



MEMO / NOTE DE SERVICE

Information previously distributed / Information distribué auparavant

TO: The Chair and Members of the Planning and Housing Committee

DESTINATAIRE : Présidents et membres du Comité de la planification et du logement

**FROM: Derrick Moodie, Director
Planning Services, Planning,
Development and Building Services
Department**

**Contact : Carol Ruddy, (A) Program
Manager, Zoning and Intensification
Unit, Planning, Development and
Building Services Department**

**EXPÉDITEUR : Derrick Moodie,
Directeur, Services de la
planification, Direction générale des
services de la planification, de
l'aménagement et du bâtiment**

**Personne ressource : Carol Ruddy
Carol.Ruddy@ottawa.ca
613-580-2424, ext.28457
French Branch/ Direction générale
des services de la planification, de
l'aménagement et du bâtiment**

**DATE: November 25, 2024
25 novembre 2024**

FILE NUMBER: ACS2024-PDB-PS-0110

**SUBJECT: Q4 2024 – New Zoning By-law Review Status Update
OBJET : Quatrième trimestre de 2024 – Le point sur l'examen du nouveau
Règlement de zonage**

PURPOSE

The purpose of this memorandum is to provide members of Council with an update on the new Zoning By-law project. The first update, released in [September 2024](#), provided an overview of key issues identified during public consultations, options for modifications to the draft provisions to address the key issues, and As-We-Heard-It documents that summarized comments received up to June 20, 2024.

This second update provides further information on key issues, details of options to address these issues, updated As-We-Heard-It documents summarizing comments received to mid-September 2024, and next steps for the project in 2025.

BACKGROUND

On April 29, 2024, staff presented a [report](#) to Committee that provided an overview of Draft 1 of the new Zoning By-law. Following the release of that report, the draft Zoning By-law and Zoning Map were released to the public on the [New Zoning By-law Engage Ottawa](#) page on May 31, 2024.

Public consultations on Draft 1 of the new Zoning By-law are currently ongoing. Draft 2 of the new Zoning By-law is scheduled for release in March 2025. Draft 3 of the new Zoning By-law is scheduled to be brought to Joint Committee and Council for approval in Q4 2025.

DISCUSSION

The following key issues have been identified through the public consultation process to-date:

Issue 1: Minimum Parking Rates for Villages

Draft 1 of the new Zoning By-law proposed the elimination of minimum parking space rates and a transition to a choice-based approach. This approach empowers property owners and businesses with the flexibility to provide parking that meets the specific demands of a proposed development or aligns with their business operations.

Feedback from the initial consultation on the draft Zoning By-law, including insights from Council Members, indicates that removing parking minimums may present implementation challenges in Villages where transportation alternatives to personal vehicles are limited. To address these concerns, staff are considering proposing an option to apply minimum parking space rates for residential uses in rural Villages.

Information about minimum parking space rates and their impact on the cost of development was presented in [Document 9](#) of the April 29, 2024 report that introduced Draft 1 of the new Zoning By-law.

Staff have prepared the following options for minimum parking rates in Villages:

Option 1: Maintain the Draft 1 strategy of a city-wide choice-based approach to parking with no minimum parking requirements in Villages. Since the Rural Area has considerably higher rates of car ownership, this could result in less parking supply than potential demand.

Option 2: Require one parking space per dwelling unit in the Village Residential (V1, V2, V3) and Village Mixed-Use (VM) zones.

Option 3: Require one parking space per dwelling unit in the V1, V2 and V3 zones, but exclude the Village Mixed-Use Zone. The rationale for the exclusion is that it would apply to older village centres where existing buildings already face physical constraints in providing parking.

Option 4: Require one parking space per lot containing a dwelling unit or a vertically attached dwelling unit in the V1, V2 and V3 zones. This would require one parking space whenever one dwelling unit is located on a lot but provide a degree of flexibility for multi-unit development.

Option 5: A provision that allows parking in locations besides the front or exterior side yards. The smallest setback for these yards proposed in the new Zoning By-law is six metres, and therefore this provision would effectively mean at least two parking spaces would be provided (one in a garage or located beyond the required setback, and an additional space in the driveway leading to the required parking space).

Issue 2: Maximum Driveway Width in Villages

Maximum driveway width provisions ensure permeable space exists in residential areas for soft landscaping and trees. These natural elements assist with on-site stormwater management and reduce the urban heat island effect.

The provisions for maintaining maximum driveway widths in rural areas were unintentionally omitted in the Draft 1 of the new Zoning By-law. The existing Zoning By-law stipulates a maximum driveway width of 50 per cent of the lot width for all residential zones, which includes Village and rural residential zones. Despite this, Rural

exceptions have been applied in several newer subdivisions, permitting driveways to surpass this 50 per cent threshold.

