District of Lantzville

Agenda for the Committee of the Whole Meeting of the District of Lantzville to be held on Wednesday, April 17, 2024 at 6:00 pm in the Council Chamber, Municipal Hall, 2nd Floor – 7192 Lantzville Road, Lantzville, BC

Committee members may attend this meeting in person, or electronically (except for the Chair) for a hybrid meeting (per the *Community Charter* and the Council Procedure Bylaw). For in person and hybrid meetings the Council Chamber will be open for the public to attend. Due to limited seating, the public is encouraged to view the meeting starting at **6:00 pm** via the livestream, and to provide verbal public input on agenda items by registering in advance using the Zoom Webinar link provided for each Committee meeting event at **lantzville.ca**, written comments by **noon** the day of the meeting and emailed to **district@lantzville.ca**, or in person. Prior to attending at Municipal Hall, please self-assess to ensure you are healthy and do not attend if you are ill. Members of the public must remain seated unless invited to address Council. Meetings recorded by the District of Lantzville may be viewed on demand at **lantzville.ca**.

Public input regarding personnel matters, legal action, nominated political candidates, applications for grants in aid or public hearing topics (EXCEPT DURING THE OFFICIAL PUBLIC HEARING) will not be included or will be severed.

Page No.

1. CALL TO ORDER

1-2 **2. ADOPTION OF THE AGENDA**

THAT the April 17, 2024, Committee of the Whole meeting agenda be adopted, as presented.

3-4 **3. ADOPTION OF THE MINUTES**

THAT the March 27, 2024, Committee of the Whole meeting minutes be approved, as presented.

4. PUBLIC INPUT PERIOD *(Persons recognized by the Chair to speak must first state their name and address for the record, may speak once for up to 2 minutes (unless the Committee resolves otherwise), and are limited to providing comment regarding items listed on the agenda for this meeting.* ***Comments must be directed to the Chair, are not to be directed to individual Committee members, staff or the audience and must not include personnel issues.***

5-38 **5. Zoning Amendments to comply with Provincial Housing Legislation**

a) THAT the Committee of the Whole recommends THAT Council instructs Staff to prepare amendments to the "District of Lantzville Zoning Bylaw No. 180, 2020" to [*insert recommendation for Question #1 – forms of housing*] for a future report to Council.

b) THAT the Committee of the Whole recommends THAT Council instructs Staff to prepare amendments to the "District of Lantzville Zoning Bylaw No. 180, 2020" to [*insert recommendation for Question #2 – subdivision regulations*] for a future report to Council.

c) THAT the Committee of the Whole recommends THAT Council instructs Staff to prepare amendments to the "District of Lantzville Zoning Bylaw No. 180, 2020" to [*insert recommendation for Question #3 – allowing both a secondary suite and carriage house on the same parcel*] for a future report to Council.

d) **THAT the Committee of the Whole recommends THAT Council instructs Staff to prepare amendments to the "District of Lantzville Zoning Bylaw No. 180, 2020" to [*insert recommendation for Question #4 – floor area of a secondary suite or a carriage house*] for a future report to Council.**

e) **THAT the Committee of the Whole recommends THAT Council instructs staff to prepare amendments to the "District of Lantzville Zoning Bylaw No. 180, 2020" to remove the two bedroom limit for a secondary suite and/or carriage house for a future report to Council.**

f) **THAT the Committee of the Whole recommends THAT Council instructs Staff to prepare amendments to the "District of Lantzville Zoning Bylaw No. 180, 2020" to [*insert recommendation for Question #6 – parking requirements*] for a future report to Council.**

g) **THAT the Committee of the Whole recommends THAT Council instructs Staff to prepare a bylaw to designate a Transit Oriented Area (TOA) to implement the requirements under Bill 47 – *Housing Statutes (Transit-Oriented Development) Amendment Act*, 2023, for a future report to Council.**

6. **PUBLIC CLARIFICATION/INPUT PERIOD** *(Persons recognized by the Chair to speak must first state their name and address for the record, may speak once for up to 2 minutes (unless the Committee resolves otherwise), and are limited to providing comment regarding items listed on the agenda for this meeting.* ***Comments must be directed to the Chair, are not to be directed to individual Council members, staff or the audience and must not include personnel issues.***

7. **ADJOURNMENT BY MAYOR**

DRAFT

Minutes of the Committee of the Whole Meeting of the District of Lantzville held on Wednesday, March 27, 2024, at 6:00 pm in the Council Chamber, Municipal Hall, 2nd Floor – 7192 Lantzville Road, Lantzville, BC

PRESENT:

Council: Mayor Mark Swain
Councillor Joan Jones
Councillor Jonathan Lerner
Councillor Rachelle Mundell
Councillor Ian Savage

Staff: Glenn Morphy, Acting CAO | Director of Public Works
Trudy Coates, Director of Corporate Administration
George Robinson, Director of Planning and Community Services
Amanda Masse, Planner

The Mayor called the meeting to order at 6:05 pm and acknowledged that the meeting was being held on the traditional territory of the Snaw-naw-as, the Nanoose First Nation.

ADOPTION OF THE AGENDA

MOVED and SECONDED, THAT the March 27, 2024, Committee of the Whole meeting agenda be adopted, as amended with additional information for Item 3. Public Input Period re Item 4. Official Community Plan Amendments, the March 27, 2024, PowerPoint Presentation, and the paper distributed by Councillor Jones listing previous motions of Council.
CARRIED UNANIMOUSLY

PUBLIC INPUT PERIOD

Four written comments were received and distributed; no members of the public registered and spoke via Zoom; and one member in the gallery provided public input on the Committee agenda.

PROPOSED OFFICIAL COMMUNITY PLAN AMENDMENTS

Director Robinson reviewed the staff report, and with Planner Masse gave a PowerPoint presentation highlighting each proposed amendment, and responded to Council questions.

1. **Amendment 1 – Future Study Area OCP Designation**

   MOVED and SECONDED, THAT the Committee of the Whole recommends THAT staff be instructed to bring forward a draft amendment to Official Community Plan Bylaw No. 150, 2019 for Council consideration to add a new land designation titled Future Study Area 1 and that this designation be assigned to 7035 Owen Road legally described as LOT 10, DISTRICT LOT 37, WELLINGTON DISTRICT, PLAN 24659 and 7050 Lantzville Road legally described as LOT 8, DISTRICT LOT 37, WELLINGTON DISTRICT, PLAN 18898; and this new land designation shall have the following characteristics:

   a) Small homes clustered in order to preserve parkland, the biodiversity of the forest, and the environmentally sensitive area around Bloods Creek.
   b) Promote active transportation with a trail over Bloods Creek to the Village via the new Caillet Drive Bloods Creek trail.
   c) A target of 29.9% parkland not including the environmentally sensitive area of Bloods Creek.
   d) A target of 60 small homes in the size range of 800 sf to 1400 sf to serve the needs of downsizing seniors.

   CARRIED

2. **Amendment 2 – Village Primary Commercial Core Area**

   The Committee took no action on the proposed Amendment 2, supporting the November 8, 2023, Council motion:

THAT staff be instructed to bring forward a draft amendment to Official Community Plan Bylaw No. 150, 2019 for Council consideration to amend "Map No. 4 Special Plan Areas" by including all the land of 7187 Lantzville Road and 7197 Lantzville Road in the Village Primary Commercial Core Special Plan Area.

3. **Amendment 4 – Village Primary Commercial Core Regulations**
The Committee took no action on the proposed Amendment 4, supporting the November 8, 2023, Council motion:

THAT staff be instructed to bring forward an amendment to Official *Community Plan Bylaw No. 150, 2019 for Council consideration to amend the Land Use Summary table of the Village Primary Commercial Core Special Plan Area by striking "3 storeys on the south side of Lantzville Road" and inserting "2 storeys on the south side of Lantzville Road with allowance for a third storey lower floor if the depth of the slope provides it, and in such cases the lower two storeys must be solely commercial".*

4. **Amendment 6 – Intensive Residential Definition**
The Committee took no action on the proposed Amendment 6.

5. **Amendment 7 – Lantzville East Special Plan Area**
MOVED and SECONDED, THAT the Committee of the Whole recommends THAT Council instructs Staff to bring forward an amendment to Official Community Plan Bylaw No. 150, 2019 by adding Health Service, Veterinary Clinic, Funeral Service, and Financial Service into the list of supported land uses in the Lantzville East Special Plan Area; AND FURTHER THAT clarified language be added to support mixed-use developments with commercial on the ground floor in the Lantzville East Special Plan Area.
DEFEATED

The Committee took no further action on the proposed Amendment 7, resulting in the February 21, 2024, Council motion remaining:

THAT staff be instructed to bring forward a draft amendment to Official Community Plan Bylaw No. 150, 2019 for Council consideration to amend the Special Plan Area East Lantzville so that the only permitted land uses are Long Term Care Facilities, Day Care, Professional Offices/Services, Health Service, Veterinary Clinic, Funeral Service, Financial Service.

