

CITY OF NANAIMO

AGENDA FOR THE MEETING OF THE REZONING ADVISORY COMMITTEE TO BE HELD ON THURSDAY, 2007-NOV-15, AT 4:45 P.M. IN THE BOARD ROOM, CITY HALL, 455 WALLACE STREET, NANAIMO, B.C.

1. CALL TO ORDER
2. ADOPTION OF MINUTES: 2007-OCT-04
3. NEW AND PENDING APPLICATIONS

RA198: Alpine Pacific Leasing Inc. has submitted an application to rezone the subject properties at 1210, 1222, 1232, part of 1234, 1240, 1250, and 1260 Island Highway South from RS-1 (Single Family Residential Zone), C-4 (Mixed Use Commercial Zone), and I-2 (Light Industrial Zone) to a consolidated zone of C-13 (Service Commercial Zone) in order to facilitate the development of a home centre and building supply yard (RONA).

4. NEW BUSINESS
5. ADJOURNMENT

*Please contact Penny Masse at 755-4460, Local 4331,
if you are unable to attend the meeting*

REZONING ADVISORY COMMITTEE

2007-NOV-15

File Number: RA198

Project Address: 1210, 1222, 1232, part of 1234, 1240, 1250, and 1260
Island Highway South (Schedule A)

Applicant: Alpine Pacific Leasing Inc.

Proposed Development: To rezone from RS-1, C-4 and I-2 to a consolidated zone of C-13 in order to facilitate the development of a home centre and building supply yard (RONA). (Schedule B)

OCP Designation: Town Centre - Commercial - designation within the Chase River Neighbourhood Plan (Schedule C)

Current Zoning: Single Family Residential Zone (RS-1), Mixed Use Commercial Zone (C-4), and Light Industrial Zone (I-2). (Schedules D, E, and F)

Prospero Attachment: RA198

My name is Maureen Pilcher, and I am a Planning Consultant in the Central Vancouver Island area. I am representing Nored Developments Incorporated and I am speaking in support of the rezoning application to permit the development of a multi-family project consisting of four duplex units and three fourplex units at 5160 Hammond Bay Road.

This property is presently included in the Neighbourhood designation of the Official Community Plan, and is zoned Single Family Residential – RS-1. This application is to rezone the property to Low Density Multiple Family Residential (Townhouse) Zone – RM-3.

This rezoning involves the development of a two acre site, located close to the intersection of Hammond Bay Road and Entwistle Drive. The property abuts the Whalley Creek trail, Harry Wipper Park and Frank J. Ney Elementary School, making this a convenient and safe site for family housing. Hammond Bay road is a transit corridor, and this property is only a short bus ride away from the Woodgrove Commercial area.

Each duplex unit of 1,750 square feet will contain three bedrooms and each fourplex unit of 1250 square feet will contain two bedrooms and a den – good sizes for family living. These homes will appeal to young families wanting to locate close to the many amenities and the schools in the area. Each duplex unit will have it's own garage - and ample residential and visitor parking has been planned. We have also provided useable private space for each dwelling unit by locating a landscaped area at both the front and back of each home – basically each unit will have its own yard.

When redeveloping within an existing neighbourhood it is always important to maintain the “flavour” of the community by recognizing the site organization and building forms of the adjacent properties. Both the duplexes and the fourplexes will reflect the neighbourhood character - and the context of the more mature homes in the area - by incorporating porch and gable elements. Finishes will be durable in nature, including bold wood trims, laminated shingles, vinyl siding and wood columns with decorative rock accents. You will note that we have tried to maintain a less intrusive profile in the neighbourhood by locating the duplexes near the existing residences, and situating the fourplexes closer to the park boundary.

A single access to this multi-family development will service all of the dwelling units, providing privacy and yet meeting and exceeding all parking requirements. Thirty three parking spaces are required for this development, and additional parking is available in front of the duplex garages. Oil/water separators for storm drainage runoff will be installed to minimize the chances of adversely impacting the water quality in Whalley Creek.

The landscaping planned for this site has again taken into account that this is infill development, and we will be providing extensive privacy landscaping along the edges of the property, including the installation of a 6 foot privacy fence along the side and rear boundaries. We understand that people who have lived adjacent to this large lot will be concerned about a loss of privacy, so we have stepped up the required landscaping buffer areas by retaining existing treed areas, and by adding mature plantings and shrubbery as well as the fence.

