

Report to Planning and Environment Committee

To: Chair and Members
Planning and Environment Committee
From: Scott Mathers, MPA, P.Eng.
Deputy City Manager, Planning and Economic Development
Subject: ReThink Zoning - progress update
Date: June 19, 2023

Recommendation

That, on the recommendation of the Director, Planning and Development, the following report **BE RECEIVED** for information.

Executive Summary

ReThink Zoning is the process of delivering a new comprehensive zoning by-law that will implement *The London Plan* and replace the current *Zoning By-law No. Z.-1*. The purpose of this report is to provide an update on ReThink Zoning.

Linkage to the Corporate Strategic Plan

The preparation of the new comprehensive zoning by-law will contribute to the advancement of Municipal Council's *2023-2027 Strategic Plan* and the strategic areas of focus in several ways:

- "Housing and Homelessness" is supported by a new comprehensive zoning by-law that contemplates a diverse range of housing options in all neighbourhoods and through a balanced application of use, intensity and form regulations ensures new development is compatible with its context, including existing and future conditions. A new comprehensive zoning by-law will explore the use of regulations to incent certain forms of development through the use of alternative standards to achieve municipal housing needs and commitments.
- "Climate Action and Sustainable Growth" is supported by a new comprehensive zoning by-law that will ensure growth and development is well planned, resilient to change and sustainable over the long-term. A new comprehensive zoning by-law will explore the use of regulations to incent the use of green technologies, infrastructure, facilities, and devices. A new comprehensive zoning by-law will also protect the natural environment and agricultural areas and avoid natural hazards when building new infrastructure or development for the needs of Londoners now and into the future.
- "Economic Growth, Culture and Prosperity" is supported by a new comprehensive zoning by-law that provides certainty and flexibility in regulations to create a supportive environment where businesses and development can thrive.
- "Mobility and Transportation" is supported by a new comprehensive zoning by-law that promotes compact patterns of growth and plans for greater population density in areas near transit and active mobility networks to make green and active forms of mobility more viable and attractive.
- "Reconciliation, Equity, Accessibility, and Inclusion" is supported by a new comprehensive zoning by-law that applies the City of London Equity Tool to City-led policies and to promote equitable, inclusive, accessible and welcoming City of

London spaces for intersectional identities.

- “Wellbeing and Safety” is supported by a new comprehensive zoning by-law that promotes neighbourhood planning and design that creates safe, accessible, diverse, walkable, healthy, and connected communities.
- “Safe London for Women, Girls, and Gender-Diverse and Trans People” is supported by a new comprehensive zoning by-law that applies the City of London Equity Tool to City-led planning, design and construction of public spaces and amenities, specifically considering the safety of women, girls, nonbinary and trans individuals and survivors.
- “Well Run City” is supported by a new comprehensive zoning by-law that continues to deliver municipal services that meet the needs of a growing and changing community.

Climate Emergency

On April 23, 2019, Municipal Council declared a Climate Emergency. ReThink Zoning supports the Corporation of the City of London’s (the City) commitment to reduce and mitigate climate change by encouraging sustainable forms of development and development that is more resilient to climate change. ReThink Zoning will protect the natural heritage system, direct development away from natural hazards that are prone to flooding and/or erosion, and support compact patterns of growth ‘inward and upward’ through intensification. Intensification in the built-up areas of the city utilizes land and public infrastructure, facilities, and services efficiently and is transit supportive. ReThink New zoning will align land use planning with transportation planning to promote and support active and green forms of mobility such as transit, that create less environmental impacts and are more resilient to changes in energy costs.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter.

Planning and Environment Committee, Update and Sample Place Type Zones, October 3, 2022. This report introduced three (3) sample zones prepared by the project consultant. The purpose of the sample zones was to illustrate how policies in *The London Plan* could be translated into regulation. The sample zones included the project consultant’s proposed structure and organizational framework for the zone classes, mapping of zone boundaries and zone codes for sample geographic areas, and preliminary zone regulations. It was recommended that the sample zones be received by Municipal Council for information purposes. This report also provided an update on the next steps for ReThink Zoning.

The sample zones were the subject of consultation and review from October 2022 through to January 2023. Consultation included a staff workshop in November 2022, a meeting of a Rethink Zoning Working Group in November 2022, a virtual Public Information Meeting in December 2022 and meetings with individuals and groups that were requested through the project’s Get Involved webpage.

Planning and Environment Committee, ReThink Zoning Update & Discussion Papers, June 20, 2022. This report introduced seven (7) Discussion Papers prepared by the project consultant that explored opportunities and challenges for London’s new zoning by-law and identified possible zoning approaches to those issues. It was recommended that the discussion papers be received by Municipal Council for

information purposes. This report also provided an update on the next steps for ReThink Zoning.

Planning and Environment Committee, RFP21-57 ReThink Zoning Consulting Services Contract Award, November 1, 2021. This report recommended Municipal Council appoint Sajecki Planning Inc. (“Sajecki”) as project consultants to prepare the new comprehensive zoning by-law and that the financing for consulting services be approved. In accordance with the City’s *Procurement of Goods and Services Policy*, Sajecki was qualified to provide consulting services through a Request for Qualification (RFQUAL) and had the highest scoring submission through the subsequent Request for Proposal (RFP).

Planning and Environment Committee, ReThink Zoning Phase One Update and Background Papers, June 21, 2021. This report introduced for information purposes a series of Background Papers. The first Background Paper provided an overview of the relevance and role of zoning and the importance of engagement in the ReThink Zoning project. The second, third and fourth Background Papers addressed the role of use, intensity, and form in zoning respectively to achieve the city building objectives described in *The London Plan*. The fifth Background Paper undertook a review of zoning by-laws for several populous municipalities in Ontario to identify best practices and capture innovative approaches to zoning. This report also provided an update on the next steps for ReThink Zoning.

