

Subject: High Performance Development Standard Update 2023

File Number: ACS2023-PRE-EDP-0016

Environment and Climate Change Committee on 18 April 2023

and Council 10 May 2023

Submitted on March 28, 2023 by David Wise, Director, Economic Development and Long Range Planning, Planning, Real Estate and Economic Development Department

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Ward: Citywide

Objet : Mise à jour 2023 sur les Normes pour l'aménagement d'immeubles très performants

Dossier : ACS2023-PRE-EDP-0016

Rapport au Comité de l'environnement et du changement climatique

le 18 avril 2023

et au Conseil le 10 mai 2023

Soumis le 28 mars 2023 par David Wise, Directeur, Développement économique et planification à long terme, Services de la planification, des biens immobiliers et du développement économique

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Quartier : À l'échelle de la ville

REPORT RECOMMENDATION(S)

That the Environment and Climate Change Committee :

- 1. Approve the updated High Performance Development Standard phasing timeline as outlined in this report;**
- 2. Approve the revised work plan timeline and next steps for High Performance Development Standard as outlined in this report;**
- 3. Direct staff to report back to Environment and Climate Change Committee with:**
 - a. an update to the Corporate Green Building Policy to align with Tier 2 of the High Performance Development Standard 2024;**
 - b. key performance indicators relating to the implementation and results of the High Performance Development Standard as part of the Climate Change Master Plan Annual Status Update;**
 - c. proposed incentive program, and funding options to support higher tier performance (Tier 2) in 2024; and**
 - d. review and update of the High Performance Development Standard every four years with first recommended update for approval in 2025.**
- 4. Direct staff to respond to changes to the Ontario Building Code and Ontario Building Code Act, and report back to Environment and Climate Change Committee as required.**
- 5. Approve the revised Site Plan Control by-law provisions within Site Plan Control By-law 2014-256 as amended, in order to:**
 - a. Apply the High Performance Development Standard to all Site Plan Control applications in the urban area;**
 - b. Apply the High Performance Development Standard to Site Plan Control applications that meet the definition of “HPDS Development Threshold” in the rural area;**
 - c. Require drawings sufficient to display matters of exterior design and their sustainable design as outlined in the High Performance Development Standard, as adopted by City Council on April 13, 2022; and**

- d. Add a definition for “HPDS Development Threshold” (formerly referred to as Complex Site Plan)

RECOMMANDATION(S) DU RAPPORT

Que le Comité de l’environnement et du changement climatique :

1. Approuve le calendrier révisé d’application progressive des Normes pour l’aménagement d’immeubles très performants, qui est présenté dans ce rapport;
2. Approuve le calendrier de travail révisé et les prochaines étapes relatives aux Normes pour l’aménagement d’immeubles très performants, qui sont présentés dans ce rapport;
3. Enjoigne au personnel de rendre compte au Comité de l’environnement et du changement climatique en soumettant :
 - a. une mise à jour de la Politique sur les bâtiments écologiques de la Ville pour qu’elle respecte les exigences du palier 2 des Normes pour l’aménagement d’immeubles très performants 2024;
 - b. des indicateurs clés de rendement liés à la mise en œuvre et aux résultats des Normes pour l’aménagement d’immeubles très performants dans le cadre de la mise à jour annuelle du Plan directeur sur les changements climatiques;
 - c. un programme incitatif et des options de financement favorisant un rendement de palier supérieur (palier 2) en 2024; et
 - d. une révision et mise à jour des Normes pour l’aménagement d’immeubles très performants tous les quatre ans, la première mise à jour recommandée devant être approuvée en 2025.
4. Enjoigne au personnel de tenir compte des changements apportés au Code du bâtiment de l’Ontario et à la *Loi sur le code du bâtiment* de l’Ontario, et de rendre compte au Comité de l’environnement et du changement climatique au besoin.
5. Approuve les dispositions révisées de la *Réglementation du plan d’implantation* (n° 2014-256), dans sa version modifiée, afin de :

