

CITY OF NANAIMO

AGENDA FOR THE MEETING OF THE REZONING ADVISORY COMMITTEE TO BE HELD ON THURSDAY, 2005-OCT-06, 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: 2005-AUG-04

3. NEW AND PENDING APPLICATIONS

RA000154: Insight Group Development has submitted a covenant amendment application on behalf of Insight Holdings Ltd. to permit a seniors congregate housing development at 6201 Oliver Road.

RA000138: 553080 BC Ltd. (Pacific Gardens Cohousing Community) has submitted an application to rezone 347 Seventh Street from RS-7 to RM-5 in order to permit a 25 unit multiple family development.

4. NEW BUSINESS

5. ADJOURNMENT

***Please contact Penny Masse at 755-4460, Local 331,
if you are unable to attend the meeting***

CITY OF NANAIMO

MINUTES OF THE MEETING OF THE REZONING ADVISORY COMMITTEE HELD ON THURSDAY, 2005-AUG-04, AT 4:45 P.M. IN THE BOARD ROOM, CITY HALL, 455 WALLACE STREET, NANAIMO, BC

PRESENT: Bill Forbes
Chris Erb
Ralph Meyerhoff

APPLICANT(S): Paul Manhas

STAFF: Dale Lindsay, Manager, Planning Division, DSD
Jason Carvalho, Planner, Planning Division, DSD

1. CALL TO ORDER

The meeting was called to order at 4:47 p.m.

2. ADOPTION OF MINUTES

MOVED by Mr. Meyerhoff, SECONDED by Mr. Forbes that the minutes of the 2005-JUL-21 Rezoning Advisory Committee meetings be adopted.

CARRIED

3. NEW AND PENDING APPLICATIONS

RA000147: 612316 BC Ltd. (Mr. Paul Manhas) has submitted a rezoning application for a site-specific amendment to the Community Shopping Centre Commercial Zone (C-7) in order to permit a License Retail Store (LRS).

Mr. Lindsay reminded the Committee that this application was introduced to the Committee at the previous RAC meeting of 2005-JUL-21. However, as the applicant did not fulfill the City's notification requirements the Committee was unable to make a recommendation regarding this application.

Mr. Lindsay stated that the applicant has completed the notification requirements and the application is now being forwarded to the Committee for their consideration.

Mr. Erb inquired whether Staff had any additional information to add from the previous meeting.

Mr. Lindsay stated that he had no additional information to add.

Mr. Erb inquired whether the applicant had any additional information to add.

Mr. Manhas stated that the LRS would not open until the renovations to the mall are complete.

Mr. Meyerhoff MOVED that the application be rejected as presented. Seconded by Mr. Forbes.

CARRIED

4. NEW BUSINESS

5. ADJOURNMENT

Mr. Meyerhoff MOVED that the meeting be adjourned at 4:52 p.m. SECONDED by Mr. Forbes.

CARRIED

APPROVED:

Chair

Date

REZONING ADVISORY COMMITTEE

2005-OCT-06

File Number: RA000154

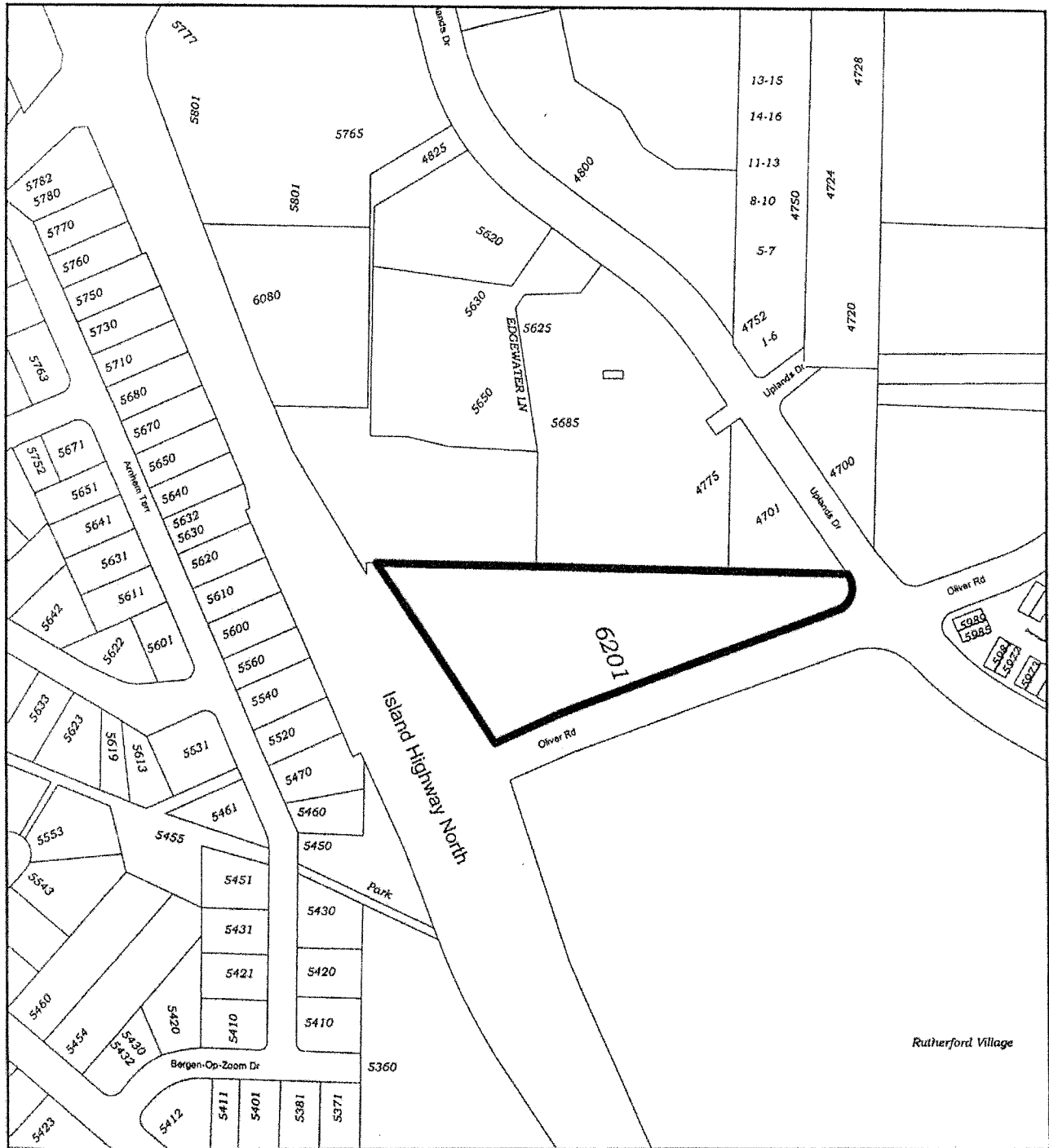
Project Address: 6201 Oliver Road (Schedule A)

Proposed Development: The applicant, Insight Group Development, has applied on behalf of Insight Holdings Ltd., to amend an existing covenant in order to permit a seniors congregate housing development. A plan of the proposed development, secured via covenant as a condition of the previous rezoning application (RA000113), is attached for your reference (Schedule B). The present applicant's proposed plan of development is also attached for your reference (Schedule C.)

OCP Designation: Town Centre (Schedule D).

Current Zoning: Medium Density Multiple Family Residential (Suburban) Zone (RM-5) (Schedule E)

SCHEDULE A



CIVIC: 6201 OLIVER ROAD
FILE NO.: RA000154

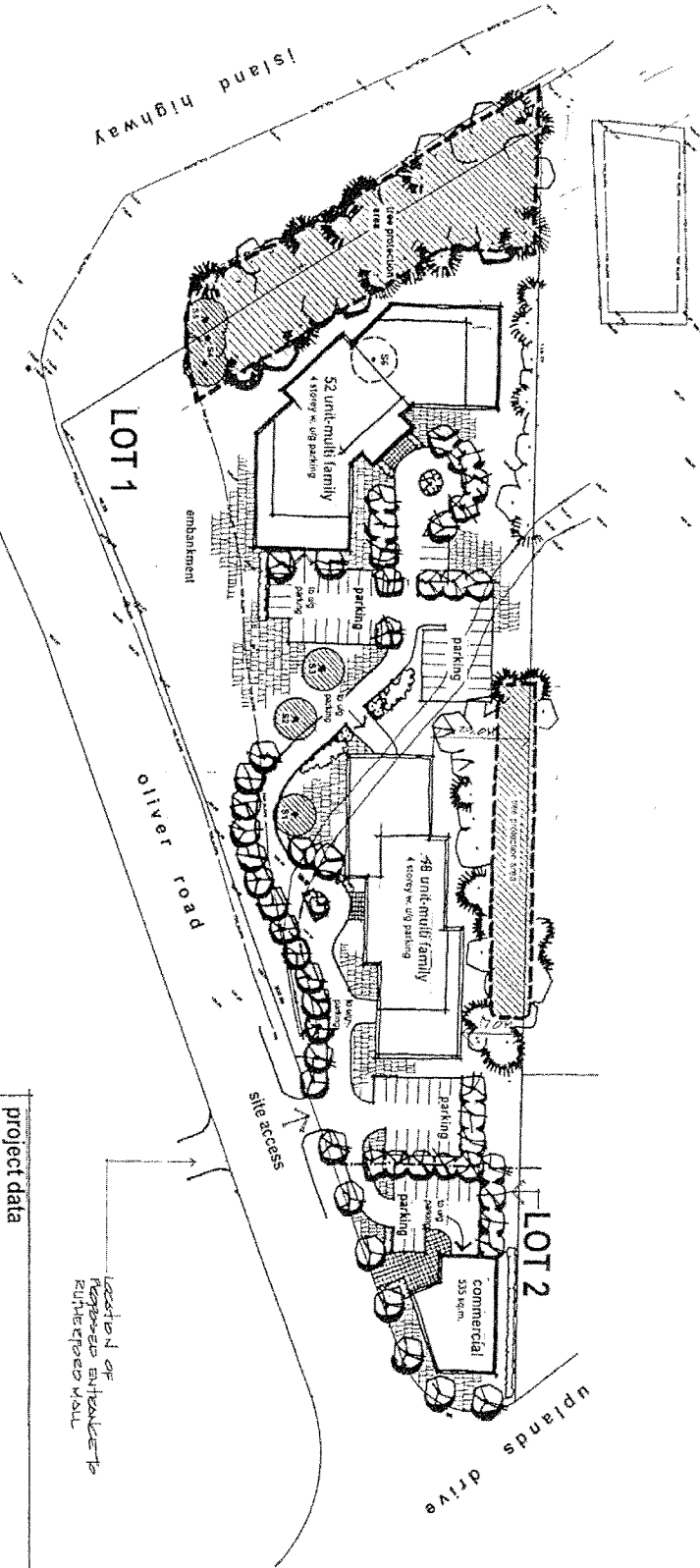
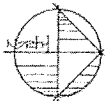
 Subject Properties

SCHEDULE B

RECEIVED
JAN 13 2003
CITY OF VANCOUVER
DEVELOPMENT SERVICES
CITY OF NANAIMO

MIXED USE DEVELOPMENT 6201 OLIVER ROAD, NANAIMO B.C.

conceptual site plan
DATE: ISSUED FOR REZONING APPLICATION - DECEMBER 11, 2002



project data

LEGAL DESCRIPTION (CURRENT):
LOT 18, DISTRICT LOT 14, WELLINGTON DISTRICT, PLAN V100222, EXCEPT PLAN V107177

LOT 1

LOT AREA (PROPOSED):
7.604 ha

LAND USE:
MULTI-FAMILY HOUSING

NO. OF UNITS:
100

GROSS FLOOR AREA:
11,523 m² G.S.