PUBLIC CLARIFICATION
No members of the public via Zoom or in the gallery, requested clarification on agenda items.

ADJOURNMENT BY MAYOR
Mayor Swain declared the meeting adjourned.

MEETING ADJOURNED: 8:38 pm

Certified Correct:

_____
Delcy Wells, Director of Corporate Administration

Confirmed this day of , 2024.

_____
Mark Swain, Mayor

District of Lantzville

REPORT TO COMMITTEE OF THE WHOLE

Meeting Date: April 17, 2024

SUBJECT: Zoning Amendments to comply with Provincial Housing Legislation

PURPOSE

To present proposed amendments to "District of Lantzville Zoning Bylaw No. 180, 2020" which are required to obtain compliance with provincial legislative requirements, and seek direction on discretionary items.

RECOMMENDATIONS

1. **THAT** the Committee of the Whole recommends THAT Council instructs Staff to prepare amendments to the "District of Lantzville Zoning Bylaw No. 180, 2020" to [*insert recommendation for Question #1 – forms of housing*] for a future report to Council.

2. **THAT** the Committee of the Whole recommends THAT Council instructs Staff to prepare amendments to the "District of Lantzville Zoning Bylaw No. 180, 2020" to [*insert recommendation for Question #2 – subdivision regulations*] for a future report to Council.

3. **THAT** the Committee of the Whole recommends THAT Council instructs Staff to prepare amendments to the "District of Lantzville Zoning Bylaw No. 180, 2020" to [*insert recommendation for Question #3 – allowing both a secondary suite and carriage house on the same parcel*] for a future report to Council.

4. **THAT** the Committee of the Whole recommends THAT Council instructs Staff to prepare amendments to the "District of Lantzville Zoning Bylaw No. 180, 2020" to [*insert recommendation for Question #4 – floor area of a secondary suite or a carriage house*] for a future report to Council.

5. **THAT** the Committee of the Whole recommends THAT Council instructs staff to prepare amendments to the "District of Lantzville Zoning Bylaw No. 180, 2020" to remove the two bedroom limit for a secondary suite and/or carriage house for a future report to Council.

6. **THAT** the Committee of the Whole recommends THAT Council instructs Staff to prepare amendments to the "District of Lantzville Zoning Bylaw No. 180, 2020" to [*insert recommendation for Question #6 – parking requirements*] for a future report to Council.

7. **THAT** the Committee of the Whole recommends THAT Council instructs Staff to prepare a bylaw to designate a Transit Oriented Area (TOA) to implement the requirements under Bill 47 – *Housing Statutes (Transit-Oriented Development) Amendment Act*, 2023, for a future report to Council.

COMMITTEE/COMMISSION RECOMMENDATION

N/A

ALTERNATIVES AND IMPLICATIONS

Option 1 –Direct Staff to explore options to expand on the minimum density required by Provincial law.

Implications: Recent Provincial legislative changes represent the minimum housing density standards the District is required to permit by June 30, 2024. If the Committee of the Whole (Committee) would like to expand upon these minimum standards to increase housing density, Staff could draft options and conduct public consultations. If the Committee recommends to Council to pursue this option, additional direction would be beneficial.

Option 2 – Amend the motions and vote on the motions as amended.

The implications are unknown until the amendments are known.

BACKGROUND/RELEVANT HISTORY

The Province of British Columbia passed several housing-related bills in the fall 2023 session of the Legislature:

Bill 35 – *Short-Term Rental Accommodation Act*
Bill 44 – *Housing Statutes (Residential Development) Amendment Act*
Bill 46 – *Housing Statutes (Development Financing) Amendment Act*
Bill 47 – *Housing Statutes (Transit-Oriented Development) Amendment Act*

These Acts received Royal Assent by November 30th, and regulations and policy manuals for all except Bill 46 were published on December 7, 2023. A comprehensive report on this legislation was provided to Council at the January 24th regular Council meeting.

Bill 44 – *Housing Statutes (Residential Development) Amendment Act*

In addition to the mandatory zoning changes that are required by June 30th, 2024, Bill 44 makes several changes to require a more proactive approach to land use planning. There is a new requirement to update a Housing Needs Report (HNR) following provincial regulations to better understand the current and anticipated housing needs in the community. Following the updated HNR, updates to "District of Lantzville Official Community Plan No. 150, 2019" (OCP) and "District of Lantzville Zoning Bylaw No. 180, 2020" (Zoning Bylaw) are required to incorporate the needed housing. The HNR is required to be completed by December 31, 2024, and the updates to the OCP and Zoning Bylaw are required to be completed by December 31, 2025.

Bill 44 outlines minimum density requirements for 'Restricted Zones' in municipalities and regional districts across BC. A Restricted Zone is defined as a zone that, on the date that the

legislation comes into force, or that would, but for this section of the legislation, restrict the residential use and density of use permitted in the zone to:

a) For the purposes of secondary suites and /or ADUs, a zone in respect of which the permitted use would be restricted to detached single-family dwellings, or
b) For the purposes of three to six units, a zone in respect of which the residential use would be restricted to:

    a. Detached single-family dwellings, or
    b. Detached single-family dwellings and one additional housing unit located within the detached single-family dwelling or on the same parcel or parcels of land on which the detached single-family dwelling is located;
    c. duplexes, or
    d. duplexes with one additional housing unit located within each dwelling comprising the duplex and no more than 2 additional housing units on the same parcel or parcels of land on which the duplex is located.

but does not include a manufactured home zone.

The purpose of this legislation is to amend restrictive zoning bylaws that have resulted in a prevalence of single-family dwellings that are no longer financially attainable for many BC residents.

The minimum density requirement varies from two to six dwelling units per Restricted Zone lot based on factors including lot size, access to municipal water and sewer services, and proximity to prescribed bus stops. **ATTACHMENT 1** outlines the density requirements in flow chart form (from page 57 of the Provincial Policy Manual & Site Standards):

- All Restricted Zone lots must be permitted to construct two dwelling units (or three, if approved by the local government). Lantzville currently allows a house and either a secondary suite or carriage house in all residential zones, depending on the size of the lot. An amendment to the minimum lot size required to construct a secondary suite (and possibly a carriage house) will be required. The Zoning Bylaw currently restricts secondary suites to lots at least 600 m^2 in area and carriage houses to lots at least 1,300 m^2 in area (**ATTACHMENT 2**).

- Restricted Zones with access to municipal water and sewer services that are ≤ 280 m^2 must be permitted to construct up to three dwelling units. Lantzville does not have any residential lots less than 280 m^2 in area and residential lots of this size are not currently permitted in the District.

- Restricted Zones with access to municipal water and sewer services that are > 280 m^2 and ≤ 4,050 m^2 must be permitted to construct up to four dwelling units. There are approximately 818 parcels > 280m^2 and ≤ 4,050 m^2 with access to municipal water and sewer services. These parcels are identified in yellow in **ATTACHMENT 3.**

- Restricted Zones with access to municipal water and sewer services that are > 281 m^2 and are wholly or partly within 400 m of a 'prescribed bus stop' must permit a minimum of 6 dwelling units. A prescribed bus stop is determined based on the frequency and timing of buses. Lantzville does not have any prescribed bus stops.

- Restricted Zone parcels that are > 4050 m² in area are exempt from the requirement to be rezoned to permit additional units. Legislation requires that secondary suites and / or carriage houses be permitted on these lots; however, the 3-6 unit requirement does not apply. These larger lots may be more suitable for future subdivision. There are approximately 83 of these parcels identified in red in **ATTACHMENT 3.**

In order to support the new density requirements, building setbacks, lot coverage percentage, parking minimums, and height maximums may need to be amended throughout the Zoning Bylaw. Restricted Zone lots that are subject to Bill 44 zoning requirements in Lantzville are shown in **ATTACHMENT 3.**

ATTACHMENTS

1. Provincial Policy Manual & Site Standards Process Diagram
2. District of Lantzville Zoning Bylaw No. 180, 2020 – Secondary Suites and Carriage Houses
3. Map of Lantzville properties that are subject to new Small Scale Multi Unit housing requirements
4. Draft changes to Residential Zones in "District of Lantzville Zoning Bylaw No. 180, 2020"
5. Draft changes to Section 2.1 Secondary Suites and Carraige Houses in "District of Lantzville Zoning Bylaw No. 180, 2020"
6. Draft changes to Section 2.6 Parking and Loading in "District of Lantzville Zoning Bylaw No. 180, 2020"
7. Map of Lantzville properties within 400 m of the Woodgrove Transit Exchange

ANALYSIS/RATIONALE

Amendments to the Zoning Bylaw to comply with new Provincial legislation must be adopted by Council by June 30, 2024. Local governments that do not comply with the requirements by the deadline may be subject to a ministerial order that overrides their Zoning Bylaw to permit the uses and density required by Legislation.