- a. **Appliquer les Normes pour l'aménagement d'immeubles très performants à toutes les demandes de réglementation du plan d'implantation dans le secteur urbain;**
- b. **Appliquer les Normes pour l'aménagement d'immeubles très performants aux demandes de réglementation du plan d'implantation qui répondent à la définition de « seuil d'aménagement NAITP » dans le secteur rural;**
- c. **Exiger des dessins qui montrent suffisamment l'extérieur et la conception durable des immeubles, conformément aux Normes pour l'aménagement d'immeubles très performants, comme l'a demandé le Conseil municipal le 13 avril 2022; et**
- d. **Définir « seuil d'aménagement NAITP » (anciennement appelé « plan d'implantation complexe »)**

EXECUTIVE SUMMARY

On April 13, 2022, City Council approved the High Performance Development Standard (HPDS) [ACS2022-PIE-EDP-0005](#). The HPDS is a collection of voluntary and required standards that are applied through the existing development approval process using authority under the Planning Act and under the authority of the new Official Plan.

The HPDS will apply to the following application types:

- Site Plan Control in the Urban Area: All site plan applications
- Site Plan Control in the Rural Area: HPDS Development Threshold Applications only
- Plan of Subdivision all Areas: Application for New Development

On July 6, 2022, Council approved Site Plan Control By-law amendments to enable the HPDS to come into effect, however, these amendments were never enacted. In addition, a number of events have impacted the timing of the [High Performance Development Standard](#) coming into effect since its approval by Council, including:

- The passage of Bill 109, *More Homes for Everyone Act*, which has implications on the site plan approval process and timelines for approvals;
- The passage of Bill 23, *More Homes Built Faster Act*, which initially removed the authority for municipalities to impose sustainable design criteria through Site Plan Control but was later amended to reinstate this authority;

- Provincial approval of Ottawa's new Official Plan. Council had directed the HPDS to come into effect when the new Official Plan was provincially approved, however, staff delayed this implementation as a result of Bill 23.

There are no changes to the HPDS Site Plan Control and Plan of Subdivision Metrics approved by Council in April 2022. The HPDS requirements are posted online www.ottawa.ca/hpds.

This report includes:

- A revised HPDS implementation phasing plan;
- A summary of next steps in the HPDS workplan; and
- Proposed amendments to the Site Plan Control By-law to bring the HPDS into effect.

RÉSUMÉ

Le 13 avril 2022, le Conseil municipal a approuvé les Normes pour l'aménagement d'immeubles très performants (NAITP) [ACS2022-PIE-EDP-0005](#). L'acronyme NAITP désigne un ensemble de normes volontaires et obligatoires, qui sont appliquées dans le cadre du processus actuel d'approbation des aménagements en vertu des pouvoirs conférés par la *Loi sur l'aménagement du territoire* et par le nouveau Plan officiel.

Les NAITP s'appliqueront aux types de demandes suivants :

- Réglementation du plan d'implantation dans le secteur urbain : toutes les demandes de plan d'implantation
- Réglementation du plan d'implantation dans le secteur rural : uniquement les demandes « seuil d'aménagement NAITP »
- Plan de lotissement de tous les secteurs : demandes pour les nouveaux aménagements

Le 6 juillet 2022, le Conseil a approuvé des modifications de la *Réglementation du plan d'implantation* afin de permettre l'application des NAITP, mais ces modifications n'ont jamais été adoptées. De plus, certains événements ont retardé l'entrée en vigueur des [Normes pour l'aménagement d'immeubles très performants](#) depuis leur approbation par le Conseil, notamment :

- L'adoption du projet de loi 109, *Loi de 2022 pour plus de logements pour tous*, qui a des répercussions sur le processus d'approbation des plans d'implantation et sur le calendrier des approbations;
- L'adoption du projet de loi 23, *Loi de 2022 visant à accélérer la construction de plus de logements*, qui a initialement ôté aux municipalités le pouvoir d'imposer

des critères de conception durable au moyen de la *Réglementation du plan d'implantation*, mais qui a par la suite été modifié afin de leur redonner un tel pouvoir;

- L'approbation par le gouvernement provincial du nouveau Plan officiel d'Ottawa. Le Conseil a demandé que les NAITP entrent en vigueur quand le nouveau Plan officiel a été approuvé, mais le personnel a retardé l'application des normes en raison de l'existence du projet de loi 23.

