



AGENDA
FOR THE SPECIAL COUNCIL MEETING (PUBLIC HEARING)

Thursday, November 7, 2019, 7:00 P.M.
SHAW AUDITORIUM, VANCOUVER ISLAND CONFERENCE CENTRE
80 COMMERCIAL STREET, NANAIMO, BC

SCHEDULED RECESS AT 9:00 P.M.

Pages

1. CALL THE SPECIAL MEETING OF COUNCIL TO ORDER:

2. INTRODUCTION OF LATE ITEMS:

3. ADOPTION OF AGENDA:

4. CALL THE PUBLIC HEARING TO ORDER:

5. PUBLIC HEARING AGENDA

Lainya Rowett, Manager, Current Planning, to explain the required procedures in conducting a Public Hearing and the regulations contained within Part 14 of the *Local Government Act*.

- | | | |
|----|--|---------|
| a. | <u>Rezoning Application No. RA402 - 4961 Songbird Place - Bylaw 4500.156</u>

To be introduced by Caleb Horn, Planner.

Call for submissions from the Public. | 4 - 19 |
| b. | <u>Rezoning Application No. RA419 - 155 Fry Street and 150 Esplanade - Bylaw 4500.159</u>

To be introduced by Caleb Horn, Planner.

Call for submissions from the Public. | 20 - 33 |
| c. | <u>Rezoning Application No. RA436 - 120 Commercial Street - Bylaw 4500.161</u>

To be introduced by Caleb Horn, Planner.

Call for submissions from the Public. | 34 - 59 |
| d. | <u>Rezoning Application No. RA437 - 115 Chapel Street - Bylaw 4500.160</u> | 60 - 76 |

To be introduced by Caleb Horn, Planner.

Call for submissions from the Public.

e. General Amendments to Zoning Bylaw No. 4500

77 - 132

To be introduced by Caleb Horn, Planner.

Call for submissions from the Public.

6. FINAL CALL FOR SUBMISSIONS:

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

7. ADJOURNMENT OF THE PUBLIC HEARING

8. BYLAWS:

133

a. "Zoning Amendment Bylaw 2019 No. 4500.156"

134 - 135

That Zoning Amendment Bylaw 2019 No. 4500.156 (To rezone 4961 Songbird Place from Single Dwelling Residential [R1] to Residential Corridor [COR1]) pass third reading.

b. "Zoning Amendment Bylaw 2019 No. 4500.159"

136 - 137

That Zoning Amendment Bylaw 2019 No. 4500.159 (To rezone 150 Esplanade and 155 Fry Street from Community Corridor [COR3] to Mixed Use Corridor [COR2] pass third reading.

c. "Zoning Amendment Bylaw 2019 No. 4500.161"

138 - 139

That Zoning Amendment Bylaw 2019 No. 4500.161 (To rezone 120 Commercial Street to allow Cannabis Retail Store as a site-specific use in the Core [DT1] zone) pass third reading.

d. "Zoning Amendment Bylaw 2019 No. 4500.160"

140 - 141

That Zoning Amendment Bylaw 2019 No. 4500.160 (To rezone 115 Chapel Street to allow Cannabis Retail Store as a site-specific use the Core [DT1] zone) pass third reading.

e. "Zoning Bylaw Amendment Bylaw 2019 No. 4500.158"

142 - 186

That Zoning Bylaw Amendment Bylaw 2019 No. 4500.158 (To make general text and mapping amendments to City of Nanaimo Zoning Bylaw 2011 No. 4500) pass third reading.

9. REPORTS:

10. ADJOURNMENT:

DATE OF MEETING | October 7, 2019 |

AUTHORED BY | CALEB HORN, PLANNER, COMMUNITY PLANNING |

SUBJECT | **REZONING APPLICATION NO. RA402 – 4961 SONGBIRD PLACE** |

OVERVIEW

Purpose of Report

To present Council with an application to rezone the subject property at 4961 Songbird Place from Single Dwelling Residential (R1) to Residential Corridor (COR1) to allow a proposed multi-family development.

Recommendation

That:

1. “Zoning Amendment Bylaw 2019 No. 4500.156” (To rezone 4961 Songbird Place from Single Dwelling Residential [R1] to Residential Corridor [COR1]) pass first reading;
2. “Zoning Amendment Bylaw 2019 No. 4500.156” pass second reading; and
3. Council direct Staff to secure the community contribution, including off-site road improvements and active transportation improvements prior to adoption of the bylaw, should Council support the bylaw at third reading.

BACKGROUND

A rezoning application (RA402) for 4061 Songbird Place was received from Universal Estates Ltd., on behalf of 486407 BC Ltd., to rezone the subject property from Single Dwelling Residential (R1) to Residential Corridor (COR1) in order to allow a proposed 76-unit multi-family development.

Subject Property

<i>Location</i>	The subject property is located between Rutherford Road and Songbird Place, to the southeast of the North Nanaimo Town Centre mall.
<i>Total lot area</i>	1.25ha
<i>Current zone</i>	R1 - Single Dwelling Residential
<i>Proposed zone</i>	COR1- Residential Corridor
<i>Proposed density</i>	76 units (60 units per hectare)
<i>Official Community Plan(OCP) Designation</i>	Corridor

The subject property is currently vacant and includes a wetland on the eastern portion. The wetland requires a 15m aquatic setback. The lot is triangular in shape with a narrow access at Songbird Place and increased width to the south with frontage on Rutherford Road. There is an existing statutory right-of-way (EH147131) along the western portion of the property for a public footpath and bicycle trail. Due to the wetland location unique lot shape, the developable area of the lot is limited to the southwest portion.

There is a similar 63-unit multi-family residential building within the neighbouring property at 4960 Songbird Place on the opposite side of the wetland that was approved by Council in 2013 and was constructed in 2015.

Other surrounding land uses include:

- Retail (North Nanaimo Town Centre, Long Lake Plaza);
- Residential (Songbird Place, approved multi-family development at 4800 Cedar Ridge Place, Waterdown Quay, Lakeside Villas);
- Office (Workers Compensation Board, medical/dental offices); and
- Seniors' housing (Nanaimo Memory and Complex Care and approved seniors' development at 4979 Wills Road).

DISCUSSION

Proposed Development

The applicant has requested to rezone the subject property from Single Dwelling Residential (R1) to Residential Corridor (COR1) in order to construct a proposed four-storey, 76-unit, multiple-family residential development. The project will include two separate building masses connected by a shared lobby and shared underground parking. Some surface parking is also proposed. The development will be located in the south portion of the lot, adjacent to Rutherford Road. While the proposed Residential Corridor zone would permit a number of other commercial-oriented uses, the current proposal is for a residential development.

Official Community Plan

The subject property is located within the Corridor designation (Section 2.2) of the Official Community Plan (OCP). The Corridor designation encourages higher-intensity land uses, such as medium- to high-density residential, and mixed-use developments in a two- to six-storey form. The proposed infill development would achieve a density of 60 units per hectare (uph), which is compatible with the density range of 50 to 150 uph anticipated in the Corridor designation.

Transportation Master Plan

The Nanaimo Transportation Master Plan (NTMP) reinforces the land-use and transportation policies in the OCP by designating urban nodes and prominent commercial centres in the city as mobility hubs. The subject property is located within the focal area of the North Nanaimo Mobility Hub and is within walking distance of a number of transit stops.

A multi-use trail between Songbird Place and Rutherford Road is desired to improve connectivity, and a statutory right-of-way for this purpose was previously secured on the subject property. Staff have determined through this application review that the location of the existing statutory right-of-way is not desirable for a multi-use trail. The preferred multi-use trail alignment is through the North Nanaimo Town Centre property at 4750 Rutherford Road, shown on Attachment D, as this alignment avoids further encroachment into the riparian area on the subject property and is the most accessible route from Rutherford Road given the site's topography. A portion of the preferred route will cross through the subject property between 4750 Rutherford Road and the end of Songbird Place. There is an existing private sidewalk and informal trail through the North Nanaimo Town Centre property between Rutherford Road and Songbird Place that would be upgraded should the preferred route be constructed, as outlined in the Community Contribution section of this report.

Community Consultation

Although the subject property is not located within the area of a community association, the rezoning application was referred to the nearby Wellington Community Association for information. No response has been received.

Community Contribution

As outlined in Section 7.3 of the OCP, in exchange for value conferred on land through a rezoning, the applicant should provide a community contribution. Typically, the value of community contributions received for a multiple-family rezoning application is a minimum of \$1,000 per unit. This would equate to \$76,000 for the proposed rezoning. The applicant proposes to provide the following as community contributions:

1. Active transportation improvements

The applicant has been negotiating with the owner of the North Nanaimo Town Centre (Shape Properties), but has not yet reached an agreement to establish a statutory right-of-way for construction of a multi-use trail through the neighbouring property at 4750 Rutherford Road. The estimated cost of this multi-use trail is \$94,824. Should the applicant not reach an agreement with the neighbouring property owner to secure right-of-way for trail construction, the community contribution will be applied towards active transportation improvements of equivalent value in the neighbourhood. If unsuccessful in securing a statutory right-of-way at this time, it is anticipated a publicly accessible multi-use trail through the North Nanaimo Town Centre would be secured at the time of future redevelopment of the shopping centre.

2. Off-site works and services

The applicant is proposing to fund improvements to the Songbird Place and Uplands Drive intersection, as shown generally on the concept drawings included within Attachment E. The upgrades include road widening and securing dedication from adjacent properties, and will be provided to improve sightlines and vehicular movement at the intersection. The upgrades are in excess of the required works and services and are supported, in principle, by the property owner, the Neighbourhood Church at 4951 Rutherford Road. The estimated cost of the intersection improvements is \$45,454.

The total value of both proposed community contributions exceeds the minimum expected contribution. Staff support the proposed community contributions.

Conditions of Rezoning

Should Council support this application and pass third reading of “Zoning Amendment Bylaw 2019 No. 4500.156”, Staff recommend the following items be secured prior to final adoption of the bylaw:

Community Contribution

1. Active transportation improvements

Should an agreement be reached with the property owner of North Nanaimo Town Centre, a 3m-wide multi-use trail within a 4m right-of-way is to be secured between Songbird Place and Rutherford Road through 4750 Rutherford Road and the subject property, in accordance with Attachment D. If the applicant is unable to secure a trail right-of-way on the adjacent property, the community contribution would be applied to active transportation improvements in the neighbourhood. A Section 219 covenant will be required on the subject property to secure a statutory right-of-way prior to the issuance of a Development Permit and to require security for the construction of active transportation improvements prior to the issuance of any subsequent Building Permit.

2. Off-site works and services

A Section 219 covenant must be registered on the subject property in order to secure intersection improvements at Songbird Place and Uplands Drive, as shown generally on the concept drawing included within Attachment E. The upgrades include securing road dedication from adjacent properties.

SUMMARY POINTS

- The application is to rezone the subject property at 4961 Songbird Place from Single Dwelling Residential (R1) to Residential Corridor (COR1) to allow for a proposed 76-unit multi-family development.
- The subject property is designated as Corridor within the OCP. The proposed development meets the density targets of the OCP and provides housing within walking distance of services and transit.
- A community contribution is proposed to secure active transportation improvements and off-site intersection improvements to the intersection of Uplands Drive and Songbird Place.

ATTACHMENTS

ATTACHMENT A: Location Plan
ATTACHMENT B: Conceptual Site Plan
ATTACHMENT C: Conceptual Building Renderings
ATTACHMENT D: Conceptual Multi-use Trail
ATTACHMENT E: Off-site Intersection Improvements
ATTACHMENT F: Aerial Photo
“Zoning Amendment Bylaw 2019 No. 4500.156”

Submitted by:

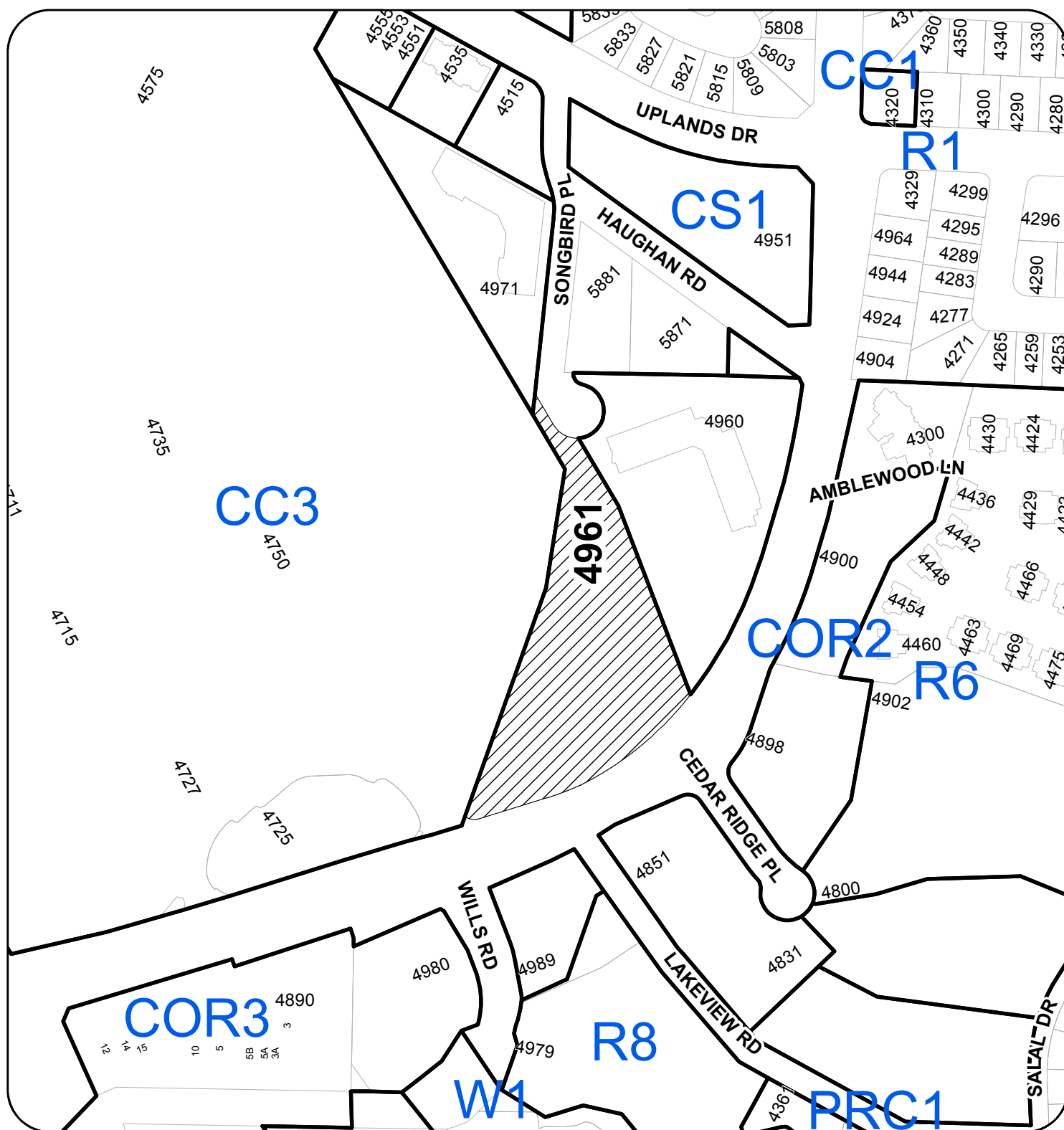
Lainya Rowett
Manager, Current Planning

Concurrence by:

Jeremy Holm
Director, Development Approvals

Dale Lindsay
General Manager, Development Services

ATTACHMENT A LOCATION PLAN



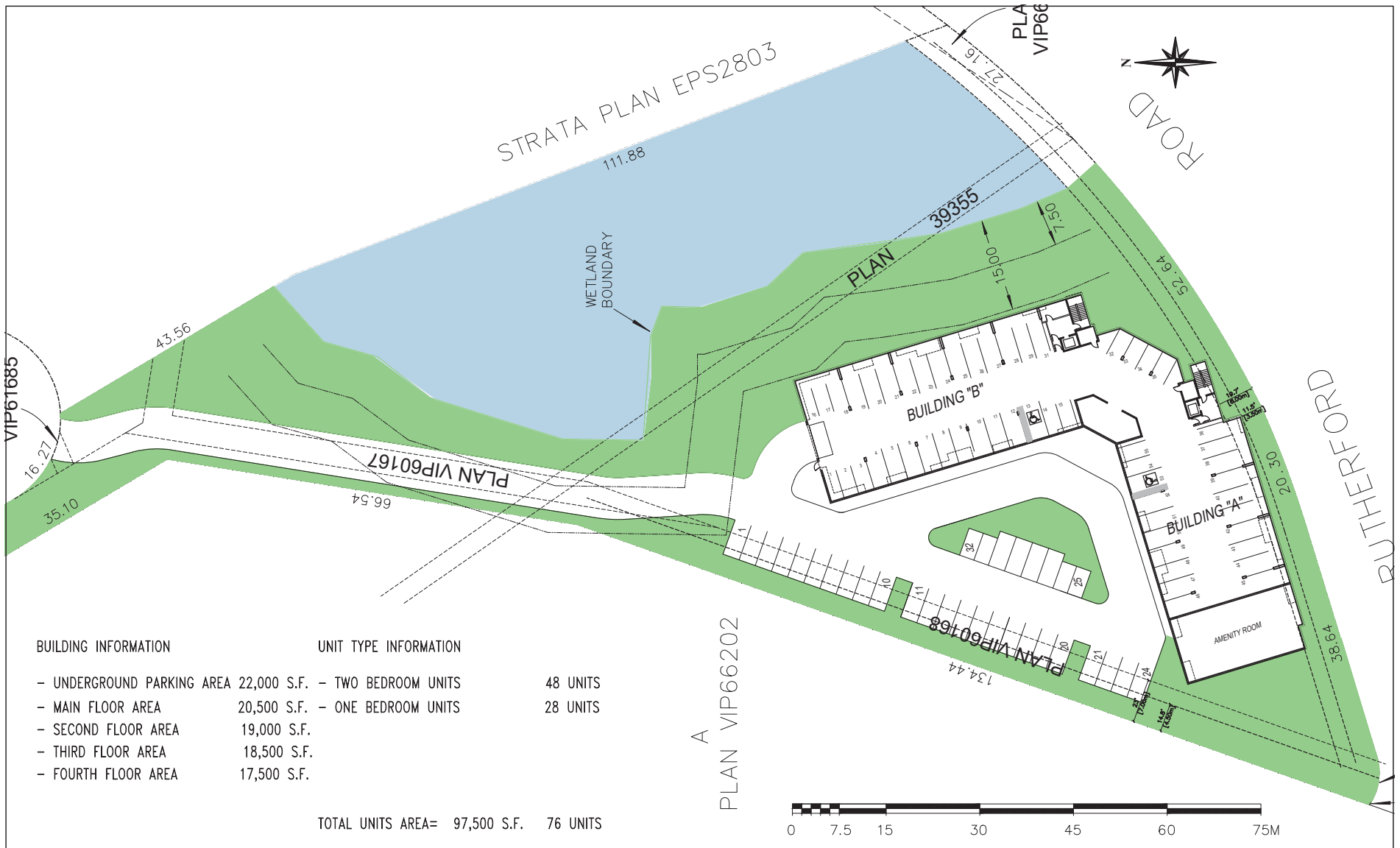
REZONING APPLICATION NO. RA000402 LOCATION PLAN



Subject Property

Civic: 4961 SONGBIRD PLACE
Legal: LOT 4, DISTRICT LOT 17, WELLINGTON
PLAN VIP60166 EXCEPT THAT PART IN PLAN VIP65179

ATTACHMENT B CONCEPTUAL SITE PLAN



BUILDING INFORMATION

- UNDERGROUND PARKING AREA 22,000 S.F.
- MAIN FLOOR AREA 20,500 S.F.
- SECOND FLOOR AREA 19,000 S.F.
- THIRD FLOOR AREA 18,500 S.F.
- FOURTH FLOOR AREA 17,500 S.F.

UNIT TYPE INFORMATION

- TWO BEDROOM UNITS 48 UNITS
- ONE BEDROOM UNITS 28 UNITS

TOTAL UNITS AREA= 97,500 S.F. 76 UNITS

NO.	DATE	REVISIONS

PRELIMINARY

D-ARCHITECTURE
6377 ICARUS DRIVE, NANAIMO, BC V9V 1N4
T: 250-933-1991, E: FIRDOL@SHAW.CA
DARYOUSH FIRDOLZ ARCHITECTURE INC.

SEAL

CONSULTANT LOG

SCALE 1/16"=1'-0"

DRAWN

CHECKED

DATE 24 SEP 18

PROJECT 4961 Songbird Place
NANAIMO, BC

CLIENT BBM Rutherford
Developments Ltd.

PROJECT NO. 2755

SHEET TITLE SITE PLAN
RECEIVED
RA402
2018-SEP-26
Current Planning & Subdivision

SHEET NO. **A1.1**

REVISION



NOTES

This drawing is an instrument of service to the property of Guyanese Financial Architecture Inc., and may not be reproduced without their permission and across the reproduction carries their name. All designs and other information shown on this drawing are for use on the specified project only and shall not be used otherwise without written permission of this office.

Written dimensions shall have precedence over noted dimensions. Contractors shall verify and be responsible for all dimensions and conditions on the job, and this office shall be informed of any changes in dimensions and conditions shown on the drawing. Shop drawings shall be submitted to this office for approval before proceeding with fabrication.

[illegible]

D-ARCHITECTURE

6377 ICARUS DRIVE, NANAIMO, BC V9V 1N4
T: 250-933-1991, E: FIRDOUZI@SHAW.CA
DARYOUSH FIRDOUZI ARCHITECTURE INC.

PRELIMINARY

SEAL

CONSULTANT LOGO

SCALE
DRAWN
CHECKED
DATE 24TH MAY 19

PROJECT

4961 Songbird Place
NANAIMO, BC

CLIENT	BBM Rutherford Developments Ltd.
PROJECT NO.	2755

SHEET TITLE
RENDERING
RECEIVED
RA402

SHEET NO.
A4.1
REVISION _____



NOTE:
This drawing is an indication of what is to be constructed and is not a contract. It is the responsibility of the client to ensure that the drawing is accurate and that all necessary permits are obtained. The client is responsible for the accuracy of the information provided and for the results of the construction. The architect is not responsible for the accuracy of the information provided or for the results of the construction.

NO.	DATE	REVISIONS



PRELIMINARY
D-ARCHITECTURE
6377 ICARUS DRIVE, NANAIMO, BC V9Y 1N4
T: 250-933-1991, E: FIROUZLI@SHAW.CA
DARYOUSH FIROUZLI ARCHITECTURE INC.

SCALE
—

CONSULTANT LOGO

SCALE
—
DRAWN
CHECKED
DATE 24TH MAY 18

PROJECT
4961 Songbird Place
NANAIMO, BC

CLIENT
BBM Rutherford
Developments Ltd.
PROJECT NO. 2755

SHEET TITLE
RENDERING
RECEIVED
RA402
2018-SEP-26
Current Planning & Subdivision

SHEET NO.
A4.2
REVISION
—



NOTES:
1. This drawing is the property of the architect and is not to be reproduced without the written consent of the architect.
2. The architect is not responsible for the construction of the building or for the safety of the building or for the safety of the people who use the building.
3. The architect is not responsible for the construction of the building or for the safety of the building or for the safety of the people who use the building.
4. The architect is not responsible for the construction of the building or for the safety of the building or for the safety of the people who use the building.
5. The architect is not responsible for the construction of the building or for the safety of the building or for the safety of the people who use the building.

NO.	DATE	REVISIONS



D-ARCHITECTURE
6377 ICARUS DRIVE, NANAIMO, BC V9V 1N4
T: 250-933-1991, E: FIROUZLI@SHAW.CA
DARYOUSH FIROUZLI ARCHITECTURE INC.

PRELIMINARY

SCALE
—

CONSULTANT LOGO

SCALE
—
DRAWN
—
CHECKED
—
DATE
28TH MAY 18

PROJECT
4961 Songbird Place
NANAIMO, BC

CLIENT
BBM Rutherford
Developments Ltd.
PROJECT NO.
2755

SHEET TITLE
RENDERING
RECEIVED
RA402
2018-SEP-26
Current Planning & Subdivision

SHEET NO.
A4.3
REVISION
—

[illegible]

PRELIMINARY

D-ARCHITECTURE
6377 ICARUS DRIVE, NANAIMO, BC V9V 1N4
T: 250-939-1991, E: FIROUZLI@SHAW.CA
DARYOUSH FIROUZLI ARCHITECTURE INC.

52

CONSULTANT LOG

SCALE

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
---	---	---	---	---	---	---	---	---	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	-----

104

CHECKED

[illegible]

28

PROJECT

4961 Songbird Place
NANAIMO, BC

CLIENT

BBM Rutherford
Developments Ltd.[illegible]

2755

SHEET TITLE

RENDERING

RECEIVED

RECEIVED

RECEIVED
DA 100

RA402

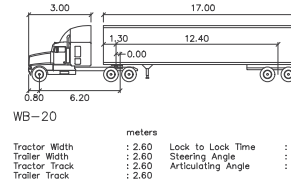
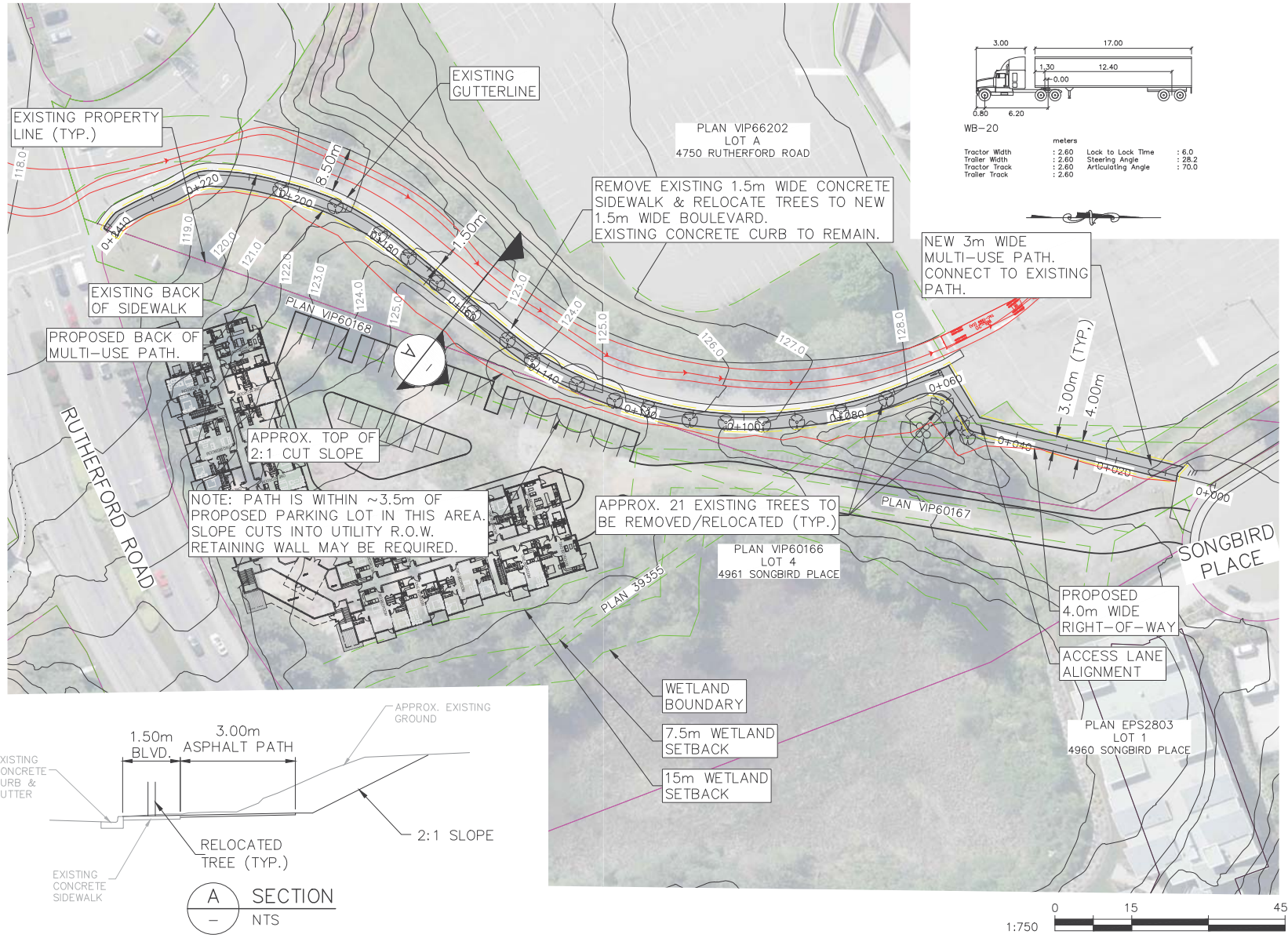
~~2018-SEP-26~~

SHEET NO.

A4.4

REVISION

ATTACHMENT D CONCEPTUAL MULTI-USE TRAIL



ISSUES		
No.	DATE	ISSUED FOR
A	2019.05.10	DISCUSSION
B	2019.06.11	BIKE PATH ALIGNMENTS
C	2019.06.24	REVISED BIKE PATH
D	2019.06.28	REVISED PER CITY COMMENTS
E	2019.07.04	ISSUED FOR REVIEW

RECEIVED
RA402
2019-AUG-02
Current Planning

4961 SONGBIRD PLACE

NANAIMO, BC

BBM RUTHERFORD DEVELOPMENT

HEROLD ENGINEERING

3701 Shenton Rd, Nanaimo, BC V9T 2H1
Tel: 250-751-8558 Fax: 250-751-8559
Email: mail@heroldengineering.com

BIKE PATH - WIDEN EXISTING SIDEWALK	
DRAFTED SMJ	DESIGNED SMJ
DRAFTING REVIEW PGR	DESIGN REVIEW PGR
PROJECT No. 4716-001	CLIENT DRAWING No.
SCALE 1:750	PERMIT No.
HEL DRAWING No. SK-4	REVISION 1 OF 1 E

DESTROY ALL DRAWINGS SHOWING PREVIOUS REVISION

OFF-SITE INTERSECTION IMPROVEMENTS

UPLANDS DR

HAUGHAN RD

15m 150mm SOLID YELLOW LINE

20.0

10.4

2.0

9.0

13.2

END OF ULTIMATE CONCRETE CURB, GUTTER AND SIDEWALK

END OF 2.0m SIDEWALK TRANSITIONING FROM THE RAISED SIDEWALK TO ROAD GRADE

END OF 6:1 ASPHALT TAPER

TRANSITION BACK TO EXISTING EDGE OF PAVEMENT

PROPOSED FUTURE PROPERTY LINE FOR 20m ROAD RIGHT OF WAY

HEROLD ENGINEERING

NOTES:

1. FOR GENERAL NOTES, SEE SHT 154

1. FOR GENERAL NOTES, SEE SHT 01.

PRELIMINARY
NOT FOR CONSTRUCTION

1	08/02/2018	CFW	INTERSECTION IMPROVEMENT CONCEPT FOR REPLY TO ENG.	T
No.	Date	By	Revisions	D

Design by _____ Date _____
CFW AUGUST 2, 2018
Drawn by _____
CFW AUGUST 2, 2018
Checked by _____
Approved by _____



Scale
Horiz. 1:250 Vert. NTS.

Consult.Dwg Sheet 1 of 1

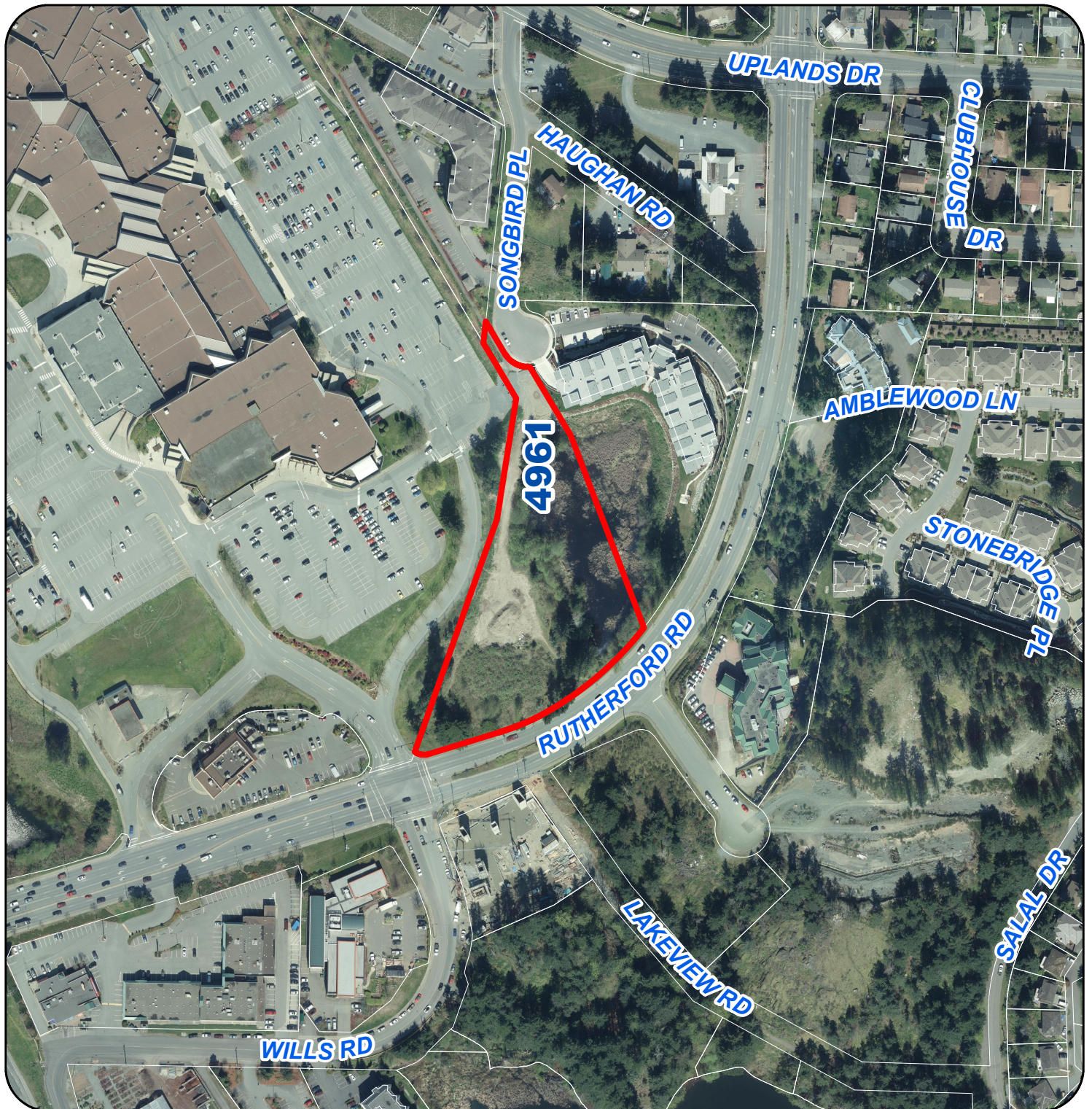
Eng File No.

Dwg No.

Project
4961 SONGBIRD PLC

Title
PROPOSED INTERSECTION IMPROVEMENT CONCEPT

ATTACHMENT F
AERIAL PHOTO



REZONING APPLICATION NO. RA000402

CITY OF NANAIMO

BYLAW NO. 4500.156

A BYLAW TO AMEND THE "CITY OF NANAIMO ZONING BYLAW 2011 NO. 4500"

WHEREAS the Council may zone land, by bylaw, pursuant to Sections 464, 465, 469, 477, 479, 480, 481, 482, and 548 of the *Local Government Act*;

THEREFORE BE IT RESOLVED the Municipal Council of the City of Nanaimo, in open meeting assembled, ENACTS AS FOLLOWS:

1. This Bylaw may be cited as the "Zoning Amendment Bylaw 2019 No. 4500.156".
2. The "City of Nanaimo Zoning Bylaw 2011 No. 4500" is hereby amended as follows:

By rezoning the lands legally described as LOT 4, DISTRICT LOT 17, WELLINGTON DISTRICT, PLAN VIP60166 EXCEPT THAT PART IN PLAN VIP65179 (4961 Songbird Place) from Single Dwelling Residential (R1) to Residential Corridor (COR1) as shown on Schedule A.

PASSED FIRST READING: _____

PASSED SECOND READING: _____

PUBLIC HEARING HELD: _____

PASSED THIRD READING: _____

MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE: _____

ADOPTED: _____

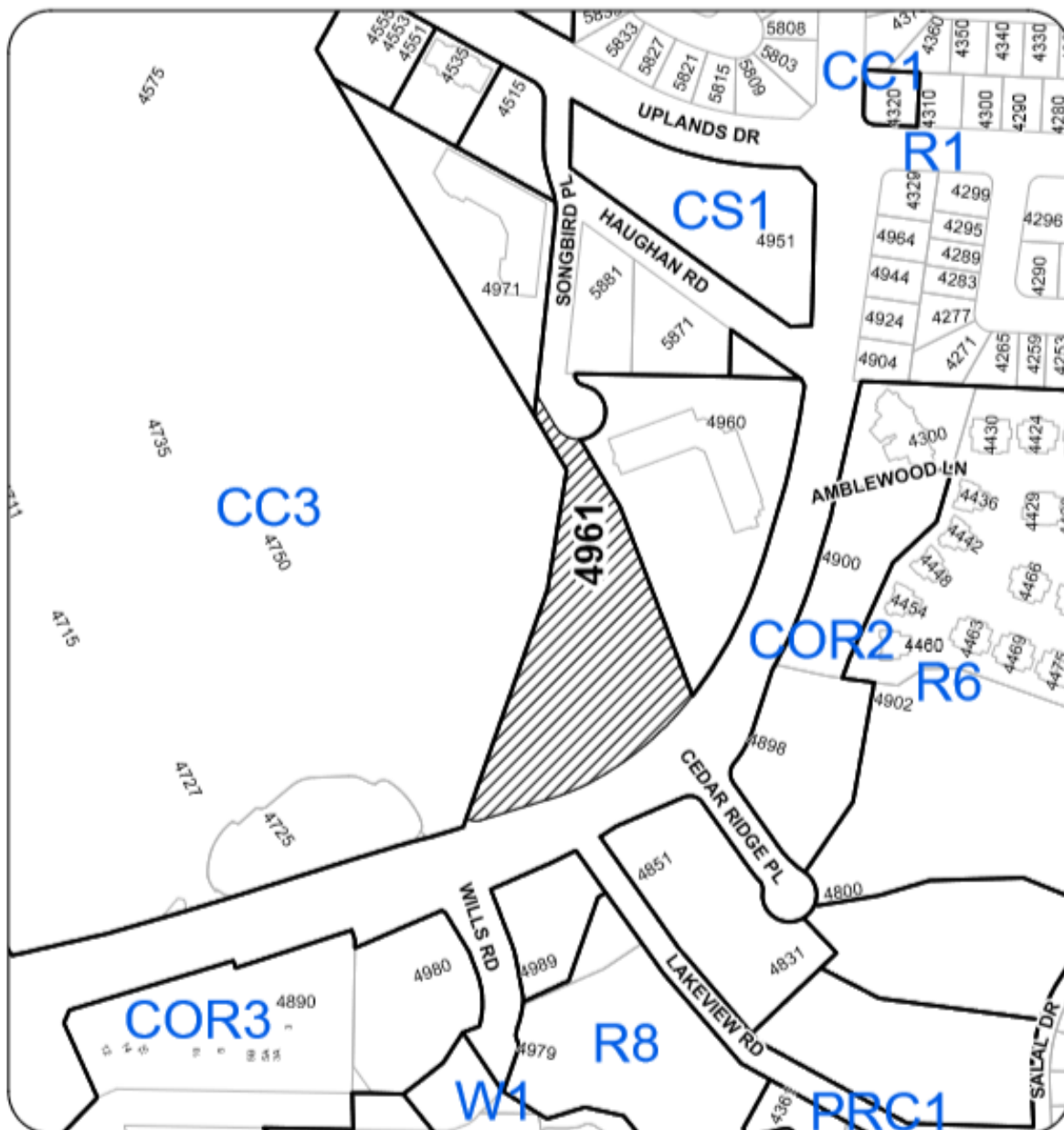
MAYOR

CORPORATE OFFICER

File: RA000402
Address: 4961 Songbird Place

SCHEDULE A

LOCATION PLAN



REZONING APPLICATION NO. RA000402

LOCATION PLAN



Civic: 4961 SONGBIRD PLACE
Legal: LOT 4, DISTRICT LOT 17, WELLINGTON
PLAN VIP60166 EXCEPT THAT PART IN PLAN VIP65179

DATE OF MEETING | October 21, 2019 |

AUTHORED BY | CALEB HORN, PLANNER, CURRENT PLANNING |

SUBJECT | **REZONING APPLICATION NO. RA419 – 150 ESPLANADE AND 155 FRY STREET** |

OVERVIEW

Purpose of Report

To present Council with an application to rezone the subject properties at 150 Esplanade and 155 Fry Street from Community Corridor (COR3) to Mixed Use Corridor (COR2) in order to allow a mixed-use and residential development.

Recommendation

That:

1. “Zoning Amendment Bylaw 2019 No. 4500.159” (To rezone 150 Esplanade and 155 Fry Street from Community Corridor [COR3] to Mixed Use Corridor [COR2]) pass first reading;
2. “Zoning Amendment Bylaw 2019 No. 4500.159” pass second reading; and
3. Council direct Staff to secure the community amenity contribution should Council support the bylaw at third reading.

BACKGROUND

A rezoning application, RA419, was received from D-Architecture, on behalf of 0742637 BC Ltd. The applicant proposes to rezone the subject properties from Community Corridor (COR3) to Mixed Use Corridor (COR2) in order to allow a mixed-use and residential development. The properties are part of the “Robin’s Grove” development. Phase 1 of this development, at 104 Esplanade, was completed in 2016. The subject properties were created through a subdivision in 2016 in anticipation of future development.

Subject Property and Site Context

<i>Location</i>	The subject properties occupy the southern portion of the block bounded by Fry Street to the west, Milton Street to the south, and Esplanade to the east.
<i>Total Lot Area</i>	2,210m ² – 150 Esplanade 3,200m ² – 155 Fry Street
<i>Current Zone</i>	Community Corridor (COR3)
<i>Proposed Zone</i>	Mixed Use Corridor (COR2)
<i>Official Community Plan (OCP) Future Land Use Designation</i>	Corridor
<i>Neighbourhood Plan Land Use Designation</i>	South End Neighborhood Plan: Corridor – Mixed Use

The subject properties are located in the South End Neighbourhood. The surrounding area is designated Corridor in the Official Community Plan (OCP), but existing uses are predominantly industrial with some older single residential dwellings nearby. The railway yard is located on the opposite side of Esplanade, to the east. Phase 1 of Robin's Grove, a 14-unit multiple-family residential building, is directly adjacent to the subject properties to the north.

DISCUSSION

Proposed Development

The applicant proposes to rezone the subject properties from COR3 to COR2 in order to facilitate the development of Phases 2 and 3 of the Robin's Grove project. The conceptual plans for the subject properties show approximately 91 units in two buildings consisting of 55 dwelling units with a small amount of commercial use at 155 Fry Street (Phase 2), and 36 dwelling units with no commercial use at 150 Esplanade (Phase 3). An existing third-party easement agreement across 155 Fry Street will maintain vehicular access to 104 Esplanade. Further review of the design through subsequent Development Permit applications will consider form and character, and ensure access to public spaces.

The proposed rezoning does not increase the potential density (maximum permitted Floor Area Ratio) on each lot, but it will allow the development to proceed without providing a significant amount of commercial floor area. The maximum potential base Floor Area Ratio (FAR) in both zones is 1.25, but in the COR3 zone, a minimum of 25% of the Gross Floor Area (GFA) must be dedicated to commercial use in order to increase the base FAR from 0.75 to 1.25. After an economic assessment, the applicant does not believe there is sufficient demand at this time in the area for this amount of commercial space and intends to develop the subject properties similar to the residential scheme in Phase 1 with a smaller commercial component. By rezoning the properties to COR2, the applicant can achieve a 1.25 base FAR without at least 25% of the GFA being devoted to commercial use and instead provide more residential units.

The COR2 zone provides a lesser range of commercial uses than the COR3 zone, but also allows for standalone residential development.

Policy Context

Official Community Plan

The OCP's future land-use designation for the subject properties is "Corridor". This designation supports a mix of residential and commercial uses and target residential densities of 50 to 150 units per hectare, generally in two- to six-storey building forms. Higher-density stand-alone residential uses in the Corridor designation are also supported. The conceptual plans for the subject properties, when considered together with the Phase 1 development at 104 Esplanade, results in a combined density of 116 units per hectare, as the development has been clustered in Phases 2 and 3 to allow tree retention in Phase 1. The OCP also encourages open spaces in the form of urban plazas in Corridor designations. The proposed rezoning meets the intent of the OCP.

South End Neighbourhood Plan

The South End Neighbourhood Plan (SENP)'s land-use designation for the subject properties is "Corridor – Mixed Use". This designation supports a mix of uses in two- to four-storey building forms. The SENP's Public Open Space policies (Section 6.1.2) encourage small-scale public open spaces at key intersections in the neighbourhood and specifically identifies the corner of Milton and Fry Streets for a public open space. The Plan also highlights the need to celebrate the area's history, geography, and environmental features. The proposed rezoning will meet these policies through the provision of a public plaza and art at 155 Fry Street.

Transportation Master Plan

The subject properties are within the 200m buffer of the Downtown Mobility Hub, as identified by the Nanaimo Transportation Master Plan (NTMP). The NTMP supports higher-density uses in the Downtown Mobility Hub and buffers, and notes the grid-like network and proximity to services encourages walkability and alternative modes of transportation. Development within and in close proximity to mobility hubs helps reduce travel demands.

The subject properties are located approximately 600m away from Port Place Mall, which contains a number of amenities and commercial services. The nearest bus route is the #7, which stops approximately 120m away from the site on Irwin Street. Nicol Street, which is 200m away, is designated a future Rapid Bus Transit Corridor (Medium Term) in the NTMP. The transit exchange at 1 Port Drive is also located 600m away, providing a variety of transit options.

Community Consultation

The rezoning application was referred to the South End Community Association (SECA) for comment. SECA responded that they had no objections to the proposed rezoning.

Community Contribution

As outlined in Section 7.3 of the OCP, in exchange for value conferred on the lands through a rezoning, the applicant should provide a community contribution. Typically, the value of community contributions received for residential projects is at least \$1,000 per dwelling and for commercial projects is at least \$34/m² of GFA. In this case, since the applicant is not proposing to increase the potential density through a rezoning; the maximum permitted FAR is the same in the COR2 and COR3 zones. Therefore, a community contribution is only expected for the difference in the potential number of dwelling units that may be achieved by rezoning from COR3 to COR2. As the COR3 zone would require at least 25% of the GFA to be devoted to commercial use, the yield of residential units is somewhat constrained. By rezoning to COR2, Staff estimate approximately 20 additional dwelling units can be accommodated within the maximum permitted density. The applicant proposes the following community contributions:

1. Public Plaza

Through the development of 155 Fry Street, the applicant will provide a public plaza with seating at the northeast corner of Fry and Milton Streets, generally as shown in Attachment D – Conceptual Public Open Space Plan. A public open space at this location is envisioned by the SENP. The conceptual public plaza is significantly larger

than what would be typically be provided through a development. The estimated value of the proposed plaza is \$76,184.

2. *Public Art*

The applicant has proposed to include a feature public art piece in the public plaza at 155 Fry Street. The details of the public art will be determined through a subsequent Development Permit application. Should the rezoning be approved, the applicant has suggested the public art piece could be themed, based on the history of the neighbourhood. The proposed value of the public art is \$20,000.

Staff support the proposed community contributions.

Conditions of Rezoning

Should Council support this application and pass third reading of “Zoning Amendment Bylaw 2019 No. 4500.159”, Staff recommend the following items be secured prior to final adoption of the bylaw:

1. *Community Contribution* – The development of a public plaza with seating at the corner of Fry and Milton Streets with public access secured through a future statutory right-of-way at 155 Fry Street, and a contribution of public art with a minimum value of \$20,000.

SUMMARY POINTS

- The application is to rezone the subject properties at 150 Esplanade and 155 Fry Street from Community Corridor (COR3) to Mixed Use Corridor (COR2) in order to allow a mixed-use and residential development.
- The proposed rezoning does not increase the potential density (FAR) on each lot, but it will allow the development to proceed with less commercial space and more residential units.
- The proposed rezoning meets the intent of the Official Community Plan, South End Neighbourhood Plan, and Nanaimo Transportation Master Plan.
- Community contributions of a public plaza at 155 Fry Street and public art are proposed.

ATTACHMENTS

ATTACHMENT A: Location Plan
ATTACHMENT B: Conceptual Site Plan
ATTACHMENT C: Building Renderings
ATTACHMENT D: Conceptual Public Plaza Plan
ATTACHMENT E: Aerial Photo
“Zoning Amendment Bylaw 2019 No. 4500.159” |

Submitted by:

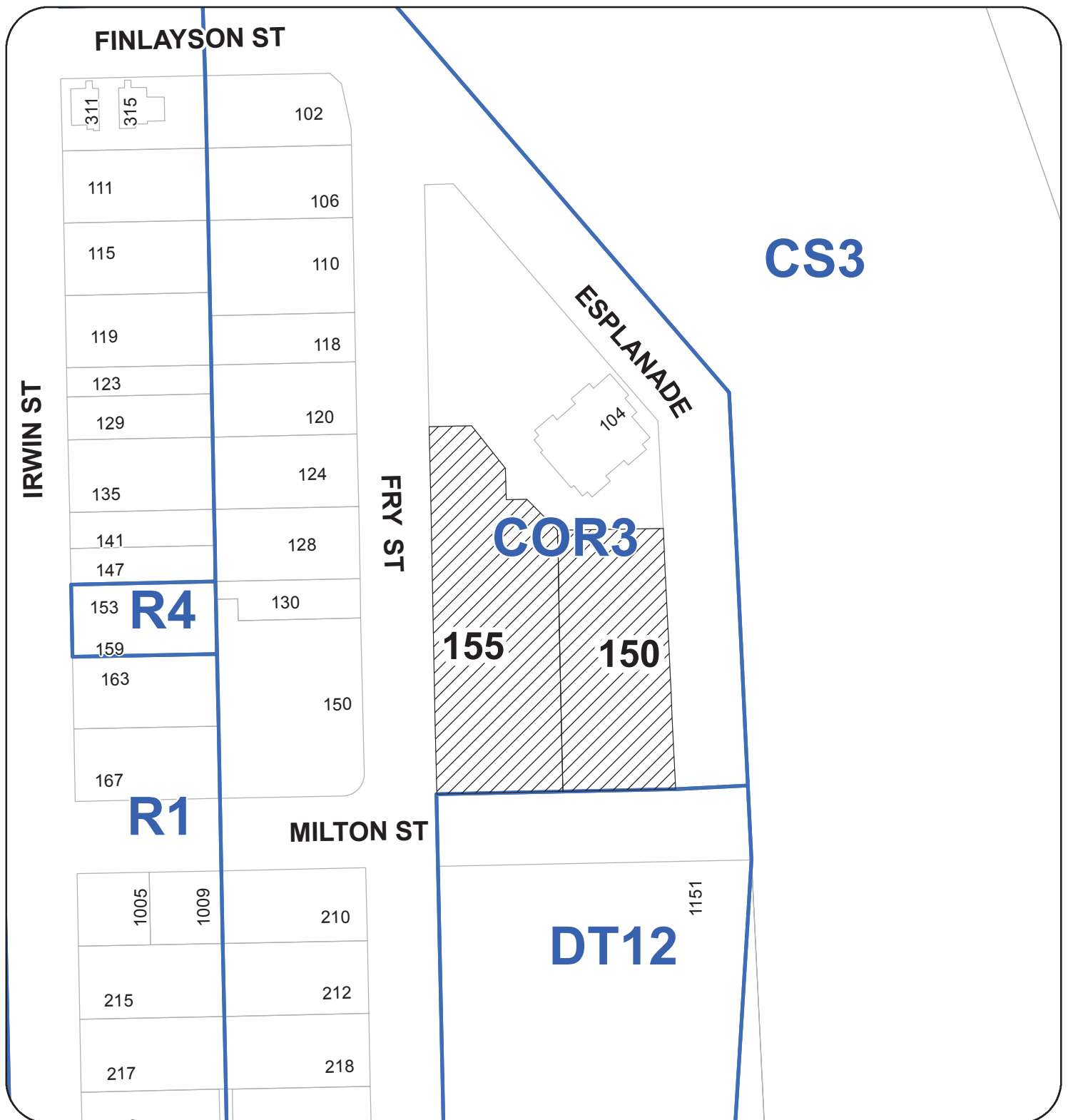
Lainya Rowett
Manager, Current Planning |

Concurrence by:

Jeremy Holm
Director, Development Approvals

Dale Lindsay
General Manager, Development Services

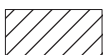
ATTACHMENT A
LOCATION PLAN



REZONING APPLICATION NO. RA000419

LOCATION PLAN

CIVIC: 155 FRY STREET / 150 ESPLANADE
LEGAL: LOTS 2 & 3 SECTION 1 NANAIMO DISTRICT
PLAN EPP55139



SUBJECT PROPERTY

ATTACHMENT B CONCEPTUAL SITE PLAN



NOTE:
This drawing is an indication of the property and is not intended to be used for construction or other purposes. It is the responsibility of the client to verify the accuracy of the information provided and to obtain all necessary permits and approvals from the relevant authorities. The client is advised that this drawing is preliminary and subject to change without notice.

NO.	DATE	REVISIONS
1	21 OCT 18	ISSUED FOR PERMITTING



D-ARCHITECTURE
6377 ICARUS DRIVE, NANAIMO, BC V9Y 1N4
T: 250-933-1991, E: FIROUZ@D-ARCHITECTURE.COM
DARYOUSH FIROUZLI ARCHITECTURE INC.

PRELIMINARY

SEAL

CONSULTANT LOGO

SCALE
1/16" = 1'-0"
DRAWN
CHECKED
DATE
21 OCT 18

PROJECT
155 FRY STREET
150 ESPLANADE,
NANAIMO, BC

CLIENT
0742637 b.c. Ltd.
PROJECT NO.
2858

SHEET TITLE
SITE PLAN
RECEIVED
RAA19
2019-OCT-01
CITY OF NANAIMO

SHEET NO.
A1.1
REVISION

ATTACHMENT C
BUILDING RENDERINGS

1 of 3



D-ARCHITECTURE
6377 ICARUS DRIVE, NANAIMO, BC V9V 1N4
T: 250-933-1991, E: FIRDOZU@DHAW.CA
DARYDOUSH FIRDOZU ARCHITECTURE INC.

155 FRY STREET
150 ESPLANADE,
NANAIMO, BC



D-ARCHITECTURE
 6377 ICARUS DRIVE, NANAIMO, BC V9V 1N4
 T: 250-933-1991, E: FIRDOUZI@SHAW.CA
 DARYDOUSH FIRDOUZI ARCHITECTURE INC.

155 FRY STREET
 150 ESPLANADE,
 NANAIMO, BC

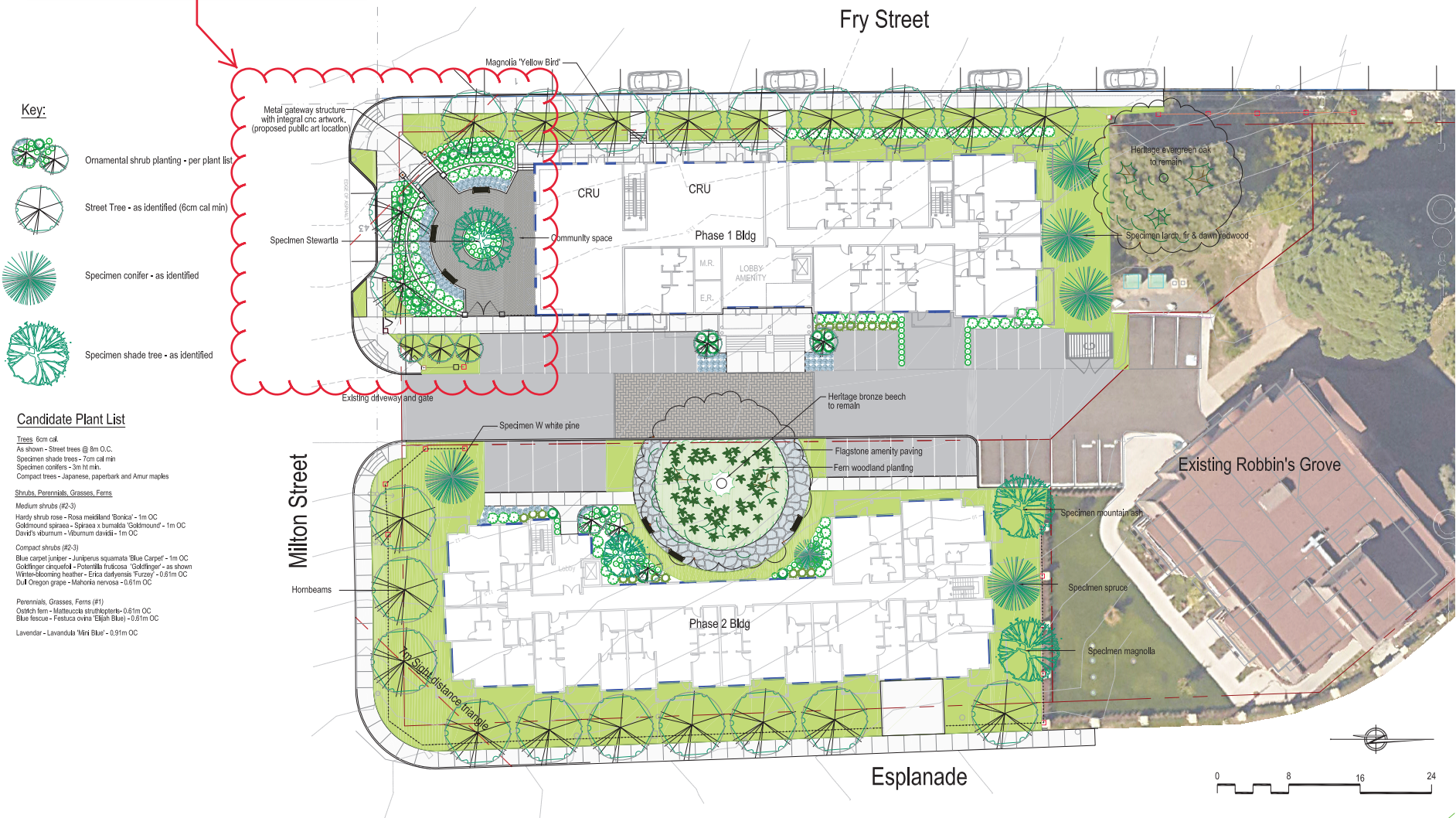


D-ARCHITECTURE
 6377 ICARUS DRIVE, NANAIMO, BC V9V 1N4
 T: 250-933-1991, E: FIRDOUZI@SHAW.CA
 DARYDUSH FIRDOUZI ARCHITECTURE INC.

155 FRY STREET
 150 ESPLANADE,
 NANAIMO, BC

ATTACHMENT D CONCEPTUAL PUBLIC PLAZA PLAN

Proposed Location of Public Plaza and Public Art



Revisions		
Date	Details	Init.
30/09/19	Public Art location	JPH
9/11/18	Application for Rezoning	JPH



Robins Grove - Fry Street, Nanaimo Rezoning Application

RECEIVED
RA419
2019-OCT-04



JPH Consultants Inc.
434 Milton Street Nanaimo BC V9R 2L1
Phone: 250-754-5887 Cell: 250-714-9556

Project: 18-Fry-Esplanade
 Date: 09/11/18
 Drawn: JPH Checked: xx
 Scale: 1:200
 Sheet: L1 of 1

ATTACHMENT E
AERIAL PHOTO



 SUBJECT PROPERTY

REZONING APPLICATION NO. RA000419

CITY OF NANAIMO

BYLAW NO. 4500.159

A BYLAW TO AMEND THE "CITY OF NANAIMO ZONING BYLAW 2011 NO. 4500"

WHEREAS the Council may zone land, by bylaw, pursuant to Sections 464, 465, 469, 477, 479, 480, 481, 482, and 548 of the *Local Government Act*;

THEREFORE BE IT RESOLVED the Municipal Council of the City of Nanaimo, in open meeting assembled, ENACTS AS FOLLOWS:

1. This Bylaw may be cited as the "Zoning Amendment Bylaw 2019 No. 4500.159".
2. The "City of Nanaimo Zoning Bylaw 2011 No. 4500" is hereby amended as follows:

By rezoning the lands legally described as LOT 2, SECTION 1, NANAIMO DISTRICT, PLAN EPP55139 (150 Esplanade Street) and LOT 3, SECTION 1, NANAIMO DISTRICT, PLAN EPP55139 (155 Fry Street) from Community Corridor (COR3) to Mixed Use Corridor (COR2) as shown on Schedule A.

