

Staff Report for Decision

DATE OF MEETING April 14, 2025

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SUBJECT FORM AND CHARACTER DESIGN GUIDELINES PROJECT

OVERVIEW

Purpose of Report

To present draft Development Permit Area 8 (DPA8) Form and Character Design Guidelines, and related amendments to the landscape regulations for consideration.

Recommendation

That the Governance and Priorities Committee recommend that Council direct Staff to proceed with preparing a bylaw to amend Zoning Bylaw No. 4500 with the updated Development Permit Area 8 (DPA8) Form and Character Design Guidelines, and related amendments to the landscape regulations; and a bylaw to amend the “Development Procedures and Notification Bylaw 2024 No. 7375”, as outlined in the Staff Report dated 2025-APR-14.

BACKGROUND

The purpose of the Form and Character Design Guidelines project is to update the design guidelines in Development Permit Area 8 (DPA8). The form and character design guidelines provide clarity for the development community and City Staff to understand the City of Nanaimo’s expectations for site, building and landscape design. DPA8 establishes guidelines for the form and character of commercial, industrial, multi-family residential (which includes intensive residential), and mixed-use development. DPA8 also promotes energy and water conservation, and the reduction of greenhouse gas emissions. In accordance with the *Local Government Act*, *City Plan* provides the justification and objectives for the City’s development permit areas. The City’s development permit guidelines are within Part 18 of the City of Nanaimo “Zoning Bylaw 2011 No. 4500”.

The Form and Character Design Guidelines project fulfills two priority actions in the *Integrated Action Plan*:

- “Update the Development Permit Area guidelines to be consistent with City Plan policies, with specific focus on: General Development Permit Area Design Guidelines.” (Priority Action #202)
- “Update development permit requirements to include energy, climate, and water efficiency from a site and building design perspective. Develop guidelines that may include passive design techniques, shading, rainwater management, green roofs,

building orientation, Water Wise landscape, building energy systems and renewable power generation, among other topics.” (Priority Action #5)

The Form and Character Design Guidelines project commenced in February 2024, and the steps in the process to date are outlined below:

- i. In February 2024, consultants were retained to support the Form and Character Design Guidelines project.
- ii. From March to May 2024, Staff and the consultants conducted background research and prepared for the phase one engagement process.
- iii. In June and July 2024, the phase one engagement took place, including workshops with the general public, neighbourhood associations, development community, and Staff. In addition Staff consulted with the Design Advisory Panel (DAP) and Advisory Committee on Accessibility and Inclusiveness (ACAI). A survey was also launched on the City’s Get Involved webpage.
- iv. From July to October 2024, Staff worked with the consultants to review the phase one input, and to prepare the November draft of the guidelines.
- v. In November and December 2024, the phase two engagement took place to obtain input on the draft guidelines. The phase two engagement included obtaining input through the City’s Get Involved webpage, press release, social media promotion, DAP meeting, as well as outreach to the development community, neighbourhood associations, and ACAI. Staff from several departments also provided input on the draft guidelines.
- vi. From January to March 2025, Staff reviewed the phase two input and updated the draft guidelines. Also, Staff reviewed Part 17 ‘Landscaping’ of the Zoning Bylaw in relation to the design guidelines, which has led to recommended amendments to the Zoning Bylaw and Development Procedures and Notification Bylaw. In March 2025, the proposed amendments to the landscape regulations were presented to landscape professionals for their review and input.

With consultation complete the proposed Development Permit Area 8 (DPA8) Form and Character Design Guidelines are presented for consideration, with related proposed amendments to the landscaping regulations.

DISCUSSION

The purpose of the DPA8 Form and Character Design Guidelines is to:

- a) Communicate clear design expectations and encourage innovative design solutions that align with the community needs and vision as outlined in *City Plan*.
- b) Encourage a high level of design and quality of construction.
- c) Prepare for climate impacts, promote energy and water conservation, and encourage the reduction of greenhouse gas emissions.
- d) Support development permit reviews and assessment of development proposals.

