

FOR: GOVERNANCE AND PRIORITIES COMMITTEE

MEETING DATE: May 11, 2026

DEPARTMENT: PLANNING AND DEVELOPMENT

SUBJECT: **FRONTAGE WORKS AND SERVICES**

OVERVIEW

Purpose of Report

To provide an overview of the application of frontage works and services requirements in relation to development.

BACKGROUND

At their meeting on 2025-OCT-31, the Governance and Priorities Committee passed the following motion:
It was moved and seconded that the Governance and Priorities Committee direct Staff to add a review of “Building Bylaw 2016 No. 7224” and the Guidelines for the Application of Frontage Works and Services Requirements to a future Governance and Priorities Committee meeting. The motion carried unanimously.

Based on the discussion, Staff understand that the Governance and Priorities Committee is hoping to be provided with information about the bylaw which requires works and services (roads, on-street parking, sidewalks, bike lanes) to be constructed at the time of building permits, how the bylaw works, why we have the bylaw, its successes, and any possible changes to it in the future. Also, the Governance and Priorities Committee wanted information regarding potential advocacy for changes around monies provided in lieu of works and services.

The information presented here is intended to provide an overview of what frontage works and services are, the legislative regime related to frontage works and services, and the municipal bylaws that enact the legislative authority. This report will discuss when works and services are required and how the extent of work is determined, including a review of the Council policies that apply. Finally, this report will provide information about some current and upcoming City bylaw and policy updates related to frontage works and services, as well as an update on last year’s UBCM resolution regarding payment of monies in lieu of works and services.

DISCUSSION

‘Frontage Works and Services’ refers to public infrastructure constructed within dedicated roads, lanes, and trails adjacent to a property or properties being developed. The term ‘works’ typically refers to surface elements, such as roads, curbs, sidewalks, bike lanes, etc., where ‘services’ typically refers to underground elements such as water, sewer, and drainage systems.

Legislative Regime

The *Local Government Act* provides local governments with the authority to set standards, by bylaw, for works and services, and to require works and services in relation to the development of land (*Local Government Act* sections 506, 506.02, 506.03). These requirements can be conditions of the approval of a subdivision, or of the issuance of a building permit. For frontage works within existing road dedications, the requirements can apply to that portion of the road immediately adjacent to the site being developed, up to the centre line of the road.

The *Local Government Act* provides the following listed items in reference to works and services:

- A water distribution system, a fire hydrant system, a sewage collection system, a sewage disposal system, a drainage collection system, and a drainage disposal system
- Highways, sidewalks, boulevards, boulevard crossings, street lighting, transit bays or underground wiring
- Amenities, including benches, bollards, bicycle parking facilities, directional signage, parklets, streetlamps, street signs, transit shelters or waste disposal and recycling containers
- Transportation infrastructure that supports walking, bicycling, public transit or other alternative forms of transportation, including traffic calming measures
- Sustainable design features that provide for energy and water conservation, reduction of greenhouse gas emissions and climate resilience
- Any other thing, or classes of things, prescribed by regulation

The *Local Government Act* also allows for standards for works and services to be different based on different circumstances, different areas, different land uses, different zones, and different classes of highways.

Municipal Bylaws

The Subdivision Control Bylaw 1989 No. 3260, Building Bylaw 2016 No. 7224, and City Plan 2022 No. 6600 all include regulations or guidance regarding the application of frontage works and services.

The Subdivision Control Bylaw 1989 No. 3260 sets the requirements for works and services in relation to subdivision, and the City's Manual of Engineering Standards and Specifications (MoESS) is housed within the Subdivision Control Bylaw, as Schedule A. As such, works and services requirements in relation to building permits reference the Subdivision Control Bylaw, as all works and services within the City of Nanaimo are required to meet the standards and specifications in the MoESS.

The Building Bylaw 2016 No. 7224 sets the requirements for works and services in relation to building permits.

