

Subject: New Zoning By-law – Revised Work Plan Timelines

File Number: ACS2023-PRE-EDP-0003

Report to Planning and Housing Committee on 31 January 2023

and Agriculture and Rural Affairs Committee on 24 February 2023

and Council 8 March 2023

**Submitted on January 18, 2023 by David Wise, A/Director, Economic
Development and Long Range Planning**

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Ward: City Wide

**Objet : Nouveau Règlement de zonage – Échéancier modifié du plan de
travail**

Dossier : ACS2023-PRE-EDP-0003

Rapport au Comité de la planification et du logement

le 31 janvier 2023

et Comité de l’agriculture et des affaires rurales le 24 février 2023

et au Conseil le 8 mars 2023

**Soumis le 18 janvier 2023 par David Wise, I/Directeur, Développement
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Quartier : À l'échelle de la ville

REPORT RECOMMENDATIONS

**That Planning and Housing Committee and Agriculture and Rural Affairs
Committee recommend Council approve the proposed revisions to the Work Plan
timelines for the new Zoning By-law, as shown in Document 1 – Project Work
Plan Timelines and Document 2 – Public Engagement Timelines, to add an
additional six months to the project timelines.**

RECOMMANDATIONS DU RAPPORT

Que le Comité de la planification et du logement ainsi que le Comité de l'agriculture et des affaires rurales recommandent au Conseil d'approuver les modifications proposées de l'échéancier du plan de travail du nouveau *Règlement de zonage*, comme il est indiqué dans le document 1 – Échéancier du plan de travail et dans le document 2 – Échéancier de la consultation publique, afin d'y ajouter six mois supplémentaires.

EXECUTIVE SUMMARY

This report recommends revisions to the Work Plan timelines for the new Zoning By-law to add six additional months to the timelines.

The *Planning Act* requires that zoning provisions should be brought into effect within three years of an amendment to an Official Plan coming into effect. The Official Plan was approved by the Minister of Municipal Affairs and Housing on November 4, 2022 and came into full force and effect on that day. The revised timelines would bring the new Zoning By-law to Council for approval within three years of the Official Plan being approved by the Minister.

Currently, the first and second drafts of the new Zoning By-law are scheduled to be released in Q3 2023 and Q3 2024, with the final draft brought to Council for approval in Q2 2025.

The proposed revisions to the work plan would result in the first and second drafts being released in Q1 2024 and Q1 2025, with the final draft brought to Council for approval in Q4 2025.

Further details concerning the revised timelines are available in Document 1 – Project Work Plan Timelines. The revised timelines for public engagement are included in Document 2 - Public Engagement Timelines. The public engagement timelines have been modified in accordance with the revisions to the Work Plan timelines for the new Zoning By-law.

While the need to revise the project timelines is primarily a result of the eight-month delay of the approval of the Official Plan by the Minister, recent legislative changes in *Bill 23, More Homes Built Faster Act, 2022* have added new complexities to the development of the new Zoning By-law. The revisions to the timelines recommended in this report will give staff additional time to react to Bill 23. If additional changes to the *Planning Act* and related legislation are approved by the Province in 2023, staff will

report to Council with an assessment of the impacts of the changes on the Work Plan for the new Zoning By-law.

RÉSUMÉ

Il est recommandé dans ce rapport de revoir l'échéancier du plan de travail du nouveau *Règlement de zonage* pour y ajouter six mois.

Selon la *Loi sur l'aménagement du territoire*, les dispositions de zonage doivent prendre effet dans les trois ans suivant l'entrée en vigueur de la modification d'un plan officiel. Le plan révisé de la Ville a été approuvé par le ministre des Affaires municipales et du Logement le 4 novembre 2022, date de sa prise d'effet. Avec le nouvel échéancier, le *Règlement de zonage* revu respectera le délai de trois ans pour son approbation par le Conseil suivant l'acceptation du Plan officiel par le ministre.

Il est actuellement prévu que la première et la deuxième version du nouveau *Règlement de zonage* soient publiées au T3 de 2023 et au T3 de 2024, respectivement, et la version finale, au T2 de 2025 pour approbation par le Conseil.

La révision envisagée repousserait ces versions au T1 de 2024 et au T1 de 2025, et la version finale, au T4 de 2025.

Pour en savoir plus, voir le document 1 sur l'échéancier du plan de travail. L'échéancier révisé de la consultation publique se trouve quant à lui au document 2; il a été modifié en fonction de la révision de celui du plan de travail du nouveau *Règlement de zonage*.