The Provincial Policy Manual & Site Standards contains instructions for how municipalities must amend their Zoning Bylaws to comply with Provincial legislation. The Manual also provides guidance on a number of factors which contain some discretionary elements. The District is required to demonstrate that it has considered the requirements of the Policy Manual in the Council report which introduces the amending bylaw.

Part 4 of the Policy Manual contains site standards packages that provide different options for zoning regulations in order to comply with Provincial requirements. The Manual gives local municipalities some discretion to adjust for 'local conditions', but the expectation is that the site standards packages be given full consideration.

Figure 1 – Site Standards Packages applied to different zones in Lantzville:

Site Standard	Legislative Requirement	Lantzville Zone
Package B	Lots where three or four housing units must be permitted and lots are generally less than 1,215m²	R3, R4, R5, FH1, SAP-1 (Area A and C)
Package C	Lots where four housing units must be permitted and lots are generally between 1,215m² – 4,050m²	R1, R2, EST, SAP-1 (Area B)

Package A and D do not apply to Lantzville. Draft changes to the residential zones indicated above are included as **ATTACHMENT 4**.

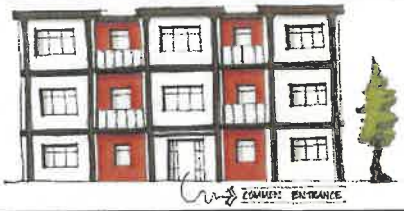
As Staff work through the requirements, several discretionary items have been identified for Committee direction, which are posed as questions below.

Residential Zones Questions:

1. Does the Committee wish to permit alternative forms of housing that are currently not permitted by the Zoning Bylaw (ie. Cottage Courts, small housing clusters, etc.) or use existing defined uses?

   The Zoning Bylaw controls the use of land, and each residential zone includes a table for permitted primary and secondary uses. In the draft zoning amendments in **ATTACHMENT 4,** Staff have listed additional primary uses as needed to achieve the four dwelling requirement using uses that are already defined in the Zoning Bylaw. Council could elect to add other primary uses or remove the list of primary uses and just use 'Residential', which would give flexibility in how the four dwellings are arranged on the lot.

   Figure 2: Building Types in "District of Lantzville Zoning Bylaw No. 180, 2020"

Dwelling Type	Definition in Zoning Bylaw
Apartment	A building containing three or more dwelling units, where each dwelling unit is accessible from an internal, common hallway. Includes dwelling units in a mixed use building. 
Carriage House	A secondary dwelling unit located in a secondary building.
Duplex	A building comprised of two attached dwelling units sharing a common party wall, whether subdivided from each other or not, where each dwelling unit has a separate ground-oriented entrance from the exterior of the building and where dwelling units may be either side-by-side or stacked vertically.
House	A building containing one primary dwelling unit and up to one secondary suite, if permitted in the zoning of the parcel on which the house is located, and includes a modular home.
Secondary Suite	A secondary dwelling unit located in a house.
Rowhouse	A building containing at least three attached dwelling units sharing common party walls, whether subdivided from each other or not, where each dwelling unit has a separate ground-oriented entrance from the exterior of the building. 

Townhouse	A building containing at least three attached dwelling units sharing common party walls, whether subdivided from each other or not, where each dwelling unit has a separate ground-oriented entrance from the exterior of the building and where dwelling units may be either side-by-side or stacked vertically. 

Figure 2: Cottage Court and Cluster Housing Examples



Ross Chapin Architects. (n.d.). Greenwood Avenue Cottages. Retrieved from https://rosschapin.com/projects/pocket-neighborhoods/greenwood-avenue-cottages/

2. Does the Committee wish to review subdivision regulations (ie. Minimum parcel area, minimum parcel frontage and width)?

   The Provincial Policy Manual does not specify any requirements to amend minimum parcel area, frontage, or width. If to the Committee supports smaller lot sizes, this may function to encourage property owners to subdivide lots for more single detached housing rather than construct a four dwelling townhouse or apartment building. Smaller standardized lot sizes would also provide property owners with additional flexibility in how they use their land, and provide additional revenue by selling a lot rather than demolishing an existing house for a higher intensity of development.

   Subdivision regulations for Row Housing to allow individual Row Housing units to be subdivided in a fee simple manner could be explored. This would encourage development of these units without the need for a strata plan to separate ownership.

   Additional review and research by Staff would be required if the Committee recommends that Council pursue this option.

Secondary Suite and Carriage House Questions (draft version **ATTACHMENT 5**):

3. Does the Committee wish to allow both a secondary suite and carriage house on the same parcel?

   Allowing both a secondary suite and carriage house as accessory uses to a single detached house would bring the total number of units permitted on residential properties to three, without the need to remove the existing house. This represents a lower cost way of adding units without displacing existing residents, and reduces the environmental impact associated with demolitions.

If the Committee wishes to allow both, Staff recommend that this provision only applies for properties connected to municipal water and sewer services. This would restrict additional density to locations where appropriate services are available, which is in line with Provincial guidance.

4. Does the Committee wish to increase the maximum gross floor area of a secondary suite or a carriage house from 90 m^2 to 100 m^2 or eliminate the max gross floor area?

   Maximum lot coverage, setback, and height restrictions already limit the size of a carriage house on a lot. On larger properties, it does not make as much sense to limit the gross floor area as well. Limiting gross floor area also results in only one or two bedroom units, which are not as suitable for families.

   In line with changing requirements to accommodate thicker wall assemblies to comply with BC Energy Step Code (insulation requirements), Staff recommend to change the definition of gross floor area from "measured to the extreme outer limits of the building" to use the floor area inside of the exterior walls. The total size of the building would still be regulated by lot coverage and setback requirements, but measuring the floor area inside of the wall assemblies removes this penalty for more energy efficient homes.

5. Does the Committee wish to remove the two bedroom limit for a secondary suite and/or carriage house?

   Similar to question #4 above, Staff recommend removing the bedroom limit as this discourages family-sized units. When residents inquire about developing a secondary suite or carriage house, the bedroom limit often comes up in discussion as these units are often constructed for an immediate or extended family member. Increasing the gross floor area and bedroom limits would encourage intergenerational living.

Parking Regulation Questions (draft version **ATTACHMENT 6**):

6. Does the Committee wish to reduce parking requirements beyond the reductions mandated in the site standards packages?

   For packages B and C which apply in Lantzville, the site standards set a maximum of 1 parking space per unit, which could be increased to 1.5 spaces per unit where no or limited public transit is available. Staff recommend requiring a minimum of 1.5 parking spaces per unit, with 1 space per unit for secondary suites and carriage houses. Property owners can elect to construct parking in excess of the minimum unless Council prescribes a maximum number of spaces.

   At a rate of 1.5 spaces per unit, a 4-unit townhouse would require 6 parking spaces. Parking requirements are rounded up, so a 3 unit townhouse which requires 4.5 spaces = 5 spaces. Parking requirements can represent a significant use of space on smaller sites, which will result in additional hard surfacing and a reduction in green space for landscaping or amenities on the site. Reducing the requirement to one space per dwelling would be in keeping with Provincial guidance.

Transit Oriented Area Question (Bill 47):

7. Does Committee wish to request an extension to the Bill 47 related requirements for a Transit Oriented Area in proximity to the Woodgrove Mall Bus Exchange in the City of Nanaimo, or ask staff to prepare a bylaw?

   Bill 47 requires parcels wholly or partially within a prescribed distance of a transit station to be designated as a Transit Oriented Area (TOA). The legislation sets a minimum allowable density for TOAs based on distance of the parcel from a Skytrain station, Bus Exchange, or West Coast Express station. Maximum density may be calculated based on Floor Area Ratio (i.e., the combined floor area of a building divided by the area of the parcel) or building height, measured in storeys.

   While the District does not have any transit stations, four properties are located within 400 m of the Woodgrove Mall Bus Exchange in the City of Nanaimo (**ATTACHMENT 7**). The area of the Woodgrove TOA is partially within city limits, partially in the District of Lantzville, and is bisected by the Nanaimo Parkway. The parcels subject to the TOA regulations within Lantzville are undeveloped and not serviced.

