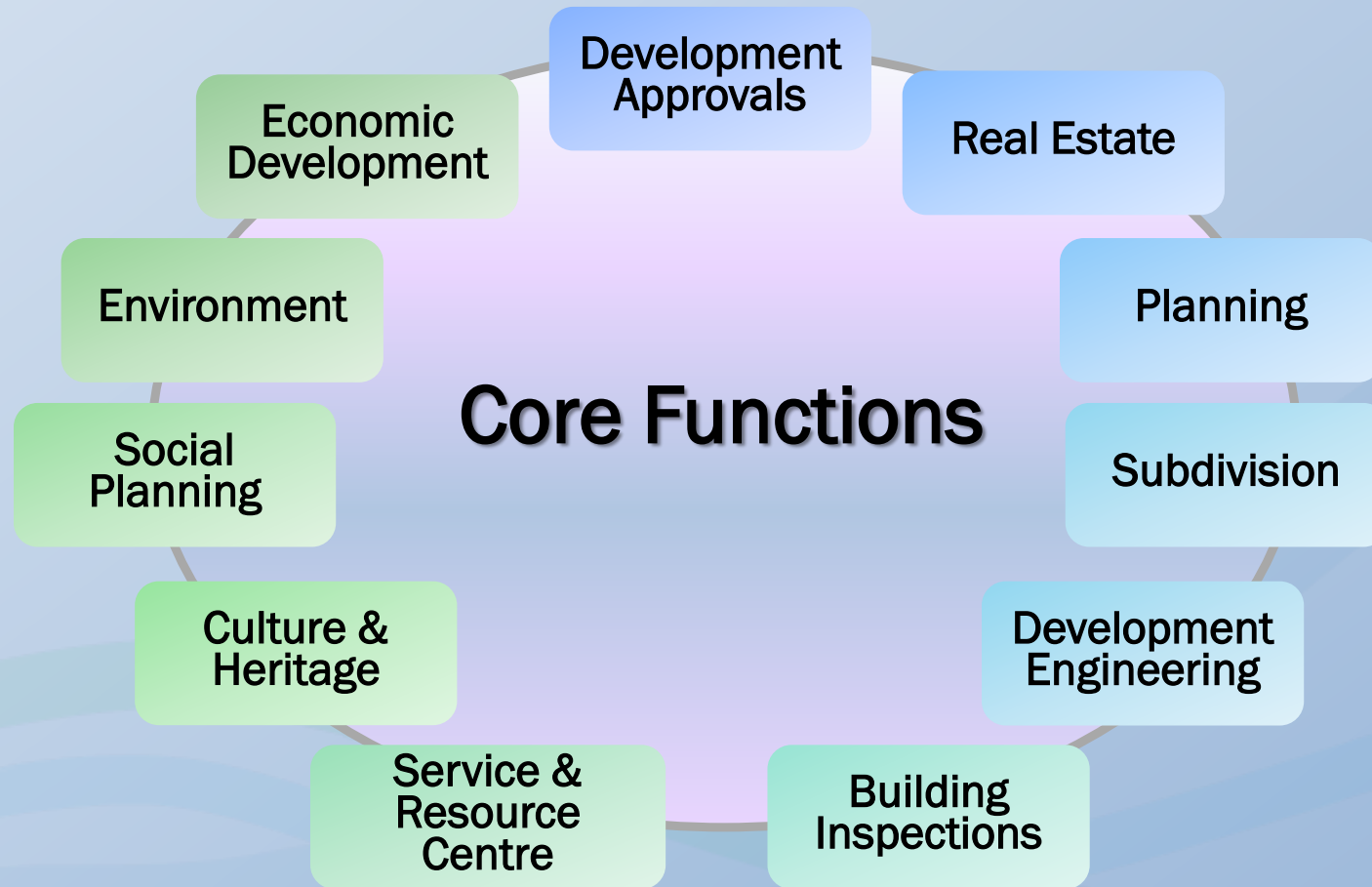


Planning & Building Overview

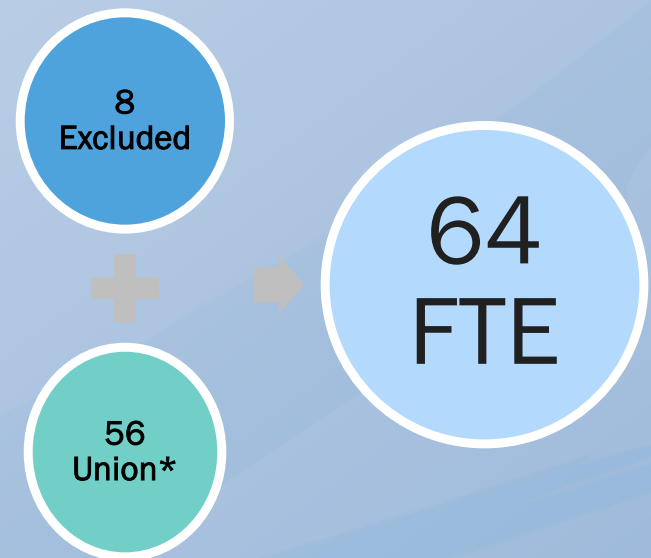
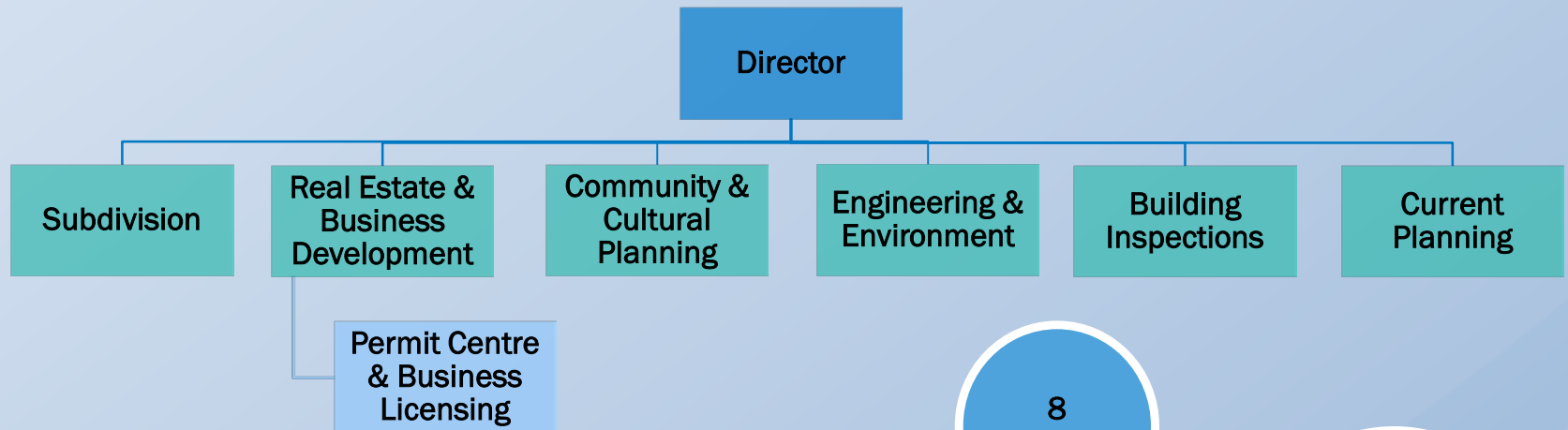
Community Development



