

CITY OF NANAIMO

BYLAW NO. 4500.226

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, 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 2024 No. 4500.226".
2. The "City of Nanaimo Zoning Bylaw 2011 No. 4500" is hereby amended as follows:
  - 1) By amending the table in subsection 6.16.2 to delete the text "CD11" in the first column of the last row, and replacing it with "CD14".
  - 2) By adding '16.14 Comprehensive Development District Zone Fourteen (CD14)' after section 16.13, as shown in Schedule A of this Bylaw.
  - 3) By amending the table in section 17.11 by adding the following row after the row labeled 'CD11':

<b>Subject Property Zoned</b>	<b>Front Yard</b>	<b>Side Yard</b>	<b>Rear Yard</b>	<b>Storage / Landfill / Refuse Receptacles</b>
CD14	1	2	2	2

- 4) By rezoning the lands legally described as THE EASTERLY 66 FEET OF LOT 8, BLOCK 16, NEWCASTLE TOWNSITE, SECTION 1, NANAIMO DISTRICT, PLAN 584 (266 Bryden Street), LOT 8, BLOCK 16, NEWCASTLE TOWNSITE, SECTION 1, NANAIMO DISTRICT, PLAN 584, EXCEPT THE EASTERLY 66 FEET THEREOF (268 Bryden Street), PARCEL "A" (DD 383621I) OF LOT 1, BLOCK 16, NEWCASTLE TOWNSITE, SECTION 1, NANAIMO DISTRICT, PLAN 584 (251 Mt Benson Street), PARCEL "B" (DD 393727I) OF LOT 1, BLOCK 16, NEWCASTLE TOWNSITE, SECTION 1, NANAIMO DISTRICT, PLAN 584 (255 Mt Benson Street), LOTS 4 & 6, BLOCK 16, NEWCASTLE TOWNSITE, SECTION 1, NANAIMO DISTRICT, PLAN 584 (250 Terminal Avenue North), and that portion of the City of Nanaimo road right-of-way known as Bryden Street extending 5m south from the lands, from Single Dwelling Residential (R1), Medium Density Residential (R8), Mixed-Use Corridor (COR2), and Community Corridor (COR3) to Comprehensive Development District Zone Fourteen (CD14) as shown on Schedule B of this Bylaw.

PASSED FIRST READING: \_\_\_\_\_  
PASSED SECOND READING: \_\_\_\_\_  
PUBLIC HEARING: \_\_\_\_\_  
PASSED THIRD READING: \_\_\_\_\_  
MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE: \_\_\_\_\_  
ADOPTED: \_\_\_\_\_