Staff are considering carrying forward the maximum driveway width provisions for the rural transect in the current Zoning By-law into Draft 2 of the new Zoning By-law.

Feedback from consultations include concerns about sufficient parking availability in certain village residential areas. Staff are reviewing other options for parking provisions for Draft 2 of the Zoning By-law such as:

Option 1: Revise the maximum lot width allowed on narrow lots in Village Residential zones.

Option 2: Remove the maximum driveway width provision in specific Village areas.

Issue 3: Maximum Building Height in N1 and N2 – Neighbourhood Zones

In Draft 1 of the new Zoning By-law, the N1 and N2 zones propose an 8.5 metre maximum building height. This would generally accommodate a two-storey building but not a three-storey building, as-of-right.

In addition to the 8.5 metre maximum building height, the built form provisions of Section 802 allow for potential height increases to allow for a “partial” third storey in N1 and N2 zones, as well as any other Neighbourhood zone where the permitted building height is less than 11 metres.

However, under the current Zoning By-law 2008-250, many current Residential - R1 and R2 subzones located within the Suburban transect currently allow for building heights of up to 11 metres. As such, setting an 8.5 metre building height in all N1 and N2 zones in all transects would result in a reduction of maximum building heights in many suburban R1 and R2 zones that currently allow for three full storeys.

Members of the development industry and the public have proposed increasing the height limit for these zones to 11 metres. Increasing the maximum permitted height improves the development feasibility of additional dwelling units, especially on narrow lots.

Section 5 and Table 7 of the Official Plan summarize the following with respect to intended building heights in the Neighbourhoods designation in each transect:

Downtown Core Transect: Low-rise: minimum two storeys, generally permit three storeys, allow a built height of up to four storeys where appropriate (Section 5.1.5(1)).

Inner Urban Transect: Low-rise: minimum two storeys, generally permit three storeys, allow built height of up to four storeys where appropriate (Section 5.2.4(1)).

Outer Urban Transect: Low-rise: no minimum and generally, zoning will permit at least three storeys but no more than four storeys (Section 5.3.4(1)).

Suburban Transect: Low-rise, no minimum: generally, zoning will permit at least three storeys but no more than four storeys (Section 5.4.5(1)).

Given the directions in these policies, staff are of the opinion it is not appropriate to reduce permitted building heights below three full storeys where such permissions exist in the current Zoning By-law. Staff are considering the following options:

Option 1: Retain the same building heights used for N1 and N2 zones as proposed in Draft 1. This would result in a loss of development rights for N1 and N2 zones in the Suburban transect.

Option 2: Increase height permissions for N1 and N2 zones in the Suburban transect to 11 metres through implementation of a height suffix and retain N1 and N2 zone building heights as proposed in Draft 1 in other transects.

Option 3: Increase height permissions for N1 and N2 zones to 11 metres in the Inner Urban, Outer Urban, and Suburban transects, but retain existing height suffixes for lower building heights where they presently exist, or where a Secondary Plan prescribes a height limit.

Examples of Secondary Plans that may prescribe heights lower than 11 metres would include R1 and R2 zoned lots within the Old Ottawa East Secondary Plan, which sets out that the existing low-rise neighbourhoods shall “maintain the general character of these neighbourhoods as expressed by the existing zoning”.

Issue 4: Conversion of the R4 zone to N4 zone in the draft Zoning By-law

There have been many comments received from the public concerning the Neighbourhood zones. Comments and opposition have focused on the maximum densities permitted in the N3 and N4 zones, as well as the locations where the higher

density N3 and N4 zones have been applied. To address these concerns, staff are considering modifications to the Neighbourhood zone provisions and to the areas where the N3 and N4 zones have been applied on the Zoning Map. In Draft 1, the location of the proposed N1 to N6 primary zones were generally mapped as follows based on the transect, current primary zone, and whether the property is inside or outside the Evolving Neighbourhood Overlay:

Downtown Transect

	Existing Zone	Evolving Overlay	Interior
	R1	N4	N3
	R2	N4	N3
	R3	N4	N4
	R4	N4	N4
	R5	N5/N6	N5/N6

Inner Urban Transect

	Existing Zone	Evolving Overlay	Interior
	R1	N3	N2
	R2	N3	N3
	R3	N4	N3
	R4	N4	N4
	R5	N5/N6	N5/N6

Outer Urban Transect

	Existing Zone	Evolving Overlay	Interior
	R1	N3	N2
	R2	N3	N2
	R3	N4	N3
	R4	N4	N4
	R5	N5/N6	N5/N6

Suburban Transect

	Existing Zone	Evolving Overlay	Interior
	R1	N2	N1
	R2	N3	N2
	R3	N3	N3
	R4	N4	N3
	R5	N5/N6	N5/N6

The R4 zones permit a wider range of built forms and densities than any of the R1 through R3 zones:

- The R4A through R4L subzones only permit a maximum of four dwelling units in a low-rise apartment dwelling.
- The R4UA and UB subzones permit eight and twelve dwelling units respectively.
- Other R4 subzones do not limit the maximum number of units.

