

**Subject: New Zoning By-law – Draft 1**

**File Number: ACS2024-PRE-PS-0064**

**Report to Joint Planning and Housing Committee and Agriculture and Rural  
Affairs Committee on 29 April 2024**

**and Council 15 May 2024**

**Submitted on April 18, 2024 by Derrick Moodie, Director, Planning Services,  
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**Ward: City Wide**

**Objet : Nouveau Règlement de zonage – Version provisoire 1**

**Dossier : ACS2024-PRE-PS-0064**

**Rapport déposé à la réunion conjointe du Comité de la planification et du  
logement et au Comité de l'agriculture et des affaires rurales**

**le 29 avril 2024**

**et au Conseil le 15 mai 2024**

**Soumis le 18 avril 2024 par Derrick Moodie, Directeur, Services de la planification,  
Direction générale des services de la planification, de l'aménagement et du  
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**Quartier : À l'échelle de la ville**

## REPORT RECOMMENDATIONS

That the Joint Planning and Housing Committee, and Agriculture and Rural Affairs Committee recommend that Council approve the following:

1. Receive this report, which provides an overview of the first draft of the new Zoning By-law for public consultation purposes; and
2. Authorize future public meetings concerning the new Zoning By-law to occur at Joint Planning and Housing, and Agriculture and Rural Affairs Committee.

## RECOMMANDATIONS DU RAPPORT

Que le Comité de la planification et du logement et le Comité de l'agriculture et des affaires rurales recommandent au Conseil municipal, pendant leur réunion conjointe:

1. de prendre connaissance de ce rapport, qui donne une vue d'ensemble de la première version provisoire du nouveau *Règlement de zonage* pour les besoins de la consultation publique;
2. d'autoriser que les prochaines séances publiques sur le nouveau *Règlement de zonage* se déroulent pendant la réunion conjointe du Comité de la planification et du logement et du Comité de l'agriculture et des affaires rurales.

## EXECUTIVE SUMMARY

*“More than 1.5 million Canadian households are in core housing need, and many middle-class Canadians struggle to find a place to rent or buy a new home... One of the most alarming revelations was the estimate of the current housing supply gap — projecting a demand for 3.5 million more homes than anticipated by 2030. This staggering gap highlighted the urgency for comprehensive strategies to address the housing shortage.”*

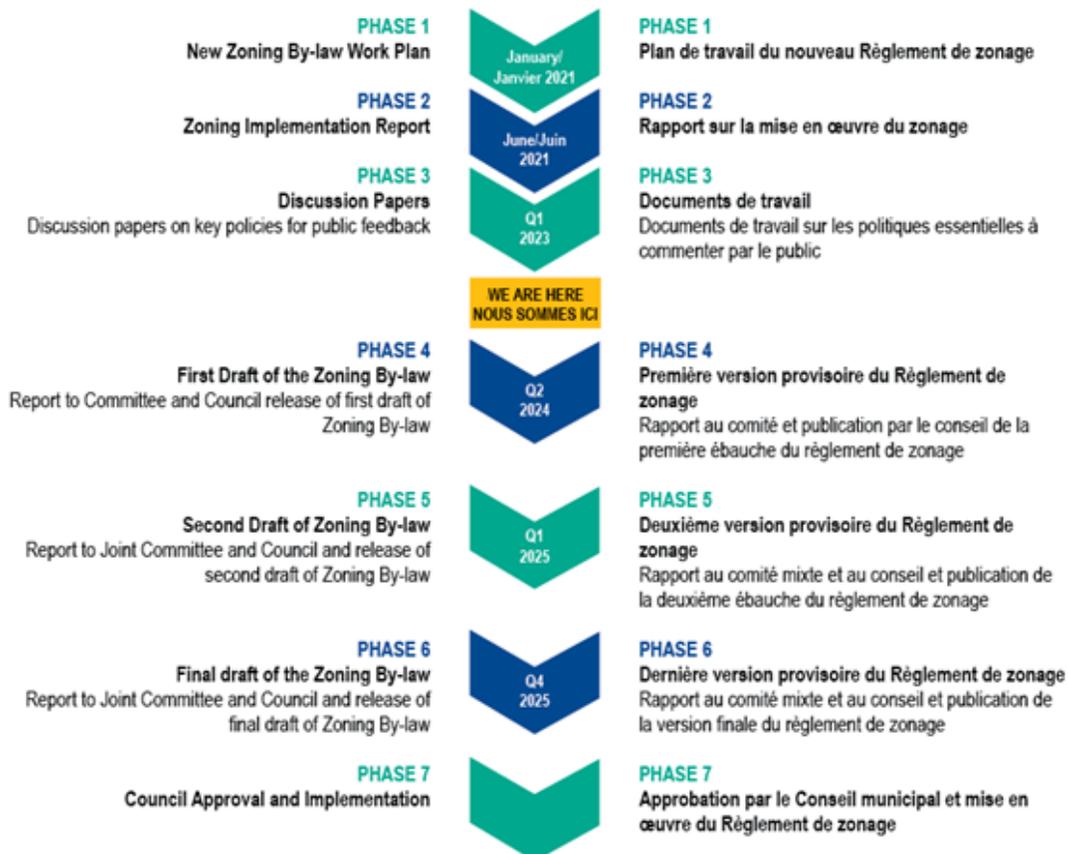
[Canada Mortgage and Housing Corporation](#), A Comprehensive Retrospective of CMHC Housing Reports.

Informed by Official Plan policies, zoning by-laws are powerful land use regulation tools that shape the way cities grow. Zoning by-laws impact issues such as housing supply and housing affordability, and these issues in turn have impacts on the health of communities. The draft Zoning By-law discussed in this report is intended to form a key

component of a comprehensive strategy to address housing affordability while also implementing other important policy directions in the new Official Plan.

This report recommends the first draft of the proposed text for the new Zoning By-law be received by Council for public consultation purposes. The proposed text and Zoning Map of the draft Zoning By-law will be released on May 31, 2024. Following public consultations on the first draft of the Zoning By-law during 2024, a second draft of the Zoning By-law will be released in Q1 2025. The final draft is scheduled to be brought to City Council for approval in December 2025. The current Zoning By-law 2008-250 will remain in effect until Council approves the final draft of the new Zoning By-law in Q4 2025, and all appeals are resolved.

Key directions in the draft Zoning By-law are highlighted in this Executive Summary. The Discussion section of this report provides a detailed overview of every section of the draft Zoning By-law including details of the proposed provisions.



The draft Zoning By-law and Zoning Map will be refined during 2024 and 2025 in response to comments received from the public, changes to provincial legislation, amendments made to the Official Plan and Zoning By-law 2008-250, the findings of

City-initiated studies and directions from City Council. For this reason, land use permissions and building envelopes including setbacks and height that are included in the first draft of the Zoning By-law should be interpreted as provisional.

The first draft of the new Zoning By-law does not include modifications to the over 3800 urban and rural exceptions that apply in the current Zoning By-law. It is necessary to consult on the framework of draft provisions for the zones, overlays, general provisions and specific use provisions in the draft Zoning By-law to determine if changes are needed before the exceptions that vary those provisions can be finalized.

The second draft of the Zoning By-law, to be released in Q1 2025, will include updated exception provisions that accord with the new zoning framework. Exceptions will either be brought forward, eliminated or modified where doing so is in conformity with the Official Plan and where it is necessary to maintain development rights or to support the neighbourhood context.

### **Key Directions in Draft 1 of the new Zoning By-law**

Cities across Canada are facing housing affordability and climate change crises. This report explains how provisions in the new Zoning By-law will take action to address these crises through implementation of policies in the Official Plan with the goal of achieving healthy, equitable communities and a more affordable city.

All levels of government are taking action to address housing affordability and housing supply. At the municipal level, the new Official Plan includes specific policy directions in this regard that must be implemented in the new Zoning By-law. From a legislative and funding perspective, the Provincial and Federal governments are steering municipalities towards new zoning frameworks to increase housing supply. The Provincial government has initiated changes to the *Planning Act* to reduce delays in planning approvals processes and to permit new development opportunities for low-rise building forms in all municipalities across Ontario. The City's Municipal Housing Pledge with the Province requires the City to make all efforts to achieve the goal of 151,000 new homes within ten years. The City's Housing Accelerator Fund application to the federal government is aimed at obtaining \$170 million to support the construction of affordable housing. The application includes increasing permitted densities in the new Zoning By-law to accelerate the supply of housing being built. The draft Zoning By-law released through this report achieves these objectives.

The following is an overview of key directions in the new Zoning By-law:

#### **Increasing housing supply**

A new framework of Neighbourhood Zones is proposed to replace the current framework of complex provisions for the R1 through R5 Residential Zones in Zoning By-law 2008-250. The proposed Neighbourhood Zones implement the growth management and intensification policies in the Official Plan and will support achieving the number of housing units referenced in the Municipal Housing Pledge and initiatives in the Housing Accelerator Fund application. Four or more dwelling units are proposed to be permitted on serviced residential lots throughout the city. This new framework of Neighbourhood zones will increase opportunities for housing to be built in existing neighbourhoods and increase housing choices in a way that “fits” in existing neighbourhood. For details see Part 8 - Neighbourhood Zones in the Discussion section of this report.

### **Adequacy of municipal services and on-site stormwater management**

Adequate water and sewer capacity and the need for on-site stormwater management as redevelopment occurs will be addressed in the new Zoning By-law. Provisions in the current Zoning By-law that require adequate water and sewer capacity before a building permit may be issued will be strengthened for development that is not subject to site plan control. New provisions will require on-site stormwater management for all development where there is an increase in impermeable surfaces. These provisions are supported by policies and programs to be initiated through the approval of the Infrastructure Master Plan. For details see Part 2 – General Provisions in the Discussion section of this report.

### **Housing opportunities in proximity to transit**

To support opportunities for housing in proximity to transit station areas, where secondary plans permit maximum building heights that are not recognized in the current Zoning By-law 2008-250, those heights are proposed to be permitted as-of-right through height suffixes on the Zoning Map of the new Zoning By-law. This will reduce the need for lengthy zoning by-law amendment processes that contribute to delays in the approval of housing and increase the cost of dwellings, and will support the initiative in the Housing Accelerator Fund application to provide more opportunities for housing in proximity to transit station areas. For details see Part 9 – Mixed-Use Zones in the Discussion section of this report.

### **Urgent need for a range of housing choices throughout the city**

Provisions relating to the continuum of housing required to address the needs of all residents of Ottawa are included in a reorganized set of housing-related provisions.

These provisions have been brought forward from the current Zoning By-law 2008-250 and modified to implement policies in [Section 4.2](#) of the Official Plan concerning the needs of households with the lowest 40 per cent of income levels. Those policies support new permissions for a range of housing, including shelters and supportive housing, in communities throughout the city. For details see Part 7 – Housing Provisions in the Discussion section of this report.

### **Parking provisions**

Parking provisions in the new Zoning By-law will not include minimum parking rates. In accordance with Official Plan policies, maximum parking rates will continue to apply in areas that are well-served by transit. For details see Part 6 – Parking Provisions in the Discussion section of this report.

### **Making room for trees**

To support the urban forest tree canopy, requirements for soft landscaping are proposed to be expanded. The aim of these provisions is to ensure that as redevelopment occurs, room for trees and soft landscaping is preserved in front and rear yards. Additional provisions allow flexibility in the siting of a building to accommodate retention of trees, as well as limitations on the extent that underground structures can project to the lot line. Underground parking structures will be limited to the extent they can project to the lot line, to preserve enough soil volume for a tree to grow to maturity. For details see Part 2 (Section 214 – Alternative Setbacks for Tree Retention and Section 217- Provisions for Underground Structures) and Part 8 – Neighbourhood Zones and Provisions, in the Discussion section of this report.

### **Increasing access to day-to-day needs of residents in neighbourhoods**

New permissions for non-residential uses are being carefully introduced in locations supported by the Official Plan. The aim of these new permissions is to increase access to retail and service uses (day-to-day needs of residents) in proximity to where people live. These new permissions will be added as part of implementation of the Minor Corridor designation in the Official Plan, and through increasing permissions for small-scale, compatible non-residential uses in mid-rise and high-rise buildings in Neighbourhood zones. New permissions for small-scale non-residential uses in Neighbourhoods will be proposed in locations in that are close to existing community focal points, such as schools and parks. For details see Part 8 – Neighbourhood Zones and Provisions in the Discussion section of this report.

### **Climate Change Mitigation, Adaptation and Public Health**

The draft Zoning By-law introduces new provisions to address climate change mitigation and adaptation, which in turn supports public health, including: putting the most dense forms of development in locations closest to transit to reduce greenhouse gas emissions associated with transportation, broad permissions EV-charging stations and new requirements for EV-ready parking spaces where parking is provided, and new requirements to support tree retention and make room for trees to support regeneration of the urban forest tree canopy and to mitigate the urban heat island effect.

### **Equity and Zoning**

An equitable zoning by-law ensures the intent of the Official Plan is implemented equally and consistently across the city, and that certain neighbourhoods are not treated differently or affected disproportionately than other neighbourhoods. For further information, please refer to the Background section of this report.

### **Council Direction**

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 was approved by Council on [November 10, 2021](#).

Adoption of the new Official Plan occurred on [October 27, 2021](#). On [November 4, 2022](#), the Official Plan was approved by the Minister of Municipal Affairs and Housing. The Plan is now in full force and effect. On [July 6, 2022](#), Council endorsed objectives and strategies in a report titled, [Zoning Implementation Report](#), to be used to guide the development of the new Zoning By-law.

A Councillor Sponsor's Group was established to provide advice on the development of the new Zoning By-law, and related public engagement with the community. The Sponsor's Group was constituted at the [January 27, 2021 Meeting of Council](#) and reconstituted in this term of Council at the [July 12, 2023 Meeting of Council](#). The Sponsor's Group operates under guidance and procedures approved by Council at the [July 12, 2023 Meeting of Council](#). Members of the Sponsor's Group have provided insights and guidance on key aspects of the development of the new Zoning By-law to ensure it is efficient, effective and equitable. [The Sponsor's Group has provided](#) advice on a range of topics including public consultation, enhancing the urban forest tree canopy, large dwelling unit requirements, height transition strategies for development

adjacent to low-rise neighbourhoods, the Neighbourhood zones framework, and zoning provisions to support 15-minute neighbourhoods and complete communities.

### **Council Directions and Motions relating to the new Zoning By-law**

During the time public consultations were underway on the new Official Plan, City Council gave direction to staff or approved motions concerning zoning-related issues to be considered as part of the development of the new Zoning By-law. A summary of the directions and motions, and staff responses concerning how these items have been actioned is included as Document 1 – Council Directions and Motions relating to the new Zoning By-law.

### **Public Consultation**

In accordance with timelines approved by Council, public consultations on the provisions in the draft Zoning By-law begin with this report. Consultations will continue through 2024 and 2025. A second draft of the Zoning By-law will be released in March 2025. The final draft will be brought to Council for approval in December 2025.

The [Engage Ottawa](#) project page for the new Zoning By-law provides an overview of consultations and information shared with the public to-date. A [Zoning Best Practices Review](#) in Canada and other jurisdictions was released in April 2022. The report provides an overview of contemporary zoning issues and challenges. In July 2022 the [Zoning Implementation](#) report was approved by City Council. The report presented strategies for implementing policies in the Official Plan, including how the new Zoning By-law must provide the potential to achieve the quantity and quality of dwellings specified in the Official Plan. In March 2023 seven discussion papers and corresponding surveys were released. Also in March 2023, information was included on the project page relating to Bill 23, More Homes Built Faster Act, 2022. In August 2023 the [Low-Rise Form and Function Report](#) and survey was released. This report discussed issues related to regulations for low-rise infill development in Neighbourhoods. In September 2023, three [in-person Public Open Houses](#) were held to provide an overview of key policies in the Official Plan that will be implemented in the new Zoning By-law. A [virtual Public Open House](#) was held in October 2023. The [information material](#) presented at these Open Houses was posted on the project page in November 2023.

The draft Zoning By-law will be presented in a format where it is possible to submit comments from within the document on the relevant page of interest. Comments can also be submitted by sending to [newzoning@ottawa.ca](mailto:newzoning@ottawa.ca). All comments will be received

and considered by staff until the new Zoning By-law is approved by Council in Q4 2025. However, for the second draft of the new Zoning By-law, comments that are received by October 2024 will be used to inform the second draft given the time needed to analyze and introduce modifications in the second draft of the Zoning By-law to be released in March 2025. The formal circulation and statutory process under the *Planning Act* will occur following the release of the second draft of the Zoning By-law. A virtual Public Open House will be held in Q3 2025 after the release of the second draft of the new Zoning By-law. There will be two circulations and requests for comments during 2025, the first in March 2025 and the second in September 2025. The new Zoning By-law is scheduled to go to Council for approval before the end of 2025. Further details regarding public consultation activities are available in Document 12 - Public Consultation Strategy. A summary of comments received up to the end of 2023 is provided Document 13 – As-We-Heard-It 2023.

« Plus de 1,5 million de ménages canadiens ont des besoins impérieux en matière de logement. En outre, beaucoup de gens de la classe moyenne au pays ont du mal à trouver un logement locatif ou à acheter une nouvelle habitation. L'une des révélations les plus alarmantes tirées des rapports de la SCHL en 2023 est l'estimation de l'écart actuel dans l'offre de logements. Selon ces données, il faudra construire 3,5 millions de logements de plus que prévu pour répondre à la demande d'ici 2030. Cet écart stupéfiant a mis en évidence l'urgence d'adopter des stratégies globales pour remédier à la pénurie de logements, ... »

[Société canadienne d'hypothèques et de logement](#), Rétrospective complète des rapports sur le logement de la SCHL

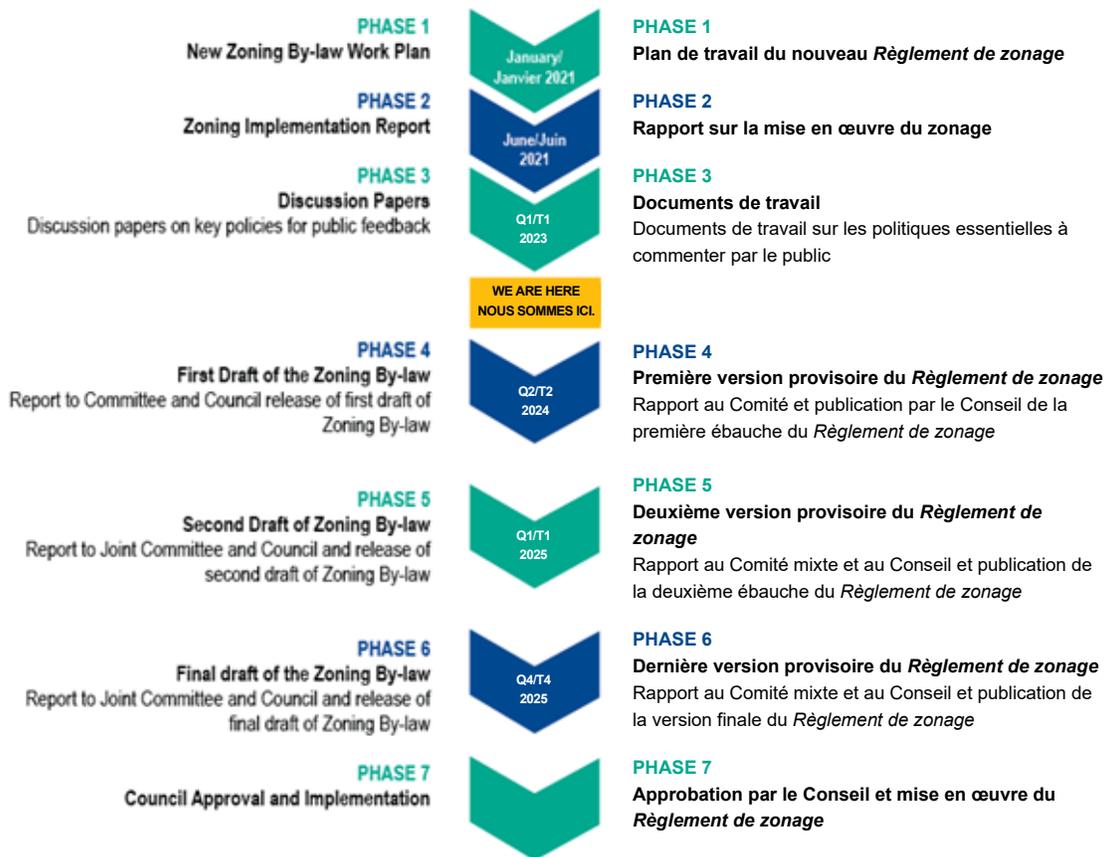
Éclairés par les politiques du Plan officiel, les règlements de zonage sont de puissants outils de réglementation de l'aménagement du territoire, qui façonnent la croissance des villes. Ces règlements ont des incidences sur les questions comme l'offre et l'abordabilité des logements, et ces questions ont à leur tour des incidences sur la vigueur des collectivités. La version provisoire du *Règlement de zonage* dont il est question dans ce rapport vise à constituer un volet essentiel d'une stratégie globale à adopter pour assurer l'abordabilité des logements tout en mettant en œuvre d'autres politiques cadres importantes du nouveau Plan officiel.

## **SYNTHÈSE ADMINISTRATIVE**

Dans le présent rapport, nous recommandons au Conseil municipal de prendre connaissance, pour les besoins de la consultation publique, de la première version provisoire du texte proposé pour le nouveau *Règlement de zonage*. Le texte et la carte

de zonage proposés pour la version provisoire du *Règlement de zonage* seront publiés le 31 mai 2024. Dans la foulée des consultations publiques qui porteront sur la première version provisoire du *Règlement de zonage* en 2024, une deuxième version provisoire de ce règlement sera publiée au premier trimestre de 2025. La dernière version provisoire devrait être soumise à l'approbation du Conseil municipal en décembre 2025. La version actuelle du *Règlement de zonage* (n° 2008-250) continuera de produire ses effets jusqu'à ce que le Conseil municipal approuve la version définitive du nouveau *Règlement de zonage* au quatrième trimestre de 2025 et lorsque tous les appels auront été tranchés.

Cette synthèse administrative met en lumière les grandes orientations adoptées dans la version provisoire du *Règlement de zonage*. La section Analyse de ce rapport donne une vue d'ensemble détaillée de chacune des sections de la version provisoire du *Règlement de zonage*, dont les détails des dispositions proposées.



La version provisoire du *Règlement de zonage* et la carte du zonage seront affinées en 2024 et 2025 pour donner suite aux commentaires exprimés par le public, aux changements apportés aux lois provinciales, aux modifications apportées au Plan officiel et au *Règlement de zonage* (n° 2008-250), aux constatations des études

lancées par la Ville et aux orientations adoptées par le Conseil municipal. C'est pourquoi il faut considérer comme provisoires les autorisations de l'aménagement du territoire et les enveloppes de bâtiment, ainsi que les marges de retrait et les hauteurs, dont il est question dans la première version provisoire du *Règlement de zonage*.

La première version provisoire du nouveau *Règlement de zonage* ne tient pas compte des modifications apportées aux 3 800 exceptions urbaines et rurales et plus qui s'appliquent dans la version actuelle du *Règlement de zonage*. Il est nécessaire de tenir une consultation sur la structure-cadre des dispositions provisoires pour les zones et les surzones, des dispositions générales et des dispositions sur les vocations particulières de la version provisoire du *Règlement de zonage* afin de savoir s'il faut apporter des changements avant de pouvoir finaliser les exceptions qui dérogent à ces dispositions.

La deuxième version provisoire du *Règlement de zonage*, à publier au premier trimestre de 2025, comprendra des dispositions actualisées sur les exceptions qui cadrent avec la nouvelle structure du zonage. Les exceptions seront reportées, éliminées ou modifiées selon le cas en respectant le Plan officiel et lorsqu'il faudra le faire pour préserver les droits d'aménagement ou pour étayer le contexte des quartiers.

### **Les grandes orientations de la version provisoire 1 du nouveau *Règlement de zonage***

Partout au Canada, les villes sont aux prises avec des crises dans l'abordabilité du changement et la lutte contre les dérèglements climatiques. Dans ce rapport, nous expliquons les modalités selon lesquelles les dispositions du nouveau *Règlement de zonage* permettront d'intervenir pour mater ces crises en mettant en œuvre les politiques du Plan officiel afin de réaliser des collectivités vigoureuses et équitables et une ville plus abordable.

