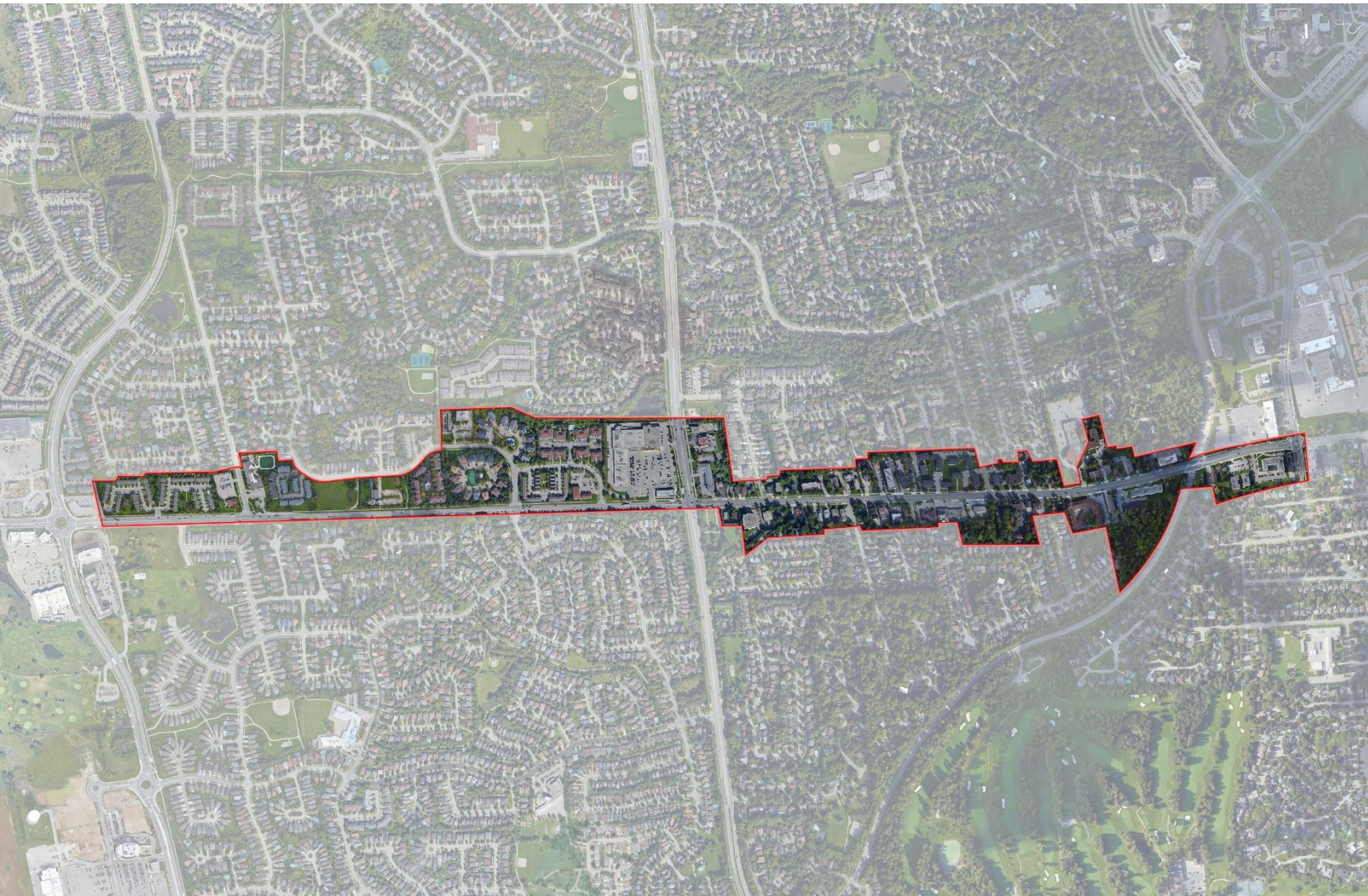


Community Planning Permit By-law Erb Street Corridor

June 16, 2026



CITY OF WATERLOO

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SECTION 1A – GENERAL

1A.1 SHORT TITLE

This BY-LAW shall be referred to as the “Community Planning Permit Area By-law” of The Corporation of the City of Waterloo.

1A.2 SCOPE

The provisions of this BY-LAW apply to the Community Planning Permit Area within WATERLOO as delineated on Schedule ‘A’.

1A.3 APPLICATION

1A.3.1 Within the lands subject to this BY-LAW as delineated on Schedule ‘A’, no BUILDING or STRUCTURE shall hereafter be erected, altered, enlarged, reconstructed, rebuilt, located or used in whole or in part by any PERSON except in conformity with the provisions of this BY-LAW and applicable law.

1A.3.2 Within the lands subject to this BY-LAW as delineated on Schedule ‘A’, no change in the use of any land, BUILDING or STRUCTURE shall hereafter be made in whole or in part by any PERSON except in conformity with the provisions of this BY-LAW and applicable law.

1A.4 PRECINCT CITATIONS

Precinct citations will be denoted as a letter or a group of letters, and labeled on Schedule ‘A’. Precinct citations may be followed by a number, a suffix, or a number and suffix. A prefix may be applied before the precinct citation.

1A.5 SCHEDULES

Schedules hereto form an integral part of this BY-LAW and are described in greater detail in Section 11 of this BY-LAW.

1A.6 ADMINISTRATION

Administration of this BY-LAW is hereby delegated to the DIRECTOR.

1A.7 REPEAL

1A.7.1 On the day that this BY-LAW comes into force and effect, Comprehensive Zoning By-law 2018-050 as amended, where applicable, shall be deemed to be repealed with respect to the Community Planning Permit Area as delineated on Schedule ‘A’ to this BY-LAW in accordance with Section 9 of O. Reg 173/16, as amended from time to time. Further, in accordance with subsection 8(2) of O. Reg. 173/16, as amended from time to

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time, subsections 41(2)(3) and (13) of the Planning Act (Ontario) do not apply to the Community Planning Permit Area as delineated on Schedule 'A' to this BY-LAW.

- 1A.7.2 Notwithstanding section 1A.7.1, the relevant provisions of Comprehensive Zoning By-law 2018-050 as amended and Site Plan Control By-law 2013-124 shall continue to apply to any lands within the Community Planning Permit Area as delineated on Schedule 'A' to this BY-LAW in respect to the Transition Provisions in section 1A.9.

1A.8 EFFECTIVE DATE

This BY-LAW shall come into force and effect on the date that it is passed.

1A.9 TRANSITION PROVISIONS

- 1A.9.1 Except as provided in section 1A.9, the provisions of this BY-LAW shall apply.

Transition clauses related to building permit applications

- 1A.9.2 Nothing in this BY-LAW shall prevent the erection, alteration, enlargement, reconstruction, or use of any BUILDING or STRUCTURE provided that a complete building permit application is submitted to the CITY prior to the EFFECTIVE DATE of this BY-LAW and:

- a) the BUILDING or STRUCTURE is in compliance with the zoning provisions in effect on the submission date; and,
- b) the BUILDING or STRUCTURE is consistent with an approved site plan, where applicable.

- 1A.9.3 For the purposes of section 1A.9.2, a "complete building permit application" means a building permit application that satisfies the complete application requirements set out in the BUILDING CODE and Building Code Act (Ontario), as determined by the Chief Building Official for the CITY.

Transition clauses related to site plan applications

- 1A.9.4 Nothing in this BY-LAW shall prevent the erection, alteration, enlargement, reconstruction, or use of any BUILDING or STRUCTURE provided that:
- a) a complete site plan application is submitted to the CITY prior to the EFFECTIVE DATE of this BY-LAW which is in compliance with the zoning provisions in effect on the day before the EFFECTIVE DATE of this BY-LAW; and,
 - b) a building permit is:

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- i. obtained and construction commenced within four (4) years of the EFFECTIVE DATE of this BY-LAW, or such later date as agreed to by the DIRECTOR provided that such later date is within five (5) years of the EFFECTIVE DATE of this BY-LAW; and
- ii. in compliance with the approved site plan submitted pursuant to section 1A.9.4(a).

1A.9.5 For the purposes of section 1A.9.4, an “Approved Site Plan” means an application pursuant to section 41 of the PLANNING ACT that has received Final Site Plan Approval from the DIRECTOR or on appeal from the Ontario Land Tribunal, including the execution and registration of an agreement pursuant to subsection 41(7)(c) of the PLANNING ACT.

1A.9.6 For the purposes of section 1A.9.4, a “complete site plan application” means an application for approval of plans and drawings pursuant to subsection 41(4) and subsection 41(5) of the PLANNING ACT. Excludes pre-application consultation submissions pursuant to subsection 41(3.1) of the PLANNING ACT.

1A.9.7 Notwithstanding section 1A.9.4, nothing in this BY-LAW shall prevent a minor amendment to an existing and approved Site Plan or an in force Site Plan Agreement, at the discretion of the DIRECTOR. More substantial amendments will require approval through the requirements of this BY-LAW.

Transition clauses related to minor variance applications

1A.9.8 Nothing in this BY-LAW shall prevent the erection, alteration, enlargement, reconstruction, or use of any BUILDING or STRUCTURE provided that:

- a) a complete minor variance application pursuant to section 45 of the PLANNING ACT is submitted to the CITY prior to the EFFECTIVE DATE of this BY-LAW; and
- b) a building permit (if applicable) is:
 - i. obtained and construction commenced within four (4) years of the EFFECTIVE DATE of this BY-LAW, or such later date as agreed to by the DIRECTOR provided that such later date is within five (5) years of the EFFECTIVE DATE of this BY-LAW;
 - ii. in compliance with the approved minor variance application submitted pursuant to section 1A.9.8(a); and
 - iii. where applicable, in compliance with an approved site plan submitted pursuant to section 41 of the PLANNING ACT, which may be

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submitted after the approved minor variance application submitted pursuant to section 1A.9.8(a).

Transition clauses related to zoning by-law amendment applications

1A.9.9 Nothing in this BY-LAW shall prevent the erection, alteration, enlargement, reconstruction, or use of any BUILDING or STRUCTURE provided that:

- a) a complete zoning by-law amendment application pursuant to section 34 of the PLANNING ACT is submitted to the CITY prior to the EFFECTIVE DATE of this BY-LAW; and
- b) a building permit (if applicable) is:
 - i. obtained and construction commenced within four (4) years of the EFFECTIVE DATE of this BY-LAW, or such later date as agreed to by the DIRECTOR provided that such later date is within five (5) years of the EFFECTIVE DATE of this BY-LAW;
 - ii. in compliance with the approved zoning by-law amendment application submitted pursuant to section 1A.9.9(a); and
 - iii. where applicable, in compliance with an approved site plan submitted pursuant to section 41 of the PLANNING ACT, which may be submitted after the approved zoning by-law amendment application submitted pursuant to section 1A.9.9 a).

1A.9.10 For the purposes of section 1A.9.9, a “complete zoning by-law amendment application” means a formal application for approval of an amendment to the CITY’s Zoning By-law pursuant to section 34 of the PLANNING ACT, including any prescribed supporting materials as required through the CITY’s Official Plan. Excludes pre-application consultation submissions.

Force Majeure

1A.9.11 In the event the ability to obtain a building permit and commence construction pursuant to sections 1A.9.4(b), 1A.9.8(b) and 1A.9.9(b) is delayed, hindered, or prevented by any of the following acts:

- insufficient capacity within the electrical (power) system
- insufficient capacity within the municipal water supply system
- insufficient capacity within the municipal sanitary treatment system
- insurrection
- war

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then the time periods specified in sections 1A.9.4(b)(i), 1A.9.8(b)(i) and 1A.9.9(b)(i) shall be extended for a period equivalent to the period of such delay as determined by the DIRECTOR.

Transition to Community Planning Permit Application

1A.9.12 A zoning by-law amendment application, minor variance application, and/or site plan application that is in progress on the EFFECTIVE DATE of this BY-LAW may be processed as a Community Planning Permit application in accordance with the provisions of this BY-LAW at the request of the applicant and at the discretion of the DIRECTOR. The DIRECTOR may allow for deviations to the pre-consultation and complete application submission requirements outlined in Section 1B (Administration) of this BY-LAW, taking into consideration the extent of review completed to that date for the zoning by-law amendment application, minor variance application, and/or site plan application as the case may be.

- a) Proposed modifications may be subject to additional submission requirements to support the application, to the satisfaction of the Approval Authority specified in Table 1A.

1A.9.13 Any lands and/or applications that are subject to an Ontario Land Tribunal appeal at the time of passing of this BY-LAW and subsequently approved by the Tribunal shall prevail over the provisions of this BY-LAW in the event of any conflict, and shall be incorporated into this BY-LAW as a site specific amendment or Community Planning Permit.

SECTION 1B – ADMINISTRATION

1B.1 APPLICATION OF THIS BY-LAW

- 1B.1.1 No DEVELOPMENT or change of USE shall be undertaken within the area identified on Schedule 'A' of this BY-LAW, except in accordance with the provisions of this BY-LAW.
- 1B.1.2 Every DEVELOPMENT and change of USE on or after the EFFECTIVE DATE of this BY-LAW and within the area identified on Schedule 'A' shall require a Community Planning Permit.

1B.2 EXEMPTIONS

- 1B.2.1 Notwithstanding any provision in this BY-LAW to the contrary, the following types of DEVELOPMENT shall not require a Community Planning Permit:
- a) The alteration of a site for which a permit has been issued in accordance with CITY By-law 2010-066 or any successor by-law thereto.
 - b) The removal of a tree for which authorization has been granted in accordance with CITY By-law 2014-078 or any successor by-law thereto.
 - c) DEVELOPMENT in accordance with an issued Building Permit from the Chief Building Official for the CITY.
 - d) DEVELOPMENT consistent with an Approved Site Plan pursuant to section 1A.9.4 that has received Final Site Plan Approval from the DIRECTOR or on appeal from the Ontario Land Tribunal, including the execution and registration of an agreement pursuant to subsection 41(7)(c) of the PLANNING ACT, before the EFFECTIVE DATE of this BY-LAW.
 - e) DEVELOPMENT consistent with a minor variance approved by the Committee of Adjustment for the CITY or on appeal from the Ontario Land Tribunal before the EFFECTIVE DATE of this BY-LAW.
 - f) Placement of a portable classroom pursuant to section 41(1.1) of the PLANNING ACT.
 - g) The undertakings of a post-secondary institution pursuant to section 62.0.2 of the PLANNING ACT.

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- h) Interior renovations within a BUILDING or STRUCTURE provided there is no change in USE.
- i) Improvements, repairs, maintenance or replacement of an EXISTING lawfully established BUILDING or STRUCTURE (including the replacement of windows, doors, stairs, and DECKS) that will not result in:
 - i. changes to the EXISTING footprint, setbacks, location, height, or gross floor area of the BUILDING or STRUCTURE; and
 - ii. the alteration of EXISTING GRADE except in accordance with 1B.2.1(a).

1B.2.2 Subject to compliance with the provisions, standards and requirements set out in this BY-LAW, the following types of DEVELOPMENT shall not require a Community Planning Permit:

- a) Infrastructure projects undertaken by a PUBLIC AUTHORITY.
- b) Public Services as set out in section 3.P.9 of CITY Zoning By-law 2018-050.
- c) A DETACHED BUILDING, an addition to a DETACHED BUILDING and/or any associated ACCESSORY STRUCTURE that meet all provisions of this BY-LAW.
- d) A COACH HOUSE and/or an addition to a COACH HOUSE that meet all the provisions of this BY-LAW.
- e) A FREEHOLD SEMI-DETACHED BUILDING, an addition to a FREEHOLD SEMI-DETACHED BUILDING and/or any associated ACCESSORY STRUCTURE that meet all provisions of this BY-LAW.
- f) A FREEHOLD TOWNHOUSE BUILDING, an addition to a FREEHOLD TOWNHOUSE BUILDING and/or any associated ACCESSORY STRUCTURE that meet all provisions of this BY-LAW.
- g) Minor works meeting the intent of the BY-LAW where deemed appropriate by the DIRECTOR.

1B.2.3 The DIRECTOR, at their sole discretion, may waive the requirement for a Community Planning Permit for residential DEVELOPMENT proposing five to ten DWELLING UNITS provided the DEVELOPMENT meets all provisions of this BY-LAW.

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1B.3 COMMUNITY PLANNING PERMIT CLASSES, NOTICE AND APPROVALS

Community Planning Permit Classes

- 1B.3.1 Community Planning Permit classes:
- Class 1 – Standards Met
 - Class 2 – Staff Variation
 - Class 3 – COUNCIL Variation,
- as summarized in section 1B.3 and Table 1A.
- 1B.3.1.1 Community Planning Permit, Class 1: applies to DEVELOPMENT that meets all applicable provisions, standards and requirements of this BY-LAW and the OFFICIAL PLAN as amended. No variation is required.
- 1B.3.1.2 Community Planning Permit, Class 2: applies to DEVELOPMENT that does not meet applicable provisions, standards and requirements of this BY-LAW. Variation is required, which may be granted by the DIRECTOR.
- 1B.3.1.3 Community Planning Permit, Class 3: applies to DEVELOPMENT that does not meet applicable provisions, standards and requirements of this BY-LAW. Variation is required, which may be granted by COUNCIL.

Delegating Approvals

- 1B.3.2.1 COUNCIL hereby delegates to the DIRECTOR all of the power that COUNCIL has to grant Community Planning Permits and variations from the provisions, standards and requirements of this BY-LAW as set out in Table 1A.
- 1B.3.2.2 COUNCIL hereby delegates to the DIRECTOR the authority to execute agreements and other documents relating to Community Planning Permits as set out in Table 1A, subject to the form and content of such agreements and other documents being acceptable to the City Solicitor.
- 1B.3.2.3 Notwithstanding anything to the contrary, Council may, at its discretion, retain approval authority for any matter delegated in section 1B.3.2.1 or section 1B.3.2.2.

Notification Requirements

- 1B.3.3 The CITY will provide public notice of a Community Planning Permit application in accordance with Table 1A. The CITY may update its public notices without amendment to this BY-LAW. A Notice of Decision will be provided for all Community Planning Permits in accordance with section 1B.18.

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Referrals to Council

- 1B.3.4 At the time of submitting an application, an applicant may request that an application for a Class 2 Community Planning Permit be processed as an application for a Class 3 Community Planning Permit, where the applicant is of the opinion that the application would benefit from COUNCIL review and decision.
- 1B.3.5 The DIRECTOR, at their sole discretion, may refer an application for a Class 1 Community Planning Permit to COUNCIL at any time prior to the decision on the application.
- 1B.3.6 The DIRECTOR, at their sole discretion, may refer an application for a Class 2 Community Planning Permit to COUNCIL at any time prior to the decision on the application.

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TABLE 1A: Community Planning Permit Classes, Delegated Authority, and Public Notice Procedure

Class of Permit	Description	Approval Authority	Issuance of Provisional Approval of Community Planning Permit	Application Public Notice Procedures
Class 1 Community Planning Permit	Application meets all provisions, standards and requirements of this BY-LAW. No variation is required.	DIRECTOR	DIRECTOR	No notice required.
Class 2 Community Planning Permit	<p>Application generally meets the intent of the provisions, standards and requirements of this BY-LAW but requires a variation based on one or more of the following:</p> <ul style="list-style-type: none"> ● any variation to Definitions (Section 2) ● any variation to General Regulations (Section 3) ● any variation to Parking, Driveways, Loading (Section 6) ● variation of one or more DEVELOPMENT provisions, standards and requirements within the Class 2 Variation Limits identified in Sections 7, 8, 9, and 10 of this BY-LAW ● approval of a listed Discretionary USE ● variation to a Site Specific Provision in Schedule 'C' 	DIRECTOR	DIRECTOR	<p>Notification posted on CITY website for public access.</p> <p>Notice provided by on-site signage to include: an explanation of the application, Applicant, City staff contact, and where additional information on the application can be found, including how and when to submit comments.</p>

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Class of Permit	Description	Approval Authority	Issuance of Provisional Approval of Community Planning Permit	Application Public Notice Procedures
Class 3 Community Planning Permit	<p>Application generally meets the intent of the provisions, standards and requirements of this BY-LAW but requires a variation based on one or more of the following:</p> <ul style="list-style-type: none"> • variation of one or more DEVELOPMENT provisions, standards and requirements beyond the Class 2 Variation Limits identified in Sections 7, 8, 9, and 10 of this BY-LAW, provided that the variation is: (i.) in accordance with section 1B.6; and (ii.) in conformity with the OFFICIAL PLAN, provincial policy and applicable legislation 	COUNCIL	DIRECTOR	<p>Notification posted on CITY website for public access.</p> <p>Mail to registered owners of land within 120 metres of the subject property.</p> <p>Notice provided by on-site signage to include: an explanation of the application, Applicant, City staff contact, and where additional information on the application can be found, including how and when to submit comments.</p>

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1B.4 DISCRETIONARY USES

- 1B.4.1 A discretionary USE shall only be permitted if the criteria set out in this BY-LAW (including associated footnotes) for the discretionary USE have been addressed to the satisfaction of the Approval Authority.
- 1B.4.2 Notwithstanding anything to the contrary, for any proposed new USE within any Precinct, an amendment to this BY-LAW shall be required in accordance with section 1B.21 (By-law Amendment Process).

