

ATT 1 – Comprehensive Zoning Bylaw Review

Project Charter

Project Name: Comprehensive Zoning Bylaw Review

Version Number: 1

Date: October 31, 2018

Project Manager: Natalie Goss, Project Manager, Comprehensive Zoning Bylaw Review

Project Sponsor: Melissa Aldunate, Manager, Policy Planning and Urban Design

Project Client: Todd Salter, General Manager, Planning and Building Services

Project Background

Project Description

The City's Official Plan was recently comprehensively updated through Official Plan Amendments 39, 42, and 48. The March 2018 consolidation is the full updated Official Plan. The City's Zoning Bylaw (1995) pre-dates the updated Official Plan and some aspects of it may not conform to the Official Plan. A comprehensive review of the City's Zoning Bylaw (1995) is required to ensure that it

- Conforms to the City's Official Plan, and;
- Is reflective of current zoning practices.

Project Justification

As the City's Official Plan has been updated in accordance with section 26 of the Ontario Planning Act (which requires an update to conform with provincial plans, matters of provincial interest, and policy statements), a comprehensive review of the City's Zoning Bylaw (1995) is required to comply with section 26 (9) of the Ontario Planning Act (which requires that a zoning bylaw conform to the Official Plan within 3 years of an Official Plan update).

An amendment to the Official Plan may also be necessary as a companion to a new Zoning Bylaw to clarify the intent of policies, terms, or land use designations to better reflect the original intent of the Official Plan and ensure that there is clarity on how the new zoning bylaw is consistent with the Official Plan.

Project Deliverables

Phase 1 – Project Initiation (Q1 2019)

- Project charter
- Report to Council for endorsement of project charter

Phase 2 – Research and Analysis (Q1-Q4 2019)

- Discussion paper
- Terms of Reference for a Comprehensive Zoning Bylaw Review: Off-Street Parking Rate Demand Analysis; and Parking, Driveway, and Garage Regulation's Review

- Report to Council for endorsement of the discussion paper for consultation
- Report to Council for endorsement of the Comprehensive Zoning Bylaw Review: Off-Street Parking Rate Demand Analysis; and Parking, Driveway, and Garage Regulation's Review discussion paper for consultation

Phase 3 – First Draft Zoning Bylaw and Official Plan Amendment (Q4 2019-Q2 2020)

- First draft zoning bylaw and first draft Official Plan amendment (as needed)
- Report to Council for endorsement of first draft zoning bylaw and Official Plan amendment for consultation (statutory open house)

Phase 4a – Final Zoning Bylaw and Official Plan Amendment (Q3 2020-Q2 2021)

- Final draft Zoning Bylaw
- Final draft Official Plan amendment
- Report to Council – statutory public meeting on the final draft zoning bylaw and Official Plan amendment

Phase 4b – Zoning Bylaw and Official Plan Amendment Decision (Q3-Q4 2021)

- Final Zoning Bylaw
- Final Official Plan amendment
- Report to Council – decision on Zoning Bylaw and Official Plan amendment

Phase 5 – Implementation and Appeals (Q4 2021+)

- Zoning Bylaw User Guide and interpretation notes
- Project Charter for appeals to the Zoning Bylaw (if needed)

Project Benefit

A new zoning bylaw will benefit Guelph residents, Guelph businesses, the development industry, various City of Guelph Departments, and City Council by:

- Providing a comprehensive regulatory framework for land use planning and development, supporting the vision for growth established in the Official Plan;
- Ensuring consistency with the Official Plan and current zoning trends which will provide more certainty and clarity for zoning rules on properties going forward, and;
- Providing for more efficient development review processes (e.g. less likely for zoning bylaw amendments to be needed)

A companion Official Plan amendment, if required, would provide clarification on policies, terms, and/or land use designations. An Official Plan amendment would ensure that there is greater clarity in how the new zoning bylaw is implementing the Official Plan.

Strategic Alignment

Service Excellence – A new zoning bylaw will provide a clear, consistent set of rules for properties providing certainty and transparency regarding the City's growth, development, and urban design.

Alternatives and Approved Solution

This project did not consider any alternatives as it is a legislative requirement.

