



BYLAW 500 REVIEW AND UPDATE PROJECT – PHASE ONE STATUS UPDATE AND NEXT STEPS, ELECTORAL AREAS A, C, E, G, AND H

RECOMMENDATIONS

1. That the Board receive the Bylaw 500 Review and Update Project discussion and options papers included as Attachment 1.
2. That the Board endorse the draft Engagement Plan Highlights included as Attachment 2 and authorize staff to proceed with public engagement on the discussion and options papers.
3. That staff proceed with preparing a draft zoning bylaw update with a new bylaw.

BACKGROUND

The purpose of this report is to provide an update on the status of the Bylaw 500 Review and Update Project (Project) following the Board's endorsement of the Terms of Reference on March 24, 2020 and to request Board support to proceed with the next steps involved in the Project.

"Regional District of Nanaimo Land Use and Subdivision Bylaw No. Bylaw 500, 1987" (Bylaw 500) applies to Electoral Areas A, C, E, G, and H of the Regional District of Nanaimo (RDN), which includes an area of approximately 159,447 hectares. Bylaw 500 is the principle regulatory bylaw that specifies the rules that apply to the use and development of land in these electoral areas.

The Project is a targeted review and update of Bylaw 500 to address known problems and to improve bylaw components that are unclear, inconsistent, or are challenging to administer or enforce. Upon completion of the Project, the goal is to have an updated zoning bylaw with a new bylaw number and a modern look and feel to replace Bylaw 500.

As of the date of this report, progress on the Project thus far includes:

- Background research is complete.
- Get Involved page has been created to provide project information.
- Plateia Planning and Intelligent Futures have been engaged as the consultants on the project.
- A series of 14 focus area discussion papers have been prepared.
- Initial working sessions with staff and frequent bylaw users have been undertaken.
- The Discussion Papers have been updated to include potential changes to Bylaw 500.
- A draft public engagement plan has been prepared.

At this stage, the next step in the Project is to present the Draft Discussion and Options Papers (Papers) to the Board along with a draft consultation plan and request support to proceed with seeking public input on the Papers and draft the proposed bylaw amendments.

Discussion and Option Paper Summary

Following the endorsement of the Terms of Reference, a series of 14 papers have been prepared which outline the key project focus areas and propose a series of potential changes to Bylaw 500 (see Attachment 1 – Discussion and Options Papers). In keeping with the scope of the project, the Papers are intended to outline the challenges with Bylaw 500 and provide the necessary background to provide a general understanding of the issues. In addition, the Papers provide a summary of the initial working sessions with staff and frequent bylaw users as well as an outline of the potential changes to Bylaw 500.

Attachment 1 includes a discussion paper on each of the following topics:

Building Height	Food Trucks	General Usability
Regulation of Structures	Sign Regulation	Secondary Suites
Parking	Horne Lake CD9 Zone	Household Poultry
Home Based Business	Zone Consolidation	Landscaping
General Housekeeping Updates	Setbacks	

As mentioned above, the Papers provide a series of potential changes to Bylaw 500, which are identified in orange text throughout. The purpose of the proposed changes is to address known problems and to improve bylaw components that are unclear, inconsistent, or are challenging to administer or enforce.

Public Engagement Implications

The proposed Public Engagement Plan was developed pursuant to the RDN “Building Our Community Together – Public Engagement Strategy and Toolkit” which states the RDN’s commitment to on-going and meaningful public engagement. The Public Engagement Plan, prepared by Plateia Planning and Intelligent Futures, outlines the engagement program to raise awareness and provide opportunity to gather stakeholder and public input, to facilitate meaningful engagement, and to confirm updates to Bylaw 500 with insight from community members (see Attachment 2 – Draft Engagement Plan Highlights). Public engagement for this phase of the project is planned to be initiated in February 2022. Additional engagement will occur when a draft bylaw is completed.

Board resolution 20-180, states: *“That the Board approve virtual public engagement for collecting input for projects and initiatives during the COVID-19 Public Health Emergency”*. Therefore, the draft Engagement Plan proposes that initial engagement activities be held online. In response to uncertainties with respect to public gatherings as a result of COVID-19, the draft Engagement Plan provides for flexibility which allows for a shift to in-person or hybrid methods of engagement in later phases of the project should the COVID-19 situation improve.

Online engagement techniques include the use of a range of online educational materials, a Get Involved page, a questionnaire, reaching out to First Nations and member municipalities, connecting with stakeholders and community groups, and targeted online workshops. Once a draft bylaw is available for public review, the method of public engagement will be chosen in response to the status of the COVID-19 Pandemic. Whether virtual, in-person, or hybrid, the process will provide ample opportunities for the community and key stakeholders to participate and provide input.

Process Summary

Should the Board receive the Papers and endorse the draft Engagement Plan, the next step in the process would be to publish the Papers on the project Get Involved page and solicit public feedback. Concurrent with releasing the Papers, staff would work with the consultant to draft the bylaw amendments. Prior to finalizing the draft bylaw amendments, feedback on the papers would be considered for inclusion into the draft to be presented to the Board for input, prior to initiating further public engagement. Once input has been received from the community, the Board, stakeholders, First Nations, member municipalities, and other interested parties, the draft bylaw will be refined, and the bylaw will be presented to the Board to initiate the formal adoption procedures including a Public Hearing. It is anticipated that the draft bylaw amendments would be presented to the Board for consideration of 1st and 2nd reading in July, 2022.

For more detailed information on the process, please refer to Attachment 2 – Draft Engagement Plan Highlights.

FINANCIAL IMPLICATIONS

The Project budget is \$109,500 that includes the use of consultants to provide a variety of services including research, public outreach design and implementation, document design, and graphic support services. In addition, 0.5 FTE and mapping resources will be assigned to provide project management, professional advice, contract management, consultant supervision, assistance with the public engagement process, and planning services.

STRATEGIC PLAN ALIGNMENT

The Project is in keeping with the 2019 – 2022 Board Strategic Plan's Growth Management Key Strategic Area which states – Provide effective regional land use planning and responsible asset management for both physical infrastructure and natural assets.

Reviewing and updating Bylaw 500 will ensure that land use and development in the participating Electoral Areas is regulated in an effective way.

REVIEWED BY:

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ATTACHMENTS:

1. Draft Discussion and Options Papers
2. Draft Engagement Plan Highlights