Zoning Amendments to comply with Provincial Housing Legislation

April 17, 2024 Committee of the Whole

George Robinson, MCIP, RPP

Director of Planning and Community Services

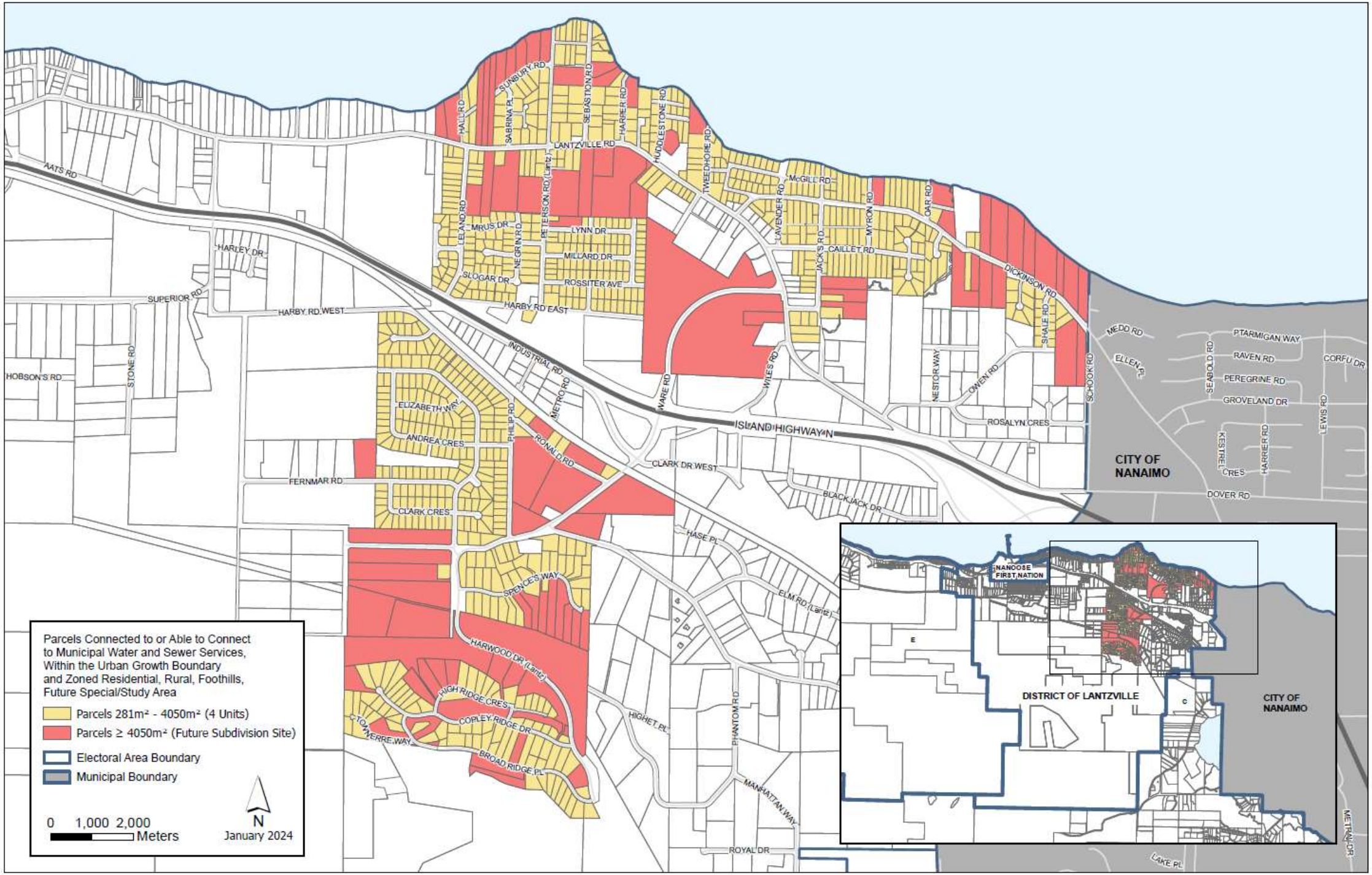
Background

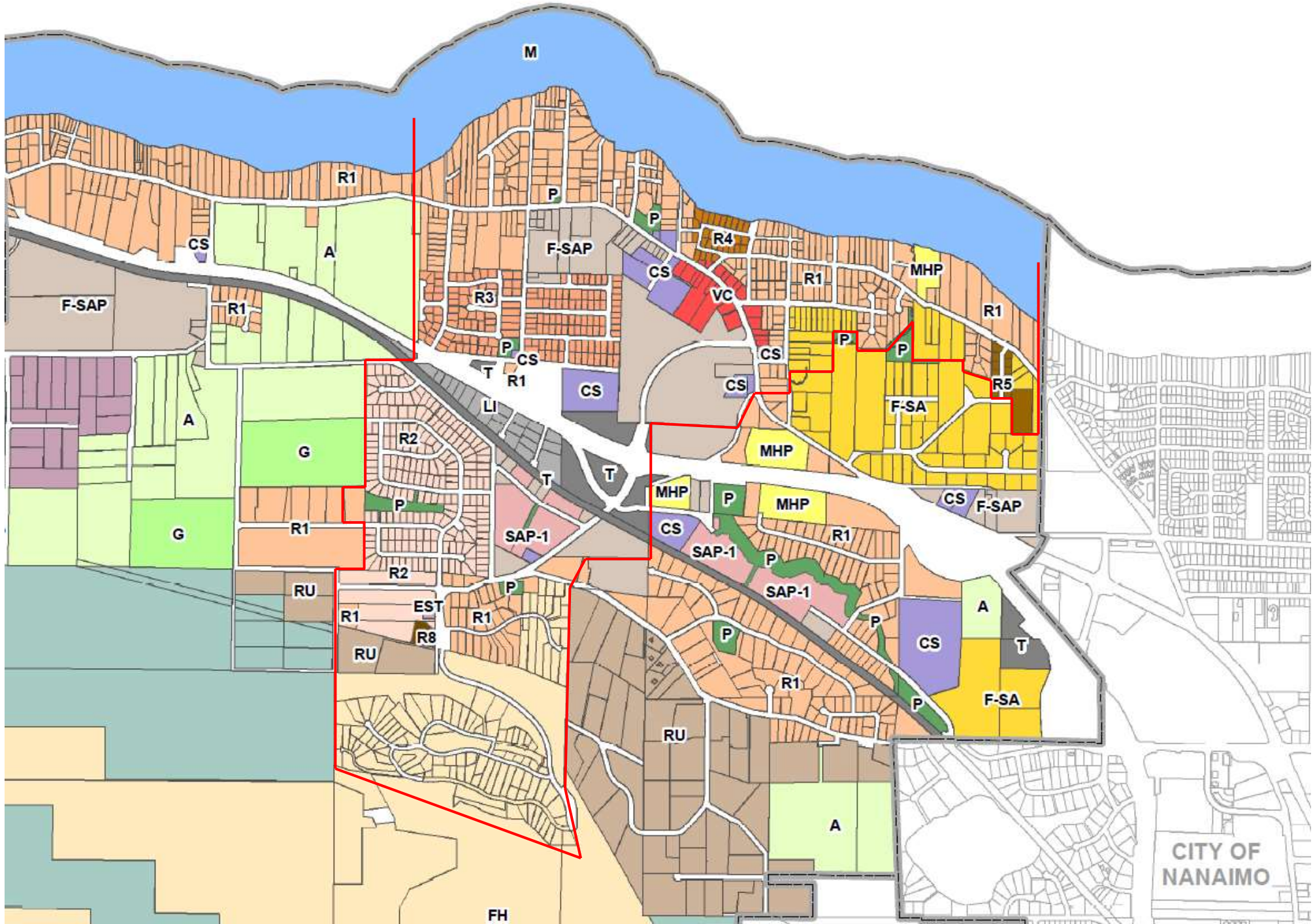
The Province of British Columbia passed several housing related bills in the fall 2023 session of the Legislature:

- 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*

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

- New minimum density requirements for zones that currently only allow 1 or 2 dwelling units:
  - Zoning change required to remove minimum lot area for secondary suites and carriage houses.
  - New dwelling minimums based on lot size and access to both municipal water and sewer connections
  - Lots that are > 280 m2 and </= 4,050 m2 must be permitted to construct up to four dwelling units.
  - Lots that are greater than 4050 m2 in area are exempt from the requirement to be rezoned to permit additional units, may be sites of future subdivision