FLOOR AREA RATIO:
0.57

LOT COVERAGE:
10.5%

PARKING:
DUG

SURFACE
TOTAL PROPOSED
100
100 / UNIT

LOT 2

LOT AREA (PROPOSED):
0.218 ha

LAND USE:
MEDICAL / DENTAL / PROFESSIONAL OFFICES

GROSS FLOOR AREA:
535 m² G.S.

LOT COVERAGE:
24.4%

PARKING:
DUG

SURFACE
TOTAL
11
30
29
@ 115 m² (1 MET)

[illegible][illegible]

6) IRRIGATION WILL BE ADDRESSED AT LANDSCAPE CONCEPT PLAN STAGE

ALL TREE PROTECTION AREAS ARE COMPRISED MAINLY OF

- APPROX. 50% DOUGLAS FIR TREES 4" TO 10" DIA.
- APPROX. 20% CEDAR TREES 4" TO 16" DIA.
- APPROX. 15% ALDER TREES 2" TO 10" DIA.
- 6 ARBUTUS TREES, 3 IN PROPOSED BUILDING FOOTPRINT
- 3 IN PROPOSED BUILDING FOOTPRINT

6201 Oliver Road, Nanaimo, B.C.

~ Covenant Amendment Application ~

TREE MANAGEMENT PLAN

Scale: 1" = 32' 28 September 2005

Insight Group Development Corporation

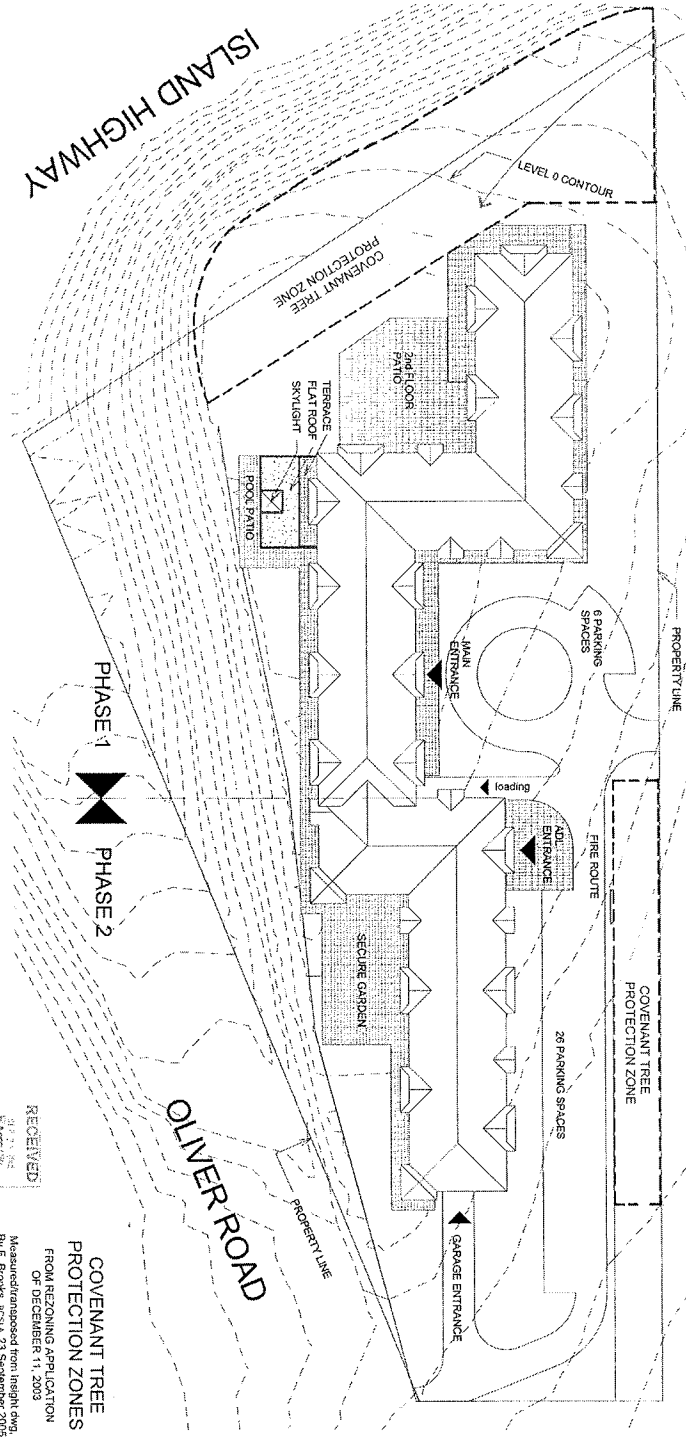


FRANK BROOKS, P.O. BOX 100
LANDSCAPE ARCHITECT
4345 Bayview Way, Niagara, N.Y. 14203
Tel/Fax: 716/291-0990 e-mail: frank@frankb.com

The Covenant Tree Protection Zone at the west end of the building can remain intact for the following conditions:

1. The main floor at this end is very close to the adjacent building.
2. The main floor at this end is very close to the adjacent building.
3. The main floor at this end is very close to the adjacent building.
4. The main floor at this end is very close to the adjacent building.
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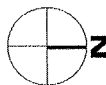


RECEIVED
11/2/2005
11/2/2005

COVENANT TREE
PROTECTION ZONES
FROM REZONING APPLICATION
OF DECEMBER 11, 2003
Manufactured from 11/2/2005
By F. Bouda 11/2/2005

SITE PLAN

Scale: 1" = 32' * 28 September 2005



NANAIMO CCRC
Nanaimo, British Columbia

A200

6201 Oliver Road, Nanaimo, B.C.

Origin Retirement communities Inc.

Schedule D

1. GOAL ONE: BUILD COMPLETE, VIABLE COMMUNITIES

"Build complete, viable communities" means create Town Centres, Neighbourhood Villages and neighbourhoods that collectively support a variety of lifestyle choices and that offer a pleasant, convenient, urban environment. It also means providing employment and other economic opportunities and efficiently managing public infrastructure and resources.

"Town Centres", "Regional Shopping Town Centres" and "Neighbourhood Villages" are Growth Centres that offer a broad range of shopping and commercial services, employment opportunities, housing forms, open space, and amenities.

"Neighbourhood" and "Suburban Neighbourhood" designations are residential areas with local services, parks and open space and community facilities.

Community planning and design will aim to enhance livability, reflect local character, and enhance options for improved mobility and public amenity in all these forms of complete communities.

To achieve this Goal, Plan policies:

- *identify "Town Centre", "Regional Shopping Town Centre" and "Neighbourhood Village" Growth Centres where development of a mix of land uses at urban densities is encouraged;*
- *provide for new parks and public open space, recreational facilities and other amenities particularly in Town Centres and Neighbourhood Villages;*
- *keep areas designated as "Neighbourhoods" and "Suburban Neighbourhoods" as locations for low density residential uses and local services;*
- *establish "Enterprise Areas" to provide new employment opportunities and to protect traditional industry and commerce;*
- *give priority to marine related uses and public access along the waterfront; and*
- *keep housing affordable and neighbourhoods livable.*

1.1 Growth Centres

"Growth Centres" in this Plan are "Town Centres", "Regional Shopping Town Centres" and "Neighbourhood Villages" where development will occur at urban densities. "Town Centres" and "Regional Shopping Town Centres" are identified around existing commercial and service areas including the downtown, the hospital area, and some of the existing shopping centres. "Neighbourhood Villages" are identified around some existing commercial and service areas such as Harewood Mall and Departure Bay.

"Growth Centres" will be developed as "complete communities" with a broad range of residential, commercial, community and open space uses. They would build on pre-existing development and redevelopment opportunities. Infrastructure will be developed to support urban densities and alternative travel modes such as walking, cycling and public transit.

"Local Service Centres" are small scale service centres that provide commercial and community services for local neighbourhoods.

"Mainstreets" are pedestrian oriented forms of commercial and residential development that form the core or center of Neighbourhood Villages. "Mainstreets" are also encouraged in some Town Centres.

"Highway Commercial" areas are places for service and commercial uses that are oriented to the public traveling by vehicle.

1.1.1 Objectives:

- **To focus future urban development in Growth Centres:** Shift the focus of urban development from suburban locations to Growth Centres.
- **To provide for a variety of Growth Centres:** Recognize and enhance the diversity and character of each Growth Centre.
- **To mix and intensify land use in Growth Centres:** Create "complete communities" by encouraging a broad mix of uses including all housing forms, community uses and services such as libraries, policing and fire protection, indoor recreation and public places and spaces, and commercial, office, and other employment related facilities.
- **To provide public places and spaces:** Provide appropriate public places, open space and focal points in Growth Centres to support increased residential and employment density.

1.1.2 Policies:

1.1.2.1 General:

1. The policies of this section apply generally to all growth centres.
2. Growth Centres are Neighbourhood Villages (see section 1.1.2.3), Town Centres and Regional Shopping Town Centres (see section 1.1.2.2), Growth Centres are shown on the Schedule A Future Land Use and Mobility.
3. Growth Centres are areas where future densification will be encouraged.