Planning and Environment Committee, ReThink Zoning Phase One Update, November 30, 2020. This report introduced for information purposes, areas of focus for future public and stakeholder engagement. Areas of focus including education about how zoning works, and conversations about the types of uses and buildings that should be permitted (use), how much activity or building should be permitted (intensity), and where and how buildings should be situated or designed (form). The above noted areas of focus were discussed in the context of *The London Plan’s* policy direction and place types, and how *The London Plan’s* vision can be implemented through zoning. The report was initially scheduled for June 2020 and was postponed and adapted to address limitations with public and stakeholder engagement as influenced by COVID-19.

Planning and Environment Committee, ReThink Zoning Terms of Reference, May 13, 2019. Based on public and stakeholder comments on the draft Terms of Reference (TOR), this report introduced for approval an updated TOR for ReThink Zoning. The updated TOR included a detailed overview of the project goals, work plan and deliverables, and identified opportunities for meaningful public and industry stakeholder engagement.

Planning and Environment Committee, ReThink Zoning Terms of Reference, August 13, 2018. This report introduced for information purposes a draft TOR for ReThink Zoning and directed that the draft be circulated for comments.

2.0 Discussion and Considerations

2.1. Introduction – Working Draft Zoning By-law Document

The purpose of this report is to provide an update on ReThink Zoning and the work-to-date completed by the project consultants. As previously reported, the project consultants have completed seven (7) Discussion Papers dated June 2022 and three (3) Sample Zones dated October 2022. In accordance with the project work plan and schedule, the project consultants delivered a working draft zoning by-law document to Planning and Development in April 2023. A staff team led by Planning and Development and consisting of staff members from other service areas that use the zoning by-law in their daily work are currently undertaking a review and completing revisions to the

working draft document prior to public consultation (See report subsection 2.3 below).

2.2 Content – Working Draft Zoning By-law Document

The working draft zoning by-law document includes the structure and organizational framework for the new zoning by-law, substantial content for the various sections and subsections (unless otherwise indicated below) and mapping. The working draft document is structured as follows:

Section 1: Introduction – includes content on Administration (except for provisions dealing with transition and repeal of existing by-law to be addressed in future draft(s)), Interpretation and Establishment of Zones.

Section 2: Definitions – the working draft document uses italics to identify defined terms, and the working draft includes definitions for those terms that are italicized.

Section 3: General Provisions – includes content on Uses Permitted in All Zones, Regulations for All Zones, Specific Use Regulations, and Incentive Regulations that incent certain forms of development through the use of alternative standards. Specific Building Type Regulations may also be included in the General Provisions in future draft(s). In the working draft document, regulations for permitted building types have been incorporated directly into the regulations for the various zone classes.

Section 4: Zone Classes – includes content on Use, Intensity and Form regulations for all base zones. Secondary Plan Areas and/or Specific Policies for Place Types that will require site-specific exceptions to these base zone regulations will be addressed through future draft(s).

Section 5: Holding Provisions – to be addressed in future draft(s)

Section 6: Schedules – includes mapping of zone boundaries and zone codes for all base zones. Mapping of site-specific exceptions and mapping of holding symbols to be addressed through future draft(s).

2.3 Consultation – Working Draft Zoning By-law Document

Over the next few months (June 2023 through October 2023) Planning and Development staff plan to share the working draft zoning by-law document with interested parties through posted materials and updates on the project's Get Involved webpage.

An update to the sample zones is scheduled to be released first in June 2023 and will include the text portion of the Downtown, Neighbourhoods, Commercial Industrial, Light Industrial and Heavy Industrial Zone Classes. The balance of the working draft zoning by-law document, including all Zone Classes, General Provisions, Definitions and Mapping as described in Section 2.2 of this report, is scheduled to be released in August 2023.

Opportunities for consultation with interested parties will be possible as sections of the working draft document are released, and in advance of the public participation meeting that is tentatively scheduled to occur in Fall 2023. Public consultation will be designed to accommodate general feedback on the working draft document as well as targeted feedback from community groups, equity deserving groups, and the development industry. Given the range of interested parties that may affect or be affected by ReThink Zoning, consultation with the interested parties will include a series of focus group sessions.

The public participation meeting in Fall 2023 is not required by the Planning Act, but it will provide an opportunity for Planning and Environment Committee and Municipal Council to receive feedback directly on the working draft zoning by-law document, and if needed, provide direction to Civic Administration. The feedback received on the working draft zoning by-law document will inform the final version of the 1st draft and completion of this project stage is expected by the end of 2023.

3.0 Next Steps

As described above, consultation on the working draft zoning by-law document is planned to occur June through October 2023. The feedback received on the working draft zoning by-law document will inform the final version of the 1st draft and completion of this project stage is expected by the end of 2023. The timelines for subsequent draft(s) and project stages are to be determined once the nature and the extent of feedback on the working draft zoning by-law document has been received.

Conclusion

The project consultant's have delivered a working draft zoning by-law document and staff are currently undertaking a review. Over the next few months (June 2023 through October 2023), staff plan to share the working draft document with interested parties to receive feedback prior to completing the final version of the 1st draft and completing the 1st draft project stage. The project's *Get Involved* webpage (getinvolved.london.ca/rethink-zoning) will be used to post and share information on the working draft zoning by-law document with interested parties.

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