The Form and Character Design Guidelines apply to private property. Other reference documents are used for design considerations impacting the public realm (i.e. street frontages,

roads, stormwater management), such as the City's Manual of Engineering Standards and Specifications (MoESS) and the Complete Street Design Guide. The proposed new Form and Character Design Guidelines (Attachment A) are organized into the following sections:

Introduction

- The introduction includes the document purpose, design goals, how to use the document, and consideration of variances in the development permit process.

General Design Guidelines

- The General Design Guidelines apply to all commercial, industrial, multi-unit, and mixed-use development in any land use designation, and set the expectations for site design, building design, and landscape design.

Design Guidelines for Land Use Designations

- In addition to the General Design Guidelines, the design guidelines for land use designations will apply to proposed development, and reinforce the unique form and character envisioned in *City Plan* for each land use designation to support consistent interpretation and application of the guidelines.

Glossary

- The Glossary provides clarity on specific terms used in the design guidelines.

Each *City Plan* land use designation serves a unique purpose, and the form and character design guidelines are a critical tool for ensuring that each proposed development is contributing to the purpose of the land use designation. In addition, the guidelines provide an opportunity to support the five main goal areas of *City Plan*, a Green, Connected, Healthy, Empowered, and Prosperous Nanaimo as experienced in the built form. A summary of how the proposed new design guidelines help achieve *City Plan* goals can be found in Attachment B.

An objective of the project was to simplify the process for development permit reviews by consolidating multiple existing DPA8 form and character design guidelines into one primary document. Consolidation helped to clarify and eliminate inconsistencies between guidelines. The proposed new Form and Character Design Guidelines are a consolidation of guidelines found in the following documents:

- General Development Permit Area Guidelines (1992)
- Triplex and Quadruplex Infill Design Guidelines (1995)
- Nanaimo's Old City Multi-Family Residential Design Guidelines (1990)
- Design Guide: Chase River Town Centre (2000)
- Departure Bay Neighbourhood Plan (2006)
- Downtown Urban Design Plan and Guidelines (2008)
- South End Neighbourhood Plan (2010)
- Newcastle + Brechin Neighbourhood Plan (2011)
- Harewood Neighbourhood Plan (2013)

The update to the guidelines also provided an opportunity to apply a new lens to form and character such as accessibility and climate adaptation. The "High Performance Buildings" section of the guidelines provides design guidance for resilient, energy efficient buildings that can meet the current and future step code requirements of the BC Building Code. The new

guidelines respect the trade-offs that may be required for high performance buildings (i.e. simple building form with less articulation to mitigate energy loss).

The proposed guidelines also incorporate feedback from the public during the phase one and two engagement processes (Attachment C). For the phase two engagement process in November and December 2024, a rough first draft of the form and character design guidelines was released, which proved to be an effective way to obtain more direct and clear public input for the project. Highlights of input received during phase two, and resulting changes to the design guidelines include:

- The development community emphasized that it should be clearer that the design expectations for industrial development should be more flexible than what is expected in an Urban Centre or Corridor land use designation, and this request is reflected in the proposed Form and Character Design Guidelines.
- The design guidelines in the 'Waterfront' section were improved to provide better guidance for the types of development expected in this land use designation.
- Many of the guidelines in the November 2024 draft were too prescriptive with detailed measurements, and these were generalized to achieve intent.
- Guidelines for protecting trees, natural features, and to create natural environments in site design were also improved.

To create the proposed design guidelines, Staff have leaned on *City Plan* policy guidance and best practice advice from consultants; have carefully reviewed and integrated existing guideline documents; and incorporated input from two phases of engagement. The resulting proposed Form and Character Design Guidelines (Attachment A) provide clarity for DPA8 form and character development permit applications in a user-friendly format.

Summary of Proposed Landscape Regulation Amendments

Through the Form and Character Design Guidelines review, Staff identified landscaping regulations in Part 17 'Landscaping' (of the Zoning Bylaw) that are better suited as a landscape design guideline or as a procedure within another bylaw. The recommended amendments will eliminate regulatory redundancies in other City bylaws, and will update the landscaping regulations which have remained relatively unchanged since 1993.