Aucune modification de la réglementation du plan d'implantation des NAITP ou des indicateurs du Plan de lotissement n'a été approuvée par le Conseil en avril 2022. Les exigences des NAITP sont publiées en ligne à www.ottawa.ca/naitp.

Le présent rapport comprend :

- Un plan révisé d'application progressive des NAITP;
- Un résumé des prochaines étapes du plan de travail relatif aux NAITP;
- Les modifications proposées à la *Réglementation du plan d'implantation* afin de permettre l'application des NAITP.

BACKGROUND

In October 2021, Council approved the new Official Plan [ACS2021-PIE-EDP-0036](#). It included policies to enable the implementation of the High Performance Development Standard (HPDS) which are contained within the Urban Design and Implementation sections of the Plan. The HPDS is authorized under Official Plan Policy 11.1, Subsection 3.

On April 13, 2022, Council approved the HPDS [ACS2022-PIE-EDP-0005](#). The HPDS is a collection of voluntary and required standards that are applied through the existing development approval process using authority under the Planning Act and under the authority of the new Official Plan. The HPDS will apply to all new applications for Site Plan Control in the urban area and site plan applications that meet the definition of "HPDS Development Threshold" (formerly referred to as Complex Site Plan) in the rural area.

On April 14, 2022, the Province enacted Bill 109, *More Homes for Everyone Act*, which imposes refund requirements if decisions on site plan applications are not made within 60 days. Development Review Services will be incorporating the HPDS into their development approval procedures to meet the required timelines for site plan approval.

On July 6, 2022, Council approved Site Plan Control By-law amendments to enable the HPDS. These amendments have not yet been enacted.

On October 25, 2022, the Province introduced Bill 23, *More Homes Built Faster Act* which initially removed the authority for municipalities to impose sustainable design criteria through Site Plan Application.

On November 4, 2022, the Province approved Ottawa's new Official Plan with revisions. Although Council direction was for the HPDS to come into effect when the new Official Plan was approved, staff delayed this implementation because of Bill 23.

On November 28, 2022, the Province enacted a revised Bill 23. The revised Bill 23 included amendments which provided new clauses to provide the authority to impose sustainable design criteria through Site Plan Control.

On February 28, 2023, the Ministry of Municipal Affairs and Housing provided a letter to municipalities in the province to provide greater clarity on their intentions and plans with respect to municipal green standards. In particular the letter stated:

- It was not the intention of the government through Bill 23, *The More Homes Built Faster Act, 2022*, to prevent municipalities from using Site Plan Control to promote green standards;
- The Ministry plans to commence discussions in the near term with municipalities, builders, designers, manufacturers, and building officials to develop a new and consistent province-wide approach for municipalities wanting to implement green building standards that are above the minimum requirements in the Building Code; and
- The Ministry plan to work with interested municipalities and other stakeholders on transitioning certain green building standards related to building construction (which are currently being implemented through the site plan process) into the Ontario Building Code. This will be achieved through an interim Building Code amendment by the summer of 2023.

The Ontario Building Code energy requirements are expected to be updated before March 2024 to harmonize with the new National Tiered Energy Code.

DISCUSSION

This report provides an update on the implementation of the High Performance Development Standard (HPDS) including HPDS requirements, application of the HPDS, process, and the Site Plan Control By-law amendments required to respond to Bill 23.

The HPDS Metrics

There are no changes to the HPDS Site Plan Control and Plan of Subdivision Metrics

approved by Council in April 2022. The HPDS requirements are posted online www.ottawa.ca/hpds.

Application of the HPDS

As approved in April 2022, the HPDS will be applied to the following application types:

- Site Plan Control in the Urban Area: all planning applications
- Site Plan Control in the Rural Area: HPDS Development Threshold Applications (previously referred to as complex) only
- Plan of Subdivision all Areas: Application for New Development

Staff are not proposing any changes to the application of the HPDS but, Ontario Bill 23 has removed authority for Site Plan Control on residential buildings with fewer than 11 units. Consequently, the HPDS will not apply to residential projects with less than 11 units.