PASSED FIRST READING: _____

PASSED SECOND READING: _____

PUBLIC HEARING HELD: _____

PASSED THIRD READING: _____

MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE: _____

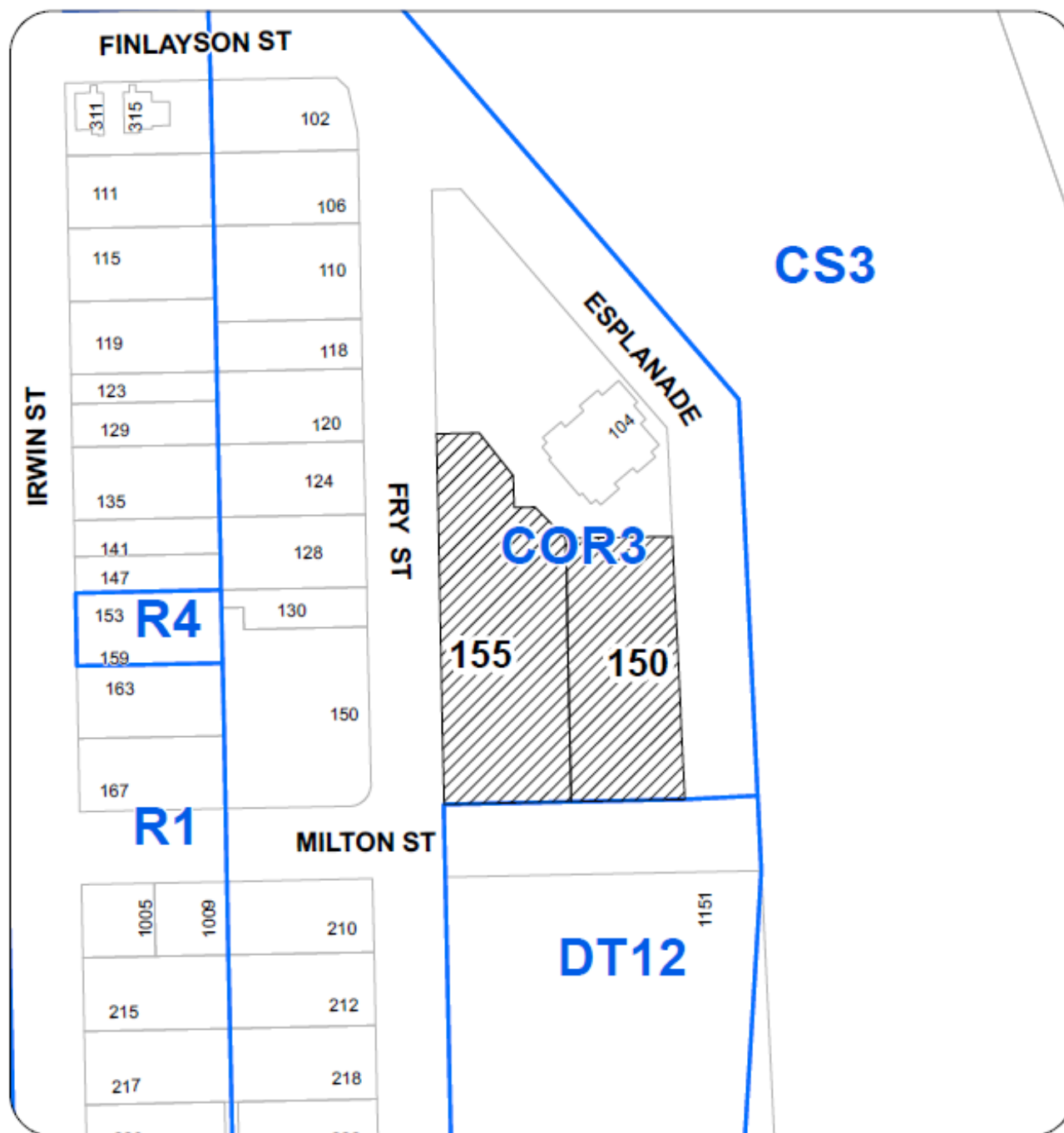
ADOPTED: _____

MAYOR

CORPORATE OFFICER

File: RA000419
Address: 150 Esplanade and 155 Fry Street

SCHEDULE A



REZONING APPLICATION NO. RA000419



CIVIC: 155 FRY STREET / 150 ESPLANADE
LEGAL: LOTS 2 & 3 SECTION 1 NANAIMO
DISTRICT PLAN EPP55139



SUBJECT PROPERTY

Document Path: V:\Source Data\Departmental Data\Eng\Pub\Ww\GIS\Projects\TEMPLATES\LOCATION_PLAN\Map\RA000419_LP.mxd

DATE OF MEETING | October 21, 2019

AUTHORED BY | GEPKE STEVENSON, PLANNER, CURRENT PLANNING

SUBJECT | **REZONING APPLICATION NO. RA436 – 120 COMMERCIAL STREET**

OVERVIEW

Purpose of Report

To present Council with an application to amend the existing zoning of the property located at 120 Commercial Street to allow “Cannabis Retail Store” as a site-specific use in the Core (DT1) zone.

Recommendation

That:

1. “Zoning Amendment Bylaw 2019 No. 4500.161” (To rezone 120 Commercial Street to allow “Cannabis Retail Store” as a site-specific use in the Core [DT1] zone) pass first reading;
2. “Zoning Amendment Bylaw 2019 No. 4500.161” pass second reading; and
3. Council direct Staff to secure the amenity contribution prior to adoption of the bylaw, should Council support the bylaw at third reading.

BACKGROUND

A rezoning application, RA436, was received from Aura Cannabis Inc. (doing business as Kiaro Retail), for 120 Commercial Street. The applicant proposes to amend the existing DT1 zone to allow “Cannabis Retail Store” as a site-specific use for the subject property.

The City of Nanaimo adopted amendments to “City of Nanaimo Zoning Bylaw 2011 No. 4500” (the “Zoning Bylaw”) on 2018-SEP-17 and established a Cannabis Retail Store (CRS) Rezoning Criteria policy to consider future applications for CRS developments in anticipation of changing Federal and Provincial legislation. Following enactment of new legislation to decriminalize cannabis consumption and legalize the retail sale and distribution of Provincially-licensed cannabis product, the City of Nanaimo began receiving CRS rezoning applications on 2018-OCT-22.

To date, six CRS rezoning applications have received Final Adoption, and ten other applications have been reviewed by Council in addition to the subject application:

#	Application No.	Address	Status
1	RA413	3923 Victoria Avenue	Received fourth reading (Final Adoption) on 2019-JUN-17
2	RA407	6683 Mary Ellen Drive	Received fourth reading (Final Adoption) on 2019-AUG-26

3	RA408	3200 Island Highway N.	Received fourth reading (Final Adoption) on 2019-AUG-26
4	RA425	6404 Metral Drive	Received fourth reading (Final Adoption) on 2019-AUG-26
5	RA430	350 Terminal Avenue	Received fourth reading (Final Adoption) on 2019-SEP-09
6	RA418	52 Victoria Crescent	Received fourth reading (Final Adoption) on 2019-SEP-16
7	RA406	111 Nicol Street	Received third reading on 2019-FEB-07
8	RA410	1599 Dufferin Crescent	Received third reading on 2019-APR-04
9	RA415	2220 Bowen Road	Received third reading on 2019-APR-04
10	RA411	25 Front Street	Received third reading on 2019-MAY-02
11	RA416	1483 Bowen Road	Received third reading on 2019-MAY-02
12	RA417	510 Fifth Street	Received third reading on 2019-MAY-02
13	RA420	140 Terminal Avenue	Received third reading on 2019-JUN-13
14	RA422	111 Terminal Avenue	Received third reading on 2019-JUL-04
15	RA427	4061 Norwell Drive	Denied by Council on 2019-JUL-08
16	RA431	50 Tenth Street	Received third reading on 2019-OCT-07
17	RA437	115 Chapel Street	Being considered by Council on 2019-OCT-21

In total, 20 CRS applications have been received to date.

Subject Property and Site Context

<i>Location</i>	The subject property is an historic building located within the downtown core at the intersection of Commercial Street and Wharf Street.
<i>Total Lot Area</i>	218m ²
<i>Current Zoning</i>	DT1 - Core
<i>Proposed Zoning</i>	DT1 with site-specific "Cannabis Retail Store" use
<i>Official Community Plan (OCP) designation</i>	Urban Node - Downtown
<i>Neighbourhood Plan designation</i>	Nanaimo Downtown Plan - Core
<i>Proximity to nearest school</i>	Approximately 525m (<i>Ecole Pauline Haarer Elementary – 400 Campbell Street</i>)
<i>Proximity to nearest licensed daycare</i>	Approximately 350m (<i>Katie's Korner – 357 Wesley Street</i>)
<i>Proximity to nearest CRS</i>	Approximately 105m from an approved CRS at 350 Terminal Avenue (RA422); and approximately 145m from a proposed CRS at 115 Chapel Street (RA437), being considered by Council on 2019-OCT-21.

The subject property is located within the historic Gusola Block. The proposed cannabis retail store would be located in the partially-below-grade retail unit. The at-grade unit entrance faces Wharf Street and is addressed with the alias of 78 Wharf Street. The subject property also contains a café and bakery on the ground floor and apartments on the second floor.

Neighbouring land uses include commercial retail, offices, public institutions, and public plazas.

DISCUSSION

Proposed Development

The applicant is proposing to rezone the subject property to allow “Cannabis Retail Store” use in addition to the existing DT1 permitted uses. While the DT1 zone allows “retail” as a permitted use, a CRS requires site-specific rezoning.

The proposed business hours are from 10 a.m. to 8 p.m., seven days a week. The proposed retail floor area is approximately 177m².

Provincial Licensing Requirements

The City was advised by the BC Liquor and Cannabis Regulation Branch (LCRB) that an application for a non-medical cannabis retail licence has been made for the subject property.

As part of the LCRB’s review, the branch determines if the applicant is “fit and proper” to receive a licence, in accordance with Section 23(1) of the *Cannabis Act* (Bill 30), based on indicators such as financial integrity and security screening. The LCRB has advised the City that Aura Cannabis has passed the “fit and proper” assessment.

The LCRB will not proceed with a licensing application unless the local government submits a positive recommendation to the LCRB. Should Council approve “Zoning Amendment Bylaw 2019 No. 4500.161”, the bylaw approval would constitute a positive recommendation in support of the licensing application.

Official Community Plan

The Official Community Plan (OCP) designates the subject property as Urban Node – Downtown Centre. The OCP does not address CRS use specifically, but the land-use designation supports retail uses and encourages a diversity of commercial, professional, and residential uses. The proposed CRS generally complies with the intent of the Urban Node – Downtown Centre land-use designation.

Cannabis Retail Store Rezoning Criteria

The following table summarizes how the proposed rezoning addresses the CRS Rezoning Criteria adopted by Council on 2018-SEP-17, which is intended to inform Council’s consideration of the rezoning application:

Criteria		Response
<i>Location</i>		
1.1	The proposed CRS should be located on, or in close proximity to a provincial highway, urban arterial or urban major collector road, as defined in the City’s Functional Road Classification Working Plan; or in an Urban Node, Commercial Centre or Corridor as designated in the City’s Official Community Plan.	The subject property is located within the Urban Node land-use designation, and is located in close proximity to a major collector road and a provincial highway.

1.2	The proposed CRS should not be located directly adjacent, or in close proximity to a school or licensed daycare facility. A minimum separation of 200m from these facilities is considered necessary, as measured from the front door of the CRS to the school or daycare property line.	The proposed CRS is located more than 200m from any licensed daycares or schools, with the nearest school approximately 525m away, and the nearest daycare approximately 350m away. School District 68 and Island Health (Community Care and Licensing) confirmed they have no objections to the application.
1.3.	The proposed CRS should not be located within 200m of another CRS as measured from the front doors of the CRS. Where the CRS is to be located within a dense urban area (i.e. downtown), consideration shall be given to the overall urban density and context of the area.	The proposed CRS is located approximately 105m from the nearest approved CRS at 350 Terminal Avenue. The proposed CRS is also located approximately 145m away from a proposed CRS at 115 Chapel Street, which is being considered by Council on 2019-OCT-21. While the proposed CRS is located approximately within 200m of other proposed CRSs, the City's CRS Rezoning Criteria allows consideration of the overall urban density and context of the downtown area. The proposed location is within the core of Nanaimo's downtown, where retail density is at its greatest.
Building or Site		
2.1.	The size of the proposed CRS should be consistent with the nature of the immediate area and the size of existing retail stores within the area.	The proposed CRS will be located within an existing multi-tenant building. The size of the CRS is consistent with other commercial units in the downtown area.
2.2.	The design of the proposed CRS should enhance or improve the aesthetics of the surrounding area, not detract from them.	Minor repainting of the entry doors is proposed. A canopy sign and projecting sign are proposed for the front entrance.
2.2.1.	The revitalization of heritage buildings is encouraged.	No alterations to the heritage façade are proposed. The application has been reviewed by the City's Community Heritage Planner.
2.3.	Outside the downtown core, consideration should be given to a requirement for onsite parking and loading for every CRS.	The proposed CRS is located in the downtown core and no onsite parking or loading is required.
Community Impact		
3.1.	The applicant must outline their awareness of potential negative impacts of the proposed CRS on the community, and must identify the specific measures that will be taken to minimize or prevent these impacts from occurring.	The applicant provided a Letter of Rationale (Attachment E) that proposes the following measures to minimize or prevent potentially negative impacts:

<p>3.1.1. Possible measures could include efforts to prevent service to minors, minimize smells, prevent smoking or cannabis consumption on or near the premises, property maintenance and beautification programs designed to prevent unsightliness, etc.</p>	<ul style="list-style-type: none"> • preventing service to minors by requiring two pieces of ID, and training staff to recognize international forms of ID; • displaying no smoking signage and enforcement of no cannabis consumption on-site; • encouraging patrons to leave product sealed during transport; and • refusing service to intoxicated patrons and maintaining incident logs identifying problematic patrons or illegal acts.
<p>3.1.2 Consideration must be given to the impact a CRS will have when they are located in close proximity to libraries, public recreation centres, public community centres, parks, places of worship and other family-oriented facilities.</p>	<p>The proposed CRS is located across Wharf Street from Diana Krall Plaza and is approximately 35m from the Vancouver Island Regional Library.</p> <p>The subject property is located within walking distance of a number of downtown parks including:</p> <ul style="list-style-type: none"> • Piper Park (military museum) (approximately 120m) • Nanaimo Harbour – Bastion Square Park/Anchor Way Park (approximately 145m) • The Italian Fountain at Port Place Mall (approximately 250m) <p>The subject property is also located within walking distance of a number of cultural facilities and places of worship including:</p> <ul style="list-style-type: none"> • Nanaimo Art Gallery (approximately 35m) • Port Theatre (approximately 65m) • Nanaimo Museum (approximately 100m) • St. Paul's Anglican Church (approximately 175m) <p>Overall, downtown Nanaimo supports family-oriented facilities and public spaces as well as a wide range of commercial uses, including liquor primary establishments. Staff consider the proposed CRS to be in keeping with the mix of commercial uses in the downtown area.</p>

3.2.	Projected traffic volumes and on-street parking demands associated with a proposed CRS should not adversely impact nearby residential and commercial areas.	The proposed CRS is located within the Downtown-Specified area of the Parking Bylaw and will not require on-site parking. The CRS is not expected to negatively impact traffic volumes.
3.3.	The support of the local community, neighbouring property owners and the local neighborhood association for the proposed CRS is important to Council's decision.	There is no Neighbourhood Association and the Downtown Nanaimo Business Improvement Association has ceased operations.
3.3.1.	The applicant is required to notify all neighbouring property owners within 200m of the subject property of the rezoning application prior to the application proceeding to Council.	The applicant distributed notices to neighbouring properties during the last week of July 2019. One rezoning notice sign has been placed in the window of the retail unit, and if Council gives first and second reading to "Zoning Amendment Bylaw 2019 No. 4500.161", the application will proceed to public hearing.
3.4.	All CRS rezoning applications must be reviewed by the Community Vitality Committee and the RCMP, in addition to being reviewed by the City's Community Planning and Development Committee,	<p>The RCMP reviewed the proposal and indicated they have no comments.</p> <p>Council has not established a Community Planning and Development Committee; therefore, committee review has not taken place.</p>

While the proposed CRS is within 200 metres of CRS locations that have previously been approved or are under consideration by Council, the CRS Rezoning Criteria note consideration should be given to overall urban density and context for proposed CRS locations in dense urban areas, such as the downtown. Pending LCRB approval, based on the number of CRS proposals in the downtown area, the area should be well served by CRS locations.

Staff support the proposed rezoning from a land-use perspective and consider the application to be substantially in compliance with City's CRS Rezoning Criteria policy.

Community Amenity Contribution

The applicant proposes a monetary contribution of \$10,000 be directed towards the Housing Legacy Fund.

Staff support the proposed community amenity contribution.

Conditions of Rezoning

Should Council support this application and pass third reading of “Zoning Amendment Bylaw 2019 No. 4500.161”, Staff recommend the following be secured prior to final adoption of the bylaw:

- *Community Amenity Contribution* – A monetary contribution of \$10,000 to be directed towards the Housing Legacy Fund.

SUMMARY POINTS

- A rezoning application has been received to allow Cannabis Retail Store use as a site-specific use in the DT1 - Core zone for the subject property located at 120 Commercial Street.
- The Provincial Liquor and Cannabis Regulation Branch has reviewed the licensing application for this proposal and has confirmed a “fit and proper” assessment.
- Staff support this application, which substantially complies with the City’s Cannabis Retail Store Rezoning Criteria policy.

ATTACHMENTS

ATTACHMENT A: Location Plan
ATTACHMENT B: School and Licensed Daycare Buffer Map
ATTACHMENT C: Proposed Site Plan and Floor Plan
ATTACHMENT D: Conceptual Building Elevations
ATTACHMENT E: Letter of Rationale
ATTACHMENT F: CRS Rezoning Applications-Downtown Core Map
ATTACHMENT G: Aerial Photo
“Zoning Amendment Bylaw 2019 No. 4500.161”]

Submitted by:

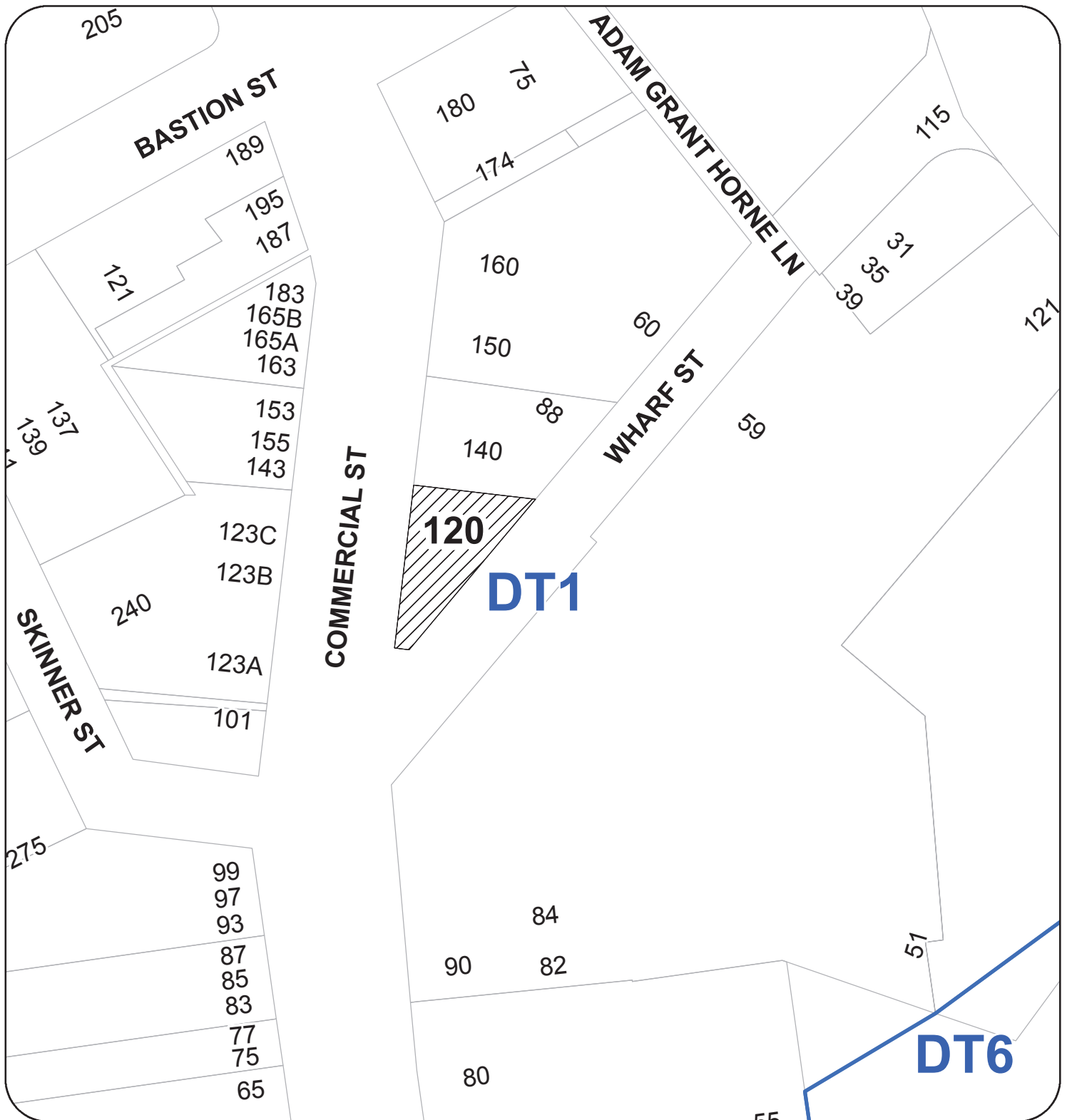
Lainya Rowett
Manager, Current Planning

Concurrence by:

Jeremy Holm
Director, Development Approvals

Dale Lindsay
General Manager, Development Services

ATTACHMENT A LOCATION PLAN



REZONING APPLICATION NO. RA000436

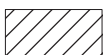
LOCATION PLAN

CIVIC: 120 COMMERCIAL STREET

LEGAL: LOT 5, BLOCK 58, SECTION 1, NANAIMO DISTRICT, PLAN 584

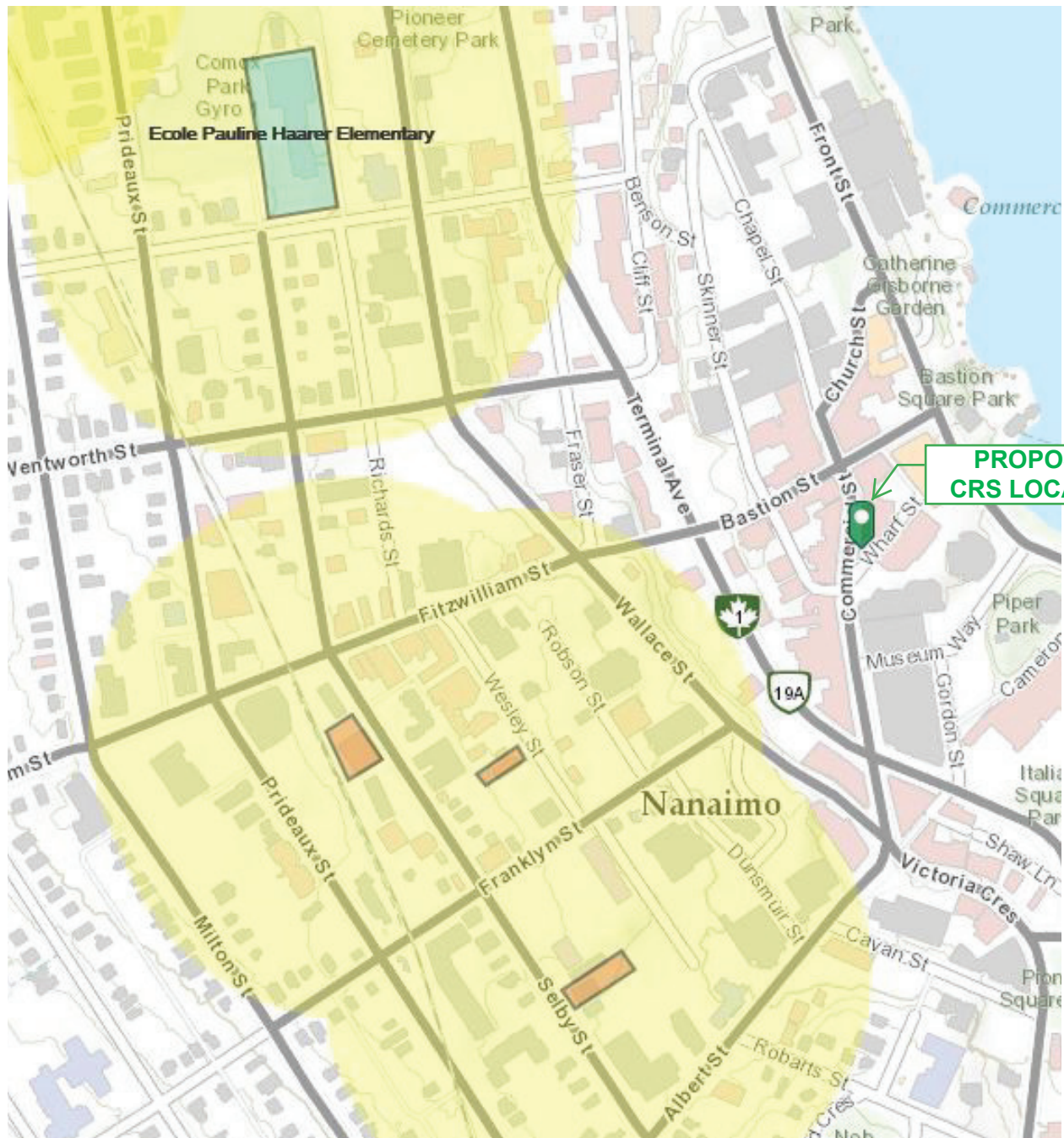
EXCEPT THAT PART THEREOF OUTLINED IN RED ON PLAN 182 BL

N

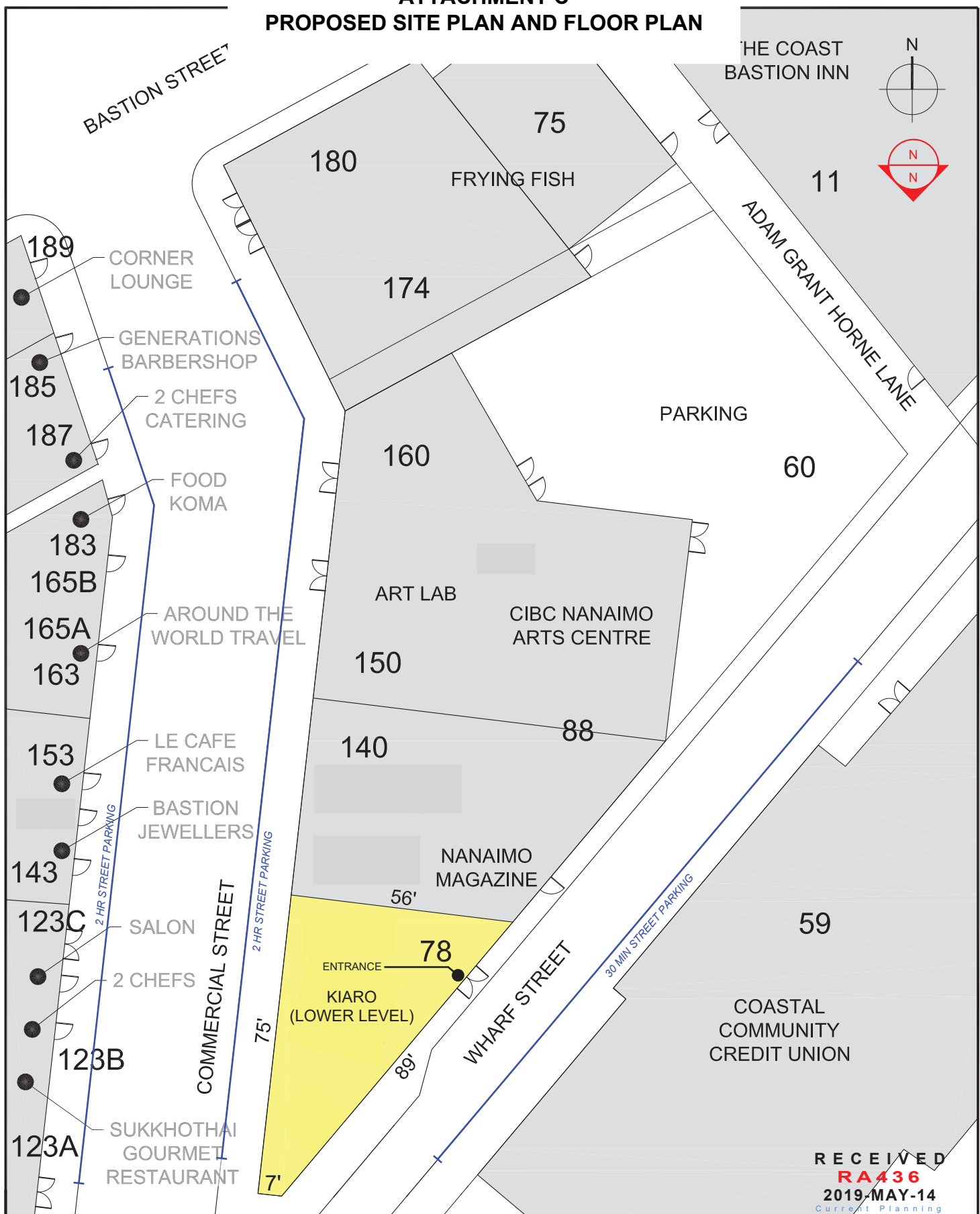


SUBJECT PROPERTY

ATTACHMENT B
SCHOOL AND LICENSED DAYCARE BUFFER MAP



ATTACHMENT C PROPOSED SITE PLAN AND FLOOR PLAN



KIARO

ISSUED FOR:
REZONING

DRAWN BY:
N.S.M.C, EIT

CREATION:
10 / 05 / 2019

SCALE:
1/32" = 1'-0"

SHEET SIZE:
8.5 x 43 (ANSI-A)

DESIGN FOR:

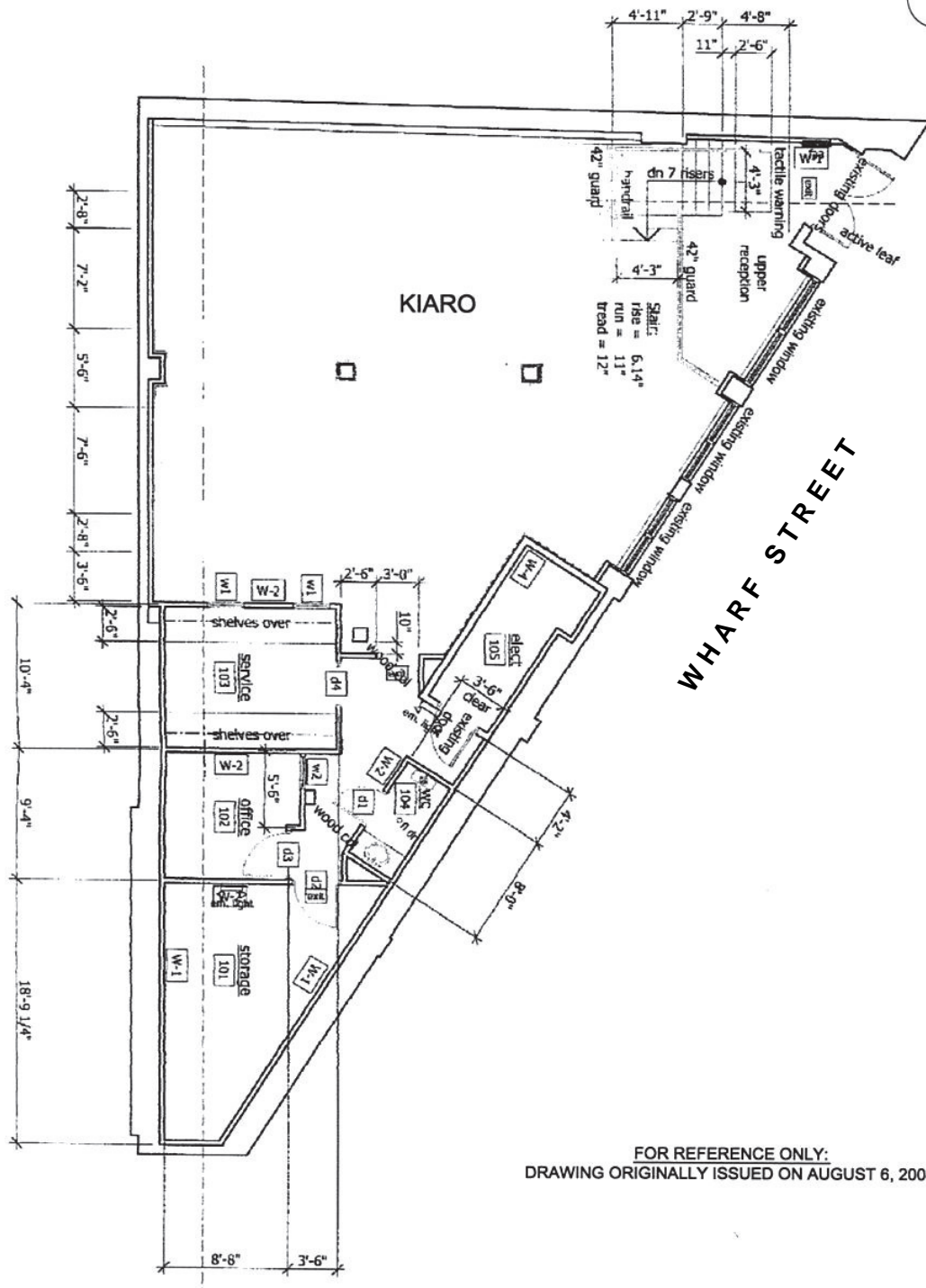
KIARO
78 WHARF STREET
NANAIMO, BRITISH COLUMBIA
V9R 5G6

RECEIVED
RA 436
2019/MAY-14
Current Planning

DRAWING TITLE:
SITE PLAN
LOWER LEVEL ELEVATION

DRAWING NUMBER:

A2



FOR REFERENCE ONLY:
DRAWING ORIGINALLY ISSUED ON AUGUST 6, 2008

KIARO

ISSUED FOR: (dd/mm/yyyy)
 REZONING 01/03/2019
 DRAWN BY: F.A.A.
 CREATION: 28/02/2019
 SCALE: 3/32" = 1'-0"
 SHEET SIZE: 8.5 x 11" (ANSI-A)

DESIGN FOR:
KIARO
78 WHARF STREET
NANAIMO, BRITISH COLUMBIA
V9R 5G6

DRAWING TITLE:
FLOOR PLAN
DRAWING NUMBER:

A3





1 of 9

**ATTACHMENT E
LETTER OF RATIONALE**



#200 - 110 E Cordova St
Vancouver BC, V6A 1K9
Canada

W: www.kiaro.com
E: hello@kiaro.com
T: 1.888.623.2420

Rezoning Rationale

May 14, 2019

**City of Nanaimo
Planning Department
455 Wallace Street
Nanaimo, BC V9R 5J6**

Re: Cannabis Retail Store Rezoning Rationale - Kiaro

Kiaro is pleased to submit this letter in support of its application for a Cannabis Retail Store ("CRS") in the City of Nanaimo.

About Kiaro

Kiaro is a B.C.-based cannabis brand that carries a variety of curated products appealing to individuals who wish to enjoy cannabis responsibly. Kiaro plans to open a number of fully compliant retail stores across Canada and, through its stores, offer a customized omni-channel cannabis experience that is inviting, convenient, and appealing, allowing consumers to choose safe and reputable products.

We achieve this through best in class staff training, strong product knowledge, and in store educational resources. We also seek to create true and long-lasting partnerships with the communities and neighbourhoods in which we operate by investing in meaningful community development initiatives that align with our vision and values. Kiaro's name derives from the Italian word chiaroscuro, meaning "to emerge from the darkness into light" – a nod to the new era of cannabis legalization.

Our Commitment

- Kiaro's leadership team is comprised of professionals across a variety of industries who have a track record of success and a dynamic plan for sustainable market growth based on a balanced commitment to our people, operations, and finances
- Kiaro represents a community-minded, full-service retail model focused on an exceptional retail experience
- Kiaro believes in partnering with the municipalities in which we will operate and commits to engaging in active and ongoing consultation to ensure we continue to educate and engage the communities we serve

- Kiaro believes in putting people first and creates a supportive working environment by investing in employee education and good management practices

Cannabis Retail Store Zoning Criteria

Kiario has thoroughly reviewed the criteria required by the City of Nanaimo and has included a thorough rezoning rationale based on the policy endorsed by the City of Nanaimo Council on September 17, 2018.

Location

The location of the proposed CRS on 78 Wharf Street has been carefully chosen to take into consideration proximity to the items identified in section 1.1, 1.2, and 1.3 of the Cannabis Retail Store Zoning Criteria. The proposed CRS meets the required location criteria by being near an urban node, commercial centre or corridor, as designated in the City's Official Community Plan. It is not located directly adjacent, or in close proximity to a school or licensed daycare facility. The proposed site meets the necessary minimum separation of 200m from any of these facilities, as measured from the front door of the CRS to the school or daycare property line.

We have also identified a number of local adult subsidized housing and treatment centres in the downtown area within 1km of our proposed CRS. We are committed to engaging with these organizations prior to opening, and over the long-term. In order to incorporate their needs and feedback into our planning processes; and if the opportunity presents itself, to provide information and resources for their stakeholders about how the regulated retail cannabis sector can and will protect the interests of local residents by improving public health and safety, and curbing the presence of the illicit market in the community.

Moreover, the proposed CRS is in the downtown core, one of the densest urban areas of the City. While we understand that another CRS applicant is also pursuing a store in the area, we believe that this dynamic part of the City could benefit from two stores and, as outlined elsewhere in this document, Kiario is fully committed to ensuring that we build a location that allows us to be partners in the downtown revitalization efforts to increase both commercial diversity and employment opportunities.

Building and Site

Kiario has thoroughly reviewed Section 2.1, 2.2, and 2.3 of the Criteria and are committed to ensuring the CRS complies with these relevant sections, as well as with the City's Official Community Plan and the Downtown Centre Urban Node objectives. The proposed site shares the aims of downtown revitalization and was conceived to improve and enhance the aesthetics of the community and surrounding area to ensure a positive experience for local business owners, residents and visiting tourists. Our design and operating practices will ensure

the Downtown Centre can continue to foster an environment that is inviting, tourist-friendly and responsive to the needs of Nanaimo's citizens. The proposed site's operating hours and size are consistent with neighbouring businesses, and we are planning for significant upgrades to the building, including tenant improvements to the interior and exterior, as well as on-going maintenance, window cleaning and landscaping to complement the esthetics of the local community.

- Proposed Size of Facility: 1,900 sqft
- Proposed Operating Hours: 10:00am to 8:00pm, Sunday to Saturday

Kiara has reviewed the parking bylaw No. 7266, Section 7.3 ii Downtown-Specified Area and will comply with the City's parking requirements. We are committed to facilitating ease of access to the CRS, and to reducing traffic congestion by encouraging our clients to utilize the available street parking out front of the proposed CRS, and within the downtown core. These available public parking spots also include designated handicap parking stalls directly across from the proposed CRS to increase accessibility and equitable access to the store. Kiara is further committed to keeping our staff and clients educated about Nanaimo's Downtown Mobility Hub Project and will ensure that our staff and clients are informed about the free (and almost free) parking opportunities the City promotes on evenings and weekends as part of its strategy for a positive downtown Nanaimo parking experience.

We will also post information for our clients and staff featuring viable parking alternatives such as local bike parking options, and the locations of nearby parkades at the Dorchester Hotel on 12 Bastion; the Harbour Front Parkade on 51 Gordon and the Pioneer Parkade at 20 Anchor Way. Moreover, we will encourage our clients and staff to seek sustainable transit solutions and alternative modes of transportation to reduce reliance on personal vehicles, and to help reduce traffic congestion and advance a more environmentally friendly culture. Additionally, loading will be accommodated through the front door during the hours that the store is closed in order to further reduce impact on both foot and vehicle traffic in the area during business hours. Section 2.2.1 in relation to the revitalization of a heritage building is not applicable to this proposed application.

Community Impact

We are confident Kiara will not only meet but exceed the community's expectations for a retail cannabis store. We have consulted with local residents and business owners in the area and are aware of potential challenges and negative impacts of the proposed CRS on the community. As a result, Kiara has identified the specific measures to minimize or prevent these impacts from occurring by ensuring compliance through:

Training & Compliance

1. Ongoing staff training and staff meetings to review government policy bulletins, regulatory changes and municipal developments. This is over and above all mandatory government training
2. Store design and operating protocols that ensure no minors enter the premises
3. Ensuring that our staff is asking for two (2) pieces of identification, including one with a picture to confirm both age and identity. Kiaro commits to adherence to all federal and provincial laws and regulations, and will consistently implement compliance to the highest operational standards by only accepting the prescribed forms of primary and secondary ID options, and verifying the ID of every patron that enters the store
4. Regularly updating our staff on how to verify various kinds of ID from across the globe
5. Security cameras will be active and recording at all times, including when the store is not open for business
6. Security camera recordings will be turned over the B.C. Liquor and Cannabis Licensing Branch or law enforcement as required
7. The store layout will ensure that no cannabis products are visible from the street, and there will be no offsite storage of cannabis products to improve security and public safety
8. Strict inventory management and sales records will be maintained and made available to provincial government inspectors upon request
9. Patrons intoxicated by alcohol or drugs will be refused service and asked to leave the store immediately
10. Any patron causing a disturbance will be addressed promptly by staff and if behaviour is not immediately addressed, they will be asked to leave the store
11. An incident log will be maintained to report problematic patrons, accident or injury in the store, any illegal acts, or need to call emergency personnel. We will ensure that staff learnings are shared through review of the logbook and at regular staff meetings
12. Staff will cooperate at all times with law enforcement or inspectors
13. All cannabis products will remain in sealed containers, and no cannabis products will be opened in the store to prevent odours from impacting the community.
14. We will educate staff and customers that the excise tax label and other seals on cannabis product containers must remain intact while they are in transport to prevent odours and improve safety.
15. Cannabis products will not be accessible to customers other than at the point of sale and will otherwise be stored in the back room or in locked display cabinets which will further prevent odour issues and improve safety
16. Cannabis smell jars will be physically affixed to the counter and not accessible to touch by the customers

Community Contribution

17. Display of Signs in accordance with prohibitions outlined in Smoking Regulation Bylaw 2018 No. 7268 that state the phrase "no smoking" with a graphic symbol substantially

in the form shown on Schedule "B" attached to the bylaw, which will be a minimum of six centimeters in diameter and will include the words "City of Nanaimo Bylaw No.7268 Maximum Penalty \$10,000"

18. We will also work to educate our staff and clients about the prohibitions outlined in Smoking Regulation Bylaw 2018 No. 7268 with respect to no-smoking in local parks in our area (Bastion Square Park and Piper Park), as well as designated public spaces and required distancing protocols from transit stops
19. Display of social responsibility materials regarding health and safety impacts provided by government will be visible; and we will provide our own information in compliance with government guidelines
20. Annual community contributions will be given to help finance the objectives of the Official Community Plan and to support local charitable groups that help to alleviate poverty, and improve the quality of life for residents in the community experiencing financial hardship and transition challenges

Promotion

21. Semi-annual community open-house events will be hosted, where local business owners and residents can engage directly with Kiaro management at an off-site location to share their feedback and learn more about our activities in the community, and about the value of the regulated retail cannabis sector in terms of improving public health and safety and eroding the presence of the illicit market
22. All customers will be provided a shopping bag that complies with the advertising and promotional restricts in the federal Cannabis Act
23. There will be no online sales from the store or by Kiaro in B.C, no sales of gift cards and no delivery services to ensure compliance with provincial regulations

Projected Traffic Volumes and On-Street Parking

Kiara has thoroughly reviewed Section 3.2 of the Criteria, as well as the Nanaimo Downtown Mobility Hub Project, and we are committed to ensuring the CRS complies with the relevant City requirements, and municipal objectives. Projected traffic volumes and on-street parking demands associated with the proposed CRS will not adversely impact the area, as the availability of parking downtown is considered sufficient to meet expected traffic volumes. We are committed to posting information for our clients and staff featuring viable parking alternatives like local bike parking options, and the locations of nearby parkades at the Dorchester Hotel on 12 Bastion; the Harbour Front Parkade on 51 Gordon and the Pioneer Parkade at 20 Anchor Way. All Kiara staff will be encouraged to seek out transportation alternatives, such as public transportation and cycling, so that any potential impact of our staff parking needs on nearby residential and commercial areas is minimized, and an environmentally friendly culture is advanced to help reduce reliance on personal vehicles.

Consideration for Family Oriented Facilities

Kiara has also reviewed all of the family-oriented facilities located in close proximity to the proposed CRS (please see list below), and is committed to ensuring the impact on minors and families is minimized through operating hours that are consistent with neighbouring businesses; training our staff to strictly prohibit minors from entering the store; and through a store layout that will ensure that no cannabis products are visible from the street. Moreover, all cannabis products will remain in factory sealed containers, and no cannabis products will be opened or consumed in the store to prevent potential odours from impacting local foot traffic walking by. The proposed site also aims to enhance the aesthetics of the community, and surrounding area by ensuring our walk ways, windows, signage and general area are clean to prevent any unsightliness for local residents, and to foster a tourist-friendly environment for traveling guests to the City.

We have identified the following family-oriented facilities near the proposed CRS and will reach out to engage with each of these organizations prior to opening to ensure their comments and feedback are incorporated into our community planning:

- Vancouver Island Public Library
- Nanaimo Museum
- Port Theatre
- Nanaimo Art Gallery/Art Lab
- Harbour Dance Studio

Minimizing Odours

All legal cannabis products in Canada are packaged in smell proof and child resistant containers which are sealed at the manufacturer and may not be opened in the retail store. The product may also not be consumed on the premises or in the immediate vicinity of the store in accordance with prohibitions outlined in Smoking Regulation Bylaw 2018 No. 7268. These requirements mean that there should be no possibility of odour issues from the store, however, if there was ever a problem identified, we would immediately take measures to address it. Kiara is committed to consistently engaging with our local community of business neighbours and residents to ensure compliance, and to work towards collective solutions should any issues arise.

Preventing Smoking or Cannabis Consumption

"No Smoking" and "No Consumption" signs will be posted inside and outside of the store in accordance with prohibitions outlined in Smoking Regulation Bylaw 2018 No. 7268. The signs will be compliant with provincial regulations and municipal by-laws that restrict smoking. Anyone found to be smoking or otherwise consuming cannabis products in or near the store will be asked to leave immediately. We will also keep engaged with the local business

community, and residents in the area to ensure are meeting community expectations and working towards collective solutions if any issues arise.

Targeted Market Segments

All marketing and branding efforts will be undertaken in compliance with the marketing and advertising restrictions in the federal Cannabis Act and the provincial Cannabis Control and Licensing Act, as well as any additional restrictions put in place by the City of Nanaimo. Kiaro target demographics for the proposed CRS are set out as:

- Aged 24- 55 with 60% Male, 40% Female
- Post-secondary education
- Successful careers, with strong social connections with friends and family
- Active lifestyles and open-minded, interested in exploration such as travel, personal development, health and others
- Some cannabis experience, but limited product knowledge

Promoting the Cannabis Act and Cannabis Control and Licensing Regulations

Kiario is committed to ensuring our retail cannabis stores not only meet but exceed the regulations set by the federal government, provinces and municipalities. We see our role as crucial to:

- Protecting young Canadians by keeping cannabis out of the hands of children and youth
- Enhancing public awareness about responsible use
- Improving public understanding about social stigma and legal issues
- Offering only legally sourced, federally approved, analytically tested products acquired from government authorized distributors and licensed producers

Integration of Cannabis Retail into the Establish Business Community

Prior to submission of Kiario's application for a CRS in the community, we undertook engagement with the local business community, specifically the Nanaimo Chamber of Commerce, to discuss local community impact and business concerns related to the opening and operations of a CRS. Kiario's engagement with local businesses and community stakeholders is a cornerstone of the work we undertake both prior and following the opening of any CRS. We are committed to ensuring we are integrated into the established business community by:

- Joining local business associations and boards to support the community's greater business development goals
- Providing educational resources through open-house and community events

- Executing a clean, modern design that compliments the community's business esthetic
- Providing refined and sophisticated retail experience to destigmatize cannabis retail and compliment the City's downtown revitalization objectives
- Ongoing education for staff and providing only high-quality, analytically tested products
- Making ourselves available for additional consultation with the local business community

Community Notification and Engagement

In addition to the ongoing engagement with the local business community, and prior to the application proceeding to Council, we intend to fulfill requirement 3.3.1 of the Criteria to notify all neighbouring property owners within 200m of the proposed CRS, and we will provide a copy of the letter to the City for review prior to distribution. Moreover, Kiara has developed robust ongoing community consultation, education and engagement plans. Part of these detailed plans include:

- Partnering with local thought leaders and licensed producers to provide educational resources about seed to sale
- Holding regular staff training events and consumer education programming
- Presenting to regulators and community stakeholder groups
- Ensuring there are multiple pathways for the community to provide feedback
- Engaging in a dialogue with the community through open-houses and education events

Positive Impacts for the Community

We believe Kiara's planning and operational impacts will also create a number of positive outcomes for the community. Financial impacts in the local area will be realized through our commitment to sourcing out local service providers to help build and operationalize the proposed CRS; as well as through contributions by way of property taxes and licensing fees which will help strengthen local economic development and commercial diversity. Kiara is also committed to creating positive social impacts by operationalizing a best-in-class retail experience to help destigmatize the retail cannabis sector; and by partnering with the communities in which we operate and engaging in active and ongoing consultation to ensure we continue to educate and inform key local business stakeholders and the public.

We believe in putting people first and in creating a supportive working environment by investing in employee education and good management practices. We know that knowledgeable, well trained and community-minded staff are the cornerstone of a successful cannabis retail store, and so in support of creating positive outcomes for the people and communities in which Kiara operates, we are committed to:

- Inclusive hiring practices with above average wages for frontline staff, strong salaries for management, and comprehensive benefits packages for all team members
- Positive company culture, work/life balance, and professional development opportunities
- Ongoing product, systems and compliance training
- Supporting local community involvement and active volunteering within the municipality

Thank you very much for considering this application for a CRS. Should you have any further questions, please feel free to contact us directly.

Sincerely,

Kayleigh Donahue

Director, Business Development & Licensing at Kiara

#200 - 110 E Cordova St, Vancouver BC

P: 1.888.623.2420 | M: 1.236.886.1488 | E: kayleigh@kiara.com | W: kiara.com

ATTACHMENT F

CRS REZONING APPLICATIONS-DOWNTOWN CORE MAP



ATTACHMENT G
AERIAL PHOTO



REZONING APPLICATION NO. RA000436

LEGEND

 SUBJECT PROPERTY

CITY OF NANAIMO

BYLAW NO. 4500.161

A BYLAW TO AMEND THE "CITY OF NANAIMO ZONING BYLAW 2011 NO. 4500"

WHEREAS the Council may zone land, by bylaw, pursuant to Sections 464, 465, 469, 477, 479, 480, 481, 482, and 548 of the *Local Government Act*;

THEREFORE BE IT RESOLVED the Municipal Council of the City of Nanaimo, in open meeting assembled, ENACTS AS FOLLOWS:

1. This Bylaw may be cited as the "Zoning Amendment Bylaw 2019 No. 4500.161".
2. The "City of Nanaimo Zoning Bylaw 2011 No. 4500" is hereby amended as follows:

By rezoning the lands legally described as LOT 5, BLOCK 58, SECTION 1, NANAIMO DISTRICT, PLAN 584, EXCEPT THAT PART THEREOF OUTLINED IN RED ON PLAN 182BL (120 Commercial Street) to allow Cannabis Retail Store as a site-specific use within the Core (DT1) Zone, as shown on Schedule A.

PASSED FIRST READING: _____

PASSED SECOND READING: _____

PUBLIC HEARING HELD: _____

PASSED THIRD READING: _____

MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE: _____

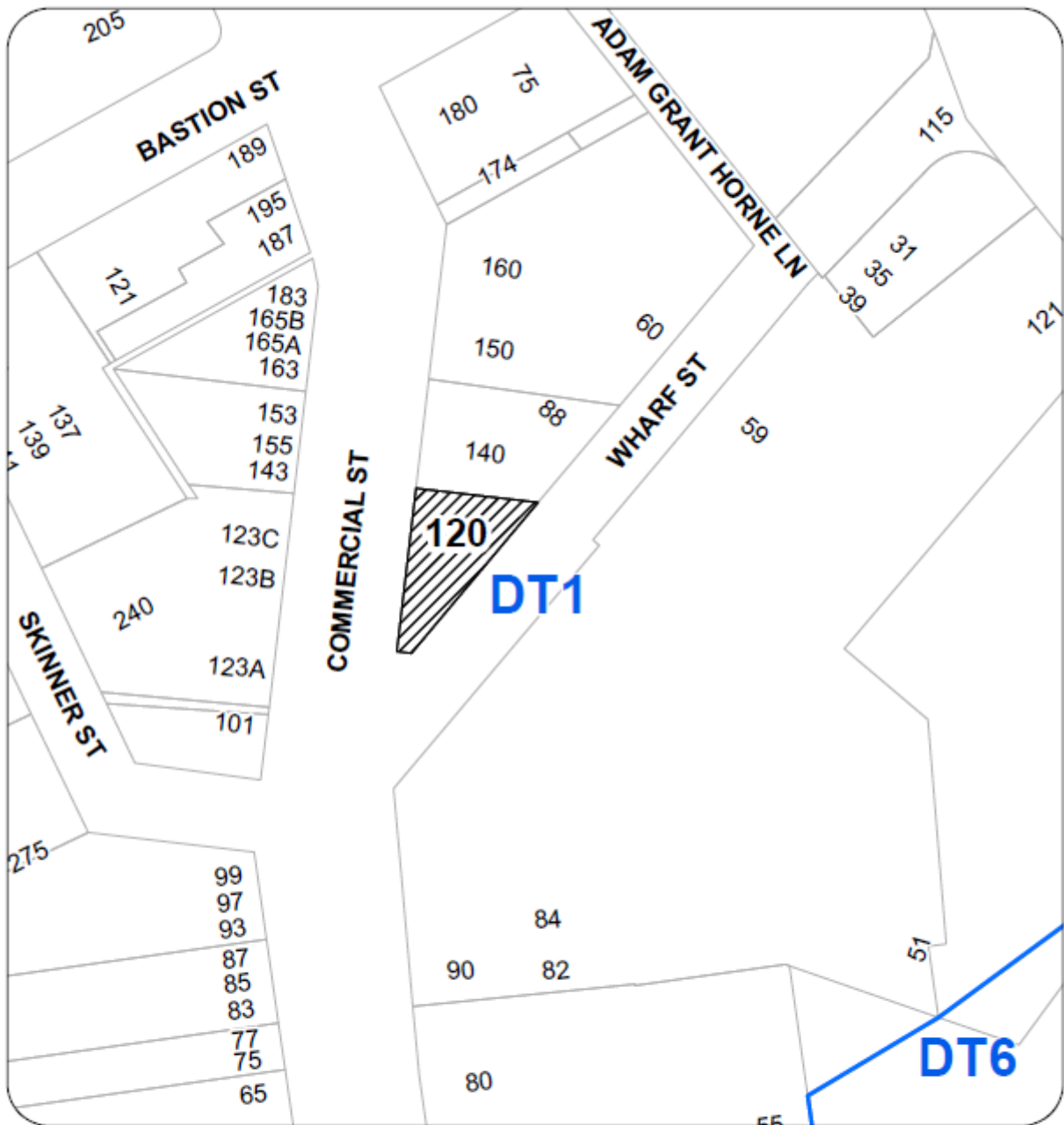
ADOPTED: _____

MAYOR

CORPORATE OFFICER

File: RA000436
Address: 120 Commercial Street

SCHEDULE A



REZONING APPLICATION NO. RA000436



SUBJECT PROPERTY

CIVIC: 120 COMMERCIAL STREET
LEGAL: LOT 5, BLOCK 58, SECTION 1, NANAIMO DISTRICT, PLAN 584
EXCEPT THAT PART THEREOF OUTLINED IN RED ON PLAN 182 BL

Document Path: V:\Source Data\Departmental Data\Eng\Pub\Work\GIS\Projects\TEMPLATES\LOCATION_PLAN\Map\RA000436_LP.mxd

DATE OF MEETING | October 21, 2019

AUTHORED BY | CALEB HORN, PLANNER, CURRENT PLANNING

SUBJECT | **REZONING APPLICATION NO. RA437 – 115 CHAPEL STREET**

OVERVIEW

Purpose of Report

To present Council with an application to amend the existing zoning of the property located at 115 Chapel Street to allow “Cannabis Retail Store” as a site-specific use the Core (DT1) zone.

Recommendation

That:

1. “Zoning Amendment Bylaw 2019 No. 4500.160” (To rezone 115 Chapel Street to allow “Cannabis Retail Store” as a site-specific use in the Core [DT1] zone) pass first reading;
2. “Zoning Amendment Bylaw 2019 No. 4500.160” pass second reading; and
3. Council direct Staff to secure the amenity contribution and BC Liquor and Cannabis Regulation Branch approval prior to adoption of the bylaw, should Council support the bylaw at third reading.

BACKGROUND

A rezoning application, RA437, was received from 1080632 BC Ltd, on behalf of Island Releaf, for 115 Chapel Street. The applicant proposes to amend the existing DT1 zone to allow “Cannabis Retail Store” as a site-specific use for the subject property.

The City of Nanaimo adopted amendments to “City of Nanaimo Zoning Bylaw 2011 No. 4500” (the “Zoning Bylaw”) on 2018-SEP-17 and established a Cannabis Retail Store (CRS) Rezoning Criteria policy to consider future applications for CRS developments in anticipation of changing Federal and Provincial legislation. Following enactment of new legislation to decriminalize cannabis consumption and legalize the retail sale and distribution of Provincially-licensed cannabis product, the City of Nanaimo began receiving CRS rezoning applications on 2018-OCT-22.

To date, six CRS rezoning applications have received Final Adoption, and ten other applications have been reviewed by Council in addition to the subject application:

#	Application No.	Address	Status
1	RA413	3923 Victoria Avenue	Received fourth reading (Final Adoption) on 2019-JUN-17

2	RA407	6683 Mary Ellen Drive	Received fourth reading (Final Adoption) on 2019-AUG-26
3	RA408	3200 Island Highway N.	Received fourth reading (Final Adoption) on 2019-AUG-26
4	RA425	6404 Metral Drive	Received fourth reading (Final Adoption) on 2019-AUG-26
5	RA430	350 Terminal Avenue	Received fourth reading (Final Adoption) on 2019-SEP-09
6	RA418	52 Victoria Crescent	Received fourth reading (Final Adoption) on 2019-SEP-16
7	RA406	111 Nicol Street	Received third reading on 2019-FEB-07
8	RA410	1599 Dufferin Crescent	Received third reading on 2019-APR-04
9	RA415	2220 Bowen Road	Received third reading on 2019-APR-04
10	RA411	25 Front Street	Received third reading on 2019-MAY-02
11	RA416	1483 Bowen Road	Received third reading on 2019-MAY-02
12	RA417	510 Fifth Street	Received third reading on 2019-MAY-02
13	RA420	140 Terminal Avenue	Received third reading on 2019-JUN-13
14	RA422	111 Terminal Avenue	Received third reading on 2019-JUL-04
15	RA427	4061 Norwell Drive	Denied by Council on 2019-JUL-08
16	RA431	50 Tenth Street	Received third reading on 2019-OCT-07
17	RA436	120 Commercial Street	Being considered by Council on 2019-OCT-21

In total, 20 CRS applications have been received to date.

Subject Property and Site Context

<i>Location</i>	The subject property is located on the west side of Chapel Street, immediately north of its intersection with Church Street and Commercial Street.
<i>Total Lot Area</i>	579m ²
<i>Current Zoning</i>	DT1 - Core
<i>Proposed Zoning</i>	DT1 with site-specific "Cannabis Retail Store" use
<i>Official Community Plan (OCP) designation</i>	Urban Node - Downtown
<i>Neighbourhood Plan designation</i>	Nanaimo Downtown Plan - Core
<i>Proximity to nearest school</i>	Approximately 420m (Ecole Pauline Haarer Elementary – 400 Campbell Street)
<i>Proximity to nearest licensed daycare</i>	Approximately 380m (Katie's Korner – 357 Wesley Street)
<i>Proximity to nearest approved CRS</i>	Approximately 190m from an approved CRS at 350 Terminal Avenue (RA430), and approximately 145m from a proposed CRS at 120 Commercial Street (RA436) being considered by Council on 2019-OCT-21

The proposed CRS will be one of two commercial units in an existing one-storey commercial building. Neighbouring land uses are primarily commercial, but there is also a 66-unit mixed-use building (Studio NA) to the north and St. Paul's Anglican Church on the opposite side of Chapel Street.

DISCUSSION

Proposed Development

The applicant is proposing to rezone the subject property to allow “Cannabis Retail Store” use in addition to the existing permitted uses in the DT1 zone. While the DT1 zone allows “retail” as a permitted use, a CRS requires site-specific rezoning.

The proposed business hours are from 9 a.m. to 11 p.m., seven days a week. The proposed retail floor area is approximately 110m² and will be located within an existing commercial building (Unit 102).

Provincial Licensing Requirements

The City was advised on 2019-MAY-24 by the BC Liquor and Cannabis Regulation Branch (LCRB) that an application for a non-medical cannabis retail licence has been made for the subject property.

As part of the LCRB’s review, the branch determines if the applicant is “fit and proper” to receive a licence, in accordance with Section 23(1) of the *Cannabis Act* (Bill 30), based on indicators such as financial integrity and security screening. The LCRB will advise the City of the results of the “fit and proper” assessment.

The LCRB will not proceed with a licensing application unless the local government submits a positive recommendation to the LCRB. Should Council approve “Zoning Amendment Bylaw 2019 No. 4500.160”, the bylaw approval would constitute a positive recommendation in support of the licensing application.

Official Community Plan

The Official Community Plan (OCP) designates the subject property as Urban Node – Downtown Centre. The OCP does not address CRS use specifically, but the land-use designation supports retail uses and encourages a diversity of commercial, professional, and residential uses. The proposed CRS generally complies with the intent of the Urban Node – Downtown Centre land-use designation.

