

DATE OF MEETING | February 5, 2024 |

AUTHORED BY | CALEB HORN, PLANNER, CURRENT PLANNING |

**SUBJECT                    GENERAL AMENDMENTS TO CITY OF NANAIMO ZONING  
    BYLAW**

## **OVERVIEW**

### **Purpose of Report**

To present, for Council’s consideration, general text and mapping amendments to “City of Nanaimo Zoning Bylaw 2011 No. 4500”. |

### **Recommendation**

That:

1. “Zoning Amendment Bylaw 2023 No. 4500.219” (General text and mapping amendments to “City of Nanaimo Zoning Bylaw 2011 No. 4500”) pass first reading;
2. “Zoning Amendment Bylaw 2023 No. 4500.219” pass second reading; and
3. “Zoning Amendment Bylaw 2023 No. 4500.219” pass third reading. |

## **BACKGROUND**

On 2023-DEC-18, Council passed first and second reading of “Zoning Amendment Bylaw 2023 No. 4500.219”. In order to provide notice in accordance with the *Local Government Act* (LGA) Section 467, first and second reading were rescinded by Council on 2024-JAN-15. At the same meeting, Council directed Staff to not hold a Public Hearing as the bylaw is consistent with the Official Community Plan (City Plan), pursuant to the LGA 464(2). Notice has been given in advance of this evening’s consideration of first reading.

The “City of Nanaimo Zoning Bylaw 2011 No. 4500” (the “Zoning Bylaw”) was adopted by Council on 2011-AUG-08 and is amended from time to time. A total of nine general amendment bylaws have been adopted and the last round of general amendments were adopted by Council on 2021-DEC-06. Council has previously recognized that the Zoning Bylaw is iterative and subject to revisions to update the content, improve clarity, and maintain the relevancy of zoning regulations. As the Zoning Bylaw is applied in practice, Staff evaluate the effectiveness and clarity of existing regulations and identify areas for improvement. Mapping changes are also made periodically, for example, to City-owned or split-zoned parcels. |

## **DISCUSSION**

### **Proposed Amendments**

The proposed amendment bylaw, if adopted, will result in 52 text amendments and 25 mapping amendments to the Zoning Bylaw which are summarized in Attachment A. The proposed text amendments include changes to provide consistency and clarifications, correct errors, or better align with emerging best practices. For example, proposed amendments 13-14 will remove setback requirements for heat pumps to align with current best practices, and proposed

amendments 34, 38, and 41 will provide clarity on how mixed-use developments can achieve additional density. The proposed mapping amendments to Schedules A and E of the Zoning Bylaw will rezone parkland acquired through subdivision and resolve discrepancies in zoning.

The scope of text amendments to the Zoning Bylaw include updates to Part 3 – Establishment of Zones; Part 5 – Definitions, Part 6 – General Regulations, Part 7 – Residential, Part 8 – Agricultural Rural Residential, Part 9 – Corridor, Part 10 – Commercial Centre, Part 11 – Downtown, Part 13 – Industrial, Part 16 – Comprehensive Development Zones, Part 17 – Landscaping, and Part 18 – Development Permit Area (DPA) Guidelines.

It is anticipated that more substantial Zoning Bylaw amendments will be required later this year to address new Provincial housing-related bills and regulations. |

### **SUMMARY POINTS**

- The proposed amendment bylaw, if adopted, will result in 52 text amendments and 25 mapping amendments to the Zoning Bylaw.
- The proposed text amendments include changes to provide consistency and clarifications, correct errors, or better align with emerging best practices.
- The proposed mapping amendments to Schedules A and E of the Zoning Bylaw will rezone parkland acquired through subdivision and resolve discrepancies in zoning. |

### **ATTACHMENTS**

ATTACHMENT A: Summary of Proposed Amendments  
“Zoning Amendment Bylaw 2023 No. 4500.219” |

#### **Submitted by:**

Lainya Rowett  
Manager, Current Planning |

#### **Concurrence by:**

Jeremy Holm  
Director, Planning & Development |