Process

The HPDS will remain part of the Site Plan and Plan of Subdivision application processes as previously approved by Council in April 2022. The process to submit documents is being updated to align with the new processes needed because of Bill 109. For Site Plan, the HPDS checklist will be needed to deem an application complete, and the energy modeling report will become a condition of approval. Currently there are no changes to the Plan of Subdivision process.

Recommendation #1: Approve the updated High Performance Development Standard phasing timeline as outlined in this report;

As approved by Council in April 2022, the HPDS was intended to be phased in over time to build staff and industry capacity while still accounting for climate change targets. As a result of recent Provincial changes to the Planning Act, the phasing has been delayed. Table 1 below outlines the original approved phasing and recommended revised timeline. This new timing has taken into consideration the Province's plans for code changes, and lead time to accommodate training and capacity-building amongst industry and development review staff.

HPDS version 1.1 which commences on July 1, 2023, is set to align with the new Bill 109 process. This is done to streamline process changes and provide for clear communication around process change dates. The energy metrics will begin as report

only and will be phased in to have the thresholds implemented in HPDS version 1.2 starting January 1, 2024.

This phase-in time is provided to recognize that the Province has signaled an intent to move forward with changes in 2023 that may impact energy efficiency matters of building design, and so while HPDS will require a developer to have regard for energy efficiency and demonstrate how this is being contemplated and influencing their design, it will not become mandatory until Provincial moves are more clear – and allow for further adjustments if deemed necessary. Further, it is recognized that there will be time needed for both industry and City staff to build capacity around design submissions relating to energy efficiency in terms of design process and resourcing, and so providing a transition is appropriate to reflect the implementation of a new procedural design requirement. Staff will review and consider changes to the Ontario Building Code and National Tiered Energy Code as part of all phases of the HPDS.

Table 1. HPDS Phasing

HPDS Version	Key elements	Date Approved April 2022	Revised Timeline
HPDS v. 1.1	The first phase of the HPDS will require the majority of the metrics in new development applications. The one exception to this is the energy modeling metric. This will begin as an analysis report only requirement, meaning the energy analysis will be required but no targets will be enforced.	Upon Provincial Approval of the New Official Plan.	July 1, 2023
HPDS v. 1.2	This second phase of the HPDS will require energy threshold requirements be enforced as part of the energy analysis for the project.	June 2023	January 1, 2024
HPDS v. 1.3	The third phase of the HPDS will phase in elements that require zoning to enforce, such as Electric Vehicle parking requirements. As the HPDS points to the Zoning By-law as the implementing tool under the applicable metrics the timeline has been updated to reflect the new zoning bylaw project timeline.	Q4 2024	Q4 2025
HPDS v. 2	A full update will be conducted in 2025 and will be subject to Council approval. It is expected this update may move a number of the previous versions Tier 2 metrics into Tier 1 and take effect Jan. 1, 2026.	January 2026	January 2026
HPDS v.3	A second full update is planned in 2029 and will be subject to Council approval. It is expected to	January 2030	January 2030

	bring the HPDS in line with the Energy Evolution targets for 2030.		
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Recommendation #2: Approve the revised work plan timeline and next steps for High Performance Development Standard as outlined in this report;

Recommendation #3: Direct staff to report back to Environment and Climate Change Committee with:

- a. an update to the Corporate Green Building Policy to align with Tier 2 of the High Performance Development Standard 2024;**
- b. key performance indicators relating to the implementation and results of the High Performance Development Standard as part of the Climate Change Master Plan Annual Status Update;**
- c. proposed incentive program, and funding options to support higher tier performance (Tier 2) in 2024; and**
- d. review and update of the High Performance Development Standard every four years with first recommended update for approval in 2025**

Staff propose revised timelines and next steps for items in the HPDS workplan due to delays associated with approval of the Official Plan and Bill 23.

- Zoning By-law Update: There are metrics in the HPDS which will be addressed through zoning. The HPDS references the zoning requirements where applicable. Preliminary engagement on the Zoning By-law through discussion papers is ongoing. The final new Zoning By-law is expected in Q4 2025.
- Updates to the OP: The policies related to the HPDS reference outdated sections of the Planning Act; this will require an update to these policies and is coming at a later date.
- Update to Municipal Green Building Policy: Staff were directed to report with recommendations to update to the Corporate Green Building Policy to align with Tier 2 of the HPDS by Q3 2023. Work has begun on updates to the Green Building Policy with recommended policy revisions and cost implications expected in 2024.
- Report back on HPDS Incentives: Staff were directed to report back with a proposed incentive program and funding options to support higher tier

performance (Tier 2) in Q2 2023.

