards that apply and the potential impacts of these uses on adjacent uses. The height limits for lands with an Employment designation are shown on **Schedule ‘B1’ – Height and Density**.

Location of Major Office Development

- (3) *Major offices* should be located within the Uptown Waterloo Urban Growth Centre, *Major Transit Station Areas*, other Major Nodes, or Reurbanization Corridors.

Protecting the Employment Land Supply

- (4) It is a policy of this Plan to foster growth opportunities within *employment areas* through the development of vacant lands, and *intensification* of existing employment parcels. This Plan encourages a range of lot sizes in the areas defined in **Schedule ‘A2’ – Employment Areas**, while recognizing that large, vacant employment lots may not be available due to Waterloo’s limited land supply.

- (5) It is a policy of this Plan to maintain a diverse and balanced employment land supply to serve the employment needs of the City and to ensure there are sufficient employment areas available to accommodate employment growth now and into the future, including an adequate supply of serviced land and an allowance for choice in terms. In conformity with the Growth Plan for the Greater Golden Horseshoe, applications to amend the Official Plan to convert *employment areas* to non-employment uses and remove lands designated Employment on **Schedule ‘A’- Land Use Plan**, will not be permitted, even if other lands are proposed to be added elsewhere.

- (6) Commercial, institutional and residential land uses are not contemplated on *employment areas*, with the exception of the *ancillary* uses specifically defined in

the Employment designations of this Plan and non-employment uses considered in the Academic designation.

- (a) Freestanding commercial development shall not be permitted within *employment areas*, except as provided for in the Academic designation or in the Specific Provision Area policies included in Chapter 11. Such uses shall locate within an appropriate Commercial designation.
 - (b) Drive-through facilities are normally associated with restaurants, banks and other commercial uses. Lands designated Business Employment may permit drive-through facilities in association with permitted uses. Provisions to permit and/or regulate drive-through facilities will be included in the City's implementing Zoning By-law. Where permitted by way of the Zoning By-law, drive-through facilities shall be subject to approval of a *Site Plan* application. In the review of such applications, particular attention shall be given to sites which abut residential uses, with an objective of mitigating impacts on residential uses.
- (7) In accordance with the Growth Plan for the Greater Golden Horseshoe and policies in this Official Plan, conversion of *employment areas* to non-employment uses, and removal of lands designated Employment on **Schedule 'A' - Land Use Plan** will only be considered through a *municipal comprehensive review, initiated by the Region*, where it has been demonstrated that:
- (a) There is a need for conversion;
 - (b) The lands are not required over the horizon of this Plan for the employment purposes for which they are designated;
 - (c) Sufficient employment lands will be maintained across the Region to accommodate forecasted employment growth to the planning horizon;
 - (d) The proposed uses would not adversely affect the overall viability of the employment area, achievement of the residential intensification target, designated greenfield area density targets, and other policies of this Plan; and,
 - (e) There is existing or planned infrastructure and public service facilities as defined by the Growth Plan for the Greater Golden Horseshoe, to accommodate the proposed conversion.

Land Use Compatibility

- (8) To support the City and Regional objectives in relation to Light Rail Transit and specifically, the desire to create vibrant, mixed-use, employment focused *Major Transit Station Areas*, priority consideration for conversion of employment areas,

if warranted through the *municipal comprehensive review*, initiated by the Region, will be given to:

- (a) Properties that are located within areas identified as Potential Transition Areas on **Schedule J – Station Areas** and are located adjacent to a higher-order transit corridor, provided further that:
 - (i) Portions of properties that have direct access to active or convertible frontage areas are preferred locations for mixed-use developments relative to properties or portions of properties that do not have such access; and,
 - (ii) For the purposes of this section, higher-order transit corridors include the ION LRT line shown on **Schedule ‘J’ – Station Areas** of this Plan in addition to the existing and planned transit corridors shown on Map 5a – Regional Transit Network of the Regional Official Plan.

- (9) Where an employment land conversion occurs through the *municipal comprehensive review*, initiated by the Region, the implementing Official Plan framework to facilitate the conversion will include:
 - (a) appropriate minimum employment densities required to be developed in conjunction with non-employment uses;
 - (b) built form requirements, including requirements for developments to feature mixed-use buildings;
 - (c) the permitted heights and densities;
 - (d) requirements to ensure that any new sensitive uses are appropriately phased based on the surrounding land use context. Permission for sensitive uses may require the application of holding provisions.

- (10) New residential development shall be discouraged from locating within close proximity to land designated Flexible Industrial due to possible adverse affects on the sensitive residential land use by the industrial operations contemplated within the Flexible Industrial designation.
 - (a) Where new employment uses or the expansion of employment uses are constructed near residential areas, the City will require that applicable Provincial regulations, guidelines and best practices are met or adhered to. Such proposals shall be referred to the Ministry to determine if a Certificate of Approval under the Environmental Protection Act is necessary.

OPA No. 14, approved January 11, 2018

Site and Urban Design

- (11) A high quality of site and building design is contemplated within *employment areas*. Proponents of development on lands designated Employment shall be required to obtain approval of a *Site Plan* that is consistent with the provisions of the Planning Act, the policies of this Plan, and any City approved design guidelines and development standards, prior to the commencement of any site works or the issuance of a building permit.
- (12) The City shall require a superior built form for development of all *employment areas* that front onto major roads in visually prominent or gateway locations.
- (a) Higher standards for screening of outdoor storage areas, landscaping, signage, and location of loading and parking areas are contemplated at the periphery of *employment areas* and adjacent to entrance roads into the City.
 - (b) As set out in policy 10.3.2.2 (9) and 10.3.2.2 (10), a higher standard of urban design shall be required for development proposed on lands designated Business Employment.
- (13) Development will contribute to attractive, efficient, and competitive *employment areas* by:
- (a) Featuring a high standard of urban design which enhances the quality of the public realm along all public roads, appropriately accommodates *pedestrians* and cyclists, and minimizes impacts on neighbouring land uses;
 - (b) Providing adequate vehicular access, off-street parking, while minimizing large expanses of surface parking and the number and location of vehicular access points;
 - (c) Appropriately buffering outside storage and assembly areas to minimize visual impacts on surrounding land uses;
 - (d) Appropriately locating and designing loading areas to minimize impacts to surrounding land uses, and promoting safe circulation within the site;
 - (e) Minimizing light and fugitive emission impacts on surrounding land uses;
 - (f) Ensuring that employment traffic is directed away from planned residential areas; and,
 - (g) Fostering compact development and *intensification* to facilitate the efficient use of land, where appropriate.

