

PUBLIC HEARING

THE CORPORATION OF THE CITY OF NELSON NEW OFFICIAL COMMUNITY PLAN

TAKE NOTICE that the Corporation of the City of Nelson proposes to repeal Official Community Plan Bylaw No. 3247, 2013, adopt a new Official Community Plan (Bylaw No. 3629, 2025), and to amend Zoning Bylaw No. 3199, 2013.

What is proposed and where?

The Official Community Plan (OCP) covers all properties within municipal limits. Following a two-year process and three rounds of community engagement, **the City is proposing an updated Official Community Plan**. All municipalities in BC are required to adopt a new or updated OCP by the end of the year. The OCP is a high-level strategic planning document which primarily governs land use and includes development and heritage permit design guidelines, but also includes policies on housing, reconciliation, climate, economy, culture & heritage, parks & recreation, infrastructure, transportation, wildfire protection & community safety, and community health & well-being. Although several key changes are being proposed, the proposed updated OCP builds on existing policy directions contained in the 2013 OCP.

The proposed Zoning Bylaw Amendment No. 3626, 2025 accompanies the OCP update. Its purpose is to transfer land use policies contained in the 2013 OCP into the zoning bylaw before the 2013 OCP is repealed. The amending bylaw therefore proposes no change in policy, only a new location for existing policy. Most notably, for the properties located in Railtown that are zoned MU4 Waterfront Mixed-Use Industrial & Commercial, it is proposed to rezone them to an identical zone named MU3-A Railtown Mixed-Use Industrial & Commercial. Only the zone name and number are proposed to change, and not the parcels' land use permissions. The subject properties are the following:

- A portion of 76 Baker Street (PID: 009-302-271) (*the portion zoned MU4*)
- 57 Government Road (PID: 012-588-423)
- 29 Government Road (PID: 006-271-090)
- City-owned vacant land on the south side of Government Road (PIIDs: 017-009-910, 016-094-093, 016-094-115, 016-095-171, 016-095-189, 016-095-197, 016-095-201)

Do you have something to say?

City Council will hold a Public Hearing for the proposed bylaws on:

Tuesday, September 9, 2025 at 5:00 pm
City Hall, Council Chambers, Second Floor
310 Ward Street, Nelson, BC

at which time and place all persons who deem their interest in property affected by the bylaws may be heard on matters contained therein. Written submissions for or against the proposed bylaws can be read or verbal submissions made at the Public Hearing.

Unable to attend?

If you are unable to attend the Public Hearing, please submit your comments in writing to the Development Services and Climate Leadership Department prior to noon on Friday, September 5, 2025. All written submissions must include your name and civic address and are public information pursuant to the *Freedom of Information and Protection of Privacy Act*.

Submissions may be delivered by mail or by hand to:
City of Nelson, 101 - 310 Ward Street, Nelson, BC V1L 5S4
Or by email to: ocp@nelson.ca

The proposed bylaws are available for review below in this PDF.
More information on the OCP update process is available at www.nelson2050.ca

The proposed bylaws may also be reviewed at the front counter of Development Services & Climate Leadership at:

City Hall, Second Floor, 310 Ward Street, Nelson, BC
From 8:30 am to 4:30 pm, Monday to Friday inclusive with the exception of
Statutory Holidays, from the date of this notice until September 9, 2025.

Need more information?

Questions of clarification regarding the bylaws should be directed to Development Services staff prior to the public hearing: ocp@nelson.ca or 250-352-8260.

City of
NELSON

THE CORPORATION OF THE CITY OF NELSON REQUEST FOR DECISION

DATE: August 19, 2025 Regular
TOPIC: **Official Community Plan (OCP) Update**
PROPOSAL: Pass first two readings of new OCP
PROPOSED BY: Staff

SUMMARY:

Following a two-year update and engagement process, staff have prepared Official Community Plan Bylaw No. 3629, 2025 to replace the current Official Community Plan. Council is now requested to:

- pass first and second readings of the proposed bylaw;
- confirm legislative requirements by resolution; and
- direct staff to schedule a public hearing.

BACKGROUND:

An Official Community Plan (OCP) is a city's compass for growth and change. It is a high-level, long-term, land use-focused visionary document governed by the provisions of the *Local Government Act* that guides the decisions we make today on how we design our neighbourhoods, the ways we move around, how we use our land, and the actions the City takes to get us to our collective vision for the future. All municipalities are now required to have one.

The current OCP update process was launched at the March 14, 2023 Council meeting, ten years after the adoption of the current OCP. Several phases of research and consultation have occurred to arrive at this proposed OCP. A recap of this two-year process is attached.

A first draft of the OCP was presented to Council at the January 21, 2025, Committee of the Whole meeting. Following the third phase of community consultation in January and February, a list of changes to the first draft was presented on April 15, 2025, and approved by Council on May 6, 2025. A second draft has been prepared and is now being proposed for first and second reading.

ANALYSIS:

The proposed updated OCP includes policies that align with and support the community vision, foundational values, and guiding principles established at the outset of the update process.

The proposed OCP introduces several key changes from the current 2013 version. Informed by the 2023–2025 community consultation process and new provincial requirements, most notably the mandate to plan for housing needs identified in the Housing Needs Report, the draft has been significantly revised to be more concise, readable, and policy-focused. Policies are now more clearly connected to specific objectives and guiding principles, making their intent and context easier to understand. While much has been rewritten and restructured, the draft 2025 OCP can still be considered an update to, and continuation of the 2013 OCP. By building on existing OCP

policies, it does not represent a major change of course.

Key policy changes vis-a-vis the current OCP include:

- Land use and housing:
 - Introduces a new land use term, ‘small-scale residential’, to replace outdated terminology such as ‘single-family dwelling, low-density residential, duplex, triplex and four-plex’
 - Introduces maximum of storeys for each land use designation
 - Allows for mixed-use on Institutional lands
 - Allows for site-specific Council consideration of up to six storeys for non-market affordable housing in all areas except Small-Scale Residential
 - Allows for consideration in future zoning amendments of one or two additional storeys in many areas of the city, except Small-Scale Residential
 - Neighbourhood nodes
 - Neighbourhood Planning Areas
 - Confirms the existing neighbourhood plan for Granite Pointe
 - Requires neighbourhood planning for the Selkirk College Tenth Street campus lands with a maximum height of up to six storeys
 - Considers additional options for zoning flexibility to support infill housing and business
 - Affordable housing focus
- Addition of a section on local Indigenous history
- Addition of a reconciliation policy section
- Climate: embeds and acknowledges *Nelson Next* as the official climate plan of the City, in addition to ensuring climate policy is present in each policy section
- New “Economy” policy section
- Strengthen targets and language on implementation

In addition to the list of changes approved by Council in May, staff identified minor discrepancies between the OCP and the zoning bylaw’s permitted uses, resulting in a few changes to the permitted uses in the land use table in order to ensure that the OCP reflects and continues to permit current zoning. The table has also been modified to permit Fire Hall as a use citywide.

The proposed Land Use Designation map (Schedule B of the proposed OCP) includes three land use changes. It redesignates:

1. the Tenth Street Campus (820 Tenth Street) from Institutional to its own land use designation, Tenth Street Campus, to ensure that this site, which is also designated as a Neighbourhood Planning Area, can be regulated independently of other institutional lands;
2. the former landfill site (70 Lakeside Drive) from Park and Green Space to Public Utility Lands to ensure continuity and sufficient capacity for municipal operations, while also allowing for parks and trails use, should an environmental review of the site support the expansion of the waterfront trail; and
3. staff identified a discrepancy between zoning and the OCP designation for 924 Davies Street. The property is zoned R2 (medium density), but the OCP designates it as low-density. To match and justify that property’s current zoning,

the draft OCP designates it as Multi-Unit Residential.

New form-and-character development permit design guidelines that apply to residential developments with 5+ units and to all commercial and industrial buildings, new riparian protection area guidelines, as well as new heritage design guidelines for Baker Street are being proposed. The new design and heritage guidelines are both stronger and more performance-based, rather than prescriptive.

Finally, the updated OCP introduces a new policy tool, Development Approval Information, which formalizes and expands the ability of the City to require reports and studies from developers.

Accompanying bylaw amendments

At this same meeting, Council is being requested, in a separate Request for Decision, to consider amendments to the Zoning Bylaw and the Bylaw Notice Enforcement Bylaw, as the repeal and replacement of the existing OCP has ramifications for these bylaws and should be passed simultaneously. The proposed OCP would also require an amendment to the Development Applications Procedures Bylaw, as the introduction of Development Approval Information must be reflected in these two bylaws.

BENEFITS OR DISADVANTAGES AND NEGATIVE IMPACTS:

Adopting an updated the OCP this year (by December 31st) is a Provincial requirement. Municipalities are now required to update their OCP every five years. An OCP is inherently a living document that can and should be amended from time to time.

LEGISLATIVE IMPACTS, PRECEDENTS, POLICIES:

Division 4 of the Local Government Act (LGA) sets the legislative parameters for Official Community Plans. This includes their scope, preparation, content, consultation, and adoption. Staff have ensured that all applicable requirements have been fulfilled throughout the process, but Council should also independently review Division 4 prior to adoption.

Each reading of an OCP bylaw must receive an affirmative vote of a majority of all Council members.

The LGA states the following about the purpose of OCPs:

- An official community plan is a statement of objectives and policies to guide decisions on planning and land use management, within the area covered by the plan, respecting the purposes of local government (sec. 471(1));
- An official community plan does not commit or authorize a municipality, regional district or improvement district to proceed with any project that is specified in the plan (sec. 478(1)); and
- Works and bylaws undertaken by Council “must be consistent with” the OCP (sec. 478(2)).

As reported in law firm [Young & Anderson's guide on OCPs](#), case law precedents confirm that OCPs are to be interpreted as aspirational, high-level policy guidance documents. They are “meant to capture a long-term vision or philosophy and cannot be construed with the scrutiny afforded a statute”.

Staff obtained a legal review of the proposed OCP. The necessary changes have been incorporated into the proposed OCP, as highlighted in the List of Changes presented to Council on April 15th. The City's lawyer also confirmed that OCPs "are not defined with the exactitude of a zoning bylaw, and thus encompass a range of alternatives" and that, unlike zoning bylaws, are characterized by "their generality and forward-focus".

Staff have confirmed with the Municipal Insurance Association of BC that there is no liability risk associated with the adoption of an OCP (as per LGA sec. 478(1)).

The provincial government now prohibits municipalities from holding a public hearing on residential zoning amendments that are consistent with the OCP. Therefore, it is important the community ensure its vision for land use is reflected in the OCP now, while acknowledging that the OCP can be amended from time to time (each time with a public hearing, regardless of the nature of the amendment).

The drafting process considered all municipal strategic planning documents currently in place.

Provincial regulations state that, in addition to updating their OCP by the end of 2025, all local governments must update their zoning bylaw as well to ensure that sufficient zoning is in place (zoned capacity) to meet 20-year housing needs as set out in the Housing Need Report. Staff have calculated that the current City of Nelson Zoning Bylaw already allows for over four times the number of required units. Presented with this information, Ministry of Housing and Municipal Affairs staff advised City of Nelson staff to document the fact that provincial requirements have been met in a Council report. See attached *Memorandum: Zoned Capacity Analysis*, which serves to confirm that Council does not need to update its zoning bylaw before the December 31st deadline. That memo is submitted for information and does not require a resolution.

Although zoning amendments to increase density are not required by the Province, staff intend on proceeding to a comprehensive review and update of the zoning bylaw immediately following adoption of the updated OCP. Like the current OCP, the zoning bylaw dates to 2013 and is in need of review following years of piecemeal amendments. The primary objective of the zoning bylaw review will be to begin implementation of the 2025 OCP. Staff intend on commencing community engagement and a Council workshop this fall, with anticipated adoption in early 2026. The zoning bylaw update will be significantly less long and resource-intensive than the OCP update. Thanks to provincial capacity-building funding that will cover staff time, the project budget is estimated at only \$7,000.

Regarding legislative consultation requirements, refer to the May 6th, 2025 Council report and adopted resolutions.

COSTS AND BUDGET IMPACT - REVENUE GENERATION:

The OCP update project has finished under-budget.

In accordance with the LGA, Council is required to consider the proposed OCP in conjunction with its financial plan. Based on legal advice, this should be formally documented by Council resolution.

Staff have reviewed the draft OCP in relation to the City of Nelson Five-Year Financial Plan (2025-2029) Bylaw No. 3637, 2025 and not identified any conflicts or concerns.

This is primarily because adoption of an OCP does not in itself create financial impacts or obligations. The City is not required to implement the actions or studies recommended in the OCP. Any actions, plans or studies that are anticipated to have financial implications to the City will be brought forward by staff as part of the regular project and budget planning process, informed by Council's strategic plan.

Staff will soon review the development application fees in the Fees & Charges Bylaw to ensure that they cover current application processing costs.

IMPACT ON SUSTAINABILITY OBJECTIVES AND STAFF RESOURCES:

Sustainability: the proposed OCP includes greenhouse gas emissions targets and sustainability policies, as required by the LGA. It goes further by embedding the *Nelson Next* climate action plan into the OCP, as well as creating new environmental targets.

Council is required by the LGA to consider the proposed OCP in conjunction with the regional waste management plan. The 2021 Resource Recovery Plan, the solid waste plan developed by the RDCK in collaboration with municipal governments, is [accessible online](#). It contains three main strategies:

1. **Zero Waste** - reducing what we send to the landfill
2. **Residual Waste** - securing landfill capacity for the long-term and meeting regulatory requirements
3. **Financial & Administrative** - supporting the actions in the plan through responsible management

The proposed OCP's infrastructure policies support and align with this work that will occur at a regional scale. Specifically concerning Nelson, the plan states that "the RDCK will continue to work cooperatively with the City of Nelson and CP Rail to achieve closure and redevelopment of the Nelson Landfill site." It also states that "Nelson will begin curbside collection of organics in 2022". While this has not happened, this does not present an issue for OCP adoption as the OCP, being a high-level guidance document, does not discuss organic waste specifically.

The second plan that Council must consider at this time is the City's Strategic Wastewater Plan (2022). Staff find no contradictions between the two documents and conclude that the proposed OCP's policies will continue to support the wastewater plan's recommendations.

Staff resources: significant staff time was spent on the preparation of the OCP. Going forward, staff resources will be required for implementation, which will be determined annually as part of budgeting and workplan preparation process. Resources will also occasionally be required for progress and target monitoring (refer to section of the OCP entitled Making Nelson 2050 Happen).

All City departments have been consulted throughout the process and have had the opportunity to review, comment, and make changes to the OCP.

COMMUNICATION:

If directed to schedule a Public Hearing, staff will ensure that advertising goes beyond the legislative requirements of posting notice in a local newspaper. This will include social media, a media release, posting it on the project website, and announcing it to all OCP e-panel subscribers.

Community Consultation

Three phases of engagement have occurred since 2023. The results of the most recent engagement, coinciding with the release of the first draft, can be found in the attached 2025 What We Heard Report. The previous rounds' What We Heard reports have been presented at previous Council meetings and can be viewed at www.nelson2050.ca.

In April 2025, the OCP Advisory Committee, following its two-year involvement, voted unanimously in favour of adoption of the draft OCP.

The Advisory Planning Commission, at its May 20, 2025, meeting, unanimously passed a recommendation to adopt the draft OCP.

A public hearing must be held prior to third reading.

OPTIONS AND ALTERNATIVES:

1. Pass first two readings of the bylaw
2. Pass first two readings of the bylaw and direct staff to make changes prior to public hearing and third reading
3. Do not pass any readings of the bylaw and refer the bylaw back to staff with other direction

ATTACHMENTS:

1. Official Community Plan Bylaw No. 3629, 2025
2. Overview of the 2023-2025 OCP update process
3. Memorandum: Zoned Capacity Analysis

RECOMMENDATION:

That Council passes the following resolutions:

1. THAT the "Official Community Plan Bylaw No. 3629, 2025" be introduced and read a first time by title only.
2. THAT, in accordance with section 477(3)(a) of the *Local Government Act*, Council confirm that it has considered the proposed Official Community Plan in conjunction with its financial plan, its wastewater plan, and the Regional District of Central Kootenay waste management plan and found no measurable impact.
3. THAT the "Official Community Plan Bylaw No. 3629, 2025" be read a second time by title only.
4. THAT staff be directed to schedule a Public Hearing.

AUTHOR:

DIRECTOR OF DEVELOPMENT
SERVICES & CLIMATE LEADERSHIP

REVIEWED BY:

CITY MANAGER

THE CORPORATION OF THE CITY OF NELSON
OFFICIAL COMMUNITY PLAN BYLAW NO. 3629, 2025

The Council of the Corporation of the City of Nelson considers it desirable and expedient to repeal "Official Community Plan Bylaw No. 3247, 2013" and to adopt "OFFICIAL COMMUNITY PLAN BYLAW NO. 3629, 2025" (hereinafter called "said Bylaw");

WHEREAS the Council of the Corporation of the City of Nelson wishes to adopt an Official Community Plan pursuant to Part 14 of the *Local Government Act*;

AND WHEREAS the Council of the Corporation of the City of Nelson has complied with all requirements of the *Local Government Act* prior to adoption of this Official Community Plan;

NOW THEREFORE the Council of the Corporation of the City of Nelson, in open meeting assembled enacts as follows:

1. Schedule "A" attached to and forming part of this bylaw, including its respective maps and design guidelines attached to and forming part of this bylaw (Schedules "B", "C", "D", "E", "F", "G", "H", "I" and "J"), is adopted as the City of Nelson Official Community Plan and applies to all areas of the City.
2. The provisions of this bylaw are severable. If, for any reason, any provision is held to be invalid by the decision of a court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this bylaw.
3. In the case of any conflict between the text of this bylaw and any maps, photos, diagrams, or drawings used to illustrate any aspect of this bylaw, the text shall prevail.
4. "Corporation of the City of Nelson Official Community Plan Bylaw No. 3247, 2013" and all amendments thereto are hereby repealed in their entirety.
5. Any bylaw commenced under "Corporation of the City of Nelson Official Community Plan Bylaw No. 3247, 2013" prior to the adoption of this bylaw, which has received at least two readings as of the date of adoption of this bylaw, is, when adopted, deemed to be conforming to, and adopted under, this bylaw. Any designation reference in any bylaw commenced under "Corporation of the City of Nelson Official Community Plan Bylaw No. 3247, 2013" but adopted under this bylaw is deemed to be a reference to the corresponding new designation as identified within each such designation.
6. This Bylaw shall take effect immediately.
7. This Bylaw may be cited as "City of Nelson Official Community Plan Bylaw No. 3629, 2025".

READ A FIRST TIME the __th day of __, 2025

COUNCIL CONSIDERATION OF SECTION 477 (3) (a) OF THE *LOCAL GOVERNMENT ACT* the __ th day of __, 2025

READ A SECOND TIME the __ th day of __, 2025

PUBLIC HEARING HELD the __ th day of __, 2025

READ A THIRD TIME the __ th day of __, 2025

FINALLY PASSED AND ADOPTED the __ day of __, 2025

Mayor

Corporate Officer

OCP

OFFICIAL COMMUNITY PLAN

Nelson 2050
Leading the way, together.



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NELSON

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The Official Community Plan has 5 sections:

Contextual Information

Some sections, like the preamble of the Land Use section, explain how things are today. These parts act as background information and don't include policies.

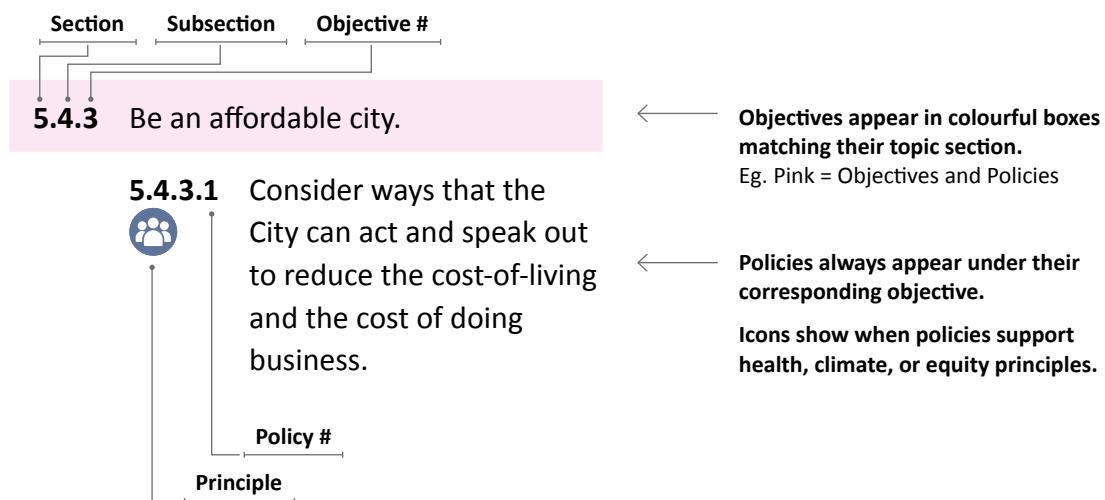
Vision, Values, and Principles

These are big-picture, long-term ideas about what we want Nelson to look like by 2050. They set the tone for the plan and make sure decisions stay focused on community goals.

Objectives and Policies

- Objectives: The goals we want to achieve.
- Policies: High-level actions to help reach those goals. They're not detailed rules—that comes later during implementation.

Objectives and policies appear in the plan as follows:



Maps

Maps help illustrate how policies apply spatially, ensuring coordinated planning across the community.

Design Guidelines

Design Guidelines detail what we want new buildings to look like. They can apply broadly to the whole city or to specific areas like wildfire, flood hazard, and riparian zones.

Glossary of Terms

This glossary is provided to help readers understand the concepts and the intent of the OCP. The definitions provided are for informational purposes only and are not binding.

Refer to the City of Nelson [Zoning Bylaw](#) for additional definitions, as these will be applied for the purposes of interpreting the Official Community Plan.

Affordable City: means a community where people can meet their daily needs without financial hardship, regardless of income level.

Affordable Housing: means housing that is affordable. In Canada, housing is considered “affordable” if it costs less than 30% of a household’s before-tax income. Many people think the term “affordable housing” refers only to rental housing that is subsidized by the government. In reality, it’s a very broad term that can include housing provided by the private, public and non-profit sectors. It also includes all forms of housing tenure: rental, ownership and co-operative ownership, as well as temporary and permanent housing.

See also: Non-market affordable housing

Affordability: refers to people’s ability to meet their needs regardless of income status, without experiencing financial hardship. It is a relative concept that varies based on individual circumstances, geographic location, and economic conditions. Affordability is influenced by several factors including but not limited to wages, cost of living, housing prices, transportation, access to services, and government policies.

Age in place: refers to the ability for people to live safely, independently, and comfortably in their own homes and communities as

they grow older. Supporting age in place includes accessible housing, nearby services, and transportation options that meet the changing needs of residents over time.

Aging Population: refers to a growing proportion of residents who are older adults, typically aged 65 and over. Planning for an aging population involves adapting services, housing, transportation, and community spaces to support health, independence, and social connection for all ages.

As-of-right zoning: means development that complies with relevant zoning, building code, development permit area and other relevant municipal bylaws, and provincial and federal legislation and regulations without special conditions or discretionary approval.

Authenticity (Heritage): refers to a communal understanding that buildings are symbols of the time in which they were constructed, reflecting the evolving culture, technology, and design of their era. Authenticity encourages new buildings to honestly express their own time, while respecting and relating sympathetically to the surrounding context. This approach values both preserving historical character and supporting thoughtful, contemporary development that contributes to a cohesive and vibrant streetscape.

Arts: means a wide range of creative endeavours and disciplines, such as visual, literary, or performing arts that express culture and heritage.

Best Practices: means established methods, guidelines, or approaches recognized by professionals and authorities as the most effective and efficient method for achieving desired outcomes. Best practices are based on current research, expert consensus, and proven results, and are regularly updated to reflect innovations and changing conditions—such as climate resilience, safety, ecosystem protection, and cost-effectiveness. They guide planning, design, and operational decisions to ensure high-quality, sustainable, and responsible development.

Character buildings: means structures that contribute to the unique identity, aesthetic, or cultural feel of a neighbourhood or streetscape. They may be notable for their age, architectural style, construction materials, or the role they've played in the community's history. However, unlike heritage buildings, character buildings are not necessarily formally recognized as having heritage value in the community, or protected under official heritage designation laws. However, in some cases, character buildings can be formally recognized over time through detailed evaluation, public interest, or policy review.

Climate Resilience: means acknowledging our share of global emissions and recognizing our role and responsibility in actively reducing them to mitigate climate impacts and enhance our ability to adapt to changing conditions.

Complete Neighbourhoods: refers to a neighbourhood that has all of the resources to meet most residents' daily needs, such as: shops, restaurants, flexible workspaces, community services, housing, transit, schools, parks, and other features. These highly walkable neighbourhoods support better liveability, they have less reliance on cars, support better physical health, and provide a range of housing options for a diverse mix of people. These neighbourhoods also provide more opportunities for social interaction as people meet and connect on the street, at their favourite coffee shop, local playground, and during everyday activities like walking to get groceries.

Complete Streets: means roadways designed, built and operated to safely and comfortably accommodate all road users, including pedestrians, cyclists, transit riders, and motorists.

Community charm/neighbourhood character: means the overall atmosphere and identity of a neighbourhood, shaped by its buildings, landscaping, streets, and the way people use and enjoy the space. Neighbourhood character and charm are not static, they can and do evolve over time, influenced by social, cultural, economic, and environmental changes.

Conservation: means the responsible management and protection of natural, cultural, and built resources to ensure their long-term sustainability and benefit for current and future generations. In planning, conservation supports biodiversity, ecosystem health, heritage preservation, and climate resilience through thoughtful land use and development practices.

Culture: means a set of shared attitudes, values, and practices that define people and places, reflecting the lands, waters, heritages, and histories of the place. Culture includes artistic and creative activity, and the goods and services produced by it.

Density: means the number of people inhabiting a given area. Density can be measured in a variety of ways, such as residential density (number of dwelling units in a given area), population density (number of persons in given area), or employment density (number of jobs in any given area).

Depopulation: means a significant decline in population in an area over a period of time. This can result from factors such as economic downturns, job losses, outmigration, lower birth rates, or natural disasters. Depopulation often leads to challenges such as vacant properties, reduced demand for services, and a shrinking tax base, which can impact the city's ability to maintain infrastructure and support its remaining residents.

Design Guidelines: means Development Permit (DP) area guidelines as outlined in the Official Community Plan. These guidelines apply within designated Development Permit Areas (DPAs), which can cover the whole city or focus on specific areas like flood zones, wildfire interface zones, or heritage areas. If a proposal falls within a DPA and meets the criteria, applicants must then demonstrate how their project aligns with the design guidelines before approval.

Development Permit Area: means Designated areas established under the Local Government Act that give municipalities the authority to guide the form and character of development beyond zoning and other bylaws. DPAs help protect ecosystems, people, and property.

Engagement: is process of actively involving residents, the business community and other stakeholders in shaping the long-term vision and policies for land use, development, and growth within a city or region. This includes gathering input through surveys, workshops, public meetings, and consultations to ensure that initiatives reflect the diverse needs, priorities, and concerns of the community.

Equity: means ensuring that no one gets left behind, by recognizing and addressing the unique needs and challenges faced by different groups. Unlike equality, which treats everyone the same, equity focuses on fairness by providing the necessary resources and opportunities to achieve positive outcomes for all. It aims to promote justice, accessibility, inclusivity, and reduce disparities and discrimination within urban spaces.

Equity-deserving populations: means a group of people who have historically experienced barriers to full participation in society due to systemic discrimination or unequal access to resources, services, and opportunities.

Extreme Weather: refers to extreme weather event at a particular place and time of year, with unusual characteristics in terms of magnitude, location, timing, or extent. The characteristics of what is called extreme weather may vary from place to place in an absolute sense.

FireSmart: refers to FireSmart BC a provincial initiative dedicated to reducing the risk of wildfire damage to homes, communities, and forests.

Green Economy: means economic system that promotes sustainable development by reducing environmental impacts, conserving natural resources, and supporting clean technologies and green jobs. A green economy aims to balance economic growth with environmental protection and social well-being.

Growth Management: means a community-wide approach to guiding development and change in a way that supports long-term goals. It helps ensure growth happens thoughtfully—balancing new housing, jobs, infrastructure, and green spaces—to create a healthy, liveable, and sustainable community.

Health: refers to a state of complete physical, mental and social well-being and not merely the absence of disease or infirmity.

Heritage: refers to tangible heritage (physical artifacts like buildings, monuments, and collections of objects; or preserving and restoring buildings and monuments) and intangible or living heritage (such as oral traditions, performing arts, rituals, celebrations, practices that express culture inherited from ancestors and passed on to descendants).

Housing Needs Report: refers to Housing Needs Reports that municipalities are required to complete every 5 years. Housing Needs Reports help communities better understand their current and future housing needs. These reports identify existing and projected gaps in housing supply by collecting and analyzing quantitative and qualitative information about

local demographics, household incomes, housing stock, and other factors. A Housing Needs Report is critical to developing a housing strategy or action plan and informing land use planning. The methodology of a Housing Need Report is dictated by the Province of BC's Housing Needs Report Regulation.

Housing Spectrum: means full range of housing options available in a community, including market housing (such as ownership and rental homes) and non-market housing (such as subsidized, supportive, or affordable units). A diverse housing spectrum helps meet the needs of people at different income levels, life stages, and abilities.

Human-scale: refers to an approach to urban design and development that prioritizes proportions, building heights, and public spaces that are comfortable and relatable to people at a pedestrian level. Human-scale design fosters walkability, social interaction, and a strong sense of place by ensuring the built environment feels accessible and inviting.

Light Industrial: means low-impact industrial uses such as manufacturing, repair, storage, or distribution that typically occur indoors and have minimal noise, traffic, or environmental effects. Light industrial areas can support local jobs and are often located near major roads or commercial areas.

Local Government Act (LGA): means the Local Government Act, along with the Community Charter, that provides the legal framework for the establishment and ongoing operation of local governments. It grants local governments the powers, duties, and functions required to fulfill their roles, while also offering flexibility to adapt to the evolving needs and circumstances of their communities.

Market Housing: means housing offered for sale or rent at prices determined by the open market, without government subsidies. Market housing is a key part of the housing spectrum. The supply, availability, and diversity of market housing can influence overall housing affordability in a community.

Mixed Use: means development that combines residential with other different types of uses—such as services, restaurants, shops, offices, or community spaces—in the same building or on the same site. Mixed use supports walkable, vibrant neighbourhoods by bringing homes, services, and jobs closer together.

Neighbourhood Nodes: means clusters of small-scale mixed-use commercial-residential developments within small scale residential areas that provide local-serving commercial services within walking distance of people's homes. Examples include, but are not limited to, bakeries, corner stores, hair salons, a gym, laundromat, and cafés. They do not replace larger commercial centres but instead offer convenient, walkable access to basic goods—such as basic access food and services within a neighbourhood, reducing the need to drive or travel long distances each time one needs something all while enhancing neighbourhood liveability.

Neighbourhood Planning Areas: means a designated area that requires a more detailed, specialized and comprehensive planning process. This process considers key factors such as housing types, amenities, walkability, transportation, historical and existing community context. Unlike smaller sites that are typically planned on a case-by-case basis, neighbourhood planning

focuses on a long-term vision for the area as a whole. The process also involves collaboration with residents, local groups, and experts to ensure these areas are welcoming, inclusive, and well-integrated balancing the needs of both current and future residents.

Non-Market Affordable Housing: refers to housing that is not priced by market forces but is instead offered at rents or prices below typical market rates. It is typically developed, owned, or operated by government agencies, non-profit organizations, or housing cooperatives to ensure long-term affordability for households who cannot afford market-rate housing. Rent levels are usually set based on the incomes of tenants (e.g., rent-gearied-to-income models) or fixed below a percentage of market rates.

Public Life: refers to interactions, activities, and experiences that take place in public spaces, such as streets, parks, plazas, and other shared areas. It encompasses how people use, engage with, and move through these spaces, shaping the social, cultural, and economic life of a community.

Public Spaces: means all places publicly owned or in public use, accessible and enjoyable by all, including parks, playgrounds, plazas, mini-parks, parklets, streets, sidewalks, laneways, pathways, and the seawall. To a limited extent, government buildings which are open to the public, such as public libraries, are public spaces, although they tend to have restricted areas and greater limits upon use.

Reconciliation: refers to the process of building respectful relationships between Indigenous and non-Indigenous people. This includes recognition of Indigenous rights and titles, as well as restitution and redress for colonial harms.

Riparian Area: means all lands within 15 metres of the high-water mark of Kootenay Lake and 15 metres from the high-water mark of all other watercourses, wetlands, or other lands identified in the Official Community Plan as riparian areas.

Sense of Place: refers to the unique character and feeling that makes a community or neighbourhood special and meaningful to its residents, shaped by history, culture, natural features, and the built environment. Through thoughtful planning—such as preserving heritage, designing distinctive public spaces, and fostering community connections—sense of place can be strengthened to support local identity and improve quality of life.

Small-scale commercial: Small-scale commercial development refers to low-intensity commercial uses that are compatible with surrounding residential or mixed-use areas. These businesses are typically pedestrian-oriented, locally-serving, and designed to reflect the scale and character of the neighbourhood. Examples may include cafés, small retail shops, personal services, professional offices, or artisan studios. Small-scale commercial uses should minimize traffic, noise, and visual impacts, and support walkability, economic diversity, and complete communities.

Small-scale multi-unit housing: means housing that is ground-oriented and compatible in scale and form with existing single-family neighbourhoods, containing up to four dwelling units on one site. These housing forms typically offer more family-oriented units than larger-scale multi-family housing and more affordable options than single-family dwellings. Examples include secondary suites in single-detached homes, detached accessory dwelling units (ADUs) such as garden suites or laneway homes, as well as duplexes, triplexes, townhomes, rowhouses, and house-plexes, or a combination of these housing types.

Supportive/Transitional Housing: means housing with on-site supports for adults, seniors and people with disabilities at risk of or experiencing homelessness or fleeing violence. These supports help people find and maintain stable housing.

Tactical Infrastructure: means temporary, low-cost interventions, such as painted bike lanes, curb extensions, or pop-up crosswalks that are used to improve walking and biking conditions in the short term while informing longer-term infrastructure investments. Tactical infrastructure allows communities to test ideas, enhance safety, and support active transportation in a flexible and responsive way.

Total Zoned Capacity: refers to the total number of residential dwellings that could be built in the City if every property owner developed the maximum number of dwellings allowed by zoning regulations on each lot. It is important to note that this figure is not a development projection, as it assumes full utilization of zoning potential, which is unlikely to occur in practice due to various site constraints.

Traffic Calming: refers to a set of planning, design and implementation strategies aimed at reducing motor vehicle speeds and improving safety for all road users, particularly pedestrians and cyclists.

Underutilized Lands: means parcels or areas of land that are not being used to their full potential, often characterized by vacant lots, surface parking, or buildings and sites with low-density or outdated uses. These lands represent opportunities for redevelopment or infill to better meet community needs and support sustainable growth.

Urban Design: refers to the practice of shaping the physical layout and appearance of cities, towns, and neighbourhoods. It focuses on the arrangement and design of buildings, public spaces, streets, and landscapes to create functional, attractive, and sustainable environments that enhance community life and foster a strong sense of place.

Vacant Homes: means a residential property that is unoccupied for a period of time and not currently available for use as a primary residence. Tracking vacant homes helps provide a clearer picture of housing availability within the community. Vacancy doesn't necessarily mean a property is unused or unwanted—there are many reasons why homes may be temporarily empty.

Vision Zero means a strategy to eliminate all traffic fatalities and severe injuries (this includes all road and sidewalk users), while increasing safe, healthy, equitable mobility for all.

Walkable: means a place where it's easy, safe, and comfortable for people to get around on foot. This includes having connected sidewalks, safe crossings, and nearby destinations like shops, parks, and transit.

War Resistor: means individuals, often young men, who refused to participate in the Vietnam War by resisting the draft or refusing military service on conscientious grounds. Many fled the United States to seek refuge in Canada, where they were welcomed as refugees. There, they contributed to social and political movements opposing the war, seeking to escape legal consequences in the U.S. and find peace, driven by their anti-war beliefs.

Watersheds: refers to distinct hydrologically defined geographic areas where all waterways (such as creeks and streams) and overland flowing rainwater drain to a common receiving water body.

Winter-City Strategies: refers to planning and design approaches that help communities thrive year-round by embracing and adapting to winter conditions. These strategies include improved snow and ice management, enhanced lighting, the design of winter-friendly public spaces, and the promotion of seasonal activities and active transportation.

Schedule A: Nelson 2050



Section 1: Introduction



Relationships and Reconciliation with Indigenous Peoples

Our local government acknowledges that Nelson resides on the traditional and unceded territory of the Ktunaxa, the Syilx, and the Sinixt First Nations, and is also home to the Métis and other Indigenous Peoples. We urge community members to educate themselves on the history and culture of these Nations and their communities. The website of each Nation is a helpful starting point to become acquainted with the pre-colonial history of the land on which the contemporary city of Nelson has been built.

Together, we summon the wisdom embedded in our collective traditions to collaboratively shape a thriving city for both present and future generations. Nelsonites not only inhabit but share a responsibility to steward this land.

Our very presence in this city, its vitality, and existence are indebted to the land itself and the rich Indigenous cultures that have contributed to its development. Efforts to preserve and honour their cultures and histories continue, ensuring that their contributions and legacies are recognized and respected in the ongoing story of Nelson.

City planning, including the Official Community Plan, is fundamentally about land — the use of land and connections to cultural practices. With this update to the OCP, we aspire to deepen the path of reconciliation: acknowledging and celebrating the Indigenous Peoples who have stewarded this land for millennia and honouring the Indigenous Communities who proudly call Nelson home today. The City supports the Truth and Reconciliation Commission's Calls to Action and will endeavour to honour them.

The Truth and Reconciliation Commission (TRC) highlighted, in 2015, how Canada's history of colonialism, the residential school system, and the forced assimilation of Indigenous Peoples have profoundly affected relations between Indigenous and non-Indigenous communities. The TRC issued 94 Calls to Action, urging all levels of government to transform their approaches to engaging with Indigenous Peoples. While many are directed at the federal level, several calls to action concern the important role that municipalities can play in advancing reconciliation, including fostering genuine consultation, respectful partnerships, and fair economic opportunities for Indigenous People.



Mural Artist: Ric Gendron Photo: Ingrid Love, Electrify Photography

In line with these efforts, the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) upholds the rights of Indigenous Peoples to dignity, the preservation of their institutions, cultures, and traditions, and self-determination. To support alignment with UNDRIP, in 2019 the *British Columbia Declaration on the Rights of Indigenous Peoples Act* became law. This legislation established a pathway for provincial law to align with UNDRIP, which the TRC has recognized as the foundation for reconciliation. Under section 4 of the Act, the government is mandated to create and implement an action plan to fulfill the objectives set forth in UNDRIP.

The City of Nelson will endeavour to undertake actions that advance and support the objectives of UNDRIP.

The City of Nelson has been working with local First Nations and other local Indigenous organizations over the two-year OCP update process to start building relationships and to involve them in this process. Indigenous organizations and governments are experiencing unprecedented levels of consultation requests, which can challenge their capacity to engage fully with all parties.

The City of Nelson recognizes the importance of building strong, respectful relationships and is committed to fostering meaningful connections. As this is a living document, the City will continue to explore opportunities to strengthen these relationships and work collaboratively moving forward.



Mural Artist: Emma Noyes Photo: Ingrid Love, Electrify Photography

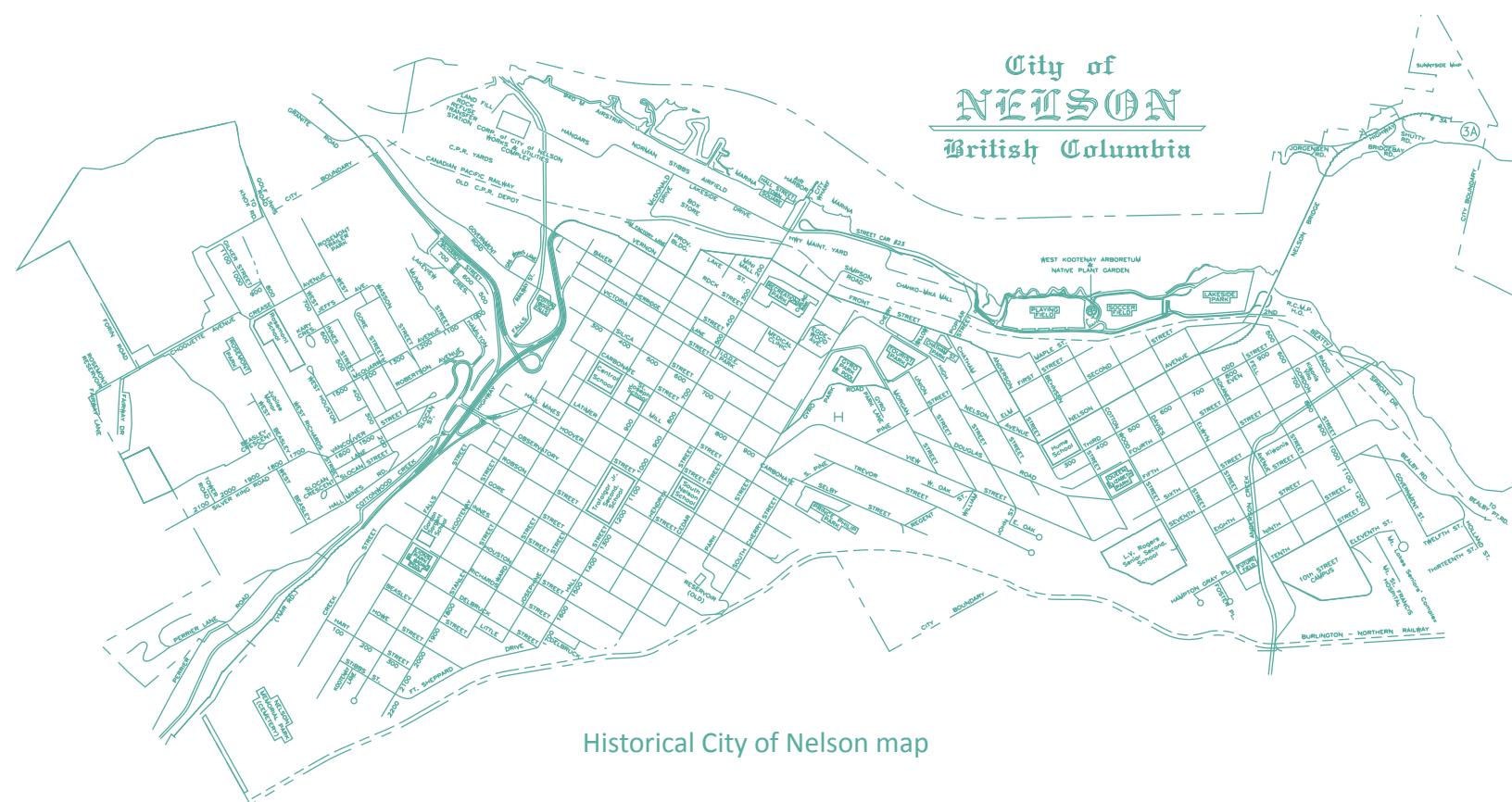
The Official Community Plan (OCP) is Nelson's compass for growth and change.