1B.5 VARIATIONS

- 1B.5.1 Variations to the provisions, standards and requirements of this BY-LAW may be considered through the Class 2 Community Planning Permit process or the Class 3 Community Planning Permit process in accordance with the objectives of this BY-LAW and the OFFICIAL PLAN.
- 1B.5.2 Variations shall be applied as an amount or percentage of a provision, standard or requirement. The amount or percentage of the variation shall be in accordance with the variation thresholds in this BY-LAW.
- 1B.5.3 Where a provision, standard or requirement in sections 3 (General Regulations) or 6 (Parking, Driveways, Loading) has no variation threshold, the DIRECTOR may approve or provisionally approve DEVELOPMENT that varies from the provision, standard or requirement, subject to compliance with section 1B.6 (Criteria for Considering Variations) and subject to conformity to the OFFICIAL PLAN, and consistency with and conformity to provincial policy and applicable legislation.
- 1B.5.4 For a Class 2 Community Planning Permit application, the DIRECTOR may approve or provisionally approve DEVELOPMENT that varies from the provisions, standards or requirements within section 7, 8, 9 and 10 of this BY-LAW, provided the variation does not exceed the established Class 2 variation threshold (limit), and subject to compliance with section 1B.6 (Criteria for Considering Variations) and conformity to the OFFICIAL PLAN, and consistency with and conformity to provincial policy and applicable legislation.
- 1B.5.5 For a Class 3 Community Planning Permit application, COUNCIL may approve or provisionally approve DEVELOPMENT that varies from the provisions, standards or requirements within section 7, 8, 9 and 10 this BY-LAW beyond the established Class 2 variation threshold (limit), subject to compliance with section 1B.6 (Criteria for Considering Variations) and conformity to the OFFICIAL PLAN, and consistency with and conformity to provincial policy and applicable legislation.

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1B.5.6 Notwithstanding anything to the contrary, if in the opinion of the Approval Authority the criteria for variation in this BY-LAW are not met, the Class 2 Community Planning Permit / Class 3 Community Planning Permit may be denied.

1B.6 CRITERIA FOR CONSIDERING VARIATIONS

1B.6.1 Where a variation is required for a Community Planning Permit, in addition to any other requirement(s) of this BY-LAW, the following criteria shall be complied with to the satisfaction of the Approval Authority prior to the issuance of a Community Planning Permit:

- a) the proposed DEVELOPMENT maintains the general intent of this BY-LAW;
- b) the proposed DEVELOPMENT conforms to the OFFICIAL PLAN and any other applicable policies of the CITY;
- c) the proposed DEVELOPMENT is consistent with policies of upper-levels of government (Federal, Provincial, REGIONAL) and any other authority having jurisdiction;
- d) the proposed DEVELOPMENT conforms to applicable statutes, plans, and/or other like documents of upper-levels of government (Federal, Provincial, REGIONAL) and any other authority having jurisdiction;
- e) the proposed DEVELOPMENT is consistent with the intent of applicable urban design policies, standards, manuals and guidelines;
- f) any potential off-site and adverse impacts resulting from the proposed DEVELOPMENT are identified and mitigated;
- g) the proposed DEVELOPMENT is compatible with, and context sensitive to, the planned context and area character; and
- h) the proposal is desirable for the appropriate development or use of the land, BUILDING(S) or STRUCTURE(S) thereon.

In the event of any conflict between the criteria specified above, the most restrictive criteria shall apply.

1B.6.2 Where a BUILDING is proposed to include multiple DWELLING UNITS, the BUILDING shall be planned for a mix of DWELLING UNIT types (e.g., bachelor, 1-bedroom, 2-bedroom and 3+-bedroom DWELLING UNITS) wherever practicable, in addition to the criteria in section 1B.6.1.

1B.6.3 Where a variation to a Class 2 Community Planning Permit is proposed, the DIRECTOR may scope the extent of the criteria in section 1B.6.1, having regard to the nature and scope of the variation and provided there is compliance with the general intent of the criteria.

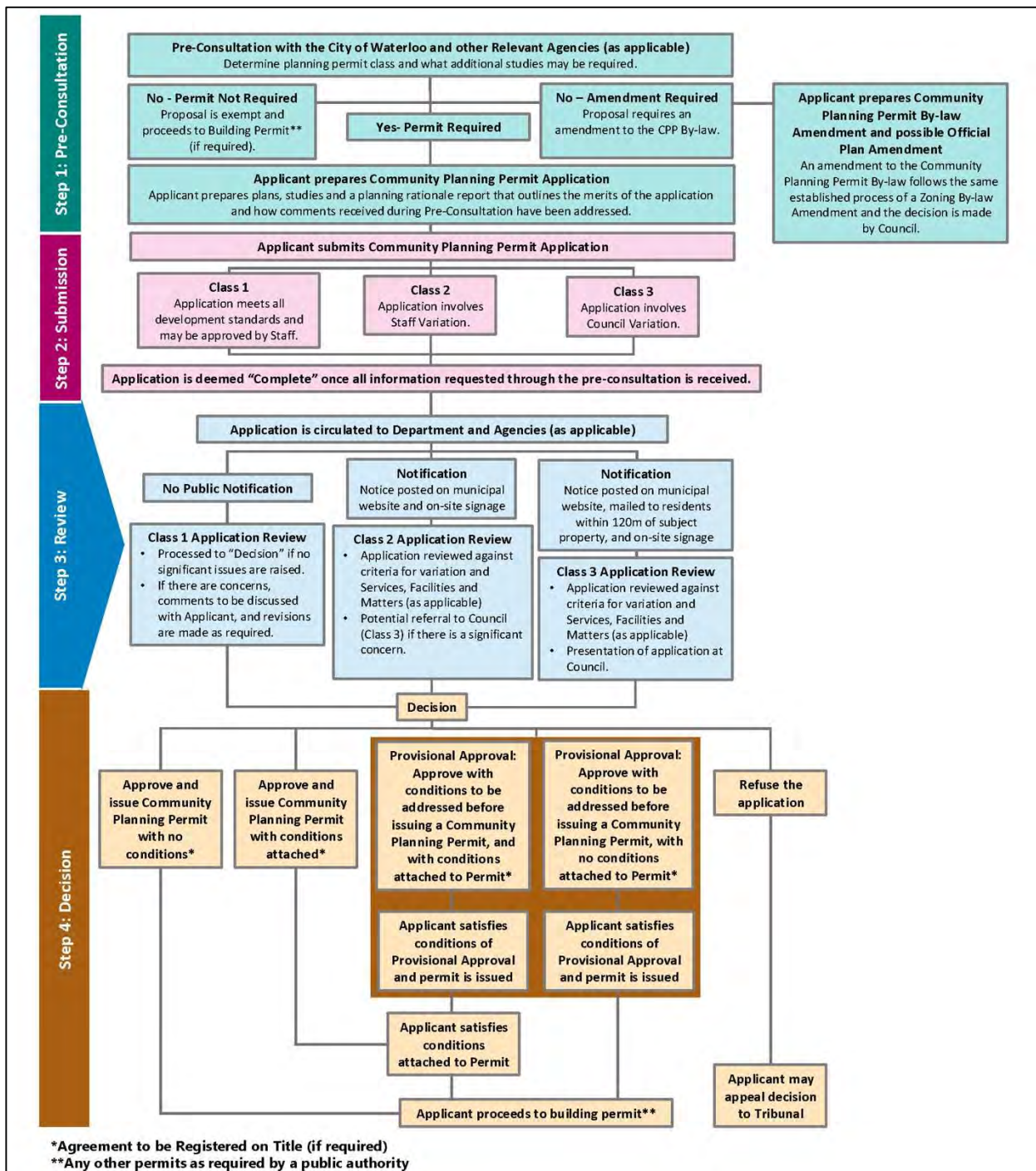
1B.6.4 Every Community Planning Permit application will be evaluated on its merits and in compliance with this BY-LAW.

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1B.7 APPLICATION PROCESS

1B.7.1 The Community Planning Permit review process generally consists of the steps illustrated in Figure 1 (Community Planning Permit Application Process):

Figure 1: Community Planning Permit Application Process



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1B.8 PRE-APPLICATION CONSULTATION

- 1B.8.1 Prior to the submission of a Community Planning Permit application, a pre-application consultation meeting shall be held between the applicant, the CITY, and relevant agencies to obtain an overview of the application and establish the requirements for a complete Community Planning Permit application as specified in a checklist issued by the CITY. A pre-application consultation meeting shall not be required for exemptions outlined in section 1B.2 (Exemptions) of this BY-LAW.
- 1B.8.2 For Community Planning Permit applications that affect a matter of REGIONAL interest, (including but not limited to REGIONAL roads, transit services, water supply capacity, airport services, source water protection, affordable housing), the REGION will be invited to the pre-application consultation meeting to address matters under its jurisdiction.
- 1B.8.3 Where the complete application checklist issued by the CITY requires a plan, drawing, technical study / report, the extent of the matters / issues to be addressed therein will be in accordance with professional standards of practice, applicable policy and standards document, relevant terms of reference documents, and any other requirement identified at the pre-application consultation meeting or on the complete application checklist issued by the CITY.
- 1B.8.4 Wherever practicable, technical plans, drawings, studies / reports for natural hazards shall be submitted by the applicant to the CITY as part of the pre-application consultation meeting request.
- 1B.8.5 The DIRECTOR may, at their sole discretion, waive the requirement for a pre-application consultation meeting for any application by way of written confirmation. The written confirmation shall also contain a complete application checklist.

1B.9 COMPLETE APPLICATION REQUIREMENTS

- 1B.9.1 Complete application requirements for a Community Planning Permit shall include:
- a) Community Planning Permit application form that is completed and signed;
 - b) submission of required fees;
 - c) application submission requirements identified on Schedule 1 of Ontario Regulation 173/16, as amended; and
 - d) all submission requirements identified through sections 1B.8 (Pre-Application Consultation) and 1B.10 (Required Information, Materials, Studies and Reports).

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1B.10 REQUIRED INFORMATION, MATERIALS, STUDIES AND REPORTS

- 1B.10.1 A list of technical studies and reports that may be required to be submitted as part of a complete application for a Community Planning Permit is contained in the OFFICIAL PLAN. Additional plans, drawings, and technical studies / reports may also be required by agencies (inclusive of the REGION) at the time of application.
- 1B.10.2 All required plans, drawings, and technical studies / reports shall be prepared by qualified professionals retained by and at the expense of the applicant, and signed and stamped by the qualified professional.
- 1B.10.3 At the discretion of the Approval Authority, any required plan, drawing, and technical study / report may be subject to peer review at the expense of the applicant.

1B.11 PUBLIC NOTIFICATION REQUIREMENTS

- 1B.11.1 Public notification requirements shall be as specified in Table 1A.
- 1B.11.2 Notice of all complete Class 3 Community Planning Permit applications will be circulated to COUNCIL for information purposes.

1B.12 EVALUATION OF APPLICATIONS

- 1B.12.1 Applications will be evaluated for compliance with applicable law, policies, standards, manuals, and guidelines and all other relevant considerations, including but not limited to the site planning standards and guidelines in the Urban Design Manual and the directives specified in 1B.12.2.
- 1B.12.2 (intentionally left blank)

1B.13 DECISION

- 1B.13.1 After reviewing a complete Community Planning Permit application, the Approval Authority may:
- a) Approve the application without conditions and issue a Community Planning Permit;
 - b) Approve the application and issue a Community Planning Permit with conditions;
 - c) Approve the application subject to conditions being met before the issuance of a Community Planning Permit, subject to Section 1B.15 (Provisional Approval);
 - d) Approve the application subject to conditions being met before the issuance of a Community Planning Permit, subject to Section 1B.15 (Provisional Approval) and with conditions; or

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- e) Deny the application if, in the opinion of the Approval Authority, the provisions, standards and requirements of this BY-LAW are not met, including the criteria for variation from a provision, standard or requirement.

1B.13.2 Notwithstanding anything to the contrary, when considering a Community Planning Permit application, the Approval Authority may confer with any PERSON or public bodies that may have an interest in the application.

1B.13.3 Timing listed in Figure 1 refers to prescribed timelines within the PLANNING ACT. Decisions regarding Community Planning Permit applications may take longer than the prescribed timelines to ensure that proper review, consultation and consideration of all relevant matters has been undertaken.

1B.13.4 The Approval Authority may impose a lapsing date in relation to the Community Planning Permit application and/or the issued Community Planning Permit.

1B.14 CONDITIONS OF APPROVAL

1B.14.1 Where a Community Planning Permit is required in accordance with the provisions of this BY-LAW, the CITY may approve the permit with conditions. Conditions may be secured through the form of an agreement to be registered on title, and in accordance with section 1B.17 (Agreements). All conditions must be satisfied within a specified timeframe to the satisfaction of the Approval Authority. A condition may be imposed if:

- a) the condition is clear and precise;
- b) the condition is quantifiable, as applicable; and
- c) the condition includes a clear statement as to whether it must be satisfied before construction, renovation, demolition or change in use.

1B.14.2 A condition of approval shall not be applied in relation to:

- a) interior design;
- b) the layout of interior areas, other than interior walkways, stairs, elevators and escalators; or
- c) the manner of construction and standards of construction.

1B.14.3 The CITY may impose on its own accord, or on behalf of government agencies, the following types of conditions as a condition of approval:

- 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;
- d) the achievement of performance criteria and standards, including but not limited to those related to achieving a high standard of context-sensitive urban design;
- e) securing off-site parking or cash-in-lieu of parking;

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- f) securing active transportation and/or transportation demand management measures and/or infrastructure;
- g) the conveyance of land and/or easements in accordance with applicable law;
- h) the verification of site remediation / record of site condition;
- i) the protection of the natural environment, natural systems, mature vegetation, or remediation of lands;
- j) the efficient use or conservation of energy;
- k) the provision and capacity of transportation and servicing infrastructure;
- l) the conservation of cultural heritage resources;
- m) the availability and capacity of municipal infrastructure and services (including supply and pressure), including stormwater management;
- n) the provision of attainable and/or affordable housing units;
- o) compliance with applicable parkland requirements;
- p) orderly growth and development;
- q) the provision of financial securities, to facilitate compliance with approvals and to indemnify the CITY from DEVELOPMENT related costs;
- r) the application and/or lifting of holding provisions;
- s) the temporary use of lands, BUILDING or STRUCTURES;
- t) impervious coverage;
- u) any matter specified in section 41(7)(a) of the PLANNING ACT;
- v) the conversion of floor area with a BUILDING, STRUCTURE or DWELLING UNIT;
- w) site alteration, grading, drainage, erosion and sediment control;
- x) vegetation protection, vegetation retention, vegetation removal (including trees);
- y) the provision and/or relocation of utilities and telecommunication infrastructure;
- y) the provision of specified facilities, services and matters in exchange for a specific density of DEVELOPMENT as identified in this BY-LAW in section 1B.16; or
- z) entering into agreements relating to any condition.

1B.14.4 The CITY may impose timelines for compliance with any condition. Should any condition not be fulfilled by the imposed timeline, the conditional approval will lapse, except where otherwise stated within an agreement.

1B.14.5 Unless otherwise stated in the condition, the cost to implement the condition shall be borne solely by the owner/applicant.

1B.15 PROVISIONAL APPROVAL

1B.15.1 Provisional approval represents in-principle approval of the Community Planning Permit subject to certain conditions being satisfied prior to issuance of a Community Planning Permit, as stipulated in section 1B.14 (Conditions of Approval) of this BY-LAW.

1B.15.2 The conditions associated with a Provisional Approval shall be satisfied in advance of the issuance of the Community Planning Permit, to the satisfaction of the Approval Authority.

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- 1B.15.3 Provisional Approval does not guarantee the issuance of a Community Planning Permit. If one or more conditions of Provisional Approval are not satisfied as determined by the Approval Authority, the Community Planning Permit shall not be issued. An amendment or modification to the design of the DEVELOPMENT to satisfy one or more conditions may result in the need for a new circulation of the application or new Community Planning Permit application, as determined by the Approval Authority.
- 1B.15.4 Provisional Approval shall be valid for a period of two (2) years, or such later date as determined by the Approval Authority, failing which the Provisional Approval shall lapse.
- 1B.15.5 An extension may be granted to the time period in section 1B.15.4 by the DIRECTOR at their sole discretion. Such extensions shall be based on one (1) year intervals, to a maximum combined three (3) years.

1B.16 FACILITIES, SERVICES, AND MATTERS (COMMUNITY BENEFITS)

Class 1 Permit

- 1B.16.1 The maximum density that may be permitted through a Class 1 Community Planning Permit is shown in Tables 7B, 7D1, 7E, and 8C and is subject to the provision of facilities, services and matters in accordance with section 1B.16.4 and Tables 1B.16A and 1B.16B.

Class 2 Permit

- 1B.16.2 The maximum density that may be permitted through a Class 2 Community Planning Permit is shown in Tables 7B, 7D1, 7E, and 8C and is subject to the provision of facilities, services and matters in accordance with the section 1B.16.4 and Tables 1B.16A and 1B.16B and the criteria outlined in section 1B.6 (Criteria for Considering Variations) of this BY-LAW.

Class 3 Permit

- 1B.16.3 The maximum density that may be permitted through a Class 3 Community Planning Permit is subject to the provision of facilities, services and matters in accordance with the section 1B.16.4 and Tables 1B.16A and 1B.16B and the criteria outlined in section 1B.6 (Criteria for Considering Variations) of this BY-LAW.

Provision of Facilities, Services and Matters - Residential Use

- 1B.16.4 For residential DEVELOPMENT, in exchange for an increased density, the CITY will require the provision of facilities, services and matters as outlined in the Tables 1B.16A and 1B.16B herein, and as follows:

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- a) For a DEVELOPMENT containing multiple BUILDINGS and / or multiple TOWERS on a common PODIUM, the required facilities, services and matters shall be calculated using the entire site, per DWELLING UNIT above the maximum Class 1 Community Planning Permit density threshold.
- b) The required Complete Community Contribution Fee shall be calculated based on all DWELLING UNITS in the BUILDING(S).

1B.16.5 For clarity, DEVELOPMENT that requires a Class 2 Community Planning Permit or a Class 3 Community Planning Permit based on a proposed variation to one or more provisions in this BY-LAW with the exception of maximum density, shall be subject to the facilities, services and matters identified in Table 1B.16A for a Class 1 Maximum Density Threshold.

1B.16.6 **Table 1B.16A: Overview of Required Facilities, Services and Matters**

	Within Class 1 Maximum Density Threshold	Within Class 2 Maximum Density Threshold or a Class 3 Application for Additional Density
Required Facilities, Services and Matters	Complete Community Contribution per Table 1B.16B for DEVELOPMENT with 5 or more storeys and 10 or more residential DWELLING UNITS	Complete Community Contribution per Table 1B.16B for DEVELOPMENT with 5 or more storeys and 10 or more residential DWELLING UNITS AND* Option 1: A minimum percentage of all residential DWELLING UNITS (rental or ownership) above the Class 1 density threshold as specified in an amendment to this BY-LAW, where the DEVELOPMENT is compliant with the maximum building height established by this BY-LAW, shall be provided as Affordable DWELLING UNITS, per Table 1B.16C . OR Option 2: Cash-in-lieu equal to or greater than the value of Option 1, as specified in an amendment to this BY-LAW

**NOTE: Will be in force and effect on a future date by decision of Council which shall be no earlier than July 1, 2027.*

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1B.16.7 **Table 1B.16B: Required Complete Community Contribution Amount**

	Required Contribution Amount
Complete Community Contribution	4% of the value of the land that is the subject of development or redevelopment.**

** An appraisal will be required from an independent accredited real estate appraiser qualified to provide an opinion on the market value of the lands, as of the day before the date a building permit is issued, to the satisfaction of the CITY.

