

# Smart Bylaws

(also known as ‘The Excitement  
of Land Regulation’)



# Outline

- Overview of land use regulation
- Smart bylaws that achieve smart growth:
  1. Promote urban revitalization and rural preservation by containing urban areas, channeling development into existing neighbourhoods
  2. Incorporate green infrastructure into communities
  3. Create compact complete communities by mixing land uses and using land more efficiently
  4. Increase transportation choices through land use decisions

# Outline continued

5. Create inclusive neighbourhoods by ensuring that a diversity of housing types are accessible to a wide range of people of different age groups, family types and incomes
6. Maximize the enduring benefits of developments by using resources wisely on sites and in buildings that are tailored to specific neighbourhood conditions
7. Support municipal goals through cost recovery by ensuring that development cost charges and property taxes reflect the true cost of different types of growth
8. Promote smart growth throughout the development process by reforming administrative processes and addressing liability issues

# Overview of Land Use Regulation

- Provincial legislation sets powers of municipalities and regional governments
- Land use planning (regional, community, and neighbourhood plans)
- Zoning (use and density)
- Other bylaws (parking, watercourse etc.)
- Role of Policies

1. Promote urban revitalization and rural preservation by containing urban areas, channeling development into existing neighbourhoods

- Urban containment boundaries
- Systems planning – watershed plans
- Town centre revitalization

# Watershed Plans

- Local area plans, zoning should be consistent with Prospect Lake, Saanich
- Natural area & stormwater manager
- Established dev't permit area
- Amended soil bylaw to prohibit fill



# Town Centre Revitalization

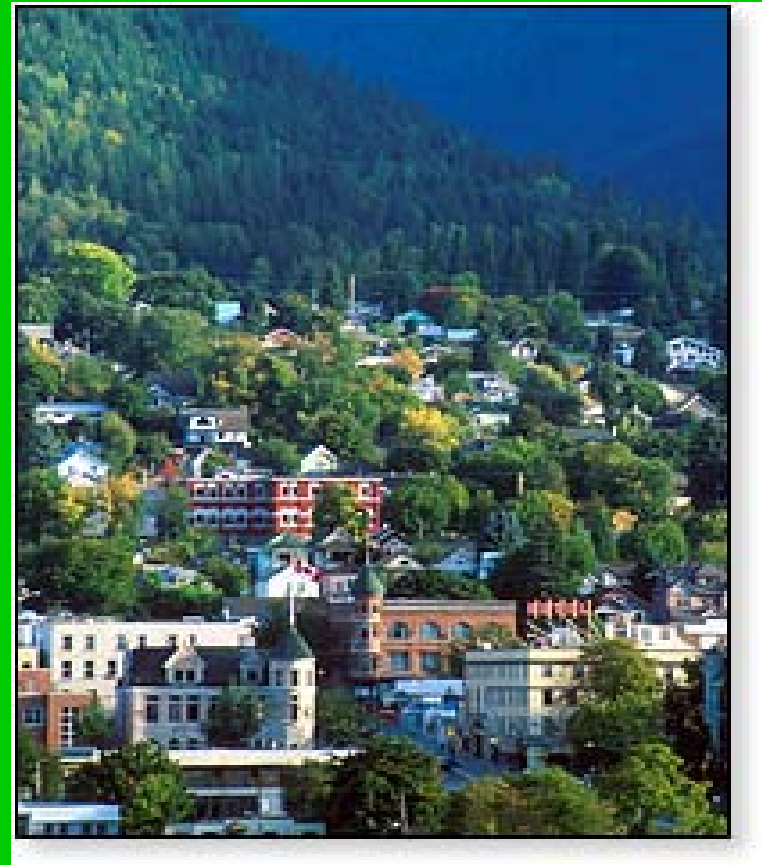
- OCP, zoning

## Nelson

- Downtown to remain commercial core with only “corner stores” in residential areas
- mixed use downtown

## Kelowna

- Concentrate infrastructure investment in urban centres



## 2. Incorporate green infrastructure into communities

- Green/Blue spaces plans
- Watercourse protection
- Integrated stormwater planning

# Green/Blue Spaces

- Overlay plan, strategy adopted as part of plan, in OCP

## Greater Victoria

- Adopted as basis for regional growth strategy
- Coordinates municipal and non-profit priorities for acquisition & restoration

