

## 10. Fulfilling Consultation and Implementation Roles

Establishing an effective implementation framework is an essential component of any plan if its goals and objectives are to be realized. This Chapter outlines a variety of tools that will be used to implement the policies in this Plan, including the traditional tools that govern the review and approval of *development applications*. This Chapter also addresses the key roles of Area Municipalities in achieving this Plan's objectives.

Partnerships and collaboration are critical when it comes to implementation, and the Region relies upon the strong relationships that have been developed with the *Province*, Area Municipalities, the Grand River Conservation Authority, other government agencies, the private sector and the broader community. The Region's goal in the public consultation process is to collaborate with individuals, groups and agencies to achieve, whenever possible, mutually satisfactory solutions to planning issues. Collaboration and participation are encouraged as part of the planning process in order to find alternative points of view and solutions, build trust and accountability, recognize diverse interests and to ultimately make better decisions. To assist in this process, the Region will undertake research on emerging planning issues and monitor the effectiveness of policies in this Plan.

The planning tools and resources that aid implementation are also described in this Chapter. *Community Improvement Plans*, fiscal tools, Provincial legislation and policy and implementation guidelines are all mechanisms that the Region may either use or require. In addition, this Chapter contains policies related to plan interpretation, boundary interpretation and the process for amending this Plan.

Regional Implementation Guidelines are used to support the objectives of this Plan. These guidelines detail the manner in which certain policies will be implemented.

Finally, this Chapter establishes a framework for ongoing monitoring that will ensure that the policies in this Plan remain effective in achieving the stated goals and objectives. Only through monitoring can the Region assess the success of specific policies and subsequently make targeted amendments to ensure these overall goals and objectives of this Plan are realized, or adjusted as required.

**Overall Goal – Foster participation and collaboration in the effective implementation of the goals and objectives of this Plan.**

### Objectives:

- 10.1 Help educate and engage members of the community about the importance of planning and to encourage participation in the planning process.
- 10.2 Provide a variety of enhanced opportunities for input and continue to explore innovative processes for citizen engagement.

- 10.3 Continue to partner with Area Municipalities, the Grand River Conservation Authority and other stakeholders to successfully implement this Plan.
- 10.4 Continue to provide regular, streamlined and timely communication with partners and the broader community.
- 10.5 Monitor, evaluate and report on implementation progress.
- 10.6 Continue to develop and/or participate in financial incentive programs.

### 10.A Public Consultation

#### Partnerships and Collaboration

- 10.A.1 The Region will provide opportunities for public participation in the development, implementation and monitoring of Regional planning policies in accordance with this Plan, the Planning Act, the Environmental Assessment Act and other relevant legislation and policy.
- 10.A.2 The Region will co-operate with Area Municipalities in public participation programs, including the holding of joint public meetings, where appropriate, during the processing of amendments to this Plan and Area Municipal official plans, and for other initiatives where interests are common.
- 10.A.3 In public participation programs associated with a *municipal comprehensive review* of this Plan, or major amendments hereto, the Region will endeavour to:
  - (a) establish realistic objectives and timelines for public participation programs;
  - (b) solicit public input through a variety of enhanced public participation programs;
  - (c) demonstrate how comments from the public have been considered in the planning policy and development decisions; and
  - (d) ensure appropriate opportunities exist for public input into the development and approval of planning policies and programs.

