

5. New Zoning By-law Proposed Workplan

Proposition de plan de travail pour un nouveau Règlement de zonage

Agriculture and Rural Affairs Committee and Planning Committee recommendations

That Council approve:

1. the work plan for a new Comprehensive Zoning By-law, replacing By-law 2008-250, with the final draft of the new Zoning By-law to be before Council for consideration by Q4 2024;
2. that a "Major Changes (Big Moves & Quick Hits)" Report be submitted following adoption of the new Official Plan in Q4 2021 that will:
 - a. outline staff's findings and recommendations on the form and structure of the proposed new Comprehensive Zoning By-law;
 - b. describe the general nature and scope of changes to the zoning regime that will need to be incorporated into the new Zoning By-law to meet the needs of the council-approved Growth Management Plan and new Official Plan policy directions;
 - c. lay out the course of work and budget requirements for subsequent phases of the New Comprehensive Zoning By-law project, including any necessary amendments to the work plan;
 - d. identify any opportunities for amendments to Zoning By-law 2008-250 ("Quick Hits") that may practically be undertaken in the immediate or short term to better implement critical Official Plan directions while the full Comprehensive Zoning By-law is being developed, including amendments to respond to development pressures or major policy initiatives such as Inclusionary Zoning; and
3. the establishment of a Council Sponsor Group to support and advocate for the new Zoning By-law project as described in this report; and
4. that the Joint Committee of Planning Committee and Agriculture and Rural Affairs Committee be delegated the authority to hold any statutory public meeting required for the consideration leading to the enactment of the

comprehensive zoning by-law.

**Recommandations du Comité de l'agriculture et des affaires rurales et du
Comité de l'urbanisme**

Que le Conseil approuve :

1. le plan de travail pour la révision du Règlement de zonage (no 2008-250), la version définitive du nouveau règlement devant être présentée au Conseil d'ici le quatrième trimestre de 2024;
2. qu'après l'adoption du nouveau Plan officiel, un rapport sur les principales nouveautés (grands changements et solutions rapides) soit présenté au quatrième trimestre de 2021 pour :
 - a) résumer les conclusions et recommandations du personnel concernant la forme et la structure du nouveau Règlement de zonage proposé; et
 - b) décrire la nature et la portée générales des changements à apporter au régime de zonage dans le nouveau règlement, en fonction de la Stratégie de gestion de la croissance et des nouvelles orientations stratégiques du Plan officiel approuvées par le Conseil; et
 - c) présenter l'échéancier et les exigences budgétaires des étapes suivantes du projet de révision du Règlement de zonage, y compris toute modification nécessaire du plan de travail; et
 - d) définir les changements au Règlement de zonage (no 2008-250) – les « solutions rapides » – pouvant être apportés concrètement dans l'immédiat ou à court terme pour mieux appliquer les orientations essentielles du Plan officiel en attendant la révision du reste du règlement, y compris les modifications rendues nécessaires par les pressions liées à la croissance ou les grandes initiatives stratégiques, comme le zonage d'inclusion; et
3. la création d'un groupe de conseillers parrains pour appuyer et défendre le projet de refonte du Règlement de zonage, comme le décrit le présent rapport; et
4. qu'il soit délégué au comité mixte du Comité de l'urbanisme et du Comité de l'agriculture et des affaires rurales le pouvoir de tenir les réunions publiques réglementaires nécessaires à l'adoption du Règlement de

zonage.

Documentation/Documentation

1. Director's report, Economic Development and Long-Range Planning, Planning, Infrastructure and Economic Development Department, dated November 23, 2020 (ACS2020-PIE-EDP-0035)

Rapport du Directeur, Développement économique et planification à long-terme, Direction générale de la planification, de l'infrastructure et du développement économique, daté le 23 novembre 2020 (ACS2020-PIE-EDP-0035)

2. Extract of draft Minutes, Agriculture and Rural Affairs Committee, December 3, 2020

Extrait de l'ébauche du procès-verbal du Comité de l'agriculture et des affaires rurales, le 3 décembre 2020

3. Extract of draft Minutes, Planning Committee, December 11, 2020

Extrait de l'ébauche du procès-verbal du Comité de l'urbanisme, le 11 décembre 2020

**Planning Committee
Report 34
January 27, 2021**

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**Comité de l'urbanisme
Rapport 34
le 27 janvier 2021**

**Report to
Rapport au:**

**Agriculture and Rural Affairs Committee
Comité de l'agriculture et des affaires rurales
3 December 2020 / 3 décembre 2020**

and/et

**Planning Committee
Comité de l'urbanisme
10 December 2020 / 10 décembre 2020**

**and Council
et au Conseil
27 January 2021 / 27 janvier 2021**

**Submitted on 23 November 2020
Soumis le 23 novembre 2020**

**Submitted by
Soumis par:
Don Herweyer,**

**Director / Directeur Economic Development and Long-Range Planning /
Development économique et planification à long-terme Planning, Infrastructure
and Economic Development Department / Direction générale de la planification,
de l'infrastructure et du développement économique**