Cannabis Retail Store Rezoning Criteria

The following table summarizes how the proposed rezoning addresses the CRS Rezoning Criteria, adopted by Council on 2018-SEP-17, which is intended to inform Council for consideration of the rezoning application:

Criteria		Response
<i>Location</i>		
1.1	The proposed CRS should be located on, or in close proximity to, a provincial highway, urban arterial or urban major collector road, as defined in the City’s Functional Road Classification Working Plan; or in an Urban Node, Commercial	The subject property is located within the Urban Node land-use designation, and is located in close proximity to Commercial Street, which is considered a major collector road.

	Centre or Corridor as designated in the City's Official Community Plan.	
1.2	The proposed CRS should not be located directly adjacent, or in close proximity to a school or licensed daycare facility. A minimum separation of 200m from these facilities is considered necessary, as measured from the front door of the CRS to the school or daycare property line.	The proposed CRS is located more than 200m from any licensed daycares or schools, with the nearest school approximately 420m away, and the nearest daycare approximately 380m away.
1.3.	The proposed CRS should not be located within 200m of another CRS as measured from the front doors of the CRS. Where the CRS is to be located within a dense urban area (i.e. downtown), consideration shall be given to the overall urban density and context of the area.	<p>The proposed CRS is located approximately 190m away from the nearest approved CRS at 350 Terminal Avenue. The proposed CRS is also located approximately 185m away from a proposed CRS at 140 Terminal Avenue that has received third reading, and approximately 145m away from a proposed CRS at 120 Commercial Street that is being considered by Council on 2019-OCT-21.</p> <p>While the proposed CRS is located approximately within 200m of three other proposed CRSs, the City's CRS Rezoning criteria allows consideration of the overall urban density and context of downtown area. The proposed location is within the core of Nanaimo's Downtown, where retail density is at its greatest.</p>
Building or Site		
2.1.	The size of the proposed CRS should be consistent with the nature of the immediate area and the size of existing retail stores within the area.	The proposed CRS will be located within an existing building. The size of the CRS is consistent with other retail units in the downtown area.
2.2.	The design of the proposed CRS should enhance or improve the aesthetics of the surrounding area, not detract from them.	No major exterior upgrades are proposed at this time.
2.2.1.	The revitalization of heritage buildings is encouraged.	The existing building is a former hotel from the early 20 th century, but is not a registered heritage building in the City of Nanaimo. No concerns from a heritage perspective have been raised.
2.3.	Outside the downtown core, consideration should be given to a requirement for onsite parking and loading for every CRS.	The proposed CRS is located in the downtown core and no onsite parking is required.
Community Impact		
3.1.	The applicant must outline their awareness of potential negative impacts	The applicant provided a Business Plan Overview (Attachment D) that proposes

	of the proposed CRS on the community, and must identify the specific measures that will be taken to minimize or prevent these impacts from occurring.	the following measures to minimize or prevent potentially negative impacts: <ul style="list-style-type: none"> • Implement procedures to prevent service to minors; • keep cannabis products locked in a secure storage area; • prohibit cannabis consumption on the premises; and • maintain adequate lighting and post signage to discourage loitering.
3.1.1.	Possible measures could include efforts to prevent service to minors, minimize smells, prevent smoking or cannabis consumption on or near the premises, property maintenance and beautification programs designed to prevent unsightliness, etc.	
3.1.2	Consideration must be given to the impact a CRS will have when they are located in close proximity to libraries, public recreation centres, public community centres, parks, places of worship and other family-oriented facilities.	<p>The proposed CRS is located within walking distance of a number of small downtown parks and cultural facilities, including:</p> <ul style="list-style-type: none"> • St. Paul's Anglican Church (approximately 30m) • Dallas Square Park (approximately 70m) • Catherine Gisborne Garden (approximately 110m) • Diana Krall Plaza (approximately 140m) • Vancouver Island Regional Library (approximately 180m) <p>Overall, downtown Nanaimo supports family-oriented facilities and public spaces, and a wide range of commercial uses, including liquor primary establishments. Staff consider the proposed CRS to be in keeping with the mix of commercial uses in the downtown area.</p>
3.2.	Projected traffic volumes and on-street parking demands associated with a proposed CRS should not adversely impact nearby residential and commercial areas.	The proposed CRS is located within the Downtown-Specified area and will not require site parking for the proposed commercial use. The proposed CRS is not expected to negatively impact traffic volumes.
3.3.	The support of the local community, neighbouring property owners and the local neighborhood association for the proposed CRS is important to Council's decision.	There is no Neighbourhood Association and the Downtown Nanaimo Business Improvement Association has ceased operations.
3.3.1.	The applicant is required to notify all neighbouring property owners within 200m of the subject property of the rezoning application prior to the application proceeding to Council.	The applicant completed notification to the neighbouring properties as outlined in the policy. A rezoning notice has been placed on the property, and if Council gives first and second reading to "Zoning

	Amendment Bylaw 2019 No. 4500.160", the application will proceed to public hearing.
3.4. All CRS rezoning applications must be reviewed by the Community Vitality Committee and the RCMP, in addition to being reviewed by the City's Community Planning and Development Committee.	<p>The RCMP reviewed the proposal and indicated they have no comments.</p> <p>Council has not established a Community Planning and Development Committee; therefore, committee review has not taken place.</p>

While the proposed CRS is within 200 metres of CRS locations that have previously been approved or are under consideration by Council, the CRS Rezoning Criteria note consideration should be given to overall urban density and context for proposed CRS locations in dense urban areas, such as the downtown. Pending LCRB approval, based on the number of CRS proposals in the downtown area, the area should be well served by CRS locations.

Staff support the proposed rezoning from a land-use perspective and consider the application to be substantially in compliance with City's CRS Rezoning Criteria policy.

Community Contribution

The applicant proposes a monetary contribution of \$10,000 be directed towards parks and open space improvements in the downtown area.

Staff support the proposed community amenity contribution.

Conditions of Rezoning

Should Council support this application and pass third reading of "Zoning Amendment Bylaw 2019 No. 4500.160", Staff recommend the following items be secured prior to final adoption of the bylaw.

1. *Community Contribution* – A monetary contribution of \$10,000 to be directed towards parks and open space improvements in the downtown area.
2. *LCRB Approval* – Confirmation from the LCRB that it has approved the applicant's suitability for a cannabis retail license.

SUMMARY POINTS

- A rezoning application has been received to allow Cannabis Retail Store use within an existing commercial building in the DT1 - Core zone for the subject property located at 115 Chapel Street as site-specific use.
- The Provincial Liquor and Cannabis Regulation Branch is reviewing the licensing application for this proposal.
- Staff support this application, which substantially complies with the Cannabis Retail Store Rezoning Criteria policy.

ATTACHMENTS

ATTACHMENT A: Location Plan
ATTACHMENT B: School and Licensed Daycare Buffer Map
ATTACHMENT C: Proposed Site Plan and Floor Plan
ATTACHMENT D: Business Plan Overview
ATTACHMENT E: CRS Rezoning Applications - Downtown Core Map
ATTACHMENT F: Aerial Photo
"Zoning Amendment Bylaw 2019 No. 4500.160" |

Submitted by:

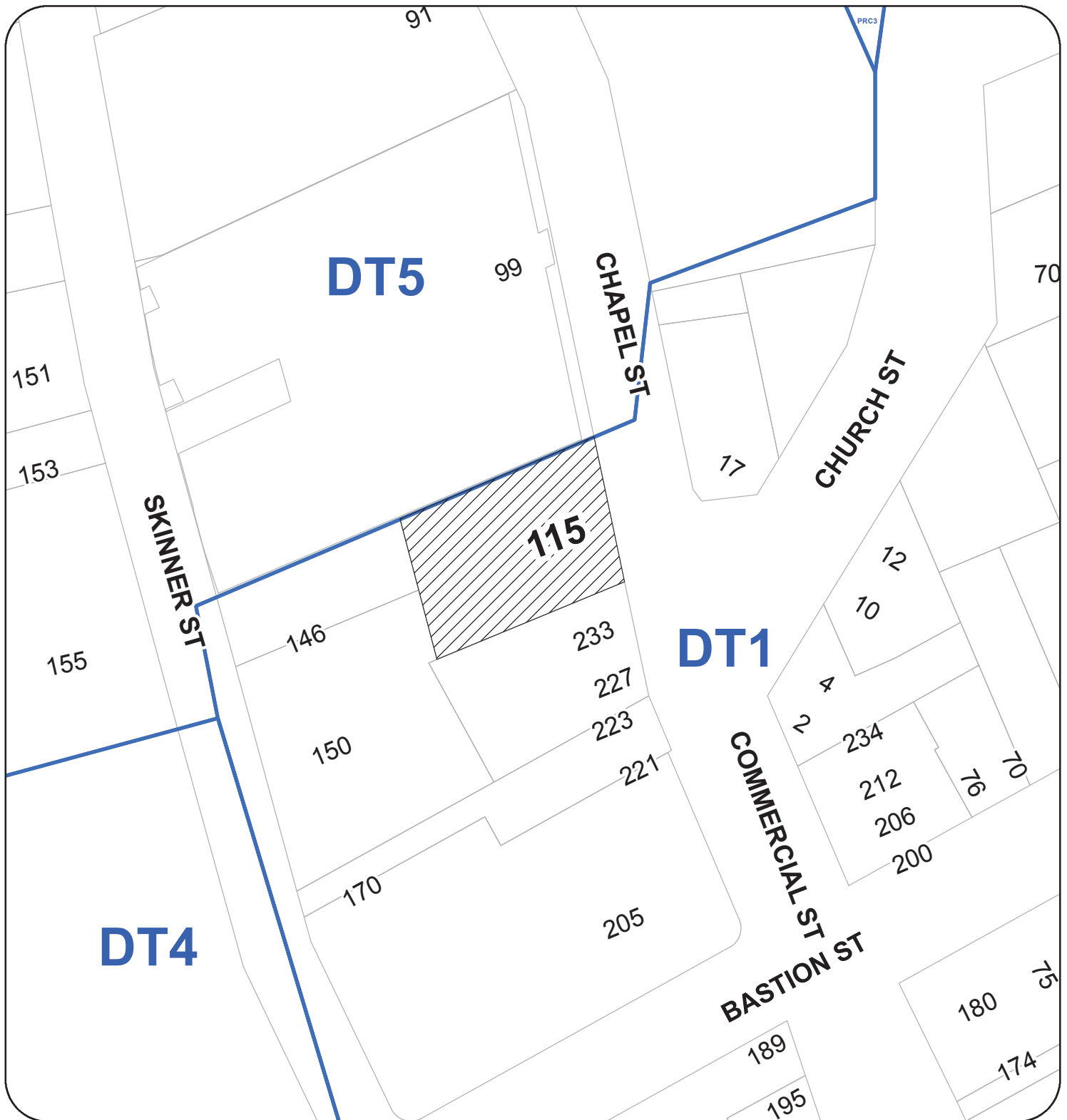
Lainya Rowett
Manager, Current Planning

Concurrence by:

Jeremy Holm
Director, Development Approvals

Dale Lindsay
General Manager, Development Services

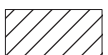
ATTACHMENT A LOCATION PLAN



REZONING APPLICATION NO. RA000437

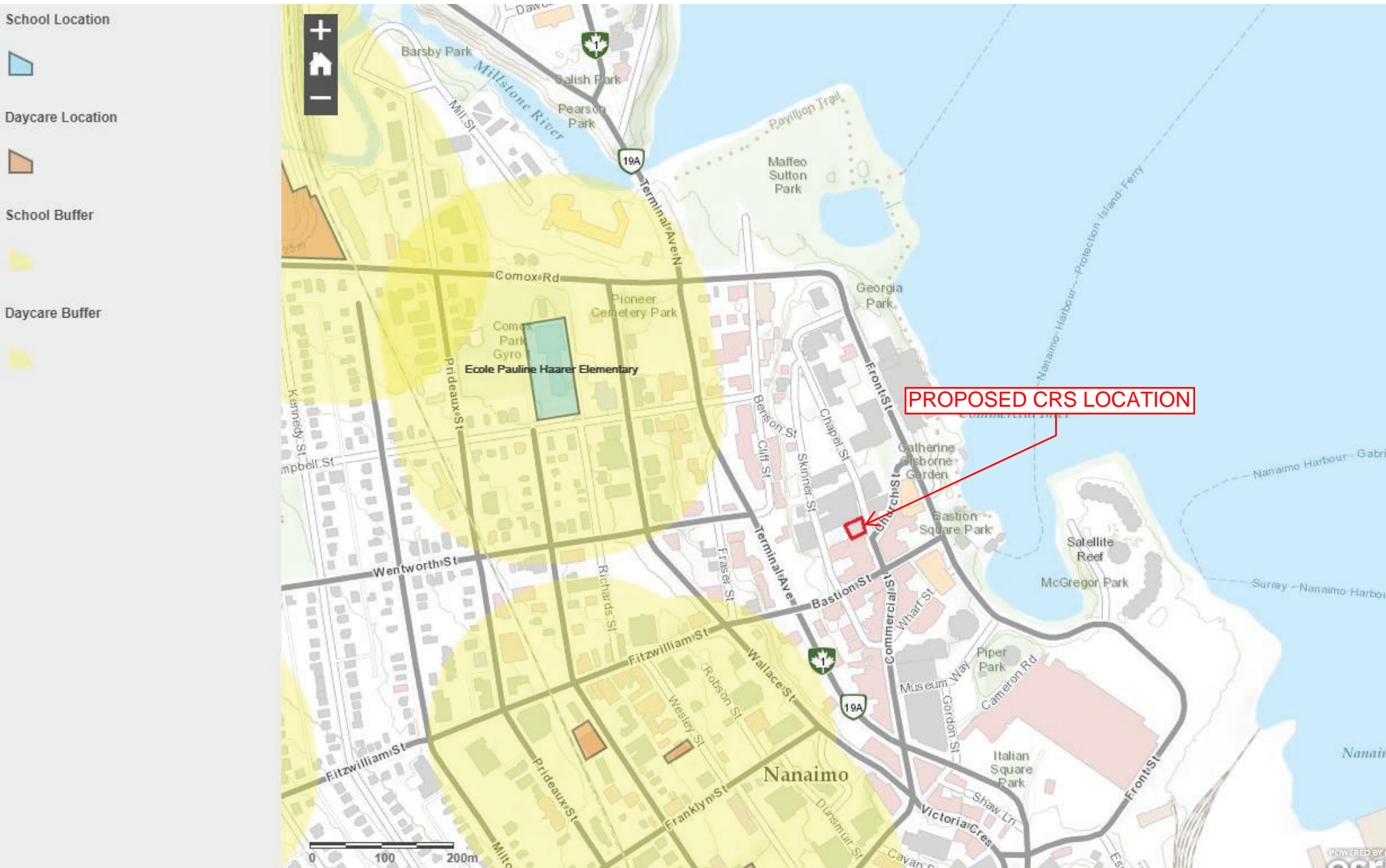
LOCATION PLAN

CIVIC: 115 CHAPEL STREET
LEGAL: LOT 13, BLOCK 54, SECTION 1
NANAIMO DISTRICT, PLAN 584

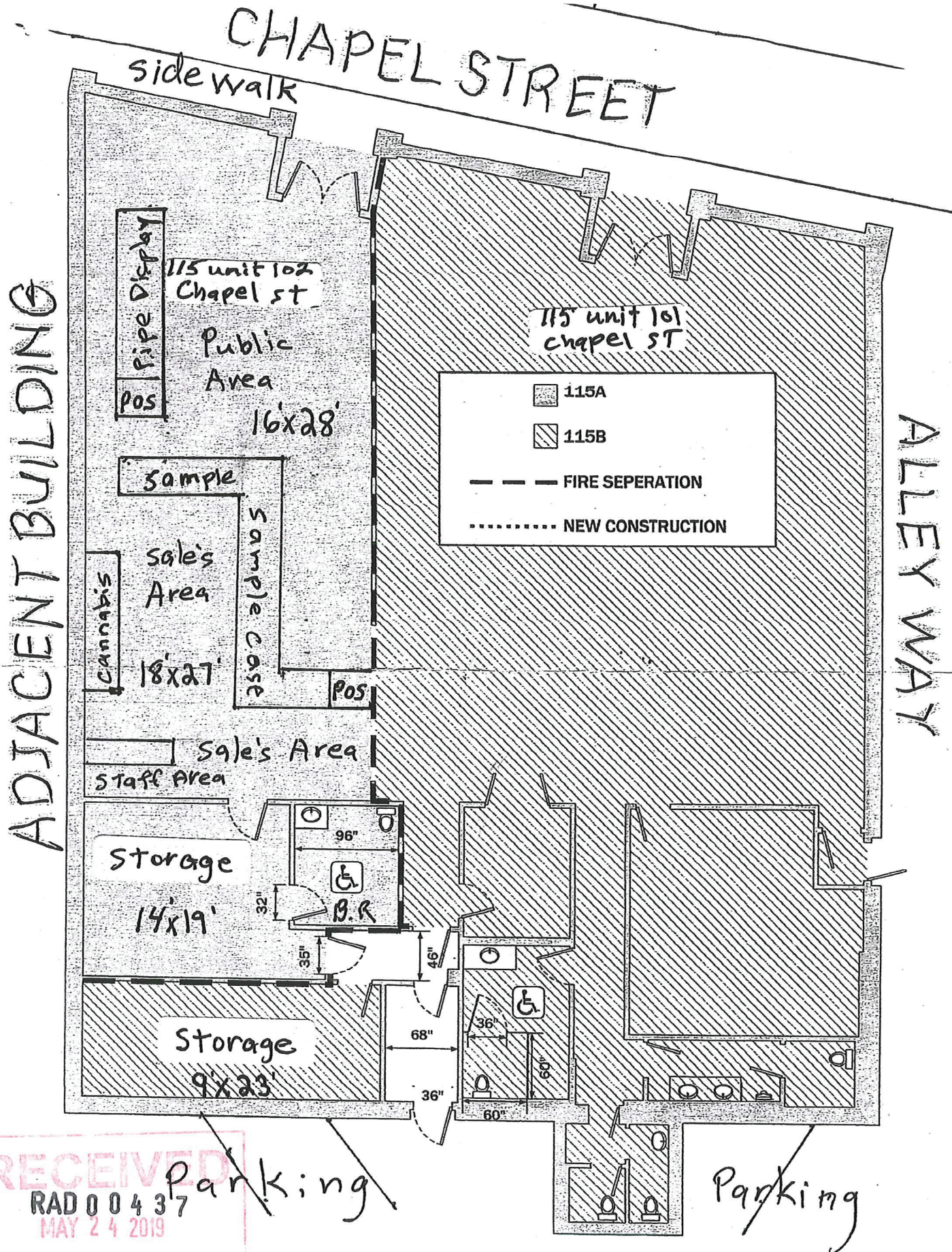


SUBJECT PROPERTY

ATTACHMENT B SCHOOL AND LICENSED DAYCARE BUFFER MAP



ATTACHMENT C PROPOSED SITE PLAN AND FLOOR PLAN



RECEIVED

RAD 00437

MAY 24 2019

CITY OF NANAIMO
COMMUNITY DEVELOPMENT

ATTACHMENT D

BUSINESS PLAN OVERVIEW

1 of 3

Executive Summary

Summary

The purpose of this Business Plan Overview, is to establish systems and procedures to ensure public safety with the highest standard of compliance of all regulations. The business plans to operate in full compliance of all local, provincial and federal; regulations, laws and policies.

Description of Business

Company Ownership/Legal Entity

1080632BC Ltd. DBA; Island Releaf Medical Cannabis Owned by; Sheina Criss

Location

The current location is located at Unit 102-115 Chapel Street Nanaimo, BC V9R 5H3. There is a minimum separation of 200M from any school or licensed daycare.

Building Site

The applicant owns the building and this location is consistent with a commercial retail area. The building has had significant interior aesthetic renovations and the exterior has just recently been painted to enhance the surrounding area.

Hours of Operation

The applicant is proposing hours of operation from 9AM-11PM Monday through Sunday. These hours have been regulated by the Province of BC and are consistent with the current BC liquor store hours of operation.

Management/Employees

The applicant intends to have approximately 4-6 employees. To mitigate any possible risk or to defend against theft, our employees will be screened and set to the highest standard to follow all local, provincial and federal; regulations, laws and policies. Our goal is to hire employees who are passionate about the industry. It will be critical to ensure consumers are aware of safe use and product information. Staff will be trained to engage with every customer and assist the customer to further educate and provide the best possible experience.

Minors

At no time will any minors under the age of 19, will be permitted to enter the premises. Policies and procedures will be in place to give staff the tools to detect underage people and ensure no cannabis is sold to any minor.

Daily Operating Procedures

Store hours are to be 9AM-11PM Monday through Sunday, based on the LCRB maximum hour provision.

All employees of the cannabis store will hold the mandatory provincial accreditations both in security and social responsibility prior to commencing work within the business. The Province of BC mandates its security verification

program via the LCRB term and conditions handbook. Each day an authorized employee will prepare the retail store in accordance with the cannabis store opening procedure guidelines.

At 9AM the doors will be unlocked and the store will open to the general public for business.

Customers will enter the main front doors into the retail shop. All cannabis will remain under locked display cases and at no time will any customer have direct access to any amount of cannabis before finalizing the purchase.

The store will be closed at 11PM and no more sales will be accepted after this time.

Inventory

All inventory will be ordered from the government of BC run cannabis distribution branch, directly through the LDB. Limiting the amount of cannabis on hand to maintain security at all times. All deliveries will arrive through the front entrance and will be deposited immediately into the locked secure cannabis storage room. All items are to be kept in their original packaging provided by the Liquor Cannabis Distribution Branch.

Disposal of Product

For any returned product or any product on display that needs to be disposed of; first this product will be handled such that it will be placed into locked storage before proper disposal and composting will be implemented. All disposed of inventory will be tracked and recorded.

Cannabis Accessories

The store will also carry a mixture of cannabis related accessories as outlined within the LCRB Terms and Conditions Manual.

Point of Sale

We expect a mixture of Debit, Credit and cash for use of purchase of cannabis products and accessories. To accommodate this a Point of Sale system will be on site to track and record all transitions.

Signage

Exterior signage with the company branding/logo will be installed on the front and back of the building. This signage will be professionally installed and will comply with all municipal sign laws. On the front door further signage will be installed to notify the public of the following; "No Minors Permitted at any time" "Location Under Video Surveillance" "No Loitering/No Consumption on Premises"

Positive Community Impact

The applicant currently owns the premises at 115 Chapel Street and is focused on the community and interacting with the surrounding businesses to keep all business relationships in good standing. Hiring local passionate employees who wish to maintain strong relationships with our customers, to educate and focus on public safety.

Nuisance Behaviors

Consumers tend to be on foot or travel by vehicle will be encouraged to leave the premises after purchase so not to loiter around the area. Noise caused by the retail location is not to be expected to impact the surrounding area.

The Cannabis Store will maintain lighting, signage and the exterior areas to keep it warm and inviting to all passersby and consumers alike.

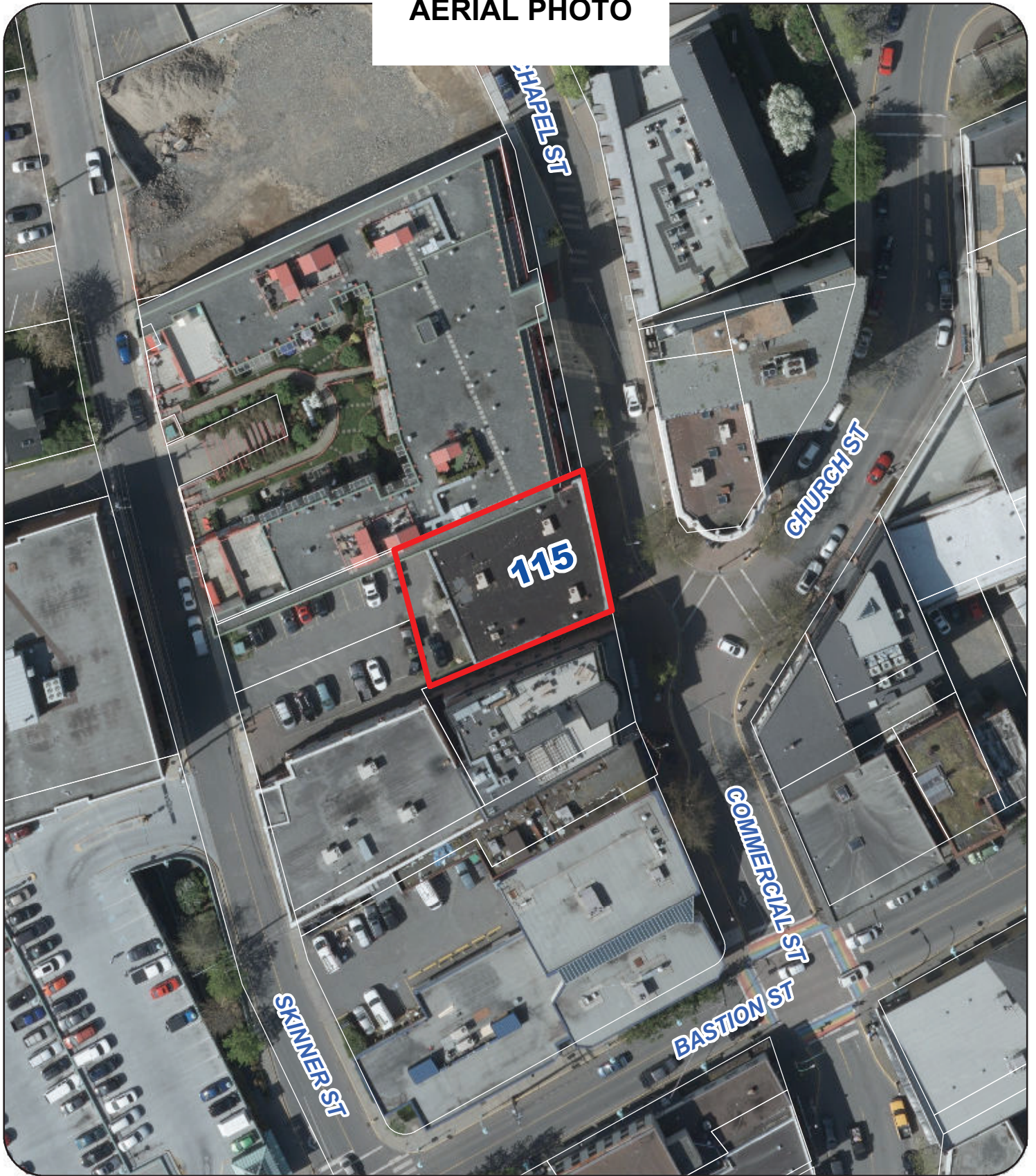
No consumption or usage of any kind will be tolerated on the premises. No odor with in the retail location, due to all inventory to be locked up and in original packing provided by the LCDB. All city of Nanaimo bylaws will be strictly adhered to at all times.

ATTACHMENT E

CRS REZONING APPLICATIONS - DOWNTOWN CORE MAP



**ATTACHMENT F
AERIAL PHOTO**



REZONING APPLICATION NO. RA000437

 **SUBJECT PROPERTY**

CITY OF NANAIMO

BYLAW NO. 4500.160

A BYLAW TO AMEND THE "CITY OF NANAIMO ZONING BYLAW 2011 NO. 4500"

WHEREAS the Council may zone land, by bylaw, pursuant to Sections 464, 465, 469, 477, 479, 480, 481, 482, and 548 of the *Local Government Act*;

THEREFORE BE IT RESOLVED the Municipal Council of the City of Nanaimo, in open meeting assembled, ENACTS AS FOLLOWS:

1. This Bylaw may be cited as the "Zoning Amendment Bylaw 2019 No. 4500.160".
2. The "City of Nanaimo Zoning Bylaw 2011 No. 4500" is hereby amended as follows:

By rezoning the lands legally described as LOT 13, BLOCK 54, SECTION 1, NANAIMO DISTRICT, PLAN 584 (115 Chapel Street) to allow Cannabis Retail Store as a site-specific use within the Core (DT1) Zone, as shown on Schedule A.

PASSED FIRST READING: _____

PASSED SECOND READING: _____

PUBLIC HEARING HELD: _____

PASSED THIRD READING: _____

MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE: _____

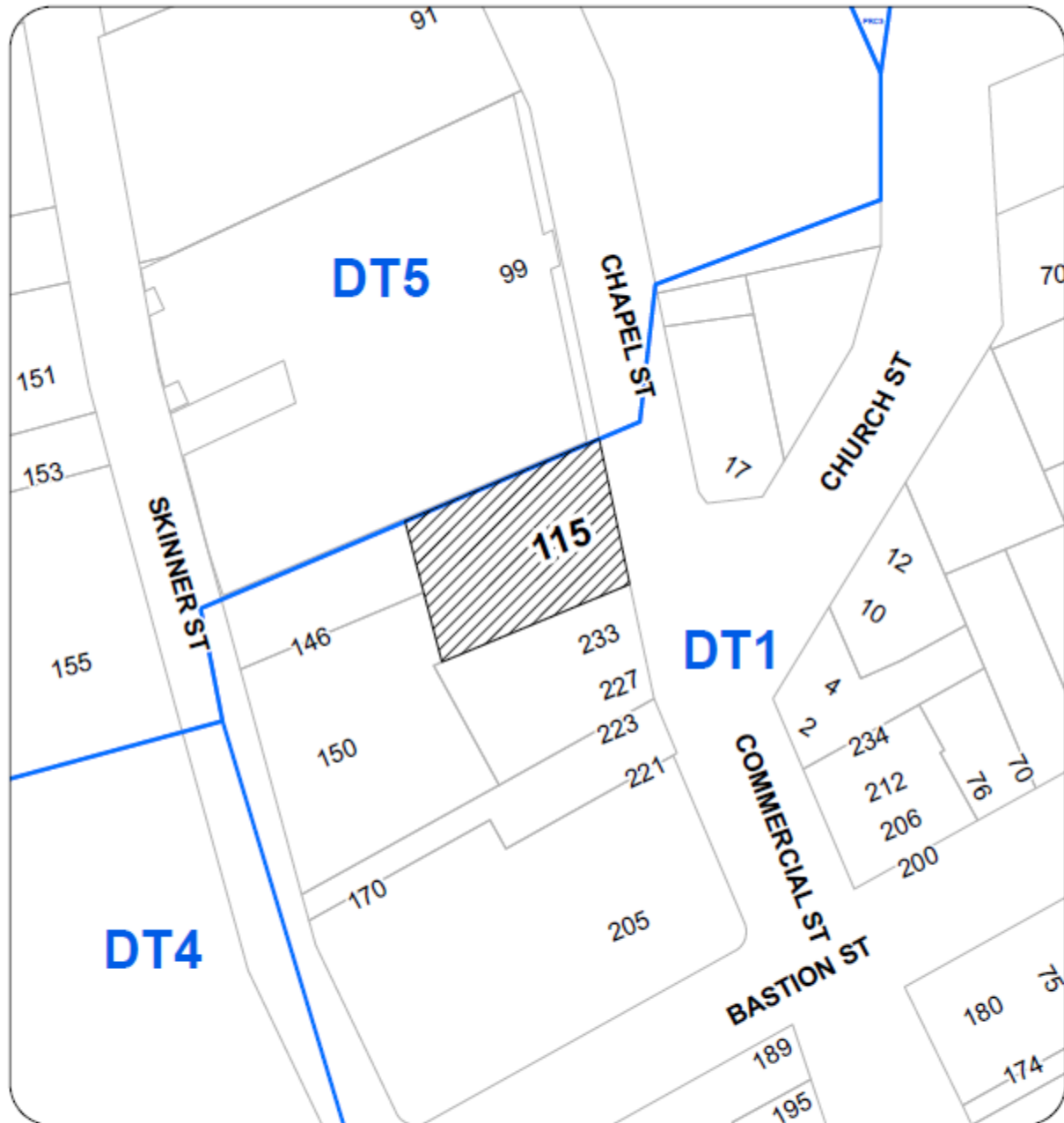
ADOPTED: _____

MAYOR

CORPORATE OFFICER

File: RA000437
Address: 115 Chapel Street

SCHEDULE A



REZONING APPLICATION NO. RA000437



SUBJECT PROPERTY

CIVIC: 115 CHAPEL STREET
LEGAL: LOT 13, BLOCK 54, SECTION 1
NANAIMO DISTRICT, PLAN 584

Document Path: V:\Source Data\Departmental Data\Eng\Pub\Map\GIS\Projects\TEMPLATES\LOCATION_PLAN\Map\RA000437_LP.mxd

DATE OF MEETING | October 7, 2019 |

AUTHORED BY | CALEB HORN, PLANNER, CURRENT PLANNING SECTION |

SUBJECT GENERAL AMENDMENTS TO THE ZONING BYLAW

OVERVIEW

Purpose of Report

To amend “City of Nanaimo Zoning Bylaw 2011 No. 4500” with general text and mapping amendments.

Recommendation

That:

1. “Zoning Amendment Bylaw 2019 No. 4500.158” (To make general text and mapping amendments to “City of Nanaimo Zoning Bylaw 2011 No. 4500”) pass first reading; and
2. “Zoning Amendment Bylaw 2019 No. 4500.158” pass second reading.

BACKGROUND

The “City of Nanaimo Zoning Bylaw 2011 No. 4500” (the “Zoning Bylaw”) was adopted by Council on 2011-AUG-08 and is amended from time to time with general changes. The last round of general amendments was adopted by Council on 2016-FEB-01. Council has previously recognized that the Zoning Bylaw is subject to revisions brought about by changing circumstances and the need for improved clarity. Periodic amendments are necessary to maintain the effectiveness and relevancy of zoning regulations. As the Zoning Bylaw is applied in practice, Staff are able to evaluate the effectiveness and clarity of existing regulations and identify areas for improvement. Mapping changes are also periodically required to recognize acquired park properties and the appropriate use of land.

This is the eighth set of general amendments to the Zoning Bylaw. Previous general amendments were adopted by Council on 2011-OCT-03, 2012-APR-16, 2012-DEC-03, 2013-APR-22, 2013-DEC-16, 2015-MAR-16, and 2016-FEB-01.

DISCUSSION

The proposed “Zoning Amendment Bylaw 2019 No. 4500.158” (the “Amendment Bylaw”), if adopted, will result in 74 text amendments and 33 mapping amendments to the Zoning Bylaw. The proposed text amendments include changes to provide consistency, correct errors, or better reflect best practices. For example, proposed amendment No. 30 is to allow for heat pumps on the sides of single residential dwellings, with certain conditions, as a response to the number of heat pump variances approved by Council and Board of Variance in the last several years. The proposed amendments are intended to update the Zoning Bylaw for ease of practice and provide further clarity.

The proposed mapping amendments to Schedule A of the Zoning Bylaw will rezone parkland acquired through subdivision and other means, and will formalize existing land uses.

A summary of the proposed amendments is attached (Attachment A).

SUMMARY POINTS

- If adopted, the Amendment Bylaw will result in 74 text amendments and 33 mapping amendments to the Zoning Bylaw.
- The proposed text amendments include changes to provide consistency, correct errors, or better reflect best practices.
- The proposed mapping amendments will rezone parkland acquired through subdivision and other means and will formalize existing land uses.

ATTACHMENTS

ATTACHMENT A: Table of Proposed Amendments
"Zoning Amendment Bylaw 2019 No. 4500.158"

Submitted by:

Lainya Rowett
Manager, Current Planning

Concurrence by:

Jeremy Holm
Director, Development Approvals

Dale Lindsay
General Manager, Development Services

ATTACHMENT A

Table of Proposed Amendments

#	Section of Bylaw	Proposed Amendment	Rationale
1	City of Nanaimo Bylaw No. 4500 (preamble)	Change references to the <i>Local Government Act</i> from "Sections 890, 891, 903 and 904" to "Sections 464, 469, 479, and 482".	This reflects changes to the ordering of the <i>Local Government Act</i> .
2	2.5	Change the name of the referenced bylaw to: City of Nanaimo "Development Approval Procedures and Notification Bylaw 1991 No. 3892".	This change reflects the correct title of the referenced bylaw.
3	3.1	Change the abbreviation of the Single Dwelling Residential zone from "R1 / R1a" to "R1 / R1a / R1b".	The R1b zone is a type of Single Dwelling Residential zone, as per Part 7 of the Bylaw.
4	3.1 7.1	Change the name of the R6 zone from "Townhouse Residential" to "Low Density Residential".	The R6 zone does not dictate building form and a new name will better reflect the zone's associated regulations.
5	3.1	Change the name of the CC4 zone from "North Nanaimo Urban Centre" to "Woodgrove Urban Centre".	The name of the zone elsewhere in the bylaw is "Woodgrove Urban Centre".
6	4 - Use Index	Delete	The use index provides a summary of permitted uses but has caused confusion because it does not determine permitted use and is only meant as a guide. The chart will serve its purpose better as a companion document to the Zoning Bylaw to be distributed publicly, rather than a component of the Zoning Bylaw itself.
7	5 - Definitions	Add the following definition for 'AUTOMOBILE SALES AND RENTAL': "means the use of land, buildings, or structures for the sale or rental of motor vehicles. An automotive repair shop may be included as an accessory use."	Automobile Sales and Rental is currently listed as a permitted use in a number of zones but no definition is included.
8	5 - Definitions	Amend the definition of 'BUILDING BYLAW' to refer to the "City of Nanaimo Building Bylaw 2016 No. 7224".	The Zoning Bylaw currently refers to the former 2003 Building Bylaw which was replaced in 2016.
9	5 - Definitions	Add the following definition for 'FLANKING SIDE YARD': "means a side yard that is parallel to a flanking side lot line".	This definition will provide clarity on where to apply flanking side yard setback requirements.

10	5 - Definitions	Amend the definition of 'FOOD AND BEVERAGE PROCESSING' to specifically include Micro-Brewery.	Micro-breweries were previously considered a form of "food and beverage processing" before micro-brewery was added as a defined use. This amendment will clarify that micro-breweries are permitted wherever food and beverage processing is permitted, including industrial zones.
11	5 - Definitions	Amend the definitions of 'GROSS FLOOR AREA, SINGLE RESIDENTIAL DWELLING OR DUPLEX' and 'GROSS FLOOR AREA, ALL OTHER USES' by changing exterior wall width from 165cm to 165mm.	The current definitions erroneously refer to the minimum width of exterior walls as 165cm instead of 165mm.
12	5 - Definitions	Amend the definition of 'GROSS FLOOR AREA, ACCESSORY BUILDING' to exclude open decks in the calculation of gross floor area.	Open decks are already excluded from the calculation of gross floor area for single residential dwellings, duplexes, and all other uses.
13	5 - Definitions	Amend the definition of 'GROSS FLOOR AREA, ALL OTHER USES' to exclude service rooms up to a maximum of 9.29m ² .	Service rooms, such as waste disposal and utility rooms, are currently included in the calculation of gross floor area in multi-family and commercial buildings. This amendment will allow non-usable spaces to be exempt from gross floor area calculations.
14	5 - Definitions	Amend the definition of 'LOT DEPTH' to refer to the distance from centre of front lot line to centre of rear lot lines, and to clarify lot depth for irregular lots.	An amended definition will provide consistency throughout the Zoning Bylaw.
15	5 - Definitions	Amend the definition of 'LOT LINE, REAR' to clarify that the rear lot line should be roughly parallel to the front lot line unless the rear of the lot is bounded by intersecting lot lines.	An amended definition will provide clarity in determining rear lot lines and calculating lot depth.
16	5 - Definitions	Remove all references to modular homes in the definition of 'MOBILE HOME'.	A new definition for modular homes will be created.
17	5 - Definitions	Amend definition of 'MOBILE HOME PARK' to allow for modular homes.	This will continue to allow for modular homes in mobile home parks, which are currently permitted as a type of mobile home.

18	5 - Definitions	Add the following definition for 'MODULAR HOME': "means a structure containing a dwelling unit or a secondary suite built in an enclosed factory environment in one or more sections, intended to be occupied in a place other than of its manufacture and includes modular homes which are either completed self-contained or are incomplete, and fastened together and completed on site. All modular homes must be constructed to the current CAN/CSA A277 standards."	Modular homes are currently considered mobile homes. By creating a separate definition for modular homes, this will allow for secondary suites in modular homes which are currently not permitted in mobile homes.
19 & 20	5 - Definitions	Re-order the definitions of 'PRINCIPAL BUILDING' and 'PRINTING AND PUBLISHING FACILITY' so that they appear before 'PRINCIPAL USE' and 'PRODUCTION BAKERY', respectively.	Re-ordering will reflect alphabetical order.
21	5 - Definitions	Add the following definition for 'ROOF SURFACE': "means the total area of all roof surfaces visible in plan view, including eaves".	Roof Surface is used throughout the Bylaw in the calculation of roof pitch. Defining Roof Surface will provide clarity for Bylaw users.
22	5 - Definitions	Add the following definition for 'SERVICE ROOM': "means the portion of a building dedicated to equipment associated with building services including boiler rooms, furnace rooms, incinerator rooms, waste disposal rooms, and rooms to accommodate air conditioning or heating appliances, pumps, compressors, and electrical equipment". This definition does not include elevator machine rooms or common laundry facilities.	This definition will provide clarity where service rooms are exempted from gross floor area. The definition aligns with the definition in the BC Building Code.
23	5 - Definitions	Amend the definition of 'SINGLE RESIDENTIAL DWELLING' to include modular homes, provided they meet the same requirements as mobile homes.	This amendment will continue to allow for modular homes as dwelling units, so long as they meet the existing requirements to: 1) exceed a gross floor area of 87m ² , 2) equal or exceed a width of 7.3m, 3) be assembled on site upon a concrete perimeter foundation system, and 4) have a sloping roof.

24 & 25	6.1.1 6.2.1.7	Remove the dash from zone name abbreviations.	This amendment will provided consistency when referencing zones.
26	6.2.1.8	Change the name of the referenced use to "Tools / Equipment Rentals and Sales" and change the second referenced zone from I2 to I3.	This amendment will clarify the correct name of the use where shipping containers are permitted and the correct zones where this use is permitted.
27	6.5.1	Rename the last column of the table from "Conditions of Use" to "Conditions".	This table outlines features and does not contain uses.
28	6.5.1	Add a condition for "Steps and Landings" that such features under 0.6m above grade have no required setback.	Steps and landings below 0.6m above grade do not require a Building Permit and this amendment will better align the Zoning Bylaw with practice.
29	6.5.1	Allow for a 2m front porch projection within flanking side yard setbacks and amend the condition of use to read: "Such features shall only be allowed to project on a single residential dwelling, a duplex, or an accessory building containing a secondary suite. Only one front porch per dwelling unit or secondary suite may project into a setback".	On certain corner lots, the Zoning Bylaw currently allows up to one duplex or two single residential dwellings, but front porches are only permitted to project into front yard setbacks. This amendment will allow for a more functional siting of buildings on constrained corner lots and one lots containing carriage houses.
30	6.5.2	Amend this subsection to read: "Where the principal use of the property is a single residential dwelling or duplex, heat pumps and central air conditioning units must not be located between the front face of a principal building and the nearest front lot line, and shall not be closer than 4.5m to side lot lines or closer than 3m to rear lot lines. Heat pumps and central air conditioning units shall be screened from view from streets".	The Zoning Bylaw currently requires heat pumps and central air conditioning units to be located to the rear of a principal building, and does not allow these features to be closer than 4.5m to side lot lines or closer than 3m to rear lot lines. This amendment will allow such features to be located on the sides of houses and duplexes, and will maintain the existing setback requirements. As technologies improve, heat pumps and central air conditioning units have become quieter and more buildings are being designed with these features on the sides of homes in order to maximize efficiency and open up rear yard spaces. Staff recognize these

			improvements but recommend not allowing these features in the front of buildings due to aesthetic concerns, and maintaining the 4.5m side yard setback to mitigate impacts on adjacent properties.
31	6.6.3.1	Re-word this subsection to read: "Notwithstanding Subsection 6.6.3, the minimum rear yard setback for an accessory building shall be 1.5m regardless of zoning, provided that: a) the accessory building has a Gross Floor Area of less than 10m ² ; b) the accessory building is placed directly on, but not affixed to, the ground or on blocks which are affixed to the ground; and c) the height of an accessory building does not exceed 3m."	This amendment will clarify the rear yard setback for accessory buildings in most zones and will correct grammatical errors.
32	6.7.3 6.11.2	Change references to the Building Bylaw to read "Building Bylaw".	The full title of the Building Bylaw is provided under Definitions and is not necessary elsewhere.
33	6.7.3	Remove the line break between items c) and d).	Fixing a formatting error.
34	6.8	Change the section number from "6.6" to "6.8".	This section is incorrectly numbered 6.6, although the subsections are correctly labelled.
35	6.9.1 6.10	Move two images from section 6.10 to below subsection 6.9.1.	The images illustrate examples of visibility at intersections and are currently in the incorrect section.
36	6.10.2	Include the CD9 zone in the first row for fence heights.	The Zoning Bylaw is currently silent on fence heights in the CD9 zone and the most appropriate heights are the same as in other residential zones.
37	6.15.1.1	Add a new subsection below 6.15.1: "Notwithstanding Subsection 6.15.1, secondary suites are permitted on lots where there are two principal dwellings, provided that the lot is greater than 0.4 hectares".	This new subsection, together with existing subsection 6.15.2.1, will clarify that up to two secondary suites are permitted on larger lots where two single residential dwellings are allowed.
38	6.15.3.4	Amend this subsection to include “; and” at the end of the sentence.	As of Bylaw Amendment 4500.073, this is no longer the last item in a list.

39	6.16.2	In the chart for Bed and Breakfasts, add CC1, CC2, CC4, and CC5 in the second row and add AR2 in the first row. Also replace terms "Corridor One" with COR1, "Rural Resource" with AR1, and "Corridor" with COR2 and COR3.	Bed and Breakfast is a permitted use in the CC and AR2 zones but are not currently listed within the existing chart. For the CC zones, allowing 4 guest rooms and 9 guests is consistent with the other commercial designations. For AR2, allowing 2 guest rooms and 4 guests is consistent with the other residential designations. The wording of zones is to ensure consistency.
40	6.17.1.3 6.21.1 6.22.3 6.22.7	Change references to the <i>Local Government Act</i> : - from "Section 905" to "Section 483" - from "Section 944" to "Section 512" - from "Section 946" to Section 514"	This reflects changes to the ordering of the <i>Local Government Act</i> .
41	6.22.2 6.23	Move subsection 6.22.2 to under 6.23, rename section 6.23 to 'NANAIMO PARKWAY', and align the wording of all subsections to 6.23.	This amendment will better organize related regulations.
42	7.2.1	Include a reference to "See Subsection 7.2.2" as a Condition of Use for Single Residential Dwelling.	This amendment will help clarify regulations for two single residential dwellings on corner lots.
43 & 44	7.2.2 7.3.1	Re-word these sections to read "[...]" where a corner lot has a lot area greater than 700m ² but does not meet "[...]" and include a reference to front doors facing two streets for either a duplex or two single residential dwellings.	This amendment removes redundant wording discussing "lot area" and inconsistencies surrounding "duplex" versus "two single residential dwellings". Currently, the Zoning Bylaw requires front doors to face opposite streets only where there is a duplex on a corner lot and not where there is two single residential dwellings on a corner lot.
45	7.3.2	Indent the second line of this subsection.	This amendment will correct a formatting error.
46	7.4.1	Under minimum lot depth for the R3 zone, change "30" to "30m".	This amendment will correct a typo.
47	7.4.2	Add phrase "For the purposes of subdivision" to the start of the subsection.	To clarify that geotechnical setback and watercourse leavestrip areas are excluded from lot area calculations for the purpose of subdivision but are included for the purpose of calculating floor area ratio and determining additional

			permitted dwelling units or detached secondary suites.
48	7.5.1 7.6.1 8.5.1 9.5.1 10.5.1 11.4.2 11.5.1 12.3.1	Change the words “identifies” to “identifies” and “identified” to “identified”.	This amendment will correct a common typo in the Zoning Bylaw.
49 & 51	7.5.7 7.6.4	Re-word these subsections to remove the word “existing” and instead refer to “principal use” for a single residential dwelling in the R8 zone.	For single residential dwellings in the R8 zone, the R1 zoning regulations apply. The amendment clarifies that the R1 regulations apply where the intended use is a single residential dwelling even if there is no existing structure.
50	7.6.1	Amend the footnote for perimeter wall height to clarify that dormers cannot exceed 25% of the wall length and to add: "Covered decks or additional height above the maximum perimeter wall height must be set back a minimum of 2.44m from the perimeter wall".	Restricting dormers to no more than 25% of the wall length aligns with the definition of ‘Perimeter Wall Height’. The provision to set back additional height a minimum of 2.44m existed in the former City of Nanaimo Zoning Bylaw 1993 No. 4000 but is not included in the current Zoning Bylaw. The amendment will allow for more horizontal articulation of single residential dwelling building faces on sloped lots without requiring a variance.
52	7.7.1	Change the maximum size of an accessory building in a Recreational Vehicle Park from 4.5m ² to 10m ² .	This amendment reflects a more appropriate size for accessory buildings in the City and is consistent with the maximum size of accessory buildings that can be built without a Building Permit.
53	9.2.1 9.2.3	Change "Automobile Sales, Service and Rental" to "Automobile Sales and Rental".	This is consistent with the use defined as 'Automobile Sales and Rental' which includes an automotive repair shop as an accessory use.
54	9.2.1 10.2.1	Change “Seniors Housing” to “Seniors Congregate Housing”.	This amendment will clarify the correct name of this use.
55	9.2.1	Remove "Wholesale" from the list of Permitted Uses.	There are no site-specific permitted wholesale uses in Corridor zones.

56	9.3.3	Amend the table to include borders around all rows.	This amendment will correct a formatting error.
57, 61, & 67	9.2.3 10.2.3 11.3.2 11.7.2	Update legal descriptions and remove consolidated lots.	General clean-up for properties with site-specific uses, site-specific conditions of uses, site-specific density, or site-specific height.
58	9.2.3.1	Delete Subsection 9.2.3.1.	This subsection will become redundant with the definition for 'Automobile Sales and Rental'.
59, 63, & 68	9.5.4 10.5.4 11.5.2	Delete the image used to describe the parameters for maximum building setback in these subsections.	The image used in these subsections is not necessary in providing information about the bylaw regulations.
60	10.2.2	Amend this subsection to clarify that the cumulative total Gross Floor Area of 2,000m ² applies only to non-residential uses on a lot in the CC1 zone.	The original intent of this subsection, being located within the 'PERMITTED USES' section, was to limit commercial uses only and not residential floor area.
62	10.5.4	Amend the table to remove italics and to correct the cell shading.	This amendment will correct a formatting error.
64	10.6.1	Remove the "Maximum Gross Floor Area" column from the table.	This section has caused confusion with maximum cumulative gross floor area already restricted under subsection 10.2.2 and is made redundant with maximum floor area ratio limited under subsection 10.3.1.
65	11.2.1	Allow "Laundromat" as a permitted use in DT11.	The intent of the DT11 zone is to provide for the day-to-day needs of nearby residents.
66	11.2.1	Change "Recreation al Facility" to "Recreational Facility".	This amendment will correct a typo.
69	13.2.1	Allow "Mini Storage" in the I2 zone.	The Light Industrial (I2) zone provides for industrial, some commercial, and storage yard uses, and mini storage facilities are a less intensive form of use meeting the intent of the zone.
70	13.2.1 13.2.3	Allow for "Seafood Processing" as a site-specific use in the I2 zone at 232, 242, 248, and 262 Southside Drive.	This use was previously permitted under "Food and Beverage Processing" in the former City of Nanaimo Zoning Bylaw 1993 No. 4000, but was removed through a bylaw amendment in 2004.

71	13.2.2	Amend the Condition of Use for Retail and remove the word “ratio”.	The word “ratio” is redundant here as a percentage is given later in the same sentence.
72	14.3.2	Change the word “once” to “one.”	This amendment will correct a typo.
73	14.5.2	Amend this subsection to add a space before the reference to “14.5.1”.	This amendment will correct a formatting error.
74	14.5.3	Change reference from “Subsection 14.5.2” to “Subsection 14.5.1”.	The incorrect subsection is currently referenced.
75 – 80, 82- 106	Schedule A	Rezone city-owned properties to PRC1 and PRC2.	These properties were generally acquired through subdivision to be used as parks or community services. Rezoning will formalize these uses.
81	Schedule A	Rezone the city-owned property at 2120 Labieux Road from Community Corridor (COR3) and High Tech Industrial (I3) to Community Service Zone One (CS1).	This property was acquired through a land exchange during the subdivision of the Madill site. Rezoning will eliminate split-zoning on the property and will reflect the most appropriate use for the site.
107	Schedule A	Rezone properties near Long Lake that went through a road closure from PRC1 and PRC2 to R1.	These properties were created in 2017 when an unconstructed portion of road right-of-way was closed. Rezoning to Single Dwelling Residential (R1) will acknowledge existing uses on the subject parcels while the remainder of the former road right-of-way will remain as parkland for the Loudon Walkway.

CITY OF NANAIMO

BYLAW NO. 4500.158

A BYLAW TO AMEND THE CITY OF NANAIMO "ZONING BYLAW 2011 NO. 4500"

WHEREAS the Council may zone land, by bylaw, pursuant to Sections 464, 465, 466, 469, 479, 480, 481, 482, and 548 of the *Local Government Act*;

THEREFORE BE IT RESOLVED the Municipal Council of the City of Nanaimo, in open meeting assembled, ENACTS AS FOLLOWS:

1. This Bylaw may be cited as the "Zoning Bylaw Amendment Bylaw 2019 No. 4500.158".
2. The City of Nanaimo "Zoning Bylaw 2011 No. 4500" is hereby amended as follows:

- (1) By deleting the first paragraph of the preamble under "City of Nanaimo Bylaw No. 4500" and replacing it with the following:

WHEREAS the Local Government Act of the Province of British Columbia authorizes a local government to enact bylaws, pursuant to the provisions of Sections 464, 469, 479, and 482 – Zoning Bylaws, which divides the municipality into zones and which sets regulations for each zone;

- (2) By deleting the text in section 2.5 to replacing it with:

Any person applying to have any provision of this Bylaw amending shall apply in writing by submitting an application in the form and manner prescribed in the City of Nanaimo "Development Approval Procedures and Notification Bylaw 1991 No. 3892" and any amendments thereto.

- (3) By amending section 3.1 to change the abbreviation for "Single Residential Dwelling" from "R1 / R1a" to "R1 / R1a / R1b".
- (4) By amending sections 3.1 and 7.1 to change the name of R6 zone from "Townhouse Residential" to "Low Density Residential".
- (5) By amending section 3.1 to change the name of the CC4 zone from "North Nanaimo Urban Centre" to "Woodgrove Urban Centre"
- (6) By deleting Part 4 "Use Index".
- (7) By adding the following definition of 'Automobile Sales and Rental' between 'Auction' and 'Automotive Body Shop':

AUTOMOBILE SALES AND RENTAL – means the use of land, buildings, or structures, for the sale or rental of motor vehicles. An automotive repair shop may be included as an accessory use.

- (8) By deleting the definition of 'Building Bylaw' and replacing it with the following:

BUILDING BYLAW – means “Building Bylaw 2016 No. 7224” of the City of Nanaimo and amendments thereto, and any subsequent bylaw or bylaws which may be enacted in the substitution therefore.

- (9) By adding the following definition of ‘Flanking Side Yard’ between ‘Finished Grade’ and ‘Flat Roof’:

FLANKING SIDE YARD – means a side yard that is parallel to a flanking side lot line.

- (10) By deleting the definition of ‘Food and Beverage Processing’ and replacing it with the following:

FOOD AND BEVERAGE PROCESSING - means the use of land, buildings, or structures for the processing, warehousing and distribution of food and beverage products. This definition includes Micro-Brewery, but specifically excludes the processing of livestock, fish, poultry, and other fowl.

- (11) By amending the definitions of ‘Gross Floor Area, Single Residential Dwelling or Duplex’ and ‘Gross Floor Area, All Other Uses’ by replacing “165cm” with “165mm”.

- (12) By deleting the definition of ‘Gross Floor Area, Accessory Building’ and replacing it with the following:

GROSS FLOOR AREA, ACCESSORY BUILDING – means the total of all floors, measured to the exterior face of the exterior walls of the building including covered decks but excluding a front porch, covered porch fronting on a lane, or open decks in the calculation of gross floor area. Where no carport or garage exists within the principal building up to 42m² of parking area shall also not be included within the gross floor area. This definition shall only apply to lots where the principal use is a single residential dwelling or duplex.

- (13) By amending the definition of ‘Gross Floor Area, All Other Uses’ by adding the following at the end of the definition:

7) Dedicated space for service rooms, to a maximum of 9.29m².

- (14) By deleting the definition of ‘Lot Depth’ and replacing it with the following:

LOT DEPTH – means the distance between the front and rear lot lines, as measured from the centre point of each; or, in the case of a pie-shaped lot or an irregular lot with no definable rear lot line, the distance between the centre of the front lot line and the point at which the most opposite lot lines intersect; or, in the case of a through lot, the distance between the centre point of the 2 front lot lines.

- (15) By deleting the definition of ‘Lot Line, Rear’ and replacing it with the following:

LOT LINE, REAR – means the lot line or lot lines opposite to, approximately parallel to, and most distant from the front lot line, as measured from the centre point of the front lot line to the centre point of the rear lot line(s). Where the rear portion of the lot is bounded by intersecting lot lines, the point of intersection shall be deemed the rear lot line.

- (16) By deleting the definition of 'Mobile Home' and replacing it with the following:

MOBILE HOME – means a dwelling unit built in an enclosed factory environment in one or more sections, intended to be occupied in a place other than of its manufacture, and includes mobile homes which are either completely self-contained or are incomplete and fastened together and completed on site. A mobile home must be constructed to the current CAN/CSA Z240 (Mobile Home) standards.

- (17) By deleting the definition of 'Mobile Home Park' and replacing it with the following:

MOBILE HOME PARK – means a site used or intended to be used for the purpose of providing pads for the accommodation of 2 or more mobile homes or modular homes.

- (18) By adding the following definition of 'Modular Home' between 'Mobile Home Park' and 'Motor Vehicle':

MODULAR HOME – means a structure containing a dwelling unit and/or a secondary suite built in an enclosed factory environment in one or more sections, intended to be occupied in a place other than of its manufacture, and includes modular homes which are either completed self-contained or are incomplete and fastened together and completed on site. A modular home must be constructed to the current CAN/CSA A277 (Modular Home) standards.

- (19) By moving the definition of 'Principal Building' to between 'Pharmacy' and 'Principal Use'.

- (20) By moving the definition of 'Printing and Publishing Facility' to between 'Principal Use' and 'Production Bakery'.

- (21) By adding the following definition of 'Roof Surface' between 'Roadway' and 'Rooming House':

ROOF SURFACE - means the total area of all roof surface visible in plan view, including eaves.

- (22) By adding the definition of 'Service Room' between 'Service Industry' and 'Setback' and adding it with the following:

SERVICE ROOM – means the portion of a building dedicated to equipment associated with building services including boiler rooms, furnace rooms, incinerator rooms, waste disposal rooms, and rooms to accommodate air conditioning or heating appliances, pumps, compressors, and electrical equipment. This definition does not include elevator machine rooms or common laundry facilities.

- (23) By deleting the definition of 'Single Residential Dwelling' and replacing it with the following:

SINGLE RESIDENTIAL DWELLING – means a building, consisting of one dwelling unit, used or intended to be used as the residence of one family, as a

community care facility licensed under the *Community Care Facility Act*, as a residential shelter, or a mobile home or modular home which:

- 1) exceeds a gross floor area of 87m²;
- 2) equals or exceeds a width of 7.3m;
- 3) is assembled on site upon a concrete perimeter foundation system; and
- 4) has a sloping roof.

A single residential dwelling does not include a recreational vehicle or tent.

- (24) By amending subsection 6.1.1 to change “(CS-1)” to “(CS1)”.

- (25) By amending subsection 6.2.1.7 to change “(I-4)” to “(I4)”.

- (26) By deleting subsection 6.2.1.8 and replacing it with the following:

The sale and rental of containers is permitted as a ‘Tools / Equipment Rentals and Sales’ in the Highway Industrial (I1) and High Tech Industrial (I3) zones.

- (27) By amending the table in subsection 6.5.1 to rename the last column title from “Conditions of Use” to “Conditions”.

- (28) By amending the table in subsection 6.5.1 by adding the following condition for “Steps and Landings”:

Features less than 0.6m above finished grade have no required setback.

- (29) By amending the table in subsection 6.5.1 to include “2m” in the row titled “Front Porch” under the “Flanking Side” column, and to delete the condition for “Front Porch” and replace with the following:

Such features shall only be allowed to project on a single residential dwelling, a duplex, or an accessory building containing a secondary suite. Only one front porch per dwelling unit or secondary suite may project into a setback.

- (30) By deleting subsection 6.5.2 replacing with the following:

Where the principal use of the property is a single residential dwelling or duplex, heat pumps and central air conditioning units shall not be located between the front face of a principal building and the nearest front lot line, and shall not be closer than 4.5m to side lot lines or closer than 3m to rear lot lines. Heat pumps and central air conditioning units shall be screened from view from streets.

- (31) By deleting subsection 6.6.3.1 and replacing it with the following:

Notwithstanding Subsection 6.6.3, the minimum rear yard setback for an accessory building shall be 1.5m regardless of zoning, provided that:

- a) the accessory building has a Gross Floor Area of less than 10m²;
- b) the accessory building is placed directly on, but not affixed to, the ground or on blocks which are affixed to the ground; and
- c) the height of an accessory building does not exceed 3m.

- (32) By amending subsection 6.7.3 to replace ““CITY OF NANAIMO BUILDING BYLAW 2003 NO. 5693”, and amendments thereto” with “the Building Bylaw” and

amending subsection 6.11.2 to replace “Section 23 of ‘City of Nanaimo Building Bylaw 2003 No. 5693’” with “the Building Bylaw”.