## 10.B Planning Tools and Resources

### Corporate Strategic and Fiscal Planning

- 10.B.1 The Region will prepare and regularly update a Regional Corporate Strategic Plan that:
- (a) identifies emerging opportunities that are key to the maintenance and enhancement of the quality of life in the region, and to the achievement of the goals and objectives of this Plan; and
  - (b) recommends priorities among various programs and services of the Region, and organizational and other changes needed to maintain and improve efficient and effective program and service delivery.
- 10.B.2 The Regional Capital Forecast will be prepared and periodically updated to reflect the stated goals and objectives of this Plan. The Region will give priority to *infrastructure* investments that support the Planned Community Structure of this Plan.
- 10.B.3 The Region may impose user fees as a means of recovering appropriate operating and capital costs associated with the delivery of Regional services.
- 10.B.4 The Region will periodically examine the implications of Regional efforts to develop cost recovery mechanisms for its services and programs on the various sectors of the community. Where these impacts prove onerous, alternative approaches may be implemented.
- 10.B.5 The Region will establish and maintain a Regional Development Charges By-law, in accordance with the provisions of the Development Charges Act, as a means of recovering eligible growth-related capital costs associated with the delivery of Regional services. The Region may provide for exemptions from the collection of such charges within the Regional Development Charges By-law, where such exemptions support the Planned Community Structure of this Plan.

### Community Improvement Plans

- 10.B.6 For the purposes of promoting a *sustainable* and *liveable* community, the Region may support *community improvement* through the designation of Community Improvement Project Areas and the adoption of Regional *Community Improvement Plans* in relation to the following:
- (a) *affordable housing*;
  - (b) *infrastructure* that is within the Region's jurisdiction;
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- (c) land and buildings within and adjacent to Existing or Planned Transit Corridors that have the potential to provide for higher density *reurbanization*; or
  - (d) other matters as the *Province* may prescribe in accordance with the Planning Act.
- 10.B.7 The Region may provide grants, loans or other assistance under its own *Community Improvement Plans*. The corporate boundaries of the Region of Waterloo constitute the boundaries of the Community Improvement Project Area under the Planning Act.
- 10.B.8 The Region may provide grants, loans or other assistance as Regional Council deems appropriate for the purposes of carrying out programs as described in Area Municipal *Community Improvement Plans*.

### Implementation Guidelines

- 10.B.9 Regional Implementation Guidelines are recognized as statements adopted by resolution of Regional Council which detail the manner in which policies established in this Plan will be implemented. The content and scope of these Implementation Guidelines will be determined by the Region, in consultation with Area Municipalities and the Grand River Conservation Authority as appropriate, will be updated from time-to-time and will be in conformity with the policies in this Plan.
- 10.B.10 Regional Implementation Guidelines will not be used as instruments to introduce new policy provisions that could be the basis for denying *development applications* under the Planning Act, or for interfering with the natural justice rights of landowners and the public.
- 10.B.11 The Region will provide public and agency notification at least 20 days prior to Regional Council consideration of any new or revised Regional Implementation Guidelines. Such notification will include the following information:
- (a) the general nature, purpose or content of the proposed Implementation Guideline;
  - (b) the time, date and place at which the proposed Implementation Guideline will be considered for approval by Regional Council or a Committee of Regional Council; and
  - (c) the means by which interested persons may obtain further information or may submit comments on the proposed Implementation Guideline prior

to its adoption.

- 10.B.12 Public and agency notification of the proposed adoption of a Regional Implementation Guideline will be provided by:
- (a) publication in a newspaper of sufficiently general circulation as to give reasonable public notice of the meeting;
  - (b) personal service or prepaid first class mail to every person or agency who has made a request to receive such notification or who the Region has determined is likely to have a significant interest in the matter which is the subject of the proposed Implementation Guideline;
  - (c) posting on the Region's website; and
  - (d) other means of notification as may be deemed appropriate by Regional Council.
- 10.B.13 Copies of the proposed Regional Implementation Guideline will be available at the time public notification is given in accordance with Policy 10.B.11.
- 10.B.14 A reasonable opportunity will be provided to all persons and agencies having an interest in a proposed Regional Implementation Guideline to make representations to Regional Council or to a Committee of Regional Council. A fair hearing will be provided to such deputations or to written comments submitted to the Regional Clerk, prior to its consideration for adoption.