Tous les ordres de gouvernement adoptent des mesures pour corriger les problèmes de l'abordabilité des logements et de l'offre de logements. À l'échelle municipale, le nouveau Plan officiel comprend à cet égard des politiques-cadres spécifiques qu'il faut mettre en œuvre dans le nouveau *Règlement de zonage*. Du point de vue des lois et du financement, le gouvernement provincial et le gouvernement fédéral encadrent les municipalités dans l'application des nouvelles structures du zonage pour accroître l'offre de logements. Le gouvernement provincial a apporté des changements à la *Loi sur l'aménagement du territoire* pour réduire les retards dans les processus d'approbation des demandes de planification et pour permettre de réaliser de nouvelles perspectives dans l'aménagement des formes de bâtiment de faible hauteur dans toutes les municipalités de l'Ontario. La Garantie municipale du logement conclue par la Ville avec

le gouvernement provincial oblige cette dernière à tout mettre en œuvre pour atteindre l'objectif de 151 000 logements nouveaux dans le délai de 10 ans. La demande déposée par la Ville auprès du gouvernement fédéral dans le cadre du Fonds pour accélérer la construction de logements vise à réunir 170 millions de dollars pour financer la construction de logements abordables. Cette demande consiste entre autres à accroître les densités autorisées dans le nouveau *Règlement de zonage* afin d'accélérer l'offre de logements à bâtir. La version provisoire du *Règlement de zonage* publiée dans ce rapport permet d'atteindre ces objectifs.

Voici un tour d'horizon des grandes orientations adoptées dans le nouveau Règlement de zonage.

### **Croissance de l'offre de logements**

On propose d'adopter une nouvelle structure-cadre pour les zones de quartier afin de remplacer la structure-cadre actuelle des dispositions complexes pour les zones résidentielles R1 à R5 dans le *Règlement de zonage* (n° 2008 250). Les zones de quartier proposées permettent de mettre en œuvre les politiques du Plan officiel sur la gestion de la croissance et sur la densification et permettront de réaliser le nombre de logements évoqué dans la Garantie municipale du logement et dans les initiatives dont il est question dans la demande déposée dans le cadre du Fonds pour accélérer la construction de logements. On propose d'autoriser, sur les lots résidentiels viabilisés de tout le territoire de la Ville, la construction de quatre habitations ou plus. Cette nouvelle structure-cadre des zones de quartier aura pour effet d'augmenter les perspectives de construction de logements dans les quartiers existants et d'accroître les choix de logements en assurant la « complémentarité » dans ces quartiers. Pour de plus amples renseignements, veuillez consulter la partie 8 (Zones de quartier) dans la section Analyse de ce rapport.

### **Adéquation des services municipaux et de la gestion des eaux pluviales sur les sites**

Le nouveau *Règlement de zonage* fera état de la capacité suffisante des réseaux d'aqueduc et d'égouts et de la nécessité de gérer des eaux pluviales sur les sites dans le cadre des travaux de réaménagement. On renforcera les dispositions de la version actuelle du *Règlement de zonage* qui oblige à compter sur la capacité suffisante des réseaux d'aqueduc et d'égouts avant de pouvoir délivrer les permis de construire dans les travaux d'aménagement qui ne sont pas soumis à la réglementation du plan d'implantation. Les nouvelles dispositions du zonage obligeront à gérer les eaux pluviales sur les sites dans tous les projets d'aménagement dans lesquels on augmente

les surfaces imperméables. Ces dispositions sont étayées par les politiques et les programmes à adopter dans le cadre de l’approbation du Plan directeur des infrastructures. Veuillez consulter les détails dans la partie 2 (Dispositions générales) de la section Analyse de ce rapport.

### **Logements à aménager à proximité des transports en commun**

Pour étayer les perspectives d’aménagement de logements à proximité des stations de transport en commun, dans les cas où les plans secondaires autorisent des hauteurs maximums de bâtiment qui ne sont pas reconnues dans la version actuelle du *Règlement de zonage* (n° 2008 250), on propose d’autoriser ces hauteurs de plein droit grâce aux suffixes de hauteur de la Carte du zonage et du nouveau *Règlement de zonage*, ce qui permettra de réduire la nécessité de recourir au processus laborieux de modification du *Règlement de zonage*; ce processus explique les retards dans l’approbation des logements et fait augmenter les coûts des habitations. On pourra ainsi étayer l’initiative dont il est question dans la demande déposée dans le cadre du Fonds pour accélérer la construction de logements afin d’augmenter les possibilités de construire des logements non loin des stations de transport en commun. Pour prendre connaissance des détails, veuillez consulter la partie 9 (Zones polyvalentes) de la section Analyse de ce rapport.

### **Besoin urgent d’offrir un ensemble de choix de logements sur tout le territoire de la Ville**

Les dispositions se rapportant au continuum du logement nécessaire pour répondre aux besoins de tous les résidents d’Ottawa font partie d’un ensemble restructuré de dispositions liées au logement. Ces dispositions sont extraites de la version actuelle du *Règlement de zonage* (n° 2008 250) et sont modifiées pour mettre en œuvre les politiques de la [sous-section 4.2](#) du Plan officiel à propos des besoins de ménages qui se situent dans la tranche inférieure de 40 % des niveaux de revenus. Ces politiques justifient les nouvelles autorisations portant sur un ensemble de logements, dont les refuges et les logements avec services de soutien, dans les collectivités de tout le territoire de la Ville. Pour connaître les détails, veuillez consulter la partie 7 (Dispositions relatives au logement) de la section Analyse de ce rapport.

### **Dispositions relatives au stationnement**

Les dispositions relatives au stationnement du nouveau *Règlement de zonage* ne comprendront pas de nombres minimums de places de stationnement. Conformément aux politiques du Plan officiel, le nombre maximum de places de stationnement

continuera de s'appliquer dans les secteurs bien servis par les transports en commun. Pour connaître les détails, veuillez consulter la partie 6 (Dispositions relatives au stationnement) de la section Analyse de ce rapport.

### **Place à prévoir pour les arbres**

Pour étoffer le couvert forestier urbain, on propose d'augmenter les exigences relatives au paysagement végétalisé. L'objectif de ces dispositions consiste à s'assurer que pendant les travaux de réaménagement, on garde de la place pour les arbres et le paysagement végétalisé dans les cours avant et arrière. D'autres dispositions apportent une marge de manœuvre dans l'implantation des bâtiments pour permettre de conserver les arbres, de même que pour limiter la proximité des ouvrages souterrains par rapport à la ligne de lot. Ainsi, la proximité des ouvrages de stationnement souterrains sera limitée par rapport à la ligne de lot, afin de préserver un volume suffisant de sols pour permettre aux arbres de pousser et d'atteindre leur maturité. Pour connaître les détails, veuillez consulter la partie 2 (Article 214 – Marges de retrait de substitution pour la rétention des arbres) et l'article 217 (Dispositions pour les ouvrages en sous-sol), ainsi que la partie 8 (Zones de quartier et dispositions afférentes) dans la section Analyse de ce rapport.

### **Améliorer l'accès aux besoins journaliers des résidents dans les quartiers**

On donne attentivement les nouvelles autorisations des aménagements non résidentiels dans les sites justifiés par le Plan officiel. L'objectif de ces nouvelles autorisations consiste à accroître l'accès aux commerces de détail et aux établissements de services (pour répondre aux besoins journaliers des résidents) non loin du quartier où ils habitent. Ces nouvelles autorisations seront ajoutées dans le cadre de la mise en œuvre de la désignation du couloir mineur dans le Plan officiel et en augmentant les autorisations des aménagements non résidentiels compatibles à petite échelle dans les immeubles de moyenne et de grande hauteurs dans les zones de quartier. On proposera des autorisations nouvelles pour les aménagements non résidentiels à petite échelle dans les quartiers qui sont proches des points de mire existants de la collectivité, dont les écoles et les parcs. Pour connaître les détails, veuillez consulter la partie 8 (Zones de quartier et dispositions afférentes) dans la section Analyse de ce rapport.

## **Maîtrise des changements climatiques, adaptation à ces changements et santé publique**

La version provisoire du *Règlement de zonage* comprend de nouvelles dispositions sur les moyens d'enrayer les dérèglements du climat et de s'y adapter, ce qui favorise la santé publique, notamment en rapprochant des transports en commun les formes les plus denses d'aménagement afin de réduire les émissions de gaz à effet de serre associées au transport, en autorisant généralement les bornes de recharge pour les véhicules électriques et en adoptant de nouvelles exigences pour les places de stationnement des véhicules électriques dans les cas où ces places sont prévues, ainsi que de nouvelles exigences pour promouvoir la conservation des arbres et faire de la place pour favoriser la régénération du couvert forestier urbain et pour enrayer l'effet d'îlot de chaleur urbain.

### **Équité et zonage**

Un règlement de zonage équitable permet de s'assurer que l'intention du Plan officiel est mise en œuvre également et uniformément sur tout le territoire de la Ville et que certains quartiers ne sont pas traités différemment ni pénalisés démesurément par rapport à d'autres quartiers. Pour de plus amples renseignements, veuillez consulter la section Contexte de ce rapport.

### **Directive du Conseil municipal**

Le [11 décembre 2019](#), le Conseil municipal a demandé au personnel du zonage de lancer les préparatifs qui permettront de mettre en œuvre les politiques du nouveau Plan officiel dans le *Règlement de zonage*. Le plan de travail du nouveau *Règlement de zonage* a été soumis à l'approbation du Conseil municipal le [27 janvier 2021](#). La version à jour du plan de travail et du budget a été approuvée par le Conseil municipal le [10 novembre 2021](#). Le nouveau Plan officiel a été adopté le [27 octobre 2021](#). Le [4 novembre 2022](#), le ministre des Affaires municipales et du Logement a approuvé le Plan officiel. Ce plan produit désormais tous ses effets. Le [6 juillet 2022](#), le Conseil municipal a entériné les objectifs et les stratégies dans le rapport intitulé « Rapport sur la mise en œuvre du zonage », à utiliser pour orienter l'élaboration du nouveau *Règlement de zonage*.

Le Groupe de conseillers parrains a été mis sur pied pour donner son avis sur l'élaboration du nouveau *Règlement de zonage*, de même que sur la consultation publique menée dans la collectivité à propos de ce nouveau règlement. Constitué à la [réunion du Conseil municipal le 27 janvier 2021](#), ce groupe a été reconstitué dans le

cadre de l'actuel mandat du Conseil à sa [réunion du 12 juillet 2023](#). Le Groupe de conseillers parrains exerce ses activités sous la gouverne du Conseil municipal et selon les procédures approuvées par le Conseil à sa [réunion du 12 juillet 2023](#). Les membres de ce groupe ont apporté un éclairage et prodigué des conseils sur les principaux aspects de l'élaboration du nouveau *Règlement de zonage* pour veiller à ce que ce règlement soit efficient, efficace et équitable. [Le Groupe de conseillers parrains a exprimé](#) son avis sur différents thèmes, dont la consultation publique, le rehaussement du couvert forestier de la forêt urbaine, exigences se rapportant aux grands immeubles d'habitation, les stratégies de la transition de la hauteur pour les projets d'aménagement non loin des quartiers de faible hauteur, la structure-cadre des zones des quartiers et les dispositions du zonage pour promouvoir les quartiers du quart d'heure et les collectivités complètes.

### **Directives et motions du Conseil municipal à propos du nouveau *Règlement de zonage***

Durant la période au cours de laquelle les consultations publiques se sont déroulées sur le nouveau Plan officiel, le Conseil municipal a donné des directives au personnel ou a approuvé les motions sur les questions liées au zonage et à étudier dans le cadre de l'élaboration du nouveau *Règlement de zonage*. Le lecteur trouvera dans la pièce 1 (Directives et motions du Conseil municipal à propos du nouveau *Règlement de zonage*) la synthèse des directives et des motions et les réponses apportées par le personnel au suivi de ces directives et motions.

### **Consultations publiques**

Conformément au calendrier approuvé par le Conseil municipal, ce rapport marque le lancement des consultations publiques sur les dispositions de la version provisoire du *Règlement de zonage*. Ces consultations se dérouleront en 2024 et en 2025. La deuxième version provisoire du *Règlement de zonage* sera publiée en mars 2025. La dernière version provisoire sera soumise à l'approbation du Conseil municipal en décembre 2025. La page du projet du nouveau *Règlement de zonage* sur le site [Participons Ottawa](#) donne une vue d'ensemble des consultations et de l'information échangée jusqu'à maintenant avec le public. L'[Examen des règles de l'art du zonage](#) au Canada et dans d'autres administrations a été publié en avril 2022. Ce rapport donne une vue d'ensemble des problèmes et des difficultés du zonage contemporain. En juillet 2022, le Conseil municipal a approuvé le rapport sur la [mise en œuvre du zonage](#). Ce rapport comprend des stratégies pour mettre en œuvre les politiques du Plan officiel, notamment les moyens grâce auxquels le nouveau *Règlement de zonage* doit

permettre d'assurer la quantité et la qualité des logements précisées dans le Plan officiel. En mars 2023, on a publié sept documents de travail et les sondages correspondants. De plus, en mars 2023, nous avons reproduit l'information sur la page du projet se rapportant de projet de loi 23 (*Loi de 2022 visant à accélérer la construction de plus de logements*). En août 2023, on a publié le [Rapport sur la forme et la fonction des immeubles de faible hauteur](#) et le sondage afférent. Ce rapport fait état des problèmes liés aux règlements d'application des aménagements intercalaires de faible hauteur dans les quartiers. En septembre 2023, nous avons organisé trois [séances portes ouvertes publiques en présentiel](#) pour donner une vue d'ensemble des grandes politiques du Plan officiel qui seront mises en œuvre dans le nouveau *Règlement de zonage*. Une [séance publique « portes ouvertes » en virtuel](#) a eu lieu en octobre 2023. Les [documents d'information](#) présentés dans ces séances portes ouvertes ont été publiés sur la page du projet en novembre 2023.

La version provisoire du *Règlement de zonage* sera présentée dans un format dans lequel il est possible de déposer, sur la page d'intérêt correspondante, les commentaires sur les passages du document. On peut aussi déposer ces commentaires par courriel ([NouveauZonage@ottawa.ca](mailto:NouveauZonage@ottawa.ca)). Le personnel prendra connaissance de tous les commentaires et les étudiera jusqu'à ce que le Conseil approuve, au quatrième trimestre de 2025, le nouveau *Règlement de zonage*. Or, pour la deuxième version provisoire du nouveau *Règlement de zonage*, les commentaires qui nous parviendront d'ici octobre 2024 viendront éclairer la deuxième version provisoire, compte tenu du délai qu'il faut compter pour analyser et modifier la deuxième version provisoire du *Règlement de zonage* à publier en mars 2025. Le processus formel de diffusion et d'examen officiel en vertu de la *Loi sur l'aménagement du territoire* se déroulera dans la foulée de la diffusion de la deuxième version provisoire du *Règlement de zonage*. Une séance publique « portes ouvertes » en virtuel se déroulera au troisième trimestre de 2025, après la publication de la deuxième version provisoire du nouveau *Règlement de zonage*. La diffusion et les demandes de commentaires se dérouleront en deux vagues en 2025 : la première aura lieu en mars 2025, et la deuxième, en septembre 2025. Le nouveau *Règlement de zonage* devrait être soumis à l'approbation du Conseil municipal avant la fin de 2025. Le lecteur trouvera de plus amples renseignements sur les activités de consultation publique dans la pièce 12 (Stratégie de consultation publique). Le lecteur trouvera dans la pièce 13 (Ce que nous avons entendu en 2023) la synthèse des commentaires déposés jusqu'à la fin de 2023.

## BACKGROUND

In this section of the report, information is provided concerning legislation, policies and initiatives that informed the development of the new Zoning By-law

- Provincial legislative changes and initiatives
- Municipal Housing Pledge
- Housing Accelerator Fund
- Principles endorsed in the Zoning Implementation Report
- Evolving the zoning framework to implement the Official Plan
- Land use and density strategy map
- Height strategy map
- Zoning map overview
- Digital Twin
- Climate change mitigation, adaptation and public health
- Equity and the Zoning By-law

### Provincial legislative changes and initiatives



During 2022 and 2023, the provincial government modified the *Planning Act* and related Acts to facilitate increasing housing supply. On March 30, 2022, *Bill 109, More Homes for Everyone Act*, introduced changes to municipal planning approvals processes

including penalties for not approving applications within specified timelines to implement recommendations in the February 2022 Housing Affordability Task Force Report. These changes are intended to reduce the length of development approvals processes to increase the supply of housing available in the housing market. On October 25, 2022, *Bill 23, More Homes Built Faster Act*, introduced a requirement that all municipalities in Ontario permit a minimum of three dwelling units on residential lots that have full municipal services. On November 4, 2022, the Province approved the new Official Plan with 30 modifications, including adding additional urban expansion lands. On December 6, 2023, *Bill 150, Planning Statute Law Amendment Act, 2023*, reversed most of the modifications made as part of the approval of the Official Plan in 2022.

### **Housing Accelerator Fund**

The Housing Accelerator Fund is a \$4 billion fund announced during the 2022 Federal Budget. The primary objectives of the fund are to accelerate the supply of housing and enhance certainty in the approvals and building processes. The fund is administered by the Canada Mortgage and Housing Corporation (CMHC). On July 12, 2023, Council approved the action plan portion of the City's application for the [Housing Accelerator Fund](#). The City anticipates receiving more than \$170 million from the \$4-billion federal fund. However, CMHC will determine funding based on the number of dwelling units it estimates would be issued permits before September 2026 as a direct result of initiatives in the action plan. The initiatives include:

- accelerating the disposal and preparation of City-owned lands for housing,
- implementing an affordable housing pipeline strategy,
- streamlining planning approvals,
- implementing an affordable housing community improvement plan,
- establishing an office-to-residential conversions pilot,
- **pursuing transit-oriented zoning amendments and inclusionary zoning,**
- **increasing zoning permissions to allow for multi-unit intensification,**
- **preparing a new comprehensive zoning by-law and Digital Twin tool,**
- **developing an on-site storm water management tool**

Four of the above initiatives, shown in bold italics, are actioned or supported by the new Zoning By-law. These include: building heights and densities proposed in mixed-use

zones for Hubs and Corridors in transit-oriented areas, provisions for Neighbourhood zones to meet the intensification targets for Neighbourhoods in the Official Plan, and new provisions for adequacy of servicing and on-site stormwater management that will be applicable law under the *Ontario Building Code* and require on-site stormwater management as redevelopment occurs in existing neighbourhoods.

The Housing Accelerator Fund action plan milestones for the new Zoning By-law include permitting four dwelling units on existing lots within residential zones that have municipal water and wastewater services. While the draft Zoning By-law proposes to permit four units on residential lots that have full municipal services, it is noted that all setbacks for the zone and all other provisions in the new Zoning By-law must be met for four units to be permitted. There may be instances where despite the permission in the new Zoning By-law, the building setbacks can't be met or other practical factors such as the lot size, presence of floodplain or other natural hazards may result in four units not being feasible on a lot. Staff is of the opinion it is appropriate to consult with the public on the four-dwelling unit permission as part of the public consultations on the new Zoning By-law and will communicate any issues of note to CMHC through annual progress reports on the Housing Accelerator Fund action plan.

### **Municipal Housing Pledge**

To support the intent of Bill 23, the province assigned municipal housing targets to selected municipalities. The target assigned to Ottawa was 151,000 new homes by 2031. On March 22, 2023 City Council endorsed a [municipal housing pledge](#) with strategies to encourage construction of 151,000 new homes across Ottawa by 2031. The pledge identified actions to increase housing supply and housing choice in areas throughout the city. These actions aim to allow more houses where people want to live, and in homes that are suitable for different types of households, from one- and two-person households to multi-generational households, and allow for "missing middle housing" to be built. The Official Plan defines [missing middle housing](#) as, "...missing middle housing generally refers to low-rise, multiple-unit infill residential development of between three and sixteen units, or more in the case of unusually large lots and for the lower-density types is typically ground-oriented."

The new Zoning By-law is identified in the Municipal Housing Pledge as the primary instrument to improve housing options and housing supply. The Pledge specifically identifies actions to pre-zone strategic growth locations such as around major transit stations, so development of these lands is not delayed by the need for a zoning by-law amendment.

Both the Municipal Housing Pledge and the Official Plan include housing targets and dates for meeting the targets. The Ontario municipal housing targets for Ottawa in the Municipal Housing Pledge are *aspirational* and are not based on demographic information. The Pledge focuses on the City's role in the construction of new housing and our commitment to enable the construction of 151,000 new homes by 2031 should the housing market and housing providers be able to sustain this growth to 2031. Achieving the Municipal Housing Pledge by 2031 is possible but requires builders and the market to respond by accelerating construction to achieve the number of units each year to meet the target.

In contrast, the Official Plan growth projections are based on projected demand for housing because of net migration and natural increases in population. By 2046 the Official Plan projects approximately 194,000 dwelling units will be needed to meet the projected demand for housing as the population of the city increases. The Plan allocates these units as follows: 92,000 dwellings are to be through urban intensification, 89,000 dwellings through urban greenfield, and 13,000 dwellings are allocated to meet demand for housing in the rural area.

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### **Principles endorsed in the Zoning Implementation Report**

As endorsed by City Council in the July 2022 [Zoning Implementation Report](#), the guiding principles of the new Zoning By-law are that it will be *efficient*, *effective* and *equitable*. An *efficient* zoning by-law provides land use regulations that are simple to understand and implement. A zoning by-law is *effective* when it successfully implements the policies in the Official Plan. An *equitable* zoning by-law ensures the intent of the Official Plan is implemented equally and consistently across the city, that certain neighbourhoods are not treated differently or affected disproportionately than other neighbourhoods. Public consultations on the new Zoning By-law must consider equity to ensure residents have a variety of ways to participate in the public consultation process so a variety of voices and opinions can be heard.

The new Official Plan gives clear direction concerning policies that must be implemented using zoning. The growth management strategy in the Official Plan includes ambitious targets and requirements for intensification in existing Neighbourhoods, Hubs, Corridors and Protected Major Transit Station Areas. The **Zoning Implementation Report** confirmed that the new Zoning By-law must achieve the quantity of units targeted in the Official Plan, high-quality design using form-based zone provisions and a zoning framework that supports the development of complete, 15-minute neighbourhoods.

### **Evolving the Zoning Framework to implement the Official Plan**

The current zoning by-law in effect, Zoning By-law 2008-250, was approved on June 25, 2008. It was the first comprehensive Zoning By-law for the amalgamated city and implemented the “new” Official Plan approved by City Council in 2003. As directed by Council at the time, Zoning By-law 2008-250 brought forward the provisions from the 36 zoning by-laws from the former municipalities into a single zoning by-law. This process “harmonized” hundreds of zones from the former by-laws into a smaller number of zones. While a great achievement, the current Zoning By-law includes a large number of zones that vary in minor ways. For example, Council directed that the residential zone provisions be brought forward with as few changes as possible, resulting in the current set of over 140 residential zones and subzones. While new zones were created to implement land use designations in the 2003 Official Plan, many provisions from the former by-laws were brought forward unchanged in the new provisions.

Likewise, the zoning by-laws from the former municipalities prior to amalgamation were themselves in large part harmonizations that brought forward provisions originally created in the 1960s and 1970s. These legacy provisions, including detailed exception provisions, were in turn brought forward in Zoning By-law 2008-250. The provincial policy framework and Official Plan policies have evolved considerably during this period while provisions that are restrictive for no policy-based reason were preserved and remained the same. A reconsideration of legacy provisions brought forward from former by-laws has not been undertaken in over 50 years and is long overdue.

Since being approved in 2008, the current Zoning By-law 2008-250 has been amended many times at the direction of Council to address infill-related issues, legislative changes and evolving policy frameworks. The By-law has become unwieldy, with many layers of complicated provisions, and has become increasingly difficult to implement and interpret.

Preparation of draft 1 of the new Zoning By-law continues the harmonization process begun after amalgamation. The framework of zones has been further simplified, to ease interpretation and increase predictability. Where necessary, the new Zoning By-law will use exceptions and various types of suffixes in zone codes, such as height suffixes, to maintain the intent of secondary plans and to address variations in built form in existing neighbourhoods. The first draft of the new Zoning By-law will not include modifications to existing exceptions.