An incentive strategy could include monetary, process, or marketing benefits to program participants. In addition, an incentive strategy will explore options to incorporate HPDS Tier 2 metrics into sales or funding agreements in development projects connected to City or other partner organizations, funding and real-estate divestment activities, and Community Improvement Plans. Financial incentives are increasingly challenging given the new budget constraints to the City resulting from Bill 23. An incentive program and funding options will have to consider this context. Staff plan to begin engagement on incentives once the HPDS is in effect. As a result of the delays in bringing the HPDS into effect, the incentive report is expected to be delayed to 2024.

- Annual reporting: Staff were directed to report back on key performance indicators relating to the implementation and results of the HPDS as part of the Climate Change Master Plan Annual Status Update. Reporting on HPDS key performance indicators will begin in the next Climate Change Master Plan Annual Status Update after the HPDS begins implementation.
- HPDS Updates: Staff were directed to report back with a review and update of the HPDS every four years with the first recommended update for approval in 2025. Updates are still planned for 2025 and 2029 in order to bring the HPDS in line with the Energy Evolution targets for 2030.

Recommendation #4: Direct staff to respond to changes to the Ontario Building Code and Ontario Building Code Act, and report back to Environment and Climate Change Committee as required.

The HPDS, the terms of reference and supporting documents reference the Ontario Building Code. The Province is expected to bring new energy performance requirements into the Ontario Building Code within the next year. The Province has also committed to bringing in Building Code updates to further support municipalities' authorities on green development standards. Staff will engage with the ministry, monitor the changes, and revise the HPDS and supporting documents as required to ensure references remain relevant and are consistent with the approved targeted level of performance.

Staff will report back on changes and implications for HPDS to align with the Ontario Building Code and Ontario Building Code Act as required.

Recommendation #5: Approve the revised Site Plan Control By-law provisions within Site Plan Control By-law 2014-256.

Legislative Authority

Site Plan Control is an important tool, enabled under the Planning Act, that is used by the City to ensure that land development fulfils the policies of the Official Plan and respects City's standards by designing communities to be safe and functional with minimal potential impacts on neighbouring properties.

Similar to other municipalities in Ontario that have adopted green development standards, Ottawa's HPDS is a tool to apply "sustainable and resilient design" measures through the development approvals process, including Site Plan and Plan of Subdivision applications. Ottawa's authority for Site Plan Control is set out by Site Plan Control By-law 2014-256 as amended.

Under Section 41(4.1.1) of the Planning Act, specific authority is provided for the HPDS to require and approve drawings under Site Plan Control depicting the appearance of elements, facilities and works on the land that impact matters of health, safety, accessibility, sustainable design or the protection of adjoining lands, and sustainable design elements on any adjoining highway.

The authority for the HPDS to address sustainable and resilient design through site plan approval is set out in Official Plan Policy 11.1, Subsection 3. As mentioned in the workplan, OP policies will be updated to respond to Bill 23.

On July 6, 2022, Council approved Site Plan Control By-law amendments to enable the HPDS. These amendments have not yet been enacted. Document 1 of this report brings forward an updated revision to Site Plan Control By-law 2014-256 as amended July 7, 2022. The updates revise the references to the relevant Planning Act clauses which changed as a result of Bill 23 and applies a new effective date to align with the phasing plan noted in Table 1 of this report.

FINANCIAL IMPLICATIONS

Review of applicable planning submissions will be funded through existing resources in the 2023 operating budget. If additional resources are required to action the implementation plan requests will be brought forward through the 2024 budget process to address, subject to funding. Staff will report back on incentive recommendations as these could have significant future financial implications.

LEGAL IMPLICATIONS

There are no legal implications associated with implementing the report

recommendations.

COMMENTS BY THE WARD COUNCILLOR(S)

This is a city-wide report – not applicable.