## 10.C Policy and Mapping Interpretations

### Policy Interpretation

- 10.C.1 The text, tables, maps, schedule and glossary of terms contained in this Plan constitute the Regional Municipality of Waterloo's Official Plan. Any graphics or text contained in the margins of the Plan are intended to be illustrative and are provided for information only.
- 10.C.2 The policies contained in this Plan provide a statement of the intentions of Regional Council. If clarification of any policy is necessary, reference should be first made to the introductory text, and then to the overall goals and objectives of this Plan. Maps 1 to 8 must be read in the context of the related policies.
- 10.C.3 Where new mapping information is provided by the *Province*, any affected maps in this Plan will be reviewed and updated as part of the five-year *municipal comprehensive review* process, or the completion of a *municipal comprehensive review* as otherwise initiated by Regional Council.

- 10.C.4 In the case of a discrepancy between the policies and the related map, the policies will take precedence.
- 10.C.5 Where differences of opinion arise as to the meaning of any part of this Plan, an interpretation may be made by Regional Council after hearing all interested parties. Where such interpretation is not accepted by the Council of an Area Municipality or by any other interested party, such Council or party may apply to the Courts or other Body having jurisdiction over such matters.
- 10.C.6 Where a parcel of land is subject to one or more designations shown on a map in this Plan, *development applications* will be reviewed in accordance with all the policies of the applicable designations. Where conflict exists between such policies, the more restrictive policies will prevail to the extent of the conflict except where application of the more restrictive policy would result in an outcome not consistent with the goals and objectives of this Plan.

### Boundary Interpretation

- 10.C.7 The boundaries shown on maps in this Plan will be interpreted as follows:
- (a) the urban land use designations as shown on Maps 3a to 3e inclusive will be interpreted as being definitive, except for Urban Growth Centres, Township Urban Growth Centres and Major Transit Stations Areas, the boundaries of which are conceptual. The precise boundaries of these three designations will be delineated in the applicable Area Municipal official plan;
  - (b) where the boundaries of the Urban Area, Township Urban Areas and the Highway 401/Regional Road 97 Employment Area as shown on Maps 3a to 3e inclusive coincide with such physical features as roadways, rivers and other defined geographical features, the boundaries will be deemed to be the centre line of that feature.
  - (c) the environmental land use designations as shown on Map 4, except for the Provincial Greenbelt Natural Heritage System, are based on more detailed mapping contained in the Technical Appendix for Landscape Level Systems and Core Environmental Features. The interpretation of these boundaries will be in accordance with the provisions set out in Chapter 7. The boundary of the Provincial Greenbelt Natural Heritage System will be interpreted in accordance with the provisions of the Provincial Greenbelt Plan; and
  - (d) the boundaries of the various natural resource areas as shown on Maps 6a to 6g, Map 7 and Map 8 will be interpreted through the *development* review process.
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## 10.D Development Review Process

- 10.D.1 The Region will provide comments to Area Municipalities or other applicable agencies with respect to matters of Regional significance or interest relating to applications submitted in accordance with the Planning Act or other Provincial or Federal legislation and policy. These comments will be provided in accordance with the procedures established by the *Province*, the Ontario Municipal Board or other legal authority.
- 10.D.2 The Region, in its role as a delegate of various Provincial agencies as established through legislative regulation or agreements with these agencies, will implement this mandate through the review and approval of *development applications*.
- 10.D.3 Where the Region is the approval authority as assigned under the provisions of the Planning Act, Regional Council may by by-law, subject to any terms and conditions contained therein, delegate authority to persons or bodies as described in the by-law.
- 10.D.4 Applications to amend this Plan will not be accepted by the Region for processing in the absence of a complete application in accordance with the policies in this Section.
- 10.D.5 The Region will only accept and process complete applications for plans of subdivision or plans of condominium for which the Region is the approval authority, and/or for amendments to this Plan. To be deemed complete, an application must satisfy all applicable statutory requirements, all requirements set out in the applicable Area Municipal official plan and be accompanied by all the *other information and materials* listed in Schedule 'C' except where some of these study requirements have been scoped or waived through a *pre-submission consultation meeting* as set out in a Record of Pre-submission Consultation issued by the Regional Commissioner of Planning, Housing & Community Services pursuant to the Region's Pre-submission Consultation By-Law.
- 10.D.6 *Other information and materials* submitted in accordance with Policy 10.D.5 are subject to the following stipulations in order to be deemed complete:
- (a) the content and necessity of the *other information and materials* will be determined through a *pre-submission consultation meeting* with the Region, the applicable Area Municipality and other agencies as required and will be in keeping with the scope and complexity of the application(s);
  - (b) the *other information and materials* submitted must be prepared by a qualified professional (as defined in applicable legislation or alternatively
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to the satisfaction of the Region) retained by and at the expense of the owner/applicant; and