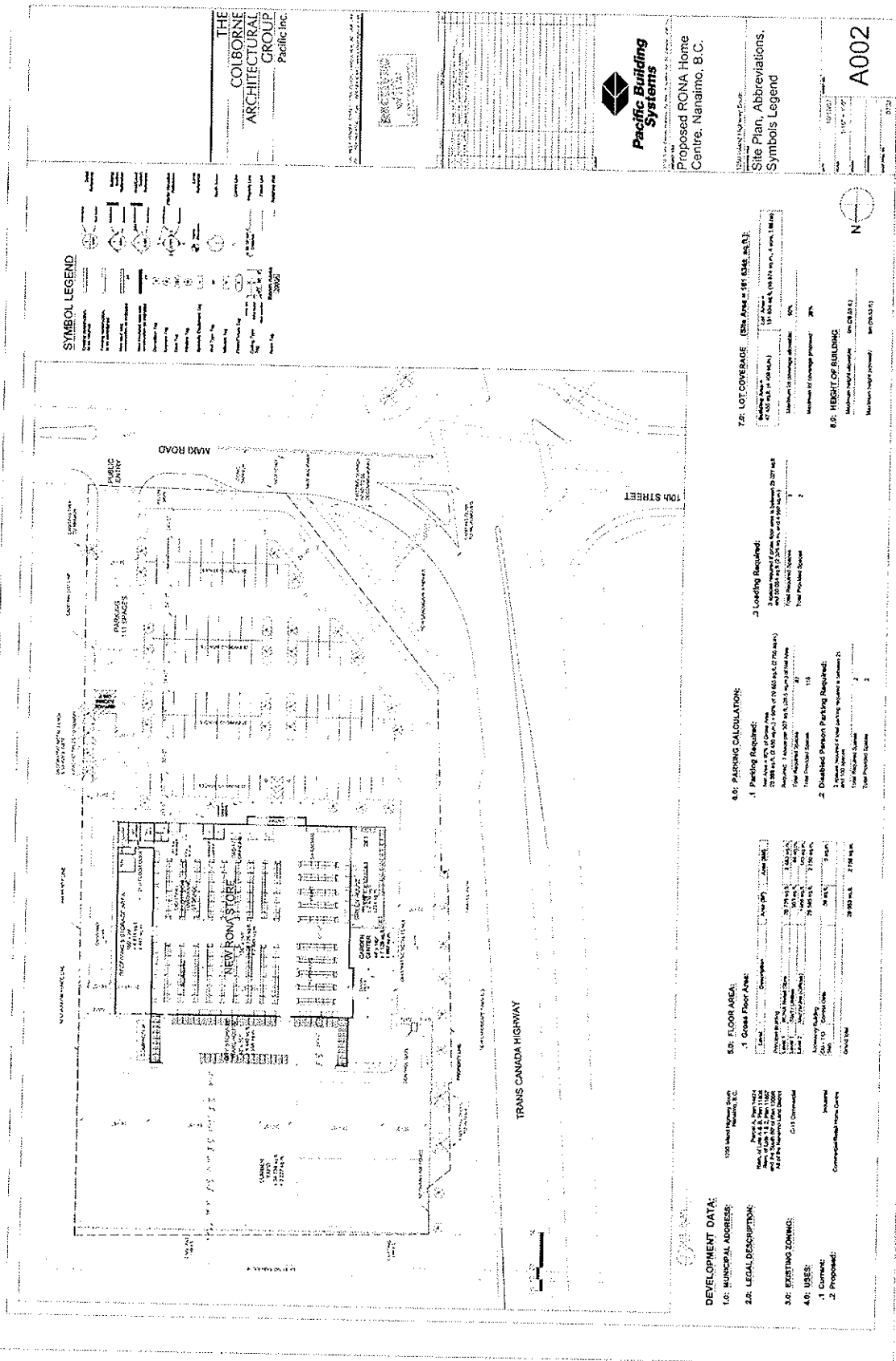
Two important features of this development are the intended children's play area and the construction of an asphalt trail – which will connect to the existing Whalley Creek Trail and with a path leading to the school. This will provide safe and easy walking access for students and their parents. Whalley Creek Trail has become a very popular pedestrian corridor for this community and this trail connection will be well utilized by the residents of this proposed development. The planned children's play area will present a secure environment for the younger children living here and will provide a focus area for young families to enjoy.

