

**Subject: Zoning Implementation Report**

**File Number: ACS2022-EDP-PIE-0026**

**Report to Planning Committee on 23 June 2022**

**and Agriculture and Rural Affairs Committee on 30 June 2022**

**and Council 6 July 2022**

**Submitted on June 10, 2022 by Don Herweyer, Director, Economic Development  
and Long Range Planning**

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**Ward: Citywide**

**Objet : Rapport sur la mise en œuvre du zonage**

**Dossier : ACS2022-PIE-EDP-0026**

**Rapport au Comité de l'urbanisme le 23 juin 2022**

**et Comité de l'agriculture et des affaires rurales le 30 juin 2022**

**et au Conseil le 6 juillet 2022**

**Soumis le 10 juin 2022 par Don Herweyer, Directeur, Développement économique  
et planification à long-terme**

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## Quartier : À l'échelle de la ville

### REPORT RECOMMENDATIONS

That Planning Committee and Agriculture and Rural Affairs Committee recommend Council:

1. Endorse the objectives and strategies included in this report; and
2. Approve the revised dates in the Project Work Plan attached as Document 5.

### RECOMMANDATIONS DU RAPPORT

Que le Comité de l'urbanisme et le Comité de l'agriculture et des affaires rurales recommandent au Conseil :

1. de donner son aval aux objectifs et stratégies énoncés dans le présent rapport;
2. d'approuver les dates révisées indiquées dans le plan de travail du projet ci-joint (document 5).

### EXECUTIVE SUMMARY

City Council adopted a new Official Plan on October 27, 2021. The new Official Plan gives clear direction concerning policies that must be implemented in the Zoning By-law. Key policy directions in the Plan and the necessary zoning provisions for implementation of these policies in a new Zoning By-law are presented in this report.

This project represents an opportunity to reset the framework for development in the city and introduce progressive zoning provisions to ensure the city has an **efficient, effective** and **equitable** Zoning By-law.

The new Official Plan introduces an entirely new framework of policies and priorities for regulating land use and a new growth management strategy to guide the growth of the city to 2046. That strategy includes ambitious targets and requirements for intensification in existing Neighbourhoods, Hubs, Protected Major Transit Station Areas and Mainstreets. In this regard, the new Zoning By-law must achieve: the **quantity** of units targeted in the Plan, high **quality** design using form-based zone provisions and a zoning framework that **supports** the development of 15-minute neighbourhoods and the goals of the various master plan documents that support the Official Plan.

A Best Practices Review of Zoning in Canada and other jurisdictions was conducted during 2021 to inform the development of the new Zoning By-law. The review is appended as Document 1. An overview of the findings of the review and implications for the new Zoning By-law are included in the report. Document 2 includes illustrations showing the proposed strategy for achieving the density targets for Neighbourhoods and Minor Corridors in the growth management strategy. The Growth Management Strategy Implementation Modelling memorandum, a supporting document to the final report for the new Official Plan, is discussed in the report and included as Document 3. In addition, the report provides information and illustrations concerning the enhanced interactive geographic information system capabilities that are planned to support the new Zoning Map. A brief overview of the topics that will be considered in discussion papers to be published in June 2022 is also provided in the report.

Information concerning the public engagement strategy is included in Document 4. Public consultations on the project begin with the release of this report and the discussion papers that follow 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](#). Approval of the Official Plan by the Minister of Municipal Affairs and Housing is expected to occur in the coming months.

### **Issues relating to approval of Bill 109, *More Homes for Everyone Act, 2022***

Bill 109 received Royal Assent and came into full force and effect on April 14, 2022. Bill 109, which represents the province's response to the Report of the Ontario Housing Affordability Task Force released on February 8, 2022 made multiple amendments to the *Planning Act*, including: mandating delegation of site plan approval, imposing financial pressure on municipalities to meet statutory timelines for planning applications, and introducing a new planning tool whereby a municipal Council may, by way of resolution, request a zoning order from the Province that need not comply with local or provincial planning policy. In addition, approval of Bill 109 resulted in approval of the new Official Plan being deferred to an unknown date. While the approval of the new Plan has been delayed, work will continue on the new Zoning By-law to ensure it is

completed within three years of the new Official Plan coming into effect. Further, the impetus for the policies in the new Official Plan concerning the housing affordability and climate change crises continue to be urgent challenges that must be addressed, where possible, through land use regulations in the new Zoning By-law. Staff will continue with development of draft provisions to address these challenges.

### **Staff Recommendation**

Planning staff recommend Council endorse the strategies and objectives presented in this report and approve the revised dates in the Project Work Plan attached as Document 5. Dates in the Project Work Plan have been revised in response to the anticipated delays in the timelines for approval of the new Official Plan by the Ministry of Municipal Affairs and Housing. The first draft of the new Zoning By-law is proposed to be released in Q3 2023, the second draft in Q3 2024 and the final draft would be brought to Council for approval in Q2 2025. The proposed revisions to the work plan would add approximately six months to the project timelines. Further details concerning project timelines are available in Document 5 – Project Work Plan.

If modifications are made to the new Official Plan by the Ministry prior to approving the Plan, staff will evaluate those changes to determine if modifications are required to the proposed directions and project timelines as laid out in this report. Staff will report back to Council to provide an update on any required changes.

### **Public Engagement**

Public engagement will be conducted at and above the requirements of the City of Ottawa's Council directed policies. As a major project, the new Zoning By-law will require extensive engagement with the community. The lessons-learned from the public engagement process for the new Official Plan will inform the engagement process for this project. Further details can be found in Document 4 – Public Engagement Strategy.

### **RÉSUMÉ**

Le Conseil municipal a adopté un nouveau Plan officiel le 27 octobre 2021. Ce plan donne des directives claires sur les politiques devant être mises en œuvre dans le Règlement de zonage. Les principales orientations stratégiques du Plan et les dispositions de zonage nécessaires à la mise en œuvre de ces politiques dans un nouveau Règlement de zonage sont présentées dans le présent rapport.

Ce projet est l'occasion de recadrer l'aménagement à Ottawa et d'introduire des dispositions de zonage progressives pour s'assurer que la Ville a un Règlement de zonage **efficace, équitable et efficient**.

Le nouveau Plan officiel introduit un tout nouveau cadre de politiques et de priorités pour la réglementation de l'utilisation du sol et une nouvelle stratégie de gestion de la croissance en vue d'orienter le développement à Ottawa jusqu'en 2046. Cette stratégie comprend des cibles et exigences ambitieuses de densification dans les quartiers, carrefours, zones protégées des grandes stations de transport en commun et rues principales actuels. À cet égard, le nouveau *Règlement de zonage* doit atteindre les objectifs suivants : la **quantité** de logements ciblée dans le Plan, une conception de haute **qualité** consistant à faire appel à des dispositions de zonage établies d'après la forme et un cadre de zonage qui **appuie** l'aménagement de quartiers du quart d'heure et les objectifs des divers documents du plan directeur qui sous-tendent le Plan officiel.

En 2021, nous avons examiné les règles de l'art du zonage (Best Practices Review of Zoning) au Canada et ailleurs afin d'éclairer l'élaboration du nouveau Règlement de zonage. Cet examen forme le document 1 ci-joint. Le rapport donne une vue d'ensemble des conclusions de l'examen et de ses répercussions sur la révision du Règlement de zonage. Le document 2 comprend des illustrations montrant la stratégie proposée afin d'atteindre les cibles de densité pour les quartiers et les couloirs mineurs prévues dans la stratégie de gestion de la croissance. La note de service sur la modélisation de la mise en œuvre de la stratégie de gestion de la croissance, qui est un document à l'appui du rapport final sur la révision du Plan officiel, est étudiée dans le rapport et forme le document 3. De plus, le rapport contient des renseignements et des illustrations en lien avec les capacités améliorées du Système interactif d'information géographique qui viendraient appuyer la nouvelle carte de zonage. Le rapport comprend également un bref aperçu des sujets abordés dans les documents de travail qui seront publiés en juin 2022.

Le document 4 contient de l'information sur la stratégie d'engagement du public. Les consultations publiques sur le projet commencent par la publication du présent rapport et des documents de travail qui suivront.

### **Directives du Conseil**

Le [11 décembre 2019](#), le Conseil a enjoint au personnel du zonage d'entamer les travaux préliminaires de mise en œuvre des politiques du nouveau Plan officiel dans le Règlement de zonage. Un plan de travail relatif au nouveau Règlement de zonage a été

présenté au Conseil pour approbation le [27 janvier 2021](#). Un plan de travail et un budget actualisés ont été approuvés par le Conseil le [10 novembre 2021](#). Le nouveau Plan officiel a été adopté le [27 octobre 2021](#). Son approbation par le ministre des Affaires municipales et du Logement devrait avoir lieu au cours des prochains mois.

### **Questions relatives à l'adoption du projet de loi 109, *Loi de 2022 pour plus de logements pour tous***

Le projet de loi 109 a reçu la sanction royale et est entré en vigueur le 14 avril 2022. Cette réponse de la province au Rapport du Groupe d'étude ontarien sur le logement abordable publié le 8 février 2022 a apporté de multiples modifications à la *Loi sur l'aménagement du territoire* : délégation obligatoire des pouvoirs d'approbation de la réglementation des plans d'implantation, imposition de pressions financières aux municipalités afin qu'elles respectent les échéanciers prévus par la loi pour les demandes d'aménagement, et introduction d'un nouvel outil de planification par lequel un conseil municipal peut, par voie de résolution, demander à la province un arrêté de zonage qui n'a pas à respecter la politique d'aménagement locale ou provinciale. L'adoption du projet de loi 109 a aussi entraîné le report, à une date inconnue, de l'approbation du nouveau Plan officiel. Malgré ce report, les travaux se poursuivront pour que la révision du Règlement de zonage soit terminée dans les trois ans suivant la prise d'effet du nouveau Plan officiel. De plus, les crises liées à l'aspect abordable des logements et aux changements climatiques, qui motivent les politiques du nouveau Plan officiel, continuent d'être des défis urgents à relever, dans la mesure du possible, au moyen de règlements sur l'utilisation du sol dans le nouveau *Règlement de zonage*. Le personnel continuera de rédiger des dispositions provisoires pour relever ces défis.

### **Recommandation du personnel**

Le personnel de la planification recommande au Conseil de donner son aval aux stratégies et objectifs énoncés dans le présent rapport et d'approuver les dates révisées indiquées dans le plan de travail du projet ci-joint (document 5). Ces dates ont été révisées en raison des retards prévus dans l'approbation du nouveau Plan officiel par le ministère des Affaires municipales et du Logement. La première ébauche du nouveau Règlement de zonage devrait être publiée au troisième trimestre de 2023, la deuxième au troisième trimestre de 2024 et la version finale serait soumise à l'approbation du Conseil au deuxième trimestre de 2025. Les révisions proposées au plan de travail ajouteraient environ six mois au calendrier du projet. Le document 5 (le plan de travail du projet) contient plus de renseignements sur les échéanciers.

Si des modifications sont apportées par le Ministère au nouveau Plan officiel avant son approbation, le personnel les analysera pour déterminer si des changements sont requis aux orientations proposées et aux échéanciers du projet tels qu'ils sont établis dans le présent rapport et présentera un rapport au Conseil pour faire le point sur ces changements, le cas échéant.

### **Consultation du public**

La mobilisation du public dépassera les attentes du Conseil municipal d'Ottawa. Comme il s'agit d'un projet majeur, la révision du Règlement de zonage exigera une contribution importante de la population. Les leçons tirées du processus d'engagement du public pour le nouveau Plan officiel éclaireront le processus pour ce projet. On trouve plus de détails dans le document 4 (la stratégie d'engagement du public).

## **BACKGROUND**

### **Why Write a New Zoning By-law?**

#### **Zoning By-law 2008-250 and Predecessor By-laws**

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. At the time it was created, Council directed that it generally be a harmonization of the 36 former Zoning By-laws, bringing forward the provisions from the eleven former municipalities into one Zoning By-law. Council directed that the residential zone provisions were to be harmonized and brought forward with as few changes as possible. Given there was a new Official Plan for the amalgamated city, there was a need to create new zones to implement new Official Plan designations. For example, the AM-Arterial Mainstreet and TM-Traditional Mainstreet Zones were created to implement the new Mainstreet designations. Despite being new zones, many provisions from the commercial zones from the former by-laws were brought forward in the new AM and TM zones, unchanged.

Likewise, the Zoning By-laws from the former municipalities were 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 have remained the same. A reconsideration of

the legacy provisions has not been undertaken in over 50 years and is long overdue to reflect current best practices in zoning. Finally, the city is faced by climate change and housing affordability crises. New approaches to zoning are needed to improve efficiency, effectiveness and equity, and to respond to these crises.

### **Best Practices Review of Zoning**

A Best Practices Review of Zoning in Canada and other jurisdictions was conducted during 2021 to inform the development of the new Zoning By-law. The review is appended as Document 1. The report examines a wide range of topics related to zoning regulations from 15 Canadian jurisdictions and seven American jurisdictions. Many of these jurisdictions have recently completed a Zoning By-law review which aided in providing perspectives on current best practices in zoning. The research in the report is supported by interviews with staff from six Canadian municipalities. Key findings of the Review include:

- The City of Ottawa Zoning By-law has significantly more zones than other Zoning By-laws examined as part of the review. For example, the Ottawa Zoning By-law has 153 residential zones and subzones, while the Zoning By-laws of cities of comparable size have between seven and 56 residential zones and subzones. The report recommends reducing the number of residential zones to reduce complexity, simplify the building permit and development approvals processes, create opportunities for a variety of developments and built forms, and improve ease of interpretation for all users. The report notes that reducing the number of zones and providing flexibility are recurring themes in many municipalities undertaking a Zoning By-law review.
- New provisions added to the By-law to regulate infill in mature neighbourhoods has resulted in a complex framework of residential zoning provisions that are difficult to interpret.
- The City should apply an Equity and Inclusion Lens as part of the review to consider the equity and inclusion impacts of restrictive zoning for uses such as single-detached dwellings.
- Creating diverse and amenity-rich communities should be a goal of all municipalities. However, many municipal Zoning By-laws impede such efforts, rather than aid. The report recommends permitting a wider range of non-residential uses in existing residential zones to support 15-minute

neighbourhoods and permitting a wider variety of housing densities near and around corridor areas.