Overview



Overview

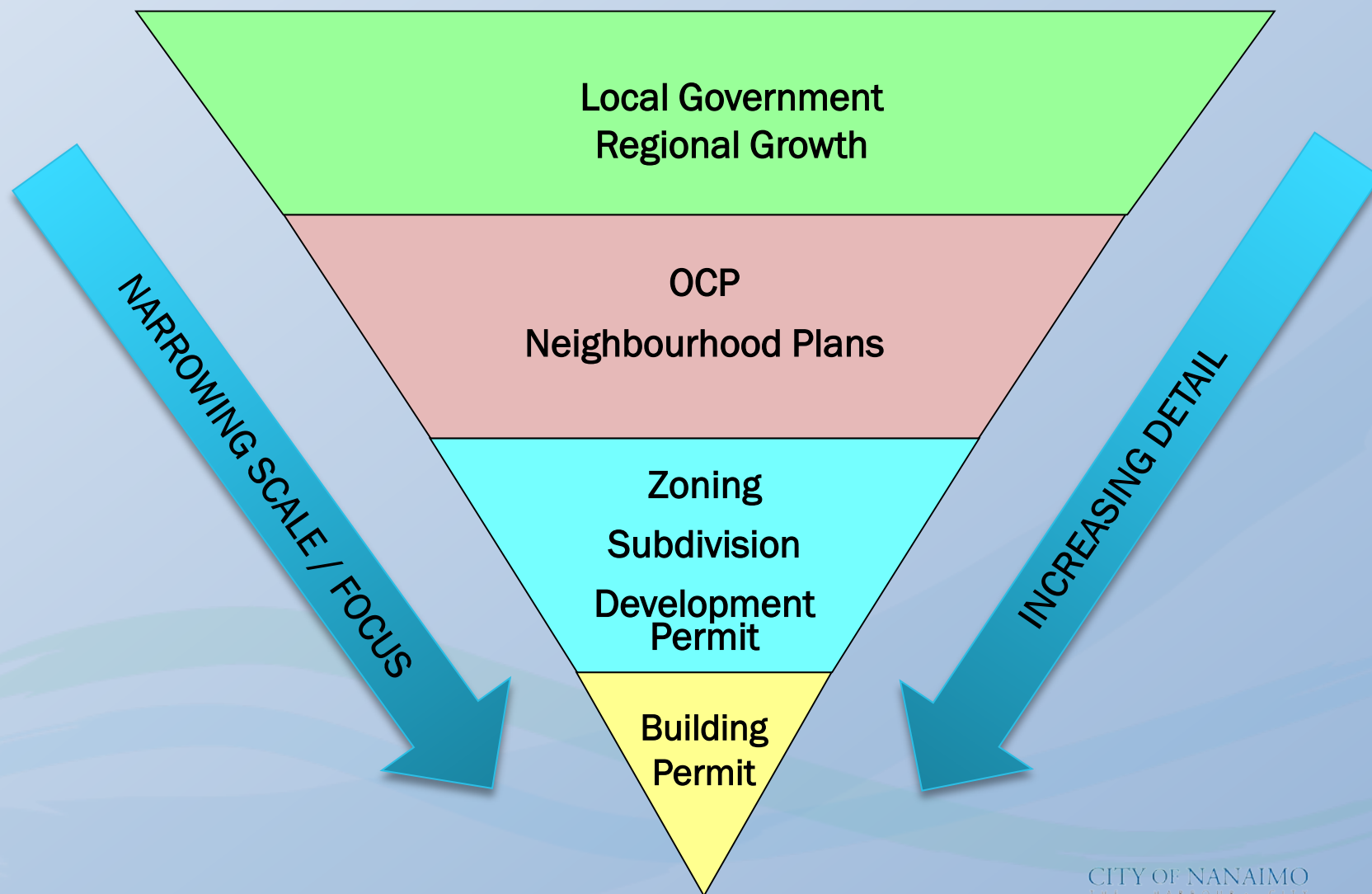


Planning and Building Overview

- OCP Amendment/Rezoning
 - Council / Committee / Community / Staff
- Development Permits
 - Council / DAP / Staff
- Subdivision
 - Staff (Statute / Bylaw)
- Building Permits
 - Staff (Building Code / Act / Bylaw)



Planning & Building Processes



Community Development Customers

- Different customers for P&D functions / processes:
 - Council
 - Community
 - Realtors
 - Developers
 - Applicants / property owner
 - Special interest groups
 - External government / agencies



Legislative Framework

- Federal
- Provincial
 - Local Government Act, Community Charter
 - Land Title Act, Strata Property Act
 - Environmental Management Act
 - Building Code, Building Act, Homeowner Protection Act
- Other



External Governments/Agencies

- Federal
- First Nations
- Provincial
 - MOTI, MoE, Island Health, Technical Safety, Archaeology Branch, Building Safety and Standards Branch, BC Housing, Port Authority.
- Regional District



Local Government Planning Processes and Tools

- The *Local Government Act* provides local governments with land use management authority
- Key planning processes and tools:
 - Regional Growth Strategy (RGS)
 - Official Community Plans (OCPs)
 - Zoning

RGS



Regional Level
guides direction &
location of growth in
the region

OCPs

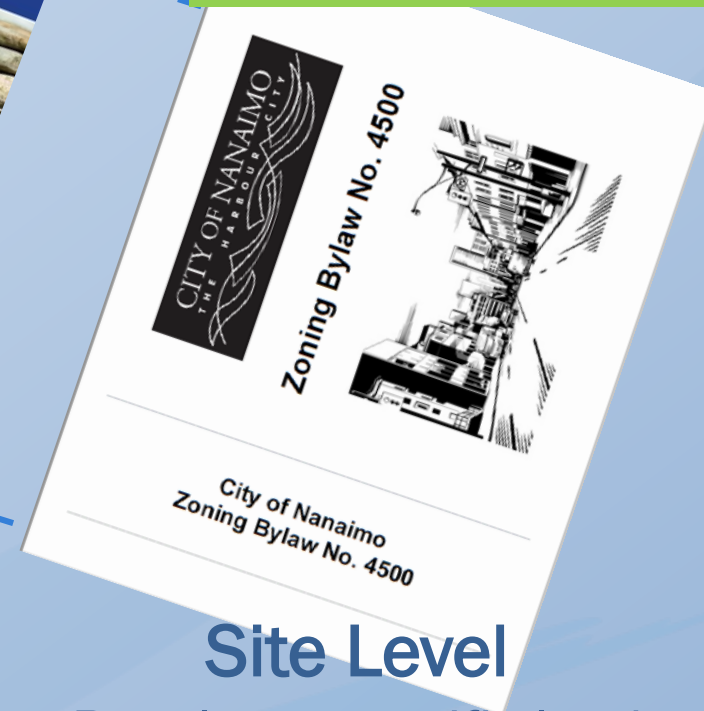
Neighbourhood &
Village Plans



Community Level

Sets community
priorities & works
towards RGS Goals

Zoning



Site Level

Regulates specific land
uses, densities, setbacks

Similarities Between these Planning Tools (RGS, OCP, Zoning)

- Authority flows from Local Government Act
- All three processes follow procedures set by provincial statute
- Changes to all require adoption of a bylaw
- All impact the rights of property owners
- All send messages as to what kind of community you want

Similarities Between these Planning Tools (RGS, OCP, Zoning)

- All depend on elected officials to consider a wide range of interests in making land use decisions
- All require that full disclosure of information be made to the public
- All require public hearing process
- All are challengeable in court

Regional Growth Strategy

Increasing
Detail

Official Community Plans

Neighbourhood & Village Plans

Zoning Bylaws



Regional Growth Strategy

The purpose:

To promote human settlement that is **socially, economically and environmentally healthy** and that makes **efficient use** of public facilities and services, land and other resources.

-Local Government Act s.428



Regional Growth Strategy

- A strategic plan
- A shared vision for sustainable growth
- An agreement

To take actions that work towards shared social, economic and environmental goals

What Is The RGS? ...In Brief

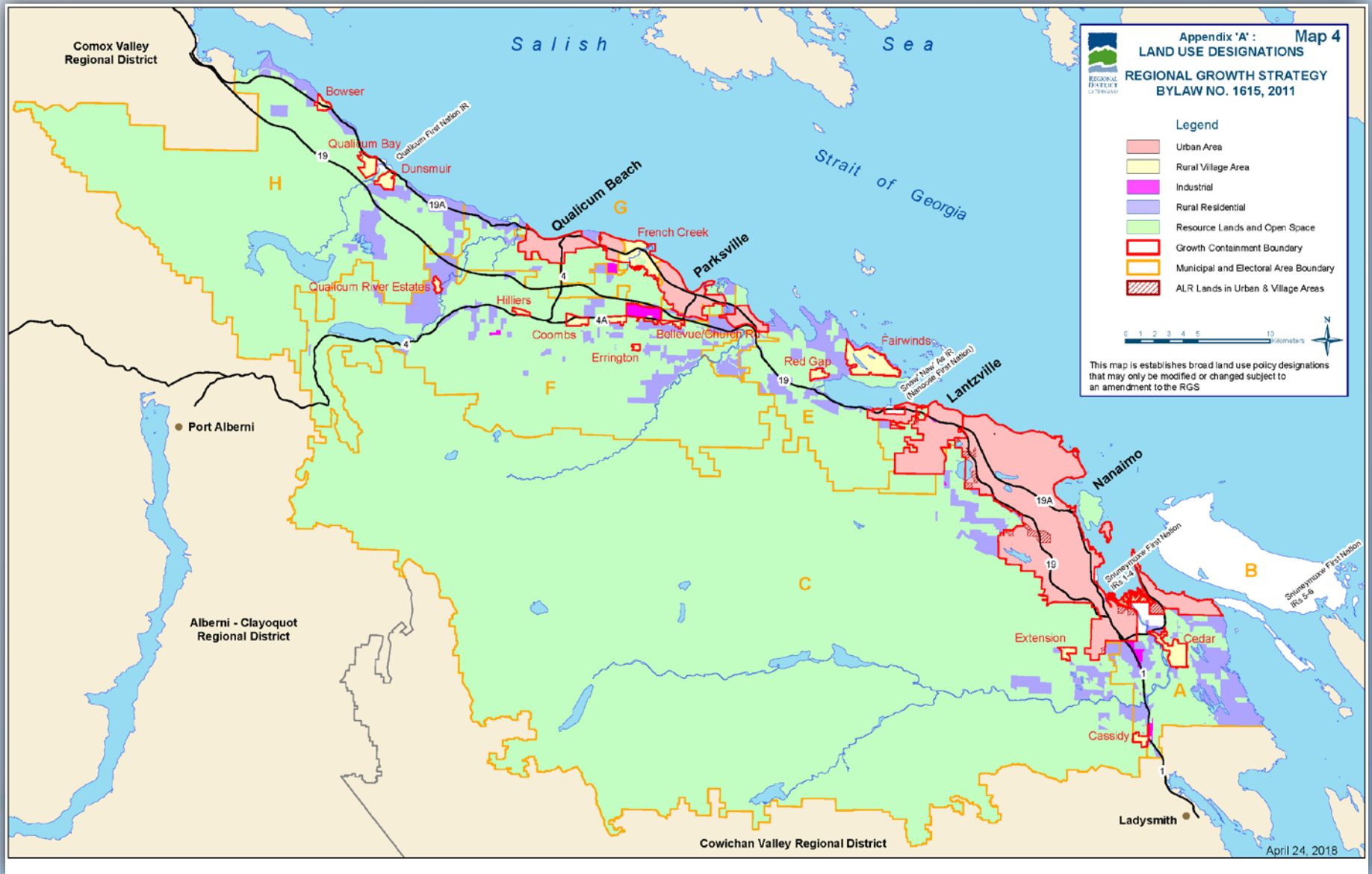
- **Agreement** between municipalities and electoral areas on how growth is managed
- Covers the Regional District (except Area B)
- Establishes a **vision** of how the RDN is to grow
- Sets **goals** and **policies**, as well as **targets** to monitor progress.
- Adopted by **bylaw** of the RDN Board
- First RGS adopted in 1997
- Current RGS adopted in 2011
- www.rdn.bc.ca/regional-growth-strategy

What are the benefits?

