

Attachment 3 Bylaw Transition Strategy

Once “Regional District of Nanaimo Zoning Bylaw No. 2500” (Bylaw 2500) is adopted, “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987” (Bylaw 500) is repealed and it is effective immediately. As a result, the move from Bylaw 500 to the new Bylaw 2500 requires a transition plan and process. The challenge is having to address amendment bylaws and other development applications that are at various stages as they make their way through the approval process. The following transition strategy is intended to help the public understand the process and to make the move to Bylaw 2500 as seamless as possible. The recommended transition plan is as follows:

Zoning Amendment Bylaws

- (1) No new zoning amendment bylaws will be forwarded to the Board for consideration between first and third readings of Bylaw 2500.
- (2) Zoning amendment applications that are in progress prior to Bylaw 2500 receiving first reading may proceed as amendments to Bylaw 500.
- (3) Zoning amendments received after Bylaw 2500 has received first reading may come forward to the Board following the third reading of Bylaw 2500.
- (4) All proposed Bylaw 500 zoning amendments that have not been adopted by the Board prior to the adoption of Bylaw 2500, will be rescinded and will be required to return to the Board for 1st and 2nd reading as an amendment to Bylaw 2500.
- (5) Staff will track all zoning amendment bylaws that are adopted under Bylaw 500 and will bring forward any necessary amendments to Bylaw 2500 following its adoption. This is to ensure these applications receive accurate zoning allocations following the adoption of the new Zoning Bylaw.

Other Application Types

- (1) Any permits (DP/DVP, BOV, TUP, etc.) and other applications (Frontage, Agricultural Land Reserve, Resolutions, etc.) may proceed to the Board without any of the aforementioned restrictions.
- (2) Should an applicant have an approved development permit under Bylaw 500 or have made a building permit application prior to the Bylaw 2500 coming into effect, the applicant will have 12 months to complete the requirements for building permit issuance. After that timeframe, all applications and permits will be expected to conform with the new Zoning Bylaw.
- (3) Notwithstanding the above, in the case where there is an approved phased building strata plan, the applicant will have until the expiration of the plan to complete the subdivision, otherwise the subsequent phase of the subdivision will be expected to conform with the requirements of Bylaw 2500 and the applicant will be expected to seek an amendment to the plan.
- (4) In accordance with Section 511 of the *Local Government Act*, Subdivision applications which have been submitted for Ministry approval to the satisfaction of the district highway manager prior to the adoption of Bylaw 2500, will have 12 months from the date of adoption of the bylaw to complete the subdivision otherwise the provision of Bylaw 2500 will apply.