10.3.2 EMPLOYMENT LAND USE DESIGNATIONS

10.3.2.1 Flexible Industrial Designation

Vision

The Flexible Industrial land use designation contemplates traditional industrial uses such as manufacturing, processing, assembly, construction and service trades, as well as warehousing and distribution. Lands within this designation are generally on the interior of *employment areas* to facilitate land use compatibility and limit adverse impacts to *sensitive land uses*. While this designation allows for traditional industrial uses, it also permits office development.

Schedules

- (1) Areas designated Flexible Industrial shall be designated Employment on **Schedule 'A' – Land Use Plan** and indicated more specifically as Flexible Industrial on **Schedule 'A2' – Employment Areas**.
- (2) The height of developments within the Flexible Industrial designation shall be limited as shown on **Schedule 'B1' – Height and Density**, and further defined in the Zoning By-Law.

Land Use

- (3) The Flexible Industrial designation may be zoned to permit the following primary uses:
 - (a) Industrial uses including assembling, fabricating, manufacturing, processing, repair and servicing, storage, utilities, communications, transportation facilities, service trades, equipment suppliers, printing and publishing and construction uses;
 - (b) Warehouse, distribution, and wholesale uses (no retail); and,
 - (c) Offices.
- (4) In addition to the primary permitted uses above, lands designated Flexible Industrial may be zoned to permit the following uses, subject to the provisions of this Official Plan, provided they do not impact the ability of the lands to achieve the vision and policies in this designation:
 - (a) Automobile service stations;
 - (b) *Community uses*, except public schools; and,
 - (c) Parking facilities.

- (5) Limited display and retail of products manufactured on site is permitted as an *ancillary* use, provided the total floor space for the *ancillary* use does not exceed the lesser of 464 square metres, or 10% of the *gross building floor area* (excluding parking structures) on the site.

OPA No. 11, approved December 11, 2014

- (6) The following uses shall be prohibited within the Flexible Industrial designation:
 - (a) Uses deemed to be hazardous;
 - (b) Salvage, scrap, wrecking, and private recycling facilities;
 - (c) Chemical manufacturing, processing or refining;
 - (d) Storage, transportation or manufacturing of explosives or fireworks;
 - (e) Rendering plants or facilities;
 - (f) Residential uses; and,
 - (g) Any other use as set out in the implementing Zoning By-Law.

Development Policies

- (7) Applications for the expansion or relocation of employment uses that use large amounts of water and/or dispose of large amounts of liquid or solid waste shall require an Amendment to this Plan and are generally discouraged. Applications for new employment uses that use large amounts of water and/or dispose of large amounts of liquid or solid waste shall require an Amendment to this Plan and are generally discouraged. The foregoing shall not apply to municipal *infrastructure* such as water distribution and waste water treatment facilities.

10.3.2.2 Business Employment Designation

Vision

The Business Employment land use designation is a category in which prestige office uses are the predominant use of land. Lands within this designation are generally on the periphery of *employment areas*, serve as a buffer between traditional industrial uses and *sensitive uses*, while accommodating office development along planned or existing transportation routes, and in higher density destinations such as designated nodes or corridors.

To achieve the vision of prestigious business employment lands, a high standard of urban design will be required within this designation, as set out in policy 10.3.2.2 (10) of this chapter.

Schedules

- (1) Areas designated Business Employment shall be designated Employment as shown on **Schedule 'A' – Land Use Plan** and indicated more specifically as Business Employment on **Schedule 'A2' – Employment Areas**.
- (2) The height of developments within the Business Employment designation shall be limited as shown on **Schedule 'B1'- Height and Density**, and further defined in the Zoning By-Law.

Land Use

- (3) Lands designated Business Employment cater to the needs of technical and/or scientific businesses, advanced industrial technologies, prestige office, and a restricted range of service uses. Lands designated Business Employment may be zoned to permit primary uses, including:
 - (a) Offices;
 - (b) *Medical clinics*;
 - (c) Data centres;
 - (d) Training facilities;
 - (e) Communication production uses;
 - (f) Light assembly / light manufacturing operations relating to the production of high-value, high technology products;
 - (g) Repair and servicing operations related to the production of high- value, high technology products, to a maximum of 25% of the total floor area of any building;
 - (h) Indoor storage and warehousing related to the production of high-value, high technology products, to a maximum of 25% of the total floor area of any building;
 - (i) Printing and publishing; and,
 - (j) Parking facilities.

OPA No. 11, approved December 11, 2014

In addition to the primary permitted uses above, lands designated Business Employment may be zoned to permit the following uses, subject to the provisions of this Official Plan, provided they do not impact the ability of the lands to achieve the vision and policies in this designation:

- (a) Community uses, except public schools;
- OPA No. 22, approved June 11, 2019***