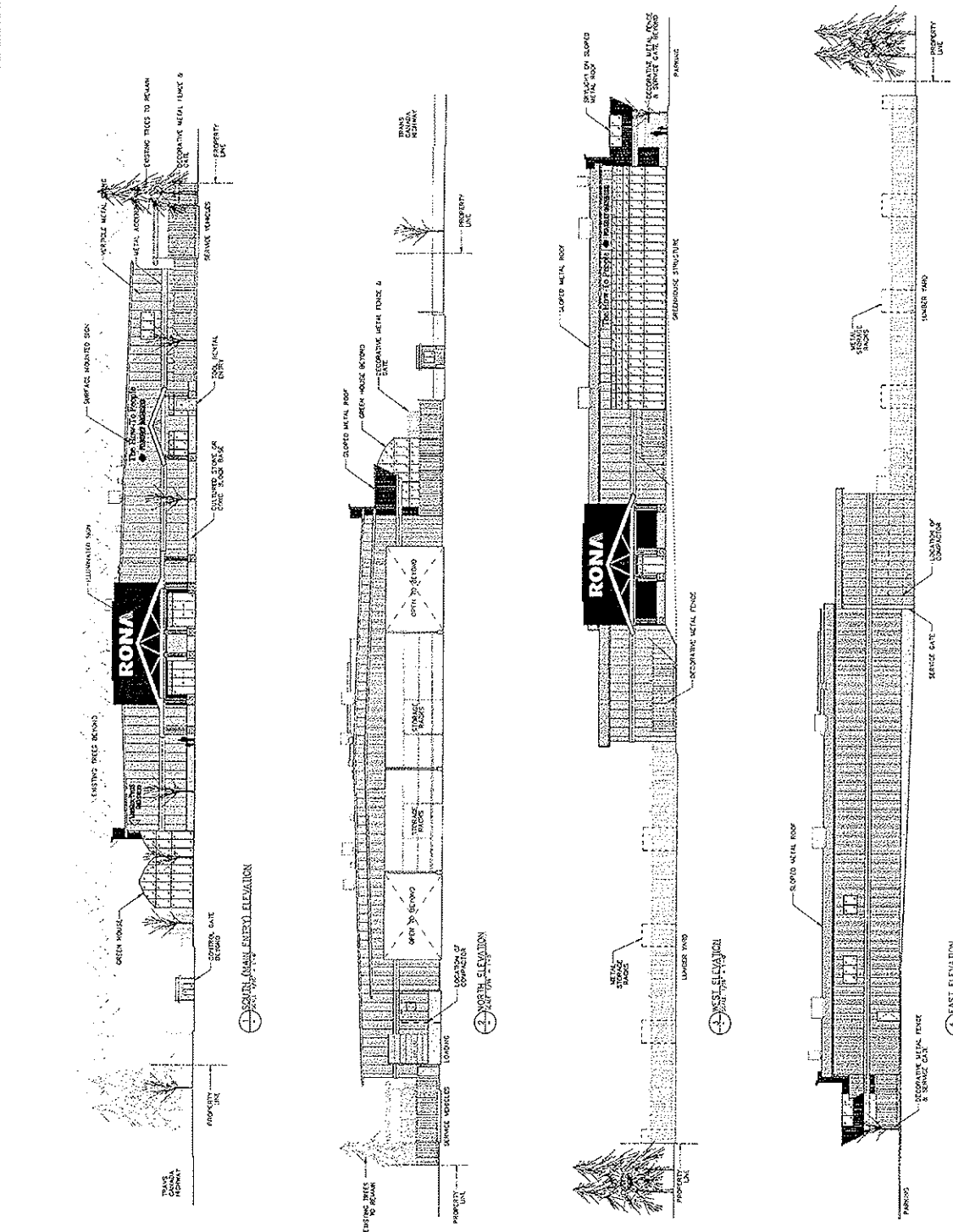
We have been in contact with all of the surrounding property owners, including the Principal of Frank J. Ney Elementary School. Some neighbours indicated that they are pleased to see infill development in their community and they welcome lower density multiple family dwellings on the larger lots on Hammond Bay Road. We will be submitting a list of the neighbours contacted and completed feedback sheets to the Planning Department.

As per Section 6.2 of the City of Nanaimo Official Community Plan - the Community Contribution Policy - Nored Developments will be providing a donation of \$20,000.00 - \$10,000 towards the completion of the Whalley Creek Trail and \$10,000 to the City's Housing Legacy Fund.

This application meets the goals of the Official Community Plan Neighbourhood designation, which encourages communities to evolve and add to the diversity of housing choices. The proposal meets all the regulations of the RM-3 zone (no variances are required) and the project has been designed to compliment the existing neighbourhood character. This location, in close proximity to schools, parks and commercial areas, is ideal for a relatively small scale multiple family project. This development will provide varied living options for the community, and will offer economically attainable homes geared to young families who wish to live in north Nanaimo.

SCHEDULE B





THE
COLBORNE
ARCHITECTURAL
GROUP
Pacific Inc.

FOR ALL PROJECTS, PLEASE CONTACT: JIM COLBORNE, 1000 10th Ave. S.E., Nanaimo, B.C. V9X 1A1
Tel: 251-1000 Fax: 251-1001
www.colborne.ca

NO.	DATE	DESCRIPTION
1	10/20/2007	Initial Design
2	11/15/2007	Revised Design
3	12/10/2007	Final Design
4	01/10/2008	Construction Documents
5	02/10/2008	Construction Documents
6	03/10/2008	Construction Documents
7	04/10/2008	Construction Documents
8	05/10/2008	Construction Documents
9	06/10/2008	Construction Documents
10	07/10/2008	Construction Documents
11	08/10/2008	Construction Documents
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19	04/10/2009	Construction Documents
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96	09/10/2015	Construction Documents
97	10/10/2015	Construction Documents
98	11/10/2015	Construction Documents
99	12/10/2015	Construction Documents
100	01/10/2016	Construction Documents

Pacific Building Systems
Proposed RONA Home Centre, Nanaimo, B.C.

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A300

SCHEDULE C

3. Building Complete and Viable Neighbourhoods

A. Town Centre

Commercial:

Commercial designated areas are meant to serve the need of the travelling public and/or vehicle/land intensive uses such as larger scale retail. Examples of acceptable land uses in this designation are: service stations; vehicle, bicycle and boat sales; hotels; restaurants; home centres; garden centres; indoor recreation facilities; retail; wholesale outlets; and the like.

Policy:

- The following uses are not permitted in the Commercial designation: Automobile salvage or wrecking yards; scrap and/or part yards; commercial card lock facilities; storage yards/facilities not associated with a lumber store, home centre garden centre or commercial nursery; stand alone gaming halls; and similar uses.