4. Permitted uses include residential, commercial, institutional, and community uses. Retail stores; offices; personal service establishments; public and private recreation centres; schools; hospitals; intermediate, extended or multi-level health care facilities; health care and support services; government and private office complexes and other uses that contribute to an efficient, pleasant and convenient urban environment will be permitted.



Figure 2 Growth Centre Streetscape: An inviting environment.

5. New retail, commercial and medium and high density residential development projects will be directed to Growth Centres.
6. A full range of housing options from detached units and secondary suites to apartments will be permitted. Housing will include market and non market rental, co-operative, co-housing and privately-owned housing options.
7. Growth Centre structure and design will:
 - provide public places and open spaces that complement the public realm, and create identifiable focal points within each Growth Centre;
 - seek a total of 20% of the land area for public open space in the form of natural areas, parks, playgrounds, open air plazas and other public assembly and activity spaces;
 - protect and encourage traditional downtown and mainstreet streetscapes;
 - encourage the integration of residential, commercial, business and public service uses both within buildings and between adjacent sites; that is, foster a "fine grained" mix of residential and commercial uses; (6000.001; 1996-Nov.-28)
 - concentrate the greatest densities of residential and employment activity near the centre or focal area of each Growth Centre and locate lower densities near the outer areas;
 - complement and integrate new development with adjacent existing development; and

- maintain and develop a system of public streets and lanes; private streets will not be acceptable alternatives to public roads in Growth Centres.
8. Commercial development in the Growth Centres, other than in the Regional Shopping Town Centre, should seek to create "Mainstreet" patterns that emphasize street-fronting commercial forms that are suited to pedestrian and transit access. Where possible, parking should be provided onstreet. Offstreet parking should be behind fronting buildings or in consolidated parking areas. In the Regional Shopping Town Centre, buildings oriented to the street are not guided by Mainstreet policies. (6000.022; 1999-Apr-26)
 9. In Town Centres and Neighbourhood Villages, individual development sites should include a mix of commercial, residential or public space. Large parcel, single use sites, whether residential or commercial, are discouraged. The blending of uses on a single site, or at least mixing of uses between adjacent small sites, will encourage compact, pedestrian friendly communities that are human scaled and inviting. Shopping malls and multifamily projects that are large and single use are inconsistent with the above community vision and are therefore discouraged.

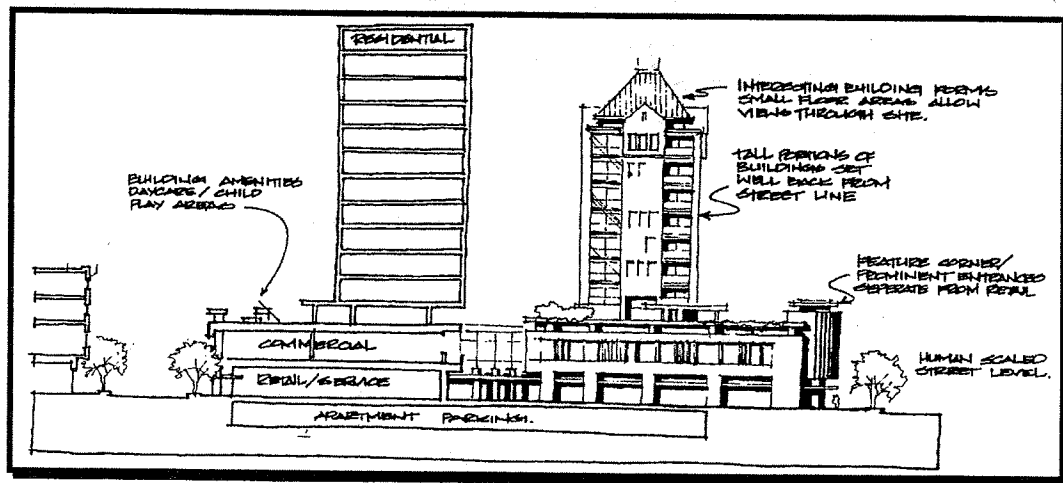


Figure 3: Mixed Use Building in Town Centre

10. Community service facilities will be encouraged to locate in Growth Centres. Community uses include but are not restricted to: community halls, clubs or lodges, churches, schools and training facilities, civic uses include fire protection and policing, cultural facilities such as museum; performing arts centres; libraries; hospitals; recreational facilities; and recycling depots. Community uses may be either publicly or privately owned.

1.1.2.2 Town Centre and Regional Shopping Town Centre Designation:

1. Town Centres and Regional Shopping Town Centres are designated on Schedule A Future Land Use and Mobility.
2. Town Centre and Regional Shopping Town Centre "Structure Plans" will be developed in consultation with the residents within and around each Town Centre.
3. Structure Plans will identify:
 - future land uses;
 - major roads and transit routes;

- pedestrian and vehicle access;
 - infrastructure upgrades;
 - Mainstreets;
 - open space and parks;
 - future school sites;
 - general urban form and design guidelines;
 - transit exchange;
 - amenities to be negotiated in the course of rezoning in accordance with section 6.1; and
 - other matters important to achieving the objectives of this section. (6000.010; 1997-Sept.-22)
4. Structure Plans will include land and facility acquisition strategies to achieve the open space and amenities proposed in the Plan. (6000.010; 1997-Sept.-22)
 5. Structure Plans should, in addition to the general policies above:
 - be based on a target population of between 5,000 and 10,000 for each Town Centre; and
 - concentrate highest densities of commercial and residential uses in a core district of approximately 20 ha (50 acres). Target residential densities (gross) for core or focal districts will be 100 to 150 units per ha (40 to 60 per acre).
 6. Structure plans will assess future parking needs and recommend revised parking standards. These standards will reflect the general mobility objectives of reducing auto reliance and increasing the use of public transit and other alternative means of travel. Future consolidated parking facilities should also be addressed.

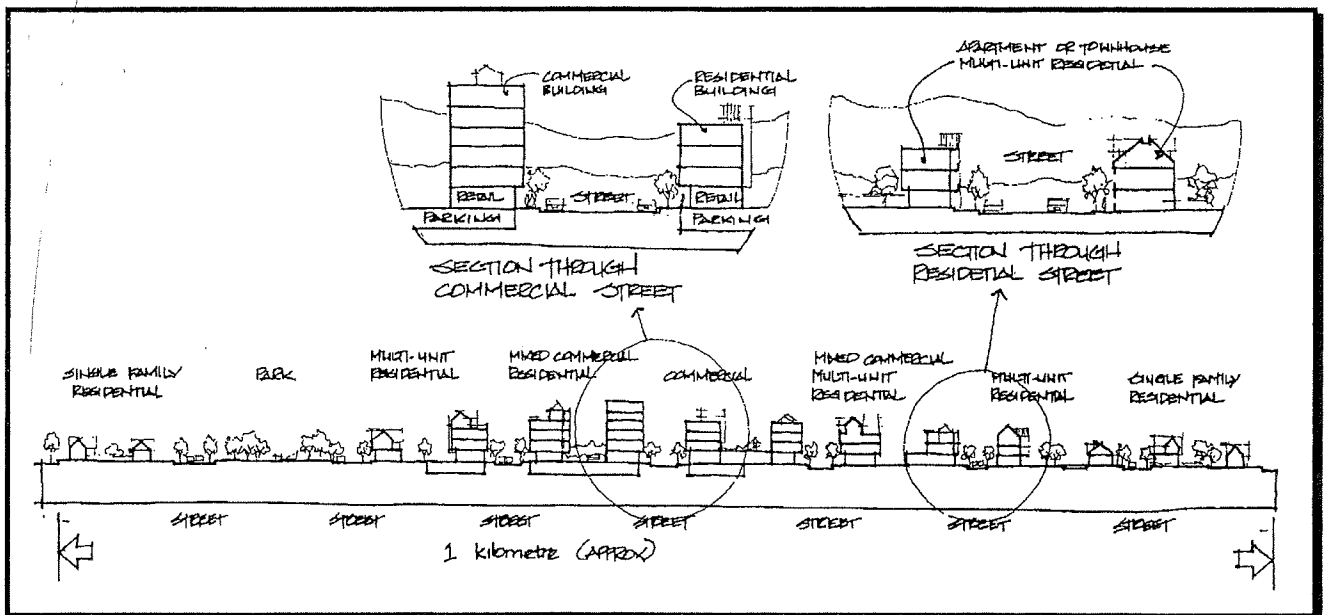


Figure 4: Town Centre Cross Section

7. Town Centre core districts will generally be surrounded with a transition district of approximately 50 ha (124 acres). Target residential densities (gross) for the transition district will be up to 50 units per ha. (20 units per acre).

8. High rises may be approved in core districts of Town Centres and Regional Shopping Town Centres, consistent with the following criteria:
 - sufficient underground parking for all residents; limited on site surface parking may be considered for additional stalls including visitor parking and loading;
 - siting takes advantage of opportunities to create new views, and does not significantly block existing views, particularly public view corridors down street ends;
 - buildings front the street with well defined, architecturally detailed, pedestrian scale entryways;
 - lower floor use is commercial where located in a commercial context; and siting minimizes shading and privacy impacts on adjacent land uses, and
 - project is visually compatible with its surroundings and it fits in with the dominant architecture and visual characteristics of the area (scale, landscaping, building materials, colours, etc.) (6000.055; 2004-Sep-09)
9. Town Centre Concept Plans may set lower building height maximums.
10. Proposals to amend Town Centre Boundaries will be assessed using the following criteria:
 - variations do not fundamentally alter, or are consistent with, the character or intent of the original boundary;
 - areas to be included are adjoining existing boundaries;
 - variations of boundaries will not have a negative impact on adjoining neighbourhood character;
 - variations create or preserve buffers with "Enterprise Areas"; and
 - do not extend across Provincial Highways or Urban Arterial Roads (see section 4.6 Roads Infrastructure). (6000.011; 1998-Apr-20)

In addition to the General and Town Centre and Regional Shopping Town Centre policies above, specific policies for each Centre are set out below:

Chase River Town Centre

Chase River Future Land Use (See Schedule A-3 Chase River Neighbourhood)

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.

11. 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.