- (4) In addition to the permitted uses above, lands designated Business Employment may be zoned to permit the following *ancillary* uses, subject to the provisions of this Official Plan:
- (a) Banks and financial services;
 - (b) Catering establishments;
 - (c) Child care centres;
 - (d) Commercial recreation;
 - (e) Commercial schools; and
 - (f) Restaurants.
- OPA No. 11, approved December 11, 2014**
OPA No. 22, approved June 11, 2019
- (5) Where lands designated Business Employment are recognized on **Schedule 'B' – City Structure** as being within a *Major Transit Station Area* or within a Major Node, the Zoning By-law may permit the following additional *ancillary* uses:
- (a) *Convenience retail* and personal service uses intended to serve local business needs and their employees.
- (6) The following shall apply to *ancillary* uses permitted in policies 10.3.2.2 (4) and 10.3.2.2 (5):
- (a) *Ancillary* uses shall be within a building containing primary permitted use(s) identified in policy 10.3.2.2(3) and shall not exceed fifteen percent (15%) of the *gross building floor area* (excluding parking structures) within said mixed-use building;
 - (b) Any proposed *ancillary* use shall be permitted on the ground floor only, oriented toward street frontages, and designed to enhance the *pedestrian* environment;
 - (c) No unit shall be larger than 1,393 square metres; and,
 - (d) *Ancillary* uses will not conflict or interfere with the satisfactory operation and development the lands for employment purposes.
- OPA No. 11, approved December 11, 2014**
- (7) The following uses shall be prohibited within the Business Employment designation:
- (a) Assembly, fabricating, manufacturing, and processing industrial uses, excluding the uses permitted in policy 10.3.2.2 (3);
 - (b) Warehouse, distribution, and wholesale uses, excluding the uses permitted in 10.3.2.2 (3);
 - (c) Uses deemed to be hazardous;
 - (d) Salvage, scrap, wrecking, and private recycling plants;

- (e) Chemical manufacturing, processing or refining;
- (f) Storage, transportation or manufacturing of explosives or fireworks;
- (g) Rendering plants or facilities;
- (h) Residential uses; and,
- (i) Any other use as set out in the implementing Zoning By-Law.

Development Policies

- (8) Development on lands designated Business Employment shall have regard to the following policies:
 - (a) Development shall be primarily comprised of prestigious office, with *ancillary* uses serving the office uses;
 - (b) Development shall be comprised of visually attractive and interesting buildings and sites, complemented by high quality landscaping treatments. This Plan contemplates a higher urban design standard for lands designated Business Employment compared to other Employment designations;
 - (c) Development shall be oriented to surrounding major transportation corridors, with strong connections to adjacent public transit facilities; and,
 - (d) Development shall incorporate environmentally-friendly and energy efficient site designs and buildings to the greatest extent possible.

- (9) A high standard of urban design is contemplated on lands designated Business Employment. In addition to policy 10.3.2.2 (8)(b), particular attention shall be given to:
 - (a) Building designs that are architecturally interesting and innovative;
 - (b) Creating a *sense of place*, particularly in regard to multi-building developments;
 - (c) Use of high quality, durable materials;
 - (d) Prominent building and site entrances that add interest to, emphasize the streetscape, and accentuate street corners (where applicable);
 - (e) Incorporation of public transit facilities into site and building designs;
 - (f) Landscape designs that create visual interest and substantially “green” the site; and,
 - (g) Incorporation of *sustainable design* elements.

- (10) An Official Plan Amendment shall be required in order to create a new area designated Business Employment or expand upon an existing area designated Business Employment. Approval of any Official Plan Amendment for this purpose shall be based in part upon:
 - (a) Compliance with the permitted uses and urban design standards set out in

- this Plan for lands designated Business Employment;
- (b) Compatibility with existing and proposed land uses in the surrounding area;
 - (c) Availability of transit to serve the site;
 - (d) Capacity of existing services and transportation *infrastructure* to accommodate the development;
 - (e) Ability to mitigate impacts and adverse affects on *sensitive land uses*;
 - (f) A planning impact analysis, including an assessment of need, for the existing land use and the proposed Business Employment lands,
 - (g) An evaluation of the suitability of other lands designated Business Employment capable of accommodating the proposed development; and,
 - (h) Regard for other planning, engineering and development matters of interest to the City.

10.3.2.3 Academic Designation

Vision

The Academic land use designation is applied to the main campuses of post- secondary educational institutions. Recognizing that post-secondary educational institutions are major employers in Waterloo’s economy, this designation seeks to protect these lands for future academic institutional growth. This designation also recognizes the University of Waterloo’s North Campus where post- secondary educational and a restricted range of employment uses are contemplated, such as the University of Waterloo Research and Technology Park and University of Waterloo Northwest Campus.

Schedules

- (1) Areas designated Academic shall be designated Employment as shown on **Schedule ‘A’ – Land Use Plan** and indicated more specifically as Academic on **Schedule ‘A2’ – Employment Areas**.
- (2) The height of developments within the Academic designation shall be limited as shown on Schedule ‘B1’ – Height and Density.

Land Uses

- (3) The Academic designation shown on **Schedule ‘A2’ – Employment Areas** is a designation in which the predominant use of land is post- secondary educational institutions. Lands designated Academic shall be comprised of a mixture and concentration of post-secondary educational institutional uses within the main campus of a recognized University or College. Lands designated Academic may be zoned to permit the following uses:



- (a) Academic facilities of a post-secondary educational institution related to learning;
 - (b) Administrative facilities for the post-secondary educational institution;
 - (c) Research and development facilities operated by the post-secondary educational institution;
 - (d) Research institutes;
 - (e) Residential uses, where they are intended to provide accommodation for persons associated with academic uses;
 - (f) Parking facilities; and,
 - (g) Other similar uses consistent with the vision and policies of this designation.
- (4) In addition to the permitted uses above, lands designated Academic may be zoned to permit the following uses, subject to the provisions of this Official Plan, provided they do not impact the ability of the lands to achieve the vision and policies in this designation:
- (a) *Convenience retail* and restaurant uses that primarily serve the faculty, employees and students of the post-secondary educational institution;
 - (b) *Community uses*;
 - (c) Park and recreational facilities accessory to the post-secondary educational institution; and,
 - (d) Child care centres that primarily serve the faculty, employees and students of the post-secondary educational institution.
- (5) This Plan recognizes the University of Waterloo's Research and Technology Park and Northwest Campus. It is a policy of this Plan to encourage the retention and ownership of these lands by the University of Waterloo. The following uses are permitted on these lands:
- (a) The uses permitted in policies 10.3.2.3 (3) and 10.3.2.3 (4) above;
 - (b) Offices;
 - (c) Research and development facilities; and,
 - (d) Manufacturing related to a research and development facility.
- (6) District Plans may further define the extent of *convenience retail* and restaurant uses that are permitted on lands owned by the University of Waterloo and located north of Columbia Street, provided further that District Plan policies will be implemented through the Zoning By-law.