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**Ward: CITY WIDE / À L'ÉCHELLE DE
LA VILLE**

File Number: ACS2020-PIE-EDP-0035

SUBJECT New Zoning By-law Proposed Workplan

OBJET: Proposition de plan de travail pour un nouveau Règlement de zonage

REPORT RECOMMENDATIONS

That the Agricultural and Rural Affairs Committee and Planning Committee recommend Council approve

- 1. The work plan for a new Comprehensive Zoning By-law, replacing By-law 2008-250, with the final draft of the new Zoning By-law to be before Council for consideration by Q4 2024; and**
- 2. That a "Major Changes (Big Moves & Quick Hits)" Report be submitted following adoption of the new Official Plan in Q4 2021 that will:**
 - a. outline staff's findings and recommendations on the form and structure of the proposed new Comprehensive Zoning By-law;**
 - b. describe the general nature and scope of changes to the zoning regime that will need to be incorporated into the new Zoning By-law to meet the needs of the council-approved Growth Management Plan and new Official Plan policy directions;**
 - c. lay out the course of work and budget requirements for subsequent phases of the New Comprehensive Zoning By-law project, including any necessary amendments to the work plan;**
 - d. identify any opportunities for amendments to Zoning By-law 2008-250 ("Quick Hits") that may practically be undertaken in the immediate or short term to better implement critical Official Plan directions while the full Comprehensive Zoning By-law is being developed, including amendments to respond to development pressures or major policy initiatives such as Inclusionary Zoning; and**
- 3. The establishment of a Council Sponsor Group to support and advocate for the new Zoning By-law project as described in this report.**
- 4. That the Joint Committee of Planning Committee and Agriculture and Rural Affairs Committee be delegated the authority to hold any statutory public meeting required for the consideration leading to the enactment of the comprehensive zoning by-law.**

RECOMMANDATIONS DU RAPPORT

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

- 1. le plan de travail pour la révision du Règlement de zonage (n° 2008-250), la version définitive du nouveau règlement devant être présentée au Conseil d'ici le quatrième trimestre de 2024; et**
- 2. qu'après l'adoption du nouveau Plan officiel, un rapport sur les principales nouveautés (grands changements et solutions rapides) soit présenté au quatrième trimestre de 2021 pour :**
 - a) résumer les conclusions et recommandations du personnel concernant la forme et la structure du nouveau Règlement de zonage proposé; et**
 - b) décrire la nature et la portée générales des changements à apporter au régime de zonage dans le nouveau règlement, en fonction de la Stratégie de gestion de la croissance et des nouvelles orientations stratégiques du Plan officiel approuvées par le Conseil; et**
 - c) présenter l'échéancier et les exigences budgétaires des étapes suivantes du projet de révision du Règlement de zonage, y compris toute modification nécessaire du plan de travail; et**
 - d) définir les changements au Règlement de zonage (n° 2008-250) – les « solutions rapides » – pouvant être apportés concrètement dans l'immédiat ou à court terme pour mieux appliquer les orientations essentielles du Plan officiel en attendant la révision du reste du règlement, y compris les modifications rendues nécessaires par les pressions liées à la croissance ou les grandes initiatives stratégiques, comme le zonage d'inclusion; et**
- 3. la création d'un groupe de conseillers parrains pour appuyer et défendre le projet de refonte du Règlement de zonage, comme le décrit le présent rapport; et**
- 4. qu'il soit délégué au comité mixte du Comité de l'urbanisme et du Comité de l'agriculture et des affaires rurales le pouvoir de tenir les réunions publiques réglementaires nécessaires à l'adoption du Règlement de zonage.**

EXECUTIVE SUMMARY

The Zoning By-law is the City of Ottawa's primary tool for regulating the use and development of land within its boundaries. The purpose of this project is to develop a new Comprehensive Zoning By-law to replace Ottawa's current Zoning By-law 2008-250.

Developing and adopting a new Comprehensive Zoning By-law will greatly reduce the friction, frustration, delays and costs associated with interpreting and using the current Zoning By-law. It will be designed from the start to be efficient, effective and enforceable, and to be accessible and easy to use by all stakeholders, from residents and homeowners to developers and businesses.

The new Zoning By-law will implement the policies and objectives of the new Official Plan currently under development. It will meet the requirements of the 2020 Provincial Policy Statement (PPS) and the *Planning Act*.

The proposed workplan is split into five phases over six years, starting in 2020 and ending in 2025. A Major Changes (Big Moves and Quick Hits) Report will be submitted in Q4 2021 following adoption of the new Official Plan providing amendments to the workplan and any immediate changes to the Zoning By-law that may be necessary as a result of the adoption of the new Official Plan. The final draft of the new Comprehensive Zoning By-law would be presented to Council for consideration and adoption in Q4 2024.