Downtown Town Centre

28. In addition to the general policies for Growth Centres (see Section 1.1- Growth Centres), development within the Downtown Plan Area of the Downtown Town Centre is subject to the policies of the Downtown Plan (see Section 7.0). (6000.038; 2002-May-27) (6000.053, 2004-MAY-03)

Townsite Town Centre

29. The Structure Plan for the Townsite Town Centre should:

- recognize the hospital area as the core district for office uses related to the Regional Hospital and residential; (6000.019; 1998-Oct-5)
- encourage retail and service functions along Dufferin Crescent between Bowen Road and Summerhill Place as a Mainstreet for the Townsite Town Centre; (6000.019; 1998-Oct-5)
- encourage future land uses and development design along Bowen Road from Quarterway to Dufferin Crescent to improve the 'face' of Bowen Road and mitigate the impact of large traffic volumes carried through this portion of the City; and
- development on sites adjacent Bowen Road will orient front building faces to Bowen Road, employ landscaping that enhances without screening building frontages, employs a variety of architectural features to enhance building appearance and other measures that are consistent with this objective.

Country Club Town Centre

30. The Structure Plan for the Country Club Town Centre should:

- recognize Country Club Mall site as the core district;
- encourage the redevelopment and increased density of use of the mall site with new commercial and residential uses; and
- consider new Mainstreet forms on the mall site and/or sections of Norwell Drive and Departure Bay Road.

31. Redevelopment of the Country Club Mall will include provision of new public open space.

Rutherford Town Centre

32. The Structure Plan for the Rutherford Town Centre should:

- recognize Rutherford Mall as the core district;
- encourage the redevelopment and increased density of use of the Rutherford Mall site with new commercial and residential uses; and
- consider a Mainstreet for the Rutherford Mall site.

33. Redevelopment of the Rutherford Mall will include provision of new public open space.

Woodgrove Regional Shopping Town Centre

34. This area will continue to primarily function as a regional shopping centre.

35. Notwithstanding the general provisions of section 1.1.2.1, in addition to the general mix of uses for Growth Centres, shopping plazas or malls will be permitted in the Woodgrove Regional Shopping Town Centre.

36. New zoning for free standing retail warehouses or "large box" retailers will only be permitted in the Woodgrove Regional Shopping Town Centre. "Large box" retailers are retail stores that have a gross floor area of approximately 75,000 sq.ft. (6967.5sq.m.) or more, generate high volumes of shopping traffic, require extensive parking and service a regional market.
37. New development and redevelopment should consider a mix of land uses and densities, particularly residential uses, on or adjacent to existing shopping centre sites. (6000.033; 2001-April-23)
38. Rezoning or subdivision of the A2 zoned lands in the south east quadrant of this Town Centre will be considered in the context of the plan goal of creating 20% open space in Town Centres (see section 1.1.2.1 (7)). Rezoning or subdivision of any portion of this site should be preceded by an overall development strategy for the A2 zoned lands that would include provision for significant new public open space onsite. New open space should be sized, located and designed to serve the future population density anticipated in Woodgrove Regional Shopping Centre and the Rutherford Town Centre to the south. This open space could also buffer Neighbourhood Designation areas to the east from onsite Town Centre uses. (6000.011; 1998-Apr-20)
39. Shopping plazas and large box retailers will not have direct access to local roads or encourage traffic through neighbourhoods.
40. Future development and redevelopment will be encouraged to improve pedestrian, transit and bicycle access. Site design should place buildings to create a street presence with site layout to enhance pedestrian linkages within and between sites and across major roads. (6000.022; 1999-Apr-26)
41. As Woodgrove Regional Shopping Town Centre also serves as a "gateway", future uses and designs will be encouraged to present a welcoming theme to highway travelers.
42. The area north of McRobb Avenue and Portsmouth Road and east of Dickinson Road is recognized as an established residential neighbourhood. Any rezoning for commercial or higher density use within this area should be postponed until a Town Centre Structure Plan is completed. (6000.001; 1996-Nov.-25)

1.1.2.3 Neighbourhood Village Designation:

1. Neighbourhood Villages are designated generally on Schedule A Future Land Use and Mobility. The precise location and extent of Neighbourhood Villages will be determined through the development of Neighbourhood Village Concept Plans.
2. "Neighbourhood Village Concept Plans" will generally be developed through the Neighbourhood Planning process (see section 5.2 Neighbourhood Planning) and will define specific Mainstreet locations, open space and Village boundaries, layout, density, parking needs and urban form and character objectives.
3. Neighbourhood Village Concept Plans will include land and facility acquisition strategies to achieve the open space and amenities proposed in the Plan.
4. The core area of Neighbourhood Villages may be defined by Mainstreets, existing commercial cores or parks and open space. Future Mainstreets are shown on the Schedule A Future Land Use and Mobility.
5. Where rezoning or Development Permit proposals are received prior to completion of the Neighbourhood Village Concept Plan, the application(s) will be processed in

Schedule E

7.5. MEDIUM DENSITY MULTIPLE FAMILY RESIDENTIAL (SUBURBAN) ZONE - (RM-5)

This zone provides for medium density multiple family development on specific lots that are compatible with other multiple family areas of the community or are compatible with other land uses.

7.5.1. PERMITTED USES (4000.086; 1994-Nov-28)(4000.075; 1995-Jan-23) (4000.178; 1998-Feb-02) (4000.218; 2001-Aug-13)

Bed and Breakfast, subject to Part 5

Boarding or Lodging, subject to Part 5

Multiple Family Dwellings

Private Hospitals

Single Family Dwellings, subject to Subsections: (4000.275; 2001-Jan-08)

- 6.1.2. Condition of Use;
- 6.1.3. Density;
- 6.1.6. Yard Requirements;
- 6.1.7. Height of Buildings; and
- 6.1.8. Maximum Perimeter Wall Heights

City of Nanaimo Document
2016-11-10 10:00 AM

7.5.2. CONDITIONS OF USE:

7.5.2.1. No storage or refuse receptacle shall be permitted in a front yard setback.

7.5.2.2. Where a mixed use development is proposed combining both commercial and residential uses, the commercial uses shall only be permitted on the first storey.

7.5.3. DENSITY

7.5.3.1. The maximum floor area ratio shall not exceed 1.25 except where parking spaces are provided beneath a principal building (where the roof of the underground parking is not more than .8 metres above the adjacent finished grade), in which case an amount may be added to the floor area ratio equal to 0.25 multiplied by the percentage of the total parking spaces which are provided underground. (4000.086; 1994-Nov-28).

7.5.3.2. Where RM-5 is being developed within a C-11 zone and commercial uses are combined with multiple family dwellings, the floor area ratio shall be applicable only to the multiple residential portion of the building.

7.5.3.3. Deleted (4000.357; 2004-Nov-15) (4000.365; 2005-Feb-07)

7.5.3.4. Deleted (4000.353; 2004-Nov-15) (4000.365; 2005-Feb-07)

7.5.4. **LOT AREA**

- 7.5.4.1. The minimum lot area shall not be less than 1,800 square metres (19,375.67 square feet), serviced by a community water system, a community sanitary sewer system, and a storm drainage system. (4000.178; 1998-Feb-02)
- 7.5.4.2. Notwithstanding Subsection 7.5.4.1., 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. (4000.126; 1995-Dec-18) (4000.303; 2002-Jul-29)

7.5.5. **LOT COVERAGE**

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

7.5.6. **YARD REQUIREMENTS**

- 7.5.6.1. A front yard of not less than 6 metres (19.69 feet) shall be provided.
- 7.5.6.2. Side yards of not less than 3 metres (9.84 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).
- 7.5.6.3. A rear yard of not less than 10.5 metres (34.45 feet) shall be provided for a principal building. A rear yard of not less than 3 metres (9.84 feet) shall be provided for an accessory building.
- 7.5.6.4. Notwithstanding Subsections 7.5.6.1. to 7.5.6.3., general provisions in Part 5 for the siting of buildings on watercourses and major roads will also apply.

7.5.7. **HEIGHT OF BUILDINGS**

- 7.5.7.1. The height of a principal building shall not exceed 14 metres (46 feet) except where RM-5 is being developed within a C-11 zone in which case the building height shall be subject to the regulations in C-11.
- 7.5.7.2. The height of an accessory building shall not exceed 6 metres (19.69 feet).

7.5.8. **HEIGHT OF FENCES**

- 7.5.8.1. The height of a fence shall not exceed 1.2 metres (3.94 feet) in a front yard.
- 7.5.8.2. The height of a fence shall not exceed 2.4 metres (7.87 feet) in any side or rear yard.
- 7.5.8.3. In the case of a corner lot, the height of a fence shall not exceed 1.8 metres (5.9 feet) when sited in a flanking side yard. (4000.075; 1995-Jan-23) (4000.362; 2004-Nov-01)
- 7.5.8.4. Notwithstanding Subsections 7.5.8.1., to 7.5.8.3., fence heights are subject to the general provisions set out in Part 5, "Visibility at Intersections", "Fence Heights", and "Height Exemptions".

7.5.9. **AMENITY AREAS**

- 7.5.9.1. Where a lot is under 1,800 square metres (19,375.67 square feet) in size, no less than 10% of the gross lot area shall be dedicated to useable open space. This open space shall be permitted in the required yard setbacks.
- 7.5.9.2. Where a lot exceeds 1,800 square metres (19,375.67 square feet), no less than 10% of the gross lot area shall be dedicated to usable open space in addition to the required yard setbacks.
- 7.5.9.3. The minimum size of any required open space recreation area shall be 75 square metres (807 square feet) for outdoor recreation space and 25 square metres (269 square feet) for indoor recreation space.
- 7.5.9.4. For the purpose of calculating open space recreation area requirements, any indoor recreational space or facility provided may be counted as double the actual area.
- 7.5.9.5. Open space recreation area requirements may be reduced by 50% where proposed developments are within a walking distance of 400 metres (1,312 feet) of Bowen Park or Beban Park.
- 7.5.9.6. Notwithstanding Subsections 7.5.9.1. and 7.5.9.2., where the use of a lot includes both commercial and multiple family residential uses, 20 square metres (215 square feet) of usable open space recreation area in addition to the required yard setbacks shall be provided on the lot for each dwelling unit provided the number of dwelling units per lot does not exceed 8. (4000.178; 1998-Feb-02)

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

7.5.11. **SCREENING AND LANDSCAPING**

- 7.5.11.1. 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.
- 7.5.11.2. All outdoor storage and refuse receptacle areas shall be screened in accordance with Part 14 of this Bylaw.
- 7.5.11.3. Where an RM-5 Zone abuts a highway screening and landscaping shall be provided in accordance with the requirements of Part 14 of this Bylaw. (4000.122; 1995-Oct-30)
- 7.5.11.4. Where an RM-5 Zone abuts, or is across a highway from an RS, A, C, MA, I or P Zone, screening shall be provided in accordance with Part 14 of this Bylaw.