1B.16.8 **Table 1B.16C: Affordability threshold for City of Waterloo Ownership or Rental Affordable Dwelling Units (updated annually by the Province)**

	Affordability threshold (Provincial Affordable Residential Unit Bulletin, as amended)
Affordable Ownership Unit	Affordable ownership price shall be equal to or less than the Provincial Bulletin for the City of Waterloo, as amended from time to time.
Affordable Rental Unit	Affordable rental price shall be equal to or less than the Provincial Bulletin for the City of Waterloo, as amended from time to time.

Application Requirements

1B.16.9 An application for a Community Planning Permit for a density above the Class 1 Community Planning Permit maximum density in Tables 7B, 7D1, 7E, and 8C and within the Class 2 Community Planning Permit density threshold shall demonstrate as part of a complete application that the facilities, services, and matters proposed to be provided are proportional in quantity and / or monetary value to the number of additional BEDROOMS proposed above the Class 1 Community Planning Permit maximum density.

Exemptions for the provision of facilities, services and matters

1B.16.10 Notwithstanding anything to the contrary, facilities, services and matters shall not be required with respect to:

- a) DEVELOPMENT or a change in USE of a BUILDING or STRUCTURE intended for use as a LONG TERM CARE FACILITY inclusive of a GROUP HOME within the meaning of subsection 2(1) of the *Long Term Care Homes Act, 2007*.

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- b) DEVELOPMENT or a change in USE of a BUILDING or STRUCTURE intended for use as a retirement home within the meaning of subsection 2(1) of the *Retirement Homes Act, 2010*.
- c) DEVELOPMENT or a change in USE of a BUILDING or STRUCTURE intended for use by any of the following post-secondary institutions for the objects of the institution:
 - i. a university in Ontario that receives direct, regular and ongoing operating funding from the Government of Ontario;
 - ii. a college or university federated or affiliated with a university described in subparagraph (i);
 - iii. an Indigenous Institute prescribed for the purposes of section 6 of the *Indigenous Institutes Act, 2017*.
- d) DEVELOPMENT or a change in USE of a BUILDING or STRUCTURE intended for use as a memorial home, clubhouse or athletic grounds by an Ontario branch of the Royal Canadian Legion;
- e) DEVELOPMENT or a change in USE of a BUILDING or STRUCTURE intended for use as a hospice to provide end-of-life care;
- f) DEVELOPMENT or a change in USE of a BUILDING or STRUCTURE intended for use as residential premises by any of the following entities:
 - i. a corporation to which the *Not-for-Profit Corporations Act, 2010* applies, that is in good standing under that Act and whose primary object is to provide housing;
 - ii. a corporation without share capital to which the *Canada Not-for-Profit Corporations Act* applies, that is in good standing under that Act and whose primary object is to provide housing; or
 - iii. a non-profit housing co-operative that is in good standing under the *Co-operative Corporations Act*.

1B.17 AGREEMENTS

- 1B.17.1 Where a Community Planning Permit is required, an owner/applicant may be required, at the discretion of the Approval Authority, to enter into one or more agreements with the CITY, including but not limited to:
- agreements to secure the implementation of conditions of approval;
 - for the provision of facilities, services and matters; and/or
 - for any other matter as specified in this BY-LAW.

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- 1B.17.2 Such agreements may be registered on title to the property by the CITY at the applicant's / owner's expense.
- 1B.17.3 The form and content of such agreements shall be to the satisfaction of the DIRECTOR and the City Solicitor.
- 1B.17.4 Agreements executed prior to the EFFECTIVE DATE of this BY-LAW shall continue to be valid and binding, and may be amended under this BY-LAW as a condition to a Community Planning Permit.

1B.18 NOTICE OF DECISION

- 1B.18.1 In accordance with the PLANNING ACT, within 15 days of the date of decision, the CITY shall issue a written Notice of Decision to the applicant and to each PERSON or public body that filed a written request to be informed of the decision with the Clerk of the CITY.
- 1B.18.2 The Notice of Decision shall:
- a) include reasons for the decision; and
 - b) give reasons for any conditions imposed and include any imposed conditions.

1B.19 APPEAL RIGHTS AND PROCESS

- 1B.19.1 Any appeal related to a Community Planning Permit application shall be made in accordance with the PLANNING ACT and appropriate regulations thereto, including but not limited to Ontario Regulation 173/16.

1B.20 MODIFICATIONS TO APPROVALS

- 1B.20.1 An applicant may apply to modify a:
- a) provisional approval for a Community Planning Permit; or
 - b) condition of approval applied to a Community Planning Permit.
- Modifications include revisions to the DEVELOPMENT concept and supporting materials, and the removal of Holding provisions.
- 1B.20.2 The DIRECTOR, or on referral COUNCIL, may approve or deny the proposed modification in whole or in part, with or without conditions.
- 1B.20.3 Modifications as specified in section 1B.20.1 shall conform to this BY-LAW, the OFFICIAL PLAN, and applicable law.
- 1B.20.4 An application under section 1B.20.1 may be subject to additional submission materials and requirements as the Approval Authority determines appropriate.

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1B.20.5 An application under section 1B.20.1 shall be subject to applicable fees and charges as specified in the Fees and Charges By-law of the CITY as amended from time to time. At the discretion of the DIRECTOR, or on referral COUNCIL, fees and charges may be waived or reduced if the proposed modification is minor in nature (e.g., redline revision).

1B.21 BY-LAW AMENDMENT PROCESS

1B.21.1 An amendment to this BY-LAW shall be required:

- a) where a proposal includes a USE that is not a Permitted or Discretionary USE
- b) where a proposal includes a proposed amendment to the Community Planning Permit Area and/or an amendment to the boundary of a Precinct
- c) where the CITY deems it appropriate to make general amendments to any of the text or schedules contained in this BY-LAW

An amendment to the OFFICIAL PLAN may also be required.

1B.21.2 An amendment to this BY-LAW may be initiated by the CITY or by an applicant in accordance with applicable law.

1B.21.3 In accordance with the PLANNING ACT, applicant-initiated applications to amend this BY-LAW shall not be made before the fifth anniversary of the EFFECTIVE DATE except in compliance with section 17(5) of Ontario Regulation 173/16, whereby amendments to this BY-LAW are permitted before the fifth anniversary of the EFFECTIVE DATE where COUNCIL declares by resolution that such amendment application is permitted.

1B.21.4 Any amendment to this BY-LAW shall:

- a) be supported by comprehensive planning rationale and an evaluation of the proposed amendment in the context of the goals, objectives, and intent of this BY-LAW, the OFFICIAL PLAN, and applicable policies, plans and legislation;
- b) include an engagement plan for public notifications, open houses, and statutory public meetings in accordance with the PLANNING ACT and as deemed appropriate by the DIRECTOR;
- c) be supported by additional information, materials and/or studies as required by the CITY in consultation with relevant agencies, and identified through the pre-application consultation process; and
- d) comply with this BY-LAW, including section 1B.9 (Complete Application Requirements).

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1B.22 HOLDING PROVISIONS

- 1B.22.1 Where lands were deemed to be subject to a Holding provision by way of a by-law passed pursuant to Section 36 of the PLANNING ACT on the EFFECTIVE DATE of this BY-LAW, the Holding provision shall be deemed to continue to apply.
- 1B.22.2 Holding provisions that existed on the EFFECTIVE DATE of this BY-LAW are indicated on Schedule 'A' to this BY-LAW and listed in Appendix 'A' to this BY-LAW, and pursuant to section 1B.22.1 will be maintained and form part of this BY-LAW until such time as the Holding provision is removed by the DIRECTOR.
- 1B.22.3 An amendment to this BY-LAW is not required to remove a Holding provision applied to lands within the area identified on Schedule 'A' to the BY-LAW. COUNCIL hereby delegates to the DIRECTOR the authority to remove Holding provision in this BY-LAW under section 1B.20 (Modifications to Approvals).

1B.23 LOT CONSOLIDATION OF LANDS OUTSIDE COMMUNITY PLANNING PERMIT AREA

- 1B.23.1 An applicant may apply to modify the boundaries of the area identified on Schedule 'A' to the BY-LAW for lot consolidation purposes where the majority of the parcel of land is within the EXISTING Community Planning Permit Area.
- 1B.23.2 An applicant-initiated amendment to this BY-LAW will be required to modify boundaries in accordance with section 1B.23.1, pursuant to section 1B.21 (By-law Amendment Process), to:
- a) bring the abutting lands into this BY-LAW including Schedule 'A' hereto;
 - b) apply a precinct designation to the abutting lands; and
 - c) repeal Zoning By-law 2018-050 and Site Plan Control By-law 2013-124 in relation to the abutting lands.

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SECTION 2 – DEFINITIONS

Where a term appears in the text of this BY-LAW in capital letters, the term shall have the same meaning as set out in Section 2 of CITY Zoning By-law 2018-050 as amended from time to time, except as specified below. Wherever a term below appears in the text of this BY-LAW in regular font, it is intended to have the meaning ordinarily attributed to it in the English language. Certain definitions may include permitted USES and regulations which shall be observed in addition to those contained in other sections of this BY-LAW. Where a reference is made to OS1 in 2018-050 it shall be deemed to also apply in the same manner, to the OSR precinct in this By-law. Where a reference is made to OS3 in 2018-050 it shall be deemed to also apply in the same manner, to the OSC precinct in this By-law.

Any variation to a definition in Section 2 will be classified as a Class 2 Community Planning Permit variation subject to being minor in nature and will be evaluated against the criteria in Section 1B.6 (Criteria for Considering Variations).

BY-LAW means this by-law, all schedules attached hereto, and every amendment or permit which amends, modifies, varies or supplements this by-law.

COUNCIL means the elected Council of the CITY.

DEVELOPMENT means:

- (a) the construction, erection or placing of one or more BUILDINGS or STRUCTUREs on land,
- (b) the making of an addition or alteration to a BUILDING or STRUCTURE that has the effect of substantially increasing its size or usability,
- (c) the laying out and establishment of,
 - (i) a commercial parking LOT,
 - (ii) sites for the location of three or more mobile homes as defined in subsection 46 (1) of the PLANNING ACT,
 - (iii) sites for the construction, erection or location of three or more land lease community homes as defined in subsection 46 (1) of the PLANNING ACT, or
 - (iv) sites for the location of three or more trailers as defined in subsection 164 (4) of the MUNICIPAL ACT, 2001,
- (d) site alteration, including but not limited to,
 - (i) alteration of the GRADE of land, and

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- (ii) placing or dumping fill, or
- (e) the removal of vegetation.

DIRECTOR

means the Director of Planning for the CITY and any successor position thereto. Includes designates and delegates as authorized in writing by the DIRECTOR.

EFFECTIVE DATE

means the date on which this BY-LAW comes into force and effect pursuant to section 1A.8.

PUBLIC SCHOOL

means a public elementary SCHOOL and or public secondary SCHOOL that is primarily funded by the Province of Ontario and operates under the jurisdiction of a District SCHOOL Board pursuant to the *Education Act, R.S.O. 1990, c.E.2* as amended. May include adult education and skills development by the District SCHOOL Board.

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means all lands within the geographic boundaries of the City of Waterloo.

SECTION 3 – GENERAL REGULATIONS

General Regulations hereto shall be the same as the general regulations contained in Section 3 of CITY Zoning By-law 2018-050 as amended from time to time, except as specified below. Where a reference is made to OS1 in 2018-050 it shall be deemed to also apply in the same manner, to the OSR precinct in this By-law. Where a reference is made to OS3 in 2018-050 it shall be deemed to also apply in the same manner, to the OSC precinct in this By-law.

Any variation to a general regulation in Section 3 will be classified as a Class 2 Community Planning Permit variation subject to being minor in nature and will be evaluated against the criteria in Section 1B.6 (Criteria for Considering Variations) .

3.F.1 FLOODPLAIN

3.F.1.1 Where the floodplain symbol prefix "(F)" on Schedule 'A1' is applied to a LOT, the lands or part thereof are classified as floodplain (which includes the watercourse), and no PERSON shall ERECT, alter, enlarge, reconstruct, or use any BUILDING or STRUCTURE in whole or in part, nor use any land in whole or in part, nor modify or change the elevation of any land in whole or in part, nor undertake any site alteration, without a PERMIT or written consent from the Grand River Conservation Authority.

3.F.1.2 Where the floodplain symbol prefix "(F)" on Schedule 'A1' is applied to a LOT, the following additional regulations shall apply to:

- the erection, alteration, enlargement, reconstruction, or use of any BUILDING or STRUCTURE in whole or in part;
- any increase in density;
- the use of land in whole or in part;
- any site alteration of land, including changes to the elevation of land, after the EFFECTIVE DATE of this BY-LAW:

a.) the following regulations shall apply to lands identified as Candidate Two Zone Policy Area on Schedule 'A':

- i.) No PERSON shall ERECT, alter, enlarge, reconstruct, or use any BUILDING or STRUCTURE in whole or in part, nor use any land in whole or in part, nor modify or change the elevation of any land in whole or in part, nor undertake any site alteration, within a Candidate Two Zone Policy Area except in accordance with sections 3.F.1.2.a).ii.) and 3.F.1.2.a).iii.).

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- ii.) Notwithstanding section 3.F.1.2.a.)i.), the following uses shall be permitted within a Candidate Two Zone Policy Area provided a PERMIT or written consent is obtained from the Grand River Conservation Authority:
- flood or erosion control works
 - water supply and wastewater management facilities
 - stormwater management or control works
 - Conservation Areas
 - open space lands for passive recreation
 - LANDSCAPED BUFFER
- iii.) Notwithstanding anything to the contrary, additions and alterations to EXISTING facilities, EXISTING BUILDINGS and EXISTING STRUCTURES shall be permitted within a Candidate Two Zone Policy Area provided:
- A.) a PERMIT or written consent is obtained from the Grand River Conservation Authority;
- B.) the addition or alteration shall not increase the number of DWELLING UNITS on the LOT; and
- C.) All BUILDINGS and STRUCTURES shall be FLOODPROOFED to the elevation of the REGULATORY FLOOD, unless otherwise authorized by the Grand River Conservation Authority.

NOTE: Additions and alterations to EXISTING facilities, EXISTING BUILDINGS and EXISTING STRUCTURES within a Candidate Two Zone Policy Area should generally: (a.) exclude HABITABLE FLOOR SPACE below the REGULATORY FLOOD elevation; (b.) exclude non-HABITABLE FLOOR SPACE below the elevation of EXISTING non-HABITABLE FLOOR SPACE; (c.) exclude openings, windows and doors below the REGULATORY FLOOD elevation; and (d.) locate BUILDING services, such as mechanical and electrical services, above the REGULATORY FLOOD elevation.

SECTION 4 – INTERPRETATIONS

4.1 INTERPRETATIONS

The interpretation rules set out in Section 4 apply to all regulations herein, unless the text of the BY-LAW expressly states otherwise.

4.2 LEGISLATION

Wherever legislation is referenced in this BY-LAW, the reference is meant to include all applicable amendments to the legislation and successor legislation thereto, as well as all regulations or other secondary legislation that is passed in accordance with the referenced statute.

4.3 CONFLICT

In the event of any conflict between this BY-LAW and any other by-law passed by the CITY, the more restrictive provision prevails unless applicable law requires otherwise.

In the event of any conflict between provisions in this BY-LAW, the more restrictive provision prevails unless applicable law requires otherwise.

4.4 POST-CONSTRUCTION TOLERANCES

Any measurement provided for in this BY-LAW shall be considered to have a post-construction tolerance of:

- a) For a minimum regulation:
 - i. Minus 0.05 metres in the case of a linear measurement.
 - ii. Minus two percent (2%) in the case of an area measurement.
- b) For a maximum regulation:
 - i. Plus 0.05 metres in the case of a linear measurement.
 - ii. Plus two percent (2%) in the case of an area measurement.

4.5 HEADING & CAPTION NAMES AND NUMBERING

Heading and caption names and numbering appearing in this BY-LAW are for convenience of reference only, do not form an operative part of this BY-LAW, and are not considered to be an integral part of this BY-LAW. Heading and caption names and numbering shall not in any way modify or limit the regulations contained herein or have any effect on the interpretation of this BY-LAW. Accordingly, heading and caption

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names and numbering may be added, deleted, or changed by the DIRECTOR without a formal amendment being required to this BY-LAW.

4.6 DIAGRAMS & IMAGES

Diagrams and images in this BY-LAW are for convenience of reference only, do not form an operative part of this BY-LAW, and are not considered to be an integral part of this BY-LAW. Diagrams and images shall not in any way modify or limit the regulations contained herein. Accordingly, diagrams and images may be added, deleted, or changed by the DIRECTOR without a formal amendment being required to this BY-LAW.

4.7 REFERENCES AND NOTES

4.7.1 References in brackets, illustrated as “(see [inset reference])”, in this BY-LAW are for convenience of reference only, do not form an operative part of this BY-LAW, and are not considered to be an integral part of this BY-LAW. References shall not in any way modify or limit the regulations contained herein or have any effect on the interpretation of this BY-LAW. Accordingly, references may be added, deleted, or changed by the DIRECTOR without a formal amendment being required to this BY-LAW.

4.7.2 Notes, illustrated as “NOTE: [inset note]”, in this BY-LAW are for reference only, do not form an operative part of this BY-LAW, and are not considered to be an integral part of this BY-LAW. Notes shall not in any way modify or limit the regulations contained herein or have any effect on the interpretation of this BY-LAW. Accordingly, notes may be added, deleted, or changed by the DIRECTOR without a formal amendment being required to this BY-LAW.

4.8 SITE SPECIFIC EXCEPTIONS

Where a number in brackets follows a precinct symbol on Schedule ‘C1’ of this BY-LAW, the number refers to a site specific regulation that applies to the lands. Site specific regulations are located in Schedule ‘C’ of this BY-LAW. Unless specifically amended by the site specific regulation, all the regulations within the precinct category applied to the lands and the general provisions of this BY-LAW shall apply.

4.9 SITE SPECIFIC REGULATIONS

Site specific regulations shall supersede the regulations within the precinct category applied to the lands and the general provisions of this BY-LAW.

4.10 TECHNICAL REVISIONS

Provided that the purpose and intent of the BY-LAW is not affected, the DIRECTOR may undertake the following technical revisions without a formal amendment being required to this BY-LAW:

- a) Correction of grammar, punctuation or typographical errors or revisions to format in a manner that does not change the intent of a provision;

- b) Changing numbering, cross-referencing, and arrangement of text, tables and schedules.
- c) Revising base mapping and parcel fabric updated from the Ontario Land Registry Office.
- d) Correcting LOT and feature boundary errors and or inconsistencies.
- e) Adjusting the precise boundary of an open space precinct specified in Section 10 of this BY-LAW where such adjustments are supported by a technical assessment approved and or accepted by the CITY.
- f) Adjusting the precise boundary of a REGULATED AREA specified on Schedule 'A1' to this BY-LAW where such adjustments are supported by a technical assessment approved and or accepted by the CITY and the Grand River Conservation Authority.

4.11 SEVERABILITY

In the event that any regulation in this BY-LAW is deemed or determined to be in violation of any law, or held to be invalid or unenforceable by any court or tribunal of competent jurisdiction, the violation and invalidity shall not affect the remainder of this BY-LAW. This BY-LAW shall afterwards be interpreted as though the offending regulation is not contained in this BY-LAW.

4.12 PERMIT DOES NOT CONSTITUTE ACKNOWLEDGEMENT OF COMPLIANCE

The issuance of a PERMIT by any PUBLIC AUTHORITY including the CITY does not constitute an acknowledgement that the requirements of this BY-LAW have been complied with.

4.13 PERMIT COMPLIANCE

4.13.1 No Building Permit shall be issued for the use or occupancy of any land, in whole or in part, that would contravene this BY-LAW, unless otherwise determined by the Chief Building Official of the CITY. No Building Permit shall be issued for the erection, enlargement, alteration, reconstruction, use and or occupancy of any BUILDING or STRUCTURE, in whole or in part, that would contravene this BY-LAW, unless otherwise determined by the Chief Building Official of the CITY.