10.4 MAJOR INSTITUTIONAL LAND USE POLICIES

Vision

The Major Institutional designation is designed to provide for a wide range of institutional uses within the City. The Major Institutional designation is intended to encompass individual buildings or groups of buildings related to health care, recreation, social service, education, off-campus research institutions, and justice uses, all of which serve to strengthen the community. Major Institutional uses are anticipated to be well-designed, in recognition that that institutional land uses often become landmarks to the City's identity.

Major Institutional uses are distributed throughout the City. It is anticipated that higher-order major institutional uses will be located within the Uptown Waterloo Urban Growth Centre, with other smaller-scale institutional uses continuing to locate within neighbourhoods. A limited range of *ancillary* uses are permitted within the Major Institutional designation. All permitted *ancillary* uses are intended to directly serve the institutional use.

Schedules

- (1) Lands Designated "Major Institutional" are shown on **Schedule 'A' – Land Use Plan**.
- (2) The height and density of development within the Major Institutional designation shall be limited as shown on **Schedule 'B1' – Height and Density**, provided further that lands designated Major Institutional and shown as 'Low Density, 10 metres' on **Schedule 'B1' – Height and Density** shall have a maximum permitted height of 12 metres.

Land Use

- (3) The Major Institutional designation is a designation in which the predominant use of land is large-scale, institutional uses. Lands designated Major Institutional may be zoned to permit a broad range of institutional uses, including:
 - (a) Major health and government uses;
 - (b) Social service, cultural, community, and recreational uses;
 - (c) High schools (secondary schools);
 - (d) Off-campus research institutes and think tanks; and,
 - (e) Other similar uses consistent with the vision and policies of this designation.
- (4) In addition to the permitted uses above, lands designated Major Institutional may be zoned to permit the following uses, subject to the provisions of this Official Plan,

provided they do not impact the ability of the lands to achieve the vision and policies in this designation:

- (a) Administrative offices that directly serve the major institutional use;
 - (b) Limited retail commercial and service uses that directly serve the major institutional use, provided that the use is located on the same property as the major institutional use;
 - (c) Parking facilities;
 - (d) Residential uses, where they are intended to provide accommodation for persons associated with the major institutional use, provided that the use is located on the same property as the major institutional use;
 - (e) Research activities and/or educational uses associated with the major institutional use, provided that the use is located on the same property as the major institutional use; and,
 - (f) *Community Uses*.
- (5) Applications to amend this Plan to designate additional areas for Major Institutional uses will be reviewed subject to the following criteria:
- (a) Major Institutional uses will be compatible with the characteristics of surrounding land uses;
 - (b) Major Institutional uses shall be encouraged to locate adjacent to Regional or City Arterial and Collector Roads;
 - (c) Major Institutional uses shall demonstrate a high standard of urban design;
 - (d) Infrastructure capacity is not exceeded;
 - (e) Safe access, flood protection, and geotechnical stability shall be achieved to the satisfaction of the City and the Grand River Conservation Authority; and,
 - (f) Major Institutional uses shall be encouraged to locate in close proximity to existing or planned transit routes and incorporate a *pedestrian* and cyclist focus.
- (6) Any lands designated Major Institutional and located within the Uptown Waterloo Urban Growth Centre shall be subject to section 3.7.2 of the City Form Chapter.

10.5 OPEN SPACE LAND USE POLICIES

Vision

This Plan encourages a high-quality urban environment of which Open Space land uses are an important component. The Open Space designation is intended to protect ecologically significant *natural features* and to provide a comprehensive and connected

open space system that balances the needs of the community in terms of recreation/leisure, culture, transportation, *infrastructure* and environmental management.

The City's open space will be conveniently accessible from the City's neighbourhoods, and will be planned and designed to serve the needs of a diverse number of user groups. Open spaces will often be multi-purpose spaces, and may accommodate four-season activities. To ensure that citizens have an appropriate level of park-based recreational and leisure opportunities, the City will strive to acquire land for park and trail purposes consistent with a Municipal Parkland Classification System. It is recognized that some Open Space lands, such as stormwater management facilities, hydro corridors, conservation areas, environmental reserves, *natural features*, buffers associated with *natural features*, cemeteries, landfill and golf course are not managed as parkland and may not be City-owned. These lands are identified as Open Space as they provide important connections and green space which contribute to the connectivity of the comprehensive open space system.

The City's Natural System is valued for its contribution to the City's character and high quality of life, the invaluable *ecological functions* it performs, as well as the scientific, recreational and therapeutic role the Natural System provides. The Natural System, comprised of Landscape Level Systems, Core Natural Features, Supporting Natural Features, as well as *fish habitat*, Restoration Areas and *Linkages*, directly supports plants, animals and humans, and is essential in maintaining biodiversity. The City recognizes the varying degree of significance and sensitivity of features within the Natural System hierarchy, and will ensure an appropriate level of protection based on such significance and sensitivity.

10.5.1 General Policies

- (1) The policies of this section are closely related to other sections of this Plan, including:
 - (a) Policies related to the trails and open space network included in the Networks Chapter and Transportation Chapter. These set a framework and provide policy direction with respect to developing a comprehensive and connected open space system.
 - (b) Policies and objectives included in Environment and Energy Chapter of this Plan set a framework and provide policy direction with respect to the wise management of the natural environment.

Schedules

- (2) Lands designated Open Space are shown on **Schedule 'A' – Land Use Plan** and are further identified on the following Schedules:

- (a) The Parks and Other Green Spaces, Cemeteries, Landfill and Golf Course components of the Open Space designation are identified on **Schedule ‘A3’ – Open Space Land Uses**.
- (b) The Natural System elements within the Open Space designation are identified on **Schedule ‘A4’ – Natural System**.