REZONING ADVISORY COMMITTEE

2005-OCT-06

File Number: RA000138

Project Address: 347 Seventh Street (Schedule A)

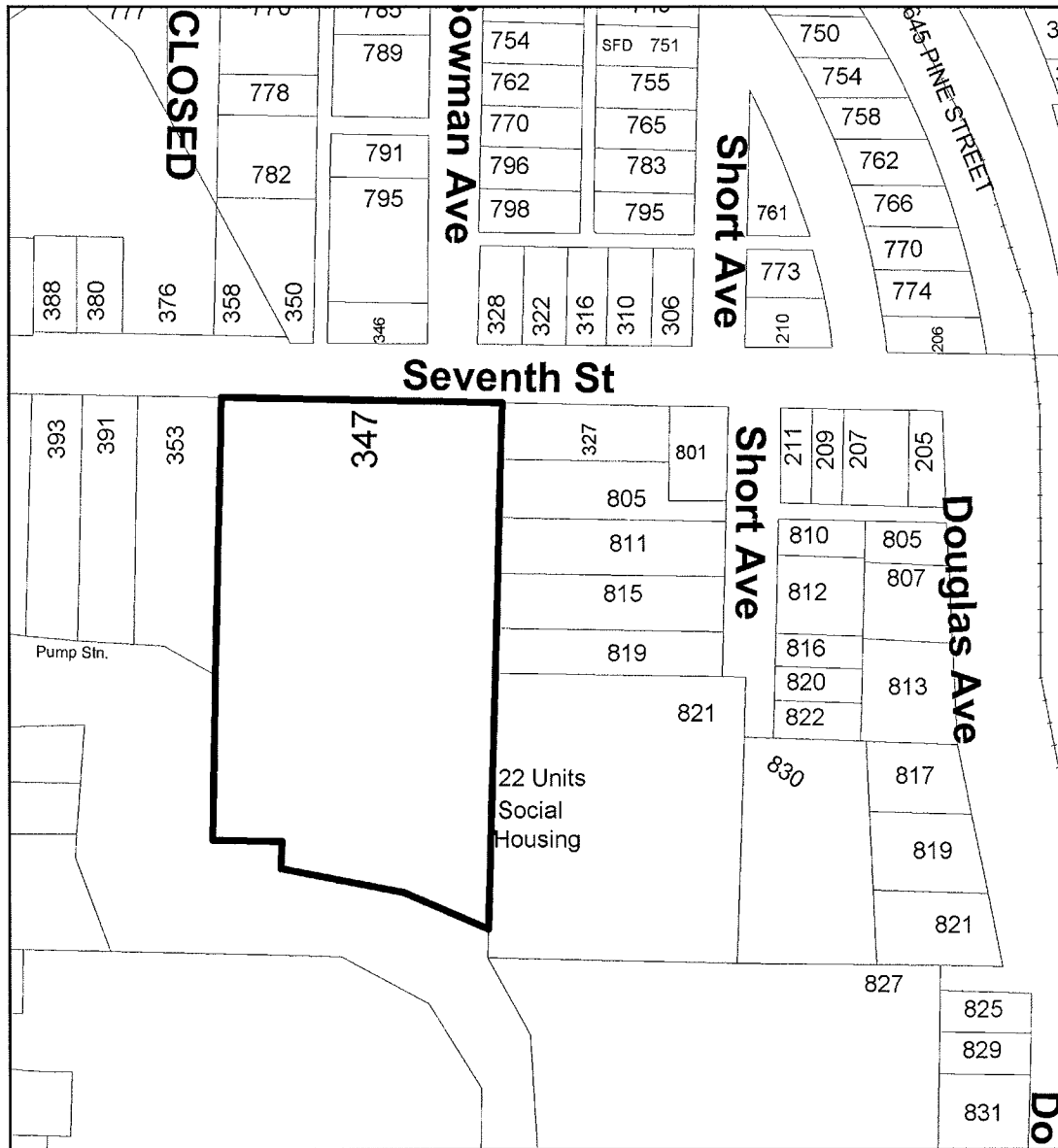
Proposed Development: The applicant, 553080 BC Ltd., has applied to rezone the subject property from RS-7 to RM-5 in order to permit a 25 unit multiple family development. A site plan of the proposed development is attached for your reference (Schedule B).

OCP Designation: Neighbourhood (Schedule C).

Current Zoning: Steep Slopes Residential Zone (RS-7) (Schedule D)

Proposed Zoning: Medium Density Multiple Family Residential (Suburban) Zone (RM-5) (Schedule E)

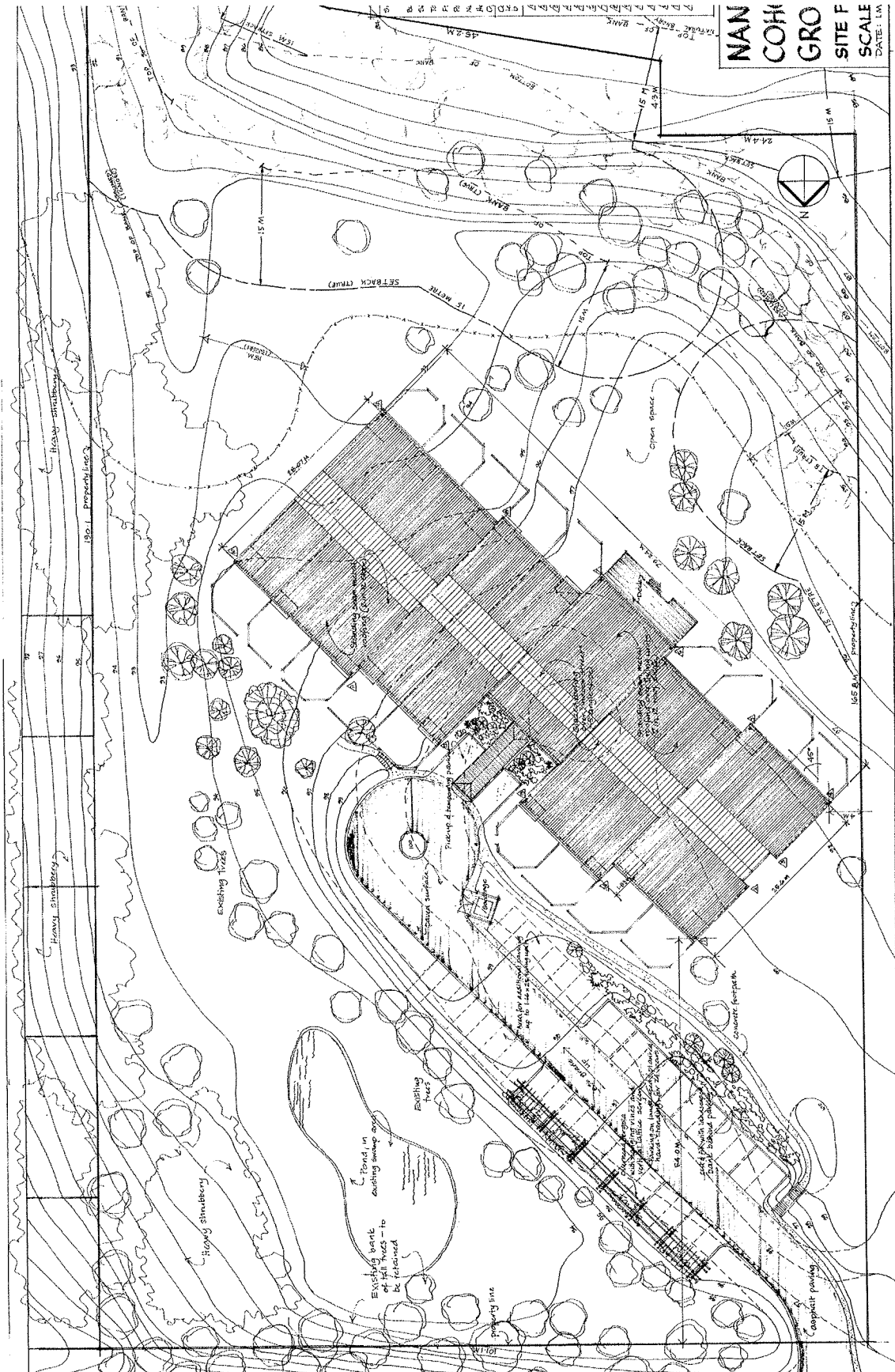
SCHEDULE A



File No.: RA000138
Civic: 347 Seventh Street

☐ Subject Property

Schedule B



Seventh St.

Schedule C

1.2 Neighbourhoods

"Neighbourhoods" are primarily places of residence, parks and open space and local services. There is sufficient zoned vacant or undeveloped land within the Urban Containment Boundary to accommodate an additional population of 50,000. Most of this developable land lies within existing neighbourhoods.

Each City neighbourhood has a unique character - that combination of history, housing style, physical setting and location and people. They are the building blocks of the city and their diversity and identity contribute to the city's vitality. Much of the city's existing stock of affordable housing is found in older neighbourhoods such as Townsite, Harewood and the Southend. In order to maintain the viability, livability and affordability of these neighbourhoods it is critical that the City continue to invest in infrastructure upgrades as required, enhance recreation and park facilities as needed and ensure that new development is in harmony with that which already exists.

The intent of this Plan is to support neighbourhoods and neighbourhood character. Neighbourhoods will not be a focus for medium or high density land uses, but will be encouraged to evolve and add to diversity in housing choice and local services. Establishing housing choices and services in existing and new neighbourhoods will help support a sense of community.

Some older city neighbourhoods are in transition, particularly those close to central city Growth Centres such as the Downtown, Townsite and Terminal Park. Some aging homes are being replaced by commercial or apartment buildings particularly on Major roads close to Growth Centres. Neighbourhood Planning is important to manage the transition while preserving neighbourhood livability and character.

Two types of neighbourhoods are designated in the Plan: "Neighbourhood" and "Suburban Neighbourhood".

1.2.1 Objectives:

- **To maintain the character and livability of existing neighbourhoods:** Ensure that new development and redevelopment maintains and enhances the residential character of existing neighbourhoods.
- **To maintain the viability of existing older neighbourhoods:** Reinvest in older neighbourhoods through infrastructure upgrades, expansion of community and recreational services, and open space.
- **To increase housing choice:** Encourage developments that increase housing choice and complement existing neighbourhood character.
- **To provide access to basic community services:** Build community uses into new developments, and allow these services to develop in existing neighbourhoods.
- **To provide access to local commercial services in neighbourhoods:** Develop local service centres in new neighbourhoods and support development of local service centres and corner stores in existing neighbourhoods.
- **To build community spirit and cohesion:** Provide for neighbourhood planning and encourage community participation in civic activities.