4.14 INDIRECT ACTION

Any PERSON prohibited from doing something pursuant to this BY-LAW is also prohibited from causing, allowing or permitting that action to be done.

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4.15 INCLUDES

The use of the word “includes” in any tense (for example, “including”, “included”, or “include”) is not intended to restrict or limit any of the words or phrases either preceding or following it.

4.16 GENDER

Words imparting the masculine, feminine or neutral gender shall be interpreted to refer to any gender as applicable in the context.

4.17 NOUNS

Reference to any noun is considered to be a reference to all or any part of that item. For example, reference to a “BUILDING” shall be interpreted as reference to “all or any portion of the BUILDING”.

4.18 DEFINITION BRACKETED TERMS

A bracketed term in the Definition Section of this BY-LAW shall be interpreted as a prefix to the unbracketed term, and may be written as such in this BY-LAW. For example, reference to “LOT LINE (Front)” shall be interpreted as “Front LOT LINE” and may be written as such.

4.19 INTERPRETATION OF DEFINITIONS – RESIDENTIAL BUILDING TERMS

NOTE: Definitions are contained and referenced in Section 2 of this BY-LAW

- a) Within this BY-LAW, ACCESSORY APARTMENT shall have the same meaning as ACCESSORY APARTMENT DWELLING, and may be written as such.
- b) Within this BY-LAW, APARTMENT shall have the same meaning as APARTMENT BUILDING, and may be written as such.
- c) Within this BY-LAW, BACHELOR UNIT shall have the same meaning as BACHELOR DWELLING UNIT, and may be written as such.
- d) Within this BY-LAW, DUPLEX shall have the same meaning as DUPLEX BUILDING, and may be written as such.
- e) Within this BY-LAW, MAISONETTE shall have the same meaning as MAISONETTE BUILDING, and may be written as such.
- f) Within this BY-LAW, SEMI-DETACHED shall have the same meaning as SEMI-DETACHED BUILDING, and may be written as such.
- g) Within this BY-LAW, FREEHOLD SEMI-DETACHED shall have the same meaning as FREEHOLD SEMI-DETACHED BUILDING, and may be written as such.

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- h) Within this BY-LAW, SINGLE DETACHED shall have the same meaning as SINGLE DETACHED BUILDING, and may be written as such.
- i) Within this BY-LAW, STACKED TOWNHOUSE shall have the same meaning as STACKED TOWNHOUSE BUILDING, and may be written as such.
- j) Within this BY-LAW, TOWNHOUSE shall have the same meaning as TOWNHOUSE BUILDING, and may be written as such.
- k) Within this BY-LAW, FREEHOLD TOWNHOUSE shall have the same meaning as FREEHOLD TOWNHOUSE BUILDING, and may be written as such.
- l) Within this BY-LAW, TRIPLEX shall have the same meaning as TRIPLEX BUILDING, and may be written as such.

4.20 TABLES

Permitted USES in this BY-LAW may be described in tabular format. In each case, the first column will describe the USE. Each column to the right of the first column relates to a precinct category as stated. Reading down the first column, locate the row for the USE in question, and read the table cells to the right of the said USE in the applicable precinct category column.

Regulations in this BY-LAW may be described in tabular format. In each case, the first column will describe the regulation. Each column to the right of the first column will relate to a permitted USE as stated. Reading down the first column, locate the row for the regulation in question, and read across to the table cell below the permitted USE. The table cell will contain the regulation (being a number or a formula) that must be complied with to permit the USE.

4.21 GENERAL REGULATIONS

Unless otherwise expressly stated in this BY-LAW, the regulations contained in the General Regulations Section of this BY-LAW take precedence over the regulations contained in any precinct category.

4.22 SPECIFIC DEFINITIONS

Specific definitions stated in a precinct category or site specific precinct provision shall take precedence over the definitions contained and referenced in Section 2 of this BY-LAW.

4.23 GRAND RIVER CONSERVATION AUTHORITY

- 4.23.1 The CITY acknowledges that REGULATED AREAS are subject to the Conservation Authorities Act which authorizes the Grand River Conservation Authority to regulate and

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prohibit development in such areas. The CITY further acknowledges that mapping lines associated with REGULATED AREAS can change, and REGULATED AREA boundaries on Schedule 'A1' shall be interpreted in accordance with Section 4.23.2. Compliance with this BY-LAW does not entitle a PERSON to ERECT, enlarge, alter, or reconstruct any BUILDING or STRUCTURE in whole or in part in REGULATED AREAS, nor grade or place fill in REGULATED AREAS, without first obtaining a PERMIT from the Grand River Conservation Authority.

- 4.23.2 The boundary of a REGULATED AREA shall be determined by a technical analysis and survey acceptable to the Grand River Conservation Authority and the CITY based on Schedule 'A1' of this BY-LAW, subject to minor revisions to such boundaries that are accepted and authorized by PERMIT from the Grand River Conservation Authority.

NOTE: Readers of this BY-LAW are directed to consult with the Grand River Conservation Authority whenever they are considering USES and development (as defined by the Grand River Conservation Authority) within, adjacent or near REGULATED AREAS including floodplains, wetlands, slopes, and watercourses in WATERLOO.

4.24 HIGHWAYS

HIGHWAYS referenced by name in this BY-LAW mean the HIGHWAY so named within WATERLOO.

4.25 PRECINCT MAP

The Precinct Map attached hereto as Schedule 'A' delineates the precincts set forth in this BY-LAW, and together with all notations, references, and other information shown thereon is hereby incorporated in and declared to form part of this BY-LAW to the same extent as if fully described herein.

4.26 BOUNDARIES

Where any uncertainty exists as to the location of a PRECINCT BOUNDARY as shown on the Precinct Map attached hereto as Schedule 'A', the following interpretations shall apply:

- a) Where the PRECINCT BOUNDARY is indicated as approximately following the edge of a HIGHWAY allowance, the HISTORIC CENTRE LINE of the HIGHWAY shall be deemed to be the PRECINCT BOUNDARY.
- b) Where the PRECINCT BOUNDARY is indicated as approximately following the edge of a LANE allowance, the HISTORIC CENTRE LINE of the LANE shall be deemed to be the PRECINCT BOUNDARY.
- c) Where the PRECINCT BOUNDARY is indicated as approximately following the edge of a railway, the centre line of the rail corridor shall be deemed to be the PRECINCT BOUNDARY.

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- d) Where the PRECINCT BOUNDARY is indicated as approximately following a LOT LINE other than a STREET LINE, the LOT LINE shall be deemed to be the PRECINCT BOUNDARY.
- e) Where the PRECINCT BOUNDARY is indicated as approximately parallel to any HIGHWAY and the distance of the PRECINCT BOUNDARY from such HIGHWAY is not indicated, the PRECINCT BOUNDARY shall be construed as being parallel to such HIGHWAY and the distance therefrom shall be determined by scaling the Precinct Map attached hereto as Schedule 'A'.

The Approval Authority, in consultation with any agency or other levels of government as applicable, may exercise discretion in interpreting precinct boundaries where the general objectives of this BY-LAW are met, as determined by the Approval Authority.

4.27 OPEN SPACE BOUNDARIES

Where the boundaries of an open space precinct specified in Section 10 of this BY-LAW do not correspond to a LOT LINE, the boundary shall be determined by survey based on Schedule 'A' of this BY-LAW.

4.28 BUILDING PERMIT - UNCONSTRUCTED AND INCOMPLETE BUILDINGS AND STRUCTURES

- 4.28.1 Where a building permit is issued before the EFFECTIVE DATE of this BY-LAW, an unconstructed BUILDING or STRUCTURE shall be deemed to be lawful under this BY-LAW provided that the BUILDING or STRUCTURE is constructed and used in accordance with the building permit.
- 4.28.2 Where a building permit is issued before the EFFECTIVE DATE of this BY-LAW, an incomplete BUILDING or STRUCTURE shall be deemed to be lawful under this BY-LAW provided that the BUILDING or STRUCTURE is constructed and used in accordance with the building permit.

4.29 PLANNING ACT - SECTION 34(6)

- 4.29.1 This BY-LAW may require a Community Planning Permit Certificate, without which no change shall be made to the USE of the lands, BUILDING or STRUCTURE.
- 4.29.2 A Community Planning Permit Certificate required in section 4.29.1 shall not be refused if the proposed USE is permitted and is in compliance with the provisions of this BY-LAW.

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4.30 ADDITIONS TO EXISTING BUILDINGS

- 4.30.1 Where this BY-LAW states "*shall apply to BUILDINGS constructed after the EFFECTIVE DATE of this BY-LAW*", the term "BUILDINGS" shall include the enlargement of BUILDINGS except as specified in section 4.30.2. The applicable precinct provision(s) shall only apply to the enlargement of the BUILDING if the enlargement is equal to or greater than ten percent (10%) of the BUILDING FLOOR AREA of the EXISTING BUILDING.
- 4.30.2 Section 4.30.1 shall not apply to the enlargement of EXISTING BUILDINGS provided that the enlargement is less than ten percent (10%) of the BUILDING FLOOR AREA of the EXISTING BUILDING.

4.31 REGULATIONS FOR FREEHOLD TOWNHOUSES

- 4.31.1 Where FREEHOLD TOWNHOUSES are proposed prior to the related lands being subdivided into LOTS for each FREEHOLD TOWNHOUSE BUILDING DWELLING UNIT, for the purposes of administering the BY-LAW, the LOT LINES for the proposed FREEHOLD TOWNHOUSES shall be interpreted as being the LOT LINES shown in the approved SITE PLAN.

4.32 DRIVEWAY, PRIVATE ROAD, AND COMMON ELEMENT ROAD

- 4.32.1 When determining the width of a DRIVEWAY, PRIVATE ROAD, or COMMON ELEMENT ROAD, the measurement shall exclude any required turning radii at intersections, provided the intent of the Community Planning Permit BY-LAW is maintained.

4.33 APPLICABLE LAW

- 4.33.1 This BY-LAW does not exempt any PERSON or USE from compliance with all other applicable law.

SECTION 5 – ENFORCEMENT

5.1 ENFORCEMENT

This BY-LAW may be enforced by an ENFORCEMENT OFFICER.

5.2 CONFORMITY WITH COMMUNITY PLANNING PERMIT BY-LAW

No PERSON shall ERECT, alter, enlarge, reconstruct, or use any BUILDING or STRUCTURE in whole or in part, nor use any land in whole or in part, except in conformity with this BY-LAW.

NOTE: Letter of Compliance

Prior to the erection, alteration, enlargement, reconstruction, or USE of any BUILDING or STRUCTURE in whole or in part, or the USE of any land in whole or in part, it is recommended that a letter of compliance be obtained from the CITY confirming that the BUILDING, STRUCTURE, and or USE conforms to this BY-LAW. All requests for a letter of compliance should be accompanied by detailed information on the EXISTING and proposed USE(s), BUILDING(S) and STRUCTURE(S) on the lands.

5.3 LAND USE

In this BY-LAW, unless a context otherwise requires, the verb use or to use shall include anything done or permitted by the owner or occupant of any land, BUILDING or STRUCTURE, directly or indirectly, or by or through any trustee, tenant, servant, agent acting for or with the knowledge and consent of such owner or occupant for the purpose of making use of the said land, BUILDING or STRUCTURE.

5.4 OFFENSE - BEDROOMS

5.4.1 No PERSON shall use, in whole or in part, a den, study, living room, dining room, family room, recreation room, or similar HABITABLE FLOOR SPACE as a BEDROOM where such USE would contravene the provisions of this BY-LAW including density.

5.4.2 No PERSON shall convert, in whole or in part, a den, study, living room, dining room, family room, recreation room, or similar HABITABLE FLOOR SPACE into a BEDROOM where such conversion would contravene the provisions of this BY-LAW including density.

5.5 ORDER OF DIRECTION

An ENFORCEMENT OFFICER may order or direct any PERSON:

a.) To discontinue or refrain from:

i. Proceeding with any work or activity that is in contravention of this BY-LAW.

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- ii. Using or occupying any land, BUILDING or STRUCTURE in whole or in part that is in contravention of this BY-LAW.
 - iii. Doing anything that is in contravention of this BY-LAW.
- b.) To carry out works required to bring the lands, BUILDING or STRUCTURE into conformity with this BY-LAW.
 - c.) To obtain any PERMIT or letter of compliance required to bring the lands, BUILDING or STRUCTURE into conformity with this BY-LAW.

5.6 INFERENCE - INVESTIGATION

It is an offence for a PERSON to interfere with an ENFORCEMENT OFFICER who is lawfully conducting an investigation into an allegation that the regulations of this BY-LAW have been or are being contravened.

5.7 INFERENCE - ENFORCEMENT

It is an offence for a PERSON to interfere with an ENFORCEMENT OFFICER engaged in the enforcement of this BY-LAW.

5.8 RIGHT OF ENTRY

- 5.8.1 Where an ENFORCEMENT OFFICER believes on reasonable grounds that the regulations of this BY-LAW have been or are being contravened, the ENFORCEMENT OFFICER or any PERSON acting under his or her instructions may, at all reasonable times and upon producing proper identification, enter and inspect any property on or in respect of which he or she believes the contravention is occurring.
- 5.8.2 Except under the authority of a search warrant, an ENFORCEMENT OFFICER or any PERSON acting under his or her instructions shall not enter any room or place actually used as a DWELLING without requesting and obtaining the consent of the occupier, first having informed the occupier that the right of entry may be refused and entry made only under the authority of a search warrant.

5.9 PENALTIES

- 5.9.1 Contravention of the provisions of this BY-LAW shall be deemed an offence.
- 5.9.2 Every PERSON who contravenes any of the provisions of this BY-LAW or who suffers or permits any act or thing to be done in contravention or in violation of any of the provisions of this BY-LAW, or who neglects to do or refrains from doing anything required to be done by any of the provisions of this BY-LAW, or who does any act which contravenes any of the provisions of this BY-LAW, or who fails to comply with any order or direction given under this BY-LAW, is guilty of an offence against this BY-LAW and,

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upon conviction, liable to the penalties prescribed in the PLANNING ACT and all other applicable law. Each day that a contravention exists shall constitute a separate offence.

5.10 PROHIBITION ORDER

In addition to all other remedies and penalties provided by law, the court in which a conviction has been entered for violating the provisions of this BY-LAW, and any court of competent jurisdiction, thereafter, may make an order prohibiting the continuation or repetition of the offence by the PERSON convicted.

SECTION 6 – PARKING, DRIVEWAYS, LOADING

- 6.0.1 Parking, Driveways and Loading Regulations hereto shall be the same as the parking, driveway and loading regulations contained in Section 6 of CITY Zoning By-law 2018-050 as amended from time to time, except as specified below.

Any variation to a regulation as outlined in Section 6 will be classified as a 'Class 2' variation, unless otherwise noted, subject to being minor in nature and will be evaluated against the criteria in Section 1B.6 (Criteria for Considering Variations) and will require a Community Planning Permit application.

SECTION 7 – RESIDENTIAL PRECINCTS

7.1 RESIDENTIAL PRECINCTS

7.1.1 Any variation to a regulation as outlined in Section 7 will be classified as a ‘Class 2’ variation, unless otherwise noted that a variation is classified as a ‘Class 3’ variation. In either case, a Community Planning Permit application will be required.

7.1.2 The Residential Precincts as established by the BY-LAW are as follows:

- Mixed-Use Residential 1 (MUR1)
- Mixed-Use Residential 2 (MUR2)

7.1.3 Permitted and Discretionary Uses

No PERSON shall ERECT, alter, enlarge, reconstruct, locate, or use any BUILDING or STRUCTURE in whole or in part, nor use any land in whole or in part, for any purpose other than the permitted and discretionary USES, as informed by associated criteria and conditions, shown in Table 7A:

- i. Permitted USES are identified by the symbol (P)
- ii. Discretionary USES are identified by the letter (D);
- iii. Ancillary USES are identified by the letter (A); and
- iv. Criteria or conditions are listed as requirements below Table 7A.

Table 7A: Permitted and Discretionary Uses across Residential Precincts

	MUR1	MUR2
Residential Uses		
ADDITIONAL RESIDENTIAL UNIT	A (5, 7)	A (5, 7)
APARTMENT BUILDING / MULTI-UNIT RESIDENTIAL BUILDING	P	P
ASSISTED LIVING FACILITY	P	P
COACH HOUSE	A (5, 8)	A (5, 8)
DETACHED BUILDING	D (1)	D (1)
FREEHOLD SEMI-DETACHED BUILDING	D (1)	D (1)
FREEHOLD TOWNHOUSE BUILDING	P	-
LONG TERM CARE FACILITY	P	P
MIXED USE BUILDING with DWELLING UNITs above the FIRST STOREY	P	P
STACKED TOWNHOUSE BUILDING	P	-
TOWNHOUSE BUILDING	P	-
Non-Residential Uses		

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BAKE SHOP, including OUTDOOR BAKE SHOP PATIO	A (6)	A (6)
CAFE, including Outdoor Café Patio	A (6)	A (6)
CHILD CARE CENTRE	A (3, 6)	A (3, 6)
COMMERCIAL RECREATION	A (6)	A (6)
COMMERCIAL WELLNESS	A (6)	A (6)
DRUG STORE	A (6)	A (6)
FOOD STORE	A (6)	A (6)
GOVERNMENT USE	P	P
HOME OCCUPATION	D (2, 4)	D (2, 4)
MEDICAL CLINIC	A (6)	A (6)
MUNICIPAL RECREATION FACILITY	P	P
OFFICE	A (6)	A (6)
PERSONAL SERVICE SHOP	A (6)	A (6)
RESTAURANT and TAKE-OUT RESTAURANT	A (3, 6)	A (3, 6)
SPIRITUAL USE	D (2, 3, 9)	D (2, 3, 9)
VARIETY STORE	A (6)	A (6)

Requirements/conditions:

- 1) The regulations of Table 7D2 shall apply
- 2) Subject to appropriate screening (if required)
- 3) Subject to appropriate drop off / DRIVEWAY configuration
- 4) Subject to Section 3.H.3 of CITY Zoning By-law 2018-050 and Table 6A
- 5) USE is subordinate and incidental to a TOWNHOUSE BUILDING, FREEHOLD TOWNHOUSE BUILDING, DETACHED BUILDING, or FREEHOLD SEMI-DETACHED BUILDING
- 6) USE is subordinate and incidental to a MULTI UNIT RESIDENTIAL BUILDING, MIXED-USE BUILDING with DWELLING UNITS above the FIRST STOREY, LONG TERM CARE FACILITY, ASSISTED LIVING FACILITY
- 7) Subject to Section 3.A.1B of CITY Zoning By-law 2018-050
- 8) Subject to Section 3.C.2 of CITY Zoning By-law 2018-050
- 9) Subject to Section 3.S.4 of CITY Zoning By-law 2018-050

7.1.4 Ancillary uses identified in Table 7A are permitted in cases where they are subordinate and incidental to a permitted USE.

7.2 MIXED-USE RESIDENTIAL 1 (MUR1) PRECINCT

7.2.1 Where identified in Tables 7B, 7C, 7D1 and 7D2, the Class 2 Staff Variation Threshold may be up to 100% of the development standard (or the entirety of the development standard where such standard is a percentage) where the variation is determined to be minor in nature by the DIRECTOR when evaluated against the criteria in section 1B.6.1 (Criteria for Considering Variations).