The second draft of the Zoning By-law, to be released in Q1 2025, will present modified exception provisions brought forward from the current Zoning By-law 2008-250. Exceptions will be brought forward where doing so is in conformity with the Official Plan and where it is necessary to maintain development rights or to support the neighbourhood context.

### **Land Use and Density Strategy Map**

The Land Use and Density Strategy Map, included as Document 2, provides an overview of how policies in the Official Plan direct that density and land uses should be distributed cross the city. The new Zoning By-law translates the transect policies and land use designations in the Official Plan into land use regulations. Densities are highest in the dark purple, light purple and red areas – these are the Hubs and Corridors – areas closest to transit stations. Areas shown in light yellow are lands in the Neighbourhood designation. In these areas, densities are lower and are in the form of low-rise residential buildings (four storeys or less). Areas that are hatched in pale red are transition areas subject to the Evolving Neighbourhood Overlay. In these areas, densities are higher than in the yellow areas, and lower than in the red areas along Mainstreets and in Hubs. Buildings in transition areas with red hatching are a maximum of four storeys.

### **Height Strategy Map**

The Height Strategy Map, included as Document 3, illustrates the heights permitted by the height and transect policies in the Official Plan. The greatest heights are permitted in Hubs and Corridors, generally in the mid-rise (five to nine storeys) and high-rise (ten storeys and up to 40 storeys) range. Secondary plans supersede the general policies of the Official Plan in areas that have secondary plans. These areas are shown as white areas on the map, given the detailed height policies in each secondary plan. Building heights in the Neighbourhood designation are generally limited to four storeys or less.

### **Zoning Map Overview of Primary Zones**

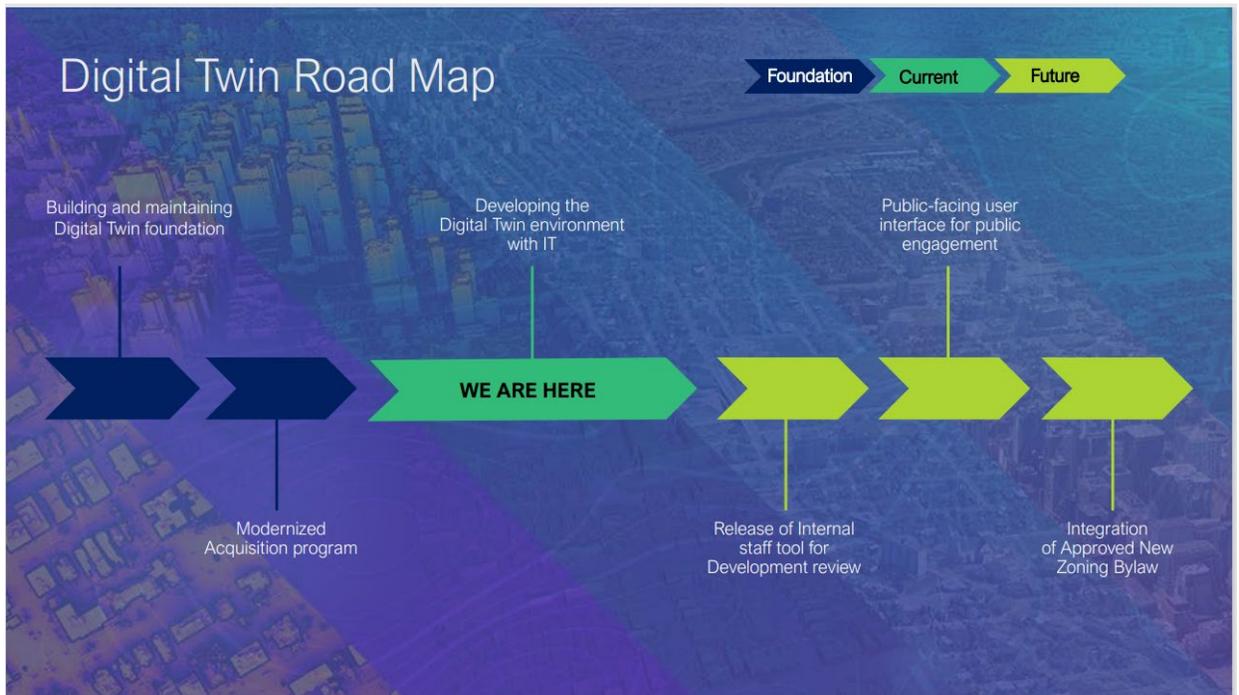
The Zoning Map Overview of Primary Zones, included as Document 4, provides a snapshot of how the primary zones will be applied across the city. You may zoom into the document to distinguish between the colours assigned for each of the primary zones shown in the legend. For example, lands in the Neighbourhood designation in the Official Plan will be assigned one of the new Neighbourhood zones, shown in yellow. Mixed-use zones applied along the Hub and Corridor designations in the Official Plan are shown in red and orange. Urban

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### **Digital Twin**

The Digital Twin is a 3D model of Ottawa developed by the Geospatial Analytics, Technology Solutions Branch. The Twin is supporting the development of the new Zoning By-law and will eventually interface with an on-line version of the Zoning By-law once it is approved in 2025. The Twin provides an immersive experience that allows the exploration of draft zoning regulations in three dimensions in detailed models of existing neighbourhoods. The Twin allows staff to visualize and test strategies to confirm whether a strategy is effective in achieving the intent of the Official Plan. The Twin can also be used to review how draft zones will “fit” existing neighbourhoods, by applying the zoning envelope permitted by the draft provisions over detailed models of existing buildings and blocks in specific neighbourhoods. Zoning staff are using the Twin to model maximum building height and height transition provisions and to render zoning schedules in three dimensions, among other applications.



## Climate Change Mitigation, Adaptation and Public Health

Ottawa Public Health collaborated with the former Planning, Real Estate and Economic Development in the development of the new Official Plan, with promotion and protection of health and well-being integrated as underpinning frameworks. Ottawa Public Health

supports the directions of the new Zoning By-law as a tool that advances healthy communities through Official Plan policy goals in [Section 2.2.4](#) that include:

- encouraging the development of healthy, walkable, 15-minute neighbourhoods that feature a range of housing options, supporting services and amenities.
- building accessible, inclusive communities, and designing for all ages.
- promoting health through sustainability.
- advancing human health through the decisions that are made on the built environment.

To review the complete set of comments from Ottawa Public Health concerning the draft Zoning By-law, please go to Document 5 – Ottawa Public Health Comments on the Draft Zoning By-law.

The draft Zoning By-law introduces new provisions to address climate change mitigation and adaptation, which in turn supports public health, including:

- putting the densest forms of development in locations closest to transit to reduce greenhouse gas emissions associated with transportation,
- new permissions for multi-unit housing forms that use less energy to heat and cool, reducing greenhouse gas emissions,
- broad permissions for electric vehicle charging stations and requirements for EV-ready parking spaces where parking is provided for certain land uses,
- new permissions for small-scale, non-residential uses in residential areas and close to residential areas to support the day-to-day needs of residents to implement the 15-minute neighbourhood policies in the Official Plan,
- new provisions for minimum soft landscaped area, flexibility in building setbacks to accommodate existing trees and limitations on underground parking structures to make room for trees as land is redeveloped, support regeneration of the urban forest tree canopy and to mitigate the urban heat island effect,
- broader permissions for emergency and supportive housing, in accordance with policies in the Official Plan,
- continuing to prohibit development in hazardous locations, such as in the flood plain or near steep slopes.

## Equity and the Zoning By-law

Land use regulations impact whether there is access to services, stores, housing choices and economic opportunities in communities. An equitable zoning by-law ensures the intent of the Official Plan is implemented equally and consistently across the city, that certain neighbourhoods are not treated differently or affected disproportionately than other neighbourhoods. For example, there are equity implications embedded or unrecognized in how residential densities are allocated in neighbourhoods, where noxious uses are permitted, how much soft landscaping is required on privately-owned land, and what types of restrictions are placed on home-based businesses.

The new Zoning By-law includes various new directions to address equity in zoning. With regard to housing, density targets for Neighbourhoods in Table 3b of the [Official Plan](#) will be applied throughout the city to expand housing choice and provide the opportunity for missing-middle, multi-unit housing in all Neighbourhoods. Permissions for multi-unit dwellings will be applied in locations close to amenities in Neighbourhoods rather than just along busy transportation corridors. More housing choices for all ages and stages of life, and for people having differing needs, will be permitted in Neighbourhoods throughout the city to implement policies in [Section 4.2](#) of the Official Plan. In zones where a residential use is permitted, a retirement home, residential care facility, rooming house and group home will also be permitted. Emergency shelters will be permitted in a broader range of urban zones in accordance with policies in Section 4.2 of the Official Plan. Separation distances for group homes and shelters will be deleted in accordance with those policies.

Provisions to make room for trees will be expanded to apply in all Neighbourhoods to support the urban forest tree canopy and “even out” heat islands in Neighbourhoods that have fewer trees.

Home-based business provisions will be made less restrictive to support small business development. In cooperation with other City Departments and Ottawa Public Health, home-based businesses that produce “low risk” food items, as defined in provincial legislation, will be permitted. This will create new economic development opportunities for small businesses.

## **DISCUSSION**

A summary of each part of the new Zoning By-law is provided in this section of the report. The complete Table of Contents is included as Document 6 - Draft Table of Contents.

**Part 1 – Administration, Interpretation and Definitions**

**Part 2 – General Provisions**

**Part 3 – Specific Use Provisions**

**Part 4 – General Setbacks**

**Part 5 – Overlay Provisions**

**Part 6 – Parking and Loading**

**Part 7 – Housing Provisions**

**Part 8 – Neighbourhood Zones**

**Part 9 – Mixed-Use Zones**

**Part 10 – Industrial and Transportation Zones**

**Part 11 – Institutional, Recreation and Greenspace Zones**

**Part 12 – Special Districts Zones**

**Part 13 – Rural Zones**

**Part 14 – Greenbelt, Reserve and Protection Zones**

**Part 15 – Exceptions**

**Part 16 – City-Wide Schedules**

**Part 17 – Area-Specific Schedules**

**Part 18 – Zoning Map**

**Part 19 – Amendment Schedule to the Zoning By-law and Interim Control By-laws**

## **Part 1 – Interpretation, Interpretation and Definitions**

This part of the draft Zoning By-law includes provisions that guide how the By-law is interpreted.

### Sections 101 to 110 – Administration

These sections include a variety of provisions that establish: the title of the new Zoning By-law, a foundational requirement that development must comply with all provisions in the new Zoning By-law, continuation provisions for legal non-confirming and legal non-complying rights, compliance following an expropriation or conveyance under the *Planning Act*, penalties applied for contravention of the provisions of the new Zoning By-law, when technical revisions may be made to the by-law without the need for a zoning by-law amendment, commencement of the by-law, and if a court declares a provision invalid the remainder of the by-law remains in effect.

Sections 109 and 110 deal with transition provisions for building permit applications and applications under the *Planning Act* that are complete applications or approved prior to the new Zoning By-law coming into effect.

Section 109 provides transition provisions for complete building permit applications and complete applications under the *Planning Act* submitted on or before the date of passing of the new Zoning By-law. Where such an application has been received, approval may be granted in the context of Zoning By-law 2008-250. These transition provisions will be repealed five years after the date of passing of the new Zoning By-law.

Section 110 allows issuance of a building permit for a use of a lot or a building for which one or more approvals for a zoning by-law amendment, site plan control or minor variance were issued on or before the date of passing of the new Zoning By-law if that development or use complies or is amended to comply with the provisions of Zoning By-law 2008-250 as it read immediately prior to the passing of the new Zoning By-law. This provision expands on the rights provided in Section 109 for development approvals received on or before the new Zoning By-law coming into effect. A building permit may be issued using the provisions of Zoning By-law 2008-250 if the development application or use complies or is amended to comply with Zoning By-law 2008-250. This transition provision will be repealed three years after the date of passing of the new Zoning By-law.

### Sections 111 to 128 – General Rules of Interpretation

These sections include technical directions concerning how to interpret the new Zoning By-law. These provisions have been brought forward from Zoning By-law 2008-250 and include provisions that establish: how to cite the by-law, use of plain language, systems of division of the provisions (section, subsection, clause, sub clause, paragraph), that the *Legislation Act, 2006* applies, every obligation imposed by the by-law is a continuing one regardless of the tense used in a provision, the by-law is to be interpreted in a benevolent manner, where a situation arises that is not covered by a specific regulation the provisions of the by-law apply by analogy to that situation, where a situation arises where two or more regulations are equally applicable the most restrictive provisions must be complied with, despite the foregoing, the provisions of an exception, suffix, schedule or overlay prevail over other provisions in the by-law, any reference to gender includes all genders, words in the singular include the plural and words in the plural include the singular, and unless otherwise defined, the words used in the by-law have their normal and ordinary meaning.

Section 124 includes the definitions for the various types of dwellings from the current Zoning By-law 2008-250. These definitions are to be used to interpret exception provisions where they are carried forward from Zoning By-law 2008-250 into the new Zoning By-law, and to interpret the provisions for certain Village Residential zones. Exception provisions will be reviewed, updated, and released in Draft 2 of the new Zoning By-law.

#### Sections 129 to 144 - Interpreting Zoning Information

These sections include provisions that summarize the zone codes and their corresponding names, how to interpret zone codes, zone boundaries and split zoning, information about purpose statements.

The provisions in the following sections are being brought forward from the current Zoning By-law 2008-250:

Section 145 – One Lot for Zoning Purposes

Section 147 – Holding Zones

Section 148 – Multiple Buildings

Section 149 – One lot for Zoning purposes

Section 150 – Part-lot Control

Section 146 – Dwelling Equivalency

The provisions in this section establish that additional dwelling units and coach houses are equivalent to one dwelling unit. This information is needed to calculate residential densities in the new Zoning By-law, and to recognize the additional residential unit policies found in Section 35(1) of the *Planning Act*.

### Section 199 - Definitions

Certain definitions for land use terms in Zoning By-law 2008-250 have been modified, while others have been deleted and new defined terms have been added. To review the draft definitions and details concerning modifications that have been made, please see Document 7 – Draft Definitions.

## **Part 2 – General Provisions**

This part of the draft Zoning By-law includes provisions that apply generally to most forms of development.

### Section 201 - Adequate Services and On-site Stormwater Management

The provisions in the current Zoning By-law concerning adequacy of servicing and stormwater management have been brought forward, however they have been strengthened and will be supported by programs to be initiated through the Infrastructure Master Plan. New provisions to require on-site stormwater management have been added to require development, regardless of whether it is subject to site plan control, to provide on-site stormwater management where there is an increase in impermeable surfaces.

The new provisions for on-site stormwater management will require that post-development peak runoff rates be controlled to pre-development levels. These provisions will apply to redevelopment and infill building permits that are exempt from the Site Plan Control process and which involve a net increase in impervious area compared to pre-development conditions. Stormwater management objectives may be achieved through on-site attenuation, infiltration, or a combination of both techniques, depending on site-specific conditions. Thresholds will apply for when on-site stormwater management is required. Additions that are less than 55 square metres in size and that are at least 1.2 metres from a lot line, and development that involves ten dwelling units or less in the rural area outside of Villages will not be subject to the on-site stormwater management provisions. Development that is subject to applications for Plan of Subdivision, Site Plan Control and Plan of Condominium will also be exempt, as on-site stormwater management will be addressed through the development review

process. For further background information, please refer to Document 8 - On-Site Stormwater Management for Infill Development.

Regarding adequacy of water and sewer services, increased permissions for density in the new Zoning By-law do not guarantee that sufficient servicing capacity will be available for every development proposal that is permitted by the zoning in place. It is not possible to predict if there is adequate servicing capacity in all locations in the city because it is not possible to predict what will be proposed on every lot in the city at any given time. The Infrastructure Master Plan identifies infrastructure improvement projects that increase backbone system capacity based on high level intensification projections. There is too much local infrastructure to be analyzed in the context of a City-wide master plan and too many unknowns about available and future capacity that may be required in any given location.

To address this challenge, the draft Infrastructure Master Plan will be recommending an *Infrastructure Capacity Management Program* to evaluate local systems on a priority basis based on where intensification development pressures are highest and where engineering staff expect local system capacities are most limiting. This program will identify where local system capacity upgrades are needed to support intensification. Until the infrastructure capacity management studies and upgrades are completed, some development projects may be delayed depending on the results of capacity assessments completed through the development approvals process. If it is determined that insufficient capacity is available for an individual development project, there are three possible outcomes:

- the development will not be able to proceed,
- the developer could fund any local upgrades needed to accommodate the development, or
- the developer could wait until a local servicing study is completed and implemented, including a financial plan for any upgrades recommended by the plan.

#### Section 202 - Accessory Uses, Buildings and Structures

The provisions for accessory uses, buildings and structures have been reformatted and will no longer appear in a table format. Provisions for the Rural area are listed separately in this section to ease interpretation for Rural residents.

#### Section 203 - Projections Above the Height Limit

The features that are currently permitted to project above the height limit are proposed to remain. However, new provisions are proposed for dormers. The current provisions for dormers for the Westboro Development Overlay in Section 146(6)(b) and 146(6)(c) of Zoning By-law 2008-250 are proposed to be applied broadly. These provisions allow dormers that span 50 per cent or less of the width or depth of a roofline to not be included in the maximum height calculation where the dormers are included on any portion of a pitch roof with a 1:2 slope. Provisions for rooftop access and rooftop landscaped area, garden or terrace from Section 55 of the current Zoning By-law 2008-250 are proposed to be relocated to this section as these provisions regulate permissions above the height limit.

#### Section 204 - Projections into Yards

Similar to the provisions for accessory building and structures in Section 202, the provisions for projections into yards have been reformatted and will no longer be presented in a table format. Modifications are proposed to the provisions for bay windows to require that bay windows be cantilevered and located above grade when projecting into a yard with a depth of 3 metres or less. Bay windows associated with residential buildings may not occupy more than 50 per cent of a façade, may project a maximum of 1 metre from the building and must be set back a minimum of 1.2 metres from the lot line. The requirement for cantilevering is intended to provide additional area for the active root zone of trees, despite the projection of a bay window into a required yard.

#### Section 205 – Frontage on a Public Street

These provisions have been carried forward from the current Zoning By-law 2008-250.

#### Section 206 – Office to Residential Conversions

These provisions have been carried forward from the current Zoning By-law 2008-250.

#### Section 207 - Provisions for High-Rise Buildings

The provisions in this section apply to high-rise buildings (buildings that are ten storeys or higher). These provisions have been carried forward from Section 77 and the Mixed-Use Downtown Zone provisions (Table 193(j)) of Zoning By-law 2008-250, with modifications. It is proposed to expand these provisions to apply generally to the urban area of the city. Secondary plan areas that are currently excluded from these provisions would be subject to them, except for the area of the downtown south Wellington Street where they currently do not apply. These provisions require the tower portion of a high-

rise building to be set back from lot lines to ensure light can reach the street and the interiors of high-rise buildings on adjacent lots. These provisions also require towers on the same lot to be separated a minimum distance from one another.

It is necessary to expand application of these provisions as the maximum building heights contemplated in secondary plan policy areas will be implemented in the new Zoning By-law, as-of-right, whereas under Zoning By-law 2008-250, the maximum building heights are not consistently permitted as-of-right in these areas. Currently, a zoning by-law amendment is required to obtain permission for a high-rise building in these areas. As part of that amendment process, the policies that require tower separation distances in secondary plans are implemented. Without that development review process, a mechanism in the new Zoning By-law is needed to ensure the intent of the policies for tower separation distances in the Official Plan and the secondary plan are implemented.

Where building heights have been increased in the new Zoning By-law to recognize heights permitted by secondary plan policies, tower separation and minimum lot area requirements will apply either through the provisions in this section (Section 207) or through schedules or exceptions that apply in a particular secondary plan area.

#### Section 208 – Amenity Area

These provisions have been carried forward with modifications from the current Zoning By-law 2008-250. The existing requirement of 6 square metres per dwelling unit, currently applicable to most residential buildings, is proposed to be carried forward into the new By-law.

In certain low-rise (R1-R4) zones located inside the Greenbelt, the current amenity area requirement is 15 square metres per unit for the first eight units of a residential building containing three or more dwelling units, which must be provided in the rear yard as landscaped area. This provision has been deleted given that requirements for rear yard landscaped area for residential zones are proposed to be addressed as part of functional standards for the Neighbourhood zones, please see Part 8.

#### Section 209 - Heritage Provisions

The Heritage Overlay provisions in Section 60 of the current Zoning By-law 2008-250 will be replaced by new provisions in Section 209 that will apply to properties designated under Part IV or Part V of the *Ontario Heritage Act*. The Heritage Overlay on the Zoning Map will not be brought forward on the Zoning Map of the draft Zoning By-law.

Buildings and properties designated under Part IV or V of the *Heritage Act* are subject to a rigorous design review through the heritage permit process which includes public processes at the Built Heritage Sub-Committee and the Planning and Housing Committee. Given this rigorous design review process and the protections against demolition under the *Heritage Act*, provisions in the Heritage Overlay in the current Zoning By-law that freeze the height and massing of designated buildings will not be brought forward in the new Zoning By-law.

The proposed new heritage provisions in Section 209 will provide exemptions from "design-related" requirements in the Zoning By-law, such as upper-floor "step back" requirements or similar façade articulation requirements that could interfere with existing designated properties. This is to ensure that redevelopments involving the retention of a designated building do not require relief from the Zoning By-law where the existing building does not meet these current provisions.

#### Section 210 – Provisions for Underground Structures

Policies in [Section 4.8.2](#) of the Official Plan state that space for mature, healthy trees and the provision of adequate soil volumes will be provided as development and intensification occur. The provisions in Section 210 will not permit underground parking structures to project closer than 3 metres to any property line, except where minimum yard setback requirements allow for a closer setback. A minimum soil volume of 30 cubic metres must also be provided in the yard. These provisions are needed to ensure the construction of underground parking structures does not eliminate the potential for trees to grow as redevelopment occurs.

#### Section 211 - Temporary Uses

The provisions in this section replace the provisions in the current Zoning By-law 2008-250 in Section 71 – Temporary Uses, Buildings or Structures during Construction or Special Events. The title of the section has been simplified and reference to “during Construction” has been removed to expand the application of the provisions. The revised provisions in Section 211 permit uses and temporary buildings during a period of construction, special event or emergency, a temporary office for the sale of residential lots or residential units and a seasonal market. In the Rural area, a mobile home is permitted as temporary accommodation for a period not to exceed 24 months while a permanent dwelling is being constructed on the lot.

#### Section 212 – Wayside Pits and Quarries

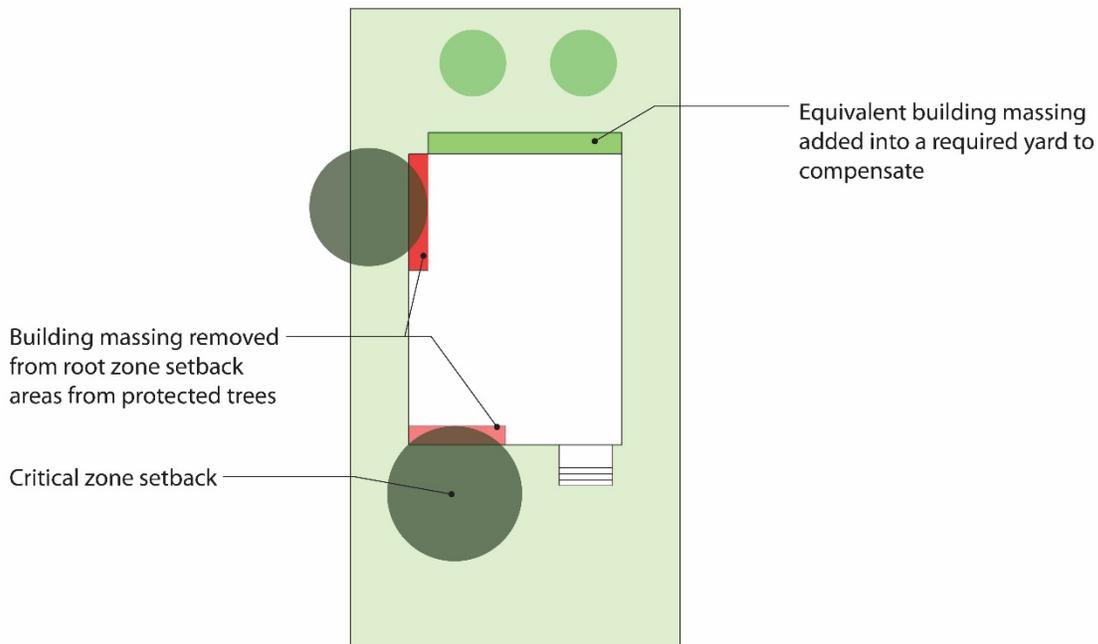
These provisions have been carried forward from the current Zoning By-law 2008-250.

