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Delegation to City Council: Review of the New Zoning By-law Final Draft

To: New Zoning Team

From: The Federation of Citizens' Associations (FCA)

Date: October 4, 2025

The Federation of Citizens' Associations (FCA) appreciates the ongoing work to finalize the new Zoning By-law. We recognize that the final draft incorporates significant and positive changes that reflect a consideration of community feedback. However, a rigorous review of the final draft against the core issues we presented in March 2025 reveals that **fundamental concerns regarding integrated planning and livability remain unaddressed**.

We urge the Council to acknowledge these critical gaps and commit to a clear, measurable plan for their resolution.

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FCA Concern (March 2025)	Final Draft Provision Example	Assessment	Staff Response
Density Targets & Neighbourhood Zoning ● No clear justification provided for density maxima in certain zoning classes ● Lack of impact assessment for proposed maximum densities on existing neighborhoods ● Development "hot spots" will receive disproportionate densification without adequate planning ● City's assumption of only 1% lot redevelopment annually fails to account for uneven development patterns ● Neighborhood livability considerations have been minimized in favor of transect and overlay requirements	**Maximum Building Height in N1/N2 Zones:** The maximum height is increased to **11 metres** in N1 and N2 Zones in all urban transects, effectively permitting **three storeys** citywide. **Reduced Density in N3 Zone:** The maximum number of dwelling units in the N3 Zone is capped at **2.2 per 100 square metres of lot area**, maximum 10 per building. **Maximum Building Depth:** For residential buildings with six or fewer units, a **maximum building depth of 20 metres** is introduced in the N1-N4 zones.	**Remains Contentious:** Some communities remain opposed to 11 meters outside the evolving overlay, as increase in building height does not necessarily correlate with more residential units. **Addressed** Density limits are clearer and specifically address the FCA's concern about the originally proposed N3 density. **Addressed** This is a critical built-form control that directly mitigates the impact of massing on neighbourhood character. **Not addressed** Development rate still unrealistically assumed at uniform 1% and transect & overlay requirements remain primary.	Staff are recommending a general height of 11 metres in the final draft, except where existing height suffixes or Secondary Plan policies dictate a lower building height must be permitted instead. Existing height suffixes below 11 m are generally proposed to be retained. Staff note that this implements the transect policies in the Official Plan which within the Neighbourhoods designation generally contemplate a height of three storeys, and further allows for greater flexibility for large units within multi-unit dwellings, which can assist in achieving the large-household unit targets set out as part of Section 3 of the Official Plan. Staff further note that the height permissions of three storeys is not universal, in line with direction that heights should "generally" comprise 3 storeys, and existing height suffixes that prescribe lower height limits would be retained, including those tied to Secondary Plans or more area-specific policies.

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Parking Flexibility in Planning	**Communal Parking:** Permits for communal parking lots now explicitly apply to residential uses **within 400 metres** of the property, expanding the use beyond only Planned Unit Developments (PUDs). **Minimum Parking in Villages:** A **minimum parking rate of one space per dwelling unit** is mandated for Village Residential Zones (V1-V5).	**Addressed** This addresses the prior draft's strict limitation (PUD only), providing some flexibility sought for neighbourhood-scale parking solutions. **Addressed** This directly implements the Council motion in response to concerns about transit-poor areas.	Staff acknowledges receipt of these comments.
Infrastructure and Livability Disconnect: Critical infrastructure planning is not aligned with densification plans. Livability is deemed outside the scope of the Zoning By-law. ● Critical social and physical infrastructure planning not aligned with zoning densification plans ● "Livability" deemed outside the scope of the Zoning By-law ● No clear mechanisms identified for necessary infrastructure upgrades	Proactively includes smaller-scale infill projects (which often contribute to aging system stress) into the stormwater solution framework. While the "Adequate Services and Stormwater Management" section (S. 201) is robust , the overall documentation emphasizes that ensuring sufficient **amenities** is considered **"beyond the scope of zoning"**	**Other infrastructure maintains a siloed approach**. There is still **no clear, integrated, and publicly visible mechanism** to ensure social infrastructure (parks, community centres, schools) and physical infrastructure (beyond individual lot stormwater) will "keep pace" with large-scale, uneven densification. Increased population, and hence demand, is expected to precede service improvements, leaving infrastructure to catch up if and when funding becomes available. This is planning for poor services.	Staff acknowledges receipt of these comments. Social infrastructures are enacted through the Parks, Recreation and Facilities Master Plan so it's not in scope with the Zoning By-law project. Staff would also like to note that provisions in Section 201 (Adequate Services and Stormwater Management) of the draft Zoning By-law are carried over from the current Zoning By-law, however they have been strengthened and will be supported by programs to be initiated through the Infrastructure Master Plan. Legal staff has advised that regulating depth of soil may be ultra vires. In discussion with other internal staff, there are also concerns with respect to enforceability with such a provision. For

