

Notice is hereby given that a Public Hearing will be held on Thursday, **2011-JUN-23**, commencing at **1900 hours (7:00 pm)** in the **Shaw Auditorium, Vancouver Island Conference Centre, 80 Commercial Street, Nanaimo, BC** to consider the City of Nanaimo "ZONING BYLAW 2011 NO. 4500" ("Zoning Bylaw No.4500.")

1. Purpose and Lands Subject to the Bylaw

Bylaw No. 4500, if enacted, will repeal the existing Zoning Bylaw 1993 No. 4000 and replace it with a new comprehensive zoning bylaw that will affect all land within the City of Nanaimo.

File No.: ZA1-33

Zoning Bylaw No. 4500 contains comprehensive regulations affecting land use, density, minimum parcel sizes for subdivision, setbacks, location and size of buildings and structures, and landscaping.

The proposed new Zoning Bylaw No. 4500 is intended to be more user friendly and to reflect the goals and objectives of planNanaimo, the City's Official Community Plan (OCP) which embraces the concepts of complete communities, sustainability, and growth management. Some elements of the existing Zoning Bylaw have been carried over into the proposed new Zoning Bylaw No.4500, for example, the park zones and the downtown zones from the existing bylaw have been reformatted within the new bylaw but have not been changed. However, Zoning Bylaw No. 4500 contains a number of changes from existing Zoning Bylaw No.4000. Some of the significant changes are to:

- 1) Reduce the minimum allowable single family lot size from 600m² to 500m² in certain residential zones in order to meet the increased density goals of the OCP.
- 2) Allow some flexibility in lot size (10% variability) within the R1 Zone provided the average lot size within a subdivision is equal to or greater than 500m².
- 3) Reduce minimum lot size and dimensions for subdivision where a lane exists.
- 4) Allow one duplex on R1 zoned corner lots between 700m² and 1000m² in area.
- 5) Continue to allow secondary suites in accessory buildings but reduce the minimum lot size needed to 800m² and increase building height to 7m in order to allow for a 1½ storey secondary suite within the roof system of an accessory building.
- 6) Base maximum allowable accessory building size on lot size (13% of lot size to maximum of 90m²) and exclude parking from that portion of the building size calculation where no garage exists within the principal dwelling.
- 7) Increase the allowable height of a single family dwelling from 8.25m to 9m, where measured from grade, and from 5 to 5.5m where measured from curb for certain single dwelling residential zones.
- 8) Allow front porches to encroach into the front yard setback without being included in lot coverage calculation in certain low density residential zones.
- 9) Decrease the maximum allowable side and rear yard fence height from 2.4m to 1.8m in certain single dwelling residential zones.
- 10) Create a new zone (R7) which will allow for non-strata townhouse development.
- 11) Reward sustainable development practices and provision of certain amenities with additional density.
- 12) Create a High Tech Zone (I3) that allows for high tech and small scale commercial / industrial uses.
- 13) Allow urban food gardens of up to 600m² on all lots, which will allow for the sale of food grown on the site.
- 14) Create new Corridor Zones to reflect the Corridor designation of the OCP in order to focus development and density along major travel corridors. These zones prohibit parking between the street frontage and the front face of a building; and establish maximum setbacks and minimum height requirements for new development within Corridor Zones.
- 15) Allow residential use in most Commercial Centre Zones.
- 16) Establish a maximum allowable size for most stand-alone commercial uses within the Corridor, Local Service Centre, Neighbourhood Centre and City Commercial Centre Zones.

*** Important note: The above list does not represent all the changes within the proposed new Zoning Bylaw No 4500. Interested persons should consult the text of Zoning Bylaw No. 4500.**

Please note the following:

Written submissions may be sent to the City of Nanaimo Community Safety and Development Division, 455 Wallace Street, Nanaimo, BC, V9R 5J6.

Electronic submissions (email) should be sent to public.hearing@nanaimo.ca, or submitted online at www.nanaimo.ca. These submissions must be received no later than 4:00 pm, 2011-JUN-23, to ensure their availability to Council at the Public Hearing.

In the event of a postal strike, it is recommended that submissions be delivered either in person to City Hall or submitted online or via email.

Following the close of a public hearing, no further submissions or comments from the public or interested persons can be accepted by members of City Council, as established by provincial case law. This is necessary to ensure a fair public hearing process and provide a reasonable opportunity for people to respond.

The proposed Zoning Bylaw No. 4500, relevant staff reports, and other background information may be inspected from June 10, 2011 until June 23, 2011, between 8:00 am and 4:30 pm, Monday through Friday, excluding statutory holidays, in the offices of the Community Safety and Development Division, 238 Franklyn Street, Nanaimo, BC.

All persons who believe their interest in property is affected by the proposed Zoning Bylaw No.4500 shall be afforded the opportunity to be heard in person, by a representative or by written submission, on the matters contained within Bylaw No. 4500 the Public Hearing.

This Notice is published in accordance with Section 892 of the Local Government Act. Notice Given by the Manager of Legislative Services.

For more information, please contact:
City of Nanaimo
Community Safety and Development Division
238 Franklyn Street, Nanaimo, BC, V9R 5J6
Phone: (250) 755-4429
Fax: (250) 755-4439
Website: www.nanaimo.ca