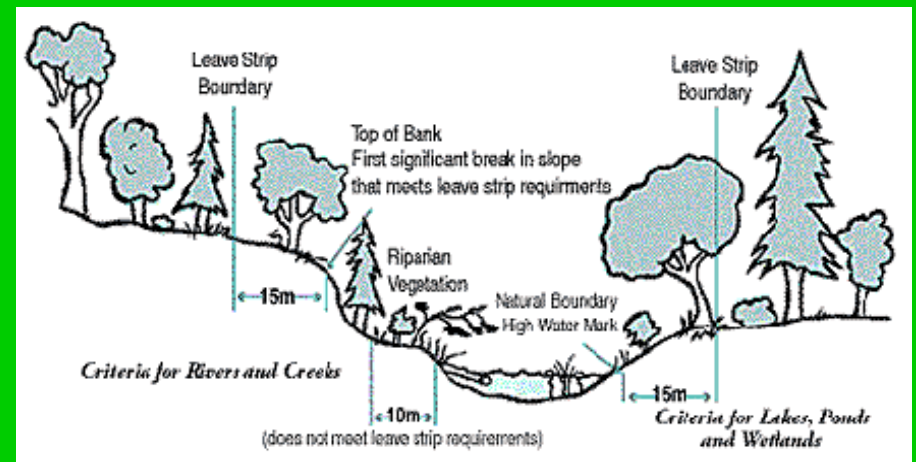


# Watercourse Protection

- Watercourse (environmental protection) or Zoning bylaw, or development permit area

## Nanaimo

- 7.5 to 30 metre setbacks from top of bank depending on quality of the riparian area

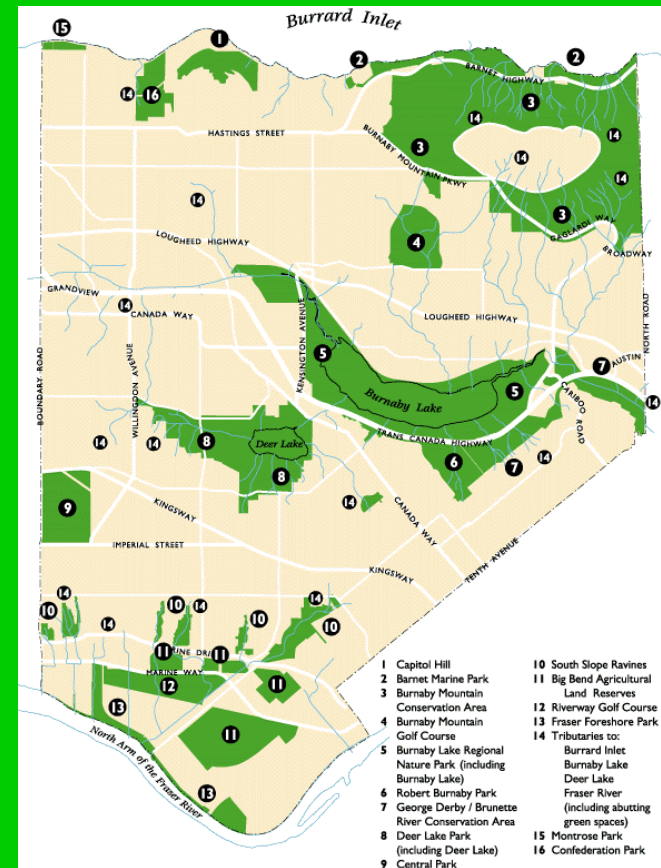


# Stormwater Management

- Drainage bylaw, ISMP's, development permit requirements

## Burnaby

- From regional to local integrated stormwater management planning



### 3. Create compact complete communities by mixing land uses and using land more efficiently

- Comprehensive development zones
- Mix commercial and residential
- Create neighbourhood centres

# Comprehensive Development Zones

- Mix land uses on single site
- Selkirk Waterfront,  
Victoria
- Industrial, commercial, school & residential in one zone
  - Negotiate amenities



# Mix Commercial & Residential

- OCP, zoning

Vancouver – 2211 W.4<sup>th</sup>

- Redeveloped car dealership on main street
- Retail, office, residential
- 100% occupied



# Create Neighbourhood Centres

- Zoning, OCP

Victoria

- Villages – James Bay, Cook Street
- Transit hubs; everyday services
- Higher density (low rise, townhouse)



