

Prepared by:



Prepared For:



ZONING BYLAW NO.4500 COMPREHENSIVE REVIEW:

BACKGROUND INFORMATION AND RESEARCH



Disclaimer: The information contained in the report (Zoning Bylaw No. 4500 Comprehensive Review: Background Information and Research) represents the views and opinions of Hannah Groot Consulting and does not necessarily represent the views or opinions of the City of Nanaimo.

PROJECT OVERVIEW

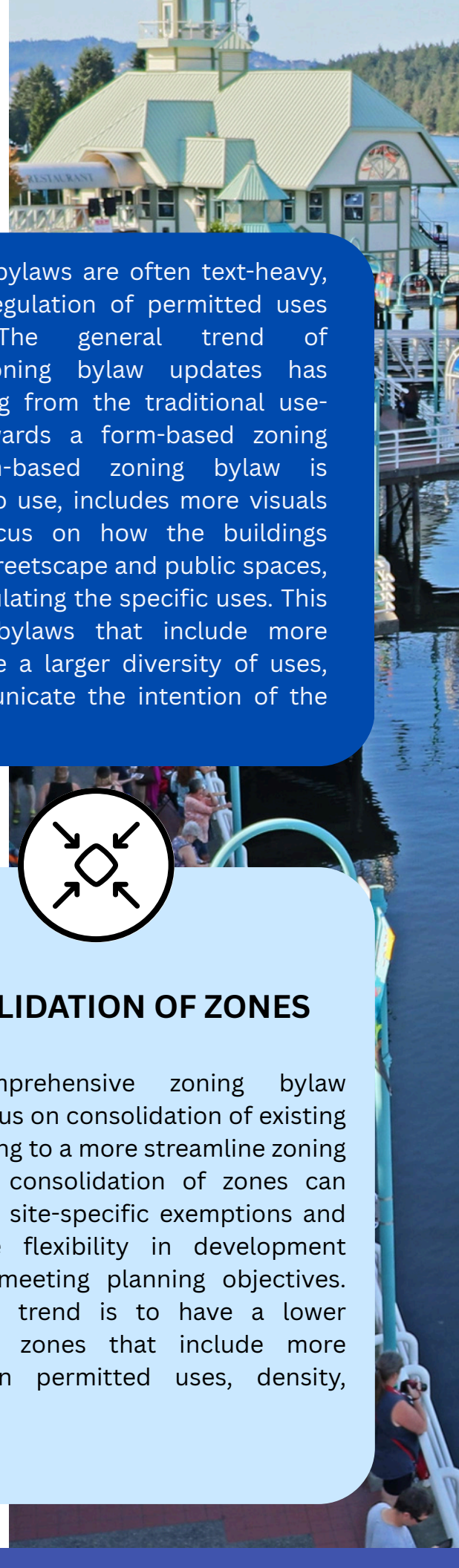
The City of Nanaimo is undergoing a comprehensive update of the Zoning Bylaw No. 4500 in order to address a number of strategic City goals and Provincial legislative requirements. The Zoning Bylaw No. 4500 prescribes the permitted land use and density in Nanaimo. It also includes provisions for building form (e.g. building height and setbacks), environmental protections (e.g. watercourse setbacks), and other regulations related to land use. This comprehensive review will lead to a broad range of amendments to update and replace the current Zoning Bylaw.

The purpose of this report is to give an overview of current trends that emerged through conducting a scan of eight municipalities that have recently undergone comprehensive zoning bylaw updates. Based on these trends, an assessment of Zoning Bylaw No. 4500 was conducted to identify areas of improvement and provide guidance for further exploration into specific zoning bylaw issue areas.

PROJECT TIMELINE

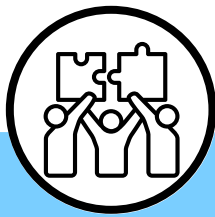


COMPREHENSIVE ZONING BYLAW UPDATE: GENERAL TRENDS



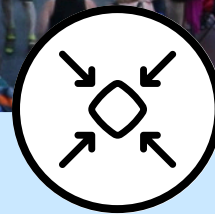
SHIFTING FROM USE-BASED ZONING TO FORM-BASED ZONING

Traditional zoning bylaws are often text-heavy, focusing on the regulation of permitted uses within zones. The general trend of comprehensive zoning bylaw updates has focused on shifting from the traditional use-based format towards a form-based zoning bylaw. The form-based zoning bylaw is simplified, easier to use, includes more visuals and a greater focus on how the buildings interact with the streetscape and public spaces, and less about regulating the specific uses. This leads to zoning bylaws that include more illustrations, enable a larger diversity of uses, and clearly communicate the intention of the zones.



ZONING BYLAWS ALIGNMENT WITH MUNICIPAL OBJECTIVES

Comprehensive zoning bylaw updates focus on aligning various municipal objectives with the regulations located within the zoning bylaw. In the case of Nanaimo, this would be assessing the zoning bylaws alignment with the City Plan (adopted in 2022). Alignment of the zoning bylaw with municipal objectives can lead to a reduction in site specific rezoning's, leading to more streamline approvals.