Despite the range of maximum densities and building heights in the current R4 zones, all R4 zones were converted to N4 zones in Draft 1. The N4 primary zone proposes to allow a full four-storey height and has no maximum limit on permitted density.

Given the above, residents in some neighbourhoods subject to R4 zones have expressed concerns with the proposed N4 zoning in Draft 1, citing concerns that it would represent an inappropriate increase in development permissions in their neighbourhood. As an N4 zone would represent an increase in permitted density and/or building height in the case of R4A-L or R4UA/R4UB, staff are considering whether these subzones would be more appropriately zoned N3 in the new Zoning By-law.

However, staff are considering that where a property is zoned R4A-L or R4UA/R4UB but located within the Evolving Neighbourhood Overlay, it would still be appropriate to assign that property an N4 primary zone, given the policy directions in Section 5.6 of the Official Plan applicable to the overlay.

Given the above, two options are under consideration with respect to conversion of the R4 zones in the new Zoning By-law:

Option 1: Retain the same primary zone conversions as were used for Draft 1 of the new Zoning By-law.

Option 2: Where located in an R4A-L, UA, or UB subzone within the Inner Urban, Outer Urban, or Suburban Transects, and not located within the Evolving Neighbourhood Overlay, change the primary zone in Draft 2 from N4 to N3, and reduce the maximum density in the N3 zone to align closer to densities that are currently permitted through the R4A-L, UA, and UB subzones.

Issue 5: Neighbourhood Zones - Inconsistent distribution of density

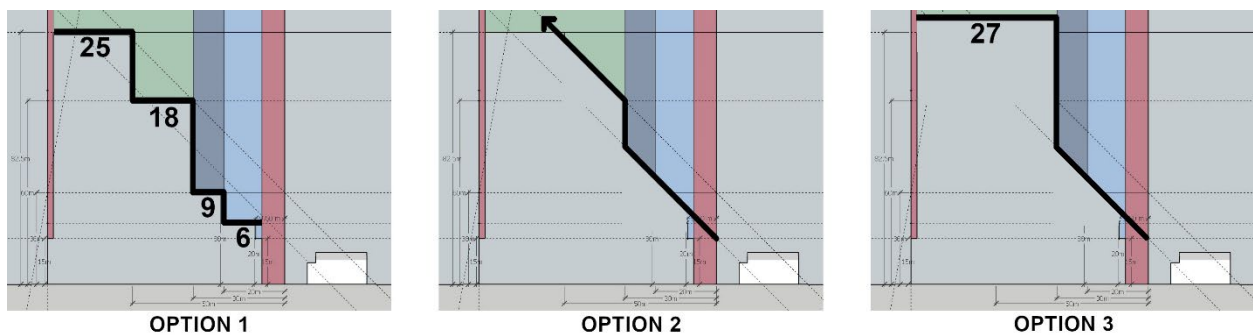
Comments have been received noting that some neighbourhoods have been assigned an N3 zone, while others have been assigned an N4 zone, despite being in the Evolving Overlay and the same distance from a Mainstreet Corridor or Hub. These discrepancies have occurred because of the rules established (described in the tables above) to convert the R-Residential zones in the current Zoning By-law 2008-250 to the N-Neighbourhood zones in the draft Zoning By-law. In effect, the existing zoning is determining the proposed zoning in the draft Zoning By-law, without enough consideration being given to the policies of the Official Plan. Staff are reviewing the outcome of the zone code conversion exercise, and considering whether modifications are needed to ensure the policies in the Plan are consistently implemented across the city.

Issue 6: Building height transition framework

Provisions for building height transition were included in the mixed-use zones in Draft 1, affecting MS – Mainstreet Corridor zones and the edges of H – Hub zones.

Staff are considering several options for achieving appropriate height transition from mid-rise and high-rise development to adjacent low-rise zones. These options will vary the distance that a mid-rise or high-rise building must be set back from a lot line shared with a low-rise residential zone, and may also propose different maximum height permissions in mixed-use zones.