- Enables **coordinated planning** among local governments
- **Regional thinking** improves decisions around transit, transportation, housing, health and wellness, economic development, energy and sustainability.
- Guides development of **compact, complete communities** with efficient servicing:
 - Reduces GHG emissions
 - Creates places with high quality of life

Growth Containment Boundaries





Official Community Plans (OCP)

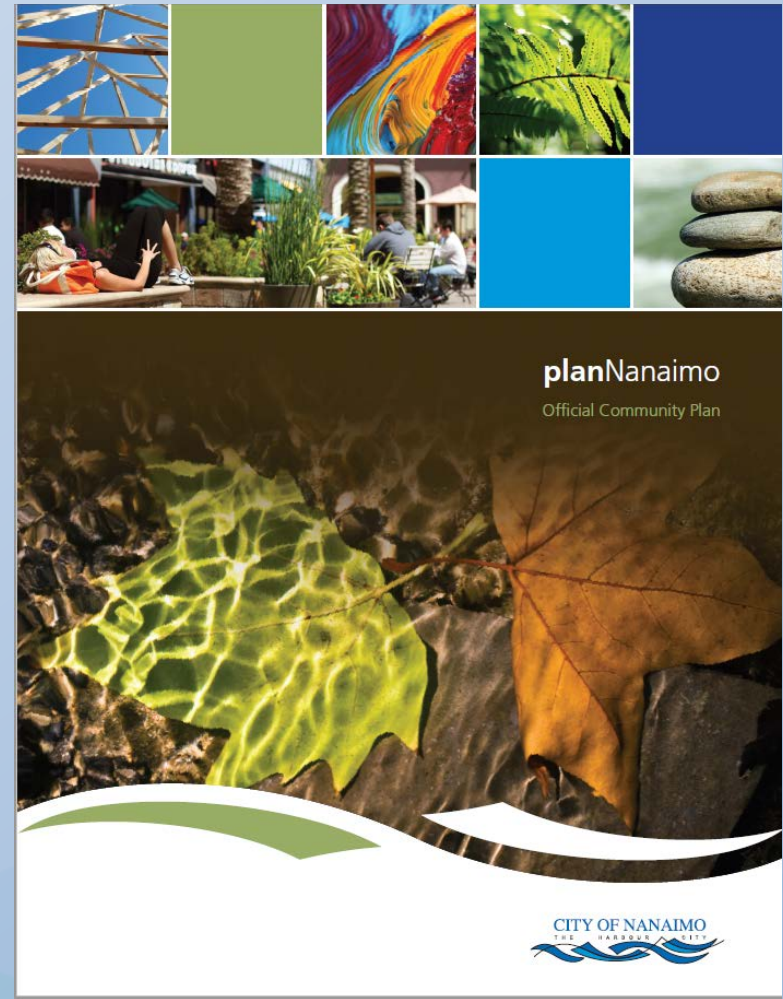
- Overarching vision of community development (land use, infrastructure, social, economic, cultural, environmental)
- Sets objectives and policies to guide decisions related to land use and servicing
- Designates land to accommodate for growth and housing needs
- Needs to show consistency with the RGS – Regional Context Statement



planNanaimo

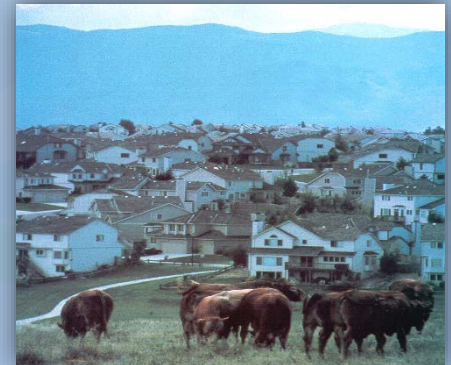
- Compliments other broad City plans and policies (Transportation Master Plan, Affordable Housing Strategy...)
- Includes Neighbourhood Plans
- Last updated in 2008
- Review scheduled for 2019

[planNanaimo](#)



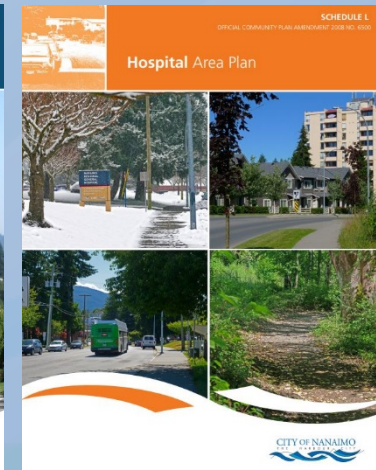
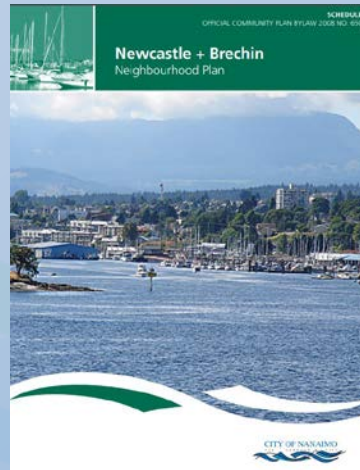
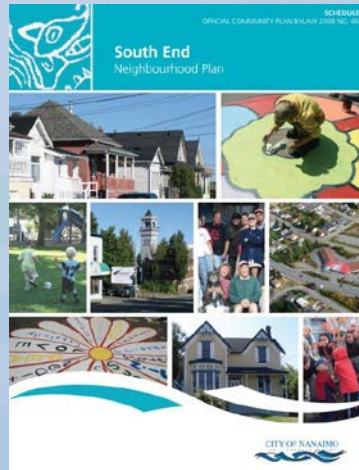
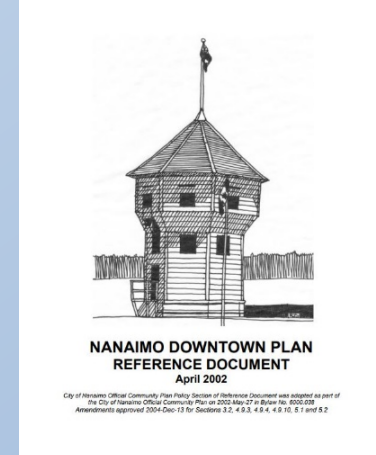
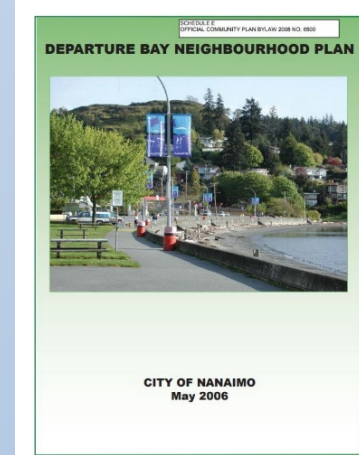
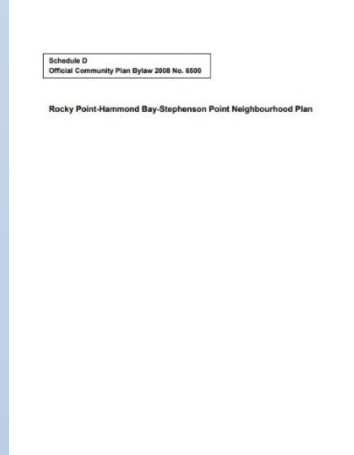
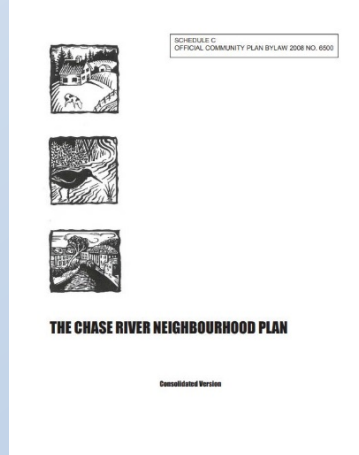
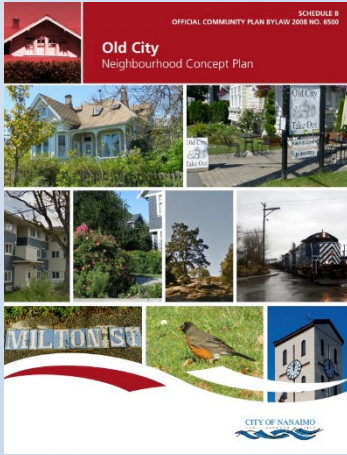
Official Community Plans (OCP)

- Where do you want to go?
- How are you going to get there?
(i.e. what kind and amount of growth)
- Where do you want it?