RÉSUMÉ

Le Règlement de zonage est le principal outil qu'utilise la Ville d'Ottawa pour réglementer l'utilisation et l'aménagement des terres sur son territoire. Le projet a pour but de réviser ce règlement (n° 2008-250).

La rédaction et l'adoption d'un nouveau Règlement de zonage réduiront de beaucoup les frictions, frustrations, retards et coûts associés à l'interprétation et à l'application du règlement en vigueur. La nouvelle version sera conçue dès le départ pour être efficace, efficiente et applicable, de même qu'accessible et facile à utiliser, aussi bien pour les résidents et propriétaires que pour les promoteurs et entreprises.

Le nouveau règlement sera conforme aux politiques et objectifs du nouveau Plan officiel en cours de rédaction. Il satisfera aux exigences de la Déclaration de principes provinciale (DPP) de 2020 et de la Loi sur l'aménagement du territoire.

Le plan de travail proposé compte cinq étapes échelonnées sur six ans, de 2020 à 2025. Après l'adoption du nouveau Plan officiel, un rapport sur les principales nouveautés (grands changements et solutions rapides) sera présenté au quatrième trimestre de 2021, et fera état des changements au plan de travail et des modifications à apporter dans l'immédiat au Règlement de zonage dans la foulée de la révision du Plan officiel. La version définitive du nouveau Règlement de zonage serait soumise à l'attention et à l'approbation du Conseil au quatrième trimestre de 2024.

BACKGROUND

Council Direction

The [City of Ottawa's next Official Plan](#) is well into the process of being approved by Council with a target date of Q4 2021. This Plan is a completely new document which replaces the existing Official Plan and presents a vision for the future growth of the city and a policy framework to guide the city's physical development. Next, the City is required, as per the *Planning Act*, to update the Zoning By-law to implement the policies of the new Official Plan. This is to occur within three years of the date of approval of the new Official Plan.

On [December 11, 2019, Council](#) directed staff to begin the preparatory work in 2020 to implement the policies of the new Official Plan in the Zoning By-law using existing staff resources. This report fulfills this direction.

What is a Zoning By-law?

The Zoning By-law is the City's main regulatory tool for controlling the development and use of land within its boundaries. This document is the primary means by which the policies of the Official Plan are put into effect and provide for its day-to-day administration in a legally enforceable way.

A Zoning By-law affects all land in the City in one way or another. The Zoning By-law regulates:

- how land and buildings may be used (e.g. residential, retail store, light industrial use);
- the height and massing of buildings and other structures, and their location on the lot;
- the density of development and use;

- lot sizes and dimensions;
- permissions, requirements and standards for on-site parking; and
- some aspects of the character of buildings and development.

Section 34 of the [*Planning Act*](#) states that Zoning By-laws may be passed by the councils of local municipalities for:

- prohibiting the use of land for or except for such purposes as may be set out in the By-law within the municipality, or within any defined area or areas or abutting on any defined highway or part of a highway; and
- prohibiting the erecting, locating, or using of buildings or structures for or except such purposes as may be set out in the By-law within the municipality; or areas or upon land abutting on any defined highway or part of a highway.

By regulating the use and development of land, the Zoning By-law is a tool by which Council can in turn address a wide variety of topics of interest and concern to the municipality. Zoning influences the supply and affordability of housing, greenhouse gas emissions, economic development, public health, protection of agricultural land and many other priorities.

Zoning By-laws regulate land, not people. Section 35(2) of the *Planning Act* prohibits zoning from "... distinguishing between persons who are related and persons who are unrelated in respect of the occupancy or use of a building." More generally, Charter of Rights and Freedoms concerns rule out zoning that has the effect of discriminating against people based on race, religion, sexual orientation, gender identity, income, whether they are students, or similar matters. Housing tenure (owner versus renter) is also not an appropriate consideration for zoning.

Despite this explicit prescription, the nature of the Zoning By-law itself – as a document that permits and prohibits uses – can and does provide the means by which separation of perceived “incompatible” uses can be rigidly held apart, and that push the boundaries on the explicit prohibition against regulating people. For example, rules that prohibit townhouses from being located in a particular area, rules that demand only a certain type of housing on a prohibitively large (and thereby expensive) lot, or rules that remove the ability for small commercial retail stores from directly integrating into neighbourhoods – on the basis of nuisance and incompatibility can impact many people. Instead of guiding the evolution of a City in conformance with the broader vision, the

Zoning By-law can act to freeze parts of the City, leading to furthering of economic inequality, access to services and restricting diversity of housing choice.