1.2.2 Policies:

1.2.2.1 Neighbourhood Designation:

1. The predominant use in Neighbourhoods will be low density residential land uses. Other uses such as commercial or industrial uses will not generally be approved, except for commercial uses as otherwise permitted below and in section 1.1.2.4 Local Service Centres.
2. The target gross unit density for Neighbourhoods is 15 units per ha. (6 units per acre). For purposes of rezoning specific sites, average density should take into account the density of surrounding Neighbourhood designated land within approximately a 250 metre radius of the subject site. (6000.001; 1996-Nov.-25)
 - 2.1 A target mix of 60% single family and 40% multi-family should be used as a guide for achieving neighbourhood densities of 15 units per hectare. Land use patterns, which will evolve with the mixed housing form and densities proposed in Neighbourhood designated areas, may form a scattered, small block pattern rather than large areas of single family housing form and/or density. Redevelopment in existing Neighbourhood designated areas should consider the surrounding architecture, scale, densities, and lot and lane configuration when creating innovative designs which fit a variety of housing forms together and enhance the livability of the area. Details about the character of the mix of housing, whether fine-grain or block development, will be determined through Neighbourhood Planning. (6000.019; 1998-Oct-5)
 - 2.2 Notwithstanding policies 1.2.2.1 (2) and (5), a gross Neighbourhood density greater than 15 units per hectare is permitted in relation to density development calculations for properties known as 3199 and 3205 Granite Park Road (Parcel A [DD 382383I] of Lot 1, Section 15, Wellington District, Plan 4509, except part in Plan 26067: AND Lot 2, Section 5, Wellington District, Plan 35119) and may be adjacent to existing multi-family zoned properties. (6000.050, 2004-May-17)
3. Residential uses on Neighbourhood designated lands will include detached and semi-detached dwelling units, secondary suites, mobile homes, duplexes, triplexes, quadruplexes and ground-oriented townhouses.
 - 3.1 Properties where triplex and quadruplex housing forms are proposed must meet the following conditions:
 - quadruplex (four unit) developments are only encouraged on lots with lane access or on a corner lot. Notwithstanding, quadruplexes will be considered on large mid-block lots where the objectives of the Innovative Housing For Neighbourhood Guidelines are met. (6000.035, 2002-Apr.-08);
 - mid-block lots without lane access may be considered for multiple family development provided they can comply with all requirements of section 1.2.2.1(5). (6000.011; 1998-Apr-20)
 - triplex (three units) and quadruplex (four units) developments must be consistent with the Innovative Housing for Neighbourhood Guidelines of section 8.2.21 of the Plan. (6000.011; 1998-Apr-20)
4. In detached housing areas, infill development will be designed to complement existing neighbourhood character and will maintain the ground oriented character of existing housing.

5. Rezoning for townhouse residential forms to a maximum density (net) of 25 units per ha. (10 units per acres) will be considered in Neighbourhood areas if: (6000.010; 1997-Sept.-22) (6000.011; 1998-Apr-20)

- the site generated traffic will not impact unduly on neighbourhood streets;
- the site, or combined sites affected, are less than 1 ha.(2.47 acres) in total area; and
- the site is well separated from other sites and would not result in a concentration of development at higher than the target density outlined in section 1.2.2.1 (2). (6000.001; 1996-Nov.-25)

- 5.1 Notwithstanding the above noted policies, "cluster/green space development" is permitted in "Neighbourhood" designated areas based on the following conditions:

- where significant stands of trees and/or large blocks of open space are secured;
- where public access to these areas, where appropriate, is secured;
- the form of "cluster/green space development" is either small lot single family dwellings (RS-6) or townhouses;
- the height of dwellings does not exceed that of a standard single family dwelling;
- the density of the development does not exceed the density possible based on subdivision of the parcel under existing zoning, and taking into account other relevant City policies and standard development requirements (i.e. net density not gross); and
- the lot being considered for "cluster/green space development" is not so large as to negatively affect the character of the existing Neighbourhood.

(6000.040; 2002-Sept-16)

- where Environmentally Sensitive Areas are present as defined in Schedule B – Development Permit Areas and Sensitive Areas. (6000.059; 2005-Apr-04)

- 5.2 Rezoning for triplex, quadruplex, townhouses and apartments to a maximum density of up to 0.45 floor area ratio and which will not be subject to the density limitations of other policies of this section or be considered in target density calculations of section 1.2.2.1 on adjacent Neighbourhood areas, may be considered where it is demonstrated that such development will enhance the appearance of development when viewed by the public from adjacent arterial roadways. Rezoning and development under this policy must:

- be consistent with design guidelines in section 8.2.21(4); and
- have vehicle access to the site without routing traffic through adjacent attached residential dwelling areas.

Rezoning under this policy may be considered on:

- lands designated "Neighbourhood" on Schedule A and fronting on Northfield Road or fronting on Bowen Road between Meredith Road and Labieux Road; and
- the property known as 6010 Uplands Drive (Lot A, District Lot 48, Wellington District, Plan VIP53807). (6000.061; 2005-Apr-04)

5.3 Steep slope properties included in Development Permit Area 25 are exempt from policy 1.2.2.1 (5). Rezoning of these properties may be considered for additional density in exchange for the preservation of open space, provided:

- The building does not exceed four storeys in height; and
- The density does not exceed 20 units per hectare (8 units per acre), as outlined below.

% of Permanent Open Space**	20	30	40	50
Maximum Gross Density (upha)***	12.0 upha	13.5 upha	15.0 upha	20.0 upha
Density on Portion Exclusive of Open Space	15 upha	19 upha	25 upha	40 upha

** Open space shall be secured and shall not be further developed. Dedication of open space as park is preferred, however management through a land trust or strata corporation may be considered.

*** units per hectare" (6000.064; 2005-Aug-29)

5.4 Notwithstanding policy 1.2.2.1(5), a townhouse development up to 30 dwelling units is permitted on the properties known as 2450 Labieux Road AND Part of 2350 Labieux Road AND Part of 2517 Bowen Road (That part of Lot 1, Section 20, Range 6, Mountain District, Plan 10208, lying to the east of a boundary parallel to and perpendicularly distant 132 feet from the easterly boundary of said Lot, AND Part of Lot 3, Section 20, Range 6, Mountain District, Plan 44097 AND Part of Lot 1, Section 20, Range 6, Mountain District, Plan 44097) and may be adjacent to the existing townhouse development. (6000.044; 2004-Apr-19)

5.5 Notwithstanding policy 1.2.2.1 (1), Office is a permitted use on the properties known as 3679 Shenton Road AND 3701 Shenton Road AND 3711 Shenton Road AND 3721 Shenton Road AND 3767 Shenton Road AND 3789 Shenton Road (Lot 2, Section 3, Wellington District, Plan 13166, AND Lot 1, Section 3, Wellington District, Plan 13166 AND Lot D, Section 3, Wellington District, Plan 16387 AND Lot C, Section 3, Wellington District, Plan 16387 AND Lot B, Section 3, Wellington District, Plan 16387, except that part in Plan VIP64719 AND Lot A, Section 3, Wellington District, Plan 16387) (6000.059; 2005-Apr-04)

6. Home-based business secondary to the principal residence will be permitted provided that such businesses are compatible with existing adjacent uses and the environment. (6000.001; 1996-Nov-25)

6.1 Churches which provide a place of worship and associated activities are permitted under site specific conditions which maintain the neighbourhood character. (6000.001; 1996-Nov-25)

7. Building height will be limited to that generally permitted by zoning for detached dwellings.

8. Through the neighbourhood planning process, residential densities of up to 50 units per ha (20 units per acre) will be considered on non local roads close to Town Centre boundaries where:

- the general livability of existing neighbourhoods is enhanced;
- areas are already in transition to higher density residential and commercial uses; and
- the area is well serviced (i.e. has excess capacity) with schools or committed school sites, parks and open space and community facilities.

9. In new development and subdivisions, a variety of lot sizes and building forms will be encouraged.
10. Residential facilities in existing single family dwellings and/or purpose-built facilities that fit within the neighbourhood's form and character will be encouraged and will be equitably distributed among neighbourhoods. (6000.024; 1999-Oct-04)
- 10.1 Notwithstanding policy 1.2.2.1 (10), a Seniors' Residential Facility of up to 75 rooms is a permitted use on the site collectively known as 6121 Hammond Bay Road (All That Part of Lot 4, District Lot 20, Wellington District, Plan 10912 Lying to the East of a Boundary Parallel to and Perpendicularly Distant 121 Feet Westerly from the East Boundary of Said Lot 4, PID 001-428-268) and 6151 Hammond Bay Road (That Part of Lot 4, District Lot 20, Wellington District, Plan 10912, Lying to the West of a Boundary Parallel to and Perpendicularly Distant 121 Feet from the East Boundary of Said Lot, PID 005-157-307) (6000.056; 2004-Oct-18)
11. Historic structures, places and trees will be preserved in neighbourhoods throughout the city. (see Heritage and Tree Bylaw).
12. Opportunities for outdoor recreation will be enhanced. (see section 1.3 Parks and Open Space).
13. Commercial services are permitted in Neighbourhood designated areas in accordance with the following conditions: (6000.001; 1996-Nov.-25)
 - They are located only in designated Local Service Centres or Corner Stores.
 - The general location of Local Service Centres are shown on Schedule A Future Land Use and Mobility (see section 1.1.2.4 Local Service Centre Designation).
 - Corner stores are retail stores intended for meeting local shopping needs of neighbourhood residents with a net retail floor area of generally less than 100 sq. metres (1,076 sq.ft.). They will be permitted in all neighbourhoods. (6000.009; 1997-Sept.-22)
 - The location of Corner Stores will be determined through neighbourhood review of zoning proposals or the development of neighbourhood plans in existing neighbourhoods and through the process of subdivision design and approval in new neighbourhoods.
 - Corner Stores will not generally be required to have off-street parking.
 - Only residential uses will be permitted in second and third storeys above Corner Stores.
14. Where Neighbourhoods abut Enterprise Areas, future land use approvals and subdivision should provide for adequate buffers and setbacks between residential and industrial activities.
15. Secured and gated developments will not be permitted in either Neighbourhood or Suburban Neighbourhood designation.
16. Open spaces generated as part of a patio home/townhouse development can permit either public or private use. Staff is encouraged to negotiate the best option for all. The residents' preferred option would be for this land to be made available for public use.
17. Developers are encouraged to maintain large stands of natural vegetation (trees and ground cover) as part of their development.
18. Rock outcrops and other significant topographic features should be sensitively incorporated into developments.