ADVISORY COMMITTEE(S) COMMENTS

N/A

CONSULTATION

Notice of the revised impacts to HPDS as a result of Bill 109, Bill 23 and resultant changes to implementation phasing was provided to the HPDS stakeholder list, with an offer for follow up meetings to review the implications if requested. Staff met with industry stakeholders from GOHBA three times to answer questions about the HPDS and review the timing implications resulting from the new Site Plan Control process required to respond to Bill 109.

In addition, the HPDS Engage Ottawa webpage has been updated for information on the status of the HPDS implementation.

Further consultation will be completed in advance of reporting back on incentive options.

ACCESSIBILITY IMPACTS

Accessibility considerations are a component of sustainable and resilient design. Accessibility requirements within the HPDS were developed in collaboration with the City's Accessibility Office. There are no changes to these requirements as a result of the recommendations in this report. Staff working on the implementation of the HPDS will continue to work with the Accessibility Office to ensure accessibility is considered in areas including, but not limited to, mobility and parking.

ASSET MANAGEMENT IMPLICATIONS

There are no direct asset management implications associated with the recommendations of this report. Asset management implications associated with updating the Corporate Green Building Policy to align it with Tier 2 of the HPDS will be presented in a follow up report to Committee and Council on the Corporate Green Building Policy update.

CLIMATE IMPLICATIONS

In January 2020, Council unanimously approved the Climate Change Master Plan, which is the overarching framework for how Ottawa will mitigate and adapt to climate change over the coming decades. It set short, mid, and long-term targets to reduce community GHG emissions by 100 per cent by 2050 and corporate emissions by 100 per cent by 2040. The Climate Change Master Plan is supported by two key strategies:

- **Energy Evolution: Ottawa’s Community Energy Transition Strategy:** Received by Council in October 2020, this strategy is the framework for how Ottawa can achieve its GHG reduction targets.
- **Climate Resiliency Strategy:** Still under development, this strategy will assess how Ottawa is vulnerable to climate change and identify strategies to mitigate the greatest risks.

In 2019, buildings accounted for roughly 46 per cent (4545 kt CO₂e) of total emissions in Ottawa. A total of 20 projects were identified through Energy Evolution to accelerate action and investment, one of which is the HPDS. Overall, the HPDS is projected to enable 224 ktCO₂e of GHG emission reductions by 2030 and improve the resiliency of Ottawa’s buildings.

ENVIRONMENTAL IMPLICATIONS

The HPDS directly contributes to the environmental stewardship strategic priority that aims to grow and protect a healthy, beautiful and vibrant city that can adapt to change. The HPDS metrics seek to advance sustainable and resilient design, these metrics advance targets in areas related to climate change and other environmental aspects. The HPDS includes metrics to support urban tree canopy, natural species protection, and climate change mitigation and adaptation.

RISK MANAGEMENT IMPLICATIONS

There are risk implications, namely as it relates to timelines for provincial approval of the Comprehensive Official Plan as well as instituting new refund requirements imposed by Bill 109 for site plan applications not approved within 60 days. These risks have been identified and explained in the report and are being managed by the appropriate staff. .

RURAL IMPLICATIONS

The HPDS will not apply to agricultural uses but will to apply to HPDS Development Threshold (Complex Applications), in the Rural Transect only. Rural Transect is as defined in Ottawa’s Official Plan.

SUPPORTING DOCUMENTATION

Document 1 Proposed Amendments to By-law 2014-256 (Site Plan Control By-law).

Document 2 Letter from the Ministry of Municipal Affairs and Housing regarding
Municipalities with an Interest in Green Standards

DISPOSITION

The Planning, Real Estate, and Economic Development Department, Climate Change and Resiliency Unit is coordinating the implementation of the High Performance Development Standard with support from the Planning Operations unit of Planning Services.