DISCUSSION

Policy Context of the existing Zoning By-law

The current Zoning By-law 2008-250 was the result of an accelerated exercise following the amalgamation in 2001 of eleven municipalities and combined several dozen separate Zoning By-laws into a single document. Many of those Zoning By-laws were themselves materially unchanged from the original municipalities' zoning written decades earlier, with fundamentally different goals in mind, and for a very different City than we have today. They reflected the planning assumptions of the mid- to late-twentieth century, before Ottawa had light rail transit, before intensification, and before climate change, in an era when the region was never expected to grow past half a million people.

To smooth the transition to a single amalgamated City, the 2008 Zoning By-law largely maintained the subtly different zoning distinctions of the former municipalities' thirty-six Zoning By-laws. One result was a proliferation of largely redundant zones. For example, the R1 (Residential First Density) zone alone is in principle among the simplest zones in the By-law, as it allows only detached dwellings. But R1 is differentiated into no fewer than 40 separate subzones, each distinguished by minor differences.

Additional rules including several hundred Schedules and several thousand site-specific exceptions, accumulated over six decades of incremental change, add further complexity. Many of these have long since become irrelevant or even counterproductive to today's planning goals.

On top of the inherited distinctions, the Zoning By-law has continued to evolve in necessarily reactive ways. Most obvious are the ongoing site-specific amendments resulting from private development applications. Individual City-initiated zoning studies on particular topics or in particular geographic areas have been undertaken over the years to fix the most pressing weaknesses in the existing provisions. This piecemeal approach, well intentioned and necessary though it was at the time, has produced an increasingly complex system of overlays, overlapping patches, gaps, contradictions and special rules that supersede other rules and in turn are superseded by yet other rules.

The resulting complexity of the Zoning By-law adds needless cost, delay, and frustration for everyone who uses it, from residents and homeowners to builders, developers and

businesses. It can hinder the City's planning goals; increase housing costs and exacerbate housing shortages; miss opportunities to address climate change and greenhouse gas emissions; undermine economic development; create friction, uncertainty and undue delay and expense for desirable projects; and create loopholes exploited by undesirable projects.

Enormous amounts of staff time and taxpayer dollars are spent interpreting, explaining, defending, applying, amending, varying and enforcing an increasingly complicated set of rules. Industry often requires consultants to help them understand, or amend, the rules – resources used at the expense of building more, or better, or reducing costs of their products. Residents have trouble understanding the rights they have to develop their own property, or how their neighbour might develop theirs. Lack of clarity undermines trust in the planning system, especially when residents struggle to understand the By-law that led to development outcomes they might not agree with.

Development of a new Zoning By-law that is focused on efficiency, readability, and enforceability will pay off many times over in saved staff time and costs, reduced costs for industry and future homeowners, enhanced legitimacy and trust on the part of the public, and will permit consistent and effective enforcement on violations.

Objectives of the New Zoning Bylaw

Developing a new Comprehensive Zoning By-law is a significant undertaking that will require corresponding efforts in consultation and preparation for approval. This project represents an opportunity to reset the framework for development in the City of Ottawa for many years.

The core objectives are:

1. Meet the requirements of the Provincial Policy Statement (PPS) 2020, and the *Planning Act*;
2. Implement the policies and objectives of the new Official Plan; and
3. Write the By-law so that it is efficient, effective, enforceable and easy to use.

Objective 1: Meet the PPS and *Planning Act* requirements

The project will meet the requirements of the PPS and the *Planning Act*.

Section 2(9) of the *Planning Act* states that within three years of an Official Plan update, the Zoning By-law must be updated and made consistent with Provincial plans and the

Provincial Policy Statement. The zoning must have regard to the matters of provincial interest.

Similarly, a municipality is required to update its Zoning By-laws no less than three years after an Official Plan update takes effect. To do so, the new Zoning By-law has two additional requirements to meet: hold an open house information session and the statutory public meeting, the latter of which will take place during a joint Planning and Agriculture and Rural Affairs Committee meeting. Notice of this meeting is given at least 20 days in advance, either through local newspapers or by mail and posted notice.

Once council has passed the new bylaw, it must give notice of the by-law's passing within 15 days. Any person or public body that meets certain requirements may, no later than 20 days after the notice of the passing of the by-law is given, appeal to the LPAT by filing a notice of appeal with the municipal clerk.

Objective 2: Meet the New Official Plan's policy objectives

As of this writing, three documents have been released which lay out the principles and objectives of the new Official Plan: the [5 Big Moves](#), the [Preliminary Policy Directions](#) and the [Growth Management Strategy](#). These three documents provide a high-level understanding of the Official Plan policies that, when adopted, will in turn be implemented by the new Zoning By-law.

The [Growth Management Strategy](#) is particularly relevant to the residential aspects of the zoning. The Strategy presents three scenarios for growth to 2046, of which Council selected the Balanced Scenario. The impact of this decision sees target intensification rates increase from the current 40 per cent to 60 per cent by the 2041 to 2046 period. These targets allocate 51 per cent of the overall urban growth to the built-up area through intensification. This means about 400 more dwelling units per year within the built-up area compared to the status quo scenario, of which a little more than half need to be larger than the typical one- or two-bedroom condominium apartments that are currently being built.