19. Significant manipulation of a site's natural contours and topographic features is discouraged. (6000.034; 2001-Oct.-22)

Chase River Neighbourhood

Housing

20. Development of housing in "Neighbourhood" designated areas will continue to be regulated through the policies of the Official Community Plan.
21. In an effort to achieve additional onsite open space and/or protect environmentally sensitive areas, cluster housing and cluster subdivisions are strongly encouraged.

Special Needs Housing

Examples of special needs housing are: a seniors' facility; a transition house for battered women, drug and alcohol rehabilitation facility or a group home for people who are mentally and/or physically challenged.

22. Special Needs Housing, will be supported in "Neighbourhood" designated areas if it complies with the housing and Neighbourhood policies outlined in the Official Community Plan.

Road Network

The majority of Chase River residents live along the Extension Road corridor. Residents of this area have limited vehicular access to their neighbourhood. The existing access to the Cinnabar Valley is not considered adequate by residents in regard to safety (i.e. access for emergency vehicles.) Given the low densities proposed, additional road access is a long-term goal.

23. Consideration should be given to developing an emergency access, in the event that the primary access along Cranberry Avenue/Extension Road becomes blocked.
24. Should the City of Nanaimo undertake a review of options for the alignment and design of a secondary road access from the Cinnabar Valley, a public participation component must be undertaken.

Road and Boulevard Design

25. The implementation of "Landscaping in City Streets" guidelines is required as part of subdivision, development permit and rezoning applications.
26. Where appropriate, the use of traffic calming measures, per the specifications outlined in the Transportation Association of Canada document titled "Canadian Guidelines For Traffic Calming" is encouraged.
27. All medians and areas between the edge of pavement and private property lines must be landscaped (i.e. vegetation and/or ornamental paved treatment, e.g. river rock.)
28. Raised concrete is preferred over asphalt walking shoulders as part of any road rehabilitation projects. Asphalt walking shoulders are not supported due to the ease with which they can be mounted by vehicles and/or utilized for road side parking. (6000.023; 1999-Apr-26)

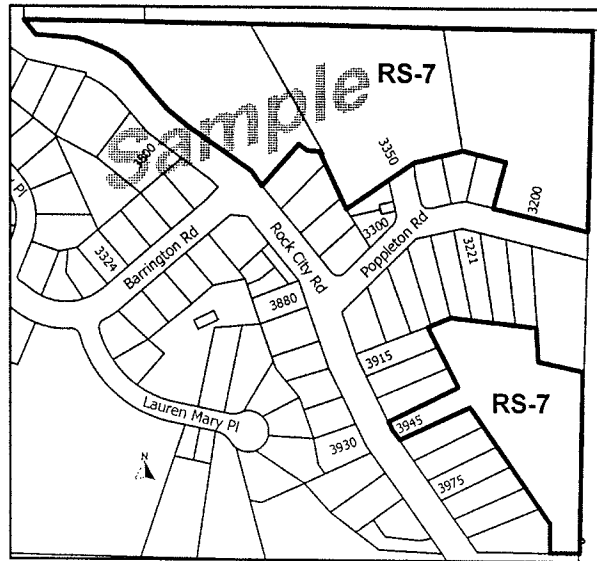
Schedule D



6.7 STEEP SLOPE RESIDENTIAL ZONE

(4000.372; 2005-Aug-29)

This zone applies to properties identified as having steep slope characteristics, and provides for detached single family dwelling subdivisions and clustered multiple family development.



6.7.1 Permitted Uses

Bed and Breakfast
Boarding and Lodging
Multiple Family Dwelling

Single Family Dwelling
Secondary Suite

6.7.2 Conditions of Use

- 6.7.2.1 The gross floor area of a dwelling shall exceed a gross floor area of 87.0 square metres (936.4 square feet).
- 6.7.2.2 The floor area ratio of a single family dwelling shall not exceed 0.55, or a gross floor area of 390.18 square metres (4,200 square feet).
- 6.7.2.3 Notwithstanding Subsection 6.7.2.2, 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
< 1000 square metres (10,764 square feet)	390.18 square metres (4,200 square feet)
≥ 1000 square metres (10,764 square feet)	464.50 square metres (5,000 square feet)

- 6.7.2.4 Lots equal to or exceeding 1666.66 square metres (17,940 square feet) in area are exempt from the requirements of Subsections 6.7.2.2 and 6.7.2.3. 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 leave strip(s) shall not be included in the calculation of lot area.
- 6.7.2.5 Notwithstanding Subsections 6.7.2.2, 6.7.2.3, and 6.7.2.4, where a lot contains two or more dwellings the floor area ratio shall not exceed 0.45.

Unless otherwise specified, maps and diagrams are provided for information purposes only, and do not form part of this Bylaw. The text of the Bylaw shall prevail over discrepancies. Contact the Planning Department for more information.



6.7.3 Density

- 6.7.3.1 The maximum *density* shall not exceed 12 *dwelling units* per hectare of land or portion thereof. For the purposes of calculating *density* within this subsection, a *watercourse* identified in Schedule G, and its associated *leave strip(s)*, shall not be included.
- 6.7.3.2 Notwithstanding Subsection 6.7.3.1, a minimum of one *single family dwelling* shall be permitted on each *lot* that meets the applicable minimum *lot area* requirements under Subsection 6.7.4.
- 6.7.3.3 Notwithstanding Subsections 6.7.3.1 and 6.7.3.2, a *secondary suite* shall be permitted only on *lots* less than 1666.66 square metres (17,940 square feet) in area.
- 6.7.3.4 Where land is subdivided and parkland dedication is provided in excess of 5% of the total land area, one *lot* of the resulting *subdivision* is eligible for additional *dwelling units* provided that the *lot* is identified to the *City* at the time of *subdivision* and so designated on the copy of the *subdivision* plan filed with the *City*. The additional *dwelling units* shall be calculated as 12 *dwelling units* per hectare of parkland dedicated in excess of 5% provided no portion of the area used in this calculation is within a *watercourse* identified in Schedule G, and its associated *leave strip(s)*.

6.7.4 Lot Area

- 6.7.4.1 The minimum *lot area* shall not be less than 1200 square metres (12,917 square feet) serviced by a *community water system*, a *community sewer system* and a storm drainage system.
- 6.7.4.2 Notwithstanding Subsection 6.7.4.1, *lot area* may be reduced to 600 square metres (6,459 square feet). For the purposes of this subsection, the *steep slope area* shall not be included in the *lot area*.
- 6.7.4.3 Notwithstanding Subsections 6.7.4.1 and 6.7.4.2, *lot area* may be reduced to 325 square metres (3,498 square feet) where:
- (a) the average slope of the *lot* does not exceed 5% as measured on undisturbed *natural grade* between the centrepoints of each *lot line*; and
 - (b) the *subdivision* does not result in a *density* greater than 12 *dwelling units* per hectare of land on the *lot* proposed for *subdivision*. For the purposes of calculating *density* within this subsection, a *watercourse* identified in Schedule G, and its associated *leave strip(s)*, shall not be included.
- 6.7.4.4 Notwithstanding Subsections 6.7.4.1, 6.7.4.2, and 6.7.4.3, where a *lot* abuts or contains a *watercourse* identified on Schedule G, the *leave strip* shall not be included in the calculation of *lot area*.

6.7.5 Lot Coverage

- 6.7.5.1 The maximum *lot coverage* shall not exceed 40% of the *lot area*.
- 6.7.5.2 Notwithstanding Subsection 6.7.5.1, where a *lot* is less than 600 square metres (6,459 square feet) in size, the maximum *lot coverage* shall not exceed 35% of the *lot area*.

6.7.6 Lot Dimensions

- 6.7.6.1 Notwithstanding Subsection 5.18.2, where a *lot* is less than 600 square metres (6,459 square feet) in size, the minimum *lot* frontage shall not be less than:
- (a) 10.5 metres (34.4 feet) where *lot* frontage is on a *highway* other than a *cul-de-sac*; or
 - (b) 10.0 metres (32.8 feet) where *lot* frontage is on a *cul-de-sac*.
- 6.7.6.2 Notwithstanding Subsections 5.18.3 and 6.7.6.1, where a *lot* is less than 600 square metres (6,459 square feet) in size, the minimum *lot* frontage shall not be less than 12.0 metres (39.3 feet) for a *corner lot*.
- 6.7.6.3 Notwithstanding Subsection 5.18.4, where a *lot* is less than 600 square metres (6,459 square feet) in size, the minimum *lot* depth shall not be less than 27.5 metres (90.2 feet).

6.7.7 Yard Requirements

- 6.7.7.1 A *front yard* of not less than 4.5 metres (14.7 feet) shall be provided for a principal *dwelling*. A *front yard* of not less than 6.0 metres (19.6 feet) shall be provided for all garages or carports, whether contained in a principal *dwelling*, or in an *accessory building*.
- 6.7.7.2 *Side yards* of not less than 1.5 metres (4.9 feet) shall be provided. In the case of a *corner lot*, the *side yard* adjoining the flanking *street* shall not be less than 4.0 metres (13.1 feet), except where the *lot area* is less than 600 square metres (6,459 square feet) in which case the *side yard* adjoining the flanking *street* shall not be less than 3.0 metres (9.8 feet).
- 6.7.7.3 Notwithstanding Subsection 6.7.7.2, the *side yard* adjoining the flanking *street* shall not be less than 1.5 metres (4.9 feet) if the flanking *street* is a *lane*.
- 6.7.7.4 A *rear yard* of not less than 7.5 metres (24.6 feet) shall be provided for a principal *dwelling*, except where the *lot area* is less than 600 square metres (6,459 square feet) in which case a *rear yard* of not less than 6.0 metres (19.6 feet) shall be provided. A *rear yard* of not less than 1.5 metres (4.9 feet) shall be provided for an *accessory building*.
- 6.7.7.5 Notwithstanding Subsections 6.7.7.1, 6.7.7.2, 6.7.7.3, and 6.7.7.4, general provisions in Part 5 for the siting of *buildings* to *watercourses* and major *roads* will also apply.