City Plan Bylaw 2022 No. 6600 includes policy guidance throughout regarding access and mobility, but also contains, within Schedule 4, map designations of all road classifications within the City. This schedule is used to determine which road cross-section standard in the MoESS to apply at the time of subdivision or development.

When Works and Services Are and Are Not Required

The base requirement for works and services for both subdivisions and building permits is the installation of full frontage works and services from property line to the centreline of the road, to the ultimate standard as designated on Schedule 4 of City Plan and as set out in the MoESS. However, for both

subdivisions and building permits, modifications, reductions, or exemptions to the required works and services may apply, subject to bylaw regulations and municipal policies and guidelines, including:

- Bylaw regulations
- Council Policies
- Practical reality, safety, and best practices

Bylaw Regulations

Exemptions to works and services for subdivision are included in the Subdivision Control Bylaw. For subdivision, frontage works and services requirements do not apply to parcels zoned I3 (General Industrial) or I4 (Heavy Industrial).

Exemptions to works and services for building permits are included in the Building Bylaw. For building permits, frontage works and services requirements do not apply to parcels zoned:

- I1 (Highway Industrial), where the value of construction does not exceed \$150,000;
- I2 (Light Industrial), where the value of construction does not exceed \$250,000;
- I3 (High Tech Industrial); or
- I4 (Industrial).

In addition, frontage works and services requirements do not apply for building permits where:

- the construction will result in the addition to an existing building and the additional floor area will not exceed 25% of the existing floor area of the building, or a maximum of 600 square meters, whichever is lesser;
- the construction will result in the creation and/or location of no more than a total of four residential units on the site being developed; or
- the construction will not result in an increase in floor area to an existing building or structure.

Council Policies

City Plan includes a broad range of policies that can provide guidance for the application of works and services. A selection of policies has been included below, though others within City Plan may also apply.

C2.4 Safe Mobility (Vision Zero)

- C2.4.2 Apply Complete Streets road design principles (see Section C2.5 Complete Streets) to prioritize safety and comfort for vulnerable road users.

C2.5 Complete Streets

- C2.5.1 Incorporate Complete Street principles in road retrofits and new construction, supported by City standards, guidelines, and best practices.
- C2.5.3 Require future development to implement street oriented design approaches that support vibrant and accessible streetscapes.
- C2.5.4 Ensure access for all travel modes through the development process, prioritizing walking, cycling, transit, and goods movement.

D2.1 City Boundary & Urban Containment Boundary

- D2.1.5 The City will support full community servicing (road, sewer, water, and storm) for all lands within the UCB, excluding lands in the UCB that are within the Semi-Rural Neighbourhood designation or Resource Management designation.

In addition to City Plan policy, Council Policy COU-154 is also used for determining whether to require full frontage works and services. The policy, titled Guidelines for the Application of Frontage Works and Services Requirements, is attached to this report as Attachment A. The policy provides a set of criteria through which to review developments to determine whether to require works and services, such as whether or not sufficient information is available to allow the final vertical and horizontal alignment of a road to be established, and whether or not there are any alignment and/or grade changes which would be so substantial as to preclude construction of the works fronting the property unless included as part of a larger project.

The policy also includes non-technical considerations determined by land use (rural, low density residential, multi-family residential, or downtown). The policy suggests a reduced standard or full exemption based on the anticipated timeline for other development in the area, the amount of frontage involved, the number of lots for subdivision, or the size of the parcel in downtown.

The policy was adopted in 2002, before densification initiatives such as the legalization of secondary suites (2005) or, more recently, the adoption of City Plan (2022) and the small-scale multi-unit housing mandate (2024). In addition, the significant change in road standards which was implemented in 2020 with the Complete Streets updates to the MoESS meant that most roads in Nanaimo no longer met the new standard, so frontage works with development became more likely. However, the policy can still be used as guidance.