- (33) By amending subsection 6.7.3 to remove the line break between items c) and d).
- (34) By amending the section number of ‘Height Exemptions’ to read “6.8”.
- (35) By moving the two images in section 6.10 to appear below subsection 6.9.1.
- (36) By amending the table in subsection 6.10.2 to change the list of zones in the first row to:

R1 / R1a to R1, R13 to R15, and CD9
- (37) By adding the following as subsection 6.15.1.1:

Notwithstanding Subsection 6.15.1, secondary suites are permitted on lots where there are two principal dwellings, provided that the lot is greater than 0.4 hectares.
- (38) By amending subsection 6.15.3.4 to delete the “.” at the end of the sentence of replace with “; and”.
- (39) By deleting the table in subsection 6.16.2 and replacing it with the following:

Zones	Maximum Number Of Guest Rooms	Maximum Number Of Guests
R1 / R1a / R1b to R5, R7, R10, R13, R14, AR1, AR2, and COR1	2	4
R6, R8, R9, R15, COR2, COR3, CC1, CC2, CC3, CC4, Downtown, W2, W3, and W4	4	9

- (40) By amending subsections 6.17.1.3, 6.21.1, 6.22.3, and 6.22.7 by changing references to the *Local Government Act* from “Section 905” to “Section 483”, from “Section 944” to “Section 512”, and from “Section 946” to “Section 514”.
- (41) By deleting subsection 6.22.2 and section 6.23 and adding the following as section 6.23:

6.23 NANAIMO PARKWAY

- 6.23.1 Notwithstanding the front yard setback requirements of this Bylaw, the minimum front yard setback shall be 20m where a lot abuts the Nanaimo Parkway right-of-way.
- 6.23.2 Notwithstanding the lot depth requirements of this Bylaw, the minimum lot depth of a lot created by subdivision shall be 45m where a lot abuts the Nanaimo Parkway right-of-way.

- (42) By amending the table in subsection 7.2.1 by adding the following under “Conditions of Use” for ‘Single Residential Dwelling’:

See Subsection 7.2.2

- (43) By deleting subsection 7.2.2 and replacing it with the following:

Notwithstanding Subsection 7.2.1, within the R1 / R1a zones where a corner lot has a lot area greater than 700m² but does not meet the lot area, lot depth or lot frontage requirements for subdivision, a total of up to two single residential dwellings or one duplex shall be permitted provided one front door faces the front yard and the other front door faces the flanking side yard.

- (44) By amending the table in subsection 7.3.1 to delete the text under “Additional Density” for ‘R1 / R1a and replace it with the following:

Where a corner lot has a lot area greater than 700m² but does not meet the lot area, lot depth or lot frontage requirements for subdivision, a total of up to two single residential dwellings or one duplex shall be permitted provided one front door faces the front yard and the other front door faces the flanking side yard.

Where more than one dwelling is located on a corner lot a secondary suite shall not be permitted in either dwelling.

Where the lot area is greater than 0.4 hectares, on additional single residential dwelling shall be permitted.

- (45) By amending subsection 7.3.2 to indent the second line.

- (46) By amending the table in subsection in 7.4.1 to change the text, in the row titled R3 under Minimum Lot Depth, from “30” to “30m”.

- (47) By deleting subsection 7.4.2 and replacing it with the following:

For the purposes of subdivision where the lot abuts a watercourse, as indicated on Schedule C, or is subject to a geotechnical setback, the required watercourse leavestrip or geotechnical setback area shall not be included in the calculation of a lot area.

- (48) By amending subsections 7.51, 7.6.1, 8.5.1, 9.5.1, 10.5.1, 11.4.2, 11.5.1, and 12.3.1 to replace the word “identifies” with “identifies” and to replace the word “identified” with “identified”.

- (49) By deleting subsection 7.5.7 and replacing it with the following:

Notwithstanding Subsection 7.5.1, where the principal use is a single residential dwelling in the R8 zone, the minimum required setback from the property lines shall be as specified within the R1 zone.

- (50) By deleting footnote ² below the table in subsection 7.6.1 and replacing it with the following:

Gable ends, localized depressions, and dormers to a maximum of 25% of the wall length are exempt from the calculation of perimeter wall height. Covered decks or additional height above the maximum perimeter wall height must be set back a minimum of 2.44m from the perimeter wall.

- (51) By amending subsection 7.6.4 and replacing it with the following:

Notwithstanding Subsection 7.6.1, where the principal use is a single residential dwelling in the R8 zone, the maximum allowable size of a single residential dwelling shall not exceed the allowable height, lot coverage and perimeter wall height which is permitted within the R1/R1a zone.

- (52) By amending subsection 7.7.1 to replace “4.5m²” with “10m²”.

- (53) By amending the tables in subsections 9.2.1 and 9.2.3 to replace “Automobile Sales, Service and Rentals” with “Automobile Sales and Rental”.

- (54) By amending the tables in subsections 9.2.1 and 10.2.1 to replace “Seniors Housing” with “Seniors Congregate Housing”.

- (55) By amending the table in subsection 9.2.1 to delete the last row titled “Wholesale”.

- (56) By amending the table in subsection 9.2.3 to include dividing lines between all rows.

- (57) By amending the table in subsection 9.2.3 to delete the rows containing 4169 Wellington Road and 4171 Wellington, to change the legal description for 4181 Wellington Road to “LOT A, SECTION 5, WELLINGTON DISTRICT, PLAN EPP22297”, to delete the row containing 440 Wakesiah Avenue, to add a row under Student Housing for 416 Wakesiah Avenue with the legal description “LOT 1, SECTION 1, NANAIMO DISTRICT, PLAN EPP58523”, and to add a row under Student Housing for 438 Wakesiah Avenue with the legal description “LOT A, SECTION 1, NANAIMO DISTRICT, PLAN VIP88789”.

- (58) By deleting subsection 9.2.3.1.

- (59) By deleting subsection 9.5.4 and replacing it with the following:

Notwithstanding Subsection 9.5.1, where only one principal building exists on the lot no more than 50% of the front face of a building façade shall be setback further than the maximum permitted front yard setback.

- (60) By deleting subsection 10.2.2 and replacing it with the following:

Notwithstanding Subsection 10.2.1 the cumulative total Gross Floor Area of all non-residential space on a lot within the CC1 zone shall not exceed 2,000m².

- (61) By deleting subsection 10.2.3 and replacing it with the following:

Notwithstanding Subsection 10.2.1, within the CC2 zone a Retail Grocery Store greater than 2000m² is permitted at the property legally described as LOT 2, SECTION 1, NANAIMO DISTRICT, PLAN EPP85567 (867 Bruce Avenue).

- (62) By amending the table in subsection 10.2.5 to remove all italics-styled font and to alternate the cell shading based on the listed use.
- (63) By deleting subsection 10.5.4 and replacing it with the following:
- Notwithstanding Subsection 10.5.1, where only one principal building exists on the lot no more than 50% of the front face of a building façade shall be setback further than the maximum permitted front yard setback.
- (64) By amending the table in subsection 10.6.1 to delete the column titled “Maximum Gross Floor Area”.
- (65) By amending the table in subsection 11.2.1 to include “P” under the DT11 column in the row titled “Laundromat”.
- (66) By amending the table in subsection 11.2.1 to change “Recreation al Facility” to “Recreational Facility”.
- (67) By amending the tables in subsections 11.3.2 and 11.7.2 to change “65 and 77 Chapel Street” to “77 Chapel Street” and to change its legal descriptions to “LOT A, SECTION 1, NANAIMO DISTRICT, PLAN 86703”, and to change the legal descriptions for 100 Gordon Street to “LOT A, SECTION 1, NANAIMO DISTRICT AND OF THE BED OF THE PUBLIC HARBOUR, PLAN EPP30518”.
- (68) By deleting subsection 11.5.2 and replacing it with the following:
- Notwithstanding Subsection 11.5.1, where only one principal building exists on the lot no more than 50% of the front face of a building façade shall be setback further than the maximum permitted front yard setback.
- (69) By amending the table in subsection 13.2.1 to include “P” under the I2 column in the row titled “Mini Storage”.
- (70) By amending the table in subsection 13.2.1 to include “SS” under the I2 column in the row titled “Seafood Processing”, and amending the table in subsection 13.2.3 to add the following row:

Seafood Processing	232, 242, 248, and 262 Southside Drive	LOTS 4, 5, & 7, SECTION 1, NANAIMO DISTRICT, PLAN 30868 LOT 1 (DD EC123851), SECTION 1, NANAIMO DISTRICT, PLAN 38212
--------------------	--	---

- (71) By amending the table in subsection 13.2.2 to delete the text under “Conditions of Use” in the row titled “Retail” and replace it with the following:
- Retail sale and display of goods shall be permitted, provided the total Gross Floor Area devoted to retail and display does not exceed 25% of the total Gross Floor Area of the principal use.
- (72) By amending subsection 14.3.2 by changing the word “once” to “one”.

- (73) By deleting subsection 14.5.2 and replacing it with the following:
- Notwithstanding Subsection 14.5.1, general provisions in Part 6 of this Bylaw for the siting of buildings near watercourses will also apply.
- (74) By deleting subsection 14.5.3 and replacing it with the following:
- Notwithstanding Subsection 14.5.1, where a property abuts a major road, an additional 2.5m of front yard setback is required.
- (75) By rezoning those lands as shown on Schedule A – Map 1 (5527 Cliffside Road) from Steep Slope Residential (R10) to Parks, Recreation and Culture Two (PRC2).
- (76) By rezoning those lands as shown on Schedule A – Map 2 (5291 Entwistle Drive) from Single Dwelling Residential (R1) to Parks, Recreation and Culture One (PRC1).
- (77) By rezoning those lands as shown on Schedule A – Map 3 (850 Stirling Avenue) from Single Dwelling Residential (R1) to Parks, Recreation and Culture One (PRC1).
- (78) By rezoning those lands as shown on Schedule A – Map 4 (501 Duke Point Highway) from Industrial (I4) to Parks, Recreation and Culture One (PRC1).
- (79) By rezoning those lands as shown on Schedule A – Map 5 (708 Bruce Avenue) from Single Dwelling Residential (R1) to Parks, Recreation and Culture One (PRC1).
- (80) By rezoning those lands as shown on Schedule A – Map 6 (2817 Tamara Drive) from Single Dwelling Residential (R1) to Parks, Recreation and Culture One (PRC1).
- (81) By rezoning those lands as shown on Schedule A – Map 7 (2120 Labieux Road) from Community Corridor (COR3) and High Tech Industrial (I3) to Community Service One (CS1).
- (82) By rezoning those lands as shown on Schedule A – Map 8 (3831 Shenton Road) from Single Dwelling Residential (R1) to Parks, Recreation and Culture One (PRC1).
- (83) By rezoning those lands as shown on Schedule A – Map 9 (5784 and 5787 Linley Valley Drive) from Steep Slope Residential (R10) and Parks, Recreation and Culture One (PRC1) to Parks, Recreation and Culture One (PRC1) and Parks, Recreation and Culture Two (PRC2).
- (84) By rezoning those lands as shown on Schedule A – Map 10 (390 Cambie Road) from Single Dwelling Residential – Small Lot (R2) to Parks, Recreation and Culture One (PRC1).
- (85) By rezoning those lands as shown on Schedule A – Map 11 (151 Kian Place and 3675 Sunrise Place) from Steep Slope Residential (R10) and Parks, Recreation and Culture Two (PRC2) to Parks, Recreation and Culture One (PRC1).

- (86) By rezoning those lands as shown on Schedule A – Map 12 (3518 Hillside Avenue, 4877 Lost Lake Road, 5340 Smokey Crescent, and 5260 Tanya Drive) from Steep Slope Residential (R10) and Urban Reserve (AR2) to Parks, Recreation and Culture One (PRC1).
- (87) By rezoning those lands as shown on Schedule A – Map 13 (5650 Linley Valley Drive A) from Steep Slope Residential (R10) to Parks, Recreation and Culture One (PRC1).
- (88) By rezoning those lands as shown on Schedule A – Map 14 (5994 Stillwater Way) from Single Dwelling Residential – Small Lot (R2) to Parks, Recreation and Culture One (PRC1).
- (89) By rezoning those lands as shown on Schedule A – Map 15 (993 Kolby Avenue) from Single Dwelling Residential (R1) to Parks, Recreation and Culture Two (PRC2).
- (90) By rezoning those lands as shown on Schedule A – Map 16 (414 Westwood Road) from Single Dwelling Residential (R1) to Parks, Recreation and Culture One (PRC1).
- (91) By rezoning those lands as shown on Schedule A – Map 17 (1599 Extension Road) from Single Dwelling Residential (R1) to Parks, Recreation and Culture One (PRC1).
- (92) By rezoning those lands as shown on Schedule A – Map 18 (1738 Harambe Way) from Single Dwelling Residential (R1) to Parks, Recreation and Culture Two (PRC2).
- (93) By rezoning those lands as shown on Schedule A – Map 19 (5787 Linley Valley Drive) from Steep Slope Residential (R10) to Parks, Recreation and Culture One (PRC1).
- (94) By rezoning those lands as shown on Schedule A – Map 20 (5747 Linyard Road) from Steep Slope Residential (R10) to Parks, Recreation and Culture Two (PRC2).
- (95) By rezoning those lands as shown on Schedule A – Map 21 (1327 Langara Drive) from Single Dwelling Residential (R1) to Parks, Recreation and Culture Two (PRC2).
- (96) By rezoning those lands as shown on Schedule A – Map 22 (563 Doreen Place) from Single Dwelling Residential (R1) to Parks, Recreation and Culture Two (PRC2).
- (97) By rezoning those lands as shown on Schedule A – Map 23 (1001 Trumpeter Terrace) from Single Dwelling Residential (R1) and Rural Resource (AR1) to Parks, Recreation and Culture One (PRC1) and Parks, Recreation and Culture Two (PRC2).
- (98) By rezoning those lands as shown on Schedule A – Map 24 (3900 Jingle Pot Road) from Single Dwelling Residential (R1) to Parks, Recreation and Culture Two (PRC2).

- (99) By rezoning those lands as shown on Schedule A – Map 25 (100 Hawk Point Road) from Steep Slope Residential (R10) to Parks, Recreation and Culture Two (PRC2).
- (100) By rezoning those lands as shown on Schedule A – Map 26 (551 Grewal Place) from Single Dwelling Residential (R1) to Parks, Recreation and Culture One (PRC1).
- (101) By rezoning those lands as shown on Schedule A – Map 27 (603 Nottingham Drive) from Steep Slope Residential (R10) to Parks, Recreation and Culture One (PRC1).
- (102) By rezoning those lands as shown on Schedule A – Map 28 (1620 College Drive) from Single Dwelling Residential (R1) to Parks, Recreation and Culture One (PRC1).
- (103) By rezoning those lands as shown on Schedule A – Map 29 (638 Sarum Way) from Single Dwelling Residential – Small Lot (R2) to Parks, Recreation and Culture Two (PRC2).
- (104) By rezoning those lands as shown on Schedule A – Map 30 (3921 Jingle Pot Road) from Single Dwelling Residential (R1) to Parks, Recreation and Culture Two (PRC2).
- (105) By rezoning those lands as shown on Schedule A – Map 31 (3726 Delia Terrace) from Steep Slope Residential (R10) to Parks, Recreation and Culture Two (PRC2).
- (106) By rezoning those lands as shown on Schedule A – Map 32 (893 Kentwood Way) from Steep Slope Residential (R10) to Parks, Recreation and Culture Two (PRC2).
- (107) By rezoning those lands as shown on Schedule A – Map 33 (4044 Apsley Avenue, 4104A and 4134 and 4176A Wellesley Avenue, and 4200A and 4220A and 4246A and 4288A Victoria Avenue) from Parks, Recreation and Culture One (PRC1) and Parks, Recreation and Culture Two (PRC2) to Single Dwelling Residential (R1).

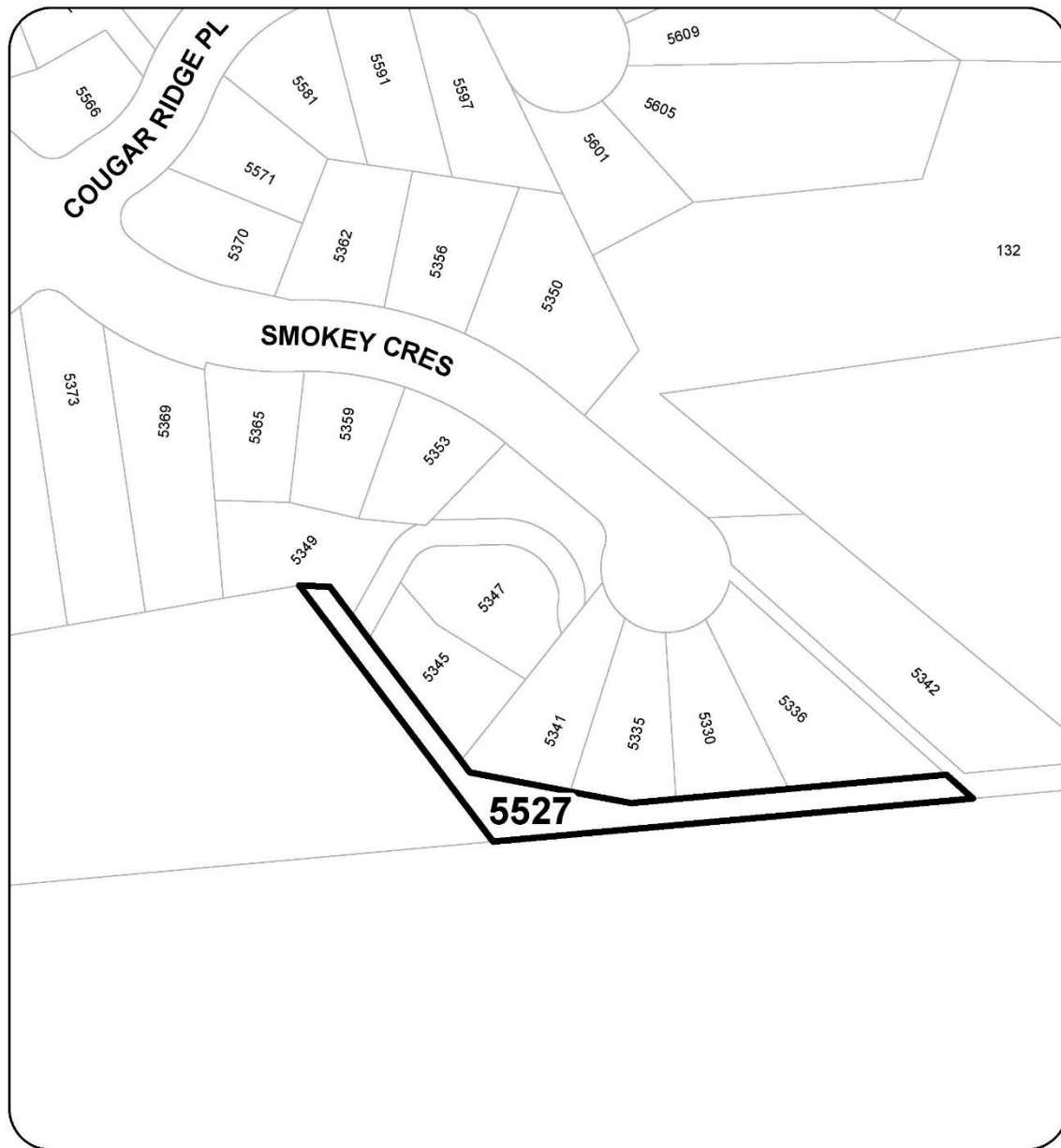
PASSED FIRST READING: _____
PASSED SECOND READING: _____
PUBLIC HEARING HELD: _____
PASSED THIRD READING: _____
MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE: _____
ADOPTED: _____

MAYOR

CORPORATE OFFICER

SCHEDULE A

MAP 1



LOCATION PLAN

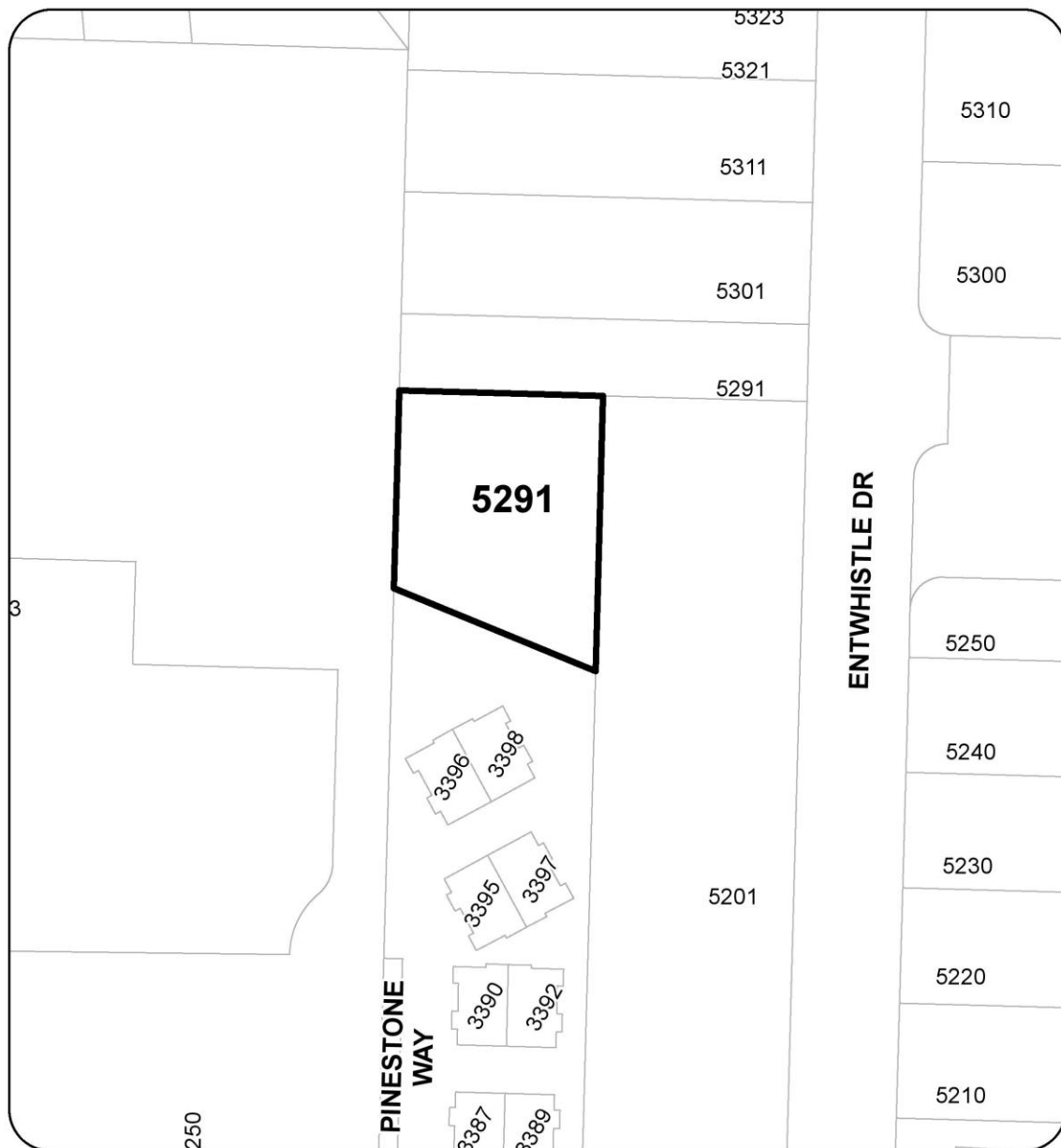
Civic: 5527 CLIFFSIDE ROAD

Legal Description: PARK DEDICATED BY PLAN VIP74324

Document Path: V:\Source Data\Departmental Data\Eng\Pub\Wks\GIS\Projects\ITEMPLATES\LOCATION_PLAN\Maps\MAP_1.mxd

SCHEDULE A

MAP 2



LOCATION PLAN

Civic: 5291 ENTWHISTLE DRIVE

Legal Description: PARK DEDICATED BY PLAN EPP43223

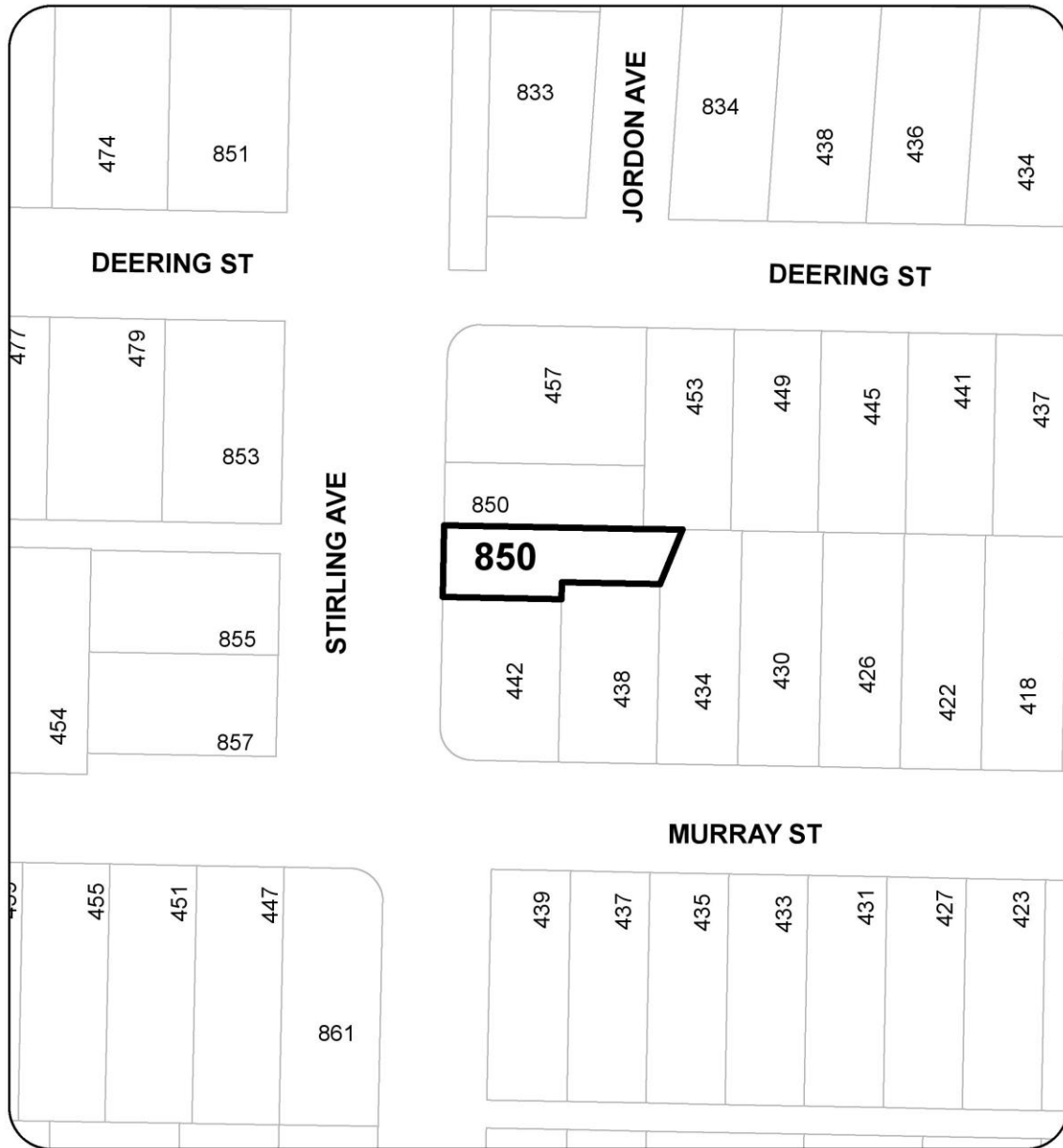


SUBJECT PROPERTY

Document Path: V:\Source Data\Departmental Data\Eng\PubWks\GIS\Projects\TEMPLATES\LOCATION_PLAN\Maps\MAP_2.mxd

SCHEDULE A

MAP 3



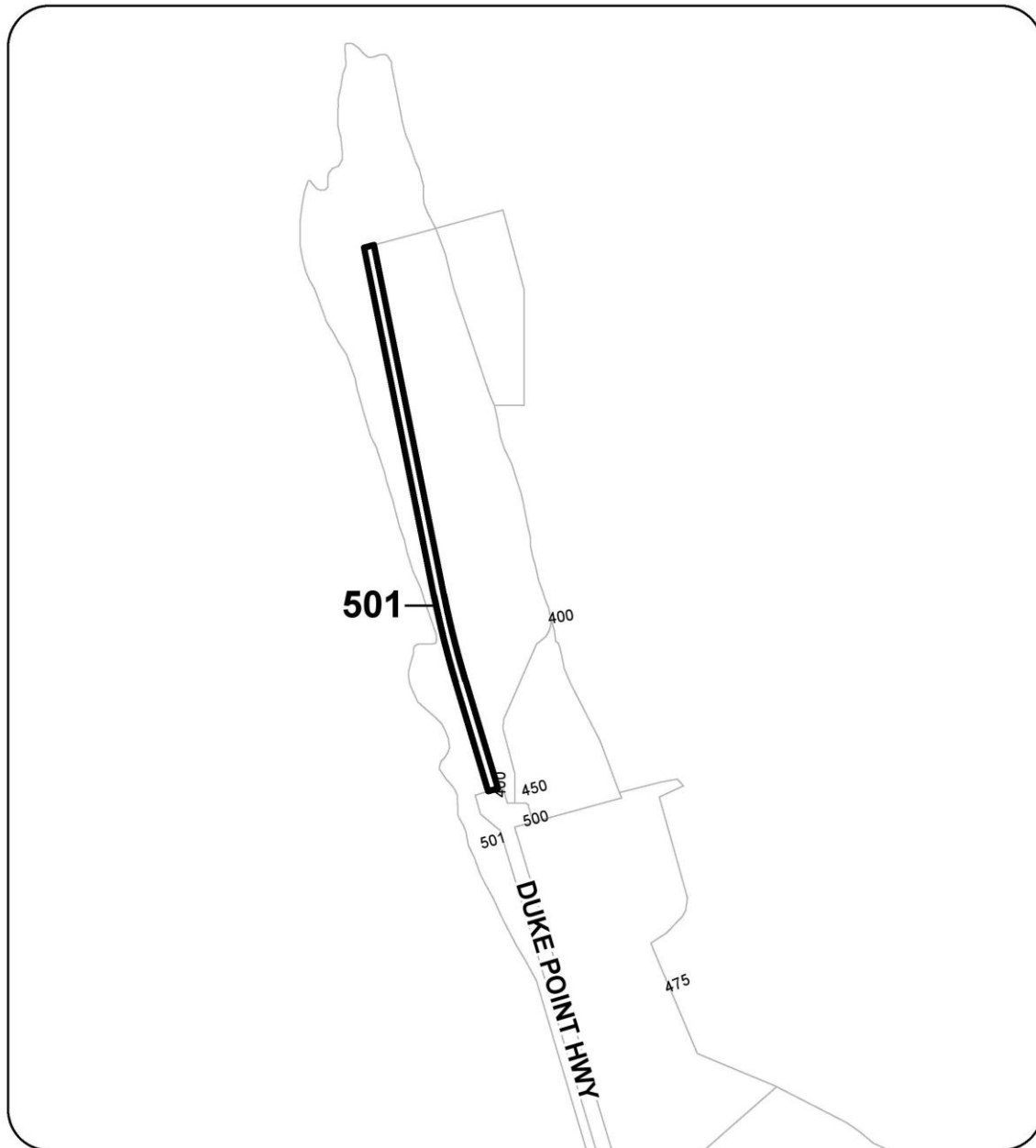
LOCATION PLAN

Civic: 850 STIRLING AVENUE
Legal Description: PARK DEDICATED BY PLAN 40149
ADJACENT TO LOT 1

Document Path: V:\Source Data\Departmental Data\EngPubWks\GIS\Projects\TEMPLATES\LOCATION_PLAN\Maps\MAP_3.mxd

SCHEDULE A

MAP 4



LOCATION PLAN

Civic: 501 DUKE POINT HIGHWAY
Legal Description: THT PRT OF SEC 8, LD 32
INCL IN PLN 49226

Document Path: V:\Source Data\Departmental Data\Eng\PubWks\GIS\Projects\TEMPLATES\LOCATION_PLAN\Maps\MAP_4.mxd

SCHEDULE A

MAP 5



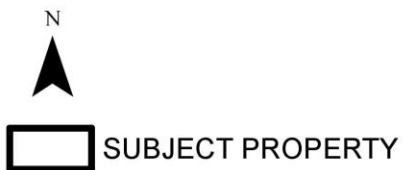
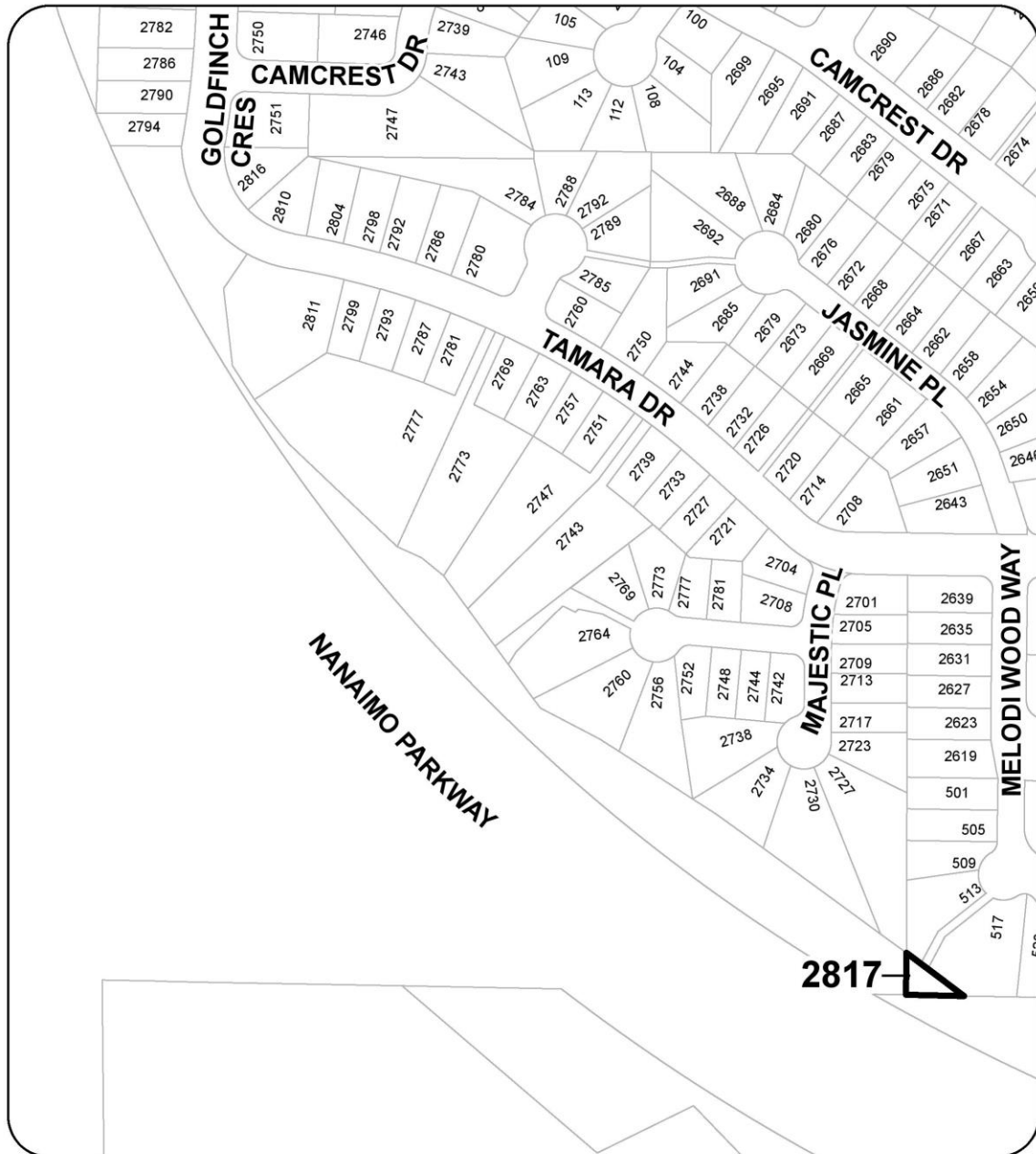
LOCATION PLAN

Civic: 708 BRUCE AVENUE
Legal Description: THT PRT OF SEC 18, RGE 9
SEC 1, LD 32, PLN 1387
INCL WITHN BNDYS OF PLN 63 RW

Document Path: V:\Source Data\Departmental Data\Eng\PubWks\GIS\Projects\TEMPLATES\LOCATION_PLAN\Maps\MAP_5.mxd

SCHEDULE A

MAP 6



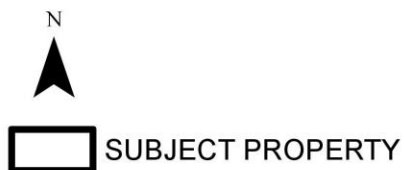
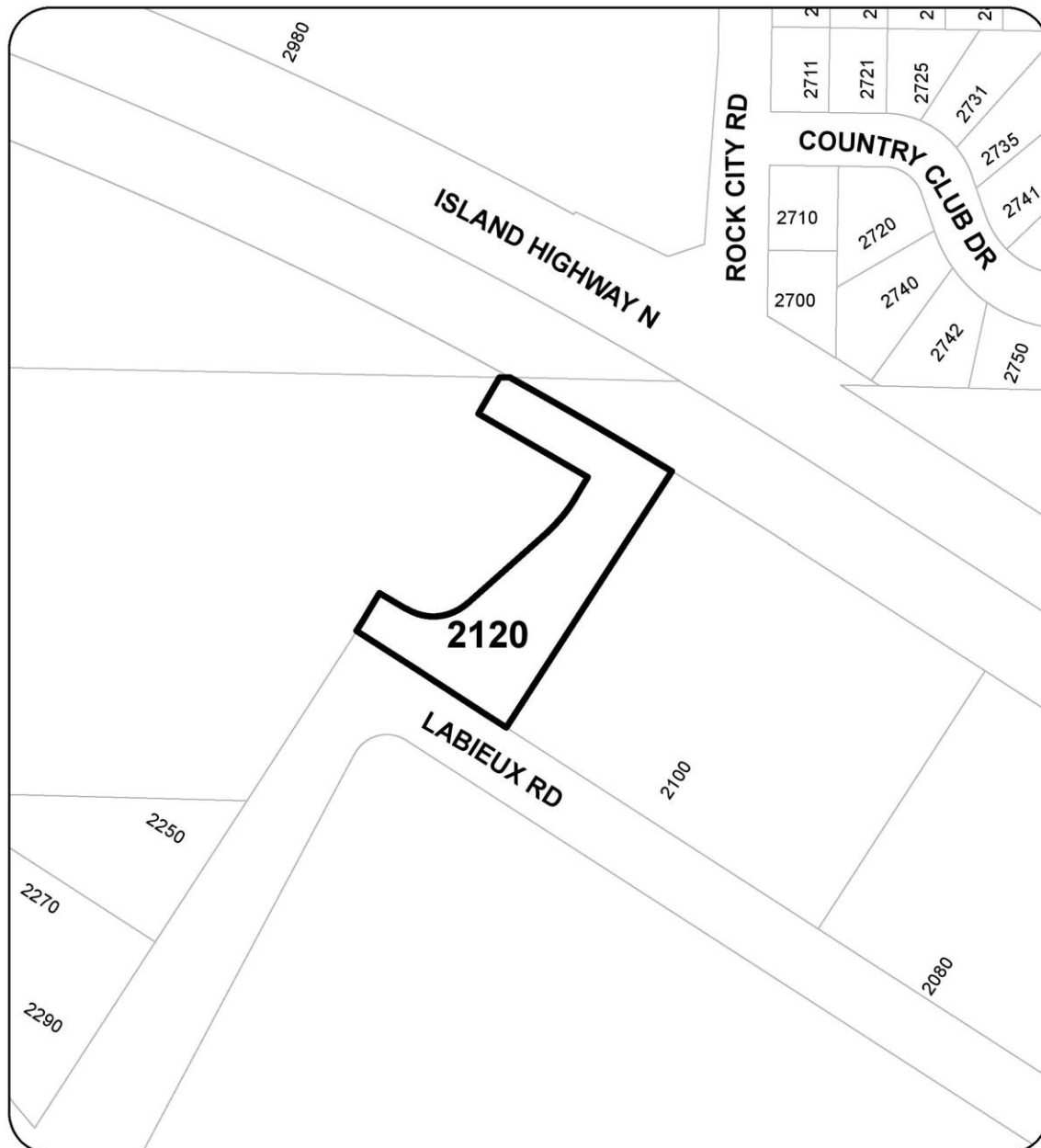
LOCATION PLAN

Civic: 2817 TAMARA DRIVE
Legal Description: PARK DEDICATED BY PLAN VIP80216

Document Path: V:\Source Data\Departmental Data\Eng\PubWks\GIS\Projects\ITEMPLATES\LOCATION_PLAN\Maps\MAP_6.mxd

SCHEDULE A

MAP 7



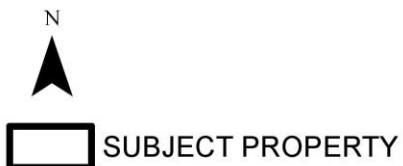
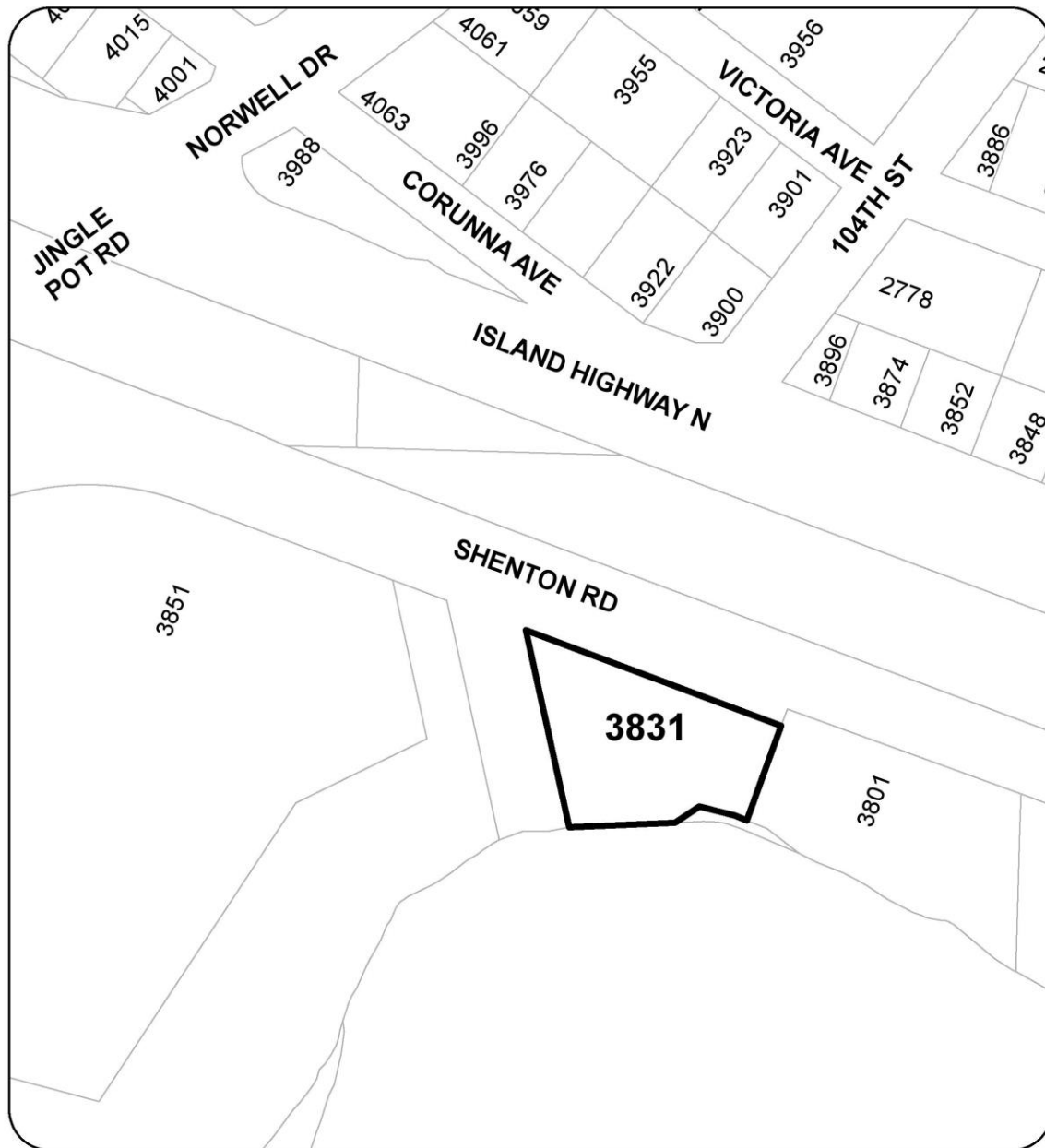
LOCATION PLAN

Civic: 2120 LABIEUX ROAD
Legal Description: LOT 4, SECTION 20, RANGE 7
MOUNTAIN DISTRICT, PLAN EPP67724

Document Path: V:\Source Data\Departmental Data\Eng\Pub\Wks\GIS\Projects\ITEMPLATES\LOCATION_PLAN\Maps\MAP_7.mxd

SCHEDULE A

MAP 8



LOCATION PLAN

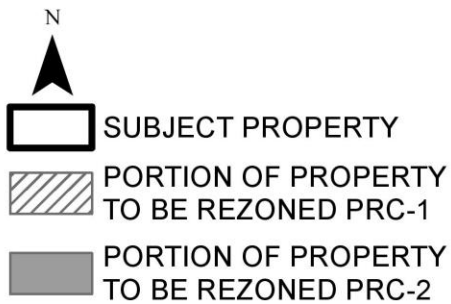
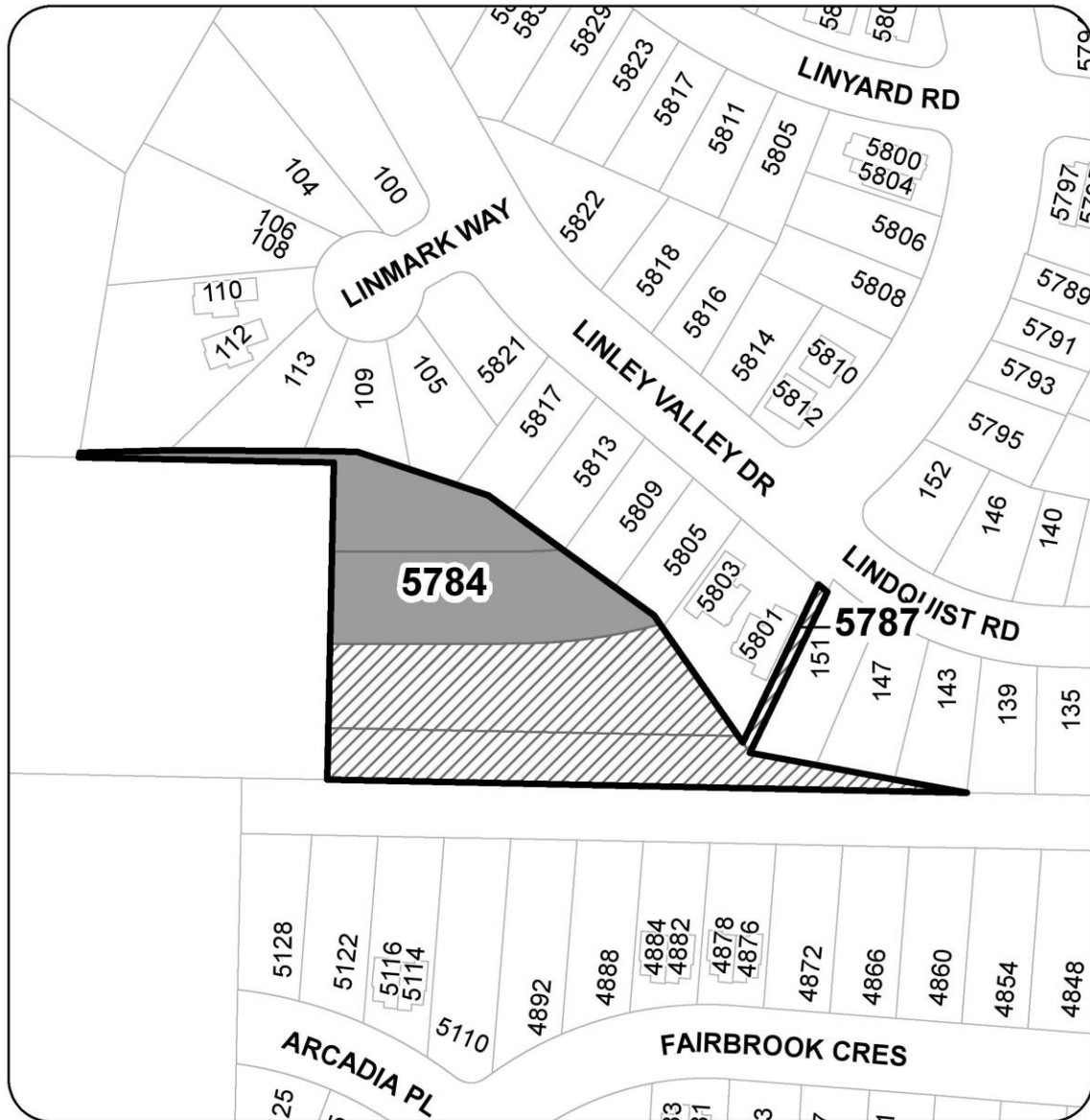
Civic: 3831 SHENTON ROAD

Legal Description: PARK DEDICATED BY PLAN EPP69258

Document Path: V:\Source Data\Departmental Data\EngPubWks\GIS\Projects\ITEMPLATES\LOCATION_PLAN\Maps\MAP_8.mxd

SCHEDULE A

MAP 9



LOCATION PLAN

Civic: 5784 & 5787 LINLEY VALLEY DRIVE
Legal Description: PARK DEDICATED BY PLANS
EPP66116 & EPP73181

Document Path: V:\Source Data\Departmental Data\Eng\PubWks\GIS\Projects\TEMPLATES\LOCATION_PLAN\Maps\MAP_9.mxd

SCHEDULE A

MAP 10



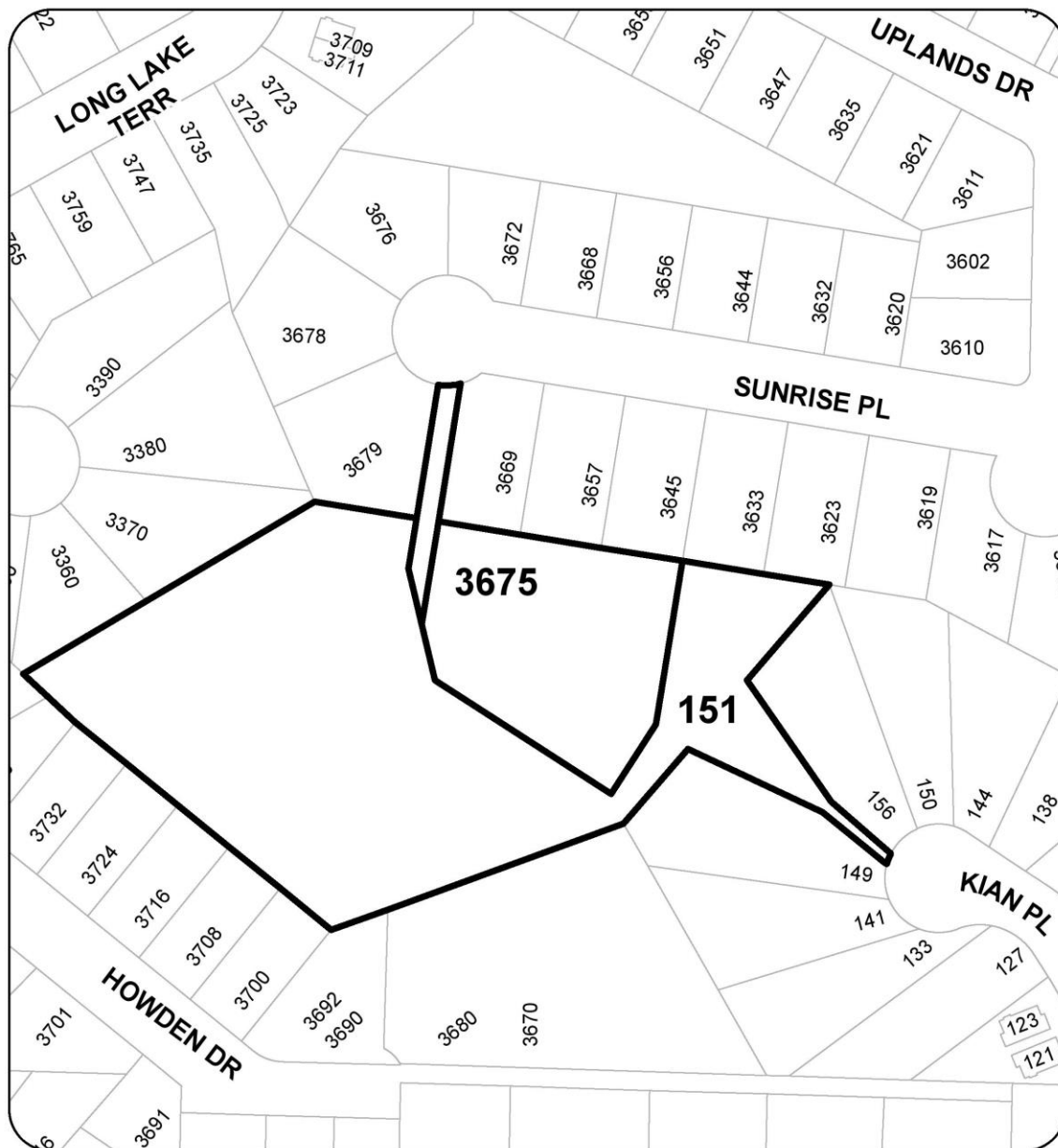
LOCATION PLAN

Civic: 390 CAMBIE ROAD
Legal Description: PARK DEDICATED BY PLAN EPP55889

Document Path: V:\Source Data\Departmental Data\Eng\Pub\Wks\GIS\Projects\TEMPLATES\LOCATION_PLAN\Maps\MAP_10.mxd

SCHEDULE A

SCHEDULE K



SUBJECT PROPERTIES

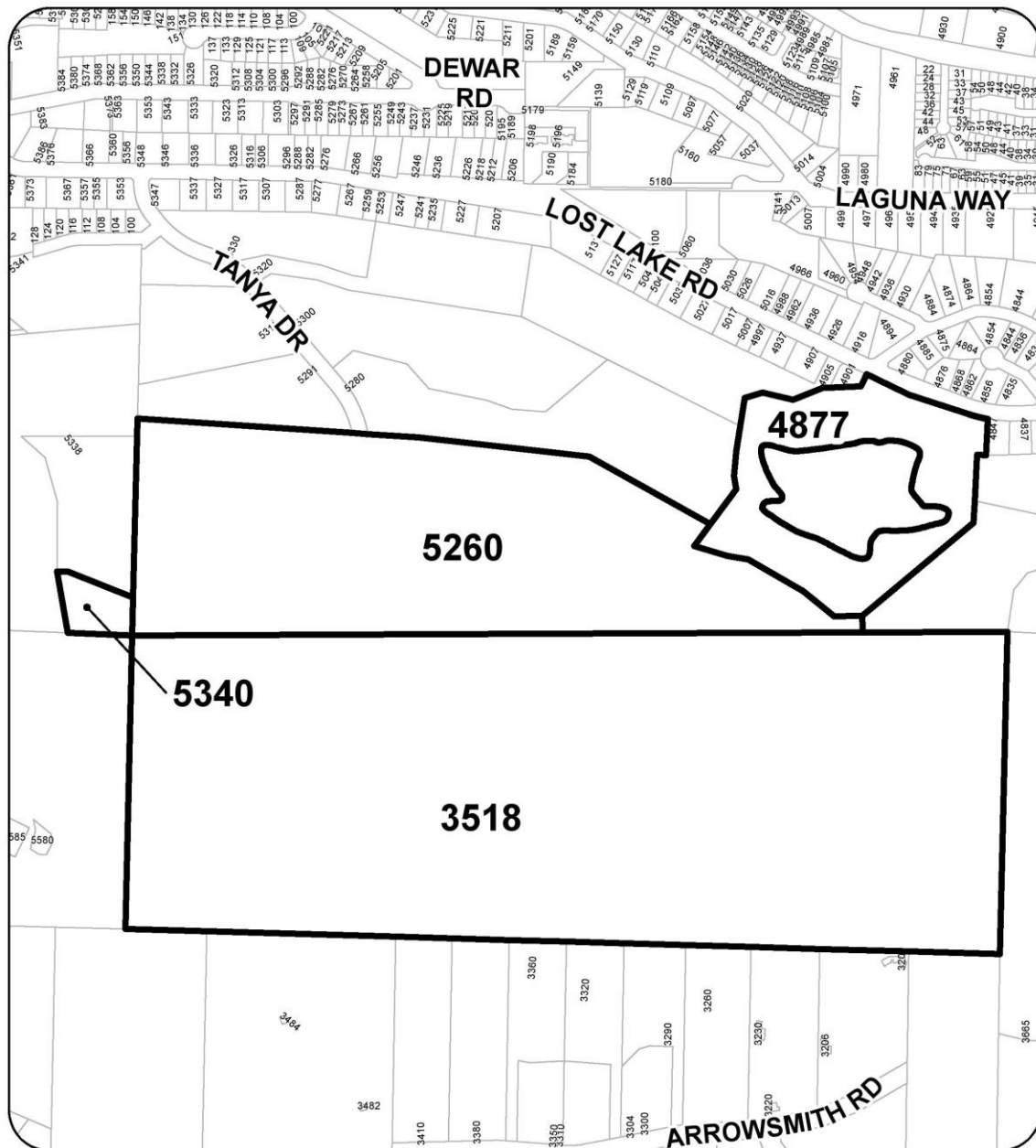
LOCATION PLAN

Civic: 151 KIAN PLACE & 3675 SUNRISE PLACE
Legal Description: PARK DEDICATED BY PLAN EPP60928
& LOT 1, DISTRICT LOT 17, WELLINGTON DISTRICT
PLAN 17709

Document Path: V:\Source Data\Departmental Data\EngPubWks\GIS\Projects\TEMPLATES\LOCATION_PLAN\Maps\MAP_11.mxd

SCHEDULE A

MAP 12



LOCATION PLAN

Civic: 5260 TANYA DRIVE, 5340 SMOKEY CRESCENT
3518 HILLSIDE AVENUE, 4877 LOST LAKE ROAD

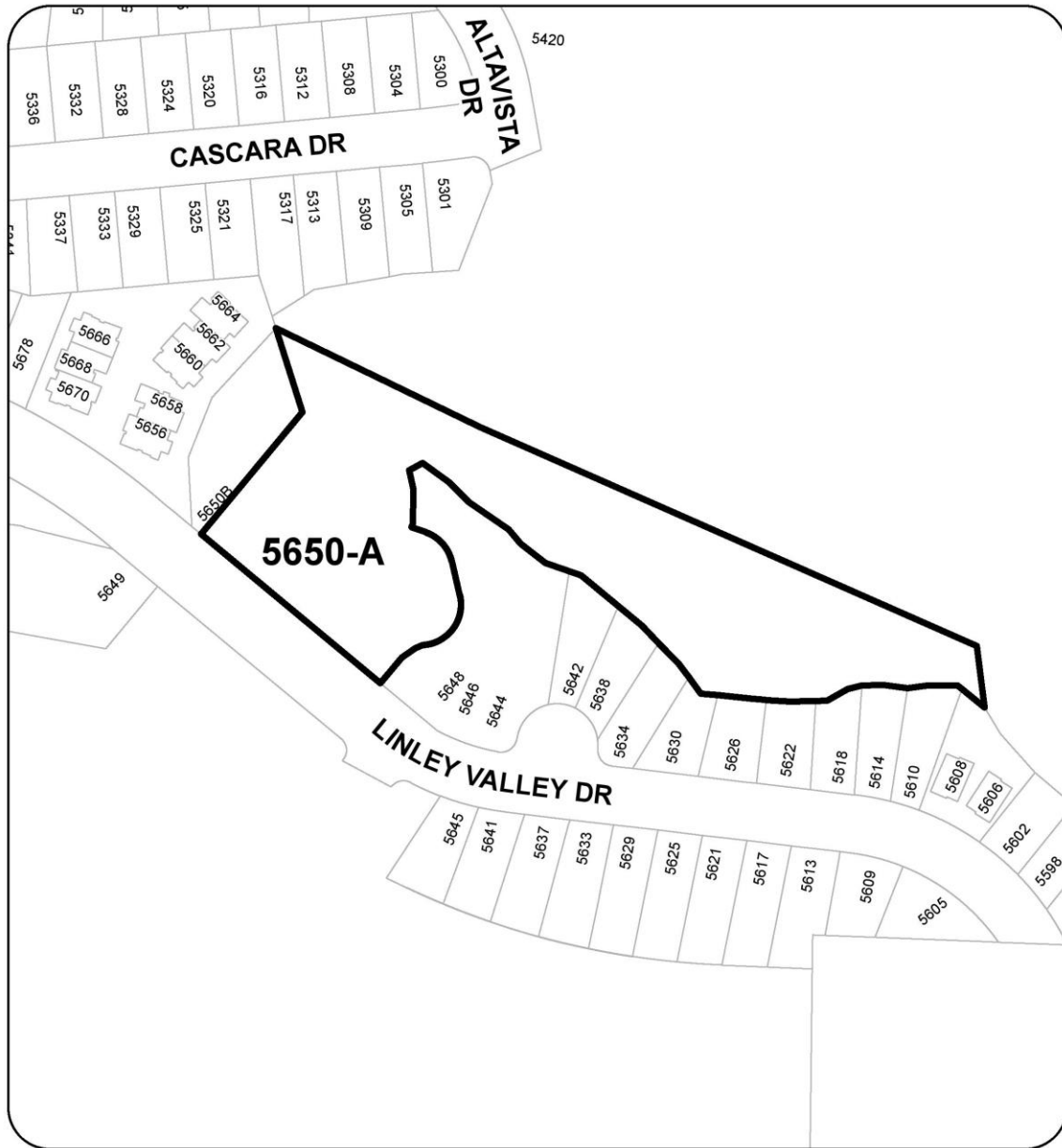
Legal: LOT 6, DISTRICT LOT 55, WELLINGTON DISTRICT, PLAN 47120; PARK DEDICATED BY PLAN EPP62849; THAT PART OF DISTRICT LOT 43, WELLINGTON DISTRICT LYING TO THE EAST OF THE PRODUCTION SOUTHERLY OF THE MOST EASTERLY BOUNDARY OF DISTRICT LOT 50, WELLINGTON DISTRICT; LOT 1, DISTRICT LOT 55, WELLINGTON DISTRICT, PLAN 20015 LOST LAKE WATER STORAGE SITE, ETC