Land Use

- (3) Within the Open Space land use designation, the predominant use of land is open space and the designation envisions a broad range of uses including municipal parks and other green spaces, active and passive recreation uses, municipal facilities, community gardens, elements of the natural system, cemeteries, golf courses and the regional landfill, subject to policy 10.5.1 (4) below.
- (4) It is not the intent of this Plan to permit all uses listed in policy 10.5.1 (3) in every Open Space designation. Permitted uses and policies related to individual Open Space designations will be further defined in section 10.5.2 of this Plan in the following four Open Space designations:
 - (a) Parks and other Green Spaces (Includes elements of the Natural System as shown on **Schedule ‘A4’ – Natural System**);
 - (b) Cemeteries;
 - (c) Golf Course; and,
 - (d) Landfill.

Ownership and Acquisition

- (5) Where privately owned open space lands are proposed to change land use or to be sold, consideration may be given by the City to acquire or protect the area through such means as acquisition, agreement, negotiation, regulation within the Zoning By-Law, or conveyance.

Balancing Human Activity and Environmental Stewardship

- (6) In order to balance the need for environmental stewardship with other demands, the City will continue to identify open space areas for active and passive use as well as for protecting elements of the Natural System which will be planned to accommodate little or no human use.
- (7) When considering the location of parks and trails, the City shall examine the potential for the integration of *natural features*, hedgerows, *hazardous lands* and *hazardous sites*, where appropriate. Planning for park activity will incorporate consideration of environmental sensitivities.



Naturalization

- (8) The City may prepare a Naturalization Policy to balance active recreational programs with the importance of maintaining or enhancing the passive natural environment.
- (9) Naturalized areas will be preserved and managed so as to establish self-sustaining natural conditions over time, where appropriate.
- (10) When naturalization is proposed in a park, City staff will determine the impacts of naturalization and assess its appropriateness, giving consideration to:
 - (a) Level of community support;
 - (b) Ability to ensure adequate active park areas for users and the park’s intended service needs;
 - (c) Ability to provide for effective security, aesthetics, cost-effective maintenance and to address other concerns as may be identified on a site-specific basis.
- (11) The City will encourage the protection and planting of indigenous vegetation to support biodiversity and community aesthetics.

10.5.2 OPEN SPACE LAND USE DESIGNATIONS

10.5.2.1 Parks and Other Green Spaces

Land Use

- (1) The Parks and Other Green Spaces designation as shown on **Schedule ‘A3’- Open Space Land Uses** is a designation in which the predominant uses of land shall include municipal parkland and trails as well as other open space areas such as hydro corridors, stormwater management facilities, conservation areas, environmental reserves, *natural features*, and buffers associated with *natural features*. Although some of these areas may be privately owned and are not intended to be maintained or managed as parkland, they serve an important role in contributing to the connectivity and comprehensive nature of the open space system. Community gardens may be permitted on lands designated Parks and Other Green Spaces and where possible, shall be located in easily accessible walkable areas and close to community trails with appropriate site conditions to facilitate success.

Parks

- (2) The City will plan, design, operation and maintain a wide range of municipal parkland intended for, and accessible to, a range of users, giving consideration to:
 - (a) four season use;
 - (b) active and passive use; and,
 - (c) partnerships with institutional uses to facilitate joint usage of park spaces.

- (3) Policies contained in this Plan shall generally guide the acquisition and development of municipal parkland in the City of Waterloo as outlined in the Landscape Design Process and Requirements Manual, the Development Services Engineering Manual, the Recreation & Leisure Services Master Plan and any other applicable implementing tools, as updated from time to time.

- (4) Municipal parkland in the City of Waterloo will be developed in accordance with a comprehensive classification system (shown in Table 10-1 shown on the following page) to include:
 - (a) City Parks: City parks are the City's largest parks and their size is dependent on land features, base facility and venue purpose. These parks project an image for the City, and are comprised of large recreation areas for both active and passive recreational opportunities.
 - (b) Community Parks (minimum size 4 ha): Community parks are located, planned and designed with a city-wide perspective to serve a large population. The location of community parks may be based on natural resources rather than proximity to population.
 - (c) Local Parks (0.5 - 2.0 ha): Local parks are neighbourhood-oriented parks. Basic facilities could include informal active play fields, skating rinks, play facilities, seating, trails and landscaping.

- (5) The municipal parkland classification system and guidelines associated with such a classification system shall form the basis of municipal parkland acquisition. Whenever possible, municipal parkland shall be acquired in accordance with the general guidelines outlined in Table 10-1 and in accordance with the City's Parkland Frontage Policy. The detailed basis for the acquisition and dedication of municipal parkland will be guided by policies of the Plan. The locations and amount of parkland to be provided may be shown in District Plans.

Table 10-1 Municipal Parkland Classification System

Municipal Parkland Type	Size	Minimum Hectares per 1,000 pop.	Accessibility per Distance	Location
City	Varies depending on land features, base facilities and venue purpose	3ha./1000	Serves the entire City and beyond	<ul style="list-style-type: none"> • Prominent street frontage > 50m, • More than 3 access locations
Community	Min. 4ha. in size	1ha./1000	1600 - 2600m	<ul style="list-style-type: none"> • Extensive street frontage, >50m • Central location
Local	0.5-2ha	1ha./1000	600-800m or 15 to 20 minute walk.	<ul style="list-style-type: none"> • Preferred street frontage of less than 50 metres, but not less than 40 metres.

OPA No. 11, approved December 11, 2014

Note: Accessibility Distance assumes the absence of physical barriers separating park types from the area to be served.

- (6) In certain situations, particularly in developed areas, it may not be possible to attain the guidelines. However, where renewal or redevelopment proposals are contemplated within areas where a municipal parkland deficiency has been identified, the City will endeavour to obtain additional parkland to satisfy or approach the guidelines.
- (7) Land will be dedicated for parkland purposes in conjunction with development as set out in the parkland dedication policies included in section 12.2.9 of the Implementation Chapter of this Plan.
- (8) Where possible, municipal parkland will be multi-purpose, having a variety of different activities for different user groups that work in a cohesive, orderly manner. In determining the best activity level for a park, consideration will be

given to its *natural features* and *ecological functions* and the requirements of the neighbourhood/area.