The OCP guides the decisions we make today on how we design and develop our neighbourhoods, the ways we move around, how we use our land, and the amenities the City provides to get us to our collective vision for the future.

An OCP is a policy tool for local governments in British Columbia to describe the long-term vision of their communities. The contents and adoption process are regulated by the *Local Government Act*. The Official Community Plan does not commit the local government to proceed with any works or projects that

are mentioned in the plan. However, all bylaws enacted or works undertaken must be consistent with the plan. Furthermore, as of 2024, Provincial legislation states that a local government must not hold a public hearing for a proposed zoning bylaw or amendment for residential development if it is consistent with the OCP. Consequently, it is crucial that the OCP accurately articulate the community's vision for future development.

For the purpose of *Local Government Act* section 472(2)(b), this OCP applies to all land within the municipal boundaries of the City of Nelson.



Scope: What Does Local Government Do?

The City of Nelson provides a wide range of services to its population, as well as those who visit, work, and study here.

The City's role is prescribed, and limited by, Provincial legislation, including the *Local Government Act* and the *Community Charter*. The Government of British Columbia must specifically grant powers to local governments to carry out their duties or regulate in new areas.

Municipalities in British Columbia have three principal tools, delegated by the Province, that they can leverage to achieve their community's goals:



The ability to raise funds through property taxation and fees to deliver services and make investments.



The ability to regulate land use and a restricted scope of additional policy matters.



The ability to advocate and work with senior levels of government to deliver public transit, childcare, healthcare, social services, affordable housing, and a number of other priorities.



Photo: Bridger, iStock



Photo: Colin Burwell

Municipal Operations and Authorities

The core of municipal operations and authorities can be considered land use regulation, infrastructure (transportation, water, sewer, etc.), and essential services like policing and emergency response. Section 7 of the Community Charter states the four purposes of a municipality in British Columbia:

- providing for good governance of its community,
- providing for services, laws and other matters for community benefit,
- providing for stewardship of the public assets of its community, and
- fostering the economic, social and environmental well-being of its community.

Nelson also has the particularity of having its own hydroelectric utility company, Nelson Hydro. Over the years, Nelson has chosen to provide many other services as well, including a library, parks, a campground, off-street parking, a youth centre, recycling collection, arts & culture facilities managed by non-profits, and much more. Committed to fostering the well-being of its community, the City of Nelson has long demonstrated innovation in how services are delivered.

Many key services are provided in collaboration with other authorities, which means that the City of Nelson does not have full control over them.

- Recreation facilities and waste management are provided alongside the Regional District of Central Kootenay.
- Public transit is managed in collaboration with BC Transit.

There are examples of infrastructure within city limits that the City of Nelson has no control over.

- Highway 3A is regulated and managed by the provincial Ministry of Transportation and Transit, which also has a say on development and properties fronting, or within 800 metres of, the highway.
- Federal and provincial authorities have shared authority over the lake and lands below the natural boundary of Kootenay Lake, and generally a veto on municipal decisions concerning bodies of water.
- Properties belonging to the provincial and federal government are exempt from municipal bylaws, including those concerning design and heritage conservation.
- Railways, being federally regulated, are not obliged to take direction from the City, for example regarding rail crossings.

Cultural and Historical Context

The following accounts of First Nations history are from the communities themselves, either through direct communication or publicly available sources such as their official websites. The City of Nelson does not have historical expertise. Our aim is to represent these perspectives as accurately and respectfully as possible, acknowledging that this is their history to tell.

The Ktunaxa Nation

The following text has been adapted from the Yaqan Nukiy's website:

The Ktunaxa have long-standing historical ties to the region spanning over 10,000 years on a vast territory of about 70,000 square kilometres. The Ktunaxa, or Kootenay people, are known for their unique linguistic and cultural distinctiveness, as well as their significant role in the region's trade networks. They have rich social, economic, and spiritual connections to their territory. Prior to European contact, the people were semi-nomadic and traveled great distances within the Ktunaxa Traditional Territory. The waterways, primarily the Kootenay River formed the existence and link to all the communities of the Ktunaxa Nation confirmed by the Ktunaxa creation story.

They have a history of, and continue to be, resilient, including their adaptation to changing environments and their efforts to protect and revitalize their language, which is one of the eleven original aboriginal language families in Canada. The language is isolated and is not related with any other in the world.

The Ktunaxa Nation actively engages in various initiatives to preserve and revitalize their cultural heritage and improve community well-being. They manage several enterprises, including forestry, tourism, and hospitality, contributing to economic development. Education and language revitalization programs are pivotal, with efforts to teach the

Ktunaxa language and traditions to younger generations. The Ktunaxa also work towards sovereignty and self-governance, including participating in treaty negotiations to secure their rights and land. Their contemporary life reflects a blend of traditional practices and modern advancements. Unlike the Sinixt, they are a First Nation that was able to continue to reside on both sides of the US-Canada border.

The Yaqan Nukiy (Lower Kootenay Indian Band) are the Ktunaxa who historically travelled up Kootenay Lake and into Nelson along the West Arm shoreline. The name Yaqan Nukiy literally means "where the rock stands" and refers to an important place in the Creston Valley. The historical record in fact details an annual meeting/pow-wow between the Sinixt and the Yaqan Nukiy at Hoover Point (opposite the municipal airport). Early settlers to the Bonnington Falls area (the location of the city's power station) spoke of conflict between the two nations, and of a battle between the two tribes over the salmon runs on the Lower Kootenay and Slocan Rivers.



Learn more about the Ktunaxa Nation:

- ktunaxa.org/who-we-are
- lowerkootenay.com/our-history



Photo: EBalestra, donated by Kootenay Lake Tourism

The Sinixt

The following are excerpts from text provided by the Sinixt Confederacy for the purposes of the OCP:

Indigenous peoples have lived in the region since time immemorial, relying on its fertile lands and waterways for sustenance and community life. Nelson sits on the southeastern boundary of the Interior Cedar Hemlock zone, surrounded by inland temperate rainforest, the Selkirk Mountain range, and Kootenay Lake—the source of the City’s most widely used renewable energy. The Sinixt, also known as the Arrow Lakes people, have been living, hunting, and fishing along the shores of the Arrow Lakes and the Columbia and Kootenay Rivers for thousands of years. As the caretakers of sñ̄a'yčúla?xʷ's (land of our people) the Sinixt view their relationship with the land as a sacred trust. Pre-contact, they travelled unobstructed along water highways, gathered and preserved abundant ocean salmon runs, bull trout, sturgeon and kokanee, and hunted within snowy peaks where mountain goat, caribou herds and other ungulates flourished.

Long winter dormancy in winter pit house villages was made possible by careful food preservation. Pit house villages could be found in Rosemont and at the mouth of Grohman Creek on the north shore of Kootenay Lake, just downstream of Nelson’s airport. Their remnants signal how deeply and widely the Sinixt inhabited their territory across many thousands of years.

The first recorded contact between the Sinixt and Europeans occurred in 1811 when British explorer David Thompson paddled through Sinixt territory, from Kettle Falls Washington to the Arrow Lakes, and further up the Columbia to the Rockies. The Sinixt played an important role in the Toad Mountain discovery of silver, which came after a search conducted by the Hall Brothers, Americans intermarried with Sinixt and Skoylepi women who were living at the time in the agricultural area around the

abandoned Fort Colville, now located in the US. Narcisse Downing, a Sinixt man, was a young hunter who travelled upstream into Sinixt territory with the Hall party. Downing may have been the man who, as legend has it, picked up a rock to throw at a squirrel and saw its shiny minerals. This history has been carefully documented in *The Geography of Memory*. It is based in part on Sinixt tribal, oral history, in part on records found in the Nelson Museum archives, and it proves the role the Sinixt played in the actual founding of Nelson.

The establishment of the International Boundary line, the West Kootenay gold rush, and agricultural settlement turned the Sinixt villages into local sawmills and farms from Kpíłłs (Castlegar) to Kýamlúp (Nelson) and beyond. As towns and cities sprang up, and without reserve lands for Sinixt people until 1902, and even then, one located in a remote part of the Arrow Lakes valley, the Sinixt experienced further marginalization and were pushed out of Nelson, the Castlegar Valley, the Slocan Valley and most of their traditional territory above the international boundary.

Settler misunderstanding, combined with government policies of exclusion, led to the government's 1956 declaration of "extinction" in Ottawa. The Sinixt gradually disappeared from public record, a situation that compounded over decades, especially after the advent of BC's treaty process in the 1980s and 1990s. Sinixt ongoing efforts to assert their rights have been successful with their Supreme Court victory in 2021, underscoring the responsibility of federal, provincial, and municipal governments to actively work with the Sinixt. The opening of a Nelson office in 2022 was a historic cultural moment for the Sinixt.



Learn more about the Sinixt:

- sinixt.com



Photo: Jesse Schpakowski, donated by Kootenay Lake Tourism

The Syilx

The following text has been adapted from the Syilx and Okanagan Nation Alliance websites:

The Syilx, or Okanagan Nation Alliance, have also had a significant presence in the area around Nelson. The Syilx people, whose language is nsyilxcən, traditionally occupied a large territory that extended into what is now British Columbia and Washington State. Historically semi-nomadic, the Syilx people's deep spiritual connection to the land is reflected in their oral histories and cultural practices, which continue to be a vital part of their community identity today. Their history is marked by their continuous efforts to maintain their cultural heritage and protect their territories. Over time, the Westbank First Nation, a Syilx community, sought greater

self-determination. In 2005, they achieved self-governance through the Westbank First Nation Self-Government Act, allowing them to manage their lands and affairs independently. However, they have not signed a treaty ceding their traditional territories.



Learn more about the Syilx:

- syilx.org/about-us/syilx-nation



Photo: Madeline Guenette, donated by Kootenay Lake Tourism

European Settlement and Development

The arrival of European explorers and settlers in the 19th century dramatically altered the region. The first European to explore the West Kootenay was David Thompson of the North West Company between 1807 and 1811, though he did not reach the future site of Nelson. It wasn't until the discovery of silver on Toad Mountain in 1886 by a group of settlers from Colville, Washington, that the area saw significant European settlement. The ensuing silver rush led to the rapid development and settlement of Nelson, which was incorporated as a city in 1897, population 3,000, and named after British Columbia's Lieutenant-Governor Hugh Nelson.

Already by the late 19th century, Nelson had established itself as a key industrial and transportation hub. By 1899, Nelson owned its own electrical utility and was making plans to move its electrical generation from Cottonwood Creek (the first hydroelectric power plant in British Columbia) to a dam site on the Kootenay River at Bonnington Falls. This project was accomplished in 1907. A streetcar system begun by the Nelson Electric

Tramway Company in 1899, and a gasworks system started in 1900 were also later taken over and operated by the city until the second half of the century. The completion of the Canadian Pacific Railway further cemented Nelson's status as a regional centre for the transportation of goods and people. During this period, the region saw a diverse influx of non-Indigenous settlers, including English and American miners, Chinese labourers, and Doukhobors fleeing persecution in Russia.

The City of Nelson acknowledges that the rapid development of extractive industry was deeply harmful to Indigenous cultures, and that the story of Nelson's founding mineral riches has long ignored the key role Indigenous Peoples played in the founding of the city. The City also acknowledges the racist and colonial behaviours that deeply impacted Indigenous sovereign enjoyment and management of Nelson's lands and waters.

Economic Expansion and Challenges

In the early 20th century, Nelson's economy diversified into forestry, with the establishment of several sawmills, a sash and door factory, and other wood-related industries. The city continued to grow, expanding its hydroelectric capacity and becoming a key player in the region's energy supply. Important buildings were erected, designed by prominent architects. The establishment of Notre Dame University in the 1950s, later becoming David Thompson University Centre, marked Nelson as a centre for higher education. However, economic challenges in the 1980s, including the closure of the university and major industrial employers, coincided with a period of decline. Today, Selkirk College's three Nelson campuses are the primary, but not the only, higher-education bodies in the city. Others include Kootenay Columbia College, Kootenay Art Therapy Institute, and the West Kootenay Rural Teacher Education Program (WKTEP) of the University of British Columbia's Faculty of Education.

Cultural Shift and Economic Revitalization

During the Vietnam War era, Nelson became a refuge for American war resisters, which significantly influenced its cultural and political landscape. This influx of liberal, educated young people contributed to the city's progressive reputation and its later economic and cultural revitalization. The production and cultural acceptance of marijuana in the region also played a role in shaping Nelson's modern identity and economy. Cannabis culture and production are major factors that have contributed to the city's economy and culture. Pre-cannabis legalization, some estimated that cannabis supported anywhere between

15% and 30% of the local economy, although by virtue of the underground nature of the industry, it is impossible to know exactly how much.

The economic downturn of the early 1980s pushed Nelson to reinvent itself. A major downtown revitalization project led to the restoration of many historic buildings by returning the covered-over historic buildings to their more impressive original appearance and helped to shift the community's economy to a more tourism and culturally oriented base. This period of renewal was highlighted by the filming of the movie "Roxanne" in 1987, which showcased Nelson's picturesque setting and architectural charm. Today, Nelson is celebrated for its heritage preservation, thriving arts sector, and outdoor recreational opportunities, making it a unique and appealing destination and place to live.

In 1987, Nelson established a sister city relationship with Izu-shi, Japan, fostering cultural exchange and mutual understanding. This partnership led to the formation of the Nelson Izu-Shi Friendship Society, which has been instrumental in organizing seasonal cultural events, workshops, and exchange visits. The society also stewards the Friendship Garden in Cottonwood Falls Park, symbolizing the enduring bond between the two cities.

Nelson has cemented its status as a cultural, tourism, and outdoors hotspot. In 1998, it was acclaimed as the "Number One Small Town Arts Community in Canada" by "The 100 Best Small Arts Towns in America." The city became home to a large and diverse arts and cultural community and series of events.

More information on Nelson's heritage and history can be consulted in the 2022 Heritage Plan.

Our City Today

By The Numbers

Nelson historically has been an economic, administrative, and cultural centre for the Central Kootenays. With shifting workplace flexibility driven by technology and the COVID-19 pandemic, many are able to live here and work remotely. The community attracts large numbers of artists, writers, and outdoor enthusiasts.

According to the Province of BC, in 2021 Nelson had a population of 11,580. The city's population grew by 5% between 2016 and 2021, experiencing less growth than the province-wide growth rate of 8% during this period. Looking at population and age, the largest growth rate was amongst seniors aged 65 to 84: this segment grew by 21% between 2016 and 2021, whereas the number of children, teenagers, and young adults up to the age of 24 slightly decreased.

Provincial population projections from BC Statistics indicate that Nelson's population will continue to grow, with an estimated 15,470 residents by 2041, meaning that about 3,890 more people may call Nelson home by 2041. Based on BC Statistics data and methods, the extrapolated population projection for 2050 is 17,230.

Nelson's population is diversifying. Between 2011 and 2021, the share of residents self-identifying as having a European background declined from 92.9% to 85.2%.

The province estimates that the community had 5,080 households in 2021, up 7% from the previous census period. Household growth exceeded population growth which only grew 5% over the same period. It is not uncommon for communities to have a higher rate of household growth than population growth. As a community ages, people tend to live in smaller households (e.g. 1- or 2-person households rather than 3- or 4-person households). This drives the average household size down and increases the number of households per capita. Nonetheless, the average household size remained steady at 2.2 persons per household between 2011 and 2021.

11,580

2021 population

5,080

Households in 2021

85.2%

European background

More detailed information on Nelson's population, and growth projections, can be found in the 2024 Nelson Housing Needs Report.

Regional Context and Challenges

The city has a strong, dynamic economy, with an employment participation rate slightly higher than that of the province and the country (Statistics Canada, 2021 census).

The City of Nelson does not function in isolation. Its geographic location, unique infrastructure, economic activities, and proximity to recreational and wilderness areas, all combine to impact the ways in which the city works. In a regional context, Nelson is important in its function as an urban centre and economic engine. The City of Nelson, however, also relies on its partners (other West Kootenay municipalities, regional districts, and federal and provincial agencies) to work together to efficiently maximize the services and infrastructure that are common to all West Kootenay communities.

Today, the community faces numerous challenges, vulnerabilities, threats, and opportunities.

Wildfire and extreme weather induced by climate change figure as the most critical threats. Experts have identified our city as the small city with the greatest risk of destruction by wildfire in BC.

www.nelsonstar.com/news/nelson-at-highest-risk-for-wildfire-expert-says-4886016

The number of heavy rain events and hot days is projected to increase (see *Nelson Next* for more local climate data and projections). In addition to fires, heatwaves, and floods, other climate risks we face include water shortages, windstorms, accelerated infrastructure degradation, risk of reduced tourism, and a destabilized ecosystem suffering from increased disease, invasive species, and human-wildlife cohabitation issues.

However, as a small community there are many opportunities for proactive climate adaptation, including sustainable infrastructure upgrades, community-led conservation efforts, increased local food production, innovative water management solutions, and the potential to become a model for resilience and green innovation. By fostering collaboration amongst the many community non-profit organizations, embracing renewable energy, and prioritizing climate-conscious planning, we can strengthen our local economy, enhance our quality of life, and create a more sustainable future for generations to come.



Photo: Colin Burwell

A Bright Future

Unlike some isolated small communities, Nelson will not risk depopulation anytime soon. On the contrary, we are growing and accommodating more and more people within the city's boundaries. Growth brings countless opportunities for the city but requires thoughtful management, strategic planning, and a commitment to creating more housing. We are not alone in facing these challenges and with collaboration and support from provincial and federal governments and the local non-profit sector, the City can work toward implementing solutions that benefit all communities.

With thoughtful planning, Nelson can turn challenges into opportunities and build a thriving future, supported by a growing population that will drive new and diverse housing developments, foster an innovative and diversified economy, and expand social, cultural, and recreational services. Nelson continues to boast an excellent reputation, drawing people from across the Kootenays and around the world. The community's charm, in large part thanks to its arts & culture, community spirit, and heritage, will continue to give us competitive advantages and ensure that Nelson remains a great place to live.

Photo: edb3_16 Adobe Stock



Section 2: OCP Planning Process



The 2025 OCP should be considered as an update of the previous 2013 OCP. The process had the following five phases:

1 Phase One: Project Scoping

This commenced in Spring 2023. This phase involved scoping the project's deliverables, identifying required resources and drafting some high-level intentions such as a project engagement strategy and the Three Guiding Principles framework. Phase One also asked the public to submit applications to be on the OCP Advisory Committee.

2 Phase Two: Visioning

The OCP Update team conducted public engagement during summer 2023 to develop a collective vision statement. Feedback from engagement was analysed for themes and the themes were consolidated into Four Foundational Values. The Four Foundational Values were combined with the Three Guiding Principles to craft a vision for Nelson in 2050.

3 Phase Three: Policy Review & Development

During this phase, we conducted an extensive review of our existing and potential OCP policies in collaboration with all City departments and numerous external agencies (for example, Interior Health, School District 8, and the Regional District of Central Kootenay). Another round of public engagement occurred as part of the policy review, in addition to extensive policy and best practice research. City staff met with the City's Heritage Working Group to obtain their feedback on proposed changes to heritage regulations and design. External expert feedback was sought on the draft development permit design guidelines. The Province recently mandated that local governments incorporate their most recent Housing Needs Report into their OCP.

4 Phase Four: Draft Plan

A first draft of the updated OCP was produced and presented to the public in January 2025 for comment. This final round of public engagement used an online engagement platform to create multiple ways of providing feedback, including surveys with targeted questions to direct the public's attention to critical policy areas where changes are being considered.

5 Phase Five: Plan Adoption and Public Hearing

A new and final OCP draft is proposed to City Council. With Council's approval, a public hearing must be held, following legislative requirements. This was the final opportunity for the public to comment before Council voted on whether to adopt the proposed OCP.

Community Engagement

At the core of the 2023-2025 OCP update engagement strategy was an advisory committee consisting of 12 members of the public and 3 members of City Council: Becky Quirk, Edward Gregory, Lara Hoshizaki, Rod Taylor, Robin Rowley, Peter Ward, Sydney Black, Abhilash Bhasin, Paul Cowan, Andrew Deans, Karen Hagen, Matt Fuhr, Mayor Janice Morrison, Councillor Leslie Payne and Councillor Jesse Woodward. The Committee met 13 times and was a sounding board to ensure the processes used to update the OCP and engage the public were robust. The Committee promoted public engagement opportunities through their professional and personal networks.

Over the course of these phases, thousands of touchpoints were established with the community through a combination of direct interactions, such as surveys, workshops, and open houses, as well as indirect methods like online platforms, social media outreach, and informational campaigns.

Engagement with the broader public took place across four distinct phases, each designed to gather valuable input. This comprehensive approach ensured diverse perspectives were heard and incorporated into the process.

The **first stage**, visioning, took place in summer 2023. Engagement included:

- 7 pop-up events for the general public and three targeted events held at the Lakeview Seniors Residence BBQ, the Selkirk College Student Get Connected Event, and Nelson CARES' Coordinated Access Hub event.
- An online survey from July to September 2023 with 642 responses. It aimed to capture residents' sentiments about what they love about Nelson, their aspirations for the city in 2050, and their top priorities.
- An OCP Update Advisory Committee Workshop in October

The results of this consultation led to the Nelson 2050 vision, guiding principles, and foundational values of this OCP. A detailed "What We Heard" report was prepared and published online.



Photo:Carlo Alcos, donated by Kootenay Lake Tourism

The **second stage** of consultation, held in June 2024, focused on policy. The following activities were held:

- Three different surveys on policy intentions, which gathered an average of 132 responses each, for a total of 397 responses
- Three open houses welcoming a total of approximately 150 participants
- Four land use policy workshops (of which one was held online); a total of 36 people participated
- A school workshop at Wildflower School

The results of these consultations served to inform the development, updating, and prioritization of policies and objectives.

Full details on each round of engagement can be found in the respective “What We Heard” report, available online: www.nelson.ca/ocp.

In the **third round** of engagement, the community was presented with a draft of the OCP for comment. Public engagement was held from January 22nd to February 22nd, 2025. The public was invited to participate online through two surveys, a Q&A, and a discussion forum and to attend



Photo: City of Nelson

one of two open house events. Dozens of community and governmental organizations were invited to participate. Meetings were held with the OCP Advisory Committee as well as many others. Altogether, an estimated 332 people, 11 organizations, and two First Nations actively took part in this round of engagement.

Please refer to the 2025 What We Heard report for more information.

The **final round** and opportunity to hear from the public will be at the public hearing held by Council.

Targeted engagement was directed at various interested parties, including but not limited to Indigenous Nations, Regional District of Central Kootenay, School District 8, the Nelson & District Chamber of Commerce, and Interior Health.



Photo: City of Nelson

In addition to consultation, an active communications strategy was implemented throughout, including:

- A dedicated project website with 1,396 unique visitors in 2023, 1,203 in 2024, and 2,266 in 2025
 - On average, people spent 10 minutes on www.nelson2050.ca in 2024
 - Nearly 300 visitors arrived on the website through a QR code that they scanned
- Media relations and interviews
- Various strategies to promote engagement opportunities were deployed, including an “engagement passport” contest in June and July 2024 for a chance to win prizes following participation
- The OCP E-Panel newsletter (over 250 subscribers)
- Social media videos and posts on Facebook and Instagram
- Advertisements in local media, at the Civic Theatre, and on BC Transit buses
- Direct, targeted emails and phone calls with 50 community organizations, the local high school, and Indigenous governments and organizations
- Five informational “One-Pagers” were published online on topics such as climate action, infill housing, growth management, and parks & recreation
- Communications materials throughout the city, including sidewalk decals and coasters distributed to local pubs and eateries
- 10 citywide and targeted pop-up events in 2023, totaling over 240 interactions with the public
- 10 pop-up engagement events at farmers markets and the library in 2024, with 278 interactions with the public
- 2 open house events in 2025

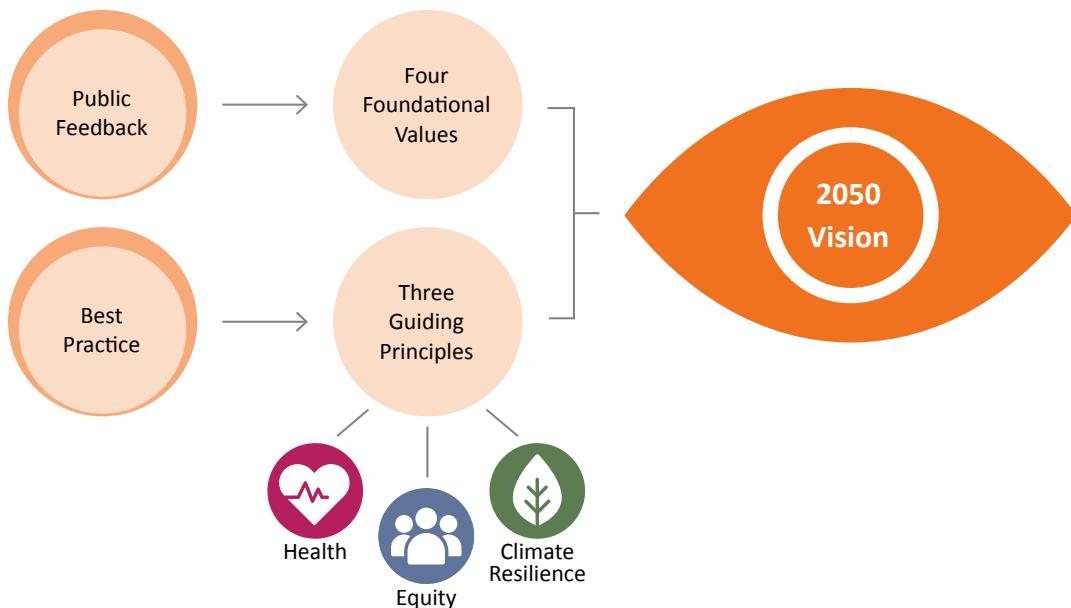
Photo: Rosemont Elementary, SD 8



Section 3:

Vision, Values, and Principles





The OCP serves as the blueprint for the city's growth and development, encapsulating the collective vision and aspirations of its residents. At the heart of the OCP is the vision statement, which articulates a long-term, collectively designed image of what Nelson aims to become by the year 2050. This vision statement is crucial, as it sets the direction for all planning and decision-making processes, ensuring that every initiative aligns with the community's goals.

Complementing the vision statement are the four foundational values which stem directly

from public engagement and form the bedrock of Nelson's OCP. These values are aspirational and underpin the plan, ensuring that the community's actions and policies are rooted in what is most important to its residents.

Finally, the plan is based on three guiding principles, rooted in community planning best practice, that provide a framework for analyzing policies and initiatives. These form the primary lens through which we examine policy and ensure that development is sustainable, inclusive, and reflective of the community's core values.

2050
Vision

One Vision for Nelson 2050

Our welcoming, heritage-rich mountain town is committed to community well-being by prioritizing equity, health, and climate resilience. All Nelsonites are able to find affordable housing, live in walkable neighbourhoods, access efficient cost-effective transit, and meaningfully participate in public life. Our collective choices make us climate leaders, safeguarding and regenerating our ecological, economic, and social systems for future generations. Art, education, diverse cultures, reconciliation, and recreation enrich our daily lives, infusing our community with an active, healthy, and creative spirit that respects and appreciates the land we call home.



Three Guiding Principles

Three guiding principles are clearly stated in the Official Community Plan vision statement:



Health

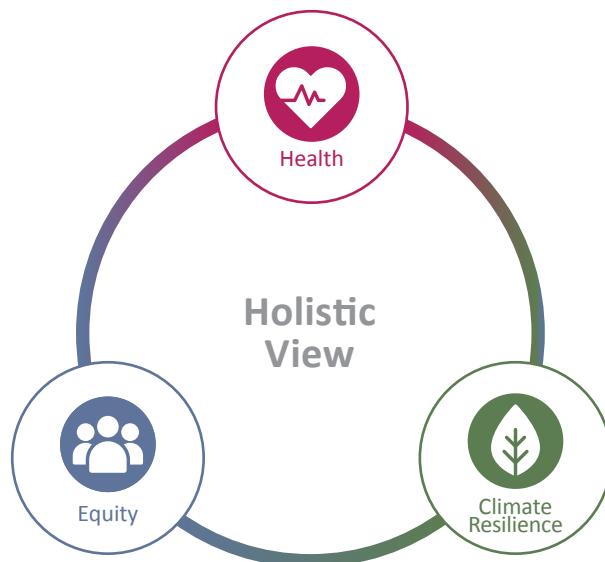


Equity



Climate Resilience

Each principle provides a lens that the City of Nelson commits to using in the development and prioritization of the actions contained in this plan. When we choose to analyze an issue through a particular lens, the result can shape our understanding of the problem and help us to consider the impact of our decisions in a more specific way than if we had simply asked ourselves, “Is this a good or a bad choice?”



Our principles will continue to guide the City's decision-making process for the lifespan of this plan. This means that we will be consistent about considering the criteria of health, climate resilience, and equity when making important decisions.



Equity + Climate Resilience

The impacts of climate change are not experienced equally by all residents, nor is the opportunity to recover. People who have been systemically marginalized and or excluded are those most disproportionately impacted. To advance our commitment to equity, reduce risk, and improve resilience outcomes for all, the City must prioritize communities with the fewest resources and greatest needs.



Health + Equity

Housing and employment precarity are often associated with poorer health. By working to make Nelson more equitable, we help all Nelsonites become healthier and by making Nelson healthier, we also reduce numerous inequalities.



Health + Climate Resilience

Healthy environment, healthy people. The problems that ail the planet also ail us. Clean air and water and a healthy environment have a direct impact on our physical and mental health.



Health is defined by the World Health Organization as “a state of complete physical, mental and social well-being and not merely the absence of disease or infirmity”. Municipalities aren’t mandated to provide healthcare in the traditional sense, but it is fully within our scope to strive to develop a city that is healthy to live in, where the air and water are clean, and where the default lifestyle is a healthy one, defined by healthy food choices, physical activity, cultural engagement and meaningful social contact. The World Health Organization also states that “research shows that the social determinants can be more important than health care or lifestyle choices in influencing health”. Considering citizens’ mental and social well-being also means thinking about reducing their stress: access to housing within their budget, access to services, and gainful employment.

How easy is it to be physically active? Are you able to (safely) exercise simply by living your life? Are there any destinations that you regularly go to (work, school, a store, a cultural or social space¹) that are just as fast to get to by foot, bike, roll or bus as by car?

We can all think of examples of cities where healthy living appears next to impossible (unhealthy levels of pollution with expansive urban sprawl where it is

unsafe to move about the city, where traffic speeds also render car travel unsafe, and “food deserts” mean that healthy food is hard to find). Nelson strives to be the opposite: a city where healthy living isn’t just possible, but where it is embedded in our community; where the obvious, intuitive choice is a healthy one because that’s how most people are living their lives. This approach has impacts on the layout, the feel, and the development of the city.



Photo: The BC Farmers Market Trail, Web Access

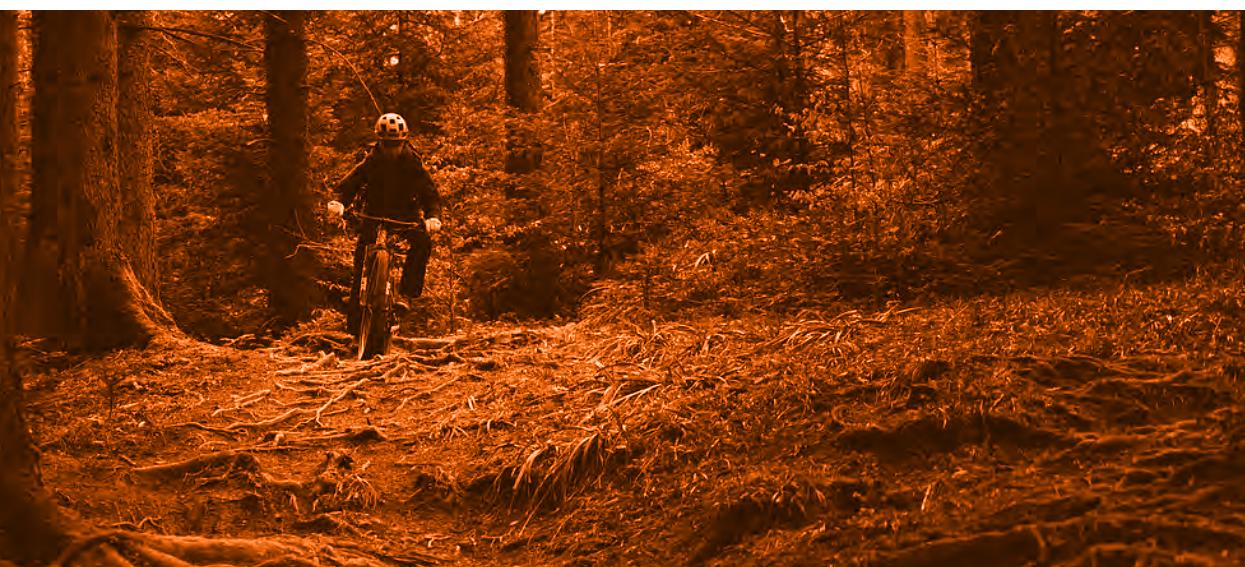
¹ <https://canadacouncil.ca/research/research-library/2021/03/canadians-arts-participation-health-and-well-being>

Health: Why It's Important

1. Air pollution, whether from cars, industry, cigarettes, forest fires, or burning wood for heat, affects people in different ways. Those with asthma, in particular, are more vulnerable and can experience worsened symptoms when the air is polluted. 1,900 people die prematurely each year in BC alone due to poor air quality.
2. City planning has an impact on the food people eat. When the closest food options are unhealthy and buying healthy food means an inconvenient detour by car, people's health has been proven to suffer.
3. Social connections, easy commutes, a peaceful urban environment, and a feeling of belonging are just some of the many factors that influence mental health. Other people's mental health has an impact on the whole of society, including those who are feeling good: poor mental health can have economic repercussions (increased

sick days and sick leave) and social ones too. We all want to live in a happy city where people want to be and feel like they have their place. Access to shared cultural experiences—festivals, public art, heritage, music, theater performances, film, and creative spaces—strengthens community bonds and contributes to a sense of belonging and connection. This engagement is critical because not all groups experience inclusion or belonging in the same way. Actively reaching out to underrepresented or marginalized communities, addressing their unique challenges, and creating opportunities for their voices to be heard ensures that these cultural experiences are reflective of the entire community. By co-creating and supporting spaces and events that embrace diversity, we build trust, foster meaningful relationships, and ensure that everyone feels valued and welcomed.

Photo: Pixabay





Climate Resilience as a guiding principle means that we acknowledge our share of global emissions and recognize our role and responsibility in reducing them. The community aims to consider the environmental, social, and economic impacts of climate change. Nelson will both mitigate and adapt to the urgent challenges posed by climate change and actively work towards building resilience in the face of a changing climate, while enhancing local quality of life.

When we apply climate resilience as a lens in policymaking, we make the choice to routinely ask whether a given decision lives up to our values and responsibilities. It means that we recognize that all policy matters are intertwined with climate change. Culture and storytelling play a key role in fostering awareness and connection to the planet, helping to shift mindsets, inspire action, and ensure that climate solutions are not just policies but lived experiences.

The City's climate action plan, [*Nelson Next*](#), addresses these intersections and the work necessary to reach the science-based objectives that we have given ourselves.

While compromises and tough choices are inevitable, we will continue to place climate considerations front-and-centre in everything we do.

Climate: Why It's Important

1. Nelson is directly threatened and impacted by climate change: increased floods, reduced quantity and quality of drinking water, and wildfire. Nelson has been identified as one of the top 10 at-risk communities for wildfire in British Columbia. It only makes sense to do our best to protect our city, our community, and our heritage.
2. The majority of emissions released in Nelson result from how we move (vehicles) and where we live (residential and commercial buildings). The good news is that these are two areas where the means already exist to help us make a change for the better.
3. Almost everything we do has an impact, big or small, on the climate, so the principle of climate resilience applies to almost everything we do.

Photo: Colin Burwell





Equity means that no one gets left behind. Equity is distinct from equality; while equality means treating everyone the same, equity recognizes the unique needs and challenges faced by different groups to achieve fairness. It addresses justice, accessibility, inclusivity, and the reduction of disparities and discrimination within urban spaces.

It is about ensuring that our collective resources, opportunities, and the benefits and outcomes of urban development are shared equitably among different social, economic, and cultural groups and neighbourhoods.

Decisions must not disproportionately benefit or burden any given group due to factors such as ethnicity, gender, socioeconomic status, or other identity markers. Every community, no matter how small, has a role in preventing the marginalization of people. Storytelling plays a powerful role in this process, creating spaces for underrepresented voices to be heard and for different perspectives to be shared in ways that inspire action and connection, and build awareness of the diversity of cultural heritage present in Nelson. A commitment to cultural equity celebrates the visibility and inclusion of

artistic traditions of diverse cultural groups by integrating them into programs, events, and festivals in public spaces.

Urban planning can reinforce or deconstruct geographic, economic, and social inequities. Equitable cities are ones that offer choice, all while accounting for community well-being: housing choice, the choice of whether to drive or not, of recreational activities, of which neighbourhood to live in.

A key aspect of equity is empowerment, and a tool to empower people to take responsibility for their city is community engagement. We recognize the importance of involving residents in decision-making processes, ensuring that their voices are heard and that their unique needs are considered. Cultural representation is an essential part of this work—ensuring that diverse voices, histories, and artistic expressions are seen, valued, and included in shaping our shared spaces. Ensuring that access to artistic and creative opportunities are not limited by income, ability, or background is an example of practicing equity.

Nelson commits to making equitable decisions, where the benefits, costs, and challenges of change and growth are distributed across the entire population in a fair way.

Photo: Nicholas Lampard



Equity: Why It's Important

1. The distance some can travel by car in just five minutes can be a significant barrier for others: for instance, it can take over an hour to get from Rosemont to Fairview by bus on a Saturday. Ensuring equitable transit access means ensuring that everyone can participate in every aspect of life in the city.
2. The growth that Nelson is experiencing brings many important economic benefits, but one of the challenges can be housing affordability when people can no longer afford to live in the city where they have built their lives, perhaps where they grew up. When people cannot afford to live in the city where they have built their lives, Nelson risks losing an essential part of its identity and vibrancy.
3. The inability to find housing in town can be a minor inconvenience for some but a debilitating problem for others. For example, a person with health problems that prevent them from driving may no longer be able to earn a living if they work night shifts in Nelson but can only find housing in Ymir.
4. A simple change of the day of an activity from a Friday to a Sunday can suddenly exclude those who rely on transit: buses don't run on Sundays and Holidays, and the handyDART door-to-door accessible transit service runs Monday to Friday, daytime only. This impacts participation in city life, as many community events happen on weekends and evenings, which contributes negatively to feelings of isolation for people who depend on this service for social and cultural connections.
5. Natural hazards and disasters disproportionately affect vulnerable populations, as shown in Natural Resources Canada's 2022 report "Social Vulnerability to Natural Hazards".

Photo: Colin Burwell



Four Foundational Values

Charming Buildings, Vibrant Public Space & A Diversity of Cultures

Nelson's small-town feel is defined by walkable connected neighbourhoods, character buildings, plentiful green space, an accessible waterfront and a distinct heritage-rich downtown. Nelsonites thrive with access to big-city amenities amidst an awe-inspiring backdrop of mountains and abundant resources including lush forests, meandering streams, and the picturesque Kootenay Lake. Our downtown is a pedestrian-friendly, multi-modal, walkable, bustling hub for independent businesses, diverse employment, and vibrant public life. Indigenized and culturally diverse public space celebrates our unique sense-of-place. Nelson's cultural sector is a vital component of the community's identity, liveability, and economy. Arts & culture enhances the quality-of-life of residents, attracts visitors, and contributes to economic development and diversification, including new culturally-related small businesses.

A Welcoming & Compassionate Community

Our community is welcoming, with enough market and non-market housing options for all household sizes, workers, and income levels to call Nelson home. Diverse representation is seen, and belonging felt, by those actively engaged in reconciliation, civic processes, and public life. We proudly exemplify an inclusive, affordable, and compassionate community that cherishes and advocates for the well-being and health of all Nelsonites.

Year-Round Safe Active Lifestyles & Tourism

We respect and appreciate the land we call home and the First Peoples who have stewarded and called this land home since time immemorial. In collaboration with regional Indigenous Nations, we responsibly steward and protect this land. Our relationship with the land offers all Nelsonites and visitors the opportunity to pursue accessible year-round recreation. Active lifestyles are valued beyond their physical health benefits and are recognized as critical choices to meet our collective climate, equity and affordability goals. We wholeheartedly embrace low-carbon, accessible, cost-effective mobility options and incentivize visitors to do the same through efficient and safe active transportation and attractive public transit infrastructure.

Climate-Resilient and Proactive Leadership Across All Systems

We take pride in our pristine air, pure water, minimal waste production, and clean local renewable energy by supporting sustainable lifestyles that safeguard our cherished natural surroundings. Nelsonites are climate action leaders that are committed to their community's resiliency, affordability, and equity through individual and collective actions. Growing sustainably through compact dense forms is recognized as not only a necessary step to provide more housing, but also as a way to protect our small-town feel and encourage people to embrace active and public transportation. By integrating innovation and equitable climate action in all systems (economic, social, and ecological), we seek to improve opportunities and resources for everyone today, while ensuring they regenerate for future Nelsonites.

Dozens of Objectives and Policies

The vision, principles, and values above are high-level, aspirational statements of what we want the city to be. The following sections, land use and policy, lay out more concretely and tangibly what the City intends to do, and not do, in the years to come.

For each policy area, objectives are presented to convey an intention: what is it that we are striving to achieve? Underneath each objective are a number of policies that are designed to help us get there. Each objective has policies underneath it, and each policy is associated with an objective. This structured approach will help us deliver an OCP that is consistent, focused, transparent, and easy to read and understand.