Neighbourhood Plans

10 Neighbourhood/Area Plans form part of OCP



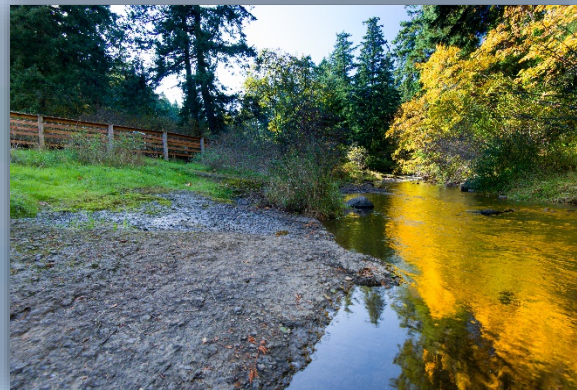
Blueprint to help people understand

- What they can do with their property
- What can they expect to happen around them
- What kind of infrastructure will be needed:
 - * major roads
 - * water; sewer, where/how much
- Long-range tool typically 20 - 30 years
- Needs to be reviewed on a regular basis



Expectations & Engagement

- RGS and OCPs represent community vision for long-term land use patterns and sustainability
- Plans developed with a high level of public engagement
- Guides decision making by City Council



Expectations & Engagement

- Expectations of how these policy documents are used and implemented often differ between community and development:
 - Community expects policies to be implemented to achieve goals including social and environmental
 - Developers may advocate for growth without balancing broader community interests reflected by these plans



Zoning Bylaw

- Implements OCP land use designations and policies
- New bylaws or amendments must be consistent with OCP policy (S.498)
- Primary regulatory tool for managing land use and density
- Within each zone, local government can regulate:
 - Use of land, buildings and structures
 - Density
 - Siting, size and dimensions
 - Parcel areas created by subdivision
- Zoning bylaws must be adopted or amended following certain procedures:
 - Development Approval Procedures Bylaw No. 3892
 - Provincial approvals
 - Statutory public hearing requirements
- Rezoning = Complete discretionary approval



Development Permits

- OCP's can designate Development Permit Areas (DPAs) for one or more of the following purposes:
 - ✓ Protection of the natural environment
 - ✓ Mitigation of risks caused by development within hazard areas
 - ✓ Form and character of intensive residential, commercial or industrial development
 - Protection of farmland
 - Commercial area revitalization
 - Development in resort regions
 - Promotion of energy or water conservation
 - Reduction of greenhouse gas emissions
- DPA guidelines set out the conditions for land development
- DPs can impose conditions and vary or supplement a regulatory bylaw
- Design Advisory Panel
- Officers Appointment & Delegation Bylaw No. 7031
- DPA guidelines met = No discretionary approval



Development Variance Permits

- Vary regulations in a development bylaw (e.g. building height, setbacks, parking)
- Cannot vary use or density > rezoning
- Consider localized impacts vs. broader considerations in rezoning
- No public hearing required
- Statutory notification requirement (S.498) and Development Approval Procedures and Notification Bylaw No. 3892
- DVP = Somewhat discretionary approval



Board of Variance

- Statutory requirement if you have a zoning bylaw (S. 536)
- Independent decision making body appointed by Council
- Must demonstrate minor variance and undue hardship
- Can consider variances to non-conforming uses and building siting



Other Planning Tools and Projects

- Temporary use permits (TUPs)
- Housing agreements
- Covenant amendments / land use contracts
- Liquor licence applications
- Policy and Bylaw reviews:
 - Updates to Zoning Bylaw 4500 (e.g., cannabis regulations)
 - Parking Bylaw, Sign Bylaw, etc.
 - Collaboration on studies (Climate Adaption Study, Downtown Mobility Study, Neighbourhood Plans, OCP review)



Subdivision

Approving Officer

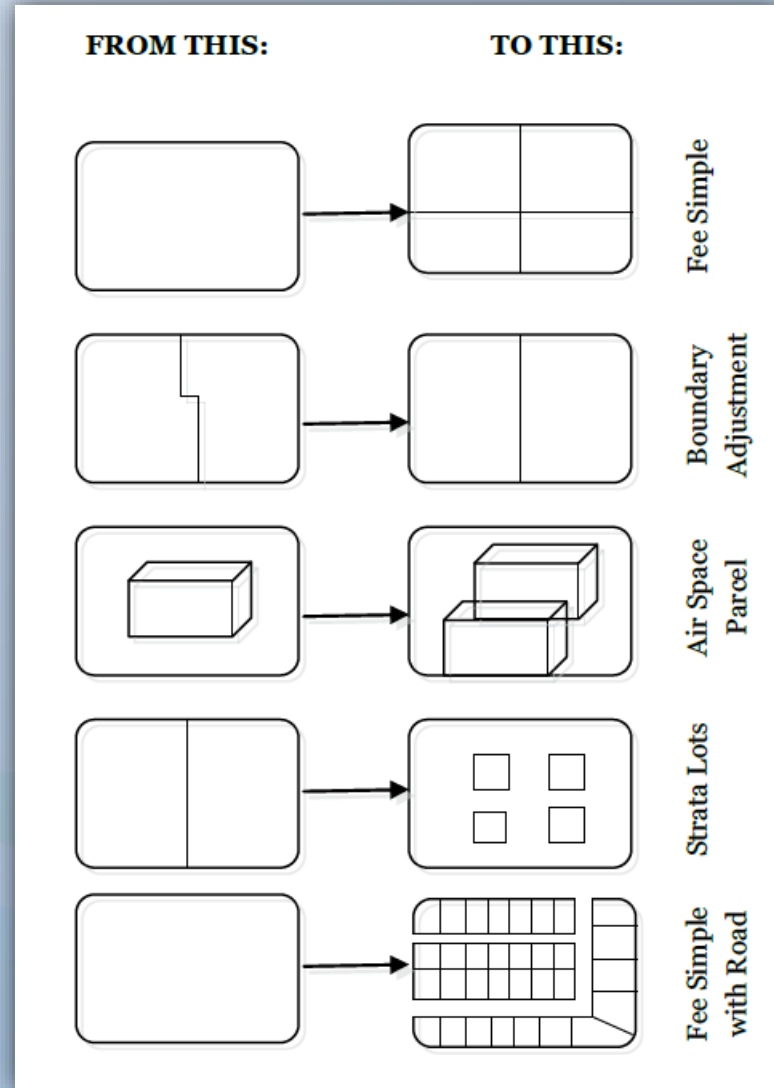
- Coordinates review and approval of subdivision applications
- Appointed by Council
- Independent decision maker with statutory duties