Mainstreet:

Mainstreet designated areas define the core of the Town Centre.

Policy:

- Permitted uses in the Mainstreet designation are those outlined in the Mainstreet Zone in the City's Zoning Bylaw.
- The maximum number of stories for developments on Mainstreet designated properties is three (3). Third stories must be wholly contained within the roof structure, in an effort to minimize the mass of the buildings along the "Mainstreet"

Medium-High Density Residential:

Medium-High Density Residential designated areas are meant to accommodate the majority of the residential density for the Town Centre.

Policy:

- The target density for the Medium to High Density Residential designation is 100-150 units per hectare (40-60 units per acre).
- Permitted building forms include 3 storey residential structures, up to 8 storey towers.

SCHEDULE D

PART 6- SINGLE FAMILY RESIDENTIAL ZONES

6.1. SINGLE FAMILY RESIDENTIAL ZONE - (RS-1/RS-1a) (4000.275; 2001-Jan-08)

This zone provides for low density urban or suburban type residential development.

6.1.1. PERMITTED USES (4000.075; 1995-Jan-23) (4000.178; 1998-Feb-02)

Bed and Breakfast, subject to Part 5
Boarding or Lodging, subject to Part 5
Single Family Dwellings

6.1.2. CONDITION OF USE (4000.327; 2003-Aug-18)

6.1.2.1. The gross floor area of a single family dwelling shall exceed a gross floor area of 87 square metres (936.49 square feet).

6.1.2.2. The floor area ratio of a principal dwelling shall not exceed 0.55 or a gross floor area of 390.18 square metres (4,200 square feet).

6.1.2.3. Notwithstanding Subsection 6.1.2.2., where a dwelling consists of three or more storeys entirely above finished grade on the rear elevation, the gross floor area may be increased as follows provided that the building footprint does not exceed 185.8 square metres (2,000 square feet):

Lot Size	Maximum Gross Floor Area
< 1,000 square metres (40,764 square feet)	390.18 square metres (4,200 square feet)
≥ 1,000 square metres (10,764 square feet)	464.5 square metres (5,000 square feet)

6.1.2.4. Notwithstanding Subsection 6.1.2.2. and 6.1.2.3., on those properties with a sub-designation "a" the floor area ratio of the principal dwelling shall not exceed 0.4 or a maximum gross floor area of 300 square metres (3,229 square feet).

6.1.2.5. Lots equal to or exceeding 1,666.66 square metres (17,940 square feet) in area are exempt from the requirements of Subsections 6.1.2.2. through 6.1.2.4.. For the purposes of this subsection, where a lot abuts a watercourse identified in Schedule "G" or a lot is subject to a geotechnical setback, the required leavestrip(s) shall not be included in the calculation of lot area.

6.1.3. DENSITY

6.1.3.1. Not more than one single family dwelling shall be permitted per lot.

6.1.3.2. Notwithstanding Subsection 6.1.3.1., one additional single family dwelling shall be permitted on a lot exceeding 0.4 hectares (one acre) in area.

6.1.4. LOT AREA

- 6.1.4.1. The minimum lot area shall not be less than 600 square metres (6,459 square feet), serviced by a community water system, a community sanitary sewer system and a storm drainage system.
- 6.1.4.2. Notwithstanding Subsection 6.1.4.1., where a lot contains or abuts a watercourse identified in Schedule G, the required leave strip shall not be included in the calculation of minimum lot area. (4000.255; 1999-Sep-13) (4000.303; 2002-Jul-29)
- 6.1.4.3. Deleted (4000.126; 1995-Dec-18) (4000.255; 1999-Sep-13)

6.1.5. LOT COVERAGE

The maximum lot coverage shall not exceed 40% of the lot area.

6.1.6. YARD REQUIREMENTS

- 6.1.6.1. A front yard of not less than 6 metres (19.69 feet) shall be provided.
- 6.1.6.2. Side yards of not less than 1.5 metres (4.92 feet) for each side yard shall be provided. In the case of a corner lot, the side yard adjoining the flanking street shall not be less than 4 metres (13.12 feet).
- (a) Notwithstanding Subsection 6.1.6.2., the side yard adjoining the flanking street shall not be less than 1.5 metres (4.92 feet) if the flanking street is a lane. (4000.075; 1995-Jan-23)
- 6.1.6.3. A rear yard of not less than 7.5 metres (24.6 feet) shall be provided for a principal building. A rear yard of not less than 1.5 metres (4.92 feet) shall be provided for an accessory building. (4000.178; 1998-Feb-02)
- 6.1.6.4. Notwithstanding Subsections 6.1.6.1. to 6.1.6.3., general provisions in Part 5 for the siting of buildings on watercourses and major roads will also apply.