At the same time, Ottawa's existing housing stock and residential zoning remains heavily skewed towards larger units: while over half of Ottawa households' core need is for one-bedroom units, only 15 per cent of units are this size. This paradox represents one of the major challenges of the Zoning By-law Review: achieving a zoning environment that delivers on the ambitious future intensification targets of the Growth Management Strategy while responding to existing real-world housing needs.

Presently, the residential aspects of the Zoning By-law are structured to focus first on building typology as the primary consideration in determining whether a development is allowed. For example, the exact same building envelope, with two dwelling units in it, might be considered a duplex, a semi-detached dwelling, or a detached dwelling with secondary dwelling unit, solely according to how the interior is configured, and will be subject to different rules on that basis.

By contrast, the exterior form and design of the building itself and its supporting functions on the site such as landscaping, parking, and waste management, are treated as secondary considerations, even though it is these very aspects that most directly impact their surroundings.

The review of residential zoning will seek to reverse these priorities and move away from the existing, obsolete model of typology-based permissions. Instead, the new zoning will focus on regulating more important matters such as overall neighbourhood density as well as building form and design, including functional site design matters such as landscaping and waste management.

The Zoning By-law Review must consider housing innovations to allow for a variety of ground-oriented, low-rise, mid-rise and high-rise developments while complementing neighbourhood character. These innovations include but are not limited to:

- "missing middle" low-rise infill apartments of generally up to 12 units, primarily near high-level transit service and in the Inner Urban and Downtown Core Transect areas;
- the "613 Flats" model providing for intensification through large, ground-oriented units, primarily in R1 and R2-zoned areas where mid- to late-20th century detached housing currently prevails;
- six-storey wood-frame apartment buildings in appropriate locations and contexts, as recently enabled by changes to the Ontario Building Code;
- housing forms aimed at providing affordable options to individuals who are not part of a household unit and may not need or be able to afford a self-contained dwelling unit; and
- measures to provide for enough family-sized units, in development forms where this is feasible, to meet the projected need for alternatives to ground-oriented greenfield development.

A key consideration in these innovations is that they must respond pragmatically to the realities of land economics, changing demographics and evolving housing needs, as well as ongoing housing affordability challenges.

The Comprehensive new Zoning By-law will implement the policy objective laid out above and will also implement any changes in the finalized new Official Plan estimated to be approved in Q4 2021.

Other objectives include providing greater flexibility for supportive non-residential land uses in order to promote the goal of "15-minute neighbourhoods," where residents can expect to find most of their daily needs within a fifteen-minute walk. The form and design direction established by the Overlays in the Official Plan, notably the evolution from suburban to urban form as the early automobile suburbs begin to redevelop, would also be codified in the new zoning.

Objective 3: Efficient, Effective and Enforceable

The purpose of this project is to develop a new Comprehensive Zoning By-law, one that is efficient, effective and enforceable, to replace the current Zoning By-law 2008-250 for adoption by City Council. The resulting Zoning By-law will implement the goals and objectives of the new Official Plan. In particular, it will establish zoning rules that deliver on the ambitious intensification targets of the Growth Management Strategy, for approval by City Council, and help Ottawa evolve and develop into the most vibrant and liveable mid-size city in North America. This means:

- **Efficient.** The Zoning By-law will provide the regulation that is necessary to achieve the intent and vision as described in the Official Plan policies, using written language and visual graphics that are clear, concise, and easily understandable to the general public. Clarity and precision in regulatory intent will be at the top of mind when examining each clause, and whether it adds value.
- **Effective.** Regulations in the new Zoning By-law will focus on the areas of significant public interest that affect compatibility and co-existence between uses, while lightly treading on (or avoiding altogether) areas that provide limited public value and are not necessarily land use related. This will lead to less complicated, clear regulations for developers, residents and stakeholders so everyone knows what the rules are.
- **Enforceable.** It is not enough to enact a By-law: ensuring that its regulations can be carried out through the development process and post-approval is critical.

Clear language, clarity in intent, and focusing regulations specifically on areas that matter will make the work of building communities – and enforcing the rules – that much easier. It will give communities the confidence of clearly understanding what new development in their neighbourhood will look like and will ensure that the City can effectively respond to development that is not consistent with that vision.

A Zoning By-law that is efficiently written, effective in application, and directly enforceable afterwards best serves the City's planning goals. It will be easy to read, provide clear rules, and give confidence to communities on how their neighbourhoods will develop. It will enable and promote good development that fits with the vision of the Official Plan.

This project does not aim to discard or undo recent planning and zoning work, including in parts of the City where Secondary Plans have recently been updated. These recent works may be updated and amended to fit within a new structure and philosophical approach to the Zoning By-law, though the intent would remain the same.