- (9) With the desire to support healthier lifestyles, municipal parkland will be designed and maintained to allow for four season activities. Not all municipal parkland must or can fulfill this criterion.
- (10) All municipal parkland blocks will have a trail connection to promote connectivity via on-street or off-street trails connecting blocks, open spaces and other points of interest.
- (11) The City encourages the signing of appropriate agreements with the Waterloo Region District School Board and the Waterloo Catholic District School Board for the joint development and use of indoor and outdoor recreation areas and facilities.
- (12) The City will consider entering into Agreements to allow the extension of the municipal parkland/trail system into utility corridors to provide linkage connections that complete or add to the municipal parkland and trail system.
- (13) Wherever possible municipal parkland should be developed adjacent to institutional open space areas in co-operation with the appropriate agencies. Institutional open space areas include areas owned and operated by an institution, and which due to the function and nature of the institution, will likely be made available for certain public recreational opportunities. Generally, this classification will refer to certain school lands (public or separate schools) certain university and/or college lands, and certain church lands. These institutional open spaces will be detailed in District Plans.
- (14) Existing trees within municipal parkland blocks should be saved wherever feasible to support the health of the *urban forest*. The planting of trees within municipal parkland blocks is encouraged to provide shade and to enhance the *urban forest*.
- (15) The sale or disposal of municipal parkland is discouraged.
- (16) The City will encourage the development/reuse of lands to accommodate activities on municipal parkland that are of value or benefit to the community. This will be important in Uptown where *intensification* will increase the need for open space, but it is also equally important in suburban areas where there is an historic deficit of parkland, or in areas where the neighbourhood has requested more parkland and the City agrees that additional parkland is warranted.

- (17) The City will anticipate greater intensity of use for existing municipal parkland and some potential shift from children and youth activities toward adult-oriented recreation and leisure as the City's population ages. The City will provide a combination of active and passive recreation opportunities in municipal parkland to accommodate existing users and in anticipation of future trends.
- (18) The City of Waterloo will endeavour to provide parks and trails that are sensitive to the efficiency and conservation of energy and embrace environmental best practices and will:
 - (a) Consider innovative design of City lands and facilities (e.g. passive and/or active solar gain, bio-swales, the use of indigenous plant species etc.).
 - (b) Undertake design which results in desired microclimate effects such as the planting of large trees to provide cooling shade, and wind protection.
 - (c) Use renewable construction materials where possible and appropriate.
 - (d) Minimize the need for intensive maintenance and operation (use drought tolerant species, low grow grasses, etc.).

Other Green Spaces

- (19) The City will promote the continuance and development of the parkland and institutional open space corridor that exists from Waterloo Park abutting the Uptown Waterloo Urban Growth Centre, through the University of Waterloo Environmental Reserve lands, and including the Laurel Creek Conservation Area. The extension of this open space corridor into the lands surrounding the Laurel Creek Conservation Area is encouraged through recreational developments by private or public agencies subject to the environmental policies contained in this Plan.
- (20) The primary use of hydro corridors is for the provision of electricity services. However, the extent and linear shape of the corridors provides excellent trail connections between neighbourhoods and can contribute to the overall connectivity of the open space system.
- (21) Stormwater management ponds provide an important function for the City by capturing and retaining stormwater runoff to aid in the management of water quantity and quality. Wherever feasible and appropriate, such lands shall be designed to provide a park-like setting or the character of a natural *wetland* and, where appropriate, may function as municipal parkland. However, stormwater

management facilities shall not be accepted as parkland under the parkland dedication provisions of the Planning Act.

- (22) Conservation areas, which include the Laurel Creek Conservation Area and Laurel Creek Nature Centre, are owned and managed by the Grand River Conservation Authority. The Conservation Area lands are the largest areas of Open Space in the City and offer important recreational and environmental educational opportunities to visitors and residents. The Laurel Creek Reservoir, the City’s largest body of water, is located within the Laurel Creek Conservation Area. The reservoir serves an important function by reducing the risk of flooding throughout the City. The City will cooperate with the Grand River Conservation Authority to enhance these areas.
- (23) The environmental reserve owned and managed by the University of Waterloo is an important element of the City’s open space system and is the largest area of open space on campus. The reserve is a crucial component of the Laurel Creek corridor which extends from the Laurel Creek Conservation Area to Waterloo Park and is primarily intended to function as open space. Public access to the reserve should be maintained and enhanced.
 - (a) Restorative, scientific and educational uses related to on-site resources, including forest, fish and wildlife management shall be permitted on the environmental reserve, while recognizing that significant university uses shall be located on lands designated “Employment – Academic”.

10.5.2.2 Cemeteries

Land Use

- (1) The Cemetery designation as shown on Schedule ‘A3’- Open Space Land Uses is a designation in which the predominant use of land shall be cemeteries and buildings or structures required for the operation and maintenance of the cemetery use or services.
- (2) The City will continue to provide a diverse range of cemetery and cremation services to meet the needs of the Waterloo community as outlined in the Cemetery Services-Bechtel Park Master Plan and any other applicable implementing tools.
 - (a) Cemetery plans will promote connectivity/seamless transition between the urban fabric and cemetery through walking paths, trails and landscaping.
 - (b) Opportunities to collaborate with other groups or agencies should be pursued in order to implement the Cemetery Services-Bechtel Park Master Plan.
 - (c) The City will undertake an expansion of the Parkview Cemetery at the existing site within the Bechtel Park lands in the immediate future.