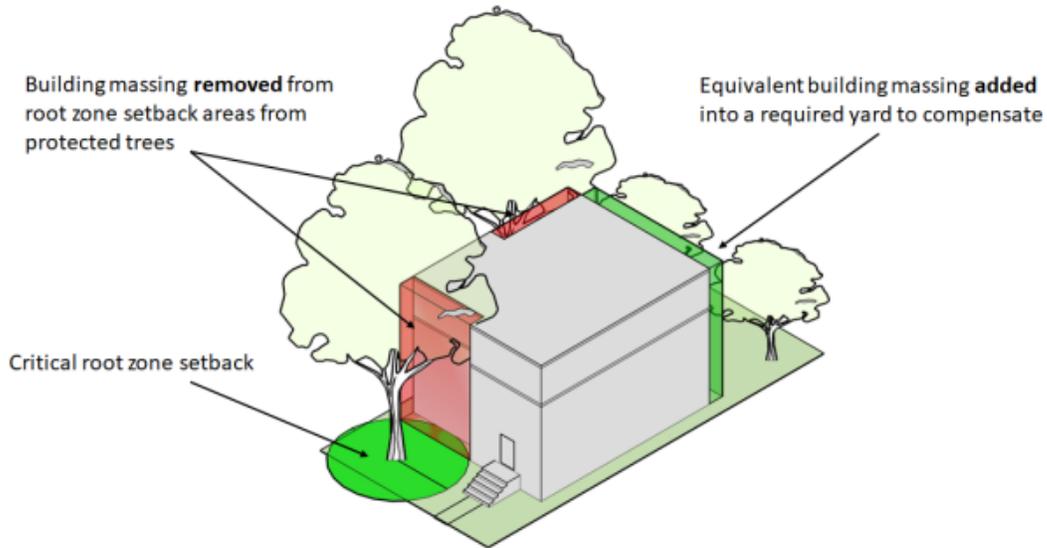
### Section 213 – Utility Installations

These provisions have been carried forward from the current Zoning By-law 2008-250.

### Section 214 - Alternative Setbacks for Tree Retention

These provisions are intended to support retention of distinctive trees as defined by the [Tree Protection By-law](#) in residential zones, in particular where distinctive trees are located within the building envelope permitted by zoning. Where yard setbacks are required to be increased to retain an existing distinctive tree, setbacks may be reduced in other yards, to the extent that an equivalent footprint is provided in a location that allows for retention of the tree, please see diagrams below. These provisions support policies in [Section 4.8.2](#) of the Official Plan concerning providing residents with equitable access to an urban forest canopy and maintaining space for mature, healthy trees as development and intensification occur.





These diagrams illustrate the intended function of alternative setbacks for tree retention. Where setbacks of buildings are required to be increased to ensure retention of protected trees, they can be reduced by an equivalent amount in a different yard to ensure that the same size building envelope is permitted.

### Section 215 – Parks

The provisions in this section permit a park in all urban and rural zones except IH-Heavy Industrial, RH-Rural Heavy Industrial and ME-Mineral Extraction. A park is defined in Section 199 of the draft Zoning By-law as a public playground, sports field, botanical garden, outdoor public swimming pool or parkway, and may include accessory buildings or structures such as a maintenance building, washroom or pavilion.

### Section 216 – Corner Site Triangles

These provisions have been carried forward from the current Zoning By-law 2008-250.

## **Part 3 – Specific Use Provisions**

This part of the draft Zoning By-law includes provisions that apply to specific land uses.

### Section 301 - Home-Based Businesses and Home-Based Daycares

The home-based business provisions in Sections 127 and 128 of the current Zoning By-law are proposed to be modified in several ways to increase opportunities for small businesses to establish. The provisions for home-based daycares in Section 129 of the current Zoning By-law 2008-250 will be carried forward in the new home-based business provisions in this section of the draft Zoning By-law.

Policies in [Section 2.2.2](#) and [Section 4.2.1.5](#)) of the Official Plan support small business development and permit home-based businesses where a residential use is permitted. Policy 2.2.2.5) states,

“Small and start-up businesses in a range of sectors, from retail to small-scale manufacturing, creative and cultural industries, consulting and people services, where they do not create incompatibilities or nuisances, need to be nurtured and supported through regulations that provide opportunities to use a variety of spaces in a way that minimizes initial start-up costs and ongoing overhead. Through this Official Plan and the implementing Zoning By-law, the City will be simplifying the rules that apply to small businesses so that more are permitted as of right.”

[Policy 2.2.2.9](#) recognizes the challenges for business development in the rural area and Villages and identifies, “overly prescriptive definitions of home occupations” as one of the challenges.

Zoning staff consulted with staff at Ottawa Public Health regarding new provisions to permit home-based businesses that produce “low risk” foods. The provisions for these businesses would not permit on-site dining or on-site employees in association with the home-based food business. In alignment with the provincial government’s direction in supporting home-based food businesses, Ottawa Public Health is in support of new provisions in the draft Zoning By-law to allow more flexibility for entrepreneurs to make and sell low-risk food items prepared in their homes.

From a food-borne illness perspective, low-risk foods are considered non-hazardous and do not require refrigeration. They include items such as baked goods, breads, cakes, chocolates, hard candies and brittles, fudge and toffees, granola, trail mix, nuts and seeds, and coffee beans and tea leaves. Home-based food businesses that prepare only low-risk foods are exempt from certain regulatory requirements, such as specified handwashing stations in food premises, compliance with commercial dishwashing requirements and food handling training certification.

Ottawa Public Health is open to considering new zoning provisions in the future to permit moderate and high-risk food items to be prepared in home-based food businesses. However, due to the nature of the foods being prepared, there are concerns with permitting home-based food businesses associated with moderate and high-risk foods. Ottawa Public Health has identified the need to partner with other City departments along with the Ministry to ensure the appropriate regulatory tools are in place to protect the health of the public should new provisions be proposed in the new Zoning By-law. This, in conjunction with other concerns, identifies that further work is

needed before a decision can be made about whether it is appropriate to permit the preparation of moderate and high-risk foods items in home-based food businesses in the new Zoning By-law.

In addition to new provisions to permit home-based businesses that produce low risk foods, the following changes are proposed to the home-based business provisions that apply in the Urban areas of the city:

- the number of on-site, non-resident employees is increased from one to two employees in low-density zones, and from one to three employees in higher density zones,
- the maximum area accessible to employees, clients or customers is increased from 25 per cent to 49 per cent of the gross floor area of the dwelling unit,
- a detached garage or accessory building may be used for a home-based business to a maximum area of 55 square metres,

provisions in the current Zoning By-law 2008-250 that do not permit a client or customer to be served on-site from a dwelling unit that is accessed from a common entrance or hallway will be carried forward in the draft Zoning By-law

In the Rural areas of the city, home-based businesses that produce low-risk foods would also be permitted. The following additional changes are proposed to the home-based business provisions that apply in the Rural areas of the city:

- the number of on-site, non-resident employees is increased from three to four employees in RU-Rural Countryside, AG-Agricultural, and ME-Mineral Aggregate Extraction zones, and on lots subject to the Village Residential Enterprise Overlay in Villages the maximum number of employees is increased from two to four,
- the maximum area accessible to employees, clients or customers on a lot that is less than 0.8 hectares in area in any Rural zone is 49 per cent of the gross floor area of the dwelling unit, and a maximum of 55 square metres in a detached garage or accessory building,
- the maximum area accessible to employees, clients or customers on a lot that is 0.8 hectares or greater in any Rural zone is 49 per cent of gross floor area of the dwelling unit, and a maximum of 150 square metres in a detached garage or accessory building,

- provisions in the current Zoning By-law 2008-250 that do not permit a client or customer to be served on-site from a dwelling unit that is accessed from a common entrance or hallway will be carried forward in the draft Zoning By-law.

### Section 302 - Short-term Rental

Under both the current Zoning By-law 2008-250 and the draft Zoning By-law, a Short-Term Rental means the whole or part of an existing residential unit or mobile home that is used to provide transient accommodation for a period of less than 30 consecutive nights. A short-term rental includes a bed and breakfast.

The provisions in this section have been brought forward from Zoning By-law 2008-250 however the reference to the provisions being temporary has been removed in anticipation of the monitoring program for short-term rentals being completed and the provisions coming into effect before the end of 2025. Modifications may be needed to these draft provisions depending on the outcome of the monitoring program.

### Section 303 - Cottage Rental

Under both the current Zoning By-law 2008-250 and the draft Zoning By-law, a Cottage Rental means the whole or part of an existing residential unit or mobile home that is used to provide temporary accommodation for less than 30 consecutive nights and is not the principal residence of the operator. A cottage rental is permitted in AG-Agricultural, RU-Rural Countryside, RR-Rural Residential, or RC-Rural Commercial zone (except for Agricultural subzones AG4 through AG8 inclusive).

The provisions in this section have been brought forward from Zoning By-law 2008-250 however the reference to the provisions being temporary has been removed in anticipation of the monitoring program for short-term rentals being completed and the provisions coming into effect before the end of 2025. Modifications may be needed to these draft provisions depending on the outcome of the monitoring program.

### Section 304 - Adult Entertainment Parlour

These provisions have been brought forward from Zoning By-law 2008-250.

### Section 305 - Bicycle and Motor Vehicle Training Facility

These provisions have been brought forward from Zoning By-law 2008-250.

### Section 306 - Cannabis Production Facility

These provisions have been brought forward from Zoning By-law 2008-250.

### Section 307 - Car Sharing Service

These provisions have been modified to permit car sharing services in all zones except for AG-Agricultural, DR-Development Reserve, EP-Environmental Protection, GBR-Greenbelt Rural, GBF-Greenbelt Facility, ME-Mineral Extraction, RI-Rural Institutional, and RU-Rural Countryside zones. Car-sharing spaces may not occupy visitor parking spaces required in Section 603 of the draft Zoning By-law.

### Section 308 - Drive-Through Facility

The drive-through facility provisions have been carried forward from Section 112 of the current Zoning By-law 2008-250 with additions and some modifications aimed to provide buffers when a drive-through facility abuts a residential zone. In the new provisions, no queueing lane, drive-through window, or order board may be located within a required yard abutting a residential zone. A soft landscaped buffer, at least 3.5 metres wide, must be provided between any drive-through facility and a front lot line, an exterior side lot line, or any lot line abutting a residential zone. Drive-through queueing lanes are prohibited within a required front yard.

### Section 309 - Food Production

The provisions in this section will replace the definition and provisions for “urban agriculture” in the current Zoning By-law 2008-250. Those provisions limit food production in the Urban areas of the city and in Villages to outdoor cultivation in market gardens, residential yards, roof tops, community gardens and small greenhouses. In the Rural area of the city (outside Villages), food production is permitted wherever an “agricultural use” is permitted. An “agricultural use” means the cultivation of the soil to produce crops and the raising of farm animals.

The proposed provisions for Food Production will broaden permissions and permit indoor and outdoor food production in Urban areas of the city and in Villages. The provisions will implement policies in [Section 4.11](#) of the Official Plan regarding food production, “Food production, processing, distribution, storage and farmer’s markets are supported throughout the city. In urban areas and villages, community gardens and indoor and outdoor crop production which does not have an adverse effect on the surrounding area by virtue of appearance, function, risk of rodent infestation or high volumes of vehicular traffic, are permitted.” The definition of “food production” in the draft Zoning By-law will not permit the raising of livestock, in accordance with policies in Section 4.11 of the Official Plan.

### Section 310 – Micro-Distribution Facility

These provisions replace provisions for click and collect facilities in the current Zoning By-law 2008-250. The definition of micro-distribution facility in Section 199 of the new Zoning By-law includes a post office.

The remaining sections of this part of the draft Zoning By-law are being brought forward from the current Zoning By-law 2008-250:

Section 311 - Outdoor Commercial Patio

Section 312 - Payday Loan Establishment

Section 313 - Personal Brewing Facilities

Section 314 - Place of Worship and Place of Assembly

Section 315 - Propane and Natural Gas Provisions

Section 316 - Rapid-Transit Network

Section 317 - Snow Disposal Facility

Section 318 - Storefront Industry

Section 319 - Waste Processing and Transfer Facility in the Rural Area

Section 320 – Kennels

Section 321 – Hydronic Heaters

Section 322 – On-Farm Diversified Uses

#### **Part 4 – General Setbacks**

This part of the draft Zoning By-law includes general setback provisions.

##### Section 401 - Minimum Distance Separation - Livestock Operations

This section is carried forward from the current Zoning By-law 2008-250.

##### Section 402 - Setback from Railway Right-of-Ways

This section is carried forward from the current Zoning By-law 2008-250.

##### Section 403 – Setback from TransCanada Pipeline

This section is carried forward from the current Zoning By-law 2008-250.

## Section 404 - Setback from Surface water Features

This section has been revised to ensure policies in [Section 4.9.3](#) of the Official Plan relating to setbacks from surface water features are implemented. The new Official Plan requires the same setbacks that the previous Official Plan required, however the definitions relating to surface water features were revised in the new Official Plan. The definitions in the current Zoning By-law 2008-250 have been modified to accord with the definitions and intent of the new Official Plan, please see definitions below. The term *Top of Bank* in the draft Zoning By-law replaces the term *Normal High Water Mark* in the current Zoning By-law 2008-250. The term *Stable Top of Slope* in the draft Zoning By-law replaces the term *Top of Bank* in the current Zoning By-law 2008-250. Depending on the profile of the watercourse, the new definitions in the Official Plan and draft Zoning By-law can result in a slightly larger setback from surface water features.

**Stable Top of Slope** means the physical top of slope where the existing slope is stable and not impacted by toe erosion as determined by a qualified professional. (sommet de pente stable)

**Surface Water Feature** means water-related features on the earth's surface, including headwater drainage features, rivers, stream channels, drains, inland lakes, seepage areas, recharge/discharge areas, springs, wetlands and associated riparian lands that can be defined by their soil moisture, soil type, vegetation or topographic characteristics, including fish habitat.(élément d'eau de surface)

**Top of Bank** means the maximum point to which water can rise within a channel before spilling across onto adjacent land; and where this point is not well defined such as in a valley, top of bank means either the maximum well defined point upstream or downstream of the property, or the maximum point where a distinct change in vegetation, colour, or surface markings on the property that can be documented by a qualified professional. (sommet de la rive)

For development that does not require an application under the *Planning Act*, new provisions are being introduced to implement modified setbacks along certain surface water features. These new provisions will apply where setbacks that are different than those in the Official Plan have been identified in Council-approved watershed, subwatershed, and environmental management plans. A new schedule will be included in the draft Zoning By-law to identify which surface water features are subject to these modified setbacks.

## **Part 5 – Overlay Provisions**

This part of the draft Zoning By-law includes provisions that are applied to certain areas of the city through an overlay that appears on the Zoning Map.

### Section 501 - Flood Plain Overlay

These provisions are being brought forward from the current Zoning By-law 2008-250. Properties subject to the flood plain overlay and area-specific overlay provisions will not be upzoned to allow increased density, to be consistent with the policies for flood plains in [Section 10.1.1\(1\)](#) and [Section 10.1.2.5\(c\)](#) of the Official Plan.

When the Official Plan was approved, the Kingsview Park area was re-designated from Two-Zone Flood Plain to Flood Plain, as shown on [Schedule C15-Environmental Constraints](#) of the Official Plan. The affected lands are an area of historic development and are behind a raised pathway that is not an engineered flood control work. The properties affected by this re-designation will be rezoned from Flood Plain - Area-Specific Provisions Overlay to Flood Plain Overlay, to be in conformity with the Official Plan.

Updated flood plain mapping has been received from the Conservations Authorities and has been included in the draft Zoning Map. The draft Zoning Map will include the current boundaries of the flood plain overlay under Zoning By-law 2008-250 and the proposed updates to the flood plain overlay from the Conservation Authorities so that the boundaries of the two Overlays can be compared.

### Section 502 – Mineral Aggregate Overlay

The Mineral Aggregate Overlay implements policies in [Section 5.6.3](#) and [Schedule B9 – Rural Transect](#) of the Official Plan. The Mineral Aggregate Overlay brings forward provisions in the current Zoning By-law in the MR – Mineral Aggregate Reserve Zone and Section 67 – Residential use building setbacks from mineral aggregate zones. Section 67 is included in the General Provisions of the current Zoning By-law and can be overlooked when reviewing the provisions that apply in relation to Mineral Aggregate zones. Incorporating the provisions in the Overlay will improve the clarity and effectiveness of the new Zoning By-law and will decrease the likelihood these provisions will be overlooked.

Section 67 of the current Zoning By-law prohibits development consisting of a dwelling, dwelling unit, or rooming unit in proximity to MR – Mineral Reserve and ME – Mineral Extraction zones. The intent of Section 67 is to prohibit uses or development which

would hinder or preclude extraction of aggregate resources on abutting lands. The list of prohibited uses will be amended to include sensitive land uses within the meaning of the Ministry of Environment, Conservation and Parks' (MECP) D-Series Guidelines and would include uses such as long-term care homes, campgrounds, or daycares.

In keeping with [policy 5.6.3.1.1](#)), properties currently zoned MR - Mineral Aggregate Reserve under Zoning By-law 2008-250 are proposed to be rezoned to an AG-Agricultural or RU-Rural Countryside zone, to match how they are designated on Schedule B9, while also being subject to the provisions of the Mineral Aggregate Overlay. The provisions that apply in the Overlay will replicate the limitations on development in the current MR zones and in Section 67, to ensure the protection of mineral aggregate resources for future extraction and to prevent the encroachment of sensitive land uses that could impact mineral extraction operations.

#### Section 503 - Airport Influence Area Overlay

The current provisions in Zoning By-law 2008-250 for Airport Operations in [Section 70 – Protection of Airport Operations](#) are being carried forward. [Schedule 6](#) of the current Zoning By-law will be displayed as an overlay to ensure the information in Section 503 is not overlooked.

#### Section 504 - Source Water Protection Overlay – Under consideration for inclusion in Draft 2 of the new Zoning By-law

Consideration is being given to the introduction of a new Source Water Protection Overlay to address the requirements of the [Clean Water Act](#), the [Mississippi-Rideau Source Protection Plan](#) and the [Raisin-South Nation Source Protection Plan](#). The Overlay would limit land uses in accordance with restricted activities listed in [Source Water Protection Plans](#) of the relevant conservation authorities and [Schedule C15](#) of the Official Plan. The Overlay provisions would apply to portions of the Wellhead Protection Areas shown on Schedule C15. If a *Planning Act* or building permit application is made, the Overlay provisions would trigger a review to ensure drinking water quality is protected. A coordinated program will need to be in place before the Overlay is implemented in the new Zoning By-law. Administrative processes will be put in place to facilitate timely review of applications. Thresholds for when the provisions apply would be built into the provisions to require a review for only those applications that present a risk to water quality.

## Part 6 – Parking, Queuing and Loading Provisions

This part of the draft Zoning By-law includes provisions that regulate parking.

Provisions regulating visitor parking space rates, minimum parking space dimensions, aisle and driveway provisions, and loading space provisions are proposed to be carried forward in the draft Zoning By-law with modifications. The minimum parking space rates in Section 101 of the current Zoning By-law 2008-250 have not been included in the draft Zoning By-law. Accessible parking requirements contained within the *Traffic and Parking By-law* will continue to apply where parking is provided.

A best practice review of parking space provisions and a review of the parking space rates in the current Zoning By-law 2008-250 is included in Document 9 – Parking Provisions Review. This review informed the rationale for not including minimum parking space rates and instead adopting a choice-based approach in the draft Zoning By-law. A choice-based approach provides flexibility to property owners, businesses, and developers by enabling them to choose how much parking to provide based on their needs.

Removing minimum parking space rates does not mean that no parking will be provided as development occurs. It is expected that property owners, developers and businesses will still provide parking given built environment constraints and transit availability, in particular in the Outer Urban, Suburban and Rural transects.

A growing number of Canadian cities have chosen to repeal, either partially or entirely, minimum parking space rates. For example, between 2020 and 2021, the City of Edmonton and the City of Toronto repealed minimum parking space rates for all uses city-wide. In 2020, the City of Calgary removed minimum parking space rates for non-residential uses across the city.

Minimum parking space rates were introduced in Ottawa in 1964. At that time, minimum parking space rates were being introduced across North America as part of parking management strategies to prevent spillover parking during peak times of the day. The widespread implementation of minimum space rates creates an abundance of off-street parking spaces, which is costly to developers, consumes significant land area, makes parking a major factor in the built environment, and contributes to increased stormwater runoff challenges and the continued loss of the urban forest canopy. As a significant space and cost factor for both land and building development, the cost of creating and maintaining parking spaces is often bundled into the cost of retail, office and housing development regardless of whether a unit is owned, leased or rented, which means that

everyone, whether they require a parking space or not, pays for parking. Removing minimum parking rates makes the provision of parking a choice driven by market preference and market demand, and not a regulatory requirement.

Regardless of whether a municipality maintains minimum parking space rates, parking becomes an issue when it is not managed properly. Accordingly, in parallel with work on the parking provisions for the draft Zoning By-law, Staff have been examining the feasibility of expanding the on-street permit parking program in some areas, particularly in the Downtown Core and Inner Urban areas, to ensure that on-street parking spaces are properly managed.

The following is an overview of the parking provisions in Part 6 of the draft Zoning By-law.

#### Section 601 – General Provisions

Section 601 carries forward the general parking provisions in the current Zoning By-law 2008-250 with minor modifications to reflect the proposed deletion of Section 101.

#### Section 602 – Maximum Parking Space Rates

The maximum space rates in the current Zoning By-law 2008-250 will be carried forward in the draft Zoning By-law with modifications to implement policy 4.1.4(2) of the Official Plan. Maximum parking space rates will apply to properties within 600 metres of existing and funded rapid transit stations. The maximum space rates proposed will differ based on land use and transect, similar to the current provisions in Zoning By-law 2008-250. The majority of the maximum parking space rates have been carried forward from Zoning By-law 2008-250.

#### Section 603 - Visitor Parking Space Rates

Section 603 of the draft Zoning By-law carries forward the provisions for visitor parking space rates from Section 102 of the current Zoning By-law 2008-250, with modifications. The provisions in Section 603 will continue to require visitor parking for new development, however the minimum rates have been modified. For example, it is proposed that within the Downtown Core, no more than 20 visitor parking spaces are required per building. This does not mean a developer cannot provide more than 20 visitor parking spaces per building, just that they are not required to provide more than 20 spaces. The provisions also include a deductible rate which has increased. The deductible rate applies to the urban areas of the city only.

#### Section 604 – Location of Parking

Section 604 provides provisions for where parking spaces may be located and replaces Section 109 of the current Zoning By-law 2008-250.

Significant changes have been proposed to front yard parking permissions. Front yard parking will be permitted in cases where a driveway leading to a garage would otherwise have been permitted, and where the removal of the need for the driveway to lead to a garage will now allow for more of the front façade to be used for habitable space. The front yard parking provisions will not allow for parking areas to be expanded beyond where a driveway or lane would otherwise have been permitted, but simply recognizes that driveways are commonly used as parking spaces and additional street-facing habitable space represents a meaningful benefit.

One front yard parking space is proposed to be permitted on lots in Neighbourhood zones in areas outside the Downtown Transect, as identified on a new front yard parking schedule. Front yard parking spaces existing as of September 30, 2007 are proposed to be permitted.

Provisions in the current Zoning By-law 2008-250 for parking exclusion fixtures and garage setbacks are proposed to be carried forward and have been included in this section. These provisions combined with the front yard parking provisions replace the existing Mature Neighbourhoods Overlay and Streetscape Character Analysis provisions of Section 140 of Zoning By-law 2008-250, which regulated parking based on the dominant character of the streetscape.

#### Section 605- Parking Space Provisions

Section 605 provides provisions for minimum parking space dimensions and is largely unchanged from the current Section 106 in the current Zoning By-law 2008-250.

