

CITY OF NANAIMO

BYLAW NO. 4500.124

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

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

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

1. This Bylaw may be cited as “Zoning Amendment Bylaw 2019 No. 4500.124”.
2. By rezoning the lands legally described LOT A, SECTION 1, NANAIMO CITY, PLAN VIP53876 (388 Machleary Street) Community Service One (CS1) to Comprehensive Development Eleven (CD11) as shown on Schedule A.
3. The “City of Nanaimo Zoning Bylaw 2011 No.4500” is hereby amended by adding Section 16.11 as follows:

16.11 COMPREHENSIVE DEVELOPMENT DISTRICT ZONE ELEVEN (CD11)  
The intent of this zone is to provide for a multiple family residential development within the Old City which includes townhouse and medium density residential development.

16.11.1 Permitted Uses

Principal Use:  
Multiple Residential Dwelling

Accessory Uses:

Accessory Use	Conditions of Use
Daycare	Subject to Part 6.
Home Based Business	Subject to Part 6.

16.11.2 Density

The following table specifies the maximum allowable density (floor area ratio) per individual area as shown on the plans included within Subsection 16.11.6.

Area #	Maximum Floor Area Ratio
1	0.75
2	1.43
3	1.03

### 16.11.3 Building Size

The following table specifies the maximum allowable building height per individual area as shown on the plans included within Subsection 16.11.6.

Area #	Maximum Allowable Building Height	Area Coverage
1	10m	40%
2	16.5m	45%
3	17.5m	30%

### 16.11.4 Building Siting

The following table identifies the minimum distance a principal building must be setback from the area boundary immediately adjacent to the street or area line specified within each respective column heading within each area, as identified on the plans included within Subsection 16.11.6.

Area #	Machleary Street	Franklyn Street	Kennedy Street	Side Yard	Rear Yard
1	4.5m	6m	N/A	1.5m	6m
2	N/A	N/A	6m	1.5m	6m
3	N/A	6m	6m	3m	8m