Statutory Authority & Duties

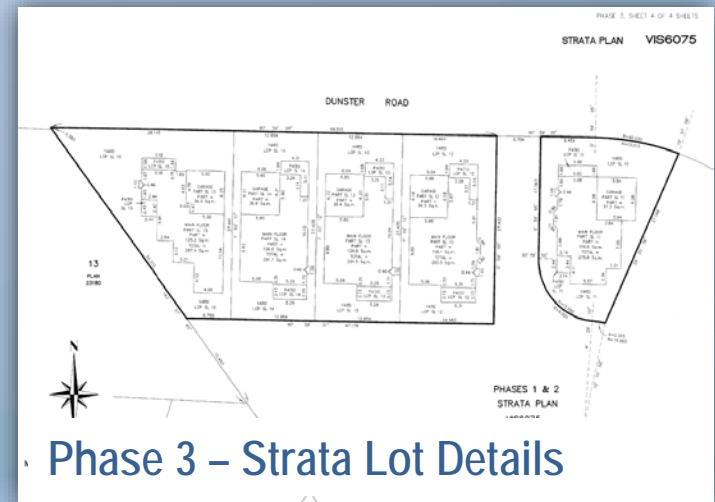
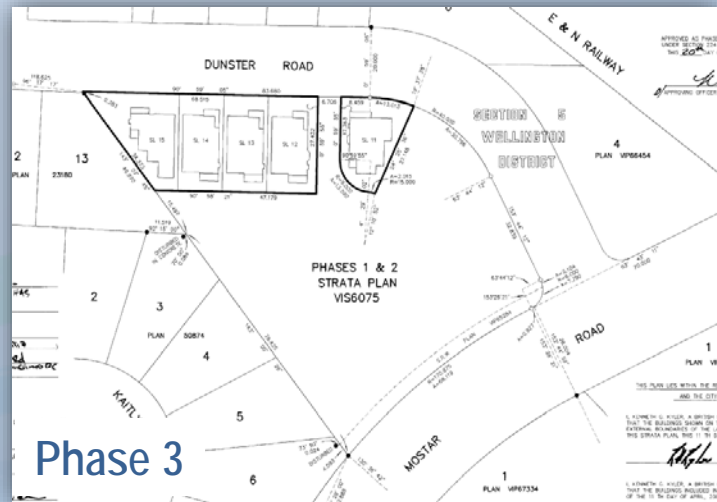
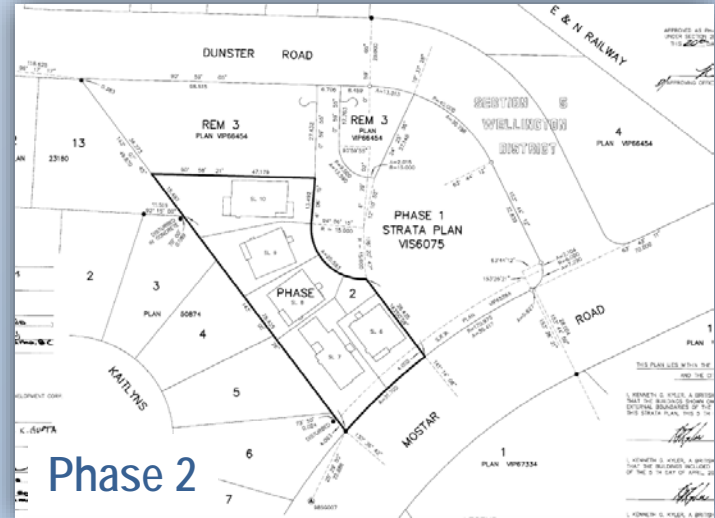
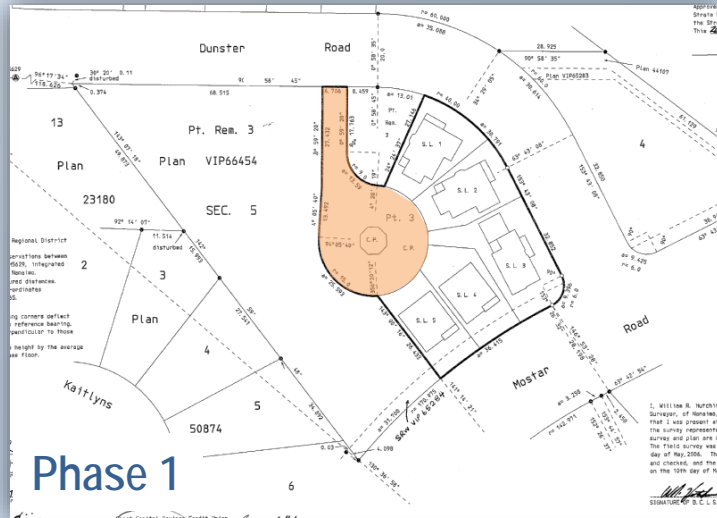
- Land Title Act
- Local Government Act
- Strata Property Act



Subdivision



Subdivision – Phase Building Strata



Subdivision – Air Space Parcels

AIR SPACE PLAN OF PART OF LOT 1, PLAN VIP65156 SECTION 1, NANAIMO DISTRICT AND OF THE BED OF THE PUBLIC HARBOUR OF NANAIMO.

B.C.G.S. 926,011

04-NA-218-R14

PLAN NO. VIP65337

SCALE: 1:500

ALL DISTANCES ARE IN METRES

GRID MEASURES ARE DERIVED FROM CONTROL POINTS
THROUGH AND BETWEEN
THIS PLAN SHOWS BOUNDARY LEVEL MEASURED DISTANCES.
BEFORE TO COMPARISON OF C.S. & C.C. MEASUREMENTS.
THIS PLAN LIES WITHIN DESIGNATED SURVEY AREA NO. 24,
CITY OF NANAIMO.

LEGEND

- ⊙ DENOTES CONTROL POINT FOUND
- ⊙ DENOTES STAKE FOUND
- ⊙ DENOTES LAMP FOUND

DETAIL "A"

NOT TO SCALE

BOOK OF REFERENCE		
AIR SPACE PARCEL	AIR SPACE PARCEL NUMBER	VOLUME M ³
1	1	10,195

ELEVATION AND HEIGHTS ARE REFERRED TO CONTROL POINTS
BENCHMARK ELEVATION = 5.000 M AND THERBY ELEVATION = 5.075 M

⊙ DENOTES LOWER AIRSPACE PARCEL CORNER
AND ELEVATION (TYPICAL)

DEPOSITED IN THE LAND TITLE OFFICE AT VICTORIA,
B.C. THIS 23 DAY OF May 1997.

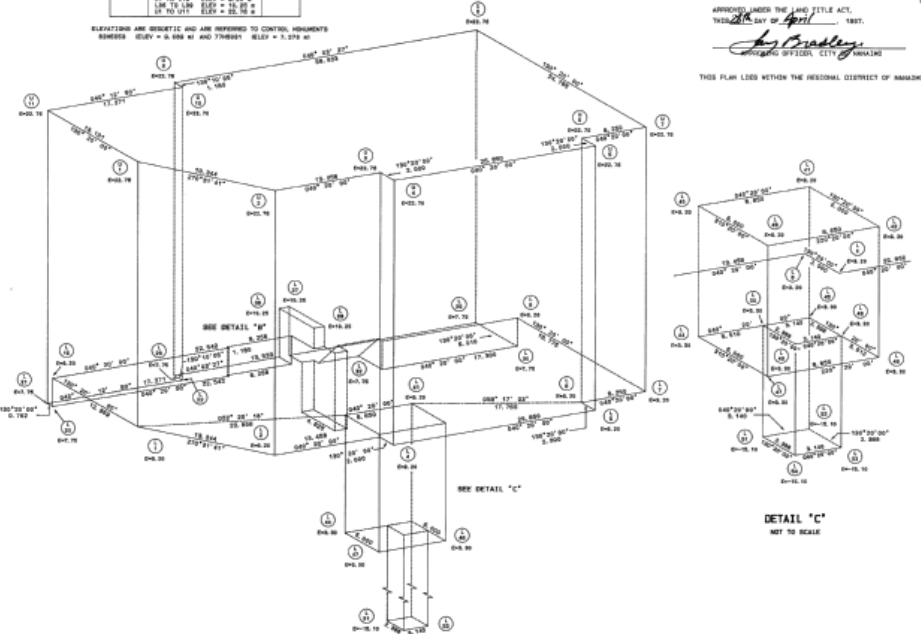
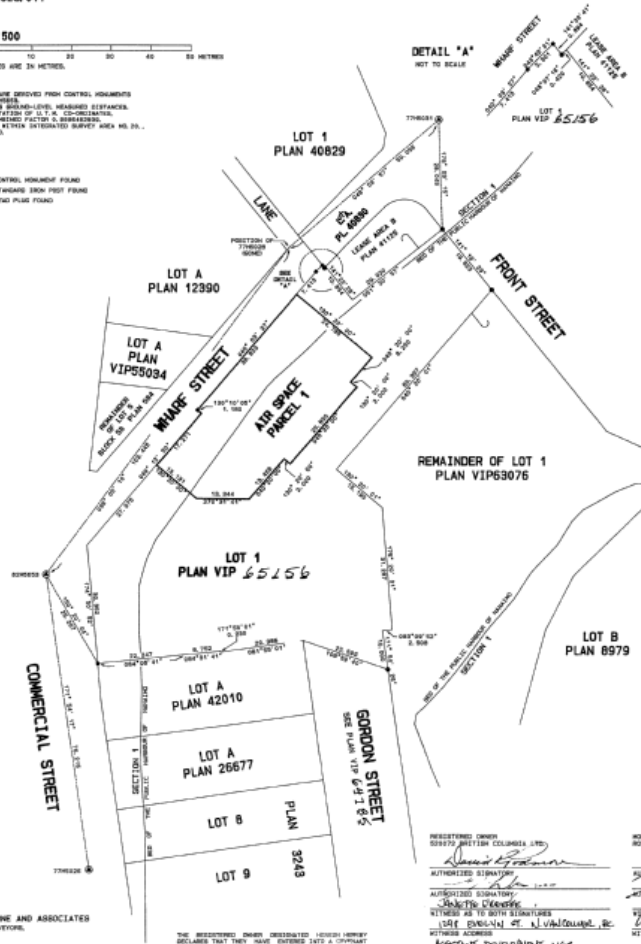
Shirley
SHERIFF

EL62148

APPROVED UNDER THE LAND TITLE ACT,
THIS 23 DAY OF April 1997.

Leigh A. Millan
REGISTERED OFFICIAL, CITY OF NANAIMO

THIS PLAN LIES WITHIN THE REGIONAL DISTRICT OF NANAIMO



AIR SPACE PARCEL 1 ISOMETRIC VIEW

HORIZONTAL SCALE 1:250
VERTICAL SCALE 1:100

DETAIL "B"

NOT TO SCALE

DETAIL "C"

NOT TO SCALE

JOHN GIBBONS AND ASSOCIATES
B.C. LAND SURVEYORS
NANAIMO, B.C.
FILE NO. 2370
COMP. FILE NO. 2370/10/1
P.B. NO. 987-98

THE REGISTERED OWNER UNDERSIGNED, LEIGH A. MILLAN, HEREBY
DECLARES THAT THEY HAVE ENTERED INTO A CONTRACT
WHICH SECTION 19 OF THE LAND TITLE ACT IS PART OF
OF THE CITY OF NANAIMO.

