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## 3.0 - Containing Urban Sprawl

The policies of this section work towards Goal 1 of the Regional Growth Strategy by defining the community's intentions and priorities with respect to urban containment through the confirmation of a well-defined urban containment boundary.

### 3.1 Urban Containment Boundary

In recognition of the community's value of managing growth and change in land use and activity or development in Electoral Area 'G', and the region's goal of containing urban sprawl, the Electoral Area 'G' OCP contains an Urban Containment Boundary in French Creek which distinguishes the predominant rural land base of Electoral Area 'G' from the urban areas within French Creek. The majority of new residential, commercial, tourist-related, and public uses will be accommodated within the urban areas.

The Urban Containment Boundary (UCB) and associated policies in this Plan will be used to identify those areas within the community where the majority of new growth is expected, and where additional growth will not be provided for. With the exception of the proposed expansion to the Wembley Neighbourhood Centre, the policies in this Plan are consistent with the Urban Containment Boundary in the Regional Growth Strategy. A framework is established for protecting the integrity of rural areas and existing neighbourhoods, and for 'nodal' development to guide the form and character of future growth in urban areas within Electoral Area 'G'. The boundary is used to identify the limits of urban-type services, which will have an affect on the character of growth, by establishing definitive borders between the urban and the more predominant rural land base in Electoral Area 'G'.

The UCB is a key element within the Plan which advances the Plan's goals of protecting the rural character of the Plan Area, protecting the natural environment, and managing growth and change in land use in Electoral Area 'G'.

#### Objectives:

1. Provide clear separation between rural and urban lands.
2. Restrict future growth outside of the Urban Containment Boundary.
3. Protect and enhance rural and neighbourhood residential lifestyles.
4. Provide appropriate transition and clear separation between rural and urban lands.
5. Ensure that future growth does not result in urban sprawl.

#### Policies:

1. The Urban Containment Boundary is identified on Map No. 3 (Land Use Designations) of this Plan and is consistent with the Urban Containment Boundary in the Regional Growth strategy, as adopted by the Regional Board.
2. Notwithstanding Policy No. 1 above, this Plan proposes to expand the Wembley Neighbourhood Centre in accordance with Section 4.1 of this Plan. The proposed expansion is not consistent with the current Urban Containment Boundary and will therefore require an amendment to the Urban Containment Boundary.

3. Applications to amend this Official Community Plan to adjust the Urban Containment Boundary will be accepted once a year in late fall and shall be reviewed in accordance with the Urban Containment and Fringe Area Management Implementation Agreement or replacement agreement between the Regional District of Nanaimo and its municipalities.
4. Not all land within the Urban Containment Boundary is intended to be developed. Community amenities such as increased park land and the protection of greenways, open space and trail corridors shall be supported to maintain the character of existing established neighbourhoods.
5. Community services including water, sewer, and rain water management systems shall not be extended outside of the Urban Containment Boundary, for the purpose of facilitating additional development.
6. The retention of land within the Agricultural Land Reserve shall be supported.
7. Adequate buffering to create a gradual transition between urban areas and farming areas shall be required prior to rezoning or subdivision of any land in the urban area adjacent to the urban boundary.
8. New development proposals in urban areas, other than the development of existing residentially zoned areas, shall be consistent with the 'nodal' framework of this Plan. Intensive multi-use developments shall only be supported within the French Creek Mixed Use Area.
9. Underground services including hydro, telephone, and other utilities are strongly preferred for all new developments within the urban area in French Creek.
10. Notwithstanding Policy 9 above and urban servicing objectives of this Plan, the Regional District may allow within urban areas, open drainage swales, ditches, detention ponds, and permeable surface drainage systems where it would be necessary to protect and/or maintain the natural environment and satisfy other sustainability objectives.
11. This Plan supports a study looking at the feasibility of establishing a new neighbourhood centre in Dashwood that supports a mix of land uses. The study must include, but should not be limited to, providing recommendations on the need for a village centre in Dashwood, boundary locations, servicing strategy, land uses, and minimum parcel sizes.
12. Despite the maximum densities supported by this Plan on lands within the Urban Containment Boundary, additional density within the urban containment boundary may be considered where density is transferred from a parcel outside of the urban containment boundary to a parcel located inside the urban containment boundary in accordance with Policy 8 of Section 2.1 Environmentally Sensitive Features and Policy 9 of Section 2.2 Freshwater Management of this Plan. The suitability of the density transfer shall be determined through the rezoning purpose.

### **3.2 Neighbourhood Residential**

In contrast to the rural areas of the Plan Area, most of the urban area in French Creek is comprised of existing residential neighbourhoods which are designated Neighbourhood Residential in this OCP. These neighbourhoods have their own identity and semi-urban

characteristics including rural features, although they are within established urban boundaries. Electoral Area 'G' residents support the protection of existing neighbourhood characteristics and rural features by avoiding higher forms of urban development within these neighbourhoods. The Plan will ensure that infill development is designed to enhance the character of existing neighbourhood residential areas with compatible ground-oriented forms of development.