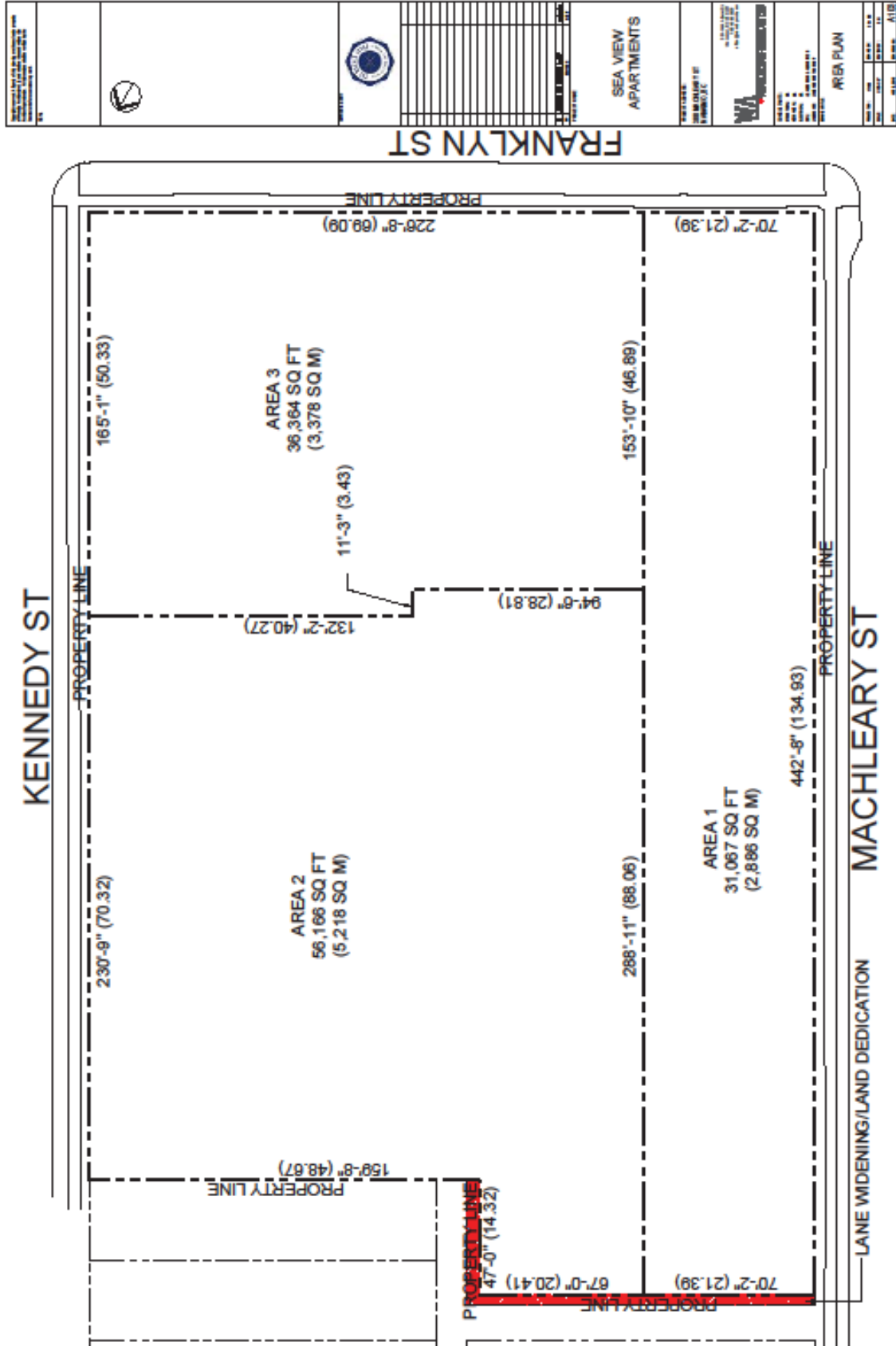
### 16.11.5 Area Size and Dimensions

The minimum area frontage, size and depth and the area numbers referred to in Subsections 16.11.2, 16.11.3, and 16.11.4 shall be in general accordance with the following table:

Area #	Minimum Lot Size	Minimum Lot Frontage	Minimum Lot Depth
1	2,800 m <sup>2</sup>	130	20
2	5,200 m <sup>2</sup>	70	65
3	3,300 m <sup>2</sup>	50	65

### 16.11.6 Plans

Within the CD11 zone, the lands shall be developed in accordance with the areas outlined in the following plan:



16.11.7 Fences

The following table specifies the maximum allowable fence height per individual Area as shown on the plans included within Subsection 16.11.6.

Area #	Machleary Street	Franklyn Street	Kennedy Street	Lane / Walkway	Side Yard	Rear Yard
1	1.2m	1.2m	N/A	1.2m	N/A	1.8m
2	N/A	N/A	1.2m	1.2m	1.8m	1.8m
3	N/A	1.2m	1.2m	N/A	1.8m	1.8m

16.11.8 Screening and Landscaping

Screening and landscaping shall be completed in compliance with Part 17.

16.11.9 Location of Vehicle Parking Areas

No vehicle parking shall be permitted between a building and a property line abutting a public street.

4. By amending Subsection 17.11 by adding “CD11” before “CC1, CC2, CC3, CC4, CC5, CC6” in the MINIMUM LANDSCAPE TREATMENT LEVELS table as follows:

Subject Property Zoned	Front Yard	Side Yard	Rear Yard	Storage / Landfill / Refuse Receptacles
CD11	1	2	2	2