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7.2.2 The following regulations in Table 7B shall apply to every LOT, BUILDING and STRUCTURE in the Mixed-Use Residential 1 (MUR1) precinct:

Table 7B Regulations – Mixed-Use Residential 1 (MUR1)

	MUR1-20 Requirements	Class 2 Staff Variation Threshold
LOT FRONTAGE (minimum)	20 metres	Refer to 7.2.1
STREET LINE setback (minimum)	5.6 metres	Refer to 7.2.1
STREET LINE setback (maximum)	At least 75% of the STREET LINE FRONT BUILDING FAÇADE shall be within 7.5 metres of the STREET LINE	Refer to 7.2.1
SIDE YARD setback (minimum)	3 metres	Refer to 7.2.1
REAR YARD setback (minimum)	7.5 metres	Refer to 7.2.1
LOW RISE RESIDENTIAL LOT LINE setback (minimum)	7.5 metres or half the height of the BUILDING, whichever is greater, except for TOWNHOUSE BUILDINGS and FREEHOLD TOWNHOUSE BUILDINGS where no LOW RISE RESIDENTIAL LOT LINE setback shall apply	Refer to 7.2.1
BUILDING HEIGHT (minimum)	7.5 metres	Refer to 7.2.1
BUILDING HEIGHT (maximum)	20 metres and 6 STOREYS	Any variation to maximum BUILDING HEIGHT as measured in STOREYS shall require an Official Plan Amendment. For any variation to maximum BUILDING HEIGHT measured in metres, where such variation complies

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		with maximum number of STOREYS, refer to 7.2.1.
Density (maximum)	450 BEDROOMS per hectare	Refer to 7.2.1
LANDSCAPED OPEN SPACE (minimum)	30%	Refer to 7.2.1
Number of main BUILDINGS per LOT (maximum)	More than one (1) permitted	N/A

7.2.3 The following additional regulations in Table 7C shall apply to every BUILDING and STRUCTURE in the Mixed-Use Residential 1 (MUR1) precinct constructed after the effective date of this BY-LAW:

Table 7C: Regulations – Mixed-Use Residential Precinct (MUR1)

	MUR1-20 Requirements	Class 2 Staff Variation Threshold
Height of FIRST STOREY (minimum)	4.0 metres	Refer to 7.2.1
AMENITY AREA (minimum)	3 square metres for the first BEDROOM and 2 square metres for each additional BEDROOM in the DWELLING UNIT (see 3.A.4 in By-law 2018-050)	Refer to 7.2.1

7.2.4 Notwithstanding anything to the contrary, every BUILDING shall have a front entrance at GRADE on the FRONT BUILDING FAÇADE and or FLANKAGE BUILDING FAÇADE.

7.2.5 Notwithstanding anything to the contrary, the following regulations shall apply to the Ancillary USES in Table 7A.

- a.) Ancillary USES specified in Table 7A shall ABUT the FRONT BUILDING FAÇADE and or FLANKAGE BUILDING FAÇADE.
- b.) Ancillary USES specified in Table 7A shall only be permitted on the FIRST STOREY of
 - a:
 - MULTI-UNIT RESIDENTIAL BUILDING
 - MIXED USE BUILDING with DWELLING UNITS above the FIRST STOREY
 - LONG TERM CARE FACILITY
 - ASSISTED LIVING FACILITY

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- c.) Notwithstanding section 7.2.5.b.), the uses identified below as 'A' to 'E' inclusive below shall be permitted on the second STOREY of a:
- MULTI-UNIT RESIDENTIAL BUILDING
 - MIXED USE BUILDING with DWELLING UNITS above the FIRST STOREY
 - LONG TERM CARE FACILITY
 - ASSISTED LIVING FACILITY
- A. COMMERCIAL RECREATION
 B. COMMERCIAL WELLNESS
 C. OFFICE
 D. PERSONAL SERVICE SHOP
 E. SPIRITUAL USE
- d.) Ancillary USES specified in Table 7A shall not collectively exceed fifteen percent (15%) of the BUILDING FLOOR AREA of the BUILDING in which the Ancillary USES are located or 5,000 square metres, whichever is more restrictive.
- e.) For the Ancillary USES specified in Table 7A, the maximum floor area of each commercial unit shall be 465 square metres.
- f.) Notwithstanding section 7.2.5.e.), the maximum floor area of a FOOD STORE shall be 1,115 square metres. A maximum one (1) FOOD STORE shall be permitted on a LOT.
- g.) Notwithstanding section 7.2.5.e.), the maximum floor area of a DRUG STORE shall be 1,115 square metres. A maximum one (1) DRUG STORE shall be permitted on a LOT.
- 7.2.6 The following minimum PARKING SPACE regulations shall apply to:
- Permitted USES and Discretionary USES in Table 7A, except as specified in Table 6A of Zoning By-law 2018-050.
 - Ancillary USES in Table 7A, except as specified in Table 6A of Zoning By-law 2018-050.

Minimum Parking Rate			
MUR1-20	USE	0.80	PDU*
	Visitor	0.10	PDU*
		0.90	PDU*
Non-Residential Uses	USE	1.80	/100m ² *

* PDU = Per DWELLING UNIT
 /100m² = Per 100 square metres of BUILDING FLOOR AREA

NOTE: BICYCLE PARKING and LOADING SPACE requirements are contained in section 6.

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NOTE: Any proposed variation to the Minimum Parking rates noted above shall be subject to a Class 2 Staff Community Planning Permit.

7.2.7 A LONG TERM CARE FACILITY shall comply with the parking regulations in Table 6A of Zoning By-law 2018-050.

7.2.8 An ASSISTED LIVING FACILITY shall comply with the parking regulations in Table 6A of Zoning By-law 2018-050.

7.2.9 STRUCTURED PARKING shall be permitted on the FIRST STOREY provided that:

a.) A minimum twenty five percent (25%) of the FIRST STOREY shall be comprised of one or more of the following uses:

- HABITABLE FLOOR SPACE
- circulation spaces, such as hallways, elevators, and the like
- common indoor AMENITY AREA
- DWELLING UNIT
- commercial uses specified in Table 7A
- institutional uses specified in Table 7A
- entrance / foyers
- hydro transformer room
- management OFFICE
- lobby, reception area, seating area, and the like

b.) STRUCTURED PARKING shall be located entirely behind the BUILDING FLOOR AREA devoted to the uses specified in section 7.2.9.a).

c.) For an INTERIOR LOT, the BUILDING FLOOR AREA devoted to the uses specified in section 7.2.9.a) shall ABUT the entire FRONT BUILDING FAÇADE.

d.) For a CORNER LOT, the BUILDING FLOOR AREA devoted to the uses specified in section 7.2.9.a) shall ABUT the entire FRONT BUILDING FAÇADE and or the entire FLANKAGE BUILDING FAÇADE, provided further that:

i.) where the BUILDING FLOOR AREA devoted to the uses specified in section 7.2.9.a) only ABUTS the FRONT BUILDING FAÇADE, the STRUCTURED PARKING ABUTTING the FLANKAGE BUILDING FAÇADE shall be visibly screened from view from the STREET;

ii.) where the BUILDING FLOOR AREA devoted to the uses specified in section 7.2.9.a) only ABUTS the FLANKAGE BUILDING FAÇADE, the STRUCTURED PARKING ABUTTING the FRONT BUILDING FAÇADE shall be visibly screened from view from the STREET.

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e.) Notwithstanding anything to the contrary, where the FIRST STOREY is partially comprised of STRUCTURED PARKING, the principal BUILDING entrance shall be located on the STREET LINE BUILDING FAÇADE containing the BUILDING FLOOR AREA required in section 7.2.9.a).

7.2.10 Notwithstanding anything to the contrary, a DRIVEWAY may comprise part of the FRONT BUILDING FAÇADE or FLANKAGE BUILDING FAÇADE.

7.2.11 Notwithstanding anything to the contrary, the following regulations in Table 7D1 shall apply to the following USES:

- a.) TOWNHOUSE
- b.) STACKED TOWNHOUSE
- c.) FREEHOLD TOWNHOUSE

Table 7D1 Regulations

	TOWNHOUSE	STACKED TOWNHOUSE	FREEHOLD TOWNHOUSE	Class 2 Staff Variation
LOT AREA (minimum)	(none)	(none)	165 sq.m.	Refer to 7.2.1
LOT FRONTAGE - INTERIOR LOT (minimum)	(none)	(none)	5.5 metres	Refer to 7.2.1
LOT FRONTAGE - CORNER LOT (minimum)	(none)	(none)	11.5 metres	Refer to 7.2.1
STREET LINE setback (minimum)	6 metres			Refer to 7.2.1
INTERIOR LOT LINE setback (minimum)	7.5 metres	(none)	(none)	Refer to 7.2.1
SIDE YARD setback (minimum)	(none)	1.8 metres	1.8 metres	Refer to 7.2.1
REAR YARD setback (minimum)	7.5 metres			Refer to 7.2.1
BUILDING HEIGHT (maximum)	13.5 metres for a BUILDING containing a minimum of 4 DWELLING UNITS, and 10 metres in all other instances			Any variation to maximum BUILDING HEIGHT as measured in STOREYS shall require an Official Plan Amendment. For any variation to maximum BUILDING HEIGHT measured in

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				metres, where such variation complies with maximum number of STOREYS, refer to 7.2.1
Density (maximum)	150 BEDROOMS per hectare	150 BEDROOMS per hectare	(none)	Refer to 7.2.1
LOT COVERAGE (maximum)	45%	45%	45%	Refer to 7.2.1
LANDSCAPED OPEN SPACE (minimum)	30%			Refer to 7.2.1
PARKING SPACES (minimum)	0.90 per DWELLING UNIT	0.90 per DWELLING UNIT	1 per DWELLING UNIT	Refer to 7.2.1
VISITOR PARKING SPACES (minimum)	0.10 per DWELLING UNIT	0.10 per DWELLING UNIT	N/A	Refer to 7.2.1
Number of main BUILDINGS per LOT (maximum)	More than one (1) permitted	More than one (1) permitted	1	Refer to 7.2.1

7.2.12 Should the requirements in Table 7D1 and Table 7D2 be indicated as “none” or “N/A” then the Class 2 Staff Variation Threshold shall not apply.

7.2.13 Notwithstanding anything to the contrary, the following regulations in Table 7D2 shall apply to the following USES which lawfully and actually existed on the date of the passing of this BY-LAW:

- a.) DETACHED BUILDING
- b.) FREEHOLD SEMI-DETACHED BUILDING

Table 7D2 Regulations

	DETACHED	FREEHOLD SEMI-DETACHED	Class 2 Staff Variation
LOT AREA – INTERIOR LOT (minimum)	245 square metres	245 square metres	Refer to 7.2.1
LOT AREA – CORNER LOT (minimum)	340 square metres	340 square metres	Refer to 7.2.1
LOT FRONTAGE – INTERIOR LOT (minimum)	9 metres	7.5 metres	Refer to 7.2.1
LOT FRONTAGE – CORNER LOT (minimum)	12.5 metres	10 metres	Refer to 7.2.1
FRONT YARD setback (minimum)	7 metres	7 metres	Refer to 7.2.1

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FLANKAGE YARD setback (minimum)	6 metres	6 metres	Refer to 7.2.1
SIDE YARD setback (minimum)	1.2 metres	1.2 metres**	Refer to 7.2.1
REAR YARD setback (minimum)	7.5 metres	7.5 metres	Refer to 7.2.1
BUILDING HEIGHT (maximum)	13.5 metres for a BUILDING containing a minimum of 4 DWELLING UNITS, and 10 metres in all other instances	13.5 metres for a BUILDING containing a minimum of 4 DWELLING UNITS, and 10 metres in all other instances	Any variation to maximum BUILDING HEIGHT as measured in STOREYS shall require an Official Plan Amendment. For any variation to maximum BUILDING HEIGHT measured in metres, where such variation complies with maximum number of STOREYS, refer to 7.2.1
LOT COVERAGE, all BUILDINGS (maximum)	45%	45%	Refer to 7.2.1
PARKING SPACES (minimum)	One (1) DWELLING UNIT: One (1) PARKING SPACE Two (2) DWELLING UNITS: Two (2) PARKING SPACES Two (2) DWELLING UNITS: Three (3) PARKING SPACES	One (1) DWELLING UNIT: One (1) PARKING SPACE Two (2) DWELLING UNITS: Two (2) PARKING SPACES Two (2) DWELLING UNITS: Three (3) PARKING SPACES	Refer to 7.2.1

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	Four (4) DWELLING UNITS: Three (3) PARKING SPACES	Four (4) DWELLING UNITS: Three (3) PARKING SPACES	
Number of main BUILDINGS per LOT (maximum)	1	1	None
Number of COACH HOUSES per LOT (maximum)	1	1	None
Number of DWELLING UNITS per LOT (maximum)	4	4	None

** The minimum SIDE YARD setback for FREEHOLD SEMI-DETACHED BUILDINGS on one side of the LOT shall be 0.0 metres.

7.3 MIXED-USE RESIDENTIAL 2 (MUR2) PRECINCT

7.3.1 Where identified in Tables 7E and 7F, the Class 2 Staff Variation Threshold may be up to 100% of the development standard (or the entirety of the development standard where such standard is a percentage) where the variation is determined to be minor in nature by the DIRECTOR when evaluated against the criteria in section 1B.6.1 (Criteria for Considering Variations).

7.3.2 The following regulations in Table 7E shall apply to every LOT, BUILDING and STRUCTURE in the Mixed-Use Residential 2 (MUR2) precinct:

Table 7E: Regulations – Mixed-Use Residential 2 (MUR2)

	MUR2-40 Requirements	Class 2 Staff Variation Threshold
LOT FRONTAGE (minimum)	20 metres	Refer to 7.3.1
STREET LINE setback (minimum)	5.6 metres	Refer to 7.3.1
STREET LINE setback (maximum)	At least 75% of the STREET LINE FRONT BUILDING FAÇADE shall be within 7.5 metres of the STREET LINE	Refer to 7.3.1
SIDE YARD setback (minimum)	3 metres	Refer to 7.3.1
REAR YARD setback (minimum)	7.5 metres	Refer to 7.3.1
LOW RISE RESIDENTIAL LOT LINE setback (minimum)	7.5 metres or half the height of the BUILDING, whichever is greater, except for TOWNHOUSE BUILDINGS and FREEHOLD TOWNHOUSE BUILDINGS	Refer to 7.3.1

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	where no LOW RISE RESIDENTIAL LOT LINE setback shall apply	
BUILDING HEIGHT (minimum)	10.5 metres	Refer to 7.3.1
BUILDING HEIGHT (maximum)	40 metres and 12 STOREYS	Any variation to maximum BUILDING HEIGHT as measured in STOREYS shall require an Official Plan Amendment. For any variation to maximum BUILDING HEIGHT measured in metres, where such variation complies with maximum number of STOREYS, refer to 7.3.1
Density (minimum)	150 BEDROOMS per hectare	Refer to 7.3.1
Density (maximum)	600 BEDROOMS per hectare	Refer to 7.3.1
LANDSCAPED OPEN SPACE (minimum)	30%	Refer to 7.3.1
Number of main BUILDINGS per LOT (maximum)	More than one (1) permitted	N/A

7.3.3 The following additional regulations in Table 7F shall apply to every BUILDING and STRUCTURE in the Mixed-Use Residential 2 (MUR2) precinct constructed after the effective date of this BY-LAW:

Table 7F: Regulations – Mixed-Use Residential Precinct (MUR2)

	MUR2-40 Requirements	Class 2 Staff Variation Threshold
Height of FIRST STOREY (minimum)	4.0 metres	Refer to 7.3.1
PODIUM Height (minimum)	10.5 metres	Refer to 7.3.1
PODIUM Height (maximum)	14.8 metres and 4 STOREYS	Refer to 7.3.1
TOWER Separation measured from exterior face of the BUILDING, including balconies (minimum)	a) 22 metres from a TOWER on the same LOT b) 11 metres from an INTERIOR LOT LINE,	Refer to 7.3.1

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	except where the INTERIOR LOT LINE ABUTS an OSR precinct (see 3.T.5.2 in By-law 2018-050)	
Horizontal TOWER Dimension (maximum)	40 metres	Refer to 7.3.1
TOWER Footprint (maximum)	1,000 square metres	Refer to 7.3.1
TOWER STEPBACK above PODIUM, including balconies, on the FRONT BUILDING FAÇADE and FLANKAGE BUILDING FAÇADE (minimum)	3 metres (see 3.T.5.1 in By-law 2018- 050)	Refer to 7.3.1
AMENITY AREA (minimum)	3 square metres for the first BEDROOM and 2 square metres for each additional BEDROOM in the DWELLING UNIT (see 3.A.4 in By-law 2018-050)	Refer to 7.3.1

7.3.4 Notwithstanding anything to the contrary, every BUILDING shall have a front entrance at GRADE on the FRONT BUILDING FAÇADE and or FLANKAGE BUILDING FAÇADE.

7.3.5 Notwithstanding anything to the contrary, the following regulations shall apply to the Ancillary USES in Table 7A.

a.) Ancillary USES specified in Table 7A shall ABUT the FRONT BUILDING FAÇADE and or FLANKAGE BUILDING FAÇADE.

b.) Ancillary USES specified in Table 7A shall only be permitted on the FIRST STOREY of a:

- MULTI-UNIT RESIDENTIAL BUILDING
- MIXED USE BUILDING with DWELLING UNITS above the FIRST STOREY
- LONG TERM CARE FACILITY
- ASSISTED LIVING FACILITY

c.) Notwithstanding section 7.3.5.b.), the USES identified below as 'A' to 'E' inclusive below shall be permitted on the second STOREY of a:

- MULTI-UNIT RESIDENTIAL BUILDING
- MIXED USE BUILDING with DWELLING UNITS above the FIRST STOREY
- LONG TERM CARE FACILITY
- ASSISTED LIVING FACILITY

A. COMMERCIAL RECREATION

B. COMMERCIAL WELLNESS

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- C. OFFICE
- D. PERSONAL SERVICE SHOP
- E. SPIRITUAL USE

- d.) Ancillary USES specified in Table 7A shall not collectively exceed fifteen percent (15%) of the BUILDING FLOOR AREA of the BUILDING in which the Discretionary Uses are located or 5,000 square metres, whichever is more restrictive.
- e.) For the Ancillary USES specified in Table 7A, the maximum floor area of each commercial unit shall be 465 square metres.
- f.) Notwithstanding section 7.3.5 e.), the maximum floor area of a FOOD STORE shall be 1,115 square metres. A maximum one (1) FOOD STORE shall be permitted on a LOT.
- g.) Notwithstanding section 7.3.5 e.), the maximum floor area of a DRUG STORE shall be 1,115 square metres. A maximum one (1) DRUG STORE shall be permitted on a LOT.

- 7.3.6 The following minimum PARKING SPACE regulations shall apply to:
- Permitted USES and Discretionary USES in Table 7A, except as specified in Table 6A of Zoning By-law 2018-050.
 - Ancillary USES in Table 7A, except as specified in Table 6A of Zoning By-law 2018-050.

Minimum Parking Rate			
MUR2-40	USE	0.70	PDU*
	Visitor	0.10	PDU*
		0.80	PDU*
Non-Residential Uses	USE	1.80	/100m2*

* PDU = Per DWELLING UNIT
 /100m2 = Per 100 square metres of BUILDING FLOOR AREA

NOTE: BICYCLE PARKING and LOADING SPACE requirements are contained in section 6.

NOTE: Any proposed variation to the Minimum Parking rates noted above shall be subject to a Class 2 Staff Community Planning Permit.

7.3.7 A LONG TERM CARE FACILITY shall comply with the parking regulations in Table 6A of Zoning By-law 2018-050.

7.3.8 An ASSISTED LIVING FACILITY shall comply with the parking regulations in Table 6A of Zoning By-law 2018-050.

7.3.9 STRUCTURED PARKING shall be permitted on the FIRST STOREY provided that:

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- a.) A minimum twenty five percent (25%) of the FIRST STOREY shall be comprised of one or more of the following USES:
- HABITABLE FLOOR SPACE
 - circulation spaces, such as hallways, elevators, and the like
 - common indoor AMENITY AREA
 - DWELLING UNIT
 - commercial uses specified in Table 7A
 - INSTITUTIONAL uses specified in Table 7A
 - entrance / foyers
 - hydro transformer room
 - management OFFICE
 - lobby, reception area, seating area, and the like
- b.) STRUCTURED PARKING shall be located entirely behind the BUILDING FLOOR AREA devoted to the USES specified in section 7.3.9.a).
- c.) For an INTERIOR LOT, the BUILDING FLOOR AREA devoted to the USES specified in section 7.3.9.a) shall ABUT the entire FRONT BUILDING FAÇADE.
- d.) For a CORNER LOT, the BUILDING FLOOR AREA devoted to the USES specified in section 7.3.9.a) shall ABUT the entire FRONT BUILDING FAÇADE and or the entire FLANKAGE BUILDING FAÇADE, provided further that:
- i.) where the BUILDING FLOOR AREA devoted to the USES specified in section 7.3.9.a) only ABUTS the FRONT BUILDING FAÇADE, the STRUCTURED PARKING ABUTTING the FLANKAGE BUILDING FAÇADE shall be visibly screened from view from the STREET;
 - ii.) where the BUILDING FLOOR AREA devoted to the USES specified in section 7.3.9.a) only ABUTS the FLANKAGE BUILDING FAÇADE, the STRUCTURED PARKING ABUTTING the FRONT BUILDING FAÇADE shall be visibly screened from view from the STREET.
- e.) Notwithstanding anything to the contrary, where the FIRST STOREY is partially comprised of STRUCTURED PARKING, the principal BUILDING entrance shall be located on the STREET LINE BUILDING FAÇADE containing the BUILDING FLOOR AREA required in section 7.3.9.a).