A Dynamic “Smart-City” 3D Analysis Framework

Developing the new Zoning By-law will involve extensive data analysis and lot-by-lot evaluation of present and future zoning rules. The current methodology for analyzing zoning through the current Mapping and GIS analysis framework is cumbersome and poorly suited to the needs of a fast-moving, modern City. In the current approach, zoning is disconnected from the actual lands it affects, resulting in a lack of ability to quickly and efficiently analyze the impact of development applications, evaluate the impact of zoning and land use changes, while understanding how population growth and change, economic activity and policy decisions can affect the urban environment.

Historically, zoning was illustrated by maps on paper, and Ottawa's zoning still mostly treats the city like a two-dimensional environment. In a city with an increasingly vertical component, this makes comprehension, interpretation and enforcement more difficult. Changes to zoning as a result of land development activity are slow to integrate, and difficult to evaluate and analyze. The impacts of exceptions, schedules, overlays, districts and other special zoning matters applying to individual lots and neighbourhoods are hard to understand, and cumbersome to work with. Basic questions like “what is the potential density of a neighbourhood” or “what is the rate of change” or “what is an average lot depth” can only be answered with significant investments in resources and time, and by piecing disparate datasets not presently linked together. This is expensive

and time-consuming and creates frustration among stakeholders.

The City has engaged in significant efforts to modernize data management and provide greater public openness in a digital framework, including through the ongoing improvements to the GeoOttawa portal. However, these still rely on static information with little ability to do real-time analysis and link together different datasets to find opportunities. The new Zoning By-law project is an opportunity to move away from a static GIS approach that treats zoning as a separate “overlay” across the City. In collaboration with the Geospatial Analytics, Technology and Solutions Unit, a dynamic analysis framework will be considered concurrent with development of the new Zoning By-law that would enable the basis for a data-driven approach to land use policy and development analysis.

The result could be a digital transformation of the Zoning Information System, towards the creation of a web-based 3D application that supports scenario-based planning and impact assessment. The benefits of a “Smart City Application” like this are numerous and could include:

- Eliminating the need to search through zoning documents;
- Dynamically displaying and evaluating land use policy and development scenarios;
- Facilitating access to information for planners, public and other stakeholders;
- Allowing instant access by internal and external stakeholders to how Zoning affects development capacity on individual lots and in neighbourhoods; and
- Allowing users to visualize new development and community impacts.

This Smart City Application aligns with the development of a digital twin (3D model) for the City of Ottawa. This portion of the project would be a collaborative effort with the Geospatial Analytics, Technology and Solutions Unit, and will be part of a separate Council report.

Recommendation 1: Recommended Work Plan for the New Zoning By-law

A new Zoning By-law will involve a complete review of all existing policies, zones and maps, and will impact nearly every neighbourhood and property in the City. Public interest and engagement will be high.

Table 1 below lays out the five major phases of the work program. Each phase identifies the significant milestones and the target month of completion.

	Phases	Start	End
1	Initiation – Set up <ul style="list-style-type: none"> • Approval of Project Charter • Set up the SharePoint Site • Approval of Work Plan • Budget Estimate for 2021 • Workplan report to Committee/Council • Terms of reference for Planning Consultant requirements 	July 2020	December 2020
2	Concept Development - Discover the Issues, Opportunities and advance a new Structure <ul style="list-style-type: none"> • Hiring a Planning Consultant for a municipal survey and scan of Zoning By-law approaches to identify risks and opportunities, highlight best-practices and input into potential structure and methodology • Review and analyze with internal stakeholders to identify, carry forward, rewrite and replace section of current Zoning By-law • Finalize public engagement strategy and launch communications and engagement plan • Develop a series of themed Implementation Approach Discussion Papers to build from the new Official Plan 	December 2020	December 2021

	Phases	Start	End
	<p>and explore the ways in which Zoning can implement the policy directions</p> <ul style="list-style-type: none"> • Consultation with the public on the Discussion Papers • Engagement of additional consultants (if needed) • Review comparative review of other municipalities by consultant • Consultation with stakeholders (focused) • Joint PC/ARAC Committee and Council Report outlining the Major Changes “Big Moves” (Structural and philosophical vision) and Future Budget requirements Report to Council (linked to Council adoption of new Official Plan) • Committee and Council approve the Zoning Review Big Moves report (linked to Council adoption of new Official Plan) • Potential introduction of an overlay/schedule that enacts major GMP and new OP requirements (linked to Council adoption of new Official Plan) 		
3	<p>Details of the new Zoning By-law - Develop and elaborate the detailed regulations</p> <ul style="list-style-type: none"> • Development of preliminary draft regulations in two 'waves' <ul style="list-style-type: none"> ○ 2022 is proposed to include: Administration, definitions, general provisions, industrial, commercial, rural 	January 2022	December 2023