   In addition, the District will no longer be able to require residential off-street parking within TOAs, except for parking for people with disabilities. An amendment to parking requirements in the Zoning Bylaw will be required.

   The RDN Transit Redevelopment Strategy (2022) calls for a new location for the bus exchange at Woodgrove Centre as the existing location is temporary. In 2023, the City of Nanaimo was awarded a Complete Communities (CC) grant by the Ministry of Housing to undertake an assessment of the Woodgrove Secondary Urban Centre. A portion of the TOA boundaries falls within the scope of the CC assessment area. The scope of the assessment will include a mobility study that will explore options for a new location for a permanent bus exchange. The grant timeline to complete the assessment is October 16th, 2024. City staff have advised that their work on identifying an alternative location for the bus exchange will not be complete prior to the June 30th 2024 deadline to implement a TOA bylaw.

   The City of Nanaimo submitted a request in January 2024 to the Ministry of Housing for an extension to the June 30th 2024 deadline, on the basis of the temporary nature of the bus exchanges in Woodgrove and the Complete Communities assessment. The City have not received a response from the Ministry at the time of writing this report, and are preparing a TOA bylaw to comply with the June 30th 2024 deadline.

Financial/Budget Implications

The District of Lantzville received $167,793 from the Ministry of Housing to assist in implementing recent legislative changes. Council has allocated the majority of these funds towards updating the Development Cost Charge Bylaw, retaining a consultant to prepare a background report and Amenity Cost Charge (ACC) bylaw to collect amenity contributions from small scale multiple unit development, and hiring consultants to support staff in implementing required zoning and OCP updates.

An increase in residential density may have the following financial and budget implications in Lantzville:

- Upgrades and increased maintenance on roads and utilities may be required to support increased use.
- Increased development cost charges, building permit fees, and development application fee payments. Smaller scale development may also pay the new amenity cost charge.
- Additional density and incentive to subdivide lots will increase the municipal tax base and potential utility revenues.
- The need for community police and additional fire service members may occur sooner than initially projected as population increases.

Bill 46, *Housing Statutes (Development Financing) Amendment Act* has received Royal Assent; however, we are awaiting regulations that the Province had previously indicated would be coming in January 2024. As part of Financial Plan 2024, Council directed staff to prepare an updated Development Cost Charge (DCC) Bylaw which is underway.

CONCLUSION

Staff recommend that the Committee of the Whole provide feedback as requested to allow Staff to begin working on the required Zoning Bylaw amendments for a future meeting of Council.

Prepared by:

George Robinson
Director of Planning and Community Services
Date: April 17, 2024

Approved for submission to Council:

Glenn Morphy
Acting CAO / Director of Public Works
Date: April 17, 2024

Amanda Masse, Planner

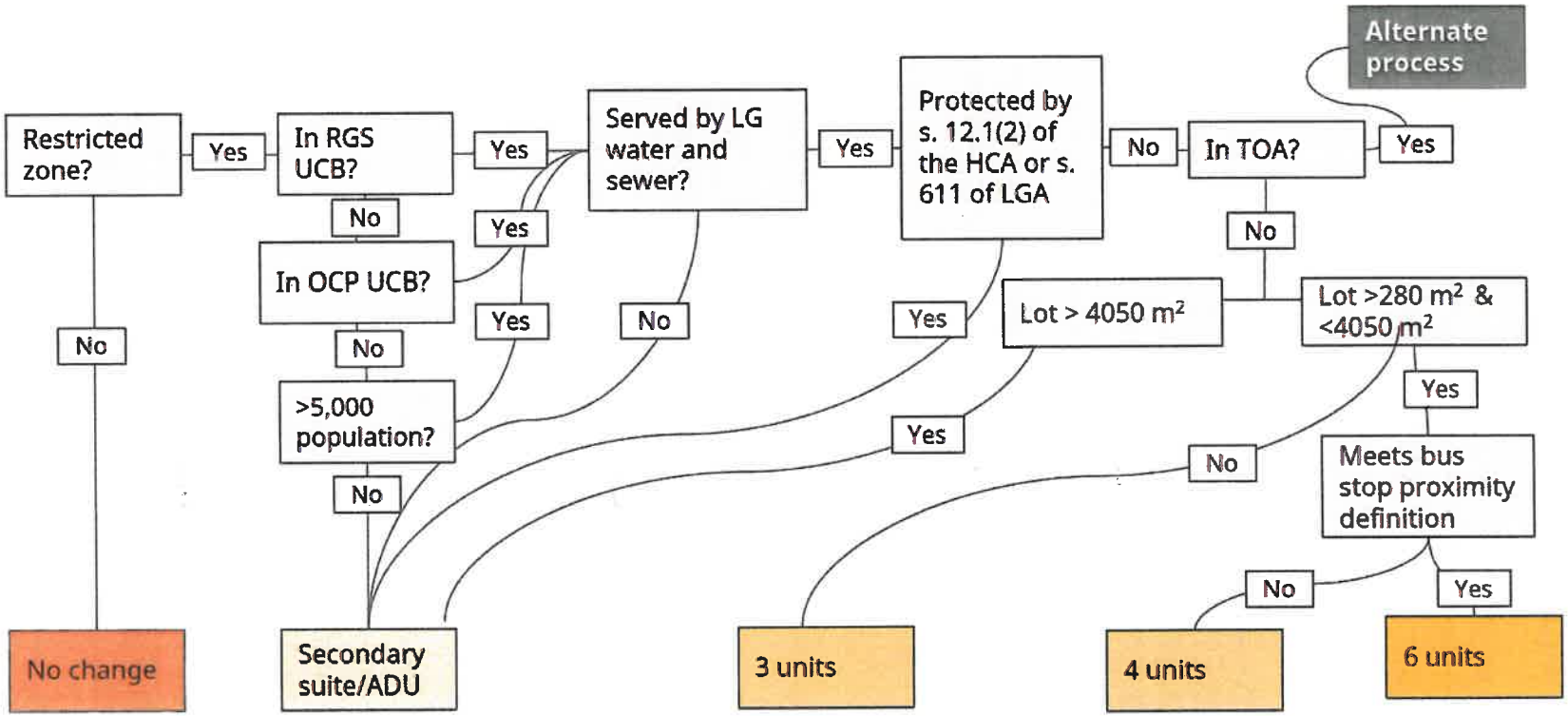
Date: April 17, 2024

REVIEWED WITH:			
☒ Corporate Administration	☐ Fire Rescue	☐ Public Works/Engineering	☐ RCMP
☒ Financial Services	☒ Planning	☐ Solicitor	☐ Committee:
☐ Other:			

COUNCIL AGENDA INFORMATION:		
Meeting Type	**Date**	**Agenda Item #**
Committee of the Whole	April 17, 2024	

File Number: 0125-20
Location: T:\DISTRICT OF LANTZVILLE\Reports to Council\2024\2024-04-17 Committee of the Whole (if required)\Zoning Amendments to comply with Provincial Housing Legislation\04 17 2024 DRAFT Zoning Amendments to comply with Provincial Housing Legislation.docx