**Objectives:**

1. Protect and enhance the characteristics of existing residential neighbourhoods.
2. Restrict subdivision to infilling at designated Neighbourhood Residential densities.
3. Avoid higher forms of urban development which are not compatible with the character and identity of existing residential neighbourhoods.

**Policies:**

1. The integrity of Neighbourhood Residential areas will be protected by restricting future residential development to ground-oriented dwelling units in order to maintain and enhance existing neighbourhood characteristics and identity. This policy is not intended to prohibit a diversity of housing types and sizes.
2. Residential development shall be permitted at maximum densities of 15 dwelling units per hectare, where it is serviced by community sewer and community water systems, on land having a Neighbourhood Residential designation as shown on Map No. 3 (Land Use Designations).
3. The Regional District of Nanaimo shall consider rezoning the parcels affected by Development Permit No. 77 that have been subdivided for single residential use as of the date of the adoption of this Plan from Residential 5 to a single residential zone to recognize the existing single residential use.
4. Amendment applications to provide multi-residential zoning to allow clustering of ground-oriented uses at neighbourhood residential densities may be considered for the purpose of increasing space allotted to community park land, open space and pedestrian linkages, provided the application satisfies the following:
  - a. The proposed rezoning will not result in an increase in the maximum gross density of the 'Neighbourhood Residential' designation (15 units per hectare);
  - b. A minimum of 20% of the land area is to be provided for parks and publicly accessible open space purposes, where acceptable to the Regional District;
  - c. The land area provided for community parks and publicly accessible open space, pursuant to this section, shall not reduce the gross number of units permitted (15 units per hectare) calculated on the gross area of the land;
  - d. Permanent protection is provided to all watercourses, riparian areas, environmentally sensitive features, or archaeological sites where applicable and it is preferred that the protection of these areas be in addition to the 20% parks and publicly open spaces required in (b) above;

- e. The form and character of development is compatible with neighbourhood residential land uses and the application is assessed with respect to development permit area guidelines in the zoning bylaw; and,<sup>6</sup>
  - f. The proposed development must be serviced with community water and sewer.
5. In order to support affordable/attainable housing in the Plan Area, secondary suites shall be supported on lots where serviced by community water and community sewer within the Neighbourhood Residential land use designation of this Plan provided they meet the following criteria:
- a. The secondary suite must be completely contained within the principal dwelling unit;
  - b. No more than one secondary suite shall be permitted per parcel;
  - c. Secondary suites are not permitted in a mobile home;
  - d. A minimum of two (2) additional off-street parking stalls shall be provided;
  - e. The Regional District of Nanaimo does not support the subdivision of secondary suites pursuant to the *Strata Property Act*;
  - f. Secondary suites shall not be permitted where a home based business, day care, or group home has been established; and,
  - g. The size of a secondary suite shall not exceed 40% of the habitable floor space of the principal dwelling to a maximum of 60m<sup>2</sup>.
6. Despite Policy No. 5 above, amendments to the criteria for suites may be made without an amendment to this Plan in order to address community concerns and issues during the implementation of Policy No. 5 above.
7. Policy No. 5 above shall not be considered for implementation until the Board has conducted an Electoral Area wide review of secondary suites.
8. Prior to considering a rezoning to permit secondary suites within the Neighbourhood Residential designation of this Plan, the Regional District of Nanaimo shall request confirmation from the community water service provider that there is sufficient water capacity which meets the Canadian Drinking Water Guidelines to accommodate secondary suites. If sufficient capacity is not available or should proof of sufficient capacity not be proved by the water service provider, the Regional District of Nanaimo shall not implement Policy No. 5 above to permit secondary suites.

### **3.3 Multi Residential**

The Plan recognizes the existing status of multi residential zoned property in urban areas. The Plan will, however, restrict proposals for new multi residential zoning, greater than 15 units per

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<sup>6</sup> Bylaw No. 1540.02, adopted December 4, 2018

hectare, to Neighbourhood Centres pursuant to Section 4 (Creating Complete Nodal Communities) of this Plan.

**Objectives:**

1. Limit multi residential uses to existing Multi residential designated lands and neighbourhood centres.
2. Maintain compatibility of existing neighbourhoods and multi residential developments.
3. Ensure the inclusion of open space greenways in new multi residential developments.

**Policies:**

1. This Plan recognizes the existing ground-oriented town home developments with multi residential densities greater than 15 units per hectare located outside of the neighbourhood centres, including Morningstar Developments, and Pebble Beach. These areas are designated multi residential as shown on Map No. 3 (Land Use Designations).
2. Notwithstanding Policy 1 above, this Plan recognizes that there are existing parcels of land located outside of a Neighbourhood Centres zoned for Multi Residential use. This Plan supports the development of the multi residential lands as shown on Map No. 3 (Land Use Designations) to the densities supported by the zoning in affect at the date of adoption of this Plan.
3. Amendment applications to provide new Multi-residential zoning with densities greater than 15 units per hectare outside of the Wembley Neighbourhood Centre or French Creek Mixed Use Area shall not be supported.
4. Zoning boundaries may be adjusted to more accurately delineate existing status multi-residential and golf course boundaries.
5. The reduction of area provided for open space amenities or golf courses, which are an integral part of existing status multi-residential golf course developments, shall not be supported.