Document Path: V:\Source Data\Departmental Data\Eng\Pub\Wks\GIS\Projects\TEMPLATES\LOCATION_PLAN\Maps\Map_12.mxd

SCHEDULE A

MAP 13



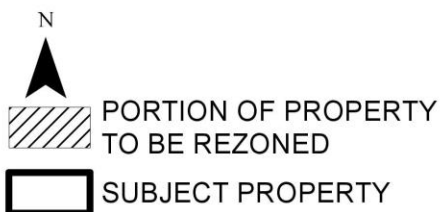
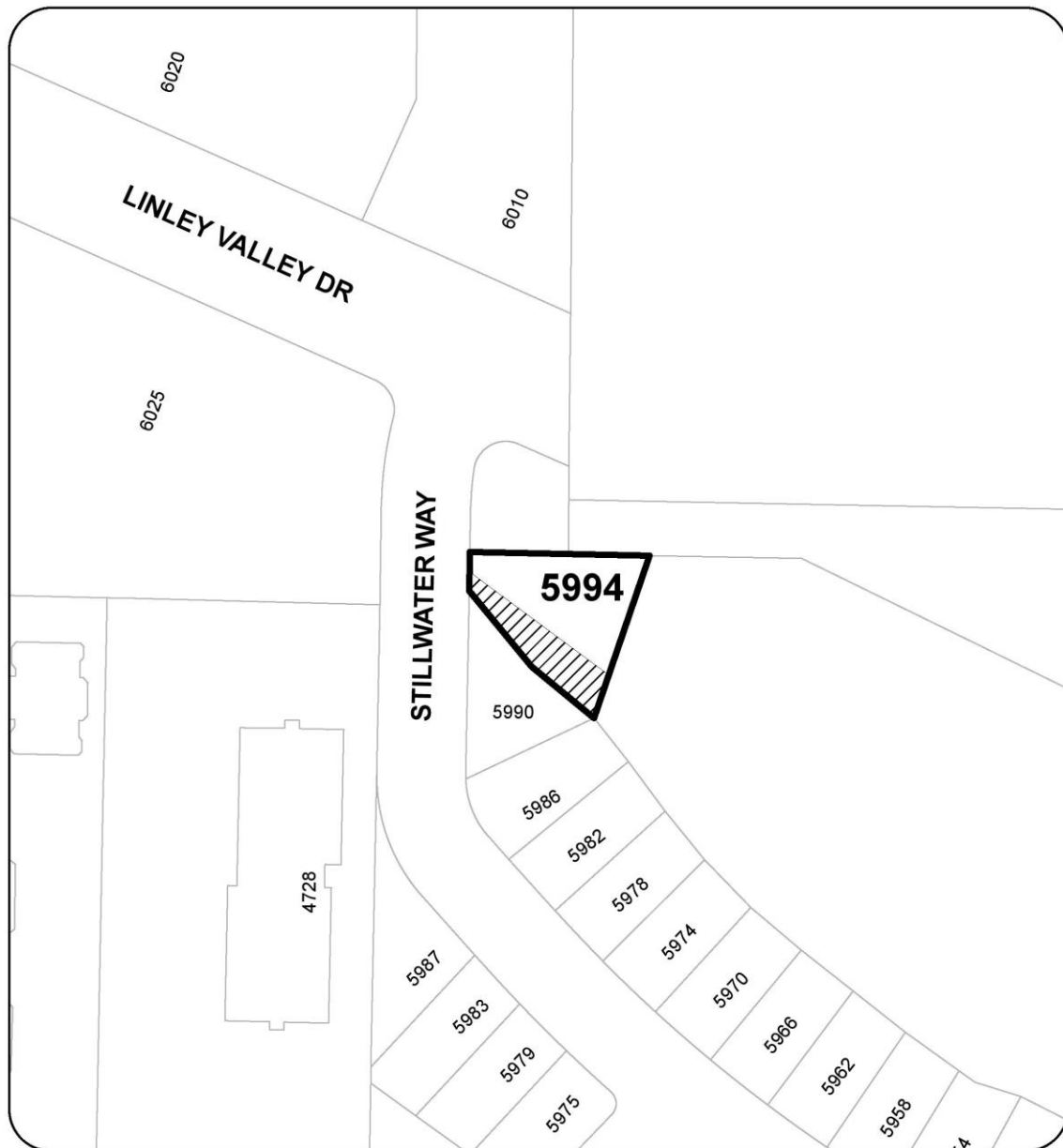
LOCATION PLAN

Civic: 5650 LINLEY VALLEY DRIVE
Legal Description: PARK DEDICATED BY PLAN EPP62850

Document Path: V:\Source Data\Departmental Data\Eng\Pub\Wks\GIS\Projects\TEMPLATES\LOCATION_PLAN\Maps\MAP_13.mxd

SCHEDULE A

MAP 14



LOCATION PLAN

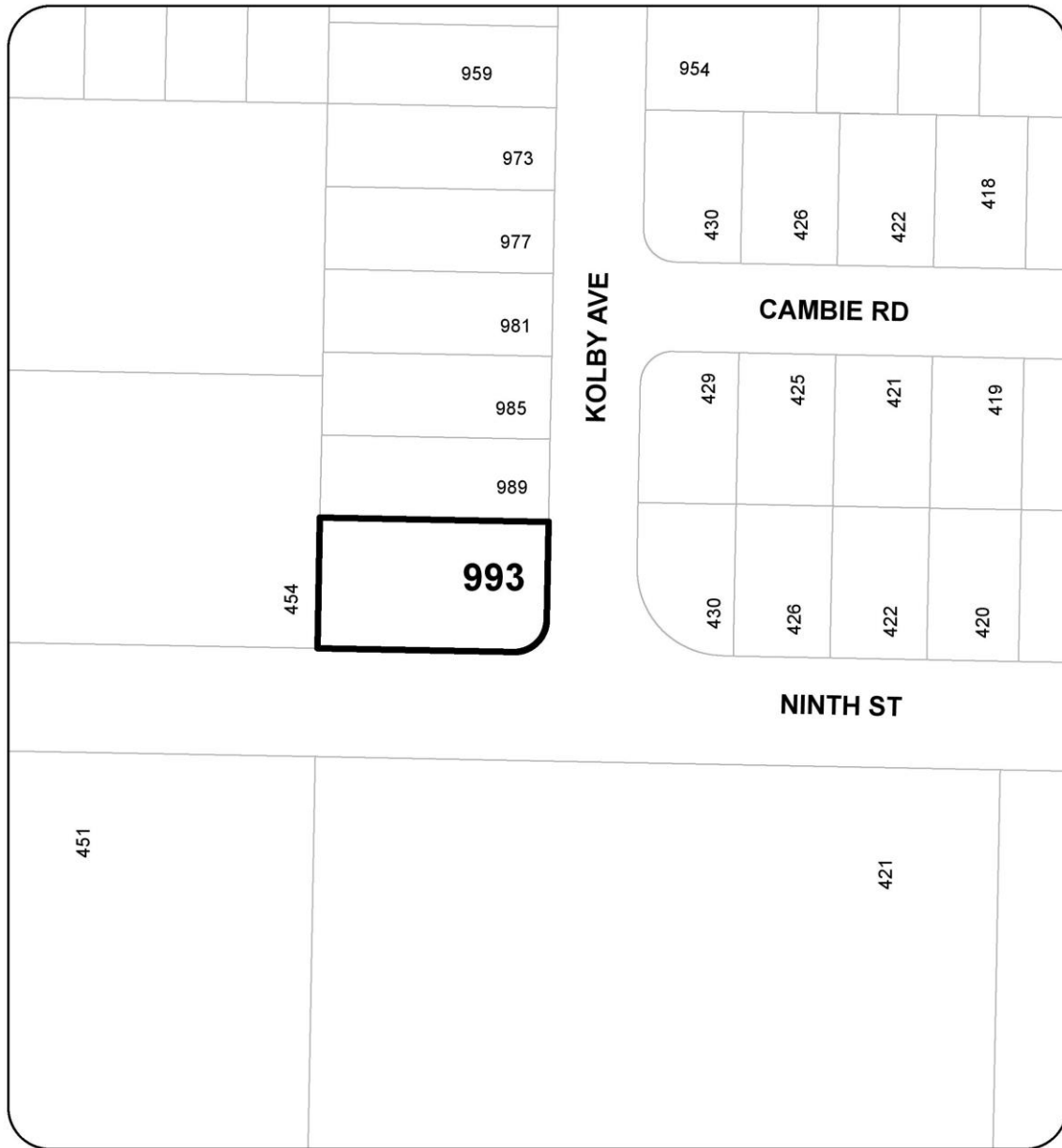
Civic: 5994 STILLWATER WAY

Legal Description: PARK DEDICATED BY PLAN EPP55143

Document Path: V:\Source Data\Departmental Data\Eng\Pub\Wks\GIS\Projects\TEMPLATES\LOCATION_PLAN\Maps\MAP_14.mxd

SCHEDULE A

MAP 15



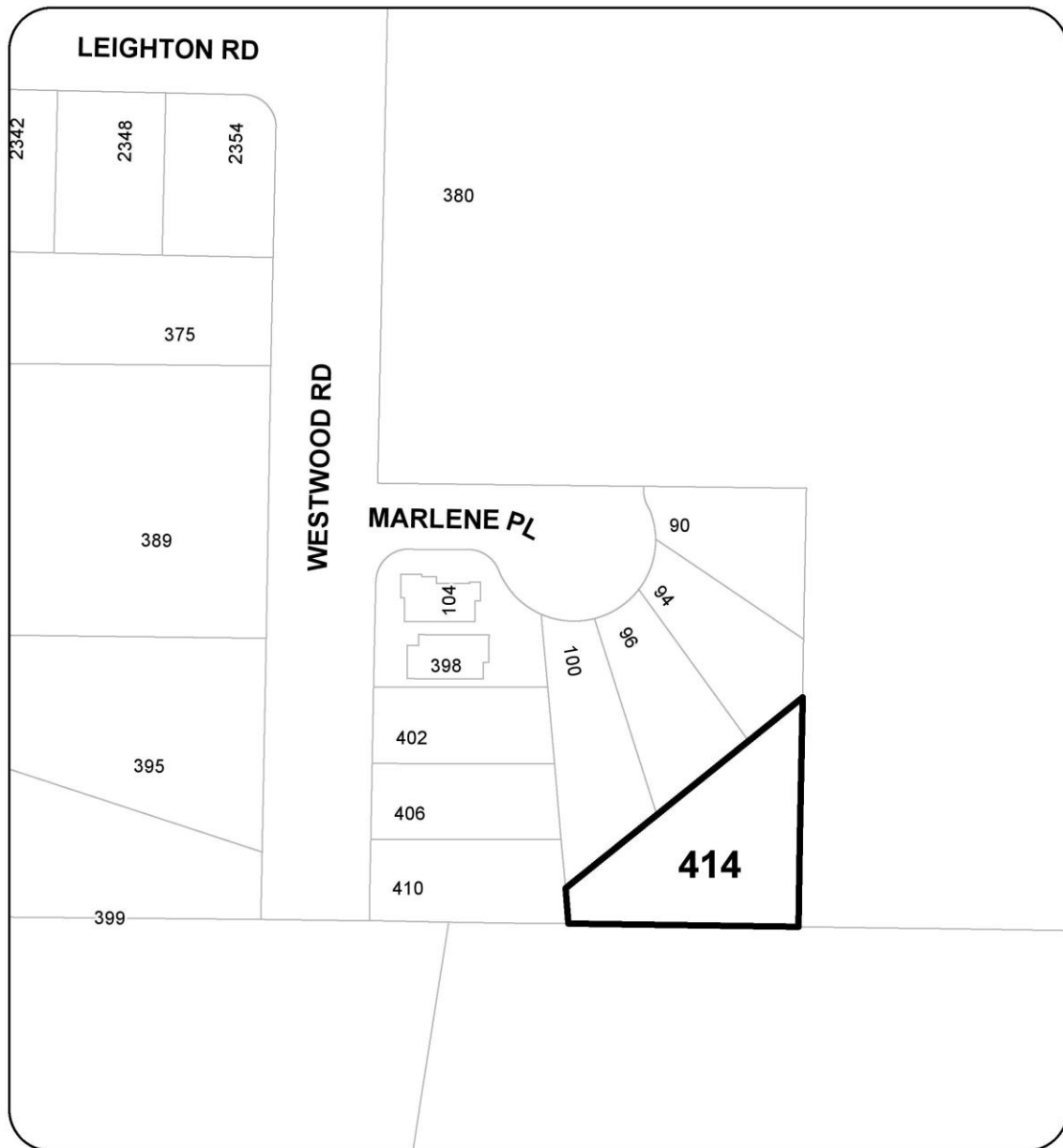
LOCATION PLAN

Civic: 993 KOLBY AVENUE
Legal Description: PARK DEDICATED BY PLAN EPP62561

Document Path: V:\Source Data\Departmental Data\Eng\Pub\Wks\GIS\Projects\TEMPLATES\LOCATION_PLAN\Maps\MAP_15.mxd

SCHEDULE A

MAP 16



SUBJECT PROPERTY

LOCATION PLAN

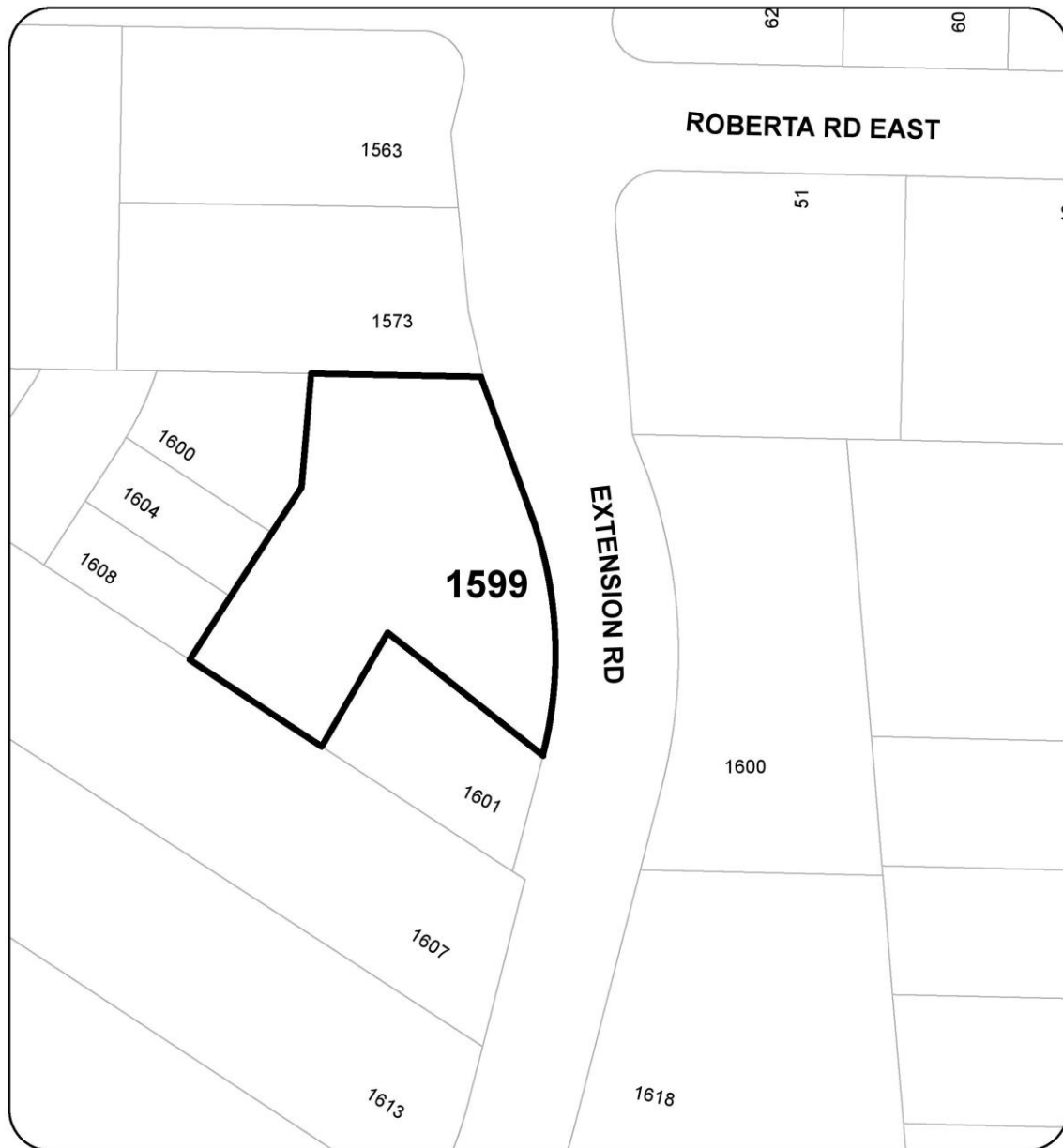
Civic: 414 WESTWOOD ROAD

Legal Description: PARK DEDICATED BY PLAN EPP64663

Document Path: V:\Source Data\Departmental Data\EngPubWks\GIS\Projects\TEMPLATES\LOCATION_PLAN\Maps\MAP_16.mxd

SCHEDULE A

MAP 17



SUBJECT PROPERTY

LOCATION PLAN

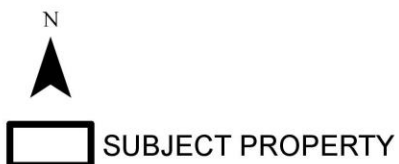
Civic: 1599 EXTENSION ROAD

Legal Description: PARK DEDICATED BY PLAN EPP41207

Document Path: V:\Source Data\Departmental Data\Eng\Pub\Wks\GIS\Projects\TEMPLATES\LOCATION_PLAN\Maps\MAP_17.mxd

SCHEDULE A

MAP 18



LOCATION PLAN

Civic: 1738 HARAMBE WAY
Legal Description: PARK DEDICATED BY PLAN EPP62594

Document Path: V:\Source Data\Departmental Data\Eng\Pub\Wks\GIS\Projects\TEMPLATES\LOCATION_PLAN\Maps\MAP_18.mxd

SCHEDULE A

MAP 19



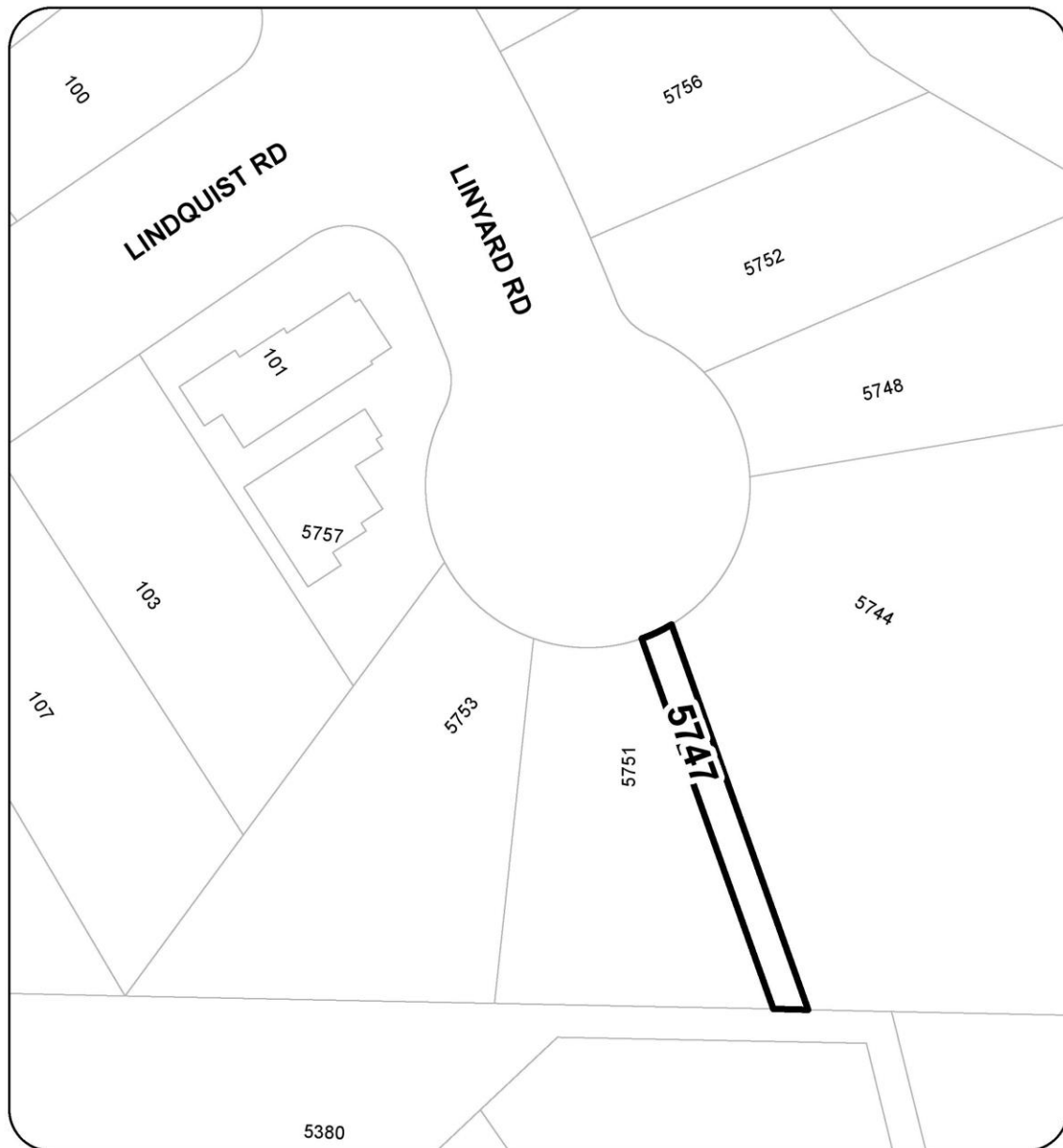
LOCATION PLAN

Civic: 5787 LINLEY VALLEY DRIVE
Legal Description: PARK DEDICATED BY PLANS EPP73181,
EPP66112, EPP17440

Document Path: V:\Source Data\Departmental Data\EngPubWks\GIS\Projects\TEMPLATES\LOCATION_PLAN\Maps\MAP_19.mxd

SCHEDULE A

MAP 20



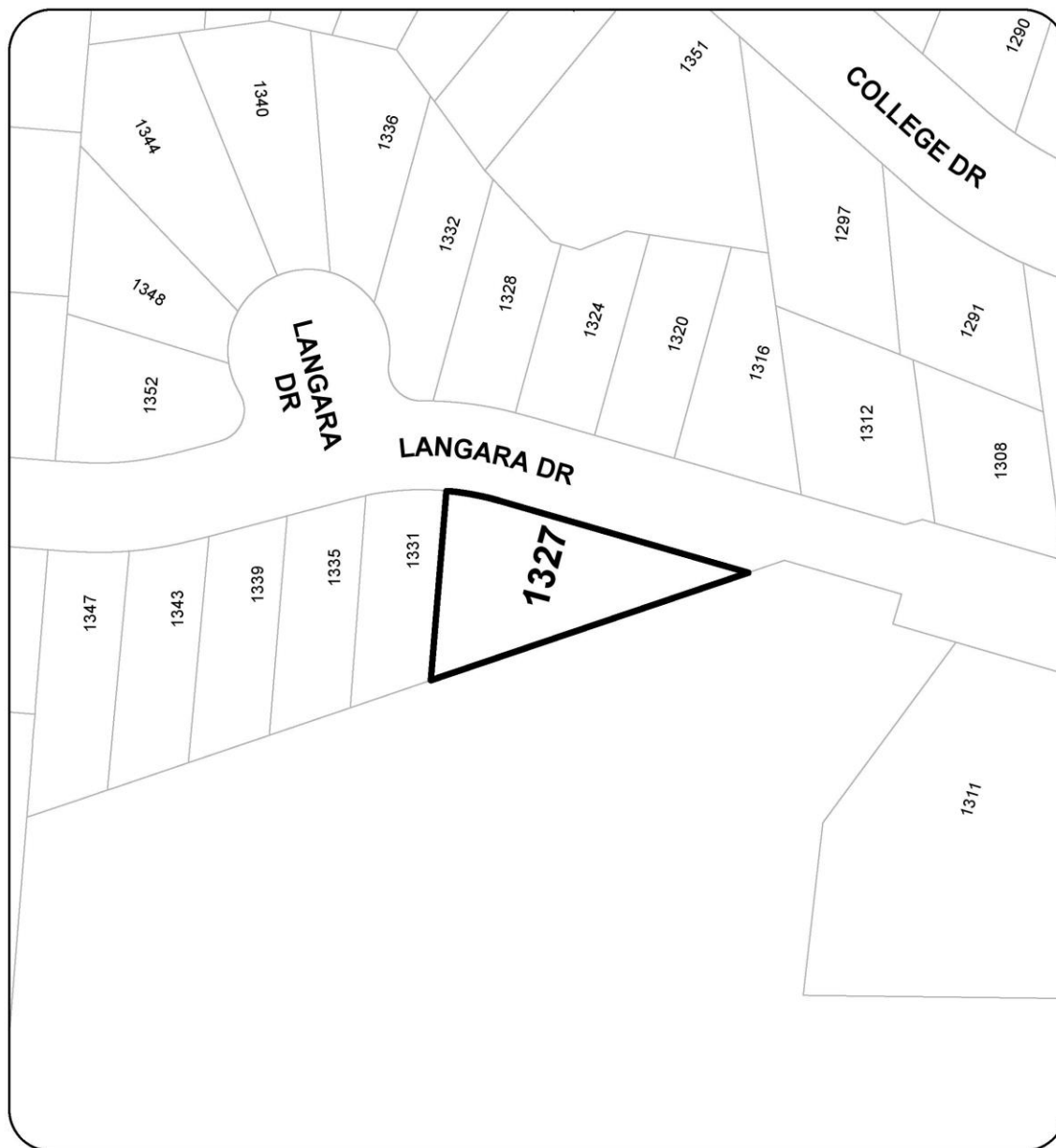
LOCATION PLAN

Civic: 5747 LINYARD ROAD
Legal Description: PARK DEDICATED BY PLAN EPP66112

Document Path: V:\Source Data\Departmental Data\Eng\Pub\Wks\GIS\Projects\TEMPLATES\LOCATION_PLAN\Maps\MAP_20.mxd

SCHEDULE A

MAP 21



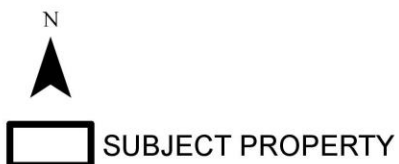
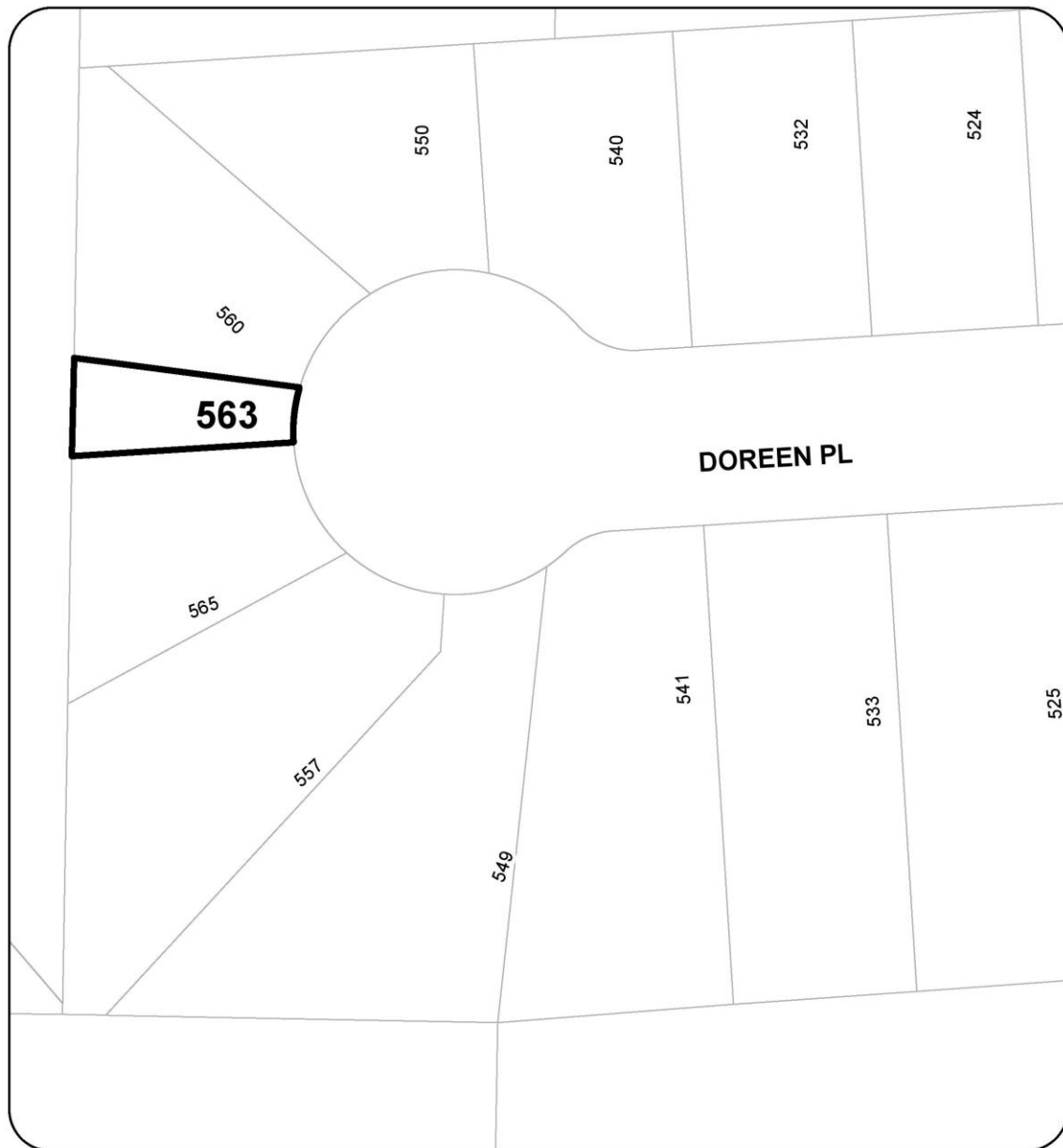
LOCATION PLAN

Civic: 1327 LANGARA DRIVE
Legal Description: PARK DEDICATED BY PLAN EPP65614

Document Path: V:\Source Data\Departmental Data\EngPubWks\GIS\Projects\TEMPLATES\LOCATION_PLAN\Maps\MAP_21.mxd

SCHEDULE A

MAP 22



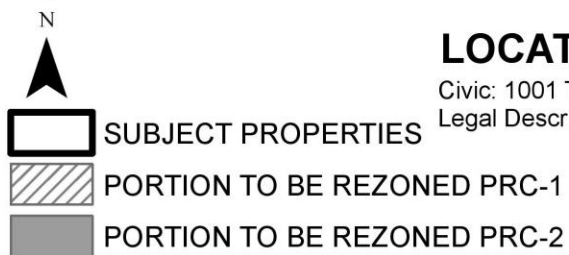
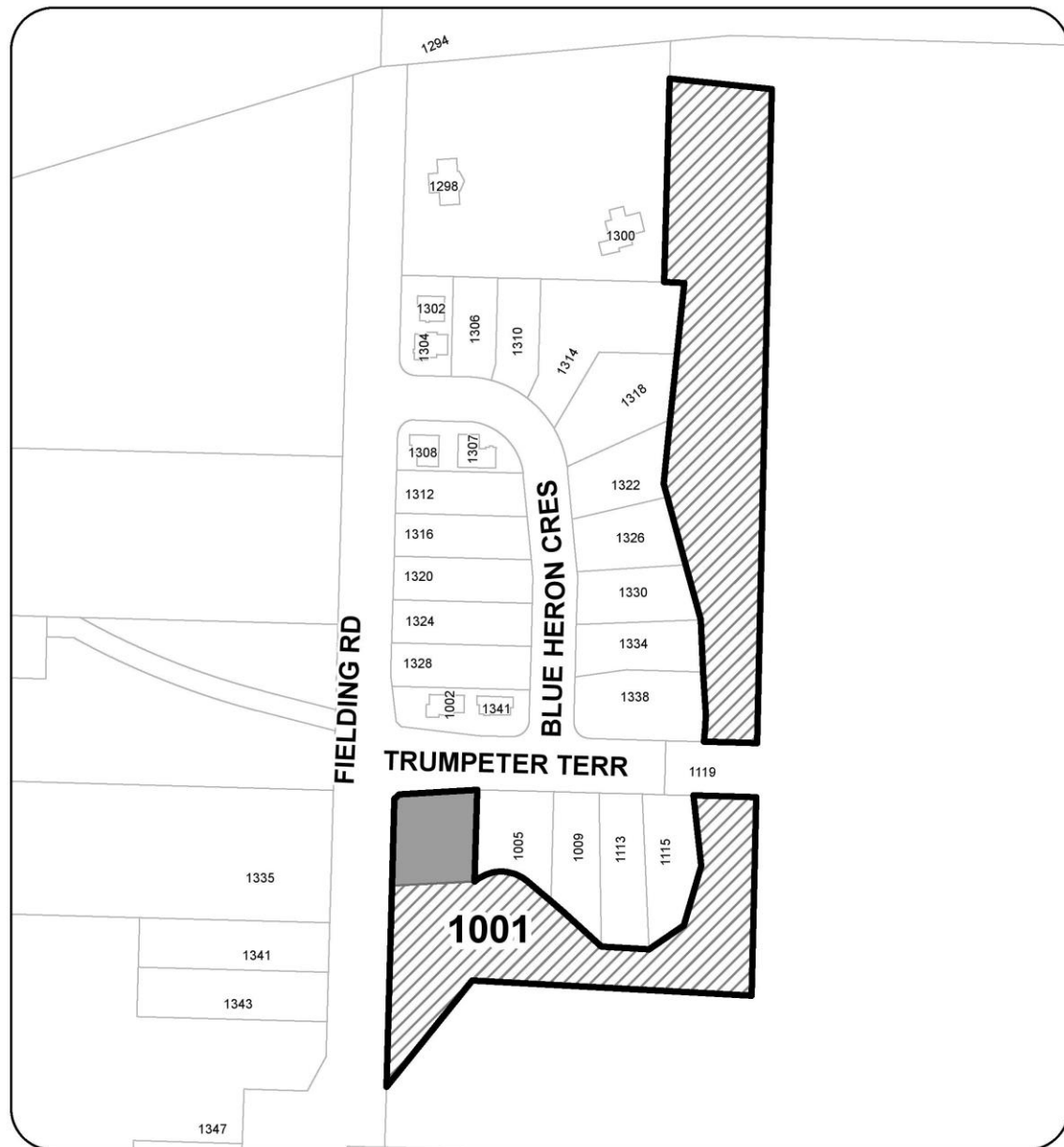
LOCATION PLAN

Civic: 563 DOREEN PLACE
Legal Description: PARK DEDICATED BY PLAN EPP62198

Document Path: V:\Source Data\Departmental Data\EngPubWks\GIS\Projects\TEMPLATES\LOCATION_PLAN\Maps\MAP_22.mxd

SCHEDULE A

MAP 23



LOCATION PLAN

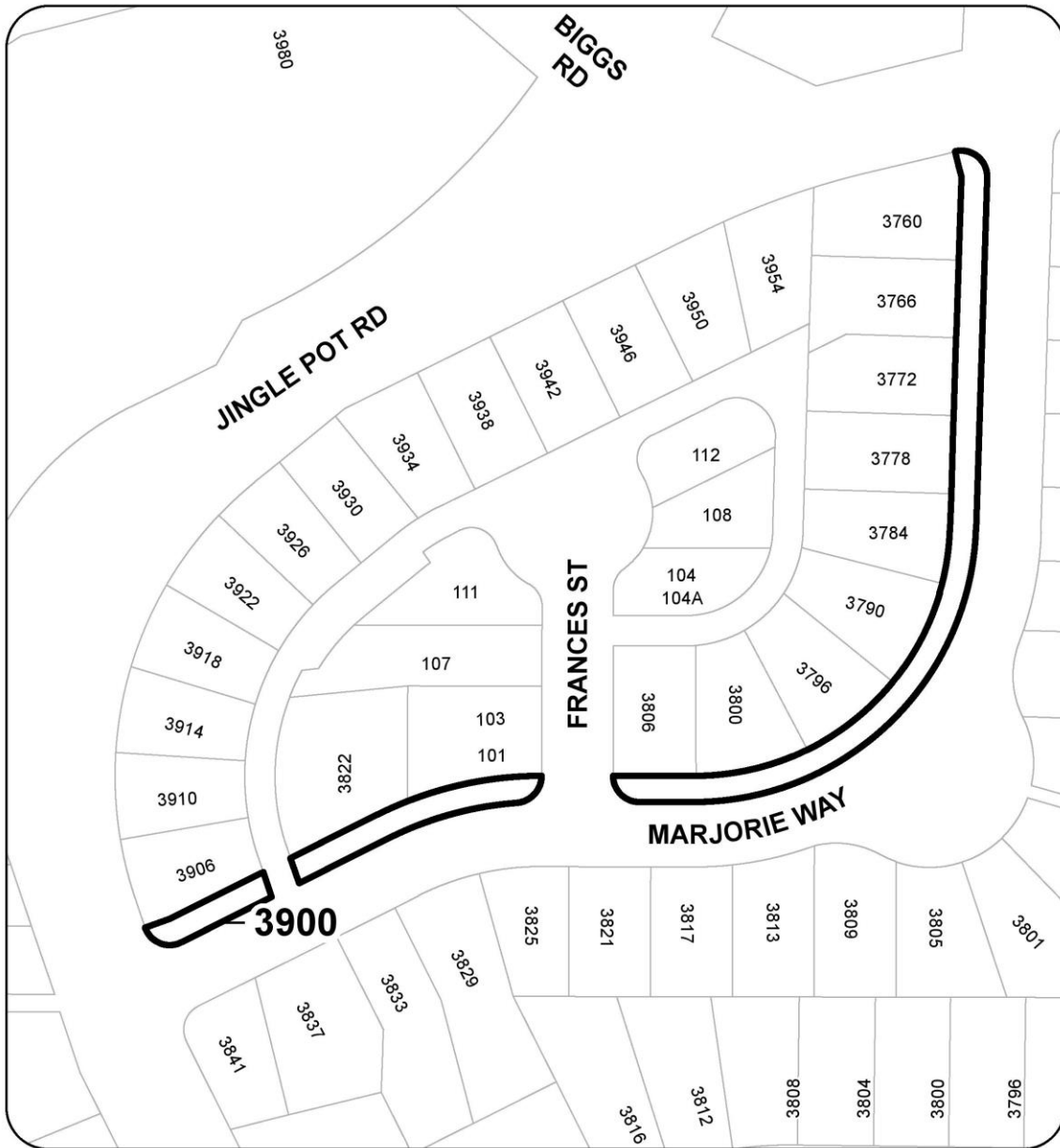
Civic: 1001 TRUMPETER TERRACE

Legal Description: PARK DEDICATED BY PLAN EPP67015

Document Path: V:\Source Data\Departmental Data\EngPubWks\GIS\Projects\TEMPLATES\LOCATION_PLAN\Maps\MAP_23.mxd

SCHEDULE A

MAP 24



LOCATION PLAN

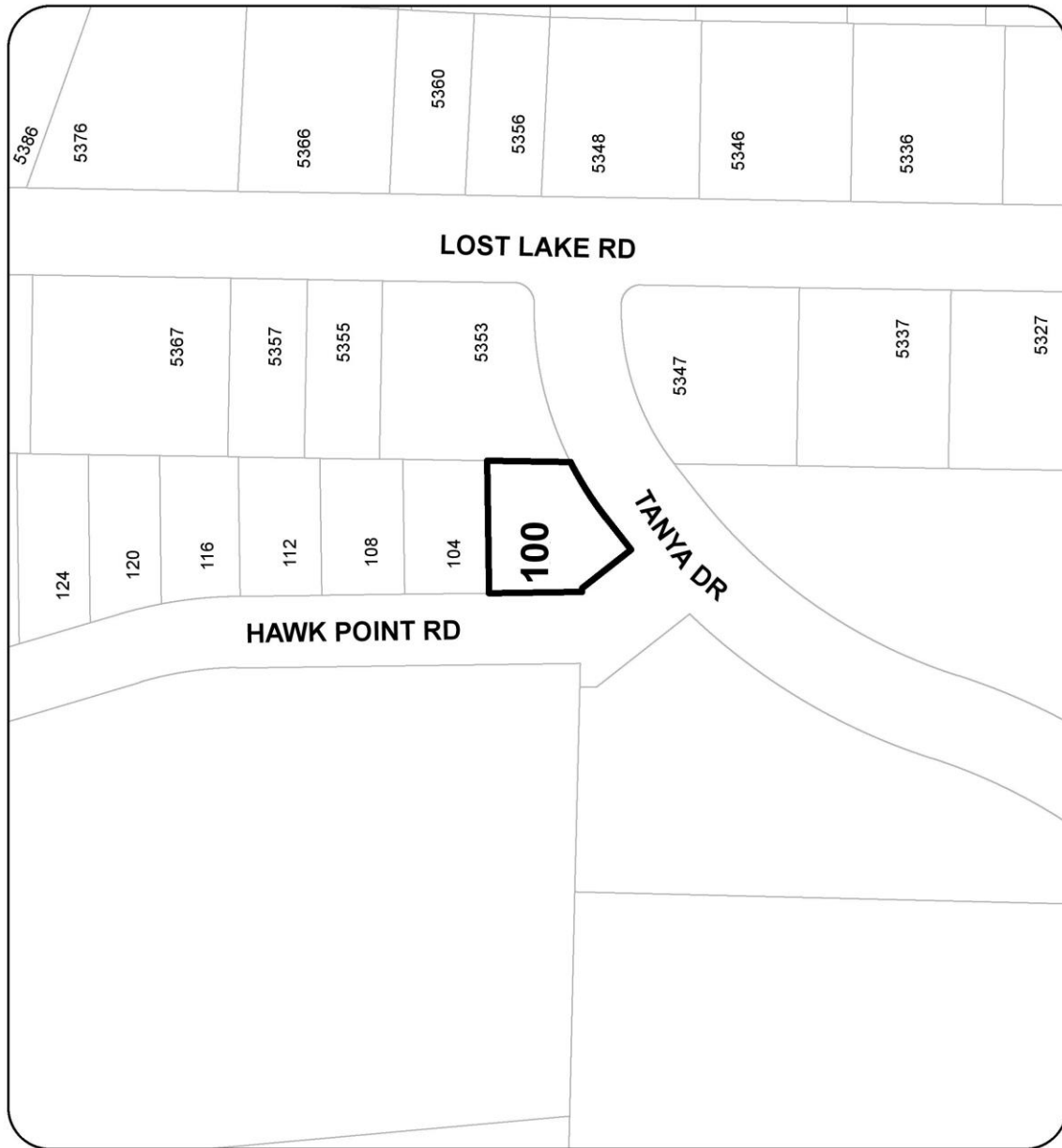
Civic: 3900 JINGLE POT ROAD

Legal Description: PARK DEDICATED BY PLAN EPP67602

Document Path: V:\Source Data\Departmental Data\Eng\Pub\Wks\GIS\Projects\TEMPLATES\LOCATION_PLAN\Maps\MAP_24.mxd

SCHEDULE A

MAP 25



SUBJECT PROPERTY

LOCATION PLAN

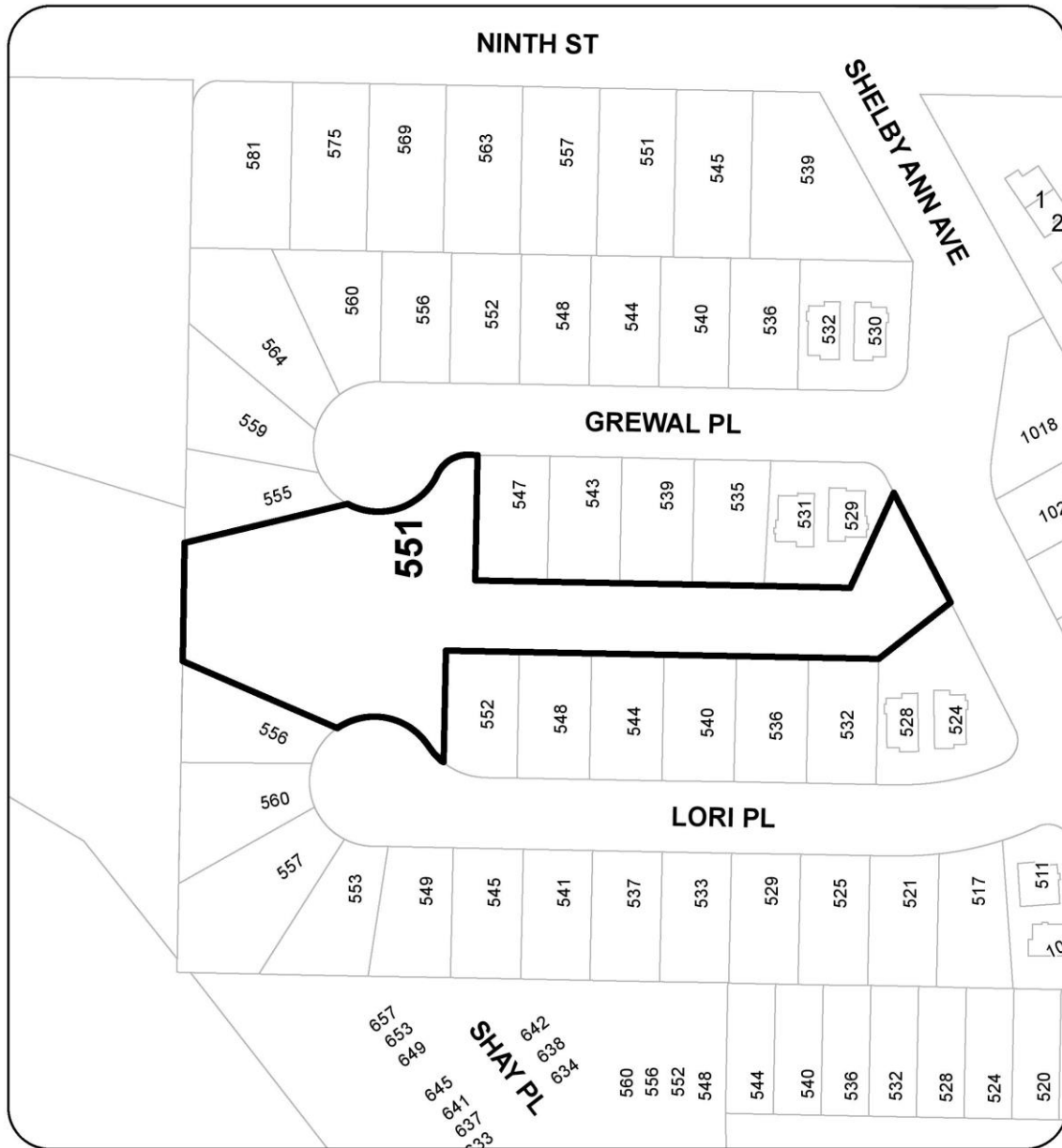
Civic: 100 HAWK POINT ROAD

Legal Description: PARK DEDICATED BY PLAN EPP73176

Document Path: V:\Source Data\Departmental Data\Eng\PubWks\GIS\Projects\TEMPLATES\LOCATION_PLAN\Maps\MAP_25.mxd

SCHEDULE A

MAP 26



SUBJECT PROPERTY

LOCATION PLAN

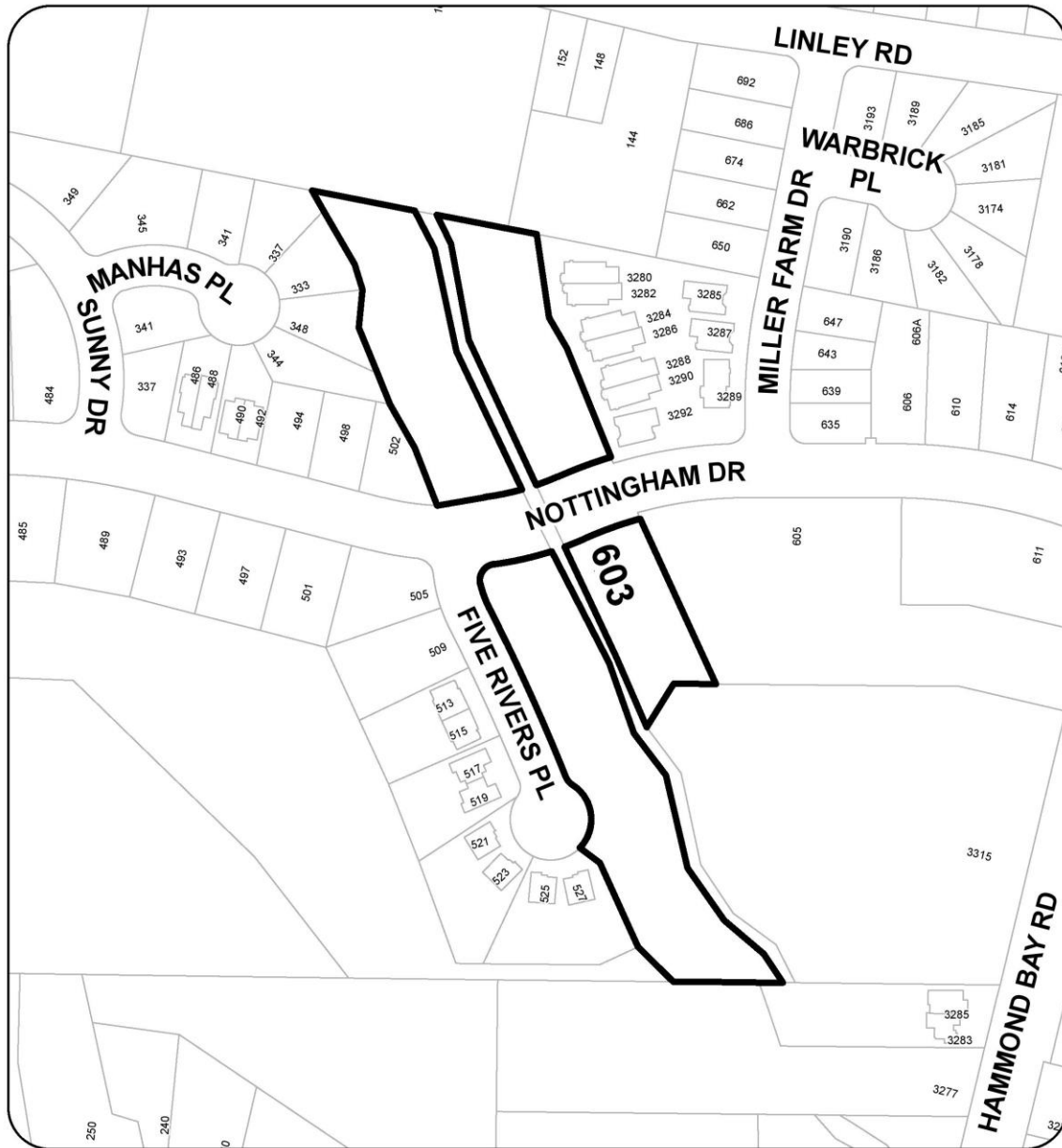
Civic: 551 GREWAL PLACE

Legal Description: PARK DEDICATED BY PLAN EPP73313

Document Path: V:\Source Data\Departmental Data\EngPubWks\GIS\Projects\TEMPLATES\LOCATION_PLAN\Maps\MAP_26.mxd

SCHEDULE A

MAP 27



SUBJECT PROPERTIES

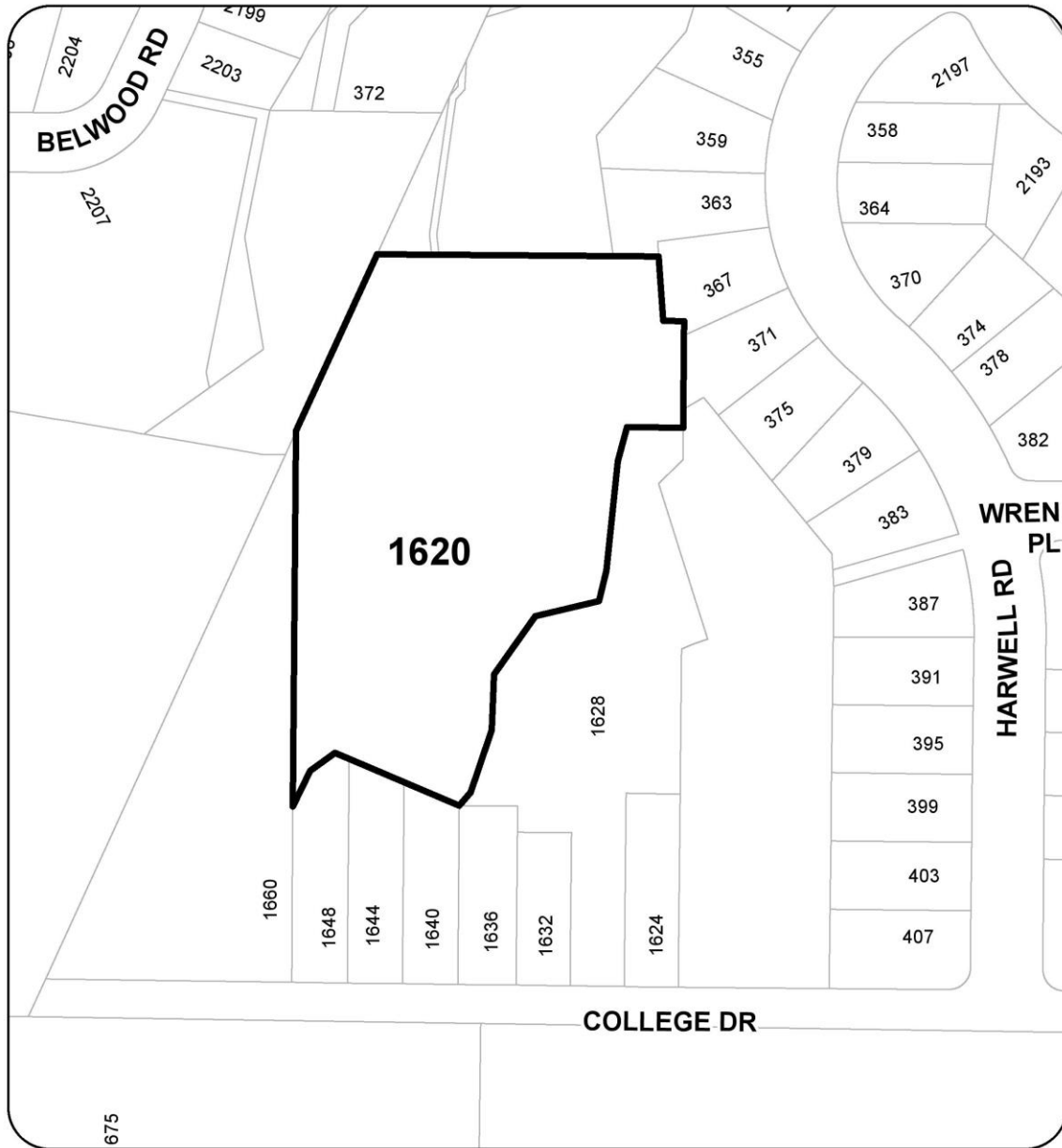
LOCATION PLAN

Civic: 603 NOTTINGHAM DRIVE
Legal Description: LOT 9, SECTION 15A
WELLINGTON DISTRICT, PLAN VIP83210

Document Path: V:\Source Data\Departmental Data\EngPubWks\GIS\Projects\TEMPLATES\LOCATION_PLAN\Maps\MAP_27.mxd

SCHEDULE A

MAP 28



LOCATION PLAN

Civic: 1620 COLLEGE DRIVE
Legal Description: PARK DEDICATED BY PLAN 44336

Document Path: V:\Source Data\Departmental Data\Eng\Pub\Wks\GIS\Projects\TEMPLATES\LOCATION_PLAN\Maps\MAP_28.mxd

The map shows a residential neighborhood with several streets and numerous house numbers. The streets are labeled as follows:

- RAVENSWOOD DR**: A curved street at the top of the map.
- LANCE PL**: A vertical street on the right side of the map.
- SARUM RISE WAY**: A horizontal street in the middle of the map.
- BERINGER BLVD**: A diagonal street on the left side of the map.