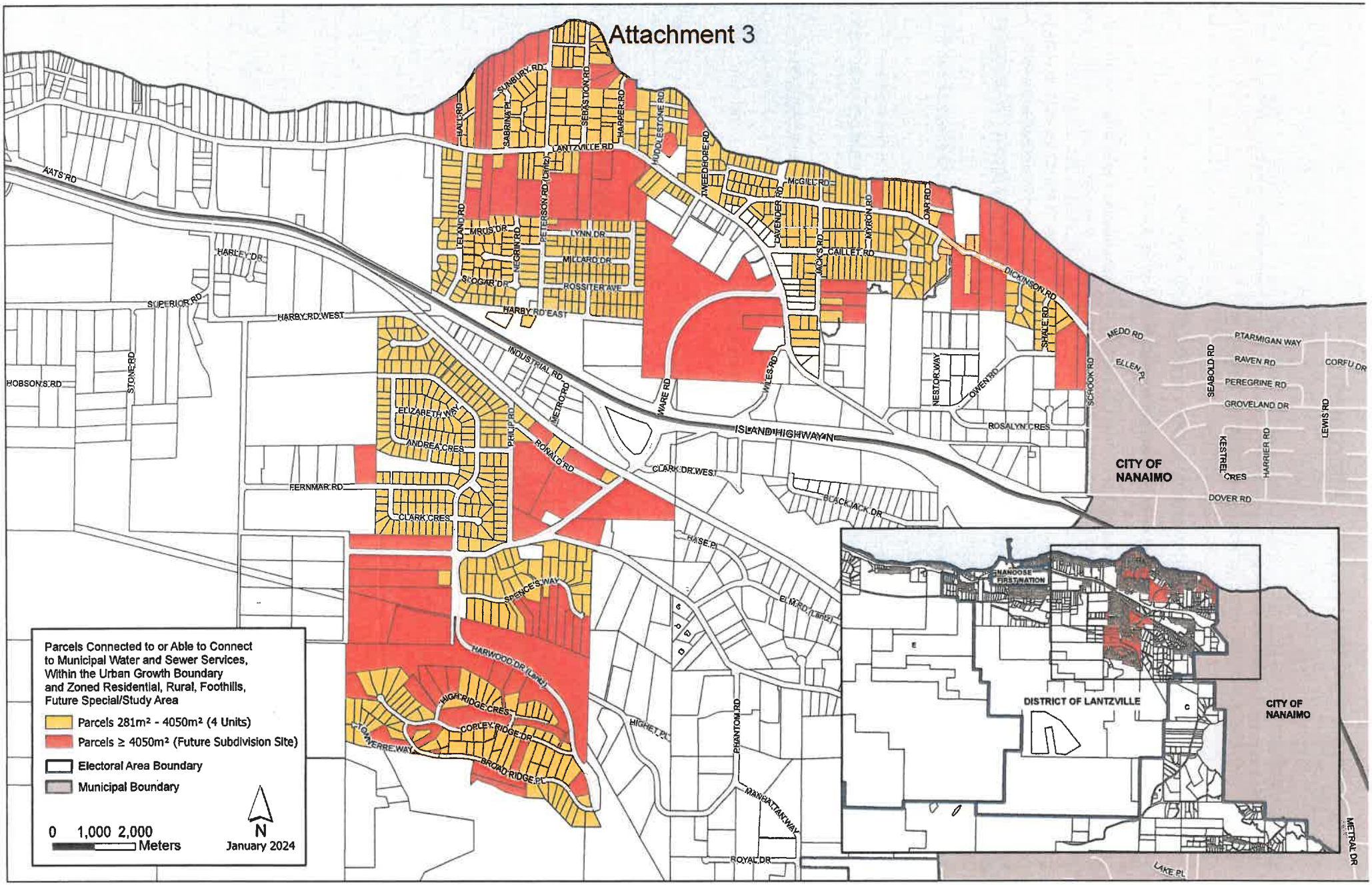
Figure 3: Process diagram for identifying impacted lots using GIS



2.1 SECONDARY SUITES AND CARRIAGE HOUSES

1. A secondary suite is permitted only on a parcel at least 600 m^2 in area.
2. A carriage house is permitted only on a parcel at least 1,300 m^2 in area.
3. The maximum gross floor area of a secondary suite or a carriage house, excluding the area of the garage, is 90 m^2.
4. A secondary suite or carriage house is permitted only on a parcel with direct vehicle access to a highway, strata road or shared driveway constructed and maintained in accordance with Municipal standards and, in the case of a shared driveway, the driveway must provide access to no more than three parcels, be paved, and be at least 6 m wide.
5. Onsite parking for a secondary suite or a carriage house must include signage that states "secondary suite parking only" or "carriage house parking only".
6. Onsite parking for a secondary suite or carriage house must remain free and clear of any encumbrance or other parked vehicles that would prevent parking in those spaces or access to and egress from the spaces.
7. A secondary suite or carriage house must not be divided from the primary dwelling unit to create two separate parcels within a building strata.
8. A secondary suite or carriage house is limited to a maximum of two bedrooms and one kitchen.
9. A secondary suite is permitted only within a house.
10. A carriage house must not be a mobile home, except on a parcel zoned Rural or Estate.
11. A secondary suite or carriage must be connected to the Municipal water and sewer system or, where the Municipal water and system is unavailable, connected to a well that meets Municipal standards and a sewage disposal system approved by a Registered Onsite Wastewater Management Practitioner to accommodate the additional load from the secondary suite or carriage house.

Attachment 3



1.1 RESIDENTIAL 1 ZONE (R1)

Permitted Uses

1. The permitted primary and secondary uses are as follows:

Primary Use	Secondary Use
House Duplex Rowhouse Townhouse Apartment	Carriage House Home Business Secondary Suite

Dwelling Units

2. The maximum number of dwelling units per parcel is based on available services as follows:

Municipally serviced with water and sewer	No or partial municipal services
Parcel area under 4050m2: 4 Dwellings	2 Dwellings
Parcel area 4050m2 or greater: 2 Dwellings	

Siting

3. The minimum setbacks from parcel lines are as follows:

Structure	Front	Rear	Interior Side	Exterior Side
Primary structure	6 m	6 m	1.5 m	1.5 m
Carriage House	6 m	1.5 m	1.5 m	1.5 m
Secondary Structure	6 m	1.5 m	1.5 m	1.5 m

a) If onsite parking is provided in a rear yard, one interior side setback shall be increased to 3 m to provide access to the parking space(s).

Height

4. The maximum heights are as follows:

Structure	Maximum Height
Primary structure	11 m
Carriage House with Garage Below	7 m
Carriage House without Garage Below	6 m
Secondary Structure	6 m
Fence	1.8 m

Parcel Coverage

5. The maximum parcel coverage is 40%.

Subdivision

6. The subdivision regulations are as follows:

Criteria	Regulation
Minimum Parcel Area	2,000 m^2
Minimum Parcel Frontage and Width	20 m

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1.2 RESIDENTIAL 2 ZONE (R2)

Permitted Uses

1. The permitted primary and secondary uses are as follows:

Primary Use	Secondary Use
House Duplex Rowhouse Townhouse Apartment	Carriage House Home Business Secondary Suite

Dwelling Units

2. The maximum number of dwelling units per parcel is based on available services as follows:

Municipally serviced with water and sewer	No or partial municipal services
Parcel area under 4050m2: 4 Dwellings	2 Dwellings
Parcel area 4050m2 or greater: 2 Dwellings	

Siting

3. The minimum setbacks from parcel lines are as follows:

Structure	Front	Rear	Interior Side	Exterior Side
Primary structure	6 m	6 m	1.5 m	1.5 m
Carriage House	6 m	1.5 m	1.5 m	1.5 m
Secondary Structure	6 m	1.5 m	1.5 m	1.5 m

a) If onsite parking is provided in a rear yard, one interior side setback shall be increased to 3 m to provide access to the parking space(s).

Height

4. The maximum heights are as follows:

Structure	Maximum Height
Primary structure	11 m
Carriage House with Garage Below	7 m
Carriage House without Garage Below	6 m
Secondary Structure	6 m
Fence	1.8 m

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Parcel Coverage

5. The maximum parcel coverage is 40%.

Subdivision

6. The subdivision regulations are as follows:

Criteria	Regulation
Minimum Parcel Area	1,300 m^2
Minimum Parcel Frontage and Width	20 m

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1.3 RESIDENTIAL 3 ZONE (R3)

Permitted Uses

1. The permitted primary and secondary uses are as follows:

Primary Use	Secondary Use
House Duplex Rowhouse Townhouse Apartment	Carriage House Home Business Secondary Suite

Dwelling Units

2. The maximum number of dwelling units per parcel is based on available services as follows:

Municipally serviced with water and sewer	No or partial municipal services
Parcel area under 4050m2: 4 Dwellings	2 Dwellings
Parcel area 4050m2 or greater: 2 Dwellings	

Siting

3. The minimum setbacks from parcel lines are as follows:

Structure	Front	Rear	Interior Side	Exterior Side
Primary structure	6 m	5 m	1.2 m	1.2 m
Carriage House	6 m	3 m	1.2 m	1.2 m
Secondary Structure	6 m	1.5 m	1.5 m	1.5 m

a) Front setback for a Primary Structure may be reduced to 2 m where a sidewalk is in place in the abutting right of way.

b) If onsite parking is provided in a rear yard, one interior side setback shall be increased to 3 m to provide access to the parking space(s).

Height

4. The maximum heights are as follows:

Structure	Maximum Height
Primary structure	11 m
Carriage House with Garage Below	7 m
Carriage House without Garage Below	6 m
Secondary Structure	6 m
Fence	1.8 m

Parcel Coverage

5. The maximum parcel coverage is 50%.

Subdivision

6. The subdivision regulations are as follows:

Criteria	Regulation
Minimum Parcel Area	1,000 m^2
Minimum Parcel Frontage and Width	20 m

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1.4 RESIDENTIAL 4 ZONE (R4)

Permitted Uses

1. The permitted primary and secondary uses are as follows:

Primary Use	Secondary Use
House Duplex Rowhouse Townhouse Apartment	Carriage House Home Business Secondary Suite

Dwelling Units

2. The maximum number of dwelling units per parcel is based on available services as follows:

Municipally serviced with water and sewer	No or partial municipal services
Parcel area under 4050m2: 4 Dwellings	2 Dwellings
Parcel area 4050m2 or greater: 2 Dwellings	

Siting

3. The minimum setbacks from parcel lines are as follows:

Structure	Front	Rear	Interior Side	Exterior Side
Primary structure	6 m	5 m	1.2 m	1.2 m
Carriage House	6 m	3 m	1.2 m	1.2 m
Secondary Structure	6 m	1.5 m	1.5 m	1.5 m

c) Front setback for a Primary Structure may be reduced to 2 m where a sidewalk is in place in the abutting right of way.

d) If onsite parking is provided in a rear yard, one interior side setback shall be increased to 3 m to provide access to the parking space(s).

