

City of Waterloo Official Plan – Section 12: Implementation

12.2.15 ~~Development~~ Community Planning Permit System

- (1) The City may adopt ~~a development~~ one or more community planning permit by-laws under Section 70.2 of the Planning Act to establish a ~~Development~~ Community Planning Permit System in one or more geographic areas of the City, or city-wide. Any ~~Development~~ Community Planning Permit System will support, at a minimum, ~~one or all of~~ the following ~~Official Plan~~ objectives, as applicable:
- (~~a~~) Streamlining the development review process;
 - i) Create a more simplified development process;
 - ii) Focus on pre-submission meetings to ensure sufficient information and details are required at the outset of the planning review process; and
 - iii) Accelerate development approval timelines where applications are consistent with City and agency plans, policies and standards.

 - (~~a~~) Supporting ~~a compact urban form within the Built-up Area~~ housing diversity;
 - i) Require the provision of new affordable and attainable housing, and the retention of existing affordable housing supplies, having regard to proximity to transit including the City's Major Transit Station Areas;
 - ii) Optimize the use of land through context sensitive mixed-use intensification in the City's Major Transit Station Areas and designated Nodes and Corridors;
 - iii) Enable the development of missing middle housing and higher density housing forms in planned areas, as set out in the Community Planning Permit System by-law, to contribute to a more diverse range of attainable housing options; and
 - iv) Prioritize development applications that increase the supply of housing types that are more needed in the city.

 - (~~b~~) Facilitating the realization of complete communities and a high standard of urban design;
 - i) Plan for a compact, connected, and context-sensitive urban built form;
 - ii) Plan for the provision of a mix of uses and densities in accordance with this Plan;
 - iii) Plan for the provision of transit-supportive development and densities in proximity to transit corridors;
 - iv) Plan for and provide direction on employment uses and principles including an economy that features a technologically-advanced employment base;
 - v) Plan for and provide direction on commercial uses and principles including commercial services accessed by active transportation;
 - vi) Establish standards and requirements for vibrant public and private realms, including coordinated elements within Major Transit Station

- Areas, the Uptown Urban Growth Centre, and within designated Nodes and Corridors; and
- vii) Provide built form direction for higher density and mixed-use development to ensure appropriate transitioning and public realm interfaces.
- (ed) ~~Supporting the protection of the environment~~ sustainability and natural elements;
- i) Focus and provide direction on green design, landscaped open space, and sustainability to help mitigate the impacts of a changing climate and to integrate natural elements and systems into the built environment;
- ii) Regulate tree protection, removal, and planting (including large canopy trees, as appropriate);
- iii) Regulate site alteration activities;
- iv) Provide direction on electric vehicle parking and infrastructure, including hydro servicing; and
- v) Provide direction on permitted uses and regulations to support the remediation of brownfield sites.
- (e) Orderly growth and development, having regard to relevant transportation and servicing master plans.
- (2) ~~Prior to adopting a development permit by-law, the City will identify one or more areas as Development Permit Areas by way of an amendment to this Plan.~~ The City may adopt one or more community planning permit by-law(s) in one or more geographic areas of the City, or City-wide, with a priority for:
- Uptown Waterloo;
 - Major Transit Station Areas; and
 - Nodes and Corridors.
- (3) For each Community Planning Permit Area identified in Section 12.2.15 (2) of this Plan, at a minimum, the following components of this Plan shall be incorporated into the corresponding community planning permit by-law to ensure that development and land uses conform to this Plan:
- The Vision and Principles identified in Chapter 2 of the Plan;
 - The applicable city-wide general objectives and policies found throughout the Plan; and
 - The general and specific land use policies for all applicable land use designations within Chapters 10 and 11 of the Plan.
- (34) The approval authority of a ~~development~~ community planning permit application in an established ~~Development~~ Community Planning Permit Area may be delegated to the ~~Commissioner of Integrated Planning and Public Works~~ City's Director of