CONSOLIDATION OF ZONES

Many comprehensive zoning bylaw updates focus on consolidation of existing zones, leading to a more streamline zoning bylaw. The consolidation of zones can lead to less site-specific exemptions and can enable flexibility in development while still meeting planning objectives. The typical trend is to have a lower number of zones that include more flexibility in permitted uses, density, height, etc.



USER FRIENDLY DOCUMENT

Zoning bylaws that have undergone a comprehensive review often are accompanied by a web-based application of the zoning bylaw. This allows users to easily navigate the different sections of the zoning bylaw through drop down sections and clearly labeled headings. These webpages also house a wide range of documents created to educate and enhance the usability of the Zoning Bylaw.



INCREASE ACCESSIBILITY

Most comprehensive zoning bylaw updates focus on creating bylaws that are accessible to all members of the public. The City of Vancouver released a report entitled *Accessible Document Report for the Zoning and Development Bylaw*, which outlines key accessible document features. These features include ample white space between texts and graphics, legible font (Arial) that is large enough for those who are visually impaired, a high contrast colour palette, use of headings and hierarchical lists, and alternative text for maps and diagrams.



ZONING BYLAW NO. 4500

The current Zoning Bylaw No. 4500 is a total of 214 pages long, and can be separated into 7 different sections (see Figure 1). There is a total of 51 zones, which is higher than many municipalities that have undergone comprehensive updates.

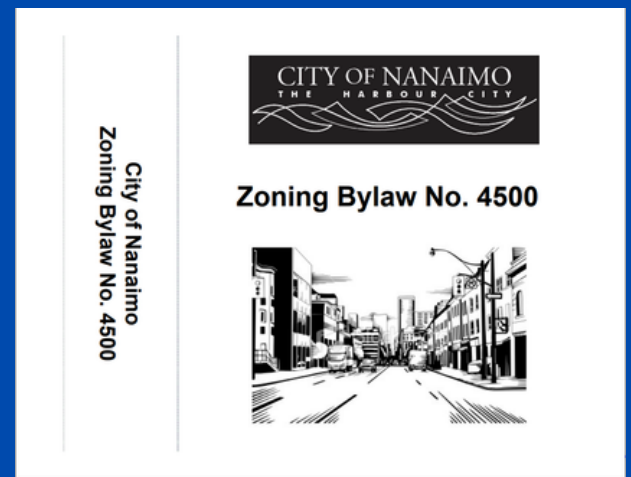
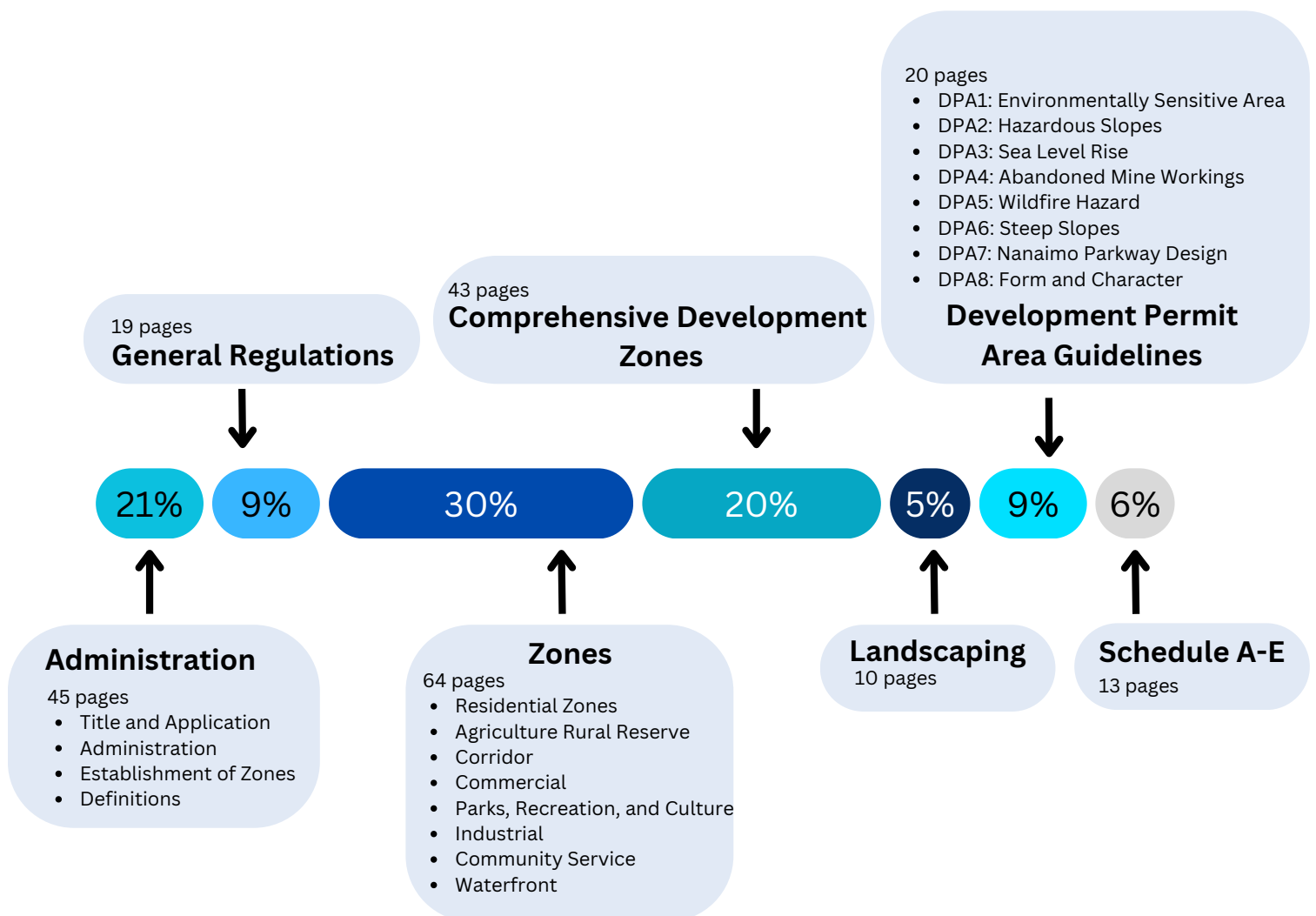