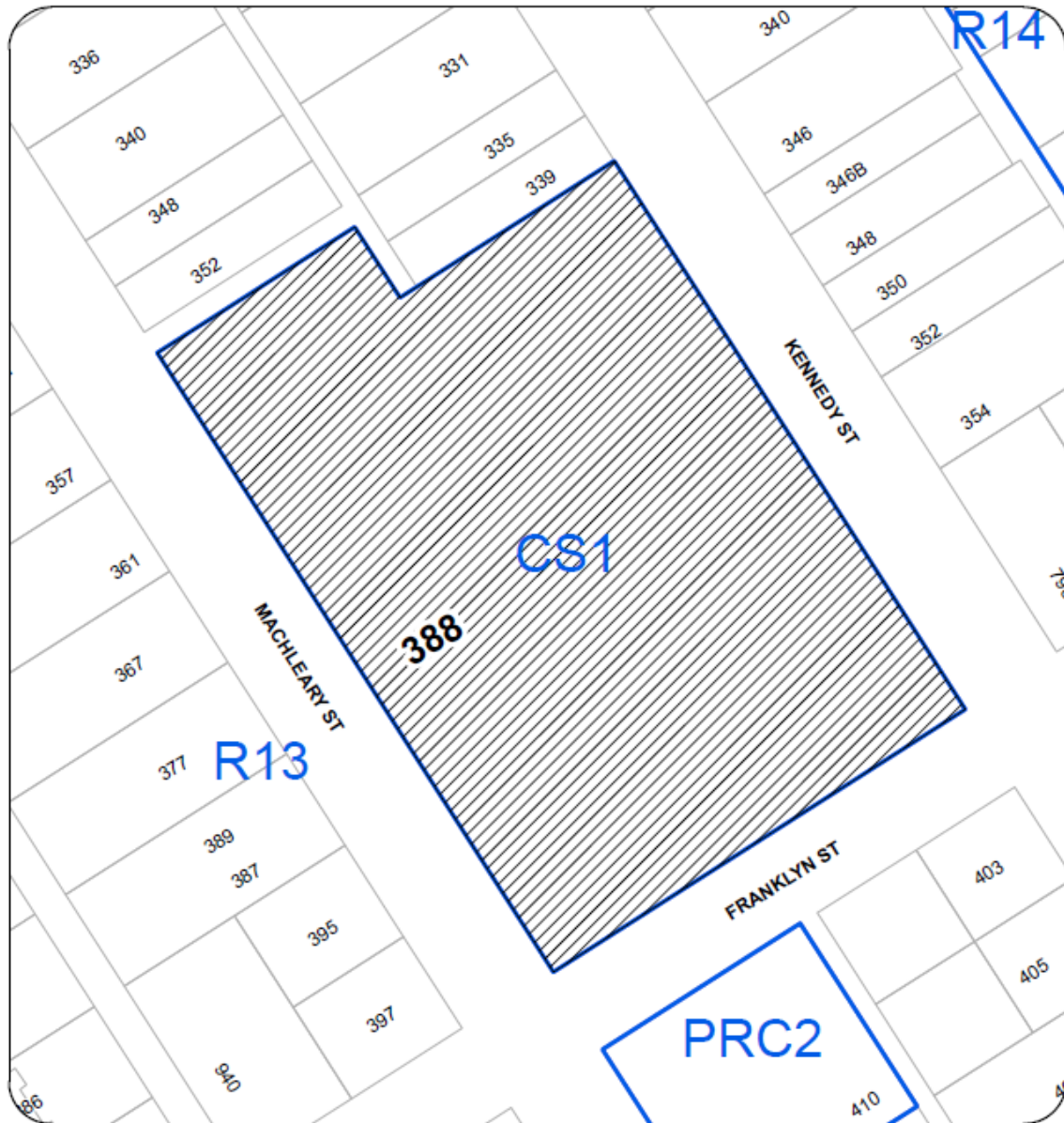
PASSED FIRST READING: 2019-AUG-26  
 PASSED SECOND READING: 2019-AUG-26  
 PUBLIC HEARING HELD: \_\_\_\_\_  
 PASSED THIRD READING: \_\_\_\_\_  
 MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE: \_\_\_\_\_  
 ADOPTED: \_\_\_\_\_

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CORPORATE OFFICER

File: RA000395  
388 Machleary Street

**SCHEDULE A**




**OFFICIAL COMMUNITY PLAN APPLICATION NO. OCP00089 and  
REZONING APPLICATION NO. RA000395**

**LOCATION PLAN**



Civic: 388 MACHLEARY STREET  
Legal Description: LOT A, SECTION 1,  
NANAIMO CITY, PLAN 53876

 Subject Property