Legal Services, Innovative Client Services Department to forward the implementing bylaw to City Council

Document 1: Proposed Amendments to By-law 2014-256 (Site Plan Control By-law)

Site Plan Control (By-law No. 2014-256 as amended by By-laws No. 2015-142, 2016-271, 2016-355, 2017-320, 2019-39, 2019-336, 2021-221 and 2022-255)

WHEREAS authority is given to City Council by Section 41 (4.1.1) and Section 41(7)(a)(7) of the Planning Act, R.S.O. 1990, c. P.13, including residential buildings containing fewer than 25 dwelling units, to require and approve drawings under Site Plan Control depicting the appearance of elements, facilities and works on the land that impact matters of health, safety, accessibility, sustainable design or the protection of adjoining lands; and

WHEREAS the Comprehensive Official Plan has been enacted to incorporate provisions related to sustainable and resilient design features in development that address exterior building and site matters, and sustainable design elements on any adjoining highway into the Ottawa Official Plan; and

WHEREAS Council deems it appropriate to incorporate said provisions into a Site Plan Control By-law under Section 41(2) the Planning Act, R.S.O. 1990, c. P.13, applying to all lands subject to Site Plan Control in the urban area and development lands meeting the definition of “HPDS Development Threshold” in the rural area of the City of Ottawa;

The Council of the City of Ottawa hereby enacts as follows:

1. That By-law 2014-256, as amended, is further amended by the addition of the following sections:

Sections 9A to 9C – High Performance Development Standard Provisions

Section 9A

In addition to any other provision in this by-law, in approving a development subject to Site Plan Control under this by-law, no person shall undertake

1. any development which is subject to the provisions of this by-law in the urban area; or
2. any development which is subject to the provisions of this by-law in the rural area which meets the definition of a “HPDS Development Threshold” application; unless the person has submitted, and the City has approved drawings sufficient to display the following:

1. Exterior Design – Character, Scale and Appearance

a. exterior character, scale and appearance of the development, including without limitation the exterior materials, facades, doors, roofs, windows and elements, such as cornices and belt-courses; and

2. Sustainability

a. improvements to adjacent public boulevards and sidewalks respecting sustainable design elements, which may include one or more of the following: trees, shrubs, hedges, plantings or other ground cover, permeable paving materials, street furniture, curb ramps, waste and recycling containers, lighting and bicycle parking facilities; and

b. the following sustainable design features with respect to the site and the exterior of the building, where such development is subject to Tier 1 of the High Performance Development Standard as adopted by City Council:

- i. Weather-protected on-site bicycle areas and pedestrian friendly infrastructure to encourage cycling and walking and to reduce emissions from transportation;
- ii. High reflective materials, shade trees, and green and cool roofs to reduce ambient surface temperature to minimize the urban heat island effect;
- iii. Active and passive design measures to improve energy efficiency and reduce peak demand such as building orientation to take advantage of passive solar heating, shading for cooling and natural light and energy efficient exterior cladding and window treatments;
- iv. Renewable energy production and supply to provide clean, local energy reducing greenhouse gas emissions and improving resiliency to power outages
- v. Low Impact Development and other nature-based

approaches to manage stormwater and mitigate flood risks where feasible, and reduce demand for potable water;

- vi. Trees to enhance the urban forest and use of native species to protect, restore and enhance the natural heritage system;
- vii. Bird-safe glass treatment to minimize the risk for bird collisions and energy efficient, shielded exterior lighting to reduce nighttime glare and light trespass;
- viii. Dedicated areas for collection and storage of recycling and organic waste to increase waste diversion; and
- ix. Enhanced human health by increasing opportunities for physical activity, mitigating impacts of air pollution, requiring passive cooling strategies such as operable windows and shade to mitigate against extreme heat and promoting access to food.

Section 9B

In section 9A, "HPDS Development Threshold" application means a site plan application in respect of:

1. residential developments containing fourteen or more units, five or more floors and/or having a gross floor area of 1,200 square metres or more;
2. all planned unit developments;
3. mixed-use buildings containing fourteen or more units, five or more floors and/or with a gross floor area of 1,400 square metres or more;
4. non-residential development of five or more floors and/or with a gross floor area of 1,860 square metres or more; and/or
5. drive-through facilities in the Site Plan Control Inner Area or abutting residential zones.

Section 9C

The authority to require revisions to plans, elevations and/or drawings and/or to

impose conditions in respect of the matters set forth in subsections 9A (2.) (b.) paragraphs (i.) to (ix.) is limited to that approved by Council in its consideration of the High Performance Development Standard, as such approval may be further amended by Council from time to time.

2. This by-law shall come into force upon enactment by Council.