#### Section 606 - Access for One to Three Parking Spaces

This section provides provisions to regulate access to parking areas where only one to three parking spaces are provided. Section 606 contains numerous changes and new provisions for:

- shared driveways leading to rear yard parking spaces located on one or more lots,
- ribbon-space driveway provisions where two wheel-strips are provided, and a permeable centreline strip is in the middle. Where front yard parking is permitted and provided, a ribbon-space driveway will be permitted, which provides

residents with an option to have a parking space with more permeability than asphalt,

- introduction of provisions enabling rear yard parking from open, travelable and maintained rear lanes,
- the introduction of interior garage dimensions for single and double-wide garages to ensure that garages provided with new developments act as functional parking spaces. The interior garage dimensions for a single interior parking space are proposed to be 3 metres in width and 6 metres in length, and 5 metres in width and 6 metres in length for two interior parking spaces,
- enhanced shared driveway provisions where the driveway does not lead to a rear yard, and
- revisions to maximum permitted driveway widths.

#### Section 607 – Parking Lot Provisions

Section 607 is a new section that provides provisions for parking lots, however many of these provisions have been carried forward from Zoning By-law 2008-250 with modifications, including:

- the introduction of provisions prohibiting new surface parking lots and expansion to existing surface parking lots in the Downtown Core transect and a prohibition on parking lots as a primary use in the Inner Urban transect, in accordance with policies 5.1.2(1)(d), 5.2.2(1)(d) and 5.2.2(3) of the [Official Plan](#),
- revisions to landscaping requirements for parking lots, with an increased minimum percentage of soft landscaping required based on the number of parking spaces, and
- the introduction of a minimum soil depth of 1.5 metres for soft landscaped buffers provided in parking lots with 50 or more parking spaces.

#### Section 608 – Parking Garage Provisions

Section 608 is a new section that provides provisions for parking garages, however most of the provisions are carried forward from Zoning By-law 2008-250, with minor modifications. The only substantive change is the introduction of new provisions for above-ground parking structures. These provisions require screening above the first storey.

### Section 609 - Tandem Parking Provisions

The tandem parking provisions are carried forward from Zoning By-law 2008-250.

### Section 610 – Loading Space Rates and Provisions

The loading space rates and provisions have generally been carried forward from Zoning By-law 2008-250 with modifications. Changes are proposed to prohibit the creation of loading spaces within a required or provided front or exterior side yard and areas of the city where loading spaces are not required have been expanded to include the Downtown Core instead of just a few streets in the Downtown Core. The table for loading space rates has been reorganized to improve ease of interpretation.

### Section 611- Electric Vehicle Regulations

As part of the City's shift towards a more sustainable transportation network, new provisions are proposed to require a minimum percentage of parking spaces to be EV-ready when parking spaces are provided. EV-ready parking spaces must be equipped with an energized outlet capable of a minimum of Level 2 charging. Where there is a residential or mixed-use building and parking is provided, all of the parking spaces provided must be EV-ready. For parking spaces that are provided accessory to an industrial or office use, 30 per cent must be EV-ready. Requirements for EV-ready parking spaces only apply to new development.

This section includes a provision that reduces the required number of EV-ready parking spaces where a shared Level 3 charger is provided for use by residents, employees, or customers. Any shared parking spaces provided must be visually identifiable as being shared EV charging spaces. This section also adds permission for principal use EV parking in parking areas associated with all non-residential uses.

### Section 612- Heavy and Recreational Vehicles Associated with a Residential Use

The provisions in this section have been carried forward from Zoning By-law 2008-250, with minor organizational updates for consistency and clarity.

### Section 613 - Bicycle Parking Provisions

Bicycle Parking Provisions have changed with the introduction of short and long-term bicycle parking space rates, the simplification of rates, and provisions that regulate the design of bicycle parking facilities. These changes will bring Ottawa's bicycle parking provisions in line with those of other large Canadian cities, ensuring that bicycle users have accessible, convenient and secure parking facilities.

The Bicycle Parking Provisions implement Official Plan policy 4.1.2.9), which directs development to provide long-term bicycle parking facilities that are, “secure, sheltered, and usable by all types of cyclists,” and short-term bicycle parking facilities to be, “highly visible, well-lit, near building entrances and, where appropriate, sheltered.” The draft bicycle parking provisions support the 15-minute neighbourhood goals by requiring higher bicycle parking rates for most uses, particularly residential ones, and establishing standards for bicycle parking that improve the experience for cyclists parking their bikes.

While the current Zoning By-law does require 25% of spaces to either be enclosed, secure or provided as bicycle lockers when more than 50 spaces are required, it does not differentiate explicitly between short and long-term bicycle parking spaces. There was also no requirement that bicycle parking spaces be located within a secure enclosure.

The new Zoning By-law will introduce short and long-term bicycle parking space rates. Short-term spaces are designed for customers and visitors and are publicly accessible, although they can be located within a building or sheltered from the elements. Long-term spaces are designed for residents and employees and must be located in a secure enclosure that is protected from the elements.

Bicycle parking rates have been simplified to require a minimum number of spaces for many uses below a certain size rather than a rate. A rate begins to apply when uses reach a certain gross floor area. As most bicycle racks are designed for two bikes, this approach will typically require a minimum of two to five bike racks for many uses.

The new Zoning By-law also includes provisions to make bicycle parking more inclusive, convenient, and accessible. Inclusive Bicycle Parking Spaces are a new class of spaces alongside vertical, horizontal, and stacked. Inclusive spaces are larger and wider and are intended for e-bikes or cargo bikes that are wider and longer than normal bicycles. They will be required for schools, daycares, retail stores over 1,000 square metres, and to comprise 5 per cent of spaces when more than 20 spaces are required.

Provisions to regulate racks will also be introduced. Racks will be required to support bicycles at two points at least 20 centimetres apart. This provision means that bicycle racks will support a bicycle while it is being locked, which is especially helpful if a bicycle is carrying weight in panniers or baskets. It also ensures racks are designed in a way that allow the front wheel and frame to be locked together. This keeps bikes upright while locked and helps deter theft by making it more difficult to manipulate a lock to exert leverage. It also means that racks that only allow the front wheel of a bicycle to be locked will no longer be permitted as they do not allow bicycles to be securely locked.

Racks must also be situated a minimum of 0.8 metres from the nearest wall or obstruction, ensuring that they will not be rendered unusable by being installed too close to a wall.

The proposed bicycle parking provisions will ensure bicycle users have safe and convenient parking that is built to a high standard and accommodates a wide range of bicycles.

## **Part 7 – Housing Provisions**

This part of the draft Zoning By-law includes provisions that apply to residential uses in all zones, including in the Rural transect.

### Section 701 - Coach Houses

This section is carried forward from the current Zoning By-law 2008-250.

### Section 702 - Vertically Attached Dwelling Units

This section sets out provisions for buildings containing dwelling units that are vertically attached, such as townhouse dwellings. This section will replace the existing provisions in Section 138 of Zoning By-law 2008-250. It will also include provisions for long semi-detached dwellings currently regulated by Section 145 of Zoning By-law 2008-250, including minimum lot width requirements for flag lots serving long semi-detached dwellings.

### Section 703 - Planned Unit Development

Planned unit developments (PUDs) are residential developments where there is more than one residential building on a lot, currently regulated under Section 131 of Zoning By-law 2008-250. PUDs are proposed to be permitted in all residential zones provided that the overall residential density of the PUD does not exceed what would be permitted for a single building on the same lot.

With respect to on-site parking in association with PUDs, the proposed provisions are intended to allow for the development of communal parking areas for use of not only residents of the PUD but also surrounding neighbourhood residents.

### Section 704 - Shelter Accommodation, Section 705 – Retirement Homes and Residential Care Facilities, Section 706 - Group Homes, and Section 707 – Rooming Houses

In accordance with policies in Section 4.2 of the Official Plan, these sections set out provisions that reduce restrictions and increase the number of zones where shelters, retirement homes, residential care facilities, group homes, and rooming houses are permitted. The intent of the policies in the Official Plan is to ensure there is a range of housing options and choices to address the varying circumstances and needs of all residents of Ottawa.

[Section 4.2.3](#) of the Official Plan states that "alternative, cooperative or shared accommodation housing forms" are intended to be permitted in all zones that permit residential uses, and further states that the City shall not establish minimum separation distances, caps, or other restrictions whose effect is to limit the opportunity to provide these housing forms. In accordance with this policy, the existing separation distance requirements that apply to shelters and group homes are no longer proposed to apply in the new Zoning By-law. It is noted that Section 4.2.3 of the Official Plan will be renumbered as Section 4.2.4 as a result of the passage of *Bill 150, Planning Statute Law Amendment Act, 2023*, which reintroduces policies in the Official Plan that were deleted at the time the Plan was approved by the Ministry in November 2022.

#### *Section 708 - Large Dwelling Units*

The provisions in Section 708 for large dwelling units implement policies in [Section 3.2](#) and Tables 3a and 3b of the Official Plan. These policies define large-household dwelling units and set out targets and requirements for the number of large dwelling units in a residential or mixed-use building. The targets and requirements range between 5 per cent and 50 per cent of the total number of dwelling units. The targets and requirements vary depending on whether a property is located in a Hub, Corridor or Neighbourhood designation. A large-household dwelling unit is defined in Section 3.2.8(b) as, "*Large-household dwellings are units with three or more bedrooms or an equivalent floor area and are typically within ground-oriented built forms.*"

For large dwelling units in mid-rise and high-rise buildings, Section 708 requires at least 5 per cent of the dwelling units to have at least three bedrooms or a minimum gross floor area of 80 square metres. For low-rise buildings in a Neighbourhood zone on a lot that is 450 square metres or greater in area, at least 15 per cent of the dwelling units must have at least three bedrooms or a minimum gross floor area of 80 square metres.

#### Section 709 - Oversize Dwelling Units

This section carries forward the existing provisions for oversize dwelling units, with modifications to align with changes resulting from Bill 23. An oversize dwelling unit is a

dwelling unit that contains more than four but no more than eight bedrooms. In the current Zoning By-law 2008-250, oversized dwelling units are only permitted in detached dwellings. As Bill 23 requires that urban residential lots permit at least three dwelling units, the provisions in this section permit a maximum of one oversized dwelling unit in a building containing no more than three dwelling units.

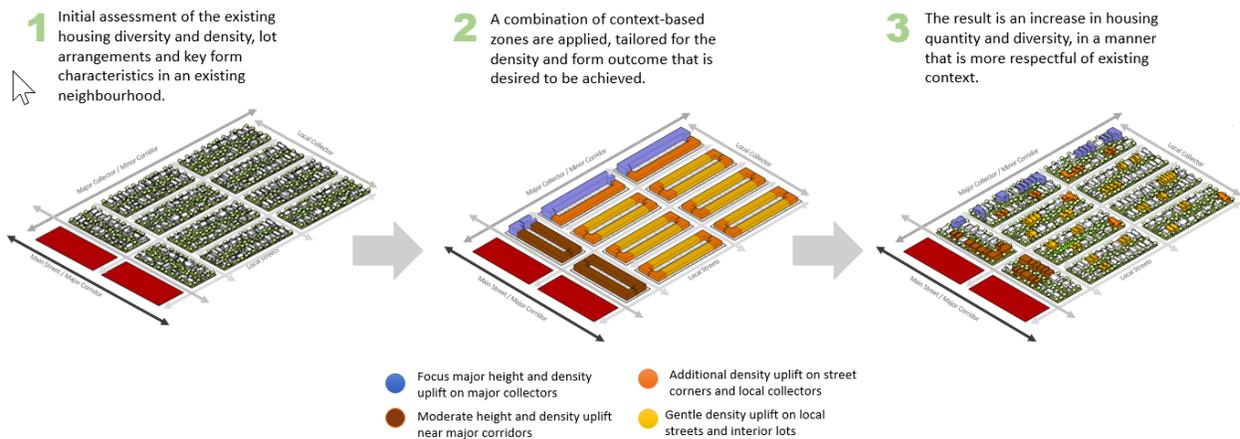
## Part 8 – Neighbourhood Zones and Provisions

This part of the draft Zoning By-law includes provisions that apply in the Neighbourhood designation of the Official Plan. Issues relevant to the Neighbourhood designation, including the new Neighbourhood zone provisions, Streetscape Character Analysis, Mature Neighbourhood Overlay, Evolving Neighbourhood Overlay and existing Industrial zones in the Neighbourhood designation are discussed in this section of the report.

### Section 801 – Neighbourhood Zones and Subzones

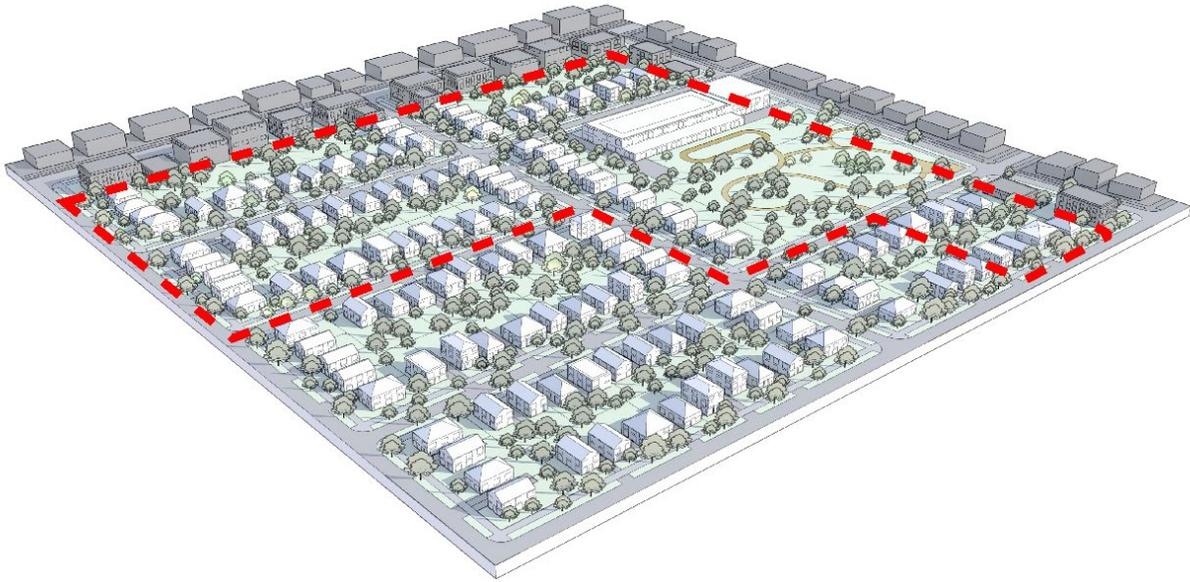
The Neighbourhood (N1-N6) zones represent the successor to the Residential (R1-R5) zones in the current Zoning By-law 2008-250. The overall intent of the Neighbourhood zones is to permit a full range of housing options, and to establish standards focused on regulating built form and function. This is different from the primarily "typology-based" form of the current By-law, where the number and interior configuration of units primarily determines the standards that are applied.

### Neighbourhood Uplift Zoning Strategy



As shown above, the Official Plan provides for higher densities in the Neighbourhood designation in areas that are adjacent to Corridors, Hubs and near rapid transit stations.

These areas are designated in the Official Plan as the “Evolving Neighbourhood Overlay”. In the interiors of neighbourhoods, low-rise infill redevelopment is also supported by the Official Plan, but in a form that is more comparable to the existing neighbourhood context.



The above diagram shows a neighbourhood in the Inner Urban transect as it appears today.



The above diagram shows the same neighbourhood in the Inner Urban transect in 2046, the planning horizon of the Official Plan. The buildings shown in yellow and blue illustrate the number of buildings that are estimated to be redeveloped by 2046 (the “turnover” expected). The red-dashed line is the boundary of the Evolving Neighbourhood Overlay.



The above diagram shows a neighbourhood in the Outer Urban transect as it appears today.



The above diagram shows the same neighbourhood in the Outer Urban transect in 2046, the planning horizon of the Official Plan. The buildings shown in yellow and blue illustrate the number of buildings that are estimated to be redeveloped by 2046 (the “turnover rate”). The red-dashed line is the boundary of the Evolving Neighbourhood Overlay.

In the current Zoning By-law 2008-250 there are over 140 distinct R1 through R5 zones and subzones. Each of the subzones has further distinct regulations based on the type of dwelling proposed. These subzone-specific regulations are further superseded by zone and area-specific regulations, depending on where a given property is located. This complex framework of provisions has become increasingly challenging to interpret and implement.

The new Neighbourhood zones are proposed to be structured into six primary zones that regulate the maximum height and density, and six subzones that regulate the lot width, front, rear and side yard setbacks. The subzones were developed to address the character of the neighbourhood, with subzone A being the most urban in character, and subzone F being the most suburban in character. This ensures a more streamlined and easy-to-follow zone and subzone structure compared to the current Zoning By-law 2008-250, but also links zones and subzones to a distinct “density” and “urban-suburban character” in accordance with the transect policies in [Section 5](#) of the Official Plan.

Note that “density” is distinct from “character” in the proposed zoning structure. The primary zones regulate building height as well as the number of units permitted on the lot. Higher density, multi-unit buildings are not incompatible with detached or ground-oriented dwellings, even where those building forms are currently predominant. The subzones regulate physical elements of built form and character, namely lot widths, as well as building setbacks from front and side lot lines. The intent of the subzone provisions is to ensure that the size and location of new development is similar to the existing buildings in the neighbourhood, while allowing more dwelling units within the building.

Except in the case of neighbourhoods not serviced by municipal water and sewer systems, all Neighbourhood zones will permit a minimum of four dwelling units on each lot. This is in accordance with provincial changes to the *Planning Act* under Bill 23 which require all municipalities to permit at least three units on any “parcel of urban residential land,” and will also support the initiative to increase opportunities for housing in the

City's application to the Housing Accelerator Fund and the recommendations of the provincial Housing Affordability Task Force.

#### Primary Neighbourhood Zones – Height and Density

The primary Neighbourhood zones (N1, N2, N3, N4, N5, N6) will regulate density using a maximum “units per hectare” (UPH) calculation. The N1-N4 zones are the successor to the low-rise R1-R4 zones. As the Neighbourhoods designation is intended to be predominantly low-rise (four storeys or less), these will be the predominant zones used in the Neighbourhood designation. The N5 and N6 zones are successors to the R5 zone, with N5 permitting mid-rise buildings (five to nine storeys) and N6 permitting high-rise buildings ten storeys and higher.

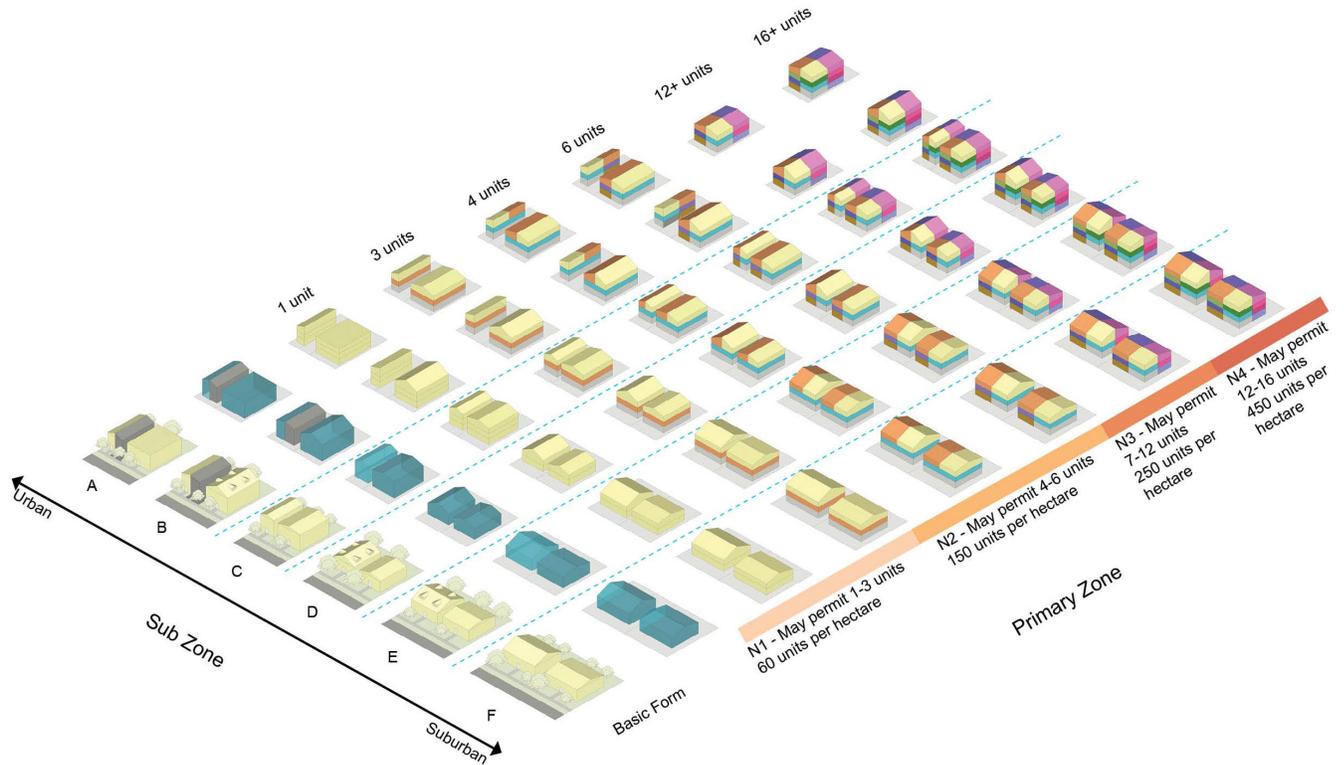
#### Neighbourhood Subzones – Urban and Suburban Character

Subzones (A, B, C, D, E, F) were developed to reflect existing character of a neighbourhood, based on attributes that define how urban or suburban its character is. These attributes are the lot width, front, rear and side yard setbacks that are typical in the neighbourhood. Attributes of "urban" and "suburban" character are defined in [Table 6](#) of the Official Plan. The six subzones are organized from most "urban" to most "suburban" character, with subzone A representing "fully urban" and subzone F representing "fully suburban". Note that subzone-specific standards are intended to be consistent across all primary zones. For example, the same “B subzone” for lot width, front and side yard setbacks would apply to **all** of the N1B, N2B, N3B, N4B, N5B, and N6B subzones.

<b>Provisions for N1, N2, N3, N4, N5 and N6 Primary Zones</b>						
<b>Subzone</b>	<b>N1</b>	<b>N2</b>	<b>N3</b>	<b>N4</b>	<b>N5</b>	<b>N6</b>
(i) Maximum Density (Units Per Hectare)	60	150	250	n/a	n/a	n/a
(ii) Maximum Building Height (m)	8.5	8.5	11	14.5	30	As per suffix or schedule

<b>Provisions for Subzones A-F that apply to the N1, N2, N3, N4, N5, and N6 Zones</b>						
<b>Subzone</b>	<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>	<b>F</b>
(i) Minimum Lot Width (m)	<b>6</b>	<b>7.5</b>	<b>10</b>	<b>15</b>	<b>18</b>	<b>24.5</b>
(ii) Minimum Lot Width per Vertically Attached Unit (m)	<b>4.5</b>	<b>5.6</b>	<b>6</b>	<b>7.5</b>	<b>9</b>	<b>9</b>
(iii) Minimum Front Yard Setback (m)	<b>3</b>	<b>3</b>	<b>4.5</b>	<b>6</b>	<b>6</b>	<b>6</b>
(iv) Minimum Exterior Side Yard Setback (m)	<b>3</b>	<b>3</b>	<b>3</b>	<b>4.5</b>	<b>4.5</b>	<b>6</b>
(v) Minimum Total Interior Side Yard Setback (m)	<b>1.8</b>	<b>2.4</b>	<b>2.4</b>	<b>3</b>	<b>3</b>	<b>6</b>
(vi) Minimum Rear Yard Setback	The provisions for minimum rear yard setback are included in Section 801 and will vary based on the lot depth and the zoning of abutting property.					

The above tables provide the provisions for the N1-N6 primary zones and subzones A-F. Note that the subzone provisions apply to each of the N1-N6 zones. For example, if a property is zoned N3C, the provisions of the N3 primary zone provide the maximum density and maximum building height, and the provisions of subzone C provide the minimum lot width, minimum front yard setback, minimum exterior side yard setback, minimum total interior side yard setback and minimum rear yard setback.