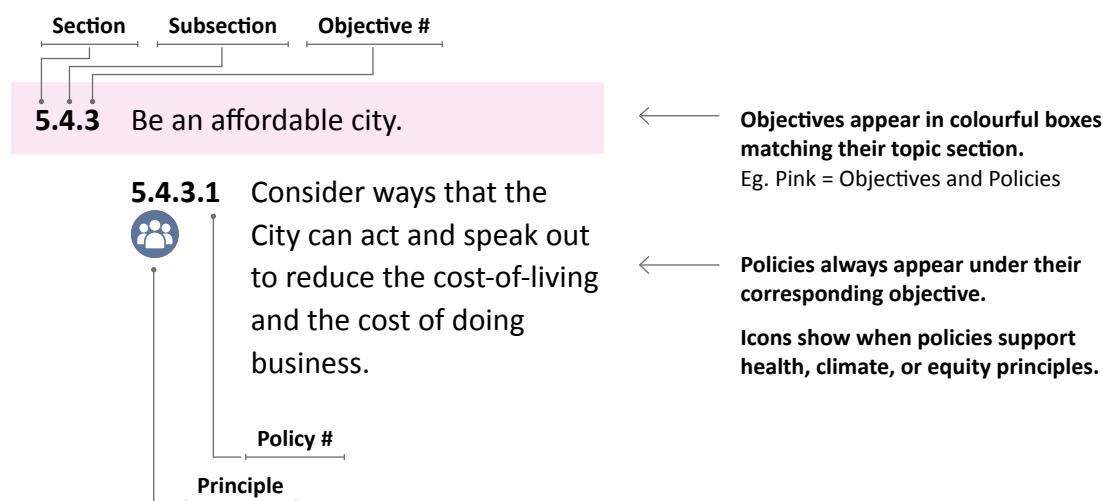
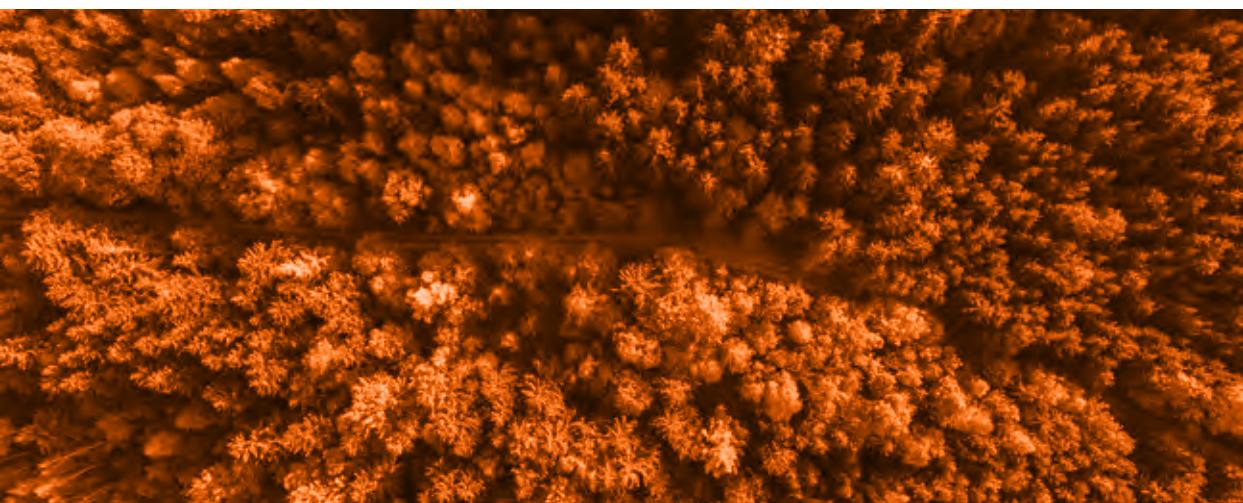


Photo: Unsplash



Section 4: Land Use



This section provides:

- the land use planning context
- the land use designations
- land use policies and objectives

Context: Commercial & Industrial



Photo: Colin Burwell

Nelson has 55.36 hectares of land zoned for commercial and mixed land uses (representing 4.7% of the total city area, excluding Kootenay Lake) and 23.26 hectares of land zoned for light industrial uses (2% of the city).

Based on the most recent data from BC Assessment, Nelson has a healthy commercial land vacancy rate of 13.7% (land zoned for commercial and/or mixed-use commercial-residential). However, 49% of this land consists of only four properties, of which three are former gas station sites. Former gas station sites are generally contaminated and present a challenge for redevelopment. The remainder is located in Railtown, with some small parcels scattered across the downtown.

Available land zoned for light-industrial uses is essentially non-existent. The industrial land vacancy rate of 3.3% does not tell the full story: the entirety of this vacant land consists of steep parcels on the south side of Government Road that would be challenging to develop. There is also an additional hectare of vacant land in the M2 transportation zone; however, only airport, parking, and railways uses are presently permitted in that zone. At present, the only available opportunities for light-industrial growth within city limits would be through redevelopment, intensification or repurposing of existing, developed parcels. Nelson's existing zoning framework for the light-industrial zones already incorporates many best practices designed to facilitate intensification and achieve more with limited land: lowered parking requirements, high lot coverage, a large number of permitted uses, and height allowance for multi-storey.

Recent major real estate projects have favoured residential over commercial, even in commercially zoned areas where no residential is required. This trend underscores a market perception of residential as the “highest and best use” for land in Nelson.

Despite most land in the city already being reserved exclusively for residential, the present market is willing to allocate more resources to residential construction even in commercial zones, where land is much more limited. Although the Mixed-Use Core land use designation was expanded several years ago to include numerous residential properties, very few have been converted to a commercial use. In the handful of cases where downtown property owners have voluntarily opted for a commercial use above-grade, it has often been for tourist accommodation and short-term rentals. In most cases, these spaces are designed as residential spaces that despite being currently commercial, have the potential to be easily converted to residential at any point.

However, from a demand perspective, developed and ready-to-occupy commercial or industrial spaces are hard to find. An entrepreneur or artist can generally find a greater choice of spaces, and at a lower cost, in other communities. Industrial vacancy rates are considered healthy around the 4.5% to 7% range to have adequate space for turnover – with expanding businesses relocating to larger spaces and new or smaller-scale businesses taking over smaller units. There are generally very few commercial spaces available for rent at any one time, and even fewer, if any, industrial spaces.

Despite the continuing strong demand for residential, it is important to consider latent demand for a variety of commercial and industrial spaces needed to support a growing population, both for job creation and meeting consumer demand (retail, leisure and hobby, services, building supplies, etc.) It is equally important for a vibrant, creative community to have affordable cultural and artistic spaces that serve artists and the public alike. Research suggests that industries that rely on industrial land have a substantial pay premium over other jobs, and this premium is the largest for non-university educated workers. Industrial lands are also an important tax generator for municipalities; furthermore, depending on the exact nature of the use, they may not require as many resources in terms of water and water collection as residential use (in other cases, the opposite can be true).



Photo: Colin Burwell

The City sent a questionnaire to the Nelson & District Chamber of Commerce and the Kootenay Association for Science & Technology in February 2024 soliciting feedback on industry land use needs and perspectives. The Chamber of Commerce's feedback confirms that the commercial vacancy rate is close to zero. When commercial property is vacated, it is taken up quickly by a new business, often without even being publicly listed first, as landlords often have potential tenants inquiring.

Overall, the Chamber is confident that as the private sector opens up land for development, particularly in Railtown, some of the commercial and possibly

light-industrial needs will be met. Railtown's further development is not expected to pressure downtown retailers. It is recognized that land is a rare commodity in Nelson, and the Greater Nelson Economic Development 2023 strategic priorities cite housing remains a top priority. While the commercial sector has numerous demands and challenges, rezoning residential land to commercial is not one of them. The Chamber is undertaking its own feasibility studies as well in order to better understand industry needs, particularly in the sector of warehousing, logistics, and distribution.



Photo: Colin Burwell

Employment Lands

Projections indicate a need for balanced commercial-industrial capacity to support an additional 2,855 working-age residents by 2050, without exacerbating housing challenges. It is a delicate balance to protect and create employment lands, while being careful not to oversupply land zoned for commercial at the expense of housing.

The current regional economy is heavily reliant on retail, hospitality, services, construction, and office work, as revealed by the 2021 census. The Nelson census agglomeration is defined as the 19,119 residents between Blewett to the west, Cottonwood Lake to the south, and Coffee Creek to the east.

Employment by industry sector:

	Employed persons	% of employed persons
Professional, real estate, finance, management, public administration, admin & support	2,320	22.9%
Retail, accommodation, food	2,155	21.2%
Health and social	1,360	13.3%
Construction	1,170	11.5%
Education	860	8.5%
Other	2,285	22.5%

According to third-party research based on 2021 census data, the Regional District of Central Kootenay is home to 570 professional



Photo: Courtney Craig, donated by Kootenay Lake Tourism

artists (1.7% of the workforce, higher than the provincial average of 1.4%). Altogether, 1,500 people are employed in arts, culture, and heritage in the region (4.6% of the workforce).²

The 2024 Housing Needs Report anticipates approximately 3,845 additional residents of working age (ages 25-64) by 2050. Between now and then, the future of work will continue to evolve in ways not yet imaginable, but a couple trends stand out:

1. Aging population: Nelson's senior population (65+) is expected to increase by 1,205 people by 2050. BC-wide, 77,200 new jobs are expected by 2033 in the healthcare and social assistance sectors.³
2. Anticipated growth in construction and the continued popularity of remote work and e-commerce will evolve demand for land use. This could mean less office space but more coworking space and increased demand for logistics space for both e-commerce and construction (warehousing, workshops, and other specialized uses).

2 <https://statsinsights.hillstrategies.com/p/professional-artists-columbia-basin-2021>

3 https://www.workbc.ca/sites/default/files/2023-11/MPSEFS_11803_BC_Jobs_LMO_2023_FINAL..pdf

Heavy Industry

Nelson's 2013 OCP already supported the gradual replacement of heavy industry by light, "cleaner" industry. While heavy industrial lands are critical to the regional economy, Nelson's tight urban boundaries and high population density render many such uses incompatible with maintaining a high quality-of-life.

There is no indication of industry demand to construct heavy industrial projects within City limits and more critically still, such land-intensive uses would compete with the City's ambition to meet demand for increased housing options.



Photo: Colin Burwell

Light Industry

Since 2013, the OCP promotes a viable light industrial sector smaller in scale than what has traditionally been the norm in the North American context. That said, a growing city and regional population can lead to an increased appetite for light-industrial uses, both to meet consumer demand (building supplies, etc.) and create new

jobs. Light-industrial activities offer higher employment density and leverage scarce existing land more effectively.

BC-wide, 24,000 new jobs are expected to be created between 2023 and 2033 in Work BC's industrial use categories (transportation, warehousing, manufacturing).⁴ Calculated per-capita, this means about 53 new jobs in these sectors in Nelson. At a job density of about 4 jobs per hectare, a ratio that Nelson's strategic planning documents have previously relied on, this means considering up to 13 additional hectares by 2033. However, if a higher job density of 35 jobs per hectare were considered (as used in Guelph, Ontario), only 1.5 new hectares of industrial land would be required. Since the City cannot create land without taking away from another land use, this data suggests that it is both possible and desirable to strive for intensification of light-industrial land by allowing for more usable space per hectare and privileging land uses that result in more employment opportunities.

The City of Nelson alone is not responsible for absorbing the entirety of employment land growth for the region, particularly for industries that may require more land than can be reasonably allocated within a dense city. It can be expected that some types of industrial operations will continue to prefer unzoned parcels in the regional district for the added flexibility, lower real estate costs, and lower property taxes.

Commercial

Nelson's commercial activities are concentrated in its downtown core, Waterfront, and designated mixed-use areas. The downtown serves as the economic, cultural, and social hub, housing a variety of retail, service, office, and entertainment facilities. The Waterfront area, with its potential for redevelopment and enhancement, is identified as a key focus for future commercial expansion, particularly for visitor-oriented services and businesses.

Nelson's thriving small business ecosystem underscores the value of having affordable, diverse commercial spaces to keep the downtown core vibrant. Nelsonites indeed have an appetite for entrepreneurship: according to the Nelson & District Chamber of Commerce, we have 20 percent more business licences than communities of similar size.

The community maintains the desire to keep the downtown strong and vibrant. Commercial development should continue to be concentrated in the existing commercial zones. Since the adoption of the 2013 OCP, City Council adopted the Railtown Sustainable Neighbourhood Action Plan which provides clear direction on how to foster the commercial development of that neighbourhood, which offers the most potential for major commercial and mixed-use development.

Nelson has been a forerunner in recognizing the benefits of mixed-use development and developers have expressed a clear preference in recent years for residential and mixed-use development. The latter is particularly encouraged by the City for its contribution to the housing stock and the development of balanced, complete neighbourhoods that enable more people to accomplish more on

foot and bicycle. Mixed-use areas can boost local economies by providing a constant flow of people who live, work, and recreate in the same area. This continuous presence can support a variety of businesses and services and a diverse mix of people and activities, contributing to a vibrant local economy and a sense of community and social interaction.

Mixed-use areas, which is what Nelson's downtown traditionally has been, are more adaptable to changes in the economy, demographics, and consumer preferences. Buildings and spaces can be repurposed as community needs evolve, contributing to the long-term resilience of urban areas.

The City has the responsibility to protect the vibrancy of its downtown by preventing commercial sprawl and avoiding an oversupply that leads to storefront vacancies. In addition, in order to maintain and enrich the cultural fabric of Nelson, it is essential that the City actively prioritizes the development and protection of cultural spaces. But at the same time, fostering a vibrant economy also means ensuring the availability of affordable commercial spaces in a variety of sizes and configurations. This can mean revisiting the zoning regulating home-based businesses and neighbourhood commercial uses to gradually and carefully expand opportunities for people to make use of their own existing spaces (their home) and lower start-up costs all while reducing their commute and associated greenhouse gas emissions. These benefits can also spill over to customers: a business with lower operating costs may be able to offer lower prices and contribute to countering the high cost of living and may also mean that they too can leave the car at home.

Context: Residential



Photo: Maxvis, iStock

452.21 hectares are dedicated to residential uses:

- 332.05 hectares of land are designated “Small-Scale Residential”
- 70.97 hectares of “Multi-Unit Residential”
- 49.19 hectares are designated for the “Granite Pointe Redevelopment”

Nelson has a further **55.36 hectares** of land designated for **mixed-use** commercial-residential, with no residential density maximums (in mixed-use zoning, commercial uses generally must be provided at-grade, after which residential may be built behind or above the storefronts).

This results in 507.57 hectares which may be developed as exclusively or primarily residential. This represents **43.1% of the land area of the city** (excluding Kootenay Lake).

Nelson’s residential density is relatively high at 930.6 residents per square-kilometre. This is over double the density of Castlegar and 35% greater than that of Kelowna and Cranbrook. Thanks to this level of density, Nelson has the ability to provide infrastructure more efficiently than other communities. This level of density can also support a more walkable community with higher levels of transit service.

Nelson’s housing stock continues to be dominated by single-detached dwellings (51% of all housing units, slightly down from 54% in 2011).

Total Zoned Capacity

Zoned capacity represents the number of residential dwellings that would exist if every property owner built the maximum number of dwellings permitted on each lot. This calculation must therefore not be confused with development projections. For example, it is highly unlikely that all single-family homes will be redeveloped into fourplexes in the coming years, even decades.

Calculations of current zoned capacity:

1. The R1, R6, CD6, and CD9 zones have zoned capacity for 14,196 dwelling units
2. The R2 zone has capacity for approximately 277 units⁵
3. The R3 zone has zoned capacity for at least 1,338 units⁶
4. The R4 and R4A zones have capacity for 527 units
5. The R5, C2, and MU8 zones can accommodate approximately 177 units
6. The various zones that comprise the waterfront, downtown, Railtown, and Granite Point areas have an approximate capacity for at least 2,250 units⁷

In total, **Nelson's zoning bylaw currently permits an estimated 18,765 dwelling units.**

Vacant Land

Unlike developed properties with existing buildings, vacant land has the greatest short-term potential for development and growth. Based on the most recent available data, there are 67 vacant lots (total area: 192 hectares) in the various zones that make up the 507.57 hectares of land where residential is allowed. Of those parcels, 181 are in the R1 zone (which allows three or four units per lot). Many vacant lots, however, are not for sale on the market and in some cases, the property owner may not even realize that they own a developable vacant lot. For example, a single address may incorporate two or more lots: one lot might contain a house, and a second adjacent lot might be used for parking or as a yard, making it not apparent that it in fact is a separate lot with development potential.



Photo: Colin Burwell

⁵ This calculation is considered approximate due to certain geospatial software technological limitations.

⁶ The R3 zone does not set a maximum density. This calculation makes assumptions based on lot size, typical dwelling unit size, and other zoning constraints.

⁷ This calculation is approximate because most of the subject zones do not set a maximum density level. Actual density is determined notably by design and unit sizes.

Housing Needs Projections

The purpose of the 2024 City of Nelson Housing Needs Report is to provide detailed analysis of community demographics, current housing supply and conditions with the goal of projecting housing needs through to the year 2043, using the required calculation methods prescribed by the Province. The OCP has been prepared using the housing information on which the Housing Needs Report is based.

The housing needs demand was calculated based on methods and assumptions set by the Province of BC. The reason for this was to ensure a consistent methodology across the province and allow for comparative analysis from municipality to municipality and region to region. The method includes 6 components which includes calculations for housing units required to:

- address extreme core housing need;
- address homelessness;
- address suppressed households;
- address rental vacancy;
- address future growth; and
- buffer against demand.

The Housing Needs Report confirms that Nelson, like most cities in our country, continues to face a housing shortage: not only is not enough housing being built to meet current and future needs, but there are also gaps between the kind of housing being built and the community's real needs.

Using this methodology, the report suggests that Nelson may need to add 3,104 new homes over the next two decades. This figure also accounts for the fact that even without

population growth, new housing units are needed simply to raise the rental housing vacancy rate (which has remained between 0% and 0.5% since 2014) to a healthy level of between 3% and 5%.

From 2020 to 2022, Nelson averaged just 70 housing completions annually; the Housing Needs Assessment estimates 155 housing unit completions are required each year to improve the housing situation over what currently exists.

Furthermore, the lack of available and suitable units is not the only problem, affordability is also an issue. Between 2020 and 2023, the median cost of an apartment rose 22%, while the median home sale price rose 36% between 2019 and 2022, reaching approximately \$700,000 for single-detached homes.

Without external support or existing equity, home ownership is out of reach for most households in Nelson. Only households earning more than \$150,000 a year can reasonably expect to afford to enter into the market for a home. In 2021, about 15% of households earned more than \$150,000. The median household in Nelson earned \$72,500 before tax.

Photo: Colin Burwell



Nelson has had the zoning in place to meet the required capacity for decades, however, zoned capacity alone has proven insufficient to ensure that a community's housing needs are met. Innovative policy solutions and significant investment are needed to turn capacity into reality.

Preparing for growth and addressing demand is not just about accommodating new people - it's about preserving and deepening affordability so current Nelson residents can stay and thrive in their community. For example, the Housing Needs Report concludes that addressing demand would require nearly 43% of new rental units (or 27% of all new housing units) to be affordable or below market rates to enable current residents to remain in their community. As the population ages, new working-age households and families will be critical to maintain Nelson's economic and social vibrancy. As an established regional centre, Nelson is well positioned to benefit from a growing population and tax base. With adequate preparation and support through provincial and federal investment, Nelson can leverage growth and demand to spread the tax burden while also improving public amenities and infrastructure and fostering economic expansion.

All Provincial guidelines on Small-Scale, Multi-Unit Housing have been considered by the City and in the case of requirements specific to transit-oriented areas, these do not apply within the City of Nelson.

Meeting Future Housing Needs

The 2024 Housing Needs Report predicts a need for 3,104 new residential units by 2041 to meet demand and address existing market imbalances. **With a total existing zoned capacity of 18,765 units** (including 5,314 existing units), **Nelson currently has over four times the zoned capacity to accommodate anticipated growth.** Further detail on how Nelson plans to meet its anticipated housing needs by ensuring that housing is actually built is found in the housing policy section of the OCP.

The *Local Government Act* requires that the Official Community Plan and Housing Needs Assessment are reviewed every 5 years. As a result, a review of zoned capacity for the quantity of housing that the city will need over the coming 20 years will be ongoing.

Given the importance of housing to this OCP, it's recommended to read the Housing Needs Report for further details.



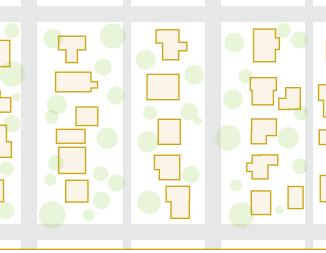
Photo: Bridger, iStock

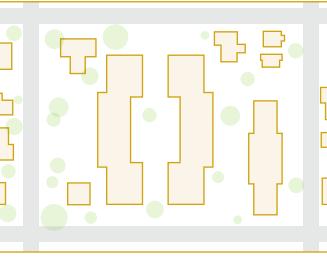
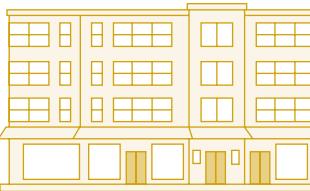
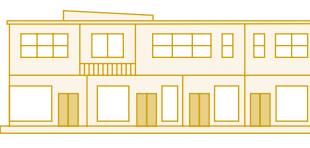
Land Use Designations

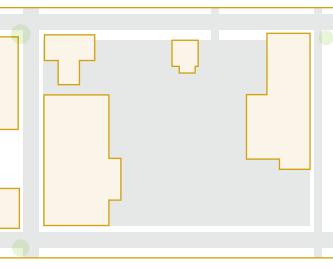
The following table describes the types of land uses appropriate to each Land Use Designation shown on the Land Use Designation Map (Schedule B). These are intended to represent the long-term land use pattern that will develop over time. It is the Zoning Bylaw that regulates the specific uses and density that are permitted to occur on the land and in the short term, zoning may not reflect the full development potential as outlined in the OCP. The intent is to guide land use decisions that consider site characteristics and context, as well as all relevant OCP policies and supplementary plans.

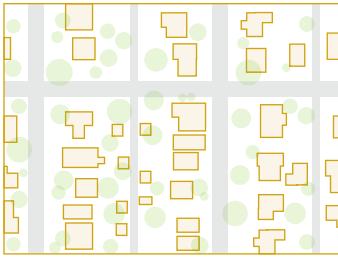
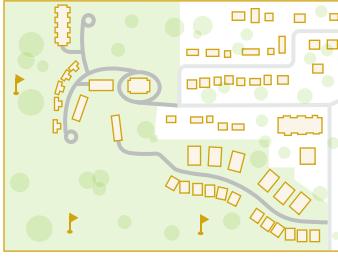
The table below establishes a maximum number of storeys for each land use designation. This is defined as the number of storeys above average finished grade. The purpose is to provide guidance for future zoning bylaw amendments and variance applications. Refer to the Zoning Bylaw for the actual maximum height for the purpose of a building permit application.

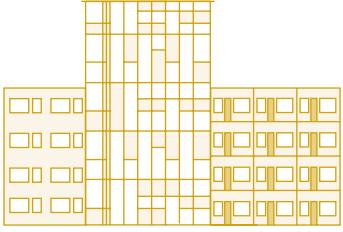
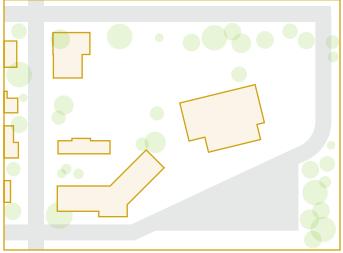
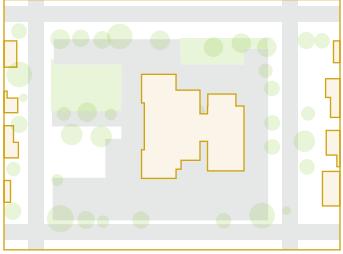
In all land use designations, additional height may be considered if justified by site conditions and accompanied by community benefits such as public amenities, low-carbon innovations or affordable housing.

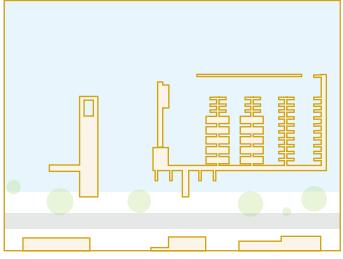
OCP Designation	Characteristics and Principal Uses	Building Forms
ALL AREAS	<ul style="list-style-type: none"> All areas except Small-Scale Residential: non-market affordable housing, subject to rezoning (see policy 4.1.4) <i>See the Zoning Bylaw for other uses permitted citywide</i> Public utility infrastructure Fire Hall 	Up to six storeys for non-market affordable housing (subject to rezoning) Otherwise, up to three storeys
Small-Scale Residential  	<ul style="list-style-type: none"> Small-scale residential Small-scale residential homes providing care services such as group homes, transition homes, assisted living, childcare, etc. Short-term rentals, in limited quantity and with principal residency restrictions Home occupation uses, accessory to residential use only 	Up to 3 storeys

<p>Multi-Unit Residential</p>    	<ul style="list-style-type: none"> • Multi-unit residential, including student housing • Small-scale residential homes providing care services such as group homes, transition homes, assisted living, childcare, etc. • Residential health care or social service housing • Short-term rentals, in limited quantity and with principal residency restrictions • Home occupation uses, accessory to residential use only 	<p>Two to four storeys, except one storey in areas intended for manufactured homes</p> <p>Up to 3 storeys in Lower Uphill</p>
<p>Mixed-Use Core</p>   	<ul style="list-style-type: none"> • Commercial, with ground-oriented commercial uses oriented to the sidewalk and residential or office spaces on upper floors • Recreational facilities • Institutional • Home occupation uses, accessory to residential use only • Social services • Residential care services, such as emergency shelters • Educational uses • Tourist Accommodation 	<p>Two to five storeys in the downtown core, particularly in heritage-sensitive areas like Baker Street</p> <p>Two to six storeys elsewhere</p>

<p>Mixed-Use Residential</p>   	<p>A mix of residential and:</p> <ul style="list-style-type: none"> • Live-work units • Tourist Accommodation (in the Railtown, Waterfront East, and Waterfront Central areas only) • Commercial • Social services • Home occupation uses, accessory to residential use only • Educational uses along the waterfront • Short-term rentals, in limited quantity and with principal residency restrictions <p>Standalone residential will be permitted in the Waterfront East area when considered as part of a plan for the identified property that includes a neighbourhood-serving commercial use.</p> <p>Standalone multi-unit residential will be permitted in the Waterfront Central neighbourhood between Hall Street and South Poplar Street.</p>	<p>Two to six storeys</p>
<p>Mixed-Use Commercial / Industrial</p>   	<ul style="list-style-type: none"> • Light-industrial • Limited accessory office • Regional commercial retail and services • Live-work units • Limited accessory residential • Educational uses • Food and drink services • Recreational facilities 	<p>Two to four storeys, but up to six storeys in Railtown</p>

<p>Neighbourhood Mixed-Use</p>  	<ul style="list-style-type: none"> • Small-scale commercial • Mixed-use residential and small-scale commercial • Home occupation use, accessory to residential use only • Small-scale medical doctor offices • Small-scale recreational facilities 	Up to four storeys Small-scale commercial up to approx. 300 sq. m.
<p>Highway Commercial</p>   	<ul style="list-style-type: none"> • Commercial • Mixed-use commercial and residential • Care services • Tourist accommodation • Home occupation use, accessory to residential use only 	Up to four storeys
<p>Granite Pointe Redevelopment</p>  	<ul style="list-style-type: none"> • Residential • Commercial • Mixed-use • Golf course • Home occupation use, accessory to residential use only • Short-term rentals, in limited quantity and with principal residency restrictions 	Up to three storeys on lots abutting R1-zoned properties Up to five storeys for mixed-use development, otherwise up to four storeys

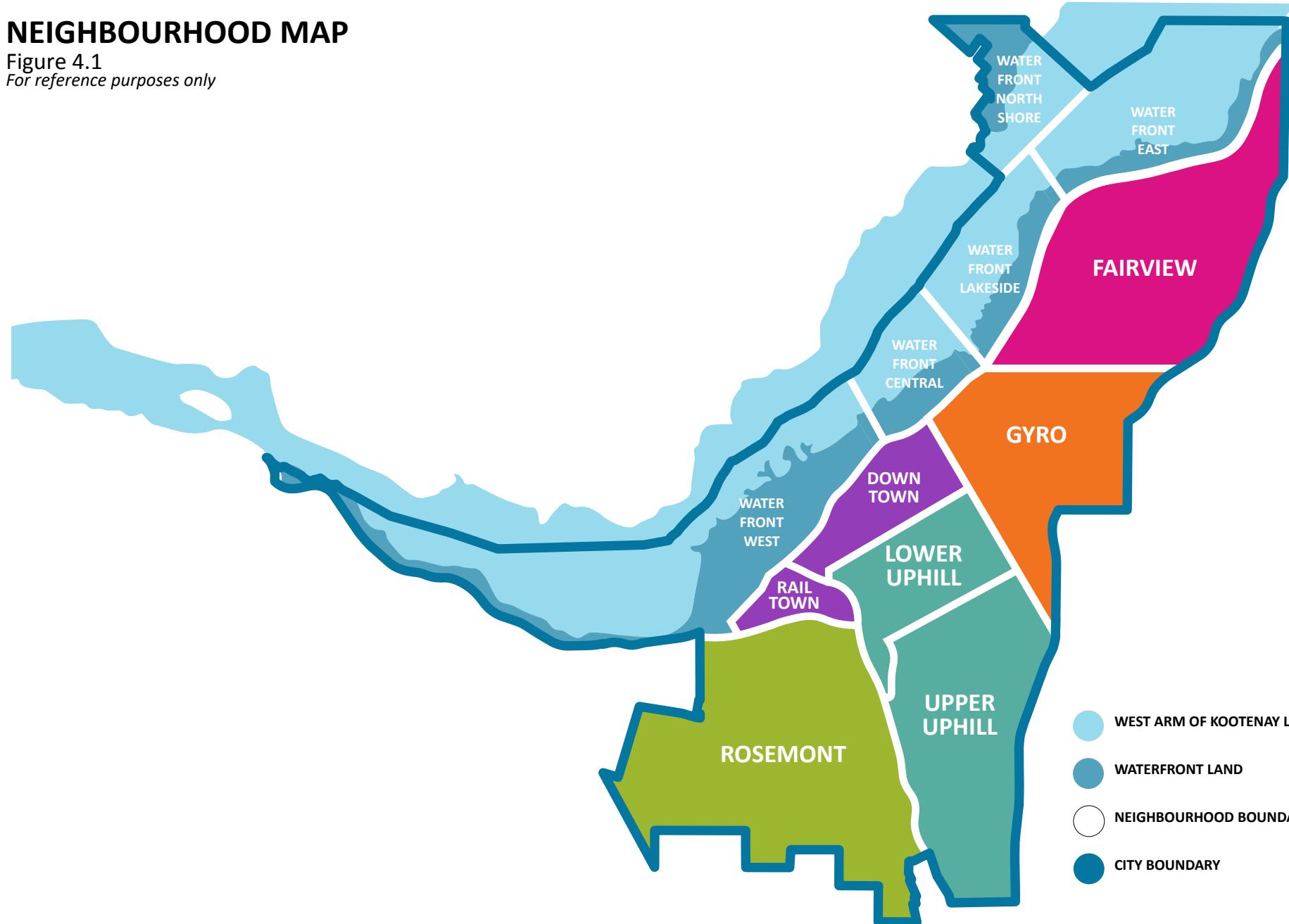
<p>Tenth Street Campus</p>  	<ul style="list-style-type: none"> • Government services • Outdoor and indoor recreational facilities • Healthcare facilities • Social services • Education • Public assembly • Multi-unit residential and mixed-use • Home occupation use, accessory to residential use only 	Up to six storeys
<p>Institutional</p>  	<ul style="list-style-type: none"> • Government services • Outdoor and indoor recreational facilities • Healthcare facilities • Social services • Education • Public assembly • Multi-unit residential and mixed-use • Home occupation use, accessory to residential use only 	Up to four storeys on small parcels fully within areas designated Small-Scale Residential, otherwise up to five storeys
<p>Park and Green Space</p>  	<ul style="list-style-type: none"> • Passive and active park space • Trails • Natural areas • Nelson Memorial Park (Cemetery) • Undeveloped areas • Municipal campground • Recreational facilities 	Up to three storeys

Water Uses  	<ul style="list-style-type: none"> • Docks • Two new marinas will be allowed in the city, one west of Poplar Street and one east of Poplar Street • Poco Deck – Residential/Commercial/Tourist Accommodation development • Non-motorised recreational uses: swimming, canoeing, kayaking, sailing, etc. • Accessory commercial uses • Boat launches 	One storey or less
Transportation 	<ul style="list-style-type: none"> • Rail • Provincial Highway • Airport and accessory uses 	Up to three storeys
Public Utility Lands 	<ul style="list-style-type: none"> • Public Works infrastructure, buildings, and yards • Outdoor recreation • Passive and active park space • Trails • Natural areas 	Up to three storeys

The images in this chart are for illustrative purposes only.

NEIGHBOURHOOD MAP

Figure 4.1
For reference purposes only



Land Use Policies & Objectives

4.1 Achieve a geographically-equitable distribution of diverse housing types, densities, and tenures throughout the City to provide the community with a variety of housing choices that are appealing, attainable, and affordable to all residents, regardless of age, ability, or income level.

Three guiding principles:



Health



Equity



Climate Resilience

4.1.1 Explore options to further encourage residential infill, in particular ground-oriented housing, through smaller lot sizes and secondary dwelling units (e.g. laneway housing, secondary suites, triplex conversions) in all residential neighbourhoods.

4.1.2 Consider opportunities to encourage or mandate that all newly constructed single-detached homes, above a certain square footage, be built to be secondary-suite ready.

4.1.3 Explore options to regulate density through height and lot coverage, rather than through dwelling unit maximums.

4.1.4  The City will consider applications for multi-unit non-market affordable housing projects up to six storeys across the city, except on lands designated Small-Scale Residential. Analysis will weigh neighbour impact and the benefits of the development to the wider community by satisfying core housing need.

Refer also to the Housing section.

4.2 Use land use policy to continue to position the city as a hub for public services, amenities, arts & culture, education, and recreation, with space for and access to the services that the community needs.

4.2.1 Support small-scale institutional uses such as



group-homes, transition houses, healthcare homes or other community services, such as a hospice, that benefit from a residential setting within all land use designations that allow residential.

4.2.2 Encourage healthcare institutions, including



residential care facilities, to be located in walkable areas, such as those designated as “Mixed-Use Core”, or any other areas near the hospital, on a transit route, or near community amenities such as parks and recreation centres.

4.2.3 Open up more opportunities for medical



professionals by allowing small-scale medical clinics in residential areas.

4.2.4 Collaborate with Indigenous Peoples to identify



and implement ways to achieve reconciliation through land use policy.

4.2.5 Continue to support and encourage the



development of childcare in all areas of the city. Further reduce barriers to the creation of childcare facilities in residential areas.

4.2.6 Support the development of new public use

buildings, and the retention and rehabilitation of existing ones, for the purposes of education services, government services, arts and culture, recreation, and healthcare.

4.2.7 Support the development of new post-secondary

education facilities, ensuring that the application considers future students’ housing needs.

- 4.2.8** Consult with post-secondary education providers to identify appropriate types, location and amount of student housing and support services required by Nelson's post-secondary student population.
- 4.2.9** Encourage new education institutions not requiring a campus setting to be located in areas designated "Mixed-Use Core" and "Waterfront", but support small-scale educational facilities in other land use designations if they offer community-based services and meet location and design criteria.
- 4.2.10** Encourage school districts to build new schools that are multi-storey in height, and in a location of sufficient size to accommodate playing fields, playgrounds and other amenities.
- 4.2.11** Encourage School Districts to offer community use of schools.
- 4.2.12**  Encourage the Regional District of Central Kootenay (RDCK) to enact a comprehensive set of land use policies and regulations, including Official Community Plans and zoning, with an emphasis on policies and regulations that maintain Nelson's role as a public service, amenity, arts & culture, education, and recreation hub within the region.
- 4.2.13** As a new fire hall is necessary to meet the community's needs and modern safety standards, the City will consider a land use designation amendment and zoning change to accommodate a fire hall at a new location.

Refer also to the Arts, Culture & Heritage; Parks, Recreation & Public Space; and Community Health and Well-Being policy sections.

4.3 Become a city composed of complete neighbourhoods where at least 80% of residents can access key services, amenities, and public spaces within 5 blocks of their home.

4.3.1    Support new small-scale, walkable, local-serving commercial uses and mixed-use commercial/residential developments in areas identified as 'Neighbourhood Nodes' on Map 4.1. Commercial uses should be limited to those meeting daily needs, such as food and drink, recreation, and service-oriented businesses. This will be accomplished by supporting individual applications to amend the OCP land use designation to 'Neighbourhood Mixed-Use' for properties in these areas, provided the development meets at least two of the following criteria:

- Located on a corner lot
- Within 400m distance of a transit stop
- Within a block of existing multi-unit residential or commercial development
- Near a park or institutional use.

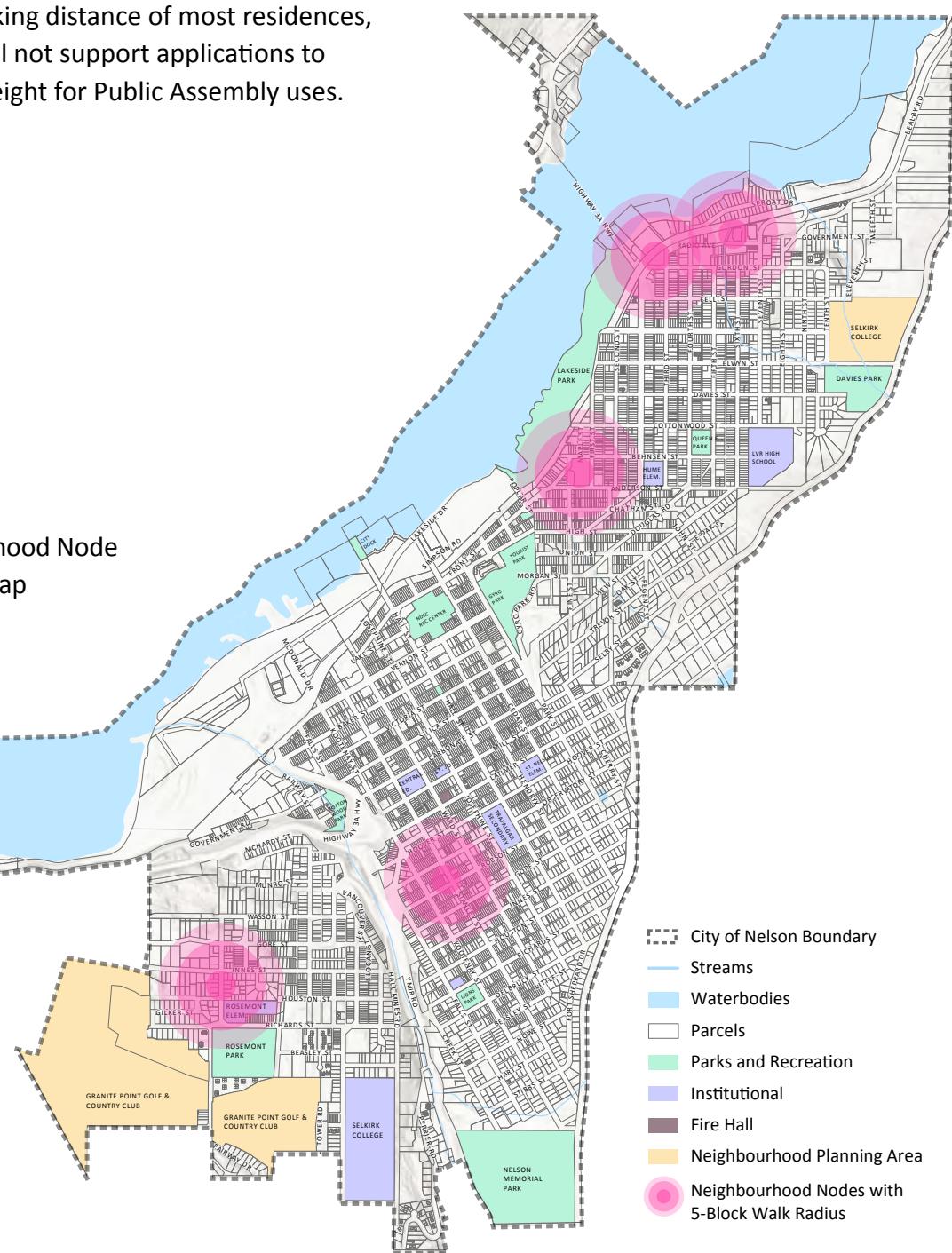
4.3.2 Support new local-serving neighbourhood centres in areas identified as 'Neighbourhood Planning Areas' on Map 4.1. Commercial uses should be limited to those meeting daily needs, such as food and drink, recreation, and service-oriented businesses. This will be accomplished by completing a comprehensive neighbourhood-scale planning process, prior to accepting new applications for OCP/Zoning Bylaw amendment applications in these areas.

4.3.3  Continue to consider reduced parking standards, especially in areas with transit access.

4.3.4 Applications to redesignate lands to Neighbourhood Mixed-Use will be considered within or in proximity to a Neighbourhood Node as shown on Map 4.1, or when the subject lands are in an area that would serve residential properties not already within five blocks of commercial or mixed-use land uses.

4.3.5 In order to prioritize meeting the City's target of achieving a diversity of services within walking distance of most residences, the City will not support applications to increase height for Public Assembly uses.

Map 4.1: Neighbourhood Node and Planning Area map



4.4 Maintain and protect the community's charm and each neighbourhood's character and heritage buildings.

4.4.1  Look for opportunities to use the Zoning Bylaw to support heritage conservation. Recognize the environmental benefits of renovation, additions, and adaptive reuse versus demolition.

4.4.2 In the Lower Uphill neighbourhood, the development of buildings over three storeys will not be supported to encourage the retention of existing heritage character buildings.

4.4.3  Explore zoning amendments and Heritage Revitalization Agreements that relax requirements for setbacks, lot coverage, and parking in exchange for the retention of an existing building. Encourage the preservation of character houses by permitting the addition of apartments and suitable commercial uses in eligible buildings to support the preservation of historic and character properties while allowing for development that maintains neighbourhood identity.

4.4.4 Explore zoning bylaw amendments in key historic neighbourhoods to allow new buildings to replicate the siting of historically significant structures. These amendments could consider setbacks, lot coverage, and parking, enabling new developments to align with the traditional architectural patterns of the area to preserve the historical character of the neighbourhood.

Refer also to the Arts, Culture & Heritage policy section.

4.5 Support a strong, diversified, and environmentally responsible local economy that provides quality employment opportunities, respects neighbours' right to a healthy environment, and makes efficient use of scarce land.

4.5.1 Future light-industrial activities should be located in Railtown or Waterfront West.

- 4.5.2** Increase zoning flexibility to capture a greater range of potential permitted uses by leaning on performance-based zoning, rather than a list of permitted uses, to avoid negative consequences on the community.
- 4.5.3**  Rezoning applications should be reviewed for alignment with the OCP's vision, values, and principles, as well as economic priorities such as job creation and social priorities such as housing.
- 4.5.4** New major tourist accommodations are encouraged to locate in the Downtown, Railtown, Waterfront Central, and Waterfront East areas, as identified on the Neighbourhood Designation Map (figure 4.1). Residential neighbourhoods will conditionally accommodate small-scale resident-occupied and -operated short-term rental accommodations only.
- 4.5.5** Continue to support the transition of heavy-industrial lands to other uses, notably the development of the light-industrial sector. New heavy-industrial uses are not supported.
- 4.5.6** Home Occupations will continue to be permitted in residential units, provided they are businesses with minimal negative impacts on neighbours; the City will explore opportunities to increase opportunities for them by expanding zoning permissions.
- 4.5.7** Temporary Use Permit applications will be considered on a case-by-case basis within all land use designations.