7.3.10 Notwithstanding anything to the contrary, a DRIVEWAY may comprise part of the FRONT BUILDING FAÇADE or FLANKAGE BUILDING FAÇADE.

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7.3.11 Notwithstanding anything to the contrary, the regulations in Table 7D2 shall apply to any DETACHED BUILDING or FREEHOLD SEMI-DETACHED BUILDING which lawfully and actually existed on the date of the passing of this BY-LAW.

SECTION 8 – COMMERCIAL PRECINCTS

8.1 COMMERCIAL PRECINCTS

8.1.1 Any variation to a regulation as outlined in Section 8 will be classified as a 'Class 2' variation, unless otherwise noted that a variation is classified as a 'Class 3' variation. In either case, a Community Planning Permit application will be required.

8.1.2 The Commercial Precincts as established by the BY-LAW are as follows:

- Mixed-Use Community Commercial Precinct (MUCC)

8.1.3 Permitted and Discretionary Uses

No PERSON shall ERECT, alter, enlarge, reconstruct, locate, or use any BUILDING or STRUCTURE in whole or in part, nor use any land in whole or in part, for any purpose other than the permitted and discretionary uses, as informed by associated criteria and conditions, shown in Table 8A:

- v. Permitted USES are identified by the symbol (P)
- vi. Discretionary USES are identified by the letter (D);
- vii. Ancillary USES are identified by the letter (A); and
- viii. Criteria or conditions are listed as requirements below Table 8A.

Table 8A: Permitted and Discretionary Uses across Commercial Precincts

	MUCC
Residential Uses	
ASSISTED LIVING FACILITY above the FIRST STOREY in a MIXED-USE BUILDING	P
DWELLING UNITS above the FIRST STOREY in a MIXED-USE BUILDING	P
LONG TERM CARE FACILITY above the FIRST STOREY in a MIXED-USE BUILDING	P
Non-Residential Uses	
ALTERNATIVE EDUCATION CENTRE	D (3)
ARTIST STUDIO (CLASS A)	D (3)
AUDITORIUM	D (3)
AUTOMOBILE SERVICE CENTRE	D (1)
BAKE SHOP, including OUTDOOR BAKE SHOP PATIO	P
BANQUET HALL	D (3)
BUSINESS INCUBATOR	P
CAFE, including OUTDOOR CAFE PATIO	P
CAR WASH	D (1, 2)

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CHILD CARE CENTRE	D (3)
COMMERCIAL RECREATION	D (3)
COMMERCIAL SCHOOL	D (3)
COMMERCIAL SERVICE	P
COMMERCIAL WELLNESS	D (3)
COMMUNICATION PRODUCTION	D (3)
CULTURAL FACILITIES	D (3)
DATA CENTRE	D (3)
ELECTRONIC GAMING CENTRE	D (3)
FINANCIAL SERVICE	P
GOVERNMENT USES	D (3)
HOME OCCUPATION (see section 3.H.3 & Table A6)	D (1)
HOTEL	D (3)
HYDRO TRANSFORMER ROOM	A
INSTITUTION	D (3)
MAJOR OFFICE	P
MAKERSPACE (CLASS A)	D (3)
MEDICAL CLINIC	P
MUNICIPAL RECREATION FACILITY	D (3)
NANOBREWERY	P
OFFICE	P
OLD GOLD SHOP	P
PARKING FACILITY	D (3)
PERSONAL BREWING ESTABLISHMENT	D (3)
PERSONAL SERVICE SHOP	P
PET SERVICES (CLASS A)	P
PHARMACEUTICAL DISPENSARY	P
Post Office	P
PRIVATE CLUB	D (3)
PRIVATE SCHOOL	D (3)
PUBLIC MARKET	D (3)
PUBLIC SCHOOL	D (3)
RESTAURANT, Including OUTDOOR RESTAURANT PATIO	P
RESTAURANT (TAKE OUT), including OUTDOOR RESTAURANT PATIO	P
RETAIL STORE (includes DRUG STORE, SPECIALTY FOOD STORE, VARIETY STORE)	P
SPIRITUAL USE	D (3)
TAKE-OUT RESTAURANT	P
TECH OFFICE	P
TEMPORARY FARMERS MARKET	D (3)
TRAINING FACILITY	P

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TRANSPORTATION SERVICE	D (1, 3)
VETERINARY CLINIC	P

Requirements/conditions:

- 1) Subject to appropriate screening (if required)
- 2) Subject to appropriate drop off / queuing / DRIVEWAY configuration
- 3) Discretionary Uses shall not collectively exceed 50% of the BUILDING FLOOR AREA on the LOT

8.1.4 Ancillary uses identified in Table 8A are permitted in cases where they are subordinate and incidental to a permitted USE.

8.2 MIXED-USE COMMUNITY COMMERCIAL (MUCC) PRECINCT

8.2.1 Where identified in Tables 8B and 8C, the Class 2 Staff Variation Threshold may be up to 100% of the development standard (or the entirety of the development standard where such standard is a percentage) where the variation is determined to be minor in nature by the DIRECTOR when evaluated against the criteria in section 1B.6.1 (Criteria for Considering Variations).

8.2.2 The following regulations in Table 8B shall apply to every LOT, BUILDING and STRUCTURE in the Mixed-Use Community Commercial (MUCC) precinct:

Table 8B Regulations – Mixed-Use Community Commercial Precinct (MUCC)

	MUCC requirements	Class 2 Staff Variation Threshold
STREET LINE setback (minimum)	5.6 metres	Refer to 8.2.1
SIDE YARD setback (minimum)	5.0 metres	Refer to 8.2.1
REAR YARD setback (minimum)	5.0 metres	Refer to 8.2.1
LOW RISE RESIDENTIAL LOT LINE setback (minimum)	7.5 metres or half the height of the BUILDING, whichever is greater	Refer to 8.2.1
Number of BUILDINGS on a LOT (maximum)	More than one (1) main BUILDING permitted	N/A

8.2.3 Within a LOW RISE RESIDENTIAL LOT LINE setback, there shall be a LANDSCAPED BUFFER ABUTTING the LOW RISE RESIDENTIAL LOT LINE.

8.2.4 The LANDSCAPED BUFFER in section 8.2.3 shall be a minimum average depth of three metres (3m), and at no point less than one-point-five metres (1.5m).

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8.2.5 The LANDSCAPED BUFFER in section 8.2.3 shall contain plant materials that form a visual screen and are not less than one-point-five metres (1.5m) in height.

8.2.6 The following regulations in Table 8C shall apply to the erection, alteration, enlargement, or reconstruction of any BUILDING or STRUCTURE in the Mixed-Use Community Commercial (MUCC) Precinct constructed after the effective date of this BY-LAW:

Table 8C: Regulations – Mixed-Use Community Commercial Precinct (MUCC)

	MUCC 1-20	MUCC 1-40	Class 2 Staff Variation Threshold
Density (minimum)	N/A	150 BEDROOMS per hectare	Refer to 8.2.1
Density (maximum)	450 BEDROOMS per hectare	600 BEDROOMS per hectare	Refer to 8.2.1
BUILDING HEIGHT (maximum)	20 metres and 6 STOREYS	40 metres and 12 STOREYS	Any variation to maximum BUILDING HEIGHT as measured in STOREYS shall require an Official Plan Amendment. For any variation to maximum BUILDING HEIGHT measured in metres, where such variation complies with maximum number of STOREYS, refer to 8.2.1.
Height of FIRST STOREY (minimum)	N/A	4.0 metres	Refer to 8.2.1
PODIUM Height (maximum)	14.0 metres	14.8 metres	Refer to 8.2.1
TOWER Separation measured from exterior face of the BUILDING, including balconies (minimum) (see 8.2.7)	N/A	a.) 22 metres from a TOWER on the same LOT b.) 11 metres from an INTERIOR LOT LINE, except where the INTERIOR LOT LINE ABUTS lands within the OSR Precinct (see 3.T.5.1 and 3.T.5.2 in	Refer to 8.2.1

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		Zoning By-law 2018-050)	
Horizontal TOWER Dimension (maximum)	N/A	40 metres	Refer to 8.2.1
TOWER Footprint (maximum)	N/A	1,000 square metres	Refer to 8.2.1
TOWER STEPBACK above PODIUM, including balconies, on the FRONT BUILDING FAÇADE and FLANKAGE BUILDING FAÇADE (minimum)	N/A	3 metres	Refer to 8.2.1
AMENITY AREA (minimum)	3 square metres for the first BEDROOM and 2 square metres for each additional BEDROOM in the DWELLING UNIT		Refer to 8.2.1

8.2.7 Pursuant to Table 8C, a balcony shall be considered part of the exterior face of the BUILDING for the purposes of measuring TOWER Separation.

8.2.8 The following minimum PARKING SPACE regulations shall apply to every LOT, BUILDING and STRUCTURE in the Mixed-Use Community Commercial (MUCC) Precinct, except as specified in Table 6A of Zoning By-law 2018-050:

Minimum Parking Rate			
Residential	Use	0.75	PDU*
	Visitor	0.10	PDU*
		0.85	PDU*
Non-Residential	Use	2.40	/100m2*

* PDU = Per Dwelling Unit
/100m2 = Per 100 square metres of BUILDING FLOOR AREA

NOTE: BICYCLE PARKING and LOADING SPACE requirements are contained in section 6.

NOTE: Any proposed variation to the Minimum Parking rates noted above shall be subject to a Class 2 Staff Community Planning Permit.

8.2.9 Notwithstanding anything to the contrary, PARKING SPACES required for DWELLING UNITS shall be located within STRUCTURED PARKING.

8.2.10 STRUCTURED PARKING shall be permitted on the FIRST STOREY provided that:

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- a.) A minimum twenty five percent (25%) of the FIRST STOREY shall be comprised of one or more of the following USES:
- commercial USES specified in Table 8A
 - institutional USES specified in Table 8A
 - entrance / foyers
 - lobby, reception area, seating area, and the like
 - circulation spaces, such as hallways, elevators, and the like
 - hydro transformer room
- b.) STRUCTURED PARKING shall be located entirely behind the BUILDING FLOOR AREA devoted to the USES specified in section 8.2.10 a).
- c.) For an INTERIOR LOT, the BUILDING FLOOR AREA devoted to the USES specified in section 8.2.10 a) shall abut the entire FRONT BUILDING FAÇADE.
- d.) For a CORNER LOT, the BUILDING FLOOR AREA devoted to the USES specified in section 8.2.10 a) shall abut the entire FRONT BUILDING FAÇADE and the entire FLANKAGE BUILDING FAÇADE.

8.2.11 Notwithstanding anything to the contrary, a DRIVEWAY may comprise part of the FRONT BUILDING FAÇADE or FLANKAGE BUILDING FAÇADE.

SECTION 9 – INSTITUTIONAL PRECINCTS

9.1 INSTITUTIONAL PRECINCTS

9.1.1 Any variation to a regulation as outlined in Section 9 will be classified as a 'Class 2' variation, unless otherwise noted that a variation is classified as a 'Class 3' variation. In either case, a Community Planning Permit application will be required.

9.1.2 The Institutional Precincts as established by the BY-LAW are as follows:

- School (S)

9.1.3 Permitted and Discretionary Uses

No PERSON shall ERECT, alter, enlarge, reconstruct, locate, or use any BUILDING or STRUCTURE in whole or in part, nor use any land in whole or in part, for any purpose other than the permitted and discretionary uses, as informed by associated criteria and conditions, shown in Table 9A:

- i. Permitted USES are identified by the symbol (P)
- ii. Discretionary USES are identified by the letter (D);
- iii. Ancillary USES are identified by the letter (A); and
- iv. Criteria or conditions are listed as requirements below Table 9A.

Table 9A: Permitted and Discretionary Uses across Institutional Precincts

	S
ALTERNATIVE EDUCATION CENTRE	A
BUSINESS INCUBATOR	A
CAFÉ, including OUTDOOR CAFÉ PATIO	A
CHILD CARE CENTRE	A
Community Centre	A
COMMERCIAL RECREATION	A
COMMERCIAL WELLNESS	A
CULTURAL FACILITIES	A
Early Years Centre	A
EDUCATIONAL INSTITUTION	A
Fair	A
GOVERNMENT USE	A
INSTITUTION	A
MAKERSPACE (CLASS A)	A
MUNICIPAL RECREATION FACILITY	A
PRIVATE CLUB	A

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PRIVATE SCHOOL	P
PUBLIC MARKET	A
PUBLIC SCHOOL	P
Recreational Competitions	A
SPIRITUAL USE	A
Sporting Events/Tournaments/Training	A
TEMPORARY FARMERS MARKET	A
TRAINING FACILITY	A
UNIVERSITY/COLLEGE	A (1)

Requirements/conditions:

(1) excludes a university or college residence

9.1.4 Ancillary uses identified in Table 9A are permitted in cases where they are subordinate and incidental to a permitted USE.

9.2 SCHOOL (S) PRECINCT

9.2.1 Where identified in Table 9B, the Class 2 Staff Variation Threshold may be up to 100% of the development standard (or the entirety of the development standard where such standard is a percentage) where the variation is determined to be minor in nature by the DIRECTOR when evaluated against the criteria in section 1B.6.1 (Criteria for Considering Variations).

9.2.2 The development standards in Table 9B shall apply to every LOT, BUILDING and STRUCTURE in the School (S) Precinct:

Table 9B: Development Standards – School (S) Precinct

		Class 2 Staff Variation Threshold
STREET LINE setback (minimum)	6.0 metres	Refer to 9.2.1
SIDE YARD setback (minimum)	5.0 metres or half the height of the BUILDING whichever is greater	Refer to 9.2.1
REAR YARD setback (minimum)	7.5 metres or half the height of the BUILDING whichever is greater	Refer to 9.2.1
LOW RISE RESIDENTIAL LOT LINE setback (minimum)	7.5 metres	Refer to 9.2.1
BUILDING HEIGHT (maximum)	14 metres	Refer to 9.2.1
COVERAGE (maximum)	60%	Refer to 9.2.1

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LANDSCAPED OPEN SPACE (minimum)	30%		Refer to 9.2.1
PARKING SPACES (minimum)	For Permitted Uses specified in Table 9A	2 PARKING SPACES per TEACHING AREA	Refer to 9.2.1
	For Ancillary USES specified in Table 9A that temporarily occupy BUILDING FLOOR AREA within a PRIVATE SCHOOL or PUBLIC SCHOOL	0 PARKING SPACES	
	For Ancillary USES specified in Table 9A that permanently occupy BUILDING FLOOR AREA within a PRIVATE SCHOOL or PUBLIC SCHOOL	3 PARKING SPACES per 100 square metres of BUILDING FLOOR AREA	
Ancillary USES (maximum)	Ancillary USES specified in Table 9A collectively shall not exceed 40% of the BUILDING FLOOR AREA		Refer to 9.2.1
Ancillary USES	Ancillary USES specified in Table 9A shall be located in the same BUILDING as the associated Permitted USE specified in Table 9A		N/A

NOTE: BICYCLE PARKING requirements are contained in section 6.6 of CITY Zoning By-law 2018-050.

NOTE: LOADING SPACE requirements are contained in section 6.9 of CITY Zoning By-law 2018-050.

9.2.3 Notwithstanding anything to the contrary, PARKING SPACES are prohibited within the minimum STREET LINE setback.

SECTION 10 – OPEN SPACE PRECINCTS

10.1 OPEN SPACE PRECINCTS

10.1.1 Any variation to a regulation as outlined in Section 10 will be classified as a 'Class 2' variation, unless otherwise noted that a variation is classified as a 'Class 3' variation. In either case, a Community Planning Permit application will be required.

10.1.2 The Open Space Precincts as established by the BY-LAW are as follows:

- Open Space Recreation Precinct (OSR)
- Open Space Conservation Precinct (OSC)

10.2 OPEN SPACE RECREATION (OSR) PRECINCT

10.2.1 Permitted and Discretionary Uses

No PERSON shall ERECT, alter, enlarge, reconstruct, locate, or use any BUILDING or STRUCTURE in whole or in part, nor use any land in whole or in part, for any purpose other than the permitted and discretionary uses, as informed by associated criteria and conditions, shown in Table 10A:

- i. Permitted USES are identified by the symbol (P)
- ii. Discretionary USES are identified by the letter (D);
- iii. Ancillary USES are identified by the letter (A); and
- iv. Criteria or conditions are listed as requirements below Table 10A.

Table 10A: Permitted and Discretionary Uses in the Open Space Recreation Precinct

	OSR
Cemetery	P
Crematoria, Funeral Home, and Mausoleum ancillary to a Municipal Cemetery	D
Parkland	P
CITY Arboretum and Greenhouse	P
Community Centre	P
GOVERNMENT USE	P
MUNICIPAL RECREATION FACILITY	P
Private Recreation Facility	P
Trails and Pathways	P
Utility Corridor, including hydro transmission and distribution corridors	P

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10.2.2 Where identified in Table 10B, the Class 2 Staff Variation Threshold may be up to 100% of the development standard (or the entirety of the development standard where such standard is a percentage) where the variation is determined to be minor in nature by the DIRECTOR when evaluated against the criteria in section 1B.6.1 (Criteria for Considering Variations).

10.2.3 The following development standards in Table 10B shall apply to every LOT, BUILDING and STRUCTURE in the Open Space Recreation (OSR) Precinct:

Table 10B: Development Standards – Open Space Recreation (OSR) Precinct

		Class 2 Staff Variation Threshold
STREET LINE setback (minimum)	6.0 metres	Refer to 10.2.2
SIDE YARD setback (minimum)	3.0 metres or half the height of the BUILDING, whichever is greater	Refer to 10.2.2
REAR YARD setback (minimum)	7.5 metres or half the height of the BUILDING, whichever is greater	Refer to 10.2.2
BUILDING HEIGHT (maximum)	In metres, equal to the numerical suffix as shown on the Precinct Map attached as Schedule 'A' to this BY-LAW. Where no suffix is shown on the Precinct Map, the maximum BUILDING HEIGHT shall be 10 metres.	Refer to 10.2.2
COVERAGE (maximum)	40%	Refer to 10.2.2
PARKING SPACES (minimum)	3 PARKING SPACES per 100 square metres of BUILDING FLOOR AREA	Refer to 10.2.2

10.2.4 Notwithstanding anything to the contrary, the following shall be deemed to comply with this BY-LAW:

- the location and height of EXISTING BUILDINGS within a Private Recreational Facility
- the EXISTING COVERAGE of the Private Recreational Facility
- the EXISTING PARKING SPACES for the Private Recreational Facility

10.3 OPEN SPACE CONSERVATION (OSC) PRECINCT

10.3.1 No PERSON shall ERECT, enlarge, locate or reconstruct any BUILDING or STRUCTURE in whole or in part in the Open Space Conservation (OSC) precinct.

10.3.2 No PERSON shall use any land in whole or in part, for any purpose other than the permitted uses, as informed by associated criteria and conditions, shown in Table 10C:

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- i. Permitted USES are identified by the symbol (P);
- ii. Discretionary USES are identified by the letter (D);
- iii. Ancillary USES are identified by the letter (A); and
- iv. Criteria or conditions are listed as requirements below Table 10C.