- Zoning By-law reviews are detail-oriented projects that take considerable time and effort. The level of analysis needed to make informed, supportable recommendations requires a commitment to ensuring that the simplification of the Zoning By-law remains a priority. As suggested by many of the staff interviewed from other jurisdictions, the report recommends the new Zoning By-law project is adequately staffed and clear directions are given to the team. The investment will provide a tremendous rate of return, as a successful Zoning By-law review will support other planning documents and objectives, lead to orderly change and the efficient provision of services. It was noted that the City is establishing a framework for success by outlining issues and potential solutions prior to embarking on such a detailed and comprehensive process.

### **Key Challenges**

The policies in the new Official Plan present a significant evolution beyond the intent of many of the policies in the current Official Plan, including a new framework of transect policy areas and designations, a focus on providing opportunities for 15-minute neighbourhoods and “Missing Middle” housing and new priorities concerning climate change, resiliency, equity and public health. To implement these policies and priorities and meet the targets and requirements of the growth management strategy, a new, city-wide framework of provisions for residential and non-residential zones is needed. In terms of implementing the new Official Plan, key challenges for the new Zoning By-law include:

- Providing a zoning framework to implement the density targets, density requirements and minimum building height requirements for Neighbourhoods, Hubs, Mainstreets and Protected Major Transit Station Areas as detailed in the growth management strategy;
- Providing for intensification in Neighbourhoods through ground-oriented units, in R1 and R2 zones where mid-to late-20th century detached housing currently prevails;
- Providing permissions for "Missing Middle" low-rise infill apartments of generally up to 12 units in areas affected by the Evolving Overlay;

- Meeting the requirements and targets for large, family-sized units as directed by the growth management strategy to meet the projected need for alternatives to ground-oriented greenfield development in new suburbs;
- Providing form-based zone provisions to guide change as directed by the Official Plan;
- Guiding the evolution from suburban to urban form as areas begin to redevelop;
- Implementing policies for 15-minute neighbourhoods, public health, resiliency and climate change mitigation and adaptation;
- Recognizing and addressing equity issues in relation to zoning;
- Implementing zoning provisions to support the urban forest tree canopy;
- Providing new economic development opportunities in commercial and industrial zones by modifying restrictive provisions for permitted uses where there are no policy-based reasons for restricting the range of uses and by implementing new policies for urban and rural employment areas.

## **DISCUSSION**

### **KEY OBJECTIVES: An Efficient, Effective, Equitable Zoning By-law**

Three objectives will guide the development of the new Zoning By-law. Strategies for delivering an efficient, effective, equitable Zoning By-law are presented below.

**The New Zoning By-law will be Efficient.** It will be concise, clearly written, and easy to understand by those seeking to undertake development of their property, and those seeking to understand what is permitted in their community. The current Zoning By-law has been modified repeatedly over the years to accommodate new approaches to regulating infill in existing neighbourhoods and to keep pace with evolving Official Plan and provincial policies. The by-law has become increasingly complex and difficult to interpret as new provisions have been added. Difficulties interpreting the by-law have reduced its efficiency as a regulatory document. A key objective will be simplifying the structure of the by-law, so the reader does not have to refer to multiple sections to confirm basic zoning requirements, such as building setbacks.

**The New Zoning By-law will be Effective.** It will guide and regulate development consistent with Official Plan directions and intent, and provide a foundational basis for other municipal regulations, guidelines, by-laws and policies. The new Zoning By-law

must implement the growth management strategy. Legacy zoning provisions will be reviewed and modified to reflect directions in the Provincial Policy Statement and the policies in the new Official Plan as well as current best practices in zoning.

The **New Zoning By-law will be Equitable**. It will provide for fairness and diversity in housing choice across neighbourhoods and create a permissive regulatory environment for new businesses and new ideas to flourish. Land use impacts and the zoning provisions to address such impacts will be evaluated through an equity lens. In the past, planning decisions that affected marginalized, less affluent residents have overlooked or not recognized their essential needs. In the context of the disproportionate impacts to marginalized residents resulting from the climate change and housing affordability crises, care will be taken to avoid restrictive or exclusionary zoning and “people-zoning” that does not permit housing suited to various groups and situations.

### **Delivering an Efficient Zoning By-law**

Several strategies are proposed to support the development of an efficient Zoning By-law, including:

- **Consolidation of provisions;**
- **A new structure based on Official Plan policies;**
- **Enhanced mapping capabilities; and**
- **A new approach to regulating land uses that focuses on impacts.**

### **Consolidation of Subzones, Schedules and Overlays**

As part of the project, staff will take the opportunity to consolidate and streamline layers of zoning provisions, overlays, subzones, exceptions and schedules, to improve ease of interpretation of the new By-law. For example, the lists of permitted uses in many commercial subzones originate in provisions from pre-amalgamation Zoning By-laws. Where there is no longer a policy-based reason to limit the range of uses or to have many subzones that vary arbitrarily from one another, these subzones will be consolidated into fewer subzones with a wider range of uses permitted, in keeping with Official Plan and secondary plan policies. Where possible, provisions currently implemented through an overlay will be consolidated into the provisions of the underlying zone to simplify interpretation of the new Zoning By-law. Exceptions will be reviewed for conformity with the new Official Plan, and where appropriate, restrictive or redundant provisions will be removed.

## Provisional structure of the new Zoning Bylaw (Table of Contents)

The following structure of provisions and zones are proposed for the new Zoning By-law. Zoning sections will generally be numbered in increments of 5 (for example 100, 105, 110) to allow the addition of new provisions when needed.

*Table 1 – New Zoning By-law - Table of Contents*

| <b>New Zoning By-law – Table of Contents</b> |  |
|--|--|
| <b>Part</b>                                  | <b>Title</b>   |
| Part 1, Sections 100-198                     | Administration, Interpretation and Definitions   |
| Part 2, Sections 200-299                     | General Provisions   |
| Part 3, Sections 300-399                     | Overlay Provisions (e.g., Mature Neighbourhoods)   |
| Part 4, Sections 400-499                     | Specific Use Provisions: Non-Residential Uses  |
| Part 5, Sections 500-599                     | Specific Use Provisions: Residential Uses  |
| Part 6, Sections 600-699                     | Parking, Queuing and Loading Provisions  |
| Part 7, Sections 700-799                     | Neighbourhood Zones (former R1-R5 Residential zones)   |
| Part 8, Sections 800-899                     | Hub Zones (former MD-Mixed-Use Downtown, MC-Mixed-Use Centre, and Transit Oriented Development zones)        |
| Part 9, Sections 900-999                     | Corridor Zones (former TM-Traditional Mainstreet and AM-Arterial Mainstreet zones, plus Minor Corridor zone) |
| Part 10, Sections 1000-1099                  | Commercial Zones (former GM-General Mixed Use and LC-Local Commercial zones)                                 |
| Part 11, Sections 1100-1199                  | Park, Open Space, Leisure and Institutional Zones  |
| Part 12, Sections 1200-1299                  | Special District Zones (e.g., Parliamentary Precinct)  |

| <b>New Zoning By-law – Table of Contents</b> |   |
|--|---|
| <b>Part</b>                                  | <b>Title</b>                            |
| Part 13, Sections 1300-1399                  | Industrial and Transportation Zones     |
| Part 14, Sections 1400-1499                  | Environmental Zones                     |
| Part 15, Sections 1500-1599                  | Rural Zones and Provisions              |
| Part 16, Sections 1600 - 1699                | Other Zones (e.g., Development Reserve) |
| Part 17, Sections 1700-1799                  | Exceptions                              |
| Part 18, Sections 1800-1899                  | Schedules                               |

### **Enhanced Mapping and Visualizations**

The City of Ottawa Geospatial Analytics, Technology and Solutions group is developing a transformational Digital Twin, a 3D model of Ottawa, as a new tool to support the development of the new Zoning By-law and the policies of the new Official Plan. In addition to the Digital Twin, a two-dimensional Zoning Map including all of the current information on GeoOttawa will continue to be available as part of the new Zoning By-law.



*Figure 1 – Visualizations of new Development*

Creating the 3D Digital Twin will provide access to a smart city, web-based application that will be used to collaborate, monitor infrastructure, manage resources, generate scenarios for city-building initiatives, aid in visualizing proposed developments and improve operations across the city. The benefits of the Digital Twin include:

- Facilitating access to many layers of information for planners, the general public and other stakeholders;
- Displaying and evaluating land use policy and development scenarios;
- Providing interactive, user-driven integration and streaming of data in real-time;
- Providing photo-realistic, 3D visualizations of new development;
- Allowing instant access by internal and external stakeholders to how zoning provisions affect density on individual lots and in neighbourhoods;
- Providing the ability to do CO2 emissions analyses.

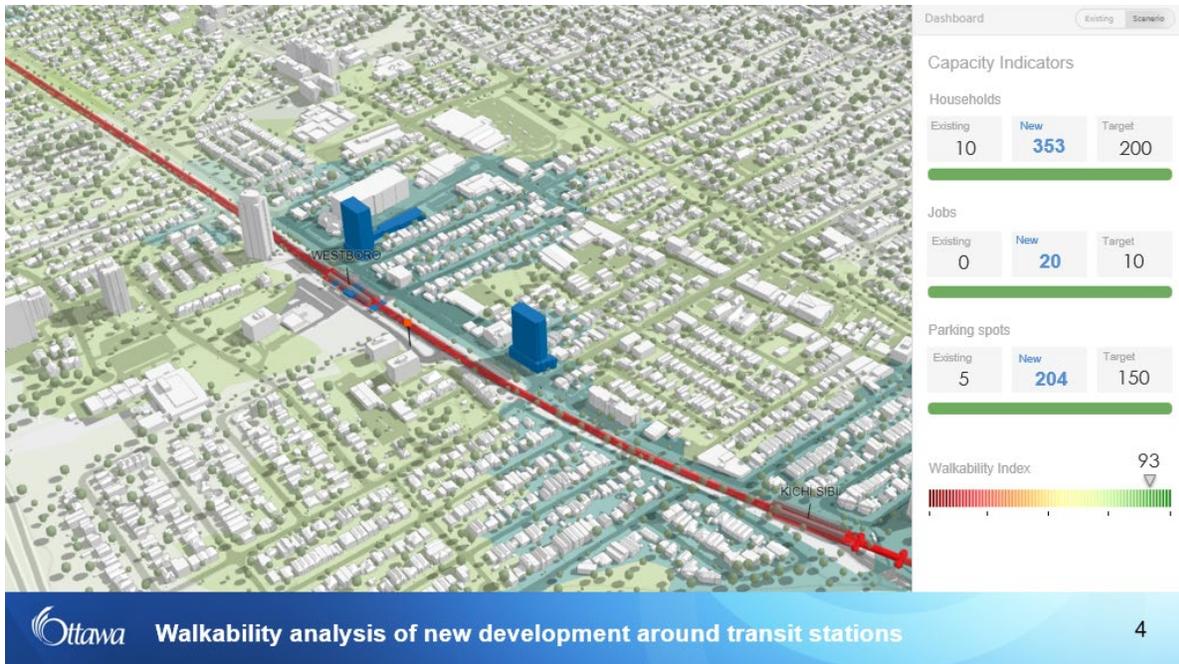


Figure 2 – Walkability Analysis



Figure 3 – 3-D Visualization

## **New approaches to Regulating Land Use**

The Zoning By-law regulates land use by providing definitions for each type of land use and listing which land uses are permitted in each zone. The basic assumption is that higher impact land uses should be separated from land uses that have fewer impacts. The defined land uses in the current Zoning By-law are typical of definitions used in Zoning By-laws across Canada. The strategy for regulating land use in the new Zoning By-law will be to move away from a focus on prescriptive, exclusionary regulation, and instead move towards a form- and function-based approach that provides a more permissive environment for innovation, economic development, and clustering of compatible uses.

The current framework of prescriptive definitions provides certainty about whether a use is permitted, however it is inflexible. The definitions and provisions do not differentiate between impacts when a use is operated at a small-scale versus a large scale. This approach removes opportunities for small-scale, compatible businesses and services to locate in communities and alongside other enterprises where no meaningful land use impact or incompatibility exists. The new Zoning By-law will use a different strategy for regulating land use permissions based on land use impacts. This approach is intended to provide more opportunities to permit smaller, compatible land uses to locate in synergy with one another, and to avoid the need for an amendment to the Zoning By-law to permit a compatible use. Impacts such as noise, odours, loading and parking requirements will be carefully considered, and size thresholds will be developed to regulate when a use has become too large to be considered compatible in certain zones. This new approach will support economic development policies and policies for 15-minute neighbourhoods in the new Official Plan.

While opportunities to consolidate land use terms based on similar impacts will be considered, the need to control certain impactful uses using detailed land use definitions and associated provisions will continue. These uses require a separate land use term so they can be permitted in certain zones only, and specific provisions to mitigate their impacts. Examples of such uses include cannabis production facilities, payday loan establishments and waste processing and transfer facilities.

Further strategies that will be considered with regard to how land uses are regulated in the new Zoning By-law include:

- Consolidating similar land use terms, such as theatre and cinema, and terms with no discernable difference in land use impact such as personal services and small-scale retail;
- Developing a continuum of land uses by scale and intensity in the current Zoning By-law and building on that framework to develop an approach to permitting non-residential uses in accordance with the policies in new Official Plan. This includes the continuum of provisions for non-residential uses in a residential context, as the intensity of use increases from home-based businesses and residential neighbourhood commercial (lower case -c suffix) through to Local Commercial;
- For institutional, industrial, and economic generators, identifying a gradation of impact across land uses from micro-scale, mid-intensity and heavy intensity and providing reasonable, as-of-right opportunities for each scale to occur within the appropriate context;
- Reorganizing similar subzones and expanding lists of permitted uses in zones and subzones, with provisions appropriate to the context to control impacts to ensure compatibility; and
- Providing new land use terms and provisions to address emerging land uses such as micro-distribution centres for local delivery of online purchases.

### **Delivering an Effective Zoning By-law**

Strategies for effectively implementing policies concerning the following topics are presented in this section of the report, including:

- **Implementing the growth management strategy in terms of Quantity, Quality and Support;**
- **Neighbourhood Zoning and Neighbourhood Character;**
- **Infill and Trees;**
- **Density Requirements in Hubs, Corridors and Protected Major Transit Station Areas;**
- **Rural Zoning;**
- **Climate Change, Resiliency and Public Health;**

- **Economic Development;**
- **Heritage Resources; and**
- **Stormwater management.**

### **Quantity, Quality and Support Strategy**

There are three themes that run through the policies of the new Official Plan, and that are touched on in this report and summarized in Figure 4, that fit within the “Triple-E” objectives of the new Zoning By-law project – **quantity, quality** and **support**. In addition to delivering the **quantity** of new units and allocation of lands specified in the growth management strategy, the new Zoning By-law must implement policies concerning the **quality** of new development in terms of its form and function as change occurs in Neighbourhoods, Hubs, Mainstreets and other designations in the new Plan. The Zoning By-law must also provide the structural foundations that will **support** the objectives of the Master Plans that work in parallel with the Official Plan and provide the permissions for land uses that will support the evolution of communities into complete, 15-minute neighbourhoods.