4.5.8 The City's sand and gravel needs will continue to be satisfied by deposits that exist outside of the City's boundaries. No specific sites within the City have been designated as sand and gravel extraction areas given the available resources in the region, however some opportunities may exist on the Tenth Street Campus site.

4.5.9 The City will study potential future land uses in the Public Utility Land Use designation.

4.5.10 Encourage new infill growth to concentrate in areas where existing infrastructure has capacity or can be efficiently extended with minimal long-term cost to the community.

4.5.11  Encourage compact development that protects the natural environment, reduces infrastructure costs, and reduces the energy requirements of residents, businesses and the City.

4.5.12 Encourage the Regional District of Central Kootenay (RDCK) to adopt zoning and land use regulations in the areas surrounding the City of Nelson. Encourage those policies to prevent incompatible land uses, such as those that would result in soil contamination and to prevent fragmented growth near the City of Nelson boundary, preserving future opportunities for boundary expansion.

Refer also to the Economy policy section.

4.6 Reinforce a vibrant, human-scale, charming, and walkable downtown, and maintain Baker Street as the predominant retail commercial spine of Downtown Nelson.

4.6.1 The Baker Street area, including its intersecting streets, will function as the main shopping and leisure activity district in the Downtown, and Hall Street will be encouraged to redevelop as a second pedestrian-oriented commercial street.

- 4.6.2** Promote a strong administrative and service presence in the downtown.
- 4.6.3** Encourage the development of new office space to locate downtown, where offices will be encouraged to locate in the upper floors of buildings to ensure the ground-floor storey is available for retail or other active uses.
- 4.6.4** Mixed-use buildings, with residential above or behind street-facing commercial and community uses, are encouraged to create housing in close proximity to services and ensure that the downtown is a complete neighbourhood with activity all day and evening, seven-days-a-week.
- 4.6.5** Promote and facilitate the creation of active uses along alleyways.

4.7 Increase the supply of available building sites and harness the potential of vacant and underutilized land.

- 4.7.1** The City will encourage the infill and redevelopment of vacant or underutilized lands through a variety of means, including the undertaking of a municipal land strategy.
- 4.7.2** Encourage and support the rehabilitation of  brownfield sites by working collaboratively with property owners and developers of these sites to make them economically viable in alignment with the site's land use designation.
- 4.7.3** Former landfill sites should, where practical, be converted to a park use or another municipal or institutional use.

- 4.7.4** The City encourages the redevelopment of the railway lands and will actively negotiate with the railway regarding redevelopment and the provision of new crossings.
- 4.7.5** Consider the municipal airport lands as a land bank. The City will re-evaluate this land use if the airport is no longer cost-effective to operate, or when a different use is supported by the community.
- 4.7.6**  Investigate opportunities to encourage property owners of vacant and underutilized properties to improve the appearance and reduce the wildfire risk of these sites through permanent measures such as land remediation and low-carbon redevelopment that help achieve the highest and best use of these sites, and temporary measures such as landscaping and decorative fencing.
- 4.7.7**  Develop a process and criteria for the sale or lease of City-owned land that considers community values and long-term community needs, including the need to prioritize housing, parks, green spaces, cultural and social spaces, and low-carbon design.

4.7.8 In cases where it is not in the City's interest to sell or lease land due to medium- or long-term development projects, consider opportunities to allow for temporary uses of City land, such as pop-up cultural or commercial events, temporary green space or community gardens, or temporary buildings, subject to design standards.

4.8 Consider neighbourhood-specific policies where relevant.

4.8.1  Proposed development in the Waterfront neighbourhood is expected to demonstrate respect for the high public and environmental values associated with Kootenay Lake and its foreshore, as guided by applicable Development Permit Area guidelines.

4.8.2  New waterfront development will be required to provide public access along the water.

4.8.3  Prioritize public and sustainable access uses along the waterfront. Public, human-propelled and/or fossil fuel-free water-based activities are supported uses. The City will support segregation of motorized and nonmotorized boat facilities.

4.8.4 On the North Shore, commercial uses geared towards visitors and drive-through traffic will be limited to parcels that border Highway 3A. Light-industrial activities compatible with nearby residential lands will be considered on a case-by-case basis.

4.8.5  Continue to use the Railtown Sustainable Neighbourhood Action Plan (SNAP) to guide neighbourhood-level planning in Railtown.

4.8.6 Boundary expansion may be considered following the completion of a business case that demonstrates positive long-term benefits for the City of Nelson.

4.9 Encourage the long-term viability of the golf course by encouraging compatible redevelopment of the site in efforts to encourage a golf-oriented community that is highly integrated into the city with:

- Inclusion of Smart Growth policies and principles of LEED or Built Green for Neighbourhood Development, or other demonstrable green and energy efficient design of the neighbourhood.
- Approximate residential density of 300 units: High densities shall be centralized near the clubhouse, while lower densities will be supported along the periphery of the golf course lands.
- Diversity of housing types including single-detached, multi-unit residential, seniors housing and affordable housing units.
- A commercial hub (Village Centre) to include a retail and studio centre that supports Nelson's artisan community and the neighbourhood of Rosemont. This commercial hub will be complimentary to Baker Street as the commercial spine of the City.
- Adherence to the goals, objectives and guiding sustainability principles identified in City policy and
- Active Transportation routes through the development that shall be identified and strategically developed, linking to existing and proposed active transportation routes within and outside the development area.

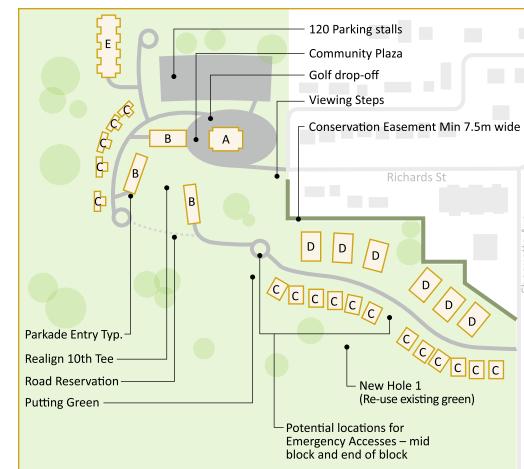


Figure 4.2 "General Neighbourhood Concept Plan" as approved in 2019 rezoning.

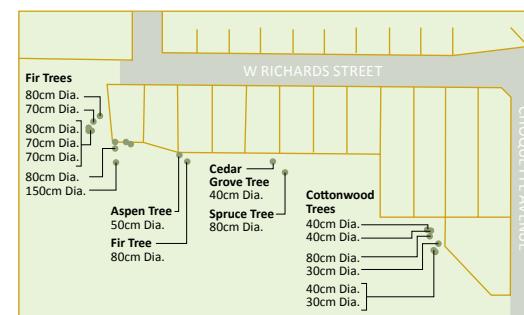


Figure 4.3 "Mature Tree Inventory".

4.9.1 The Granite Pointe Neighbourhood Plan has been developed to create a new, vibrant, comprehensively planned, mixed-use cluster development that serves as a compliment to the existing golf course. Figure 4.2 is an overall concept plan that will guide the overall development of the Granite Pointe mixed-use neighbourhood. In addition to the general concept plan, the following items are the key components that will guide the development within the Granite Pointe Designation:

General conditions:

- 4.9.2** The neighbourhood plan provides for approximately 300 residential units.
- 4.9.3** Small-scale commercial use be considered within the “village centre” (in the current location of the clubhouse) as part of a mixed-use residential development.
- 4.9.4** Any building scheme being contemplated by the developer be reviewed by the City prior to being registered on title.
- 4.9.5**  A dollar value per market residential unit be voluntary contributed to the affordable housing fund. The amount will be determined based on unit type.

At time of issuance of the Development Permit:

- 4.9.6** Buildings on lots abutting R1 zoned properties shall not be more than 3 storeys.
- 4.9.7** Buildings abutting R1 zoned properties shall have limited balconies facing the rear lot line.
- 4.9.8** Housing diversity shall be considered for each development as well as for the whole neighbourhood plan area.
- 4.9.9**  After completion of 50 residential units, the developer will be required to complete the following upgrades based on consultation with the City:
 - a. Construct pedestrian amenities along West Richards Street between the golf course and Choquette Ave.;
 - b. Contribute to safe and efficient pedestrian amenities at the intersection of West Richards Street and Choquette Avenue; and
 - c. If deemed required, that infrastructure for a new bus stop or upgrading of an existing bus stop (shelter and bench) be provided for in proximity of the development.

- 4.9.10** All buildings shall be designed to achieve a minimum BC Energy Step Code 3 or upper step if required by other Bylaws.

- 4.9.11** Winter City design principles will be considered.
 
- 4.9.12** Mature trees identified in Figure 4.3 of the plan will require a tree assessment report prior to removal. Removal will only be permitted if the tree is deemed unsafe or unhealthy. If this is the case, a tree replacement will be required.

- 4.9.13** A landscaping buffer, consisting of natural vegetation, decorative fencing or other screening, shall be added along Choquette Avenue and where required (if no vegetation exists) along the rear property line of properties located on the south side of West Richards Street.


At the time of subdivision:

- 4.9.14** The arrangement of roads shall provide continuation or appropriate projection of existing roads in surrounding areas.
- 4.9.15** Future road allowances shall be reserved to ensure long-term neighbourhood connectivity.
- 4.9.16** The road layout shall be reviewed by the City of Nelson Fire and Rescue Services to satisfy the requirement for emergency accesses.
- 4.9.17** Further to policy 4.9.16 above, until the development is permanently accessible via 2 accesses, a temporary emergency access shall be constructed to provide a connection between Choquette Avenue and West Richards Street. The said emergency access will be required once the main road accessing the development reaches a length of 125 linear metres or as otherwise determined by the City.

- 4.9.18** The Approving Officer will consider the sufficiency and suitability of the proposed road system, the arrangement, width, grade and location of all roads in relation to existing and planned roads, to topographical features, to public convenience and safety, and to the proposed uses of the land to be served by such roads.
- 4.9.19** The Approving Officer will consider the sufficiency and suitability of services for connection to the community water, drainage and sewer systems.
- 4.9.20** Low impact development and naturalized stormwater management techniques shall be integrated within the development.
- 4.9.21** A 7.5 m conservation easement shall be maintained along the rear property line of properties located on the south side of West Richards Street.
- 4.9.22** The location and provision for park lands shall be devoted to the inclusion of a multi-use trail linking the “village centre” (current location of the clubhouse) to Art Gibbon Park. The trail may be used for emergency access purposes.

Development Approval Information

Objective

To ensure that development proposals are consistent with the City's strategic directions and priorities as outlined in the Official Community Plan.

Pursuant to the *Local Government Act*, Development Approval Information (DAI) may be required, at the applicant's expense, for the following types of applications:

- OCP/Zoning Bylaw amendments;
- Temporary Use Permits; and
- Development Permits.

The information provided in a DAI report helps to ensure that potential community impacts of proposed developments are understood and considered prior to City Council or City Staff making a decision. Such matters may include:

- The natural environment;
- Transportation patterns, flows, and networks;
- City infrastructure (sanitary sewer, water supply, stormwater management);
- Public facilities (schools and parks; community services; recreation and arts & culture facilities);
- Economic and social development;
- Archaeological and heritage features;
- Form and character of a development proposal;
- Climate action, including greenhouse gas reduction, energy conservation, circular economy principles, and water conservation; and
- Hazard conditions.

The City's *Development Applications Procedures Bylaw* establishes what type of impact information is required, what procedures are to be followed in the application process, and in what circumstances a DAI report is necessary.

Policies

4.10.1 All lands located within the boundaries of the city are designated as the area within which Development Approval Information (DAI) may be required.

Section 5: Objectives and Policies



5.1 Reconciliation

5.1 Advance and support reconciliation with Indigenous Peoples through relationship-building, respect, education, and meaningful actions.

5.1.1.1 Recognize that Indigenous Peoples have a shared interest in planning and urban development.



5.1.1.2 Understand and acknowledge the UNDRIP and relevant Calls to Action of the Truth and Reconciliation Commission.



5.1.1.3 The City will seek to build relationships with Indigenous Peoples on the basis of recognition and respect.



5.1.1.4 Endeavour to ensure that municipal facilities and programs are welcoming and accessible to Indigenous People.



5.1.1.5 Support efforts that will lead to improved outcomes and quality-of-life for Indigenous People in Nelson.



5.1.1.6 Respect and uphold the cultures, languages, and ways of knowing that are indigenous to our region, as guided by Indigenous governments and their protocols.

Three guiding principles:



Health



Equity



Climate Resilience

5.1.2 Strive to develop meaningful government-to-government relationships through improved communication, recognition of mutual interests, and the development of supporting processes and actions.

- 5.1.2.1** Continue to engage with Indigenous Peoples to  develop and implement a reconciliation framework and a relationship memorandum of understanding that includes communication protocols and collaboration between City of Nelson Council and staff at all levels.
- 5.1.2.2** Support ongoing and consistent engagement and  communication with Indigenous Peoples while striving to seek mutually agreeable solutions and outcomes.
- 5.1.2.3** Develop government-to-government invitations,  protocols, and processes for project referrals.
- 5.1.2.4** Endeavour to understand and consider Indigenous  perspectives on land use planning, development, and land management issues.
- 5.1.2.5** Work with Indigenous Peoples on land use and  development opportunities, where there is shared interest, through meaningful engagement in a manner that supports respective interests and needs and acknowledges Indigenous rights.

Many other policies throughout the OCP also include policies that aim to advance reconciliation.

5.2 Housing

5.2.1 Plan for and accommodate existing and future housing needs across the housing spectrum.

 5.2.1.1 Through land use regulation, support a diverse range of housing types, sizes, price points, and tenures to meet the needs of current and future residents of all incomes, ages, lifestyles, and abilities. Decisions related to housing will consider the Housing Needs Report (HNR) to ensure alignment between community needs and development outcomes.

 5.2.1.2 Recognize that zoned capacity alone may not be sufficient to incentivize the market to build the number of housing units required, as determined by the HNR. The City will continue to use:

- regulation
- financial incentives
- support for groups seeking grant funding
- good customer service for developers
- other initiatives to encourage the construction of new housing.

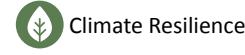
 5.2.1.3 Continue to explore ways to promote the development of infill housing, especially “missing-middle” housing types.

 5.2.1.4 Continue to explore regulatory, financial, and other types of incentives to help encourage new purpose-built rental housing.

 5.2.1.5 Ensure housing serves people who currently live or work, or intend to live or work, in Nelson and disincentivize vacant homes.

 5.2.1.6 To support housing for all, the City will work with affordable housing funders to meet the needs of the community and will work with regional partners to ensure that each community in the region has housing supply that spans the full housing continuum.

Three guiding principles:



5.2.2 Strive to meet demand for affordable housing and reduce subsidized housing waitlists to tackle the housing crisis.

5.2.2.1 Develop initiatives to facilitate and accelerate the development of non-market affordable housing and seek ways to help support the preservation of existing units. Supported initiatives include:

- expedited approvals,
- zoning and other bylaw relaxations,
- making City-owned land available for affordable housing,
- fee waivers,
- inclusionary zoning,
- density bonusing, and
- when possible, funding through the affordable housing reserve fund.

5.2.2.2 Support innovative approaches to creating affordable and inclusive housing including density benefits and housing agreements (which may include cohousing and other forms of shared ownership).

5.2.2.3 The City will continue to maintain its affordable housing reserve fund and find innovative ways to increase it over time.

5.2.2.4 Work collaboratively with external organizations and interested parties to establish a clear policy and vision for affordable housing and assist in building the capacity of the non-profit housing sector.

5.2.2.5 Consider access to affordable sources of energy as well as energy efficiency that reduces heating and cooling costs as part of what can make housing affordable.

5.2.3 Suitable housing for all: strive to meet the unique housing needs of specific groups, including vulnerable populations, and ensure opportunities for inclusion across all neighbourhoods.

5.2.3.1 Include resident safety, health, and well-being as   priority considerations in housing development.

5.2.3.2 Prioritize safe housing for vulnerable populations,   including those experiencing homelessness. The City supports a Housing First policy, ensuring that stable housing is the foundation for support services. Long-term housing will be considered in all areas of the city, whereas emergency overnight shelters are deemed appropriate only in the downtown area (Mixed-Use Core) and Railtown.

5.2.3.3 Ensure that a sufficient proportion of the housing stock is designed to be accessible for people living with a disability.  

5.2.3.4 Explore initiatives that can help seniors   age-in-place.

5.2.3.5 Encourage universal design in all residential developments, including at least 10% of units of new multi-unit residential developments, for the benefit of people with mobility needs. 

5.2.3.6 Encourage residential development suitable for seniors, as well as additional senior assisted living facilities throughout the City. Encourage and support the development of senior-specific housing, including for seniors who do not want to stay in their homes, which would free up existing homes to other residents in need of more space. 

- 5.2.3.7** Champion efforts to increase the development of housing for persons requiring supportive or transitional housing.

- 5.2.3.8** Consider adopting a family-friendly housing policy to mandate, through zoning, that multi-unit housing developments include a minimum number of two- and three-bedroom units.

- 5.2.3.9** Be proactive by supporting housing projects targeting individuals at risk of homelessness. Such projects will be considered citywide.


5.2.4 Become a city known for safe, quality housing stock and for providing stability, safety, and security for renters.

5.2.4.1 Ensure safety standards are being met in buildings.

 The City will consider the development of a “standards of maintenance” bylaw or similar initiatives.

5.2.4.2 The City will consider and pursue various measures

 complementary to Provincial programs and legislation to protect tenants and existing rental housing units. Such measures will generally:

- discourage demolition of multi-unit housing;
- ensure that City’s decisions and policies are not complicit in leading to ‘renovictions’;
- discourage the stratification of rental units during times of low rental vacancy rates, described as 3% or less, unless it is demonstrated to address housing affordability for low or average income earners;
- encourage the use of Housing Agreements and similar measures to secure new rental housing units.

5.2.4.3 The City will support the development of a program such as a “Crime Free Multi-Housing Program” in consultation with interested parties.

5.2.4.4 Encourage housing that builds strong communities, such as co-housing and co-operative housing.

5.2.4.5 Encourage housing geared to students to be located within reasonable walking distance to the downtown and/or to postsecondary educational institutions, and to a bus route.

5.2.4.6 Multi-unit housing should, ideally, be located on sites within walking distance of transit, green spaces, amenities such as schools, and commercial services.

5.2.4.7 When possible, the City will encourage new affordable housing projects to consider locations without steep slopes and within reasonable walking distance of services and transit.

5.2.4.8 Demolition or renovation projects should consider 'right-to-return' programs that will allow existing tenants to return to the site post-redevelopment at rents that they can reasonably pay.

5.2.4.9 Strata title conversion applications will not be supported when the project demonstrates a net negative impact on housing, particularly for tenants. To support existing tenants, an application will consider the following:

- Outlining the provisions that will be made to assist existing tenants with relocation; and
- Increasing the time requirement for tenant notification to a minimum of six months.

5.2.4.10 While the development of new housing remains the priority to address the housing crisis, the City will also consider policies, including through Development Permit Areas, that regulate design in order to develop a beautiful city that boasts attractive, enduring architecture that complements Nelson's heritage character.

5.2.5 Work towards achieving a resilient, zero-carbon housing stock.

- 5.2.5.1** Continue to implement the Nelson Next climate action plan as it pertains to buildings, housing, and energy efficiency to help meet the city's climate goals.
- 5.2.5.2** The City will consider density bonuses for developments that provide green amenities or energy-efficient building features that reduce costs for occupants.
- 5.2.5.3** Acknowledge that the greenest buildings are usually the ones that already exist, which means the City will support adaptive reuse projects that convert existing buildings into housing, or add density to existing residential buildings.
- 5.2.5.4** When providing City-owned land for affordable housing, consider ways to incorporate community amenities and climate-resilient and/or low-carbon initiatives.

5.3 Climate Resilience

5.3.1 Nelson will meet its climate targets and reduce its dependence on fossil fuels.

5.3.1.1  Regularly review and update policies to keep the City and community on track to achieving its stated carbon and greenhouse gas emissions reduction targets (see OCP chapter “Making Nelson 2050 Happen”).

5.3.1.2  Lead by example and incorporate strategies to reduce pollution and prepare for climate impacts into day-to-day municipal operations and strategic long-term planning initiatives across the organization.

5.3.2 Nelson will aspire to climate resiliency and be proactive in the implementation of its climate action plan and other sustainability practices.

5.3.2.1  Nelson Next is the City’s climate action plan and shall be considered as part of this OCP. All City departments will be proactive in contributing to the continued implementation of Nelson Next and commit resources towards reducing the community’s carbon footprint and increasing climate resilience.

5.3.2.2  Ensure that all developments and urban planning efforts are designed with climate readiness at the forefront, integrating adaptive and mitigation strategies to address the increasing impacts of climate-related emergencies and extreme weather.

5.3.2.3  The City will consistently apply an equity lens in its climate measures to ensure that all population groups are being considered equitably, especially for measures aiming to protect residents from extreme weather events, where particular attention must be given to vulnerable and low-income groups.

Three guiding principles:

 Health

 Equity

 Climate Resilience

5.4 Economy

5.4.1 Help Nelson thrive as a low-carbon regional economic centre that boasts the widest possible range of services, businesses, and attractive employment opportunities.

5.4.1.1  Promote entrepreneurship and support the development of a diversified low-carbon economy to strengthen Nelson's long-term economic well-being.

5.4.1.2  Encourage the growth of a green economy and the creation of quality, meaningful employment opportunities that support healthy, sustainable lifestyles.

5.4.1.3  Work with the Greater Nelson Economic Development to attract new investment and consider developing a Regional Economic Development Strategic Plan in concert with other urban centres and the Regional District.

5.4.1.4  Encourage collaboration between sectors, including both commercial and nonprofit, to expand Nelson's service offerings, with an emphasis on sustainability and long-term economic stability.

5.4.1.5  Through land use regulation, ensure that sufficient space is available for employment lands and small businesses and start-ups, as well as artist spaces and non-profits, while balancing the pressing need to create housing.

5.4.1.6  Work collaboratively with Indigenous peoples on economic initiatives.

5.4.1.7 Explore regulatory changes or initiatives that may help lower start-up costs and rents for new business.

5.4.1.8  Reach out to Indigenous Peoples to explore economic opportunities in or with the City of Nelson that may benefit their communities.

Three guiding principles:

 Health

 Equity

 Climate Resilience

5.4.1.9 Avoid supporting the development of economic activities that have negative effects on human and ecosystem health. Ensure congruity between economic strategies and the Official Community Plan's values and guiding principles.

5.4.1.10 Promote the development of local, sustainable businesses that reduce reliance on external resources and contribute to a low-carbon economy.

5.4.2 Help small and local business thrive.

5.4.2.1 Improve the efficiency, speed, accessibility, and transparency of development application processes to support local businesses.

5.4.2.2 Support farmers markets and other types of market events that open opportunities for local entrepreneurs who may not be able to afford their own storefront.

5.4.2.3 Work with the business community, including the Chamber of Commerce, to identify ways to improve how the City supports the local business community.

5.4.3 Be an affordable city.

5.4.3.1 Consider ways that the City can act and speak out to reduce the cost-of-living and the cost of doing business.

5.5 Arts, Culture & Heritage

5.5.1 Support a thriving artistic and cultural life in Nelson.

- 5.5.1.1 The City will play a leadership and facilitation role in developing, supporting, and promoting the arts & culture sector, including through land use regulation and funding, to engage the creative energy of the community in strengthening a cultural vision for Nelson.
- 5.5.1.2 Develop and seek partnerships to create a Cultural Plan.
- 5.5.1.3 Strive to integrate a public art component into new and existing City projects, including infrastructure projects that are publicly accessible and visible.
- 5.5.1.4 Maintain and support existing arts and culture spaces. Explore and support opportunities for new purpose-built and retrofitted arts and cultural spaces, and affordable artist studios. Encourage the use of municipal and privately-owned outdoor spaces for arts & cultural and heritage programming to animate the public realm.
- 5.5.1.5 Promote and help develop the economic value that the arts & cultural sector, including heritage, has for the local economy.
- 5.5.1.6 The City will continue to work with the Regional District of Central Kootenay to ensure that cultural facilities, such as the Nelson Museum and Art Gallery, the Nelson Civic Theatre, and the Capitol Theatre, remain strong and vibrant.
- 5.5.1.7 Encourage and facilitate resident participation in beautifying the city with art.

Three guiding principles:



Health



Equity



Climate Resilience

5.5.2 Conserve and celebrate the authenticity and heritage of Nelson.

5.5.2.1  The 2022 Heritage Plan will continue to guide the City and be referred to for implementation action items to support the conservation of heritage buildings and character throughout the city, as well as other features such as historic infrastructure, rock walls, trees, artwork, natural and cultural landscapes, and sites/landscapes important to Indigenous culture and heritage. Implementation of some Heritage Plan actions may require public engagement.

5.5.2.2  Develop various policy tools to expand heritage protection, including through regulation, tax exemptions, designations, and heritage conservation areas as well as supporting adaptive reuse of heritage buildings and introducing protections and disincentives against demolition.

5.5.2.3 The City will continue to utilize a values-based management approach that includes the creation and use of Statements of Significance for the Heritage Register which is updated on an ongoing basis.

5.5.2.4  The City will continue to promote and ensure adequate fire protection and life safety measures for existing commercial heritage buildings.

5.5.2.5 Encourage the preservation of Nelson's heritage and character buildings by supporting businesses and property owners to continue building upkeep.

Refer also to the Land Use section

5.5.3 Promote artistic and cultural expression that celebrates the diverse people and cultures in the community to help support a vibrant centre and inclusive identity.

- 5.5.3.1** Develop and support a broader concept of heritage including the area's Indigenous Peoples, early settlement, industry and commerce, ethnic diversity, arts, culture, and other tangible and intangible features which make Nelson unique.
 - 
- 5.5.3.2** Celebrate Indigenous heritage and the contributions of Indigenous Peoples in the community by supporting the Truth & Reconciliation Commission's Calls to Action pertaining to culture, commemoration, museums and archives (Language and Culture 13-17, Museums and Archives 67-70, Commemoration 79-83).
 - 
- 5.5.3.3** Encourage inclusivity, equity, accessibility, and cultural diversity in the programming of public spaces and promote an inclusive approach for all arts and cultural activities in the city.
 - 
- 5.5.3.4** Recognize the arts, culture, and heritage organizations that provide critical infrastructure for community well-being, education, local economy, and sense of belonging.
 - 

5.6 Parks, Recreation & Public Space

5.6.1 Develop and maintain parks, trails, and public spaces that meet the needs of residents and ecosystems while also creating a unique sense of place and culture.

5.6.1.1 The City will assess community needs on an ongoing basis to ensure the amenities and facilities in public parks continue to be appropriate and maintained for the needs of all park users.

5.6.1.2 Use the Downtown Urban Design Strategy to inspire and inform the development of public space in the downtown. Continue to implement the Downtown Urban Design Strategy's 10 Big Moves and design principles.

5.6.1.3  Enhance our green spaces by inviting and allowing community members to care for and manage public open spaces.

5.6.1.4  Explore measures to reduce vandalism and promote a sense of safety for all users.

5.6.1.5  Obtain land for parks, or money in lieu of, from developers for use by the City to acquire land for future parks and update land use policy to support more public space delivery through private property development, where feasible (e.g., privately owned public spaces or 'POPS').

5.6.1.6  Create unique public spaces that serve as neighbourhood gathering spaces that support healthy lifestyles and where arts and culture are promoted and accessible. Such spaces support social connection and community belonging, and should include consideration for climate change mitigation and adaptation in their design and programming.

Three guiding principles:

 Health

 Equity

 Climate Resilience

- 5.6.1.7**  Protect and enhance parks and open spaces and consider their role in preserving biodiversity as part of the natural ecosystem. Plant indigenous species where possible and utilize water-efficient landscaping designs and practices.
- 5.6.1.8**  Explore opportunities to convert a public space in Nelson into a 'Water Square' (tiered rainwater collection pool) that doubles as an outdoor arts and recreation venue.
- 5.6.1.9**  Incorporate Fire Smart practices in parks and open space.
- 5.6.1.10**  Enhance and explore options to restore the Cottonwood Creek corridor. Acquire land, or secure public access to lands, along slopes of the Cottonwood Creek Ravine and Highway 3A corridor to provide for walking trails, viewpoints, and links to the Nelson-Salmo Great Northern Trail.
- 5.6.1.11**  Create a new multi-use trail linking Baker Street to the water.
- 5.6.1.12** Develop Red Sands Beach as a public beach and park, and include parking and washroom facilities when opportunities such as rezoning applications are made. Acquire the Provincial Crown land between Red Sands and Nelson Landing.
- 5.6.1.13** Encourage the use of privately owned underutilized open space for outdoor recreation, trails and supporting infrastructure.

5.6.1.14 To ensure public access to the waterfront, the City will endeavour to establish a continuous waterfront public pathway along the water's edge, with a minimum width of 4 metres, when opportunities present, such as through rezoning or subdivision applications. The waterfront pathway will be developed in a manner that does not negatively impact sensitive areas of aquatic habitat, re-vegetates areas of the shoreline, and provides for nature viewing and interpretation. Other opportunities for the waterfront will also be supported, such as play areas, parkland, and water-oriented recreation.

5.6.1.15 Support the provision of public parks and recreational opportunities in the North Shore, particularly in the event that the City expands its boundaries.

5.6.1.16 The City will encourage education or public use facilities adjacent to the Nelson-Salmo Great Northern Trail, such as schools, hospitals, and recreational facilities to link existing trails with the Nelson-Salmo Great Northern Trail.

5.6.2 Recreational opportunities for everyone that support healthy lifestyles.

5.6.2.1 Work with the Regional District to provide a wide array of recreational facilities and programming that serve the entire community, with a focus on promoting health and inclusivity and reducing barriers to participation to maximize accessibility.

5.6.2.2 The City will promote and foster diverse human-powered recreation that is healthy and accessible to everyone, including an interconnected trail network that encourages walking and cycling. Establish trail linkages between parks within the City and to public recreation areas outside the City.

5.6.2.3 Establish recreation and leisure infrastructure as showcase models of energy efficient, water efficient, wildfire resistant, carbon neutral design, construction and maintenance.

5.6.2.4 Recognize and maintain the downtown recreation campus and the Tenth Street campus as the community's primary recreation hubs. Look for opportunities to include housing, in particular affordable housing, in conjunction with recreational facilities.

5.6.2.5 Support the shared use of community spaces for recreation and culture, recognizing their interconnected role in fostering inclusion, health, and well-being. Encourage integrated planning and multi-purpose facilities that celebrate synergies between cultural and recreational activities. New single-purpose facilities will be discouraged.

5.6.2.6 Consider the need to increase recreation facilities as the community grows. Encourage new recreation facilities to be regionally oriented, with Regional District of Central Kootenay as a financial partner in recreation expansion.

5.6.2.7 Recognize the ongoing work of the volunteer-driven non-profit community organizations that build and operate recreation amenities.

5.6.3 Green and public spaces that are accessible to all.

- 5.6.3.1** Establish universal, safe, and all-seasons design as the baseline for all public spaces. Prioritize bringing parks, walking trails, and public spaces up to current accessibility standards where possible.

- 5.6.3.2** Integrate critical infrastructure (notably washrooms, water fountains, and weather protection) throughout the city.

- 5.6.3.3** In light of increasing climate-induced extreme weather, plan for warming and cooling facilities throughout the city where people can seek protection from the elements, and intentionally plan for new shaded areas throughout the city to combat the urban heat island effect. These facilities should be combined with other uses.

- 5.6.3.4** Look for opportunities, funding, and partnerships to increase programming in City-owned spaces.

- 5.6.3.5** Design public spaces with built-in flexibility to accommodate a wide range of uses, and to allow the community use of space to evolve over time.
- 5.6.3.6** Pilot and explore permanent and/or temporary/seasonal car-free spaces that create new public space.


5.6.4 Ensure parks and public space reflect their unique sense-of-place and culture.

- 5.6.4.1** Focus on the uniqueness of place to provide a variety of park experiences that reflect the neighbourhood or natural context, developing diversity within the park system and include spaces that celebrate Indigenous culture, public art, and provide opportunities for reconciliation.

- 5.6.4.2** Look for ways to communicate history, heritage, and Indigenous language, history, and other culturally significant information in parks and public spaces and at trail heads.


5.7 Infrastructure

5.7.1 Prepare for the future by ensuring that Nelson has the resources and utility infrastructure necessary to meet the needs of a growing population.

5.7.1.1  As part of a comprehensive asset management and growth management strategy, the City will develop or update utility master plans and condition summaries of all major infrastructure and prepare action plans to address critical needs and develop appropriate financial strategies, with an emphasis on identifying and mitigating risks as a way to prioritize projects. Assets should be assessed on their utilization, function, redundancy, climate impact, and other important criteria.

5.7.1.2  Ensure the water supply, distribution, and water pressure for purposes of water consumption and firefighting are adequate for all areas of the City, using the latest data on climate risks and BC Statistics population growth estimates as well as the results of the 2023 Water Accessibility Assessment.

5.7.1.3  Enhance utility infrastructure to accommodate projected development in all areas of the city by using the latest population growth estimates and climate projections, regularly update plans to ensure that the City will have a reliable, clean drinking water supply for at least the coming three decades.

5.7.1.4  Research and adopt best practices in infrastructure planning, maintenance, and asset management for efficiency, safety, health, climate resilience, and ecosystem protection.

Three guiding principles:

-  Health
-  Equity
-  Climate Resilience

- 5.7.1.5** The City will ensure that the community maintains control over its water resources and that it is able to effectively work with industry and government to ensure a healthy, affordable, secure potable water supply for residents.
 -  
 - 
- 5.7.1.6** Preserve and allocate higher quality water supply for primary uses (such as drinking) and utilize lower quality water sources for secondary uses (such as irrigation and exploring options for flushing toilets).
 - 
- 5.7.1.7** Explore solutions for capturing, reusing, and redirecting stormwater from both new development sites and existing buildings.
 - 

5.7.2 Maintain and develop low-cost, local, reliable, low-impact energy supplies.

- 5.7.2.1** The City will work to maintain and upgrade electrical infrastructure to ensure safe and reliable hydro-electric operations.
 -  
- 5.7.2.2** Prioritize diversifying Nelson's electrical supply by supporting renewable energy initiatives and regularly assessing the potential for new electrical generation opportunities as technologies evolve.
 - 
- 5.7.2.3** Develop a plan to monitor water pressure and flow at select Pressure Reducing Valve (PRV) sites and identify strategic opportunities for turbine integration.
 - 
- 5.7.2.4** Promote energy conservation: reducing electrical demand as a means of ensuring current generation capacities are adequate for the future.
 - 
- 5.7.2.5** Continue to monitor the economic viability of micro-hydro, mini-hydro, small hydro or other resource capacity alternatives (i.e. geothermal, solar, floating solar, new technologies), including being open to partnering with Indigenous Nations, or others.
 - 

5.7.3 Look for opportunities to reduce costs and ensure that new development pays for itself.

- 5.7.3.1** Seek opportunities to upgrade infrastructure, such as roads and underground servicing, simultaneously.
- 5.7.3.2** Balance service delivery costs and service quality with the community's ability to pay for the services. Use lifecycle costing analysis to account for the total cost of assets throughout their life.
- 5.7.3.3** Consider initiatives such as metering where those who use less water pay less.

- 5.7.3.4** Investigate the viability of Development Cost Charges and Amenity Cost Charges imposed on market-rate developments that will contribute to growth-related infrastructure expansion.
- 5.7.3.5** The City will require new development proposals to address impacts on the sanitary sewer, water, and storm water systems, and identify necessary improvements, and more specifically to:
 - Require new development to limit post-development storm water peak flows to pre-development peak flows.
 - Require, wherever possible, for drainage to be managed on-site through stormwater best management practices.
 - Require impact assessment for new development when appropriate, to identify drainage improvement works needed to the outfall in the event of major and minor storms.

5.7.4 Be prepared to overcome climate-related risks, reduce waste, reduce the environmental impact of our infrastructure, and support Nelson's low-carbon objectives.

- 5.7.4.1**  Significantly reduce our dependence on fossil fuels and prioritize local, renewable sources that feed a distributed, robust grid that is resilient to extreme weather events.
- 5.7.4.2**  Build utility infrastructure that is designed to withstand, accommodate, and adapt to the effects of climate change such as extreme heat and wetter winters.
- 5.7.4.3**  Update subdivision and development servicing standards to reflect current best practices to improve resiliency of infrastructure to changing climate conditions and reduce long-term maintenance costs.
- 5.7.4.4**  Explore strategies to reduce the carbon footprint, including embodied carbon, of infrastructure capital projects and seek to apply carbon reduction strategies in all municipal operations and refer to Nelson Next for specific priority tactics.
- 5.7.4.5**  Identify opportunities to reduce pavement to increase permeability, while balancing the safety benefits that paved surfaces can achieve, in particular for cyclists or those with mobility challenges.
- 5.7.4.6**  Innovate and explore how to further increase waste diversion and reduce waste in general. The City will manage liquid, solid, and hazardous waste in the following order: avoid, reduce, reuse, recycle, recover, and dispose.
- 5.7.4.7**  Support green infrastructure projects and innovations.

5.7.4.8 Identify, protect, and manage natural assets and integrate nature-based solutions into planning and development, recognizing the role of natural ecosystems in mitigating climate change, providing services, and enhancing community resilience.

5.7.4.9 Consider expanding waste and recycling collection to commercial uses.

5.7.4.10 The City will support other agencies and businesses that provide recycling operations within the City, in particular if their services support keeping toxins out of ecosystems or promoting a circular economy (reusing existing resources and materials).

5.7.4.11 Protect and enhance drainage corridors in consideration of the impacts of climate change and the need to prioritize clean drinking water. Support careful environmental stewardship in the watershed, particularly as it impacts the quality of runoff water into streams and reservoirs, and collaborate with external organizations in doing so.

5.7.4.12 Manage stormwater runoff on a local level, encourage runoff infiltration and retention, and reduce the incidence of stormwater being directed to the City's sanitary system.

5.7.4.13 Promote and practice water conservation measures and enforce water restrictions.

5.7.4.14 Use a holistic, multi-modal approach in snow clearing operations in order to ensure safety for all road and sidewalk users.

5.8 Transportation

5.8.1 Create and sustain an inclusive, efficient transportation network that supports all modes of travel, reflects Nelson's community values, and evolves to meet the demands of future growth.

Three guiding principles:



Health



Equity



Climate Resilience

5.8.1.1 Practice comprehensive, multimodal “complete streets” transportation planning and infrastructure upgrades informed by population growth projections and the climate emergency.

5.8.1.2 Continue to maintain roads to ensure safe and comfortable use, including through pavement replacement. Leverage street improvement projects to deliver co-benefits for transportation, public space, water, and natural systems.

5.8.1.3 Continue to implement the Downtown Parking Strategy and other transportation demand management measures to optimize the use of existing road infrastructure. These efforts aim to minimize the need for new road construction or road widening to accommodate increased motor vehicle traffic.

5.8.1.4 Encourage local traffic to avoid Highway 3A to reduce pressure to widen the highway in the future. Anderson Street and Nelson Avenue will remain major City roads, but because they form part of the Provincial Highway system, the City will endeavour to reduce the amount of local traffic on them, by providing alternative cross-City routes.

5.8.1.5 Adopt cost-effective, climate-aware techniques and materials where possible.

5.8.1.6 Adopt and implement an electric vehicle charging strategy to facilitate their use.

5.8.1.7 The City will assess when a Comprehensive Transportation Plan or a Traffic Impact Assessment may be appropriate for major development projects. For commercial uses, the plan must address how the development will support employee commuting and business-related transportation, in particular non-vehicular transportation and shared mobility options.

5.8.1.8 Baker Street will continue to act as the “spine” of Nelson’s commercial core and, as such, will maintain its pedestrian orientation and amenity areas. Opportunities for pedestrian and cycling improvements and increased public space will be considered.

5.8.1.9 The City will continue to work with organizations and the business community to plan temporary closures of portions of Baker Street for selected events and celebrations through the year.

5.8.1.10 The City will support the creation of additional pedestrian and vehicular linkages to the Waterfront. A new connection between Lakeside Drive and Baker Street will be negotiated with the railway and accommodated at the west end of Baker Street.

5.8.1.11 Ensure all transportation and infrastructure upgrades or developments maintain or increase capacity for emergency evacuation and response.

5.8.1.12 Re-evaluate the airport land use if the airport is no longer cost-effective, or when opportunities for new land uses that may better serve the community’s interests present themselves. Nonetheless, at minimum continue to maintain helicopter access.

5.8.1.13 Support the creation of new roads where appropriate, including where necessary to connect dead-end roads, especially in commercial and industrial areas.

5.8.2 Enhance and prioritize the convenience, safety, and comfort of active and low-carbon transportation modes year-round to reduce the need for single-occupant vehicle use.

5.8.2.1 Nelson Next will continue to inform and guide transportation policy.

5.8.2.2 Transportation planning will provide for a variety of transportation modes in all areas of the city to ensure that people are not obliged to use a vehicle to safely access all areas of the city. This means ensuring that safe, comfortable active transportation and transit access is located where people need it, as well as prioritizing accessibility for all ages and abilities.

5.8.2.3 Implement and regularly update the Active Transportation Plan and prioritize all-ages-and-abilities, and four-seasons designs of active transportation routes.

5.8.2.4 Work to offer solutions and incentives for the community to use non-vehicular means of transportation for more and more of their daily trips.

5.8.2.5 The City will strive to include funding for targeted road and active transportation plan improvements in each year's capital budget.

5.8.2.6 Secure a continuous, publicly owned waterfront trail with a minimum width of 4 metres which will be accomplished through a variety of measures including rezoning and subdivision applications.

5.8.2.7 The City, in cooperation with the Ministry of Transportation and Transit, will explore development of safe sidewalk and bicycle pathways connecting the North Shore to downtown and along the other highway corridors to promote safe and alternate methods of travel to and from the city.

5.8.3 Ensure all Nelson residents have equitable access to affordable, efficient public transit, and work to enhance transit options to meet community needs.

5.8.3.1 Work and commit resources to support the   improvement, service frequency, price attractivity, and use of easy-to-use, seven-days-a-week urban and intracommunity public transit in collaboration with BC Transit and regional partners.

5.8.3.2 Consider offering free transit in off-peak hours and    when air quality is above a '6' on the Provincial Air Quality Health Index, both to encourage modal shift and to protect the health of community members who would otherwise be walking to help preserve their health.