The above diagram illustrates the lot sizes, built form, and densities (including number of dwelling units) contemplated within the Neighbourhood primary zones and subzones. The subzones vary in terms of permitted lot width, as per the tables shown on the previous page, however the above diagram generally assumes 30 m deep lots as is typical for many neighbourhoods. For example, the D subzone shows 15 m wide x 30 m deep (450 sq m) lots. As per Official Plan direction, provided the minimum setbacks as well as built form and functional requirements are met, the By-law is intended to provide flexibility for the number of units permitted within that form.

The building setback and height standards that apply in the interiors of residential neighbourhoods are intended to be similar to those existing in the current Zoning By-law 2008-250 as illustrated below, except that the density permissions as determined by the primary zone will be more flexible. Note that within the Evolving Neighbourhood Overlay, there may be a greater degree of flexibility in terms of height, setbacks and density, as contemplated in [Section 5.6.1](#) of the Official Plan. This generally includes

height permissions that contemplate three and in some cases four-storey buildings.

**R3R-Current / Zonage actuel**

**N3C Proposed / Zonage proposé**



	R3R-Current	Corner lot example / Exemple de cour latérale d'angle	N3C-Proposed
Min Lot Width (m) / Largeur de lot minimale (m)	12		10
Min Front Yard Setback (m) / Retrait de cour avant minimal (m)	6		4.5
Min Corner Side Yard Setback (m) / Retrait de cour latérale d'angle minimal (m)	4.5		3
Min Interior Side Yard Setback (m) / Retrait de cour arrière minimal (m)	1.2 each side / de chaque côté		1.2 each side / de chaque côté
Min Rear Yard Setback (m) / Retrait de cour arrière minimal (m)	28% lot depth / profondeur du lot		28% lot depth / profondeur du lot
Max Building Height (m) / Hauteur de bâtiment maximale (m)	10.7		11

*This diagram provides a comparison of existing and proposed zoning provisions for a R3 zone within the Inner Urban transect, inside the Evolving Overlay. Note that properties in the Evolving Overlay contemplate a greater degree of change in permitted density and built form, and a three-storey height in this context is in accordance with*

Official Plan direction.

**R1GG-Current / Zonage actuel**

**N2E Proposed / Zonage proposé**



	R1GG-Current	Comer lot exemple / Exemple de cour latérale d'angle	N2E-Proposed
Min Lot Width (m) / Largeur de lot minimale (m)	18		18
Min Front Yard Setback (m) / Retrait de cour avant minimal (m)	6		6
Min Corner Side Yard Setback (m) / Retrait de cour latérale d'angle minimal (m)	4.5		4.5
Min Interior Side Yard Setback (m) / Retrait de cour arrière minimal (m)	1.8 each side / de chaque côté		1.5 each side / de chaque côté
Min Rear Yard Setback (m) / Retrait de cour arrière minimal (m)	28% lot depth / profondeur du lot		28% lot depth / profondeur du lot
Max Building Height (m) / Hauteur de bâtiment maximale (m)	8		8.5

Comparison of existing and proposed zoning provisions for a R1 zone in the Outer Urban transect.

The process of mapping the proposed locations of the Neighbourhood zones is detailed in Document 10 – Neighbourhood (N1-N6) Zones and Provisions. In general, this involved a four-step process that included conversion of the existing primary zones and subzones into new zones, and application of Official Plan policies, in particular transect-specific and Evolving Neighbourhood Overlay policies, to align zoning with the intended directions set out in the new Plan.

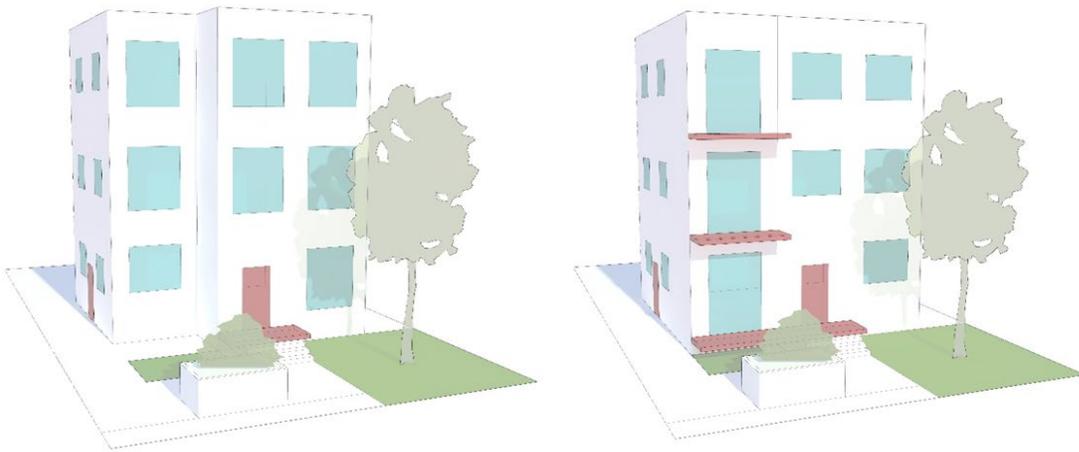
Section 802 – Neighbourhood Form Provisions and Section 803 – Site Functional Standards

Accompanying the primary zone and subzone standards will be standards focused on regulating the permitted built form and function of residential buildings, in accordance with Official Plan direction to focus primarily on these aspects of housing development. These include, but are not limited to, the following:

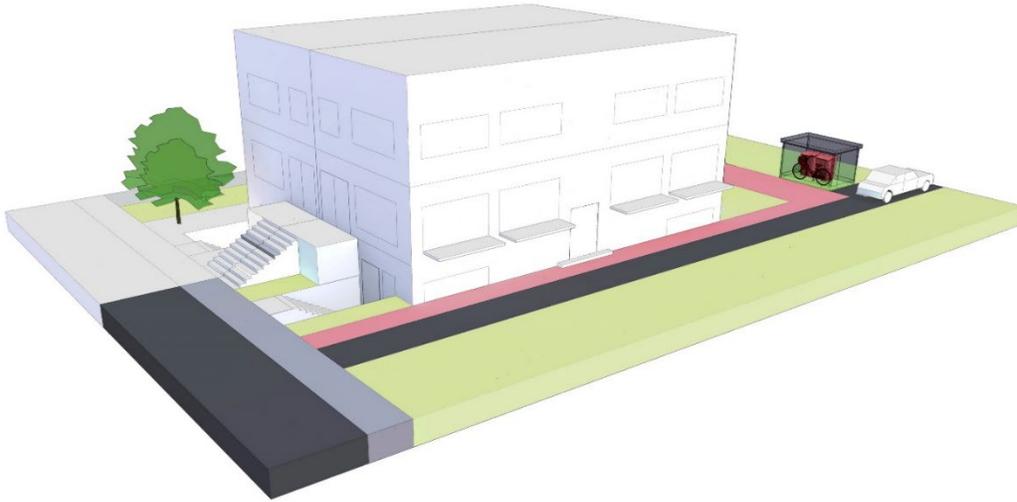
- Built form standards which regulate elements of the size, location, and exterior design of residential buildings.

- Functional standards which are intended to ensure that necessary functions of residential buildings, such as waste management, are adequately addressed on site.
- Related to functional standards is the need to address tree planting, tree retention and waste management.

More details concerning the proposed primary zone and subzone structure, and accompanying built form and function standards can be found on Document 10 – Neighbourhood (N1-N6) Zones and Provisions.



This figure illustrates minimum standards for fenestration and articulation of the front façade of a building in a Neighbourhood zone.



Requirements for a functional path of travel, as shown in red above, are an example of a functional standard proposed to apply in the new Zoning By-law. This is intended to ensure sufficient space to access rear yards for purposes of site maintenance, and access to waste storage and other uses that may be located in a rear yard.

### Streetscape Character Analysis

The Streetscape Character Analysis, which regulates certain attributes of residential development within certain parts of the Downtown Core and Inner Urban Transect (shown in the current By-law as the Mature Neighbourhoods Overlay) is no longer proposed to apply in the new Zoning By-law. The Streetscape Character Analysis provisions will be replaced by generally applicable provisions for parking, landscaping, and building entrances, which are proposed to apply to Neighbourhood zones city-wide including the Suburban transect.

### Evolving Neighbourhood Overlay

The Evolving Neighbourhood Overlay is comprised of areas located within 400 metres of a Hub designation, or within 150 metres of a Mainstreet corridor designation in the Official Plan. These represent areas where there is potential for evolution towards a more urban form and density of development, as detailed in [Policy 5.6.1](#) of the Official Plan. In keeping with direction in the Official Plan, areas subject to the Evolving Neighbourhood Overlay will be given higher-order Neighbourhood zoning that permits additional density, and in some cases, permissions for full four-storey building heights.

More information on how the existing R1-R5 zones are proposed to be converted to the new N1-N6 zones, including both within and outside the Evolving Neighbourhood Overlay, can be found on Document 10 – Neighbourhood (N1-N6) Zones and Provisions.

### Industrial Zones Within the Neighbourhood Designation

Section 6.3.3 of the Official Plan states the following with respect to industrial uses in Neighbourhoods,

“6) Further to Policies 1) and 2), industrial uses likely to cause nuisance to nearby residential uses due to matters such as noise, fumes, heavy equipment movement or external storage of large amounts of materials:

- a) Will be prohibited in the Neighbourhood designation;
- b) Existing such uses in the Neighbourhood designation will become legally nonconforming under the Zoning By-law; and
- c) New such uses shall be directed to the Industrial and Logistics designation.”

The Neighbourhood designation includes properties that have existing industrial uses and are in an industrial zone. In accordance with the Official Plan, noxious industrial uses are to be directed to Industrial designations. Existing industrial zones in the Neighbourhood designation represent potential opportunities for non-residential uses, such as retail and personal service, that can support 15-minute neighbourhoods as directed by policies in [Section 2.2.4](#) the Official Plan. As such, these zones are generally proposed to change to NMU-Neighbourhood Mixed Use zones, with the following modifications:

- existing industrial uses currently permitted in the IL-Light Industrial, IG-General Industrial, or IP-Business Park zones that are not noxious will continue to be permitted through an exception provision.
- unlike other Neighbourhood Mixed Use zones, it is not proposed to permit residential uses on these sites as-of-right. Lots that contain existing industrial uses may have contamination on-site, such that an Environmental Site Assessment and site remediation may be necessary. To address this risk, a zoning by-law amendment would be required to assess whether introduction of residential uses is appropriate.

Implementing the 15-minute neighbourhood policies in the Official Plan

A variety of zoning tools will be used to implement the policies in [Section 6.3.3](#) of the Official Plan concerning supportive, small-scale, non-residential uses to serve the day-to-day needs of residents:

- the home-based business provisions permit a resident of a dwelling to operate a small-scale business, please see Section 301 of Part 3 – Specific Use Provisions.
- the provisions for the Neighbourhood Commercial Suffix are being carried forward from the current Zoning By-law 2008-250, with modifications as discussed in Section 804 below.
- the new NMU - Neighbourhood Mixed-Use Zone carries forward a simplified set of the current LC – Local Commercial and GM – General Mixed-Use Zones. These zones are located within the Neighbourhood designation and provide services and stores that serve the day-to-day needs of residents. This new zone is discussed below in Part 9 – Mixed-Use Zones.
- mid-rise and high-rise buildings in the Neighbourhood designation zoned N5, which permits mid-rise buildings five to nine storeys, and N6 which permits high-rise buildings that are ten storeys and higher, will be permitted to have a range of non-residential uses subject to those uses being limited to the ground floor or basement of a building, including artist studio, bank, community centre, day care, instructional facility, medical facility, personal service business, recreation and athletic facility, retail store and restaurant.
- the Minor Corridor Zone implements the policies for the Minor Corridor designation. This new zone is discussed below in Part 9 – Mixed-Use Zones.

#### Section 804 - Neighbourhood Commercial Suffix (c)

The Neighbourhood Commercial Suffix will replace the Local Commercial Suffix. The Local Commercial Suffix was introduced in 2015 as a means of legalizing existing small-scale businesses in older residential neighbourhoods and expanding non-residential permissions in appropriate locations.

Slightly under 500 properties were designated with the suffix, but since the approval of the new Official Plan, nearly 80% of these are in the Hub or Corridor designations and will be zoned accordingly in the new Zoning By-law. Hub and Corridor zoning will allow a wider range and larger scale of non-residential uses than the Neighbourhood Commercial Suffix, making the suffix unnecessary in those cases.

As a means of improving access to small-scale commercial uses in Neighbourhoods, the Suffix will be applied to clusters of properties in Neighbourhoods in the Inner Urban, Outer Urban and Suburban Transects that are located near schools, community centres and parks, but that are located far from Hubs or Corridors. This work will occur as part of draft 2 of the new Zoning By-law and will permit small-scale commercial uses near existing community amenities to support the development of 15-minute neighbourhoods.

The provisions of the Neighbourhood Commercial Suffix have largely been carried forward with some modifications to simplify provisions and slightly expand the scale and range of uses. The notable changes are:

- catering establishment, daycare, instructional facility and micro-distribution facility have been added as permitted uses.
- a restaurant is no longer required to be in conjunction with another use and the 15 square metre cap on a seating area has been removed.
- the maximum size of 100 square metres for a non-residential use has been maintained, except that a retail food store is permitted to occupy up to 200 square metres.
- at least one residential unit must be present in the building containing a non-residential use.
- permissions for patios have been slightly expanded, allowing up to 20 square metres on a corner lot or 10 square metres on an interior lot.
- a micro distribution facility must be located within a building.

The new Neighbourhood Commercial Suffix provisions will allow for the introduction of a new small-scale, non-residential uses in Neighbourhoods, while continuing to recognize a small number of existing commercial uses within residential neighbourhoods.

#### Section 805 – Neighbourhood Mobile Home Park Zone (NM)

These provisions have been carried forward from the current Zoning By-law 2008-250.

### **Part 9 – Mixed-Use Zones**

This part of the draft Zoning By-law provides a framework of mixed-use zones to implement policies for the [Hub](#) (Section 6.1), [Mainstreet Corridor](#) (Section 6.2), [Minor](#)

[Corridor](#) (Section 6.2) and certain lands within the [Neighbourhood](#) (Section 6.3) designations in the Official Plan.

The Official Plan's highest-intensity mixed-use policies are reserved for areas subject to the Hub and Corridor designations.

City staff initially set out to implement Official Plan direction straightforwardly, with independent zoning packages for each designation. The objective was to establish the simplest zoning framework possible that can still faithfully implement the direction of the Official Plan and a baseline of quality in the built environment. The current Zoning By-law 2008-250 has over 80 zones and subzones across the MD - Mixed-Use Downtown, MC - Mixed-Use Centre, TD - Transit-Oriented Development, GM – General Mixed-Use, AM-Arterial Mainstreet and TM-Traditional Mainstreet zones that comprise the majority of high-intensity mixed-use areas in the city.

The complexity of the existing zoning framework is compounded by the extent and prescriptiveness of secondary plans, which designate policy sub-areas that do not correspond neatly to Official Plan designations, to existing zoning provisions or secondary plan designations, or even to lot fabric. Moreover, as the specific direction of secondary plans takes precedence over the general direction of the Official Plan, secondary plans often override key Official Plan direction in areas of the city where they apply. In the Downtown Core Transect particularly, secondary plan coverage is extensive enough that city-wide height strategies for hubs and corridors effectively do not apply.



Excerpt from a city-wide map depicting central areas of the city; white hatched areas indicate where a secondary plan applies, and where the specifics of each secondary plan prevails over the general policies of the Official Plan.

To devise the most efficient zoning framework and avoid continued proliferation of subzones, the policy sub-areas of secondary plans were made the primary unit of analysis. Whereas most principal zones in the draft Zoning By-law will be downstream of a straightforward “zone code conversion” exercise, the preponderance of secondary plans affecting Hubs and Corridors dictated that the assignment of new mixed-use zones is derived from land use designations in secondary plans.

Secondary plan processes are currently underway for Riverside South, Pinecrest-Queensview, Lincoln Fields and Confederation Heights. Zoning provisions for these areas have not been included in the first draft of the Zoning By-law given the secondary plans policies are not in effect. Likewise, the Orleans Corridor Secondary Plan approved on February 22, 2023 is under appeal and not in effect. Draft zoning provisions will be applied when the scope of the appeals have been confirmed and the remaining policies come into effect.

#### Sections 901, 902, and 903 – Hub Zones (H1), (H2) and (H3)

Lands designated Hub in the Official Plan mostly comprise lands zoned Mixed Use Downtown (MD – 5 subzones), Mixed Use Centre (MC – 16 subzones), Transit-Oriented Development (TD – 3 subzones) and General Mixed Use (GM – 31 subzones). In the new Zoning By-law, these zones and sub-zones have been consolidated into three principal Hub Zones – H1, H2, and H3 – on a continuum of development intensity wherein H1 will generally function as a successor to the MD zone and subzones, H2 will function as a successor to MC and TD zones and subzones, and H3 will function as a successor to a majority of GM subzones.

The list of permitted uses has been broadened and coordinated across the principal Hub zones to ensure that a wide range of uses are permitted in every Hub, consistent with Official Plan direction that a diversity of functions should be concentrated there.

#### Sections 904 and 905 – Mainstreet Zones (MS1) and (MS2)

Lands designated Mainstreet Corridor in the Official Plan mostly comprise lands zoned AM - Arterial Mainstreet (12 subzones) and TM - Traditional Mainstreet (16 subzones). In the new Zoning By-law, these zones and subzones have been consolidated into two primary Mainstreet Zones, MS1 – which is generally a successor to the TM zone, in that it is intended for lands in parts of the city with more compact lot fabric – and MS2, which

is generally a successor to the AM zone, in that it is intended for lands in parts of the city with larger lots and wider streets.

The list of permitted uses has been broadened and coordinated across the principal Mainstreet zones to ensure that a wide range of uses are permitted, while respecting restrictions on auto-oriented uses where required by Official Plan policies. Restrictions on residential, office and research uses on the ground floors of Mainstreets have not been carried forward from Zoning By-law 2008-250.

The methodology for determining the Hub and Corridor Zones and an overview of the height transition strategy for the Mainstreet Corridor and Minor Corridor Zones is presented below.

#### Methodology for determining Hub and Corridor Zones

The provisions for the Hub and Corridor zones have been drafted to correspond to the policies of the Official Plan and secondary plans.

The project team conducted an extensive review of zoning within Hubs and Corridors to confirm policy conformity and apply the new zone structure. The review found there is generally good alignment between existing zoning permissions and secondary plan policies. For example, there is a high degree of alignment between the areas described as Mainstreets in secondary plans and the requirements and application of the Traditional Mainstreet (TM) zone. Additionally, some areas of secondary plans have been implemented through site-specific development applications in which a site- or area-specific process was carried out to implement policies in secondary plans.

The primary zones identify “default” height requirements which correspond to the height policies in the Official Plan for Hubs and Corridors outside secondary plans. Where applied, height (H) suffixes supersede the height provisions in the primary zones and are used to identify heights that are directed by secondary plan policies or to retain an existing permission. The proposed heights are considered preliminary and may be revised subject to completion of the review of exception provisions in draft 2 of the new Zoning By-law. In some cases, such as for lands south and east of Parliament Hill, the height permissions are established based on elevations above sea level (ASL) shown on schedules. These schedules will be carried forward in the new Zoning By-law.

Note that maximum heights in the current Zoning By-law 2008-250 may be governed by a combination of one or more requirements in the primary zone, subzone, exception zone, height schedule, or through a height (H) suffix in the zone code. Given the

relationships between these provisions, further work will be required in Draft 2 to reconcile existing height permissions with the primary Hub and Corridor zones.

There are instances where the height permission in the current Zoning By-law 2008-250 exceeds the maximum height allowed by secondary plan policies. In such cases, the existing permission was carried forward to avoid a loss of development rights.

There are also instances where secondary plan policies allow for greater height than is permitted in the current Zoning By-law 2008-250. In these instances, the maximum height was updated using a height (H) suffix in the zone code to match the maximum height in the policies of the secondary plan. Where the policies identified a permitted height as a range, and the existing zoning recognized a height within that range, the current height permission was maintained and carried forward in the draft zone code.

Further work is needed in Draft 2 to confirm the intent of the site-specific policies in Volume 2C of the Official Plan have been implemented. Generally, the current provisions appear to be appropriate and typically address site-specific development criteria.

Within secondary plan areas, many of the primary Hub and Corridor zones are a translation of the existing zone into an equivalent new zone. Outside secondary plan areas, there were instances where the zoning was out of alignment with the Mainstreet Corridor policies of the Official Plan. The zoning in these areas reflects existing development and pre-dates the new Official Plan. Where appropriate, the zoning in these areas has been modified to implement the policies of the Official Plan. This effort required the delineation of boundaries for new Mainstreet Corridor zones, in accordance with direction given in the Mainstreet Corridor policies of the Official Plan.

Where height permissions in secondary plans were greater than the existing height permissions in the current Zoning By-law 2008-250, two considerations were relevant. First, many of the secondary plans contain criteria for permission for taller buildings that are usually addressed through a development application. In some cases, the criteria explicitly require a separate process, such as a concept plan or a zoning by-law amendment, to allow the maximum building height. As a result, there are existing exception zones obtained through a site-specific process that met the policies in the secondary plan. It is necessary to do a property-by-property review to avoid “un-doing” the outcome of a recent development application and to ensure that site-specific provisions are not inadvertently modified.

Second, the existing height permission in the current zoning is often associated with detailed development requirements contained in the existing subzones and exception zones. If the height permission is to be increased, these existing lot and building requirements will need to be reviewed to ensure there are appropriate provisions in place to address height transition and other lot and building requirements.

The first draft of the new Zoning By-law shows all existing exception zones as being maintained, as this approach best preserves existing development permissions. The review of exception zones will confirm whether exceptions can be deleted or need to be modified to accord with the primary zone provisions. Following an initial screen of exceptions, it was found that most exceptions implement secondary plans or address other desirable requirements such as reflecting site-specific matters or the character of the area. Therefore, it is anticipated that most exceptions will continue to be maintained in Draft 2 of the new Zoning By-law.

Generally, it is not expected there will be a need to establish subzones to implement secondary plan policies, as the secondary plans can be effectively implemented through the primary zones, exception provisions and H (height) suffixes. However, it is acknowledged that the existing subzones in the current Zoning By-law 2008-250 provide historical requirements that have shaped certain areas or streets, and as such, some subzones may be needed in certain areas of the city. Further work is required to identify the need for subzones and this work will be undertaken in coordination with the review of exception zones.

### Height Transition Strategy

Policies in [Section 5](#) and [Table 7](#) of the Official Plan set out the maximum building heights for the Hub, Mainstreet Corridor, Minor Corridor and Neighbourhood designations. Hubs are generally assigned “up to high-rise” in proximity to rapid transit and on sites large enough to allow transition in built form. Corridors are also assigned “up to high-rise” subject to abutting a wide right-of-way and having sites large enough for appropriate built-form transition.

