



Plan of Condominium Complete Application

1. Purpose of a Terms of Reference and Reference Guide

This Condominium Application Terms of Reference and Reference Guide (Guide) provides an overview of the application process and requirements for a complete Draft Plan of Condominium application. The overall purpose of this Guide is to establish clear expectations and standardized submission requirements for Draft Plan of Condominium Applications and to provide a standardized approach to their review. Providing this Terms of Reference and Reference Guide will support an efficient development review process by ensuring applicants and their representatives understand submission requirements and avoid common issues, eliminating unnecessary delays in the review and approval process and avoiding costly design changes or additional approvals.

This Guide also describes the different types of condominium ownership and condominium applications, when and how exemptions to draft plan requirements may be considered, and what the typical requirements are for registration.

This Guide also highlights key issues for Registered Owner(s), Applicants, and Agents/Consultants to consider at earlier stages of the development process (e.g., Site Plan Application) to avoid costly or impractical changes to a project at the condominium stage.

2. What is a Condominium Application?

A condominium is a form of ownership for a multi-unit residential, commercial or industrial development where owners share the ownership of certain common elements (e.g., roads, sidewalks, and parking areas, lobbies and corridors, mechanical systems and utilities) while having individual ownership of their unit and other exclusive use elements (such as parking stalls, bike storage, and patios, etc.).

Municipal approval is required under Section 51 of the *Planning Act* before a new condominium corporation can become a legal entity. The Region of Waterloo is the current approval authority. The City of Waterloo is a commenting agency. The Region and the City work collaboratively to ensure local and Regional interests are considered throughout the condominium review and approval process.

A complete Draft Plan of Condominium application is required by the Region and the City for approval to be considered. A complete application includes the drawings, plans, surveys, studies, and reports necessary for the approval authority to provide Draft Plan approval with conditions. Once all conditions have been satisfied, the approval authority can issue final approval of the plan, and the condominium can be registered with the Land Registry Office.



3. Types of Condominium Applications

There are seven common types of condominium applications at the City, each of which may be deemed either a “Standard” or “Major” application according to its complexity. The first five types of applications reflect four different forms of condominium ownership. The sixth type (Amalgamation of Condominiums) is required to amalgamate existing condominium corporations together. The seventh type of application (Condominium Conversions) reflects a change in ownership from an existing rental structure to a form of condominium ownership.

1. *Standard Condominiums* – Contain individually owned units and collectively owned common elements.
2. *Phased Condominiums* – Contain a Standard Condominium where units and common elements can be added to a condominium corporation in phases by amendment.
3. *Common Elements Condominiums* – Contain only common elements collectively owned by owners of freehold parcels of tied land. The parcels of tied land are not part of the condominium plan.
4. *Vacant Land Condominium* – Contain at least one vacant lot(s) identified as either a unit or a common element where building(s) will be located after the condominium is registered.
5. *Leasehold Condominium* – Contain units and common elements leased by the landowner to purchasers for a fixed number of years and is otherwise similar to a Standard Condominium.
6. *Amalgamation of Condominiums* – Contain two or more Standard Condominiums merged into one corporation.
7. *Condominium Conversion* – Contain existing residential or commercial building(s) with rental tenure to be converted to a form of condominium ownership.

4. Condominium Application and Approval Process

This section provides a high-level overview of a typical condominium application and approval process, with each of the steps in the process described in additional detail in subsequent sections of this guide.

Before beginning any type of condominium application, the Applicant must first attend a Pre-Submission Consultation meeting. Afterwards, the Applicant prepares and submits a Complete Application in accordance with the Region’s requirements.

Upon receiving an application and any applicable fee(s), and within 30 days, the approval authority determines whether the application is complete. If the application is deemed complete, the Region will then review the application along with other applicable agencies, including the City. If the application is deemed incomplete, the Region will return the application to the Applicant and identify any missing information.