6.1.7. HEIGHT OF BUILDINGS (4000.275; 2001-Jan-08)

- 6.1.7.1. The height of a principal building shall not exceed the maximum height shown in the following table:

Roof Pitch	Maximum Height
A flat roof (< than 4:12)	6.71 metres (22 feet)
A sloped roof (≥ 4:12) *	8.25 metres (27.06 feet)

** for an area of at least 80% of all roof surfaces measured in plan view.*

- 6.1.7.2. In addition to Subsection 6.1.7.1., for those properties identified on Schedule H, the maximum height of a principal building may be increased as shown in the following table:

Roof Pitch	Maximum Height
A sloped roof ($\geq 8:12$) *	8.53 metres (28 feet)
A sloped roof ($\geq 10:12$) *	9.14 metres (30 feet)

* for an area of at least 80% of all roof surfaces measured in plan view.

- 6.1.7.3 Notwithstanding Subsection 6.1.7.1. and 6.1.7.2., on lots less than 1,666.66 square metres (17,940.36 square feet) the height of a principal dwelling may also be measured from curb level of the highest street abutting the property as outlined in the following table:

Roof Pitch	Maximum Height
A sloped roof ($< 4:12$)	3 metres (9.84 feet)
A sloped roof ($\geq 4:12$) *	5 metres (16.4 feet)

* for an area of at least 80% of all roof surfaces measured in plan view.

(4000.327; 2003-Aug-18)

- 6.1.7.4. The height of an accessory building shall not exceed 4.5 metres (14.76 feet).

6.1.8. **MAXIMUM PERIMETER WALL HEIGHTS** (4000.275; 2001-Jan-08)

- 6.1.8.1. The perimeter wall height of the principal dwelling shall not exceed 7.32 metres (24 feet). The maximum perimeter wall height may be increased on rear and internal side yard elevations to a maximum of 9.14 metres (30 feet), provided:

- (a) any rear wall face over 7.32 metres (24 feet) in height is a minimum of 10 metres (32.8 feet) from the rear property line;
- (b) no wall face over 7.32 metres (24 feet) in height shall exceed 7.32 metres (24 feet) in width and must be offset by a minimum of .61 metres (2 feet) from any adjacent wall over 7.32 metres (24 feet) in height;
- (c) any eave or gable end associated with the wall face over 7.32 metres (24 feet) in height must not exceed 8.53 metres (28 feet) in width and must be offset by at least .61 metres (2 feet) from any adjacent eave or gable end which is associated with any adjacent wall face over 7.32 metres (24 feet) in height."

(4000.327; 2003-Aug-18)

- 6.1.8.2. Notwithstanding 6.1.8.1., for those properties with a sub-designation "a" the perimeter wall height shall not exceed 6.1 metres (20 feet). The maximum perimeter wall height may be increased on rear and internal side yard elevations to a maximum of 7.32 metres (24 feet) provided:

- (a) any rear wall face over 6.1 metres (20 feet) in height is a minimum of 10 metres (32.8 feet) from the rear property line;
- (b) no wall face over 6.1 metres (20 feet) in height shall exceed 7.32 metres (24 feet) in width and must be offset by a minimum of .61 metres (2 feet) from any adjacent wall over 6.1 metres (20 feet) in height;
- (c) any eave or gable end associated with the wall face over 6.1 metres (20 feet) in height must not exceed 8.53 metres (28 feet) in width and must be offset by at least .61 metres (2 feet) from any adjacent eave or gable end which is associated with any adjacent wall face over 6.1 metres (20 feet) in height."

(4000.327; 2003-Aug-18)

6.1.8.3. The following are exempt from the calculation of perimeter wall height:

1. Gable ends;
2. Dormers, to a maximum of 25% of the wall length; and
3. Localized depressions.

6.1.8.4. Dormers, covered decks, or additional wall height above the maximum perimeter wall height must be setback a minimum of 2.44 metres (8 feet) from the perimeter wall.

6.1.8.5. Notwithstanding Section 6.1.8.3., when a principle dwelling exceeds 8.25 metres in height, any gable end, dormer, covered deck, or wall face above the maximum perimeter wall face must be setback a minimum of 3.96 metres (13 feet) from any internal side lot line.

6.1.9. HEIGHT OF FENCES

6.1.9.1. The height of a fence shall not exceed 1.2 metres (3.94 feet) in a front yard.

6.1.9.2. The height of a fence shall not exceed 2.4 metres (7.87 ft.) in any side or rear yard.

6.1.9.3. In the case of a corner lot, the height of a fence shall not exceed 1.8 metres (5.9 feet) along the side adjoining the flanking street. **(4000.075; 1995-Jan-23)**

6.1.9.4. Notwithstanding Subsections 6.1.9.1. to 6.1.9.3., fence heights are subject to the general provisions set out in Part 5, "Visibility at Intersections", "Fence Heights", and "Height Exemptions".

6.1.10. OFF-STREET PARKING

Deleted (4000.296; 2002-Apr-22)

SCHEDULE E

9.4. MIXED USE COMMERCIAL ZONE - (C-4)

This zone provides for a range of commercial activities which are of low intensity and which may rely on the surrounding area as the threshold market area.

9.4.1. PERMITTED USES (4000.178; 1998-Feb-02) (4000.362; 2004-Nov-01)

Accessory Dwelling Unit

Club or Lodge

Commercial Schools

Daycare Facility (4000.178; 1998-Feb-02)

Dry Cleaners

Fast Food Restaurant, on land legally described as STRATA LOT E, Plan VIS4335 (Part of 1800 Bowen Road) (4000.203; 1997-Nov-03) and STRATA LOT 2, Section 7, Nanaimo District, Strata Plan VIS4564, (50 Tenth Street) (4000.252; 2000-Apr-10).