Project Scope

Phase 1 – Project Initiation

In Scope

- Development and endorsement of a project charter that describes, among other things:
 - Project management structure
 - Timeline
 - Budget
 - Resources
 - Scope
 - Project assumptions, constraints, success factors, and post implementation support
- Development and endorsement of a Community Engagement Plan and Communications Plan
- Community engagement on what issues have been encountered with the existing zoning bylaw

Out of Scope

- Exploration of matters that are not appropriately resolved through zoning
- Requests to change land use or zoning on specific properties that are more appropriately dealt with through private applications

Phase 2 – Research and Analysis

In Scope

- Prepare terms of reference and retain a consultant for the parking study
- Prepare a discussion paper that includes:
 - Layout, transition, legal matters, and mapping
 - Minor variances and specialized zones
 - Residential land use
 - Employment land use
 - Commercial/Mixed Use land uses
 - Natural Heritage System, Open Space, and Parks land use
 - Major Institutional/Major Utility land uses
 - Reserve Lands land use, Clair-Maltby Secondary Plan, and Guelph Innovation District Secondary Plan
 - Downtown Secondary Plan
 - Cultural Heritage
 - Parking and loading
- The discussion paper will:
 - Outline the scope
 - Review Official Plan policies
 - Review existing zoning
 - Analyze zoning trends
 - Discuss zoning issues

- Outline further research/provide options for zoning
- Outline any necessary amendments to the Official Plan
- Recommend zoning options
- For the Clair-Maltby and Guelph Innovation District Secondary Plans, explore options of the timing of application of new zones to implement land uses as well as options for interim zoning
- Respond to existing Council directions (i.e. driveway regulations, trail structures in the floodway)
- Community engagement on discussion paper

Out of Scope

- Exploration of matters that are not appropriately resolved through zoning
- Requests to change land use or zoning on specific properties that are more appropriately dealt with through private applications
- A comprehensive review of downtown (“D”) zones
- Exploration of inclusionary zoning

Phase 3 – First Draft Zoning Bylaw and Official Plan Amendment

In Scope

- Using the discussion paper and input received on it, prepare and consult on a complete first draft zoning bylaw. The first draft zoning bylaw will include:
 - A new format
 - All new sections
 - Updated/new/removal of existing specialized zones
 - The application of new zones to properties
 - Property detail schedules for properties that are “split-zoned”
- Prepare and consult on a first draft Official Plan amendment
- Review and respond to comments provided on the first draft zoning bylaw and Official Plan amendment

Out of Scope

- Exploration of matters that are not appropriately resolved through zoning
- Requests to change land use or zoning on specific properties that are more appropriately dealt with through private applications
- Regulations related to inclusionary zoning

Phase 4a – Final Zoning Bylaw and Official Plan Amendment

In Scope

- In consideration of comments provided on the first draft zoning bylaw and Official Plan amendment, prepare and obtain input on a final draft zoning bylaw/Official Plan amendment at a statutory public meeting

Out of Scope

- Exploration of uses that are not appropriately resolved through zoning
- Requests to change land use or zoning on specific properties that are more appropriately dealt with through private applications
- Regulations related to inclusionary zoning

Phase 4b – Zoning Bylaw and Official Plan Amendment Decision

In Scope

- In consideration of comments provided on the final draft zoning bylaw and Official Plan amendment, prepare a final zoning bylaw and Official Plan amendment for decision

Out of Scope

- Exploration of uses that are not appropriately resolved through zoning
- Requests to change land use or zoning on specific properties that are more appropriately dealt with through private applications
- Regulations related to inclusionary zoning

Phase 5 – Implementation and Appeals

In Scope

- Prepare a user guide and interpretation notes
- Prepare for appeals (if required)

Out of Scope

Project Parameters

Milestones and Timeline

- Project Charter – Q1 2019
- Community Engagement Plan and Communications Plan – Q1 2019
- Terms of Reference for parking study – Q1 2019
- Discussion paper – Q3/Q4 2019
- First Draft Zoning Bylaw and Official Plan amendment (statutory open house) – Q2 2020
- Final draft zoning bylaw and Official Plan amendment (statutory public meeting) – Q2 2021
- Zoning bylaw and Official Plan amendment for decision – Q3/Q4 2021
- Notice of Adoption – Q3/Q4 2021
- Zoning bylaw user guide and interpretation notes – Q4 2021

ATT A – Comprehensive Zoning Bylaw Review Process and Timing summarizes the timeline, deliverables and community engagement for each phase of the project.