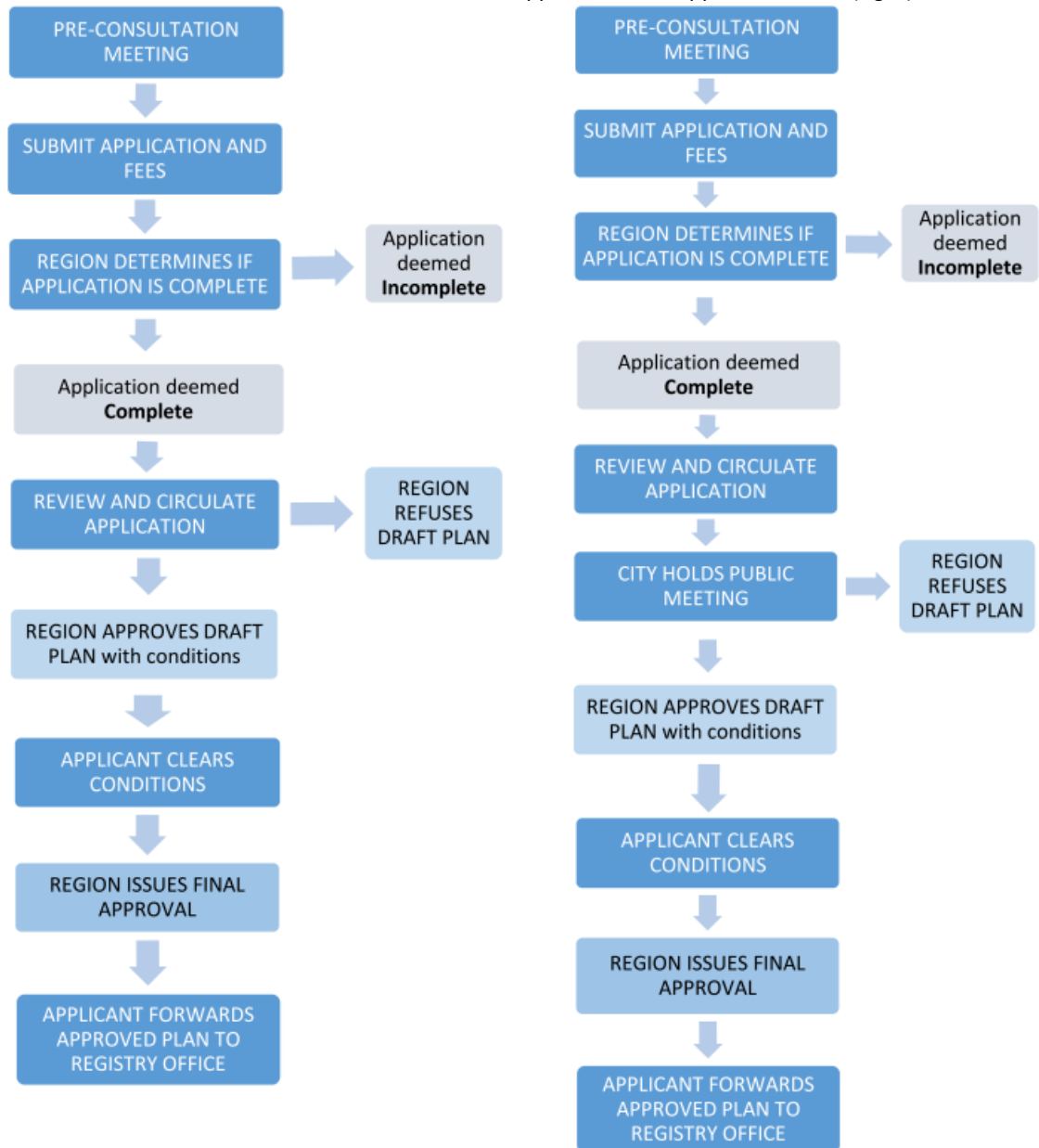
After reviewing the complete application, and within 120 days of having received it, the Region will either grant Draft Approval with conditions or refuse Draft Approval. After receiving Draft Approval from the Region, the Applicant addresses the conditions within a set period, generally within three years. The Region will then verify the conditions have been fulfilled and issue approval of the Final Plan of

Condominium. The Applicant then forwards the approved Final Plan of Condominium to the Registry Office.

In the case of a Vacant Land Condominium or a Condominium Conversion with residential uses, the same general process is followed, except that a public meeting is held by the City between the Region’s determination of a complete application and issuing of Draft Approval.

These processes are shown in Figure 1.

Figure 1 - Typical Condominium Application and Approval Process (left) and Vacant Land Condominium or Condominium Conversion with residential uses Application and Approval Process (right)



5. Pre-Submission Consultation

As permitted under Section 51(16.1)(b) of the Planning Act, the Region of Waterloo requires Applicants attend a pre-submission consultation meeting prior to submitting a condominium application. This meeting can be requested by emailing the Region at PlanningApplications@regionofwaterloo.ca. As part of requesting a Pre-Submission Consultation meeting, the Applicant must submit the required fees [to the Region](#) and [the City](#), a Draft Plan of Condominium, and a Cover Letter that briefly describes the application, including the number and types of units to be created, any exclusive use areas, any shared facilities, and the common elements, describes the subject property, and key planning considerations.