Ultimately, the goal of the new Official Plan is not just to achieve the densities specified in the growth management strategy but to guide change across the city, including within Neighbourhoods, so they are great places for people to live, where there is resiliency to the impacts of climate change and where public health is supported by the built form and the public realm.

Figure 4 – Accommodating Intensification in terms of Quantity, Quality, Support

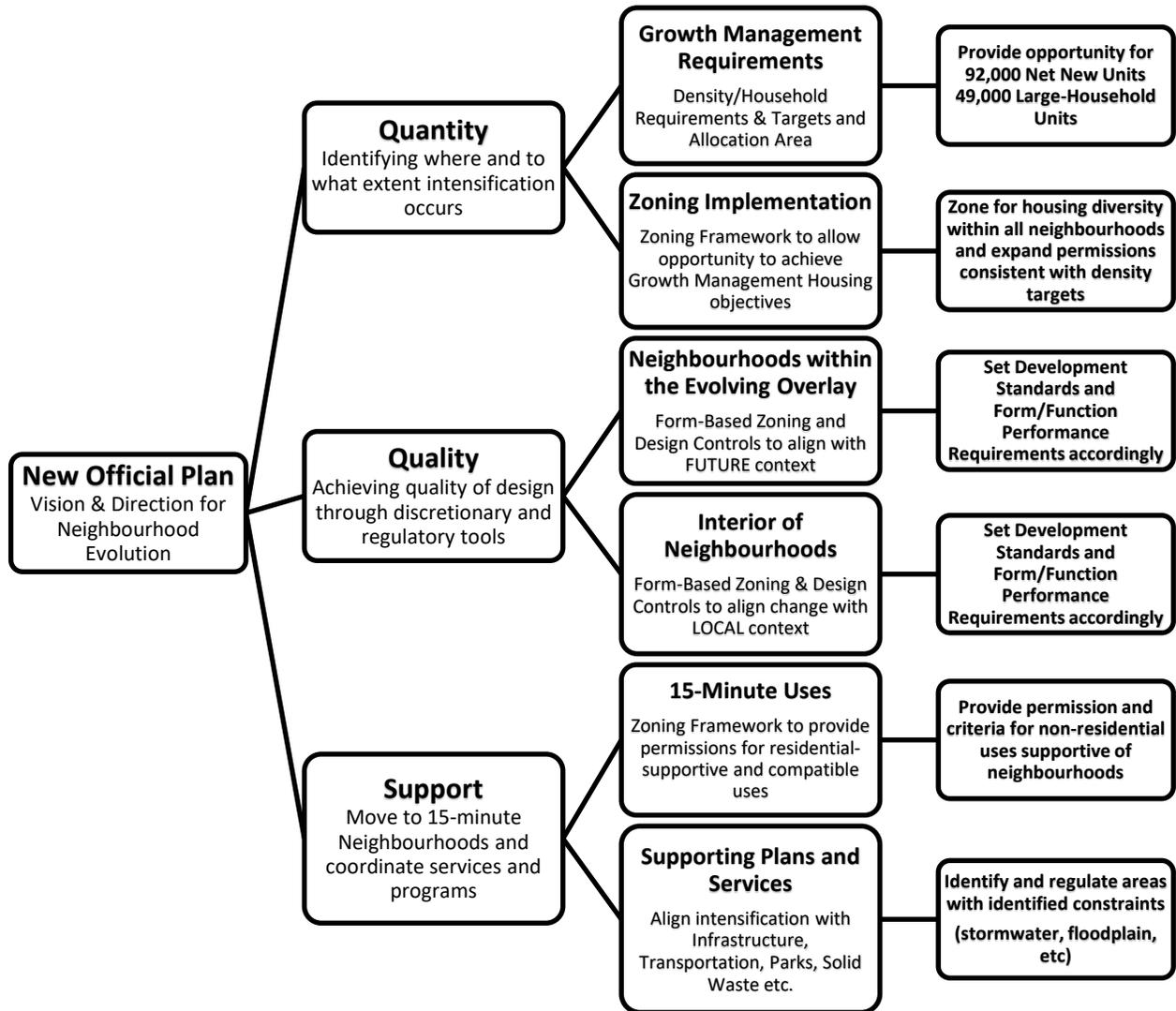


Figure 5 indicates how intensification addresses a number of different and complex goals of the New Official Plan and other council-approved directions – including addressing both the housing and climate emergencies. The impact on housing is covered later in this report, but in terms of addressing the enormous and pressing issue of Climate Change, implementing the policies for intensification and 15-minute neighbourhoods is needed to support the City’s response to the climate emergency and set Ottawa on a course to achieve its 100 per cent GHG reduction target in the Climate Change Master Plan approved by Council in 2020.

The intensification policies in the Official Plan provide the means to manage growth responsibly, plan for resilient neighbourhoods, address the climate and housing

emergencies, achieve a financially sustainable city and promote equity and fairness. The 2019 GHG emissions inventory reported that roughly 90 per cent of emissions in Ottawa came from the buildings and transportation sectors. Complete and compact, 15-minute neighbourhoods offer the greatest potential for energy conservation and efficiency. These neighbourhoods include a range of residential densities and housing choices, attractive transportation options, including good and frequent transit service, well-connected streets, good public realm and open spaces and convenient access to services and the workplace. Energy use decreases in compact communities because less energy is required per occupant to heat and cool smaller dwellings with shared walls. Trip distances and travel times are reduced with viable alternatives to the automobile, thus reducing emissions from vehicles. Specific strategies for how the challenge of climate change might be covered are provided later in this report.

*Figure 5 - The Need for Intensification: Density is not the Goal – it's the means to achieve the goals of the Official Plan.*

|   |  |
|---|--|
| <b>1. MANAGE GROWTH RESPONSIBLY</b>         | •Reduce need to expand the urban boundary and provide homes for a growing population                                       |
| <b>2. PLAN FOR RESILIENT NEIGHBOURHOODS</b> | •Meet the changing demographics, service needs and characteristics of our neighbourhoods and residents                     |
| <b>3. TACKLE THE CLIMATE EMERGENCY</b>      | •Reduce our carbon emissions through more efficient land use and building patterns   |
| <b>4. TACKLE THE HOUSING EMERGENCY</b>      | •Dramatically Increase the pipeline of “income-accessible” housing supply throughout the city                              |
| <b>5. MANAGE THE ECONOMICS</b>              | •Shift new housing opportunity to where we have and are planning infrastructure and transit                                |
| <b>6. PROMOTE EQUITY &amp; FAIRNESS</b>     | •Allow residents to choose where they want to live and spread intensification more fairly—not just in inner neighbourhoods |

With respect to managing growth responsibly, addressing the housing emergency and building resilience in our neighbourhoods, the Zoning By-law must provide for both a significant increase in opportunity for supply of new housing – and for a diversity of housing (and supportive services) across the spectrum within neighbourhoods. The new Zoning By-law must implement the targets and requirements for density and large

household units to achieve the **quantity** of units specified in the growth management strategy. The density targets for Neighbourhoods and Minor Corridors vary from 40 to 60 dwellings per net hectare in the Suburban and Outer Urban Transects, to 80 to 120 dwellings per net hectare in the Downtown Transect. The density targets are intended to achieve 92,000 units through intensification, with 49,000 of those units to be large units which are typically three bedrooms or more. Achieving this number of units will require an increase in the proportion of new units developed through intensification. These new units will need to work well in terms of their **quality** (form and function), and the necessary **supports** will be needed for neighbourhoods to gradually evolve towards 15-minute neighbourhoods as envisioned by the new Official Plan. For a diagram that illustrates residential densities in units per hectare and a table that summarizes the density targets and requirements, please see below.

Figure 6 – Residential Density in units per hectare for one, two and four units per lot

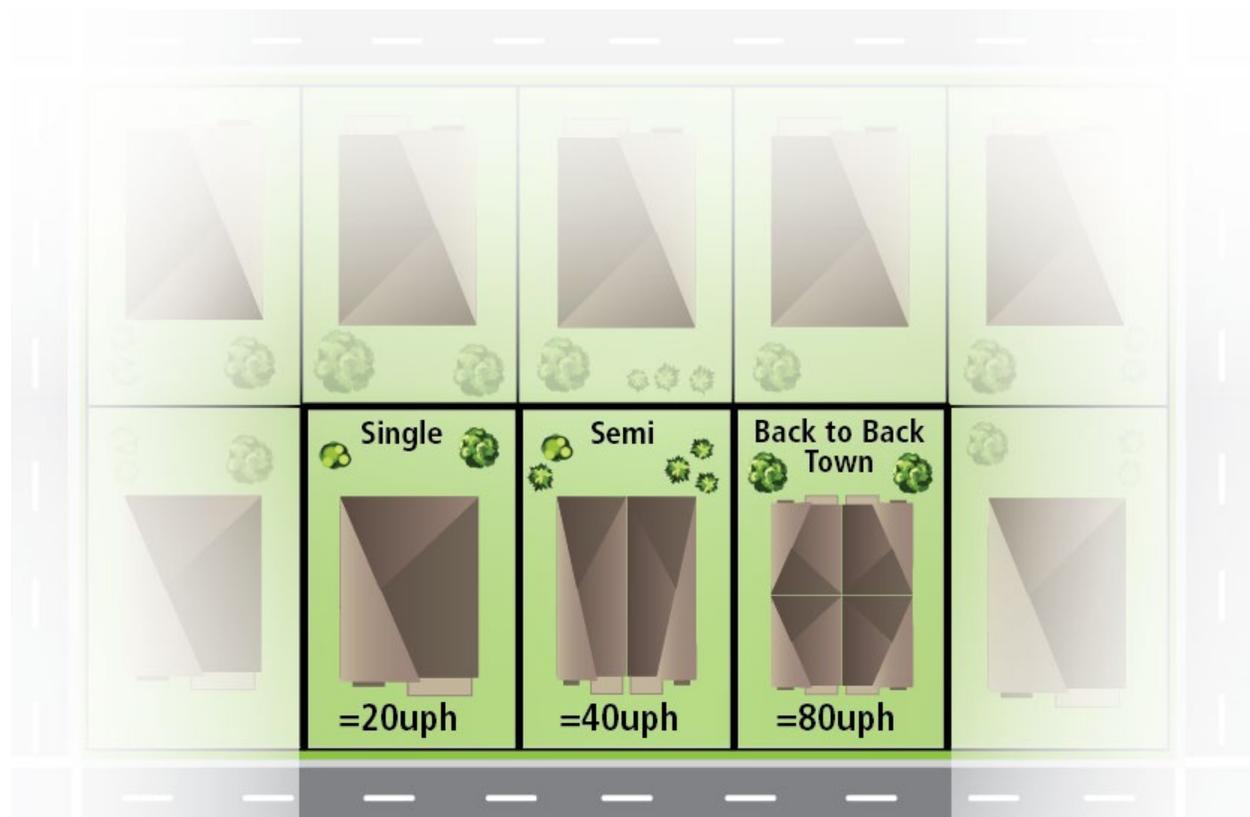


Table 2 - Residential Density and Large Unit Targets in Neighbourhoods and Minor Corridors

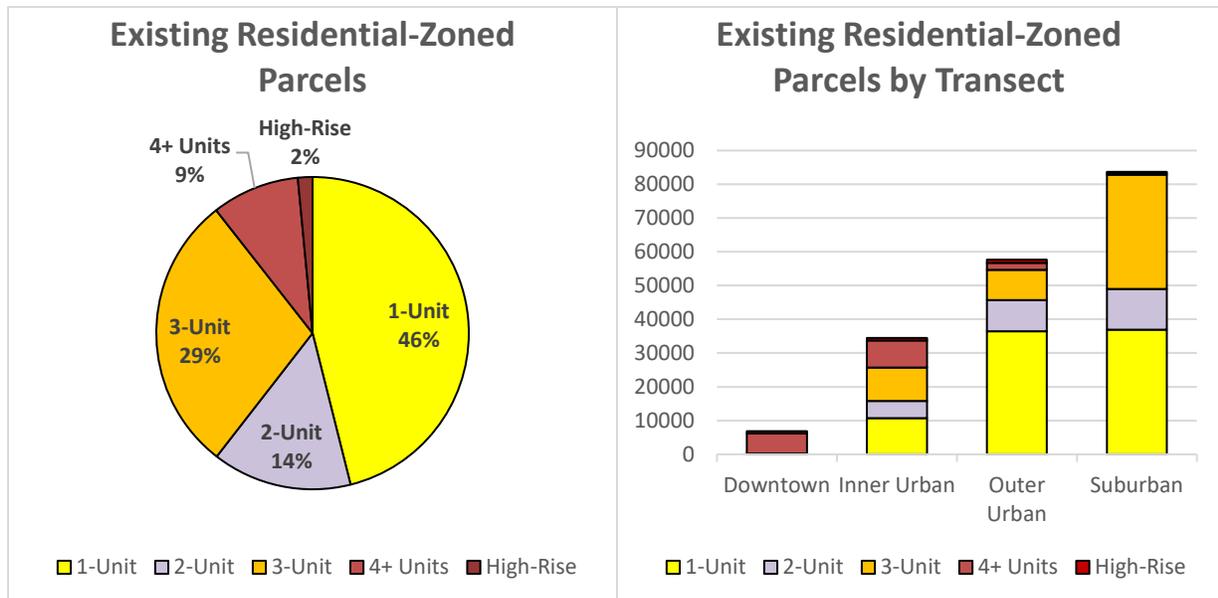
| <b>Neighbourhood and Minor Corridor Residential Density and Large Dwelling Unit Targets for Intensification</b> |   |  |
|---|---|--|
| <b>Transect Area</b>  | <b>Target Dwellings per net hectare</b> | <b>Large Household Dwelling Targets</b>  |
| Downtown Transect   | 80 to 120                               | In the Neighbourhood designation: existing lots with a frontage 15 metres or wider:<br>-target of 25 per cent for low-rise buildings;<br>-target of 5 per cent for mid-rise or taller buildings;<br>All other cases: none. |
| Inner Urban Transect  | 60 to 80                                | In the Neighbourhood designation: existing lots with a frontage 15 metres or wider:<br>-target of 50 per cent for low-rise buildings;<br>-target of 5 per cent for mid-rise or taller buildings;<br>All other cases: none. |
| Outer Urban Transect  | 40 to 60                                | In the Neighbourhood designation: existing lots with a frontage 15 metres or wider:<br>-target of 50 per cent for low-rise buildings;<br>-target of 5 per cent for mid-rise or taller buildings;<br>All other cases: none. |
| Suburban Transect   | 40 to 60                                |  |

These densities are in turn a function of the existing density of the neighbourhood, the density of new development and the proportion of lots that are redeveloped over the

25-year planning horizon of the new Official Plan. The new Zoning By-law will ensure that zoning permissions are sufficient to meet or exceed the density targets given a 1 per cent annual turnover rate (i.e., on average one out of a hundred buildings in a given neighbourhood is replaced each year.) However, and for greater clarity, the zoning will not impose minimum required densities in Neighbourhoods that would have the effect of making existing houses non-conforming.