Assumptions and Constraints

Resources

A team of core resources are necessary to complete the project on time and on budget. The following are resource timing and capacity assumptions:

- The Project Manager will be dedicated to the project at 100% of their time for the duration of the project
- An existing Policy Planner I position (currently vacant and anticipated to be filled by 2018 year end) will be dedicated to the project at 50% to 75% of their time for the duration of the project
- A GIS resource will be dedicated to the project at 25% of their time for the duration of the project. The GIS resource is uncommitted at this time. The Project Sponsor and Client are currently considering options to secure this resource. This resource is required no later than commencement of the preparation of the first draft zoning bylaw (Q3 2019)
- A temporary planning resource may be necessary to assist with research as part of Phases 2 and 3. This position is currently uncommitted. Confirmation of the need for this position is contingent upon the Policy Planner I position and in progress work planning discussions. The Project Sponsor and Client are considering options to secure this resource should it be required.

Resources from outside of the team of core resources are required to act as technical resources. These technical resources are from various internal divisions/departments. It is assumed that these additional resources will be available as needed for the duration of the project.

Timeline

The project must be completed within 3 years of its commencement. That is, a decision to approve a new zoning bylaw must be made within 3 years. The project's Community Engagement Plan is being prepared in consideration of the legislative requirements, the City's Community Engagement Framework, available resources, and project budget. Should additional public/stakeholder engagement be required that is not within the approved Community Engagement Plan, it may have impacts on timeline, budget, and resource capacity. Additionally, the project's Community Engagement Plan has accounted for a certain timeframe for community engagement at each phase of the project. Should higher than anticipated levels of participation occur, adjustments to the timeline may need to be explored.

Budget

That the additional project budget earmarked for 2020 will be approved and that all aspects of the project will be completed within the currently available and forecast 2020 budget. Should the 2020 budget request not be approved and/or additional items be added to the project scope, and/or additional community engagement be required, adjustments to the project budget may need to be explored.

Scope

That changes to the scope outlined in this Project Charter will not occur. Should the scope of work be modified through Council, it may have impacts on the timeline, budget, and resource capacity.

Critical Success Factors

- Corporate support and acceptance of a new zoning bylaw
- Issues raised through community engagement are understood and resolved, where appropriate, in the new zoning bylaw, and;
- A new zoning bylaw is approved by Council.

Post-Implementation Support

Once a new zoning bylaw is approved, a zoning bylaw user guide and interpretation notes will be prepared to assist internal and external users with its implementation. The approved zoning bylaw will be available in a variety of formats for ease of reference. The Project Manager will provide training sessions to relevant staff on the implementation of the zoning bylaw.

Project Budget

This project will be completed within existing committed budget resources as well as additional funds in 2020 that remain to be considered through the annual budget process.

Risk and Mitigation Strategy

Risk Assessment and Mitigation

Risk – Core or technical resource availability

Likelihood of Risk Occurring – Medium

Impact of Risk on Project – High

Risk Mitigation

Should the core resources not be available in the timeframe required to meet project milestones, the Project Manager, in consultation with the Project Steering Committee, will consider options for adjusting the project timelines and/or workload priorities. Additionally, the Project Manager will monitor and document workload commitments and identify if achievement of milestones are being compromised. If during the course of the project the Project Manager, Core Project Team, or Technical Resources are unavailable to commit the allocated portion of their respective workloads to the project, commitment of additional resources or prioritization of workload through the Project Sponsor, Project Steering Committee, and/or Client will be required.

Risk – Adequate time scheduled for specific tasks

Likelihood of Risk Occurring – Medium

Impact of Risk on Project – Medium

Risk Mitigation

The Project Manager will monitor the project schedule and if a deadline or milestone is missed by more than 2 weeks the Project Manager may need to adjust the project timeline in consultation with the Project Sponsor. At each milestone, the Project Manager will detail out the next phase of the project and will consider any impacts that the previous phase had on the overall project timeline. This will be done in consultation with the Project Steering Committee. Changes to the timeline will require approval by the Project Sponsor and the Client.

Risk – Additional community/stakeholder engagement requested

Likelihood of Risk Occurring – High

Impact of Risk on Project – High

Risk Mitigation

The Project Manager, together with the Project Steering Committee and Community Engagement Coordinator, will consider options and revise the work program accordingly, specifically timelines/resourcing/budget. There may be the need to report to Council on work plan impacts (e.g. if timelines are to change significantly, or additional budget is required).

