

CITY OF NANAIMO

BYLAW NO. 4500.035

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 890, 891, 903 and 904 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 2013 NO. 4500.035".
2. The City of Nanaimo "ZONING BYLAW 2011 NO. 4500" is hereby amended by adding Section 16.10 as follows:

16.10 **COMPREHENSIVE DEVELOPMENT DISTRICT ZONE TEN (CD10)**

The intent of this zone is to provide for a two-lot subdivision, with up to two dwelling units per lot, within the Old City Neighbourhood.

16.10.1 **PERMITTED USES**

<b>Principal Uses</b>	<b>Conditions of Use</b>
Single Residential Dwelling Multiple Family Dwelling	

<b>Accessory Uses</b>	<b>Conditions of Use</b>
Bed and Breakfast	Subject to Part 6. Must be located within a single residential dwelling.
Boarding and Lodging	Shall not exceed two sleeping units and shall not accommodate more than two persons. Must be included within a single residential dwelling.
Daycare	Subject to Part 6.
Home Based Business	Subject to Part 6.
Secondary Suite	Subject to Part 6. Must be accessory to a single residential dwelling.

16.10.2 **DENSITY**

One single residential dwelling with a secondary suite per lot OR two dwelling units per lot.

16.10.3 **LOT AREA**

Lot area shall be as set out in the plans included within Subsection 16.10.8 of this Bylaw.

16.10.4 **LOT DIMENSIONS**

Lot dimensions shall be as set out in the plans included within Subsection 16.10.8 of this Bylaw.

16.10.5 **YARD SETBACKS**

Yard requirements shall be as set out in the plans included within Subsection 16.10.8 of this Bylaw.

16.10.6 **BUILDING HEIGHT**

Building Height shall not exceed 7.75m as measured vertically from the average natural grade level recorded at the outermost corners of the building or at the curb level, whichever is greater, as determined by a survey to the highest part of the roof surface for a flat roof, the deck line of a mansard roof, and the mean height level between the eaves and ridge of a gable, hip, or gambrel of a sloped roof.

16.10.7 **PARKING**

Parking space requirements and layout shall be as set out in the plan included within Subsection 16.10.8 of this Bylaw.

16.10.8 **PLANS**

Within the CD10 Zone lot area, lot dimensions, yard setbacks and parking shall be developed in general accordance with the following plan:

**PROJECT DATA:**

**LEGAL DESCRIPTION:**

SECTION A, LOT 16, BLOCK H, SECTION 1,  
NANAIMO DISTRICT, PLAN 584

**CIVIC ADDRESS:**

433 MILTON STREET, NANAIMO, BC

**PROPOSED LOT AREAS:**

**LOT 1**                    443.6 SQ.M (4774.9 SQ.FT.)  
**LOT 2**                    428.9 SQ.M (4616.6 SQ.FT.)

**PROPOSED LAND USE:**

**LOT 1** - EXISTING SINGLE FAMILY DWELLING  
          + NEW SINGLE FAMILY DWELLING  
**LOT 2** - TWO NEW SINGLE FAMILY DWELLINGS

**EXISTING ZONING:**

R14- OLD CITY LOW DENSITY  
(FOURPLEX) RESIDENTIAL

**PROPOSED ZONING:**

COMPREHENSIVE DEVELOPMENT

**EXISTING BUILDING (LOT 1):**

LOWER FLOOR: 1167 SQ.FT.  
UPPER FLOOR: 1131 SQ.FT.  
TOTAL:                2298 SQ.FT.

**DENSITY / FLOOR AREA: 2 UNITS PER LOT**

**LOT 1** - 2298 SQ.FT. + 752 SQ.FT. = 2935 SQ.FT.  
**LOT 2** - 1490 SQ.FT. PER UNIT = 2980 SQ.FT.

**LOT COVERAGE:**

**LOT 1** - (600 SQ.FT.+ 1340 SQ.FT.) / 4774.9 = 41.0%  
**LOT 2** - (711 SQ.FT. x 2) / 4616.6 SQ.FT. = 30.8%

**PARKING REQUIRED:**

**LOT 1** - 2 SPACE FOR SINGLE FAMILY +  
          1 SPACE FOR CARRIAGE HOUSE = 3 SPACES  
**LOT 2** - 1 SPACE PER UNIT                        = 2 SPACES

**PARKING PROVIDED:**

**LOT 1** - 3 SPACES  
**LOT 2** - 2 SPACES



3. The City of Nanaimo "ZONING BYLAW 2011 NO. 4500" is hereby amended as follows:

By rezoning the land legally described SECTION A, LOT 16, BLOCK H, SECTION 1, NANAIMO DISTRICT, PLAN 585 from Old City Low Density (Fourplex) Residential zone to Comprehensive Development District Ten (CD10) zone, as shown on Schedule A.

PASSED FIRST READING 2013-FEB-18  
PASSED SECOND READING 2013-FEB-18  
PUBLIC HEARING HELD \_\_\_\_\_  
PASSED THIRD READING \_\_\_\_\_  
COVENANT REGISTERED \_\_\_\_\_  
ADOPTED \_\_\_\_\_

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MAYOR

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MANAGER  
LEGISLATIVE SERVICES

File: RA000305  
Address: 433 Milton Street

Schedule A



REZONING APPLICATION NO. RA305

**LOCATION PLAN**

Civic: 433 Milton Street



 **Subject Property**