In terms of **quantity** and current zoning, particularly for large units that are designed to provide accommodation for households with two or more people, this is all about creating new opportunities for Missing Middle housing. This form of housing has three to 12 units, forms the core of Ottawa’s housing strategy and occurs in a low-rise form within Neighbourhoods. The current Zoning By-law imposes significant restrictions on the ability to provide Missing Middle housing to meet the density targets in the new Official Plan. Nearly half of lots in existing Neighbourhoods are in R1 zones where only one dwelling is permitted per lot. Nearly two-thirds of all lots in residential zones do not permit more that two units per lot, and nearly 90 per cent of all residential lots do not permit more than three units per lot. The remaining 10 per cent of residential lots are themselves restricted, with regulations for minimum lot width and setbacks further reducing the locations where three or more units per building are permitted. This results in an untenable and unfair situation, where only ten per cent of residential lots are the focus for nearly all of the low-rise intensification objectives.

Figure 7 – Nearly half of all lots in Residential Zones permit only one unit per lot.



The impact of this restrictive zoning framework is well known to community associations, the development industry and Councillors in these areas. Significant development pressure is focused specifically on these neighbourhoods, resulting in distortion and escalation of land economics through the vastly reduced land supply. This in turn creates significant friction and anger for existing residents – and not necessarily the best outcomes for the new residents either in terms of affordability or functionality of use of lands. Further, high-density development in the form of mid- and high-rise buildings is concentrated into very few locations, resulting in a “spiky” city – a lot of concentrated towers with high land value – and commensurately – small floor-area units surrounded by very low-density residential lands.

This pattern of extreme concentration of development into very limited geographic areas is not supported by the new Official Plan and is not sustainable. This situation is unfair to neighbourhoods under significant development pressure. Continuing on in this manner will do very little to address the housing affordability crisis. Nor is it enough to make minor changes. The challenge as laid out in the growth management strategy and new Official Plan is clear – room must be made for Missing Middle housing across every neighbourhood in the city and every neighbourhood must do its share to take on new housing and opportunity for new residents in their communities. This is a challenge that cannot be relegated to downtown and inner urban neighbourhoods any longer – but must be a whole-city approach, involving new permissions in the outer urban and suburban areas as well. The goal is to provide opportunities for residents to live in the neighbourhoods they want to live in – not simply those where they can afford it.

### ***The Challenge of Growth***

As part of the new Official Plan process, an implementation memorandum was prepared to examine the extent of zoning changes needed to achieve the ambitious housing targets. The *Growth Management Strategy Implementation Modelling* memorandum, a supporting document to the final report for the new Official Plan, is included as Document 3. The memorandum provides important insights into the zoning changes needed to meet the targets in the growth management strategy.

The modelling took an iterative approach to testing the potential of zoning provisions to achieve the housing targets. Current zoning provisions were modeled to determine if the number of units required by the growth management strategy could be achieved. Next, new zoning provisions to implement the targets for each of the designations were modeled to determine if the number of units in the growth management strategy could be achieved.

The analysis of existing zoning found that 26,000 large-household units and 69,000 units could be achieved through intensification by 2046, for a total of 95,000 units. While the total number of units achieved exceeds the 92,000 target in the growth management strategy, the large-household target of 49,000 new units could not be met using the current zoning in effect. Achieving that target is key to meeting the projected demand for family-sized, large-household units to 2046, a fundamental objective of the growth management strategy. If these units can't be achieved by intensification, this will result in the need to further expand the urban boundary into rural areas of the city to provide opportunities for large-household units in greenfield development in new suburbs.

Phase 1 considered the number of units and large household units that could be achieved by implementing the density targets in R1 and R2 zones in the Neighbourhood designation. This phase produced the most significant increase in the number of large-household units of all three phases of the analysis. An additional 13,000 units were achieved in this phase, bringing the total number of large-household units to 39,000. However, this total is well below the 49,000 target for large-household units. Phase 1 involved:

- Permitting two units in a building where one unit is currently the maximum;
- Permitting four units in a building where two units are currently the maximum;
- Modifying the R3 and R4 zones to permit a wider range of Missing Middle, low-rise housing;
- Developing a new zone (or zones) that permit higher density, low-rise housing for buildings that have more than 12 units.

Phase 2 considered the number of new units and large-household units that could be achieved by implementing the policies and targets for Hubs, Mainstreet Corridors and the Evolving Overlay. An additional 2,000 large-household units were achieved in this phase, bringing the total number of large-household units to 41,000. Phase 2 involved permitting higher density, Missing Middle development in the Evolving Overlay and high-density forms of development in the Hub and Mainstreet designations as directed by the Official Plan. The Evolving Overlay affects land in the Neighbourhood designation within 150 metres of a Hub or Mainstreet Corridor.

Phase 3 considered the number of units that could be achieved by doing further work to implement the targets for the interiors of Neighbourhoods, outside of the Evolving Overlay. This phase involved further modifications to the zoning of approximately 50 per

cent of the R1 and R2 zones in Neighbourhoods to achieve the target for large-household units. In this phase, an additional 9,000 large-household units were achieved bringing the total to 50,000. By adding additional permissions in R1 and R2 zones in this phase, the zoning framework was finally able to yield the required number of units to meet the large-household target of 49,000 units.

Table 3 - Modelled Number of Units achieved through Intensification by Phase

| <b>Modelling Phase</b>                        | <b>Large Units</b> | <b>Small Units</b> | <b>Total Units</b> |
|---|--------------------|--------------------|--------------------|
| Current Zoning                                | 26,000             | 69,000             | 95,000             |
| Phase 1 - R1, R2 Zones in Neighbourhoods      | 39,000             | 69,000             | 108,000            |
| Phase 2 – Hubs, Mainstreets, Evolving Overlay | 41,000             | 82,000             | 123,000            |
| Phase 3 – Neighbourhoods                      | 50,000             | 84,000             | 134,000            |

The modeling process found that a minimum of 60 per cent of the lands currently locked as R1 zones – that permit exclusively single-detached - will need to allow at least four units as-of-right. The remaining 40 per cent of R1 lots will need to allow for semi-detached dwellings to occur alongside detached units, with exclusive detached-only lots held aside in relatively few locations. Further, lots that are currently R2 and R3 will in turn need to broaden their permissions so as to allow for a full range of Missing Middle housing opportunities and significantly expand the areas where these housing forms are permitted.

Given the expected rate of building turnover (historically less than 1 per cent of buildings in any given year in most neighbourhoods are replaced) the proposed changes to zoning will enable a gradual but ongoing growth and diversification of neighbourhood housing opportunities. The Zoning By-law will also provide for a gradual transition from the mid-rise buildings and high-rise towers of Hubs and Corridors,

through a band of low-rise multi-unit housing at the edges of neighbourhoods, before arriving at lower densities in the interiors of neighbourhoods.

## Neighbourhood Evolution: General Approach

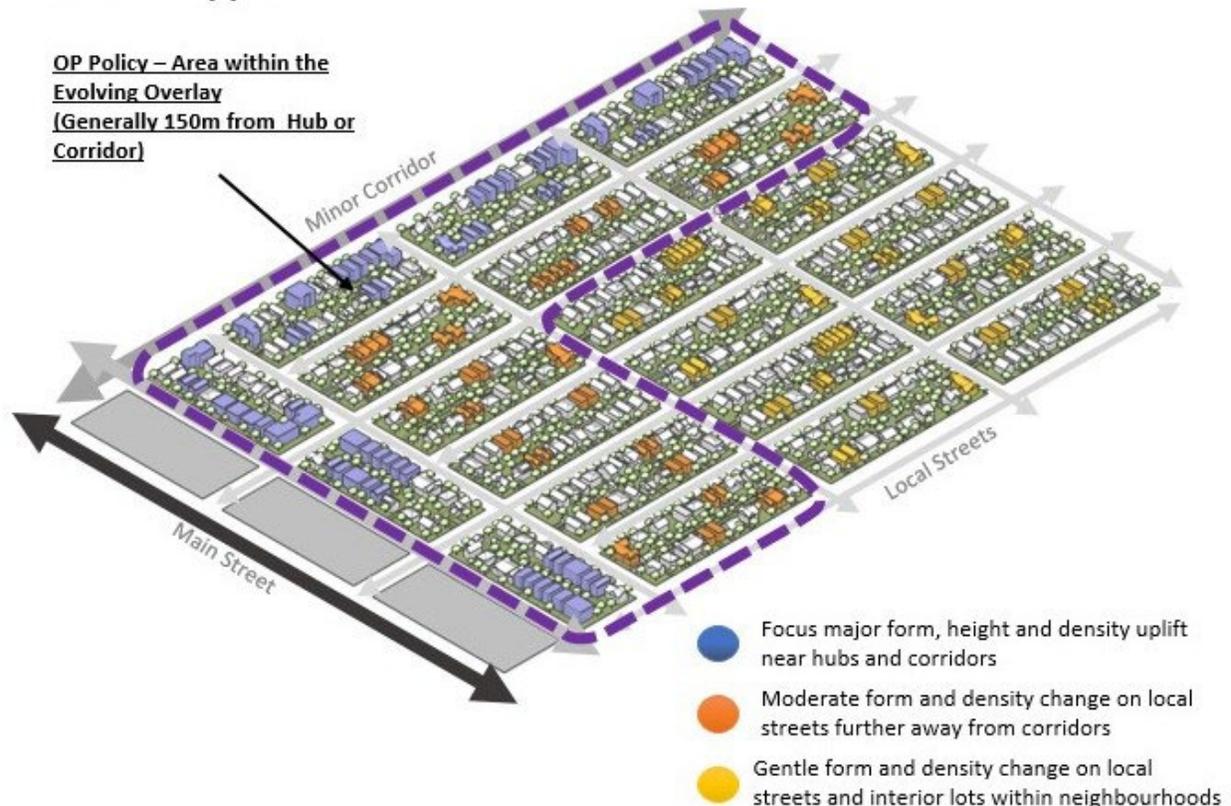


Figure 8 – Strategy for introducing density in Neighbourhoods

The above approach is directed by policies for the transects, designations and the Evolving Overlay. Within the transects, the density targets are not a ceiling – they are a floor. There is no contemplation of reducing permissions or “downzoning” in any policy of the new Plan – nor will further development be prohibited in areas that have “achieved” their density target. Rather, this is about expanding opportunity and “spreading the load” of new development as widely as possible to reduce the individual burden on any single neighbourhood.

While it may appear this will amount to a significant surge of new development across the city and across every neighbourhood, it must be clearly understood that the rate of change is a significant factor in the degree of change any single neighbourhood can expect – and feasibility of new redevelopment will be subject to private market demand

and decision-making. As covered in the Implementation Memorandum, the rate of lot turnover is geographic-based and concentrated in areas of development pressure, with the highest rate of turnover across the area currently covered by the Mature Neighbourhood Overlay consisting of predominantly R3 and R4 neighbourhoods within the inner urban and downtown transects. Within the area of the Mature Neighbourhood Overlay, the rate of change has been on average 0.59 per cent over the past several years with some high-demand neighbourhoods in Ward 15 reaching 1 per cent turnover – meaning out of 100 residential lots, one lot may redevelop into something new over the course of a year. Turnover rates are connected to the high desirability of these neighbourhoods in relation to transit, major commercial streets, major destinations and the availability of lots that have land use permissions to achieve multi-unit housing either as-of-right or with minor Zoning By-law amendment or minor variance applications. These areas are also largely or very close to being 15-minute neighbourhoods.

Outside of the Mature Neighbourhood Overlay, the rate of change has been significantly less, ranging from 0.35 per cent down to 0.19 per cent across outer-urban and suburban neighbourhoods. It is not unreasonable to expect that where land use permissions are increased, development will follow – but it is **not** reasonable to expect that these redevelopment activities will result in development activity across the city exceeding the 1 per cent rate of change we currently see in high-demand areas such as Westboro. This rate of change and focusing of development activity will be discussed further below, with respect to the Evolving Overlay designation. A monitoring program forms a part of the new Official Plan implementation package and will be a key requirement for tracking whether intensification targets are met across the city, both before and after the new Zoning By-law comes into effect.

As noted in the following figure, the existing zoning permissions are not sufficient to achieve the density targets in any zone other than those currently designated R4 or above, and so it must be clearly understood that to create an opportunity to achieve these targets over the 25-year horizon of the Plan, land use permissions must be set to allow for existing development plus new development to meet or exceed the targets.



In summary, to meet the density targets, climate change, housing affordability, neighbourhood diversity, equity and public health objectives set out in the Official Plan, broad areas of the city must be rezoned to permit higher densities, and with a diverse range of housing options and compatible services. Lands currently zoned R1 must be rezoned to permit at least two and in some cases up to four units per lot to meet the targets. Areas affected by the Evolving Overlay will need higher densities if Neighbourhoods are to meet the overall targets specified in the Plan. Neighbourhoods that have private services will not be rezoned to permit higher densities. In following this approach, the new Zoning By-law will enable new development to serve a broader range of housing needs, preferences and budgets, while also reducing car dependency and greenhouse gas emissions throughout the city.

### **Neighbourhood Zoning and Neighbourhood Character Strategy**

The new Zoning By-law will implement a form-function-density approach for regulating new development. A major objective of the “form-based” approach is to ensure the **quality** of new development in terms of compatibility and functionality. It is not enough to inform neighbourhoods they will need to absorb and make room for the required 92,000 net new units, 49,000 for large-households – particularly if the Zoning By-law does not concurrently provide clear and appropriate direction for the built form, yard setbacks, building height, landscaping, tree considerations, waste management, parking and other related matters. The new Zoning By-law must make clear what the minimum quality requirements are going to be – to provide certainty to industry, to communities and to residents on how their street will change over the coming years, and how this change will be managed. The By-law will act as a foundational, regulatory tool that works in conjunction with other municipal controls such as the Tree Protection By-law, Low-Rise Design Guidelines and Site Plan Control. A report outlining a Neighbourhood Form and Function Strategy supported by new Low-rise Design Guidelines will be brought to Committee and Council in Q1 2023. The strategy and guidelines will help to inform the process of developing the new zoning provisions for Neighbourhoods.