After the meeting, the Region will provide a formal Record of Pre-Submission Consultation, which will detail the formal submission requirements for the condominium application and the required Application Fee(s), including whether the application is a “Standard” or “Major” application depending on its complexity. The following subsection of this Guide outlines typical requirements for complete applications, but the City reserves the right to tailor the required complete application materials for individual applications.

6. Standard Complete Application Requirements

Section 51(17) and 51(18) of the Planning Act establish the basis for municipalities to determine the completeness of applications based upon clear expectations set out in a Pre-Submission Consultation Meeting and provided for in Section 10.D.5, 10.D.6, and Schedule C of the Region of Waterloo’s Official Plan and Section 12.2.14 of the City’s Official Plan.

A condominium application will only be considered following submission by the Applicant of a Complete Application, including the required fees, as provided in Section 51(19) of the Planning Act. A Complete Application means that the Applicant has included with the application form all the formal submission requirements and the required fee(s), as set out in the Formal Record of Pre-Submission Consultation.

Error! Reference source not found. Error! Reference source not found. shows the standard requirements for a Complete Application. At the Pre-Submission Consultation meeting, the City may request additional drawings, plans, surveys, studies, and reports, or waive the requirement for any deliverables at its sole discretion based on the details of the proposed development. Each standard requirement is summarized in more detail following **Error! Reference source not found.**

The City requires a Complete Application before Occupancy Permits may be granted, except for Amalgamation of Condominiums and Condominium Conversion applications where a use may already be established. In the event an Occupancy Permit is granted prior to the application being deemed complete, the application will automatically be considered a Condominium Conversion application.

Table 1 – Typical Requirements for Complete Application

Requirement	Standard	Phased	Common Elements	Vacant Land	Leasehold	Amalgamation	Conversion
Record of Pre-Submission Consultation	X	X	X	X	X	X	X
Application Fees (Region, City)	X	X	X	X	X	X	X
Grand River Conservation Authority Review Fee				X			
Application Form	X	X	X	X	X	X	X
Draft Plan of Condominium Drawings	X	X	X	X	X	X	X
Master Overlay Plan	X	X	X	X	X	X	X
Environmental Noise Study	X ¹	X ¹	X ¹	X ¹	X ¹	X ¹	X ¹
Section 59 Certificate	X ²	X ²	X ²	X ²	X ²	X ²	X ²
Salt Management Plan	X ³	X ³	X ³	X	X ³	X ³	X ³
Planning Justification Report	X	X	X	X	X	X	X ⁴
Urban Design Brief				X ⁵			
Phasing Plan		X		X			
Consultation Strategy				X			X ⁶
Photometric / Site Lighting Plan				X ⁵			
Grading Plan				X ⁵			
Site Servicing Plan				X ⁵			
Stormwater Management Plan				X ⁵			
Landscape Plan				X ⁵			X
Vegetation Management Plan				X ⁵			
Fire Access/Route Plan				X ⁵			
Truck Turning Plan				X ⁵			

Notes: 1 The requirement will be determined during the pre-submission consultation process

2 The Region of Waterloo requires a Notice of Source Water Compliance Section 59 Certificate in all designated vulnerable areas. The City of Waterloo requires that a Screening Form be completed to determine if site is in a vulnerable area

3 The Region of Waterloo may require per Section 8.B.3. of the Regional Official Plan

4 Must include assessment of rental housing market if conversion includes residential

5 The City may waive this requirement during the pre-submission consultation process where future ownership, use, and location of buildings on a site are unknown,

6 Only required where conversion from rental housing is proposed





The following subsections of this Guide provide a brief overview of standard complete application requirements.

6.1. Record of Pre-Submission Consultation

A Formal Record of Pre-Submission Consultation will be provided by the Region to the Applicant, following the required Pre-Submission Consultation Meeting. This Record will contain comments from the Region, City and other relevant agencies. The Record will detail which drawings, plans, surveys, studies, and reports must be submitted as part of a condominium application. It will set out the required Application Fee(s) and determine whether the application is considered a “Standard” or “Major” application depending on its complexity. A copy of the Formal Record of Pre-Submission Consultation is required to be submitted as part of the complete application.

6.2. Application Fee(s)

The Region of Waterloo requires a condominium application fee in order to deem the application complete. Refer to the Fee Schedule link available on the [Region of Waterloo Applications website](#) for more detail.

The City prescribes different review fees depending on the type and complexity of the condominium application. The City at its sole discretion may deem an application to be Standard or Major. Refer to the fees table on the [City of Waterloo Condominiums and Subdivisions website](#) for more detail.