	Phases	Start	End
	<p>villages, agriculture, environmental zones</p> <ul style="list-style-type: none"> ○ 2023 is proposed to include: Residential, specific uses, mobility (parking and loading), overlays, exceptions, Open Space zones, new and emerging issues (e.g. inclusionary zoning and short-term rentals) ● Progress report to Committee and Council Development of first round of preliminary draft regulations (end of 2022) ● Consultation with stakeholders ● Publication of a status report on the preliminary drafts of By-law sections including a public engagement document outlining comment and discussions received for receipt at committee and council 		
4	<p>Action - Enacting the new Zoning By-law</p> <ul style="list-style-type: none"> ● Develop the final draft regulatory document and associated schedules ● Initiate the formal statutory circulation process as outlined in the <i>Planning Act</i> ● Publish the final draft By-law ● Approval of the final draft By-law by Joint Committee and Council 	January 2024	December 2024
5	<p>Implementation</p> <ul style="list-style-type: none"> ● Appeals ● Roll out the Zoning By-law 	January 2025	December 2025

	Phases	Start	End
	<ul style="list-style-type: none"> • Training internal and external • Monitoring 		

Table 2 below list the project's major Milestones and their specific timelines.

Milestone Name	Target Completion Date
Project Workplan and Budget Estimate for 2021 to Committee and Council	Q4 2020
Retain Planning Consultant for "Best Practises" Review	Q1 2021
Themed Discussion/Approach Papers	Q2 2021
Report on comparative review of other municipalities by consultant	Q3 2021
New Zoning By-law Major Changes (Big Moves & Quick Hits) Report, budget recommendations and immediate Zoning Amendments to By-law 2008-250 to Joint ARAC/PC Committees and Council	Q4 2021
Progress report	Q4 2022
Preliminary Zoning Directions Report and Consultation Report	Q4 2023
Complete Draft Zoning By-law	Q1 2024
Complete Technical Circulation	Q3 2024
Joint ARAC/PC Committee and Council Approval	Q4 2024
Complete Internal Training and monitoring program	Q2 2025

Support for the above workplan is contingent upon successful passage of funding to support staff and resource requirements to support the above timelines and deliverables. Financing for this project will be developed in stages as the new Zoning By-law progresses. Phase 1 work has been developed within the EDLRP Operating Budget for 2020. Phase 2 will require \$1.35 Million to support staffing and consultant requirements. A Report and budget update will come forward to Committee and Council in Q4 2021 as part of the Major Changes (Big Moves & Quick Hits) Report as described

in Recommendation 2, outlining budget requirements and the public engagement strategy to support the future phases of the project through to adoption of the Zoning By-law.

Recommendation 2: Major Changes (Big Moves & Quick Hits) Report

Per the Planning Act, a Zoning By-law must be consistent with the Official Plan within 3 years of the Official Plan coming into effect. As the new Official Plan has just been released for public review as a draft, it is too soon to say with clarity what changes will need to be made to the Zoning By-law, the location of various zones, the scope and extent of the changes that need to be made, or what alterations to development standards and land use permissions will be associated with these changes. It is clear though that the new Official Plan is proposing a fundamentally different way of regulating land use at a lot and neighbourhood level than the current Zoning By-law provides. The magnitude of the changes – and what is necessary to enact on a short, medium or long-term timeline will become more clear as the new Official Plan advances towards adoption, and then will crystallize upon Council's passage of the new Official Plan in the targeted timeframe of Q4 2021.

There are further a number of ongoing items of interest to Council that are reliant upon policies that are to be included in the new Official Plan and that should be enacted in advance of the new Zoning By-law. Under the Planning Act there are aspects of zoning that are protected from appeal to LPAT which include additional residential unit provisions, inclusionary zoning policies and permitted uses, densities and building heights in Major Transit Station Areas. A critical area of interest are inclusionary zoning directions which are contingent upon the new OP identifying and designating Protected Major Transit Stations Areas and providing the policy basis for which zoning can provide the implementation framework for advancing this important policy position.

Staff therefore propose to come back to Committee and Council with a Major Changes (Big Moves & Quick Hits) Report closely following adoption of the new Official Plan. This report will do a number of things:

- Lay out the proposed form and structure of the new Zoning By-law in terms of organization, approach towards form-based regulation, major sections, and structural divisions by transect or geographic area;
- Describe the scope and magnitude of the major changes to land use and regulatory permissions across the City that will be necessary to enact the

council-approved Official Plan policies and Growth Management Strategy on a lot-by-lot scale;

- Provide amendments to the Work Plan as contained in this report as may be necessary to align the proposed scope of work with the final working and policy positions of the new Official Plan;
- Determine and seek approval for the budgetary and staffing requirements necessary to complete the scope of work on the tight timeline associated with section 2(9) of the Planning Act;
- Bring forward immediate changes (Quick Hits) that may be necessary to the existing Zoning By-law 2008-250 as required to enact the Growth Management Strategy and key objectives of the new Official Plan, up to and including enactment of schedules or overlays that may provide for alternate development standards in key areas deemed as essential to moving forward on a timely basis the policies of the new Official Plan, respond to urgent development pressures, or bring forward new regulations to implement major policy objectives such as inclusionary zoning within TOD station areas.