We are not starting from scratch. The existing Zoning By-law has a long history of regulating for quality and functionality through the series of Infill amendments illustrated below, including: requirements for soft landscaped areas in front yards and management of driveways and walkways through the Infill 1 amendments, form and function requirements for low-rise apartments including facades, waste management and parking provisions that occurred through the R4 zoning amendments, the soft landscaped rear yard buffers, permeable parking requirements and regulating for height and roof pitch as recently passed in the Westboro form-based overlay. Indeed, the City

of Ottawa has long been a leader in regulating neighbourhood character across Canadian municipalities. This previous work will continue in the new Zoning By-law as the starting point for new ideas on how to best manage for quality going forward, with the current provisions being adapted to be most effective in the new zoning structure.



Figure 10 – Recent Zoning Studies addressing Infill and Neighbourhood Character

Policies for the Neighbourhood designation direct that within the interior of neighbourhoods – the portions of neighbourhoods that lie outside of the Evolving Overlay designation – change in form is expected to be reflective of the local context while allowing a gradual move towards greater diversity in housing. Zoning will therefore need to recognize the local context and provide the controls necessary to allow that context to be reflected in new development patterns, while still allowing for the required density to be achieved.

Policies for the edges of neighbourhoods – those areas affected by the Evolving Overlay – direct that new development will reflect the planned form and function as expressed in the policies for the relevant transect and designation. In these locations it is expected that change from the existing context will occur, particularly when moving from a suburban context to an urban context as envisioned by the policies in the Plan.

The Plan provides direction concerning matters such as high-quality design, pedestrian orientation and compatibility. The new Zoning By-law will support these goals by emphasizing the built form, first and foremost, in the development standards. Provided

the building form is compatible with neighbourhood context, the number of units contained within the building will be a secondary concern. There will be an emphasis on zoning provisions that support the urban tree canopy.

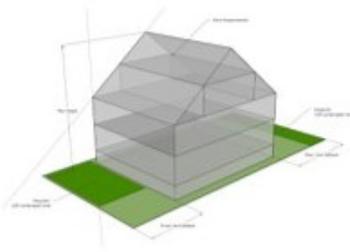
Official Plan policies direct the Zoning By-law to also provide opportunities for compatible, well-integrated, non-residential land uses in Neighbourhoods to achieve the goal of moving towards 15-minute neighbourhoods and coordinating with other supporting Master Plans for provision of services and infrastructure necessary to achieve this goal.

“Neighbourhood character” is often cited as a primary issue when considering the compatibility of infill and new housing development. Zoning is clearly able to regulate physical aspects of character, including building height, form, and articulation, soft landscaping and exterior design. However, discussions of “neighbourhood character” can often touch on subjects that are discriminatory or have the effect of restricting who can live in a neighbourhood.

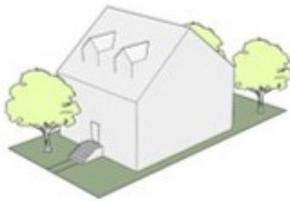
When considering “character” in developing the new Zoning By-law, the zoning regulations will focus on the physical elements of character, that being the built form and exterior design of residential and mixed-use buildings, as well as requirements for soft landscaping. Most importantly multi-unit buildings are not inherently incompatible with detached or ground-oriented dwellings. Compatibility should be determined based on the form of the building rather than on the number of units, while also considering the potential tangible impacts to neighbouring properties.

## New Neighbourhood Infill

Example: New Infill Building

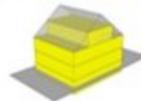


**Zoning Sets Rules for what is allowed:**  
Density, Setbacks, Height, Form, Landscaping, Waste, Amenity etc.

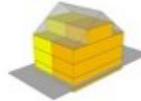


**Here's what it could look like on the outside:**

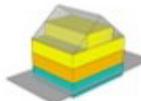
### What could be inside?



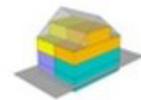
**1 Unit**  
22 Units Per Hectare  
660 m<sup>2</sup> Total Floor Area



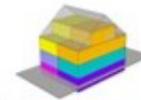
**2 Units**  
44 Units Per Hectare  
Each Unit - 330 m<sup>2</sup>



**3 Units**  
66 Units Per Hectare  
Two Units @ 190 m<sup>2</sup> each  
1 Unit @ 284 m<sup>2</sup>



**4 Units**  
90 Units Per Hectare  
Two Units @ 190 m<sup>2</sup> each  
Two Units @ 142 m<sup>2</sup> each



**6 Units**  
130 Units Per Hectare  
Four Units @ 95 m<sup>2</sup> each  
Two Units @ 142 m<sup>2</sup> each

Figure 10 – Focus on exterior design and soft landscaping

### Infill and Trees Strategy

Trees have not been well addressed through Zoning thus far. In general, trees have been considered very late in the development process – if at all – and along with soft landscaping, generally relegated to the “remainder” of the lands after all other uses and priorities on a site have been considered. This has resulted in the removal of trees for purposes other than a direct conflict with the permitted building envelope – including removal to make way for service laterals, driveways, parking areas, amenity features such as pools and patios, grading and fill work, and other incidental uses of the surrounding yards beyond the building itself.

In recent years, the Planning Policy Branch has focused intensely on “making room” for trees in policy and in regulation. This includes the “Infill 3” amendments that restricted paved surfaces such as driveways and walkways and provided dedicated space for soft landscaping suitable for tree planting in front yards across neighbourhoods inside the Greenbelt, restrictions on rear-yard surface parking relating to low-rise apartment dwellings, and a pilot project to test the feasibility of dedicated soft landscape buffers in

rear yards in the Westboro neighbourhood. These are all intended to provide additional room to ensure that when an existing tree is present, adequate space is provided to allow for retention and where a tree is planted, it is given room to grow above and below ground and become a major contributor to the urban forest canopy. All of the above provides a foundation for the Tree Protection By-law and support for the considerable work underway by our urban foresters to work with developers through the Development Review, Committee of Adjustment and Building Code processes to advance design work that considers tree protection and retention earlier in the development process.

As infill occurs, there are significant pressures on the ability to retain existing trees, and an “order of priority” that must be applied with respect to the many competing interests that accrue on an urban lot. At the top of the list is the demand and provision of housing, as the key and central reason for why neighbourhoods exist at all. However, there are a panoply of pressures beyond housing including, in no particular order:

- **Parking** – attached or detached garages, driveways, surface parking areas, lanes, turn arounds;
- **At-grade amenity areas** - porches, patios, decks, gardens, playgrounds, seating areas, hot tubs, swimming pools;
- **Functional requirements** – walkways, garbage storage areas, cycle storage, stormwater and drainage areas, snow storage areas;
- **Building projections** – features such as bay windows, balconies, stairs, landings, fire escapes;
- **Accessory buildings** – including coach houses, storage sheds, renewable energy structures;
- **Environmental features** – stormwater retention, soft landscaped areas, trees and critical root zones;
- **Liveability** – contributing to the overall streetscape character in the public realm, providing for reasonable privacy and enjoyment of lands in courtyards or rear yard areas, overall urban heat island effects.

These above pressures will shift in priority based on where they are located on a lot and the context of the lot itself. In addition, the site design and arrangement of all of the above features impacts the ability to accommodate trees on a lot. The central focus of

the lot is the building envelope as defined by zoning regulations – again with respect to the key “task” of the neighbourhood – which is to provide places for people to live. The location of parking, amenity areas, accessory buildings, etc. are oriented to serve the principal building, and the priority and importance for each varies depending on the context. None of these pressures are absolutes, but there must be recognition and prioritization – and to some extent, accommodation where these features are deemed necessary to the proper functioning and liveability of the site.

The emphasis in the Official Plan concerning the urban forest tree canopy and the importance of trees in terms of the heat island effect and resilience to heat will be considered as part of the work to implement the density targets. The previous work in Infill amendments to provide adequate space for trees will continue in the new Zoning By-law.

Ultimately, the desired outcome is to meet a “reasonable accommodation” between the need to provide new housing, and the need to retain, replace and renew the urban forest canopy. Where a tree is within the development envelope it can’t be retained. Where a tree is within the required excavation zone – within a close distance from the foundation wall – it will also not survive. But beyond that, there is room for discussion on retention and give and take. Where the building envelope can be adjusted to allow for tree retention and survival, the policies in the Official Plan are supportive of that – provided that it does not result in an unviable development. Beyond that, the Official Plan supports requirements for soft landscaped areas large enough to support a tree to maturity. These trees will increase the liveability of neighbourhoods and provide much-needed shade in our warming climate.

As the development of new Zoning By-law progresses, the retention, replacement and renewal of trees will be a major focus in the new regulations. These regulations will be foundational to the work of other units and other by-laws including the Tree Protection By-law.

### **Strategy for Density Requirements in Hubs, Corridors and Protected Major Transit Station Areas**

According to the policies in the new Plan, Ottawa will plan sustainable, liveable and resilient communities which consume less energy for transportation and housing. Currently, almost 90 per cent of the city’s total emissions originate from the building and transportation sectors. The policies direct that higher-density development will be located close to transit and within walking distance of a wide range of services to reduce

emissions related to commuting and accessing products and services. Policies that promote compact built form support energy efficient and sustainable patterns of development over the long term. Compact building forms that share walls, such as townhouses, stacked townhouses and apartment buildings, reduce the per capita energy needed for heating and cooling of buildings.

To implement these goals, the Official Plan includes density requirements for Hubs, Mainstreets and Protected Major Transit Station Areas (PMTSAs). Residential density targets are included in the Official Plan for Neighbourhoods and Minor Corridors, as discussed above. The area-wide density requirements for people and jobs per gross hectare in Hubs, Mainstreets and PMTSAs vary from 100 to 200 people and jobs. The residential density requirements for Hubs, Mainstreets and PMTSAs vary from 120 to 350 dwellings per net hectare or as per residential density policies in secondary plans.

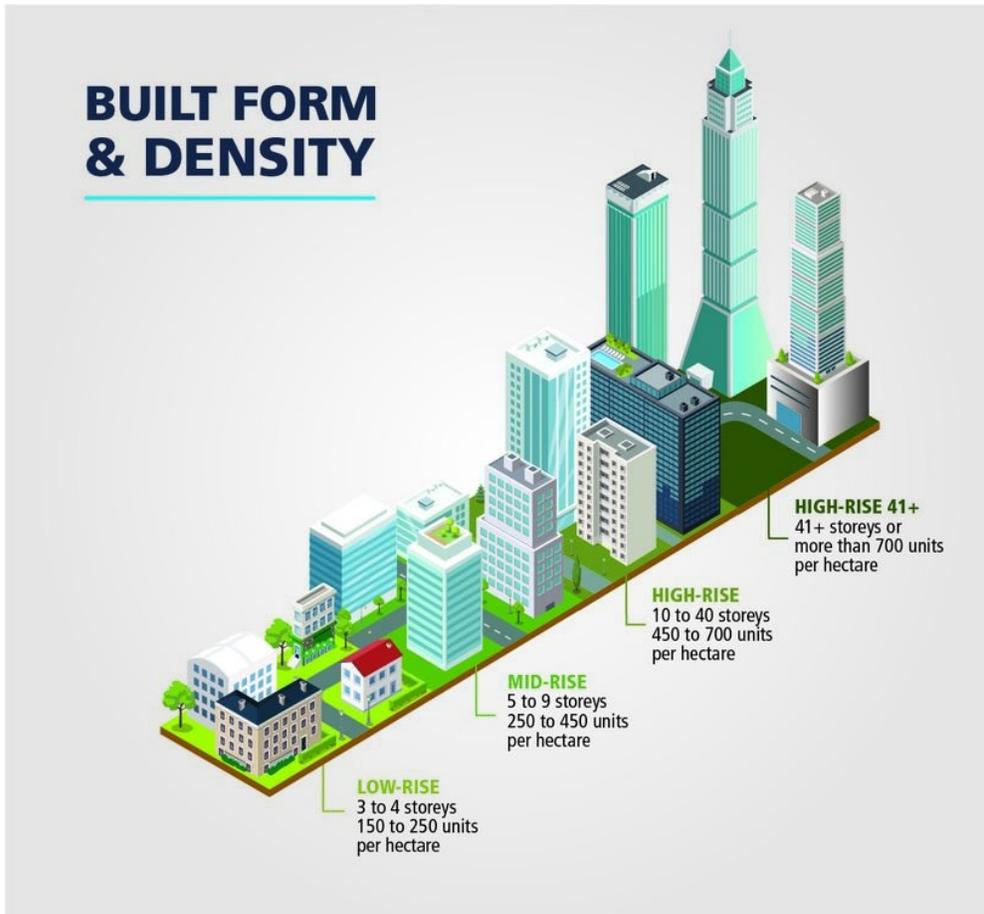
The current Zoning By-law permits a wide range of uses in Hubs, Mainstreets and PMTSAs and includes provisions that require non-residential uses on the ground floor in certain zones. These provisions will be carried forward in the new Zoning By-law to meet the intent of the density requirements for people and jobs. Additional requirements for non-residential uses in these areas could be implemented in the new Zoning By-law. Alternatively, such requirements could be determined through a secondary planning process where a more detailed examination of the context is possible.

To support the density requirements, the Official Plan includes minimum building heights for Hubs, Mainstreets and PMTSAs that vary by transect and context. For example, in a Hub designation in the Downtown Core Transect, the minimum building height within 300 metres of a planned O-Train Station is four storeys and the maximum building height is 40 storeys, except if a secondary plan permits otherwise. Given the minimum building height policies, the density requirements are relatively easy to meet in these areas. For example, a four storey, low-rise apartment building on a lot that is 15 metres wide, and 30 metres deep can provide densities in the range of 150 to 250 dwelling units per net hectare. Given an average occupancy per dwelling of 1.2 persons, a low-rise apartment building can provide dwelling units for 180 to 300 people per net hectare. As noted above, the residential density requirements vary from 120 to 350 dwellings per net hectare.

The diagram below illustrates typical densities that can be achieved for each of the height categories shown. Density can vary widely based on a number of factors, including the size and mix of units in a building, lot coverage, the amount of parking provided and where the parking is located. The densities presented below are at the

lower end of what can reasonably be expected to be achieved for buildings that comply with all provisions of the Zoning By-law. While higher building heights are permitted in these areas, the minimum height requirements ensure the density requirements can be achieved even if development is in the low- and mid-rise range.