The Grand River Conservation Authority (GRCA) prescribes fees for Vacant Land Condominium applications where sites are located within or adjacent to the GRCA regulated areas. Refer to the [GRCA Plan Review fees website](#) for more detail.

6.3. Application Form

The Application Form requests certain information about the proposed condominium, generally including:

- A description of the subject land, easements, and restrictive covenants;
- The file number and status of any previous Planning Act applications and agreements;
- The number of lots, blocks, units, dwellings, and parking spaces;
- The type of condominium application and whether and when construction is underway or has been completed; and
- Water, sanitary, and stormwater servicing information.

Detailed requirements are provided on the [Application Form](#) and are consistent with the requirements of [O. Reg. 544/06](#).

The Application Form must be completed by the Registered Owner(s), the Applicant (if not the Registered Owner), or an Agent/Consultant and signed by the Registered Owner(s). The Owner’s authorization section of the form is required if the Applicant is not the Owner.



6.4. Draft Plan of Condominium Drawings

A Draft Plan of Condominium drawing details the lands proposed for condominium ownership. Proposed Draft Plans must be prepared by an Ontario Land Surveyor. Draft Plans must be drawn on a single sheet, to scale, and include:

- All items identified in [Subsection 51\(17\) of the Planning Act](#), including a key map, at a scale of not less than 1 cm to 100 metres, on the proposed draft plan showing the matters described in Subsection 51(17);
- Proposed Street names (if applicable);
- The Minimum and Maximum density by residential type for all lots and blocks in which residential units may be permitted;
- An area or block measuring not less than 9cm x 7cm on the title block/information area of the plan that is visible after folding in which the approval authority may affix the draft approval stamp and signature; and
- Measurements are to be in metric units.

6.5. Master Overlay Plan

Draft Plan of Condominium drawings must conform to approved Site Plan and Building Permit drawings. To assess compliance with these approved plans, the City will generally require a Master Overlay Plan which overlays the proposed Draft Plan of Condominium drawing on top of the approved Site Plan and Building Permit floor plans. The purpose of this drawing is to identify what, if anything, has changed during the development and construction process on the Subject Lands as part of its evaluation of the condominium application. It is the Applicant's responsibility to ensure compliance with the requirements of the Ontario Building Code.

In the event of deviations from the approved Site Plan and Building Permit, the City may require additional or revised development approvals and/or remedial work to bring the development into compliance with previous approvals.

6.6. Planning Justification Report

A Planning Justification Report provides a starting point for analysis of the proposal and briefly describes the site orientation, site issues and inter-relationship of site issues. This report is not to replace any detailed and specific reports identified during the Pre-Submission Consultation meeting.

Specific requirements for the report, including professional qualification requirements, are set out in the City of Waterloo's Terms of Reference for Planning Justification Reports. In addition to the requirements set out in the Terms of Reference:

- Condominium Conversion applications with residential uses require a planning analysis of Rental Housing Criteria in the report in accordance with [Region of Waterloo Official Plan, Section 3.A.4](#) and [City of Waterloo Official Plan, Section 10.1.2\(16\)](#).
- Phased Condominium applications require a summary of the Phasing Plan

6.7. Urban Design Brief

The City has prepared [Urban Design Guidelines](#) to create great places for people by promoting a high standard of urban design, respecting context and promoting a sense of place, enhancing connectivity and interaction, promoting creativity and innovation, and encouraging sustainable design.

An Urban Design Brief will generally be required for Vacant Land Condominium applications to assess the application against the City's Urban Design Guidelines and in accordance with the requirements set out in the City's Terms of Reference for Urban Design Briefs. The Brief must be prepared by or under the supervision of a licensed architect, Registered Professional Planner, urban designer, or other qualified design professional.

6.8. Environmental Noise Study

An Environmental Noise Assessment identifies and analyses existing and projected noise levels on prescribed indoor and outdoor spaces from transportation (e.g., vehicular and truck traffic) and stationary sources (e.g., building mechanical systems, industrial/commercial activity) in accordance with [Ministry of the Environment, Conservation, and Parks \(MECP\) and Region of Waterloo criteria and the City's Terms of Reference for Environmental Noise Studies](#). An environmental noise study determines what, if any, mitigation measures are required to ensure the application complies with regulations. The study must be completed by a licensed professional engineer. The mitigation measures, if any, are implemented through a registered development agreement with the Region and/or the City.