- (d) The City will engage in a process to potentially establish a new cemetery at a new location before 2025.
- (3) When considering proposals to develop lands for use as a cemetery or for the enlargement of an existing cemetery, the City shall evaluate proposals in accordance with the provisions established in the Cemeteries Act (Revised) or any other applicable legislation as well as the following:
- (a) The cemetery lands should be integrated with the surrounding urban fabric.
 - (b) The cemetery must be recognizable as a public landscape, that clearly communicates public access and passive usage are acceptable.
 - (c) The impact of traffic, egress and ingress into the cemetery must be understood and mitigated.
 - (d) Adequate off-street parking and internal traffic circulation must be provided.
 - (e) Landscaping should be undertaken to complement the cemetery plan, existing contours and the surrounding areas.
 - (f) Peripheral screening or fencing or other demarcation should be considered along the boundary of existing, designated or possible future residential areas.
 - (g) The location of new cemeteries will be considered within existing municipal parkland or open space lands.
- (4) In addition to the prime function of cemeteries, it is important to recognize that cemeteries are public spaces and can and should be used and enjoyed in a respectful way. Passive recreational uses should be incorporated into, or near the fringe of cemeteries.

10.5.2.3 Golf Course

Land Use

- (1) The Golf Course designation as shown on **Schedule 'A3'- Open Space Land Uses** is a designation in which the predominant use of land shall be a golf course, including the manicured turf grass playing areas, driving ranges, putting greens, landscaped areas, natural areas and associated buildings and structures
- (2) The City recognizes the recreational and leisure benefits that golf courses provide to both residents and visitors and will permit the continued use of existing golf courses. Development of a new golf course shall not be permitted.
- (3) The expansion of an existing golf course will require an amendment to this Plan and to the Zoning By-Law and:



- (a) Such applications will require an *Environmental Impact Statement*, or other appropriate study accepted by the City as appropriate.
 - (b) Sustainable golf course design is strongly encouraged. Expanding golf course development should result in an environmental net gain, or at a minimum, no net loss of *natural features* and *ecological functions*. Priority will be given to development on sites in degraded areas which avoid *natural features*.
- (4) Golf courses are encouraged to utilize sustainable best management practices with respect to the functioning of the natural environment and ensure environmental quality remains high.
- (a) Existing trees within golf courses should be preserved wherever feasible to protect the health of the *urban forest*. The planting of native tree species on golf courses is strongly encouraged.
 - (b) Development and *site alteration* must be consistent with the Natural Heritage policies of this Plan.
 - (c) The protection of groundwater quality and quantity is required. Development and *site alteration* must be consistent with the Water Resource policies of this Plan.
 - (d) The proper management and efficient use of water resources for irrigation purposes is strongly encouraged. A Permit To Take Water (PTTW) is required from the Ministry of the Environment if more than 50,000L/day is withdrawn from a lake, stream, river or groundwater source.
 - (e) The environmental impacts and health concerns associated with care and maintenance of turf grass will be reduced where feasible and appropriate.
 - (f) The use of pesticide and fertilizers products will be applied in a professional and responsible manner according to provincial standards and regulations. Appropriate efforts must be taken to avoid pollutant runoff into streams, rivers and lakes.

10.5.2.4 Landfill

Land Use

- (1) The City recognizes the existence of a sanitary landfill site located in the southwest corner of the City, operated by the Regional Municipality of Waterloo.
- (2) The sanitary landfill operation may continue until the site reaches capacity. Under present design and at present and projected rates, the capacity of the site is expected to be reached in twenty to thirty years depending on usage. Subject to

the implementation of the Waste Management Master Plan conducted by the Region, the capacity of the site may be extended beyond this period.

- (3) Once the sanitary landfill site has reached capacity, the operation terminated, and the site rehabilitated, it is anticipated that it will be deeded to the City by the Region for future open space purposes. The City recognizes that it may be appropriate for a phased closing of the landfill operation. The City will collaborate with the Region to plan, design and potentially operate and/or lease recreational opportunities under a phased closing plan.
- (4) Subject to the approval of the Minister of the Environment, such open space uses shall be limited to municipal parkland, conservation areas, open space and recreational uses.
- (5) While the landfill is in operation, no buildings or structures shall be permitted except those structures associated with a landfill operation; reclamation, recovery, shredding or transfer operations; or a Regional Operations Complex.
- (6) The operation of the Sanitary Landfill site shall be subject to regulations under the Environmental Protection Act.
- (7) This Plan may be amended prior to the sanitary landfill site reaching capacity to permit uses which are compatible with a solid waste management master plan. For clarity, an Amendment is not required to permit open space uses.
- (8) Given that any expansion of the landfill could impact *sensitive uses*, expansion of the landfill is not encouraged within the City of Waterloo. Any expansion in the area of the landfill site shall require an amendment to this Official Plan and the Zoning By-Law.
- (9) Appropriate separation distances between areas used for waste disposal or other *sensitive land uses* and lands zoned for residential purposes shall be established in District Plans and the Zoning By-Law where appropriate.
- (10) On lands adjacent to the landfill site, no residential or other *sensitive land uses* will be permitted within 500 metres of the landfill site unless the proponent can demonstrate to the satisfaction of the City, in consultation with the Region, that no *adverse effects* will result for the proposed development.

- (11) The City, in cooperation with the Region, will encourage innovations in the re-use of waste or waste reclamation projects and facilities to be constructed in conjunction with the landfill site.

10.5.2.5 Natural System

- (1) Lands within the Natural System designated as Open Space, as shown on **Schedule ‘A’ – Land Use Plan** and described further on **Schedule ‘A4’ – Natural System**, include the following:
 - (a) Landscape Level Systems;
 - (b) Core Natural Features;
 - (c) Supporting Natural Features;
 - (d) *fish habitat*
 - (i) As per policy 8.2.2(6), *fish habitat* is not mapped as such on **Schedule ‘A4’ – Natural System**;
 - (e) Restoration Areas; and
 - (f) *Linkages*.

Land Use

- (2) Policies related to the maintenance, enhancement and restoration of Landscape Level Systems, Core Natural Features, Supporting Natural Features, *fish habitat*, Restoration Areas, and *Linkages*, including the land uses permitted within each of those categories, are included in the Environment and Energy Chapter of this Plan.