\_\_\_\_\_  
MAYOR

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

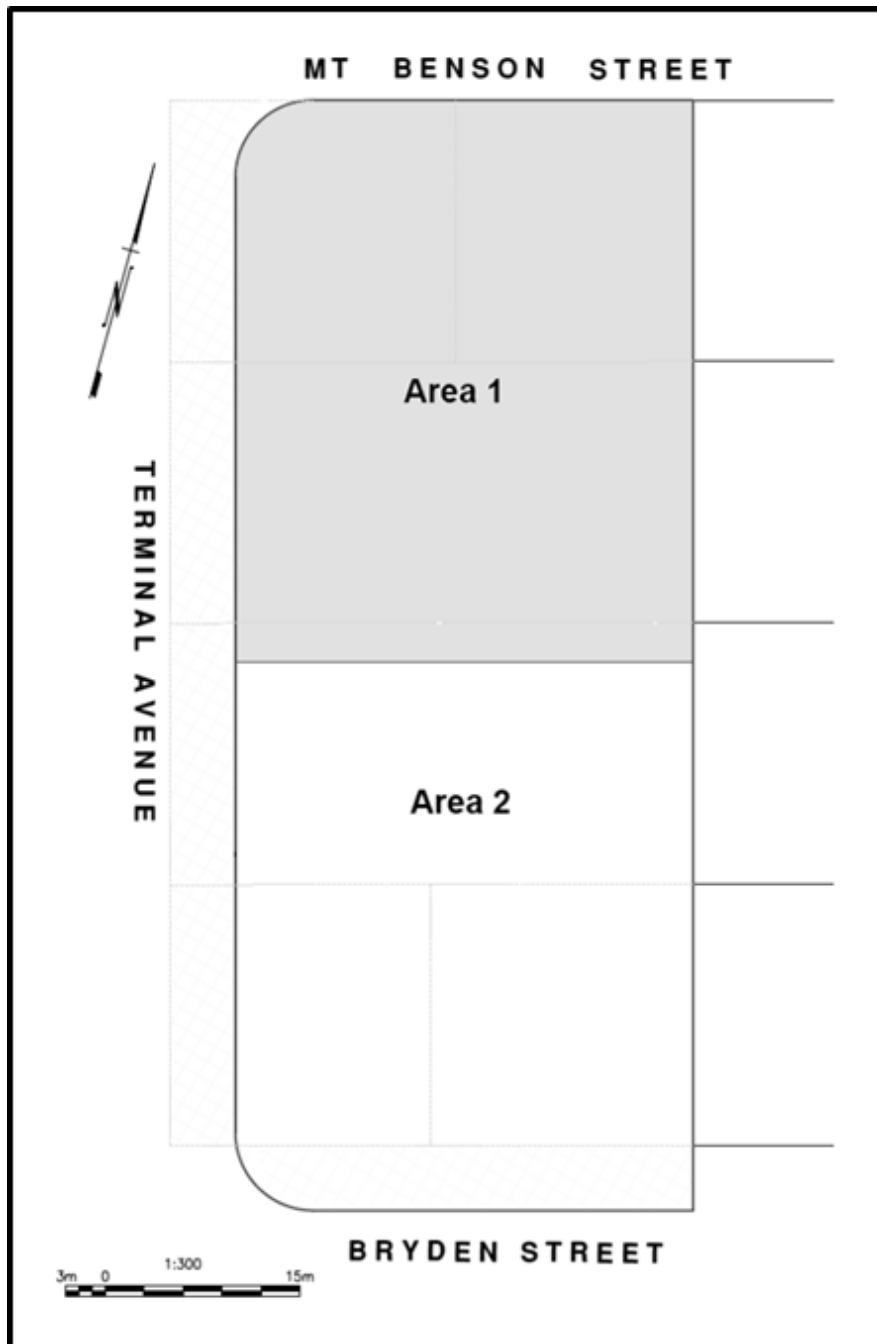
**SCHEDULE A**

**16.14 COMPREHENSIVE DEVELOPMENT DISTRICT ZONE FOURTEEN (CD14)**

The intent of this zone is to facilitate a personal care facility and multi-family residential development.

**16.14.1 ESTABLISHMENT OF AREAS**

16.14.1.1 Regulations in the CD14 zone will be established within two areas as identified in the following plan:



**SCHEDULE A**

**16.14.2 PERMITTED USES**

- 16.14.2.1 Multiple Family Dwelling shall be permitted as a principal use within Area 1.
- 16.14.2.2 Personal Care Facility shall be permitted as a principal use within Area 2.
- 16.14.2.3 Daycare, Office, and Social Service Resource Centre shall be permitted as accessory uses within the CD14 zone.

**16.14.3 DENSITY**

16.14.3.1 The following table specifies the maximum allowable base density, expressed as a Floor Area Ratio, per area and the maximum allowable additional density as specified:

<b>Condition of Density</b>	<b>Area 1 – Floor Area Ratio (FAR)</b>	<b>Area 2 – Floor Area Ratio (FAR)</b>
Maximum base density	0.80	2.00
Additional density where parking spaces are provided underground (where the roof of the underground parking is not more than 0.8m above the finished grade)	+0.25 multiplied by the percentage of the total parking spaces provided underground	n/a
Additional density where the property owner enters into a Housing Agreement with the City of Nanaimo to ensure that a portion of the dwelling units (greater than 29m <sup>2</sup> in area) will be rented at or below average rent levels for Nanaimo, as determined by CMHC	+1.25 multiplied by the percentage of eligible dwelling units	n/a

16.14.3.2 For the purposes of calculating Floor Area Ratio in Subsection 16.14.3.1, lot area shall be considered the area as shown as Area 1 and Area 2 in the plans included within Subsection 16.14.1.1 of this Bylaw.

**16.14.4 LOT SIZE AND DIMENSIONS**

- 16.14.4.1 The minimum lot size in the CD14 zone shall be 1,400m<sup>2</sup>.
- 16.14.4.2 The minimum lot frontage in the CD14 zone shall be 30m.
- 16.14.4.3 The minimum lot depth in the CD14 zone shall be 35m.

**SCHEDULE A**

**16.14.5 SITING OF BUILDINGS**

16.14.5.1 The following table specifies the minimum distance a principal building must be set back from the lot line within each specified yard area:

<b>Lot Line</b>	<b>Minimum Setback</b>
Front Yard	3.0m – First four storeys 5.5m – Above the fourth storey
Flanking Side Yard	1.0m
Side Yard*	7.5m
Rear Yard	3.0m

*\*The side yard shall be measured from any lot line abutting an adjacent residential-zoned property.*

16.14.5.2 No vehicle parking shall be permitted between the front face of a principal building and any lot line abutting a street.

16.14.5.3 Notwithstanding Subsections 6.5.1 and 16.14.5.1, a minimum setback shall not be required for an underground parking structure.

16.14.5.4 Notwithstanding 16.14.5.1, general provisions in Part 6 for the siting of buildings near watercourses shall apply.