Height

4. The maximum heights are as follows:

Structure	Maximum Height
Primary structure	11 m
Carriage House with Garage Below	7 m
Carriage House without Garage Below	6 m
Secondary Structure	6 m
Fence	1.8 m

Parcel Coverage

5. The maximum parcel coverage is 50%.

Subdivision

6. The subdivision regulations are as follows:

Criteria	Regulation
Minimum Parcel Area	800 m^2
Minimum Parcel Frontage and Width	20 m

DRAFT

1.5 RESIDENTIAL 5 ZONE (R5)

Permitted Uses

1. The permitted primary and secondary uses are as follows:

Primary Use	Secondary Use
House Duplex Rowhouse Townhouse Apartment	Carriage House Home Business Secondary Suite

Dwelling Units

2. The maximum number of dwelling units per parcel is based on available services as follows:

Municipally serviced with water and sewer	No or partial municipal services
Parcel area under 4050m2: 4 Dwellings	2 Dwellings
Parcel area 4050m2 or greater: 2 Dwellings	

Siting

3. The minimum setbacks from parcel lines are as follows:

Structure	Front	Rear	Interior Side	Exterior Side
Primary structure	6 m	5 m	1.2 m	1.2 m
Carriage House	6 m	3 m	1.2 m	1.2 m
Secondary Structure	6 m	1.5 m	1.5 m	1.5 m

e) Front setback for a Primary Structure may be reduced to 2 m where a sidewalk is in place in the abutting right of way.

f) If onsite parking is provided in a rear yard, one interior side setback shall be increased to 3 m to provide access to the parking space(s).

Height

4. The maximum heights are as follows:

Structure	Maximum Height
Primary structure	11 m
Carriage House with Garage Below	7 m
Carriage House without Garage Below	6 m
Secondary Structure	6 m
Fence	1.8 m

Parcel Coverage

5. The maximum parcel coverage is 50%.

Subdivision

6. The subdivision regulations are as follows:

Criteria	Regulation
Minimum Parcel Area	960 m^2
Minimum Parcel Frontage and Width	15 m
Maximum Parcel Averaging	40%

1.6 ESTATE ZONE (EST)

Permitted Uses

1. The permitted primary and secondary uses are as follows:

Primary	Secondary
House Duplex Rowhouse Townhouse Apartment	Carriage House Home Business Secondary Suite

Dwelling Units

2. The maximum number of dwelling units per parcel is as follows:

Parcel Area	Maximum Number of Dwelling Units	Type of Permitted Dwelling Units
Less than 4050 m2 with municipal water and sewer	4	1 House and either 1 carriage house or 1 secondary suite, or 2 Duplex dwelling units, or 4 Rowhouse dwelling units, or 4 Townhouse dwelling units, or 4 Apartment dwelling units, or
Less than 0.8 ha	2	1 house and either 1 carriage house or 1 secondary suite
0.8 ha or larger	2	2 houses, or 1 house and either 1 carriage house or 1 secondary suite

Siting

3. The minimum setback for any structure is 8 m from the front and rear parcel lines and 4 m from any other parcel line.

4. The minimum interior side parcel line setback for a house from a parcel line adjoining a Residential zoned parcel is 2 m.

5. If the parcel area is less than 4050 m2 and the site is serviced with municipal water and sewer, the following table applies in lieu of the above:

Structure	Front	Rear	Interior Side	Exterior Side
Primary structure	6 m	6 m	1.5 m	1.5 m
Carriage House	6 m	1.5 m	1.5 m	1.5 m
Secondary Structure	6 m	1.5 m	1.5 m	1.5 m

Height

6. The maximum heights are as follows:

Structure	Maximum Height
Any Structure	9 m
Fence	2 m

Parcel Coverage

7. The maximum parcel coverage is as follows:

Parcel Area	Maximum Parcel Coverage
Less than 4050 m2	40%
4050 m2 or greater	30%

Subdivision

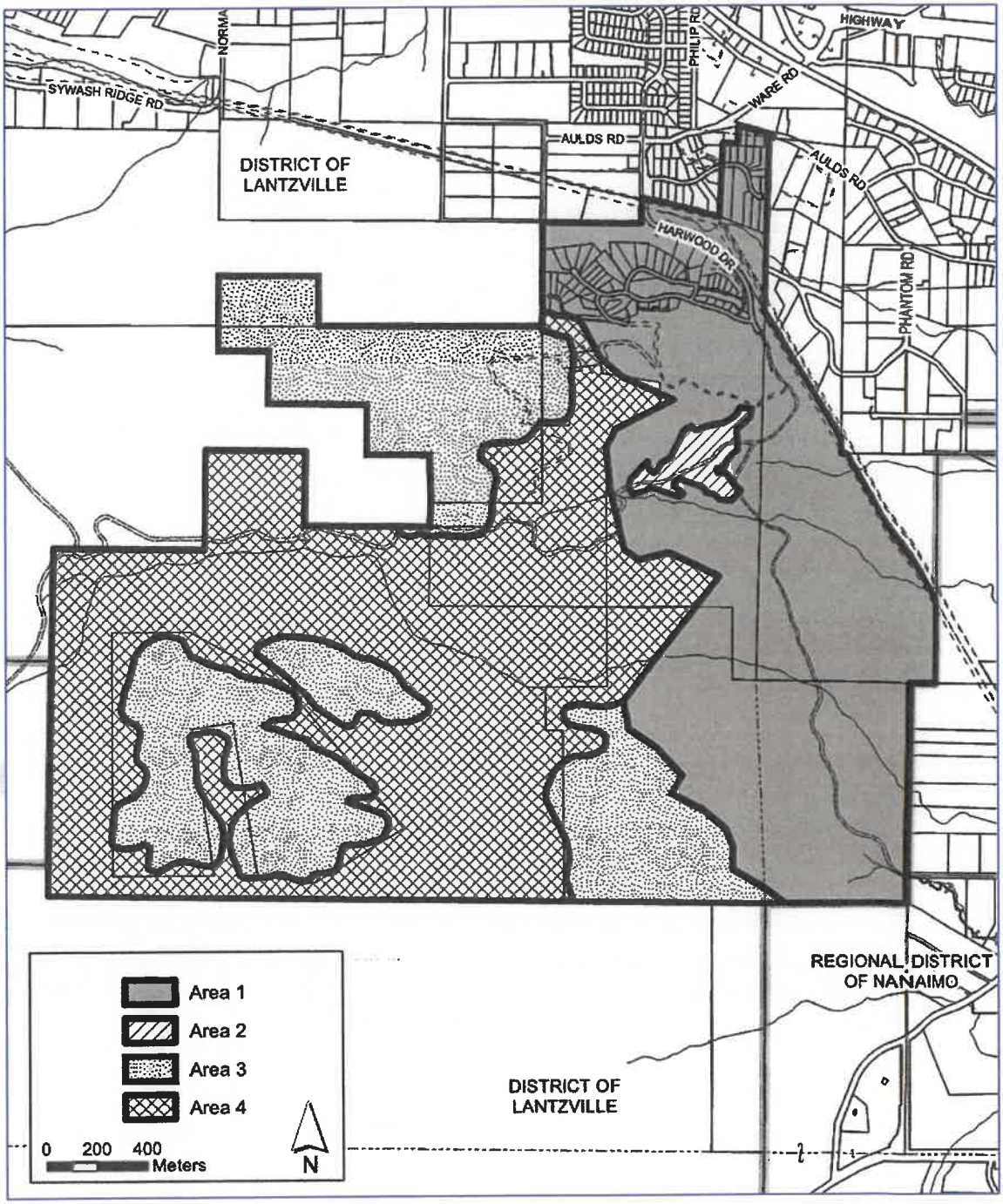
8. The subdivision regulations are as follows:

Criteria	Regulation
Minimum Parcel Area	0.4 ha
Minimum Parcel Frontage and Width	20 m