Financial Institutions

Funeral Parlours and related facilities

Laundromats

Libraries

Liquor Stores, on lands legally described as Lot 1, District Lot 51, Wellington District, Plan 14337 and Parcel A (DD 370169-I) of Lot 1, District Lot 51, Wellington District, Plan 7157 (4700 & 4720 Hammond Bay Road) (4000.364; 2005-Mar-07)

Liquor Stores, on part of lands legally described as LOT 1, SECTION 12, WELLINGTON DISTRICT, PLAN 26877 EXCEPT PLAN VIP57955 (6404 Metral Drive) (4000.338; 2004-Jul-12).

Multiple Family Dwellings (4000.038; 1994-May-16)

Neighbourhood Pubs, on lands legally described as LOT F, DISTRICT LOT 48, WELLINGTON DISTRICT, PLAN VIP62291 (6566 Applecross Road) and LOT D, DISTRICT LOT 48, WELLINGTON DISTRICT, PLAN VIP62291 (6350 McRobb Avenue) and LOT C, DISTRICT LOT 48, WELLINGTON DISTRICT, PLAN VIP62291 (6596 Applecross Road). (4000.351; 2004-Aug-16)

Neighbourhood Pubs, on lands legally described as Lot 1, District Lot 51, Wellington District, Plan 14337 and Parcel A (DD 370169-I) of Lot 1, District Lot 51, Wellington District, Plan 7157 (4700 & 4720 Hammond Bay Road) (4000.364; 2005-Mar-07)

Neighbourhood Pubs, on land legally described as That Part of Lot 1, District Lot 30, Wellington District, Plan 3877, Lying To The East of Turner Road (6130 McIntosh Road) (4000.111; 1996-Apr-22)

Offices

Recreation Facilities

Restaurants

Retail Stores

Veterinary Clinic (4000.271; 2000-aug-28)

9.4.2. CONDITIONS OF USE

9.4.2.1. For the purpose of this section, a "commercial use" shall mean all uses permitted in Subsection 9.4.1., other than Multiple Family Residential, Accessory Building, and Accessory Dwelling Unit uses. (4000.038; 1994-May-16).

9.4.2.2. Where use of a lot is solely multiple family residential, the use shall be subject to the Conditions of Use, Density, Lot Area, Lot Coverage, Yard Requirements, Height of Buildings, Height of Fences, and Amenity Areas requirements of the RM-3 Low Density Multiple Family Residential Zone and to the Conditions of Use and Screening and Landscaping requirements of this zone. (4000.038; 1994-May-16) (4000.296; 2002-Apr-22).

- 9.4.2.3. Where use of a lot includes both commercial and multiple family residential uses, the multiple family residential use shall be subject to the Conditions of Use, Density, Yard Requirements, and Amenity Areas requirements of the RM-5 Medium Density Multiple Family Residential Zone and to the Conditions of Use, Lot Area, Lot Coverage, Height of Buildings, Height of Fences and Screening and Landscaping requirements of this zone. (4000.038; 1994-May-16) (4000.296; 2002-Apr-22).
- 9.4.2.4. Notwithstanding Subsection 9.4.2.3., where the use of a lot includes both commercial and multiple family residential uses, commercial uses shall only be permitted on the first two storeys of a building for the purpose of a principal use. (4000.038; 1994-May-16).
- 9.4.2.5. The total gross floor area of all buildings on a lot used for financial institutions and offices shall not exceed 1,500 square metres (16,146 square feet) per lot. (4000.038; 1994-May-16).
- 9.4.2.6. Where the use of a lot includes both commercial and multiple family residential uses, the maximum gross floor area used for the purpose of a multiple family residential use shall not exceed 75% of the total gross floor area of all buildings on the lot. (4000.086; 1994-Nov-28).

9.4.3. **LOT AREA**

- 9.4.3.1. The minimum lot area shall not be less than 1,200 square metres (12,917 square feet), serviced by a community water system, a community sanitary sewer system, and a storm drainage system.
- 9.4.3.2. Notwithstanding Subsection 9.4.3.1., where a lot contains or abuts a watercourse identified in Schedule G, the required leave strip shall not be included in the calculation of minimum lot area. (4000.126; 1995-Dec-18) (4000.303; 2002-Jul-29)

9.4.4. **LOT COVERAGE**

The maximum lot coverage shall not exceed 50% of the lot area.

9.4.5. **YARD REQUIREMENTS**

- 9.4.5.1. A front yard of not less than 6 metres (19.69 feet) shall be provided, except where the area between a building front line and front lot line is landscaped and not used for off-street parking, the minimum setback may be reduced to 4 metres (13.12 feet).
- 9.4.5.2. A side yard shall be provided of not less than 3 metres (9.84 feet) in depth for one side yard and 0 metres for the other.
- (a) In the case of a corner lot, the side adjoining the flanking street shall be a minimum of 4.5 metres (14.76 feet).
- (b) Where a lot abuts a lot in an Agricultural or Residential Zone, a side yard shall be provided of not less than 4.5 metres (14.76 feet) in depth.
- 9.4.5.3. A rear yard shall be provided of not less than 4.5 metres (14.76 feet) in depth.