10.6 RURAL LAND USE POLICIES

Land Use

- (1) The Rural Land Use designation as shown on Schedule ‘A’ – Land Use Plan identifies areas where Canada Land Inventory Class 4 to 7 soils predominate and which are typically characterized by one or more steep slopes, *natural features* and/or existing non-farm lots. The predominant land uses within this designation shall include *agricultural uses*, *agriculture-related uses* and *secondary uses*.
- (2) Land uses within the Rural designation will conform to the Rural policies contained in the Regional Official Plan, the policies within Section 10.7.1, and the *Environmentally Sensitive Landscape* policies outlined in Chapter 8 of this Plan. In the event of a conflict between the Rural land use policies and the *Environmentally Sensitive Landscape* policies, the more restrictive policies will prevail.

- (3) The division of land designated Rural for the creation of a new lot or lot adjustment may only be permitted in accordance with the policies of the Regional Official Plan.
- (4) Farming operations are encouraged to utilize sustainable agricultural techniques and best management practices which conserve and enhance the natural environment, protect surface and ground water quality and quantity and minimize impacts on adjacent land uses.

10.7 LAND USES IN TRANSITION

This Plan recognizes that several properties in the City do not currently conform to the land use designations set out in the Plan. Examples include certain *agricultural uses* and *agriculture-related uses* as well as some older industrial areas located throughout the City's Urban Area Boundary. It is the intent of this Plan that over time, these land uses will gradually evolve and transition to new uses, including a range of commercial, residential, office employment or other uses in accordance with the policies of this Plan. It is recognized, however, that land use change often involves dealing with challenges relating to land use compatibility, potential soil contamination and other planning issues. As a result, this Plan seeks to promote land use change in a timely and flexible manner while effectively addressing any physical, economic, environmental or public health and safety matters.

10.7.1 Agricultural Uses and *Agriculture-Related Uses*

- (1) This Plan recognizes the existence of past *agricultural uses* and *agriculture-related uses* within the City.
 - (a) Where such uses are located within the Urban Area Boundary as shown on **Schedule 'A' – Land Use Plan**, it is the intent of this Plan that such uses will be gradually be replaced by urban uses with the extension of full municipal services in conjunction with the orderly development of neighbouring lands.
 - (b) Where *agricultural uses* or *agriculture-related uses* are located within the Rural land use designation on **Schedule 'A' Land Use Plan**, it is the intent of this Plan that such uses will be permitted for the long term.
 - (i) The permitted uses for lands designated Rural are further defined in the Rural land use designation found in Section 10.6.
- (2) The establishment of new, or the expansion of existing *agricultural uses* or *agriculture-related uses* or secondary uses will not be permitted to locate within the Urban Area Boundary.

- (3) The City may establish additional regulations in the Zoning By-law to minimize the impact of *agricultural uses* or *agriculture-related uses* located within the Urban Area Boundary on adjacent uses and the environment.

10.7.2 Industrial Areas in Transition

This Plan recognizes that it is appropriate for some areas within the City to transition from industrial areas, usually to *mixed-use*, higher density areas. To facilitate this transition, certain areas within the City that have historically been designated and/or zoned for industrial uses are now designated for other land uses, often in a *mixed-use* format and including *sensitive lands uses* such as residential. **Schedule 'I' - Industrial Transition Areas** indicates certain areas throughout the City that were designated Industrial and/or zoned to permit industrial uses prior to approval of this Plan and through the designations applied in this Plan, are now contemplated to permit a wider mix of residential and other land uses.

It is further recognized that while an area is in transition, it may be difficult to achieve minimum recommended separation distances, as defined in Provincial Guidelines that address potential land use compatibility issues between industrial facilities and *sensitive land uses*. This scenario is contemplated in the Province's D-6 Guideline "Compatibility Between Industrial Facilities and Sensitive Land Uses", which provides a framework for considering development proposals within *mixed-use* areas where the Province's recommended minimum separation distances cannot be achieved.

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- (1) Where *existing* industrial uses exist on lands illustrated on **Schedule 'I' – Industrial Transition Areas**, it is the intent of this Plan that the industrial use will cease to exist in the long term. Where it is necessary or desirable to zone lands to a zone category that would permit new *sensitive land uses* in conformity with the Official Plan designation prior to the industrial facility ceasing operation, the City may apply site-specific zoning provisions to limit permitted uses and/or may utilize holding provisions to restrict development in conjunction with the implementing zoning for the area. Removal of holding provisions will be contingent on the applicant demonstrating compliance with the Provincial D-6 Guideline "Compatibility Between Industrial Facilities and Sensitive Land Uses".
- (2) For the properties illustrated on **Schedule 'I' – Industrial Transition Areas**, to resolve any municipal concerns with respect to soil contamination, prior to the passing of a Zoning By-law that would: (i) change the use of a property to a more

sensitive land use; or, (ii) change the use of the property to a *non-sensitive land use* on or adjacent to a *known contaminated site*, or on a *potentially contaminated site*, the City will:

- (a) Require the completion of a Record of Site Condition acknowledged by the Ministry of the Environment; or
 - (b) Apply a holding provision in the implementing Zoning By-law to prohibit the proposed use until a Record of Site Condition has been acknowledged by the Ministry of the Environment; or
 - (c) Defer the requirement for a Record of Site Condition to the Building Permit application process, if applicable, provided the City's Chief Building Official provides a letter to the Region confirming that a Record of Site Condition will be required prior to Building Permit Issuance; or
 - (d) Obtain a letter from the Region advising that the requirement for a Record of Site Condition has been waived.
- (3) Where long term remediation of a site is required and on-going remediation does not present health and safety risks to the proposed use, the City may consider the approval of the Zoning By-law Amendment set out under policy 10.6.2(2) where agreements and securities as appropriate are provided to the City, the Region and/or the Ministry of the Environment to ensure the final remediation of the site and the future completion of the Record of Site Condition.