6.7.8 Height of Buildings

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

<i>Roof Pitch</i>	<i>Maximum Height</i>
A flat roof (< 4:12)	6.71 metres (22 feet)
A sloped roof (≥ 4:12)*	8.25 metres (27 feet)

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

- 6.7.8.2 In addition to Subsection 6.7.8.1, for those properties identified on Schedule H, the maximum height of a principal *building* may be increased as shown in the following table:

<i>Roof Pitch</i>	<i>Maximum Height</i>
A sloped roof (≥ 8:12)*	8.53 metres (28 feet)
A sloped roof (≥ 10:12)*	9.14 metres (30 feet)

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

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- 6.7.8.3 Notwithstanding Subsections 6.7.8.1 and 6.7.8.2, on lots less than 1666.66 square metres (17,940 square feet), height of a principal *building* may also be measured from the *curb level* of the highest *street* abutting the property as outlined in the following table:

<i>Roof Pitch</i>	<i>Maximum Height</i>
A flat roof (< 4:12)	3.00 metres (9 feet)
A sloped roof (≥ 4:12)*	5.00 metres (16 feet)

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

- 6.7.8.4 The height of an *accessory building* shall not exceed 4.5 metres (14.7 feet).

6.7.9 Maximum Perimeter Wall Heights

- 6.7.9.1 The *perimeter wall height* of the principal *dwelling* shall not exceed 7.32 metres (24.0 feet). The maximum *perimeter wall height* may be increased on *rear* and *interior side yard* elevations to a maximum of 9.14 metres (29.9 feet), provided:

- (a) any rear wall face over 7.32 metres (24.0 feet) in height is a minimum of 10.00 metres (32.8 feet) from the *rear lot line*;
- (b) no wall face over 7.32 metres (24.0 feet) in height shall exceed 7.32 metres (24.0 feet) in width and must be offset by a minimum of 0.60 metres (2.0 feet) from any adjacent wall over 7.32 metres (24.0 feet) in height;
- (c) any eave or gable end associated with a wall face over 7.32 metres (24.0 feet) in height must not exceed 8.50 metres (28.0 feet) in width and must be offset by at least 0.60 metres (2.0 feet) from any adjacent eave or gable end which is associated with any adjacent wall face over 7.32 metres (24.0 feet) in height.

- 6.7.9.2 The following are exempt from the calculation of *perimeter wall height*:

- (a) Gable ends;
- (b) Dormers, to a maximum of 25% of the wall length; and
- (c) *Localized depressions*.

- 6.7.9.3 Dormers, covered decks or additional wall height above the maximum *perimeter wall height* must be set back a minimum of 2.44 metres (8.0 feet) from the perimeter wall.

- 6.7.9.4 Notwithstanding Subsection 6.7.9.2, when a principal *dwelling* exceeds 8.25 metres (27.0 feet) in height, any gable end, dormer, covered deck or wall face above the maximum perimeter wall face must be set back a minimum of 3.96 metres (13.0 feet) from any internal *side lot line*.

6.7.10 Height of Fences

- 6.7.10.1 The height of a *fence* shall not exceed 1.2 metres (3.9 feet) in a *front yard*.

- 6.7.10.2 The height of a *fence* shall not exceed 2.4 metres (7.8 feet) in any *side* or *rear yard*.

- 6.7.10.3 In the case of a *corner lot*, the height of a *fence* shall not exceed 1.8 metres (5.9 feet) when sited in a flanking *side yard*.

- 6.7.10.4 Notwithstanding Subsections 6.7.10.1, 6.7.10.2 and 6.7.10.3, *fence* heights are subject to the general provisions set out in Part 5, "Visibility at Intersections", "Fence Heights", and "Height Exemptions".

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6.7.11 Screening and Landscaping

- 6.7.11.1 Where a RS-7 zoned *lot* contains three or more *dwelling units*, 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.
- 6.7.11.2 Where a RS-7 zoned *lot* contains three or more *dwelling units*, all outdoor storage and refuse receptacle areas shall be screened in accordance with Part 14 of this Bylaw.
- 6.7.11.3 Where a RS-7 zoned *lot* contains three or more *dwelling units* and abuts a *highway*, screening and *landscaping* shall be provided in accordance with the requirements of Part 14 of this Bylaw.
- 6.7.11.4 Where a RS-7 zoned *lot* contains three or more *dwelling units* and abuts, or is across a *highway* from a RS, A, C, MA, I or P Zone, screening shall be provided in accordance with Part 14 of this Bylaw.

Unless otherwise specified, maps and diagrams are provided for information purposes only, and do not form part of this Bylaw. The text of the Bylaw shall prevail over discrepancies. Contact the Planning Department for more information.

Schedule E

7.5. MEDIUM DENSITY MULTIPLE FAMILY RESIDENTIAL (SUBURBAN) ZONE - (RM-5)

This zone provides for medium density multiple family development on specific lots that are compatible with other multiple family areas of the community or are compatible with other land uses.

7.5.1. PERMITTED USES (4000.086; 1994-Nov-28)(4000.075; 1995-Jan-23) (4000.178; 1998-Feb-02) (4000.218; 2001-Aug-13)

Bed and Breakfast, subject to Part 5

Boarding or Lodging, subject to Part 5

Multiple Family Dwellings

Private Hospitals

Single Family Dwellings, subject to Subsections: (4000.275; 2001-Jan-08)

- 6.1.2. Condition of Use;
- 6.1.3. Density;
- 6.1.6. Yard Requirements;
- 6.1.7. Height of Buildings; and
- 6.1.8. Maximum Perimeter Wall Heights

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7.5.2. CONDITIONS OF USE:

- 7.5.2.1. No storage or refuse receptacle shall be permitted in a front yard setback.
- 7.5.2.2. Where a mixed use development is proposed combining both commercial and residential uses, the commercial uses shall only be permitted on the first storey.

7.5.3. DENSITY

- 7.5.3.1. The maximum floor area ratio shall not exceed 1.25 except where parking spaces are provided beneath a principal building (where the roof of the underground parking is not more than .8 metres above the adjacent finished grade), in which case an amount may be added to the floor area ratio equal to 0.25 multiplied by the percentage of the total parking spaces which are provided underground. (4000.086; 1994-Nov-28).
- 7.5.3.2. Where RM-5 is being developed within a C-11 zone and commercial uses are combined with multiple family dwellings, the floor area ratio shall be applicable only to the multiple residential portion of the building.
- 7.5.3.3. Deleted (4000.357; 2004-Nov-15) (4000.365; 2005-Feb-07)
- 7.5.3.4. Deleted (4000.353; 2004-Nov-15) (4000.365; 2005-Feb-07)

7.5.4. **LOT AREA**

- 7.5.4.1. The minimum lot area shall not be less than 1,800 square metres (19,375.67 square feet), serviced by a community water system, a community sanitary sewer system, and a storm drainage system. (4000.178; 1998-Feb-02)
- 7.5.4.2. Notwithstanding Subsection 7.5.4.1., 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. (4000.126; 1995-Dec-18) (4000.303; 2002-Jul-29)

7.5.5. **LOT COVERAGE**

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

7.5.6. **YARD REQUIREMENTS**

- 7.5.6.1. A front yard of not less than 6 metres (19.69 feet) shall be provided.
- 7.5.6.2. Side yards of not less than 3 metres (9.84 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).
- 7.5.6.3. A rear yard of not less than 10.5 metres (34.45 feet) shall be provided for a principal building. A rear yard of not less than 3 metres (9.84 feet) shall be provided for an accessory building.
- 7.5.6.4. Notwithstanding Subsections 7.5.6.1. to 7.5.6.3., general provisions in Part 5 for the siting of buildings on watercourses and major roads will also apply.

7.5.7. **HEIGHT OF BUILDINGS**

- 7.5.7.1. The height of a principal building shall not exceed 14 metres (46 feet) except where RM-5 is being developed within a C-11 zone in which case the building height shall be subject to the regulations in C-11.
- 7.5.7.2. The height of an accessory building shall not exceed 6 metres (19.69 feet).

7.5.8. **HEIGHT OF FENCES**

- 7.5.8.1. The height of a fence shall not exceed 1.2 metres (3.94 feet) in a front yard.
- 7.5.8.2. The height of a fence shall not exceed 2.4 metres (7.87 feet) in any side or rear yard.
- 7.5.8.3. In the case of a corner lot, the height of a fence shall not exceed 1.8 metres (5.9 feet) when sited in a flanking side yard. (4000.075; 1995-Jan-23) (4000.362; 2004-Nov-01)
- 7.5.8.4. Notwithstanding Subsections 7.5.8.1., to 7.5.8.3., fence heights are subject to the general provisions set out in Part 5, "Visibility at Intersections", "Fence Heights", and "Height Exemptions".

7.5.9. **AMENITY AREAS**

- 7.5.9.1. Where a lot is under 1,800 square metres (19,375.67 square feet) in size, no less than 10% of the gross lot area shall be dedicated to useable open space. This open space shall be permitted in the required yard setbacks.
- 7.5.9.2. Where a lot exceeds 1,800 square metres (19,375.67 square feet), no less than 10% of the gross lot area shall be dedicated to usable open space in addition to the required yard setbacks.
- 7.5.9.3. The minimum size of any required open space recreation area shall be 75 square metres (807 square feet) for outdoor recreation space and 25 square metres (269 square feet) for indoor recreation space.
- 7.5.9.4. For the purpose of calculating open space recreation area requirements, any indoor recreational space or facility provided may be counted as double the actual area.
- 7.5.9.5. Open space recreation area requirements may be reduced by 50% where proposed developments are within a walking distance of 400 metres (1,312 feet) of Bowen Park or Beban Park.
- 7.5.9.6. Notwithstanding Subsections 7.5.9.1. and 7.5.9.2., where the use of a lot includes both commercial and multiple family residential uses, 20 square metres (215 square feet) of usable open space recreation area in addition to the required yard setbacks shall be provided on the lot for each dwelling unit provided the number of dwelling units per lot does not exceed 8. (4000.178; 1998-Feb-02)

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

7.5.11. **SCREENING AND LANDSCAPING**

- 7.5.11.1. 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.
- 7.5.11.2. All outdoor storage and refuse receptacle areas shall be screened in accordance with Part 14 of this Bylaw.
- 7.5.11.3. Where an RM-5 Zone abuts a highway screening and landscaping shall be provided in accordance with the requirements of Part 14 of this Bylaw. (4000.122; 1995-Oct-30)
- 7.5.11.4. Where an RM-5 Zone abuts, or is across a highway from an RS, A, C, MA, I or P Zone, screening shall be provided in accordance with Part 14 of this Bylaw.