- Planning. Such approval authority may be delegated in whole or part, ~~and will be as~~ set out in ~~a~~ the applicable Development Community Planning Permit By-law.
- (45) The Director of Planning ~~Commissioner of Integrated Planning and Public Works~~ may provide Council, or another body appointed by Council, the opportunity to provide comments on a ~~development~~ community planning permit application, or ~~portions~~ aspects of a ~~development~~ community planning permit application for which Council has ~~delegated~~ authority, prior to the application being considered for approval. The Director of Planning ~~Commissioner~~ may also refer any ~~development~~ community planning permit application, in whole or part, to Council for ~~their~~ consideration and ~~potential approval~~ a decision. Additional ~~policies~~ procedures regarding the ~~approval~~ process(es) related to any Development Community Planning Permit System ~~shall~~ may be contained in a Development Community Planning Permit By-law.
- (56) A ~~development~~ community planning permit will be required prior to undertaking any development or obtaining a building permit within a defined Development Community Planning Permit Area, unless the applicable Community Planning Permit By-law exempts such development from requiring a permit. For the purposes of policies within Section 12.2.15 (1) through 12.2.15 (7) of this Plan, development shall have the same meaning as defined in Ontario Regulation 608/06 of the Planning Act.
- (67) ~~Any Development Community Planning Permit By-law~~s will identify uses that are permitted within a Development Community Planning Permit Area, and establish provisions to regulate such uses and ~~These uses will~~ support the Official Plan objectives identified in policy 12.2.15 (1) ~~above, and will be permitted based on the following criteria:~~
- ~~(a) Uses support a compact Uptown Urban Growth Centre;~~
 - ~~(b) Uses support revitalization and stability of neighbourhoods that are in transition;~~
 - ~~(c) Uses support public transit;~~
 - ~~(d) Uses support the complete community concept, providing opportunities for people at all stages of life to live, work, learn, shop, and play within close proximity; or~~
 - ~~(e) Uses support the continued transition to an economy that features a technologically-advanced employment base.~~
- (8) In determining whether development, discretionary uses or a variation to established regulations may be permitted by a community planning permit, the by-law shall set out criteria to be considered in such circumstances, study requirements, and types of conditions that may be imposed on a permit. Without restricting the preceding, the types of criteria, study requirements, and conditions shall be consistent with Section 12.2.15 (1), Section 12.2.15 (3), and any other relevant section or policy in this Plan as determined by the City.

(9) Community Planning Permit By-laws shall, at a minimum, set out the following criteria in order to assess whether a development, use of land, discretionary use or variation to any by-law provision should be permitted:

- a) the proposed development/discretionary use/variation is consistent with and conforms to applicable statutes, policies, plans, and/or other documents of upper-levels of government (federal, provincial, regional), the City, and any other authority having jurisdiction;
- b) the proposed development/discretionary use/variation is consistent with the intent of any applicable urban design policies, standards, and guidelines;
- c) the potential off-site and adverse impacts resulting from the proposed development/discretionary use/variation are identified and mitigated where appropriate;
- d) the proposed development/discretionary use/variation is compatible with, and context sensitive to, the planned context and area character; and
- e) the proposed development/discretionary use/variation is appropriate and desirable for the lands and buildings or structures thereon.

(10) Community Planning Permit By-laws shall set out a list of potential studies, plans and/or other documents that may be required to be submitted with a community planning permit application in order to deem an application complete, along with applicable fees and financial assurances. The list of potential studies, plans and/or other documents may be located within the operative part of the Community Planning Permit By-law, or within an appendix thereto and shall include the supporting information outlined in Section 12.2.14 (4) of this Plan.

~~(711)~~ The City may require or attach conditions to the approval of any community planning permit within a ~~Development~~-Community Planning Permit Area, as provided in Section 8 of Ontario Regulation 608/06.

~~(812)~~ The types of conditions that may be ~~included~~ attached to the approval of any community planning permit ~~in the Development Permit By-law~~ shall relate to the following:

- ~~(a)~~ The completion of required studies, plans and/or other documents;
- ~~(b)~~ The submission of supplemental studies, plans and/or other documents;
- ~~(c)~~ The implementation of actions or recommendations in studies, plans and/or other documents;
- ~~(b)d)~~ The achievement of performance criteria, including those related to achieving a high standard of context-sensitive urban design,
- e) Entering into any agreement(s) securing off-site parking or cash-in-lieu of parking;
- ~~(ee)~~ The protection of the natural environment, natural systems, mature vegetation, or remediation of lands;
- ~~(ef)~~ The efficient use, or conservation of energy;

- (eg) The provision and capacity of transportation and servicing infrastructure;
 - (fh) Conservation of cultural heritage resources;
 - (gj) The availability of municipal infrastructure and services; ~~and~~
 - (j) The provision of attainable and/or affordable housing units;
 - (k) Compliance with applicable parkland requirements;
 - (l) Orderly growth and development;
 - (m) The provision of financial assurances, to facilitate compliance with municipal approvals and indemnify the City; and
 - (hn) Entering into agreements relating to any condition.
- (13) Any amendment to a Community Planning Permit By-law shall conform to the Vision, Principles, objectives and policies of this Plan, and shall be considered on its merits and in the context of the planned vision for the lands and the surrounding area. Amendments to a Community Planning Permit By-law shall, at a minimum, be supported by a comprehensive planning justification report, a strategy for consulting within the public, and any other supporting information outlined in Section 12.2.14 (4) of this Plan, as required by the City.
- (14) A community planning permit may allow, as a discretionary use, any use not listed as a permitted use in the Community Planning Permit By-law, provided that the proposed use is similar to and compatible with permitted uses, and meets the criteria outlined in Section 12.2.15 (9) of this Plan, and provided that the proposed use meets any other applicable criteria set out in the Community Planning Permit By-law.
- (15) A community planning permit may allow variations to the provisions of a Community Planning Permit By-law, as detailed in the Community Planning Permit By-law. Such variations may be permitted if they:
- a) Are minor in nature, including in respect to impacts;
 - b) Meet the criteria outlined in Section 12.2.15 (9) of this Plan; and
 - c) Meet any other applicable criteria set out in the Community Planning Permit By-law.
- (16) Community Planning Permit By-laws can enable the implementation of Inclusionary Zoning.