1.8 FOOTHILLS ZONE (FH)

Areas

1. The Foothills Zone is divided into Areas 1-4, as shown on the following map:



Permitted Uses

2. The permitted primary and secondary uses are as follows:

Primary	Secondary
Foothills Area 1 – Scenic Corridor (FH1)	
House Duplex Rowhouse Townhouse Apartment	Home Business Secondary Suite
Foothills Area 2 – Centre (FH2)	
Apartment Assembly Duplex House Indoor Recreation Office Personal Service Place of Worship Food and Beverage Service Retail Rowhouse Townhouse	Home Business Secondary Suite
Foothills Area 3 – Upland Estates (FH3)	
House	Home Business Secondary Suite
Foothills Area 4 – Park (FH4)	
Outdoor Recreation Nature Viewing	

Dwelling Units

3. The maximum number of dwelling units, excluding secondary suites, is as follows:

Area	Per Parcel	Total
Area 1	4 (includes secondary suite)	590 Combined in Areas 1 and 2
Area 2	-	
Area 3	1	140
All Areas Combined	-	730

Siting

4. The minimum setbacks from parcel lines are as follows:

Area	Front	Rear	Interior Side	Exterior Side	Foothills Park Zone	Adjoining Area 1
Area 1	4.5 m	2 m	2 m	2 m	10 m	-
Area 2	0 m	0 m	0 m	0 m	10 m	2 m
Area 3	4.5 m	2 m	2 m	2 m	10 m	-

Height

5. The maximum heights in the Foothills Zone are as follows:

Structure	Maximum Height
Apartment, Assembly, Duplex, Indoor Recreation, Office, Personal Service, Place of Worship, Food and Beverage Service, Retail, Rowhouse, Townhouse,	12 m
House or Duplex	9 m
Secondary Structure	6 m
Fence	1.8 m

Parcel Coverage

6. The maximum total combined parcel coverage of all structures on all parcels within the Area 2 is 5,000 m^2.

7. The maximum parcel coverages are as follows:

Use	Maximum Parcel Coverage
Assembly, Indoor Recreation, Office, Personal Service, Place of Worship, Food and Beverage Service, Retail	100%
Apartment, Duplex, Rowhouse, Townhouse	80%
House	40%

Subdivision

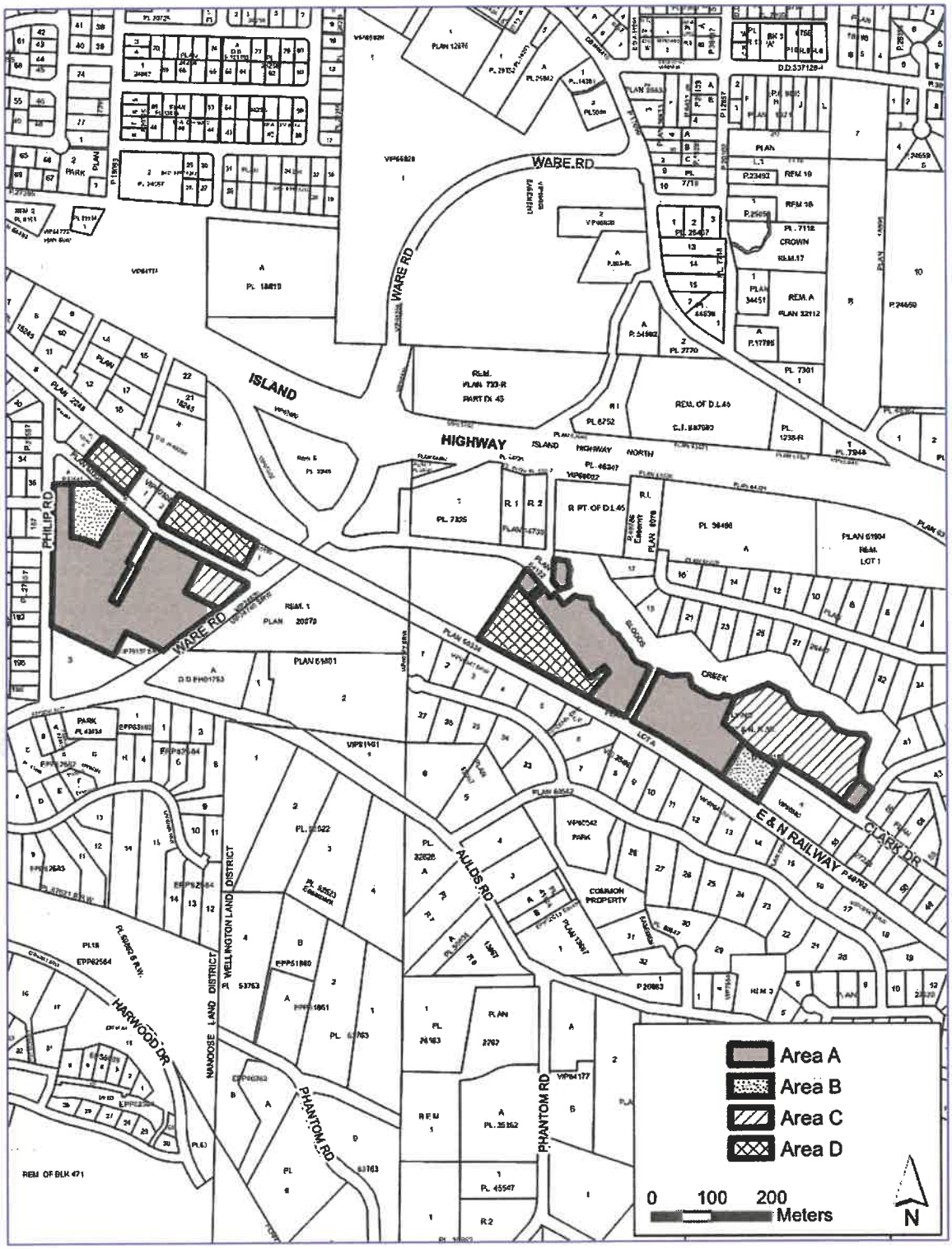
8. The subdivision regulations are as follows:

Criteria	Area 1	Area 2	Area 3
Minimum Parcel Area	600 m^2	400 m^2	1 ha
Maximum Parcel Area	1 ha	1 ha	-

1.9 UPPER LANTZVILLE WARE ROAD SPECIAL AREA PLAN ZONE (SAP-1)

Areas

1. The SAP-1 Zone is divided into Areas A-D, as shown on the following map:



Permitted Uses

2. The permitted primary and secondary uses are as follows:

Primary	Secondary
Area A – Single Unit Housing	
House Duplex Rowhouse Townhouse Apartment	Home Business Secondary Suite
Area B – Cluster Housing	
Duplex House Rowhouse Townhouse Apartment	Home Business
Area C – Compact Housing	
Duplex House Rowhouse Townhouse Apartment	Home Business
Area D – Multi-Unit Housing	
Duplex Rowhouse Townhouse	Home Business

Dwelling Units

3. The maximum number of dwelling units, excluding secondary suites, is as follows:

Area	Per Parcel	Total
Area A	4	108
Area B	19 per hectare	17
Area C (Parcel < 450 m^2)	4	63
Area C (Parcel ≥ 450 m^2)	4	
Area D	24 per hectare	62
All Areas Combined	-	250

Siting

4. The minimum setbacks from parcel lines in Area A are as follows:

Structure	Front	Rear	Interior Side	Exterior Side
Primary structure	4.5 m	4.5 m	1.2 m	1.2 m
Secondary Structure	6 m	1.5 m	1.2 m	1.2 m

5. The minimum setbacks from parcel lines in Area B are as follows:

Structure	Front	Rear	Interior Side	Exterior Side
Primary structure	4.5 m	4.5 m	1.5 m	1.5 m
Secondary Structure	6 m	2 m	1.5 m	1.5 m

6. The minimum setbacks from parcel lines in Area C are as follows:

Structure	Front	Rear	Interior Side	Exterior Side
Primary structure	3 m	4.5 m	1.2 m	1.2 m
Secondary Structure	6 m	2 m	1.2 m	1.2 m

7. The minimum setbacks from parcel lines in Area D are as follows:

Structure	Front	Rear	Interior Side	Exterior Side
Duplex	3 m	6 m	3 m	3 m
Rowhouse or Townhouse	3 m	6 m	3 m	3 m
Secondary Structure	6 m	2 m	2 m	3 m

8. Despite the foregoing, the minimum setback of a garage in any Area is 6 m from front parcel lines and 3 m from rear parcel lines.

9. Despite the foregoing, the minimum setback from an interior side parcel line for dwellings units within a duplex, rowhouse or townhouse that are separated by a party wall is 0 m on the side where the dwelling units are adjoining.