Même si la nécessité de revoir l'échéancier du projet découle essentiellement du retard de huit mois pour l'approbation du Plan officiel par le ministre, de récents changements législatifs (projet de loi 23, *Loi de 2022 visant à accélérer la construction de plus de logements*) ont compliqué la production du nouveau *Règlement de zonage*. Le nouvel échéancier recommandé dans le présent rapport donnera plus de temps au personnel pour réagir au projet de loi 23. Si d'autres modifications à la *Loi sur l'aménagement du territoire* et aux lois connexes sont approuvées par le gouvernement provincial en 2023, le personnel présentera au Conseil une évaluation des répercussions de ces changements sur le plan de travail du nouveau *Règlement de zonage*.

Staff Recommendation

Planning staff recommend approval of the revised Work Plan timelines, given the eight-month delay of the approval of the Official Plan by the Province. This additional time will also give staff the opportunity to evaluate and react to the recent changes to

the *Planning Act* and other related legislation. The public engagement timelines have been modified in accordance with the revisions to the Work Plan timelines for the new Zoning By-law.

Public Consultation/Input

The revised timelines for public engagement are included in Document 2 - Public Engagement Timelines. The public engagement timelines have been modified in accordance with the revisions to the Work Plan timelines for the new Zoning By-law.

BACKGROUND

On [December 11, 2019](#) Council directed Zoning staff to begin preparations to implement the policies of the new Official Plan in the Zoning By-law. A Work Plan for the new Zoning By-law was brought to Council for approval on [January 27, 2021](#). An updated work plan and budget for the new Zoning By-law was approved by Council on [November 10, 2021](#).

On [July 6, 2022](#), City Council approved the Zoning Implementation report. That report laid out the zoning strategies to be used in the new Zoning By-law to implement policies in the new Official Plan and timelines for completion of the project, including interim dates for release of drafts of the new By-law to Council and the public for consultation purposes. On [November 4, 2022](#), the Minister of Municipal Affairs and Housing approved the new Official Plan, after a delay of eight months.

DISCUSSION

The proposed revisions to the Work Plan timelines will result in the first and second drafts of the new By-law being released in Q1 2024 and Q1 2025, instead of Q3 2023 and Q3 2024. The final draft of the new Zoning By-law will be brought to Council for approval in Q4 2025, instead of Q2 2025.

This additional time is needed given the eight-month delay of approval of the Official Plan by the Minister of Municipal Affairs and Housing. Further, this additional time will allow staff to evaluate and react to the extensive changes made to the *Planning Act* and related legislation in *Bill 23, More Homes Built Faster Act, 2022*, including:

- amendments for “gentle intensification” that provide as-of-right permission for up to three dwelling units on all residential lots that have municipal water and sewer services,

- a requirement that municipalities update the Zoning By-law within one year to implement density requirements for higher-order transit station areas in the Official Plan. If the zoning amendments are not implemented within one year of the policies coming into effect, they are subject to appeal. If the zoning amendments are approved within one year of the Official Plan policies coming into effect, they may not be appealed,
- loss of authority to regulate the exterior design of buildings through site plan control, and
- exempting development of up to 10 residential units from site plan control.

The revised timelines would bring the new Zoning By-law to Council for approval within three years of the Official Plan being approved by the Minister. Further details concerning the revised timelines are available in Document 1 – Project Work Plan Timelines. The revised timelines for public engagement are included in Document 2 - Public Engagement Timelines. The public engagement timelines have been modified in accordance with the revisions to the Work Plan timelines for the new Zoning By-law.

RURAL IMPLICATIONS

There are no implications specific to rural residents as a result of the recommendation in this report.

COMMENTS BY THE WARD COUNCILLOR(S)

This is a city-wide report – not applicable.

LEGAL IMPLICATIONS

There are no legal impediments to implementing the recommendations of this report. The new timelines recommended would comply with the statutory requirements of the Planning Act.

RISK MANAGEMENT IMPLICATIONS

There are no risk implications.

FINANCIAL IMPLICATIONS

There are no direct financial implications with adding six months to the timelines. Funds are available from within the existing budget (account 910122).

ACCESSIBILITY IMPACTS

Accessibility will be considered as part of the development of the new Zoning By-law.

SUPPORTING DOCUMENTATION

Document 1 – Project Work Plan Timelines

Document 2 – Public Engagement Timelines

CONCLUSION

This report recommends revisions to the Work Plan timelines and Public Engagement Timelines for the new Zoning By-law. The revised timelines will deliver the final draft of the new Zoning By-law to Council for approval in Q4 2025 instead of Q2 2025. This additional six months to be added to the timelines is needed in response to the eight-month delay of the approval of the new Official Plan by the Minister of Municipal Affairs and Housing. The revisions to the timelines recommended in this report will also give staff additional time to react to Bill 23. If additional changes to the *Planning Act* and related legislation are approved by the Province in 2023, staff will report to Council with an assessment of the impacts of the changes on the Work Plan for the new Zoning By-law.