Figure 11- Typical densities achieved for Low-Rise, Mid-Rise, High-Rise and High-Rise 41 +



## Rural Strategy

Rural areas have a different policy framework to guide change and face different kinds of development pressures and impacts than urban areas of the city. Zoning provisions that respond effectively to these policies, pressures and impacts will be implemented in the new Zoning By-law. Modifications to rural zone provisions that are prompted by policies in the new Official Plan are summarized below.

The current Zoning By-law includes rural-specific provisions that are interspersed throughout the document. To increase ease of interpretation and reduce the need to refer to multiple sections of the By-law, it is proposed to consolidate all rural-related zoning provisions in a single section of the new Zoning By-law.

To support opportunities to develop small businesses, the provisions for home-based businesses in the rural area and Villages will be reviewed. Rural exceptions will be reviewed to remove restrictive provisions that are not supported by Official Plan policies.

New provisions will be proposed to support rural farmers and rural economic development. These will include consideration of new permissions for micro-breweries and wineries, farm tourism and small-scale farming opportunities.

The Official Plan recognizes there are gaps in the local agri-food network, including facilities for food storage, processing, packaging and distribution. To ensure there are locations available to support a complete agri-food network in the region, consideration will be given to permitting facilities for local storage, processing, packaging and large-scale distribution in appropriate locations. A review will be undertaken to consider how these uses are currently defined and to determine appropriate locations for where they will be permitted.

The growth management strategy designated an additional 49 net hectares of rural lands for industrial and logistics purposes along Highway 417 at Boundary Road and along Highway 416 at Fallowfield Road. These areas are intended to support goods movement in the city given their strategic locations. Rural industrial and logistics lands are not intended to be serviced with municipal water and wastewater. Rural industrial zoning provisions will be applied to permit outdoor storage, transfer of freight containers and other uses as directed by the policies.

For environmentally sensitive lands, the most important natural features will continue to be designated and zoned for protection, with minor changes to boundaries to reflect any updates to boundaries and designations in the new Official Plan.

Policies to permit renewable energy generation facilities in certain rural areas away from villages will be proposed. While there is currently no provincial policy or procurement mechanism that allows renewable electricity to be sold to the grid (i.e., there is no immediate opportunity for large scale wind or solar development in Ottawa), the siting of projects is now expected to be addressed through local municipal approvals. The repeal of the *Green Energy Act* in 2019 and the associated amendments to the *Planning Act* restored municipal authority over the siting of new renewable energy generation

projects. Renewable Energy Approvals for large scale wind, solar and bio-energy projects are still required from the Ministry of Environment, Conservation and Parks as per O. Reg. 359/09.

The Official Plan provides policies that direct where renewable energy generation facilities may be permitted. Such facilities are permitted in the Rural Countryside, Greenbelt Rural and Greenbelt Facility and Natural Environment area sub-designation, and in the Rural Industrial and Logistics designation as a subordinate use. Large-scale provincially regulated wind turbines will not be permitted on lands designated Agricultural Resource Area. This prohibition will not apply to small-scale wind generation associated with a permitted principal use. Provisions for renewable energy generation facilities will be developed in consultation with the public and all interested parties.

### **Climate Change, Resiliency and Public Health Strategy**

Taking meaningful action to address the climate crisis is a challenge for all levels of government in Canada. At the municipal level, land use planning has a role to play in mitigating and adapting to climate change, supporting the resiliency of communities and supporting public health. The Official Plan incorporates strategic goals in multiple sections of the Plan intended to support climate change **mitigation** and climate change **adaptation**.

Climate change mitigation policies in the Official Plan focus on actions that reduce the amount of greenhouse gas emissions produced in the city. Key **mitigation** policies from the Official Plan that can be implemented using zoning include:

- support for compact building forms that share walls, such as townhouses, stacked townhouses and apartment buildings, and reduce the per capita energy needed for heating and cooling of buildings;
- support for less carbon-intensive mobility choices including EV charging associated with parking, and improved cycle storage requirements;
- reducing emissions associated with distance traveled to access goods and services by locating dense development close to sustainable modes of transportation such as walking, cycling and transit; and
- guiding where renewable energy generation facilities in the city may be located.

Climate change adaptation policies focus on actions that prepare for higher temperatures, increased amounts and intensity of rain and more extreme weather events. Communities become more resilient when measures are in place to adapt to the anticipated impacts of climate change. Key climate change **adaptation** policies in the Official Plan that can be implemented using zoning include:

- Preserving the most fertile land for agricultural purposes only;
- Providing permissions for food to be produced, processed, distributed, stored and accessed in more locations in the city, and permitting indoor food production in the urbanized areas of the city;
- Addressing the effects of extreme heat through minimum soft landscaped area provisions that provide enough area for a tree to be planted;
- Reducing risks associated with flooding by prohibiting development in the flood plain; and
- Protecting the natural environment through provisions that limit development and supporting equitable public access by permitting small-scale amenities for day visitors, such as washroom facilities and a canteen, for certain greenspaces close to transit stations.

The Official Plan policies and zoning provisions discussed above support climate change mitigation, climate change adaptation and resiliency, which in turn supports better health outcomes for residents. Policies and zoning provisions for growth management, reducing flood risk, food security and preservation of natural areas are all ultimately concerned with supporting the health of individuals and communities, a key theme of the new Official Plan.

### **Economic Development Strategy**

The new Official Plan directs major employment to Hubs, Corridors and Special Districts, in addition to reserving land for employment uses in core urban industrial and mixed industrial designations. Rural industrial lands are set aside in rural industrial designations. Provisions to support economic development and permit commercial and employment uses are provided in the current Zoning By-law through a continuum of increasingly intensive permissions in for these designations. This continuum of provisions will continue in the new Zoning By-law, with modifications to improve

effectiveness and efficiency and to implement policies in the new Plan, as described below.

The home-based business provisions for urban and rural residential contexts allow small businesses to operate within a residential use building, as long as the operator of the business resides in the building. The provisions for home-based businesses will be reviewed to improve ease of interpretation and to increase opportunities for small businesses to establish, while also ensuring home-based businesses are compatible with the residential context.

The Residential Neighbourhood Commercial provisions (lower case -c suffix in a residential zone code) permit small, locally-oriented convenience and service uses in a residential context. Provisions that limit the size of non-residential uses and a requirement that non-residential uses must locate in a building with a residential use ensure compatibility with the residential context. These provisions are ideal to inform the approach to implementing the intent of the policies for 15-minute neighbourhoods in the new Official Plan.

The Local Commercial and General Mixed Use zones permit increasingly intensive commercial and mixed-use development. Commercial zones used in the Downtown Transect, on Corridors and in Hubs provide for the most intensive forms of commercial development. The policies in the new Official Plan for these areas are similar to the policies in the former Official Plan, however there is new emphasis on these areas as major employment areas. The zoning provisions for these areas will generally be brought forward with new zone codes based on the new land use designations, while also reducing the number of subzones and broadening the range of permitted uses were supported by Official Plan policies. The intent of this approach is to eliminate arbitrary lists of permitted uses in subzones, increase opportunities for business and reduce the need to apply for a zoning amendment where there is no policy-related reason why a use should not be permitted.

Employment uses that require large areas of land or that have noxious impacts are permitted in industrial zones. The new Official Plan includes new policy directions for regulating industrial uses. The policies for the core industrial and logistics areas reserve these areas for the most noxious, impactful uses. The current zoning provisions for these areas will continue to protect these areas for these uses. A new designation for areas that include less impactful industrial uses such as light manufacturing, warehousing and small-scale office has been designated in the new Plan as a mixed industrial designation. These areas operate as a buffer between adjacent residential

areas and core industrial and logistics areas that have the most impactful uses. In the mixed industrial areas, the new policies support zoning provisions to permit small-scale grocery stores, recreational, health and fitness uses, banks, coffee shops and restaurants, with the intent these areas can contribute to 15-minute neighbourhoods through the location of neighbourhood-based uses. These uses will cater to adjacent residential areas and the employees working in both industrial designations. This broader range of uses will be permitted within 600 metres of an adjacent residential zone. Large-scale retail uses are not permitted by the new mixed industrial area policies.

### **Heritage Strategy**

The conservation of heritage resources is mandated by the Provincial Policy Statement, 2020 and the new Official Plan. Heritage conservation connects a city to its history and provides community, economic and environmental benefits and is achieved using a wide variety of planning tools. The City of Ottawa is at the forefront of heritage planning in Ontario. Examples of recently implemented heritage conservation tools include the Community Improvement Program, a city-wide update to the Heritage Register, the identification of heritage character areas, and the heritage components of the Property Standards By-law.

The *Ontario Heritage Act* came into force in 1975 and provided a legislative framework for heritage conservation in Ontario. The *Act* gave municipalities the ability to designate individual buildings and heritage conservation districts and delay the demolition of buildings for 180 days. The *Act* did not give the ability to prevent demolition. In 2005, the government passed comprehensive amendments to the *Ontario Heritage Act*, which strengthened the ability to identify and conserve properties of cultural heritage value. Municipalities were given the ability to prevent the demolition of heritage buildings and requirements for Heritage Conservation District (HCD) Plans were introduced to guide change in heritage conservation districts.

Prior to the 2005 amendments, municipalities across Ontario found various ways to supplement the protection of the 1975 *Ontario Heritage Act* to achieve their heritage conservation goals. In Ottawa this included the use of easements and various zoning tools. Beginning in 1978 and throughout the 1980s, zoning provisions for “Heritage Residential” and “Heritage Commercial” areas were approved. In 1998, the Heritage Overlay provisions replaced the former heritage zoning provisions.

The provisions for the Heritage Overlay in Section 60 of the Zoning By-law generally freeze development to the envelope of the existing building. If a building is demolished the replacement building must be the same size, massing, and floor area as the existing building, and the replacement building may not be built according to the height and setbacks permitted by the underlying zone. Additions are permitted; however, they must be located in the rear yard and must not exceed the height or width of the existing building. The Overlay also provides reduced or no parking requirements for heritage buildings. Any variation from the Overlay requires a minor variance from the Committee of Adjustment. The decision of the Committee may be appealed to the Ontario Land Tribunal.

The Overlay has been applied to both designated and non-designated buildings. Sixteen Heritage Conservation Districts and most individually designated buildings that were designated before 2005 are subject to the Overlay provisions. Areas of the city where the Overlay applies that are not designated include an area to the west of the Centretown Heritage Conservation District, along portions of Colonel By Drive and Queen Elizabeth Driveway, and an area near King Edward and Clarence.

The effectiveness of the Overlay as a tool for implementing the policies in the Official Plan will be reviewed as part of developing the new Zoning By-law to address the following concerns:

- Updates to the *Ontario Heritage Act* have made the Overlay largely redundant. Following the revisions to the *Act* in 2005, it became possible to prevent the demolition of heritage resources. In addition, Heritage Conservation Districts Plans were required to provide detailed guidance on alterations, additions, and new construction through an application under the *Ontario Heritage Act* that requires the approval of City Council. For Part IV properties, in 2008 City Council adopted the Parks Canada Standards and Guidelines to be used as best practice when assessing an application to alter the building. Any alteration, demolition or new construction affecting a designated resource requires the approval of City Council, guided by the preceding policy documents. This rigorous, site-specific, public approvals process provides strong guidance for change in a heritage context.
- The Heritage Overlay creates false expectations regarding heritage conservation objectives, i.e., that the only acceptable form of change is a building that duplicates the existing building on the lot, or an addition located in a rear yard. Alterations and redevelopment of heritage buildings are contemplated in the *Act*

and in relevant policy documents including Heritage Conservation District Plans and the Official Plan. A zoning provision that freezes the existing building envelope does not establish an appropriate threshold for redevelopment within this policy framework.

- The Heritage Overlay can have unintended consequences that are counter to best practices in heritage conservation. For example, the restoration of elements based on historic photos, such as porches or dormers, can require an applicant to seek a minor variance, despite the new elements complying with all other requirements of the Zoning By-law.

At the time the Overlay provisions were introduced, most alterations to heritage buildings were additions at the rear of heritage buildings. The Overlay provisions made sense, given the inability to prevent demolition and the type of redevelopment that was occurring at the time. However, as cities intensify and as contemplated and guided by the legislative and policy framework, it is increasingly common to see heritage buildings incorporated into developments that include low-, mid- and high-rise buildings.

New approaches are needed that better align with the contemporary legislative and policy framework. Further, heritage conservation cannot operate in isolation, nor can it work counter to the big-picture goals of intensification, affordable housing and providing a variety of housing options in the new Official Plan. At the same time, heritage conservation must remain at the forefront of discussions, not only because it is required by provincial legislation, but because it contributes to vibrant, sustainable, liveable communities. Heritage Planning staff will work with Zoning staff and other stakeholders to look for opportunities to implement heritage conservation goals in the new Zoning By-law.

### **Stormwater Strategy**

The Official Plan includes policies to ensure infrastructure is durable, adaptive and resilient to the current climate and future climate, including extreme weather events. Further policies direct that to protect, improve or restore the quality and quantity of water in any receiving watercourse, development shall not exceed the capacity of the existing infrastructure system.

Certain neighbourhoods in the urban area of the city do not have piped stormwater systems. Instead, these areas have ditches that drain stormwater out of the neighbourhood. In some cases, the original ditch system has been altered through filling-in of portions of the system or through a lack of maintenance. For both piped and

ditch systems, there is a risk of surface and/or basement flooding as a result of extreme rainfall events.

The amount of permeable surface on a lot (for example soft landscaped area or permeable paved areas) impacts the peak rate at which water flows into the City's drainage system. If the area of impermeable surface is changed by increasing lot coverage (the size of the building footprint) or by increasing the area of impermeable paving and hardscaping, there is less opportunity for water to be absorbed by the soil. This results in higher rates of runoff from the property.

When the Joint Planning and Agriculture and Rural Affairs Committee met to consider adoption of the new Official Plan, concerns about the impacts of intensification on the operation of ditch-drained areas of the city were raised. A motion was approved by the Joint Committee directing staff to defer zoning changes to implement density targets in these areas until mitigation measures are identified.

Studies of areas served with ditch drains are underway on a priority basis to evaluate the systems and identify mitigation measures to achieve appropriate levels of performance. Changes to zoning that will impact lot coverage and permeability will be considered within the framework of the Infrastructure Master Plan and in coordination with programs and activities by infrastructure staff with respect to asset and risk management. On-site stormwater management is the best and most immediate solution to manage new intensification in these areas to ensure local service levels do not degrade as a result of growth.