5.8.3.3 Explore micro-transit solutions for Nelson, if   deemed useful for the community, supportive of our low-carbon goals, and cost-effective.

5.8.3.4 Support the creation of a direct bus link between   Nelson and the regional hospital in Trail. 

5.8.3.5 Integrate shared mobility solutions, including   carsharing, into multimodal transportation planning as complementary to public transit, recognizing their ability to help bridge service gaps, offer an affordable alternative to car ownership, and contribute to reducing community greenhouse gas emissions.

5.8.4 Develop a safe transportation system for all ages and abilities and all modes.

5.8.4.1 Adopt the “Vision Zero” goal of achieving zero traffic fatalities or severe injuries. Enhance safety by regularly analyzing transportation networks and making changes that prioritize the safety of road, sidewalk, and bike route users.

5.8.4.2 As a means of improving pedestrian linkages between upper Fairview and Lakeside Park, the City will collaborate with the Ministry of Transportation and Transit with respect to the sequencing of pedestrian crossings on Highway 3A to reduce the number of conflicts between pedestrians, cyclists, and vehicles.

5.8.4.3 Advocate for the Ministry of Transportation and Transit to install pedestrian-activated flashing lights at high-volume pedestrian crossings to enhance safety and reduce conflicts between pedestrians, cyclists, and vehicles

5.8.4.4 Enhance year-round public safety through temporary and permanent street infrastructure (bump-outs, crosswalks) that reduce collisions and enhance walkability for all Nelsonites. Use pop-up, “tactical” infrastructure and pilot projects to test concepts.

5.8.4.5 Consider opportunities to implement traffic circles, which are proven to increase safety for pedestrians and drivers alike all while improving traffic flow.

5.8.4.6 Implement safe, universally accessible sidewalk design, maintenance, and snow clearing.

5.8.4.7 Maintain traffic calming on the primary cycling route to reduce the number of conflicts between pedestrians, cyclists, and vehicles, and consider applying similar measures on other streets where needed, ensuring that emergency access is not unreasonably impacted.

5.8.4.8 The City will work with the railway to plan for safe vehicular, bicycle, and pedestrian crossings of the rail line.

5.9 Natural Environment, Wildfire Protection, and Community Safety

5.9.1 Protect the community from wildfire and reduce the risk of wildfire.

5.9.1.1 The City will prioritize and implement recommendations, including but not limited to those identified in the Community Wildfire Resiliency Plan (CWRP); this includes proactive measures to identify and mitigate wildfire risks not identified in the CWRP. Ongoing studies and research highlighting potential new mitigation priorities or considerations will be reviewed and implemented as necessary to ensure the most effective and up-to-date strategies are employed.

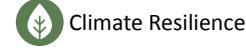
5.9.1.2 Adopt FireSmart practices across all areas of policy and operations.

5.9.1.3 Prioritize the maintenance and enhancement of emergency response and evacuation planning.

5.9.1.4 City planting of urban street and park trees will emphasize deciduous trees, naturally occurring shrubs, and ground vegetation, in recognition of the wildfire hazard posed by coniferous trees within ten metres of a structure.

5.9.1.5 Regularly review updated scientific knowledge on wildfire risk and consider the possibility of expanding Development Permit Area 3 (Wildfire Interface Zone) accordingly.

Three guiding principles:



5.9.2 Conserve and restore natural areas and Kootenay Lake to enhance Nelson's environmental resilience and safeguard a healthy, functioning ecosystems for future generations.

5.9.2.1 Continue to implement Nelson Next with respect to ecosystems and biodiversity.

5.9.2.2 Review development permit guidelines for areas designated as areas of environmental sensitivity or natural hazard and undertake, from time to time, updated mapping to determine if hazards have changed over time.

5.9.2.3 New development on slopes will be encouraged to meet the following criteria:

- retain existing trees and vegetation, subject to Wildland Interface Development Guidelines;
- orient residential units to maximize natural light and avoid shadowing;
- minimize paved-over area of the site; and
- provide opportunities for pooling or retention of storm water.

5.9.2.4 Look for and act on ways to add vegetation and create more natural habitat within city limits.

5.9.2.5 Protect natural open spaces and environmentally sensitive areas, such as on upper slopes or along ravines, from intense development.

5.9.2.6 Monitor the effectiveness of the pesticide bylaw and promote alternatives to pesticides.

5.9.2.7 The City will work collaboratively with interested parties, the Regional District of Central Kootenay, and Indigenous communities on ecological restoration projects on the city's waterfront and creek corridors.

 **5.9.2.8** Daylighting of existing piped or channelized streams is encouraged as part of the redevelopment of lands adjacent to those streams.

 **5.9.2.9** Monitor the implementation and effectiveness of the Tree Management Plan and the Municipal Tree Bylaw and seek ways to further develop the urban forest without compromising wildfire risk reduction work. An Urban Forestry Strategy could be considered.

5.9.2.10 Manage trees and vegetation:

 • to preserve the green, natural backdrop of the community;

• to minimize run-off and drainage problems from occurring down slope;

• to protect the watershed;

• to reflect Indigenous cultural values;

• to mitigate the risk of wildfire;

• protect utility infrastructure;

• use climate-resilient and, where possible, Indigenous species to ensure parks and open spaces can thrive in a changing climate; and

• to maintain and enhance natural species diversity of flora and fauna.

 **5.9.2.11** The City is committed to implementing measures, such as attractant-based management, to reduce human-wildlife conflict, in particular by adopting Bear Smart measures.

 **5.9.2.12** Preserve the integrity of our ecological systems by balancing recreational use and environmental protection in our open spaces.

 **5.9.2.13** Harness traditional Indigenous knowledge in environmental management and plan for and support areas that could reflect Indigenous values.

5.9.2.14 Take action to protect the surrounding watershed,  including by working with and listening to recommendations from Indigenous Nations.

5.9.2.15 Consider opportunities for carbon sequestration  and storage on City-owned land and explore options for supporting similar practices on private land.

5.9.2.16 Explore increasing the riparian development  permit area from 15 metres to 30 metres from the Kootenay Lake highwater mark.

5.9.2.17 Investigate winter-city strategies that are  appropriate and beneficial for Nelson to embrace and be designed for its winter climate, such as strategies to limit the impact of cold winds on outdoor living.

5.9.2.18 Consider prohibiting the sale of select invasive plants within the city.

5.9.3 Promote a healthy environment and a safe community with strong emergency response capabilities.

5.9.3.1 Take action to improve air quality. Consider new  policies to regulate open air burning and wood burning appliances to address issues of fire safety and air quality.

5.9.3.2 The City will attempt to mitigate the creation of risks to the public by ensuring that new development proposals on steep slopes, along natural watercourses, and on old industrial sites, are subject to reviews including but not limited to a geotechnical and wildfire risk review if necessary. 

5.9.3.3 Discourage new building projects in areas at high risk for natural hazards. The City will assess any new development within areas designated on the Natural Environment and Hazardous Lands Map (Schedule D) and may subject it to certain restrictions in order to prevent harm to the environment and to avoid natural hazards which may put people and development at risk. 

5.9.3.4 Proactively plan for future replacement of emergency buildings and acquire appropriate lands to meet the increased demand of the City's growth.

5.9.3.5 The City will collaborate with Canadian Pacific Kansas City Railway to mitigate the impact of trains blocking access to the waterfront for the purpose of emergency response and public safety.

5.9.3.6 Develop and implement a plan to upgrade the boat launch infrastructure to ensure year-round access, including during extended periods of low water levels, in order to maintain multi-agency (Coast Guard, RCMP, Search and Rescue, Ministry of Environment, Ministry of Transportation and Transit, etc.) emergency response capabilities and enhance public safety.

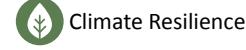
5.9.3.7 Identify suitable public buildings and seek opportunities to make enhancements to ensure they are resilient to severe weather and smoke events, ensuring access to clean air, heating, and cooling for those seeking refuge.

5.9.3.8 Ensure sufficient capacity and access for fire suppression in all areas of the city, and upgrade infrastructure where required.

5.10 Community Health & Well-Being

5.10.1 Foster an inclusive, diverse, accessible, respectful, and vibrant community where all have opportunities to learn and meaningfully participate in all aspects of community life.

Three guiding principles:



5.10.1.1 Implement meaningful public engagement, support public education programs, and seek opportunities for dialogue that bring community members together to promote mutual understanding, diversity, and address discrimination and hate.

5.10.1.2 Support community efforts that promote equity and social justice issues, including fair wages.

5.10.1.3 Remove barriers for equity-deserving communities to participate in municipal governance, including as staff and in leadership positions.

5.10.1.4 Encourage and actively create opportunities for youth, Indigenous, and equity-seeking populations to participate in community projects.

5.10.1.5 Provide an equity analysis tool to help City staff and Council understand benefits and negative impacts of City programs and projects on underrepresented community members.

5.10.1.6 Recognize the library as critical infrastructure for its importance for community well-being, education, and the local economy. Promote the library as a leader and partner in community artistic and cultural endeavours and work with the Regional District of Central Kootenay to ensure the Nelson Public Library has the financial sustainability to grow its services for all its service areas.

5.10.1.7 Support initiatives that bring together people of different backgrounds and foster a sense of belonging and intercultural communication.

5.10.2 Address social issues negatively impacting community members especially vulnerable persons.

5.10.2.1 Identify and implement cost-effective, meaningful  measures to improve quality-of-life for people experiencing homelessness and/or struggling with addiction and remove barriers that prevent them from accessing the services that they need, with the goal of helping people get off the street. Collaborate with all interested parties to support solutions to reduce and prevent homelessness, as well as to address cohabitation issues and reduce conflict between housed and non-housed community members.

5.10.2.2 Work with community service groups to determine  the need and feasibility of developing a Social Plan.

5.10.2.3 The City will encourage and support the concept  of community capacity-building to gain the greatest value from new and existing social service resources by seeking provincial support towards developing feasible solutions.

5.10.2.4 The City will look at regional solutions to deal with  social issues that transcend municipal boundaries. Collaborate with local governments and key interested parties to support initiatives that address regional issues such as social, childcare, transportation, housing, and food security.

5.10.2.5 The City supports and encourages the provision of  transition housing for women and families in need.

5.10.2.6 Collaborate with all levels of government and  community organizations to identify needs and to support integrated planning and coordination of a continuum of health and wellness amenities, recreation programs and facilities, mental health, social, harm reduction, and addiction services and care. Hold senior levels of government responsible to provide services that they are responsible for.

5.10.2.7 Form partnerships to engage in and support  poverty reduction and community well-being efforts to address social issues including homelessness, affordable housing, childcare costs and household food insecurity.

5.10.3 Strive to ensure that all residents have access to the essential services and facilities needed for health, well-being, and community inclusion.

5.10.3.1 Support the development of programs and  opportunities that will enhance the physical, social, psychological, and cultural well-being of Nelson residents.

5.10.3.2 Advocate for and support more services to enhance  the ability of all Nelsonites to meet their basic needs.

5.10.3.3 Ensure that the Nelson & District Youth Centre has  the resources it needs to meet its mandate and provide quality programming and opportunities for community youth.

5.10.3.4 Seek opportunities to create or support the  community-led efforts for new community infrastructure, initiatives, and multi-use spaces that create additional public space where people can gather.

5.10.4 Strive towards a high level of public safety and accessibility that maximizes physical, mental, and social well-being.

5.10.4.1 Work with the Nelson Police Development, Nelson Fire & Rescue Services, community members, and partners to support solutions in matters of public safety, including improving perceived public safety. Acknowledge and address unique safety concerns experienced by vulnerable and equity-seeking groups.

5.10.4.2 The City will take a leadership and facilitation role in processes that will review private and public development projects that would ensure a high standard of accessibility for people with disabilities, and which may include an accessibility audit.

5.10.4.3 Continue to assess risk and increased probabilities of dangerous weather events with the amplified effects of climate change. Designate sufficient spaces for warming, cooling, and shelter from other extreme weather.

5.10.5 Help support the health of the community.

5.10.5.1 The City supports the continuation of a full-service hospital and the provision of a full range of healthcare services, including but not limited to emergency diagnostics and care and surgery.

5.10.5.2 Advocate for improved healthcare and collaborate with projects to recruit and retain healthcare professionals in Nelson.

5.10.5.3 Advocate for increased transportation services for those needing to go to other regional healthcare facilities.

5.10.5.4 In recognition of the negative health outcomes of excessive noise, use regulation, bylaw enforcement, and public awareness campaigns to support a quieter city.

5.10.5.5 Strive to increase urban agriculture and community food security by supporting local food production, processing, and storage. Remove barriers for small-scale commercial food production, such as community gardens, in residential neighbourhoods. Improve food access across the city by supporting food-related retail and services (e.g., grocery stores, food banks, farmers markets, restaurants) and by expanding commercial-retail opportunities in more neighbourhoods.

5.10.5.6 Consider requiring or encouraging a Health and Social Impact Assessment for large developments.

5.10.5.7 Invite public health officials to submit briefings or participate in planning processes.

5.10.5.8 Support radon awareness and construction practices to help mitigate its negative health impacts.

Section 6:

Making Nelson 2050 Happen





Photo: Colin Burwell

Objectives

1. Ensure that the implementation of this OCP proceeds in a coordinated and cost-effective manner, in consideration of presently available resources, needs, and Council priorities.
2. Ensure that the objectives and policies of this OCP are monitored and evaluated on an ongoing basis, and that the results are reported to Council, staff, and the public.
3. Consider the OCP across City planning and operations, with the understanding that many parts of the OCP are to be read as aspirational.

Policies

1. In recognition of the seriousness of the climate crisis, the City will commit staff and financial resources towards actions that will help the community meet its stated climate and greenhouse gas emissions targets.
2. The OCP will be considered in all strategic planning exercises.
3. The City will identify and prioritize annually the highest-impact tactics from the Nelson Next climate plan, as updated from time to time, for inclusion in staff work plans, with a focus on the most effective actions to reduce emissions. This will also include at least three OCP policies each year.
4. The City will begin a comprehensive update of the Zoning Bylaw in the year following adoption of this OCP, with the objective of ensuring consistency and alignment with the OCP.
5. The City will prepare an OCP implementation progress report every five years at the time of the Provincially-required OCP update. Monitoring and evaluation by staff will assess how well the City is doing in achieving the OCP's objectives to show which areas of the OCP are being addressed and performing well and which areas require further attention. Evaluation will consist of reviewing whether current goals and policies remain valid in light of ongoing learning and unanticipated changes in the community.

Targets

1. **Climate and Greenhouse Gas Emissions (GHGs):**
 - a. By 2030, achieve net-zero municipal operations.
 - b. By 2030, achieve a 75% reduction in community-wide GHGs.
 - c. By 2040, achieve net-zero community-wide GHGs.
 - d. By 2050, become a 100% renewable energy community.
2. **Land Use:** By 2040, 80% of residential dwellings are within 5 blocks of two or more key services or amenities, including a place that sells a variety of healthy food options.
3. **Housing:** By 2040, Nelson has attained a healthy residential rental vacancy rate of at least 3%.
4. **Housing:** By 2040, BC Housing's affordable housing registry list for Nelson is down 50% from 2024 levels to not more than 99 households.
5. **Housing:** By 2040, the percentage of Nelson households in Core Housing Need, as identified by the most recent Housing Needs Report, has fallen to 5% or less of total households and extreme-core housing has fallen to less than 1% of total households.
6. **Reconciliation:** By 2030, the City has agreements with the Sinixt, the Syilx, and the Ktunaxa Nations on when and how to consult and involve them in municipal decision-making and on the types of partnerships, processes, and actions that they wish to engage with the City on.
7. **Transportation:** By 2040, fewer than 50% of commuting trips are made by private vehicle (as reported by Statistics Canada census data).
8. **Transportation:** By 2040, Nelson will have achieved the Vision Zero target of achieving zero serious injuries and fatalities on our roads.
9. **Transportation:** By 2040, the per-capita number of passenger vehicles registered in Nelson will have dropped to 0.5 per person from the year-2023 figure of 0.6 vehicles.
10. **Infrastructure:** By 2040, the number of litres of water used per capita will have dropped by 10% over year-2024 figures.
11. **Community Health and Well-Being:**

By 2040, at least two new or upgraded sheltered and/or indoor community multi-use spaces will have been created.
12. **Natural Environment:** By 2040, we will have access to data that will show us that the health of our area's watershed has improved since the beginning of the century.
13. **Natural Environment:** By 2030, develop an Urban Forestry Strategy and by 2050, establish a tree canopy cover of 35%, focusing on climate-resilient and Indigenous tree species of differing ages.
14. **Natural Environment:** By 2028, eliminate invasive plant species from all public lands, replacing them with Indigenous vegetation.
15. **Natural Environment:** By 2030, increase Indigenous vegetation cover on undevelopable municipal lands by 25% to support pollinators and local wildlife.

Section 7:

Development Permit Areas and Heritage Conservation Areas



The Local Government Act (LGA) provides the City with the authority to require the issuance of a Development Permit and/or a Heritage Alteration Permit prior to a building permit. These permits provide the local government with processes and guidelines to influence the form and character of developments beyond the provisions of the Zoning Bylaw and other bylaws, as well as to protect ecosystems, property, and people.



Photo: Jess Zoerb, Unsplash

The objectives of Nelson's development permit areas and heritage conservation areas are to:

- Assure consistency with the community's standards of design quality and excellence in conservation, restoration, renovation, and new construction;
- Ensure the retention and enhancement of Nelson's heritage architectural and landscape features; and
- Protect areas of ecological sensitivity and ensure personal and public safety in areas where environmental concerns pose a risk to development and people. These areas may include water courses, riparian zones, floodplains, steep slopes, wildlife habitat, and wildfire interface zones.

Policies

- 7.1 Unless exempted under the applicable list of exemptions in Schedule J, a development permit must be applied for and approved for any modification to a property, land, or building located in a Development Permit Area, as identified on Schedule E.
- 7.2 Unless exempted under the applicable list of exemptions in Schedule J, a heritage alteration permit must be applied for and approved for any modification to a property, land, or building located in a Heritage Conservation Area, as identified on Schedule E.
- 7.3 Schedule J contains the justification and purpose of each permit area and articulates all design guidelines for building design and site planning for the Development Permit Areas and Heritage Conservation Areas identified on Schedule E.
- 7.4 Development applications that lie in multiple Development Permit Areas (DPA), or in a Heritage Conservation Area and one or more DPAs, shall be treated as one application and will be evaluated based on the guidelines of each applicable DPA.

Section 8: Enforcement



Policies

1. Unless exempted by this bylaw:
 - a. No person shall commence any development, construction, addition, alteration, or subdivision on lands within a development permit area without first obtaining a development permit authorizing the action.
 - b. No person shall commence any development, construction, addition, alteration of a building or other structure, subdivision, or alteration of a feature that is protected heritage property on lands within a heritage conservation area without first obtaining a heritage alteration permit authorizing the action.
2. The development of land in contravention of the terms or conditions of a development permit that has been issued under Section 489 of the Local Government Act is prohibited.
3. The development of land in contravention of the terms or conditions of a heritage alteration permit that has been issued under Section 615 of the Local Government Act is prohibited.
4. Every person who contravenes any provision of this bylaw, or consents, allows or permits an act or thing to be done in violation of a provision of this bylaw, or who neglects to or refrains from doing anything required to be done by a provision of this bylaw, is guilty of an offence and is liable to the penalties imposed under this bylaw and any other applicable bylaw of the City, and is guilty of a separate offence each day that a violation continues to exist.
5. Any person who commits an offence against this bylaw is liable to a fine and penalty of not more than \$2,000.00 and not less than \$100.00 for each offence.

Photo: Wies Van Wetten, donated by Kootenay Lake Tourism



Map Created: 01/01/2025

City of NELSON
Official Community Plan
Land Use Designations
Schedule B
[No. 3629, 2025]

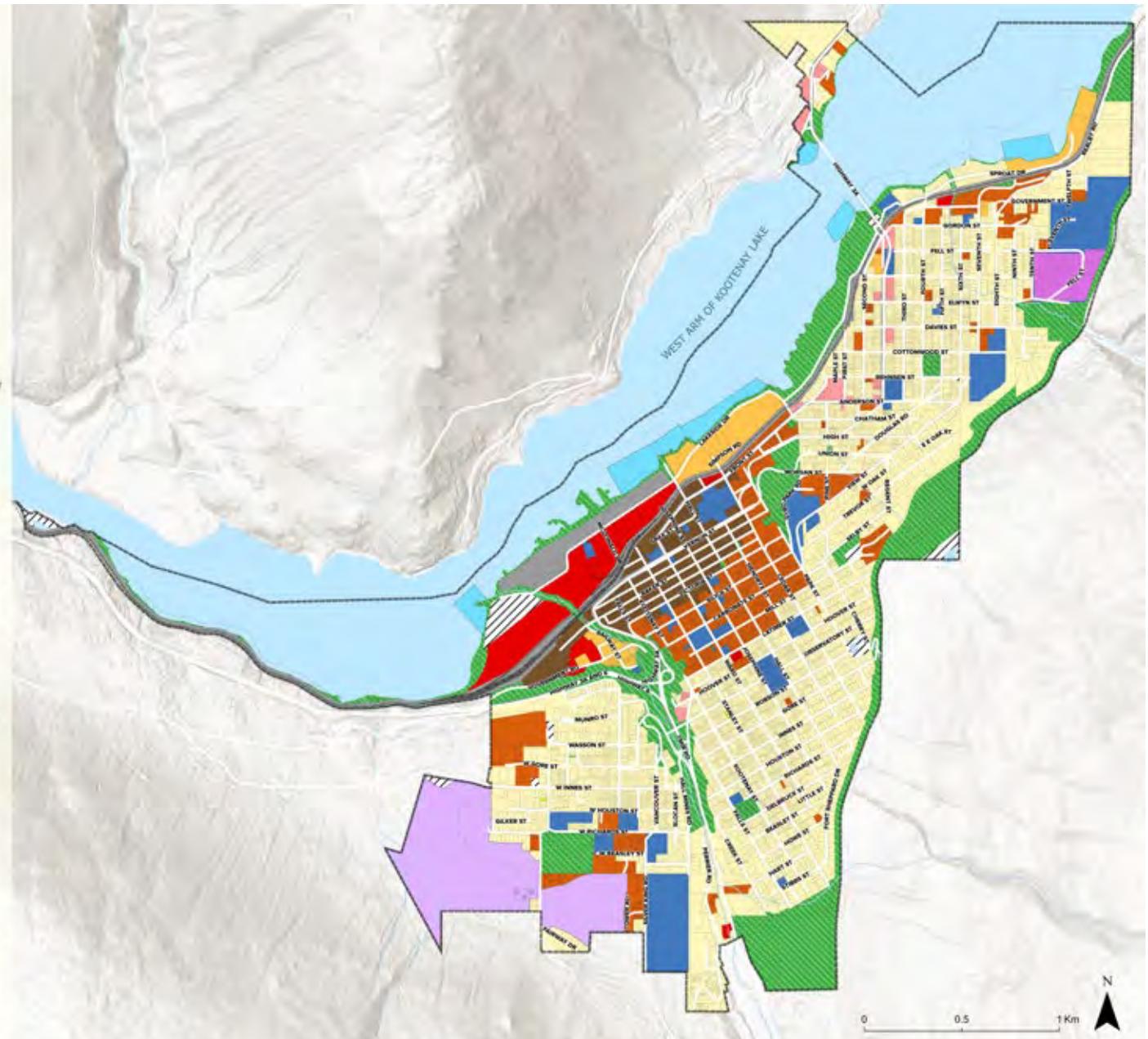
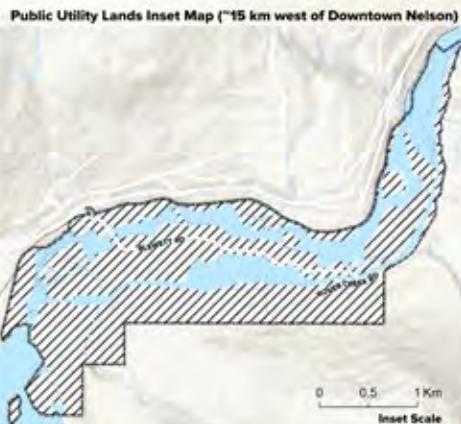
Consolidated for reference purposes only

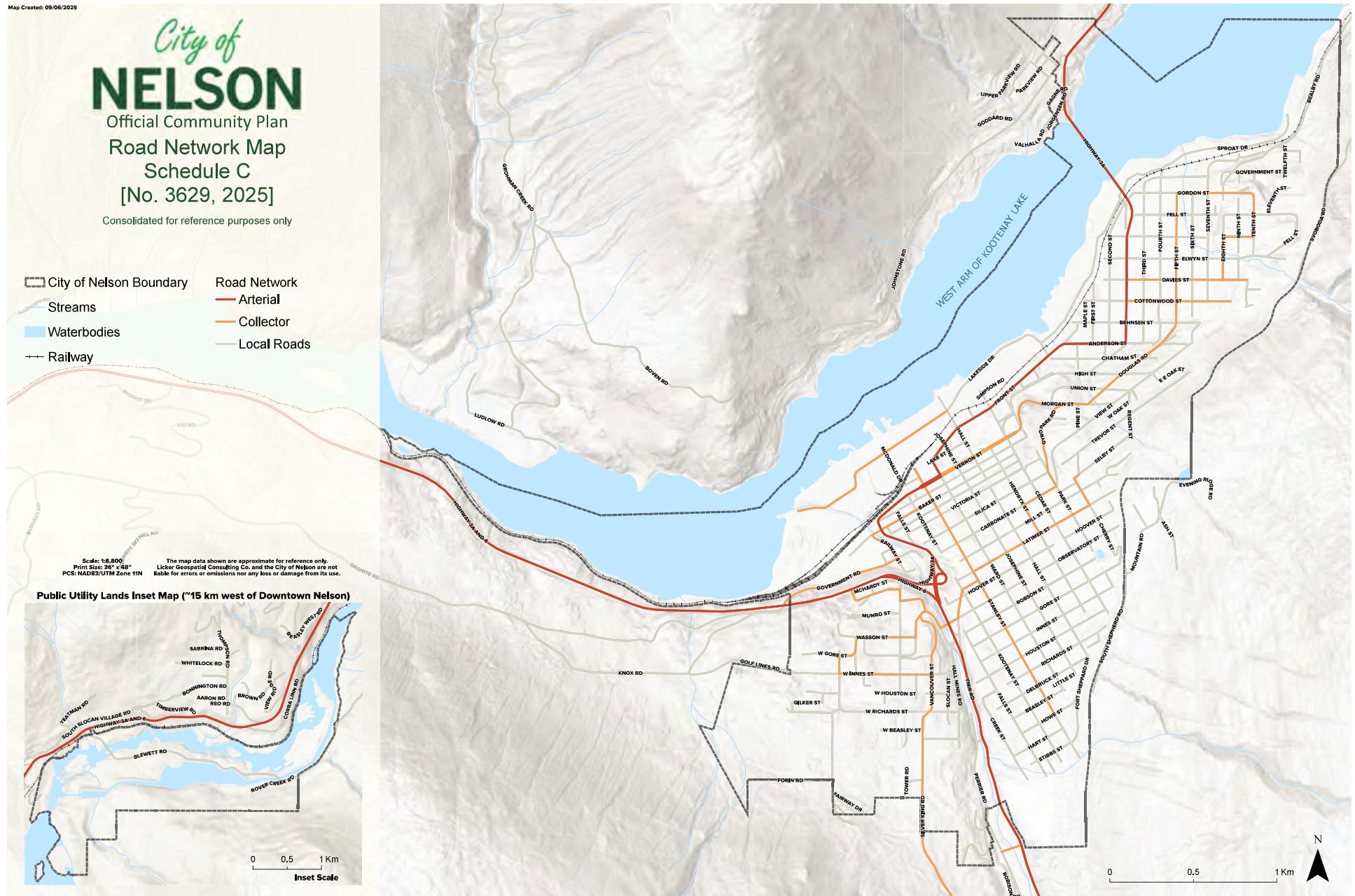
	Land Use Designation
	Highway Commercial
	Institutional
	Mixed Use Commercial / Industrial
	Mixed Use Core
	Park and Green Space
	Public Utility Lands
	Transportation
	Water Uses
	Tenth Street Campus
	Neighbourhood Mixed-Use

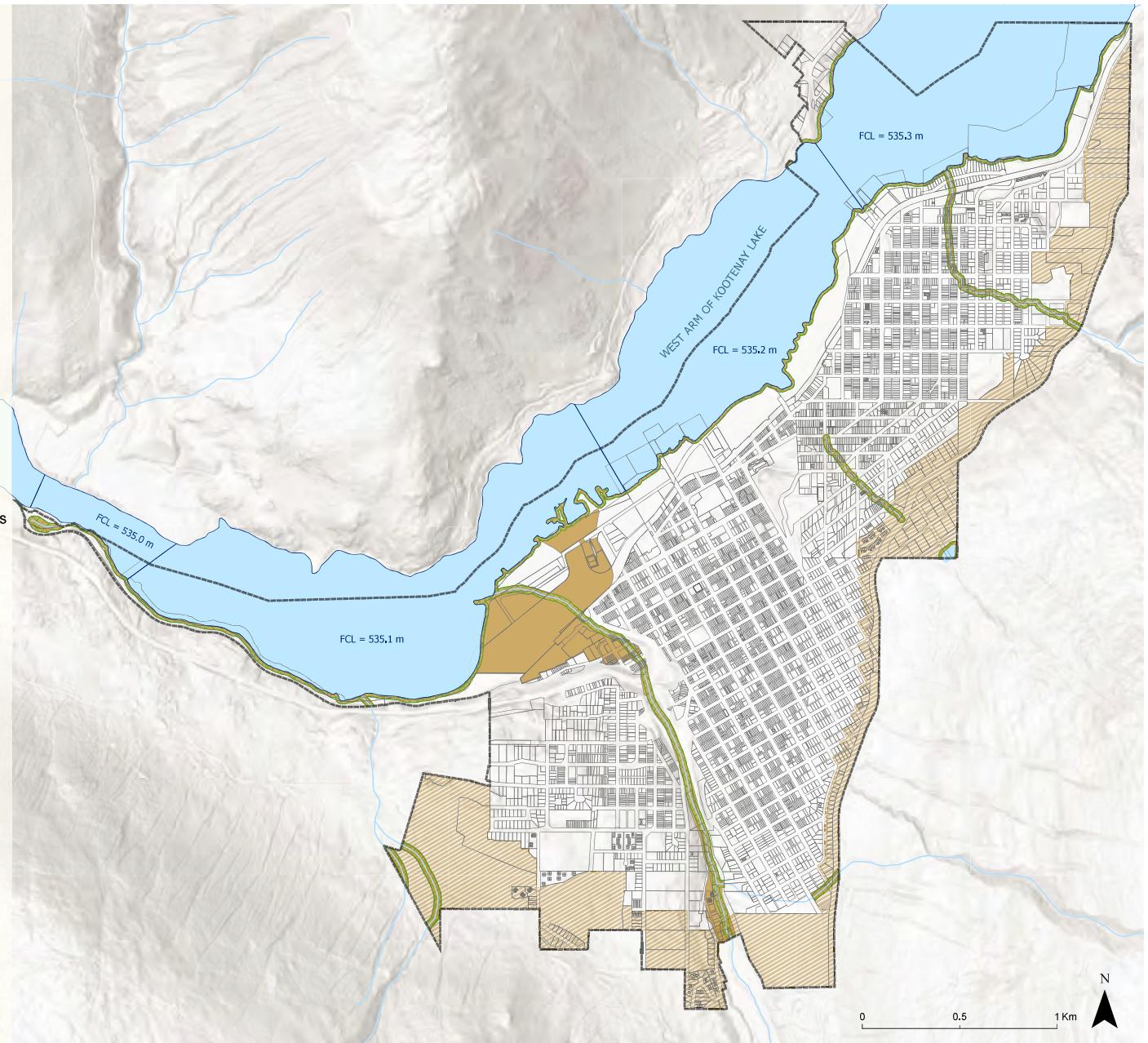
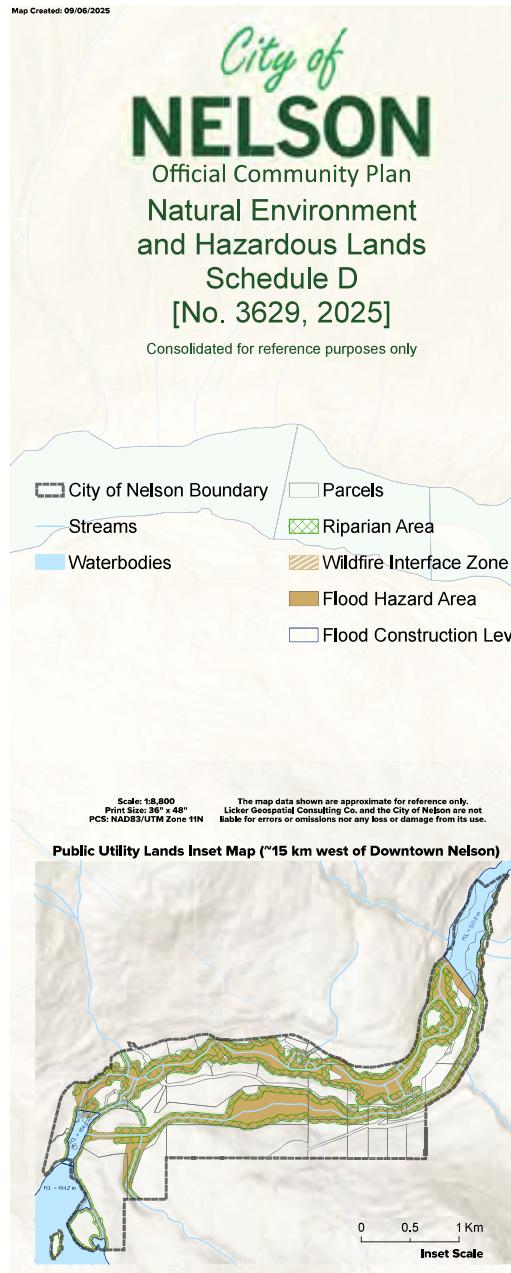
The city's anticipated housing needs from 2024 to 2045 can be met within the Low Density Residential, Mixed Use Commercial/Industrial, Mixed Use Core, Mixed Use Residential, Multi-Unit Residential, Neighbourhood Mixed-Use, Highway Commercial, and Granite Pointe Redevelopment areas.

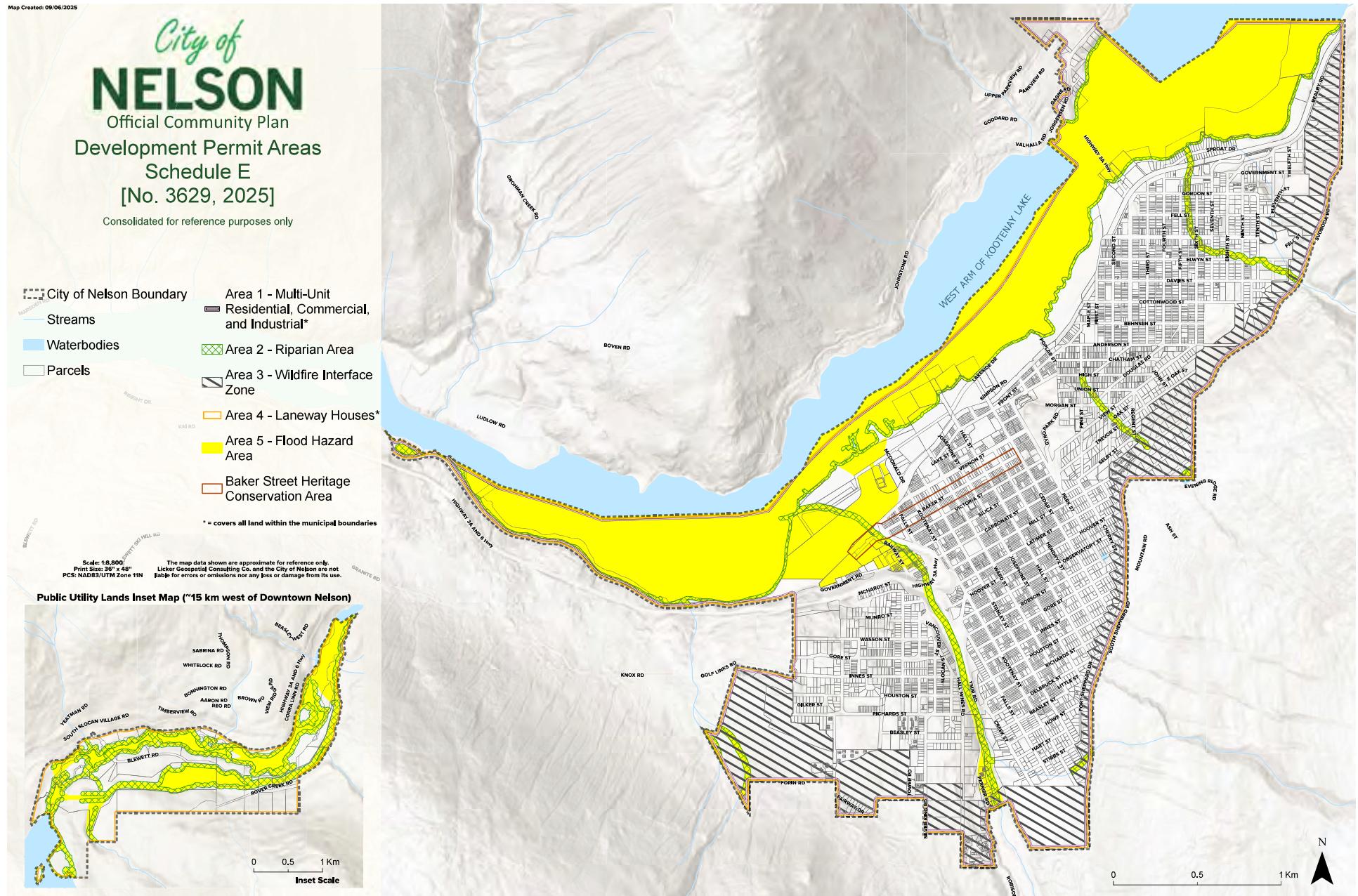
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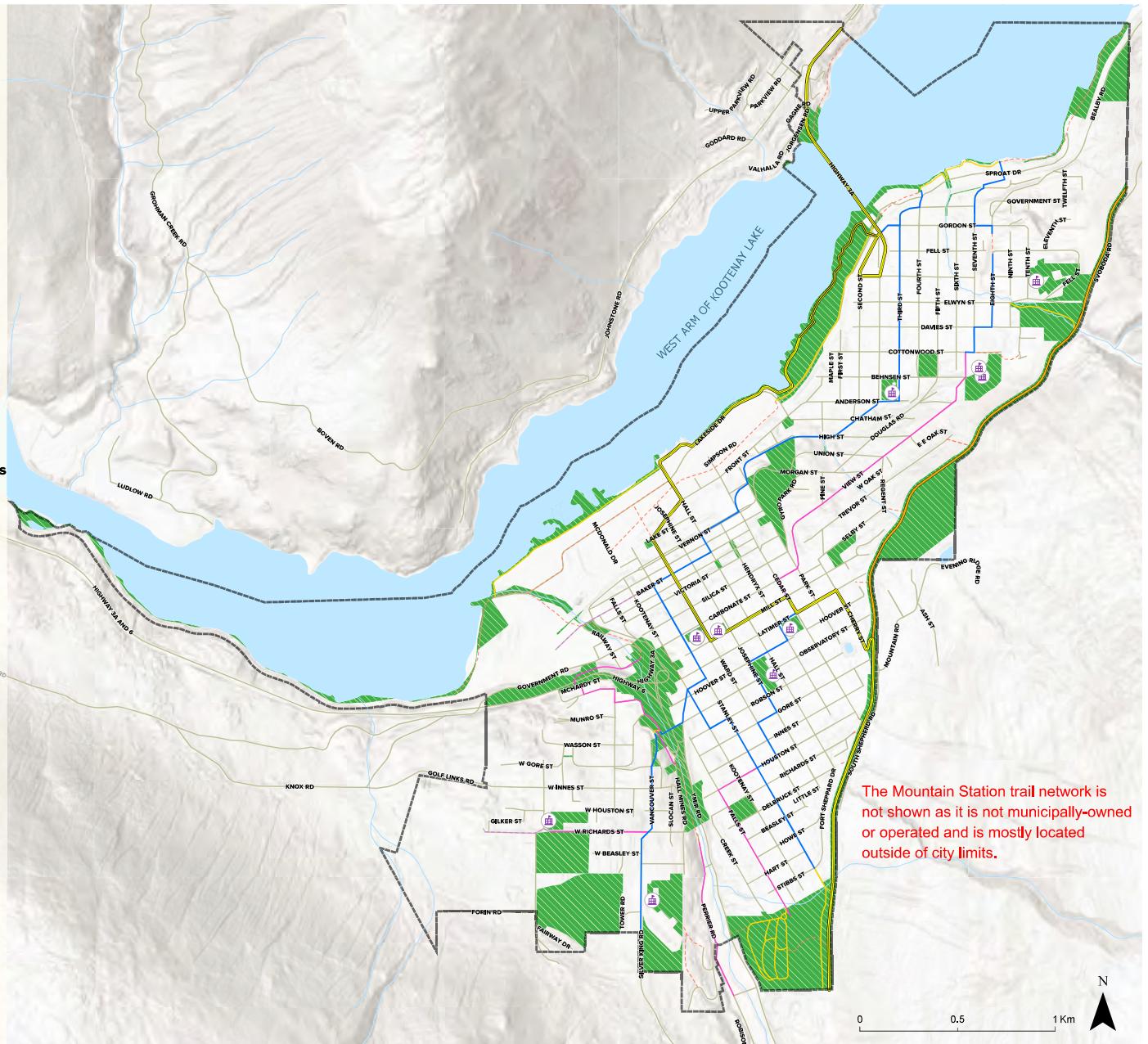
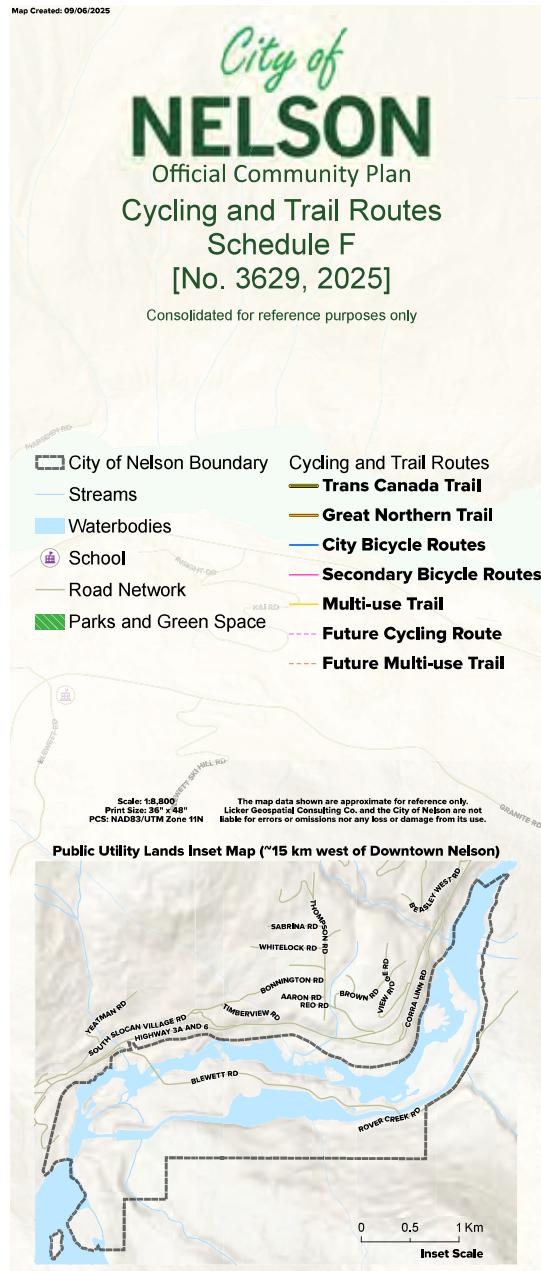
The map data shown are approximate for reference only.
Linton Geospatial Consulting Co. and the City of Nelson are not
liable for errors or omissions nor any loss or damage from its use.