At the time of a condominium application, the range of mitigation measures required may be cost prohibitive or impractical to already designed, permitted, and constructed buildings. Where noise cannot be mitigated to MECP criteria, final approval (i.e., Registration) of a condominium application may be precluded. Because of this, it is highly recommended that proponents undertake an environmental noise study earlier in the design process, typically at the Site Plan Application stage where possible and applicable.

6.9. Section 59 (Source Water Protection) Certificate

The Region's Source Water Protection Plan protects municipal wells and surface water intakes from specific activities, including development that may pose a threat to drinking water. A Section 59 Certificate under the *Clean Water Act, 2006* is required for all properties within designated vulnerable areas and must be included in planning applications, including condominium applications. The City of Waterloo has a [Screening Form](#) for Applicants to confirm if the site is in a vulnerable area requiring a Section 59 Certificate. If applicable, the Section 59 Certificate must be appended to the City's Screening Form. Further details on the requirements, vulnerable area mapping tool, and process are located on the [Region's Source Water Protection website](#).

6.10. Salt Management Plan

Sound salt management practices and strategic urban design reduce the need for de-icing salt application on sidewalks, parking lots and roads. The Region requires a Salt Impact Assessment in accordance with the Regional Salt Impact Assessment Protocol Implementation Guideline for new

vacant lot condominiums and may require a Salt Management Plan in accordance with the Regional Salt Management Planning Implementation Guide for all other condominium applications. For more information, refer to the [Region’s Source Water Protection website](#) or contact the Regional Risk Management Officer at riskmanagementofficial@regionofwaterloo.ca.

6.11. Phasing Plan

Where a condominium is proposed to be developed in multiple phases, a Phasing Plan is required showing how the development will be staged and how site services and access must be provided through all phases of the development of the lands.

A Phasing Plan is a conceptual drawing describing the distinct phases of the development and their interrelationship. The Phasing Plan should be coordinated with the Site Servicing Plan to demonstrate a functional servicing solution at all phases of the development. As the City does not permit multiple condominiums sharing a single connection to the water distribution system, the Applicant should ensure any condominium plans that involve a Consent or Severance application to create separate properties within the development site are planned to make separate connections to the municipal water distribution system.

6.12. Public Consultation Strategy

The City values the engagement of the public as part of the planning process. Certain condominium applications must be approved by Council while others are delegated to the Director of Planning. In such instance, the applicant should propose a Public Consultation Strategy outlining how the public has and/or will be engaged in advance of a decision on the application. This Public Consultation Strategy can be provided as a standalone document or as a subsection within the Planning Justification Report.

6.13. Photometric/Site Lighting Plan

The City’s [Urban Design Manual \(Part 4, SPS.2, J\)](#) describes principles and standards regarding the design of outdoor lighting in order to provide uniform illumination, avoid spill-over to adjacent properties, avoid glare, and be architecturally integrated into the site. The photometric/site lighting plan assists the City in assessing the application and must be prepared by a licensed professional engineer, which is typically assessed through the Site Plan review process.

6.14. Site Servicing Plan

The Site Servicing Plan shows all municipal servicing including existing conditions, removals, the installation of all new services on site and connections within the municipal right-of-way. The Plan also illustrates all proposed internal storm, sanitary, and water services on site and from the street sewer or main to the property line, as well as the complete stormwater design including, infrastructure and control measures. Detailed requirements are located in the Engineering Design Drawing section of the City’s [Development Engineering Manual](#), and the City’s Terms of Reference document for Site Servicing and Grading Plans

The Site Servicing Plan must be coordinated with any Phasing Plan to demonstrate a functional servicing solution at all phases of the development. As the City does not permit multiple condominiums to share a single connection to the water distribution system, the Applicant should ensure any condominium plans that involve a Consent or Severance application to create separate properties within the development site are planned, to make separate connections to the municipal water distribution system.

6.15. Grading Plan

The City requires the management of stormwater surface flow consistent with specific design objectives, including limiting off-site flows to predevelopment conditions. The Grading Plan provides topographic information detailing the direction of surface flow and provides certain drainage details. Detailed requirements are located in the Engineering Design Drawing section of the City’s [Development Engineering Manual](#) and the City’s Terms of Reference document for Site Servicing and Grading Plans.

The grading, stormwater management, and landscape designs are interconnected. The grading and stormwater management plans must be completed by the same engineering firm by a licensed professional engineer(s) in coordination with the landscape architect.

6.16. Stormwater Management Plan

The City, Region, Grand River Conservation Authority, and MECP require specific quantity and quality controls, maintain the existing water balance, infiltration, and groundwater conditions, and control site erosion and sedimentation. The Stormwater Management Plan details how these requirements will be achieved. Detailed requirements are located in the City’s [Development Engineering Manual](#), the [GRCA’s Policies and guidelines website](#), in [MECP’s Stormwater Design Manual](#), and the [City of Waterloo’s Terms of Reference document for Stormwater Management Briefs](#).