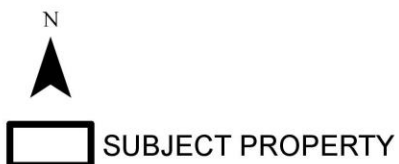
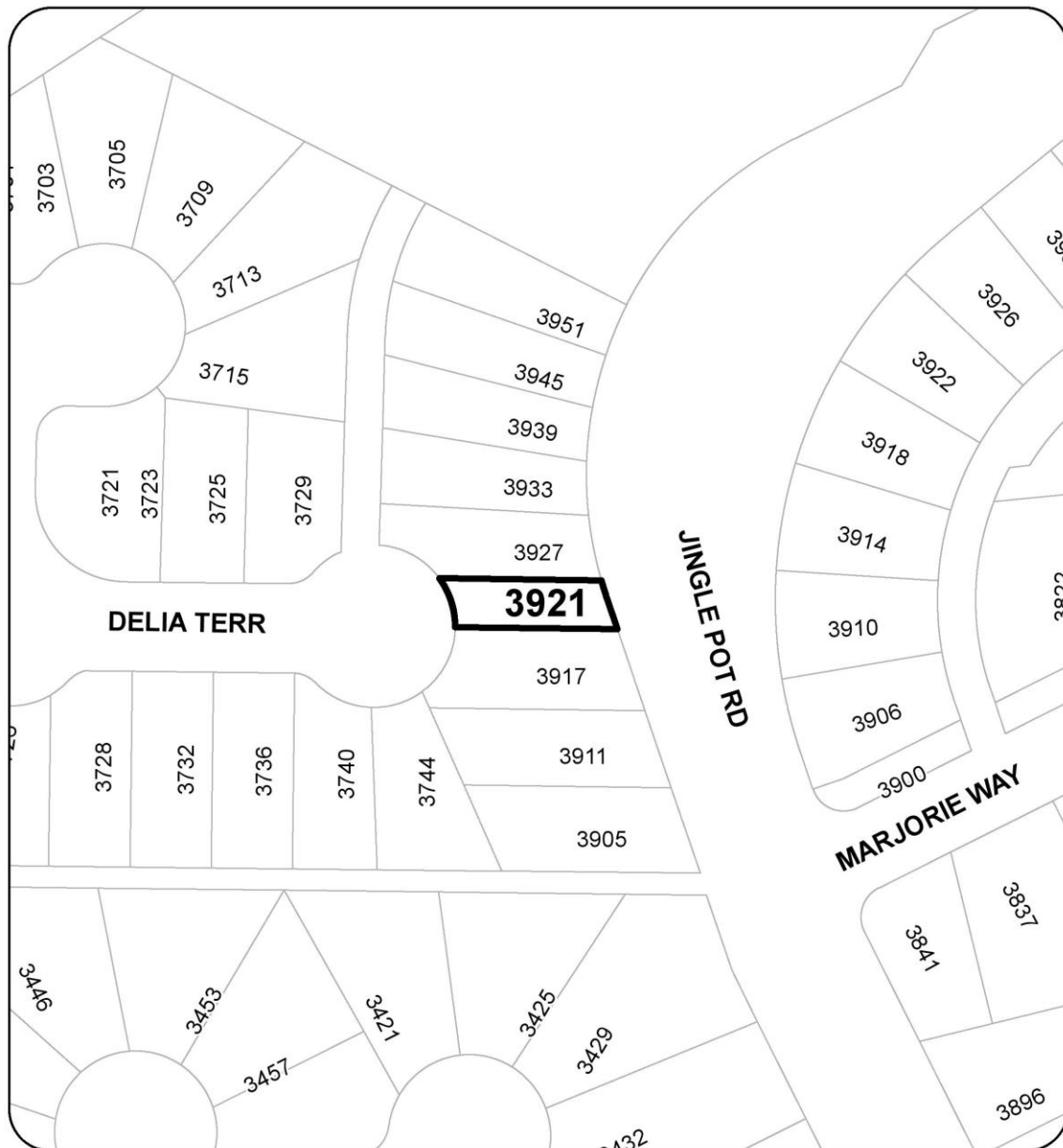
House numbers are labeled throughout the map, including 603, 607, 611, 615, 619, 623, 627, 631, 638, 645, 649, 655, 661, 667, 673, 679, 685, 692, 698, 704, 708, 712, 716, 720, 724, 728, 732, 734, 740, 744, 748, 752, 756, 760, 764, 768, 772, 776, 780, 784, 788, 792, 796, 800, 804, 808, 812, 816, 820, 824, 828, 832, 836, 840, 844, 848, 852, 856, 860, 864, 868, 872, 876, 880, 884, 888, 892, 896, 900, 904, 908, 912, 916, 920, 924, 928, 932, 936, 940, 944, 948, 952, 956, 960, 964, 968, 972, 976, 980, 984, 988, 992, 996, 1000, 1004, 1008, 1012, 1016, 1020, 1024, 1028, 1032, 1036, 1040, 1044, 1048, 1052, 1056, 1060, 1064, 1068, 1072, 1076, 1080, 1084, 1088, 1092, 1096, 1100, 1104, 1108, 1112, 1116, 1120, 1124, 1128, 1132, 1136, 1140, 1144, 1148, 1152, 1156, 1160, 1164, 1168, 1172, 1176, 1180, 1184, 1188, 1192, 1196, 1200, 1204, 1208, 1212, 1216, 1220, 1224, 1228, 1232, 1236, 1240, 1244, 1248, 1252, 1256, 1260, 1264, 1268, 1272, 1276, 1280, 1284, 1288, 1292, 1296, 1300, 1304, 1308, 1312, 1316, 1320, 1324, 1328, 1332, 1336, 1340, 1344, 1348, 1352, 1356, 1360, 1364, 1368, 1372, 1376, 1380, 1384, 1388, 1392, 1396, 1400, 1404, 1408, 1412, 1416, 1420, 1424, 1428, 1432, 1436, 1440, 1444, 1448, 1452, 1456, 1460, 1464, 1468, 1472, 1476, 1480, 1484, 1488, 1492, 1496, 1500, 1504, 1508, 1512, 1516, 1520, 1524, 1528, 1532, 1536, 1540, 1544, 1548, 1552, 1556, 1560, 1564, 1568, 1572, 1576, 1580, 1584, 1588, 1592, 1596, 1600, 1604, 1608, 1612, 1616, 1620, 1624, 1628, 1632, 1636, 1640, 1644, 1648, 1652, 1656, 1660, 1664, 1668, 1672, 1676, 1680, 1684, 1688, 1692, 1696, 1700, 1704, 1708, 1712, 1716, 1720, 1724, 1728, 1732, 1736, 1740, 1744, 1748, 1752, 1756, 1760, 1764, 1768, 1772, 1776, 1780, 1784, 1788, 1792, 1796, 1800, 1804, 1808, 1812, 1816, 1820, 1824, 1828, 1832, 1836, 1840, 1844, 1848, 1852, 1856, 1860, 1864, 1868, 1872, 1876, 1880, 1884, 1888, 1892, 1896, 1900, 1904, 1908, 1912, 1916, 1920, 1924, 1928, 1932, 1936, 1940, 1944, 1948, 1952, 1956, 1960, 1964, 1968, 1972, 1976, 1980, 1984, 1988, 1992, 1996, 2000, 2004, 2008, 2012, 2016, 2020, 2024, 2028, 2032, 2036, 2040, 2044, 2048, 2052, 2056, 2060, 2064, 2068, 2072, 2076, 2080, 2084, 2088, 2092, 2096, 2100, 2104, 2108, 2112, 2116, 2120, 2124, 2128, 2132, 2136, 2140, 2144, 2148, 2152, 2156, 2160, 2164, 2168, 2172, 2176, 2180, 2184, 2188, 2192, 2196, 2200, 2204, 2208, 2212, 2216, 2220, 2224, 2228, 2232, 2236, 2240, 2244, 2248, 2252, 2256, 2260, 2264, 2268, 2272, 2276, 2280, 2284, 2288, 2292, 2296, 2300, 2304, 2308, 2312, 2316, 2320, 2324, 2328, 2332, 2336, 2340, 2344, 2348, 2352, 2356, 2360, 2364, 2368, 2372, 2376, 2380, 2384, 2388, 2392, 2396, 2400, 2404, 2408, 2412, 2416, 2420, 2424, 2428, 2432, 2436, 2440, 2444, 2448, 2452, 2456, 2460, 2464, 2468, 2472, 2476, 2480, 2484, 2488, 2492, 2496, 2500, 2504, 2508, 2512, 2516, 2520, 2524, 2528, 2532, 2536, 2540, 2544, 2548, 2552, 2556, 2560, 2564, 2568, 2572, 2576, 2580, 2584, 2588, 2592, 2596, 2600, 2604, 2608, 2612, 2616, 2620, 2624, 2628, 2632, 2636, 2640, 2644, 2648, 2652, 2656, 2660, 2664, 2668, 2672, 2676, 2680, 2684, 2688, 2692, 2696, 2700, 2704, 2708, 2712, 2716, 2720, 2724, 2728, 2732, 2736, 2740, 2744, 2748, 2752, 2756, 2760, 2764, 2768, 2772, 2776, 2780, 2784, 2788, 2792, 2796, 2800, 2804, 2808, 2812, 2816, 2820, 2824, 2828, 2832, 2836, 2840, 2844, 2848, 2852, 2856, 2860, 2864, 2868, 2872, 2876, 2880, 2884, 2888, 2892, 2896, 2900, 2904, 2908, 2912, 2916, 2920, 2924, 2928, 2932, 2936, 2940, 2944, 2948, 2952, 2956, 2960, 2964, 2968, 2972, 2976, 2980, 2984, 2988, 2992, 2996, 3000, 3004, 3008, 3012, 3016, 3020, 3024, 3028, 3032, 3036, 3040, 3044, 3048, 3052, 3056, 3060, 3064, 3068, 3072, 3076, 3080, 3084, 3088, 3092, 3096, 3100, 3104, 3108, 3112, 3116, 3120, 3124, 3128, 3132, 3136, 3140, 3144, 3148, 3152, 3156, 3160, 3164, 3168, 3172, 3176, 3180, 3184, 3188, 3192, 3196, 3200, 3204, 3208, 3212, 3216, 3220, 3224, 3228, 3232, 3236, 3240, 3244, 3248, 3252, 3256, 3260, 3264, 3268, 3272, 3276, 3280,



Civic: 638 SARUM RISE WAY
Legal Description: PARK DEDICATED BY PLAN EPP73244

SCHEDULE A

MAP 30



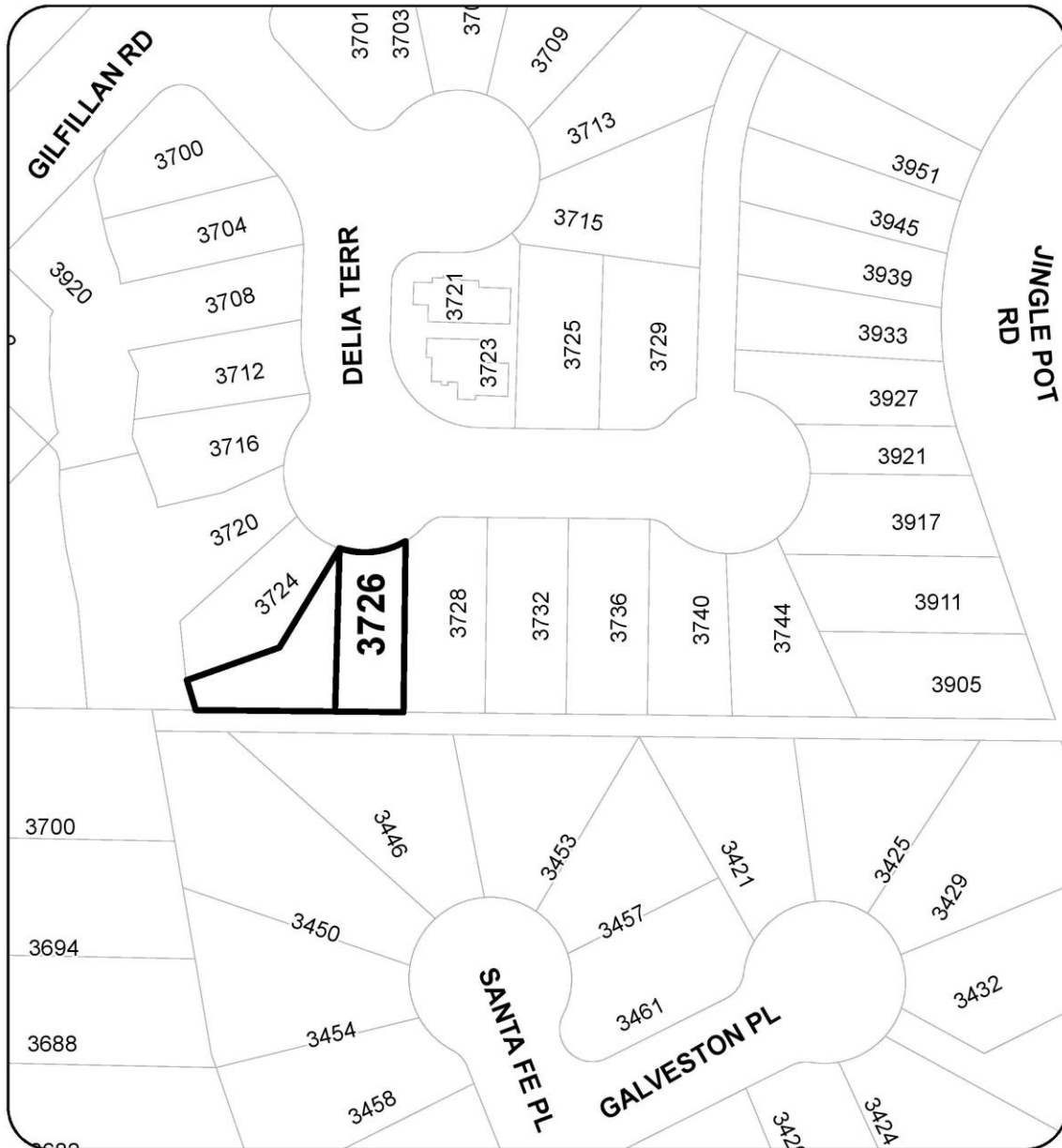
LOCATION PLAN

Civic: 3921 JINGLE POT ROAD
Legal Description: PARK DEDICATED BY PLAN EPP84286

Document Path: V:\Source Data\Departmental Data\Eng\Pub\Wks\GIS\Projects\TEMPLATES\LOCATION_PLAN\Maps\MAP_30.mxd

SCHEDULE A

MAP 31



SUBJECT PROPERTIES

LOCATION PLAN

Civic: 3726 DELIA TERRACE

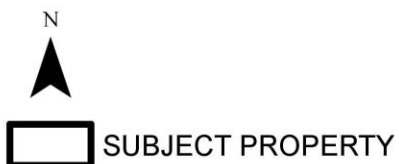
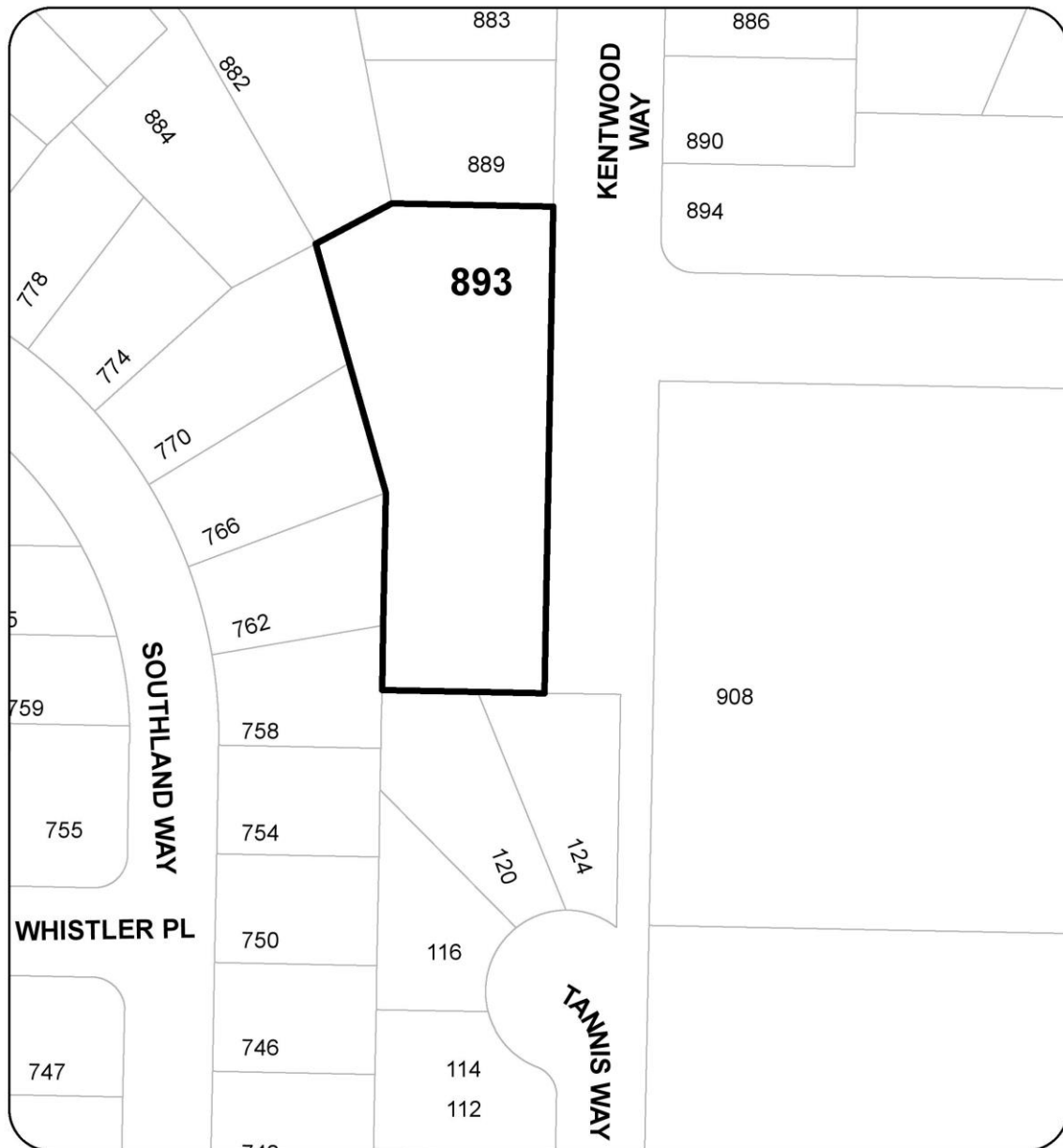
Legal Description: PARK DEDICATED BY PLAN EPP84286 &

PARK DEDICATED BY PLAN EPP88835

Document Path: V:\Source Data\Departmental Data\Eng\Pub\Wks\GIS\Projects\TEMPLATES\LOCATION_PLAN\Maps\MAP_31.mxd

SCHEDULE A

MAP 32



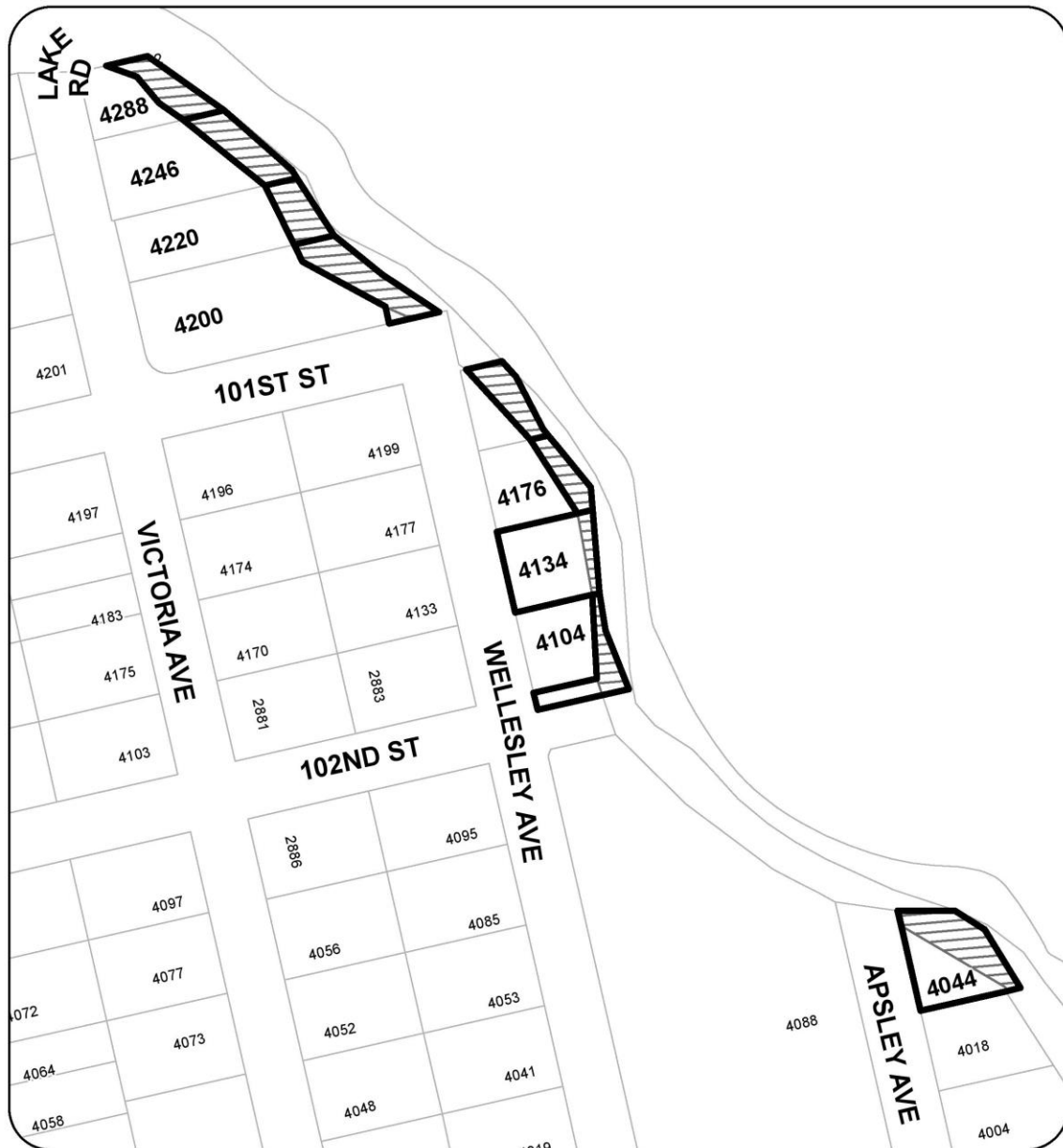
LOCATION PLAN

Civic: 893 KENTWOOD WAY
Legal Description: PARK DEDICATED BY PLAN EPP72913

Document Path: V:\Source Data\Departmental Data\Eng\Pub\Wks\GIS\Projects\TEMPLATES\LOCATION_PLAN\Maps\MAP_32.mxd

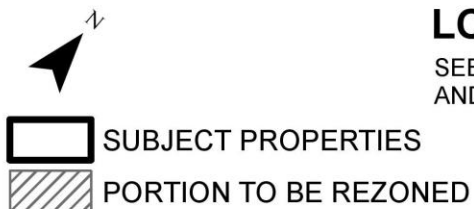
SCHEDULE A

MAP 33



LOCATION PLAN

SEE NEXT PAGE FOR CIVIC ADDRESSES
AND LEGAL DESCRIPTIONS



Document Path: V:\Source Data\Departmental Data\Eng\PubWks\GIS\Projects\TEMPLATES\LOCATION_PLAN\Maps\MAP_33v2.mxd

SCHEDULE A

MAP 33 (continued)

Civic Address:	Legal Description:
4044 Apsley Avenue	Lot A, Section 5, Wellington District, Plan EPP16693
4104A Wellesley Avenue	Lot 8, Section 5, Wellington District, Plan EPP82222
4134 Wellesley Avenue	Lot A, Section 5, Wellington District, Plan EPP86087
4176A Wellesley Avenue	Lots 5 & 6, Section 5, Wellington District, Plan EPP82222
4200A Victoria Avenue	Lot 4, Section 5, Wellington District, Plan EPP82222
4220A Victoria Avenue	Lot 3, Section 5, Wellington District, Plan EPP82222
4246A Victoria Avenue	Lot 2, Section 5, Wellington District, Plan EPP82222
4288A Victoria Avenue	Lot 1, Section 5, Wellington District, Plan EPP82222

8. Bylaws

CITY OF NANAIMO

BYLAW NO. 4500.156

A BYLAW TO AMEND THE "CITY OF NANAIMO ZONING BYLAW 2011 NO. 4500"

WHEREAS the Council may zone land, by bylaw, pursuant to Sections 464, 465, 469, 477, 479, 480, 481, 482, and 548 of the *Local Government Act*;

THEREFORE BE IT RESOLVED the Municipal Council of the City of Nanaimo, in open meeting assembled, ENACTS AS FOLLOWS:

1. This Bylaw may be cited as the "Zoning Amendment Bylaw 2019 No. 4500.156".
2. The "City of Nanaimo Zoning Bylaw 2011 No. 4500" is hereby amended as follows:

By rezoning the lands legally described as LOT 4, DISTRICT LOT 17, WELLINGTON DISTRICT, PLAN VIP60166 EXCEPT THAT PART IN PLAN VIP65179 (4961 Songbird Place) from Single Dwelling Residential (R1) to Residential Corridor (COR1) as shown on Schedule A.

PASSED FIRST READING: 2019-OCT-07

PASSED SECOND READING: 2019-OCT-07

PUBLIC HEARING HELD: _____

PASSED THIRD READING: _____

MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE: _____

ADOPTED: _____

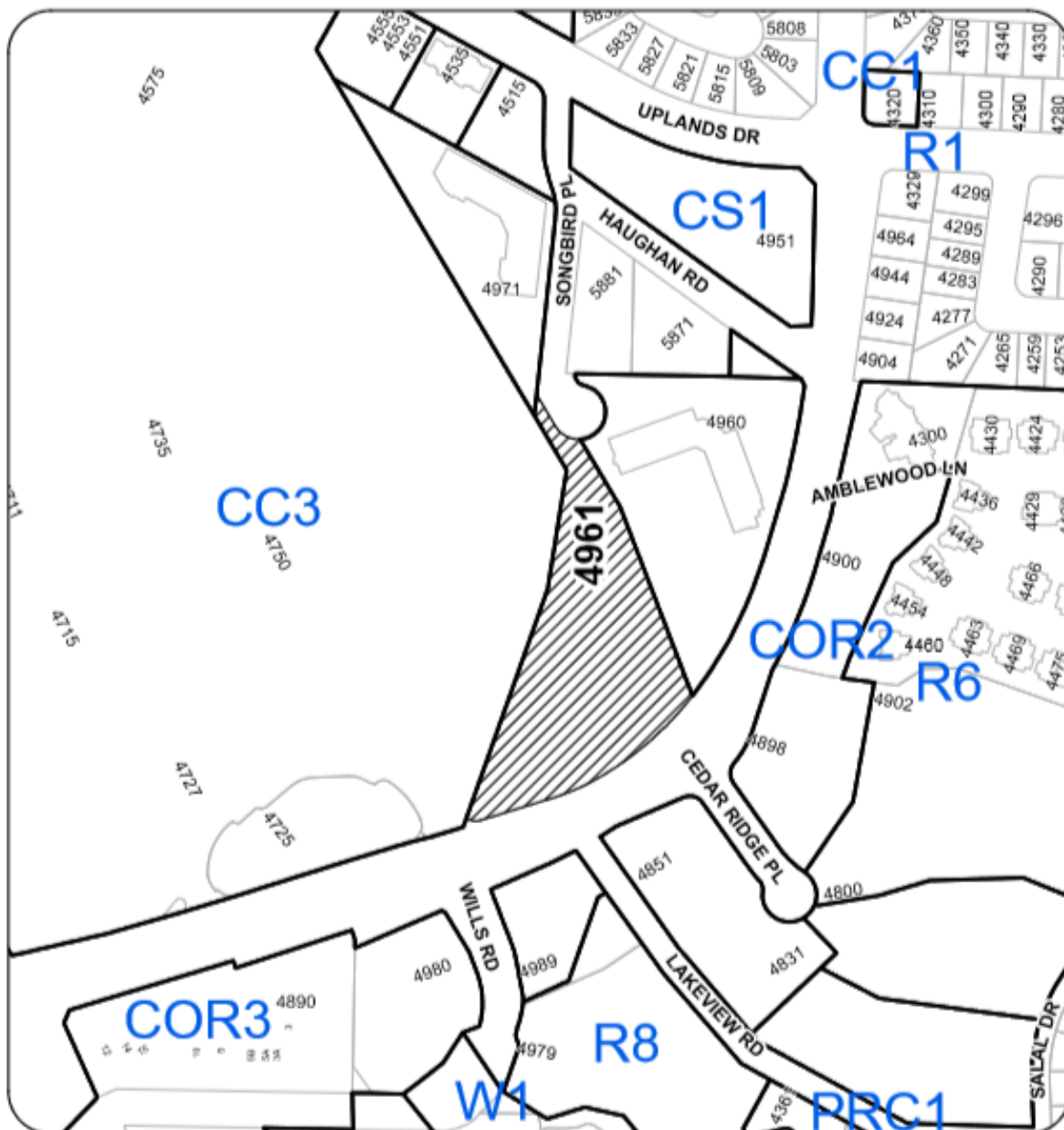
MAYOR

CORPORATE OFFICER

File: RA000402
Address: 4961 Songbird Place

SCHEDULE A

LOCATION PLAN



REZONING APPLICATION NO. RA000402

LOCATION PLAN



Civic: 4961 SONGBIRD PLACE
Legal: LOT 4, DISTRICT LOT 17, WELLINGTON
PLAN VIP60166 EXCEPT THAT PART IN PLAN VIP65179

CITY OF NANAIMO

BYLAW NO. 4500.159

A BYLAW TO AMEND THE "CITY OF NANAIMO ZONING BYLAW 2011 NO. 4500"

WHEREAS the Council may zone land, by bylaw, pursuant to Sections 464, 465, 469, 477, 479, 480, 481, 482, and 548 of the *Local Government Act*;

THEREFORE BE IT RESOLVED the Municipal Council of the City of Nanaimo, in open meeting assembled, ENACTS AS FOLLOWS:

1. This Bylaw may be cited as the "Zoning Amendment Bylaw 2019 No. 4500.159".
2. The "City of Nanaimo Zoning Bylaw 2011 No. 4500" is hereby amended as follows:

By rezoning the lands legally described as LOT 2, SECTION 1, NANAIMO DISTRICT, PLAN EPP55139 (150 Esplanade Street) and LOT 3, SECTION 1, NANAIMO DISTRICT, PLAN EPP55139 (155 Fry Street) from Community Corridor (COR3) to Mixed Use Corridor (COR2) as shown on Schedule A.

PASSED FIRST READING: 2019-OCT-21

PASSED SECOND READING: 2019-OCT-21

PUBLIC HEARING HELD: _____

PASSED THIRD READING: _____

MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE: _____

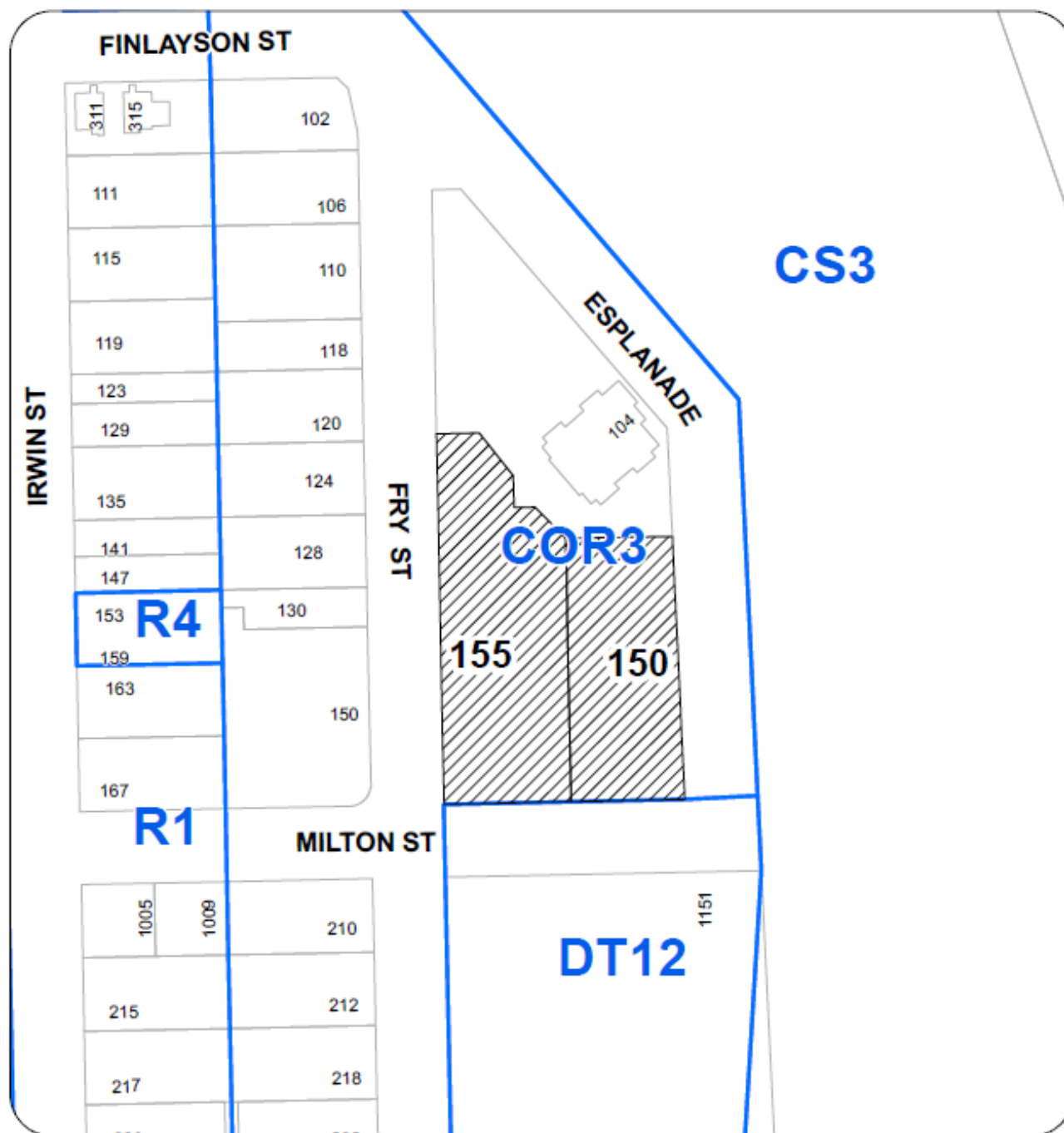
ADOPTED: _____

MAYOR

CORPORATE OFFICER

File: RA000419
Address: 150 Esplanade and 155 Fry Street

SCHEDULE A



REZONING APPLICATION NO. RA000419



CIVIC: 155 FRY STREET / 150 ESPLANADE
LEGAL: LOTS 2 & 3 SECTION 1 NANAIMO
DISTRICT PLAN EPP55139



SUBJECT PROPERTY

Document Path: V:\Source Data\Departmental Data\Eng\Pub\Ww\GIS\Projects\TEMPLATES\LOCATION_PLAN\Map\RA000419_LP.mxd

CITY OF NANAIMO

BYLAW NO. 4500.161

A BYLAW TO AMEND THE "CITY OF NANAIMO ZONING BYLAW 2011 NO. 4500"

WHEREAS the Council may zone land, by bylaw, pursuant to Sections 464, 465, 469, 477, 479, 480, 481, 482, and 548 of the *Local Government Act*;

THEREFORE BE IT RESOLVED the Municipal Council of the City of Nanaimo, in open meeting assembled, ENACTS AS FOLLOWS:

1. This Bylaw may be cited as the "Zoning Amendment Bylaw 2019 No. 4500.161".
2. The "City of Nanaimo Zoning Bylaw 2011 No. 4500" is hereby amended as follows:

By rezoning the lands legally described as LOT 5, BLOCK 58, SECTION 1, NANAIMO DISTRICT, PLAN 584, EXCEPT THAT PART THEREOF OUTLINED IN RED ON PLAN 182BL (120 Commercial Street) to allow Cannabis Retail Store as a site-specific use within the Core (DT1) Zone, as shown on Schedule A.

PASSED FIRST READING: 2019-OCT-21

PASSED SECOND READING: 2019-OCT-21

PUBLIC HEARING HELD: _____

PASSED THIRD READING: _____

MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE: _____

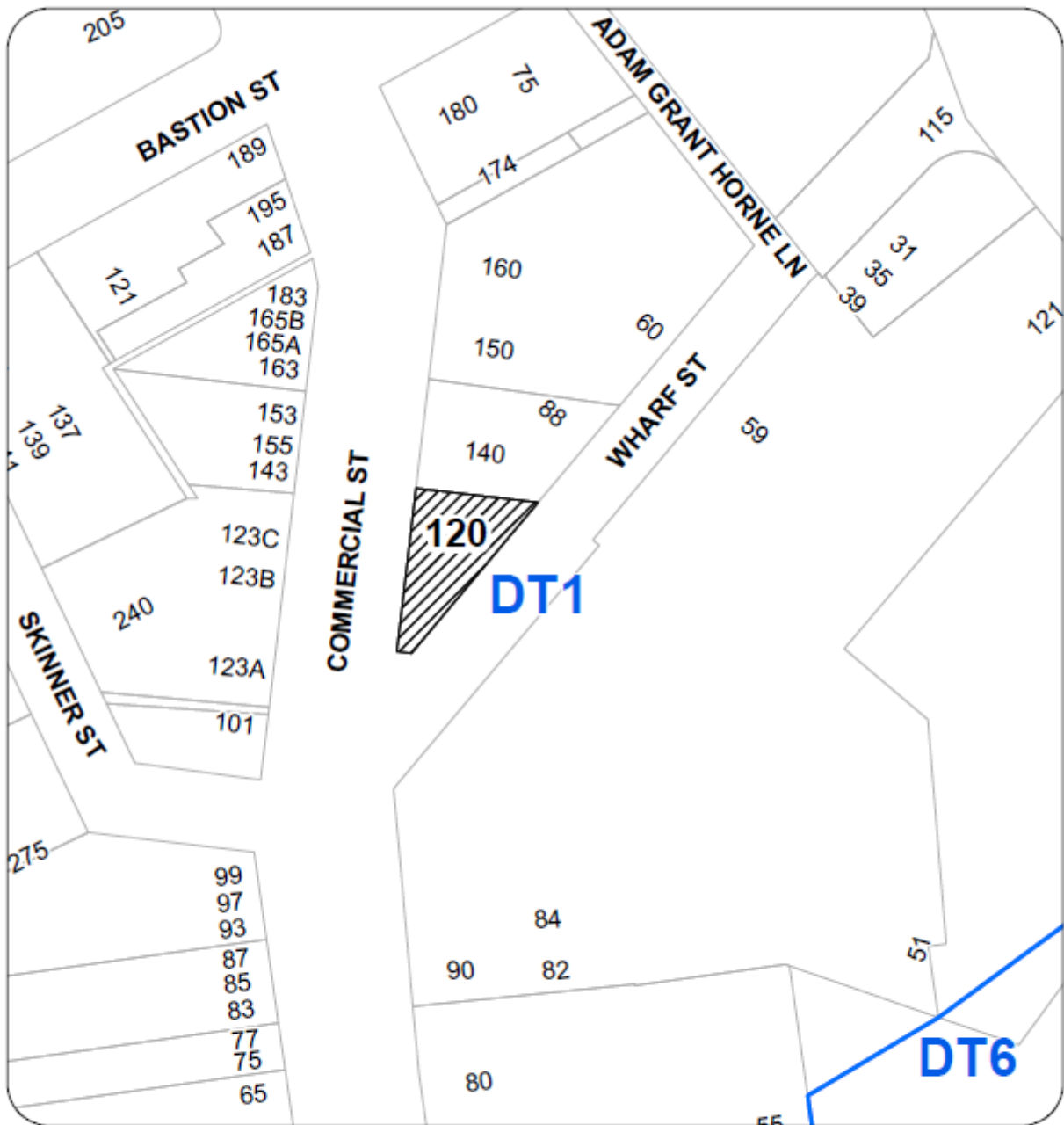
ADOPTED: _____

MAYOR

CORPORATE OFFICER

File: RA000436
Address: 120 Commercial Street

SCHEDULE A



REZONING APPLICATION NO. RA000436



SUBJECT PROPERTY

CIVIC: 120 COMMERCIAL STREET
LEGAL: LOT 5, BLOCK 58, SECTION 1, NANAIMO DISTRICT, PLAN 584
EXCEPT THAT PART THEREOF OUTLINED IN RED ON PLAN 182 BL

Document Path: V:\Source Data\Departmental Data\Eng\Pub\Work\GIS\Projects\TEMPLATES\LOCATION_PLAN\Map\RA000436_LP.mxd

CITY OF NANAIMO

BYLAW NO. 4500.160

A BYLAW TO AMEND THE "CITY OF NANAIMO ZONING BYLAW 2011 NO. 4500"

WHEREAS the Council may zone land, by bylaw, pursuant to Sections 464, 465, 469, 477, 479, 480, 481, 482, and 548 of the *Local Government Act*;

THEREFORE BE IT RESOLVED the Municipal Council of the City of Nanaimo, in open meeting assembled, ENACTS AS FOLLOWS:

1. This Bylaw may be cited as the "Zoning Amendment Bylaw 2019 No. 4500.160".
2. The "City of Nanaimo Zoning Bylaw 2011 No. 4500" is hereby amended as follows:

By rezoning the lands legally described as LOT 13, BLOCK 54, SECTION 1, NANAIMO DISTRICT, PLAN 584 (115 Chapel Street) to allow Cannabis Retail Store as a site-specific use within the Core (DT1) Zone, as shown on Schedule A.

PASSED FIRST READING: 2019-OCT-21

PASSED SECOND READING: 2019-OCT-21

PUBLIC HEARING HELD: _____

PASSED THIRD READING: _____

MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE: _____

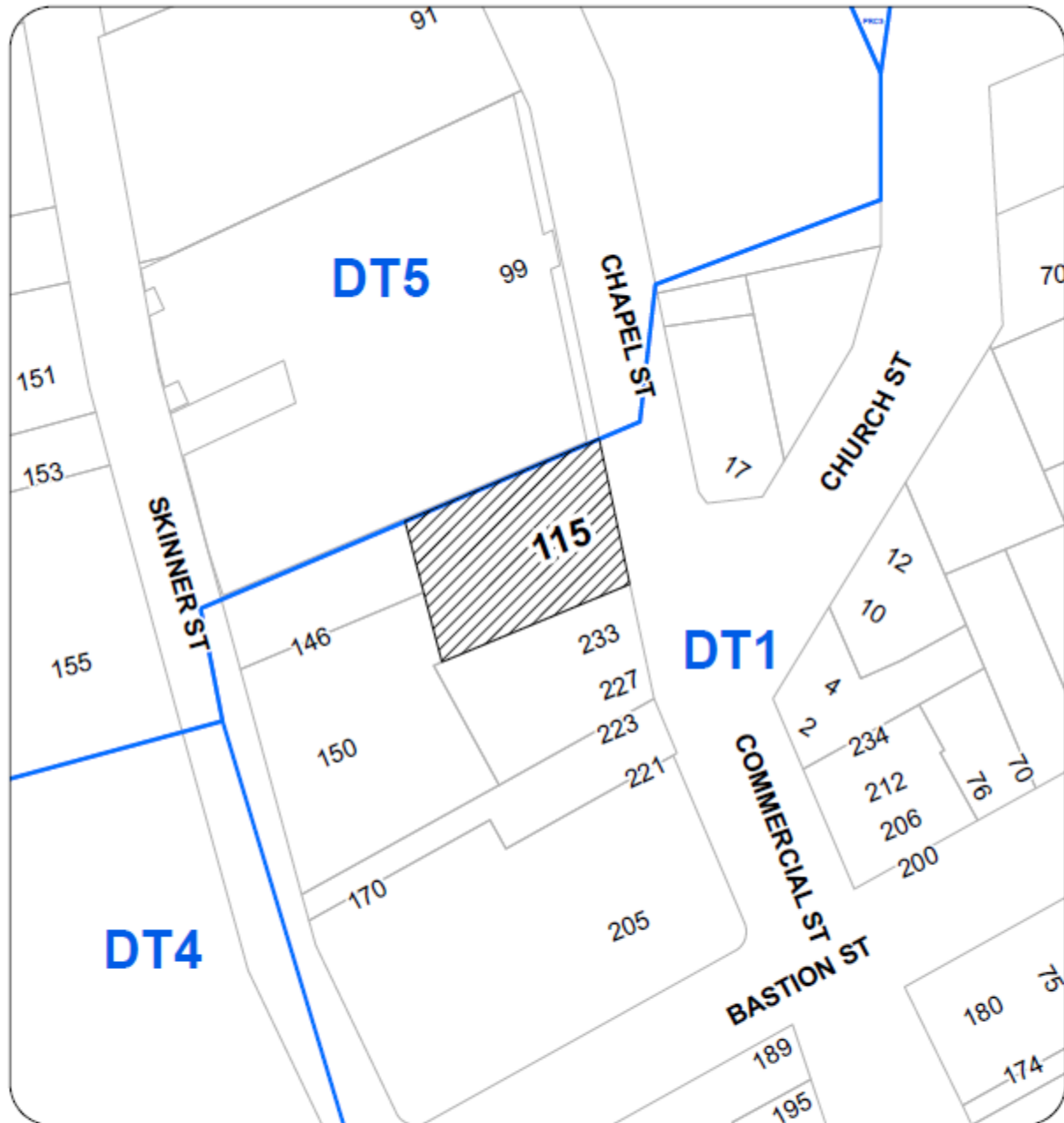
ADOPTED: _____

MAYOR

CORPORATE OFFICER

File: RA000437
Address: 115 Chapel Street

SCHEDULE A



REZONING APPLICATION NO. RA000437



SUBJECT PROPERTY

CIVIC: 115 CHAPEL STREET
LEGAL: LOT 13, BLOCK 54, SECTION 1
NANAIMO DISTRICT, PLAN 584

Document Path: V:\Source Data\Departmental Data\Eng\Pub\Map\GIS\Projects\TEMPLATES\LOCATION_PLAN\Map\RA000437_LP.mxd

CITY OF NANAIMO

BYLAW NO. 4500.158

A BYLAW TO AMEND THE CITY OF NANAIMO "ZONING BYLAW 2011 NO. 4500"

WHEREAS the Council may zone land, by bylaw, pursuant to Sections 464, 465, 466, 469, 479, 480, 481, 482, and 548 of the *Local Government Act*;

THEREFORE BE IT RESOLVED the Municipal Council of the City of Nanaimo, in open meeting assembled, ENACTS AS FOLLOWS:

1. This Bylaw may be cited as the "Zoning Bylaw Amendment Bylaw 2019 No. 4500.158".
2. The City of Nanaimo "Zoning Bylaw 2011 No. 4500" is hereby amended as follows:
 - (1) By deleting the first paragraph of the preamble under "City of Nanaimo Bylaw No. 4500" and replacing it with the following:

WHEREAS the Local Government Act of the Province of British Columbia authorizes a local government to enact bylaws, pursuant to the provisions of Sections 464, 469, 479, and 482 – Zoning Bylaws, which divides the municipality into zones and which sets regulations for each zone;
 - (2) By deleting the text in section 2.5 to replacing it with:

Any person applying to have any provision of this Bylaw amending shall apply in writing by submitting an application in the form and manner prescribed in the City of Nanaimo "Development Approval Procedures and Notification Bylaw 1991 No. 3892" and any amendments thereto.
 - (3) By amending section 3.1 to change the abbreviation for "Single Residential Dwelling" from "R1 / R1a" to "R1 / R1a / R1b".
 - (4) By amending sections 3.1 and 7.1 to change the name of R6 zone from "Townhouse Residential" to "Low Density Residential".
 - (5) By amending section 3.1 to change the name of the CC4 zone from "North Nanaimo Urban Centre" to "Woodgrove Urban Centre"
 - (6) By deleting Part 4 "Use Index".
 - (7) By adding the following definition of 'Automobile Sales and Rental' between 'Auction' and 'Automotive Body Shop':

AUTOMOBILE SALES AND RENTAL – means the use of land, buildings, or structures, for the sale or rental of motor vehicles. An automotive repair shop may be included as an accessory use.

- (8) By deleting the definition of 'Building Bylaw' and replacing it with the following:

BUILDING BYLAW – means “Building Bylaw 2016 No. 7224” of the City of Nanaimo and amendments thereto, and any subsequent bylaw or bylaws which may be enacted in the substitution therefore.

- (9) By adding the following definition of ‘Flanking Side Yard’ between ‘Finished Grade’ and ‘Flat Roof’:

FLANKING SIDE YARD – means a side yard that is parallel to a flanking side lot line.

- (10) By deleting the definition of ‘Food and Beverage Processing’ and replacing it with the following:

FOOD AND BEVERAGE PROCESSING - means the use of land, buildings, or structures for the processing, warehousing and distribution of food and beverage products. This definition includes Micro-Brewery, but specifically excludes the processing of livestock, fish, poultry, and other fowl.

- (11) By amending the definitions of ‘Gross Floor Area, Single Residential Dwelling or Duplex’ and ‘Gross Floor Area, All Other Uses’ by replacing “165cm” with “165mm”.

- (12) By deleting the definition of ‘Gross Floor Area, Accessory Building’ and replacing it with the following:

GROSS FLOOR AREA, ACCESSORY BUILDING – means the total of all floors, measured to the exterior face of the exterior walls of the building including covered decks but excluding a front porch, covered porch fronting on a lane, or open decks in the calculation of gross floor area. Where no carport or garage exists within the principal building up to 42m² of parking area shall also not be included within the gross floor area. This definition shall only apply to lots where the principal use is a single residential dwelling or duplex.

- (13) By amending the definition of ‘Gross Floor Area, All Other Uses’ by adding the following at the end of the definition:

7) Dedicated space for service rooms, to a maximum of 9.29m².

- (14) By deleting the definition of ‘Lot Depth’ and replacing it with the following:

LOT DEPTH – means the distance between the front and rear lot lines, as measured from the centre point of each; or, in the case of a pie-shaped lot or an irregular lot with no definable rear lot line, the distance between the centre of the front lot line and the point at which the most opposite lot lines intersect; or, in the case of a through lot, the distance between the centre point of the 2 front lot lines.

- (15) By deleting the definition of ‘Lot Line, Rear’ and replacing it with the following:

LOT LINE, REAR – means the lot line or lot lines opposite to, approximately parallel to, and most distant from the front lot line, as measured from the centre point of the front lot line to the centre point of the rear lot line(s). Where the rear portion of the lot is bounded by intersecting lot lines, the point of intersection shall be deemed the rear lot line.

- (16) By deleting the definition of 'Mobile Home' and replacing it with the following:

MOBILE HOME – means a dwelling unit built in an enclosed factory environment in one or more sections, intended to be occupied in a place other than of its manufacture, and includes mobile homes which are either completely self-contained or are incomplete and fastened together and completed on site. A mobile home must be constructed to the current CAN/CSA Z240 (Mobile Home) standards.

- (17) By deleting the definition of 'Mobile Home Park' and replacing it with the following:

MOBILE HOME PARK – means a site used or intended to be used for the purpose of providing pads for the accommodation of 2 or more mobile homes or modular homes.

- (18) By adding the following definition of 'Modular Home' between 'Mobile Home Park' and 'Motor Vehicle':

MODULAR HOME – means a structure containing a dwelling unit and/or a secondary suite built in an enclosed factory environment in one or more sections, intended to be occupied in a place other than of its manufacture, and includes modular homes which are either completed self-contained or are incomplete and fastened together and completed on site. A modular home must be constructed to the current CAN/CSA A277 (Modular Home) standards.

- (19) By moving the definition of 'Principal Building' to between 'Pharmacy' and 'Principal Use'.

- (20) By moving the definition of 'Printing and Publishing Facility' to between 'Principal Use' and 'Production Bakery'.

- (21) By adding the following definition of 'Roof Surface' between 'Roadway' and 'Rooming House':

ROOF SURFACE - means the total area of all roof surface visible in plan view, including eaves.

- (22) By adding the definition of 'Service Room' between 'Service Industry' and 'Setback' and adding it with the following:

SERVICE ROOM – means the portion of a building dedicated to equipment associated with building services including boiler rooms, furnace rooms, incinerator rooms, waste disposal rooms, and rooms to accommodate air conditioning or heating appliances, pumps, compressors, and electrical equipment. This definition does not include elevator machine rooms or common laundry facilities.

- (23) By deleting the definition of 'Single Residential Dwelling' and replacing it with the following:

SINGLE RESIDENTIAL DWELLING – means a building, consisting of one dwelling unit, used or intended to be used as the residence of one family, as a

community care facility licensed under the *Community Care Facility Act*, as a residential shelter, or a mobile home or modular home which:

- 1) exceeds a gross floor area of 87m²;
- 2) equals or exceeds a width of 7.3m;
- 3) is assembled on site upon a concrete perimeter foundation system; and
- 4) has a sloping roof.

A single residential dwelling does not include a recreational vehicle or tent.

- (24) By amending subsection 6.1.1 to change “(CS-1)” to “(CS1)”.

- (25) By amending subsection 6.2.1.7 to change “(I-4)” to “(I4)”.

- (26) By deleting subsection 6.2.1.8 and replacing it with the following:

The sale and rental of containers is permitted as a ‘Tools / Equipment Rentals and Sales’ in the Highway Industrial (I1) and High Tech Industrial (I3) zones.

- (27) By amending the table in subsection 6.5.1 to rename the last column title from “Conditions of Use” to “Conditions”.

- (28) By amending the table in subsection 6.5.1 by adding the following condition for “Steps and Landings”:

Features less than 0.6m above finished grade have no required setback.

- (29) By amending the table in subsection 6.5.1 to include “2m” in the row titled “Front Porch” under the “Flanking Side” column, and to delete the condition for “Front Porch” and replace with the following:

Such features shall only be allowed to project on a single residential dwelling, a duplex, or an accessory building containing a secondary suite. Only one front porch per dwelling unit or secondary suite may project into a setback.

- (30) By deleting subsection 6.5.2 replacing with the following:

Where the principal use of the property is a single residential dwelling or duplex, heat pumps and central air conditioning units shall not be located between the front face of a principal building and the nearest front lot line, and shall not be closer than 4.5m to side lot lines or closer than 3m to rear lot lines. Heat pumps and central air conditioning units shall be screened from view from streets.

- (31) By deleting subsection 6.6.3.1 and replacing it with the following:

Notwithstanding Subsection 6.6.3, the minimum rear yard setback for an accessory building shall be 1.5m regardless of zoning, provided that:

- a) the accessory building has a Gross Floor Area of less than 10m²;
- b) the accessory building is placed directly on, but not affixed to, the ground or on blocks which are affixed to the ground; and
- c) the height of an accessory building does not exceed 3m.

- (32) By amending subsection 6.7.3 to replace ““CITY OF NANAIMO BUILDING BYLAW 2003 NO. 5693”, and amendments thereto” with “the Building Bylaw” and

amending subsection 6.11.2 to replace “Section 23 of ‘City of Nanaimo Building Bylaw 2003 No. 5693’” with “the Building Bylaw”.

- (33) By amending subsection 6.7.3 to remove the line break between items c) and d).
- (34) By amending the section number of ‘Height Exemptions’ to read “6.8”.
- (35) By moving the two images in section 6.10 to appear below subsection 6.9.1.
- (36) By amending the table in subsection 6.10.2 to change the list of zones in the first row to:

R1 / R1a to R1, R13 to R15, and CD9
- (37) By adding the following as subsection 6.15.1.1:

Notwithstanding Subsection 6.15.1, secondary suites are permitted on lots where there are two principal dwellings, provided that the lot is greater than 0.4 hectares.
- (38) By amending subsection 6.15.3.4 to delete the “.” at the end of the sentence of replace with “; and”.
- (39) By deleting the table in subsection 6.16.2 and replacing it with the following:

Zones	Maximum Number Of Guest Rooms	Maximum Number Of Guests
R1 / R1a / R1b to R5, R7, R10, R13, R14, AR1, AR2, and COR1	2	4
R6, R8, R9, R15, COR2, COR3, CC1, CC2, CC3, CC4, Downtown, W2, W3, and W4	4	9

- (40) By amending subsections 6.17.1.3, 6.21.1, 6.22.3, and 6.22.7 by changing references to the *Local Government Act* from “Section 905” to “Section 483”, from “Section 944” to “Section 512”, and from “Section 946” to “Section 514”.
- (41) By deleting subsection 6.22.2 and section 6.23 and adding the following as section 6.23:

6.23 NANAIMO PARKWAY

- 6.23.1 Notwithstanding the front yard setback requirements of this Bylaw, the minimum front yard setback shall be 20m where a lot abuts the Nanaimo Parkway right-of-way.
- 6.23.2 Notwithstanding the lot depth requirements of this Bylaw, the minimum lot depth of a lot created by subdivision shall be 45m where a lot abuts the Nanaimo Parkway right-of-way.

- (42) By amending the table in subsection 7.2.1 by adding the following under “Conditions of Use” for ‘Single Residential Dwelling’:

See Subsection 7.2.2

- (43) By deleting subsection 7.2.2 and replacing it with the following:

Notwithstanding Subsection 7.2.1, within the R1 / R1a zones where a corner lot has a lot area greater than 700m² but does not meet the lot area, lot depth or lot frontage requirements for subdivision, a total of up to two single residential dwellings or one duplex shall be permitted provided one front door faces the front yard and the other front door faces the flanking side yard.

- (44) By amending the table in subsection 7.3.1 to delete the text under “Additional Density” for ‘R1 / R1a and replace it with the following:

Where a corner lot has a lot area greater than 700m² but does not meet the lot area, lot depth or lot frontage requirements for subdivision, a total of up to two single residential dwellings or one duplex shall be permitted provided one front door faces the front yard and the other front door faces the flanking side yard.

Where more than one dwelling is located on a corner lot a secondary suite shall not be permitted in either dwelling.

Where the lot area is greater than 0.4 hectares, on additional single residential dwelling shall be permitted.

- (45) By amending subsection 7.3.2 to indent the second line.

- (46) By amending the table in subsection in 7.4.1 to change the text, in the row titled R3 under Minimum Lot Depth, from “30” to “30m”.

- (47) By deleting subsection 7.4.2 and replacing it with the following:

For the purposes of subdivision where the lot abuts a watercourse, as indicated on Schedule C, or is subject to a geotechnical setback, the required watercourse leavestrip or geotechnical setback area shall not be included in the calculation of a lot area.

- (48) By amending subsections 7.51, 7.6.1, 8.5.1, 9.5.1, 10.5.1, 11.4.2, 11.5.1, and 12.3.1 to replace the word “identifies” with “identifies” and to replace the word “identified” with “identified”.

- (49) By deleting subsection 7.5.7 and replacing it with the following:

Notwithstanding Subsection 7.5.1, where the principal use is a single residential dwelling in the R8 zone, the minimum required setback from the property lines shall be as specified within the R1 zone.

- (50) By deleting footnote ² below the table in subsection 7.6.1 and replacing it with the following:

Gable ends, localized depressions, and dormers to a maximum of 25% of the wall length are exempt from the calculation of perimeter wall height. Covered decks or additional height above the maximum perimeter wall height must be set back a minimum of 2.44m from the perimeter wall.

- (51) By amending subsection 7.6.4 and replacing it with the following:

Notwithstanding Subsection 7.6.1, where the principal use is a single residential dwelling in the R8 zone, the maximum allowable size of a single residential dwelling shall not exceed the allowable height, lot coverage and perimeter wall height which is permitted within the R1/R1a zone.

- (52) By amending subsection 7.7.1 to replace “4.5m²” with “10m²”.

- (53) By amending the tables in subsections 9.2.1 and 9.2.3 to replace “Automobile Sales, Service and Rentals” with “Automobile Sales and Rental”.

- (54) By amending the tables in subsections 9.2.1 and 10.2.1 to replace “Seniors Housing” with “Seniors Congregate Housing”.

- (55) By amending the table in subsection 9.2.1 to delete the last row titled “Wholesale”.

- (56) By amending the table in subsection 9.2.3 to include dividing lines between all rows.

- (57) By amending the table in subsection 9.2.3 to delete the rows containing 4169 Wellington Road and 4171 Wellington, to change the legal description for 4181 Wellington Road to “LOT A, SECTION 5, WELLINGTON DISTRICT, PLAN EPP22297”, to delete the row containing 440 Wakesiah Avenue, to add a row under Student Housing for 416 Wakesiah Avenue with the legal description “LOT 1, SECTION 1, NANAIMO DISTRICT, PLAN EPP58523”, and to add a row under Student Housing for 438 Wakesiah Avenue with the legal description “LOT A, SECTION 1, NANAIMO DISTRICT, PLAN VIP88789”.

- (58) By deleting subsection 9.2.3.1.

- (59) By deleting subsection 9.5.4 and replacing it with the following:

Notwithstanding Subsection 9.5.1, where only one principal building exists on the lot no more than 50% of the front face of a building façade shall be setback further than the maximum permitted front yard setback.

- (60) By deleting subsection 10.2.2 and replacing it with the following:

Notwithstanding Subsection 10.2.1 the cumulative total Gross Floor Area of all non-residential space on a lot within the CC1 zone shall not exceed 2,000m².

- (61) By deleting subsection 10.2.3 and replacing it with the following:

Notwithstanding Subsection 10.2.1, within the CC2 zone a Retail Grocery Store greater than 2000m² is permitted at the property legally described as LOT 2, SECTION 1, NANAIMO DISTRICT, PLAN EPP85567 (867 Bruce Avenue).

- (62) By amending the table in subsection 10.2.5 to remove all italics-styled font and to alternate the cell shading based on the listed use.
- (63) By deleting subsection 10.5.4 and replacing it with the following:
- Notwithstanding Subsection 10.5.1, where only one principal building exists on the lot no more than 50% of the front face of a building façade shall be setback further than the maximum permitted front yard setback.
- (64) By amending the table in subsection 10.6.1 to delete the column titled “Maximum Gross Floor Area”.
- (65) By amending the table in subsection 11.2.1 to include “P” under the DT11 column in the row titled “Laundromat”.
- (66) By amending the table in subsection 11.2.1 to change “Recreation al Facility” to “Recreational Facility”.
- (67) By amending the tables in subsections 11.3.2 and 11.7.2 to change “65 and 77 Chapel Street” to “77 Chapel Street” and to change its legal descriptions to “LOT A, SECTION 1, NANAIMO DISTRICT, PLAN 86703”, and to change the legal descriptions for 100 Gordon Street to “LOT A, SECTION 1, NANAIMO DISTRICT AND OF THE BED OF THE PUBLIC HARBOUR, PLAN EPP30518”.
- (68) By deleting subsection 11.5.2 and replacing it with the following:
- Notwithstanding Subsection 11.5.1, where only one principal building exists on the lot no more than 50% of the front face of a building façade shall be setback further than the maximum permitted front yard setback.
- (69) By amending the table in subsection 13.2.1 to include “P” under the I2 column in the row titled “Mini Storage”.
- (70) By amending the table in subsection 13.2.1 to include “SS” under the I2 column in the row titled “Seafood Processing”, and amending the table in subsection 13.2.3 to add the following row:

Seafood Processing	232, 242, 248, and 262 Southside Drive	LOTS 4, 5, & 7, SECTION 1, NANAIMO DISTRICT, PLAN 30868 LOT 1 (DD EC123851), SECTION 1, NANAIMO DISTRICT, PLAN 38212
--------------------	--	---

- (71) By amending the table in subsection 13.2.2 to delete the text under “Conditions of Use” in the row titled “Retail” and replace it with the following:
- Retail sale and display of goods shall be permitted, provided the total Gross Floor Area devoted to retail and display does not exceed 25% of the total Gross Floor Area of the principal use.
- (72) By amending subsection 14.3.2 by changing the word “once” to “one”.

- (73) By deleting subsection 14.5.2 and replacing it with the following:
- Notwithstanding Subsection 14.5.1, general provisions in Part 6 of this Bylaw for the siting of buildings near watercourses will also apply.
- (74) By deleting subsection 14.5.3 and replacing it with the following:
- Notwithstanding Subsection 14.5.1, where a property abuts a major road, an additional 2.5m of front yard setback is required.
- (75) By rezoning those lands as shown on Schedule A – Map 1 (5527 Cliffside Road) from Steep Slope Residential (R10) to Parks, Recreation and Culture Two (PRC2).
- (76) By rezoning those lands as shown on Schedule A – Map 2 (5291 Entwistle Drive) from Single Dwelling Residential (R1) to Parks, Recreation and Culture One (PRC1).
- (77) By rezoning those lands as shown on Schedule A – Map 3 (850 Stirling Avenue) from Single Dwelling Residential (R1) to Parks, Recreation and Culture One (PRC1).
- (78) By rezoning those lands as shown on Schedule A – Map 4 (501 Duke Point Highway) from Industrial (I4) to Parks, Recreation and Culture One (PRC1).
- (79) By rezoning those lands as shown on Schedule A – Map 5 (708 Bruce Avenue) from Single Dwelling Residential (R1) to Parks, Recreation and Culture One (PRC1).
- (80) By rezoning those lands as shown on Schedule A – Map 6 (2817 Tamara Drive) from Single Dwelling Residential (R1) to Parks, Recreation and Culture One (PRC1).
- (81) By rezoning those lands as shown on Schedule A – Map 7 (2120 Labieux Road) from Community Corridor (COR3) and High Tech Industrial (I3) to Community Service One (CS1).
- (82) By rezoning those lands as shown on Schedule A – Map 8 (3831 Shenton Road) from Single Dwelling Residential (R1) to Parks, Recreation and Culture One (PRC1).
- (83) By rezoning those lands as shown on Schedule A – Map 9 (5784 and 5787 Linley Valley Drive) from Steep Slope Residential (R10) and Parks, Recreation and Culture One (PRC1) to Parks, Recreation and Culture One (PRC1) and Parks, Recreation and Culture Two (PRC2).
- (84) By rezoning those lands as shown on Schedule A – Map 10 (390 Cambie Road) from Single Dwelling Residential – Small Lot (R2) to Parks, Recreation and Culture One (PRC1).
- (85) By rezoning those lands as shown on Schedule A – Map 11 (151 Kian Place and 3675 Sunrise Place) from Steep Slope Residential (R10) and Parks, Recreation and Culture Two (PRC2) to Parks, Recreation and Culture One (PRC1).