Height

10. The maximum heights are as follows:

Structure	Maximum Height
House, Duplex, or Apartment	11 m
Rowhouse or Townhouse	12 m and 3 storeys
Secondary Structure	5 m
Fence	1.8 m

Parcel Coverage

11. The maximum parcel coverages are as follows:

Area	Principal Building	All Buildings and Structures Combined
Area A	50%	50%

Area B	50%	50%
Area C	50%	55%
Area D	70%	70%

Subdivision

12. The subdivision regulations are as follows:

Area	Minimum Parcel Area	Minimum Parcel Frontage and Width
Area A	450 m^2	15 m
Area B	4,000 m^2	20 m
Area C	300 m^2	12 m
Area C (Duplex with party wall)	225 m^2	9 m
Area D (Building Strata)	4,000 m^2	9 m
Area D (Rowhouse/Townhouse with party wall, attached on both sides)	150 m^2	6 m
Area D (Rowhouse/Townhouse with party wall, attached on one side)	200 m^2	7.5 m
Area D (Duplex with party wall)	225 m^2	9 m

13. Despite the foregoing, the following specific regulations apply:

a) The minimum parcel area of a parcel fronting Alger Road is 1,200 m^2.

b) The parcel area and frontage of parcels in a phased building strata subdivision may be reduced below the minimum parcel area and minimum parcel frontage.

c) The minimum parcel frontage of a parcel fronting Philip Road is 20 m.

d) The minimum parcel frontage of a parcel fronting a cul-de-sac or curved portion of a highway is 10 m, or the minimum parcel frontage regulation specified above, whichever is less.

2.1 SECONDARY SUITES AND CARRIAGE HOUSES

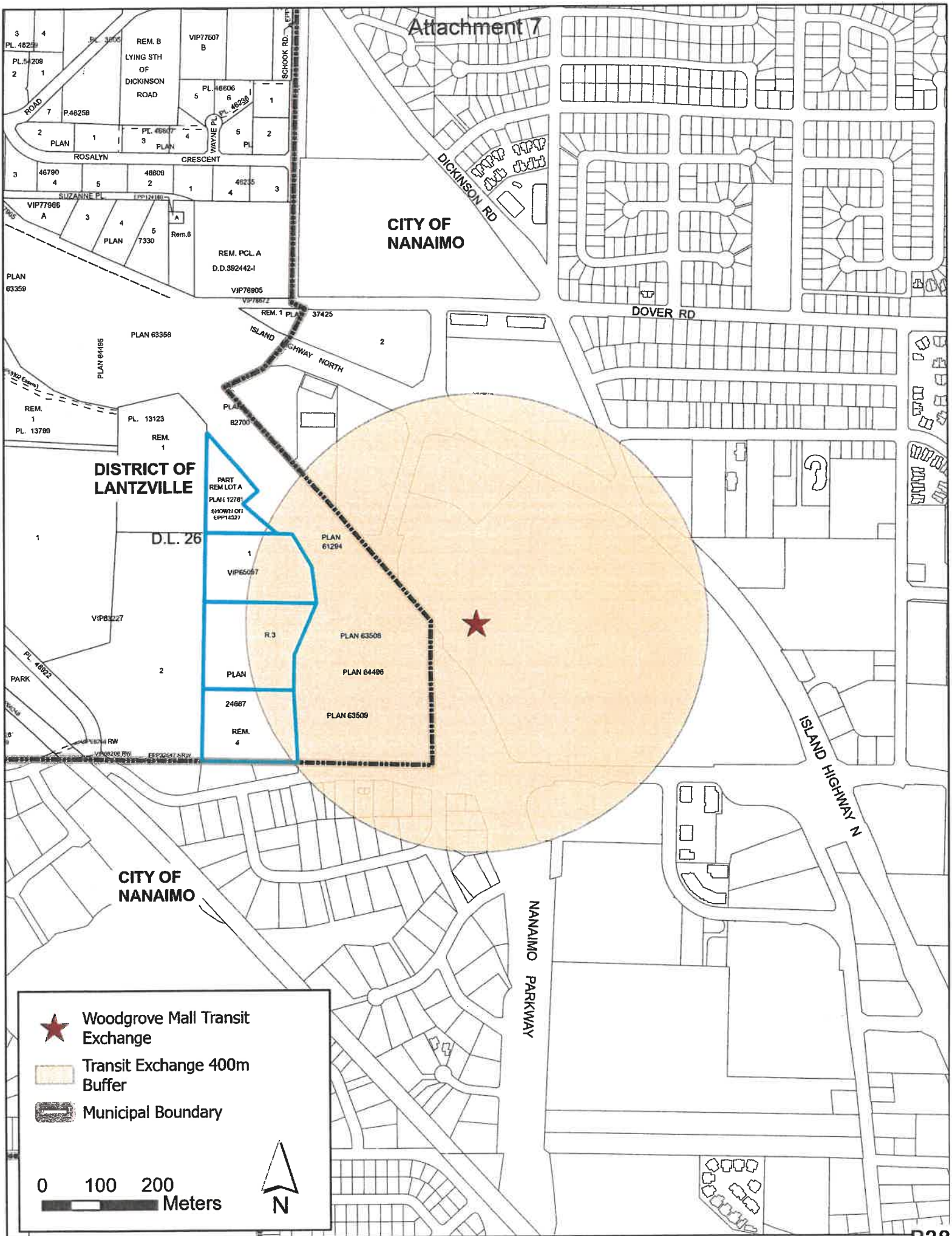
1. The maximum gross floor area of a secondary suite or a carriage house, excluding the area of the garage, is 90 m^2. (increase max floor area?)
2. A secondary suite or carriage house is permitted only on a parcel with direct vehicle access to a highway, strata road or shared driveway constructed and maintained in accordance with Municipal standards and, in the case of a shared driveway, the driveway must provide access to no more than three parcels, be paved, and be at least 6 m wide.
3. Onsite parking for a secondary suite or a carriage house must include signage that states "secondary suite parking only" or "carriage house parking only".
4. Onsite parking for a secondary suite or carriage house must remain free and clear of any encumbrance or other parked vehicles that would prevent parking in those spaces or access to and egress from the spaces.
5. A secondary suite or carriage house must not be divided from the primary dwelling unit to create two separate parcels within a building strata.
6. A secondary suite or carriage house is limited to a maximum of two bedrooms and one kitchen. (remove?)
7. A secondary suite is permitted only within a house.
8. A carriage house must not be a mobile home, except on a parcel zoned Rural or Estate.
9. A secondary suite or carriage must be connected to the Municipal water and sewer system or, where the Municipal water and system is unavailable, connected to a well that meets Municipal standards and a sewage disposal system approved by a Registered Onsite Wastewater Management Practitioner to accommodate the additional load from the secondary suite or carriage house.

2.6 PARKING AND LOADING

Minimum Vehicle Parking Requirements

1. The minimum number of onsite vehicle parking spaces is as follows:

Use	Minimum Number of Long Term Parking Spaces	Minimum Number of Short Term Parking Spaces
Housing		
Apartment	1.5 per unit	0.25 per dwelling unit
Assisted Living	0.5 per sleeping unit	0.15 per dwelling unit
Carriage House	1 per unit	-
Community Care	0.3 per sleeping unit	0.15 per dwelling unit
Duplex	1.5 per unit	-
House	1.5 per unit	-
Manufactured Home	2	-
Recreational Vehicle / Mobile Home (Mobile Home Park)	1	-
Rowhouse	1.5 per unit	0.15 per dwelling unit
Secondary Suite	1 per unit	-
Townhouse	1.5 per unit	0.15 per dwelling unit
Commercial		
Artisan Studio (excluding Home Business)	1 per employee	1 per 30 m^2 GFA
Bed and Breakfast	-	1 per sleeping unit
Child Care	1 per employee	3
Commercial Training	1 per employee or work station, whichever is greater	1 per 30 m^2 GFA
Craft Beverage Processing	1 per employee	1 per 10 m^2 GFA of the sales and tasting area
Farmgate Sales	-	2
Financial Service	1 per employee or work station, whichever is greater	1 per 20 m^2 GFA
Food and Beverage Service	1 per employee	1 per 4 seats


CITY OF NANAIMO
DICKINSON RD
DOVER RD
ISLAND HIGHWAY NORTH
DISTRICT OF LANTZVILLE
D.L. 26
CITY OF NANAIMO
NANAIMO PARKWAY
ISLAND HIGHWAY N
ROSALYN CRESCENT
SUZANNE PL
SCHOOK RD
WAYNE PL
PARK
Woodgrove Mall Transit Exchange
Transit Exchange 400m Buffer
Municipal Boundary
0 100 200 Meters
N