Table 10C: Permitted and Discretionary Uses in the Open Space Conservation Precinct

	OSC
Beekeeping, subject to compliance with the Ontario Bees Act	P
Conservation Lands, meaning natural resource areas including woodlots, wetlands, grasslands, water courses, and related environmental buffers	P
CITY, REGIONAL, and GRCA flood and erosion control infrastructure	P
Parkland, Trails, and Pathways	P
Restorative, scientific, and educational uses solely related to the natural and environmental resources and systems on the LOT - includes woodland, wetland, grasslands, water course, fish, and wildlife management and conservation	P

10.3.3 The following development standards in Table 10D shall apply to EXISTING BUILDINGS and EXISTING STRUCTURES in the Open Space Conservation (OSC) Precinct:

Table 10D: Development Standards – Open Space Conservation Precinct

Development Standards	
FRONT YARD setback (minimum)	Equals the FRONT YARD EXISTING on the EFFECTIVE DATE of this BY-LAW.
FLANKAGE YARD setback (minimum)	Equals the FLANKAGE YARD EXISTING on the EFFECTIVE DATE of this BY-LAW.
SIDE YARD setback (minimum)	Equals the SIDE YARD EXISTING on the EFFECTIVE DATE of this BY-LAW.
REAR YARD setback (minimum)	Equals the REAR YARD EXISTING on the EFFECTIVE DATE of this BY-LAW.
BUILDING HEIGHT (maximum)	Equals the BUILDING HEIGHT EXISTING on the EFFECTIVE DATE of this BY-LAW.
PARKING SPACES (minimum)	Equals the PARKING SPACES EXISTING on the EFFECTIVE DATE of this BY-LAW.
DRIVEWAY (location and configuration)	Equals the DRIVEWAY EXISTING on the EFFECTIVE DATE of this BY-LAW.
Parking Area (location and configuration)	Equals the Parking Area EXISTING on the EFFECTIVE DATE of this BY-LAW.

SECTION 11 - SCHEDULES

Schedule 'A' – Precincts Map

Schedule 'A1' – Floodplain Map

Schedule 'B' – Street Specific Building Lines

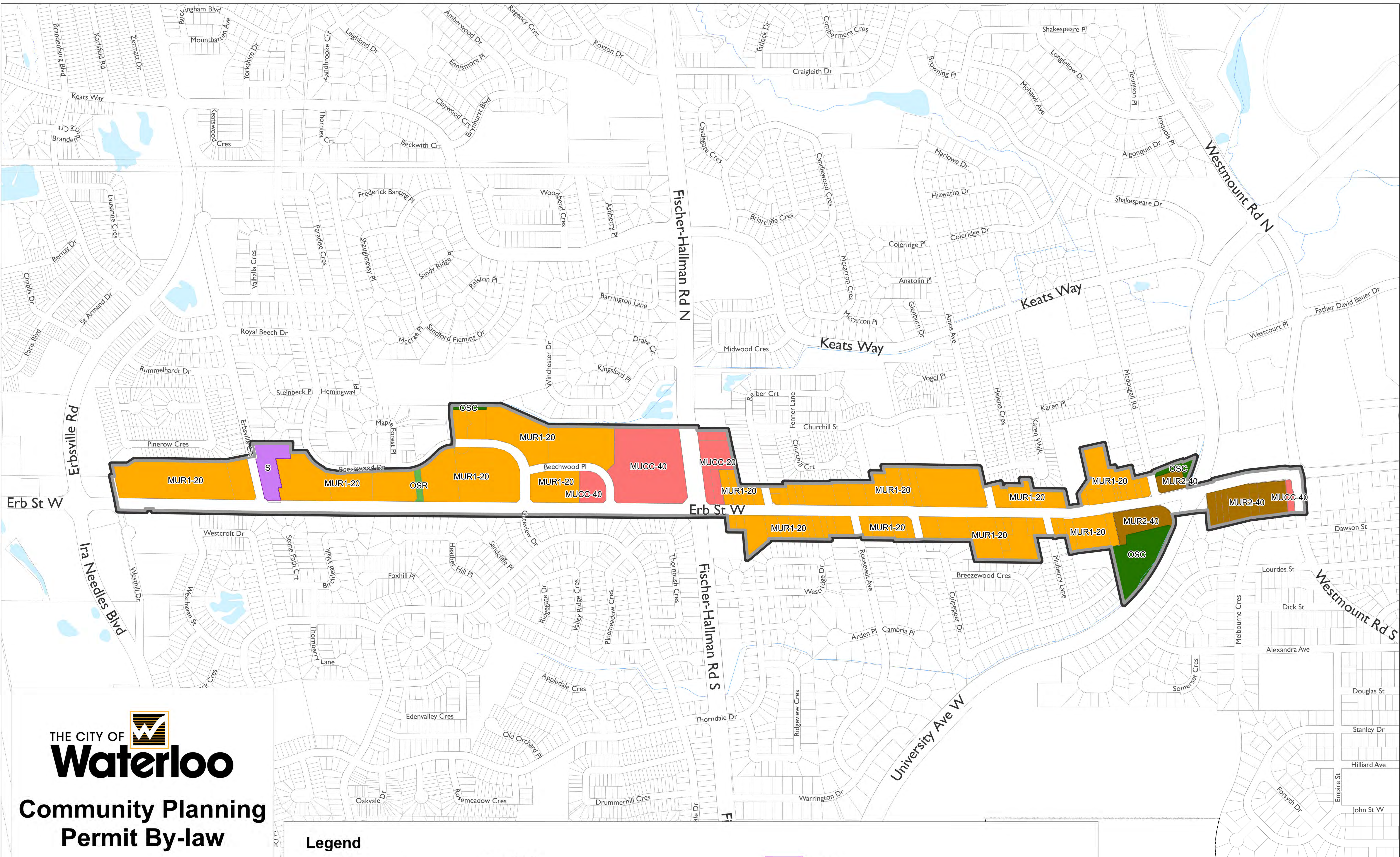
Schedule 'C' – Site Specific Regulations


Schedule 'C1' – Site Specific Precincts Map

CITY OF WATERLOO

SCHEDULE 'A'

PRECINCTS MAP




THE CITY OF Waterloo
Community Planning
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Precincts Map
Schedule 'A'
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Legend

- Perennial Creeks
- Intermittent Creeks
- Water Bodies
- City Boundary
- Property Fabric
- CPP By-law Area

Precincts

- Mixed-Use Residential 1 Precinct
- Mixed-Use Residential 2 Precinct
- Mixed-Use Community Commercial Precinct
- School
- Open Space Conservation Precinct
- Open Space Recreation Precinct

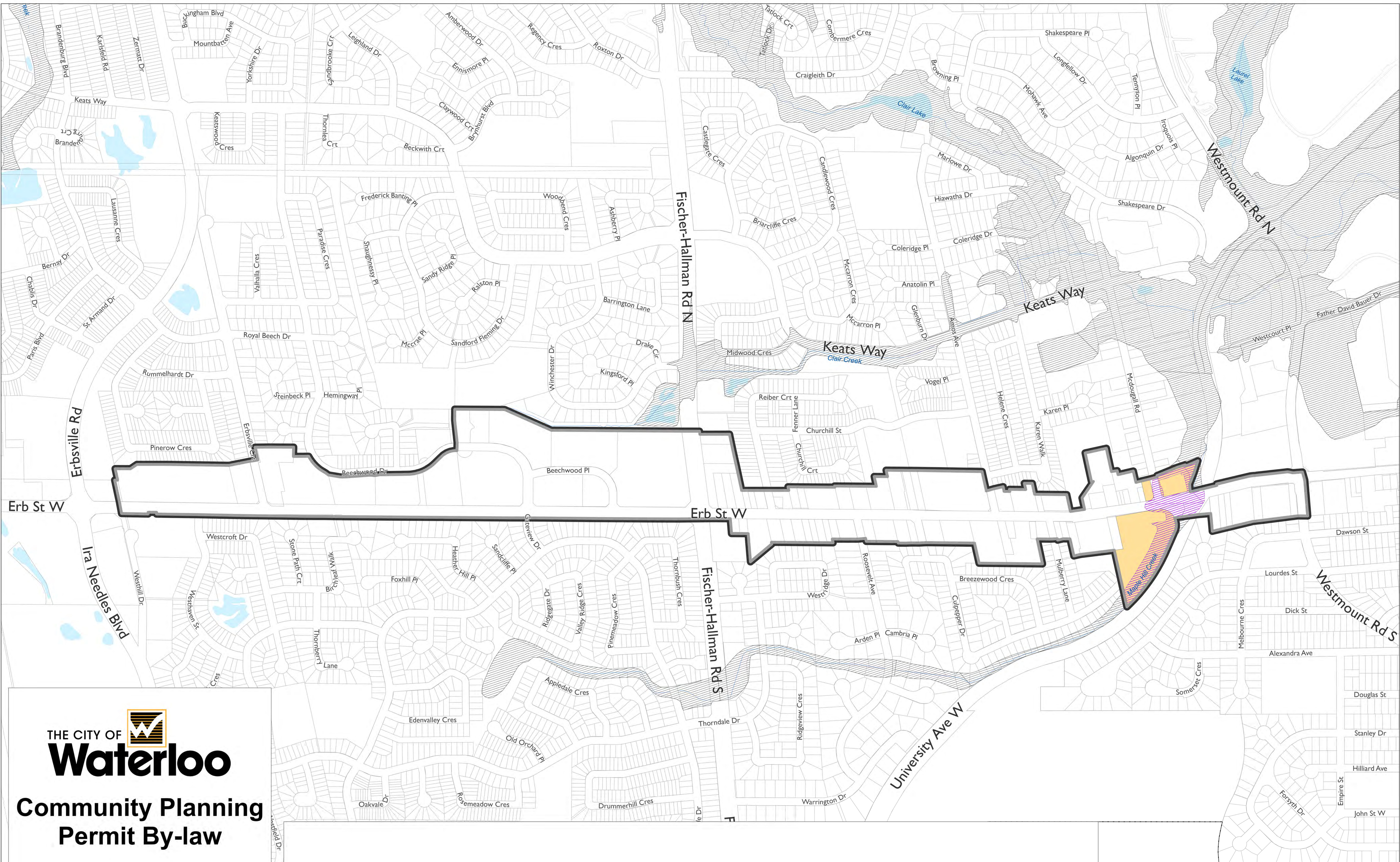
Map Notes


Projection: UTM Zone 17
 Datum: North American Datum 1983
 Map Created By: GIS, ITS, Community Planning, IPPW
 Map Created On: March 4, 2026

CITY OF WATERLOO

SCHEDULE 'A1'

FLOODPLAIN MAP




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Floodplain Map
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Legend			
	Perennial Creeks		Floodplain
	Intermittent Creeks		City Boundary
	Water Bodies		CPP By-law Area
			Candidate Two Zone Policy Area
			Properties where the (F) prefix applies

Map Notes
 Projection: UTM Zone 17
 Datum: North American Datum 1983
 Map Created By: GIS, ITS, Community Planning, IPPW
 Map Created On: March 4, 2026

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SCHEDULE 'B'

STREET SPECIFIC BUILDING LINES

B.1 Street Specific Building Lines

Relative to the STREETS hereinafter set forth, the BUILDING LINE shall be measured from the line established by measuring at right angles from the HISTORIC CENTRE LINE of the STREET for the distance stated in Column B:

Column A: STREET

Column B: BUILDING LINE Setback

Erb Street (from Caroline Street to Westmount Road)	12.192 metres
Erb Street (from Westmount Road to City Limits)	15.240 metres
University Avenue (from Westmount Road to Fischer Hallman Road)	18.288 metres

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SCHEDULE 'C'

SITE SPECIFIC REGULATIONS

Any variation to a Site Specific Regulation in Schedule 'C' will be classified as a Class 2 Community Planning Permit variation subject to being deemed minor in nature by the DIRECTOR when evaluated against the criteria in Section 1B.6, unless otherwise noted that a variation is classified as a 'Class 3' variation.

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Exception	Address	Precinct	File Reference
C7	355 Erb Street West	MUR1-20	By-law 3630 By-law 3923 [C7 – ZBL2018-050]

Location: 355 Erb Street West, Part Lot 10, R.P. 496
as shown on Schedule 'C1' to this BY-LAW.

Site Specific Regulations:

a) Notwithstanding anything to the contrary, the following Permitted USES shall be permitted on the lands known municipally as 355 Erb Street West in addition to those specified in the Mixed Use Residential 1 (MUR1) precinct:

- BAKE SHOP, including OUTDOOR BAKE SHOP PATIO
- CAFÉ, including OUTDOOR CAFÉ PATIO
- CHILD CARE CENTRE
- COMMERCIAL SCHOOL
- COMMERCIAL RECREATION
- COMMERCIAL SERVICE
- COMMERCIAL WELLNESS
- ELECTRONIC GAMING CENTRE
- FINACIAL SERVICE
- MEDICAL CLINIC
- NANOBREWERY
- OFFICE
- PERSONAL BREWING ESTABLISHMENT
- PERSONAL SERVICE SHOP
- PET SERVICES (CLASS A)
- RESTAURANT, including OUTDOOR RESTAURANT PATIO
- RESTAURANT (TAKE-OUT), including OUTDOOR RESTAURANT PATIO
- RETAIL STORE (including VARIETY STORE)
- VETERINARY CLINIC

b) Notwithstanding anything to the contrary, the following Permitted USES shall be permitted on the lands known municipally as 355 Erb Street West in addition to those specified in the Mixed Use Residential 1 (MUR1) precinct:

- ALTERNATIVE EDUCATION CENTRE
- ARTIST STUDIO (CLASS A)
- CULTURAL FACILITIES
- INSTITUTION
- MAKERSPACE (CLASS A)
- PUBLIC MARKET
- TEMPORARY FARMERS MARKET
- TRAINING FACILITY

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- c) The Permitted USES specified in b) shall not collectively exceed 50% of the BUILDING FLOOR AREA on the LOT.

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Exception	Address	Precinct	File Reference
C16	302 Erb Street West	MUR1-20	By-law 1981-094 [C16 – ZBL2018-050]

Location: 302 Erb Street West
as shown on Schedule 'C1' to this BY-LAW.

Site Specific Regulations:

a) Notwithstanding anything to the contrary, the following regulations shall apply to an APARTMENT BUILDING on the lands known municipally as 302 Erb Street West:

- i. Number of DWELLING UNITS (maximum): 100
- ii. LANDSCAPED OPEN SPACE: 55 square metres per DWELLING UNIT
- iii. LOT FRONTAGE (minimum): 18 metres
- iv. STREET LINE setback (minimum): 10.5 metres
- v. SIDE YARD setback (minimum): 10 metres
- vi. REAR YARD setback (minimum): one-half (1/2) height of the BUILDING but no less than an average depth of 10.5 metres
- vii. PARKING SPACES (minimum): 1 PARKING SPACE for every four (4) DWELLING UNITS in the EXISTING APARTMENT BUILDING

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Exception	Address	Precinct	File Reference
C27	420 Erb Street West	MUCC-20	By-law 1987-114 [C27 – ZBL2018-050]

Location: 420 Erb Street West, Lot 30, Part Lot 31, R.P. 696, Parts 2 & 3, 58R-5550
as shown on Schedule 'C1' to this BY-LAW.

Site Specific Regulations:

- a) The following Permitted USE is hereby added to Table 8A for the lands known municipally as 420 Erb Street West only:
 - i. PHARMACEUTICAL DISPENSARY

- b) Notwithstanding anything to the contrary, the following regulations shall apply to the PHARMACEUTICAL DISPENSARY:
 - i. The PHARMACEUTICAL DISPENSARY shall only be permitted if one (1) or more HEALTH PRACTITIONERS are located in the same BUILDING
 - ii. BUILDING FLOOR AREA (maximum): 100 square metres

- c) Notwithstanding anything to the contrary, the EXISTING LOT and EXISTING BUILDING thereon shall be deemed to conform to this BY-LAW.

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Exception	Address	Precinct	File Reference
C28	372 Erb Street West	MUR1-20	By-law 1988-099 Z-23-02 By-law 2023-022 [C28 – ZBL2018-050]

Location: 372 Erb Street West, Part Lot 32, GCT, Part 2, 58R-2236
as shown on Schedule 'C1' to this BY-LAW.

Site Specific Regulations:

- a) The following Permitted USES are hereby added to Table 7A for the lands known municipally as 372 Erb Street West only:
 - OFFICE
 - CHILD CARE CENTRE
- b) Notwithstanding anything to the contrary, the following regulations shall apply to the OFFICE specified in a) above:
 - An OFFICE shall only be permitted in the EXISTING BUILDING.
 - PARKING SPACES (minimum): 3 per 100 square metres of BUILDING FLOOR AREA
- c) Notwithstanding anything to the contrary, the following regulations shall apply to the CHILD CARE CENTRE specified in a) above:
 - A CHILD CARE CENTRE shall only be permitted in the EXISTING BUILDING.
 - PARKING SPACES (minimum): as specified in Table 6A of this BY-LAW
- d) Notwithstanding anything to the contrary, the STREET LINE setback (maximum) requirement in Table 7B shall not apply to the EXISTING BUILDING on the lands known municipally as 372 Erb Street West.

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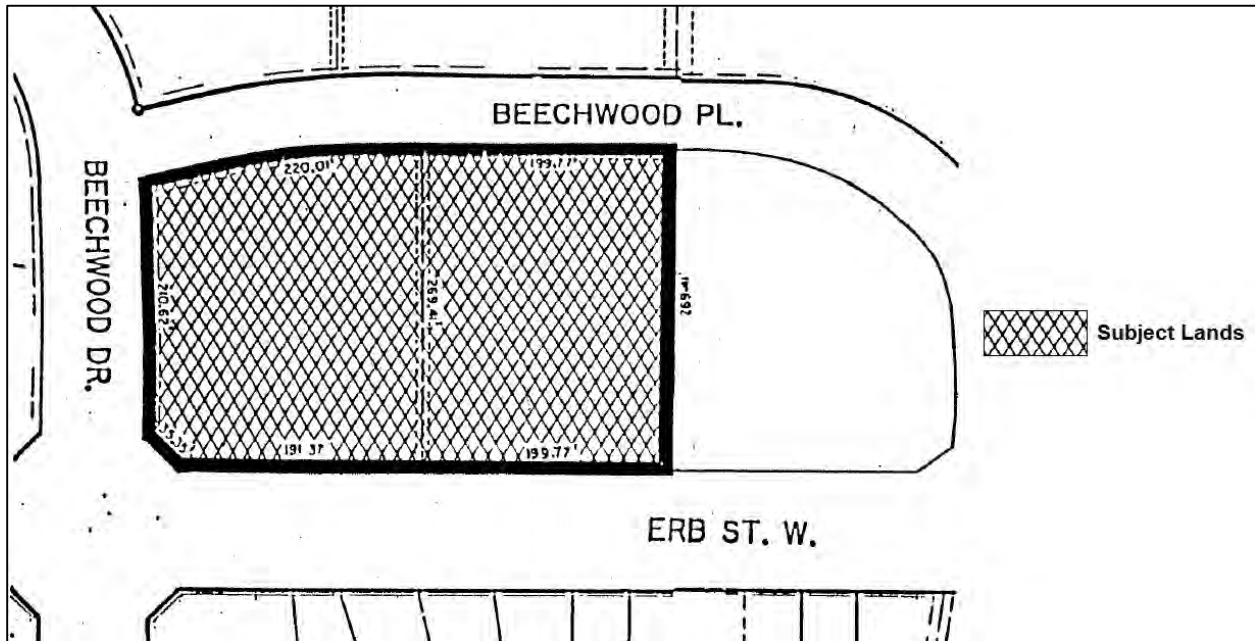
Exception	Address	Precinct	File Reference
C32	459-465 Beechwood Place	MUR1-20	By-law 1990-138 By-law 1990-159 [C32 – ZBL2018-050]

Location: 459-465 Beechwood Place
as shown on Schedule 'C1' to this BY-LAW.

Site Specific Regulations:

- a) Notwithstanding anything to the contrary, the following site specific regulations shall apply to TOWNHOUSE BUILDINGS and STACKED TOWNHOUSE BUILDINGS on the lands known municipally as 459-465 Beechwood Place:
- i. LANDSCAPED OPEN SPACE (minimum): 44% of the LOT AREA
 - ii. PARKING SPACES (minimum): 1.35 spaces per DWELLING UNIT
 - iii. AMENITY AREA (minimum): 10% of the LOT AREA
 - iv. BUILDING FLOOR AREA (minimum): 70 square metres per DWELLING UNIT for TOWNHOUSE BUILDINGS
 - v. BUILDING HEIGHT (maximum): 11 metres
 - vi. All other provisions of the MUR1-20 precinct shall apply, except as specified in i. to v. above

Image 1: Subject Lands



CITY OF WATERLOO

Exception	Address	Precinct	File Reference
C48	339 Erb Street West	MUR1-20	By-law 1997-070 [C48 – ZBL2018-050]

Location: 339 Erb Street West, Part Lot 11, R.P. 496
as shown on Schedule 'C1' to this BY-LAW.