## 4. Increase transportation choices through land use decisions

- Transit-oriented development
- Tailor parking requirements
- Narrow roads

# Transit-oriented Development

- OCP & zoning

## Burnaby

- Concentrating development around skytrain stations
- BC Parkway (ped/bike) adjacent
- Density bonus (in zoning bylaw) for affordable housing, daycare



# Tailoring Parking Requirements

- Zoning, parking bylaw

Burnaby

- BC Hydro headquarters
- Burnaby Mountain



# Narrow Road Widths

- Subdivision standards, road bylaw, technical appendices to community plans

## Highlands

- Smaller, winding roads with vegetation requirements

5. Create inclusive neighbourhoods by ensuring that a diversity of housing types are accessible to a wide range of people of different age groups, family types and incomes

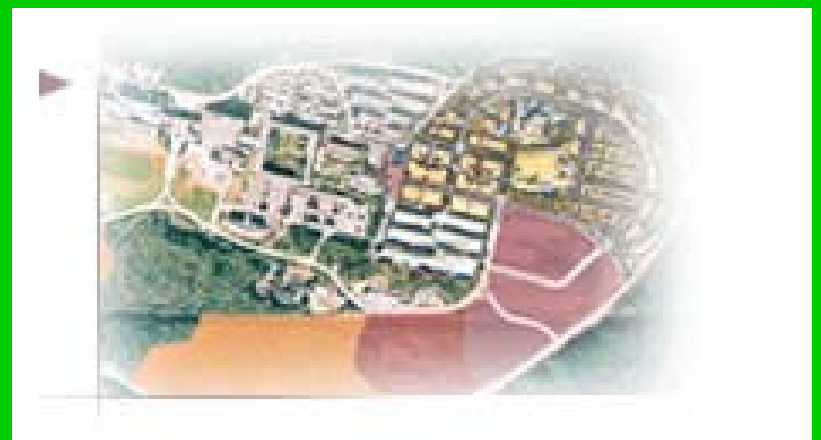
- Density & diversity of housing
- Secondary suites
- Design guidelines

# Density & Diversity of Housing

Zoning – small lot,  
attached, strata houses

Burnaby Mountain

- Zoning bylaw - Multi-family flex unit
- Allow suites in strata townhouse or apartment



# Secondary Suites

## Whistler

- Average rent for one bedroom \$900-\$1200/mo
- Secondary suites (attached & detached) allowed
- Proposed density bonus for suite protected with covenant on title to land
- Bonus of 600 sf for restricted employee suite; limit rental rates & resale
- Accessory building suites



# Design Guidelines

- In zoning bylaw (limited)
- Development permit or overlay zone
- Condition of subdivision, rezoning, or development permit
- Refer to Advisory Design Panel



6. Maximize the enduring benefits of developments by using resources wisely on sites and in buildings that are tailored to specific neighbourhood conditions

- Development permitting
- Clustering buildings & roads
- Green buildings

# Development Permitting

- Overlay zones or development permit areas designated in OCP
- specific guidelines for environmental protection, design of higher density
- Triggered by any new development

## Saanich

- DP's within 30 metre of all watercourses & wetlands

# Clustering Development

- Subdivision negotiation

## Highlands

- No rural sprawl
- Environment primary goal in OCP
- Map ESA's & greenways
- Cluster development away from ESA's



# Green Buildings

UBC, CK Choi Building

Vancouver trying to use green building standards in building code requirements (beat provincial code);  
Richmond for all new municipal buildings



7. Support municipal goals through cost recovery by ensuring that development cost charges and property taxes reflect the true cost of different types of growth

- Tailor development cost charges to specific locations and types of buildings

Kelowna charges DCC based on:

- type of use (residential/commercial)
- density (single family DCC is more than that of multifamily)
- Infill vs. greenfield

8. Promote smart growth throughout the development process by reforming administrative processes and addressing liability issues

- Environment & social review
- Monitoring
- Liability & Risk

# Environment & Social Review

## Saanich

- Rezoning (zoning & procedure bylaws)
- Report on environmental and social effect of change in land use
- Make recommendations
- Developer pays for review

# Monitoring to Dispel Liability & Risk

## Burnaby Mountain

- Surface stormwater management
- Condition of rezoning and development permits that the University monitor
- If system fails, U will put in traditional curb & gutter
- Use info for future projects



# Conclusion

- Densify, and play with density (know the zoning bylaw)
- Use environmental overlay zones or development permit areas to create detailed development guidelines
- No net increase in stormwater runoff from sites where new development occurs
- Where does the negotiation happen?