The grading, stormwater management, and landscape designs are interconnected. The grading and stormwater management plans must be completed by the same engineering firm by a licensed professional engineer(s) in coordination with the landscape architect.

6.17. Landscape Plan

Landscape treatments contribute to and improve streetscapes, provide or enhance outdoor amenity areas, and provide screening and buffers from parking and utilities and to adjacent uses. The City’s Urban Design Manual provides [general guidelines](#) and [specific criteria \(Part 4, SPS.1, H and Part 4, SPS.2, H\)](#) for Landscape Plans.

Further detail, including integration with other Plans, is available in the City’s [Development Engineering Manual \(Section 5\)](#). Specifically, the grading, stormwater management, and landscape designs are interconnected. The Landscape Plan must be prepared and stamped by a licensed Landscape Architect, who is a current and full member of the Ontario Association of Landscape Architects, and who must work in coordination with the engineering firm completing the grading and stormwater management plans.



6.18. Vegetation Management Plan

Protecting and expanding the urban tree canopy is a longstanding and increasingly important commitment of the City. The Vegetation Management Plan captures information for all existing trees, shrubs, and mass planting beds that exist within the boundaries of the site and within 6m of the property line on adjacent properties. It ensures the Applicant has planned appropriately for the proper protection, removal, and transplanting of all existing vegetation identified on site prior to and during site construction. Detailed requirements are located in the City's [Development Engineering Manual \(Section 5.7\)](#).

The Vegetation Management Plan must be prepared by a qualified Landscape Architect, arborist or a professional forester. The City is undertaking an Urban Forestry Strategy, which may result in further requirements regarding vegetation management, including Tree Preservation.

6.19. Fire Access/Route Plan

Waterloo Fire Rescue requires basic emergency access and fire protection measures at development sites. The Fire Access Plan is a simple site plan drawing delineating specific site details, entrances, and hydrant/standpipe locations. Fire Route requirements meeting certain criteria must be detailed on site plan and engineering drawings. Detailed requirements are located in the City's [Urban Design Manual \(Part 4, SPS.1, D and Part 4, SPS.2, E\)](#).

6.20. Truck Turning Plan

The basic turning movement needs of a range of vehicles providing basic site servicing should be accommodated on the development site, typically including site delivery vehicles, garbage collection, and moving/loading vehicles. Detailed requirements are located in the City's [Urban Design Manual \(Part 4, SPS.2, D\)](#).

7. Standard Registration Requirements

As a condition of Draft Approval, the Region of Waterloo and the City of Waterloo will impose various conditions which must be satisfied by the applicant prior to the Final Approval and registration of the condominium in accordance with Section 51(25) of the Planning Act. [Appendix A] provides a list of standard conditions generally applied to all condominium applications by the City of Waterloo. The conditions imposed will vary depending on the nature of the application. The Region and the City reserve the right to add or modify any condition of Draft Approval at any time at their discretion prior to Final Approval in accordance with Section 51(44) of the Planning Act.

8. Draft Plan of Condominium Exemption Requests

In certain instances, and at the sole discretion of the approval authority, exemptions from Draft Plan Approval may be considered by the Region and the City. Condominium Exemption is a process set out in Section 9(6) and 9(7) of the Condominium Act where the approval authority may exempt the development from going through the Plan of Condominium application and Draft Approval process,

allowing for the development to proceed directly to Final Condominium Approval and Registration. The approval authority will only consider exemption requests in limited circumstances, including where an application has recently been subject to other Planning Act approvals.

Should a proponent be interested in pursuing Condominium Exemption, a formal request by the applicant should be made as part of the request for a Pre-Submission Consultation meeting, and must include:

- A formal letter providing details on the proposed condominium, including:
 - The type of condominium, number of units, parking, exclusive use, etc.;
 - Any relevant background for the lands including previous Planning Act approvals, confirmation of Site Plan Approval, and whether the lands are vacant or contain an existing building or buildings under construction, etc.;
 - An assessment of how the proposed condominium conforms to the applicable land use planning framework;
 - A list of any registered agreements on title to the property;
 - A Draft of the Final Condominium Plan;
 - The required Pre-submission Consultation fee; and,
 - A copy of an approved site plan and registered site plan agreement applicable to the site.