REGISTERED OWNER

500722 WESTERN COLUMBIA, INC.

AUTHORIZED SIGNATORY

Leigh A. Millan

AUTHORIZED SIGNATORY

Leigh A. Millan

AUTHORIZED SIGNATORY

Leigh A. Millan

AUTHORITY DEVELOPMENT N/A

WITNESS OCCUPATION

MORTGAGEE

ROYAL BANK OF CANADA

AUTHORIZED SIGNATORY

Leigh A. Millan

AUTHORIZED SIGNATORY

Leigh A. Millan

AUTHORIZED SIGNATORY

Leigh A. Millan

AUTHORITY DEVELOPMENT N/A

WITNESS OCCUPATION

I, LEIGH A. MILLAN, A BRITISH COLUMBIA, LAND
SURVEYOR, OF NANAIMO, DO HEREBY CERTIFY THAT I WAS
PRESENT AT AND PERSONALLY SUPERVISED THE SURVEY
PLAN, AND THAT THE SURVEY AND PLAN ARE CORRECT.
THE SURVEY WAS COMPLETED ON THE 15 DAY OF
April 1997.
Leigh A. Millan
LEIGH A. MILLAN, B.C.L.S.

Subdivision – Approval Considerations

What Does the Approving Officer Consider?

- Existing City policies & bylaws (e.g., Official Community Plan, Zoning Bylaw, etc.)
- Provincial & Federal regulations
- Access & servicing (property & lands beyond)
- Parks and environmental protection
- Natural hazards
- Requirements of external agencies
- Public interest



Subdivision – Approval Requirements

Land Title Act Requirements

- Provision of highway, access to water (S. 75).
- Time limit for approval, public interest (S. 85).
- Matters to be considered by AO (S. 86).

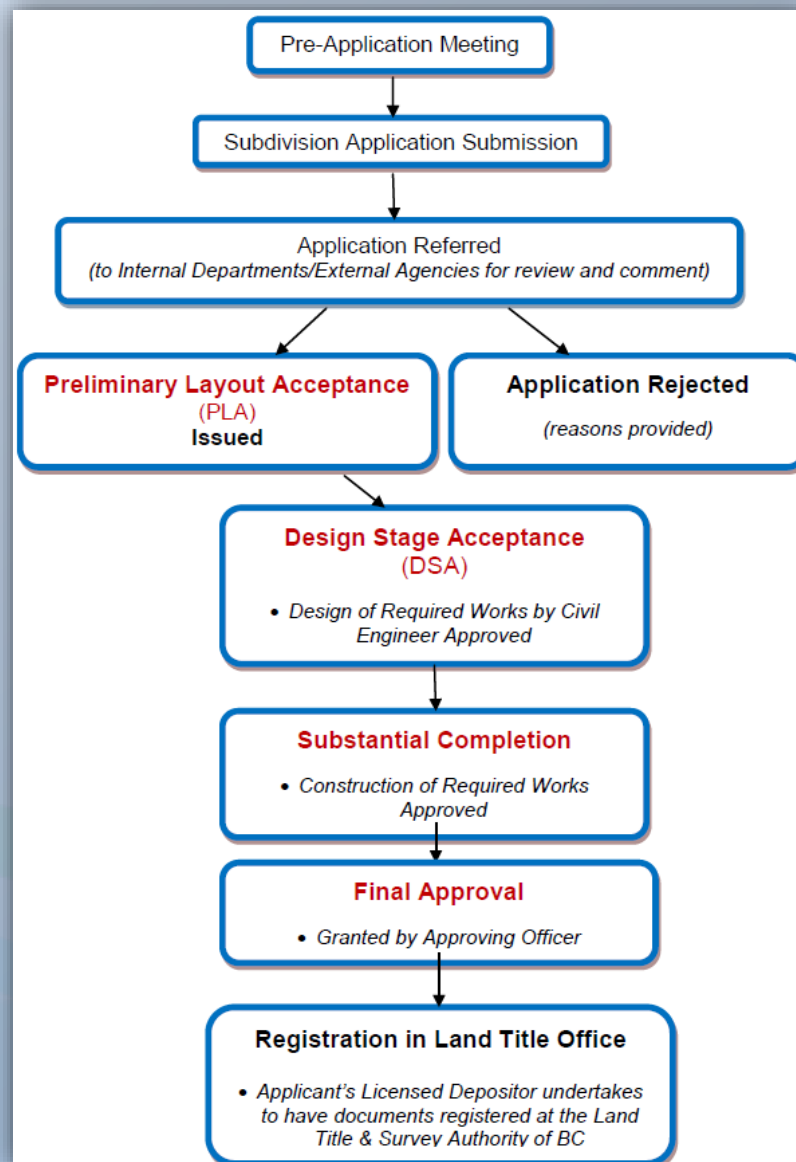
Strata Property Act Requirements

- Phased strata plan approval (S. 222).
- Security for common facilities (S. 223).
- Strata completion

Local Government Act Requirements

- Subdivision and Development: Requirements and Related Matters (Division 11)

Subdivision - Process



Subdivision - Process

Preliminary Layout Acceptance

- “Shopping list” of subdivision conditions
- Valid for 12 months
- Protection from change in bylaws
- Real Estate Development Marketing Act

Design Stage Acceptance

- Prior to construction of works

Final Approval

- After construction of subdivision works
- Following completion of PLA conditions
- Time limit for approval
- Reasons for rejection



Subdivision – Process Guide

SUBDIVISION

A Guide to **SUBDIVIDING** in **Nanaimo**



NANAIMO
THE HARBOUR CITY
Community Development

CITY OF NANAIMO
THE HARBOUR CITY

Subdivision - Statistics

	2015	2016	2017	2018
New single dwelling lots created	178	346	227	319
Active Preliminary Layout Acceptance (PLA) and Renewals	89	73	79	61
Total single dwelling lots in active PLAs	1,037	672	566	560

Park Dedication through Subdivision

	2015	2016	2017	2018
New park created	9.62 ha	2.47 ha	2.17 ha	2.02 ha
Cash-in-lieu received	\$96,500	\$123,450	\$216,965	\$453,637

Building Permitting

Welcome Home

A Citizen's Guide to Constructing One- and Two-Unit
Residential Dwellings
in **Nanaimo**



Home Suite Home

A Citizen's Guide to
Secondary Suites
in **Nanaimo**



Building Permitting

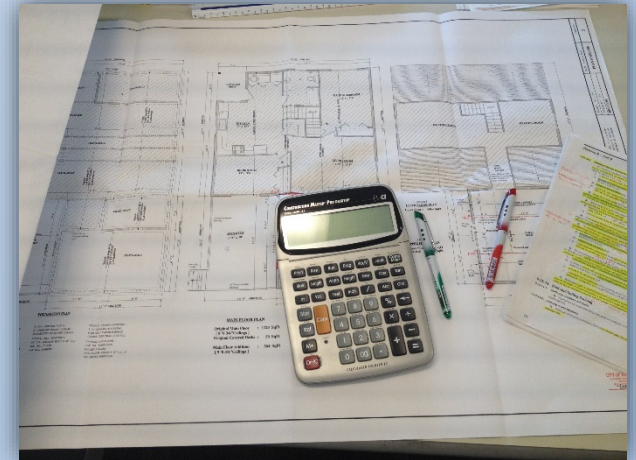
- We have two streams of applications - **Residential** (single family/duplex) and **Commercial/Multi-Family/Industrial/Public**
- The Building Inspections Section receives approximately 1,400 permit applications a year and performs over 13,000 inspections annually
- Our team is made up of
 - Manager
 - Two Supervisors
 - Four Inspectors
 - Three Residential Plan Reviewers
 - Three Commercial Plan Reviewers
 - One Permit Centre Building Official for general inquiries and plan intake.
 - Three admin staff + the switchboard operator



Building Permitting

Residential

- Plan intake, and documentation review
- Site inspection to review onsite conditions and provide comments to plan reviewer
- Preliminary review letter provided to applicant
- Permit assigned to Building Official for review
- Supervisor final review and issuance of permit



Building Permitting

Commercial/Multi-Family/Industrial/Public

- Plan intake and documentation review
- Site inspection to review onsite conditions and provide comments to plan reviewer
- Referrals sent to Fire Department/Engineering/Planning
- Permit assigned to Building Official for review
- Referral comments, code compliance issues and any additional clarification requested by Building Official in preliminary review letter.
- Construction agreement created to house bonding for Landscape/Works and Services/community contributions/public art.
- Supervisor final review and issuance of permit



Building Permitting

Field Review

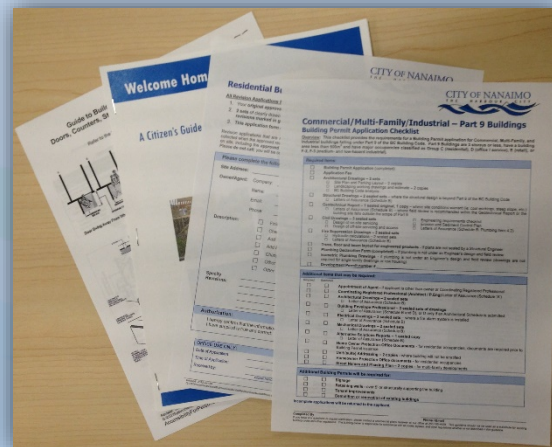
- Inspections at predetermined intervals to ensure compliance with Building Code and bylaws
- Collect professionals field reviews on complex buildings
- Coordinate Engineering/Planning/and Fire Department approvals at final inspection
- Issue Occupancy Certificate and close out file



Building Permitting

Record Keeping/File Management

- Inspection records recorded electronically in real time
- Paper work accepted during course of construction scanned and filed at permit close out
- Bonding released if appropriate at permit conclusion or placed in hold back if maintenance period required



Building Permitting

What else do we do?