Many aspects in the Part 17 'Landscaping' section are proposed to be removed because they have, over time, been addressed by other bylaws such as the Management and Protection of Trees Bylaw, Manual of Engineering Standards and Specifications, and Off-Street Parking Bylaw. In addition, the proposed new Form and Character Design Guidelines contain more comprehensive landscape guidelines that allow for adaptation to specific site conditions. The proposed changes to the landscaping regulations also reflect a thorough review of best practices in comparable jurisdictions.

Key proposed changes include:

- The requirements for landscape buffers along lot lines remains in the Zoning Bylaw, however, are simplified. Also, proposed to remain in the Zoning Bylaw are setback requirements for waste management enclosures, clarity around the provision of public plazas, and expectations regarding fencing abutting parks. Aspects that are proposed to be removed from the Zoning Bylaw, and integrated into the Form and Character Design

Guidelines are guidelines for fencing, minimum landscape treatment levels, screening of waste management enclosures, and character of landscaping.

- It is proposed to move the landscape security requirements from the Zoning Bylaw to the Development Procedures and Notification Bylaw to reflect best practice, given the procedural nature of these regulations.
- Also, in the Development Procedures and Notification Bylaw, it is proposed to update the landscape security requirements, including increasing landscape securities from 65% of the cost estimate (with a maximum of \$100,000) to 100% (no maximum); and for restoration securities to increase from 100% of the cost estimate to 125%, as well as setting out a security release schedule. The proposed security requirement and phased release schedules are consistent with the approach taken in other jurisdictions and will more effectively support the installation and maintenance of landscaping in new developments.

With the updated and more comprehensive landscaping guidance in the proposed DPA8 Form and Character Design Guidelines, Staff recommend concurrently amending the regulations in Part 17 'Landscaping' of the Zoning Bylaw. The proposed amendments reflect design intentions in City Plan goals, input gathered throughout the project engagement, and best practices in other jurisdictions.

Next Steps

The next steps for this project is for Council to direct Staff to proceed with preparing a bylaw to amend Zoning Bylaw No. 4500 with the updated Development Permit Area 8 (DPA8) Form and Character Design Guidelines, and related amendments to the landscape regulations; and a bylaw to amend the Development Procedures and Notification Bylaw No. 7375 to update landscape security requirements. A public hearing would be required for the proposed amendment to the Zoning Bylaw.

OPTIONS

1. That the Governance and Priorities Committee recommend that Council direct Staff to proceed with preparing a bylaw to amend Zoning Bylaw No. 4500 with the updated Development Permit Area 8 (DPA8) Form and Character Design Guidelines, and related amendments to the landscape regulations; and a bylaw to amend the Development Procedures and Notification Bylaw No. 7375, as outlined in the Staff Report dated 2025-APR-14.

The advantages of this option: The proposed DPA8 Form and Character Design Guidelines are an effective tool for implementing *City Plan* policy and will provide clarity and certainty for the development community to understand the City of Nanaimo's expectation for urban design.

The disadvantages of this option: If the proposed guidelines do not provide the right balance to ensure appropriate development in the city, Council may wish to direct Staff to revise the proposed DPA8 guidelines.

Financial Implications: The contract with the consultant is complete, and Staff are taking on the final steps to complete the project.

2. That Council provide alternate direction to Staff.

SUMMARY POINTS

- The purpose of the Form and Character Design Guidelines project is to update the design guidelines in Development Permit Area 8 (DPA8). The proposed form and character design guidelines provide clarity and certainty for the development community and City Staff to understand the City of Nanaimo's expectation for design in development permit application reviews.
- To create the proposed design guidelines, Staff have leaned on City Plan policy guidance and best practice advice from consultants; have carefully reviewed and integrated existing guideline documents; and incorporated input from two phases of engagement.
- With the updated and more comprehensive landscaping guidance in the proposed DPA8 Form and Character Design Guidelines, amendments to Part 17 'Landscaping' of the Zoning Bylaw are also proposed.

ATTACHMENTS:

ATTACHMENT A: Form and Character Design Guidelines

ATTACHMENT B: Summary of How the Guidelines Achieve City Plan Policy

ATTACHMENT C: Summary of How the Guidelines Respond to Engagement Input

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