Parcels Connected to or Able to Connect
to Municipal Water and Sewer Services,
Within the Urban Growth Boundary
and Zoned Residential, Rural, Foothills,
Future Special/Study Area
Parcels 281m² - 4050m² (4 Units)
Parcels ≥ 4050m² (Future Subdivision Site)
Electoral Area Boundary
Municipal Boundary
0 1,000 2,000
Meters
N
January 2024
AATS RD
HARLEY DR
SUPERIOR RD
HARBY RD WEST
HARBY RD EAST
HOBSON'S RD
STONE RD
SUNBURY RD
SABRINA PL
SEBASTION RD
HARRIER RD
HALL RD
LANTZVILLE RD
HUDDLESTONE RD
TWEEDHOPE RD
McGILL RD
LAVENDER RD
MYRON RD
OAR RD
DICKINSON RD
LELAND RD
MRUS DR
PETERSON RD (Lantz)
NEGRIN RD
LYNN DR
MILLARD DR
SLOGAR DR
ROSSITER AVE
JACK'S RD
CAILLET RD
SHALE RD
SCHOOK RD
INDUSTRIAL RD
METRO RD
WARE RD
WILES RD
NESTOR WAY
OWEN RD
ROSALYN CRES
ISLAND HIGHWAY N
ELIZABETH WAY
ANDREA CRES
PHILIP RD
RONALD RD
CLARK DR WEST
FERNMAR RD
CLARK CRES
BLACKJACK DR
HASE PL
SPENCE'S WAY
ELM RD (Lantz)
HARWOOD DR (Lantz)
HIGH RIDGE CRES
COPLEY RIDGE DR
TOMMERRE WAY
BROAD RIDGE PL
HIGHET PL
PHANTOM RD
MANHATTAN WAY
ROYAL DR
MEDD RD
ELLEN PL
PTARMIGAN WAY
RAVEN RD
PEREGRINE RD
GROVELAND DR
SEABOLD RD
CORFU DR
LEWIS RD
KESTREL CRES
HARRIER RD
DOVER RD
METRAL DR
LAKE PL
CITY OF
NANAIMO
NANOOSE
FIRST NATION
DISTRICT OF LANTZVILLE
CITY OF
NANAIMO


M
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VC
R1
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A
CITY OF
NANAIMO
FH

Approach to implementation

- Provincial Policy Manual
  - Part 4 – Site Standards
  - Sets required zoning regulations
  - Building types
  - Lot line setbacks
  - Building height
  - Lot coverage
  - Parking

Staff have identified areas where Council has discretion and are seeking input from committee



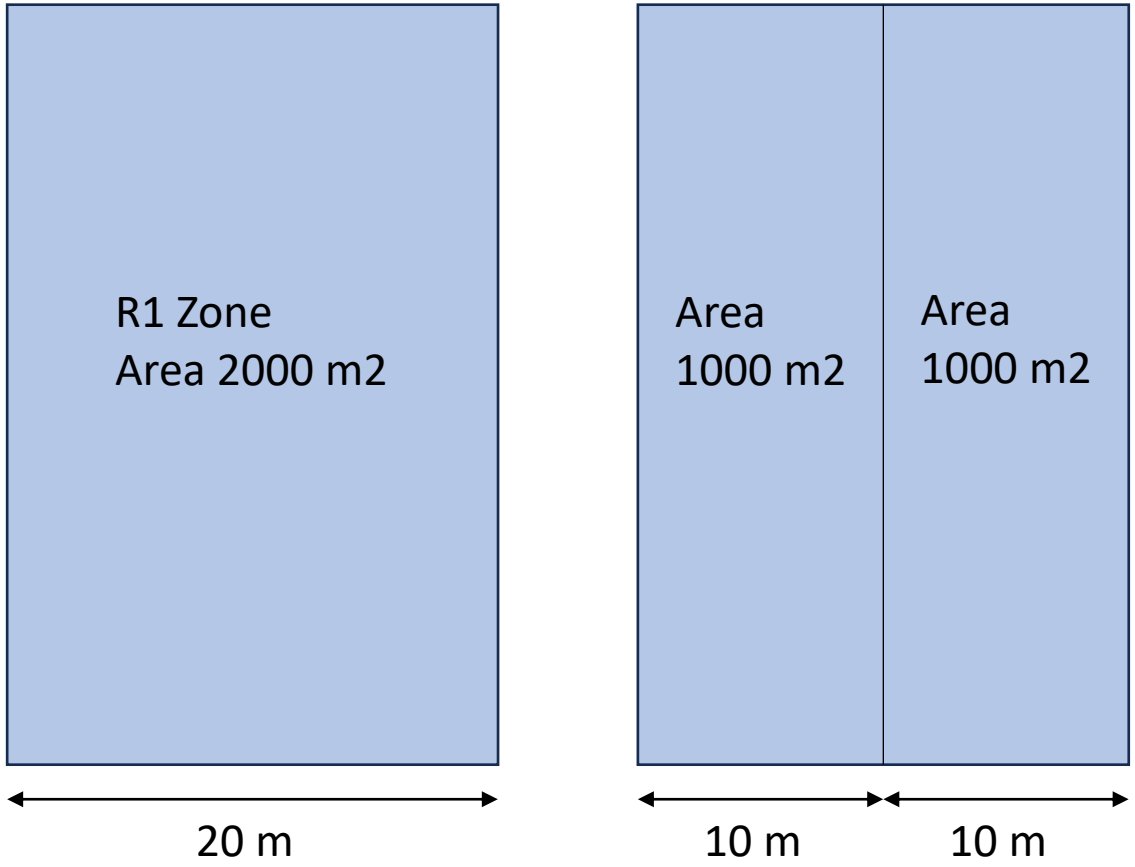
1. Does the Committee wish to permit alternative forms of housing that are currently not permitted by the Zoning Bylaw (ie. Cottage Courts, small housing clusters, etc.) or use existing defined uses?