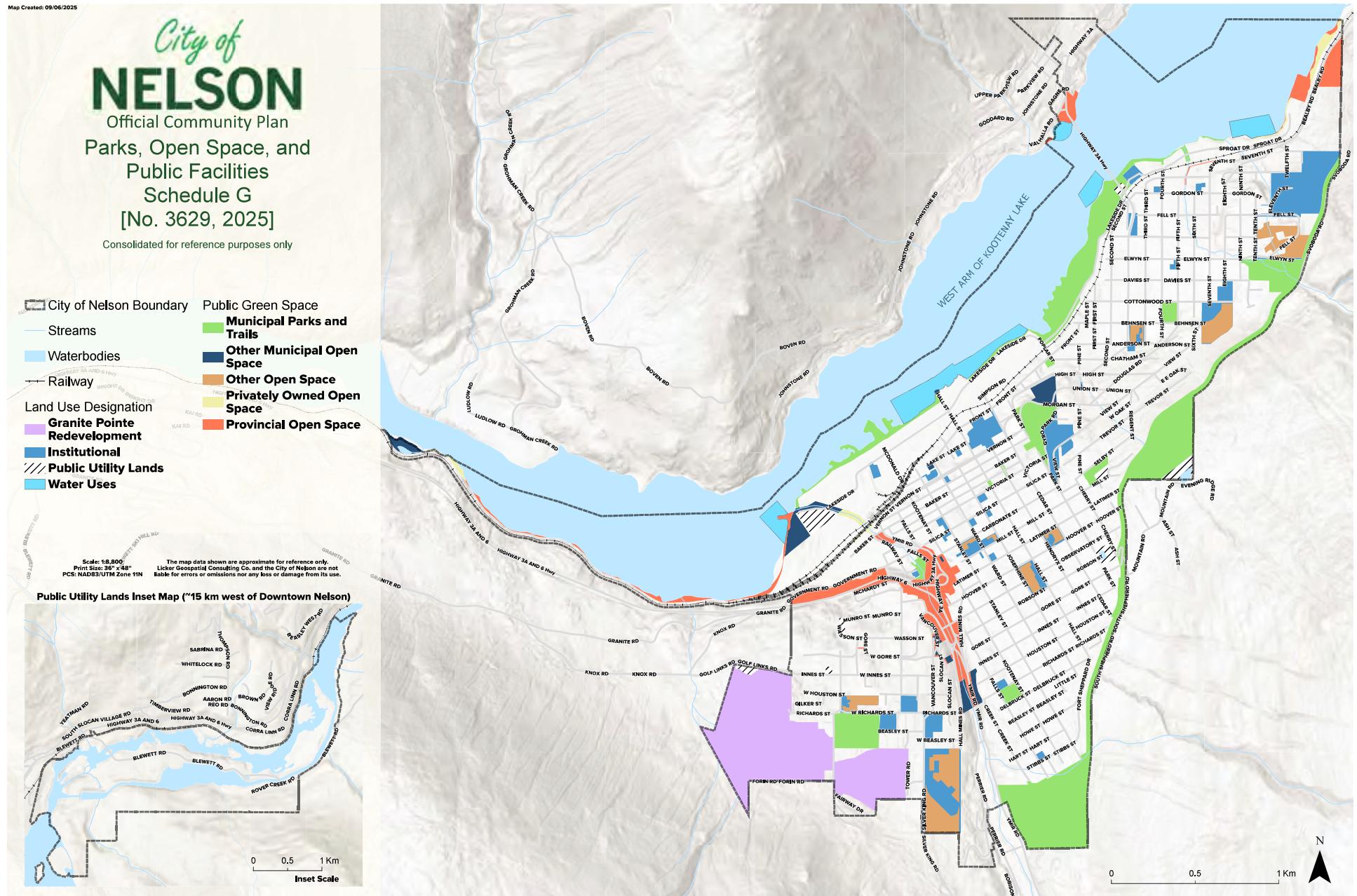


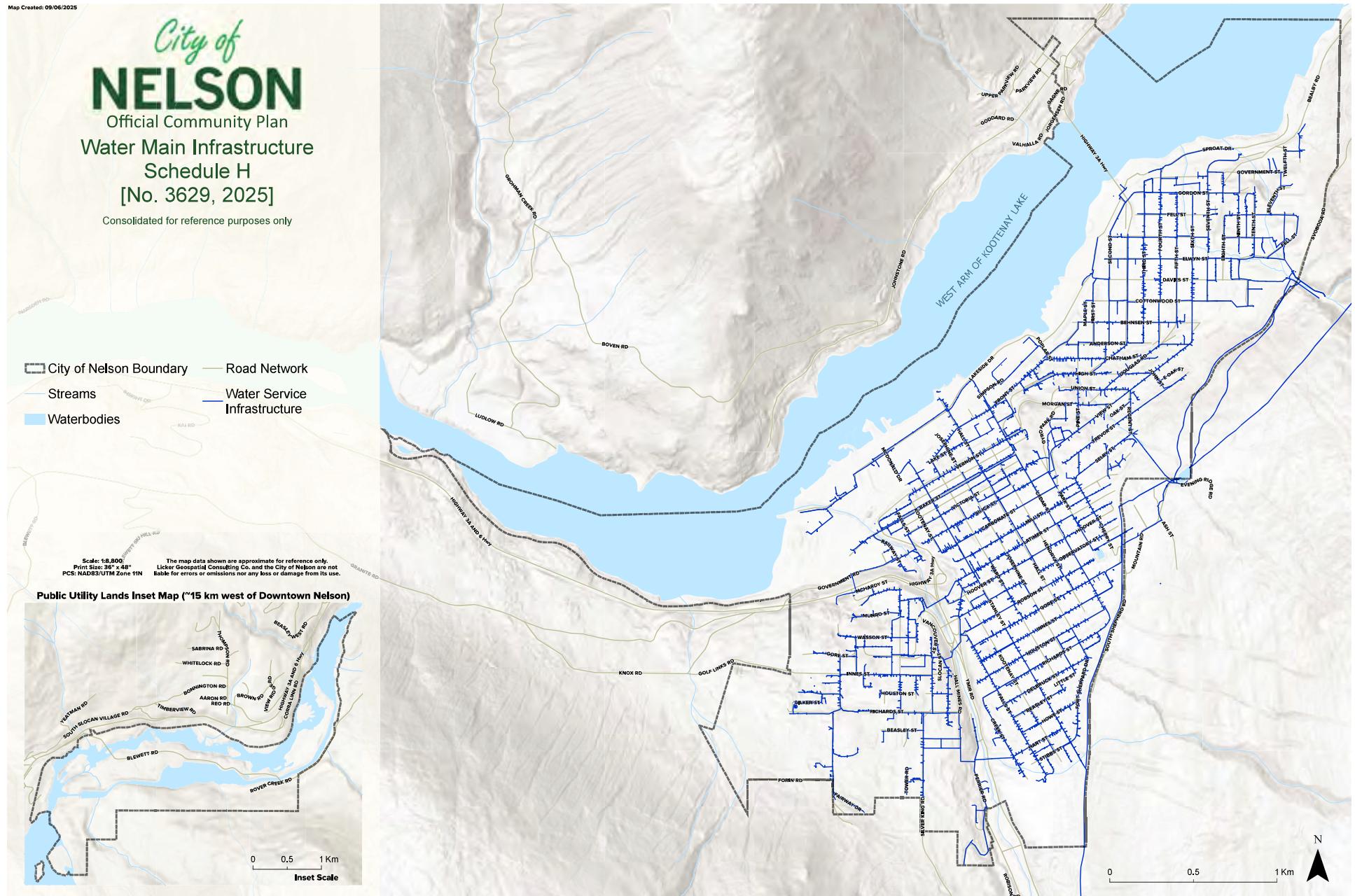


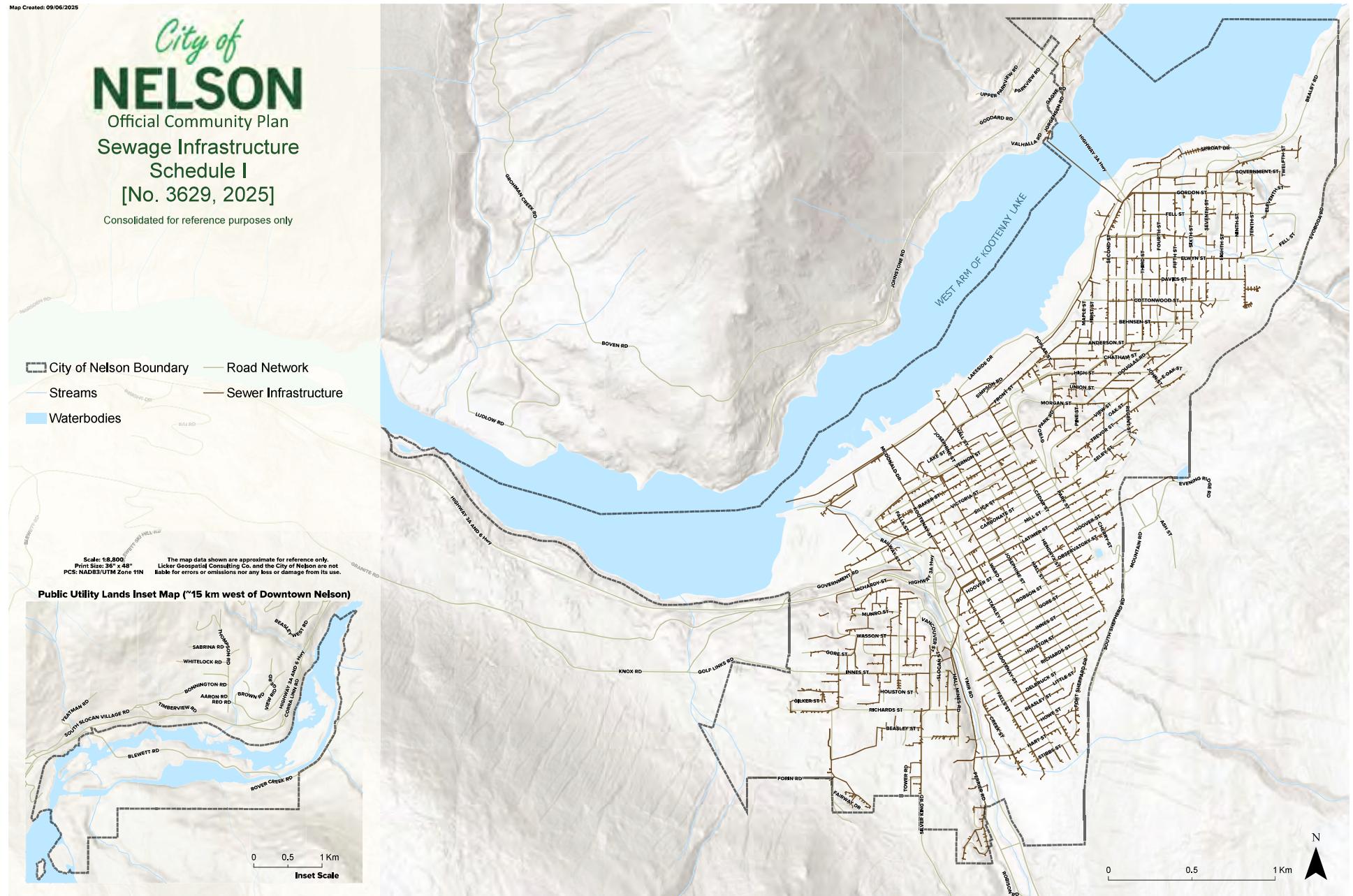












Schedule J: Design Guidelines





Photo: Colin Burwell

The purpose, justification, objectives, exemptions, and design guidelines of each Development Permit Area and Heritage Conservation Area are contained in this schedule of the Official Community Plan.

Use the maps provided in the Official Community Plan Bylaw to determine which Development Permit Area(s) your project may be subject to. It is likely that any given parcel will be subject to more than one Development Permit Area depending on the nature of the project.

How to read the design guidelines:

- The applicant must demonstrate explicitly, in writing, how the project achieves the intent of each **design intent**.
- Statements such as “**shall**” and “**must**”, or adjectives such as “**required**” and “**prohibited**”, are firm, obligatory requirements for each project.
- Statements using “**should**”, “**expected**”, or the **imperative tense** (“design systems to be...”) are intended to apply to a majority of situations. Exceptions will be reviewed on a case-by-case basis to assess where deviation is necessary to address unique circumstances that will otherwise render compliance impractical or impossible, or to allow an acceptable alternate means to achieve the general intent of the statement to be introduced instead.
- Encouraging statements, such as “**encouraged**”, “**discouraged**”, or “**recommended**”, are not mandatory requirements, but they describe core strategies and practical recommendations for achieving the City’s desired design outcomes that projects must achieve. If an application does not incorporate any of these recommended strategies, it is unlikely that the City will approve the application.
- Alternative equivalency: Innovative and creative designs will be considered when the proposal demonstrates architectural merit and addresses acceptable alternatives to the design guidelines. When an alternative is proposed, it shall make clear how the proposal is equal to or greater than any element from above that is not being considered.

Development Permit Area 1: Multi-Unit Residential, Commercial, and Industrial



Development Permit Area 1: Multi-Unit Residential, Commercial, and Industrial

The justification of Development Permit Area 1, for the purpose of section 488(2)(b) of the *Local Government Act*, is to ensure consistent high-quality development standards that are compatible with a building's surroundings, the design intents enumerated in Schedule J, and the character and values of the community as elaborated in this OCP, as well as to provide the community with a development tool that will aid in the reduction of greenhouse gases, conserve water, and energy resources. This intent is further justified by policy 5.2.4.10 of this OCP.

All areas of the City are included in this permit area.

This Development Permit Area is permitted by the *Local Government Act* to achieve the following:

- establishment of objectives for the form and character of intensive residential development (*LGA sec. 488(1)(e)*)
- establishment of objectives for the form and character of commercial, industrial or multi-family residential development (*LGA sec. 488(1)(f)*)
- establishment of objectives to promote energy conservation (*LGA sec. 488(1)(h)*)
- establishment of objectives to promote water conservation (*LGA sec. 488(1)(i)*)
- establishment of objectives to promote the reduction of greenhouse gas emissions (*LGA sec. 488(1)(j)*)

In Development Permit Area 1, a development permit is not required for:

- Minor changes to the exterior of existing multi-unit residential, commercial, and industrial buildings, including exterior repainting with the same or similar colour only;
- Signage only (however, signage size, type, and locations for new buildings shall be incorporated into the Development Permit);
- Exterior awnings or canopies only (however, canopy or awning size, type and locations for new buildings shall be incorporated into the Development Permit);
- Subdivisions;
- Internal alterations of a building, where no square footage is being created or added, except where the internal alterations result in a change to the exterior design of an existing building and/or the Design Guidelines for landscaping and site design require consideration as determined by City staff; and
- Lots containing fewer than five residential dwelling units and that contain no commercial or industrial uses.

In order to achieve the objectives of Nelson's Official Community Plan as they pertain to design and development, all applications subject to Development Permit Area 1 must clearly demonstrate how they comply with each design intent.

Buildings listed on the City of Nelson Heritage Register must also refer to the Baker Street Heritage Conservation Area design guidelines.

Design Intent #1:

Achieve high-quality, context-sensitive design that creates visual interest and a sense of place

1. Projects must demonstrate **good fit and harmony** with the heritage character, 'charm', and sense-of-place of the neighbourhood by recognizing the surrounding older architectural vocabulary and referencing this in the scale, proportion, and materials, while integrating new higher density forms of housing as envisioned in the Official Community Plan. Use building height,

scale, stepbacks, and setbacks both to achieve harmony with the existing context and to limit as much as possible perceived height differences between the new development and the existing surrounding area. Applicants are required to identify neighbourhood architectural traits and demonstrate integration with existing building and landscape architecture.



Although the new second storey is contemporary in appearance, it follows the original building's proportions and detailing, creating a cohesive relationship with both the base structure and the street as a whole.

Established building pattern

Although the new building is visually distinct from the neighbouring heritage structures, it reflects the established street rhythm through similar floor heights, overall scale, and vertical articulation of windows. These elements help the building blend seamlessly into its historic surroundings while maintaining a contemporary identity.

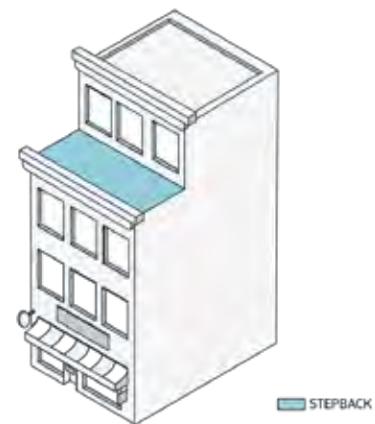


Example of modern building in historic block with good fit, harmony, scale, and matching setbacks.

2. Incorporate a range of architectural features and design details into building facades that are rich and varied to create **visual interest from the pedestrian perspective**, but care should be taken to avoid over-cluttering the façade, which may disrupt the overall design coherence.
 - a. Incorporate distinct architectural treatments for corner sites and highly visible buildings, such as by varying the roofline, articulating the facade, adding pedestrian space, increasing the number and size of windows, and adding awnings and canopies. Facades and entries should orient to both fronting streets to activate these spaces and enhance street edge definition.
 - b. Designs shall not be repetitive in nature: variation between properties is required.
 - c. On sites with more than one building, ensure that buildings are distinct but designed to achieve cohesive massing and proportion.
 - d. In residential developments, increased ground floor height, entryway features, generous glazing, front porches and other architectural features are encouraged to emphasize the ground floor as the highest design priority.
3. Along streets where an existing street wall is established, this becomes the 'established setback'. The location of structures should **respect the pattern of established setbacks displayed by existing buildings** and be oriented to the front property line to promote pedestrian access and amenity.
 - a. In the downtown area (defined as the area between the railway, Cedar Street, and Victoria Street, including all parcels fronting those streets on both sides of the street), new construction should conform to within 10% of the established setback, subject to minimum setback dimensions set in the Zoning Bylaw. Step-backs should be avoided to keep development aligned with established patterns of the historic architecture.
 - b. In other areas, if step-backs are utilized, residential buildings shall only step the top floor back, while mixed-use buildings may step back all floors above ground level. Multiple step-backs are discouraged unless a building is stepping in response to steep topography.



Example of multi-unit mixed use building with articulated facade, pedestrian space, and distinct corner treatments.



Example of upper level stepback.

4. **Building roofs** are considered a fifth facade and are often visible from surrounding buildings. Accordingly, roofs are an integral aspect of the building and an expressive opportunity that should be attractive and, if flat, provide outdoor usable space, energy production, food production, and/or stormwater storage. Roof designs must protect entrances and exterior pathways from falling snow and ice. Locate and screen roof top structures and mechanical equipment so that they are not visible from the public realm. Screening shall be integrated into the building design where possible and be constructed of high-quality materials.
5. Development should **avoid significant reworking of existing natural grade** and large retaining walls. On sloping sites, floor levels are expected to step to follow natural grade and avoid the creation of blank walls. Use strategies such as stepping buildings along the slope, locating building entrances at each step, and incorporating terracing to create usable open spaces around the building. Where **retaining walls** are required, use attractive-looking materials, limit their height, terrace or step them, and landscape them whenever higher than 1 metre. Lock block and gabion style retaining walls are not considered appropriate for commercial and multi-unit residential development.
6. **Awnings and canopies** contribute to identity, provide outdoor shelter, and in some cases provide a location for storefront signage. Awnings should add to the overall appearance of a building, yet not be a dominant feature of the façade. Awning structures should be scaled to the building. Awnings that overwhelm or totally obscure the façade are not permitted.
 - a. Awnings or canopies should be provided over primary entries and on all buildings with street-oriented retail at grade to form a continuous sheltered environment for pedestrians. Place awnings and canopies to balance weather protection with daylight penetration.
 - b. Awnings and canopies shall maintain a minimum vertical clearance of 2.5m and project a minimum of 1.25m from the primary building façade.
 - c. The colour scheme shall complement the building façade. The use of white as the primary background colour is strongly discouraged.



Example of housing development working with the existing natural grade.



Example of well suited awning structure.

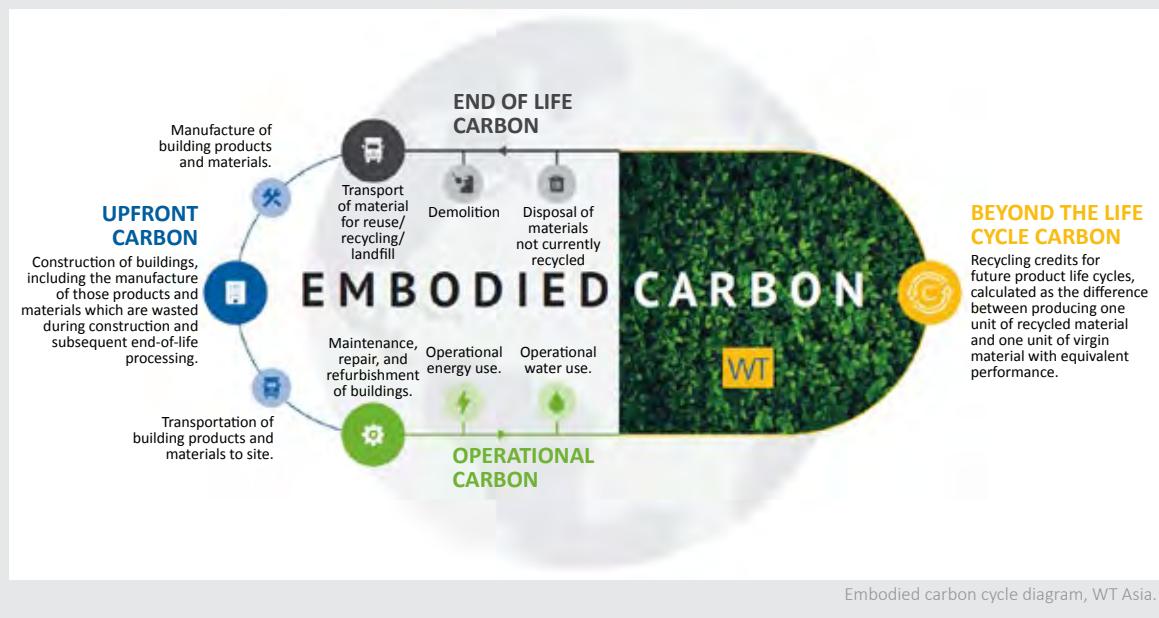
7. Use **intervals in the building facade** to improve legibility by defining individual units or functions, break down the apparent massing, establish a human scale, create visual interest, reflect the scale of surrounding buildings, all while seeking to minimize building envelope heat loss. At a larger scale, this can be done through vertical and horizontal modulation, offsetting walls, and shifting rooflines to vary height. At a finer scale, modulation is achieved through projections, recesses, step-backs, material variations, and colour changes. Other possibilities to reinforce the modulation or articulation interval may include repeating window patterns, or a reoccurring feature such as a bay window, patio, covered entry, balcony, lighting fixture, or roof feature.
 - **Vertical Modulation:** Buildings over three storeys tall should have a defined base (ground-level, and may include the first two storeys), middle (should define the principal building facade), and top (defined roofline and/or top floor).
 - **Horizontal Modulation:** Buildings should have a horizontal rhythm of modules that relate to the function of the interior spaces. Historical property frontage is typically 30' (9m), 40' (12m) or 50' (15m); alignment with historical property lines is encouraged to keep building massing aligned with the historical fabric. The rhythmic modules for residential, commercial, and mixed-use buildings should not exceed 15m in length. The rhythm of the base and upper floors may vary.
- **Projections and recesses** help to define a modular rhythm and emphasize the horizontal planes of a building. Projections are encouraged in all districts except areas of the downtown core where they are not a significant component of the established pattern.
 - In order to achieve a bright, welcoming entrance, the primary building entrance shall not be deeper than 2.0 metres; secondary entrances shall not be deeper than 1.0 metre.
 - Recessing windows from the primary building face creates attractive shadow lines and is encouraged.
 - Decorative recesses up to 20 cm in depth are encouraged as a means of adding a finer grain of articulation.
- **Individual units** (whether commercial or residential) **are encouraged to be articulated and include distinct design elements** while being compatible with neighbouring units as part of an overall architectural concept. When units (whether residential or commercial) are **side-by-side**, each unit shall be architecturally distinct through the use of two or more of the following design treatments: different rooflines, transition to different building materials, various sizes locations and styles of windows, various window treatments (e.g. mullions, window trim and mouldings, shutters), building articulations (projections and/or recesses), and entrance features.

Design Intent #2:

Achieve sustainable architecture by using high-quality, durable materials that weather gracefully, with minimal embodied carbon

Embodied carbon refers to the greenhouse gas emissions associated with materials and construction processes throughout the life cycle of a building and excludes emissions from building energy use. This can include emissions from material extraction, manufacture, transportation, construction, replacement, refurbishment, demolition, removal, and other processes.

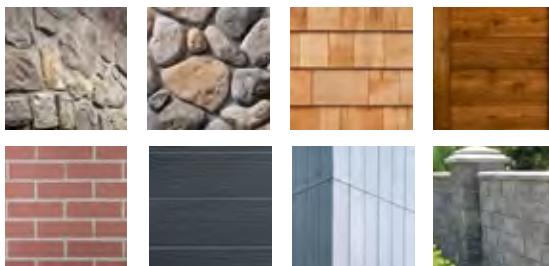
Life Cycle Assessments (LCA) evaluate the environmental impacts of a building, from the moment of extraction of raw materials to transportation, processing, manufacturing, use, recyclability, and disposal. All of the materials and processes are gathered into an inventory using software and multiplied with the appropriate impacts for each material or process. An LCA can be completed by a professional, or simply by the builder, using free software.



1. **Obligatory Life-Cycle Analysis.** According to the Canada Green Building Council, the embodied carbon from building construction is responsible for 10 percent of all energy-related emissions globally. In order to raise awareness and inform better material and design choices, a life-cycle analysis is required for new Part 3 buildings (as defined by the BC Building Code), prepared using recognized national standards:
 - a. Applicants must provide a preliminary whole-building Life Cycle Assessment report prior to issuance of a Development Permit.
 - b. A final whole-building Life Cycle Assessment with any building design alterations must be submitted to the City prior to issuance of partial or full occupancy approval, whichever comes first.
 - c. The results are to be reported to the City using the form prescribed by the City.
 - d. Non-market affordable housing projects are exempt from the Life-Cycle Analysis requirement, but are highly encouraged to collaborate with the City to collect data.
2. Where demolition is required, applicants are encouraged to **divert at least 60% of generated debris and waste from landfill**, with a goal of a 75% diversion rate.
3. **Locally sourced materials** are encouraged to reduce transportation impacts and reflect the local climate, light, history, and culture. Minimize waste and prioritize re-purposing and retrofitting existing buildings. Additionally, the following materials are encouraged:
 - a. Recycled or reclaimed materials or materials with a high-recycled content;
 - b. Concrete with at least 25% fly ash or slag, type GUL cement, or other low-carbon supplementary cementitious materials;
 - c. Wood products certified CSA Sustainable Forest Management Standard or equivalent;
 - d. Materials that have a low embodied carbon rating to help conserve energy (refer to the City of Nelson's Material *Carbon Emissions Guide* for ideas);
 - e. Materials that have long-life, low maintenance properties to extend the lifespan of the building;
 - f. Nontoxic interior finishes and installation methods.
4. **Building materials and colours** shall be carefully selected to express the uniqueness of individual buildings, be visually pleasing, and add to the overall composition of the street. Materials shall be high-quality, durable, low-maintenance, and should suit the local environment. Colours should be based on hues found within the natural environment and be augmented with white and/or black to mute their tone.

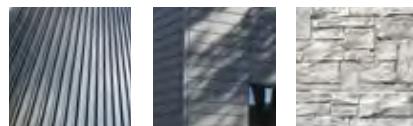
5. **Material and colour** changes can emphasize particular elements of a building's façade and help to establish vertical rhythm or differentiate horizontal planes, but changes should not be excessive. Use an integrated, consistent range of materials and colors and provide variety by, for example, using accent colours. A minimum of two but not more than three material changes per facade should be incorporated.
6. Incorporate substantial natural building materials such as masonry, stone, and wood into building facades. Developments **must not use prohibited materials** and are expected to not use discouraged materials on public-facing facades:

Encouraged



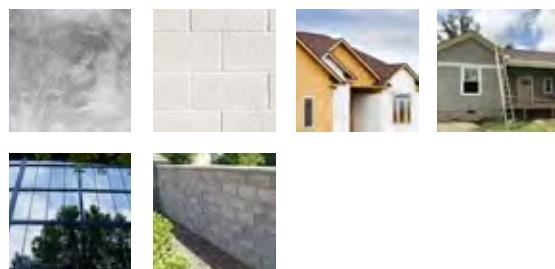
- Real stone, wood, and brick (traditional size)
- Stucco
- Cement fibre board (hardi-plank)
- Textured concrete block (on secondary facades only)

Discouraged



- Metal siding
- Sheet panelling
- Synthetic materials such as faux masonry veneers

Prohibited



- Unfinished cement (may be permitted on non-primary facades)
- Plain concrete block
- Unfinished plywood
- Vinyl siding
- Reflective glass
- Greater than 10% tinted glass

Design Intent #3:

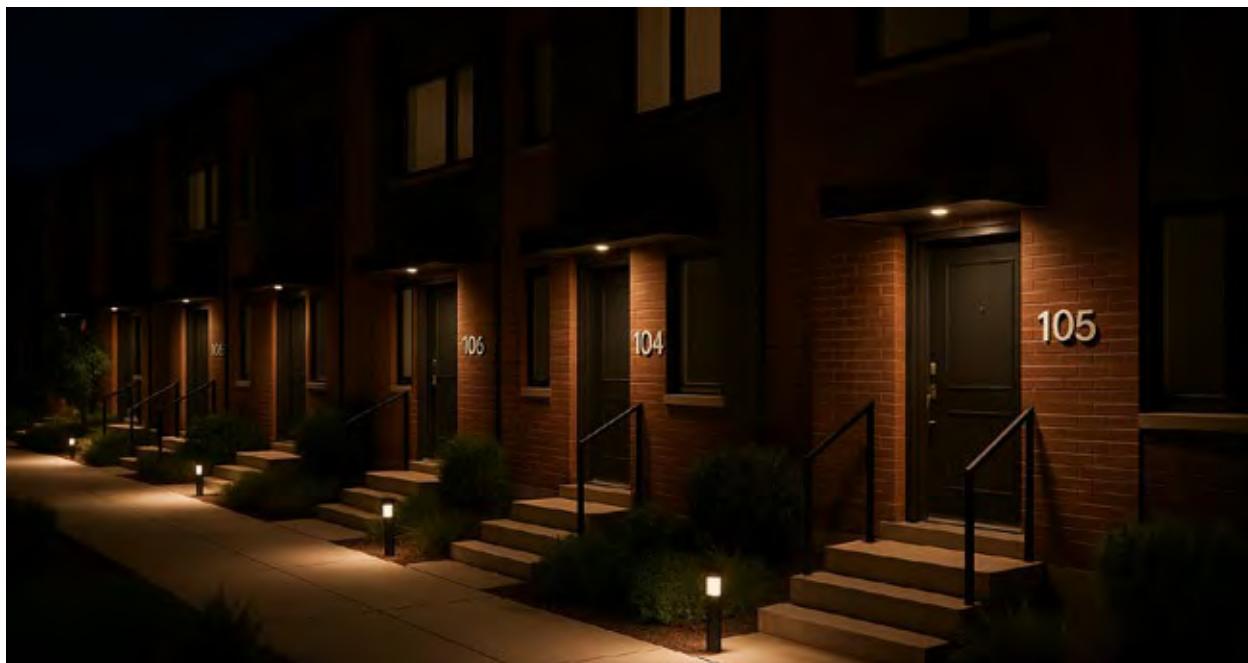
Design liveable developments that promote outdoor living space, accessibility, pedestrian safety and comfort, and healthy lifestyles

1. In residential and mixed-use developments, both **private and shared outdoor amenities** should be provided. All residential units must have private outdoor open space, whether in the form of a yard, patio, or balcony.
 - a. These spaces must be designed to maximize likelihood of regular use by being of adequate and useable size, avoiding strong winds, maximizing sunlight, and achieving a sufficient level of privacy (landscaping and architectural features are preferred over fences). A portion of the outdoor space should be covered for use during light rain, air-drying laundry, storing equipment, strollers, bicycles, etc.
 - b. For residential developments, street-oriented units should have their main access via a semi-private space to create a transition zone at a comfortable distance from street activity. Implement design strategies to delineate private front yard spaces, porches or patios from the public realm, while maintaining visibility of unit entrances.
 - c. The design of common, shared spaces must prioritize visibility in order to afford a sense of security necessary to encourage their use.
 - d. Usable terraces on building roofs and podiums are encouraged where possible.
2. Any setback area on street-facing facades shall be used to create **high-quality, usable open space**, serving as a transition area between private use and the public realm. **Front yards devoid of landscaping are not permitted.** For residential uses, the setback area should be designed to clearly define it as belonging to the residents of the unit, while also encouraging neighbourly interactions.
3. Units are expected to have a private at-grade entry wherever possible; for residential developments, this concept is known as **ground-oriented housing**. Buildings with six or fewer units should offer ground-oriented access for all units.
4. In large buildings, the **main building entrance shall be prominent** and expressed by such elements as taller volumes, recessed doorways, canopies, lighting, art, water features, special materials or colour and paving. Entrances shall be easily identifiable and well-lit for convenience, visual interest, and safety.



Example of rowhouse development with landscaping and a mix of shared and private space.

5. Where unit entries do not directly face the street, design features including pathways, gates, signage, lighting, and visibility **make it clear where unit entries are located.**
6. Pedestrian areas shall have **adequate illumination for safety**, all while mitigating light trespass into adjacent units and properties. Full cutoff or fully shielded fixtures shall be used to avoid light being directed upwards. Lighting shall be Dark Sky Compliant. Sensor or timer-based shut off controls should be used for residential, pedestrian, and parking areas.
7. Where possible, developments should incorporate the principles of **accessible, universal design**. This includes pedestrian access and interior layout: it is expected that all ground-floor or nearly ground-floor units be universally accessible, or at minimum designed to be easily adapted for universal accessible.
8. Site design should encourage **active transportation** by prioritizing clear, safe, and attractive pedestrian access and easy access to areas where people can securely lock up bicycles. Design open space so that it cannot be used to park vehicles.
9. Consider **integrating opportunities for play or alternative uses** in both soft- and hardscaped areas. This can include designing driveways and parking areas as play courts for children when not in use by vehicles.

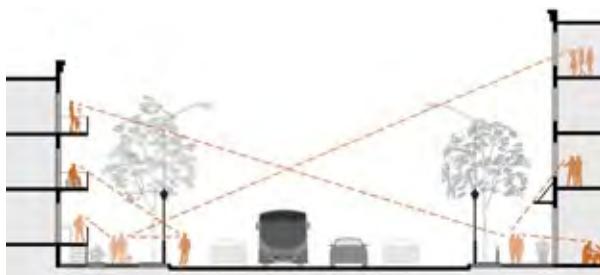


Example of illumination of multi-unit development and clear entries and pathways to units.

Design Intent #4:

Contribute positively to a welcoming streetscape by orienting buildings towards public streets to support social interaction, neighbourliness, and ‘eyes on the street’

‘Eyes on the street’ is a concept coined by the well-respected urbanist Jane Jacobs and is also known as ‘natural surveillance’. This refers to the proven principle that safety and citizens’ perceived level of safety while walking is greatly increased when visibility of the street is maximized. This generally means placing windows so that numerous households might have a view of the street from various rooms in their home. The opposite of natural surveillance would be a large windowless wall, significantly reducing the chance that anyone has a view on what is happening outside unless they themselves are in their front yard.



Example of ‘eyes on the street’ in action: well-placed windows, balconies, and a walkable street layout create natural sightlines that help foster a sense of safety and community presence.

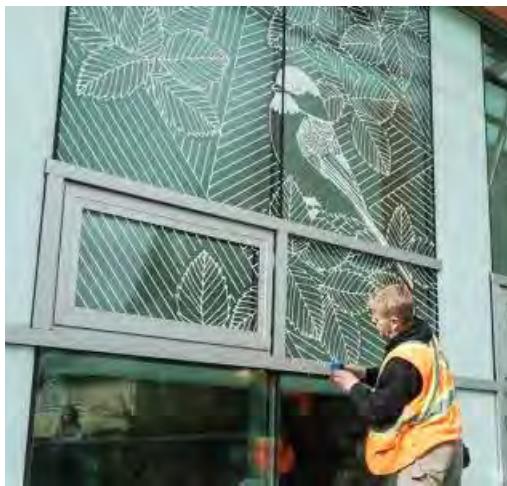
1. **‘Eyes on the street’ principles** shall be employed by locating doors, windows, and active open spaces to face public streets and public open spaces.
Emphasize front doors and windows rather than garages and parking: the base of buildings should animate the street by containing active uses reinforced by generous windows, entrances, and active outdoor spaces. In commercial areas, active uses include street-level residential units with street-facing entrances, retail, and restaurants that meet and engage the sidewalk with ample windows and doors, live/work units that front the

street, displays and inviting entrances, entertainment, offices and lobbies. Street-oriented units’ primary entry shall be directly accessible from the fronting street and primary indoor living space should be at-grade. Gated or walled communities are not permitted.

- a. The surface area of any front façade facing the primary street to which the building is oriented shall provide a minimum 20% **window area**. Window ratios should be higher at-grade and lower on north-facing facades to account for lower solar gain potential.
 - i. Retail and commercial: at least 60% windows are required at-grade along street-facing facade(s). The windows shall be transparent. No more than 70% of store windows shall be obstructed with displays and signage, ensuring visual permeability into the store interior.

- b. To achieve **bird-friendly design**, avoid large areas of glazing and fly-through conditions such as glass bridges and walkways, windowed courtyards ('glass traps'), outdoor railings, free-standing glass architectural elements and building corners where glass walls or windows are perpendicular or other conditions where birds can see through them to sky or habitat on the other side. Bird-safe treatments, including but not limited to visual markers and UV markers, should be applied on minimum 85% of contiguous glass panel areas greater than 2 sq. m. Several municipalities have published bird-friendly design guidelines that should be consulted and referenced for best practices, including Markham, Ottawa, Vaughan, and Guelph.
- c. The use of **window bars and roll down panels** on building facades that face streets or public spaces is discouraged and will only be considered in exceptional circumstances.

2. Minimize **shadowing and privacy impacts** on neighbouring residential properties. The building should stagger or offset windows to not align with adjacent, facing windows. Consider clerestory windows where appropriate. Minimize overlook into neighbouring private space, whether outdoor or indoor.
3. Use **Crime Prevention through Environmental Design (CPTED)** principles by:
 - d. Reducing concealment opportunities;
 - e. Providing clear sight lines for pedestrians;
 - f. Ensuring entrances are visible;
 - g. Providing lighting to minimize dark spaces;
 - h. Placing windows in order to maximize informal surveillance; and
 - i. Providing street addresses that are easy to identify.



Example of bird friendly design treatment on windows.

4. **Storefront design shall promote pedestrian interest at the ground level** and provide visual connection to the store interior.
 - a. Retail bays shall be no wider than 15 metres in order to create a fine-grained pattern of shops. A larger retailer may combine bays internally; however, the external bay articulation shall be maintained.
 - b. Retail entrances should be easily identifiable and distinguishable from residential entrances. They should be reinforced with such elements as recesses, awnings, special lighting, windows, colour and materials, and special paving. Multiple entrances to larger stores are encouraged.
 - c. Publicly accessible open spaces to encourage visitors to linger is highly encouraged, where possible.
5. **Monolithic structures and long expanses of straight walls with no visual relief or texture must be avoided.** Buildings facing a street or public open space such as a park shall have no single blank wall more than 5.0m in length and in no case shall blank walls constitute more than 20% of a storefront along the primary façade; secondary façades shall be no greater than 50% blank.
6. Developments are encouraged to incorporate **public art**, or at minimum create opportunities for future incorporation of public art, such as secondary facades conducive to a mural.



Example of storefront design with pedestrian interest and clear entrances.

Design Intent #5:

Contribute positively to urban ecology, green space, energy efficiency, water conservation, and stormwater management

1. New developments must implement **strategies to reduce water consumption and utilize green infrastructure** such as bioswales to minimize runoff and increase on-site retention and infiltration of stormwater. The objective is to absorb predevelopment flow through capture, infiltration, and filtration strategies. Use recirculated water systems for any water features such as pools and fountains, and ideally greywater reuse systems for landscaping. Maximize the percentage of landscape area that is unirrigated and does not need watering. Water fixtures that achieve at least a 40% reduction in potable water consumption for the building (not including irrigation) over the baseline water fixtures are strongly encouraged.
2. Developments are encouraged to **target higher levels of energy efficiency** than the minimum required.
3. Use **durable, thermally efficient roofs** that reduce heating and cooling and enhance thermal comfort, including green roofs or solar-ready roofs. Roofs should be designed to **accommodate and mitigate stormwater runoff effects** using landscaping, diverting runoff to collection tanks, rock pits or other appropriate means. Green roofs are highly encouraged. Ensure soil depths and types are appropriate for proposed plants and ensure drainage is accommodated.
 - a. **Solar-readiness:** Unless the applicant demonstrates that the building site conditions do not permit the effective use of solar photovoltaic systems, in nearly all cases designs must contain design considerations for future use of solar panels or solar hot water systems.