Site Specific Regulations:

- a) Notwithstanding anything to the contrary, the EXISTING AUTOMOBILE SERVICE CENTRE shall be permitted.
- b) Notwithstanding anything to the contrary, if the EXISTING AUTOMOBILE SERVICE CENTRE ceases, the permission in a) above shall end.
- c) Notwithstanding anything to the contrary, OUTDOOR STORAGE shall not be permitted.

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Exception	Address	Precinct	File Reference
C51	404 Erb Street West	MUR1-20	By-law 1999-122 SPA 19 [C51 – ZBL2018-050]

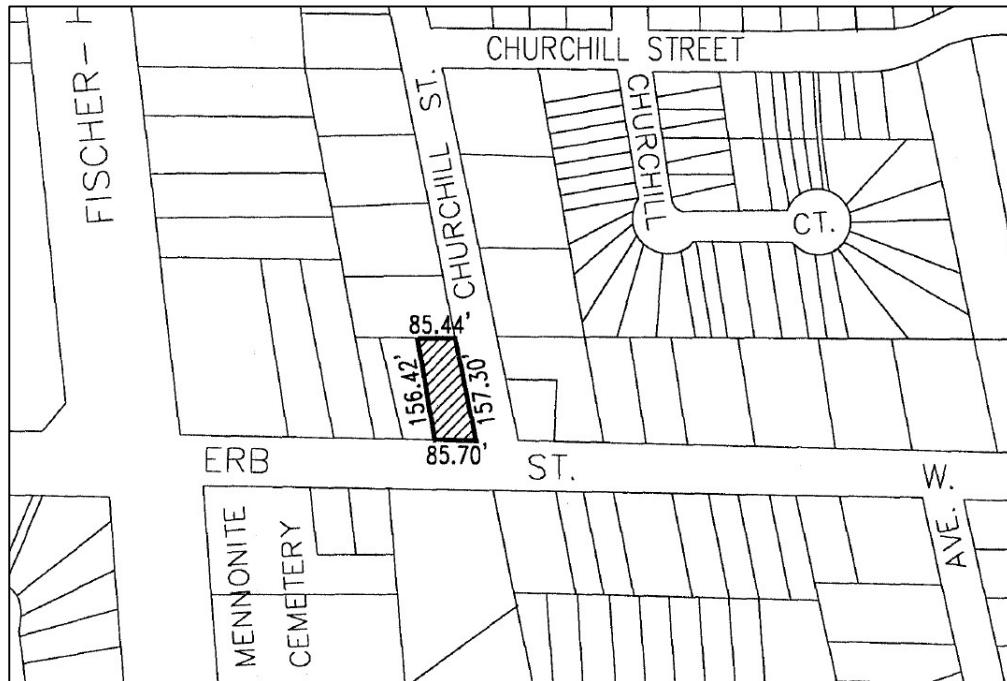
Location: 404 Erb Street West, Part Lot 27, R.P. 696, Part 3, 58R-666
as shown on Schedule 'C1' to this BY-LAW and on Image 1 below

Site Specific Regulations:

- a) The following Permitted USE is hereby added to Table 7A for the lands known municipally as 404 Erb Street West only:
 - MEDICAL CLINIC

- b) Notwithstanding anything to the contrary, the following site specific regulations shall apply to a MEDICAL CLINIC specified in a) above:
 - i. Restricted to a maximum of:
 - a. two (2) chiropractors and a maximum of two (2) support staff
 - b. two (2) registered MASSAGE THERAPISTS and a maximum of two (2) support staff
 - ii. The FIRST STOREY shall be limited to a maximum of 186 square metres and the entire FIRST STOREY may be used for a MEDICAL CLINIC.
 - iii. STOREYS above the FIRST STOREY shall only be used as DWELLING UNITS.
 - iv. FRONT YARD setback (minimum): 10.5 metres
 - v. PARKING SPACES for a MEDICAL CLINIC (minimum): eleven (11) spaces
 - vi. PARKING SPACES for each DWELLING UNIT (minimum): 1 per DWELLING UNIT

Image 1: Subject Lands



CITY OF WATERLOO

Exception	Address	Precinct	File Reference
C54	345-347 Erb Street West	MUR1-20	By-law 2000-114 [C54 – ZBL2018-050]

Location: 345-347 Erb Street West, Part Lots 10 & 11, R.P. 496, Parts 22 & 23, 58R-828
as shown on Schedule 'C1' to this BY-LAW.

Site Specific Regulations:

- a) Notwithstanding anything to the contrary, the following Permitted USES shall be permitted on the lands known municipally as 345-347 Erb Street West in addition to those specified in the Mixed-Use Residential 1 (MUR1) precinct:

- BAKE SHOP, including OUTDOOR BAKE SHOP PATIO
- CAFÉ, including OUTDOOR CAFÉ PATIO
- CHILD CARE CENTRE
- COMMERCIAL SCHOOL
- COMMERCIAL RECREATION
- COMMERCIAL SERVICE
- COMMERCIAL WELLNESS
- ELECTRONIC GAMING CENTRE
- FINACIAL SERVICE
- MEDICAL CLINIC
- NANOBREWERY
- OFFICE
- PERSONAL BREWING ESTABLISHMENT
- PERSONAL SERVICE SHOP
- PET SERVICES (CLASS A)
- RESTAURANT, including OUTDOOR RESTAURANT PATIO
- RESTAURANT (TAKE-OUT), including OUTDOOR RESTAURANT PATIO
- RETAIL STORE (including VARIETY STORE)
- VETERINARY CLINIC

- b) Notwithstanding anything to the contrary, the following Permitted USES shall be permitted on the lands known municipally as 355 Erb Street West in addition to those specified in the Mixed Use Residential 1 (MUR1) precinct:

- ALTERNATIVE EDUCATION CENTRE
- ARTIST STUDIO (CLASS A)
- CULTURAL FACILITIES
- INSTITUTION
- MAKERSPACE (CLASS A)
- PUBLIC MARKET
- TEMPORARY FARMERS MARKET
- TRAINING FACILITY

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- c) The Permitted USES specified in b) shall not collectively exceed 50% of the BUILDING FLOOR AREA on the LOT.

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Exception	Address	Precinct	File Reference
C56	360 Erb Street West	MUR1-20	By-law 2000-152 [C56 – ZBL2018-050]

Location: 360 Erb Street West, Part Lot 9, R.P. 496
as shown on Schedule 'C1' to this BY-LAW.

Site Specific Regulations:

- a) Notwithstanding anything to the contrary, the following regulations shall apply to the lands known municipally as 360 Erb Street West:
 - i. Easterly SIDE YARD setback (minimum): 2.4 metres
 - ii. LANDSCAPED OPEN SPACE (minimum): 144 square metres per DWELLING UNIT or 45% of total LOT AREA, whichever is more restrictive

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Exception	Address	Precinct	File Reference
C61	414 Erb Street West	MUR1-20	By-law 2001-143 SPA 21 [C61 – ZBL2018-050]

Location: 414 Erb Street West, Lot 29, R.P. 696
as shown on Schedule 'C1' to this BY-LAW.

Site Specific Regulations:

- a) The following Permitted USE is hereby added to Table 7A for the lands known municipally as 414 Erb Street West only:
 - VETERINARY CLINIC

- b) Notwithstanding anything to the contrary, the following additional site specific regulations shall apply to the VETERINARY CLINIC in a) above:
 - i. Number of Veterinarians (maximum): 1
 - ii. Number of VETERINARY CLINIC Employees other than the Veterinarian (maximum): 3
 - iii. STOREYS above the FIRST STOREY and the BASEMENT shall only be used as DWELLING UNITS.
 - iv. BUILDING FLOOR AREA of the FIRST STOREY (maximum): 186 square metres
 - v. Location of VETERINARY CLINIC: restricted to the FIRST STOREY
 - vi. That there shall be no outdoor runs and no overnight stays for animals.
 - vii. PARKING SPACES (minimum):
 - 8 PARKING SPACES for the VETERINARY CLINIC
 - 1 PARKING SPACE per DWELLING UNIT
 - a maximum six (6) PARKING SPACES shall be permitted in the FRONT YARD
 - a maximum three (3) PARKING SPACES shall be permitted in the REAR YARD

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Exception	Address	Precinct	File Reference
C145	402 Erb Street West	MUR1-20	2016-049 [C145 – ZBL2018-050]

Location: 402 Erb Street West, Part Lot 19, R.P. 696
as shown on Schedule 'C1' to this BY-LAW.

Site Specific Regulations:

- a) The following Permitted USE is hereby added to Table 7A for the lands known municipally as 402 Erb Street West only:
 - Community Housing, meaning "*housing owned and operated by a not-for-profit organization, with funding from government, that offers affordable dwelling units and subsidized (rent-geared-to-income) units in the entirety of a residential building.*"
- a) Notwithstanding anything to the contrary, the following additional site specific regulations shall apply to the Community Housing use:
 - i. FLANKAGE YARD setback (minimum): 3 metres
 - ii. SIDE YARD setback (minimum): 2.5 metres
 - iii. REAR YARD setback (minimum): 6.2 metres
 - iv. DAYLIGHT TRIANGLE setback (minimum): 0.6 metres
 - v. PARKING SPACES (minimum): 3 for a BUILDING containing a maximum 9 one-BEDROOM DWELLING UNITS
 - vi. Density (maximum): 159 BEDROOMS per hectare
 - vii. A column may project up to one (1) metre into the SIDE YARD.
 - viii. Balconies may project up to 1.2 metres into the FRONT YARD and REAR YARD.

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Exception	Address	Precinct	File Reference
C246	310, 312, 314 & 316 Erb Street West	MUR1-20	Z-21-08 By-law No. 2022-029 [C246 – ZBL2018-050]

Location: 310, 312, 314, 316 Erb Street West
as shown on Schedule 'C1' to this By-law

Site Specific Regulations:

Notwithstanding anything to the contrary, the following site specific provisions shall apply to the lands identified as 310, 312, 314, and 316 Erb St W:

- i. Westerly SIDE YARD setback (minimum):
 - A. 3.0 metres
 - B. Notwithstanding anything to the contrary, for any portion of the BUILDING with a height of 4.10 metres or less, the minimum side yard setback shall be 1.6 metres.
- ii. REAR YARD setback (minimum):
 - A. 7.5 metres
 - B. Notwithstanding anything to the contrary, for any portion of the BUILDING with a height of 4.10 metres or less, the minimum rear yard setback shall be 1.56 metres.
- iii. Northerly LOW RISE RESIDENTIAL LOT LINE setback (minimum):
 - A. 7.5 metres or half the height of the building, whichever is greater
 - B. Notwithstanding anything to the contrary, for any portion of the BUILDING with a height of 4.10 metres or less, the minimum northerly LOW RISE RESIDENTIAL LOT LINE setback shall be 1.56 metres.
- iv. Easterly LOW RISE RESIDENTIAL LOT LINE setback (minimum):
 - A. 3.0 metres
- v. LANDSCAPED OPEN SPACE (minimum):
 - A. 25.0%
- vi. GREEN ROOF (minimum):
 - A. 0.9% (24.8 square metres)
- vii. Height of FIRST STOREY (minimum):
 - A. 4.5 metres
 - B. Notwithstanding anything to the contrary, for 9.5 metres of the easternmost section of the first floor, the minimum FIRST STOREY height shall be 2.3 metres.
- viii. Residential Parking Rate (minimum)*:
 - A. 0.79 spaces per dwelling unit

*All other parking rates remain as stated in the MUR1-20 Precinct and this BY-LAW.
- ix. Low Rise Residential Landscape Buffer:
 - A. Notwithstanding anything to the contrary, the minimum width of the LOW RISE RESIDENTIAL LANDSCAPED BUFFER shall be an average of 1.70 metres with no point less than 1.5 metres.

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Exception	Address	Precinct	File Reference
C282	508 Beechwood Drive	MUR1-20 & OSC	Z-18-07 LPAT PL180793 LPAT PL180874 [C282 – ZBL2018-050]

Location: 508 Beechwood Drive
as shown on Schedule 'C1' to this BY-LAW.

Site Specific Regulations:

The following site specific provisions shall apply to the lands identified as 508 Beechwood Drive (the "Lands"):

- a.) Notwithstanding anything to the contrary, the maximum residential density permitted shall be 450 bedrooms per hectare.
- b.) Notwithstanding anything to the contrary, Section 3.S.5.1.a.ii shall not apply to the Lands (508 Beechwood Drive).
- c.) Notwithstanding anything to the contrary, the minimum FRONT YARD setback shall be 7.0 metres above GRADE.
- d.) Notwithstanding anything to the contrary, the minimum FRONT YARD setback shall be 5.0 metres below GRADE.
- e.) Notwithstanding anything to the contrary, an architectural entrance canopy shall be permitted to project into the FRONT YARD setback in c.) herein by a maximum 1.0 metre.
- f.) Notwithstanding anything to the contrary:
 - i. the minimum westerly SIDE YARD setback shall be 7.2 metres;
 - ii. balconies shall be permitted to encroach into the SIDE YARD setback in f.)i. herein by a maximum 0.8 metres.
- g.) Notwithstanding anything to the contrary, the minimum easterly SIDE YARD setback shall be 14 metres, with exception to a set of stairs within the easterly SIDE YARD that provide access to STOREYS below the GRADE, which shall have a minimum setback of 1.5 metres.
- h.) Notwithstanding anything to the contrary, the minimum REAR YARD setback shall be 10 metres.
- i.) Notwithstanding anything to the contrary, Ancillary Uses shall be restricted to the following Uses:
 - CAFÉ
 - CHILD CARE CENTRE
 - SPIRITUAL USE
- j.) Notwithstanding anything to the contrary, the maximum BUILDING HEIGHT shall be 25.5 metres and 7 STOREYS.
- k.) Notwithstanding anything to the contrary, for a BUILDING or part thereof constructed after the effective date of this by-law, the following STEPBACK regulations shall apply:

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- i. for the southerly building façade:
 - A. for a minimum 45% of the southerly building façade measured at the second STOREY, for STOREYS three to six inclusive, there shall be a minimum 3.0 metre STEPBACK from the second STOREY building façade;
 - B. for a minimum of 75% of the southerly building façade measured at the seventh STOREY, there shall be a minimum 0.8 metre STEPBACK of the seventh STOREY from the sixth STOREY building façade;
- ii. for the westerly building façade:
 - A. for the entire westerly building façade, for STOREYS three to six inclusive, there shall be a minimum 3.0 metre STEPBACK from the second STOREY building façade;
 - B. for a minimum 50% of the westerly building façade measured at the seventh STOREY, there shall be a minimum 1.2 metre STEPBACK of the seventh STOREY from the sixth STOREY building façade;
- iii. for the northerly building façade:
 - A. for the entire northerly building façade measured at the seventh STOREY, there shall be a minimum 18 metre STEPBACK of the seventh STOREY from the sixth STOREY building façade;

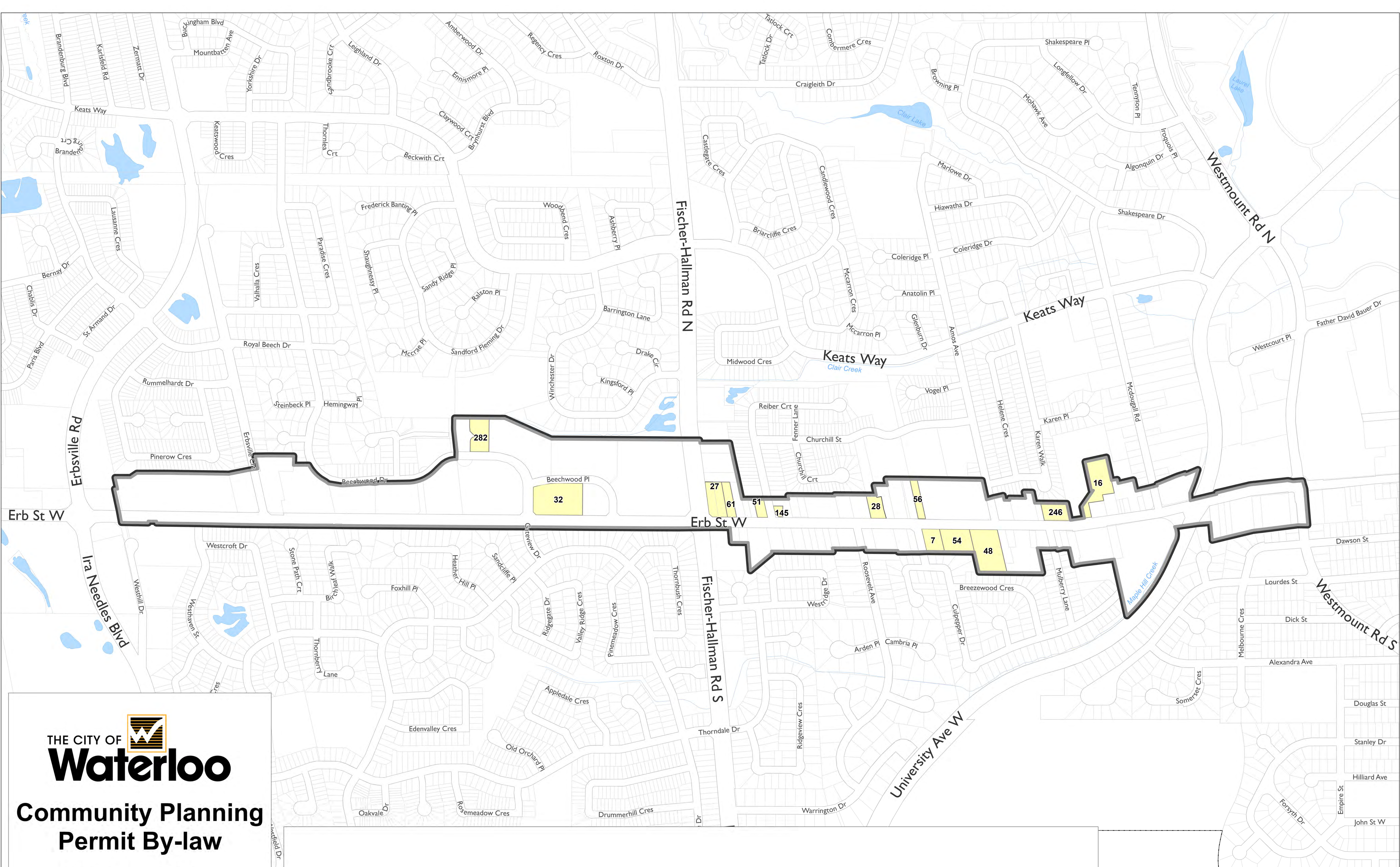
Notwithstanding anything to the contrary, balconies shall be excluded from the STEPBACK provisions herein.

- l.) Notwithstanding anything to the contrary, the following site specific provisions shall apply to the portion of the Lands within the Open Space Conservation (OSC) Precinct:
 - i. a DRIVEWAY may extend into the lands within the OSC Precinct by a maximum of 1.5 metres;
 - ii. a SURFACE PARKING SPACE may extend into the lands within the OSC Precinct by a maximum of 1.5 metres;
 - iii. the portion of the OCS Precinct lands within 5 metres of the REAR LOT LINE shall be naturalized;
 - iv. BUILDINGS and STRUCTURES shall be prohibited on the portion of the Lands within the OSC Precinct.

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SCHEDULE 'C1'

SITE SPECIFIC PRECINCTS MAP

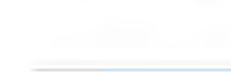

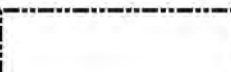
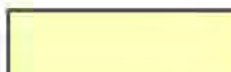






THE CITY OF Waterloo
Community Planning
Permit By-law
Site Specific
Precincts Map
Schedule 'C1'


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Legend

 Perennial Creeks	 Water Bodies	 City Boundary	 Site Specific Precincts
 Intermittent Creeks	 Property Fabric	 CPP By-law Area	

Map Notes

 Projection: UTM Zone 17
 Datum: North American Datum 1983
 Map Created By: GIS, ITS, Community Planning, IPPW
 Map Created On: March 4, 2026

APPENDICES

CITY OF WATERLOO

APPENDIX 'A'

HOLDING PROVISIONS

(none)