- (86) By rezoning those lands as shown on Schedule A – Map 12 (3518 Hillside Avenue, 4877 Lost Lake Road, 5340 Smokey Crescent, and 5260 Tanya Drive) from Steep Slope Residential (R10) and Urban Reserve (AR2) to Parks, Recreation and Culture One (PRC1).
- (87) By rezoning those lands as shown on Schedule A – Map 13 (5650 Linley Valley Drive A) from Steep Slope Residential (R10) to Parks, Recreation and Culture One (PRC1).
- (88) By rezoning those lands as shown on Schedule A – Map 14 (5994 Stillwater Way) from Single Dwelling Residential – Small Lot (R2) to Parks, Recreation and Culture One (PRC1).
- (89) By rezoning those lands as shown on Schedule A – Map 15 (993 Kolby Avenue) from Single Dwelling Residential (R1) to Parks, Recreation and Culture Two (PRC2).
- (90) By rezoning those lands as shown on Schedule A – Map 16 (414 Westwood Road) from Single Dwelling Residential (R1) to Parks, Recreation and Culture One (PRC1).
- (91) By rezoning those lands as shown on Schedule A – Map 17 (1599 Extension Road) from Single Dwelling Residential (R1) to Parks, Recreation and Culture One (PRC1).
- (92) By rezoning those lands as shown on Schedule A – Map 18 (1738 Harambe Way) from Single Dwelling Residential (R1) to Parks, Recreation and Culture Two (PRC2).
- (93) By rezoning those lands as shown on Schedule A – Map 19 (5787 Linley Valley Drive) from Steep Slope Residential (R10) to Parks, Recreation and Culture One (PRC1).
- (94) By rezoning those lands as shown on Schedule A – Map 20 (5747 Linyard Road) from Steep Slope Residential (R10) to Parks, Recreation and Culture Two (PRC2).
- (95) By rezoning those lands as shown on Schedule A – Map 21 (1327 Langara Drive) from Single Dwelling Residential (R1) to Parks, Recreation and Culture Two (PRC2).
- (96) By rezoning those lands as shown on Schedule A – Map 22 (563 Doreen Place) from Single Dwelling Residential (R1) to Parks, Recreation and Culture Two (PRC2).
- (97) By rezoning those lands as shown on Schedule A – Map 23 (1001 Trumpeter Terrace) from Single Dwelling Residential (R1) and Rural Resource (AR1) to Parks, Recreation and Culture One (PRC1) and Parks, Recreation and Culture Two (PRC2).
- (98) By rezoning those lands as shown on Schedule A – Map 24 (3900 Jingle Pot Road) from Single Dwelling Residential (R1) to Parks, Recreation and Culture Two (PRC2).

- (99) By rezoning those lands as shown on Schedule A – Map 25 (100 Hawk Point Road) from Steep Slope Residential (R10) to Parks, Recreation and Culture Two (PRC2).
- (100) By rezoning those lands as shown on Schedule A – Map 26 (551 Grewal Place) from Single Dwelling Residential (R1) to Parks, Recreation and Culture One (PRC1).
- (101) By rezoning those lands as shown on Schedule A – Map 27 (603 Nottingham Drive) from Steep Slope Residential (R10) to Parks, Recreation and Culture One (PRC1).
- (102) By rezoning those lands as shown on Schedule A – Map 28 (1620 College Drive) from Single Dwelling Residential (R1) to Parks, Recreation and Culture One (PRC1).
- (103) By rezoning those lands as shown on Schedule A – Map 29 (638 Sarum Way) from Single Dwelling Residential – Small Lot (R2) to Parks, Recreation and Culture Two (PRC2).
- (104) By rezoning those lands as shown on Schedule A – Map 30 (3921 Jingle Pot Road) from Single Dwelling Residential (R1) to Parks, Recreation and Culture Two (PRC2).
- (105) By rezoning those lands as shown on Schedule A – Map 31 (3726 Delia Terrace) from Steep Slope Residential (R10) to Parks, Recreation and Culture Two (PRC2).
- (106) By rezoning those lands as shown on Schedule A – Map 32 (893 Kentwood Way) from Steep Slope Residential (R10) to Parks, Recreation and Culture Two (PRC2).
- (107) By rezoning those lands as shown on Schedule A – Map 33 (4044 Apsley Avenue, 4104A and 4134 and 4176A Wellesley Avenue, and 4200A and 4220A and 4246A and 4288A Victoria Avenue) from Parks, Recreation and Culture One (PRC1) and Parks, Recreation and Culture Two (PRC2) to Single Dwelling Residential (R1).

PASSED FIRST READING: 2019-OCT-07

PASSED SECOND READING: 2019-OCT-07

PUBLIC HEARING HELD: _____

PASSED THIRD READING: _____

MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE: _____

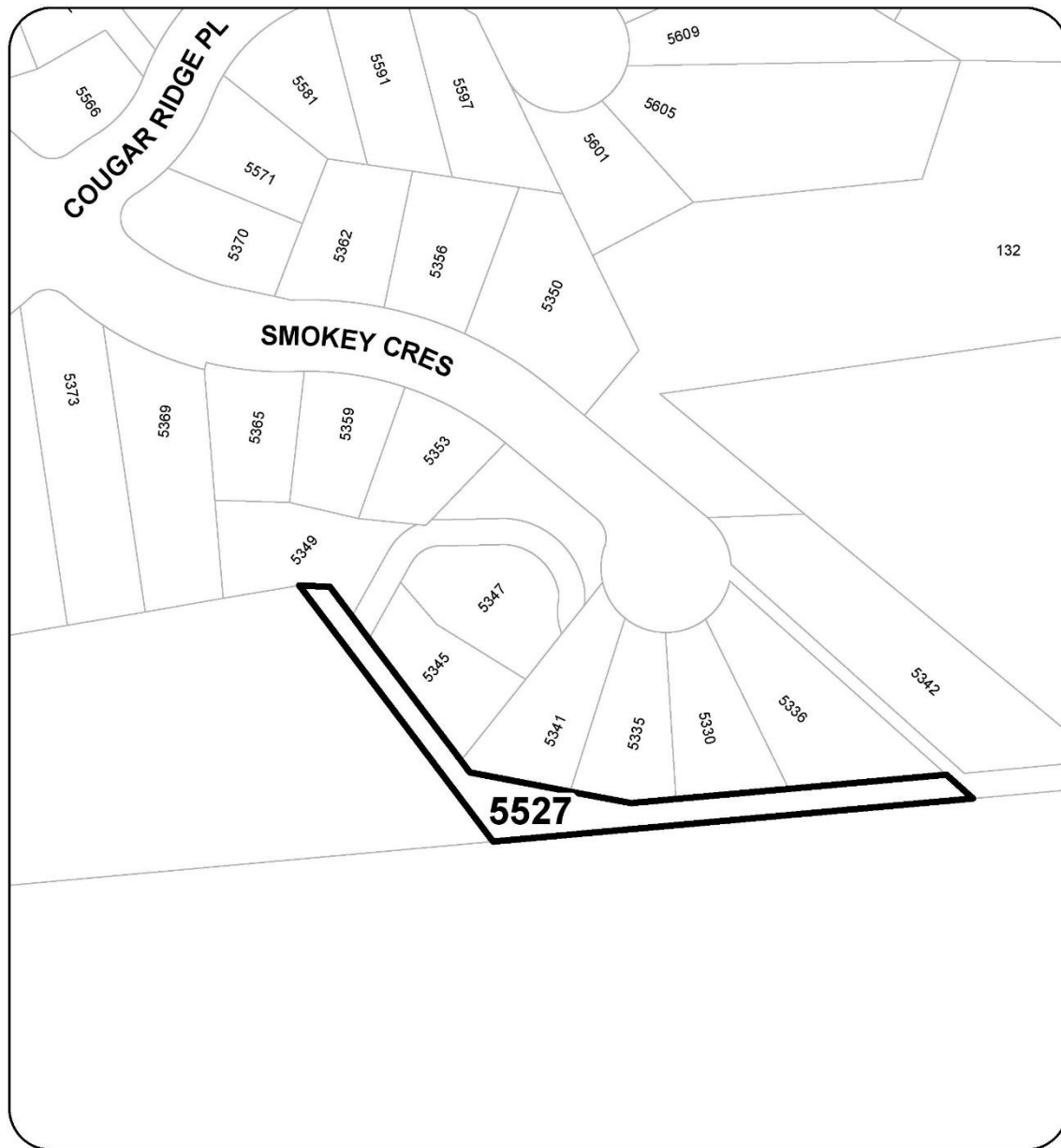
ADOPTED: _____

MAYOR

CORPORATE OFFICER

SCHEDULE A

MAP 1



LOCATION PLAN

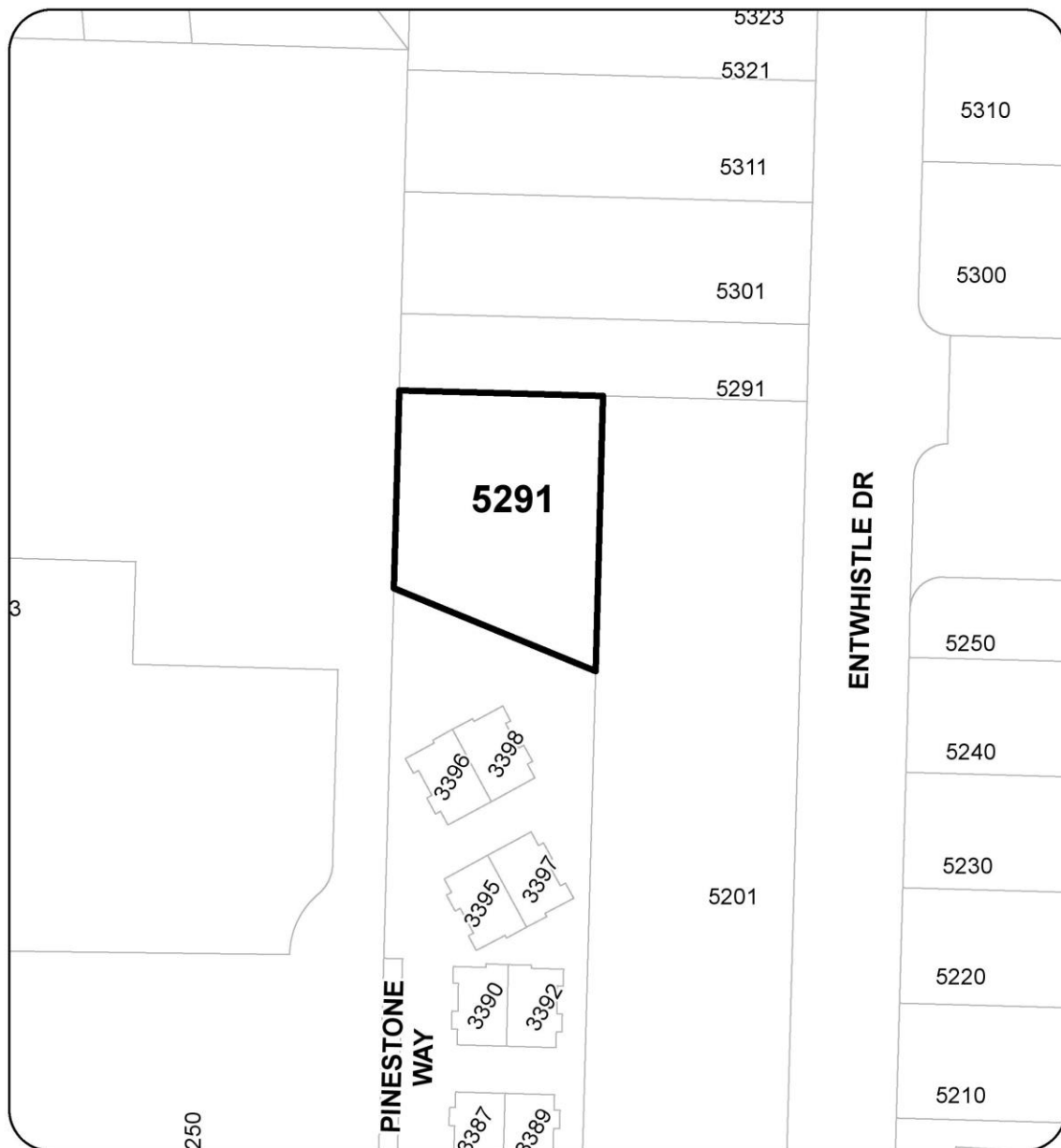
Civic: 5527 CLIFFSIDE ROAD

Legal Description: PARK DEDICATED BY PLAN VIP74324

Document Path: V:\Source Data\Departmental Data\Eng\PubWks\GIS\Projects\ITEMPLATES\LOCATION_PLAN\Maps\MAP_1.mxd

SCHEDULE A

MAP 2



LOCATION PLAN

Civic: 5291 ENTWHISTLE DRIVE

Legal Description: PARK DEDICATED BY PLAN EPP43223



SUBJECT PROPERTY

Document Path: V:\Source Data\Departmental Data\Eng\PubWks\GIS\Projects\TEMPLATES\LOCATION_PLAN\Maps\MAP_2.mxd

SCHEDULE A

MAP 3



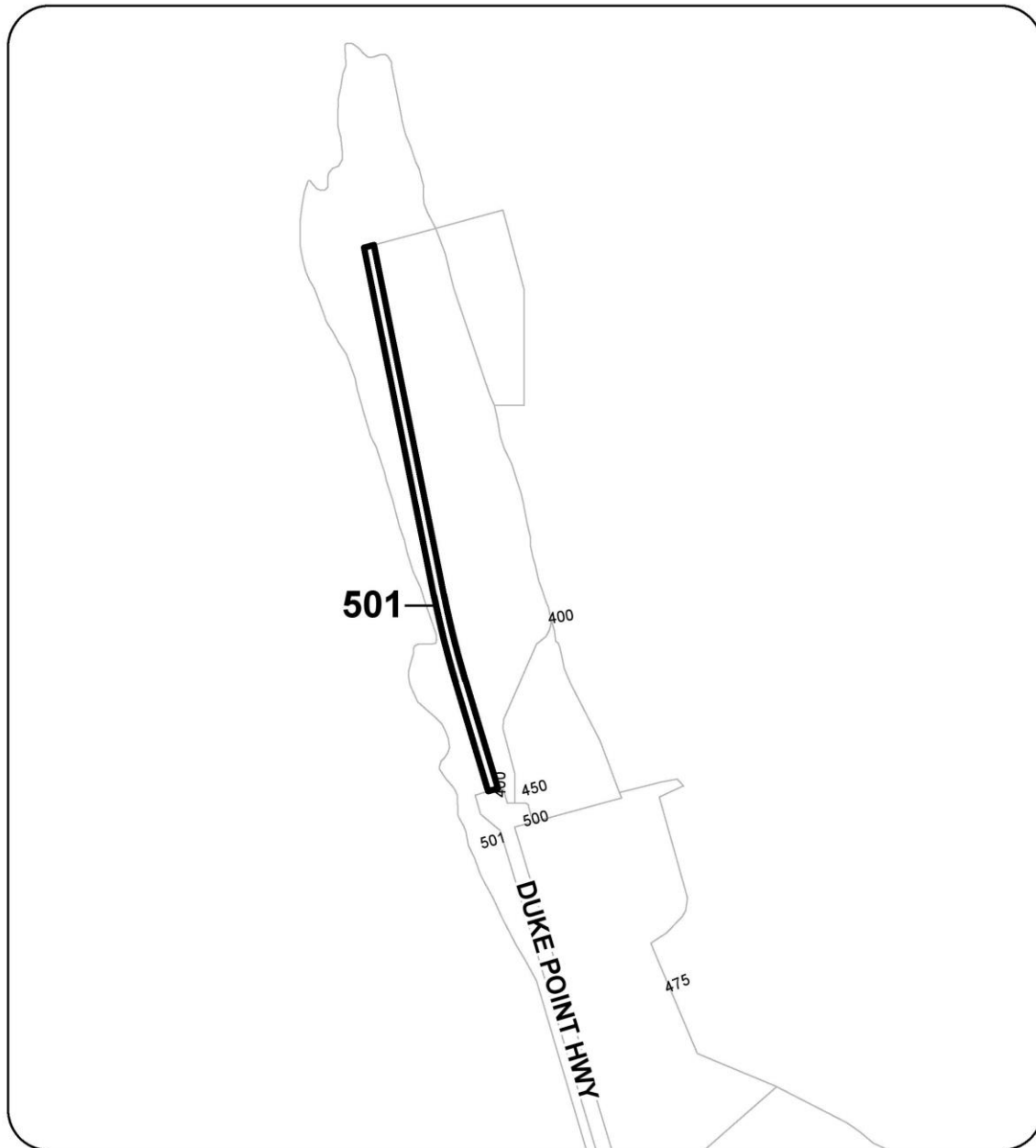
LOCATION PLAN

Civic: 850 STIRLING AVENUE
Legal Description: PARK DEDICATED BY PLAN 40149
ADJACENT TO LOT 1

Document Path: V:\Source Data\Departmental Data\Eng\PubWks\GIS\Projects\TEMPLATES\LOCATION_PLAN\Maps\MAP_3.mxd

SCHEDULE A

MAP 4



LOCATION PLAN

Civic: 501 DUKE POINT HIGHWAY
Legal Description: THT PRT OF SEC 8, LD 32
INCL IN PLN 49226

Document Path: V:\Source Data\Departmental Data\Eng\PubWks\GIS\Projects\TEMPLATES\LOCATION_PLAN\Maps\MAP_4.mxd

The map displays a residential area with the following streets and lot numbers:

- BRUCE AVE** (running vertically on the left): 711, 713, 504, 505.
- HEWGATE ST** (running horizontally): 714, 720, 484, 482, 480, 474, 468, 458, 454, 722, 726, 728, 730, 481, 479, 477, 459, 457, 455, 482, 480, 478, 460, 458, 456, 454.
- CARLISLE ST** (running horizontally): 770, 473, 469, 467, 465, 461, 459, 777, 780, 788, 796, 492, 490, 486, 484, 460, 456, 452, 448.
- SEVENTH ST** (running horizontally at the bottom): 499, 493, 489, 487, 485, 483, 479, 477, 439, 821, 491, 492, 490.
- GARDASAN WAY** (running horizontally, highlighted): 724, 512, 508, 504, 500, 434, 430, 420, 418, 412.
- HONEY DR** (running horizontally on the right): 712, 723, 725, 720, 15, 11, 8, 6, 4, 2, 62, 12, 7, 5, 3, 1, 63, 61, 16, 25, 27, 29, 31, 33, 35, 18, 20, 22, 24, 26, 28, 30, 32, 34, 36.
- STIRLING AVE** (running vertically on the right): 718, 715, 716, 717, 719, 721, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

The highlighted lot at the intersection of Bruce Ave and Gardasan Way is labeled **708**.

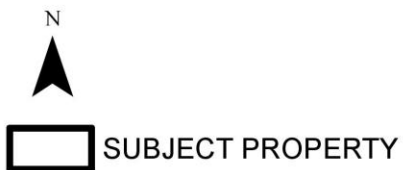
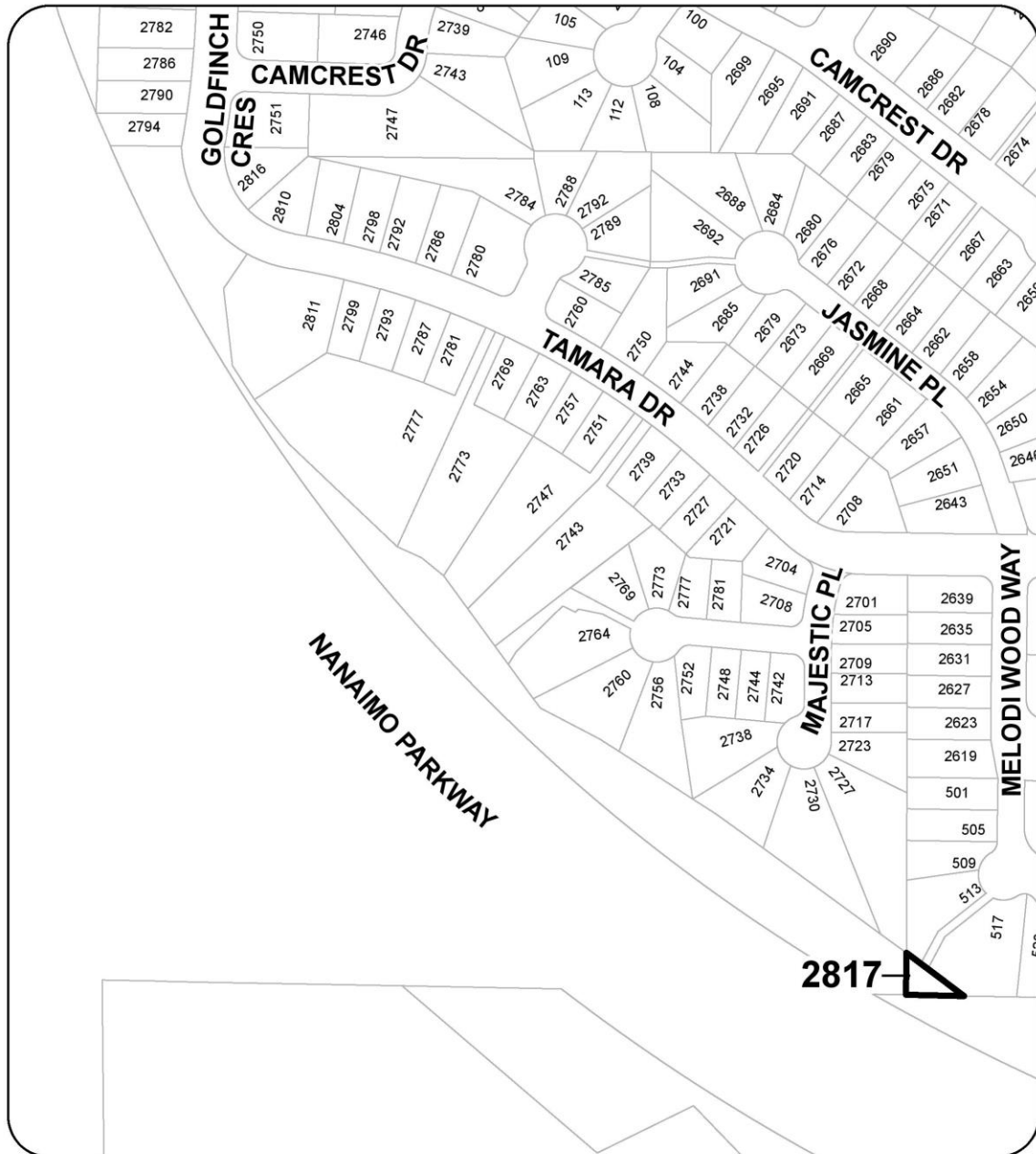


Civic: 708 BRUCE AVENUE
Legal Description: THT PRT OF SEC 18, RGE 9
SEC 1, LD 32, PLN 1387
INCL WTHN BNDrys OF PLN 63 RW

Document Path: V:\Source Data\Departmental Data\EngPubWks\GIS\Projects\TEMPLATES\LOCATION PLAN\Maps\MAP 5.mxd

SCHEDULE A

MAP 6



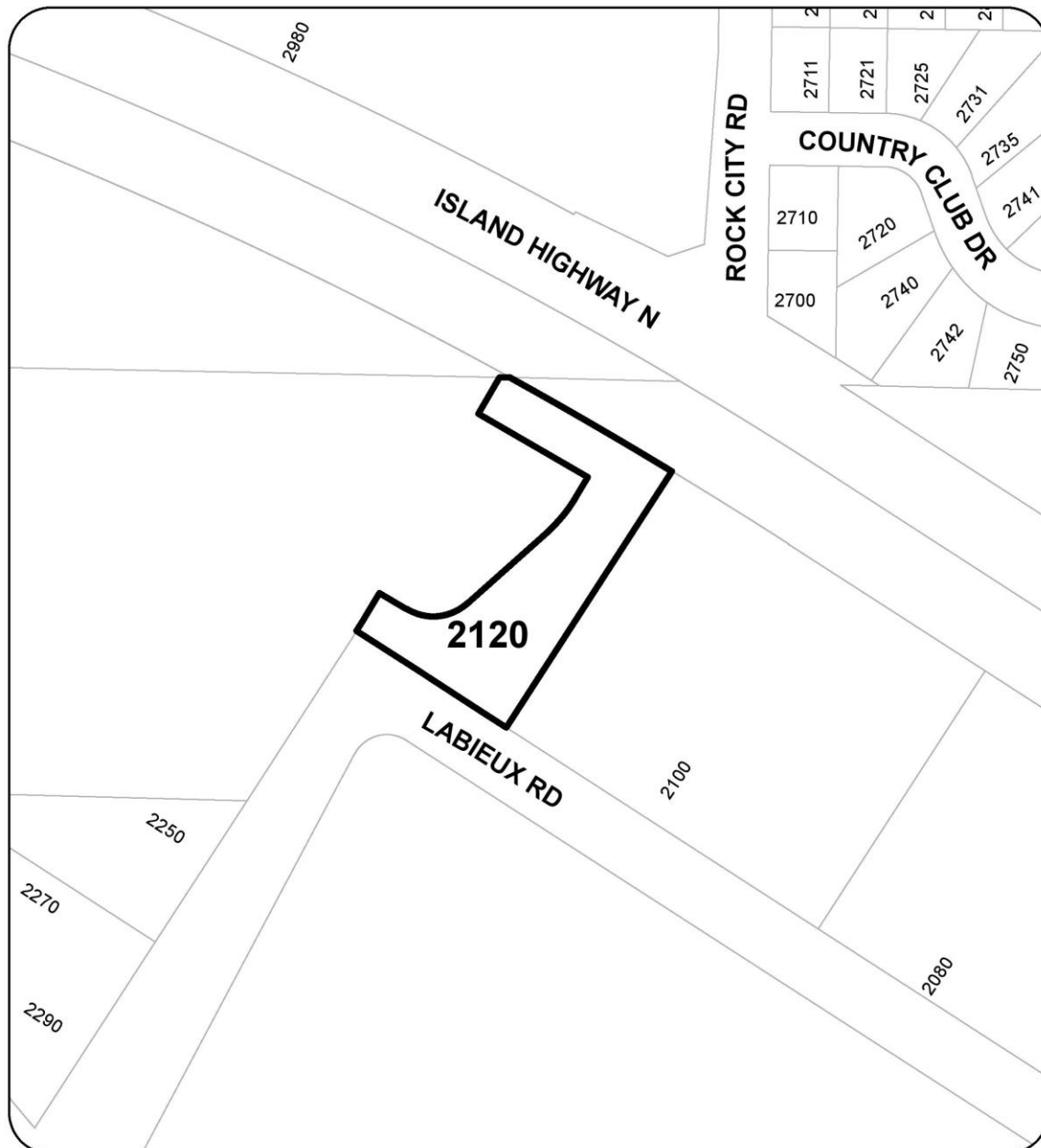
LOCATION PLAN

Civic: 2817 TAMARA DRIVE
Legal Description: PARK DEDICATED BY PLAN VIP80216

Document Path: V:\Source Data\Departmental Data\Eng\PubWks\GIS\Projects\ITEMPLATES\LOCATION_PLAN\Maps\MAP_6.mxd

SCHEDULE A

MAP 7



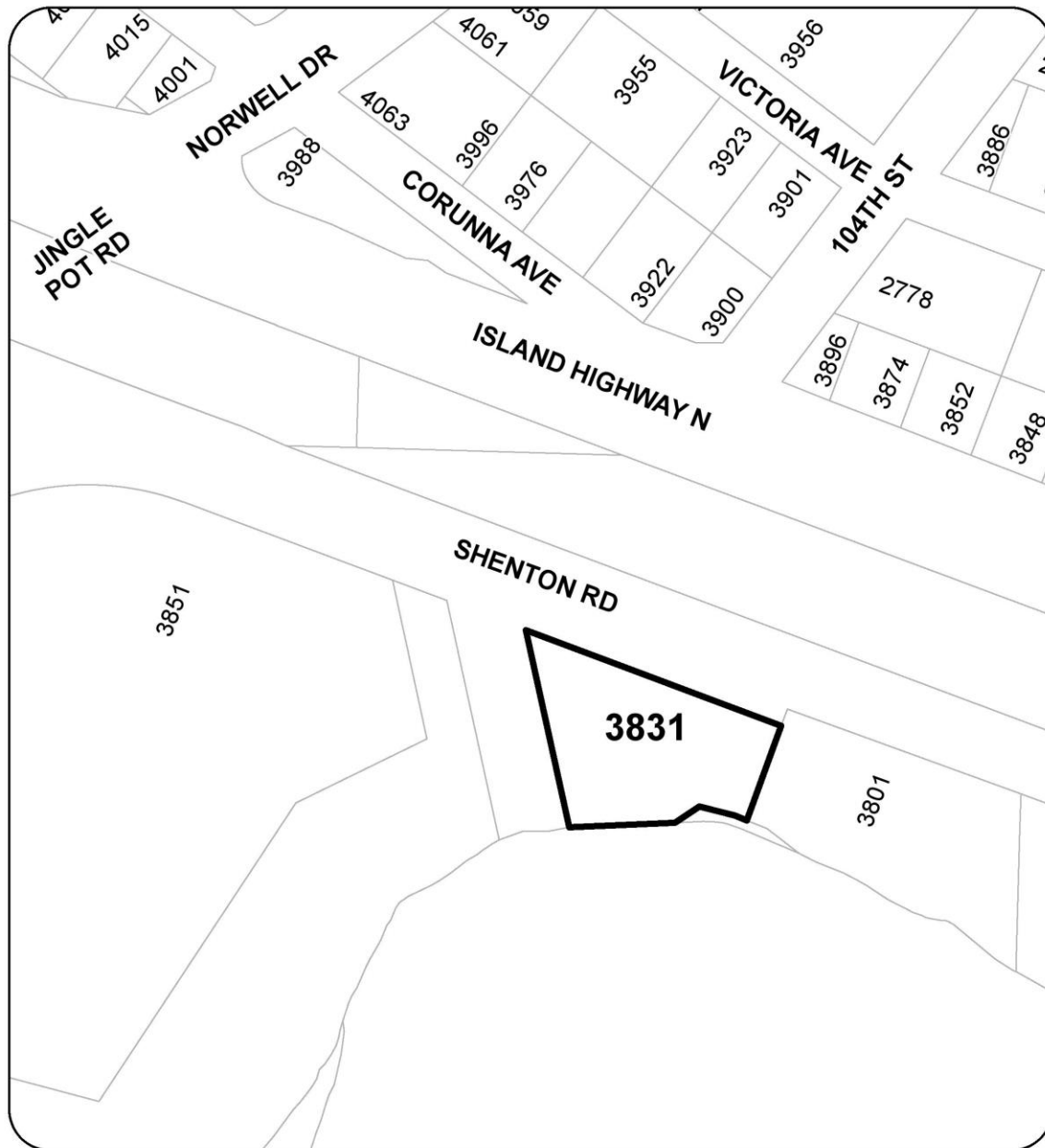
LOCATION PLAN

Civic: 2120 LABIEUX ROAD
Legal Description: LOT 4, SECTION 20, RANGE 7
MOUNTAIN DISTRICT, PLAN EPP67724

Document Path: V:\Source Data\Departmental Data\Eng\Pub\Wks\GIS\Projects\ITEMPLATES\LOCATION_PLAN\Maps\MAP_7.mxd

SCHEDULE A

MAP 8



LOCATION PLAN

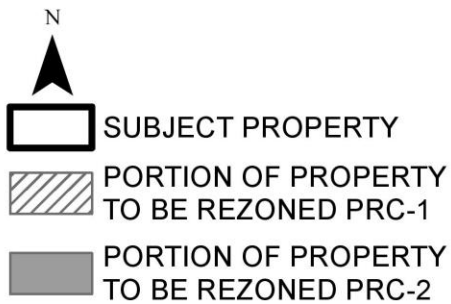
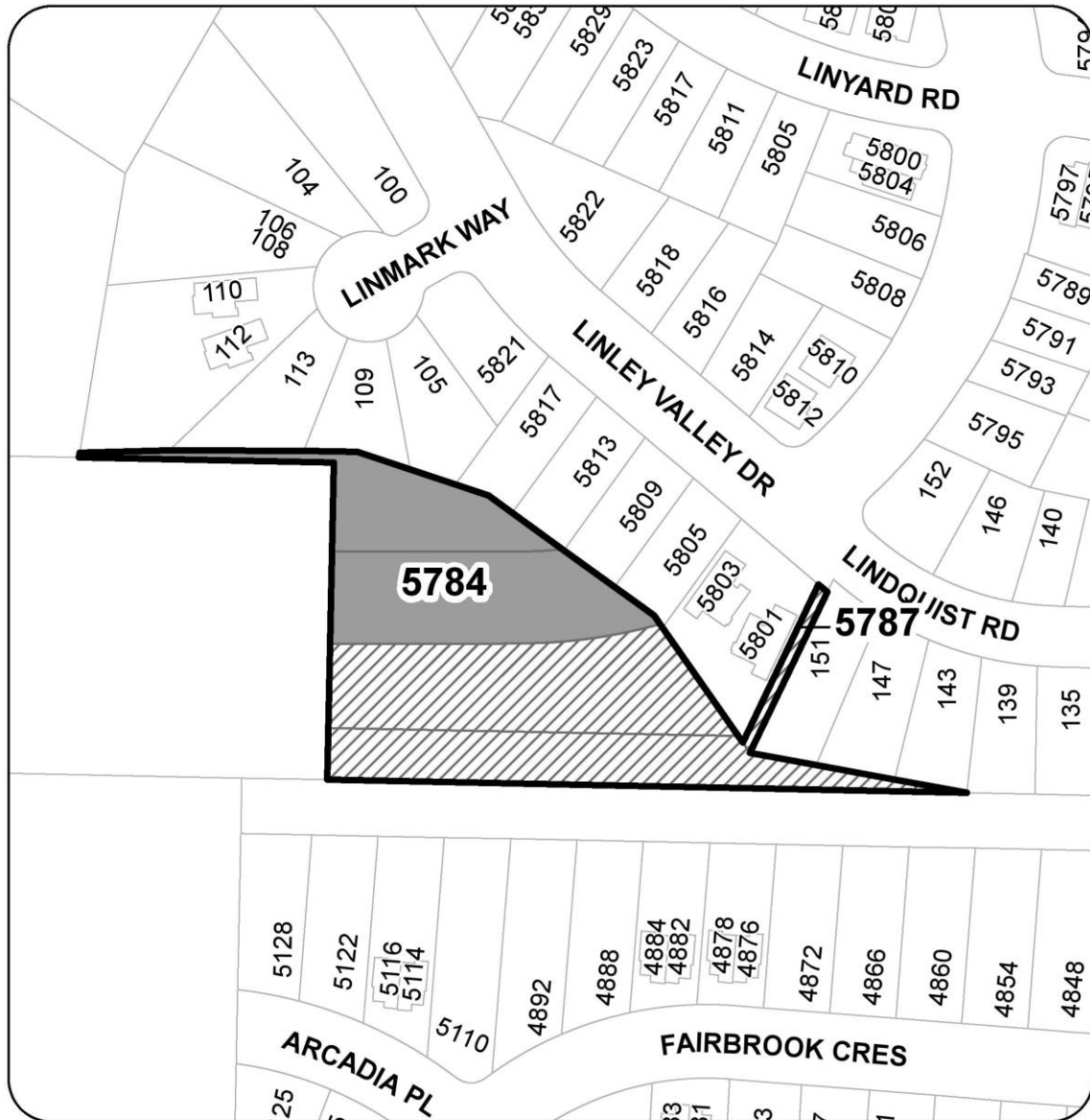
Civic: 3831 SHENTON ROAD

Legal Description: PARK DEDICATED BY PLAN EPP69258

Document Path: V:\Source Data\Departmental Data\EngPubWks\GIS\Projects\ITEMPLATES\LOCATION_PLAN\Maps\MAP_8.mxd

SCHEDULE A

MAP 9



LOCATION PLAN

Civic: 5784 & 5787 LINLEY VALLEY DRIVE
Legal Description: PARK DEDICATED BY PLANS
EPP66116 & EPP73181

Document Path: V:\Source Data\Departmental Data\Eng\PubWks\GIS\Projects\TEMPLATES\LOCATION_PLAN\Maps\MAP_9.mxd

SCHEDULE A

MAP 10



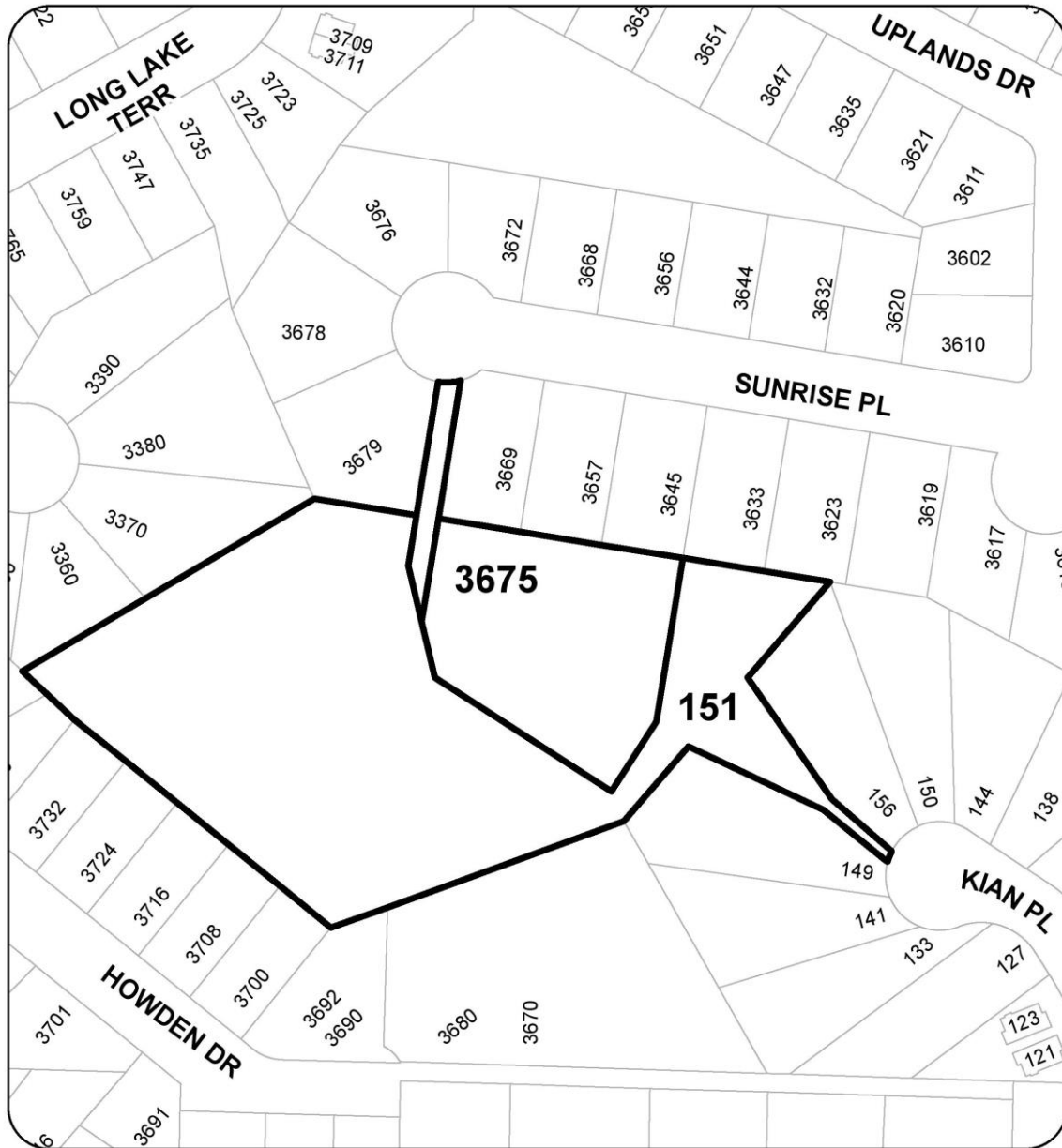
LOCATION PLAN

Civic: 390 CAMBIE ROAD
Legal Description: PARK DEDICATED BY PLAN EPP55889

Document Path: V:\Source Data\Departmental Data\Eng\Pub\Wks\GIS\Projects\TEMPLATES\LOCATION_PLAN\Maps\MAP_10.mxd

SCHEDULE A

SCHEDULE K



SUBJECT PROPERTIES

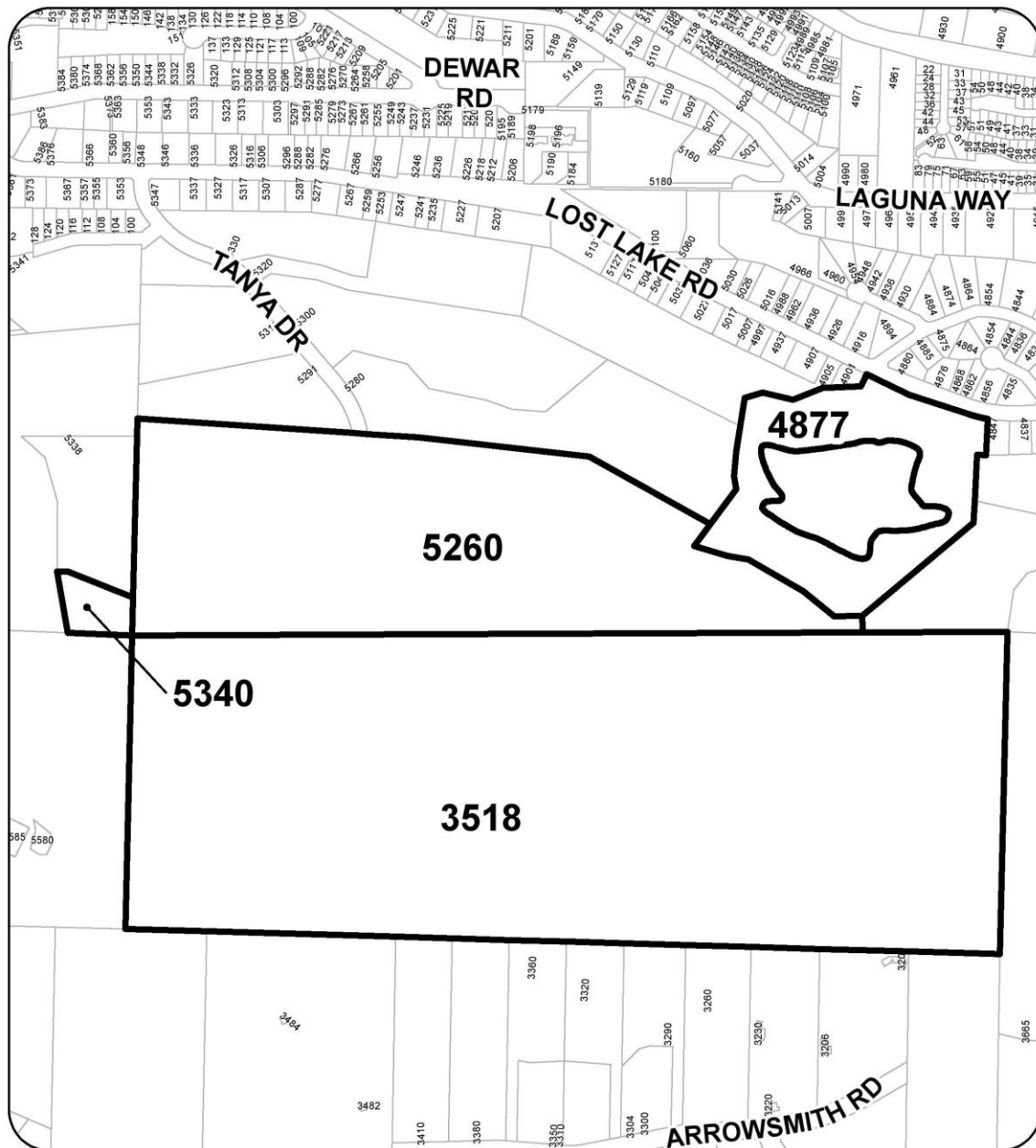
LOCATION PLAN

Civic: 151 KIAN PLACE & 3675 SUNRISE PLACE
Legal Description: PARK DEDICATED BY PLAN EPP60928
& LOT 1, DISTRICT LOT 17, WELLINGTON DISTRICT
PLAN 17709

Document Path: V:\Source Data\Departmental Data\EngPubWks\GIS\Projects\TEMPLATES\LOCATION_PLAN\Maps\MAP_11.mxd

SCHEDULE A

MAP 12



LOCATION PLAN

Civic: 5260 TANYA DRIVE, 5340 SMOKEY CRESCENT
3518 HILLSIDE AVENUE, 4877 LOST LAKE ROAD

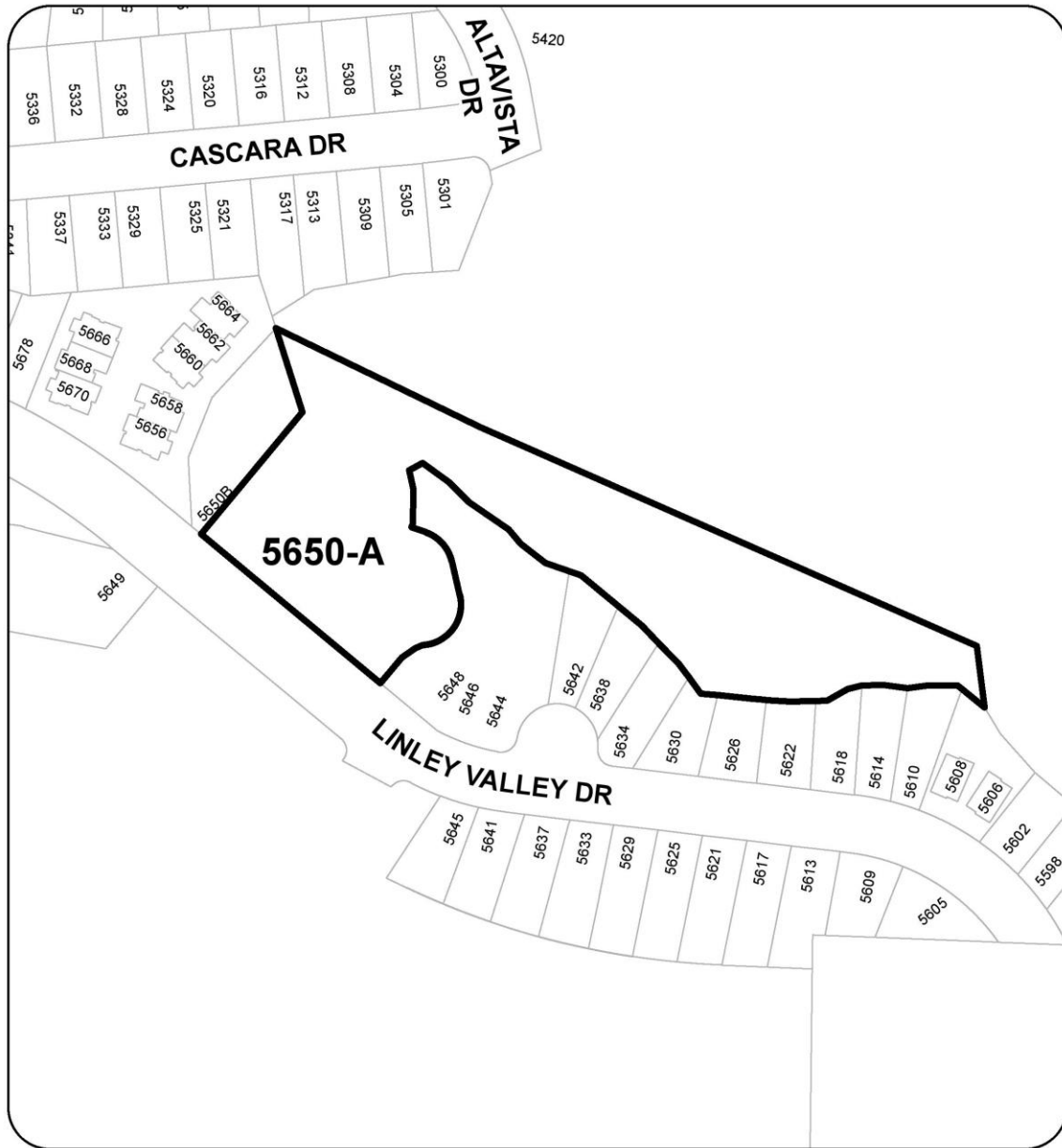
Legal: LOT 6, DISTRICT LOT 55, WELLINGTON DISTRICT, PLAN 47120; PARK DEDICATED BY PLAN EPP62849; THAT PART OF DISTRICT LOT 43, WELLINGTON DISTRICT LYING TO THE EAST OF THE PRODUCTION SOUTHERLY OF THE MOST EASTERLY BOUNDARY OF DISTRICT LOT 50, WELLINGTON DISTRICT; LOT 1, DISTRICT LOT 55, WELLINGTON DISTRICT, PLAN 20015 LOST LAKE WATER STORAGE SITE, ETC



Document Path: V:\Source Data\Departmental Data\Eng\Pub\Wks\GIS\Projects\TEMPLATES\LOCATION_PLAN\Maps\Map_12.mxd

SCHEDULE A

MAP 13



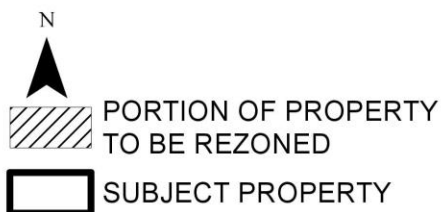
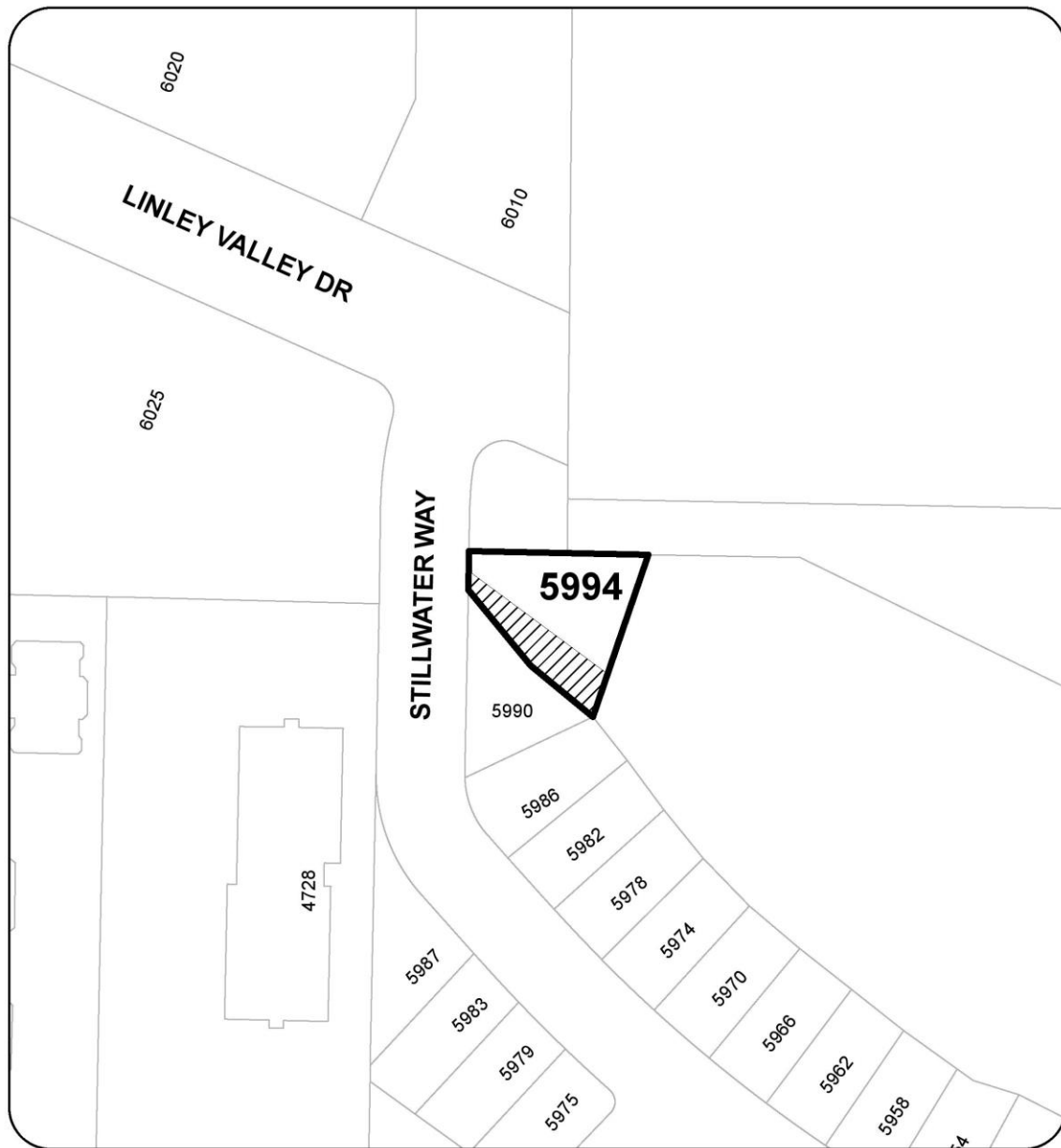
LOCATION PLAN

Civic: 5650 LINLEY VALLEY DRIVE
Legal Description: PARK DEDICATED BY PLAN EPP62850

Document Path: V:\Source Data\Departmental Data\Eng\Pub\Wks\GIS\Projects\TEMPLATES\LOCATION_PLAN\Maps\MAP_13.mxd

SCHEDULE A

MAP 14



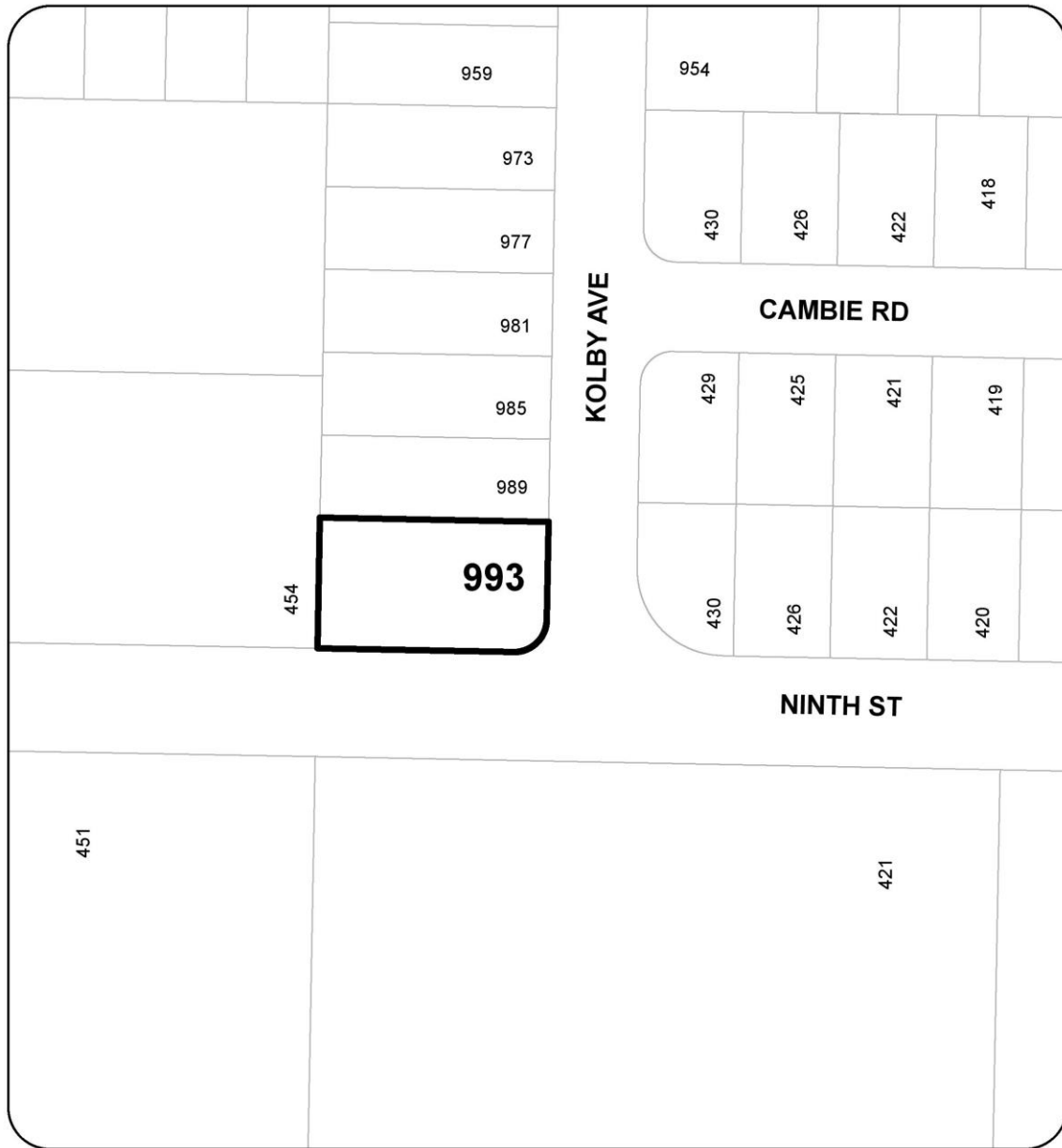
LOCATION PLAN

Civic: 5994 STILLWATER WAY
Legal Description: PARK DEDICATED BY PLAN EPP55143

Document Path: V:\Source Data\Departmental Data\Eng\Pub\Wks\GIS\Projects\TEMPLATES\LOCATION_PLAN\Maps\MAP_14.mxd

SCHEDULE A

MAP 15



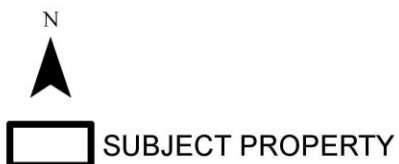
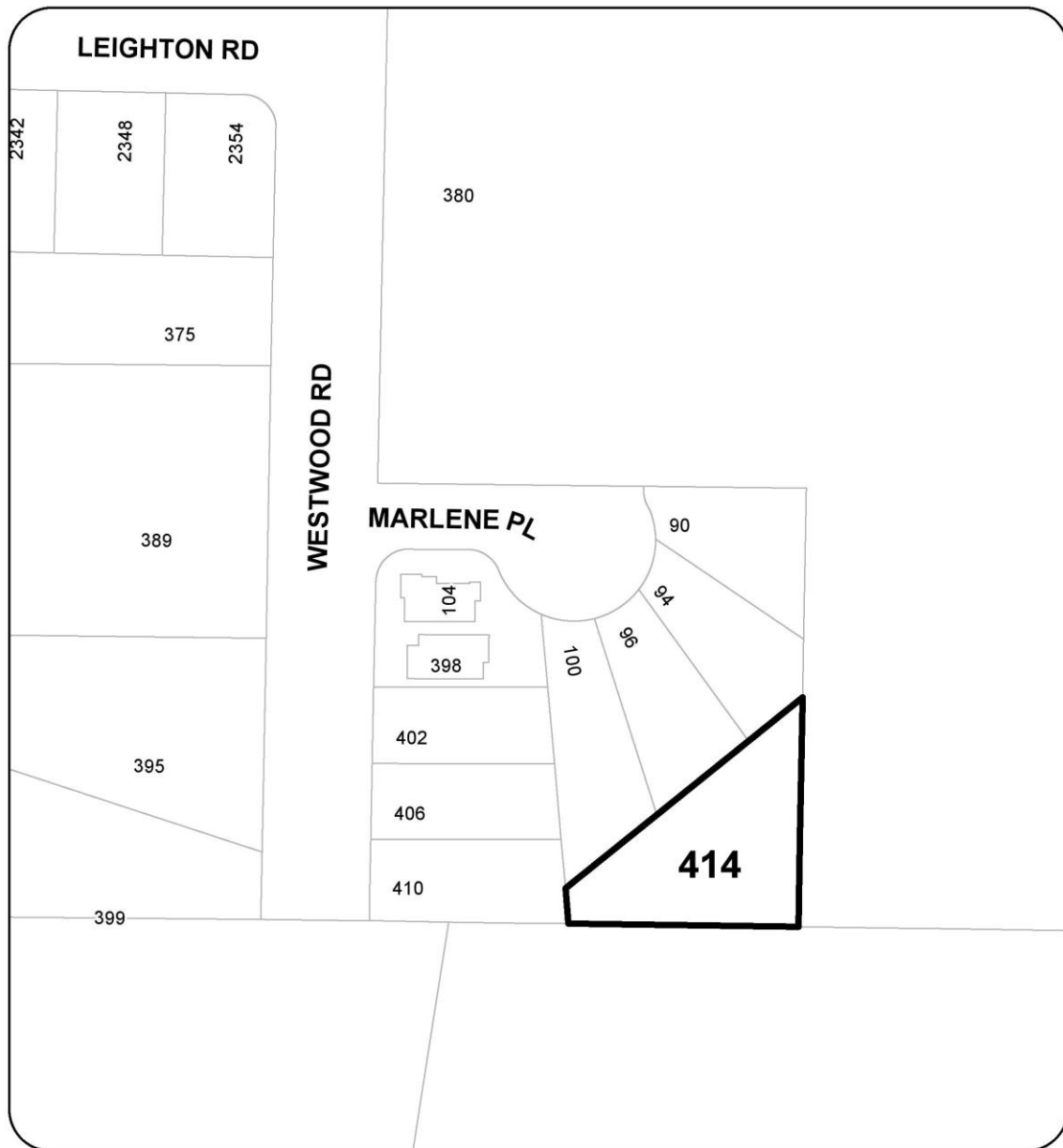
LOCATION PLAN