The “Major Changes” Report, coming as it will follow the passage of the new Official Plan, will be a significant milestone and will lay out Council’s high-level direction and approach towards the technical work that staff will need to undertake through 2022-2023 to bring the Zoning By-law into conformity, and to a successful enactment in 2024.

Recommendation 3: Council Sponsors’ Group

The role of the proposed Council Sponsors Group is to champion and support the project through the Public Consultation and Legislative Agenda over the course of the five-year project schedule. To ensure that the Council Sponsors Group will be able to fulfil this role, staff will keep the sponsors group apprised through briefings (briefing notes or briefing meetings) of the review process at key milestones including public engagement events and will provide the Councillor Sponsors all information produced such as discussion papers and as we heard it reports for their information.

Staff is recommending that, as this is a city-wide by-law, the Council Sponsors Group be made up of five Members of Council, representing the East, South, West, Rural and Central as well as the General Manager Planning, Infrastructure and Economic Development, or a designates, as well as other City staff as needed. It is further recommended that the City Clerk undertake a circulation of interest for this Sponsors

Group and bring forward a motion to the next Council meeting after the report is approved by Council.

Recommendation 4: Joint Committee Meetings

As the new Zoning By-law will necessarily involve matters that will be city-wide and pertain to both the rural area and urban area concurrently, it is suggested that joint meetings of ARAC and PC may be an effective strategy. Joint meetings are proposed for the “Big Moves Report” that will bring forward the budget and structural approach in line with the new Official Plan in 2021. A joint meeting is also proposed to support the adoption of the new Zoning By-law in 2024.

RURAL IMPLICATIONS

The report has no direct rural implications. The new Zoning By-law will result in new zoning for the rural area. Rural interests will be represented in the Council Sponsors group.

COMMENTS BY THE WARD COUNCILLORS

This is a City-wide report – not applicable.

LEGAL IMPLICATIONS

There are no legal impediments to the adoption of the recommendations in this report.

RISK MANAGEMENT IMPLICATIONS

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

- the ongoing Covid-19 pandemic and its potential impact on staff and capital resources;
- delays due to unforced circumstances during the 5-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 acts or the new Official Plan; and
- appeals post Council approval.

ASSET MANAGEMENT IMPLICATIONS

There are no asset management implications associated with the recommendations of this report.

FINANCIAL IMPLICATIONS

Completion of the workplan is contingent upon funding. Funding for Phase 1 work is from within EDLRP's 2020 operating budget. Funding of \$1.35 million for Phase 2 work has been requested through the 2021 Draft Capital Budget, 910122 Zoning By-law Re-write. Funding requirements for future phases will be identified in the Q2 2021 report.

ACCESSIBILITY IMPACTS

Accessibility of the new Zoning By-law is imbedded in the "Efficient" section of the "Efficient, Effective and Enforceable" objective. The New Zoning by-law is to be developed using written language and visual graphics that are clear, concise, and easily understandable to the general public. Clarity and precision in regulatory intent will be at the top of mind when examining each clause, and whether it adds value.

Accessibility is a function of the development of the New Zoning By-law and will form part of the process. The project will be informed by accessibility legislation and regulations, including the [Ontario Building Code](#) and [Accessibility Standards](#), ensuring that any proposed Zoning standards are complementary and meet provincial standards.

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 city's carbon footprint. Site design affects tree canopy, heat island effects, and the quality and quantity of stormwater. Zoning also directly affects the protection of water bodies 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.

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.

CONCLUSION

Staff recommend approval of the New Zoning By-law Workplan, which entails reviewing the existing Comprehensive Zoning By-law with a view to implementing a new Comprehensive Zoning By-law. This project represents an opportunity to reset the framework for development in the City of Ottawa for many years.

The proposed workplan is split into five phases, over five years, starting in 2020 and ending in 2025, pending any outstanding appeals. The new Zoning By-law will meet the requirements of the Provincial Policy Statement (PPS), 2014 and 2020, and the *Planning Act*, meet the policies and objectives of the new Official Plan; and be written in an efficient, effective, enforceable and easy-to-use form.

The Workplan is set to have the final draft of the new Zoning By-law before Council for consideration in Q4 2024.

DISPOSITION

Direct staff to implement any directions related to Council receiving this report.

Direct staff in the Planning, Infrastructure and Economic Development Department to implement the Workplan and come back to Council for information or approval as required.