FIGURE 1: ZONING BYLAW NO.4500 SECTION BREAKDOWN



NEXT STEPS

The municipal scan of Zoning Bylaws that had recently undergone comprehensive reviews provided valuable background information when assessing areas for improvement within the Nanaimo Zoning Bylaw No. 4500. The table below provides a general overview of the current Zoning Bylaw, and potential areas that could be improved through the comprehensive update.

	ZONING BYLAW No. 4500	AREAS FOR IMPROVEMENT
SHIFT FROM USED-BASED TO FORM BASED ZONING	Currently follows a used-based format; however, it does incorporate form-based elements such table formatting that shows permitted uses, densities and height	<ul style="list-style-type: none"> • Lacks illustrations to provide visual representation of regulations • Current illustrations lack clarity • Large amount of information located on tables, making it difficult to understand and navigate • Opportunity to incorporate colour as a wayfinding technique through the document
ZONING BYLAWS ALIGNMENT WITH MUNICIPAL OBJECTIVES	<ul style="list-style-type: none"> • City Plan adopted in 2022 • Provincial legislation introduced new tools (inclusionary zoning, pre-zoning for affordable housing) 	<ul style="list-style-type: none"> • Gaps between City Plan Land Use designations and current zoning allowances • Opportunities to integrate elements of 'Increasing Housing Options' project • Implement new tools for affordable housing • Update density bonus tool (Schedule D) • Assess and update definitions and remove gendered language
CONSOLIDATION OF ZONES	51 total zones	<ul style="list-style-type: none"> • Opportunities to consolidate zones and create more flexibility in development • Refine elements of Small Scale Multi Unit Housing legislation

USER FRIENDLY DOCUMENT

- Located on a City webpage with a short description of the purpose of the bylaw
- Sections are separated into PDF documents

- Lacks educational “How To” documents
- Webpage does not have clickable headings or drop down menus to make the zoning bylaw easier to navigate
- Not able to easily search for key words or definitions (i.e. hyperlinked definitions)
- Regulations should be assessed to ensure clarity

INCREASE ACCESSIBILITY

- Zoning bylaw only offered in PDF format
- Limited illustrations with no alternative text
- Text heavy, with minimal spacing between lines and crowded tables

- Re-format to include larger text font (Arial) and larger spacing between lines
- Add alternative text to illustrations
- Opportunity to ensure screen reader compatibility with updated zoning bylaw

REFERENCES

City of Edmonton, Bylaw No. 20001. Zoning Bylaw (2023).

City of Hamilton, Bylaw No. 05-200. Zoning Bylaw (2005).

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City of North Vancouver. (2023) *Phase 1 Report: Roadmap to a New Zoning Bylaw*. The City of North Vancouver.

City of Ottawa. (2022) *Zoning Best Practices Review*. City of Ottawa.

City of Regina, Bylaw No. 2019-19. Zoning Bylaw. (2019).

City of Vancouver. (2022) *Accessible Document Report for the Zoning and Development Bylaw: Regulation Redesign*. City of Vancouver.

City of Victoria, Bylaw No. 18-072. Downtown Zoning Bylaw. (2018).

City of Winnipeg, Bylaw 200/2006. Zoning Bylaw. (2004).

Town of High River, Bylaw No 4594. Zoning Bylaw. (2021).

Town of Sidney, Bylaw No. 2275. Zoning Bylaw. (2024).