- 9.4.5.4. Notwithstanding Subsections 9.4.5.1. to 9.4.5.3., the regulations of Part 5 pertaining to the location and siting of buildings and structures to watercourses and major roads shall also apply.

9.4.6. **HEIGHT OF BUILDINGS**

- 9.4.6.1. The height of a principal building shall not exceed 9 metres (29.53 feet).
- 9.4.6.2. The height of an accessory building shall not exceed 4.5 metres (14.76 feet).
- 9.4.6.3. Notwithstanding Subsection 9.4.6.1., where both commercial and multiple family residential uses exist on the same lot, the height of a building for the purpose of a principal use shall not exceed 14 metres (45.93 feet). **(4000.038; 1994-May-16).**

9.4.7. **HEIGHT OF FENCES**

- 9.4.7.1. The height of a fence shall not exceed 1.2 metres (3.94 feet) in a front yard.
- 9.4.7.2. The height of a fence shall not exceed 1.8 metres (5.90 feet) in any side or rear yard.
- 9.4.7.3. Notwithstanding Subsections 9.4.7.1. and 9.4.7.2., fence heights are subject to the general provisions set out in Part 5, "Visibility at Intersections", "Fence Heights", and "Height Exemptions".

9.4.8. **OFF-STREET PARKING**

Deleted (4000.296; 2002-Apr-22)

9.4.9. **SCREENING AND LANDSCAPING**

- 9.4.9.1. All mechanical, electrical or other service equipment located outside or on the roof of a building shall be screened from adjacent properties and streets by ornamental structures, landscaping, or other means.
- 9.4.9.2. All outdoor storage and refuse receptacle areas shall be screened in accordance with Part 14 of this Bylaw.
- 9.4.9.3. Where a C-4 Zone abuts a highway screening and landscaping shall be provided in accordance with Part 14 of this Bylaw. **(4000.122; 1995-Oct-30)**
- 9.4.9.4. Where a C-4 Zone abuts, or is across a highway from an RS, A, RM, MA, I or P Zone, screening shall be provided in accordance with Part 14 of this Bylaw.

SCHEDULE F

11.2. LIGHT INDUSTRIAL ZONE - (I-2)

This zone provides for clean industrial uses with a high standard of design and maintenance.

11.2.1. PERMITTED USES (4000.178; 1998-Feb-02)

Above ground storage of flammable and combustible material not exceeding 119,000 USGW contained within 3 storage tanks on land legally described as Lot 4, Section 19, Range 8, Mountain District, Plan 11555
Auctions (4000.178; 1998-Feb-02)
Automotive Repair Shop
Boat and Marine Equipment Sales, Service and Rentals on land legally described as Lot 1, Section 1, Nanaimo District, Plan 42067, except that part in Plan 48000 (690 Comox Road) (4000.272; 2001-Mar-05)
Caretaker's Dwelling Unit
Commercial Schools
Custom Workshops
Financial Institution (4000.086; 1994-Nov-28)
Food and Beverage Processing (4000.362; 2004-Nov-01)
Fueling Installations
Furniture and Appliance Sales
Helicopter Landing Pads, on land legally described as Lot 9, Section 16, Range 7, Mountain District, Plan VIP61143 (1985 Boxwood Road) (4000.270; 2000-Dec-04)
Indoor Mini Storage
Injury Management Centre (4000.176; 1997-Mar-03)
Light Industry
Lumber and Building Supply Yards
Pet Day Care (4000.271; 2000-Aug-28)
Printing and Publishing Facilities (4000.178; 1998-Feb-02)
Prefabricated Home Sales (4000.178; 1998-Feb-02)
Production Bakery (4000.303; 2002-Jul-29)
Production Studio
Recreational Facilities
Recycling Depots
Repair Shops
Restaurants
Retail of Auto Accessories and Parts
Service Industry
Storage Yards
Tools and Equipment Rentals and Service
Tow Truck Dispatch and Storage Yard (4000.086; 1994-Nov-28)
Truck, Trailer and Heavy Equipment Sales, Services and Rentals
Veterinary Clinics
The following independent office uses:

- (a) Architect
- (b) General contractor provided that any contractor's storage yard is enclosed by a building or completely screened
- (c) Computer services and data processing
- (d) Courier, communication or dispatch
- (e) Engineer, scientist, surveyor or geologist

- (f) Graphic or industrial designer
- (g) Land surveyor
- (h) Shipping agent or freight forwarder
- (i) Wholesale broker or manufacturer's agent
- (j) An office use similar to the above, provided the use has a direct relationship to the immediate industrial area and will not generally attract the public to its premises