For piped and ditch systems, there are a number of zoning strategies that could be used to address the amount of permeable surface and provide a greater opportunity for on-site stormwater management while meeting the intent of the density targets for Neighbourhoods in the Official Plan. This could include expanded zoning regulations for soft landscaping, requirements for permeable paving and limitations on hardscape, or potentially offset opportunities such as provision of green roofs with rooftop storage to compensate for increased footprint. These mitigation measures will be developed with the support of infrastructure staff.

In summary, tools other than zoning may be used to regulate stormwater management. As the new Zoning By-law unfolds, increased density must be aligned with servicing capacity and the policies of the Infrastructure Master Plan to ensure orderly development. For further information about how the Infrastructure Master Plan will support the management of infrastructure capacity as intensification increases in

existing neighbourhoods please go to the Engage Ottawa webpage for the [Infrastructure Master Plan](#).

## **Delivering an Equitable Zoning By-law**

### **Equity, Diversity and Inclusion Strategy**

Equity, diversity and inclusion in the context of zoning means that in crafting by-laws and resolving conflicts, concerns are given a weight proportional to their impacts on people. Too often, essential needs – especially those of marginalized and less affluent people – are given systematically less consideration than other non-essential concerns. Whether or not the discrepancies are intentional or explicit, the effect is the same.

The New Official Plan lays out wide-ranging, multi-dimensional equity goals, which must be implemented by the new Zoning By-law. It acknowledges that “inequalities exist, and land use planning should work to eliminate them by addressing gender and racial inequities”. Policies in the new Official Plan direct the City to consider “a diversity of experiences” when designing communities and places, while further policies direct there be greater flexibility and an adequate supply and diversity of housing options throughout the city.

Furthermore, the Official Plan emphasizes the importance of housing vulnerable groups, the role of parks in our quality of life, active recreation, and health, and perceived safety in our public spaces. It is these policies, among others of a similar nature, that inform and compel taking an equitable and inclusive approach to the new Zoning By-law.

The new Zoning By-law will ensure that all zoning standards are rooted in clear planning imperatives; in particular, care will be taken to avoid indirectly “people-zoning” by preventing housing suited to various groups and situations (e.g., renters, small households, large households, people with disabilities, persons of low income, etc.). An equitable by-law considers all types of housing to be inherently compatible with one another. Equity and public health considerations will inform the development of these provisions, including in the predominantly residential Neighbourhood designation.

An inequitable city can degrade Ottawa’s livability. Exclusionary practices, although seemingly benign on an individual level, compound to negatively impact everyone – even those they were meant to benefit. For example, restrictions on increasing the supply of homes and housing choice have often stemmed from a desire to exclude higher-density, more affordable housing typologies. Although this impacts lower-income

residents most severely these restrictions contribute to a housing crisis that is affecting residents across the city, and across the economic spectrum.

Conversely, applying an equity lens to the new Zoning By-law will ensure that the city evolves into one that ultimately works better for all. The 15-Minute Neighbourhood approach is a good example of how communities can be planned to be more liveable for everyone. In this case, it would mean shorter trips to access daily needs such as food, childcare, and civic services, reducing car-dependency and greenhouse gas emissions while creating nearby employment opportunities.

Equitable zoning requires careful reconsideration of principles underlying the current Zoning By-law as well as the processes that inform and shape it. Care will be taken to ensure that diverse voices are captured during public engagement initiatives. Despite best efforts, perspectives can be missed when consulting with the public: practical barriers and a perception that the planning process does not welcome all voices can result in one set of perspectives dominating the conversation. Deeper outreach and a commitment to considering those who are not in the room are crucial steps to ensuring that the new Zoning By-law helps to shape an equitable city.

### **Public Engagement Strategy**

The intent of the engagement component of the new Zoning By-law is to provide the opportunity for residents to participate in meaningful engagement on zoning matters at the neighbourhood, community and city-wide level. It will provide a platform for engagement at all steps of developing the new by-law through timely communication, continuous dialogue and collaboration with community members and partners. Engagement also includes increasing the capacity of residents to participate in the discussion through education and actively seeking the input of groups of residents historically underrepresented in strategic conversations.

The Zoning By-law review is building off the success paved through the new Official Plan review process. Engagement for the new Official Plan was unprecedented, with over 140,000 points of engagement with residents conducted through over 150 activities. Over the two and a half year project, resident feedback was consistently sought at each stage of development and was incorporated into the recommendations and reports sent to Council. This includes the 5 Big Moves report, the preliminary discussion papers and ultimately the approved Official Plan which the new Zoning By-law will be implementing.

As with the Official Plan, the new Zoning By-law will start with an educational focus to increase people's knowledge of planning and development. A series of discussion papers will provide the starting point for fulsome discussions on zoning that will bring forward key issues and opportunities facing the city in plain language and an understandable manner regardless of previous planning knowledge.

The new Zoning By-law engagement process will employ engagement activities and tools to communicate with residents. These include an array of passive and active engagement activities. These include hosting public meetings (in public and on zoom), stakeholder group meetings, newsletters, hosting a project website, and social media. To make our touchpoints with members of the meaningful public engagement must be measurable. To achieve this, the project will use an array of tools, including a dedicated email address, Engagement HQ, forums, surveys, and polls to capture the public's input.

Recognizing that zoning and planning policy can be difficult to navigate, the project will work to ensure that the engagement process is inclusive to all needs and remove barriers to participation. This includes collaborating with an Ambassadors' Working Group along the lines of the new Official Plan. The ambassadors' working group will provide a critical link to typically underrepresented equity and inclusion communities. The project will also be informed through dialogue with the City's Advisory Committees, including:

- Aboriginal Working Committee
- Accessibility Advisory Committee
- Arts, Culture, Heritage and Recreation Advisory Committee
- Environmental Stewardship Advisory Committee
- French Language Services Advisory Committee
- Ottawa Youth Engagement Committee
- Planning Advisory Committee
- Urban Design Review Panel

Public consultations will begin with the release of discussion papers in Summer 2022. Public consultations on these papers will continue through the remainder of the year. An

As-We-Hear-It report will be published in November 2022. The discussion papers will focus on the following topics:

- Equity, Diversity & Inclusion
- Neighbourhood Character
- Neighbourhood Zones
- New approaches to regulating Land Uses
- Trees, Intensification and the Urban Forest Tree Canopy
- Climate Change, Resiliency and Public Health
- Zoning Provisions for the Rural Area.

### **Provincial Policy Statement**

The strategies presented in this report will implement policies in the new Official Plan, provide an orderly framework for land use regulation and development in the city and are consistent with the 2020 Provincial Policy Statement.

### **CONCLUSION**

Implementation of the growth management strategy in the Official Plan will require widespread changes to zoning throughout the city. These changes must be made for the Zoning By-law to be in conformity with the Official Plan. During the process of drafting the new Zoning By-law, care will be taken to ensure density is achieved in a way that is sensitive to neighbourhood context as directed by the new Plan. The new By-law will be developed with an equity lens.

The Zoning By-law must achieve the quantity and quality of units required by the Official Plan and must also implement policies concerning the development of 15-minute neighbourhoods, climate change mitigation and adaptation, resiliency, public health, heritage and economic development. The By-law will implement Official Plan policies in an efficient, effective, equitable way. The ultimate aim of the new By-law is not to achieve the intensification targets and requirements, but to support the development of great places to live and to implement the vision of the Official Plan for Ottawa as the most liveable, mid-sized city in North America.

## **RURAL IMPLICATIONS**

The new Zoning By-law will provide revised provisions for the rural area based on the policies in the new Official Plan. Provisions for rural zones will be consolidated, as much as possible, in a single section of the new Zoning By-law. Further details concerning key changes for rural zoning are included in the Rural Strategy section of this report.

## **COMMENTS BY THE WARD COUNCILLORS**

This is a city-wide report – not applicable.

## **LEGAL IMPLICATIONS**

There are no legal impediments to implementing the recommendations of this report. The recommendations address the processes, objectives, and strategies to be followed in preparing the new Zoning By-law for consideration and approval by Council and do not themselves amend the existing Zoning by-law or replace it. Thus, no appeal rights or other legal implications are triggered until such time as a new Zoning By-law is approved by Council.

The process outlined in Document 5 meets statutory notice requirements for adoption of a zoning by-law.

## **RISK MANAGEMENT IMPLICATIONS**

There are several risks to the implementation and timing of the New Zoning By-law, including:

- The ongoing pandemic and its potential impact on staff and capital resources;
- Delays due to unforeseen circumstances during the three-year timeline of the project;
- Expectations from Council and members of the public about what the new Zoning By-law can accomplish;
- Changes in direction of the New Zoning By-law as a result of changes to provincial legislation; and
- Appeals of the new Zoning By-law following approval by Council in 2025.

## **ASSET MANAGEMENT IMPLICATIONS**

As the primary land use instrument of the City of Ottawa, the Zoning By-law has significant impact on the operations of a wide range of stakeholders both internal and external, including infrastructure, solid waste, transit, housing, right of ways, and many more. The new Zoning By-law will be developed via a rigorous internal and external consultation process where impacts on the operations and asset management plans of the City will be considered.

## **FINANCIAL IMPLICATIONS**

The recommended strategies implement the Official Plan. The associated costs for intensification and growth will be addressed in updates to master planning documents (for example, the Infrastructure Master Plan) and Long-Range Financial Plans. There are no costs to the City to implement the zoning strategies that are not growth-related. Any zoning changes applied to City-owned lands will not trigger additional costs.

## **ACCESSIBILITY IMPACTS**

Accessibility will be considered as part of the development of the By-law. Many of the guiding principles in the development of the By-law will result in positive impacts for people with disabilities. This includes the overarching equity principle, elimination of people-zoning, and the development of 15-minute neighbourhoods. The new Zoning By-law and Zoning Map will meet accessibility requirements in the applicable legislation including the Integrated Accessibility Standards regulations under the *Accessibility for Ontarians with Disabilities Act*. The By-law will accommodate accessibility requirements in the Provincial Design of Public Spaces Standards, the *Ontario Building Code* and the City's Accessibility Design Standards, where applicable to City facilities.

The Accessibility Office will assist the review as needed in engaging members of the public with disabilities to ensure that accommodations will be offered and provided to participate in the consultations.

## **CLIMATE IMPLICATIONS**

Land use planning has a role to play in mitigating and adapting to climate change, supporting the resiliency of communities and supporting public health. As the key tool for land use planning for the municipality, the new Official Plan incorporates eight strategic goals in multiple sections of the Plan that are intended to support climate change mitigation and climate change adaptation. The new Zoning By-law can

implement some, but not all, of the climate change policies in the Official Plan. Key policies that can be implemented using zoning include:

- Compact urban form, density targets and density requirements for people and jobs
- Food security, urban agriculture and the preservation of agricultural lands
- Renewable energy generation
- Flood plains, stormwater management and resiliency to flooding
- Extreme heat and the urban forest tree canopy
- Preservation of natural systems and access to green space
- Reduced parking requirements or maximum parking requirements for cars
- Increased parking requirements for bicycles
- Electric vehicle charging stations.

## **ENVIRONMENTAL IMPLICATIONS**

As the City's primary tool for regulating land use and development, this project has many indirect environmental impacts. Zoning influences transportation patterns, mode choice and building forms and thereby impacts the carbon footprint of the city. Site design affects tree canopy, heat island effects, and the quality and quantity of stormwater. Zoning also directly affects the protection of water bodies, watercourses and environmentally sensitive lands. Environmental considerations feature prominently in the Provincial Policy Statement and the new Official Plan and will be considered in the Zoning By-law which implements those directions.

## **INDIGENOUS GENDER AND EQUITY IMPLICATIONS**

The land use impacts of zoning provisions will be evaluated through an equity lens. In the past, impacts that effect the essential needs of marginalized, less engaged, less affluent residents have been given less consideration or not recognized. In the context of the disproportionate impacts to marginalized residents resulting from the climate change and housing affordability crises, care will be taken to avoid restrictive or exclusionary zoning provisions that are not supported by policies in the new Official Plan and “people-zoning” that does not permit housing suited to various groups and situations. People zoning refers to regulating *users of land*, which is discriminatory, versus regulating the *use of land*, which is permitted by the *Planning Act*

Indigenous people, as First Peoples, have existing Aboriginal and Treaty rights recognized and affirmed under Section 35 of the *Constitution Act*, 1982. More than equity, Indigenous communities seek prosperity that is characterized by economic and social well-being, inclusion and self-determination, which were eroded through historical and ongoing colonization.

The Public Engagement Strategy for this project will include specific consideration of indigenous engagement, as well as broader considerations regarding equity and inclusion in terms of how public engagement is undertaken. This is key to developing an equitable Zoning By-law.

### **TERM OF COUNCIL PRIORITIES**

This project addresses the following Term of Council Priorities:

- **Economic Growth and Diversification:** Encourage economic growth and diversification by supporting business investment and expansion, talent attraction and retention, showcasing the city's bilingual and multicultural character, and branding Ottawa as a place to be.
- **Integrated Transportation:** Enable effective mobility through a sustainable, accessible and connected city transportation system.
- **Thriving Communities:** Promote safety, culture, social and physical well-being for our residents.
- **Environmental Stewardship:** Grow and protect a healthy, beautiful, and vibrant city that can adapt to change.
- **Service Excellence Through Innovation:** Deliver quality bilingual services that are innovative and continuously improve to meet the needs of individuals and diverse communities.
- **Sustainable Infrastructure:** Ensure sustainable infrastructure investment to meet the future growth and service needs of the city.