4. Retain or provide a healthy, absorbent **topsoil layer** sufficiently deep to allow for well-rooted planting and reduced irrigation requirements.
5. **Permeable surfaces** and other strategies to reduce the heat-island effect must be implemented.
6. **Existing vegetation and mature trees**, especially significant or landmark trees, should be preserved in most cases, while balancing need to mitigate wildfire hazard potential. All **vegetation and tree removal** should be completed outside of the breeding bird nesting period, which extends from April 1 to August 31. If tree removal must be completed during the bird breeding period, a nesting bird survey should be completed to ensure that no active nests are impacted by these activities.
7. Building form, orientation, and thermal mass should **optimize solar radiation, natural ventilation, and daylighting**. Incorporate **passive** heating, cooling, and lighting **design principles** in landscape and building design. Privilege materials and colours that minimize heat absorption. Techniques can include:
 - a. Location of windows on the south-facing façade to optimize solar gain;
 - b. Minimize windows on the north facing to limit heat loss;
 - c. Window overhangs and/or fixed operable shading devices to control solar gain;
 - d. Roof shape and orientation to maximize passive solar gain and opportunities for solar energy collection; and
 - e. Landscaping that provides a balance of shading in the summer and solar access in the winter, and buffers wind.

Design Intent #6: Parking design prioritizes pedestrians and does not dominate the property

1. Applicants are encouraged to take advantage of one or **more parking requirement reduction** opportunities offered by the City (refer to bylaw on off-street parking requirements).
2. Vehicular access, circulation, garage doors, and parking **must not be the dominant aspect of a development**. Large parking areas between the street and the building must be avoided. In most cases, vehicle parking and access must be located at the **rear or side of the development**. If street-facing parking is inevitable, parking areas shall include landscape features to minimize the visual impact and **reduce the apparent size** of the parking area.
 - a. Where parking is not street-facing, clustering of parking spaces should be provided in order to maximize the efficiency of the rest of the property and promote larger, continuous green, and open spaces.
- b. Street-fronting garages are generally not appropriate along public streets, although a single-vehicle garage may be considered. The maximum number of garage doors per unit is one. Alleyways, secondary streets, or a secondary vehicular circulation system internal to a development is encouraged as the appropriate location for garages.
3. Different **surface treatments**, and especially **permeable** options, should be used, unless the applicant can demonstrate why they would be inappropriate for the site.
4. In **large commercial developments with large parking lots, provide separation** between vehicular routes (especially truck access/loading) and pedestrian routes to avoid conflict, and/or distinguish pedestrian routes from driving surfaces by using varied paving treatments and/or raising walkways to curb level.

Miscellaneous Guidelines and Requirements

1. **Rail-Adjacent Development:** All applications for properties adjacent to a rail right-of-way are encouraged to consider the national "Guidelines for New Development in Proximity to Railway Operations."
2. **Franchises, Chains, and Corporate Branding:** While it is recognized that corporate and franchise businesses have identifying logos, letter styles, and/or colours etc. that are key to their identity, such elements are considered subservient to the greater aesthetic objectives of the community and must be suitably modified to suit the City of Nelson's design criteria.
3. **Timing of Development:** The conditions of a Development Permit may set out conditions in terms of the sequence and timing of construction to ensure the public realm is considered, and to minimize disruption to the community.

Development Permit Area 2: Riparian Area



Development Permit Area 2: Riparian Area

The justification of Development Permit Area 2, for the purpose of section 488(2)(b) of the *Local Government Act*, is to protect riparian areas by regulating development activities near: watercourses, Kootenay Lake, wetlands and their adjacent lands so as to protect aquatic habitat; and to conserve, enhance and, where necessary restore watercourses and their riparian areas. It also has a secondary purpose, which is to protect development from any potentially hazardous conditions, notably flood risk, related to the proximity of the development to water.

Riparian Area means all lands within 15 metres of the high water mark of Kootenay Lake (as identified on Schedule E) and 15 metres from the high water mark of all other watercourses, wetlands, or where the lands have been identified as Riparian Area on Schedule D. Note that not all watercourses and wetlands in the city may be shown on Schedules D and E; however, these guidelines apply if a water body is determined to be a watercourse, lake or wetland. These areas require special attention to address the existence of riparian areas.

This Development Permit Area is permitted by the *Local Government Act* to achieve the following:

- protection of the natural environment, its ecosystems and biological diversity (*LGA* sec. 488(1)(a))
- protection of development from hazardous conditions (*LGA* sec. 488(1)(b))

In Development Permit Area 2, a development permit is not required for:

- Internal alterations of a building only;
- Boundary adjustments between two lots when no new additional properties are created;
- Construction, renovation or repair of a permanent structure if the structure remains on its existing foundation (only if the existing foundation is moved or extended into a riparian area would a Development Permit be required);
- Projects where all development activity will occur outside of the defined riparian area and the riparian area is delineated by brightly coloured snow fencing for the duration of the development activities occurring on the lands and no heavy machinery will be present;
- The removal of noxious weeds and/or invasive species in accordance with the Central Kootenay Invasive Species Society's "Integrated Pest Management Options" for specific invasive species;
- The restoration or enhancement as part of an approved local stewardship project and carried out under the recommendations and guidance of a Qualified Environmental Professional (QEP);
- The planting of Indigenous riparian species to the Central Kootenay using non-mechanized methods;
- Where a QEP has inspected the site and confirms to the satisfaction of the Director of Development Services & Climate Leadership that the actual location of the riparian area is not on the lands proposed for development; and
- Property owned by the Corporation of the City of Nelson.



Photo: Schmaltz Drone Photo

The Riparian Development Permit Guidelines apply to any development activity occurring within a Riparian Area.

The following definitions apply:

- **High water mark** means the visible high-water mark of a watercourse where the presence and action of the water are so common and usual, and so long continued in all ordinary years, as to mark on the soil of the bed of the watercourse a character distinct from that of its banks, in vegetation, as well as in the nature of the soil itself, and includes the active floodplain.
- **Lake** means Kootenay Lake, any area of year-round open water covering a minimum of 1.0 hectares (2.47 acres) of area and possessing a maximum depth of at least 2.0 metres. Smaller and shallower areas of open water may be considered to meet the criteria of a wetland.
- **Riparian Area** means all lands within 15 metres of the high water mark of Kootenay Lake (as identified on Schedule E) and 15 metres from the high water mark of all other watercourses, wetlands, or areas where the lands have been identified as a Riparian Area on Schedule D. Note that not all watercourses and wetlands in the City may be shown on Schedules D and E, however these guidelines apply if a water body is determined to be a watercourse, lake or wetland. These areas require special attention to address the existence of riparian areas.
- **Watercourse** means any natural or man-made depression with well-defined banks and a bed 0.6 metres (2.0 feet) or more below the surrounding land serving to give direction to a current of water at least six months of the year and/or having a drainage area of two square kilometres (0.8 square miles) or more upstream of the point of consideration.
- **Wetland** means any areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs and similar areas.

General

1. New construction, soil removal, and impermeable paving surfaces should be avoided within 15 metres from the high-water mark of any watercourse, lake, and wetland.

Application Requirements

2. Applications are to demonstrate compliance with the following:
 - a. Development activities and the siting of buildings and structures will be carried out in a way that results in the least impact to the riparian area;
 - b. Demonstrate that a diligent effort has been made to preserve existing riparian vegetation, woody debris, boulders, and other natural features;
 - c. Retain mature vegetation wherever possible and incorporate it into the design of the project; and
 - d. Development should be avoided on slopes greater than 30% due to the high risk of erosion, bank slippage, and resulting sedimentation into watercourses.
3. Development proposals will be evaluated based on individual site characteristics (such as, but not limited to, sensitive habitat features, parcel size, topography, and access) and must adhere to the following priority sequence of mitigation options, as detailed further in the Kootenay Lake Partnership's Kootenay Lake Shoreline Guidance Document:
 - a. Avoidance of environmental impacts and associated components;
 - b. Minimization of unavoidable impacts on environmental values and associated components;
 - c. Restoration of on-site environmental values and associated components; and
 - d. Offsetting impacts to environmental values for residual impacts that cannot be minimized.
4. Parcels proposed to be created by subdivision must demonstrate on a Site Plan that there is adequate space for a buildable area and associated services outside of the designated setback, and the minimum lot size should be accommodated entirely outside of the setback area.
5. A drainage plan is required for new construction and subdivisions. The drainage plan should aim to minimize to the fullest extent possible the impact that the development may have on the riparian area, both during construction and once built. Storm water is to be managed in a way that utilizes natural approaches and on-site water recycling as well as preserves natural drainage patterns on the lands. The drainage plan must include recommendations that address the following factors:
 - a. Water quality;
 - b. Water quantity;
 - c. On-site Detention;
 - d. Erosion and Sediment control;
 - e. Impact on fish and wildlife habitat; and
 - f. Physical riparian functions.

Federal and Provincial Review

6. Any proposed construction, soil removal, and impermeable paving surfaces within 15 metres from the high-water mark of a watercourse, lake or wetland will require review from the relevant federal and provincial regulatory authorities, and compensation for impacts may be required. If the development is exempt from federal and provincial approvals, a letter from a Qualified Environmental Professional stating that all applicable regulations have been met and that the project is exempt from federal and provincial approval is required.

Required Assessment Report and Designated Setback

7. A Qualified Environmental Professional (QEP), at the applicant's cost, must assess the riparian area and the potential impacts of the proposed development activity, and submit an Assessment Report to the City that:
 - a. Follows the methodology of the Riparian Areas Protection Regulation (RAPR), as amended from time to time;
 - b. Certifies that the person completing the report is qualified to act as a QEP, as specified by the RAPR;
 - c. Contains recommendations that reflect Provincially recognized best management practices as well as the Kootenay Lake Shoreline Guidance Document; and
 - d. Demonstrates a coordinated approach with other professionals involved with the project, such as, but not limited to, Engineers and Hydrologists.

8. The Assessment Report must:
 - a. Determine the recommended designated setback requirements permitted for new construction and any other development activity;
 - b. Provide information regarding potential impacts of the proposed development, mitigation options and design alternatives;
 - c. Provide evidence that the development will not result in Harmful Alteration, Disruption, or Destruction (HADD) of riparian areas, and specifically of species at risk (those identified by the provincial and/or federal governments);
 - d. Indicate that the slope stability will not be jeopardized if the area has a slope of 30% or more;
 - e. Identify measures required to maintain the integrity of the riparian area; and
 - f. Include an Environmental Monitoring Plan that describes the proposed monitoring program to be used during the development process. This plan must be prepared and implemented by a QEP.
 - i. Monitoring must continue for a period of at least one year after the development has been deemed complete by the City, unless otherwise specified by the QEP and as stated in the development permit conditions.
 - ii. A post-development report must be submitted to the City at the end of the monitoring period and must confirm that all potentially negative environmental impacts have been effectively addressed and that any proposed vegetation in the riparian area has been successfully established and that the development is in compliance with the development permit area guidelines and conditions of the development permit.
 - g. Identify landscaping requirements. Tree and vegetation retention should be prioritized. Planting should include Indigenous species to Nelson and be selected for erosion control and/or fish habitat and animal habitat values as needed. Measures to ensure tree and vegetation protection during construction should be identified.

9. The recommended designated setback shall remain free of development activity, including disturbance and machinery during construction, except in unique circumstances where an applicant can demonstrate that all of the following criteria are fulfilled:
 - a. The applicant demonstrates that size or topographical constraints severely limit the ability to develop elsewhere on the property;
 - b. Every alternative site and building design that could minimize the impact on the riparian area has been explored, which may include variances or reductions in all possible requirements (including, but not limited to, setbacks and height);
 - c. The Assessment Report adequately justifies why there are no other suitable alternatives to development activity within the setback and provides that, in the QEP's professional opinion the activity, as proposed, will not result in any harmful alteration, disruption or destruction of fish, fish habitat, or natural features that support fish life processes;
 - d. Development is directed to areas already subject to human disturbance; and
 - e. On-site environmental values will be restored in accordance with a restoration plan prepared by a QEP.
10. Limits of disturbance, such as silt fencing or snow fencing, to the recommended designated setback must be in place prior to the commencement of any development activity.

Marinas and Docks

11. All marinas or docks, must be located in areas designated for Water Uses, and are subject to receiving the necessary approvals from the Provincial and Federal government in addition to a Development Permit. A detailed assessment and plan for the proposed marina and dock will be required to be completed by a qualified environmental professional that references best practices, and provincial and federal guidance documents and considers items such as:
 - Access designed to minimize impacts to shoreline (e.g. pathway construction, siting, site prep);
 - Size and dimensions;
 - Lighting;
 - Dock materials;
 - Construction plan and practices to reduce impact during construction;
 - Vegetation/rock/log removal and replanting;
 - Shoreline stability;
 - Species at Risk; and
 - Segregation of motorized and non-motorized users

Permit Conditions

12. A Development Permit may require any of the following:
 - a. That specified areas of land must remain free of development;
 - b. The preservation, protection, restoration or enhancement of natural features and watercourses;
 - c. Dedication of natural watercourses;
 - d. Construction works to preserve, protect, restore or enhance natural watercourses or other specified natural features of the environment;
 - e. Protection measures to preserve, protect, restore or enhance fish habitat or riparian areas, control drainage, or control erosion or protect banks;
 - f. That all works be in accordance with a QEP's recommendations;
 - g. Monitoring of the development activities by a QEP;
 - h. Specific timing or sequence of development activities to minimize impacts to the natural environment; and
 - i. Limits of disturbance are to be in place for the duration of the development.
13. Should disturbance to the riparian area occur outside of the scope of the conditions of an issued Development Permit, the City may require a professional assessment of the damage and a report on recommendations for rehabilitation. The property owner is responsible for the completion of any recommended rehabilitation works.

Development Permit Area 3: Wildfire Interface Zone



Development Permit Area 3: Wildfire Interface Zone

The justification of Development Permit Area 3, for the purpose of section 488(2)(b) of the *Local Government Act*, is to minimize the risk to life and property, both on the subject properties and the entire community, by establishing guidelines and requirements to minimize fire spread risk on properties included in the Wildfire Interface Zone (see Schedules D and E).

This Development Permit Area is permitted by the *Local Government Act* to achieve the following:

- protection of the natural environment, its ecosystems and biological diversity (*LGA sec. 488(1)(a)*)
- protection of development from hazardous conditions (*LGA sec. 488(1)(b)*)

In Development Permit Area 3, a development permit is not required for:

- Internal alterations of a building only;
- Subdivisions and boundary adjustments;
- Construction, renovation or repair of a permanent structure if the structure remains on its existing foundation, provided that any new building materials adhere to FireSmart principles and material requirements contained in the Development Permit Area 3 design guidelines;
- New accessory buildings and decks will not trigger landscaping requirements in priority zone 1b: 1.5m to 10m; and
- Construction of a new roof or roof replacement using material that conforms to Class A or B fire resistance as defined in the BC Building Code.

The threat of fire from the surrounding wild forest lands to properties adjacent to such lands has prompted the establishment of special Wildfire Hazard design guidelines. The basic purpose of these guidelines is to control the combustible elements of both buildings and landscape in order to minimize the potential for the spread of fire and the resultant destruction of property, and threat to life.

The Design Guidelines are based on the Provincial FireSmart program and the City of Nelson Fire & Rescue Services recommendations.

Site Considerations

The following site considerations shall be acknowledged and adhered to:

- Buildings shall be sited and road accesses designed in order to accommodate fire fighting vehicles and equipment.

Landscaping

The following landscaping requirements shall be adhered to for new development within priority zones 1a and 1b.

- **Priority Zone 1a:** 0-1.5m. A non-combustible surface shall extend around the principal building, dwelling, accessory buildings and any attachments such as decks.
 - Non-combustible materials such as gravel, brick, or concrete are examples of materials that can be used around the home in this zone.
 - New woody shrubs, trees or tree branches are prohibited in this zone.
 - No new or additional coniferous evergreen trees are to be planted within this zone, such as junipers, cedars, or coniferous evergreen hedges.

- **Priority Zone 1b:** 1.5m-10m. This zone shall include fire-resistant plants and materials.
 - All plantings shall follow the current FireSmart BC Landscaping Guide.
 - Coniferous evergreen trees that are to be retained in this zone shall maintain pruning to keep branches 2 metres above the ground and spaced so that they have 3 metres between crowns. (In other words, the tips of the branches of a tree are no closer than 3 metres to the tips of the branches of another).
 - Coniferous evergreen trees that are to be retained in this zone shall not be within 3 metres of a principal building or dwelling, which includes decks and balconies.

The most recent landscaping recommendations in the Provincial FireSmart program should be followed for priority zones Zone's 2 and 3, if applicable.



Building Materials

The use of non-combustible exterior finishing materials is crucial to lessening the potential for wildfires to destroy a structure and adjacent structures. The following regulations have been adapted from the FireSmart BC Program and are stipulated for construction within the Wildfire Interface Zone:

- **Roofing:** The roof covering shall conform to Class A or B fire resistance as defined in the BC Building Code. Wood shingles or shakes are not permitted.
- **Exterior Wall Finishes:** Any material used for exterior wall finishes shall be fire resistant such as stucco, metal siding, brick, cement shingles or boards, concrete block, poured concrete, logs or heavy timbers and rock as defined in the BC Building Code. Wood and vinyl siding is not permitted.
- **Windows and glazing:** All windows must be double-paned or tempered.
- **Chimneys:** All chimneys shall have spark arrestors made of 12 gauge (or better) welded or woven wire mesh with mesh openings of less than 12 millimetres.
- **Eaves, vents, and openings:** All eaves, attic and under floor openings shall be screened with corrosion-resistant, 3-millimetre non-combustible wire mesh (as a minimum). Gutters shall be screened with metal mesh to reduce the amount of debris that can accumulate.
- **Balconies, decks, porches, and exposed undersides:** Decks shall be constructed of heavy timber as defined in the BC Building Code, or, with 1-hour fire resistant rated assemblies or non-combustible construction as defined by the BC Building Code; or equivalent alternative as

approved by the Fire Chief.

Covenant

A covenant will be required to be registered on title to notify future property owners of the landscaping and building requirements.

Alternatives

Where a Registered Professional Forester, Registered Forest Technician, or Registered Professional Engineer qualified by training or experience in fire protection, has undertaken an assessment and determined the fire hazard to below provided specific conditions are met, the requirements noted in Section C and may be relaxed at the discretion of the Fire Chief. Any relaxation of guidelines required that provisions are in place to ensure that development is carried out in accordance with the conditions noted in the professional's assessment.

The goal of vegetation management is to create a fuel-reduced buffer between structures and flammable vegetation to reduce the intensity and rate of spread of wildfire approaching or the spread of hot embers from a nearby wildfire. Vegetation management will reduce the threat of wildfire to developed areas; however, they do not ensure structure survival under all hazard conditions.

Development Permit Area 4: Laneway Houses



Development Permit Area 4: Laneway Houses

The justification of Development Permit Area 4, for the purpose of section 488(2) (b) of the *Local Government Act*, is to ensure consistent high-quality development standards for the development of laneway houses exceeding one storey in height, which is considered a form of intensive residential development by virtue of adding a second, multi-storey detached residential building on a lot typically in exceptionally close proximity to neighbouring lots due to relaxed setback requirements. The permit area is also designed to provide the community with a development tool that will aid in the implementation of the City's sustainable development goals.

All areas of the City are included in this permit area.

This Development Permit Area is permitted by the *Local Government Act* to achieve the following:

- establishment of objectives for the form and character of intensive residential development (*LGA* sec. 488(1)(e))
- establishment of objectives to promote energy conservation (*LGA* sec. 488(1)(h))
- establishment of objectives to promote water conservation (*LGA* sec. 488(1)(i))
- establishment of objectives to promote the reduction of greenhouse gas emissions (*LGA* sec. 488(1)(j))

In Development Permit Area 4, a development permit is not required for:

- Any project except one involving new construction or exterior changes to a laneway house;
- Laneway houses that are no more than five (5) metres in height; and
- Exterior renovations to existing laneway houses which do not alter the siting, height, or exterior design of the building and are determined by City staff to be minor.



Download the [How-to Guide Laneway Houses](#) PDF.



Photo: Diane Picchiettino, Unsplash

Applicable Area

A development permit is required in all areas of the City of Nelson for a laneway house over five (5) metres in height. Nonetheless, developers of all other laneway houses will be provided with the following design guidelines to ensure the success and quality of laneway housing in Nelson.

These guidelines apply to the laneway house and the property containing the laneway house, and not the principal house.

Application Requirements

The applicant for a laneway house development permit must justify how the project design complies with the following principles:

1. Design the laneway house to be a good neighbour by minimizing impact on neighbouring properties' sunlight, views, and privacy by minimizing shade, shadow and overlook onto adjacent properties. Respect the rhythm, scale, and height of the existing streetscape. The proposed setbacks of the laneway house and the lot's slope represent a major consideration in the design review process.

2. Design buildings for durability, sustainability, and other objectives of the City's Official Community Plan.
3. Incorporate design elements that create visual interest and variety, respect natural topography, respect the architectural rhythm of the neighbourhood, and consider preservation or enhancement of trees and vegetation.

Plans must demonstrate:

1. the location of all buildings and structures;
2. the proposed siting of parking areas;
3. the extent and nature of existing and proposed landscaping;
4. the proposed exterior finish, materials, and colour of buildings and roofs; and
5. the proposed locations of all exterior lighting.

You should discuss the proposal with your neighbours before applying for a Development Permit. Their input and perspective can help you develop a better design. If applicable, illustrate where you have taken neighbours' concerns or input into account.

Neighbourhood Fit and Minimal Neighbour Impact

1. Roof and Building Envelope

Buildings shall minimize the amount of shadow cast on to private open space and buildings of adjacent properties.

On steeply sloping sites, the views from adjacent properties should be respected by adapting the scale, massing and location of the laneway house to follow the topography and natural features of the site.

Rooftop outdoor space is generally prohibited to protect privacy of neighbours. Rooftop decks may be considered, particularly for single-level units, if it can be demonstrated how opportunities for overlook can be avoided.

2. Façades

Windows must be designed to respect privacy and reduce overlook onto neighbouring properties.

- Clear eye-level windows are permitted on the lane side (if applicable) and facing the street and may be permitted on portions of the building that can be demonstrated not to impact privacy or create overlook on existing or future neighbouring site development. Exceptions for windows oriented towards adjacent properties may be considered if design features are provided that mitigate privacy concerns. For example, windows with opaque glass that permit light into the laneway house but prevent overlook into adjacent yards, or other design solutions may be acceptable.

- Upper level windows facing the interior of the property and side yards should be modestly sized.

Upper-level decks and balconies are permitted on exterior side setbacks and on elevations facing the lane. It must be demonstrated how overlook will be avoided. Other upper-level deck and balcony locations may be considered where opportunities for overlook can be demonstrated to be avoided. Second-storey decks should not face adjacent properties.

All lane elevations, especially those without doors facing the lane, should be articulated and include design that create a sense of scale and architectural interest. This could include verandas, porches, planters, window boxes, windows indicating main living spaces, street address, entry gates, lighting, or cladding material. Direct connections between indoor living spaces and usable outdoor landscaped spaces are encouraged.

Create visual interest by providing variations in height and massing as well as articulation of all façades, including the lane façade. Dormers and building faces shall not be windowless.

Architectural style should complement the design of the principal residence, but the intent is not to create a “miniature version” of the primary building. The laneway house must be distinguishable, with a reduced height and scale.

Vinyl siding is not permitted.

3. Siting

A laneway house shall be sited to minimize shadowing on other properties. Often, this means on the southern portion of the lot, except where topography or retention of existing significant trees or landscape prevents this. In placing the laneway house on the property, efforts shall be made to maximize remaining open space and usable green space. Buildings should be integrated into natural slopes and other significant features.

Where feasible, all properties which abut a lane should access the property from the lane and all parking should be in the rear yard. Laneway houses on a corner lot should front the side street. Its primary windows, balcony, deck, and entrance should be oriented toward the street or the lane, where feasible.

Existing trees must be preserved where possible. Removal of any tree due to the construction of the laneway house must be included as part of the Development Permit plan. Siting should respect mature trees both on site and on adjacent properties. This means locating the laneway house so as to minimize impact on a tree's root system.

In the event that a laneway house cannot be sited without adverse impacts to either mature landscape or shading on adjacent properties, the following hierarchy of policies apply:

- i. Protect mature landscape on adjacent properties.
- ii. Protect mature landscape on subject property.
- iii. Minimize shading on adjacent properties. Care should also be taken to minimize the visual impact on adjacent properties. However, this does not mean that the laneway house will not be completely unseen from adjacent lots.

Any noise-generating HVAC systems, such as heat pumps, must be located where noise will be most minimal for neighbouring properties. Efforts must be made to muffle any noise for the benefit of neighbouring properties.

Parking

Parking is required to be accessed from a lane where such lane is developed or is already used year-round for parking access by a majority of the properties on the block.

In order to optimize open space, reduce shade and shadowing on neighbouring properties, and minimize building bulk, uncovered parking and carports are preferred over garages.

Surface parking spaces shall consist of permeable surfaces such as permeable/porous pavers, gravel, grassed cellular paving, impermeable wheel paths with ground-cover planting in the centre and sides, or a comparable alternative satisfactory to the City.

Garage doors must be consistent in quality, materials and details with the overall design and be partially glazed or incorporate windows in order to enhance the public realm.

The width of driveways should be minimized and shared between units wherever possible. Multiple driveways are strongly discouraged and may not be permitted under the Subdivision and Development Servicing Bylaw.

The presence of garage doors along roadways must be minimized in order to enhance the pedestrian experience. Where front-facing garage doors are unavoidable, impact on the public realm will be mitigated by:

- a. Designing residential units with enough width to include attractive entrances and windows between garages; and
- b. Providing interior spaces that overlook the street.

If front or exterior side yard modifications are part of the permit application, parking and driveways shall not occupy more than 50% of the area of the front yard or, where the site has a flanking side street, not more than 50% of the area flanking side yard.

A carport or garage shall be wide enough only for one vehicle. Refer to the Off-Street Parking and Landscape Bylaw for dimensions.

You are encouraged to provide at least one bicycle parking space for each unit. Bicycle parking should be secure and weather-protected.

Landscaping, Energy, and Sustainability

All laneway houses should consider additional current and future opportunities for sustainable design where possible including:

- Passive solar design integrated into the architecture and landscape design.
- Energy efficient design and internal infrastructure including structural supports for future solar panels.
- Opportunities for natural ventilation to optimize air quality and reduce mechanical cooling.

Obscuring evergreen hedges are encouraged on all interior side property lines and on rear property lines. Define and screen outdoor spaces through the use of landscaping such as plantings, architectural elements such as trellises, low fencing or planters, and changes in grade and elevation. All screen and fence material should be attractive, durable, and contribute to the quality of the residential landscape design. Chain link fence is not permitted.

Landscape and building design that incorporates rainwater retention, infiltration and harvesting including rain gardens, permeable surfaces, rain barrels and/or vegetated swales is required. Redirecting water from drain pipes into vegetated areas is recommended. The drainage plan must ensure that rainwater is filtered before entering the municipal system and is not directed onto neighbouring properties.

Green roofs are encouraged as benefits include reducing stormwater runoff, improving water quality, reducing urban heat island effect, conserving energy, creating

wildlife habitat, and prolonging the life of the roof membrane. An added benefit is that the green roof may soften the appearance of the laneway house from neighbouring lots.

30% of the lot area shall consist of live plant material. The use of indigenous, drought-resistant plants is highly encouraged. Planting of deciduous trees for summertime shading is encouraged where feasible.

In areas where slopes are in excess of 30%, the City may require that tree preservation areas be established to control erosion and/or protect banks. The City may require that works be constructed to protect vegetation where there is a desire to preserve significant or landmark trees or where concern may be created by the development of the land.

Carefully considered exterior lighting creates safe, welcoming, and clearly identified building entrances, lanes, and access pathways. Lighting is also required for emergency access. Lighting shall be down-cast and is also expected to be energy-efficient LED, non-glare, and neighbour-friendly. “Warm colour temperatures” ranging from 2700K to 3000K are recommended.

A 0.6m landscaped setback between the laneway house and lane should be provided, except where there is parking.

Development Permit Area 5: Flood Hazard Area



Development Permit Area 5: Flood Hazard Area

The justification of Development Permit Area 5, for the purpose of section 488(2)(b) of the *Local Government Act*, is to reduce risk to life and property in areas identified as having risk for flooding. Preventing or regulating development on high-risk lands also serves to protect the environment, as flood-induced damage to buildings can lead to significant repercussions on ecosystems, such as through the release of toxic materials.

The Flood Hazard Development Permit Guidelines apply to all lands within 15 metres of the high-water mark of any lake, watercourse, wetland, or where the lands have been identified as Flood Hazard Area on Schedule D. Note that not all watercourses and wetlands in the City may be shown on Schedules D and E; however, these guidelines apply if a water body is determined to be a watercourse, lake or wetland. These areas require special attention to protect new development from hazardous conditions.

This Development Permit Area is permitted by the *Local Government Act* to achieve the following:

- protection of the natural environment, its ecosystems and biological diversity (*LGA sec. 488(1)(a)*)
- protection of development from hazardous conditions (*LGA sec. 488(1)(b)*)

In Development Permit Area 5, a development permit is not required for:

- Internal alterations of a building only;
- Boundary adjustments between two lots when no new additional properties are created;
- Construction, renovation or repair of a permanent structure if the structure remains on its existing foundation (only if the existing foundation is moved or extended, a Development Permit is required); and
- Property owned by the Corporation of the City of Nelson.



Photo: Nazrin Babashova, Unsplash

- 1. No development shall occur on hazardous lands where future danger cannot be mitigated.**
2. The City will require the registration of a Section 219 **restrictive covenant** for lands that have been identified as hazardous, prepared at the applicant's expense and to the satisfaction of the City.
3. All new developments and applications for new buildings and subdivisions shall provide a **geotechnical report** completed by a qualified professional stating that the proposed development is **safe for the use intended**. The applicant must follow the qualified professional's recommendations and locate buildings and structures in accordance with setbacks determined by the City and those by the qualified professional. The report shall:
 - a. establish the suitability of the land for development and any required mitigation measures;
 - b. certify that there is no other suitable development land on the lot outside the Flood Hazard Area; and
 - c. specify design of foundations, floodproofing fill, and protective works to ensure that structures are oriented and anchored to minimize the potential impact of flood, sediment and erosion damage.
4. **Every new building or part of a building** and related structure must:
 - d. be constructed in a location and manner that will maximize the safety of people, the natural environment, and property;
 - e. not increase the risk or hazard to, or vulnerability of, other properties or structures; and
 - f. be located in the least hazardous part of the subject parcel.

5. For **renovations** to any existing permanent structure, where reasonable:
 - a. reduce flood hazard to the existing permanent structure by raising the habitable area to Flood Construction Levels;
 - b. reduce or eliminate the potential for flood damage by using construction methods that allow for occasional wetting and drying;
 - c. consider additional structural and/or non-structural flood protection measures to mitigate the impacts of flooding within areas already developed;
 - d. maintain and/or restore vegetation along all creek banks and floodplain setback areas to minimize erosion and protect slope stability; and
 - e. preserve natural floodplain regimes. Development should be sited so as to allow normal natural processes (erosion and channel migration) and anticipated flooding to occur. Where appropriate, this should include actions, such as grading of the site, to deflect flood water, and to allow for floodways or pooling of floodwater.
6. Flood and erosion protection works that use **bioengineering** to protect private property and the riparian area will be preferred.
7. A **drainage plan** is required for new construction and subdivisions. The drainage plan should aim to minimize to the fullest extent the impact the development may have on riparian areas, if applicable, while developing and when built. The drainage plan must include recommendations that address the following factors:
 - a. Water quality;
 - b. Water quantity;
 - c. On-site Detention;
 - d. Erosion and Sediment control;
 - e. Impact on fish and wildlife habitat; and
 - f. Physical riparian functions.

Baker Street Heritage Conservation Area



Baker Street Heritage Conservation Area

As per LGA section 614, the purpose of the Baker Street Heritage Conservation Area is to authentically conserve the overall heritage character of the Baker Street corridor and to support this authenticity by promoting evolution through exceptional, distinguishable new buildings that acknowledge, but do not mimic, the form and character of the City's historic architectural precedent and represent the character of present-day Nelson.

In the Baker Street Heritage Conservation Area, a heritage alteration permit is not required for:

- Single-detached or duplex residential buildings;
- Minor changes to the exterior of existing multi-unit residential, commercial and industrial buildings, including exterior painting only;
- Signage only (however, signage size, type, and locations for new buildings shall be incorporated into the permit);
- Exterior awnings or canopies only. Note that canopy or awning size, type and locations for new buildings should be incorporated into the permit;
- Subdivisions; and
- Internal alterations of a building, where no square footage is being created or added, except where the internal alterations result in a change to the exterior design of an existing building and/or the Design Guidelines for landscaping and site design require consideration as determined by City staff.

In cases where a project is hereby exempt from a heritage alteration permit, a development permit may still be required, and vice versa. If both a development permit and a heritage alteration permit are required, the two may be combined into one single application. The application fee will be whichever is higher between the applicable development permit application fee and that of a heritage alteration permit.



Photo: Adrian Wagner, donated by Kootenay Lake Tourism



Photo: Nick Lampard, donated by Kootenay Lake Tourism

What is a Heritage Conservation Area?

A Heritage Conservation Area (HCA) is a specific area recognized in an Official Community Plan (OCP) for its unique heritage value and character, crucial for maintaining the distinctive sense of place that contributes to the overall character of the area. This ensures that future generations can also enjoy these qualities, even as they adapt to changing times.

While individual properties within an HCA may possess heritage value, it is the collective character and overall value that defines the area. Local governments establish HCAs not just to acknowledge the importance of individual structures but to protect the entire setting—including the interrelations between buildings and their environments.

Preserving heritage areas not only enhances community spaces but also encourages compatible development.

An HCA is not intended to halt change, renovation or construction; rather, it serves as a robust, flexible tool to promote conservation while allowing property owners to make improvements and upgrades and to allow new buildings to represent their time period so that they, too, might be acknowledged as heritage buildings in the future. This approach supports the idea that while we conserve the values of Baker Street, we also accept the natural progression and modernization within its heritage context.

How to Use the Design Guidelines: All Projects

Staff will consider approving an application if the applicant has demonstrated, to the satisfaction of the Director of Development Services & Climate Leadership, that the project meets the expectations set by the design guidelines.

Note that, in most cases where a development permit is required, the HCA Guidelines will apply *in addition* to the Development Permit Area 1 Guidelines.

Requirements

Statements using “shall” and “must”, or adjectives such as “required” and “prohibited”, are firm, obligatory requirements for each project.

Guidelines

Statements using “should”, “expected”, or the imperative tense (“design systems to be...”) are intended to apply to the majority of situations. As projects are reviewed on a case-by-case basis, exceptions will be considered, particularly

when deviation is necessary to address unique site-specific circumstances that will otherwise render compliance impractical or impossible, or to consider acceptable alternatives that achieve the general intent of the statement.

Recommendations

Statements using “encouraged”, “discouraged”, or “recommended” are not mandatory requirements, but they describe core strategies and practical recommendations that can be used to achieve the City’s desired design outcomes. If an application does not incorporate any of these recommended strategies, it is unlikely that the City will approve the application.

It is highly recommended to work with a heritage professional, such as a member of the Canadian Association of Heritage Professionals.

Photo: Dylan Robinson, donated by Kootenay Lake Tourism



How to Use the Design Guidelines: Renovation and Restoration

Applications for changes to existing buildings are to rely on the City-approved Statement of Significance (if applicable), the design principles outlined in this document, and the latest edition of the *Standards and Guidelines for the Conservation of Historic Places in Canada* for direction. Depending on the nature of the work proposed, many, but not all, of the design guidelines below will also apply.

The City's objective is to conserve the historic character of Baker Street through effective restoration, preservation, and rehabilitation of its character-defining buildings and features to enable their continuing or compatible contemporary use, while protecting their heritage value.

The applicant must submit a detailed report that:

- a. Descriptively and visually explains the proposed project; and
- b. References the relevant sections, standards, and recommendations of
 - i. the *Standards and Guidelines for the Conservation of Historic Places in Canada*;
 - ii. in the case of buildings listed on the City's Heritage Register, the subject building's Statement of Significance (where one exists);
 - iii. the Heritage Conservation Area's Statement of Significance, Design Principles, the materials and colour design guidelines listed below, and any other design guidelines relevant to the project; and
- c. Demonstrates how it achieves compliance with said documents and any known documentation (photos, etc.) of the building's original features. Instances of non-compliance should be the exception, and in those cases the application must satisfactorily prove how compliance is not reasonably possible.



Photo: City of Nelson Heritage Planning

How to Use the Design Guidelines: New Buildings and Additions

Applications are to consider the entirety of the design guidelines as they relate to the HCA's Statement of Significance. Applicants should clearly demonstrate compliance with all design guidelines and design principles; however, it is also recognized that the ability to fully meet each design guidelines may be influenced by land use, lot size, topography, and the overall complexity of the development.

Objectives of the HCA

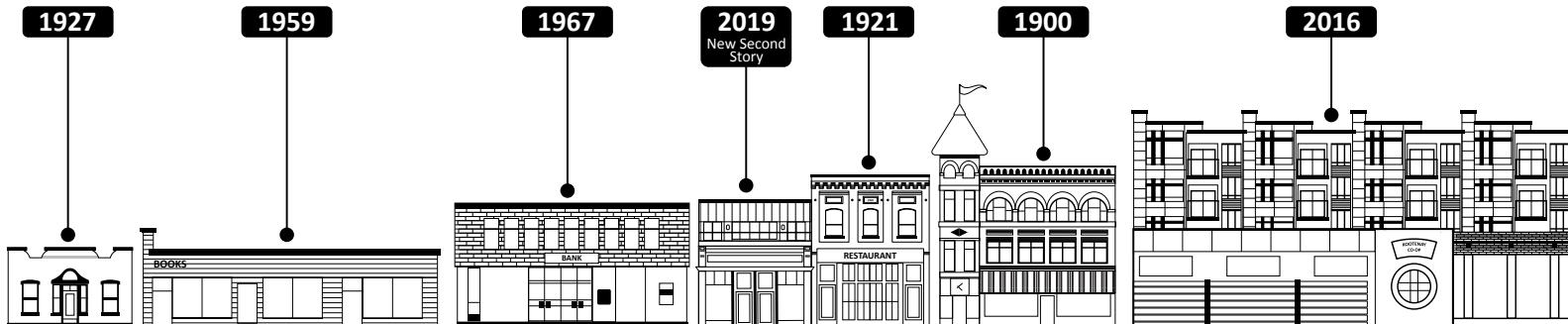
Nelson has more historic buildings per-capita than any other municipality in BC outside of Vancouver and Victoria. It boasts one of the most historically significant and active downtown areas in the province. Most of Nelson's commercial and institutional heritage buildings were constructed between 1895 and 1924, and most are along, or within a block of Baker Street, Nelson's main commercial street.

The City's objective is to **authentically conserve** the beautiful historic structures and the overall heritage character of the

Baker Street corridor and to support this authenticity by promoting evolution through exceptional, distinguishable new buildings that acknowledge, but do not mimic, the form and character of the City's historic architectural precedent and represent the character of present-day Nelson. The HCA is inclusive of potentially valuable alterations, urban layers, and buildings of all time periods, which has helped create an environment of genuine quality and provides a format that allows the community to continue to develop stylistically into the future. New elements can become part of what is considered heritage.

Designers, architects, and property owners are to reference the guidelines and answer the following questions before undertaking any design work within the HCA:

1. How closely does the design adhere to the principles and intent of the guidelines?
2. Where does it depart from them, and why?
3. Does the design respond to the Statement of Significance and character-defining elements of the HCA and of the building (if applicable)?



Example of different architectural styles along baker street that are authentic to their era.

Illustration by Sarah Shaw.

Statement of Significance

The Statement of Significance identifies the description, heritage value, and character-defining elements of an historic place. Character-defining elements are the materials, forms, location, spatial configurations, uses and cultural associations or meanings that contribute to the heritage value of an historic place, which must be retained in order to preserve its heritage value.

Baker Street is the main commercial street of Nelson and the location of a fine collection of historical commercial buildings. It is valued for its historical, commercial and cultural associations with the early city, its architecture, and its role in the early heritage conservation movement in the province of B.C. Baker Street is named for MPP Colonel James Baker of Cranbrook, B.C.

Baker Street is an important part of the very earliest conception of Nelson, being noted on the town's first survey by Arthur Stanhope Farwell in 1888, and for its past and ongoing role as the social, cultural and commercial centre of town.

The street is associated with early entrepreneurs during the late 19th century through its use as the traditional retail corridor for the city of Nelson, catering to the needs of mining companies and railway construction crews including brothels located at the east end. Commercial expansion continued throughout the 1890s and early 1900s establishing Baker Street's impressive streetscape. This was due to the construction of fire-retardant masonry buildings, the result of the 1897 City of Nelson bylaw enforcing brick or stone building material for new buildings and masonry party walls, a means to prevent devastating fires such as

those that had occurred in other Kootenay communities. This collection of historic commercial buildings is associated with some of the leading local and provincial architects of the time, including Alexander Carrie Arthur E. Hodgins, Alexander Ewart and Francis M. Rattenbury. The streetcar system serviced Baker Street from 1899 to 1949.

Baker Street is culturally important for having survived intact both the fluctuations of the local economy over the life of the city and the growing dominance of the automobile in urban life, with its tendency to draw commercial activity away from a community's main street. The thoroughfare is important for the way in which it physically connects key aspects of the downtown core, including the railway station and industrial lands at its western end, the commercial heart of the city in its central blocks, houses for the elite further east, and the bluff face that defines the downtown's eastern edge. A section of Baker Street was part of the Southern Trans Provincial Highway system.

Baker Street, and Nelson as a whole, was important in the early years of the heritage conservation movement in British Columbia. With the institution of the first provincial Heritage Conservation Act in the mid 1970's, Nelson was selected as a case study for

the newly emerging concept of community heritage conservation; the results of the study were published in the volume Nelson: A Proposal for Urban Heritage Conservation.

Baker Street is significant as one of the few intact main streets in the province and possesses one of the greatest concentrations of architecturally valuable historic commercial buildings of any city of comparable size. The Heritage Canada Foundation recognized Nelson's uniqueness and used it as a pilot project for its Mainstreet Program, while the Nelson Heritage Area Revitalization Program initiated streetscape improvements and stabilized and rehabilitated downtown commercial facades over a 10-year period in the 1980s.

With community support and a locally appointed Downtown Development Officer, the heritage revitalization of Baker Street set the stage for Nelson's transformation from a resource-based community to one focused on tourism and the arts, while creating the unique and historically significant streetscape character seen today.