- Respond to complaints of illegal construction and take appropriate action
- Work with owners to bring properties into compliance, and if required take properties forward to council for notices on title to reduce liability and make those with an interest in the property aware of bylaw/code contraventions
- Take properties forward for remedial action if they pose a risk
- Review business Licence referrals to ensure that the use proposed is appropriate for the building type and construction.
- Assist Bylaw Services and Fire Department with inspections on existing buildings.
- Act as a record keeping repository
- Educate and provide interpretations on Building Code, Building/Zoning Bylaws
- Demo permits
- Sign Permits
- Swimming Pool permits
- Temporary Structures
- Renovations/alterations/additions
- Irrigation Permits
- Secondary Suite Compliance



Building Permitting

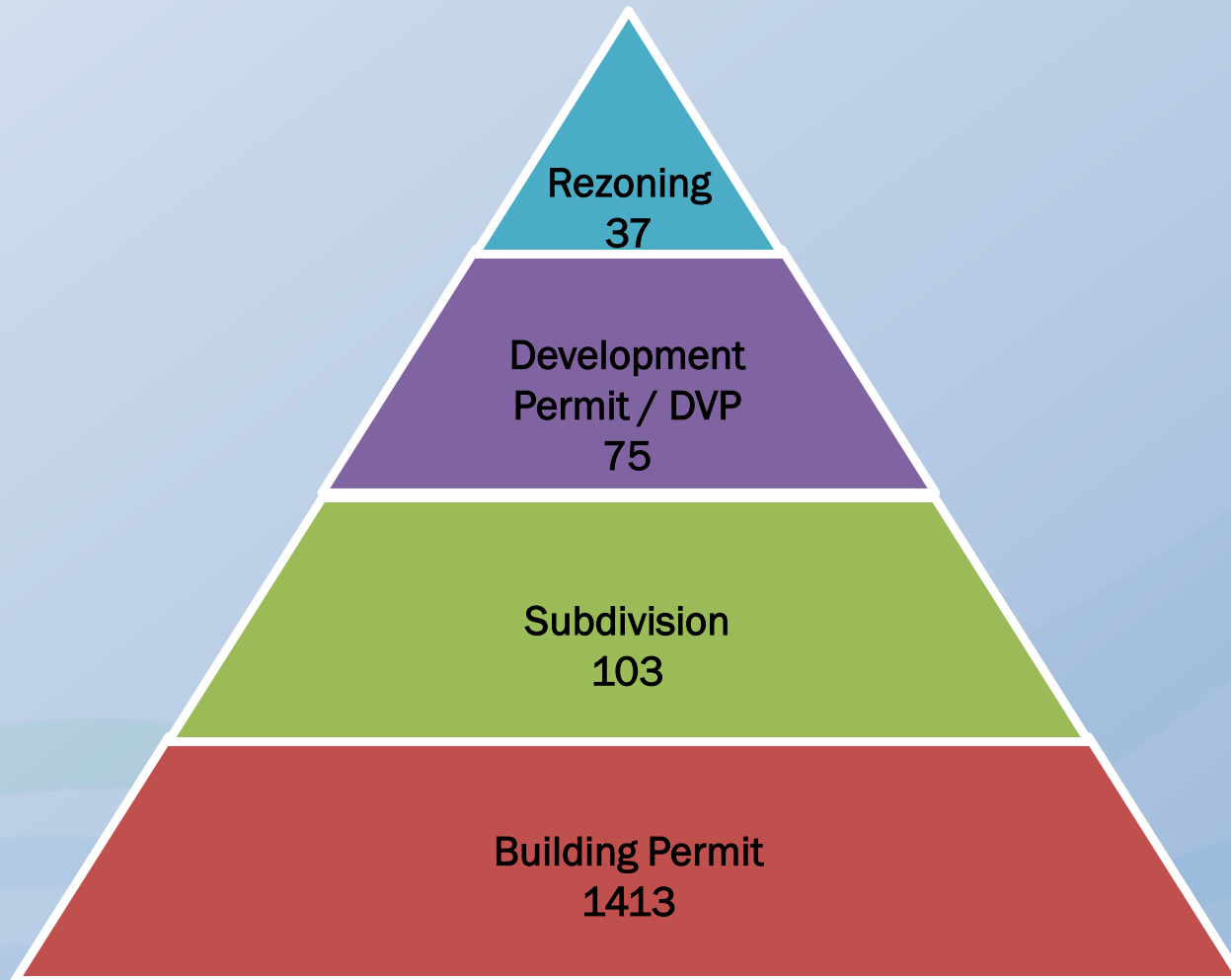
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- Take properties forward for remedial action if they pose a risk
- Review business Licence referrals to ensure that the use proposed is appropriate for the building type and construction.
- Assist Bylaw Services and Fire Department with inspections on existing buildings.
- Provide referrals to Planning and Subdivision
- Act as a record keeping repository
- Educate and provide interpretations on Building Code, Building/Zoning Bylaws
- Demo permits
- Sign Permits
- Swimming Pool permits
- Temporary Structures
- Renovations/alterations/additions/Tenant improvements
- Irrigation Permits
- Secondary Suite Compliance
- Occupant load calculations



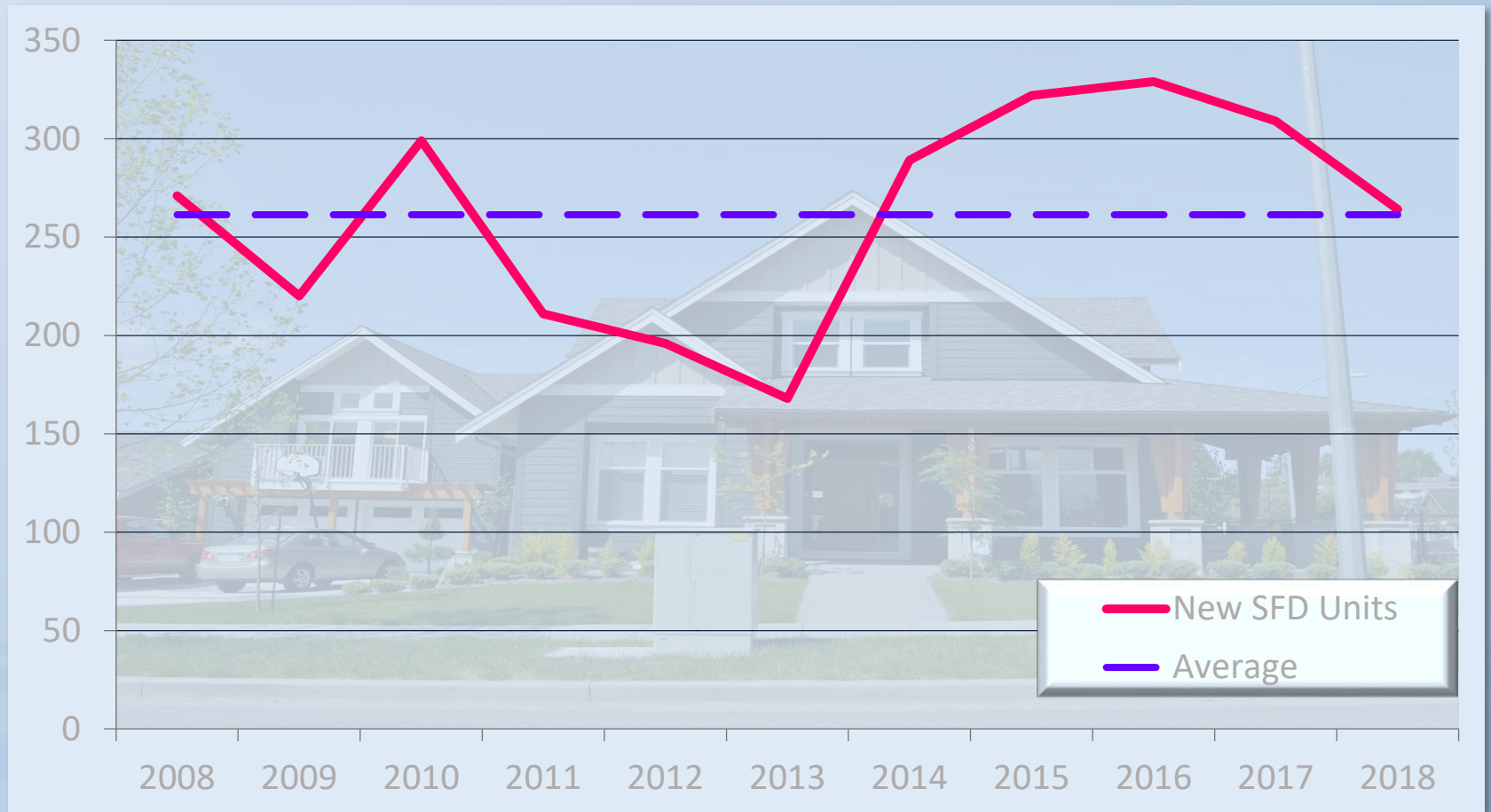
Permit Processing Times

SECTION	TARGET WEEKS	2015	2016	2017	2018
▶ BUILDING PERMIT					
SFD	3	4.2	4.3	4.5	5.4
▶ PLANNING					
Rezoning	32	28.8	37.8	31.7	38.2
Development Permit (F&C)	12	15.7	15.9	19.7	24.6
Development Variance Permit	6	6.5	5.9	6.9	7.4
▶ SUBDIVISION					
PLA	8	8.1	12	16	15