DISPOSITION

Direct staff in the Planning, Real Estate and Economic Development Department to implement the revised Work Plan and return to Council for information or approval as required.

Document 1 – Project Work Plan Timelines

	Phase	Start	End
1	Initiation – Set up <ul style="list-style-type: none"> · Approval of Project Charter · Approval of Work Plan · Budget Estimate for 2021 · Workplan report to Committees and Council · Terms of reference for Planning Consultant requirements 	July 2020	December 2020
Phase 1 has been completed.			
2	Concept Development – Discover the Issues, Opportunities and advance a new Structure <ul style="list-style-type: none"> · Review of best zoning practices to identify risks and opportunities, and to incorporate best practices into the structure and provisions of the By-law · “Quick Hits” report - housekeeping amendments to the current By-law to improve ease of interpretation (completed in Q3 2021) · Report - New Zoning By-law – Proposed Budget and Revised Work Plan 2022-2024 - October 2021 · Identify which provisions can be carried forward in the new Zoning By-law · Prepare public engagement strategy 	December 2020	December 2021
Phase 2 has been completed			
3	<ul style="list-style-type: none"> · Zoning Implementation Report outlining the strategies to be used to implement the Official Plan approved by Council · Ongoing work on first draft of Zoning By-law · Engagement of consultants (if needed) · Release of Discussion Papers that examine options and strategies for implementing the policies in the new Official Plan · Launch communications and engagement plan · Consultation with the public on the Discussion Papers · Report outlining Neighbourhood Form and Function Strategy supported by Low-rise Design Guidelines 	January 2022	January 2024
4	<ul style="list-style-type: none"> · Report to Joint Committee and Council release of first draft of Zoning By-law 	February 2024	January 2025

	Phase	Start	End
	<ul style="list-style-type: none"> · Consultation with stakeholders · Revisions to the draft Zoning By-law in response to comments from the public 		
5	<ul style="list-style-type: none"> · Report to Joint Committee and Council and release of second draft of Zoning By-law · Consultation with stakeholders · Initiate statutory approvals processes as outlined in the <i>Planning Act</i> · Revisions to the draft Zoning By-law, in response to comments from the public 	February 2025	October 2025
6	<p>Approval of the new Zoning By-law</p> <ul style="list-style-type: none"> · Report to Joint Committee and Council and release of final draft of Zoning By-law · Approval of new Zoning By-law 	November 2025	December 2025
7	<p>Implementation</p> <ul style="list-style-type: none"> · Training - internal and external · Hearings to resolve appeals · Monitoring 	January 2026	December 2026

Document 2 – Public Engagement Timelines

Phase 1		
Groundwork		
January 2022 – January 2023	Pre-engagement: preparation for engagement	Review of New Official Plan “What We Heard” documents
Phase 2		
Foundational Discussions		
February – October 2023	Discuss: What should zoning look like in Ottawa?	Conversations on what zoning should be and look like
March 2023	Release of Discussion Papers Release	Zoning strategies for implementing the policies of the Official Plan
March – September 30, 2023	Comment period on discussion papers	Online surveys Community meetings Public engagement sessions
November 2023	As-We-Heard-It report	Document released on Engage Ottawa site
Phase 3		
Listening and Building		
Q1 2024 – Q3 2025	Create: what does equitable forward-facing zoning look like?	Conversations and activities to explore and identify how we want to grow and how to make it happen Identify what choices we wish to make
Q1 2024	First draft of the new Zoning By-law released	Joint Committee of Planning Committee and Agriculture Affairs Committee
Q1 2024 – Q1 2025	Comment period on the first draft of the new Zoning By-law	Face-to-face gatherings, workshops Digital discussions Conversations and activities to explore criteria, what can

		influence change and proposed scenarios.
Q1 2025	Second draft of the new Zoning By-law released	Joint Committee of Planning Committee and Agriculture Affairs Committee
Q1 2025 – Q4 2025	Commenting period on the second draft of the new Zoning By-law	Face-to-face gatherings, workshops Digital discussions Conversations and activities to explore criteria, what can influence change and propose scenarios.
Q4 2025	Final draft of the new Zoning By-law	Joint Committee of Planning Committee and Agriculture Affairs Committee
Phase 4	Approval	
Q4 2025	Council approval and implementation of the new City of Ottawa Zoning By-law	