- (c) the *other information and materials* submitted must be in accordance with any applicable Provincial or Regional guidelines.
- 10.D.7 The Region may refuse *other information and materials* submitted if it considers the quality of the submission unsatisfactory.
- 10.D.8 The Region may request electronic versions of all *other information and materials* submitted and stipulate the format of the digital submission.
- 10.D.9 The Region may require additional information or reports as part of the complete application, in addition to the *other information and materials* listed in Schedule 'C', where circumstances necessitate such information in the decision-making process.
- 10.D.10 Through the course of the review process for a *development application* that has otherwise been deemed a complete application, the Region may require additional reports, studies, or information from the owner/applicant to address specific issues to enable Regional Council to make informed decisions.
- 10.D.11 Where this Plan requires a study to be completed in support of a *development application*, such studies will be submitted and approved to the satisfaction of the appropriate agency. If an appropriate agency is not stated as an approval authority, the required studies must be completed to the satisfaction of the Region and the results of such studies will be used to structure conditions of approval.
- 10.D.12 Where this Plan requires a study to be completed in support of a *development application* and the study has been submitted to the satisfaction of the Region or the appropriate agency, the resultant recommendations from the study or studies must be implemented, or secured through appropriate legal agreements, prior to final approval of the *development application*.
- 10.D.13 The Region may conduct a peer review of any *other information and materials* submitted where necessary to determine whether the quality of the submission is satisfactory. Such peer reviews will be completed by an appropriate agency or professional consultant retained by the Region at the owner/applicant's expense.
- 10.D.14 The Region will continue to review the *development* review process in consultation with Area Municipalities, the Grand River Conservation Authority, the development industry and other stakeholders to:
- (a) establish and monitor general time frames and procedures for the review
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of development applications;

- (b) identify means of increasing the efficiency and effectiveness of the development review process;
- (c) update development review procedures based on the review; and
- (d) periodically prepare a report for Regional Council on the results of the review.

10.D.15 The Region, or any delegate thereof responsible for the approval of plans of subdivision, will, in consultation with the applicable municipality and other appropriate agencies, review draft approved plans of subdivision every three years in accordance with the provisions of the Planning Act.

## 10.E Plan Conformity

10.E.1 This Plan is a legal document prepared in accordance with the statutory powers and responsibilities vested in the Region by the *Province*. All public works carried out in the region must be in conformity with this Plan, and no by-laws will be passed for any purposes that are not in conformity with this Plan.

10.E.2 The effect of Provincial and Federal legislation in granting exemptions from compliance under this Plan for specified undertakings is acknowledged. However, the Region will strive through consultation to gain the full support of Federal and Provincial agencies in working toward the objectives of this Plan.

10.E.3 Other government agencies will have regard to this Plan in preparing and administering plans and programs which may affect the region.

10.E.4 The Region considers the policies in this Plan to be consistent with the Provincial Policy Statements adopted by the *Province* under the Planning Act.

10.E.5 Although the scope and content of respective Area Municipal official plans may differ in recognition of the unique circumstances within each municipality, Area Municipal official plans and official plan amendments:

- (a) will be in conformity with this Plan; and
- (b) may contain policies which are more restrictive than the policies in this Plan on the same subject, but may not be more permissive than the policy direction established in this Plan.