The Official Plan requires that the new Zoning By-law include height transition requirements between a Hub or Corridor and surrounding low-rise Neighbourhoods by “providing a gradual change in height and massing, through the stepping down of buildings, and setbacks from the low-rise properties, generally guided by the application of an angular plane.” However, besides a diagram which does not form part of the Official Plan as a legal document, the Official Plan does not formalize any rules for the starting position or slope of the angular plane. Without a fixed angle or starting point, an

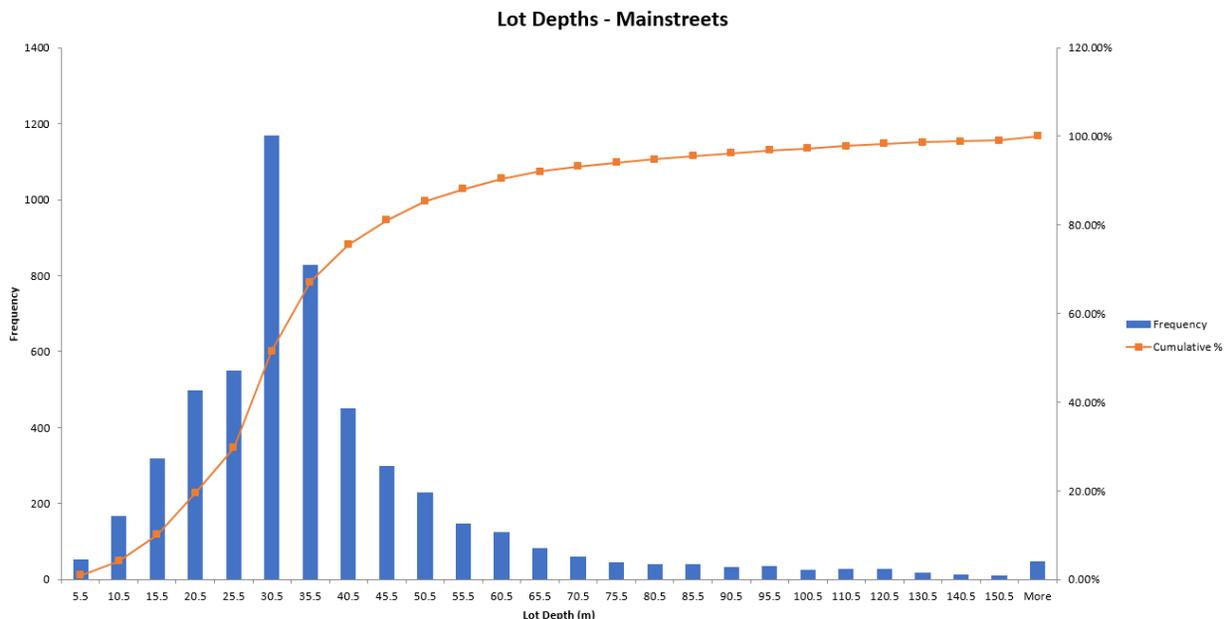
angular plane cannot be used as a universal litmus test for the "adequateness" of any given height transition. It is nonetheless incumbent on staff to establish, through the new Zoning By-law, a fair and consistent framework for what constitutes an adequate height transition.

High-rise is defined in the Official Plan as up to 40 storeys, meaning that the potential as-of-right heights to be contemplated in the draft Zoning By-law must range from a minimum of two to a maximum of 40 storeys. While there is policy language about variation in building heights among high-rise buildings, no specific intermediate heights are suggested in the Official Plan.

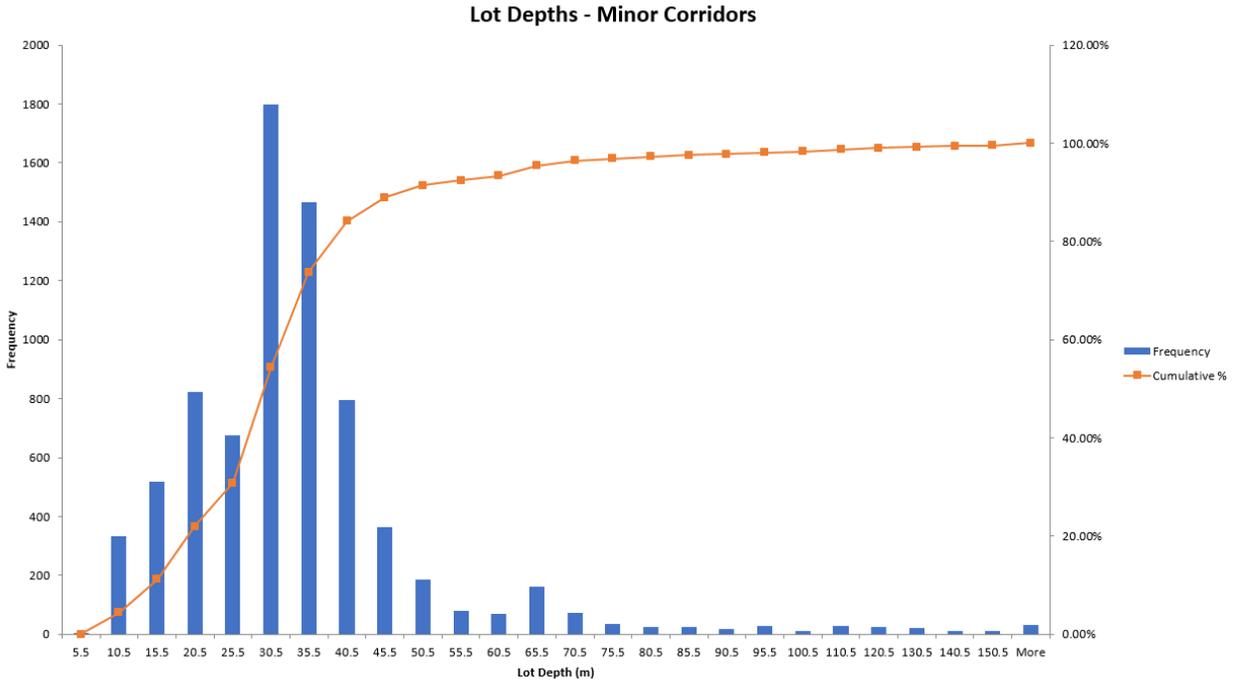
Where the Official Plan contemplates significant height and density, there is an obligation on the part of the Zoning By-law to realize substantial height and density for a meaningful proportion of likely developments.

In Hubs, transition begins at the boundary of the designation where it meets surrounding low-rise areas and is generally not limited to the depth of individual lots. As such, a pattern of gradually increasing maximum heights is being applied to provide a gradual increase in heights from the edge of the Hub to the centre, guided generally by the application of an angular plane at the district level, up to 40 storeys.

For linear designations like Mainstreets and Minor Corridors, where transition will primarily occur relative to abutting low-rise lands, lot depth is a key determinant of a site's ability to provide height transition. The distribution of lot depths on Mainstreets and Minor Corridors is noted in the figures below:

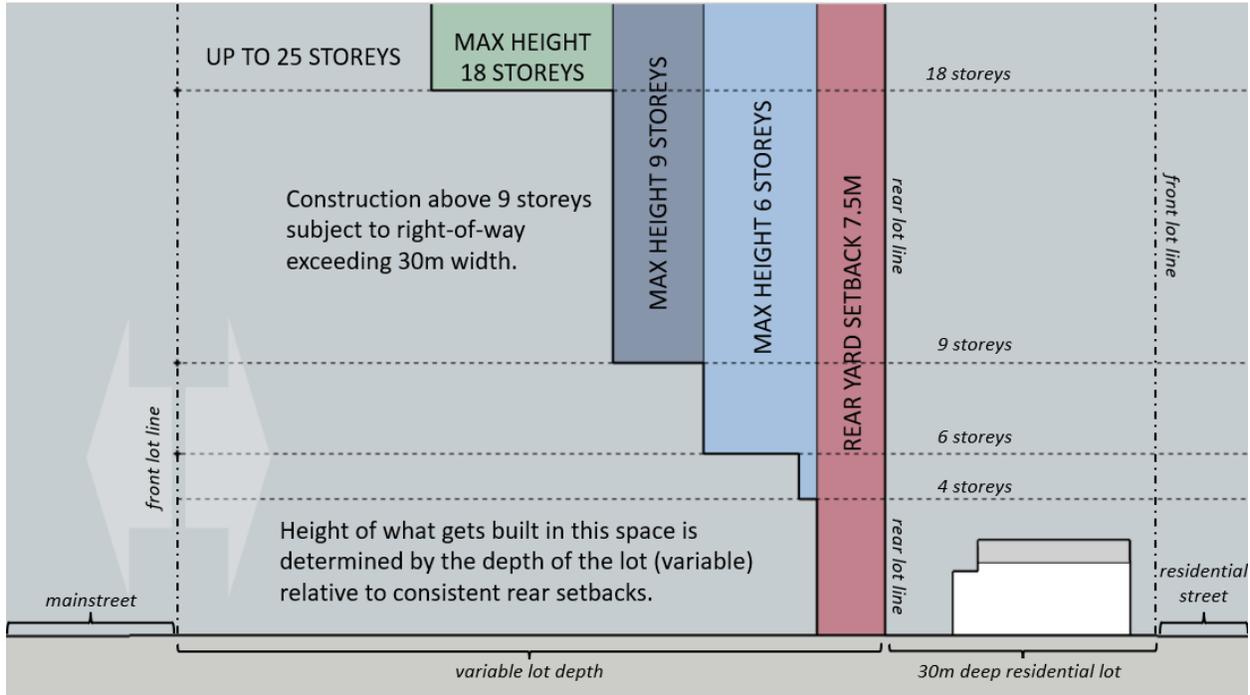


This diagram shows the city-wide distribution of lot depths on Mainstreets. 75 per cent of lots on Mainstreets are less than 40 metres deep. 10 per cent of lots are in the 41- to 50-metre-deep range. The remaining 15 per cent are the deepest Mainstreet lots, deemed able to provide on-site transition and accommodate high-rise development as-of-right.

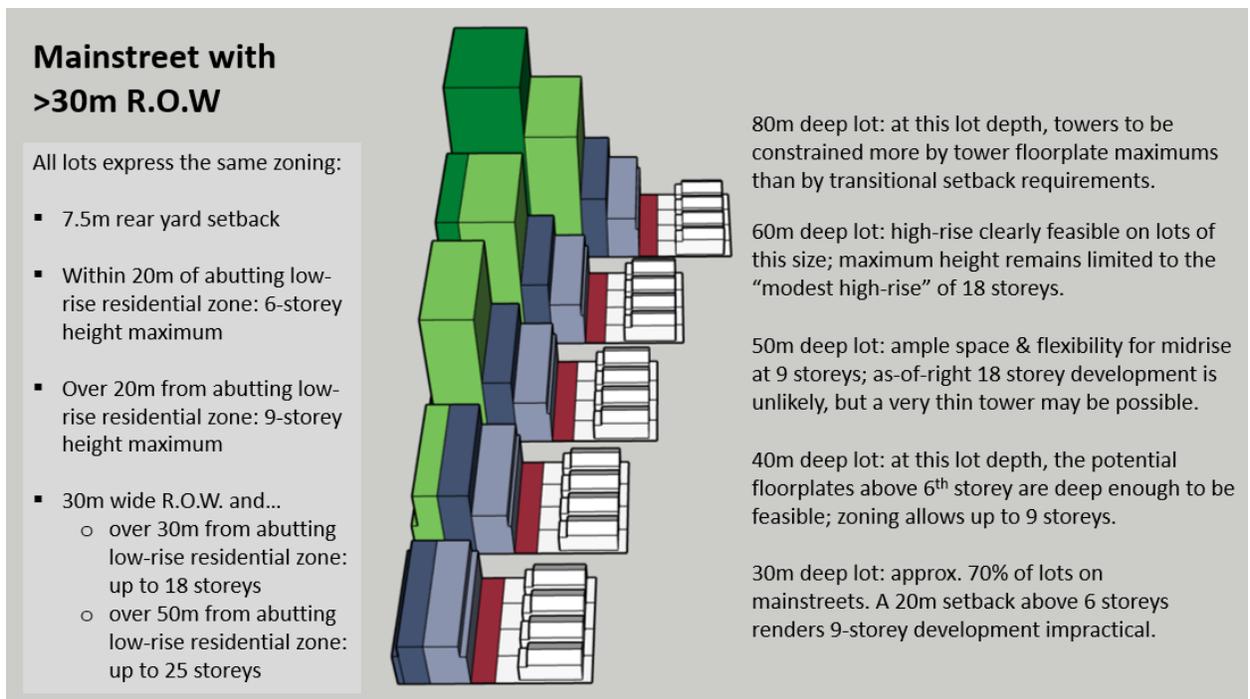


This diagram shows the city-wide distribution of lot depths on Minor Corridors. 84 per cent of lots on Minor Corridors are less than 40 metres deep. More than half (54 per cent) of the total are lots 26 to 30 metres deep.

Corridor lands that permit high-rise development will be subject to an on-site transition framework based on graduated rear- and interior-yard setbacks, such that feasible building heights increase on deeper lots as distance from abutting low-rise areas increases. Where a proposed development is able to meet required tower setbacks, it is anticipated that a maximum height of 25 storeys will accommodate a majority of “ordinary” high-rise building developments, such that zoning by-law amendments for height will be limited to proposals for exceptionally tall buildings.



Profile of a site showing fixed setbacks and height graduations relative to a variable lot depth; built form will vary with lot depth.



This diagram shows the effect of the above-noted setback requirements and height permissions expressed on sites of various depths, and how development outcomes can vary based on the feasibility of various floorplate depths.

The underlying objective relative to maximum heights and transition requirements is to promote transparency and predictability in development rights, and to reduce the need for complex, lengthy, and unpredictable amendments for developments that conform with Official Plan policies.

#### Section 906 – Minor Corridors (CM)

The Official Plan designates approximately 78 streets as Minor Corridor in the Downtown, Inner Urban, Outer Urban and Suburban transects, as shown in the [B-series schedules](#). Official Plan policies permit and encourage compact, mixed-use, pedestrian-oriented development along Minor Corridors. To implement the policies of [Section 6.2.1](#) of the Official Plan, staff have proposed the creation of a new CM- Minor Corridor zone.

The new CM zone will replace approximately 23 different parent zones and 131 subzones along the designated Minor Corridors, carrying forward the permitted uses and, in many instances, increasing the number of uses permitted on a lot when compared to some of the existing zones. Not all properties along a Minor Corridor will be zoned CM, and CM zoning has not been proposed for lots where one of the following conditions applies:

- the lot is zoned EP-Environmental Protection, DR-Development Reserve, T-Transportation, IL-Industrial and Logistics, IM-Mixed Industrial, IH- Heavy Industrial, REC-Recreation, LGZ-Large-Scale Institutional and Recreation, GRN-Greenspace, FAC-Open Space Facility, INZ-Institutional,
- the lot has a rear yard abutting a Minor Corridor and a noise barrier separates the lot from the right-of-way,
- the lot has a 30-centimetre reserve along the front lot line,
- the lot is on private services,
- the lot is in a new subdivision, or
- a secondary plan applies to the property and contains a different designation, effectively de-designating the Minor Corridor.

In keeping with [policy 6.2.2](#) of the Official Plan, a mix of uses which support the day-to-day needs of residents will be permitted. The subzones vary in terms of the front yard setback and maximum building height permitted. The proposed subzones are as follows:

- Corridor Minor Zone, Subzone 1 for the Downtown Core Transect (CM1);
- Corridor Minor Zone, Subzone 2 Inner Urban Transect (CM2);
- Corridor Minor Zone, Subzone 3 for the Outer Urban Transect (CM3); and,
- Corridor Minor Zone, Subzone 4 for the Suburban Transect (CM4).

The provisions for the CM3 and CM 4 subzones permit auto-oriented uses such as automobile service station, car wash and gas bar in accordance with Official Plan policies for the Outer Urban and Suburban transects.

#### Section 907 - Neighbourhood Mixed-Use Zone (NMU)

The General Mixed-Use (GM) and Local Commercial (LC) zones in the current Zoning By-law 2008-250 that apply in the Neighbourhood designation that are not located in Hubs or on Corridors have been consolidated into a new Neighbourhood Mixed-Use (NMU) zone with three subzones. These will replace the current GM primary zone and 12 of 31 GM subzones, and the LC primary zone and four LC subzones. GM and LC zones located in Hubs and Corridors will be rezoned to a Hub or Corridor zone.

The GM zone encompasses a wide variety of scales and uses, ranging from large shopping centres to mixed-use developments to small-scale commercial uses. The LC Zone is primarily applied to small shopping centres, as well as some mixed-use and residential developments.

The NMU – Neighbourhood Mixed-Use zone will implement Official Plan [policy 6.3.1.2.a](#)), which provides direction to maintain existing height permissions higher than four-storeys in the neighbourhood designation by maintaining an 18.5 metre height in the primary NMU zone. The NMU zone will also implement [policy 6.3.3.2](#)), which directs the Zoning By-law to recognize existing commercial uses within the Neighbourhood Designation and provide the flexibility to permit both residential and non-residential uses.

The proposed zoning framework will see the GM primary zone and four GM subzones consolidated into the NMU primary zone. The NMU zone will carry forward the current performance standards in the current GM zone while consolidating the permitted uses to eliminate often arbitrary restrictions. Permitted uses encompass a wide range of less auto-oriented, commercial and service uses alongside residential permissions.

The NMU-1 subzone will replace the Local Commercial zone and will permit the same uses as the primary zone, but will carry forward the LC performance standards that limit

the scale of development. NMU-1 will have a four-storey height limit and limit individual non-residential occupancies to 900 square metres with a maximum combined area of 3,000 square metres for all non-residential uses. The maximum height has been slightly increased to 13.5 metres from a maximum height of 12.5 metres in LC zone, which allows for a 4.5 metre ground floor height to better accommodate non-residential uses.

The NMU-2 subzone will replace the GM subzones that currently permit residential uses and more auto-centric uses, such as automobile dealerships, gas bars, and car washes.

The NMU-3 subzone will replace the GM23 subzone. All parcels with GM23 zoning are located in the Hunt Club Road and Merivale Road area. This subzone will carry forward the prohibition on residential uses and prohibit daycares or schools as uses. There is a legal non-conforming diesel storage facility in this area, and the GM23 subzone permits uses that are not compatible with residential uses, such as light industrial uses and automobile body shops. NMU-2 and NMU-3 will have the same performance standards as the primary zone.

The NMU zone will recognize existing uses and carry forward permissions, while simplifying and consolidating two primary and sixteen subzones in the current Zoning By-law 2008-250 into the primary NMU – Neighbourhood Mixed-Use zone and three subzones.

## **Part 10 – Industrial and Transportation Zones**

This part of the draft Zoning By-law includes provisions to implement policies in [Sections 6.4 and 6.5](#) of the Official Plan for the Industrial and Logistics designation and the Mixed Industrial designation.

### Section 1001 - Heavy Industrial Zone (IH)

The IH - Heavy Industrial Zone implements policies in [Section 6.4](#) of the Official Plan for the Industrial and Logistics designation. This zone is applied to areas that have existing industrial uses that are noxious in nature. The provisions for this zone have been carried forward from Section 201-202 for the Heavy Industrial zone in the current Zoning By-law 2008-250 with minor modifications to the organization of the primary and subzone framework. Minor formatting changes have been made to improve clarity.

### Section 1002 - Industrial and Logistics Zone (IL)

The Industrial and Logistics Zone implements policies in [Section 6.4](#) of the Official Plan for the Industrial and Logistics designation. Lands designated as Industrial and Logistics are shown in the [B-series schedules](#) in the Official Plan. These lands are intended to be the focus for warehouse and distribution operations. This new zone carries forward provisions in the current Zoning By-law 2008-250 for the IG-General Industrial, IL-Light Industrial and IP-Business Park Zones, that currently apply to lands designated Industrial and Logistics in the Official Plan. Subzones are proposed to recognize the existing lot sizes and permitted uses. The subzones will include separate provisions that apply to lands that do not have municipal water or sewer services.

### Section 1003 - Mixed Industrial Zone (IM)

The Mixed Industrial Zone implements policies in [Section 6.5](#) of the Official Plan for the Mixed Industrial designation. Lands designated as Mixed Industrial provide locations for small-scale employment uses and create transition from the Neighbourhood designation to more intensive industrial areas in the Industrial and Logistics designation. This new zone replaces specific zone and subzone provisions in the current Zoning By-law 2008-250 for the IG-General Industrial, IL-Light Industrial, and IP-Business Park zones that currently apply to lands designated Mixed Industrial in the Official Plan. A new Mixed Industrial subzone has been created to permit additional compatible commercial uses in proximity to adjacent residential areas, in accordance with policies for this designation in the Official Plan.

### Sections 1004 – 1006 Transportation Zones (T1, T2 and T3)

The Transportation Zones carry forward the Transportation Zone provisions in the current Zoning By-law 2008-250 with modifications in response to changes in Official Plan designations that affect lands currently in a Transportation Zone. There are two Transportation Zones in the current Zoning By-law 2008-250, the T1 – Air Transportation Facility Zone and the T2 – Ground Transportation Facility Zone. The provisions in these zones have been reorganized into three primary zones.

The MacDonald-Cartier International Airport, currently zoned T1A – MacDonald-Cartier International Airport Subzone, has been designated as the Ottawa International Airport Economic District under the Official Plan. A new zone has been created to reflect the new designation, the EDA - Ottawa International Airport Economic District zone, please see Section 1206 in Part 12 below.

The new T1 – Airport Transportation Facility zone will apply to the Carp Airport lands. The provisions that currently apply will be brought forward in this new zone.

The new T2 – Railway Transportation Facility zone will apply to the VIA Rail Stations at Tremblay Road and Fallowfield Road. The provisions that currently apply will be brought forward in the new zones and the following additional uses will be permitted to supporting travelers, employees, and the operation of the station: hotel and micro-distribution facility .

The T3 – Bus Transportation Facility zone will apply to Bus Transportation facilities. The provisions for the T3 subzone have been carried forward from the existing T2 zone in the current Zoning By-law 2008-250 however, the rear yard setback has been increased from no minimum in Zoning By-law 2008-250 to 4.5 metres, given that the lot to be zoned T3 currently abuts residential properties.

## **Part 11 – Institutional, Recreation and Greenspace Zones**

This part of the draft Zoning By-law includes updated provisions and zones for lands currently zoned Institutional, Open Space, or Leisure in Zoning By-law 2008-250.

### Section 1101 - Institutional Zone (INZ)

There are currently six Minor Institutional zones and subzones in Zoning By-law 2008-250. Half of these zones restrict the range of institutional uses that are permitted. There is no policy rationale in the Official Plan to support limiting the range of institutional uses permitted in these zones. Policy 4.10.2(2) of the Official Plan states “Schools should generally co-locate compatible land uses on-site for a more efficient use of land and promotion of healthy, walkable 15-minute neighbourhoods”. To address this, and encourage 15-minute neighbourhoods more broadly, it is proposed to condense the current Minor Institutional subzones into one zone that permits a broad range of uses in a new INZ - Institutional zone.

[Policies 4.10.2\(1\)](#), [5.1.5\(1\)\(d\)](#), [5.2.4\(1\)\(d\)](#), [5.3.4\(1\)\(d\)](#), and [5.4.5\(1\)\(c\)](#) of the Official Plan encourage minimized setbacks and permitting a maximum built form envelope that frames the public right-of-way. The zone provisions for lot width and lot area differ between the six Minor Institutional subzones in the current Zoning By-law 2008-250, so the most permissive standards for lot width and lot area are proposed to remain to address the preceding policies and allow for institutional uses on a larger variety of lot sizes. In addition, the zone provisions for setbacks differ between the six subzones in Zoning By-law 2008-250, so again the most permissive are proposed to address these

policies, while providing for larger setbacks when abutting a Neighbourhood Zone to ensure appropriate transitions between buildings and land uses.

#### Section 1102 - Recreation Zone (REC)

It is proposed to condense the current Community Leisure Facility Zone (L1), Major Leisure Facility Zone (L2) and subzones O1A, L1A and L2B in Zoning By-law 2008-250 into a new REC - Recreation Zone. This zone will include all the current permitted uses in the Community Leisure Facility Zone (L1) and Major Leisure Facility Zone (L2). Some specific subzone permissions will be carried forward through exceptions. New permitted uses have also been proposed to expand the range of recreational uses that are permitted.

[Policies 4.4.4\(1\) and 4.4.6\(2\)](#) of the Official Plan encourage the co-location of housing with parks and lands with recreation, libraries and other similar facilities. This is addressed by permitting residential as a conditional use, where one or more of the following uses are located on the lot: community centre, library, and recreation and athletic facility.

The lot width, lot area, and setback provisions for the current Community Leisure Facility Zone (L1) and Major Leisure Facility Zone (L2) in Zoning By-law 2008-250 are proposed to remain the same. It is proposed that the maximum building height and maximum lot coverage for the current Major Leisure Facility Zone be increased slightly to allow for larger recreational uses.

#### Section 1103 – Large-Scale Institutional and Recreation Zone (LGZ)

[Section 4.3](#) of the Official Plan provides policies for large-scale institutional uses and facilities. The current Major Institutional Zone (I2) and its five subzones in Zoning By-law 2008-250 applies to large hospital, medical and university campuses. It is proposed to condense these into a new LGZ - Large-Scale Institutional and Recreation Zone. This title mirrors the language used in the Official Plan and reflects the change from the current Leisure to proposed Recreation zone.

The current permitted uses are proposed to remain the same, in addition to the zone provisions for lot area, lot width and setbacks. Specific subzone permissions will be carried forward through exceptions. Overall, this zone maintains permissions for existing major institutional uses and provides a zone for new large-scale institutions and facilities.