Civic: 993 KOLBY AVENUE
Legal Description: PARK DEDICATED BY PLAN EPP62561

Document Path: V:\Source Data\Departmental Data\EngPubWks\GIS\Projects\TEMPLATES\LOCATION_PLAN\Maps\MAP_15.mxd

SCHEDULE A

MAP 16



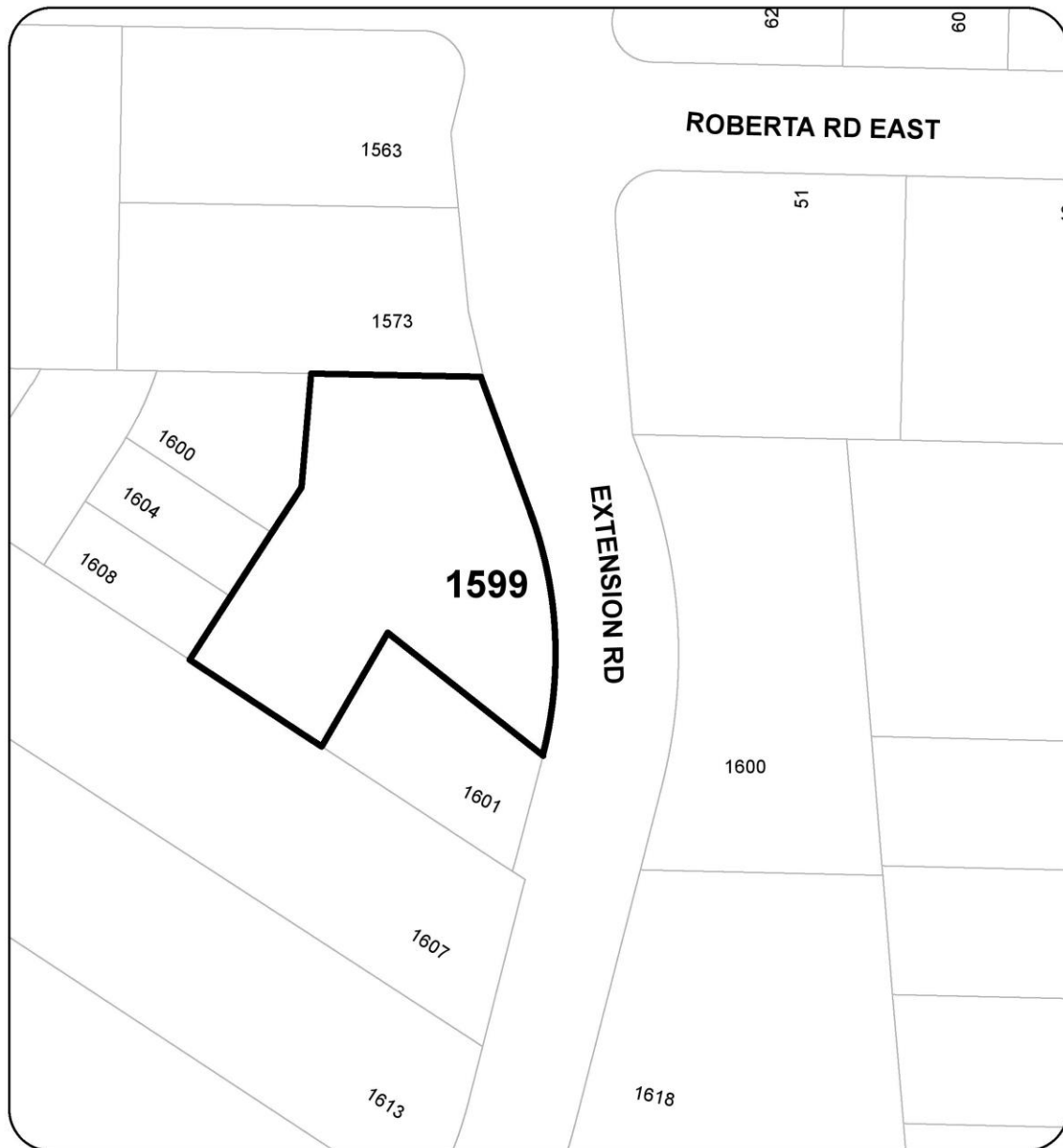
LOCATION PLAN

Civic: 414 WESTWOOD ROAD
Legal Description: PARK DEDICATED BY PLAN EPP64663

Document Path: V:\Source Data\Departmental Data\EngPubWks\GIS\Projects\TEMPLATES\LOCATION_PLAN\Maps\MAP_16.mxd

SCHEDULE A

MAP 17



SUBJECT PROPERTY

LOCATION PLAN

Civic: 1599 EXTENSION ROAD

Legal Description: PARK DEDICATED BY PLAN EPP41207

Document Path: V:\Source Data\Departmental Data\Eng\Pub\Wks\GIS\Projects\TEMPLATES\LOCATION_PLAN\Maps\MAP_17.mxd

SCHEDULE A

MAP 18



SUBJECT PROPERTY

LOCATION PLAN

Civic: 1738 HARAMBE WAY

Legal Description: PARK DEDICATED BY PLAN EPP62594

Document Path: V:\Source Data\Departmental Data\Eng\Pub\Wks\GIS\Projects\TEMPLATES\LOCATION_PLAN\Maps\MAP_18.mxd

SCHEDULE A

MAP 19



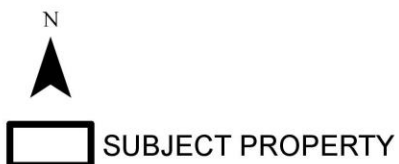
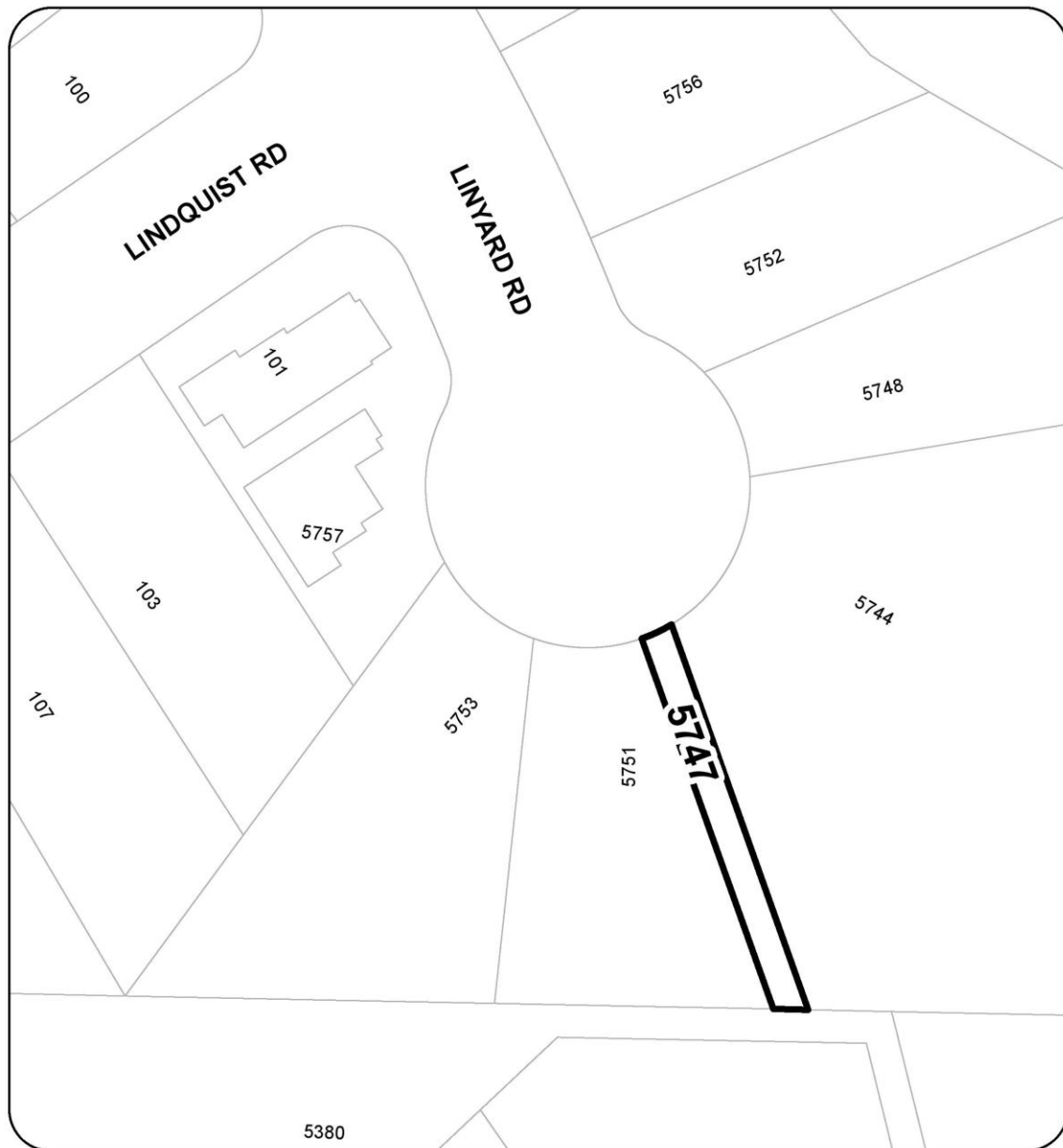
LOCATION PLAN

Civic: 5787 LINLEY VALLEY DRIVE
Legal Description: PARK DEDICATED BY PLANS EPP73181,
EPP66112, EPP17440

Document Path: V:\Source Data\Departmental Data\EngPubWks\GIS\Projects\TEMPLATES\LOCATION_PLAN\Maps\MAP_19.mxd

SCHEDULE A

MAP 20



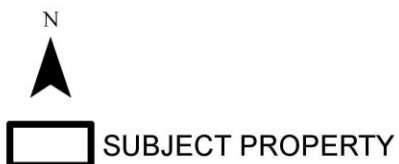
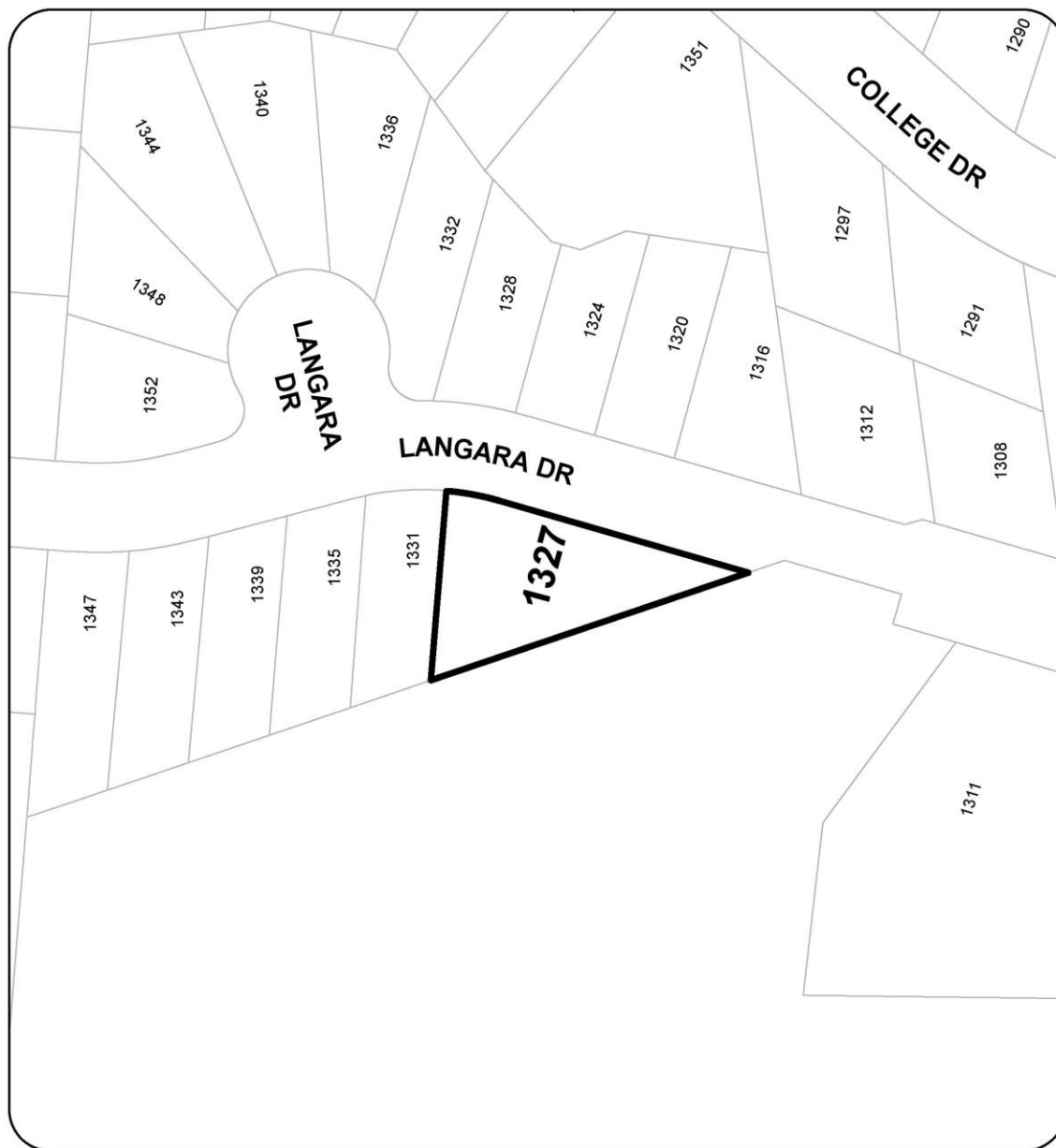
LOCATION PLAN

Civic: 5747 LINYARD ROAD
Legal Description: PARK DEDICATED BY PLAN EPP66112

Document Path: V:\Source Data\Departmental Data\Eng\Pub\Wks\GIS\Projects\TEMPLATES\LOCATION_PLAN\Maps\MAP_20.mxd

SCHEDULE A

MAP 21



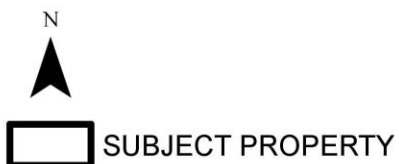
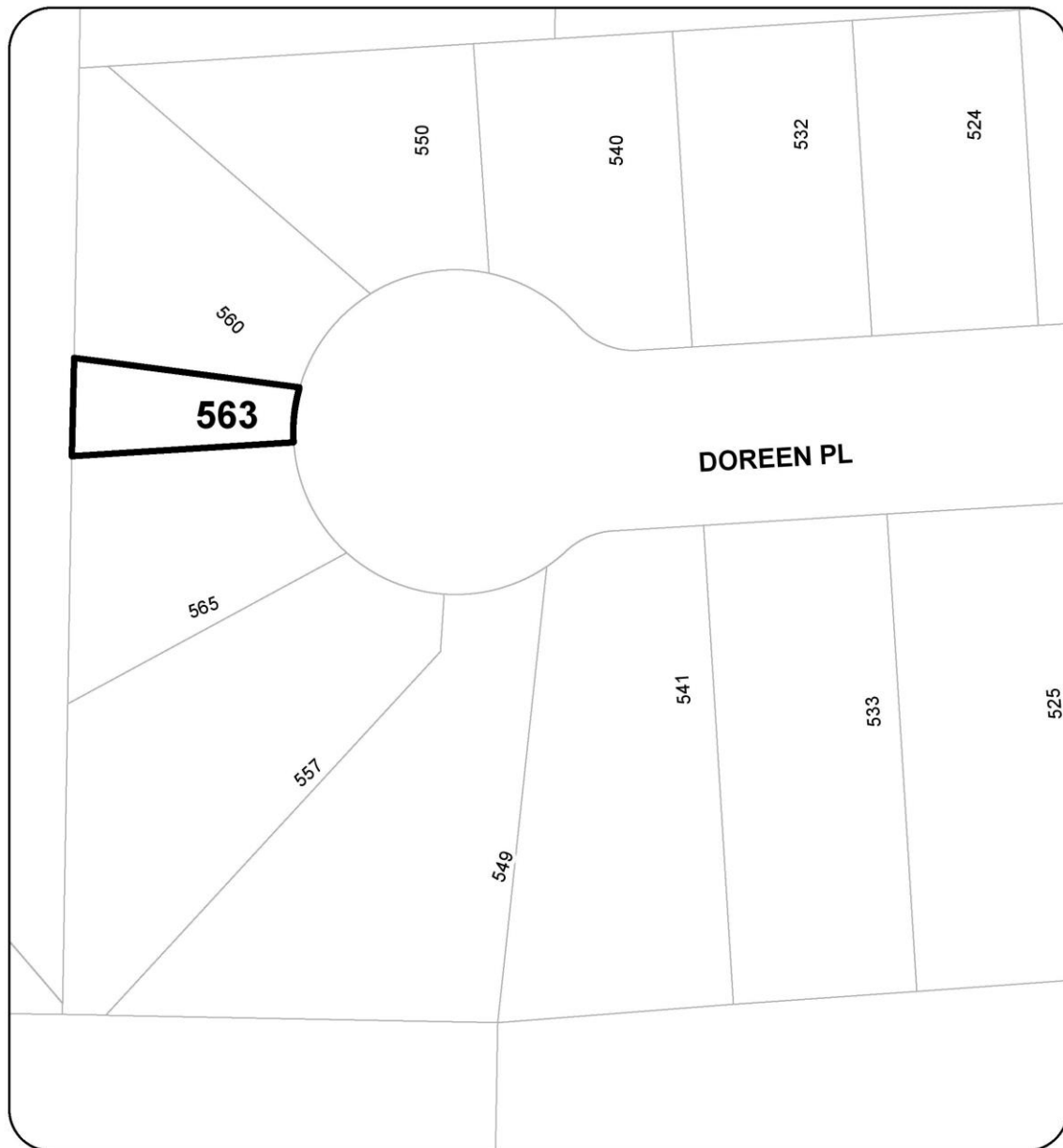
LOCATION PLAN

Civic: 1327 LANGARA DRIVE
Legal Description: PARK DEDICATED BY PLAN EPP65614

Document Path: V:\Source Data\Departmental Data\EngPubWks\GIS\Projects\TEMPLATES\LOCATION_PLAN\Maps\MAP_21.mxd

SCHEDULE A

MAP 22



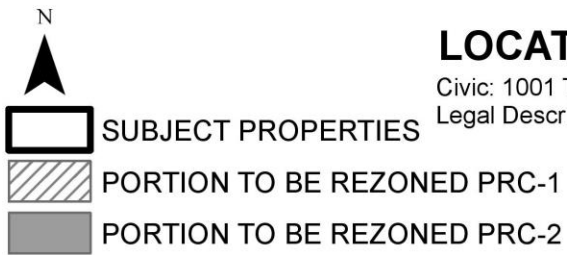
LOCATION PLAN

Civic: 563 DOREEN PLACE
Legal Description: PARK DEDICATED BY PLAN EPP62198

Document Path: V:\Source Data\Departmental Data\Eng\Pub\Wks\GIS\Projects\TEMPLATES\LOCATION_PLAN\Maps\MAP_22.mxd

SCHEDULE A

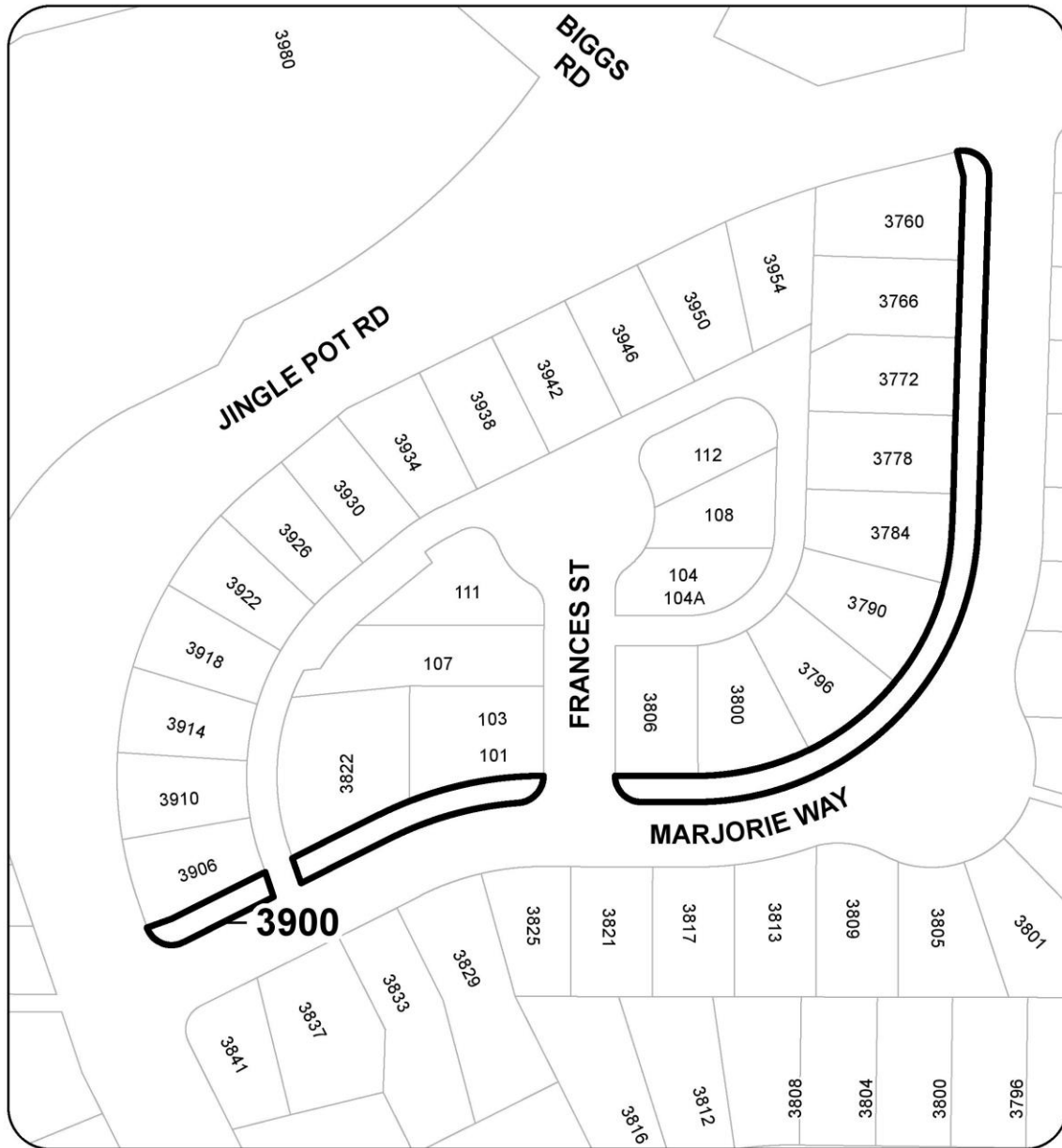
MAP 23



Document Path: V:\Source Data\Departmental Data\EngPubWks\GIS\Projects\TEMPLATES\LOCATION_PLAN\Maps\MAP_23.mxd

SCHEDULE A

MAP 24



SUBJECT PROPERTIES

LOCATION PLAN

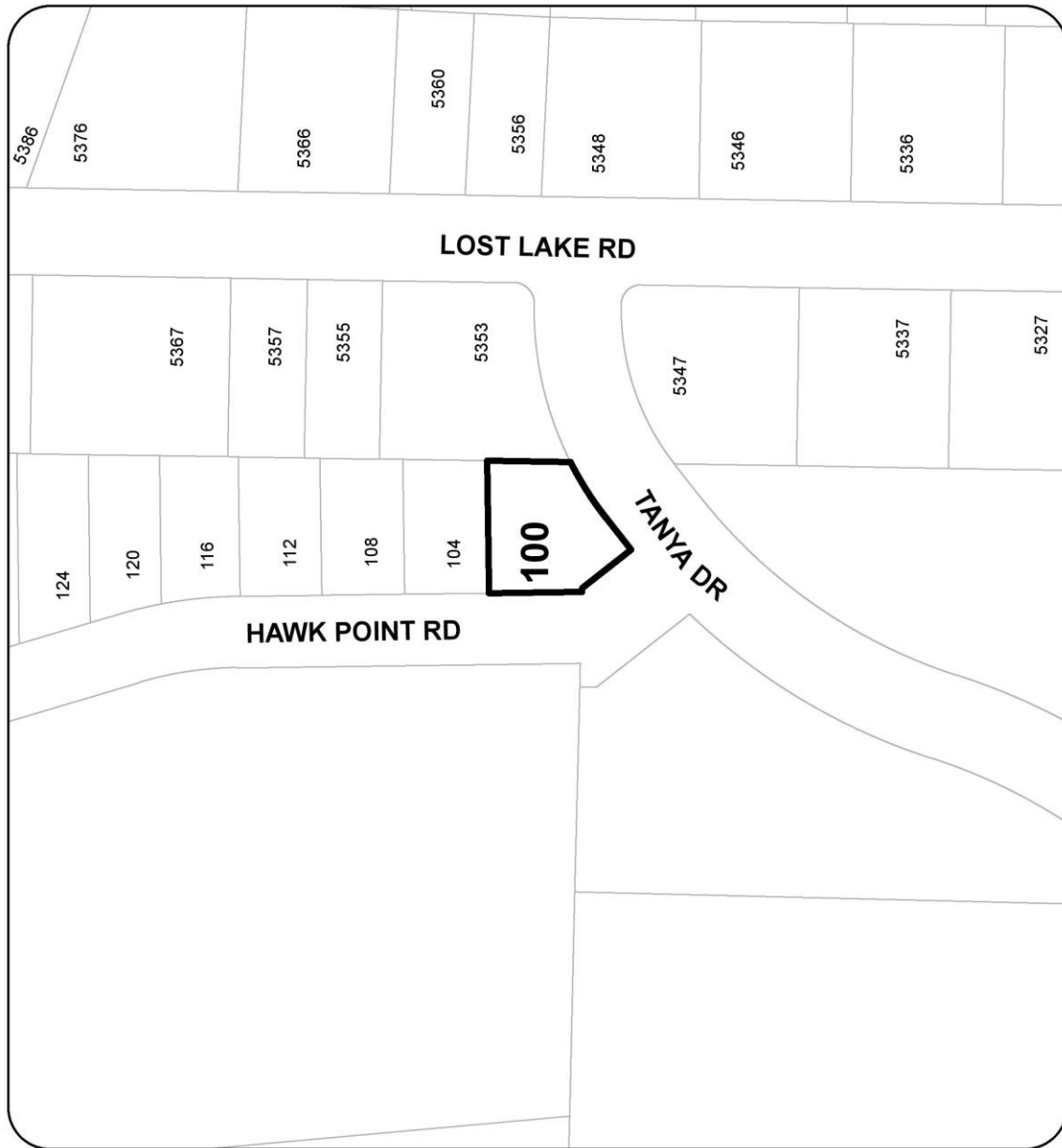
Civic: 3900 JINGLE POT ROAD

Legal Description: PARK DEDICATED BY PLAN EPP67602

Document Path: V:\Source Data\Departmental Data\Eng\Pub\Wks\GIS\Projects\TEMPLATES\LOCATION_PLAN\Maps\MAP_24.mxd

SCHEDULE A

MAP 25



SUBJECT PROPERTY

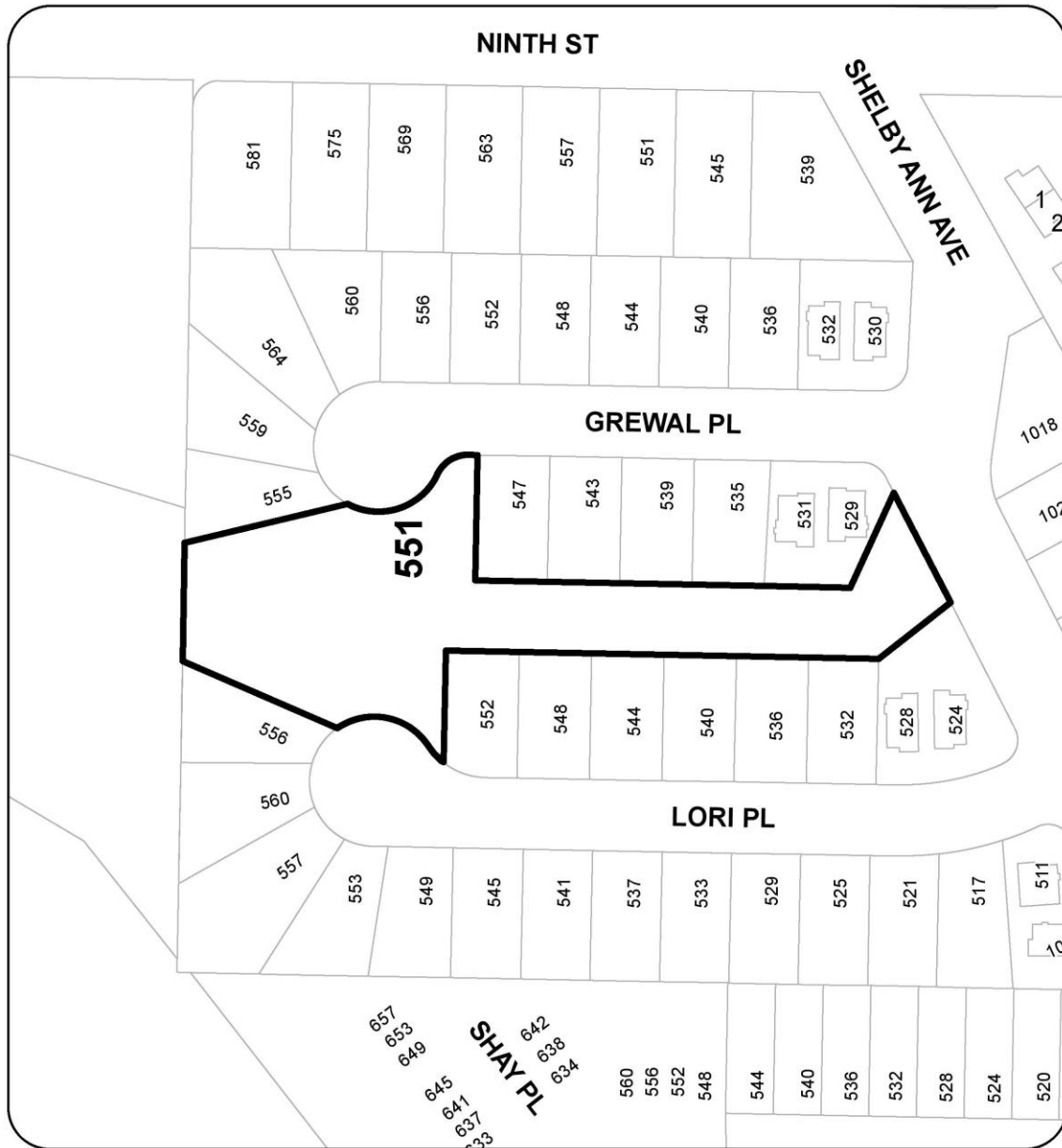
LOCATION PLAN

Civic: 100 HAWK POINT ROAD
Legal Description: PARK DEDICATED BY PLAN EPP73176

Document Path: V:\Source Data\Departmental Data\Eng\PubWks\GIS\Projects\TEMPLATES\LOCATION_PLAN\Maps\MAP_25.mxd

SCHEDULE A

MAP 26



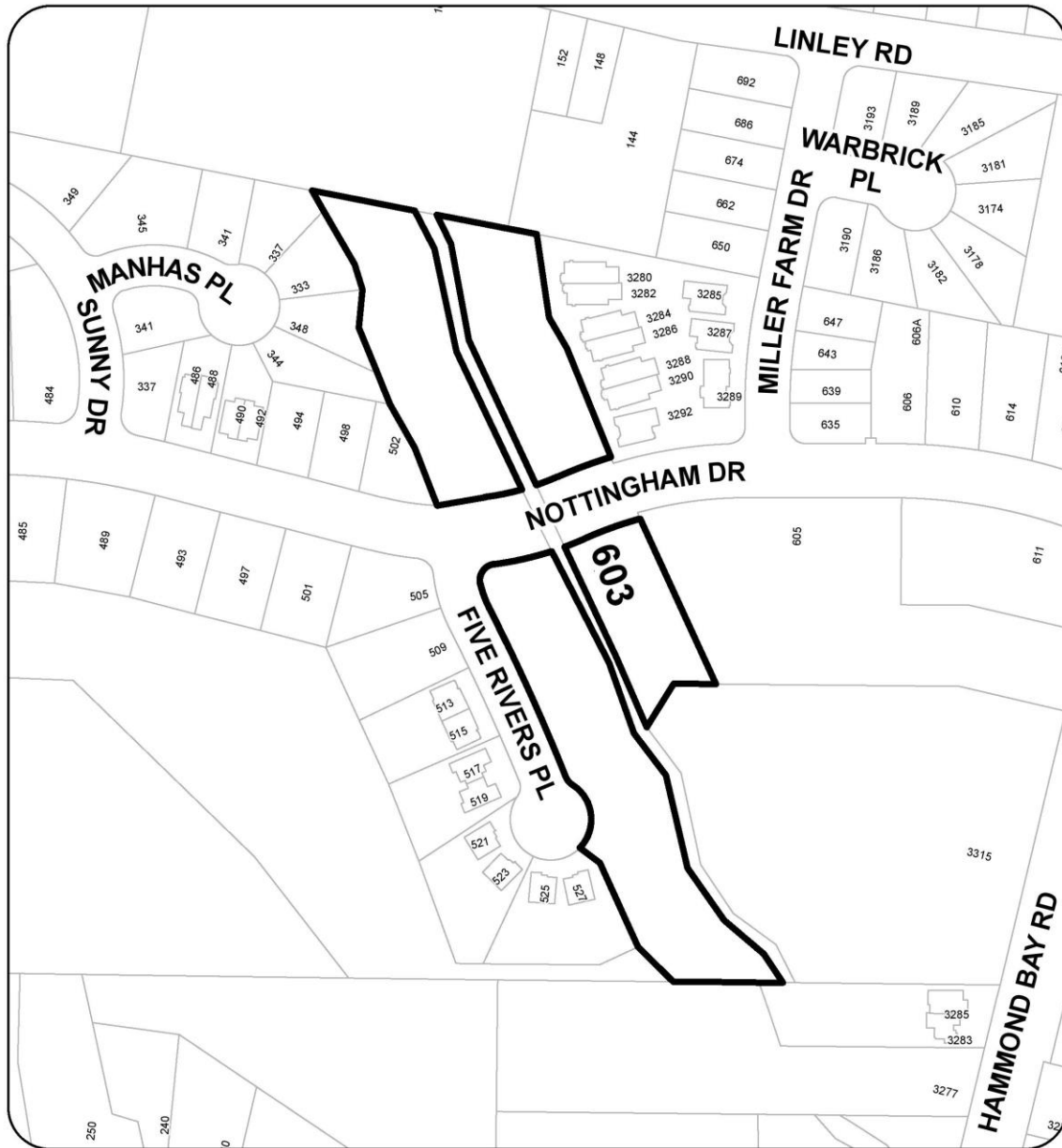
LOCATION PLAN

Civic: 551 GREWAL PLACE
Legal Description: PARK DEDICATED BY PLAN EPP73313

Document Path: V:\Source Data\Departmental Data\Eng\Pub\Wks\GIS\Projects\TEMPLATES\LOCATION_PLAN\Maps\MAP_26.mxd

SCHEDULE A

MAP 27



SUBJECT PROPERTIES

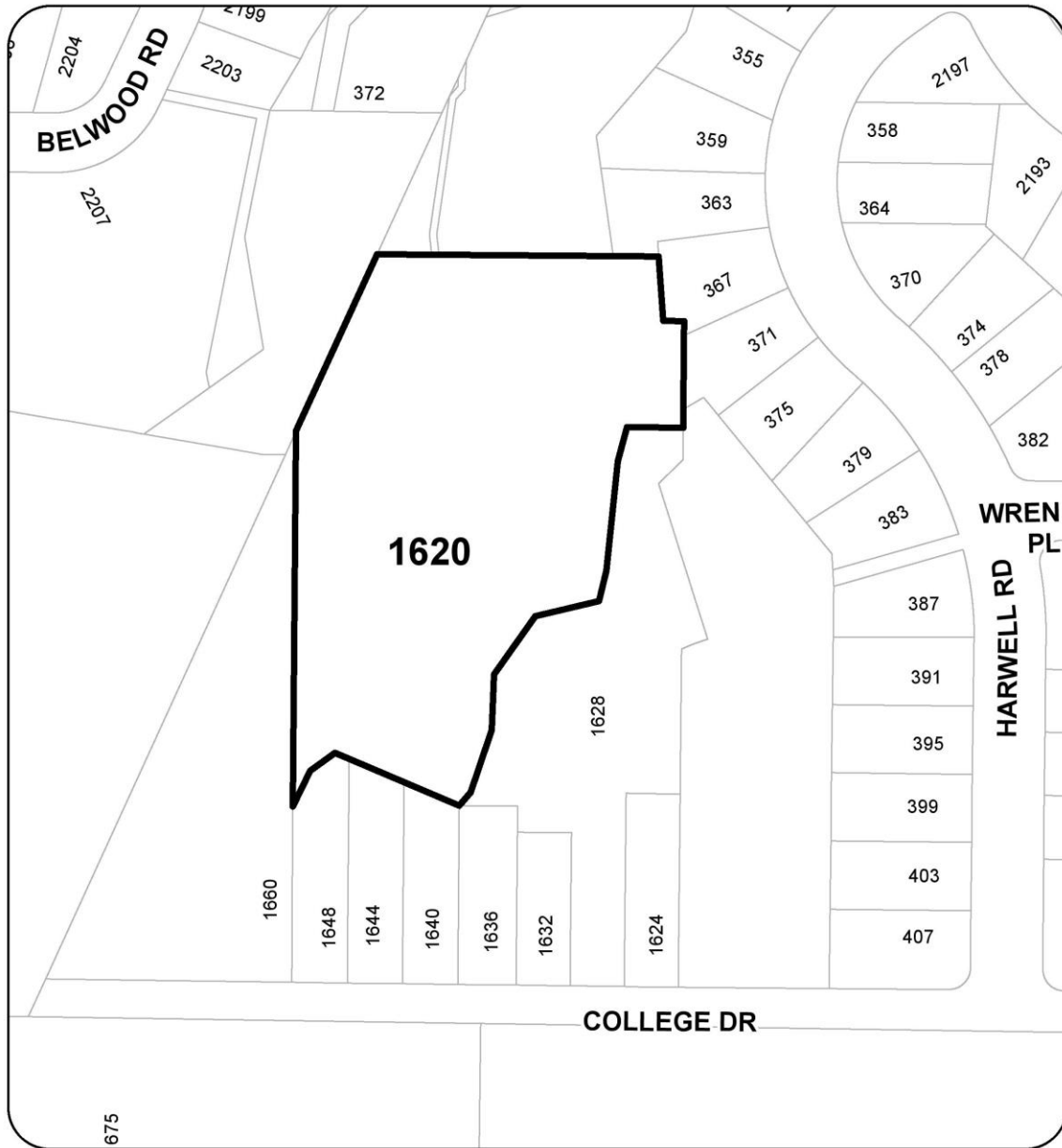
LOCATION PLAN

Civic: 603 NOTTINGHAM DRIVE
Legal Description: LOT 9, SECTION 15A
WELLINGTON DISTRICT, PLAN VIP83210

Document Path: V:\Source Data\Departmental Data\EngPubWks\GIS\Projects\TEMPLATES\LOCATION_PLAN\Maps\MAP_27.mxd

SCHEDULE A

MAP 28



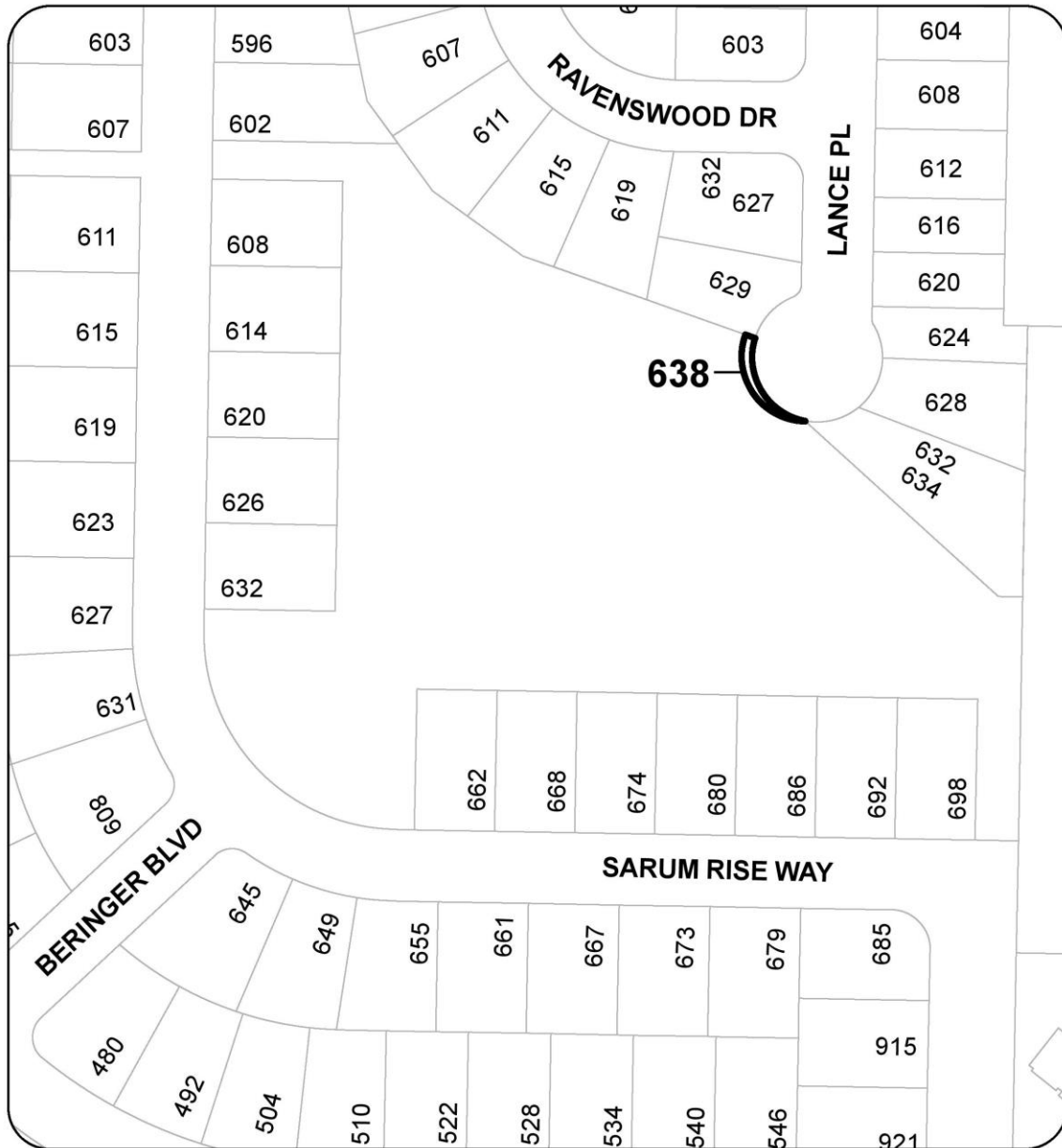
LOCATION PLAN

Civic: 1620 COLLEGE DRIVE
Legal Description: PARK DEDICATED BY PLAN 44336

Document Path: V:\Source Data\Departmental Data\Eng\Pub\Wks\GIS\Projects\TEMPLATES\LOCATION_PLAN\Maps\MAP_28.mxd

SCHEDULE A

MAP 29



SUBJECT PROPERTY

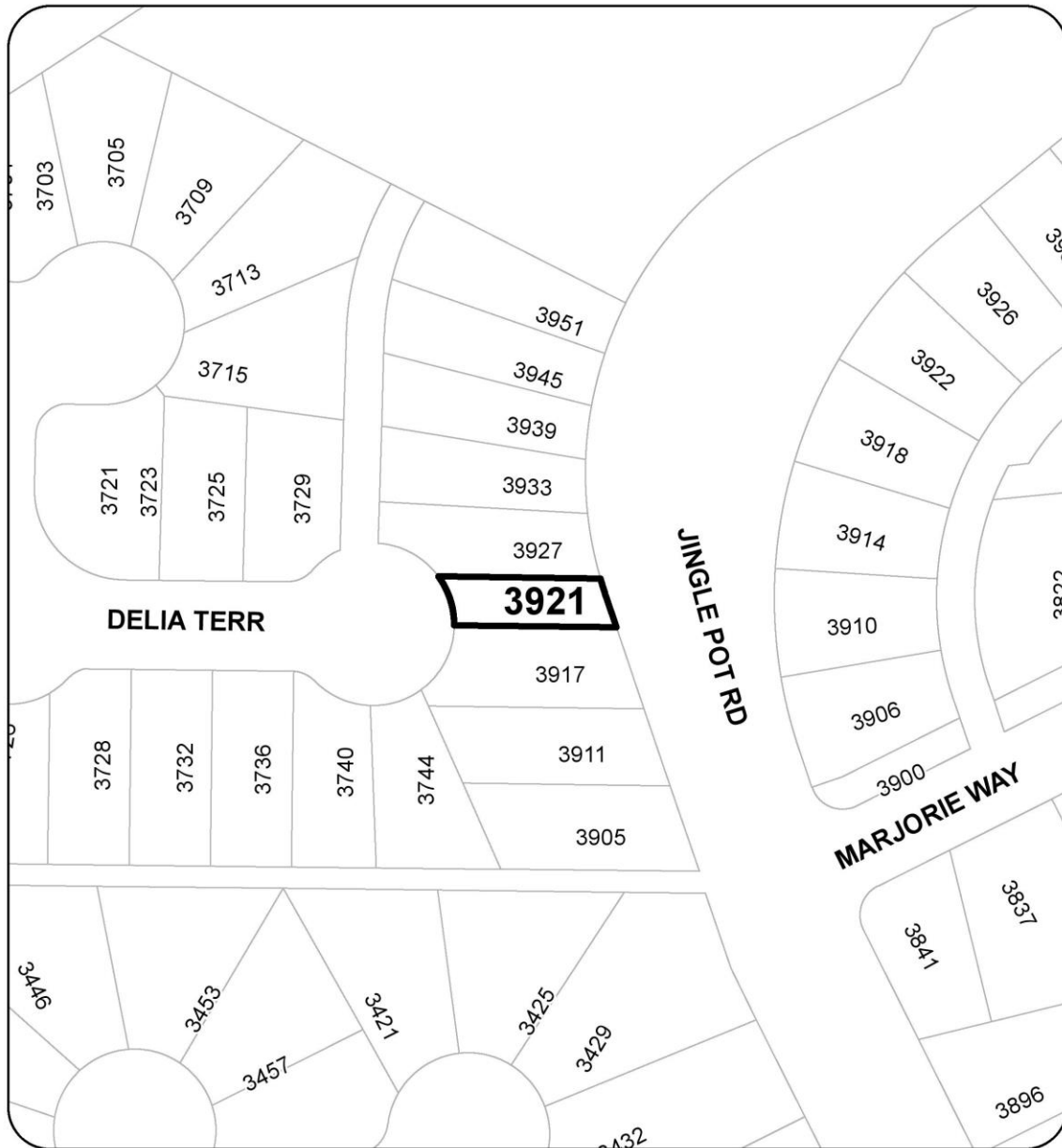
LOCATION PLAN

Civic: 638 SARUM RISE WAY
Legal Description: PARK DEDICATED BY PLAN EPP73244

Document Path: V:\Source Data\Departmental Data\Eng\Pub\Wks\GIS\Projects\TEMPLATES\LOCATION_PLAN\Maps\MAP_29.mxd

SCHEDULE A

MAP 30



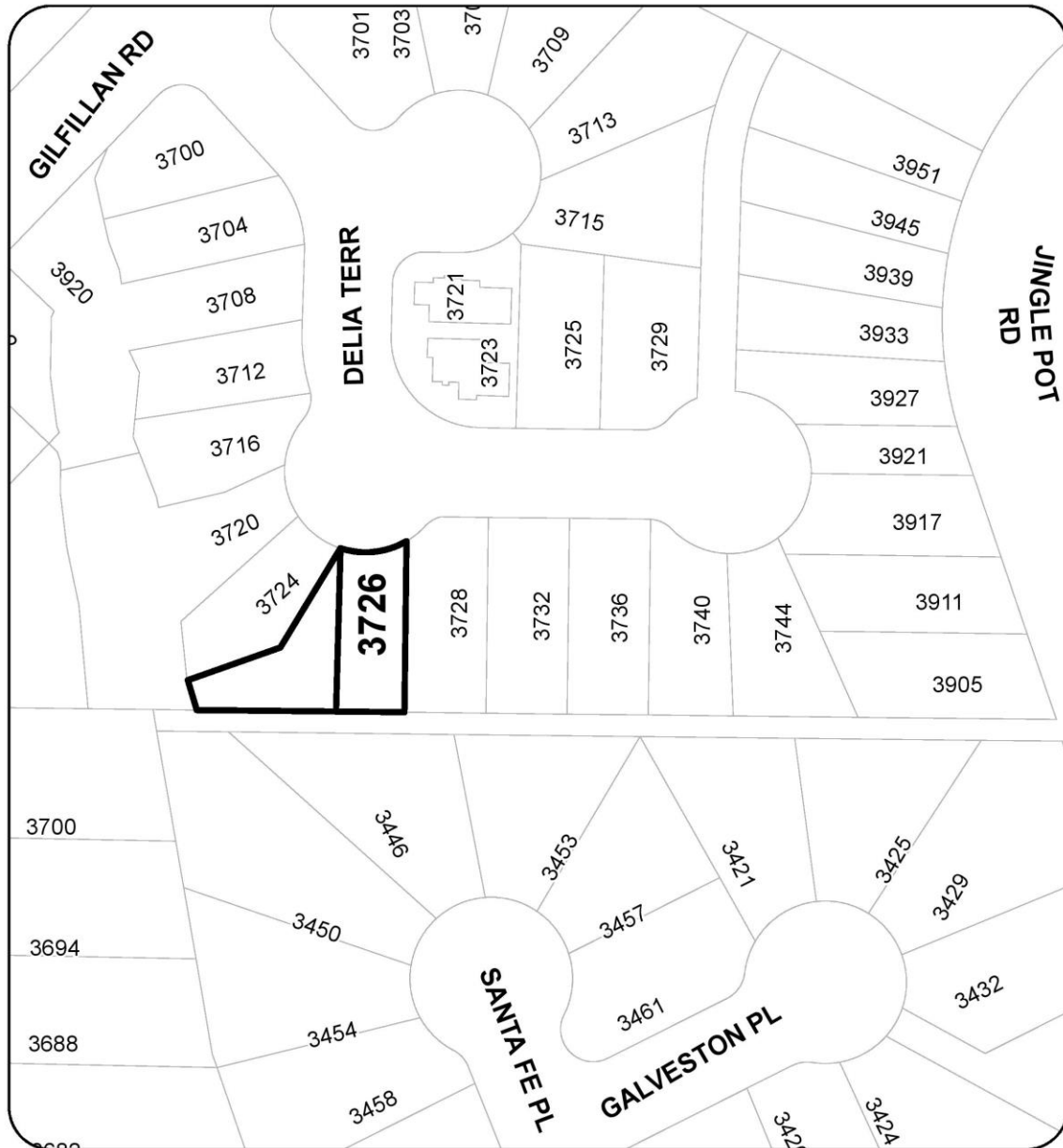
LOCATION PLAN

Civic: 3921 JINGLE POT ROAD
Legal Description: PARK DEDICATED BY PLAN EPP84286

Document Path: V:\Source Data\Departmental Data\Eng\Pub\Wks\GIS\Projects\TEMPLATES\LOCATION_PLAN\Maps\MAP_30.mxd

SCHEDULE A

MAP 31



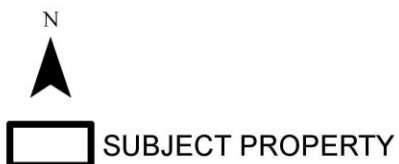
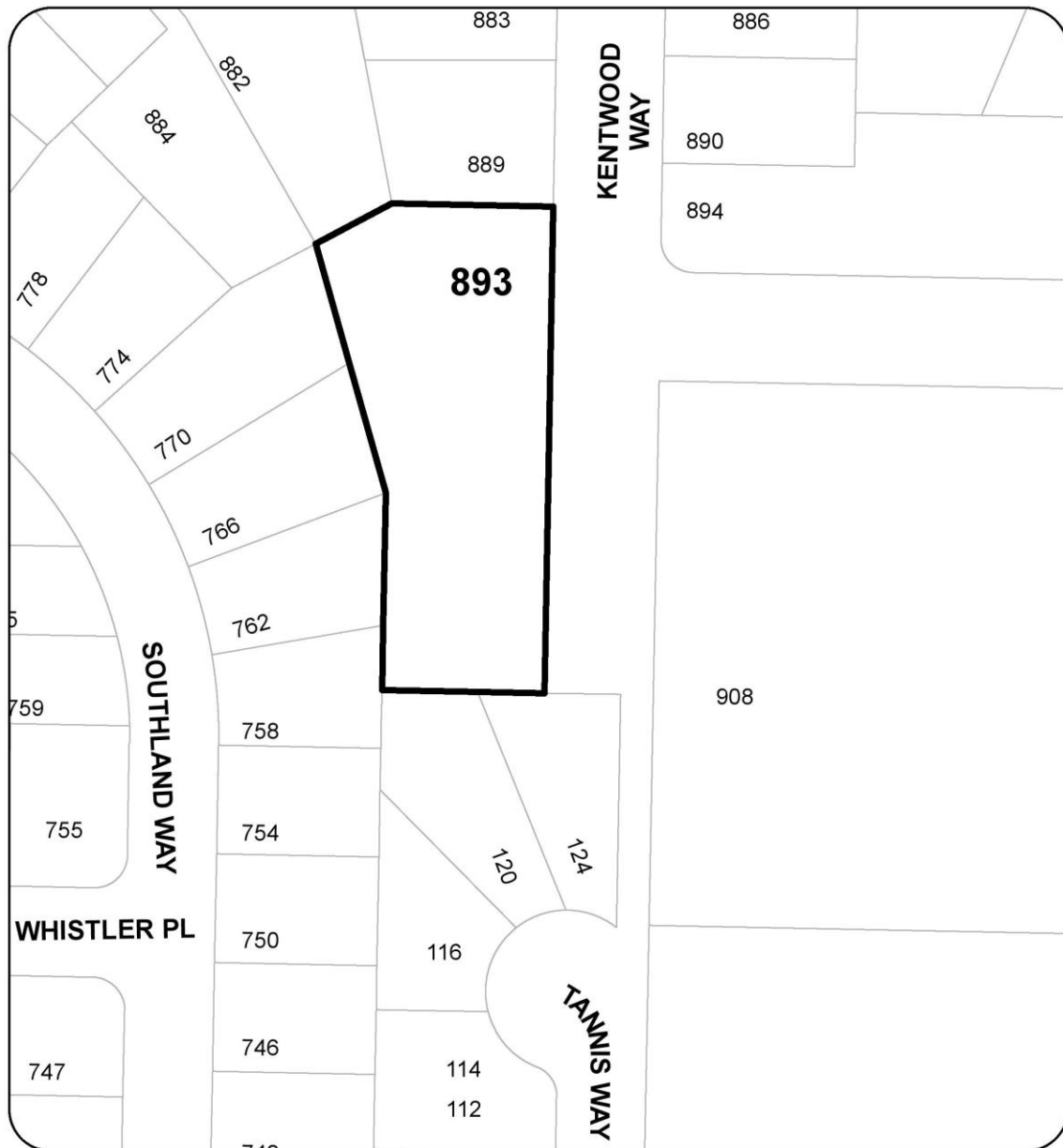
LOCATION PLAN

Civic: 3726 DELIA TERRACE
Legal Description: PARK DEDICATED BY PLAN EPP84286 &
PARK DEDICATED BY PLAN EPP88835

Document Path: V:\Source Data\Departmental Data\Eng\Pub\Wks\GIS\Projects\TEMPLATES\LOCATION_PLAN\Maps\MAP_31.mxd

SCHEDULE A

MAP 32



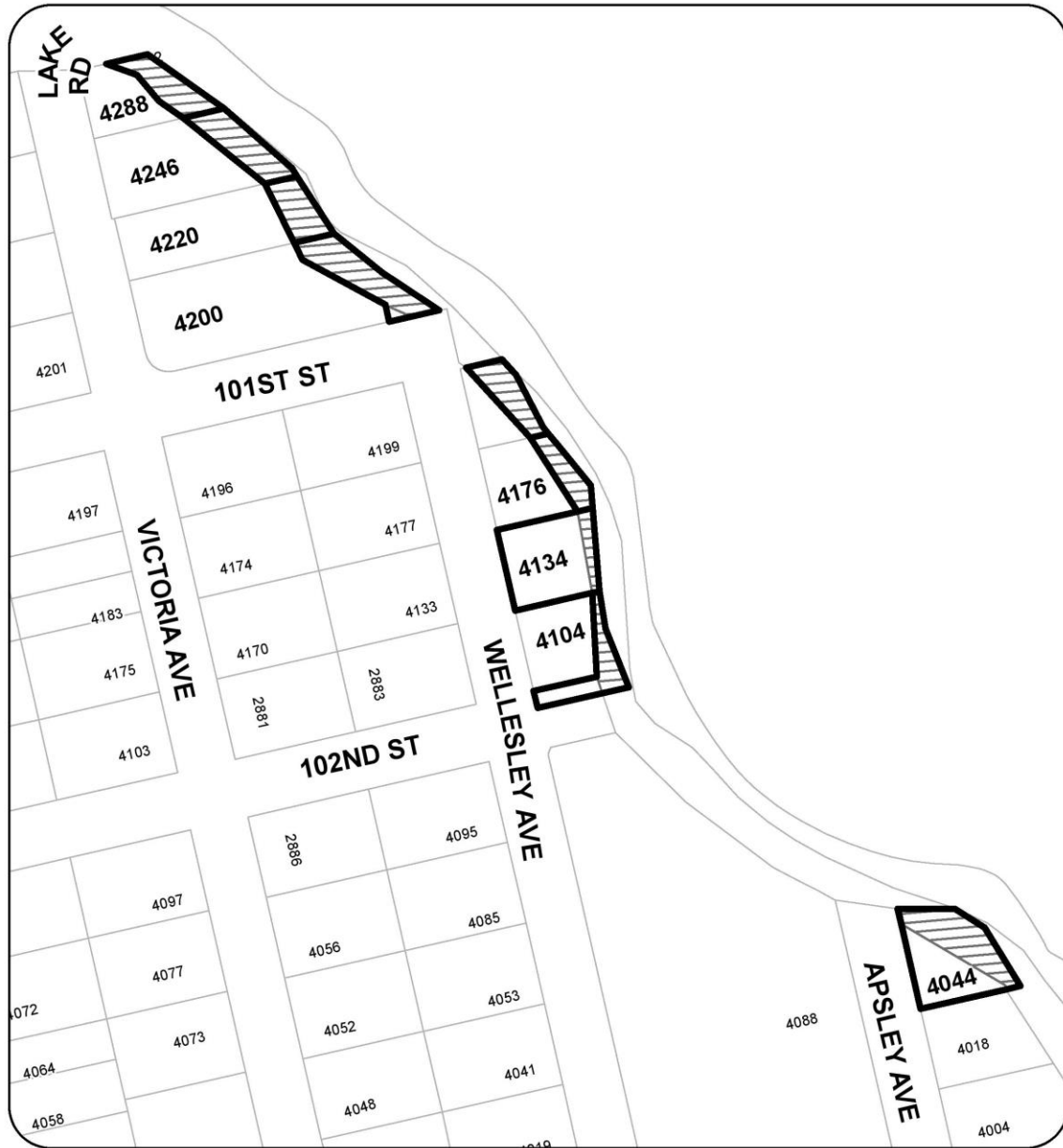
LOCATION PLAN

Civic: 893 KENTWOOD WAY
Legal Description: PARK DEDICATED BY PLAN EPP72913

Document Path: V:\Source Data\Departmental Data\Eng\Pub\Wks\GIS\Projects\TEMPLATES\LOCATION_PLAN\Maps\MAP_32.mxd

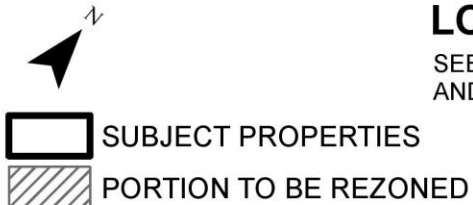
SCHEDULE A

MAP 33



LOCATION PLAN

SEE NEXT PAGE FOR CIVIC ADDRESSES
AND LEGAL DESCRIPTIONS



Document Path: V:\Source Data\Departmental Data\Eng\PubWks\GIS\Projects\TEMPLATES\LOCATION_PLAN\Maps\MAP_33v2.mxd

SCHEDULE A

MAP 33 (continued)

Civic Address:	Legal Description:
4044 Apsley Avenue	Lot A, Section 5, Wellington District, Plan EPP16693
4104A Wellesley Avenue	Lot 8, Section 5, Wellington District, Plan EPP82222
4134 Wellesley Avenue	Lot A, Section 5, Wellington District, Plan EPP86087
4176A Wellesley Avenue	Lots 5 & 6, Section 5, Wellington District, Plan EPP82222
4200A Victoria Avenue	Lot 4, Section 5, Wellington District, Plan EPP82222
4220A Victoria Avenue	Lot 3, Section 5, Wellington District, Plan EPP82222
4246A Victoria Avenue	Lot 2, Section 5, Wellington District, Plan EPP82222
4288A Victoria Avenue	Lot 1, Section 5, Wellington District, Plan EPP82222