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





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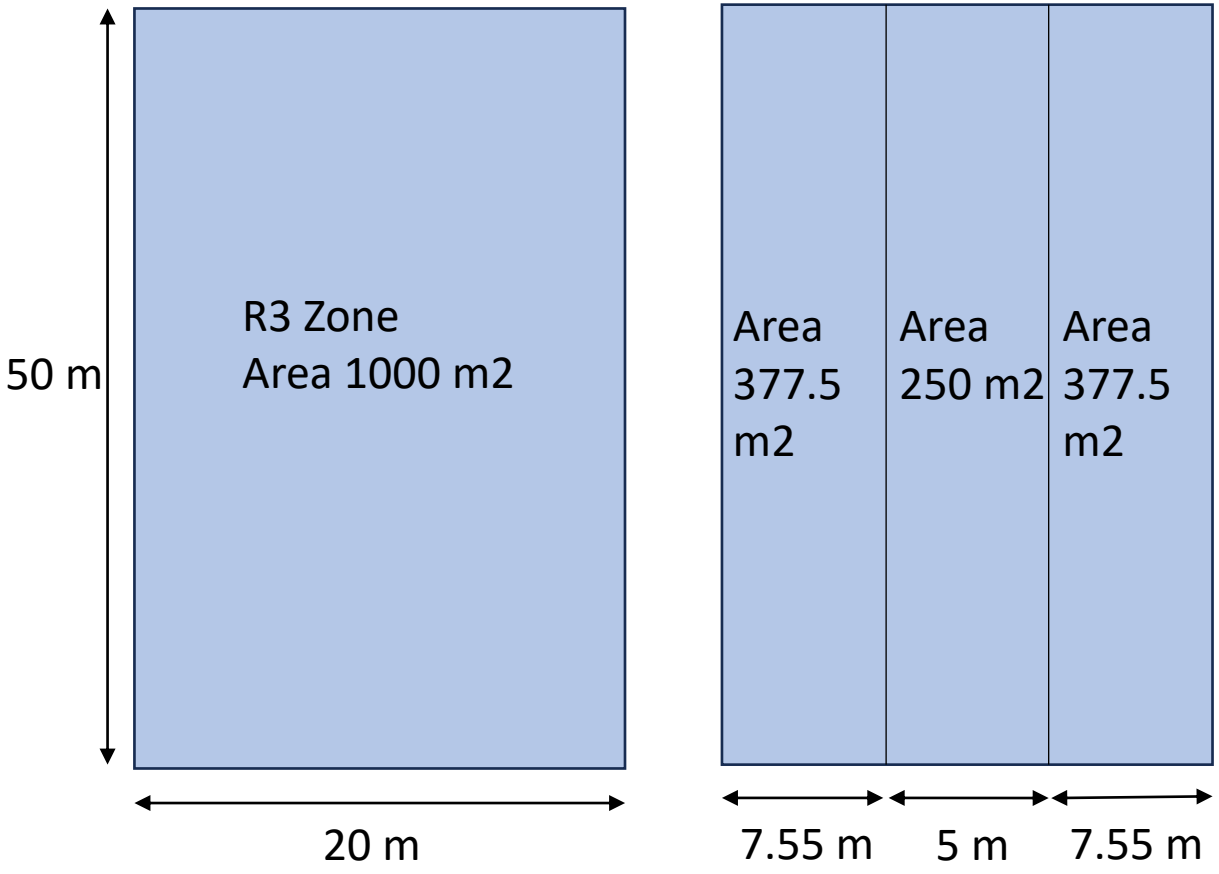
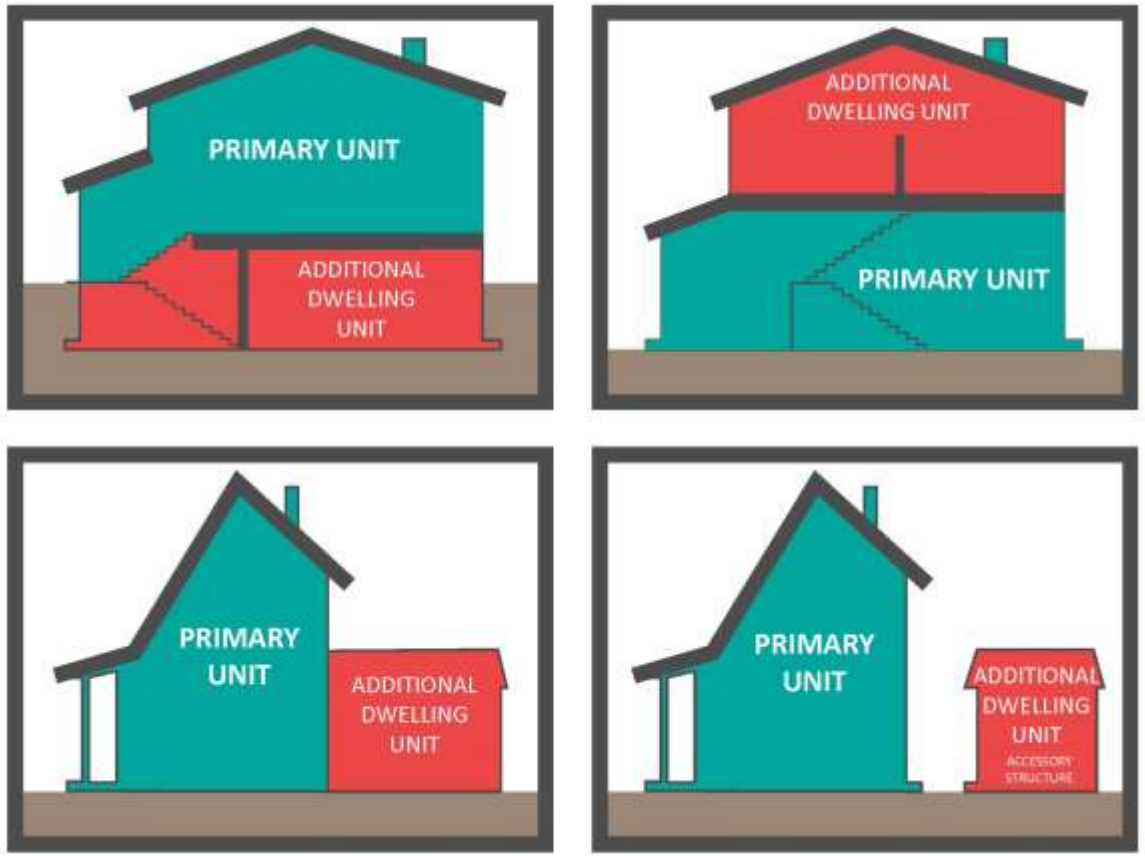