**16.14.6 SIZE OF BUILDINGS**

16.14.6.1 The following table specifies the maximum permitted lot coverage and building height, as well as the minimum required height of a principal building, within each respective sub-zone:

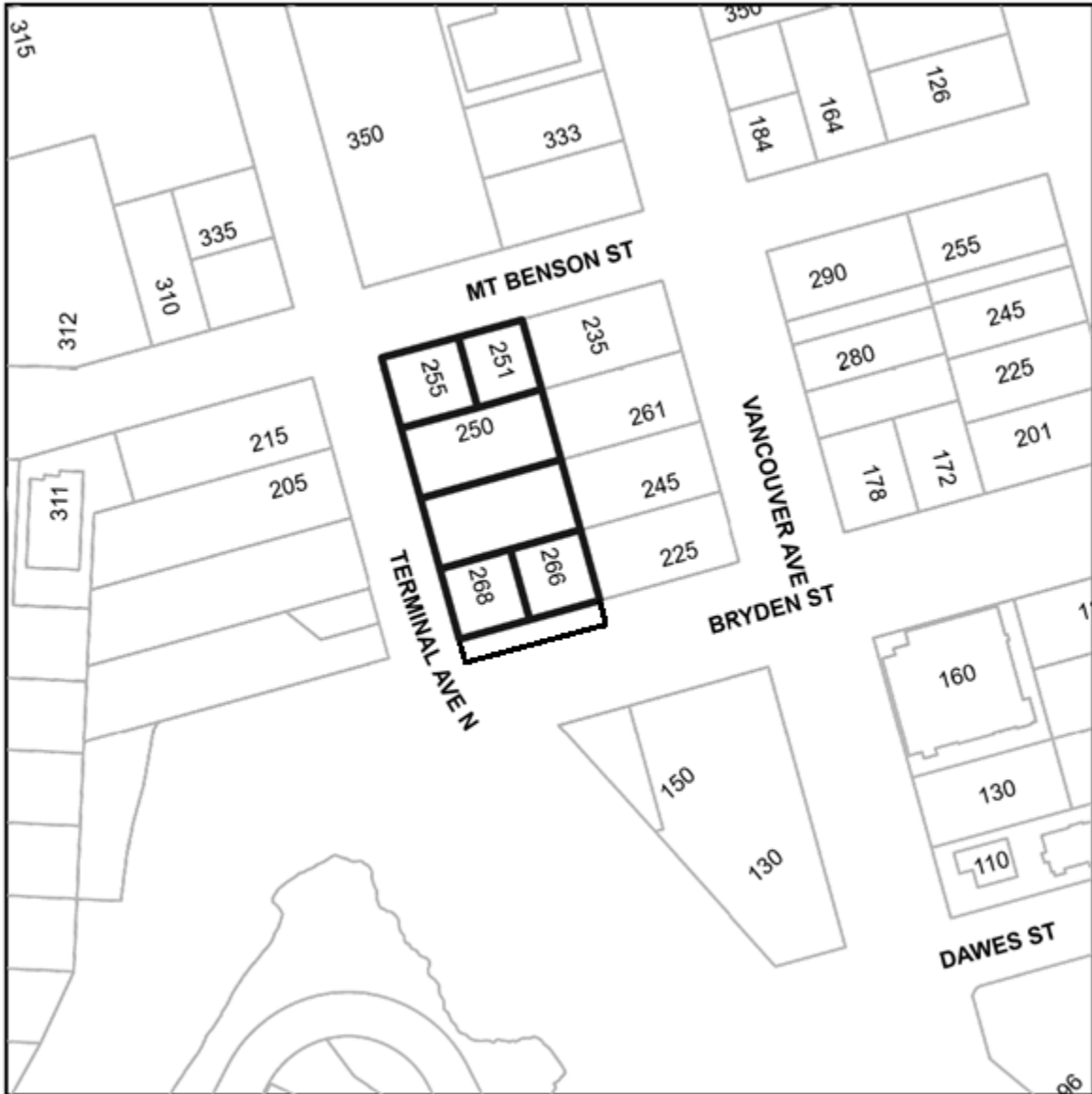
<b>Area</b>	<b>Lot Coverage</b>	<b>Maximum Building Height</b>	<b>Minimum Building Height</b>
<b>1</b>	50%	17.5m	2 Storeys
<b>2</b>	50%	17.5m	2 Storeys

**16.14.7 FENCE HEIGHT**

16.14.7.1 The required fence height along the east property line shall be 2.4m.

16.14.7.2 The maximum permitted fence height in the front and flanking side yard setbacks shall be 1.2m.

**SCHEDULE B**



**REZONING APPLICATION NO.RA000495**



**Subject Property**

CIVIC: 266 & 268 Bryden Street, 251 & 255 Mt Benson Street, 250 Terminal Avenue N.