Practical reality, safety, and best practices

In addition to bylaws and policies, the decision of whether to require frontage works and services can also be determined by the reality of the circumstances of the land and surrounding area, safety considerations, and best practices. This review is completed through the development application submission and review process, between the applicant's professional engineer and Staff. Ultimately, works are designed and certified by the applicant's professional engineer, and deviations from the MoESS requires approval from the City Engineer.

Current and Upcoming Bylaw and Policy Updates

There are several upcoming bylaw and policy updates applicable to the requirements for works and services. First, the upcoming City Plan amendment includes a moderate amendment to Schedule 4, which is where road classifications are designated. Following the Complete Streets update to the MoESS in 2020, City Plan incorporated the standards and designated roads on Schedule 4 based on those standards. Following a few years of implementation, amendments were identified and introduced to better align road classifications and land use designations.

Next, the Subdivision Control Bylaw is getting a complete update, being proposed to be replaced by a new Subdivision and Development Servicing Bylaw. The new bylaw is anticipated to be brought to Council for introduction in June, 2026. Key updates and additions in the new bylaw include:

- Modernization of the bylaw, including the removal of all gendered language
- Better coordination of the bylaw with the MoESS
- Updated and added definitions
- Inclusion of requirements for subdivision and development engineering processes
- Updated works and services requirements
- Added opportunities for alternative works and services requirements

Along with the new Subdivision and Development Servicing Bylaw, an update to the MoESS will be included. There are many notable changes throughout the MoESS document to enable the City to adapt to change to reflect changing industry standards and guidelines, align with City Plan, and respond to changes seen from the adoption of Bill 44 by the Province of British Columbia.

Finally, following the adoption of these items, Staff intend to complete a review and update to the Building Bylaw, and to review Council and Administrative policies which may be redundant or contrary to the new bylaw, including Council's Guidelines for the Application of Frontage Works and Services Requirements Policy. Many Council Policies related to subdivision and development are dated, some have duplication in other policies and in newer bylaws, and others are no longer applicable. A refresh of the policies will help ensure clear guidance to Staff and the development community in the application of the policies.

Advocacy to the Province Regarding Payment of Monies In Lieu of Works And Services

In 2025, the City of Nanaimo put forward a resolution to UBCM regarding Payment In Lieu of Works and Services for Land Development (UBCM Resolution NR105). Although the resolution was not reviewed during the UBCM Convention in September 2025, the resolution was forwarded to the UBCM Executive for consideration and action. The resolution was subsequently reviewed and endorsed. The letter from UBCM confirming this information has been attached to this report as Attachment B. |

NEXT STEPS

The City Plan amendment will go to Public Hearing in May. The Subdivision and Development Servicing Bylaw and MoESS update will be brought forward to Council for introduction in May or June of 2026. Following adoption, Staff will begin the review of policies and the Building Bylaw to align with the new Subdivision and Development Servicing Bylaw. |

KEY MESSAGES

- The *Local Government Act* provides local governments with the authority to set standards, by bylaw, for works and services, and to require works and services in relation to the development of land.
- The Subdivision Control Bylaw 1989 No. 3260 sets the requirements for works and services in relation to subdivision. The Building Bylaw 2016 No. 7224 sets the requirements for works and services in relation to building permits.
- Modifications, reductions, or exemptions to the required works and services may apply, subject to bylaw regulations and municipal policies and guidelines. In addition, the decision of whether to require frontage works and services can also be determined by the reality of the circumstances of the land and surrounding area, safety considerations, and best practices.
- There are several upcoming bylaw and policy updates applicable to the requirements for works and services.

ATTACHMENTS

ATTACHMENT A: Council Policy COU-154: Guidelines for the Application of Frontage Works and Services Requirements

ATTACHMENT B: 2025-NOV-26 Letter from UBCM re: 2025 Resolution(s) Referred to UBCM Executive (NR105 Payment In Lieu of Works and Services for Land Development)

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