3. Does the Committee wish to allow both a secondary suite and carriage house on the same parcel?

- Local Government Act requires municipalities to allow one or both of a secondary suite and a detached dwelling (carriage house)

- Allowing both on one parcel would represent a low impact way of adding dwelling units without the need to remove existing houses



4. Does the Committee wish to increase the maximum gross floor area of a secondary suite or a carriage house from 90 m2 to 100 m2 or eliminate the max gross floor area?

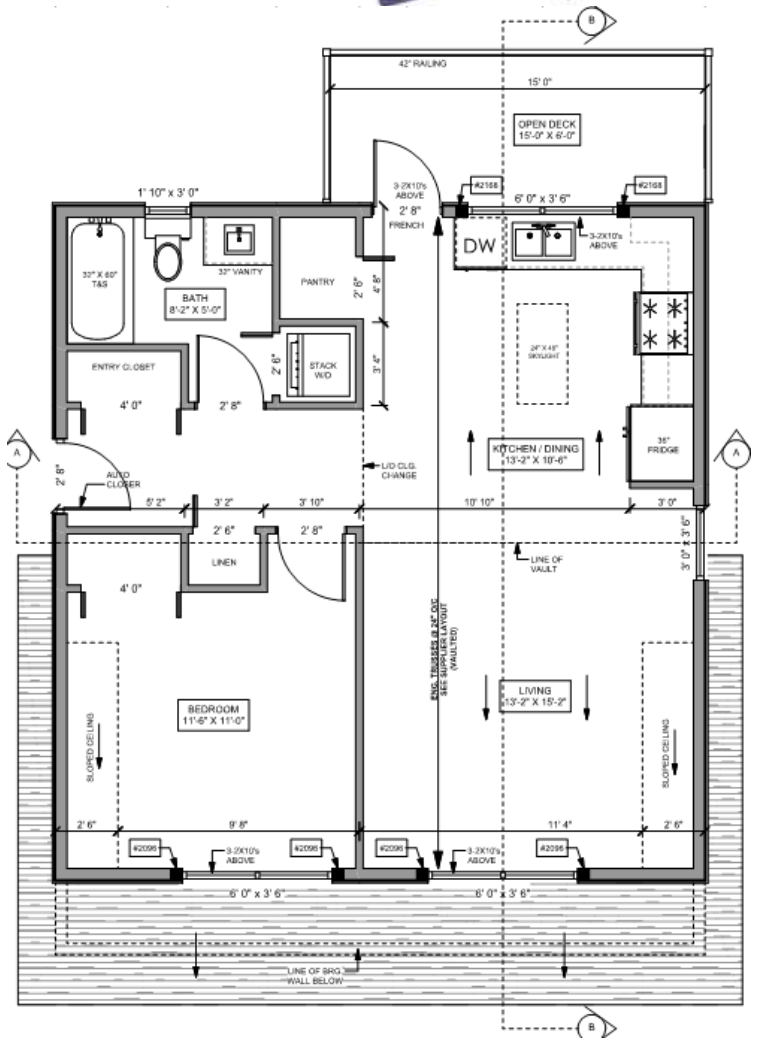


FRONT ELEVATION



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

- Staff recommend removing the bedroom limit as this discourages family-sized units.



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

- Provincial site standards set a maximum of 1 parking space per unit, which can 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.