- 10.E.6 Where this Plan designates lands on a map or establishes a policy on a particular matter, it may not be necessary for Area Municipal official plans to address the issue further unless this Plan requires companion actions by the Area Municipality, or the Area Municipality wishes to apply the policy in greater detail.
- 10.E.7 Area Municipalities will bring their respective official plans and zoning by-laws into conformity with the policies in this Plan in accordance with the timelines set out in the Planning Act.
- 10.E.8 In the event that an Area Municipality fails to bring its official plan into conformity with this Plan within two years of the date of approval of this Plan, the Region will require the Area Municipality to amend its official plan to achieve such conformity in accordance with the provisions of the Planning Act.
- 10.E.9 Where an Area Municipality has not brought their official plan into conformity with the policies required to be established by policies in this Plan, the Region will provide interpretation of these policies as part of the *development* review process.
- 10.E.10 Notwithstanding any other policies in this Plan, public service facilities and systems owned and operated by, or on behalf of, the Federal or Provincial governments, the Region or any Area Municipality, or the Grand River Conservation Authority may be permitted in any Area Municipal Plan land use designation.
- 10.E.11 The policies in this Plan will apply to any *development applications* or *site plans*, matters or proceedings commenced on or after the date this Plan, or any applicable part of this Plan, comes into effect.

## **10.F Amendments to the Plan**

- 10.F.1 Notice of amendments to this Plan will be given in accordance with the procedures as provided for in the Planning Act.
- 10.F.2 Copies of the proposed amendment will be available to the public at the time notification is given.
- 10.F.3 In considering amendments to this Plan, the Region will be guided by the following:
- (a) the need for the proposed change;
  - (b) the effect of the proposed change on the demand for Regional and Area Municipal services and facilities;
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- (c) the implications the amendment may have on other policies in this Plan;
- (d) the implications of the proposed change on the Region's ability to achieve the overall goals, objectives, and policies expressed in this Plan, or on other Regional policies, programs or interests;
- (e) the implications of the proposed change on the ability of Area Municipalities to achieve the principles and policies expressed in their official plans, or on other Area Municipal policies, programs or interests;
- (f) the conformity of the amendment with the Growth Plan and other applicable Provincial policies and legislation; and
- (g) the consistency of the amendment with the Provincial Policy Statement.

10.F.4 The Region will undertake a review of the policies in this Plan where judicial decisions, Ontario Municipal Board decisions, and/or changes to legislation or the Provincial Policy Statements warrant such a review. The Region will consider amendments to this Plan as appropriate to implement the results of this review.

10.F.5 The Region will review the policies in this Plan as part of a five-year *municipal comprehensive review*, or the completion of a *municipal comprehensive review* as otherwise initiated by Regional Council. These reviews will be completed in conjunction with updates to the Regional Land Budget which will help determine whether there is sufficient justification to consider expanding the Urban Area and/or Township Urban Area boundaries to accommodate projected population and employment growth within the time horizon of the Plan.

10.F.6 The Region will conduct a major review of the overall goals and objectives of this Plan every ten years.

## **10.G Monitoring, Plan Review and Updating**

10.G.1 To provide information for the on-going evaluation of the policies in this Plan, the Region will continue to carry out a program of research, in collaboration with the *Province*, Area Municipalities, the Grand River Conservation Authority and other stakeholders, as appropriate, to identify the changing social, economic and physical needs of the residents of the region and the consequences of technological improvements that may affect the programs and policies of the Region.

10.G.2 The Region will continue to develop financial and/or information collection and sharing arrangements with the *Province*, Area Municipalities, the Grand

River Conservation Authority and other stakeholders to provide for the development and maintenance of comprehensive and integrated region-wide demographic, environmental, economic, land use, housing and social databases. These databases will be used to monitor the effectiveness of the policies in this Plan, and where feasible, information from these databases will be made available to the public.

- 10.G.3 Data collected in accordance with Policy 10.G.2 for inclusion in the cultural, demographic, environmental, economic, land use and social databases will be used for monitoring and to support future amendments and *comprehensive reviews* of the Plan.
- 10.G.4 A report will be presented periodically to Regional Council and community stakeholders with the results of the monitoring process.