Following a review of the exemption request, the City will confirm if an exemption would be supported, or if a Draft Plan of Condominium application is required. If the exemption request is granted, the City will provide a list of any requirements and issues to be addressed. After the Applicant has satisfied the list of requirements and issues, the City will notify the Region of its acceptance to the exemption request so that the Region may grant the exemption.

9. Important Considerations

There are a number of common issues which can impact the ability of the City to issue draft, or final, approval of condominium applications, and which can dictate additional approvals, design, and construction work. Some of these common issues are discussed in this Section of the Guide. The City recommends that Applicants consider whether any of the following matters could pertain to their project early on in the design process:

Servicing of Condominiums – The City does not permit multiple condominiums sharing a single connection to the water distribution system. Accordingly, applicants and their consulting teams should ensure any condominium plans that involve a servicing connection(s) crossing property lines to serve one property from another are planned to make separate connections to the water system. This issue typically arises, but is not limited to, when a Consent or Severance application creates separate properties within the development site. The City recommends applicants consider their condominium approach and determine details of their servicing strategy as early as possible in the planning and development process.

Compliance with Approved Plans – As a Plan of Condominium application is typically advanced after Site Plan Approval, Building Permit Issuance, and/or construction has been commenced or completed, the City will evaluate the application in the context of those prior approved plans. In the event of deviations



from the approved Site Plan and Building Permit, the City may require additional or revised development approvals, and/or remedial work, to bring the development into compliance with previous approvals.

Compliance with Zoning By-Law – The City will not grant Draft Plan approval unless the Draft Plan of Condominium is in compliance with the applicable Zoning By-Law regulations. Applicants must demonstrate that the as-built project is in compliance with the applicable Zoning By-Law, as a condition of Draft Plan Approval and prior to registration. In the event of non-compliance, the Applicant may either adjust the Draft Plan to comply with the applicable Zoning By-Law or pursue another *Planning Act* application (i.e., an Official Plan Amendment, a Zoning By-Law Amendment, or a Minor Variance application) depending on the nature of the deficiencies.

Noise Regulations and Studies – The Ministry of Environment, Conservation, and Parks (MECP) requires that any Draft Plan of Condominium meet regulated criteria regarding environmental noise levels on prescribed indoor and outdoor spaces before Draft Approval can be granted by the City. At the time of a condominium application, the range of mitigation measures required may be cost prohibitive or impractical for already designed, permitted, and constructed buildings. Where noise cannot be mitigated to MECP criteria, approval of a condominium application may be precluded. Because of this, it is highly recommended that proponents undertake an environmental noise study earlier in the design process, typically at the Site Plan Application stage where possible and applicable.

Conversion of Existing Rental Housing – Condominium Conversion applications with residential uses require a planning analysis of Rental Housing Criteria in accordance with [Region of Waterloo Official Plan, Section 3.A.4](#) and [City of Waterloo Official Plan, Section 10.1.2\(16\)](#) as part of the submitted Planning Justification Report. Where these criteria cannot be met, approval of a condominium conversion application is precluded. Applicants should be aware that more stringent criteria are included in Region of Waterloo Official Plan Amendment 6 (ROPA6, 3.A.5), as adopted by Regional Council and awaiting the approval of the Minister of Municipal Affairs and Housing. The City is in the process of updating its Official Plan and delivering an Affordable Housing Strategy where the protection and expansion of affordable housing and rental housing are key priorities for City of Waterloo Council.

10. Additional Resources

Application Fees:

- [City of Waterloo – Fee Schedule \(Condominiums and Subdivisions\)](#)
- [Region of Waterloo – Fee Schedule \(Planning Applications\)](#)
- [Grand River Conservation Authority – Fee Schedule \(Plan Review\)](#)

Relevant Planning Documents

- [Ontario - Condominium Act](#)
- [Ontario – Planning Act \(s51 Plan of Subdivision approvals\)](#)
- [Ontario – Regulation 544/06: Plans of Subdivision](#)
- [City of Waterloo – Official Plan](#)
- [City of Waterloo – Zoning By-Law](#)
- [City of Waterloo – Urban Design Guidelines](#)



- [Region of Waterloo – Source Water Protection](#)
- [City of Waterloo – Source Protection Plan Screening Form](#)

Other City of Waterloo Terms of References:

- [Noise Study](#)
- [Functional Servicing Report](#)
- [Stormwater Management Report](#)

Relevant Engineering Documents:

- [Ministry of Environment, Conservation, and Parks – Stormwater Management Planning and Design Manual](#)
- [Ministry of Environment, Conservation, and Parks – Environmental Noise Guideline \(NPC-300\)](#)
- [City of Waterloo – Development Engineering Manual](#)
- [Grand River Conservation Authority – Policies and Guidelines](#)