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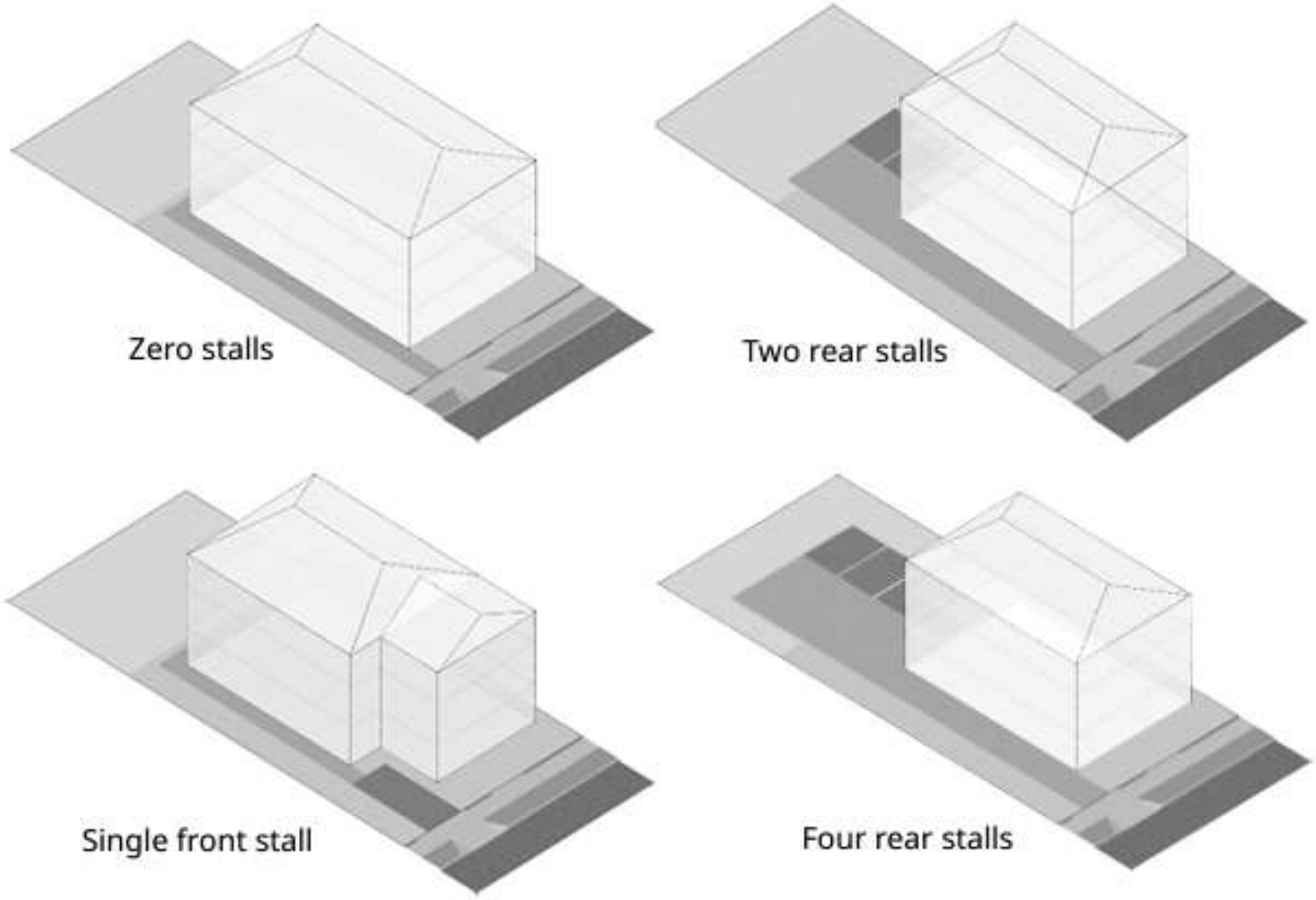
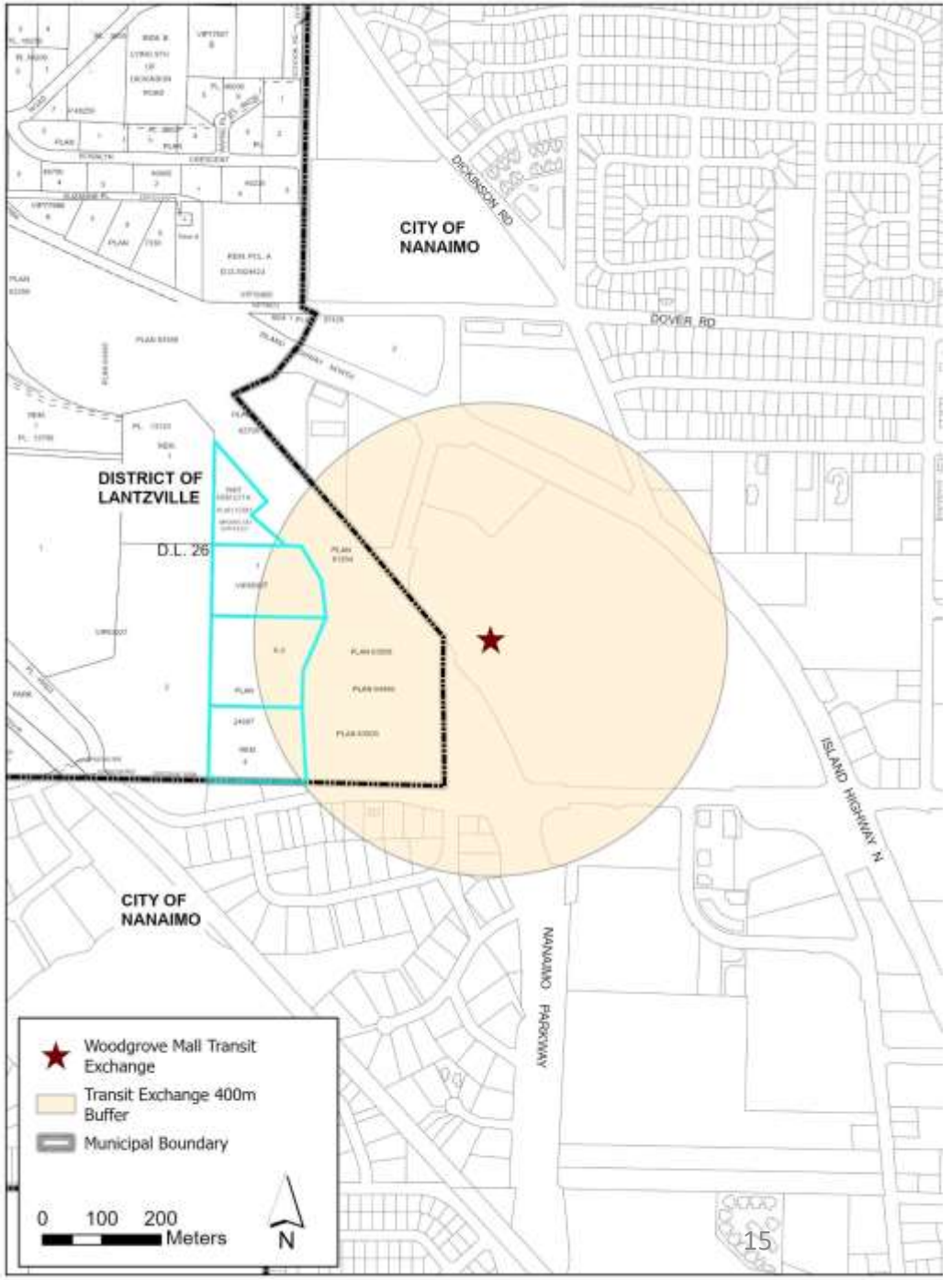