#### Section 1104 - Greenspace Zone (GRN)

It is proposed to condense the current Parks and Open Space Zone (O1) in Zoning By-law 2008-250, some lands zoned O1D, and subzones O1C, O1F, O1H, O1I, O1J, O1M, and O1N into a new GRN - Greenspace Zone. This zone will permit all the current uses in the Parks and Open Space Zone (O1), as well as “market” as a conditional use. Outdoor commercial patio, restaurant, and retail store are also proposed as conditional uses, to address [Policy 7.1\(5\)](#) of the Official Plan, which states improvements to Greenspace Designations near certain rapid transit stations may include small-scale commercial uses. Finally, some specific subzone permissions will be carried forward through exceptions. The lot width, lot area, setback, height and lot coverage provisions for the current Parks and Open Space Zone (O1) are proposed to remain the same. This is proposed to support the park development process as outlined in [4.4.1\(5\)](#) of the Official Plan. In addition, maintaining the maximum lot coverage ensures lands remain primarily as greenspace.

#### Section 1105 - Open Space Facility Zone (FAC)

[Policy 7.1\(7\)](#) of the Official Plan details the intended primary functions of the Open Space sub-designation and encourages the identification of this through the Zoning By-law. This policy also references the sub-designation of the Central Experimental Farm as Open Space. To address these policies, it is proposed to transfer the provisions for the existing Central Experimental Farm Zone (L3) and subzones O1L, O1O, O1P, O1Q and O1R to a new FAC - Open Space Facility Zone. The lot width, lot area, setback, height and lot coverage provisions for the current Parks and Open Space Zone (O1) and Central Experimental Farm Zone (L3), as applicable, will remain the same.

### **Part 12 – Special Districts Zones**

This part of the draft Zoning By-law includes provisions for lands designated as Special Districts or as Economic Districts in the Official Plan. [Section 6.6](#) of the Official Plan provides policies for the seven, city-defining Special Districts and Economic Districts: Parliament and Confederation Boulevard, Rideau Canal, ByWard Market, Lansdowne, Ottawa River Islands, Ottawa International Airport Economic District and Kanata North Economic District. The policies in the Official Plan for these districts provide guidance to the development approvals processes and policies regarding improvements to the public realm. The policies for several of these areas refer to secondary plans being undertaken in the future.

New special district zone codes have been created to relate the new Zoning By-law to the Official Plan policies for these important districts. Except for the Kanata North

Economic District, the current provisions in effect will be brought forward using the new zone codes. When secondary plans are completed in the Rideau Canal Special District, ByWard Market Special District and the Ottawa International Airport Economic District, the provisions for the Special District zone codes for each area will be modified to implement the policies of the new secondary plans.

Section 1201 - ByWard Market Special Zone (SDB)

The provisions in effect in the current Zoning By-law 2008-250 have been brought forward in a new SDB-ByWard Market Special District Zone.

Section 1202 - Parliament and Confederation Boulevard Special District Zone (SDP)

The provisions in effect in the current Zoning By-law 2008-250 have been brought forward in a new SDP – Parliament and Confederation Boulevard Special District Zone

Section 1203 - Ottawa River Islands Special District Zone (SDR)

The provisions in effect in the current Zoning By-law 2008-250 have been brought forward in a new SDR - Ottawa River Islands Special District Zone.

Section 1204 - Lansdowne Market Special District Zone (SDL)

The provisions in effect in the current Zoning By-law 2008-250 have been brought forward in a new SDL - Lansdowne Market Special District Zone.

Section 1205 - Rideau Canal Special District Zone (SDC)

The provisions in effect in the current Zoning By-law 2008-250 have been brought forward in a new SDC - Rideau Canal Special District Zone.

Section 1206 - Ottawa International Airport Economic District (EDA)

The provisions in effect in the current Zoning By-law 2008-250 have been brought forward in a new EDA - Ottawa International Airport Economic District. Additional uses have been proposed to allow for some commercial uses to benefit the travelling public and employees within the economic district.

### Section 1207 - Kanata North Economic District (EDK)

The provisions for the EDK – Kanata North Economic District zone implement the policies in [Section 6.6.3.2](#) of the Official Plan for the Kanata North Economic District. The policies in the Official Plan contemplate the development of a community planning permit system, which is currently underway. The zoning provisions proposed in the draft Zoning By-law are placeholder provisions that will provide zoning provisions for this area should the new Zoning By-law come into effect before the community planning permit system is approved.

The provisions for the EDK – Kanata North Economic District zone were developed in cooperation with the team working on the community planning permit system. The EDK zone will be applied to the Activity Centres identified in the policies for Kanata North in the Official Plan. The Activity Centres are generally within 600 metres of planned transitway stations at Terry Fox Drive and Station Road. In these areas, high-rise residential and mixed-use development will be permitted with a minimum building height of four storeys and a maximum building height of 25 storeys. A broad range of uses including residential, employment, commercial and institutional uses will be permitted.

Two new subzones, the EDK-1 and EDK-2 subzones, are also proposed for the Kanata North Economic District. The EDK-1 subzone will permit a range of non-residential and residential uses and will apply to the March Road and Legget Drive Corridors, as identified by the Official Plan. The EDK-2 subzone will permit a range of non-residential uses with a focus on employment and employment-supportive uses. This subzone will apply to the Business Park areas as directed by policies in the Official Plan. The EDK-2 subzone is intended to be a zone of transition from the Kanata North Economic District to the surrounding residential neighbourhoods.

Additional provisions will be considered in draft 2 of the new Zoning By-law to address limitations on sensitive land uses in proximity to existing industrial and employment uses in the Kanata North Economic District.

### **Part 13 – Rural Zones**

This part of the draft Zoning By-law includes provisions for lands in the Rural Transect, as shown on [Schedule B9 – Rural Transect](#) of the Official Plan. The policies in the new Official Plan and in secondary plans affecting the Rural area did not include significant changes from the former Official Plan. For this reason, the provisions for most Rural zones have been brought forward into the new Zoning By-law and remain generally the same with some formatting and organizational changes. However, the Official Plan

includes new policies in [Section 5.6.3](#) for the Mineral Aggregate Overlays. These new policies are implemented through the provisions for the Mineral Aggregate Overlay in Section 502 of the draft Zoning By-law. The Mineral Aggregate Overlay replaces the provisions in the MR-Mineral Reserve zone in the current Zoning By-law 2008-250. Provisions in Section 67 of the current Zoning By-law 2008-250 that require a detached dwelling to be set back from ME-Mineral Extraction zones will be included in the Mineral Aggregate Overlay provisions in Section 502 of the draft Zoning By-law.

There have been a number of formatting and organizational changes to the Rural Zones to ensure consistency with other sections of the Zoning By-law and to improve ease of use. Provisions that are not performance standards have been moved out of tables and into written zone provisions, for example provisions relating to outdoor storage and landscaping. Clearer distinctions between conditional and permitted uses have also been implemented, which do not change the uses or provisions, but group them in a more consistent manner. Zones with a large number of subzones have also had performance standard tables split to improve legibility. Some provisions that apply to uses that have been merged or changed have been carried forward as zone provisions, for example maintaining limits on the size of a bed and breakfast. Home-based business, home-based day care and group home are no longer listed as permitted uses as they are generally permitted through Section 301 - Home-Based Businesses and Home-Based Day Cares and Section 706 - Group Homes. These modifications are intended to improve clarity while maintaining the intent of the provisions.

### Residential Uses in Rural Zones

The provisions for residential uses in rural zones have been updated to a form-based approach that maintains the scale of residential permissions in the current Zoning By-law 2008-250. The current Zoning By-law allows a detached dwelling and an additional dwelling unit that can be in a coach house in the AG - Agricultural, RR - Rural Residential, ME - Mineral Extraction, and RU - Rural Countryside zones, although some subzones do prohibit residential uses. The proposed approach in the new Zoning By-law is to simply permit two dwelling units in a building in these zones and that a unit in a coach house would count toward that limit. Since there are currently no size restrictions on additional dwelling units in Zoning By-law 2008-250, there is no meaningful difference between a primary and additional unit. However, Section 701 - Coach Houses would apply to dwelling units in coach houses. The form-based provisions for the V1-Village First Density and V2-Village Second Density zones are discussed below.

### Section 1301 - Agricultural Zone (AG)

These provisions have been brought forward from Zoning By-law 2008-250 with minor changes and the adoption of form-based residential provisions as discussed above. New provisions to permit raising up to 10 hens on lots smaller than 0.8 hectares have been introduced, and existing provisions related to small-scale livestock and the keeping of horses on larger lots have been carried forward.

#### Section 1302 - Rural Countryside Zone (RU)

These provisions have been brought forward from Zoning By-law 2008-250 with minor changes and for the adoption of form-based residential provisions as discussed above and the same provisions for keeping hens on smaller lots used in the Agricultural Zone have been introduced.

#### Section 1303 - Rural Commercial Zone (RC)

The provisions for the RC-Rural Commercial zone in the current Zoning By-law 2008-250 are largely being carried forward in the draft Zoning By-law, although five subzones will move to different primary zones. The Rural Commercial subzones 6, 7, 8 and 9 that apply in the Carp Corridor will be deleted, and replaced with RIL-Rural Industrial and Logistics subzones to reflect the Rural Industrial and Logistics designation that applies to the Carp Corridor in the Official Plan. RC10, which is currently the Greenbelt Employment subzone, will become the Greenbelt Facility Zone.

#### Section 1304 - Mineral Extraction Zone (ME)

The three components of the current mineral aggregate zoning framework will be retained in the new Zoning By-law but adjusted to consolidate applicable provisions, protect mineral extraction operations, and reflect the updated boundaries of the mineral aggregate overlay for aggregate resources in the Official Plan. The current Mineral Reserve (MR) Zone is used to identify lands with mineral aggregate potential and limit uses to those that would hinder or preclude future access and extraction of those resources. The MR Zone will be replaced by an overlay of the same name (Mineral Reserve Overlay) and, like the current MR Zone, will prohibit uses or development which would hinder or preclude future access and extraction of those resources in the future. Lands affected by the Mineral Reserve Overlay will have an underlying parent zone in accordance with the corresponding Official Plan designation such as AG - Agricultural or Rural Countryside zone.

The current provisions in Zoning By-law 2008-250 in Section 67 - Residential use building setback from mineral aggregate zones is used to prohibit development “consisting of a dwelling, dwelling unit, or rooming unit” in proximity to a MR – Mineral

Reserve of ME – Mineral Extraction zone. The provisions in Section 67 are found in the General Provisions in the current Zoning By-law 2008-250. As these provisions are separate from the existing Mineral Aggregate zones as well as other rural zones which may be affected, there is the potential for them to be overlooked. To address this shortcoming of the current Zoning By-law 2008-250, the provisions in the Section 67 will be replaced by an overlay called the Mineral Reserve Separation Overlay that will prohibit uses or development which would hinder or preclude extraction of aggregate resources on abutting lands. The provisions for this overlay will prohibit new sensitive land uses from locating in proximity to designated mineral aggregate resources, which could prevent or limit mineral extraction operations on lands that are designated for this purpose in the Official Plan. The list of prohibited uses will be modified to include sensitive land uses within the meaning of the Ministry of Environment, Conservation and Parks' (MECP) D-Series Guidelines and would include uses such as long-term care homes, campgrounds, and daycares.

The current ME – Mineral Extraction zone and subzones have been retained with minor modifications to simplify setbacks for dwellings where they are permitted, add minimum landscape buffer requirements, and remove references to dwellings units “for a security guard or caretaker”. Provisions for residential uses in the ME1 – Mineral Extraction subzone 1 and ME3 – Mineral Extraction subzone 3, which currently permit a detached dwelling, have been modified to the form-based approach used in other rural zones.

#### Section 1305 - Rural General Industrial Zone (RG)

These provisions have largely been brought forward from Zoning By-law 2008-250 with two additional uses added and some minor modifications to existing provisions. Broadcasting and production studio and emergency services have been added as permitted uses. Official Plan [policy 9.3.2.1.d](#)) has been implemented through a 300 square metre size limit for conditional uses, such as for a restaurant or retail store, which are intended primarily to serve nearby employees. As these uses must be on the same lot as a permitted use, the current provisions restricting the size of a bar that is ancillary to a brewery, winery or distillery have been removed as the size limit for restaurant would apply in this case. The RG4 – Rural General Industrial subzone 4 and RG5 – Rural General Industrial subzone 5 that apply in the Carp Road Corridor have been replaced with new RIL – Rural Industrial and Logistics subzones to reflect the Rural Industrial and Logistics designation that applies to the Carp Corridor in the Official Plan.

#### Section 1306 - Rural Heavy Industrial Zone (RH)

These provisions have been brought forward from Zoning By-law 2008-250 with minor modifications made primarily to ensure consistency with other sections of the draft Zoning By-law. The conditional use “retail store limited to the sale of goods, service or materials provided by a permitted use” has been removed as a conditional use and has been replaced with the sales and display area provision from urban industrial zones to ensure a consistent approach to the sale of goods produced on-site. The same size limit for ancillary uses used in the RG – Rural General Industrial zone, 300 square metres, has also been introduced.

#### Section 1307 - Rural Industrial and Logistics (RIL)

This new zone implements policies in [Section 9.3](#) of the Official Plan through a primary zone and nine subzones. The new RIL zones are derived from existing rural commercial and industrial zones, with minor modifications to permitted land uses to align with Official Plan direction. RIL zones permit a range of warehouse, distribution, industrial and service uses, alongside limited-scale commercial uses, such as retail store, gas bar and restaurant. Three subzones are proposed that would permit heavy industrial and more noxious uses, with lot width and lot area requirements to recognize existing lot sizes. Four new subzones implement the Area-Specific Policies for the Carp Corridor in the Official Plan and the Carp Road Corridor Community Design Plan. Commercial uses currently permitted in the Carp Road Corridor have been retained and several new uses have been added.

#### Section 1308 - Rural Institutional Zone (RI)

These provisions have been brought forward from Zoning By-law 2008-250 with new permissions for instructional facility, restaurant and retail store provided they are located on a lot that has an institutional use. One dwelling unit has been added as a permitted use. This would allow a building that is no longer used for an institutional use to be converted into a dwelling without a zoning by-law amendment.

#### Section 1309 - Rural Residential Zone (RR)

These provisions have generally been brought forward from Zoning By-law 2008-250 except for the adoption of form-based provisions for residential uses as discussed above. Provisions to permit the keeping of up to 10 hens on lots larger than 0.8 hectares have been maintained. Subzone performance standards have been carried forward, however they have been reformatted for improved clarity. Staff will conduct further review and potentially consolidate subzones for the second draft of the new Zoning By-law.

### Section 1310 - Village Mixed-Use Zone (VM)

These provisions have been brought forward from Zoning By-law 2008-250 with land use terms updated to match the new definitions along with formatting changes to remove redundant provisions that were repeated in many subzones. Staff will conduct a more thorough review that will likely include consolidating similar subzones that apply to a small number of properties for the second draft of the new Zoning By-law. As with other zones, provisions that apply to conditional uses have been grouped with the uses they apply to in order to improve clarity.

### Section 1311 - Village Residential First Density Zone (V1)

Form-based regulations for residential uses have been introduced in the V1 zone that maintain the same scale of development that is permitted in the current Zoning By-law. The V1 zone will continue to permit up to three units within a building on full municipal services and two units on unserviced or partially serviced lots. Performance standard tables have been split to improve legibility due to the large number of subzones, but the provisions have not changed.

### Section 1312 - Village Residential Second Density Zone (V2)

As with the V1 zone, a form-based approach has been introduced in the V2 zone, however the intent of the provisions has remained the same. In the current Zoning By-law 2008-250, the V2 zone permits detached dwellings and semi-detached dwellings. The current provisions permit up to three units on a lot and six units in a building on serviced lots, or two units on a lot and four units in a building on unserviced or partially serviced lots. To allow a semi-detached dwelling to be built without a severance, a provision has been introduced that would allow up to six units on a lot if the lot width and frontage are at least twice that required for three units. Staff will conduct a further review of the existing subzone provisions for draft 2 of the new Zoning By-law.

### Section 1313 - Village Residential Third Density Zone (V3)

These provisions have been brought forward from Zoning By-law 2008-250 until further work to convert all performance standards to a form-based approach can be undertaken for the second draft in the second draft of the new Zoning By-law. The performance standards in the current Zoning By-law 2008-250 are a mix of form and typology-based approaches to regulating density. The performance standards will remain the same however as with the V1 and V2 zones, the zoning provisions will focus on the number of

dwelling units permitted on a lot, rather than on the basis of whether the dwellings are detached dwellings, semi-detached dwellings or townhouse dwellings.

## **Part 14 – Greenbelt, Reserve and Protection Zones**

This part of the draft Zoning By-law includes provisions for lands currently zoned Development Reserve or Environmental Protection, in addition to lands sub-designated as Greenbelt Rural or Greenbelt Facility in the Official Plan.

### Section 1401 - Development Reserve Zone

It is proposed to carry forward the provisions for the DR - Development Reserve zone from the current Zoning By-law 2008-250.

### Section 1402 - Environmental Protection Zone

It is proposed to carry forward the provisions for the EP - Environmental Protection zone from the current Zoning By-law 2008-250. The zone boundaries of EP zones will be updated to reflect the Urban Natural Features, Significant Wetlands, and Natural Environment Areas designations shown on Schedules [C11-A](#), [C11-B](#), and [C11-C](#) of the Official Plan.

### Section 1403 - Greenbelt Facility Zone and Section 1404 – Greenbelt Rural Zone

The Official Plan has two designations unique to the Greenbelt Transect Area which are shown on [Schedule B4](#) - Greenbelt Rural and Greenbelt Facility. It is proposed to create two new zones, GBR - Greenbelt Rural and GBF - Greenbelt Facility, to implement [policies 8.4\(2\) and 8.4\(3\)](#) of the Official Plan.

Provisions from the current RU - Rural Countryside Zone, RC - Rural Commercial Zone, and RI - Rural Institutional Zone in Zoning By-law 2008-250 have been carried forward in the new GBR - Greenbelt Rural zone. The current permitted uses, conditional uses and provisions from the RU - Rural Countryside zone are proposed to apply to all lands designated Greenbelt Rural in the Official Plan. It is further proposed to have a Greenbelt Rural Subzone that will apply to lands in the Greenbelt Transect Area that are currently zoned RC - Rural Commercial or RI - Rural Institutional, which will have permitted uses and conditional uses from these zones. The provisions for this subzone are proposed to be the same as the provisions for the current RI - Rural Institutional Zone.

It is proposed to carry forward the provisions from the current RC10 - Rural Commercial Subzone 10 in the GBF - Greenbelt Facility Zone. Some of the lands designated

Greenbelt Facility in the Official Plan are currently zoned RI - Rural Institutional. Exceptions will be created to recognize existing lot widths and lot areas that are lower than those permitted in the proposed provisions. The proposed permitted uses are the same as the current RC - Rural Commercial zone. Personal service business, restaurant, and retail store are proposed as new conditional uses to support employment uses and provide services in this area.

## **Part 15 – Exceptions**

### Section 1501 – Rural Exceptions and Section 1502 – Urban Exceptions

As with the current Zoning By-law 2008-250, exceptions will be separated into two sections, one for Rural exceptions and the other for Urban exceptions. All exceptions will be reviewed in relation to the draft primary and subzone provisions, specific use and general provisions in the draft Zoning By-law. Revised exceptions will be included in draft 2 of the new Zoning By-law.

## **Part 16 – City-Wide Schedules**

Part 16 includes schedules that are used to interpret provisions that apply generally throughout the city, such visitor parking provisions.

## **Part 17 – Area-Specific Schedules**

Area-specific schedules apply on a lot-specific or block-specific basis. These schedules will be reviewed as part of the work on draft 2 of the new Zoning By-law. These schedules will be reviewed alongside the draft provisions. For example, a schedule may illustrate areas referenced in an exception that is no longer needed, which would indicate that the schedule is no longer needed. A new template for area-specific schedules will be introduced in the new Zoning By-law. Supported by the 3D Twin, zoning provisions in schedules will be illustrated in three dimensions. To review the draft template, please see Document 11 – Template for Zoning Schedules.

## **Part 18 – Zoning Map**

The Zoning Map is referenced in this part of the draft Zoning By-law to formally recognize it as part of the new Zoning By-law. As with the current Zoning By-law 2008-250, this part of the new Zoning By-law will include a link to geoOttawa.

## **Part 19 – Amendment Schedule to the Zoning By-law and Interim Control By-laws**

Zoning By-laws include an amendment schedule that documents the changes made to the By-law over time. Amendment schedules provide an important record of the by-laws approved by City Council that amend the Zoning By-law. As with the current Zoning By-law 2008-250, the amendment schedule will include tables, organized by year, with the following information: the amending by-law number, affected lands/section/exception/schedule, date the amending by-law was enacted by Council and link to the Council agenda, status of the amending by-law (whether the amending by-law is in its appeal period, in effect or subject to appeal), Ontario Land Tribunal Orders with their date, and details about whether the amending by-law modifies the Zoning By-law or repeals another amending by-law. Information about similar details concerning Interim Control By-laws will also be included in this part of the Zoning By-law.

### **Provincial Policy Statement**

Draft 1 of the new Zoning By-law is consistent with the Provincial Policy Statement 2020 and will promote efficient development and land use patterns while implementing a coordinated, integrated, and comprehensive approach for planning matters within the municipality.

### **RURAL IMPLICATIONS**

Rural implications are explained in the report in Part 13 – Rural Zones.

### **COMMENTS BY THE WARD COUNCILLOR(S)**

This is a City-wide report.

### **LEGAL IMPLICATIONS**

At the time of the submission of this report, Bill 185 has received second reading and has been referred to the Standing Committee on Finance and Economic Affairs. Bill 185 as it currently reads would limit the appeals of a zoning by-law to a “specified person” (essentially a utility provider) or a public body (essentially a government body or a First Nation). The extent to which the comprehensive zoning by-law will be subject to appeal will depend on the final wording of the Bill as enacted.

### **RISK MANAGEMENT IMPLICATIONS**

There are no direct risk management implications with the recommendations of this report.

## **ASSET MANAGEMENT IMPLICATIONS**

The increased densities and land use changes that would be permitted under the new zoning by-law will put significant pressure on existing infrastructure. The draft Infrastructure Master Plan identifies major capital projects for the City's trunk water and wastewater systems that supports intensification per the Official Plan. However, intensification may also trigger upgrades to local systems. Upzoning identified in the by-law has not considered potential local infrastructure capacity constraints. However, the draft zoning by-law includes provisions that will be supportive of two proposed new programs recommended in the Draft Infrastructure Master Plan (to be approved in 2024): An on-site SWM program per draft IMP that implements the requirement for infill development which are not subject to Planning Act controls (e.g. Site Plan) to be required to manage any increased stormwater runoff caused by their development; An Infrastructure Capacity Management Program that will track capacity allocations, monitor actual conditions, identify and implement local project needs, and establish funding mechanisms. The draft by-law includes provisions to ensure that servicing capacity is available prior to the approval of any development. Further work is needed to amend Section 56 of the current Zoning By-law 2008-250 in advance of the approval of the new Zoning By-law in 2025, in particular with respect to the management of stormwater.

## **FINANCIAL IMPLICATIONS**

There are no direct financial implications associated with the recommendations of the report.

## **ACCESSIBILITY IMPACTS**

There are no direct accessibility impacts with the recommendations of this report.

## **SUPPORTING DOCUMENTATION**

Document 1 - Council Directions and Motions relating to the new Zoning By-law

Document 2 - Land Use and Density Strategy Map

Document 3 - Height Strategy Map

Document 4 - Zoning Map Overview of Primary Zones

Document 5 - Ottawa Public Health Comments on the Draft Zoning By-law

Document 6 - Draft Table of Contents

Document 7 – Draft Definitions

Document 8 - On-Site Stormwater Management for Infill Development

Document 9 - Parking Provisions Review

Document 10 - Neighbourhood (N1-N6) Zones and Provisions

Document 11 - Template for Zoning Schedules

Document 12 - Public Consultation Strategy

Document 13 - As-We-Heard-It 2023

## **CONCLUSION**

Staff recommend that the Joint Committee and Council receive the first draft of the new Zoning By-law for public consultation purposes.

## **DISPOSITION**

Zoning and Interpretations Unit, Policy Planning Branch to undertake public consultations, receive comments from the public and continue development of the draft Zoning By-law in preparation for the release of the second draft in Q1 of 2025.