Appendix A: Standard Registration Requirements

The following is a list of standard conditions generally applied to all condominium applications by the City of Waterloo. The conditions imposed will vary depending on the nature of the application. In addition to this list, the Region applies its own conditions depending on the nature of an application. The Region and the City reserve the right to add or modify any condition of Draft Approval at any time at their discretion prior to Final Approval in accordance with Section 51(44) of the Planning Act:

- That the Plan of Condominium be registered within a set timeframe (generally three years following issuance of Draft Plan approval);
- That final Condominium Drawings be prepared by an Ontario Land Surveyor to the satisfaction of the City of Waterloo with any exclusive use areas dimensioned;
- That a Condominium Declaration be provided to the City for review addressing such matters as:
 - Maintenance of public sidewalks, hardscape and landscaped common elements, parking and signage;
 - Indicate and require certain matters regarding the location and restrictions on the use of parking spaces and common elements;
 - Detailing the list of permanent common elements by floor; and
 - Detailing the maximum number of bedrooms permitted within each residential unit and that no additional floor area may be used as or converted to a bedroom without the consent of the City.
- That an Engineer's Certificate be provided to the City regarding site servicing, grading, and stormwater management along with an 'as recorded' drawing (Schedule G of O. Reg. 48/01);
- That a solicitor's certification and a surveyor's certification be provided to the City regarding any easements necessary to ensure independent operation of the condominium corporation will be in place upon registration and whether the project is being phased;
- That an architect's certification be provided certifying that the buildings and structures have been constructed in accordance with regulations made under the Condominium Act, 1998;
- Provide a solicitor's undertaking that it shall carry out registration in conformity with the City approved Registration Memorandum and that certain documents be provided to the City forthwith after registration;
- That any required easements shall be conveyed in a form and content satisfactory to the appropriate parties and that clearances be provided from applicable hydro and natural gas providers;
- That a building and structure location survey be provided to the City, prepared by an Ontario Land Surveyor;
- Confirmation by an accredited land use planner that the condominium plans conform to the City's Zoning By-Law any registered Site Plan Agreement applicable to the site;
- Confirmation that parkland dedication or cash-in-lieu payments have been paid in accordance with the City's Parkland Dedication By-Law;
- Confirmation that any required road widenings have been conveyed to the City and/or Region of Waterloo;
- That clearances from telecommunication providers be provided confirming that sufficient infrastructure and required easements have been provided;
- That any "Additional Construction Requirements" described on the approved Site Plan, engineering drawings, and building permit drawings be completed to the satisfaction of the City. In the event that these items are substantially completed to the satisfaction of the City, a Letter

of Credit for outstanding construction works may be secured allowing for outstanding works to be completed after registration;

- Confirmation of payment of all municipal taxes owing, and
- Payment of City legal costs and disbursements with regard to the Plan.

In order to assist in the City’s review of the final condominium, it is requested that applicants’ representatives prepare a cover letter detailing how each of the conditions have been satisfied and a “Registration Memorandum” detailing the order and timing of development agreements to be registered on title.

In the case of condominium conversion applications, in addition to the standard conditions set out above, the following additional conditions will also apply:

- That written certification prepared, signed, and stamped by a professional Architect and Engineer be provided confirming that:
 - A Technical Building & Site Audit has been completed, meeting identified minimum requirements, and deficiencies reported to the City’s Chief Building Official, and
 - A Technical Fire Audit has been completed, meeting identified minimum requirements, and deficiencies reported to the City’s Chief Fire Prevention Officer.
- That a written compliance letter from the City’s Municipal Enforcement Services division be obtained confirming that the current condition of the lands, all public spaces and common elements of the building, structures, systems, and services comply with the City’s Property Standards By-Law;
- That an undertaking to provide/submit a Reserve Fund Study prepared by a professional Architect and Engineer for the review of the City’s Chief Building Official current to within 12 months of registration and meeting certain minimum requirements for the operation of the condominium be provided;
- Where the City deems existing services to be inadequate or to require upgrades, provide written certification from a professional Engineer for the required water, sanitary, and stormwater servicing upgrades with an ‘as recorded’ drawing, and with any required easements conveyed; and;
- If applicable, obtain Site Plan approval for an addendum to an approved Site Plan and enter into a Site Plan Agreement with the City registered on the title of the property.

This Terms of Reference was prepared by a qualified external consulting firm. For clarification of any information contained within this document, please contact the City of Waterloo staff assigned to the pre-consultation process.