Three height transition approaches are under consideration:



Simplified diagrams depicting the above-noted options for height strategies.

Option 1: Graduated height permissions as shown in Draft 1, with maximum heights of 6, 9, 18 and 25 storeys based on increasing distances from a lot line abutting low-rise residential areas. Permitted height scales with lot depth, with distinct and clearly defined height permissions at certain setbacks and a defined maximum at 82.5 metres height (approximately 25 storeys).

Option 2: Angular plane provisions to provide height permissions that scale with lot depth, permitting similar heights to Option 1 but with more massing flexibility within the envelope defined by two angular planes, and more building volume permitted in the space below the transition plane.

The first angular plane regulates transition within 30 metres of a lot line abutting low-rise residential areas, allowing a maximum height equivalent to 15 metres + the provided setback; the second angular plane is positioned higher than the first and allows maximum heights in the high-rise regime, equivalent to 30 metres + the provided setback. Maximum height thus scales continuously with lot depth; this approach allows modest high-rise on intermediate-sized lots, and can scale all the way up to the Official Plan's 40-storey maximum on the deepest sites.

A variation of Option 2 retains a “two-plane” approach, but establishes heights by transect – e.g. a more gradual transition in the Suburban transect resulting in more modest maximum heights. This would address requests for a more context-sensitive transition strategy, though staff advise that the Official Plan does not provide explicit support for a transect-based height hierarchy.

Option 3: Angular plane provisions as noted above in Option 2 for transition in the mid-rise and podium range within 30 metres of abutting low-rise residential areas. Outside the 30-metre transition area governed by this angular plane, a clearly defined maximum height intended to accommodate a majority of “typical” high-rise projects, likely in the 90-metre (approximately 27 storey) range.

This option acknowledges that sensitivity to height and massing is strongest at the abutting and close low-rise areas, and that after sufficient transition through increased distance, there is little difference in impact between (e.g) a 20-storey tower or a 25-storey tower.

Option 3 permits more height and massing than Option 1, and is less dependent on lot depth than Option 2 for the purposes of achieving the median high-rise heights seen in the Ottawa market.

A variation of Option 3 retains a transition regime accommodating mid-rise or podium within 30 metres of abutting low-rise, but with a maximum tower height of 130 metres (approximately 40 storeys) consistent with the upper limit of the Official Plan’s definition of high-rise. This option circumvents the question of assigning “appropriate” height, and instead simply assigns the maximum height permissible under the “up to 40-storey” direction in the Official Plan.

Public Consultation and As-We-Heard-It Reports

Summaries of comments received to September 11, 2024 are included in Document 1.

Since the launch of Draft 1 at the end of May, the project's engagement page has attracted nearly 42,000 visits, and over 600 detailed comments and inquiries have been received in the project inbox at newzoning@ottawa.ca.

On June 20, 2024, a city-wide virtual information session was held with over 325 residents in attendance. A series of eight virtual ward-specific meetings were held throughout the summer, with the final sessions concluding in mid-September. Five in-person workshops were held in September, October and November. As-We-Heard-It

documents for the in-person workshops will be released on the Engage Ottawa page for the new Zoning By-law in Q1 2025.

Additionally, staff continue to engage in working group discussions with the Greater Ottawa Home Builders' Association (GOBHA) and the Federation of Citizens' Associations (FCA).

Next Steps

The second draft of the new Zoning By-law will be released in March 2025. Following meetings of Committee and Council where the second draft will be received for consideration, the 28-day statutory public circulation of the draft Zoning By-law will occur during April and May 2025. Public consultations will continue through the spring and summer of 2025. The third draft of the Zoning By-law will be released in Q4 of 2025. The new Zoning By-law is scheduled to be considered by Joint Committee and Council at the end of 2025.

The third draft of the zoning by-law will be the final version. The Q4 2025 Joint Meeting of Planning and Housing Committee and Agriculture and Rural Affairs Committee will serve as the formal public meeting for the draft Zoning By-law. Following approval of the draft By-law by Council, notice of passage of the new Zoning By-law will be given and the 20-day appeal period will begin. During the time the new Zoning By-law is under appeal, the most restrictive provisions of Zoning By-law 2008-250 and the new Zoning By-law will apply.

Original signed by

Derrick Moodie
Director, Planning Services

CC: Wendy Stephanson, City Manager

Vivi Chi, Interim General Manager, Planning, Development and Building Services
Department

Members of Agriculture and Rural Affairs Committee

SUPPORTING DOCUMENTATION

1. Document 1 – As-We-Heard-It Report –Public Information Sessions to September 11, 2024