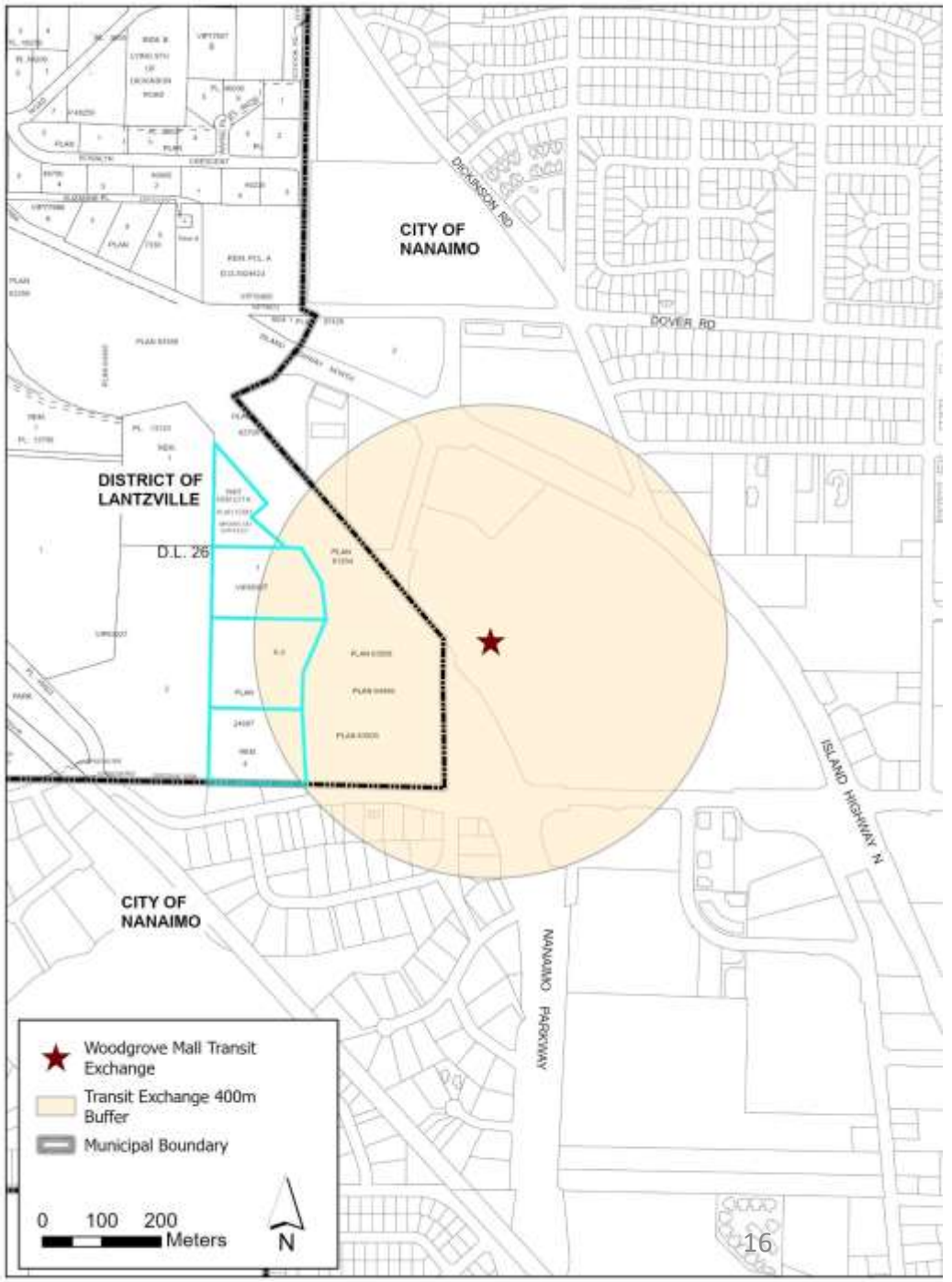
7. Does Committee wish to request an extension to the Bill 47 related requirements for a Transit Oriented Area in proximity to the Woodgrove Mall Bus Exchange in the City of Nanaimo, or ask staff to prepare a bylaw?

- Parcels wholly or partially within a prescribed distance of a transit station to be designated as a Transit Oriented Area (TOA).
- Currently four properties are located within 400 m of the Woodgrove Mall Bus Exchange in the City of Nanaimo.
- Must pass bylaw by June 30th designating the TOA with a minimum allowable density for these lots at an FAR of 1.5 and height up to 4 storeys.



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?

- No formal mechanism to make an extension request.
- Ministry of Transportation and Infrastructure staff have recently advised that they are unable to provide an extension.
- City of Nanaimo are preparing a TOA bylaw, which they will then amend when the bus exchange moves.



Timeline of required changes

Year	Deadline	Requirement
2024	June 30, 2024	Update zoning: Mandated Zoning Amendments (Bill 44), TOA bylaw
	Dec. 31, 2024	Housing Needs Report completed
2025	Dec. 31, 2025	Official Community Plan (OCP) Updated to incorporate Housing Needs Report
	Dec. 31, 2025	Update Zoning Bylaw to meet housing demand in OCP

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