Baker Street has the following character-defining elements:

- Building heights varying from one to three storeys, giving the street frontage a “sawtooth” appearance.
- A variety of building materials including wood, stone, and brick.
- Decorative trim and cladding including stucco, metal, tile.
- Juxtaposition of a variety of building styles and eras, providing an eclectic streetscape both visually and temporally.
- Building designs that are reflective of the eras in which they were constructed.
- Storefronts with large display windows with wood or metal framing or trim. Many primary storefront windows are at an angle to the sidewalk.
- Recessed entrance doorways on most buildings.
- Surviving evidence of mid-century modernization seen in some storefronts including doors and windows and cladding such as tilework.
- Buildings at intersections often have a visual design feature that highlights the corner of the building. These features can include angled entrances, rounded corners, or other architectural features appropriate to the style or era of the building.
- Buildings at intersections often have storefronts on the “secondary” façades, creating an extension of the Baker Street streetscape to cross streets.
- A variety of roofline and cornice features appropriate to the style or era of the building. This could include decorative cornices of stone, brick, or metal, decorative parapets, or undecorated horizontal rooflines.
- Street front windows on all storeys.
- Fabric awnings over storefronts where historic documentation exists to support their existence.

Design Principles

1. **Good Fit:** foster designs that respect, complement, and contribute positively to the historic context and established building pattern of Baker Street while encouraging innovative, creative, and enduring, timeless design solutions.
2. **Reinforce Existing Form and Character:** ensure that buildings, new and old alike, contribute and do not detract from the established character of the area, while representing the time period in which they are built. New buildings are to complement the downtown by reinforcing the existing scale, mass, pattern, street wall pattern, and articulation of surrounding heritage buildings.
3. **Human Scale:** create visual interest and a beautiful urban environment for pedestrians through appropriately scaled building mass, articulating facades, and a range of building elements at street level as well as along laneways.
4. **Cohesiveness:** ensure a unified architectural composition that relates well to the fronting street and reflects the internal function and use.
5. **Authenticity:** ensure that new buildings are distinguishable from, and do not replicate, the genuinely historic buildings of the area, while remaining sympathetic to the proportions, mass, scale, and rhythm of the established historic precedent.

Photo: Sarah Shaw



Design Guidelines

1. General

- a. Any design plans intended for heritage buildings listed on the City of Nelson Community Heritage Register must respect and preserve the genuine historic structure, materials, and detailing of the building, such as may remain. The proposal must consider any alterations made to the building in the past and what work may need to be done to correct previous renovation errors (such as covering over a heritage facade).
- b. The original form, scale, and massing should be preserved and rehabilitated. Any elements identified as contributing to heritage values in the Statement of Significance must be preserved.
- c. Designs should be imaginative and engaging, without being overbearing, and must explore creative ways in which to interpret Nelson's built heritage in order to blend harmoniously with the existing environment.
- d. Secondary facades identified as character-defining elements should be conserved in a good state of repair and retain character-defining features that have been introduced over time, most notably 'ghost sign' elements. Where possible, position new buildings to maintain views of historic ghost signs on the sidewalls of adjacent buildings.
- e. The design for individual business storefronts should reflect the structure's overall original architectural style and detailing.



Ghost signs are historic, illustrated, and typically fading and hand-painted advertising signs that have been present on a building (that likely has had a change of use since) for a significant period of time.

2. Scale, Proportion, and Setback

- a. Reflect historic patterns, scale, and proportions of surrounding historical architectural patterns all while respecting current zoning. The volume, height, massing, roofline, and relative size of new buildings and additions must exhibit harmony or, at minimum, a soft transition with the established parameters set by the surrounding heritage buildings. Windows, window openings, and entrances should be of similar proportion, recess, and alignment to the original windows in the historic context, unless there are reasons supported by heritage best practice to do otherwise.
- b. Respect precedent of historical proportions: building concepts should be designed to blend harmoniously with the visual 'rhythm' of the prevailing surroundings.
- c. Minimum building height is 5 metres.
- d. Maintain a consistent building wall or build-to line along the sidewalk edge. Designs should adhere to the prevailing setback typical of the area, respecting it in most cases unless a reasonable exemption is warranted.

3. Rooftop Additions

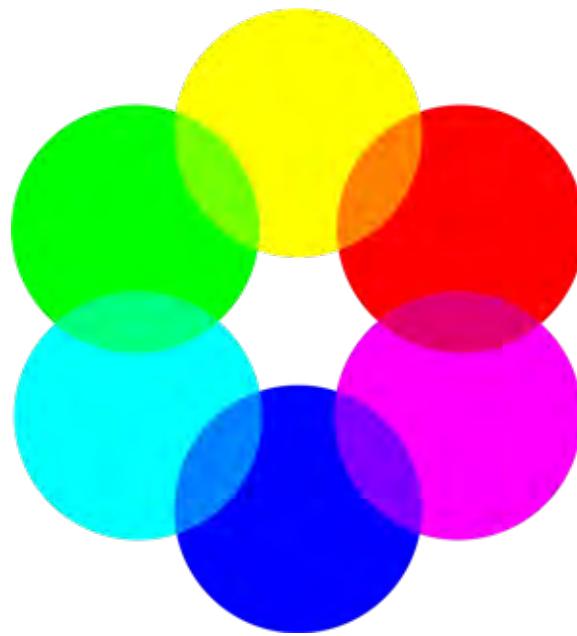
- a. Use new rooftop additions as an opportunity to meaningfully conserve and enhance heritage character. Make them visually compatible with, subordinate to, and distinguishable from the historic building.
- b. Rooftop additions should be designed to be proportional to the main building, ensuring they are smaller in scale and do not overwhelm the existing structure.
- c. Rooftop additions should be stepped back no less than 2 metres from the building's street facing façade to help reduce impact of height and to allow the existing cornice features and skyline to be retained/highlighted.



Illustration: Sarah Shaw

4. Colours

- a. Colour schemes should respect the precedent of historic paint palettes and consider the colour schemes of adjacent buildings. Colours should be related to the appropriate colours for the era of the building. For example, most major paint manufacturers have developed special palettes of "Historic Colours" – it is recommended to reference these colour charts for buildings if they are applicable to the building's era.
- b. Not permitted: bright primary colors (such as vivid reds, blues, or yellows) or any other highly saturated colors that would otherwise detract from the historic context of the area.
- c. Colours and materials should complement the overall aesthetic and branding of the downtown area, not detract from it or draw excessive attention to a specific business through the use of garish colours or graphics.



Example of bright primary colours and highly saturated colours.

5. Materials and Sustainability

- a. It is expected that all buildings, signs, and property will be maintained in a safe and attractive manner, therefore materials that are high-quality, durable, and low maintenance are to be utilized.
- b. Maintain historic buildings and avoid unnecessary demolitions. During restoration, implement heritage-specific green building practices, improve energy efficiency, privilege low-carbon materials, reuse materials where possible, and divert waste from landfill. Refer to recognized best-practice documents such as “Building Resilience: Practical Guidelines for Sustainable Rehabilitation of Buildings in Canada” or the Vancouver Heritage Foundation’s “New Life Old Buildings, Your Green Guide to Heritage Conservation”. Properly maintaining historic buildings over time and limiting demolitions are among the most important sustainable actions.
- c. For renovations, demonstrate how interventions meet the principle of reversibility. This means that added materials, finishes, or systems added (such as cladding, windows, or renewable energy systems) should be easily removable without damaging the original heritage fabric. This principle aligns with the Standards and Guidelines for Conservation of Historic Places in Canada and ensures that future generations can restore the building to its original state if necessary.
- d. Particular attention should be given to outside corner details and materials. These corners should be carefully reviewed and executed to maintain a high level of craftsmanship and visual authenticity.
- e. Use materials with textures and patterns that are visually interesting, but not artificial.
- f. Avoid the extensive use of highly reflective materials.
- g. Respect the following material list (see following page).
 - i. For new construction: note that this materials list, particularly the “encouraged” column, is highly oriented towards existing and historic buildings. Do not seek to mimic historic architecture. The “not permitted” column applies to new construction.
 - ii. For work on existing buildings: the preferred materials for renovations are those that the building originally had. Avoid replacing original materials with synthetic materials. Material sizes and patterns should closely follow documented historical examples.
 - iii. In all cases, the emphasis must be on authenticity, true to the building’s era.

Material	Encouraged	Not Permitted
Stone	<ul style="list-style-type: none"> Stone of the types traditionally used in Nelson: Granite, Marble, Cobblestone. Facing stone laid in regular, coursed, patterns to reflect structural stone. If used, the profile of the material and the relationship between the stone and the mortar should reflect the appearance of a building constructed entirely of masonry. Stone “tiles”, e.g. Granite, Marble, etc. and some types of ‘cultured stone’. 	<ul style="list-style-type: none"> “Modern” stone masonry over other historic masonry, or over original non-stone building fabric. Random coursed “ashlar” stone veneers. Faux stone, manufactured stone veneer
Brick	<ul style="list-style-type: none"> Full-sized dimensional brick Traditional textural brick laying bond patterns, pointing, and decorative techniques, such as corbelling, turning, and inset panels with half & full brick. 	<ul style="list-style-type: none"> Modern oversized or undersized brick forms & modern “pastel” coloured bricks. Artificial/synthetic brick facing/brick veneers Brick veneers or facing are not permitted if previously not present on the building. Any use of veneer shall be high-quality, durable, and designed to closely match traditional detailing. Brick veneer cladding over other historic material on an historic building. Sandblasting of brick surfaces for cleaning.
Stucco	<ul style="list-style-type: none"> Traditional stucco and/or acrylic stucco with smooth “sand float” finish Muted colours (preferably earth tones) mixed directly into stucco mortar Acrylic stucco over Styrofoam forms to create dimensional architectural detail 	<ul style="list-style-type: none"> Pure white or excessively bright “primary” coloured stucco Covering of historic building fabric with stucco parging

Material	Encouraged	Not Permitted
Concrete	<ul style="list-style-type: none"> Pre-cast architectural wall panels with suitable “traditional historic” textures. Decorative cast concrete ornament. Preserve existing textured concrete block; e.g. “Split Faced”, “Scored”. Regular modular concrete block with stucco parge finish, or paint finish. 	<ul style="list-style-type: none"> Unfinished form cast concrete walls on primary facades. Unfinished regular concrete block. No new textured concrete block
Ceramics & Glass Materials	<ul style="list-style-type: none"> Exterior grade (frost-proof) ceramic tiles (gloss or matte finish) Vitrolite tile Tile sizes, colours, and patterns based on historic precedent 	<ul style="list-style-type: none"> No modern shapes or colours of tile on historic buildings. Large areas of small random pattern/colour mosaic style tiles. Tile over original historic fabric (e.g. glass block replacing historic window glazing)
Wood	<ul style="list-style-type: none"> Retention of original historic wood elements Wood board siding utilizing traditional wood siding sizes, patterns, and methods of application Wooden corner boards Wooden trims for windows & doors Sawn wood shingles; both plain and fancy shapes; e.g. “fish scale”, “diamond”, etc. Paint and stain finishes. Clear, “natural” finishes. 	<ul style="list-style-type: none"> Unfinished (“raw”) wood or plywood used as a finish siding Combed lumber MDF or HardiePlank/Hardie Board or combed lumber on primary/public-facing facades

Material	Encouraged	Not Permitted
Metal & Synthetics	<ul style="list-style-type: none"> • Metal should generally only be used on parts of the building facade where it may have traditionally been utilized and should follow historic precedent in terms of detailing and colour. • Metal formed into traditional decorative elements such as flashings, cornice, brackets, finials, etc. • Non-ferrous metals such as copper, brass, bronze, zinc, etc. - used for decorative purposes 	<ul style="list-style-type: none"> • Synthetic siding (vinyl or metal) -- high-quality synthetic siding may be permitted on secondary facades or areas that are not character-defining • Artificial brick or artificial stone. • Asphalt shingles or panels as a wall covering. • Fiberglass panels. • Large expanses of corrugated metal used as a siding material

Material	Encouraged	Not Permitted
Windows	<ul style="list-style-type: none"> • As a general guideline, original, historic windows should be retained and restored whenever it is possible. • When structural or energy conservation issues absolutely dictate the removal of historic window elements from an existing structure, every attempt should be made to replicate the historic window elements exactly in terms of form, material, detail, and function. Installation of historically appropriate wood frame storm windows on historic buildings is encouraged before replacement of original windows is considered. • Wood frames, glazing bars (muntins), sash, sill, and lintel - restored, or to match original. • Traditionally proportioned (vertical) rectangular window forms - double hung sash with multi-paned lights. • Coloured metal frames, sash, muntins, etc. (only when replacement of historic material is deemed absolutely necessary, and it matches historical features for the purpose of replication). • Re-instatement (where possible) and /or refurbishment of historic display window systems, including, and especially, the transom window systems. 	<ul style="list-style-type: none"> • Boarded-over window openings - especially with unfinished plywood or lumber • Featureless sealed units. • Altered window openings (in heritage buildings) which destroy the original historic proportions, e.g. upper floor “picture” windows, or windows with a strong horizontal emphasis. • Window forms (in infill & new construction) which are at variance with the historic precedent of Nelson’s period architecture, e.g. strong horizontal emphasis, flat featureless surrounds, etc. • Unpainted (unfinished) metal window frames • Vinyl window frames, particularly white assemblies

Material	Encouraged	Not Permitted
Doors	<ul style="list-style-type: none"> Retention of original historic doors. Wood doors with traditional detailing. Coloured metal doors with traditional styling. 	<ul style="list-style-type: none"> Unfinished metal & glass doors with modern styling. Flat, featureless, wood or metal doors.
Parapet & Cornice	<ul style="list-style-type: none"> The maintenance and repair of historic cornice details and reproduction of missing cornice elements (based on archival documentation/evidence). 	<ul style="list-style-type: none"> The removal of existing historic parapet or cornice elements. Cornice designs which are stylistically incorrect for the period of the architecture of the subject building.
Roofs	<ul style="list-style-type: none"> Flat or pitched. Parapet walls. Metal with standing seam or batten rib profiles. Metal shingles. Non-coloured metal roofing where historically accurate. Non-ferrous metals (copper, zinc, bronze). Bitumen-based roofing systems (on flat roofs). 	<ul style="list-style-type: none"> Rough shakes Clay tiles Slate roof

Material	Encouraged	Not Permitted
Lighting	<ul style="list-style-type: none">Indirect, concealed fluorescent or incandescent.Turned, enameled, metal shades.Metal-cast fixtures.Surface mounted fixtures.Architecturally designed lighting, such as to illuminate certain aspects of the building.Where appropriate, incorporate pedestrian-scale lighting along the length of the building.	<ul style="list-style-type: none">Bare fluorescent or incandescent bulbs (surface mounted)Historically inappropriate lighting styles for the era of building

OCP

OFFICIAL COMMUNITY PLAN

Nelson 2050
Leading the way, together.



City of
NELSON

THE CORPORATION OF THE CITY OF NELSON REQUEST FOR DECISION

DATE: August 19, 2025 Regular
TOPIC: **Official Community Plan (OCP) Update**
PROPOSAL: Pass first two readings of new OCP
PROPOSED BY: Staff

SUMMARY:

Following a two-year update and engagement process, staff have prepared Official Community Plan Bylaw No. 3629, 2025 to replace the current Official Community Plan. Council is now requested to:

- pass first and second readings of the proposed bylaw;
- confirm legislative requirements by resolution; and
- direct staff to schedule a public hearing.

BACKGROUND:

An Official Community Plan (OCP) is a city's compass for growth and change. It is a high-level, long-term, land use-focused visionary document governed by the provisions of the *Local Government Act* that guides the decisions we make today on how we design our neighbourhoods, the ways we move around, how we use our land, and the actions the City takes to get us to our collective vision for the future. All municipalities are now required to have one.

The current OCP update process was launched at the March 14, 2023 Council meeting, ten years after the adoption of the current OCP. Several phases of research and consultation have occurred to arrive at this proposed OCP. A recap of this two-year process is attached.

A first draft of the OCP was presented to Council at the January 21, 2025, Committee of the Whole meeting. Following the third phase of community consultation in January and February, a list of changes to the first draft was presented on April 15, 2025, and approved by Council on May 6, 2025. A second draft has been prepared and is now being proposed for first and second reading.

ANALYSIS:

The proposed updated OCP includes policies that align with and support the community vision, foundational values, and guiding principles established at the outset of the update process.

The proposed OCP introduces several key changes from the current 2013 version. Informed by the 2023–2025 community consultation process and new provincial requirements, most notably the mandate to plan for housing needs identified in the Housing Needs Report, the draft has been significantly revised to be more concise, readable, and policy-focused. Policies are now more clearly connected to specific objectives and guiding principles, making their intent and context easier to understand. While much has been rewritten and restructured, the draft 2025 OCP can still be considered an update to, and continuation of the 2013 OCP. By building on existing OCP

policies, it does not represent a major change of course.

Key policy changes vis-a-vis the current OCP include:

- Land use and housing:
 - Introduces a new land use term, ‘small-scale residential’, to replace outdated terminology such as ‘single-family dwelling, low-density residential, duplex, triplex and four-plex’
 - Introduces maximum of storeys for each land use designation
 - Allows for mixed-use on Institutional lands
 - Allows for site-specific Council consideration of up to six storeys for non-market affordable housing in all areas except Small-Scale Residential
 - Allows for consideration in future zoning amendments of one or two additional storeys in many areas of the city, except Small-Scale Residential
 - Neighbourhood nodes
 - Neighbourhood Planning Areas
 - Confirms the existing neighbourhood plan for Granite Pointe
 - Requires neighbourhood planning for the Selkirk College Tenth Street campus lands with a maximum height of up to six storeys
 - Considers additional options for zoning flexibility to support infill housing and business
 - Affordable housing focus
- Addition of a section on local Indigenous history
- Addition of a reconciliation policy section
- Climate: embeds and acknowledges *Nelson Next* as the official climate plan of the City, in addition to ensuring climate policy is present in each policy section
- New “Economy” policy section
- Strengthen targets and language on implementation

In addition to the list of changes approved by Council in May, staff identified minor discrepancies between the OCP and the zoning bylaw’s permitted uses, resulting in a few changes to the permitted uses in the land use table in order to ensure that the OCP reflects and continues to permit current zoning. The table has also been modified to permit Fire Hall as a use citywide.

The proposed Land Use Designation map (Schedule B of the proposed OCP) includes three land use changes. It redesignates:

1. the Tenth Street Campus (820 Tenth Street) from Institutional to its own land use designation, Tenth Street Campus, to ensure that this site, which is also designated as a Neighbourhood Planning Area, can be regulated independently of other institutional lands;
2. the former landfill site (70 Lakeside Drive) from Park and Green Space to Public Utility Lands to ensure continuity and sufficient capacity for municipal operations, while also allowing for parks and trails use, should an environmental review of the site support the expansion of the waterfront trail; and
3. staff identified a discrepancy between zoning and the OCP designation for 924 Davies Street. The property is zoned R2 (medium density), but the OCP designates it as low-density. To match and justify that property’s current zoning,

the draft OCP designates it as Multi-Unit Residential.

New form-and-character development permit design guidelines that apply to residential developments with 5+ units and to all commercial and industrial buildings, new riparian protection area guidelines, as well as new heritage design guidelines for Baker Street are being proposed. The new design and heritage guidelines are both stronger and more performance-based, rather than prescriptive.

Finally, the updated OCP introduces a new policy tool, Development Approval Information, which formalizes and expands the ability of the City to require reports and studies from developers.

Accompanying bylaw amendments

At this same meeting, Council is being requested, in a separate Request for Decision, to consider amendments to the Zoning Bylaw and the Bylaw Notice Enforcement Bylaw, as the repeal and replacement of the existing OCP has ramifications for these bylaws and should be passed simultaneously. The proposed OCP would also require an amendment to the Development Applications Procedures Bylaw, as the introduction of Development Approval Information must be reflected in these two bylaws.

BENEFITS OR DISADVANTAGES AND NEGATIVE IMPACTS:

Adopting an updated the OCP this year (by December 31st) is a Provincial requirement. Municipalities are now required to update their OCP every five years. An OCP is inherently a living document that can and should be amended from time to time.

LEGISLATIVE IMPACTS, PRECEDENTS, POLICIES:

Division 4 of the Local Government Act (LGA) sets the legislative parameters for Official Community Plans. This includes their scope, preparation, content, consultation, and adoption. Staff have ensured that all applicable requirements have been fulfilled throughout the process, but Council should also independently review Division 4 prior to adoption.

Each reading of an OCP bylaw must receive an affirmative vote of a majority of all Council members.

The LGA states the following about the purpose of OCPs:

- An official community plan is a statement of objectives and policies to guide decisions on planning and land use management, within the area covered by the plan, respecting the purposes of local government (sec. 471(1));
- An official community plan does not commit or authorize a municipality, regional district or improvement district to proceed with any project that is specified in the plan (sec. 478(1)); and
- Works and bylaws undertaken by Council “must be consistent with” the OCP (sec. 478(2)).

As reported in law firm [Young & Anderson's guide on OCPs](#), case law precedents confirm that OCPs are to be interpreted as aspirational, high-level policy guidance documents. They are “meant to capture a long-term vision or philosophy and cannot be construed with the scrutiny afforded a statute”.

Staff obtained a legal review of the proposed OCP. The necessary changes have been incorporated into the proposed OCP, as highlighted in the List of Changes presented to Council on April 15th. The City's lawyer also confirmed that OCPs "are not defined with the exactitude of a zoning bylaw, and thus encompass a range of alternatives" and that, unlike zoning bylaws, are characterized by "their generality and forward-focus".

Staff have confirmed with the Municipal Insurance Association of BC that there is no liability risk associated with the adoption of an OCP (as per LGA sec. 478(1)).

The provincial government now prohibits municipalities from holding a public hearing on residential zoning amendments that are consistent with the OCP. Therefore, it is important the community ensure its vision for land use is reflected in the OCP now, while acknowledging that the OCP can be amended from time to time (each time with a public hearing, regardless of the nature of the amendment).

The drafting process considered all municipal strategic planning documents currently in place.

Provincial regulations state that, in addition to updating their OCP by the end of 2025, all local governments must update their zoning bylaw as well to ensure that sufficient zoning is in place (zoned capacity) to meet 20-year housing needs as set out in the Housing Need Report. Staff have calculated that the current City of Nelson Zoning Bylaw already allows for over four times the number of required units. Presented with this information, Ministry of Housing and Municipal Affairs staff advised City of Nelson staff to document the fact that provincial requirements have been met in a Council report. See attached *Memorandum: Zoned Capacity Analysis*, which serves to confirm that Council does not need to update its zoning bylaw before the December 31st deadline. That memo is submitted for information and does not require a resolution.

Although zoning amendments to increase density are not required by the Province, staff intend on proceeding to a comprehensive review and update of the zoning bylaw immediately following adoption of the updated OCP. Like the current OCP, the zoning bylaw dates to 2013 and is in need of review following years of piecemeal amendments. The primary objective of the zoning bylaw review will be to begin implementation of the 2025 OCP. Staff intend on commencing community engagement and a Council workshop this fall, with anticipated adoption in early 2026. The zoning bylaw update will be significantly less long and resource-intensive than the OCP update. Thanks to provincial capacity-building funding that will cover staff time, the project budget is estimated at only \$7,000.

Regarding legislative consultation requirements, refer to the May 6th, 2025 Council report and adopted resolutions.

COSTS AND BUDGET IMPACT - REVENUE GENERATION:

The OCP update project has finished under-budget.

In accordance with the LGA, Council is required to consider the proposed OCP in conjunction with its financial plan. Based on legal advice, this should be formally documented by Council resolution.

Staff have reviewed the draft OCP in relation to the City of Nelson Five-Year Financial Plan (2025-2029) Bylaw No. 3637, 2025 and not identified any conflicts or concerns.

This is primarily because adoption of an OCP does not in itself create financial impacts or obligations. The City is not required to implement the actions or studies recommended in the OCP. Any actions, plans or studies that are anticipated to have financial implications to the City will be brought forward by staff as part of the regular project and budget planning process, informed by Council's strategic plan.

Staff will soon review the development application fees in the Fees & Charges Bylaw to ensure that they cover current application processing costs.

IMPACT ON SUSTAINABILITY OBJECTIVES AND STAFF RESOURCES:

Sustainability: the proposed OCP includes greenhouse gas emissions targets and sustainability policies, as required by the LGA. It goes further by embedding the *Nelson Next* climate action plan into the OCP, as well as creating new environmental targets.

Council is required by the LGA to consider the proposed OCP in conjunction with the regional waste management plan. The 2021 Resource Recovery Plan, the solid waste plan developed by the RDCK in collaboration with municipal governments, is [accessible online](#). It contains three main strategies:

1. **Zero Waste** - reducing what we send to the landfill
2. **Residual Waste** - securing landfill capacity for the long-term and meeting regulatory requirements
3. **Financial & Administrative** - supporting the actions in the plan through responsible management

The proposed OCP's infrastructure policies support and align with this work that will occur at a regional scale. Specifically concerning Nelson, the plan states that "the RDCK will continue to work cooperatively with the City of Nelson and CP Rail to achieve closure and redevelopment of the Nelson Landfill site." It also states that "Nelson will begin curbside collection of organics in 2022". While this has not happened, this does not present an issue for OCP adoption as the OCP, being a high-level guidance document, does not discuss organic waste specifically.

The second plan that Council must consider at this time is the City's Strategic Wastewater Plan (2022). Staff find no contradictions between the two documents and conclude that the proposed OCP's policies will continue to support the wastewater plan's recommendations.

Staff resources: significant staff time was spent on the preparation of the OCP. Going forward, staff resources will be required for implementation, which will be determined annually as part of budgeting and workplan preparation process. Resources will also occasionally be required for progress and target monitoring (refer to section of the OCP entitled Making Nelson 2050 Happen).

All City departments have been consulted throughout the process and have had the opportunity to review, comment, and make changes to the OCP.

COMMUNICATION:

If directed to schedule a Public Hearing, staff will ensure that advertising goes beyond the legislative requirements of posting notice in a local newspaper. This will include social media, a media release, posting it on the project website, and announcing it to all OCP e-panel subscribers.

Community Consultation

Three phases of engagement have occurred since 2023. The results of the most recent engagement, coinciding with the release of the first draft, can be found in the attached 2025 What We Heard Report. The previous rounds' What We Heard reports have been presented at previous Council meetings and can be viewed at www.nelson2050.ca.

In April 2025, the OCP Advisory Committee, following its two-year involvement, voted unanimously in favour of adoption of the draft OCP.

The Advisory Planning Commission, at its May 20, 2025, meeting, unanimously passed a recommendation to adopt the draft OCP.

A public hearing must be held prior to third reading.

OPTIONS AND ALTERNATIVES:

1. Pass first two readings of the bylaw
2. Pass first two readings of the bylaw and direct staff to make changes prior to public hearing and third reading
3. Do not pass any readings of the bylaw and refer the bylaw back to staff with other direction

ATTACHMENTS:

1. Official Community Plan Bylaw No. 3629, 2025
2. Overview of the 2023-2025 OCP update process
3. Memorandum: Zoned Capacity Analysis

RECOMMENDATION:

That Council passes the following resolutions:

1. THAT the "Official Community Plan Bylaw No. 3629, 2025" be introduced and read a first time by title only.
2. THAT, in accordance with section 477(3)(a) of the *Local Government Act*, Council confirm that it has considered the proposed Official Community Plan in conjunction with its financial plan, its wastewater plan, and the Regional District of Central Kootenay waste management plan and found no measurable impact.
3. THAT the "Official Community Plan Bylaw No. 3629, 2025" be read a second time by title only.
4. THAT staff be directed to schedule a Public Hearing.

AUTHOR:

DIRECTOR OF DEVELOPMENT
SERVICES & CLIMATE LEADERSHIP

REVIEWED BY:

CITY MANAGER

READ A FIRST TIME the __th day of __, 2025

COUNCIL CONSIDERATION OF SECTION 477 (3) (a) OF THE *LOCAL GOVERNMENT ACT* the __ th day of __, 2025

READ A SECOND TIME the __ th day of __, 2025

PUBLIC HEARING HELD the __ th day of __, 2025

READ A THIRD TIME the __ th day of __, 2025

FINALLY PASSED AND ADOPTED the __ day of __, 2025

Mayor

Corporate Officer

Recap of the 2023-2025 Official Community Plan Update

At its core, an Official Community Plan embodies the community's values and aspirations for the future, providing a framework to guide decisions related to the use of land, growth, and other areas where municipal government plays a role. The OCP is intended to be read as a whole—no policy stands in isolation. It helps to establish priorities for the annual budget and workplan. In addition, the OCP integrates Development Permit Areas and associated guidelines to ensure environmental protection, hazard prevention, and built form & character in line with community expectations.

The OCP review was a multi-step process, with many opportunities for public input, to ensure the document remains relevant, responsive, and forward-looking. The process emphasized community engagement, collaboration, and integration with key City strategies. The draft OCP is intended to be a flexible document that promotes sustainability, manages growth, and considers equity.



A detailed [What We Heard](#) report was prepared for each of the three phases of engagement. The reports can be found at www.nelson2050.ca.

An estimated 1,100 to 1,700 individuals have actively participated at least once. This represents 11% of the population, or at least 1 out of every 9 residents aged 15+.

Since the beginning of the OCP update process, the project website nelson2050.ca has had over 4,700 unique visitors, confirming successful communications.

At the beginning of the process, an e-newsletter (called the “e-panel”) was established to keep interested community members informed. There were 264 subscribers as of April 2025.

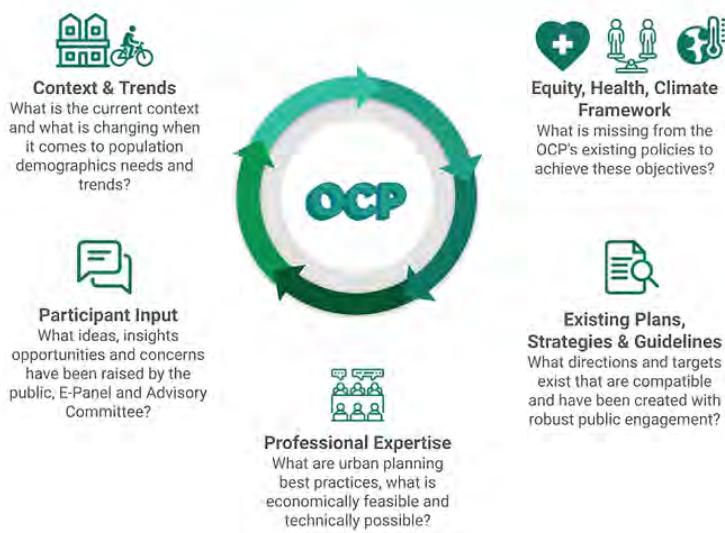
Phase 1 – Project Scoping

January to May 2023

The OCP update process was launched at the **March 14, 2023** Council meeting, ten years after the adoption of the current OCP. The five stated project objectives were:

1. reflect and adapt to changes since 2013
2. reconnect with the community
3. ensure that the guiding vision and policies in the OCP are aligned with the current collective vision for the city
4. ensure that the OCP accurately reflects Nelson's diverse needs
5. identify potential gaps and dynamic aspirations

What considerations will be used to update the OCP?



This first phase involved scoping the project's deliverables, identifying the required resources, drafting an engagement strategy to ensure public accountability, and developing the Three Guiding Principles framework (equity, health, and climate). These principles ensured that the planning process remained focused, inclusive, and aligned with community priorities and best practice from the outset.

Phase One also asked the public to submit applications to be on the OCP Advisory Committee. A terms of reference document was drawn up to lay out the purpose and responsibilities of this two-year, project-specific committee. The committee consisted of 12 members of the public and 3 members of City Council. It met 13 times between June 2023 and March 2025, in addition to several email exchanges. The Committee's primary purpose was to provide guidance, recommendations, and perspective on the OCP update process and to ensure that the OCP is innovative, inclusive, and tailored to the community's needs. Members were also tasked as community ambassadors of the OCP update process.

Meetings included updates on the process, capacity and knowledge building, and discussion on values and policies.

Phase Two: Visioning

June to November 2023 (public engagement: June to September)

This phase gathered broad public input to shape a long-term vision for Nelson in 2050, which serves to evaluate existing and future OCP policies to ensure alignment. The previous OCP vision statement dated back to 2008.

Being the first round of engagement, Phase 2 engagement had the most comprehensive communications strategy, including various forms of in-person and online advertising, an online survey, and numerous in-person events. The project's social media garnered 20,082 views. Emails and phone calls were made to First Nations and Indigenous organizations.

642 survey responses were received and approximately 242 people participated in the pop-ups. Community feedback was analysed for themes, which were consolidated into four Foundational Values:

1. Charming buildings, vibrant public spaces & a diversity of cultures
2. A welcoming & compassionate community
3. Regenerative & climate resilient leadership for all systems (later amended to: Climate-Resilient and Proactive Leadership Across All Systems)

These were combined with the 3 Guiding Principles to craft a vision for Nelson in 2050:

Our welcoming, heritage-rich mountain town is committed to community well-being by prioritizing equity, health, and climate resilience. All Nelsonites are able to find affordable housing, live in walkable neighbourhoods, access efficient cost-effective transit, and meaningfully participate in public life. Our collective choices make us climate leaders, safeguarding and regenerating our ecological, economic, and social systems for future generations. Art, education, diverse cultures, reconciliation, and recreation enrich our daily lives, infusing our community with an active, healthy, and creative spirit that respects and appreciates the land we call home.

Phase Three: Policy Review & Development

January to September 2024 (public engagement: May and June)

With this new vision statement and foundational values, staff were able to proceed to the policy review stage with a comprehensive review of the 2013 OCP and all other

policy and strategic documents (Council's strategic plan, plans such as *Nelson Next*, etc.), with the following actions and objectives:

- Align with the foundational values and vision
- Make a policy-focused OCP aligned with how other municipalities have structured recent OCPs
- Identify which policies were outdated or misaligned with newer strategic documents
- Identify and fill-in policy gaps following detailed best-practice research and review of the city's needs
- Clarify, simplify, consolidate similar policies, and provide consistency
- Meet current legislative requirements
- In general, update information as needed

The policy review involved all City departments and services, as well as Interior Health, the Ministry of Transportation & Transit, Regional District of Central Kootenay planning staff, and School District 8. As part of the commercial land use analysis, a detailed questionnaire was sent to the Nelson & District Chamber of Commerce and the Kootenay Association for Science & Technology.

The community helped shape draft policies through public engagement held in May and July 2024. This phase involved determining the policy intentions needed to achieve the 2050 Vision. The City held three open houses and four land use policy workshops (altogether 186 participants), ran three surveys (total of 397 responses), and shared one-pagers on numerous important policy areas. A workshop was also held with children at Wildflower Elementary School.

The results of the three policy intentions surveys indicated respondents' top priorities, what policy ideas they were less comfortable with, as well as valuable feedback on the wording they would like the OCP to use. We were able to analyze recurring topics and ideas in comments beyond those that were in our sample policies. For example, many wrote about the importance of reducing conflict with bears, being fiscally responsible, protecting and securing our water supply, and many more.

This phase also saw the drafting of new design guidelines for the Development Permit Areas and a new Baker Street Heritage Conservation Area. Drafted in-house following extensive review of Nelson's existing guidelines and those of around a dozen cities, staff also reached out to many local architects to get their input before and after a draft was prepared. We worked closely over several months with the City's Heritage Working Group on the heritage guidelines. Finally, the City contracted a regional architectural firm and a BC-based heritage conservation firm to review the draft design guidelines for

quality, reasonableness, effectiveness, best practice, and feasibility from an external, design professional, and applicant perspective.

Phase Four: Draft Plan

September 2024 to January 2025

Staff worked on numerous iterations of a draft OCP over several months, including mapping (with a GIS firm) and graphic design. All City department heads were given the opportunity to review one of the final versions. Two meetings were also held with the OCP Advisory Committee for their review and comments on the introductory chapters as well as the policy objectives.

Staff also used this phase to prepare the amendments to other bylaws (Zoning Bylaw, Bylaw Notice Enforcement Bylaw, Development Applications Bylaw) that must accompany and be adopted at the same time as the new OCP.

The 2024 Housing Needs Report was finalized during this time, and as required by the Province, its findings and methodology are reported and reflected in the draft OCP so as to ensure that the OCP permits the number of housing units needed over 20 years, as determined by the methodology that all BC local governments are required to use for their Housing Needs Report. This includes statements and map designations for residential development and housing policies related to each class of housing need outlined in the Housing Needs Report.

Phase Five: Public Review, Second Draft, and Adoption

Since January 2025 (public engagement: January and February)

The first draft of the 2025 OCP was presented at the January 21 Committee of the Whole meeting. Public engagement was launched the following day. The public was invited to participate online through two surveys, a Q&A, and a discussion forum and to attend one of two open house events. Dozens of community and governmental organizations were invited to participate. Altogether, an estimated 332 people, 11 organizations, and two First Nations actively took part in this round of engagement.

During Phase 5 engagement on the first draft of the OCP, the majority of participants overall supported the draft OCP and its policies.

A detailed legal review of the draft was obtained.

On April 15, 2025, the Phase 5 What We Heard report and a list of proposed changes were presented to the Committee of the Whole, where Council requested several policy changes for the second draft. These changes were confirmed by resolution at the May 6th regular meeting, where a resolution was also adopted confirming Council's satisfaction that consultation has been sufficient and that legislative requirements have been met.

In April 2025, following two meetings on the first draft, the OCP Advisory Committee unanimously passed the following resolution: *"The OCP Committee supports the draft Official Community Plan in principle and recommends that Council adopt the bylaw."*

The Advisory Planning Commission, at its May 20, 2025, meeting, unanimously passed a recommendation to adopt the draft OCP.

On June 3, 2025, an informal workshop was held with Council to present information on housing policy, the role of the OCP, and to discuss land use policy options.

A second draft of the OCP was then prepared by staff, based on all input received during Phase 5, and is being presented to Council for consideration.

Council Meetings, Memos, and Presentations

March 14, 2023 – Launch of the OCP update process, OCP Advisory Committee, and engagement strategy

November 21, 2023 – Presentation of the phase 2 (visioning) engagement results

June 4, 2024 – Briefing note submitted to Council announcing phase 3 engagement

December 3, 2024 – Memo submitted to Council on the results of phase 3 engagement

January 21, 2025 – Presentation of a first draft of the updated OCP, the phase 3 What We Heard report, and the phase 5 engagement strategy

April 15, 2025 – Presentation of the phase 5 What We Heard report and discussion of changes to make to the draft OCP

May 6, 2025 – Resolutions confirming the list of changes and consultation requirements

June 3, 2025 – Council workshop on land use and housing policy

Memorandum: Zoned Capacity Analysis (2025)

Context: By December 31, 2025, zoning bylaws in BC must allow for at least the number of housing units needed according to the most recent Housing Needs Report.

Purpose: To determine if the theoretical number of housing units that could be developed over the next 20 years under the current Zoning Bylaw is adequate to meet the housing needs determined by Nelson's 2024 Housing Needs Report. The Ministry of Housing and Municipal Affairs has advised staff to prepare a report for Council and the public record 'showing the math' to demonstrate compliance.

Summary: The City of Nelson Zoning Bylaw currently allows for at least an estimated 18,765 units. As the city currently has 5,314 dwelling units, this results in a theoretical capacity for growth of at least 13,451 new units. The Housing Needs Report predicts a need for 3,104 new residential units by 2041.

Therefore, **Nelson has a theoretical zoned capacity of over four times what is required** by the Province to accommodate anticipated growth. This means that the City is not obligated to amend its zoning bylaw by December 2025. However, zoning amendments should still be considered: there is a significant difference between theoretical zoned capacity and realistic build-out. Landowners are not obligated to develop or re-develop their land simply because the OCP or zoning permits it. For example, in many cases an existing house straddles two otherwise separate and developable lots, meaning that whereas 8 dwellings could theoretically be built, this would require demolishing the existing house – and the resulting new units would likely be extremely small.

Targeted amendments may be advisable to ensure that sufficient density is permitted to meet housing needs targets on lands that can realistically be expected to see development in the coming years.

Methodology: The Province is not imposing a methodology for this exercise. Each local government is free to choose or create its own methodology, adapted to its needs, context, and resources.

Provincial guidelines suggest considering either a simplified method or a complex, multi-factor incremental modelling exercise to try to predict actual future housing build-out. However, this is not required. Given the lack of in-house GIS staff, software, and reliable data to factor in market factors, infrastructure constraints, year-by-year growth, site-by-site likelihood of redevelopment, etc., and the fact that Nelson already has exceeded the required zoned capacity, staff see the simplified approach as sufficient.

Staff followed the simplified methodological suggestions from the provincial SSMUH Provincial Policy Manual and the methodology used by the District of Lillooet, recommended by Ministry staff as a helpful example. Determining maximum potential build-out is simply the multiplication of the number of lots in each zone by the number of dwellings permitted by that zone, accounting for lot size, and then totaling the numbers for all zones. However, many zones do not cap density; they control density through height, lot coverage, setbacks, etc. In these cases, assumptions must be made.

Analysis

Cadastral data from April 2024, zoning as of April 2025

Zone	Capacity	Notes
R1, R6, CD6, and CD9	14,196	2,643 parcels of 281 m ² and greater in size (4 units per lot) 1,448 parcels under 281 m ² (3 units per lot) These four zones were combined as they are materially the same.
R2	277	
R3	1,338	Analysis of this zone requires assumptions. With no density cap, it is other land use constraints (height, setbacks, lot coverage, parking) and the small size of many lots that limit development potential. 721 lots, or 89%, are under 281 m ² in size – 40% of R3 lots are under 250 m ² . Technically speaking, if all R3 was demolished and rebuilt to maximum potential, 1,547 units could be built. However, staff chose a more conservative methodology supposing that each of the approximately 446 addressed properties (some combining two or more small lots) could be expected to contain, on average, three units.
R4	461	On many R4 sites, permitted density can be increased by 25% if underground parking is provided, however staff's calculation assumed no underground parking. With underground parking, capacity would increase to 520 units.
R4-A	66	
R5	96	Mobile home parks: current density is assumed to be the maximum
C2	75	25 properties, assumption of 3 units per property (recall that the primary use and purpose of C2 is commercial)
MU8	6	2 lots total, with 3 units allowed per lot
All other zones	2,250	As these areas do not typically impose a density cap, the numbers here are based on the approximate number of current dwellings, plus the envisioned additional density projected in the 2013 OCP and the Railtown SNAP: <ul style="list-style-type: none"> • Granite Pointe: despite the zoning not yet being in place, the neighbourhood plan foresees 300 units • Downtown: 850 units • Central Waterfront: 600 • Waterfront East: 200 • Railtown: 300 Many of these areas are covered by mixed-use zones, whose residential capacity is hard to estimate because not all floor area will be residential.
TOTAL	18,765	

Excluded: most CD zones and zones with limited residential potential (I1, M1, P1), where only one unit is permitted and in many cases is unlikely.

Actual theoretical capacity is likely much higher because the analysis does not consider subdivision potential. In the R1 zone especially, subdivision significantly increases permitted density. R1 has 657 lots large enough to be subdivided into two or more lots (the Trevor Street project, est. 20 new lots, is currently just one lot, with a maximum density of four units total). If all eligible R1 lots were subdivided, this would add 2,628 to 3,450 dwellings to the city's capacity.