11.2.2. CONDITIONS OF USE

- 11.2.2.1. An accessory building must be located to the rear of the principal building. (4000.178; 1998-Feb-02)
- 11.2.2.2. Retail sale and display of goods manufactured or stored on the property shall be permitted provided the total gross floor area devoted to such accessory retail sale and display does not exceed 25% of the gross floor area of the principal use to which it is accessory, or 200 square metres (2,153 square feet) whichever is lesser, and provided the accessory retail sale and display area accessible to the general public is separated by a wall from the principal use. (4000.178; 1998-Feb-02)
- 11.2.2.3. Recycling Depots use shall be contained within a completely enclosed building. No materials may be located within 6 metres (19.69 feet) of a doorway or opening in the building greater than 1 metre (3.28 feet) in width or 1 metre (3.28 feet) in height; except where the doorways or openings remain completely closed when no vehicle or person is entering or exiting the building. (4000.175; 1997-Mar-03) (4000.346; 2004-Jun-07) (4000.412; 2007-May-14)
- 11.2.2.4. Accessory offices located within an injury management centre shall not exceed 25 percent of the injury management centre's gross floor area. (4000.176; 1997-Mar-03)
- 11.2.2.5. A use in this zone shall not ordinarily discharge or emit odorous, toxic or noxious matters or vapors, heat, glare, noise, vibration, smoke, dust, effluent or other emission hazards, electrical interference, or radiation across any lot line. (4000.176; 1997-Mar-03)
- 11.2.2.6. The sale of *Motor Vehicles* is permitted in association with a *Tow Truck Dispatch and Storage Yard* provided the *Motor Vehicles* have been lawfully impounded or recovered by the operator, and provided that no more than 3 *Motor Vehicles* are for sale at any one time. (4000.271; 2000-Aug-28)
- 11.2.2.7. Deleted (4000.276; 2001-Feb-05) (4000.346; 2004-Jun-07)
- 11.2.2.8. All processing of materials must occur within a building. (4000.303; 2002-Jul-29)

11.2.3. LOT AREA

- 11.2.3.1. The minimum lot area shall not be less than 1500 square metres (16,146.39 square feet) serviced by a community water system, a community sanitary sewer system, and a storm drainage system. (4000.066; 1994-Oct-17)
- 11.2.3.2. Notwithstanding Subsection 11.2.3.1., where land is being subdivided and is serviced by a community water system, a community sanitary sewer system, and a storm drainage system, the minimum lot area may be reduced to not less than 900 square metres

(9,687.84 square feet) for not more than 60% of the lots being created. (4000.066; 1994-Oct-17)

- 11.2.3.3. Notwithstanding Subsections 11.2.3.1. and 11.2.3.2., where a lot contains or abuts a watercourse identified in Schedule G the required leave strip shall not be included in the calculation of minimum lot area. (4000.126; 1995-Dec-18) (4000.303; 2002-Jul-29)

11.2.4. **LOT COVERAGE**

The maximum lot coverage shall not exceed 50% of the lot area.

11.2.5. **YARD REQUIREMENTS**

- 11.2.5.1. A front yard shall be provided of not less than 7.5 metres (24.60 feet) in depth, provided that where the area between a building front line and a front lot line is landscaped and not used for off-street parking, the minimum setback may be reduced to 4.5 metres (14.76 feet).

11.2.5.2. **Side Yards:**

- (a) A side yard shall be provided of not less than 6 metres (19.69 feet) in width for 1 side yard and 0 metres for the other.
- (b) In the case of a corner lot, the side adjoining the flanking street shall be subject to the regulations of Subsection 11.2.5.1.
- (c) Where a lot abuts a lot in a Rural or a Residential Zone, a side yard shall be provided of not less than 7.5 metres (24.60 feet) in width.

- 11.2.5.3. No rear yard is required except where a lot abuts a lot in a Rural or Residential Zone, a rear yard shall be provided of not less than 7.5 metres (24.60 feet) in depth.

- 11.2.5.4. Notwithstanding Subsections 11.2.5.1. to 11.2.5.3., the general regulations of Part 5, pertaining to the location and siting of buildings and structures to watercourses and major roads will also apply.

11.2.6. **HEIGHT OF BUILDINGS**

The height of a building or structure shall not exceed 9 metres (29.53 feet).

11.2.7. **HEIGHT OF FENCES**

- 11.2.7.1. The height of a fence shall not exceed 2.4 metres (7.87 feet) in a front, side or rear yard.

- 11.2.7.2. Notwithstanding Subsection 11.2.7.1., fences are subject to the general provisions set out in Part 5, "Visibility at Intersections", "Fence Heights", and "Height Exemptions".

11.2.8. **OFF-STREET PARKING** Deleted (4000.296; 2002-Apr-22)

11.2.9. **SCREENING AND LANDSCAPING**

- 11.2.9.1. All mechanical, electrical or other service equipment located outside or on the roof of a building shall be screened from adjacent properties and streets by ornamental structures, landscaping, or other means.
- 11.2.9.2. All outdoor storage and refuse receptacle areas shall be screened in accordance with Part 14 of this Bylaw.
- 11.2.9.3. Where a I-2 Zone abuts a highway screening and landscaping shall be provided in accordance with Part 14 of this Bylaw. (4000.122; 1995-Oct-30)
- 11.2.9.4. Where a I-2 Zone abuts, or is across a highway from an RS, A, C, RM, MA or P Zone, screening shall be provided in accordance with Part 14 of this Bylaw.