### **SUPPORTING DOCUMENTATION**

Document 1 Best Practices Review of Zoning

Document 2 Strategy for achieving density targets in Neighbourhoods (illustrations)

Document 3 Growth Management Strategy Implementation Modelling memorandum

Document 4 Public Engagement Strategy

Document 5 Project Work Plan

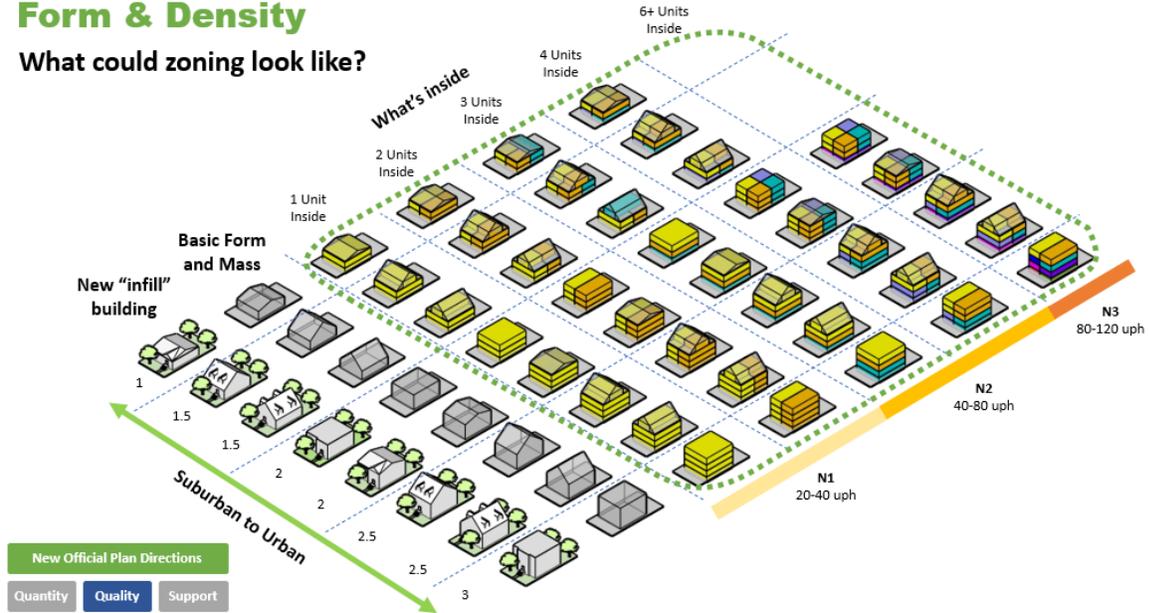
**DISPOSITION**

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

# Document 2 – Strategy for Achieving Density Targets in Neighbourhoods

## Form & Density

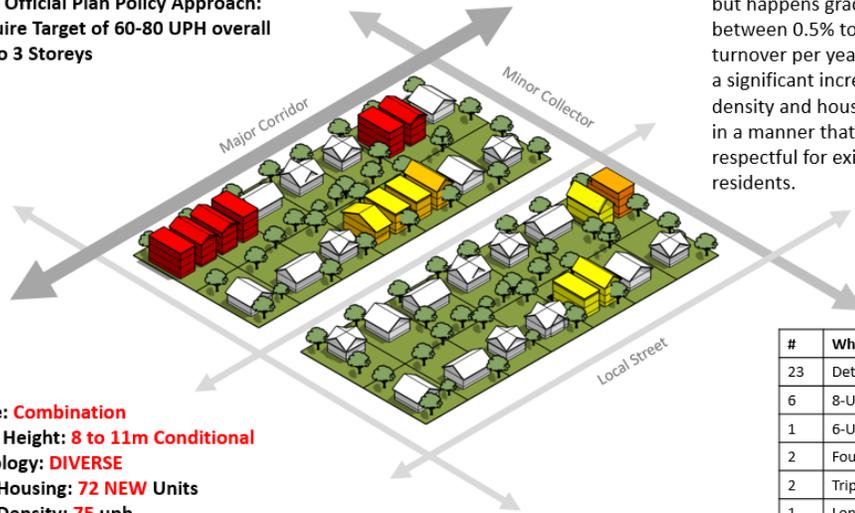
What could zoning look like?



**EXAMPLE**

**New Official Plan Policy Approach:**  
 Require Target of 60-80 UPH overall  
 Up to 3 Storeys

**Zone: Combination**  
 Max Height: 8 to 11m Conditional  
 Typology: DIVERSE  
 Net Housing: 72 NEW Units  
 Net Density: 75 uph



Redevelopment is not uniform, but happens gradually, at between 0.5% to 1% lot turnover per year. The result is a significant increase in overall density and housing diversity, in a manner that is more respectful for existing residents.

| #  | What                |
|----|---------------------|
| 23 | Detached (Existing) |
| 6  | 8-Unit Low-Rise     |
| 1  | 6-Unit Low-Rise     |
| 2  | Fourplex            |
| 2  | Triplex             |
| 1  | Long-Semi           |
| 2  | Detached w/SDU      |

## **Document 4 – Public Engagement Strategy**

### **Public Engagement Strategy**

Over the next three years, Ottawans will have the opportunity to provide their thoughts on making Ottawa the most livable mid-size city in North America by developing a new Zoning By-law. The new Zoning By-law will transform the vision of the recently approved new Official Plan into designations and rules on a local, community and city-wide scale. The engagement process is all about reaching members of the public to educate and incorporate their input into a Zoning By-law that will be approved by the next Council.

The purpose of the New Zoning By-law is to put into practice the New Official Plan's vision. The New Zoning By-law's engagement strategy aims to inform residents of the purpose of the By-law and its relationship with the Official Plan. Through the engagement and communication strategy – residents and stakeholders will be informed on the impact of the Zoning By-law in their community and will have the opportunity to affect the by-law's considerations through robust engagement.

As with the new Official Plan, engagement will occur to:

#### **Outreach:**

The engagement strategy is far reaching and includes all of the City of Ottawa.

#### **Educate: Share information to build awareness**

The City will keep stakeholders informed throughout the by-law review process and each Council decision point.

#### **Involve: Gather input, and ideas for action**

When a problem has been identified and defined, the City will involve relevant stakeholders for their input in finding possible solutions. Stakeholders will be included in the process, and their feedback will be welcomed in decision making or next steps.

#### **Collaborate: Active participation - partner with the public to define problems and develop recommendations for action**

Stakeholder input will be sought on defining problems. The City will seek stakeholder's advice and input in the development of alternative solutions and recommendations.

## Public Engagement

Engagement with the public will build on the success of the new Official Plan, which saw an unprecedented level of engagement from residents all over the city. The Zoning By-law review will engage the whole city ranging from residents, community organizations, the business community, and public institutions. The City is committed to including in the engagement process groups and communities that have historically been underrepresented in city-wide policy discussions with similar engagement processes and activities as was successfully achieved with the new Official Plan

### Engagement Activities

The City will create space for the members of the public to interact with the Zoning By-law throughout its development. A wide array of activities will be utilized to appropriately engage with the community depending on if the situation is intended to educate, involve, or collaborate with residents and businesses. Public engagement activities will demonstrate that the Zoning By-law is their own and that input will impact and inform the decision making process.

As the city moves forward from the pandemic, engagement will begin to start once again, including in-person activities that were put on hold for public safety. Other activities, such as zoom meetings, will continue to be used as they have been proven effective in increasing accessibility to discussions and as an effective tool to constructively manage large group discussions.

| Engagement Activities  |   |
|--|---|
| <ul style="list-style-type: none"> <li>• <b>Community meetings</b></li> <li>• <b>Community pop-up events</b></li> <li>• <b>Engage Ottawa</b></li> <li>• <b>Online document circulation and review</b></li> </ul> | <ul style="list-style-type: none"> <li>• <b>Online story map</b></li> <li>• <b>Public workshops</b></li> <li>• <b>Social media</b></li> <li>• <b>Stakeholder workshops</b></li> <li>• <b>Surveys and polls</b></li> </ul> |

*Engage Ottawa*

Engage Ottawa is a digital platform that the City has utilized in the past to provide a central online space for members of the public to find information about projects, to get involved in the consultation process, and have the opportunity to provide direct feedback to project leaders. The Engage Ottawa suite of tools to connect, engage and involve the communities includes:

- Surveys: quantitative and qualitative questions
- Questions: participants can ask questions and that can be answered both privately and publicly.
- Stories: the purpose here is to understand a resident's lived experience with the site. It is a tool that allows everyone to hear others' experiences and share their own.
- Q&A: Questions from participants are answered by a panel of experts.
- Frequently Asked Questions Section
- Videos

### *Consultation and Open Houses*

The consultation sessions and open houses will provide opportunities for opportunities for discussions on the full scope of the zoning by-law review to discuss with stakeholders matters of city wide concerns, down to the neighbourhood level. The consultation sessions and open houses will be targeted, structured and positioned to maximize engagement opportunities. Subject matter experts, usually City Planners, will lead these discussions.

### *Target Workshops and Meetings*

Target audiences and stakeholders will be invited to take part in workshops and meetings to discuss their ideas on the new zoning bylaw. Workshops will be customized to suit the needs and interests of the participants. They will include deliberative engagement activities to encourage dialogue and the sharing of ideas.

### *Community Outreach*

Special efforts will be made to reach and seek input from members of the Equity Deserving Lens Group.

Imperative to the success of engagement is to ensure all sectors of our city is represented to reflect our diverse population. The City will ask the members how best to reach and engage their community.

#### *As We Heard It reports*

Key to maintaining the momentum during the engagement process, is to publish regular responsiveness summaries at key milestones of the consultations that provide feedback to the public with an “As We Heard It” Report.

These reports will be shared with Councillors to help promote the engagement process through their websites and their weekly newsletters reaching an already established list of residents.

These reports will also be available on the City’s website, on Engage Ottawa, and City Policy and Procedures

### **City Policy and Procedures**

#### *Public Meetings, Workshops, and Website*

All workshops, public information meetings would be conducted and facilitated in both official languages including presentations and materials distributed.

Bilingual notifications would be issued no less than two weeks prior to an event. Regular update newsletters issued following a public meeting.

Consultation Summary Reports would follow every milestone during the engagement process.

All presentation materials (e.g., slides, boards) will be provided in bilingual format and accessibility compliant.

## Engagement Timelines

| <b>Phase 1</b>                       |   |  |
|--------------------------------------|---|--|
| <b>January 2020 – April 2022</b>     | <b>Pre-engagement:</b><br>preparation for engagement                | Review of New Official “What We Heard” documents   |
| <b>Phase 2</b>                       |   |  |
| <b>May – October 2022</b>            | <b>Discuss:</b> What should zoning look like in Ottawa?             | Conversations on what zoning should be and look like   |
| <b>June 2022</b>                     | 7 Discussion Papers Release   | Zoning strategies for implementing the policies of the Official Plan                               |
| <b>Mid-June – September 30, 2022</b> | Comment period on discussion papers                                 | <p>Online surveys</p> <p>Community meetings</p> <p>Public engagement secessions</p>                |
| <b>November 2022</b>                 | As-We-Heard-It report   | Document released on Engage Ottawa site  |
| <b>Phase 3</b>                       |   |  |
| <b>2023 – 2025</b>                   | <b>Create:</b> what does equitable forward-facing zoning look like? | Conversations and activities to explore and identify how we want to grow and how to make it happen |

|                          |  |  |
|--------------------------|--|--|
|                          |  | Identify what choices we wish to make  |
| <b>Q3 2023</b>           | Preliminary draft of the new Zoning By-law                       | Joint Committee of Planning Committee and Agriculture Affairs Committee  |
| <b>Q3 2023 – Q1 2024</b> | Comment period on the preliminary draft of the new Zoning By-law | Face-to-face gatherings, workshops<br><br>Digital discussions<br><br>Conversations and activities to explore criteria, what can influence change and proposed scenarios. |
| <b>Q3 2024</b>           | Second draft of the new Zoning By-law                            | Joint Committee of Planning Committee and Agriculture Affairs Committee  |
| <b>Q3 2024 – Q1 2025</b> | Commenting period on the second draft of the new Zoning By-law   | Face-to-face gatherings, workshops<br><br>Digital discussions<br><br>Conversations and activities to explore criteria, what can influence change and propose scenarios.  |

|  |                                      |   |
|--|--------------------------------------|---|
| <b>Q2 2025</b>   | Final draft of the new Zoning By-law | Joint Committee of Planning Committee and Agriculture Affairs Committee |
|  |                                      |   |
| <b>Phase 5</b>   |                                      |   |
| <b>Council approval and implementation of the new City of Ottawa Zoning By-law</b> |                                      |   |

## Document 5 – Project Work Plan

|                                    | Phase  | Start         | End           |
|------------------------------------|--|---------------|---------------|
| 1                                  | <p><b>Initiation – Set up</b></p> <p>Approval of Project Charter</p> <p>Approval of Work Plan</p> <p>Budget Estimate for 2021</p> <p>Workplan report to Committees and Council</p> <p>Terms of reference for Planning Consultant requirements</p>  | July 2020     | December 2020 |
| <b>Phase 1 has been completed.</b> |  |               |               |
| 2                                  | <p><b>Concept Development – Discover the Issues, Opportunities and advance a new Structure</b></p> <p>Review of best zoning practices to identify risks and opportunities, and to incorporate best practices into the structure and provisions of the By-law</p> <p>“Quick Hits” report - housekeeping amendments to the current By-law to improve ease of interpretation (completed in Q3 2021)</p> <p>Report - New Zoning By-law – Proposed Budget and Revised Work Plan 2022-2024 - October 2021</p> <p>Identify which provisions can be carried forward in the new Zoning By-law</p> <p>Prepare public engagement strategy</p> | December 2020 | December 2021 |
| <b>Phase 2 has been completed</b>  |  |               |               |
| 3                                  | <p><b>Details of the new Zoning By-law - Develop detailed regulations</b></p>  | January 2022  | December 2023 |

|   | Phase   | Start        | End     |
|---|---|--------------|---------|
|   | <p>Q1 2022 - Report outlining the strategies to be used to implement the Official Plan</p> <p>Present a series of Discussion Papers to examine options and strategies for implementing the policies in the new Official Plan</p> <p>Launch communications and engagement plan</p> <p>Consultation with the public on the Discussion Papers</p> <p>Engagement of additional consultants (if needed)</p> <p>Prepare first draft of Zoning By-law</p> <p>Q1 2023 - Report outlining Neighbourhood Form and Function Strategy supported by Low-rise Design Guidelines</p> <p>Q3 2023 Report to Committee and Council release of <b>first draft</b> of Zoning By-law</p> <p>Consultation with stakeholders</p> <p>“As We Heard It” report to outlining comments received and responses provided</p> <p>Revisions to the draft Zoning By-law, in response to comments from the public</p> |              |         |
| 4 | <p><b>Action - Enacting the new Zoning By-law</b></p> <p>Q3 2024 - Report to Joint Committee and Council and release of <b>second draft</b> of Zoning By-law</p> <p>Consultation with stakeholders</p> <p>Revisions to the draft Zoning By-law in response to comments from the public</p>  | January 2024 | Q2 2025 |

|          | <b>Phase</b>   | <b>Start</b> | <b>End</b> |
|----------|--|--------------|------------|
|          | <p>Initiate statutory approvals processes as outlined in the <i>Planning Act</i></p> <p>Report to Joint Committee and Council and release of <b>final draft</b> of Zoning By-law in Q2 2025</p> <p>Approval of the new Zoning By-law before end of Q2 2025</p> |              |            |
| <b>5</b> | <p><b>Implementation</b></p> <p>Hearings to resolve appeals</p> <p>Training internal and external</p> <p>Monitoring</p>  | Q3 2025      | Q3 2026    |