Risk – Scope of work program modified through Committee/Council

Likelihood of Risk Occurring – Medium

Impact of Risk on Project – Medium to High (depending on the topic of additional work)

Risk Mitigation

Additional items added to the scope of work or modification of the sequencing of work (e.g. a particular aspect of the project is requested to be completed in advance of the remainder of the comprehensive zoning bylaw review) could significantly impact resourcing (i.e. staffing, budget) and timing of completion of the project. The Project Manager will strategize with the Project Sponsor, Project Steering Committee, and Client to determine a response, if necessary. Clear communication at the outset and throughout the project will be key in reducing the likelihood of this risk. There may be the need to report to Council on work plan impacts (e.g. if timelines are to change significantly, or additional budget is required).

Risk – Remaining project budget not approved as part of the 2020 budget process

Likelihood of Risk Occurring – Low

Impact of Risk on Project – Medium

Risk Mitigation

Should the remainder of the project budget not be approved, the Client, Project Sponsor, and Project Manager will need to consider alternative funding sources or modifications to the scope of the project.

Risk – Lack of understanding from the community about the scope of the project

Likelihood of Risk Occurring – Medium

Impact of Risk on Project – Low

Risk Mitigation

Upfront consultation on “zoning 101” information and communication on the purpose of the project at project commencement should proactively mitigate this risk. The Project Manager, in consultation with the Community Engagement Coordinator, will determine whether additional consultation or information is required to clarify the project scope. If additional consultation/information is determined necessary and will have an impact on budget or timeline, the Project Manager will consult with the Project Sponsor and the Project Steering Committee.

Project Governance and Organization

Project Governance

See ATT B – Project Governance Structure.

Stakeholder Identification

Stakeholder Identification, Community Engagement, and Communications Protocol

A Community Engagement Plan and Communications Plan are being prepared that will include opportunities for community and stakeholder involvement and consultation at key stages of the project. Community engagement methods will include both in person and online methods.

Attachments

ATT A – Comprehensive Zoning Bylaw Review Process and Timing

ATT B – Project Governance Structure

ATT A – Comprehensive Zoning Bylaw Review Process and Timing

Phase 1 – Project Initiation

Q1 2019

Deliverables

- Project charter
- Community engagement plan and communications plan
- Report to Council – endorsement of project charter

Community Engagement

- Planning Advisory Committee meeting
- Consultation on what issues have been encountered with the existing zoning bylaw

Phase 2 – Research and Analysis

Q1-Q4 2019

Deliverables

- Discussion paper that includes:
 - Layout, scope, transition, legal matters, and mapping
 - Minor variances and specialized zones
 - Residential land use
 - Commercial and mixed use land uses
 - Natural heritage system, open space, and parks land uses
 - Major institutional and major utility land uses
 - Reserve lands land use, Clair-Maltby Secondary Plan, and Guelph Innovation District Secondary Plan
 - Downtown Secondary Plan
 - Cultural Heritage
 - Parking rate, demand analysis, and parking, driveway, garage regulations review
- Report to Council – endorsement of discussion paper

Community Engagement

- Planning Advisory Committee meeting
- Consult with public and stakeholder on discussion paper

Phase 3 – First Draft Zoning Bylaw and Official Plan Amendment

Q4 2019-Q2 2020

Deliverables

- First draft zoning bylaw and first draft Official Plan amendment
- Report to Council – endorsement of first draft zoning bylaw for consultation

Community Engagement

- Planning Advisory Committee meeting
- Consult with community and stakeholders on first draft zoning bylaw and Official Plan amendment (meets legislative requirement for open house)

Phase 4 – Final Zoning Bylaw

Phase 4a – Q3 2020-Q2 2021

Phase 4b – Q3-Q4 2021

Phase 4a

Deliverables

- Final draft zoning bylaw
- Final draft Official Plan amendment
- Report to Council – statutory public meeting on final draft zoning bylaw and Official Plan amendment

Community Engagement

- Planning Advisory Committee meeting
- Consult on final draft zoning bylaw and Official Plan amendment as a public meeting of Council (meets public meeting legislative requirement)

Phase 4b

Deliverables

- Final zoning bylaw and Official Plan amendment for decision
- Report to Council – decision on zoning bylaw and Official Plan amendment

Phase 5 – Implementation and Appeals

Q4 2021+

Deliverables

- Zoning bylaw user guide and interpretation notes
- Project charter for appeals (if required)

Community Engagement

- Planning Advisory Committee meeting

ATT B – Project Governance Structure

Project Governance Structure