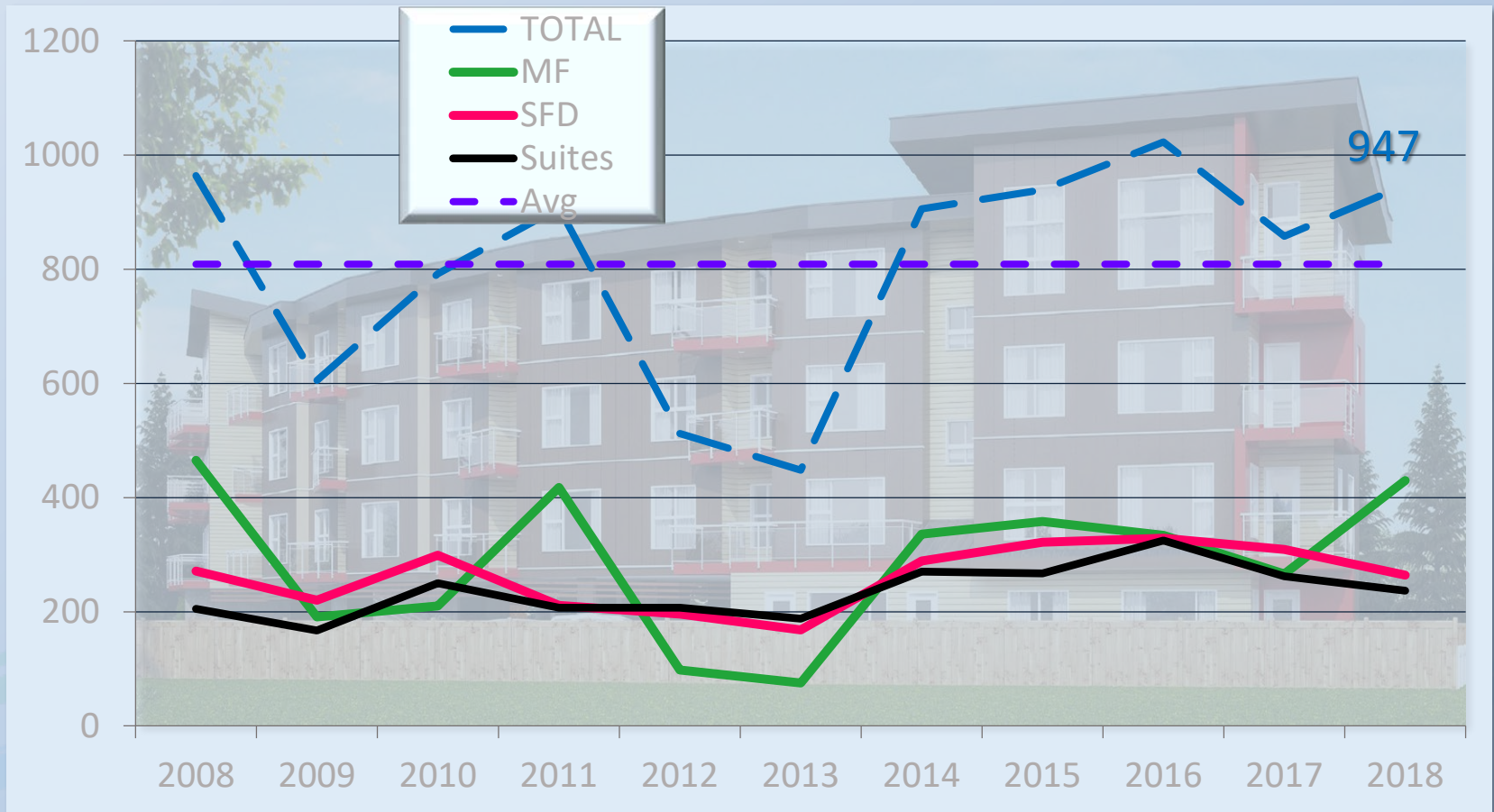
Applications by Type 2018



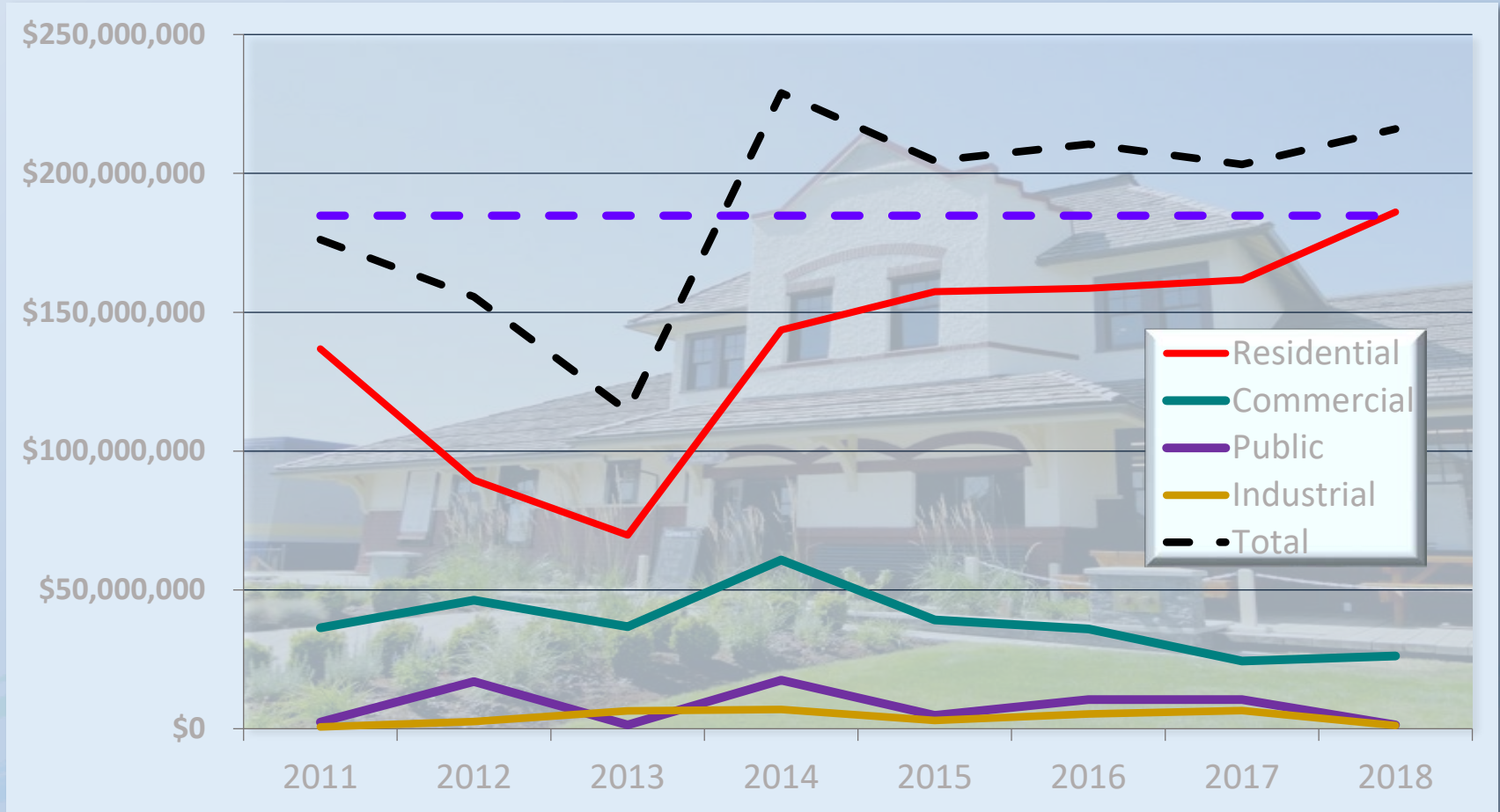
New Single Dwelling Units Created



Residential Units by Type



Construction Value by Permit Type



Operational Issues

- Provide excellent customer services while addressing legislation and regulatory environment.
- Almost all issues are service related:
 - Processing times
 - Level of review
 - Level of standards
- Complexity
- Liability
- Retention and attraction of qualified, experienced staff



Strategy for Improvements

- Meet with industry to identify their concerns
- Identify processes improvements / schedule
- Define / document Approval Process in advance
- Update bylaws





Questions?