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● Insufficient provisions for green infrastructure to support aging systems ● Siloed approach to city planning that disconnects density from essential services		**Livability, including climate change impacts on health, is addressed in the OP. The Bylaw can regulate for the conditions that create livability. Therefore, livability is within scope.** **Zoning By-law is insufficient as a tool for climate adaptation and equitable growth without three immediate commitments:** **1.Functional Tree Canopy Protection: Reinstate Minimum Soil Volume.** **2. Immediate Climate Flood Risk Mitigation: Mandate Official Plan Alignment.** **3. Equitable Landscaping and Development Control: Increase Minimum soft landscaping**.	the final draft, Staff have continued to reference to minimum landscaped areas as opposed to a minimum soil volume. With respect to soft landscaping requirements, Staff are satisfied that the proposed soft landscaping requirements in the draft By-law allow for adequate space for tree growth and retention while addressing other goals set out in the Official Plan.
Transportation Planning Misalignment: Densification will not align with transportation	The document references the need for coordination with transit and includes an EV parking section , but **alignment with the Transportation**	**Not addressed** It is unclear how the transit system will handle an increased load.	Staff acknowledge receipt of these comments. In terms of transit, it is out of scope of the new Zoning By-law and Council will ultimately select the priority projects to receive funding and

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policies, risking **worsening congestion** ● Transportation Master Plan should have been developed alongside the Official Plan ● Actual densification will not align with transportation policies ● Ottawa remains years away from having an effective transit system ● With intensification, we need to reduce reliance on vehicles, or risk worsening congestion and worsening air quality. In any case, there is no room to park so many additional cars.	**Master Plan (TMP) remains uncertain.** EV mandates are reduced and weakened. The changes in the final draft significantly **reduced the stringency and breadth** of the EV parking requirements. Instead of covering all multi-unit housing, the EV parking requirement only applies to mid-rise, high-rise, and offices >300 m2, where the cost of initial infrastructure installation is less prohibitive per unit, and energy management systems are more feasible. Section 611 reduces the spaces required, eg. only 25% be EV ready,rather than 100% for mid-high rise residential, and 15% rather than 30% for offices in industrial or logistics buildings. The focus remained on **"EV-ready"**—requiring only the **energized outlet**—rather than mandating the installation of the Level 2 or Level 3 charging equipment itself.	**Parking EV Readiness**: Weakened EV-readiness requirements for new parking will have costly energy retrofit consequences within the 25 year + lifetime of these builds. Further imperils OP carbon reduction goal. **Text should revert to Draft 2**.	implement the Transportation Master Plan (TMP). Please visit Engage Ottawa to find more about the TMP and the process. The revisions to EV parking provisions conform with policies in Section 4.1.4.4 of the Official Plan and were made in consultation with Hydro Ottawa. Zoning staff will monitor EV ownership rates in Ottawa and are proposing to undertake a review in 2031 to determine whether updates are needed to the EV parking space provisions.

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We are committed to helping Ottawa achieve its vision as "the most liveable mid-sized city in North America". To do so, the Zoning By-law should function as a tool for coordinated, rather than siloed, growth. We urge the Committee to adopt our proposed actions to secure a livable and sustainable future for all Ottawa residents.

1: Re-affirm the Need for Integrated and Phased Implementation

The greatest risk to Ottawa's promised "livable communities" is the non-alignment of zoning with infrastructure. The Zoning By-law enables density **now**, while infrastructure upgrades are deferred to an un-timed and un-funded future.

The continuation of a "siloed approach to city planning" is evident as **"Livability" is deemed outside the scope of the Zoning By-law**.

Action: The Council could adopt a **"Phased Implementation"** resolution that legally **ties the granting of increased densities to demonstrable, measurable benchmarks for both social and physical infrastructure readiness** (e.g., school capacity, parkland acquisition, and confirmed capital funding for local water/sewer/transit upgrades) within a given geographic area, evaluated every five years.

Staff do not agree. The proposed Zoning By-law is intended to conform to the general direction established by the Official Plan.

2: Justification for the Density Methodology

The city's current density assumptions fail to account for uneven development, creating high-growth "hot spots" that risk neighbourhood overburdening.

The Zoning By-law implements sweeping, increased density **without re-examining the assumption of "only 1% lot redevelopment annually"**. This failure to justify the methodology directly threatens the capacity of existing neighborhoods.

Action: The Council should mandate a **Methodology Review** to model the cumulative, localized impact of the new by-law's density maximums *before* implementation, focusing specifically on the projected **"hot spots"** to demonstrate how those neighbourhoods will be supported to retain their "livability and community needs".

Staff do not agree.

3: More ambitious EV requirements

Parking EV Readiness: Weakened EV-readiness requirements for new parking will have costly energy retrofit consequences within the 25 year + lifetime of these builds. Further imperiling OP carbon reduction targets.

Action: Text should revert to Draft 2.

See response above.

4: Reinstate Minimum Soil Volume & Increase Minimum setbacks.

The zoning bylaw provisions need to create the conditions whereby a 40% tree canopy will thrive in each neighbourhood. This will support the health and well-being of residents by locally mitigating the heat island effect, cleaning the air, controlling stormwater runoff, mitigating overland flooding (thus adding to the life of aging infrastructure), and more.
To ensure trees are planted in sufficient space to thrive and reach maturity, institute a city-wide requirement for the minimum soil volumes.

Actions:

1. **Functional Tree Canopy Protection: Reinstate Minimum Soil Volume.**

The Zoning By-law should **reinstate the clear, measurable requirement of 30 cubic metres (m^3) of minimum soil volume/1 meter depth** in Section 210 for soft landscaping over underground structures.

The current language—30 square metres of surface area—is functionally useless for medium-to-large canopy tree survival, as confirmed by professional arboreal standards. The City cannot meet its **40% tree canopy goal** while regulating only **3% of a tree's root requirement** by converting volume to surface area. This is a deliberate, albeit unintentional, act of **climate negligence**.

2. **Immediate Climate Flood Risk Mitigation: Official Plan Alignment.**

The Committee should commit to initiating an **Official Plan Amendment (OPA) process** to align Section 501 with the **Provincial Planning Statement's mandate** to mitigate future climate risks, including **1-in-350 year and overland flooding**.

Deferring action on flood-damage prevention is the **most costly approach**. The City has a duty under the *Emergency Management and Civil Protection Act* to address natural hazards. Until the OPA is complete, **A temporary prohibition on basement construction in identified overland flood-risk zones** should be enforced to protect public safety and minimize the City's potential legal liability.

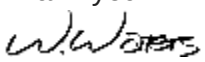
3. **Equitable Landscaping and Development Control.**

Increase Minimum soft landscaping to **50% in rear yards** (outside Transects A/B) and mandate the use of the **Tree Equity Analysis** tool to enforce greater landscaping exceptions in canopy-deficient neighbourhoods. Zoning's primary role here is to combat the **inequitable distribution of the tree canopy** in high-density areas. Without these protective measures, the Zoning By-law will codify a system where the most vulnerable residents—who suffer most from urban heat—are left with the least shade and greenspace.

Staff acknowledges receipt of these comments. See responses above.

The FCA looks forward to commenting on staff's proposed recommendations when they are tabled in December.

Thank you



Warren H. Waters, Vice-Chair, FCA